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**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI  
ORIGINAL APPLICATION NO. 456 OF 2018**

**IN THE MATTER OF:**

Nityanand Mishra .....Petitioner

Versus

State of Madhya Pradesh & Ors ....Respondents

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**Respondent No.1**

Through



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Place : New Delhi  
Date : 02/11/2020

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**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI  
ORIGINAL APPLICATION NO. 456 OF 2018**

**IN THE MATTER OF:**

Nityanand Mishra

..... Petitioner

Versus

State of Madhya Pradesh & Ors

....Respondents

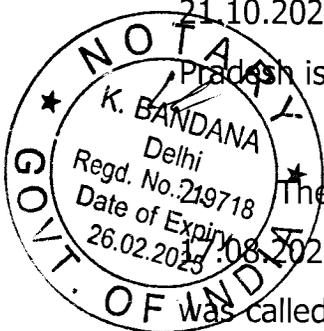
**AFFIDAVIT ON BEHALF OF THE MINING DEPARTMENT  
RESPONDENT NO. 1 IN COMPLIANCE TO THE ORDER DATED  
17.08.2020 PASSED BY THIS HON'BLE TRIBUNAL IN THE PRESENT  
MATTER:**

**MOST RESPECTFULLY SHOWETH: -**

I, K.P. Dinkar S/o Late Shri S.R Dinkar, aged about 47 years working as Deputy Director (Technical), Directorate of Geology and Mining with the Respondent No.1, having its office at 29-A, Khaneej Bhawan, Arera Hills, Bhopal, Madhya Pradesh, presently, at New Delhi do hereby solemnly declare and affirm as under: -

1. That I am aware of the facts of the present case and on the basis of knowledge derived from the records maintained by the Respondent No. 1 ('the State') in the ordinary course of its business I am competent to swear the present affidavit. I have been authorized *vide* the office order dated 21.10.2020 issued Mineral Resource Department, Government of Madhya Pradesh to depose on the present affidavit. Copy of the office order dated 21.10.2020 issued Mineral Resource Department, Government of Madhya Pradesh is annexed herewith and marked as '**ANNEXURE-A**'

The present affidavit is being filed in compliance with the order dated 17.08.2020 passed by this Hon'ble Tribunal wherein the Respondent No. 1 was called upon to appraise this Hon'ble Tribunal as to the steps taken by it in compliance with the Enforcement & Monitoring Guidelines for Sand



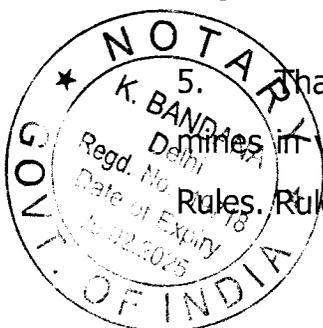
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Mining of January, 2020 ('the 2020 Guidelines') issued by the Ministry of Environment, Forest and Climate Change ('MOEF').

3. At the outset it is submitted that prior to the issuance of the 2020 Guidelines, Sand Mining activities in the State were regulated under the Madhya Pradesh Minor Mineral Rules, 1996 ('the Minor Mineral Rules'), the notification dated 15.01.2016 issued by the MOEF and the notification dated 20.02.2016 issued by the Respondent No. 1 herein. In addition, the Madhya Pradesh (Sand Mining, Transportation, Storage and Trading) Rules, 2019 ('the 2019 Rules') have been enacted in the State in consonance with the Sustainable Sand Mining Management Guidelines, 2016 ('the 2016 Guidelines') issued by the Central Government. Copy of the Madhya Pradesh (Sand Mining, Transportation, Storage and Trading) Rule, 2019 dated 30.08.2019 is annexed herewith and marked as **ANNEXURE-B**.

4. It is submitted that at present, the aforementioned rules and regulations continue to govern Sand Mining Activities in the State even as on date. It is however, respectfully submitted that there are several issues addressed in the new 2020 Guidelines which have already been incorporated the existing regulatory framework. Accordingly, by way of the present affidavit a detailed description of the present situation prevailing in the State in respect of each of the key issues highlighted in the 2020 Guidelines as well as the fresh initiatives undertaken by the Respondent No.1 pursuant to the 2020 Guidelines are enumerated as under:-

**A. Identification of sand mining sources, its quantification, feasibility for mining considering various environmental (proximity of protected area, wetlands, creeks, forest etc.) and other factors such as important structures, place of archaeological importance, habitation, prohibited area etc.**



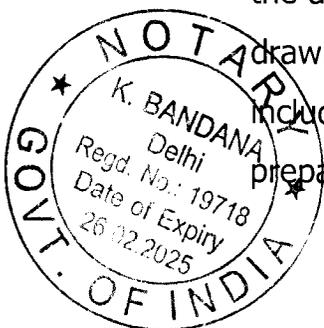
5. That, at present, in the State, the availability and quantum of sand mines in various rivers and other areas is assessed in terms of the 2019 Rules. Rule 5 of the said rules governs the 'Demarcation', 'Declaration' and

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'Marking' of new Sand Quarries in the rivers and other places in the State. In terms thereof, the demarcation in question is to be carried out by way of Differential Global Positioning System ('DGPS') survey based on which the location of the site and its Latitude and Longitude is marked. After, the process of the demarcation is over, the Collector declares the Sand Quarry in question after consultation with the Gram Panchayat/ Urban Body. This is in consonance with Guideline No. 4.1.1 (p) of the 2020 Guidelines. Rule (5) (3) of the 2019 Rule provides for creation of Group Sand Quarry. The detailed mechanism for such creation is specifically contained in the aforesaid provision. Further, the declaration and demarcation of sand quarries situated in 'Prohibited Areas' (as enlisted under the 2016 guidelines) is dealt with in Rule 3 (5) of the 2019 Rules. The said Rule prohibits Sand Mining activities in the Prohibited Areas. However, on receipt of any representation seeking permission for grant of mining lease within any such Prohibited Area, the permission can be granted after securing NOC/consent from the concerned Administrative Department.

**B. Preparation of district survey report and its format for reporting to eradicated unplanned/clustered grant of mining lease.**

6. That, it was only upon the amendment of the Environmental Impact Assessment Notification, 2006 ('the EIA Notification') *vide* a subsequent notification dated 15.01.2016 ('the 2016 Notification') that the requirement of drawing District Survey Reports in respect of all minor minerals including sand came into existence. In compliance to the 2016 Notification, by way of an office order dated 20.02.2016, the Respondent No. 1 has issued directions to the effect that all in all the districts of the State in respect of all Minor Minerals including sand, DSRs were to be drawn. In compliance to the direction dated 20.02.2016, DSRs in 51 districts of the State have been drawn in terms of the 2016 guidelines in respect of all Minor Minerals including Sand. Subsequently, *vide* the 2020 Guidelines, the requirement of preparation of DSRs specifically in respect of Sand Mines has been re-



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iterated. Accordingly, *vide* Office Order dated 22.10.2020 issued by the Directorate of Geology and Mining, State of Madhya Pradesh, detailed provisions in respect of preparation of DSR have been put in place. *Vide*, the said office order, the competent authority has been directed to undertake preparation DSRs in consonance with the parameters contained in the 2020 guidelines. A copy of the order dated 22.10.2020 issued by the Directorate of Geology and Mining, State of Madhya Pradesh is annexed herewith and marked as **ANNEXURE-C**.

**C. Introduction of shorter interval of 25 x 25 m grid interval in mining plan prescribed by states.**

7. That, the Mining Plan in respect of Minor Minerals including sand is required to be drawn by the Project Proponent in accordance with rule 42 of the Minor Mineral Rules. Subsequently, on 30.08.2019, the 2019 Rules have been enacted. Rule 12 (1) of the said 2019 Rules require the submission of Mining Plan by every successful Project Proponent who has been awarded with Mining Permission before the Collector for his approval. Further, in terms of rule 12 (1) (c) of the said Rule, the Collector is to approve the mining plan on the basis of the recommendations of a technically qualified officer (Post Graduate Degree Holder in Geology/Applied Geology) of the department posted in any district and in the event such technically qualified officer is not posted the concerned Regional Head or Director is to approve the Mining Plans.

8. In so far as the requirement of introducing 25 x 25 m grid interval in the Mining Plan is concerned, subsequent to the issuance of the 2020 guidelines, the Mining Department of the State is in the process of issuing suitable directions requiring project proponents to comply with the aforesaid requirement at the time of submission of their Mining Plans.



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**D. Grant of letter of intent ('LOI') only at locations that have lesser possibility of impact on the environment and nearby habitation.**

9. It is submitted that even before the issuance of the 2020 guidelines, the suitable provisions were incorporated in the 2019 Rules to ensure that only those areas that have less impact on the Environment are granted with LOI for the purposes of mining activities. In particular, Rule 4 (5) of the 2019 Rules, prohibits the issuance of LOI in respect of sand quarries falling in prohibited areas including Forest Areas as indicated in the 2016 Notification issued by the MOEF. In addition, areas which have been notified by the Collector of every District as prohibited areas on account of environmental or other concerns are also excluded from mining areas in the State. In view thereof, it is submitted that the captioned requirement contained in 2020 guidelines already existed in the State on account of the aforesaid Rule.

**E. Strengthening the system of mining despatch and its monitoring.**

10. In order to monitor Sand Mining Activities in the State of Madhya Pradesh, a 'Sand Portal' has been created by the Department of Mineral Resource, State of Madhya Pradesh at the following link: <https://ekhanij.mp.gov.in/AppPrevious/sandmp.aspx>. The said portal is fully functional as on date. Before the commencement of any sand mining activity in any Sand Quarry, the concerned contractor is required to upload all the statutory compliances envisaged in Rule 12 of the 2019 Rules including the approved Mining Plan and the relevant permission from any Pollution Control Board on the said Sand Portal. Further, in terms of Rule 12 (4) of the 2019 Rules, mining activity is permitted up to least mineable quantity fixed in the either of the following i.e. the approved Mining Plan, the conditions accompanying the Environmental Clearance or water and air

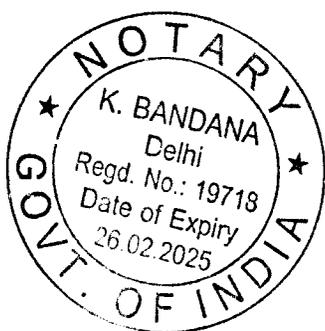


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consent etc. The details of the said mineable quantity is also required to be uploaded on the Sand Portal. The contractor is permitted to extract sand only up to the mineable quantity. Excessive extraction is prohibited. Accordingly, vide the Sand Portal, Electronic Transit Passes ('E.T.P') for the transportation of the extracted quantities is issued restricted to the Mineable Quantity only. In this manner, the despatch of extracted sand is regulated to ensure adherence to the prescribed mineable quantity. Further, in order to ensure compliance with the aforesaid requirements, surprise checks by the competent officers of the Mining Department, Revenue Officers, Forest Officers and the office of the District Collector are carried out from time to time. In addition, the ETP issued to contractors for the transportation of mined materials/sand can be checked/verified for their authenticity on the Sand Portal by the competent authorities and at any time starting from loading at the mine till the completion of the transportation of the mined sand.

**F. Regular replenishment studies to keep a balance of deposition and extraction of sand at river reaches.**

11. That, *vide* an instruction dated 23.01.2016 passed by the Directorate of Geology and Mining of State Government it is mandatory for any applicant to submit a detailed Replenishment Plan in respect of the leased area as apart of the said Mining Plan with for approval.. The said proposed Replenishment Plan is required to enumerate the mode and manner (arrived upon scientifically and technically) of the said Replenishment activity. It is submitted that even before the issuance of the instruction dated 23.01.2016, the State Environmental Impact Assessment Authority of the State had on 01.02.2016 issued a direction to the effect that Mining Plans unaccompanied by a detailed Replenishment Plan would not be accepted.



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12. It is further submitted that the Guideline No. 5 of the 2020 Guidelines specifically deals with the mode and manner of Replenishment Study to be carried out in riven bed of sand mines. Therefore, in order to comply with the said guideline, the Directorate of Geology and Mining of the answering Respondent has already started contacting expert bodies like the the Mineral Exploration Corporation Limited ('MECL') and the Central Water and Power Research Station, Pune ('CWPR') inviting offers from these bodies for carrying out the Replenishment Study in terms of the parameters envisaged in the 2020 Guidelines. A copy of the instruction dated 23.01.2016 issued by the Directorate of Geology and Mining, State Government is annexed herewith and marked as **ANNEXURE-D**. Copies of the letters dated 21.10.2020 and 15.10.2020 issued by the Respondent No.1 to CWPR Pune and MECL, Nagpur is annexed herewith and marked as **ANNEXURE-E (Colly)**.

**G. Regular surveillance of sand mining reaches through Unmanned Artificial Vehicles: -**

13. At present, surveillance of sand mining reaches is carried out by the Mining Department of the State through traditional methods by District Level Task Force, Flying Squads. In addition, the office of the District Collector also directs for execution of Joint Inspection through the Forest Officers and the Road Transport Office. Surveillance of mining activities through Unmanned Artificial Vehicles and Drones is not being carried out at present. However, pursuant to the 2020 Guidelines, pilot projects in the districts of '*Bhind*' and '*Sehore*' for drone-based surveillance has been initiated.

**H. Enforcement of conditions stipulated in Mining Operations in accordance with approved mining plan and Environmental and other Statutory Clearances and Environmental Audit.**



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14. It is submitted that provisions for compliance of conditions contained in the Mining Plan are contained in Rule 42 of the Minor Mineral Rules. In terms of the said rule, it is the sole responsibility of the Contractor to adhere to the conditions contained in the Mining Plan. In cases of non-compliance of the said conditions, the Collector of the district is empowered to take adverse action against the defaulting contractor.

15. Further, compliance of conditions contained in the Environmental clearance, I have received instructions from the State Environmental Impact Assessment Authority, M.P. vide a letter dated 22.10.2020 bearing reference No. 3959/SIA/2020. It has been informed vide the said letter dated 22.10.2020 that compliance of conditions in the Environmental Clearance is monitored by the Regional Office of the MOEF at Bhopal. It has been further mentioned therein that in terms of the 2020 guidelines, each project proponent has to carry out Environmental Audit through a NABET accredited consultant and the audit report is also required to be placed in public domain on the website of the State Pollution Control Board. The State Pollution Control Board is to then publish all such audit reports received in each financial year on its website on or before 30<sup>th</sup> September of each year. Constitution of a three-member committee for supervising the Environmental Audit is also envisaged. The requirement of carrying out Environmental Audit is a necessary condition of the Environmental Clearance granted to each Project Proponent. A copy of the letter dated 22.10.2020 issued by the State Environmental Impact Assessment Authority, Madhya Pradesh is annexed herewith and marked as **ANNEXURE-F.**

**I. Monitoring Sale and Purchase of Sand: -**

16. It is submitted that after the deposit of advance royalty by the contractor, an ETP is issued. The said ETP reflects details of the dispatched and including the date and time of its despatch. It also contains details from the sand quarry to its destination. Further in accordance with the said



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distance the transportation time (automatically generated) is also reflected. It is within this transportation time that the mined sand is to reach its destination. In the event the said mined sand does not reach its destination within the prescribed time without any justifiable explanation/cause it is assumed that the engaged transporter is involved in illegal mining

**J. Regulation of sand mining in agricultural areas:-**

17. It is submitted that in the ordinary course, Sand Mining is not permissible in Agricultural/Personal land. However only in terms of the conditions prescribed in Rule 17 of the 2019 Guidelines certain mining activities are permitted on personal land. In such event the permission for carrying out mining activities is granted only after essential approvals including the approval of the mining plan, the grant of Environmental Clearance and the requisite permissions from the State Pollution Control Board is Secured. Further the letter of intent for excavation of sand from quarries situated on Personal Lands is only issued to the nearest contractor. Land owners are prohibited from selling mined sand from their own personal lands. Accordingly, it is most respectfully submitted that prior to the issuance of the 2020 Guidelines, elaborate provisions for regulation of sand mining on private lands had been incorporated in Rule-17 of the 2019 regulations.

**K. Monitoring Mechanism to prevent illegal mining transportation and storage of illegal minerals**

18. It is submitted that as per rule 5 of the 2019 Rules, the all the individual sand quarries in each district are taken as single Group of Mines on the basis geographical location and revenue boundaries. Tenders are also issued for the whole group of Sand Quarries and not in respect of each individual Sand Quarry. As a result, a single proponent secures the Letter of Intent for carrying out mining activities accross all the sand quarries in a particular district. Such a situation facilitates, the monitoring of illegal sand mining. The said proponent is also in a position to identify illegal mining



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across any of his leased quarries expeditiously and report the same to the Local Administration.

19. Apart from the aforesaid, it is submitted that the detailed provisions for prevention of Illegal Mining, Transportation and Storage of minerals have been incorporated on the Sand Portal. The salient features thereof are as under:

- a. **Q.R Code** – ETP provides for printing the Q.R Code. On scanning the Q.R Code all the information with respect to the E.T.P will reflect on the mobile screen, via this legitimacy of E.T.P can be checked.
- b. **Pool S.M.S** – The registration numbers of all the vehicles associated with sand mining can be sent via mobile phone via which the legitimacy of E.T.P can be determined/checked. For this one has to send the following SMS (MP TP VEHICLE NUMBER) and it should be sent to 51969 or 166 and in reply to the sent SMS one will get information with respect to the E.T.P of the associated vehicle.
- c. **Sand Portal** – Via this portal also the validity of E.T.P can be checked. In this respect vehicle registration number and E.T.P should be used.

20. It is further submitted that Rule 20 of the 2019 Rules deals with the regulation of illegal mining, storage and transportation. The said rule envisages strict penal action in the event of breach. In terms of the said rule, upon receipt of information about illegal mining the collector or the officer authorised is empowered to seize the mineral, vehicle, machine, tools etc. Further it is only upon payment of penalty to the tune of 50 times of the royalty of the mineral seized, that the seized goods are released. In the event of non-payment of penalty, the collector is authorised to confiscate and auction the seized goods. It is pertinent to note that the said Rule also envisages compounding of penalty upon any application in the



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event of such compounding the imposed penalty is reduced to 25 times of the royalty of the excavated sand.

**L. Guidelines for assessment of environmental damages on account of illegal sand Mining to be prescribed by the state government.**

21. It is submitted that Rule 20 of the 2019 Rule envisages the imposition of environmental damages on account of illegal sand mining further Rule-12 of the said rules also envisages imposition of environmental damages in cases of illegal mining without statutory permits as well as in cases of excessive mining beyond the permissible mining limits. Further in cases of excessive mining the environmental damage payable by the defaulting contractor is equal to 100 percent of the value of the excessive mined sand.

22. It is submitted that on order dated 22.03.2006 of the state government a task force has been constituted for every district. Such task force will be chaired by the District Collector. This task force includes the following officers Superintendent of Police, District Forest officer, Representative of Madhya Pradesh Pollution control board, District transport Department and district mining officer. This task force on regular intervals performs surveillance and takes necessary steps for stopping illegal mining and transportation so that environment is not damaged from illegal mining. A copy of the order dated 22.03.2006 is annexed herewith and marked as

**ANNEXURE-G**

**M. Monitoring of mining near inter-district and inter-state boundary by establishment of a Task Force.**

23. The districts of Madhya Pradesh which shares its borders with other states are regularly monitored and if a vehicle is found with illegally mined minerals then required action is taken. With respect to the question of illegal transportation of such minerals from one district to another the stationed officers in every district do regular inspections and if an illegal transportation is caught then action is taken. In every district of the state



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in order to stop illegal mining, transportation and storage task force has been set up. By which time and again effective action is taken.

**N. Grant of Letter of Intent to those mining leases which are falling in the potential mining zone.**

24. The rules 8, 9, 10, 11 of the 2019 Rules govern the process of grant of Letter of Intent in respect of Sand Quarries. By way of the said rules, the Madhya Pradesh State Mining Corporation has been empowered to carry out e-auction of quarry leases for Sand in groups. The various requirements for grant of Sand Quarry Leases as envisaged in the 2020 Guidelines are already incorporated in the various provisions of the 2019 Rules and no letter of intent is issued unless the said conditions are fulfilled.

**O. Miscellaneous:-**

25. It is submitted that the State Mineral Corporation has instructed all the districts from date by way of an instruction dated 10.09.2020 to review that after execution of contract of sand mines, construction of boundary sign and pillar by the concerned contractor at their own expense. The said instruction has been issued in furtherance to Rule 30 (11) of the Minor Mineral Rules, 1996. This is in consonance with Guideline No. 4.3 (o) of the 2020 Guidelines. Information has been taken and information boards showing the details of the mines have been put on the mines. A copy of the instruction dated 10.09.2020 issued by the State Mineral Corporation is annexed herewith and marked as **ANNEXURE-H**.

26. It is submitted that the Respondent No. 1 is in the process of issuing new instructions in respect of the mode and manner of preparation of Mining Plans in consonance with Guideline No. 4.1 of the 2020 Guidelines. Further, after the issuance of the 2020 Guidelines, excavation on only 60% of the mine lease area is approved in the Mining Plans across the State as required under clause 4.1 (r) of the 2020 Guidelines.



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27. Further, *vide* the said instruction dated 10.09.2020, the State Mineral Corporation has also directed the contractors of each district to adhere to the 2020 Guidelines. Additionally, the Directorate of Geology and Mines, Madhya Pradesh has also written to all the districts on 08.09.2020 and it has been clearly directed to strictly follow the guide line 2020 regarding sand mining. Copy of the letter dated 08.09.2020 issued by the Directorate, geology and Mines, Madhya Pradesh is annexed herewith and marked as **ANNEXURE-I.**

28. It is submitted that the Respondent No.1 is committed to implement the 2020 Guidelines in letter and spirit. In furtherance thereto, Directorate of Geology and Mining has also issued a directive to the Madhya Pradesh State Pollution Control Board on 08.09.2020 along with a copy to the State Environmental Impact Assessment Authority calling upon it to ensure adherence to 2020 Guidelines.

29. It is thus, submitted that the Respondent No.1 is in the constant endeavour of adhering to various sand mining regulations/ guidelines issued by the Central Government and the MOEF from time to time by way of suitable amendments in the relevant rules and regulations in respect of the Sand Mining Activities subject to the state's geographical location, available financial resources and limited staff by the state government.

*[Signature]*  
**DEPONENT**

*P. Babbar*  
**VERIFICATION:**  
I hereby verify the contents of the counter affidavit submitted by the deponent who has been duly read to me.

Verified at New Delhi on this \_\_\_\_\_ the day of \_\_\_\_\_ 2020, that the contents of the aforesaid counter affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.  
Verified at \_\_\_\_\_ on this the \_\_\_ day of \_\_\_\_\_, 2020.

02 NOV 2020



Certified  
was done  
before me  
to the effect

**ATTESTED**  
Notary Delhi

*[Signature]*  
**DEPONENT**

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Item Nos. 20-21

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Rupesh Pethe Original Application No. 726/2018 Applicant(s)  
Versus  
State of M.P. & Ors. Respondent(s)

**AND**

Nityanand Mishra Original Application No. 456/2018 Applicant(s)  
(Earlier O.A. No. 146/2014 (CZ))  
Versus  
State of M.P. & Ors. Respondent(s)

Date of hearing: 17.08.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Ms. Shgufa Salim, Advocate for State of MP

**ORDER**

Learned counsel for the State seeks time to seek updated instructions in the light of the revised Sustainable Sand Mining Guidelines, 2020 and the new Compensation Regime.

List again on 04.11.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

August 17, 2020

A

मध्य प्रदेश शासन  
खनिज साधन विभाग  
मंत्रालय  
आदेश

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भोपाल, दिनांक 21/10/2020

क्रमांक एफ 14-14/2020/12-2 - सिविल प्रक्रिया संहिता (1980) के अधिनियम संख्या क्रमांक-5 के आदेश 27 के नियम 1 एवं 2 के अधीन प्रदत्त शक्तियों को प्रयोग में लाते हुए, माननीय उच्च न्यायालय, एन.जी.टी. प्रिंसिपल बैच नई दिल्ली द्वारा प्रस्तुत ओ०ए० क्रमांक 456/2018 (पूर्व में 146/14 (सी.जेड)- श्री नित्यानंद मिश्रा, विरुद्ध म०प्र० शासन) एवं ओ.ए. क्रमांक 726/2018- रूपेश पेटे विरुद्ध म०प्र० शासन में जबाबदावा प्रस्तुत करने हेतु श्री के०पी० दिनकर उपसंचालक (तक.) संचालनालय भौमिकी तथा खनिकर्म, म०प्र० भोपाल को प्रभारी अधिकारी नियुक्त किया जाता है। प्रभारी अधिकारी को यह आदेश दिया जाता है कि मध्यप्रदेश विधि और विधायी कार्य विभाग, नियमावली में वर्णित कर्तव्यों उत्तरदायित्वों के अतिरिक्त वह अपीली नियुक्ति के तुरंत पश्चात् अन्य बातों के साथ ऐसी रीति में, जिसके द्वारा नीचे दिये गये हैं, निम्नलिखित कार्य करेगा :-

- 1) प्रभारी अधिकारी मामले के बारे में तुरन्त ऐसी जाँच करेगा कि जैसा कि आवश्यक हो ओर याचिका में उठाए गए समस्त बिन्दुओं पर अनुसार उत्तर देते हुए अतिरिक्त जानकारी देते हुए जिनसे मामले के संदर्भ में महाधिवक्ता / शासकीय अभिभाषक की सहायता, पहुंचाने की संभावना है, रिपोर्ट में विनिर्दिष्ट की जाये।
- (2) वाद पत्र / याचिका में उठाये गये समस्त बिन्दुओं का पैरा अनुसार उत्तर देते हुए जिनसे कि शासकीय अधिवक्ता को सहायता पहुंचाने की संभावना है, ऐसी अतिरिक्त जानकारी देते हुए एक रिपोर्ट तैयार करेगा।
- (3) उक्त रिपोर्ट तथा सामग्री के साथ शासकीय अधिवक्ता से सम्पर्क करेगा।
- (4) शासकीय अधिवक्ता की सहायता से लिखित कथन / उत्तर तैयार करायेगा।
- (5) प्रभारी अधिकारी निम्नलिखित कागज-पत्र भेजेगा :-
  - (क) वाद पत्र की एक प्रति साथ सरकार की रिपोर्ट
  - (ख) प्रस्तावित लिखित कथन का एक प्रारूप
  - (ग) उन सभी दस्तावेजों की एक सूची, जिन्हें साक्ष्य स्वरूप फाईल करना प्रस्तावित है और जिनकी प्रस्तुत रिपोर्ट में अपेक्षा की गई है।
  - (घ) मामले में विशुद्धिकरण के लिये आवश्यक कागज-पत्रों की प्रतियाँ जिसमें वाद की सुनवाई की तारीख भी शामिल होना चाहिये।
- (6) मामले की तैयार और संचालन करने में शासकीय अधिवक्ता का सहयोग करना और मामले उसके प्रक्रम और प्रगति में नियंत्रित किए गए कर्तव्यों से स्वयं को सदैव ही अवगत रखना।
- (7) जब भी कोई आदेश / निर्णय विशिष्टता मध्यप्रदेश राज्य के विरुद्ध पारित किया जाता है कि जब विधि विभाग को सूचित करना तथा उसकी प्रमाणित प्रति प्राप्त करने के लिए उसी दिन या आगामी कार्य दिवस को आदेश करना।
- (8) अपनी रिपोर्ट के साथ आदेश / निर्णय की प्रमाणित प्रति तथा शासकीय अधिवक्ता की राय लेकर आगामी कार्यवाही किये जाने के लिए इस विभाग को भेजेगा।



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- (9) यह देखना कि आवेदन करने में तथा प्रमाणित प्रतियाँ प्राप्त करने में रिपोर्ट बनाने, राय प्राप्त करने और उसकी सूचना देने में समय नष्ट नहीं हो।
- (10) जैसे ही उसका अपना स्थानांतरित आदेश प्राप्त होता है यह उद्ध शासकीय पत्र के माध्यम से तत्काल जानकारी देगा यह वर्तमान पद का भार सौंप देने के पश्चात् भी तब तक प्रभारी अधिकारी बना रहेगा, जब तक कि अन्य प्रभारी अधिकारी नियुक्त नहीं कर दिया जाए।
- (11) प्रभारी अधिकारी मामला तैयार करने में शासकीय अधिवक्ता को हर संभव सहयोग तथा इस बात के लिए उत्तरदायी होगा कि कोई महत्त्वपूर्ण तथ्य या दस्तावेज अपठित/ छुपी हुई न रह जाए।
- (12) प्रभारी अधिकारी को यदि लोक अभियोजक मुकर्रर होतो जैसे ही संवाद का विनिश्चत होगा, वाद पत्र की रिपोर्ट विभागाध्यक्ष के माध्यम से सरकार को करेगा। निर्णय की एक प्रति भी प्राप्त की जाए एवं रिपोर्ट के साथ भेजी जाए।
- (13) प्रभारी अधिकारी यदि लोक अभियोजक मुकर्रर है तो वह इस बात के लिए उत्तरदायी होगा कि उन मामलों में जहां किसी वाद के क्रम में पारित किये गये किसी अंतरिम आदेश का पुनरीक्षण अपेक्षित, मय पर कार्टवाही की गई है। अतएव वह इस आदेश की प्रति जैसे ही वह पारित किया जाए, विभागाध्यक्ष के माध्यम से अपनी अनुशंसा के साथ सरकार (प्रशासकीय विभाग) को अग्रहित करे।

मध्य प्रदेश के राज्यपाल के नाम से  
तथा आदेशानुसार

  
21/10/2020

(प्रकाश पन्दे)

अवर सचिव

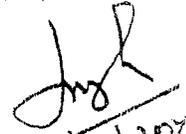
म0प्र0 शासन खनिज साधन विभाग

पृष्ठ.क. एफ- 14- 14/2020/12-2

भोपाल, दिनांक 21/10/2020

प्रतिलिपि :-

1. प्रमुख सचिव, मध्यप्रदेश शासन, विधि और विधायी कार्य विभाग भोपाल।
2. संचालक, भौमिकी तथा खनिकर्म, मध्यप्रदेश, भोपाल।
3. शासकीय अधिवक्ता रा0हरित अधिकरण बैचं 508 विजय स्तंभ चौक एम.पी.नगर जोन 1 भोपाल मध्यप्रदेश
4. श्री के0पी0 दिनकर उपसंचालक (तक) संचालक भौमिकी तथा खनिकर्म, म0प्र0 भोपाल।
5. की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु गार्ड फाइल

  
21/10/2020

अवर सचिव

म0प्र0 शासन, खनिज साधन विभाग

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ANNEXURE-B

Bhopal, the 30<sup>th</sup> August 2019

No.- F 19-2/2019/XII-1.- In exercise of the powers conferred by section 15 and section 23C read with section 9B, of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the State Government, hereby, makes the following rules regarding sand (Mining, Transportation, Storage and Trading), namely:-

## **RULES**

### **Chapter -I**

#### **Preliminary**

#### **1. Short Title, Extent and Commencement.-**

- (1) These rules may be called the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rule, 2019.
- (2) They shall extend to whole State of Madhya Pradesh.
- (3) They shall come into force from the date of their publication in the Madhya Pradesh Gazette.

#### **2. Definitions.-**

- (1) In these rules, unless the context otherwise requires,
  - (a) **"Act"** means the Mines and Minerals (Development and Regulation) Act, 1957 (No. 67 of 1957);
  - (b) **"Corporation"** means, The Madhya Pradesh State Mining Corporation Limited;
  - (c) **"District Mineral Foundation"** shall have the same meaning as assigned to it in Madhya Pradesh District Mineral Foundation Rule 2016;

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- (d) **“Form”** means Form appended to these rules;
- (e) **“Government”** means, Government of Madhya Pradesh;
- (f) **“Gram Panchayat”, “Janpad Panchayat”, “Zila Panchayat”** and **“Gram Sabha”** shall have the same meaning as has been respectively assigned to them in the Madhya Pradesh Panchayat Raj Evam Swaraj Adhiniyam, 1993 (No.1 of 1994);
- (g) **“Licencing Authority”** means such officer who has been authorised to sanction sand mines/issue letter of intent and grant licence under these rules;
- (h) **“Mineral sand”** means, Ordinary sand, Bajri as is defined in section 3(e) of Mines and Minerals (Development and Regulation) Act, 1957;
- (i) **“Nagar Palika”** shall have the same meaning as assigned to them in Madhya Pradesh Nagar Palika Adhiniyam, 1961(37 of 1961);
- (j) **“Prescribed”** means, instructions issued by State Government under these rules;
- (k) **“Storage License”** means, License granted under these rules to store and trading of mineral sand;
- (l) **“Storage Place”** means such place where mineral sand is stored for commercial purpose;
- (m) **“Urban Body”**, means, Nagar Nigam, Nagar Palika, Nagar Parishad as the case may be;
- (n) **“Water User Association”** shall have the same meaning as is assigned to it in Madhya Pradesh Sinchai Prabandh Me Krishko Ki Bhagidari Adhiniyam, 1999;

(2) Words and Expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act or Rules made there under.

**3. Restrictions:-** The following restrictions shall be applied with regard to mineral sand,-

- (1) No vehicle shall cause to be transported the mineral sand from the sanctioned quarry or storage place without prescribed transit pass.
- (2) No vehicle shall cause to be transported without substantial entry in Transit Pass (as quantity of mineral, date/time of transport, time to be taken to reach to destination place, etc.).
- (3) No person, except the valid contractor, shall be permitted to store mineral sand for commercial purpose or for use in commercial construction, quantity more than the quantity specified in these rules.
- (4) The vehicles engaged in sand transportation without GPS or establishing of machine of equivalent technique as prescribed, shall be prohibited after the date of notification by the State Government.
- (5) Extraction and removal of sand from the following area shall be prohibited as provided in sustainable sand mining guidelines, 2016 issued by Government of India,-
  - (a) within 200 meters from any bridge;
  - (b) within 200 meter upstream and downstream areas of any water supply scheme or water resources scheme;
  - (c) within 100 meter from edge of national highway and Railway line;

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- (d) within 50 meter from any canal, reservoir or building;
- (e) within 50 meter from edge of state highway and 10 meters from edge of other village road;
- (f) within ~~fixed~~ distance from any areas which has been built to control the flood;
- (g) within 200 meter distance from the place of cultural, religious, historical, and archaeological importance or within the distance as provided in the Act/Rule;
- (h) such areas which have been declared prohibited by Collector due to environmental or other reasons:

Provided that, on receipt of representation, permission to grant for mining within the limit of prohibited area may be considered, after getting NOC/Consent from the concerned administrative department.

- (6) There shall be complete ban on mining, loading and storage of sand by machines from the sanctioned quarries in river Narmada. Sand mining, loading and storage from quarries having area upto 5.00 hectare situated on other rivers shall be done by the committee of local labourers and quarries having area more than 5.000 hectare, local labourers shall be given priority for sand mining, loading and storage. The use of machines for sand mining in other rivers may be given depending upon the requirement and approval in mining plan and environmental clearance.

#### 4. Exemptions.-

- (1) The sand from nearest sanctioned quarry may be obtained only after payment of royalty for Government project or other beneficiary works (Swachcha Bharat Abhiyan, Pradhanmantri Awas Yojna etc.) undertaken by Panchayat/Urban body. The total amount of royalty deposited by Panchayat/Urban body (excluding loading and transportation) shall be refunded based on necessary enquiry and certification:

Provided that, if the works for Panchayat/Urban body is done by contractor, the above deposited royalty shall not be refunded.

- (2) Maximum 10 cubic meter sand in a year may be used by the member of SC/ST labourers, artisans and rural agriculturist for the construction of own house, repair, construction of wells and in agricultural works, from the area demarcated and selected by the Gram Sabha in their jurisdiction.
- (3) Hereditary Kumhars, Members of SC/ST or Co-operative Society of such group, engaged in making pots, tiles and bricks by traditional means may obtain the sand without payment of royalty/administrative charges from the areas demarcated and selected for such purpose within the respective jurisdiction of Gram Sabha.

### Chapter II

#### Demarcation, Declaration and Making Group of New sand quarries.-

5. (1) **Demarcation of sand quarries-** The Collector, shall identify new sand bearing areas in rivers or on other places of the State. D.G.P.S. survey shall be carried out and its location on revenue map alongwith Latitude and Longitudes shall be marked:

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Provided that the sand quarries demarcated and declared prior to the commencement of these rules, may be amended by following the same procedure as required.

- (2) **Declaration of sand quarries-** The sand quarry identified as per sub-rule (1) above shall be declared by the Collector, after making such inquiry as he deems fit, on receipt of information/application/proposal. Prior to declaring sand quarry, opinion from the concerned Gram Panchayat/Urban Body shall be obtained and for this purpose a formal order shall be issued:

Provided, if no opinion/advise of the concerned Gram Panchayat/Urban Body is received within a period of 15 days, the Collector, by presuming that there is no objection, shall declare new sand quarries in non-scheduled areas only:

Provided further that, if any objection is received from concerned Gram Panchayat/Urban Body within stipulated period, the Collector by disposing off the objections on merit shall take appropriate decision regarding declaration of quarry:

Provided further that, prior to declaration of sand quarry consent/no objection of Gram Sabha shall be mandatory in scheduled areas:

Provided also that, the declaration of such sand bearing areas shall not be necessary separately which are operational or have been auctioned earlier.

- (3) **Making of group of the sand quarry.-**

- (a) The Collector shall make the group of sand quarries and send proposal to the Director along with details of area, boundary, revenue map, Khasra-Panchsala, Latitude-Longitude for each quarry included in group.

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- (b) The group shall be constituted on the basis of geographical location and revenue boundary (Tehsil, District) as far as possible.
- (c) While making the group, total area of sand quarries included in the group and approximate available quantity of sand shall be taken into consideration.
- (d) The proposal of constituted group sent by the Collector shall be finalised by Director.

### Chapter-III

#### Estimation of available quantity of sand in declared sand quarries and fixation of preliminary base price (upset price).-

6. Estimation of quantity available in declared sand quarries-
- (1) The Collector, with the help of Corporation, shall make the quarry-wise estimate of mineable quantity of available sand, in demarcated and declared sand quarries.
  - (2) The multiplication of the Area of declared quarry and its actual depth upto which sand is available (maximum 3 meter or water level whichever is less), shall be the mineable quantity of that sand quarry.

For Example:-

Area of quarry-4.000 hectare means 40000 square meter

Actual depth-2.50 meter

Mineable Quantity-  $40000 \times 2.5 = 1,00,000$  cubic meter per year.

- (3) The Permission to mine, in sand quarries up to 3 meter depth from the surface or upto water level, whichever is less, shall be legal. Hence while estimating quantity maximum up to 3 meters depth shall be the base for estimation of mineable quantity.
- (4) The sum of quantity of available sand in all the demarcated and declared sand quarries included in

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the group shall be the total mineable quantity of the group.

**7. Fixation of the preliminary base price (upset price).-**

- (1) The multiplication of quantity of available sand in each quarry of the group separately and the amount payable at the rate of Rs. 125 per cubic meter shall be the preliminary base price (upset price) of that quarry.
- (2) For e-Tender, the sum of preliminary base price calculated separately for the quarries included in group, shall be the preliminary base price (upset price) of that group.

#### **Chapter IV**

**Procedure and period of e-Tender of the group of sand quarry**

**8. e-Tender.-** The demarcated and declared sand quarries shall be disposed off group-wise by the corporation through e-tender and the procedure thereof shall be as under:-

- (1) In consultation with the Department of Science and Technology, Government of Madhya Pradesh the authorised portal shall be used for e-Tender and necessary fees etc. shall be paid by the corporation.
- (2) The interested tenderer shall be required to get registered on the portal after payment of fee fixed for registration. After registration the registered person/Institution shall get a log-in ID.
- (3) Information regarding e-Tender programme shall be published atleast 07 days prior to date of invitation of tender in the News papers.
- (4) The Registered person/Institution may see the tender Notice of demarcated/declared group of sand quarries

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for minimum 7 days from the date of its display on the portal, which shall include the following particulars:-

**Details of group of quarries included in e- Tender**

**Group Name/Number.....**

**Date of submission of tender.....Time.....**

No.	District	Tehsil	Village	Khasra No.	Area in Hectare	Latitude-Longitude	approximate Quantity in cubic meter	Upset price in Rs.

(5) After viewing the details as above, the registered person/Institution as desired, prior to participate in tender for group, shall execute an agreement in **Form-I** with the Corporation of such intention that spot inspection of sand quarries of group by him has been made and he is satisfied with the quantity of sand available in quarries included in the group, approach road and other relevant aspect. No complaint/objections after completion of tender process shall be submitted or no suit in any court in this regard shall be instituted. After completion of tender process, by making payment of dues in stipulated time and complying the formalities is agreed for operation of the quarry. This agreement may be taken as online consent also.

(6) The Registered persons/Institutions as desired shall be eligible to submit the tender for more than one group and 25% amount of upset price fixed for each group, shall be deposited separately online as E.M.D in an

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account maintained by the corporation, then only may participate in tender process.

- (7) The amount of E.M.D. deposited as above, in case of successful tenderer, shall remain deposited as security deposit in a fixed account and shall be refundable only after expiry of the contract period on due compliance of the terms and conditions of the contract and successful operation of the sand quarry. As per sub-rule (8) of this rule, except the second highest tenderer as the case may be, the amount of E.M.D. of remaining tenderers shall be refunded online.
- (8) The date and time of tender of group for the tender process shall be fixed and after expiry of this period, all the tenders received for any specific group shall be opened as per the date mentioned in tender document. The Corporation by declaring the highest tenderer as successful tenderer from the tenders received, shall intimate in **Form-II** to the concerned Collector. Beside this, the Collector shall also be informed by the corporation about the second highest tenderer if the difference of his tender amount is not more than 10% of the tender amount of highest tenderer. Thereafter the process as mentioned in rule 11 may be started.
- (9) In first invitation if only single tender is received for any specific group in the tender process the process shall be cancelled and the tender of quarry group shall be re-invited.
- (10) If a single tender is received in the second or third consecutive tender of any group and tender amount is 10% or more than the upset price fixed for the group, such single tenderer shall be declared as successful tenderer and the Collector shall be intimated by the corporation.

(11) If no offer is received in three consecutive tenders for any group or the tender amount is less than the upset price fixed, the Director shall enquire about reasons and proceed for all such act/remedy, including reconstitution of the group so that tender may be received for that sand quarries of the group.

9. **Period of sand group included in tender.-** The contract period of quarries of the group shall be 3 years and first year shall be calculated from the date of execution of agreement to 30<sup>th</sup> June of the year and last period shall be 30<sup>th</sup> June of the third year.

**For example:-**

If the agreement is executed on 5<sup>th</sup> October 2019 the period of the group shall be calculated as under :-

Sr. Number	Year	Period
1.	First year	05 Oct. 2019 to 30 June 2020
2.	Second year	1 July 2020 TO 30 June 2021
3.	Third year	1 July 2021 TO 30 June 2022

10. **Fixation and Payment of Contract amount.-** (1) The highest amount received in the tender shall be the annual contract amount and in the first year of the contract the annual contract amount shall be payable only. In the second and third year of the contract, 10% more than the annual contract amount, shall be payable.

**For example:-**

Preliminary Upset price of group	- 18.00 crore
Highest tender amount received (Annual contract amount)	- 21.00 crore

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No.	Item	Amt. Payable in First year Rs.	Amt. Payable in Second year Rs.	Amt. Payable in Third year Rs.
1.	Percentage of rise	-	10%	10%
2.	Increased Amount	-	2.10 crore	2.10 crore
3.	Total amount payable	21 crore	23.10 crore	25.20 crore

**Note:-** If the agreement of any group is executed in the middle of the year, the contract money for the first year shall be payable in proportion to the period of working. Fixation of the contract money is done on annual basis and its 1/12 part shall be the monthly amount. If during the first year of any contract 7 months working period is available, the contract amount shall be equally divided into 12 parts and amount for the 7 months period, shall be payable.

(2) The annual contract amount shall be payable in advance on the first day of the quarter in four equal quarterly installments. If the first day of the quarter is the Government holiday the quarterly installment shall be deposited on the next day. The amount of first installment shall be payable on the date of execution of the agreement. The calculation and payment of the contract amount shall be done from the date of execution of the agreement (The amount of first installment shall be proportionately calculated from

the date of execution till the end of calendar quarter thereafter the ensuing installments shall be calculated for the calendar quarter).

- (3) The whole annual contract money for the group shall be payable on commencing mining operation in any one or more quarry included in the group after getting statutory permission.
- (4) In addition to the contract amount, all other taxes, fees and Government payment shall be payable separately.

### Chapter -V

#### Proceedings after e-tender of sand quarry of the group

##### 11. Proceedings after e-Tender.-

- (1) The Collector shall issue information letter to the successful tenderer declared by the Corporation to deposit 50% amount of highest tender amount within 03 working days in an account maintained by the corporation (as shown in tender notice). This amount shall include amount deposited by the successful tenderer as E.M.D. 25% of the annual contract amount as EMD shall be kept secured for entire contract period and remaining 25% amount shall be treated/adjusted against first installment.
- (2) If the successful tenderer fails to deposit the amount within stipulated period of 03 days, The successful tenderer may after specifying the reasons, request to the Collector to grant additional time period. The Collector may grant maximum 10 days additional time period on the basis of appropriate reasons.

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- (3) Upon depositing the amount within fixed or in additional time period by the successful tenderer, the Collector shall issue a letter of intent in **Form-III** to complete all legal formalities within 07 working days. All the formalities/permissions of individual quarry in a group shall be obtained/completed as per rule. After issuance of letter of intent to the highest tenderer, amount of E.M.D. deposited by second highest tenderer shall be refunded online.
- (4) If the successful tenderer fails to deposit amount payable by him in time or in extended time as prescribed under sub-rule (1), the Collector shall confiscate E.M.D. amount and inform to the Corporation and order of cancellation of tender submitted shall be issued by Collector.
- (5) If the highest tenderer fails to deposit the amount payable, the Collector shall cancel his tender. The second highest tenderer as intimated earlier by the corporation whose difference of tender amount is not more than 10% of the amount of highest tenderer, shall be declared new highest tenderer (successful tenderer) by the Collector. Such successful tenderer shall be issued a notice to complete the formalities under sub-rule (1). Upon depositing the amount within the prescribed period, the Collector shall issue a letter of intent in **Form-III** for completing the necessary formalities.
- (6) In case of non-payment of the amount payable by new highest tenderer within time as above, the proceedings for re-tendering of the group shall be adopted.

- (7) After completion of the tender process, State Government may authorise any other authority like Madhya Pradesh State Mining Corporation etc. in place of Collector to issue the letter of intent and take further action for any particular district or group. Under such condition in all rules/instructions and agreement wherever mention of Collector in this context is made, such authority shall be therein deemed accepted.

## Chapter -VI

### Statutory Permissions

**12. Statutory Permissions.-** The statutory permissions/formalities for each sand quarry of the group may be obtained/completed, as per rule. All the statutory permissions (e.g. Mining Plan, Environmental Clearance, Water and Air Consent etc.) required for the operation of the sand quarry shall be obtained by the successful tenderer. The successful tenderer may start mining operation only after obtaining the statutory permissions as per rule 14. Excavation without statutory permission or excavation in excess quantity than permitted quantity in statutory permission, in such condition 100% cost of the excavated mineral and amount of compensation towards environmental damage shall be recoverable from the contractor. The statutory permission are as follows:-

**(1) Mining Plan-**

- (a) The successful tenderer shall submit mining plan for approval to the Collector within a period of

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- one month from the date of issuance of letter of intent. The Mining Plan shall be prepared by the Recognised Qualified Person (R.Q.P.), authorised by the Director.
- (b) The mining plan shall consist of the location (latitude-longitude) of the mines, quantity of mineable sand available in the sand quarry and other issues, as provided for in Madhya Pradesh Minor Mineral Rules 1996.
- (c) The Collector shall approve the mining plan on the basis of recommendations of the technically qualified officer (Post Graduate Degree Holder in Geology/Applied Geology) of the department posted in the district and in case if in any district technically qualified officer is not posted, in such case concerned Regional head or Director shall approve the mining plans.
- (d) The mining plan shall be prepared only on the basis of actual quantity available/estimated and all the Mining operations shall be carried-out in accordance with the approved mining plan.
- (2) **Environmental Clearance-** The successful tenderer after getting approved mining plan, within a maximum period of 15 days, shall submit application before the competent authority to obtain Environmental Clearance in accordance with notification issued by Ministry of Environment, Forest and Climate Changes.
- (3) **Water and Air Consent-** The successful tenderer after getting environmental clearance within a maximum

period of 7 days, shall submit application before the competent authority for obtaining the consent under the Water (Prevention of pollution and control) Act, 1974 and the Air (Prevention of Pollution and Control) Act 1981.

- (4) **Permissible Quantity**-The mining shall be permitted upto mineable quantity fixed in mining plan, environmental clearance, water and air consent (whichever is less).
- (5) The annual contract amount shall not be reduced in any case if there is reduction in mineable quantity in approved mining plan, environmental clearance, water and air Consent.
- (6) All the above statutory permissions shall be obtained within a time limit. The corporation shall supervise for the permissions being taken for each group by the group contractor. In case of any delay, carelessness or lack of interest proceedings for cancellation of letter of intent may be initiated.

## Chapter- VII

### Execution of Agreement and Commencement of Mining Operation

#### 13. Execution of Agreement.-

- (1) The successful tenderer after completing/getting all the statutory formalities, shall submit, annual action plan in **Form-IV** to the Collector for the quarries included in the group. Successful tenderer shall submit an undertaking in **Form-I** to the Collector

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stating that the mineral upto the permitted limit shall be extracted. As per sub-rule (2) of rule 14, shall deposit the highest tender amount received for the group and is ready to execute the agreement of any particular quarry included in the group.

- (2) The quarry wise contract agreement may be executed separately in **Form-V** within 15 days from the date of submission of the undertaking, as above and separate surety bonds shall be submitted for each quarry in **Form-VI**. Agreement shall be registered under the provisions of Indian Stamp and Registration Act, 1908 (No.16 of 1908).
- (3) The successful tenderer shall prepare annual working plan for the quantity to be dispatched every month from the quarry in such manner that the total permissible mineable quantity fixed for the year is despatched entirely, in that year.
- (4) If amount payable for the quantity to be despatched in any quarter is more than the amount of installment paid for that quarter then the additional amount shall be payable in addition to contract installment. Otherwise the Collector shall stop issuance of transit pass required for transportation of mineral. The additional amount so deposited and quantity extracted or to be extracted shall be adjustable in annual contract money and as per annual action plan.

**14. Commencement of the Mining Operations.-**

- (1) The successful tenderer, after execution of agreement and registration but prior to commencement of the mining operation, shall inform to the Collector about such intention. After Commencement of the mining

operation the objection regarding available quantity of mineral in quarry, approach road and other related issues shall not be acceptable.

- (2) On the condition of depositing the contract amount of the group on the prescribed date as mentioned in the agreement, the mining operation of the quarry may be started as and when the statutory permission is received. It shall not be compulsory to obtain statutory permission for all the quarries of the group simultaneously.

**15. Cancellation of the Contracts.-**

- (1) The Collector shall, issue show cause notice to the contractor, on violation of any of the term and condition of the agreement, non compliance of environmental rules, excavation out of the sanction area, excavation more than the permissible quantity or any other serious mistake. Collector, after examining the reply received from the contractor regarding violation, shall send proposal alongwith opinion, to the Director. The Director may either cancel the contract or duly take any other decision on the proposal received from the Collector.
- (2) No such order of cancellation of the contract shall be passed against any person interested without giving opportunity of being heard.
- (3) The appeal, against the order passed by the Director, may be submitted to the State Government.

- 16. Surrender of the Group.-** The contractor at any time after making payment of all the dues to the State Government may surrender the group by giving six months prior notice to the Collector:

Provided, once the application for surrender of the group is submitted, it shall be irrevocable and the State Government shall accept such surrender within stipulated time and the contractor shall handover the possession of the group as per the terms and conditions of the contract agreement:

Provided further that, upon receipt of application of surrender of the group the process of re-tender of the group shall be initiated by corporation.

Provided further that, the application submitted for surrender of the group in the third year or six months prior to expiry of agreement contract period shall not be entertained.

### **Chapter VIII**

#### **Disposal of Sand on Private Land**

#### **17. Disposal/Permit of mineral sand available on Private Land.-**

- (1) All the License/Permissions granted for mining of sand on private land under the provisions of M.P. Sand Rules, 2018 prior to commencement of these rules shall be deemed to be cancelled from the date of publication of this notification, the royalty deposited in advance, if any shall be refunded by the Collector to the licensee.
- (2) During the agreement period, permission for excavation of additional quantity of sand on private land may be given to the valid contractor of any group, on the basis of consent from land owner.
- (3) The contractor of the nearest group shall submit application in **Form-VII** to the Collector for obtaining

license for sand available on private land. The fees of Rs. 5000 (Five Thousand Rupees) per hectare or part thereof, shall be deposited in prescribed head along with application. The applicant shall submit khasra Panchsala of applied land and an affidavit of the consent of the land owner and an affidavit stating that, no royalty or any other govt. dues are outstanding against him.

- (4) The Collector after making necessary enquiry and on the basis of quantity available may dispose-off the application of 1.00 hectare area. Where the applied area is more than 1.00 hectare, the Collector shall send the proposal to the Director to take appropriate decision for grant of license.
- (5) The quantity in license to be granted on private land shall not exceed more than 10% of the mineable quantity of that group.
- (6) An amount equal to 50% of calculated royalty of available/estimated quantity in the license area shall be deposited as security amount. This security amount shall be adjustable against the royalty payable in advance.

The permission to issue transit pass for the transportation of the sand from the license area shall be given only after depositing 50% amount of calculated royalty of available/estimated quantity in the license area.

- (7) The period of License shall not be more than one year.
- (8) The Licensee shall start the mining operation only after obtaining statutory permissions required under these rules.

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- (9) The permission for transport of the excavated sand shall be given after depositing payment in advance at the rate of per cubic meter according to the highest tender amount received for the group.
  - (10) The transportation of sand from place of license to the destination shall not be done without the transit pass.
  - (11) The permissible quantity for mining shall be limited to (Mining plan, Environmental clearance, Water and Air consent) whichever is less. In case of violation the permission may be liable to be cancelled with immediate effect and as per rule the value of additional quantity excavated shall be recoverable.
  - (12) The private land owner shall not be given direct permission for mining and sale of sand.

### **Chapter IX**

#### **Storage of mineral sand**

#### **18. Storage of mineral sand.-**

- (1) All the License granted for storage of sand prior to the commencement of these rules shall be deemed to be cancelled from the date of publication of this notification. The permission for disposal of sand validly stored shall be given. The licensee shall furnish details of quantity of mineral stored on storage place to the Collector within a period of 7 days from the date of notification.
- (2) The licensee, after the publication of this notification shall not store new stock of sand, of storage place.
- (3) The Collector shall, after receiving such details, enquire and verify the quantity of mineral stored. The permission may be accorded, to the licensee to

remove/dispose-off quantity upto 1.00 lakh cubic meter sand stored legally, within a maximum period of 30 days. The arrangement for special permission for disposal shall be made on portal by the corporation, the period fixed may not be enhanced and the licensee may not be granted permission more than once from one storage place.

- (4) If the quantity of mineral stored on storage place is more than 1.00 lakh cubic meter, the Collector after verification shall send proposal with recommendation to the Director. The Director after examining and fixing the period shall proceed for granting permission. The Director may grant maximum 90 days period for disposal of sand stored.
- (5) In case of non-disposal of whole quantity of sand from the storage place within the period given by Collector/Director as above, the Collector shall forfeit remaining quantity, disposal of the same shall be done as per the procedure prescribed by the State Government.
- (6) The permission to the contractor of the group for storage of sand mineral for commercial purpose shall only be given beyond 2 km but within the limit of 5 km from the valid sand quarry.

Provided, permission to any person other than the valid contractor shall be given for storage, beyond the 50 km. periphery from any sanctioned sand quarry:

Provided further that the above restrictions shall not be applicable in the Bhopal, Jabalpur, Indore and Gwalior Districts:

Provided further that, the final decision shall be taken by the State Government, if any practical difficulty arises in relation to above restriction.

- (7) The application for grant of storage license shall be submitted as follows:-
- (a) Application in **Form-VIII**.
  - (b) Copy of challan alongwith application fee of Rs. 5000 deposited under prescribed head under these rules;
  - (c) Latest revenue maps and khasra panchsala of place of storage;
  - (d) NOC issued by Tehsildar in case the storage place is a govt. land and affidavit showing the consent of land owner in case of private land;
  - (e) Affidavit of applicant for storage license stating that no mineral revenue or govt. money is outstanding against him.
- (8) The Collector by verifying the fact from the corporation that there is no sand quarry within 50 km periphery from storage place and after such enquiry as he deems fit shall grant, storage license.
- (9) The period of license shall not exceed than the period of contract of group and in case of cancellation or expiration of contract the license shall expire automatically.
- (10) The sand, stored in a storage place shall not be transported anywhere without prescribed transit pass (e-TP).
- (11) In case of expiry or cancellation of the contract the licensee shall remove the sand available on the storage place within a period of one month from the date of

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such expiry or cancellation of the contract, otherwise the mineral available on storage place shall be forfeited. Such forfeited mineral shall be disposed off by the Collector as per the procedure prescribed by the State Government and the amount so received shall be deposited in the Government treasury.

- (12) No License shall be required at construction place for storage of sand upto maximum of 20 cubic meters for private construction work (not for commercial purpose) and upto maximum of 50 cubic meters for commercial purpose to contractors for private construction work:

Provided that in case of government construction works the Collector, may be grant permission for storage of 50% quantity of sand sanctioned in estimate at construction site on the basis of a certificate issued by the competent authority of the works department.

**19. Amount to be Deposited.-**

- (1) The whole amount received from mineral sand shall be deposited online in an account maintained by the corporation.
- (2) The amount deposited as above shall be transferred by the corporation at the end of the month under the heads prescribed in chapter 11 of these rules and the head wise details shall be sent to the Director and State Government.
- (3) Interest for the delayed payment, at the rate of 24% per annum or at the rate decided by the State Government from time to time, shall be payable.

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## Chapter -X

### Illegal Mining, Transportation and Storage of Sand

#### 20. Penalty and Compounding of cases of Illegal Mining.-

- (1) On receipt of information about illegal mining, the Collector or Officer authorised for this purpose, shall seize mineral, vehicle, machine, tools etc. and case shall be submitted, before the Collector. During the pendency or before taking final decision of the registered case, if any application for compounding the case is received, the Collector may dispose of the case after applicant depositing an amount equal to 25 times of royalty of the excavated mineral. During this period, if application/consent is not received, Collector shall impose penalty, 50 times of the royalty of mineral excavated. On deposit of compounding amount or penalty amount, the seized mineral, vehicle, machines, tools, may be released:

Provided that if penalty amount imposed is not deposited by the illegal extractor, then Collector or Officer authorised for this purpose may confiscate and auction the seized mineral, vehicle, machines and tools.

- (2) **Penalty and compounding of cases of illegal transportation-** In case of registered cases of illegal transportation, transportation without valid e-tp and transportation with quantity more than the quantity entered in e-tp, the Collector may dispose off cases after deposit of compounding fees or amount of penalty by the illegal extractor, as under:-

N o.	Type of Vehicle	Transportation without valid Transit Pass		Transport with Transit Pass but quantity is more than quantity entered in Transit Pass	
		Compound ing Fees	Amount of Penalty	Compound ing Fees	Amount of Penalty
1.	Tractor- Trolley	10000/-	25000/-	5000/-	10000/-
2.	Two axle (6 wheeler vehicle)	25000/-	50000/-	10000/-	20000/-
3.	Dumper(hydr aulic 6 wheeler vehicle)	50000/-	1,00,00 0/-	25000/-	50000/-
4.	3 axle (10 wheeler vehicle)	1,00,000/-	2,00,00 0/-	50000/-	1,00,00 0/-
5.	4-6 axle (More than 10 wheeler vehicle)	2,00,000/-	4,00,00 0/-	1,00,000/-	2,00,00 0/-

Provided, compounding fees or amount of penalty in case of transportation of mineral by 4 wheeler vehicle (Matador, 407, 608 etc) carrying mineral more than the quantity of tractor-trolley, shall not be less than 1.5 times of the amount fixed for tractor-trolley.

- (3) **Compounding and Penalty in cases of Illegal Storage-** The Collector, for disposal of registered cases of illegal storage of sand upon receipt of any application/consent from the date of registration of the case, during the pendency of the case or before taking the final decision, may compound the case after depositing amount equivalent to 25 times of royalty of the stored mineral. If during this period any application/consent is not received then the Collector may impose penalty of amount 50 times of the royalty of the mineral stored:

Provided, no such order shall be passed against the person interested, unless the opportunity of being heard is given to him.

### Chapter-XI

#### Transfer of amount received from the mineral sand

21. **Amount received from mineral sand.-** The whole amount received in the tender process of sand group and under these rules, shall be deposited in the account maintained by the corporation and thereafter every month the same shall be transferred, as follows:-

- (1) Rs. 75/- per cubic meter for the concerned Gram Panchayat/Local Body to the State Government.
- (2) Rs. 50/- per cubic meter, in the head of the District Mineral Foundation, to be made available to the Collector, to the State Government.
- (3) For the first year (year 2019-20) 10% of amount received from tender premium shall be kept by corporation as incentive amount or for self expense/use. Remaining amount received from the tender premium shall be transferred to the State Government, every month. Re-fixation of the incentive amount to be kept by the corporation may be done

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every year by the Finance Department in the light of requirement of the corporation.

- (4) The amount of ~~Rs.~~ 75/- per cubic meter received from the permission to be granted on private land shall also be allotted to the concerned Gram Panchayat/Urban Body and balance amount along with tender premium received under this head shall be transferred as per sub-rule (3) of this rule.
- (5) If any Gram Panchayat or Nagar Panchayat receives income more than Rs. 25 Laks in a year from the mineral sand, the remaining amount shall be transferred in the head of District mineral foundation. The above limit of income shall not be applicable for Nagar Palika or Nagar Nigam.
- (6) Tax/fee etc. from the amount received shall be deposited in the prescribed head by the corporation.

## Chapter-XII

### Appeal and Revision

#### 22. Appeal.-

- (1) Any person aggrieved by an order passed under these rules by the Collector, may within sixty days of the date of communication of the order to him/her, may file appeal to Divisional Commissioner in **Form-IX**. The appelliant shall deposit a fee of Rupees 1000/- (Rupees one thousand only) in the head prescribed under these Rules and shall attach the original challan alongwith application:

Provided that any application for appeal may not be entertained by the appellate authority after the said period until the appelliant satisfies the appellate

authority that he/she has sufficient reason for not filing the application with in stipulated period.

- (2) Where an appeal is submitted under these rules, the appellate authority may confirm, modify or set-aside the order passed under these rules or pass such other order in relation thereto, as it may deem just and proper:

Provided further that no order shall be passed against any person interested unless he/she has been given opportunity of being heard:

Provided further that, the Appellate Authority may at any time direct that the execution of the order against which appeal has been filed be stayed for such time as it may deem fit.

**23. Revision.-**

- (1) Any person aggrieved by an order passed under these rules by Divisional Commissioner, may file an application for revision in **Form-IX** before State Government, within sixty days of the date of communication of the order to him/her. The revisionist shall deposit a fee of Rupees 1000/- (Rupees one thousand only) in the head prescribed and shall attach original challan alongwith the application:

Provided that any application for revision may not be entertained by the State Government after the said period until the revisionist satisfies to the State Government that he/she has sufficient reason for not filing the application for revision with in stipulated period.

- (2) Where an application for revision is submitted under these rules, the State Government may confirm, modify or set-aside the order passed by the Appellate Authority or pass such other order in relation thereto, as it may deem just and proper:

Provided, no order shall be passed against any person interested, unless he/she has been given an opportunity of being heard:

Provided further that the State Government may at any time direct that the execution of the order passed by Appellate Authority be stayed for such time as it may deem fit.

- (3) The State Government at any time, may suo-moto revise any order passed by his subordinate officer or Appellate Authority.

**24. Powers to rectify apparent mistakes.-** The officer may rectify the clerical or substantial error within six months from the date of the order passed by him, under these rules:

Provided that if such amendment, affects adversely to any party, will not be made, unless the concerned officer has given the notice of its intent to do so, to the concerned party and has given the reasonable opportunity of hearing to him:

Provided further that, in case of such orders in which more than six months period has lapsed, the officer may amend after taking permission from the State Government:

Provided also further that the State Government may order to amend such order at any time.

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**25. Powers to remove difficulties.-**

- (1) If any difficulty arises in implementing the provisions of these rules, then the State Government may issue such instructions, which is not inconsistent with the provisions of these rules, to remove such difficulty.
- (2) The form and procedure mentioned in these rules shall be prescribed by the State Government.

**26. Provisions for transition period.-**

- (1) After commencement of these rules, there may be delay in complete execution of these rules, and due to non-operation of sand quarries, deficiency in supply of sand may result, hence these provisions are being made. Some of the sand quarries which were auctioned previously and are in operation, the period of those quarries is upto March 2022. Besides this, some quarries which have been handed over/allotted to Gram Panchayat under provision of Madhya Pradesh Sand Rules 2018 are also in operation at present, the contractors of the group shall start immediately proceedings of transfer of permissions under environmental rules of such quarries.
- (2) Other sand quarries transferred to panchayat in which operations have been started after the completion of formalities, all such quarries may remain date of start of operation be operated by Panchayat/Urban Bodies till 31st March 2020 or by the new group contractor from after execution of agreement, whichever is earlier.
- (3) From the date of commencement of these rules, the contractors of the auction quarries, may surrender the quarries. Surrender of such sand quarries shall be

accepted, giving exemption in condition of agreement and security amount shall be refunded as per eligibility.

- (4) Such quarries which have been surrendered or the period has been expired, shall be deemed to be included in the group which have been identified at the time of inviting tender. The contractor of the group shall complete all the statutory formalities for operation of such included quarries. In respect of this new quarry included additionally in the group, the amount of royalty as calculated per cubic meter shall be paid on the basis of the highest tender amount received for that group. The period of new quarry included shall be up to the period of expiry of contract.
- (5) If during the period of operation of contract, any proposal for new quarry is received to the Collector, the Collector after such enquiry, as deems fit may include quarry in the nearest suitable group. The period of new quarry shall be the period of expiry of contract. The contractor of the group for despatch of sand from such new quarry shall deposit the amount on the basis of the highest tender amount received at the rate of per cubic meter for that group. Maximum of 25% of total permitted quantity for the group contract shall be allowed to be added in case of new quarry.
- (6) The group or quarries of the group remained vacant temporarily under the provisions of this rule or due to other reasons may, in public interest, be operated by

the department or by the corporation for ensuring availability of sand.

- 27. Repeal.-** The provisions related to mineral sand contained in Madhya Pradesh Minor Mineral Rules, 1996, Madhya Pradesh (Prevention of Illegal mining, Transportation and Storage) Rules, 2006 and Madhya Pradesh Sand Rules, 2018 are repealed to the extent where it does not transgress to these rules.
- 28.** In case of any clarification or discrepancies arising due to English translation of Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rule, 2019, Hindi version of the rules shall be acceptable.
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**FORM-I**

[See Rule 8 (5)]

**Online agreement/undertaking/consent letter before participation in tender**

I, shri/smt./ku. .... S/o, D/o, W/o of shri  
 ..... owner/partner/director/authorised signatory  
 ..... resident of ..... district ..... which hereinafter  
 called the tenderer which expression shall where the context so admits include his/her  
 heirs, executors, administrators, representative and permitted assigns on this day .....  
 month ..... year 20..... give consent/undertaking that,-

1. Whereas, the tenderer has read the conditions laid down in tender documents regarding quarries etc. or understood before taking part in the tender process of ..... quarry and admits that tenderer shall not be entitled to express ignorance of any of the said conditions.
2. The tenderer hereby agrees that,-
  - (a) Before submitting the tender, the tenderer has made spot inspection of the sand quarries included in the group and shall satisfy himself regarding all relevant aspects of the quarries like the approach road, available mineral quantity in quarries of the group etc.
  - (b) Before participating in the tender, tenderer shall deposit 25% amount of the upset price of group quarry in advance, which shall be termed as Security Amount.
  - (c) As soon as the tender process completes mine operation shall be made completing the formalities and amount due shall be paid in the prescribed period.
  - (d) State Government/Collector is not bound to except the highest tender amount, further that the State Government is free to except or reject highest tender received without assigning reason for that.
  - (e) Approved mining plan/environment management plan shall be submitted under Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rule 2019 from the date of approval of contract within prescribed period. After completing these formalities and an agreement shall be executed in Form-..... along with the surety bond in Form- ..... with in a period of 15 days failing which the concerning collector shall forfeit the installment of the contract amount and security amount deposited so:

Provided, where the State Government/Collector to their satisfaction are of opinion that the successful tenderer is not responsible for delay in execution of the agreement or completing the formalities then as the case may be State Government are any authorised officer may permit the execution of the agreement even after the expiry of the above period.



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## FORM-II

[See Rule 8(8)]

**THE MADHYA PRADESH STATE MINING CORPORATION LIMITED**

(An Undertaking of Government of Madhya Pradesh)

No./Sand/20...../.....

Bhopal, Dated .....

To,

The Collector

District ..... (M.P.)

Subject: Regarding the information of highest tenderer based on the tender offer received in e-Tender.

Reference: e-Tender notice no. .... dated .....

With reference to subject above it is to inform that under the e-Tender notice dated ..... the highest successful tenderer and the second highest tenderer are declared as per the details given below:-

Sr. No.	Tenderer	Particulars of highest successful/ second highest tenderer (Name/ Address etc.)	Group No.	Tehsil	Village	Details of Khasra Numbers	Total Area of the group (in hectare)	Upset price fixed for tender of the group (in Rupee)	Highest amount received in tender of the group (in Rupee)
1.	Highest Successful Tenderer								
2.	Second Highest Tenderer								

It is requested to issue the instructions to concerned for completing the formalities as per the rule 11.

Managing Director/  
Executive Director  
M.P. State Mining Corp.

Endt.No./Sand/20...../.....

Bhopal, Dated .....

Copy to:

1. Principal Secretary, Govt. of MP, Mineral Resources Department, Vallabh Bhawan, Mantralaya for information.
2. Director, Geology and Mining, MP Bhopal for information.
3. Highest Successful Tenderer Shri ..... for information and necessary action.
4. Second Highest Tenderer Shri ..... for information.

Managing Director/  
Executive Director  
M.P. State Mining Corp.

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**FORM-III**  
See Rule 11(3) and 11(5)

**Letter of Intent**

No./Sand/20.....

Bhopal dated ...../20...

To,

.....  
.....  
.....

**Sub:** Letter of intent with reference to e-Tender No. .... dated ..... for Group Sand Quarries of group No..... of..... Villages, ..... Tehsil ..... District over an Area of ..... Hectare.

**1. Background:**

- 1.1. The Madhya Pradesh State Mining Corporation Limited, Bhopal pursuant to the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rules, 2019 issued the e-Tender notice dated ....., 2019 to commence the tender process for grant of Group Quarries of Sand for group No ..... located in ..... District of Madhya Pradesh. The e-Tender process was conducted in accordance with the Rule 8 of said rules for the said sand group and Shri/Ms..... is declared as the 'Highest Successful Tenderer under Rule 8(8) of the said Rules.
- 1.2. As required under Rule 11 of the said Rules and the tender document for the said group quarry, Shri/Ms..... has made payment of the 25% amount of upset price as EMD of Rs. .... (In words Rupees ..... Only) through ..... [Mode of Payment] dated ..... [date of making of payment], which was received on ..... [Date of receipt of payment].

**2. Issuance of Letter of Intent :**

Accordingly, pursuant to Rule 11(3) and 11(5) of the said Rules, this Letter of Intent is being issued for grant of group quarries of ..... for sand in ..... villages, ..... District over ..... Hectare Area in favor of group No ..... Shri/Ms. .... for a period of 03 years, as mentioned in the said Rules.

**3. Conditions:**

- 3.1. This letter of intent and the subsequent grant of aforementioned group quarries shall be subject to the provisions of these Rules, as amended from time to time, and Shri/Ms..... is declared as 'Highest Successful Tenderer' and subsequently granted the group quarries upon satisfactory completion of all the requirements under these Rules.
- 3.2. For reference, the requirements under the said Rules for declaration of Shri/Ms..... as the 'Highest Successful Tenderer and subsequent grant of the group quarry are reiterated below. It is clarified that the requirements mentioned below are only for reference and in the event of any change in the said Rules, the requirements under the modified Rules, as the case may be, shall be applicable.

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- (a) Declaration as the "Highest Successful Tenderer":  
shri/Ms ..... shall be considered to be the 'Highest Successful Tenderer' upon:
- (i) Compliance of terms and conditions of Rules;
  - (ii) Payment of 50% amount of annual contract amount. furnishing as per Rules;
  - (iii) Satisfying the conditions specified in sub-rule (1) to sub-rule (7) of rule 12 of the said rules with respect to a mining plan and other statutory compliances.
- (b) Execution of the Contract Agreement  
Shri/Ms ..... shall execute the Contract Agreement with the Collector of concerned district upon obtaining all statutory permissions, approvals, permits, no-objections and the like as may be required under applicable laws for commencement of mining operations.
- (c) Mining Operation of Group Quarries  
Subsequent to execution of the Contract Agreement, Shri/Ms ..... shall make payment of the instalments regularly and continue Mining operation.

3.3 This letter of intent is valid for a period of 03 (three) years calculated as per Rules. Within time all the above conditions must be fulfilled and the contract agreement must be executed between the shri/Ms ..... and the concerned Collector of the district. In case there is a delay in execution of contract agreement due to reasons beyond the control of the Highest Successful Tenderer, then he may submit an application to Collector, requesting for further extension. The Collector may extend the period for maximum 10 days to comply all or any of the above conditions.

The duplicate copy of this Letter of Intent duly signed by authorized signatory of the Tenderer/Company shall be returnable to the undersigned as token of acceptance, within a period of 07 days .

Collector

District .....

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**FORM-IV**

[See Rule 13(1)]

**FORMAT FOR ANNUAL ACTION PLAN**

Distict/Tehsil/Village .....

Khasra No. .... & Total Area ..... (in hectare)

Details of the Quarter	Sr.No.	Detail of the quarry included in the group (Village)	Quarry wise quantity estimated as per tender document (in cubic meter)	Quantity approved in Mining Plan (in cubic meter)	Quantity sanctioned in EC (in cubic meter)	Quantity sanctioned in CTO (in cubic meter)	Quarry wise permissible quantity (in cubic meter) (out of 5, 6 & 7 whichever is minimum)	Total quantity permissible for the group (in cubic meter) (Sum of all minimum permissible quantity)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
First Quarter (From 1 <sup>st</sup> July to 30 <sup>th</sup> September)	1							
	2							
	3							
Second Quarter (From 1 <sup>st</sup> October to 31 <sup>st</sup> December)	1							
	2							
	3							
Third Quarter (From 1 <sup>st</sup> January to 31 <sup>st</sup> March)	1							
	2							
	3							
Fourth Quarter (From 1 <sup>st</sup> April to 30 <sup>th</sup> June)	1							
	2							
	3							

Place-

Date-

(.....)

Signature of the Group Contractor  
Name-

Address-

Group No.

**FORM-V**

[See Rule 13 (2)]

**Contract Agreement for Sand Quarry**

This indenture made on this ..... day of (month) two thousand and ..... between the Governor of Madhya Pradesh acting through the Collector ..... District ..... (hereinafter referred to as the Governor) which expression shall include his/her successors in office on the one part and Shri/Smt./Ku.....Son/wife/daughter of..... resident of tahsil ..... district ..... hereinafter called the contractor which expression shall where the context so admits include his/her heirs, executors, administrators, representatives and permitted assigns) on the other part, for trade quarry for a period of ..... from ..... to .....

1. Whereas the contractor in accordance with the conditions of the contract has agreed to pay the tender amount Rs..... annually, which amount shall hereinafter be called the contract amount and has paid Rs.....as earnest money (security amount) and Rs ..... as security deposit, and Rs. .... equivalent to whole amount payable in the contract period, which amount shall be kept in deposit for observance of the terms and conditions of the contract and shall be liable for forfeiture, in the event of any kind of breach of the contract agreement, and

Whereas, the State Government/Collector has sanctioned tenderer a contract for the sand quarry the plan of which is annexed, the area of which is.....hectare and the details of which are given in the enclosed Schedule 'A' which shall henceforth be called the 'Quarry.

2. Now this indenture witnesses that in consideration of the contract amount, royalties, rents and other payments and in consideration of and subject to the conditions, covenants and agreement, the contractor shall have the liberty to enter, occupy and use the area grated for quarrying purposes and to carry away and sell the mineral or its products subject to the condition that the Collector shall at all times throughout the term of the contract have the right of pre-emption at the prevailing fair market price the products lying within the quarry or elsewhere under the control of the contractor.
3. The contractor shall occupy and take possession of the land hereby demised to tenderer in pursuance of this agreement from the period commencing from ..... to.....
4. It is hereby agreed that the boundaries of the area hereby demised shall run vertically downward to the centre of the earth.
5. (1) The contractor shall pay the annual contract amount of Rs ..... in installments on or before the date shown below :-

Sr.No.	Installment number	Amount of installment (in rupees)	Date of depositing the installment
(1)	(2)	(3)	(4)
1.			
2.			
3.			

Provided the contractor shall first deposit the contract amount and other entire amounts relating to the sand quarry in an account operated by Madhya Pradesh State Mining Corporation for this purpose:

Provided that, if the contractor fails to deposit the installments on the due dates issuance of e-TP for allotted group quarries in favor of contractor shall be stopped and the operation of the quarry shall be prohibited and a show cause notice of such intention shall be issued to the contractor in failing the amount to be deposited that why the contract may not be cancelled:

Provided further, within stipulated time of 30 days required to deposit installment by giving a reply to the show cause notice the collector may permit for operation of quarry after depositing installment/installments along with interest on period of delay at the rate of 24 percent per annum:

Provided further that, within a period of 30 days as above if the contractor fails the deposit the amount, the collector shall issue of laps and send a request to Government for retender. Prior to the publication of the tender notice the contractor along with 24% interest per annum may pay all the dues. The contract shall be completely deemed to be cancelled on the release of new tender publication.

Provided further also, unless the amount of installment including interest is received issuance of e-TP for allotted group quarries in favor of contractor shall remain prohibited.

- (2) The contractor, shall extract and carry away quantity of sand permissible in Mining Plan, Environmental Clearance and Water & Air Consent (whichever is less) in lieu of the contract amount:

Provided, if the contractor extracts or carries away any quantity exceeding the prescribed quantity, he/she shall be liable to pay value for such excess quantity extracted or carried away.

Provided that, if in any year the excavated quantity is 20 percent less than the quantity mentioned in approved mining plan then this quantity shall be permitted to be removed in ensuing year but the difference in contract money of that year for the quantity carried over shall be deposited. The approved mining plan shall be revised and the annual contract money shall be revised proportionately. In case of revision of mining plan, environment permission shall be obtained as required. Excavation of quantity mentioned in approved mining plan in contract period shall be mandatory otherwise the security amount so deposited may be forfeited.

Provided further that, if the contractor in any year desires to take away the quantity more than the permissible quantity of that year (not more than 20%) then as per the proposal he shall require to revise/modify the approve mining plan and environmental permission and this increased quantity shall be adjusted against the permissible quantity of the next year. In no case, the permission for dispatch of excess quantity than the permissible quantity for contract period shall be given.

- (3) In case the contractor extracts the quantity more than the quantity mentioned in Annual Working Plan for that quarter then notwithstanding anything contained in para (1) above he/she shall be liable to pay amount for excess quantity of such extraction and difference of the amount paid for quarterly installments within 30 days, failing which, the further dispatch of mineral shall be stopped:

Provided, the contractor fails to make payment of the amount on the due date, then he/she shall be liable to pay the due amount/amounts along with interest at the rate of 24 per cent per annum. (Repeat In 5(1) Proviso 2 and .....)

6. The contractor shall first deposit the contract amount and other entire amounts relating to the sand quarry in an account operated by Madhya Pradesh State Mining Corporation for this purpose.
7. In the event of the contract amount and other dues which are payable under the terms of this agreement remain unpaid for more than two months from the due dates then the Collector or any officer authorised by him/her shall be empowered to enter upon the premises and to seize and carry away mineral and/or its product and/or the movable property in the quarry.
8. If any contract amount or any other dues under this agreement remains unpaid by the contractor for more than one month, then the Collector shall send the proposal to cancel the contract to State Government and the decision of the State Government shall be final and binding.
9. The contractor shall be entitled to erect such temporary buildings etc. nearby the quarry as may be required for quarrying purposes and to remove the same before the expiry of the contract. In the event of not doing so, any such building etc. standing on the land nearby the quarry after the expiry of the contract shall be the property of the State Government and that the contractor shall have no right to claim compensation thereof.
10. The contractor shall at his/her own expense erect and at all time maintain and keep in repair boundary marks and pillars along the boundaries of the demised lands.
11. The contractor shall not assign or sublet the land or any part thereof or transfer the rights/privileges granted under contract.
12. The contractor shall be responsible for maintaining the proper sanitation of the land granted to him/her under this agreement.
13. The contractor shall be bound by all rules and regulations in force and such other conditions as the Government may from time to time impose.
14. The contractor shall be bound to take adequate measures for the health and safety of the persons working in the quarry.
15. The contractor shall honor the rights regarding road, water and other easements.
16. The Government shall have the right to make surface roads or other contrivance for establishing means of communications over the leased area and the contractor shall have no right to claim compensation thereof.
17. The contractor shall carryout the mining operations in accordance with the approved mining plan and extraction of sand and Bajri shall be done maximum upto 3 meters or upto water level whichever is less, from the surface of mining. But excavation within the river/nalla shall be prohibited.
18. The contractor shall maintain correct accounts showing the quantity and particulars of the mineral obtained from the quarry and sold or dispatched and the number of

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persons employed therein and also a complete plan of the quarry and shall allow any officer authorised by the Government/Collector at any time to examine such accounts and plans and shall furnish the same during inspection or on demand by such competent officer.

19. The contractor shall submit monthly returns in the proforma below before the 7th day of each month to the Collector.

Month	Opening stock of the mineral extracted	Quantity of the mineral extracted during the month	Quantity of the mineral dispatched during the month	Quantity of the mineral sold during the month	Closing stock of the mineral at the end of the month	Average number of laborers employed during the month
(1)	(2)	(3)	(4)	(5)	(6)	(7)

20. The contractor shall report any accident occurred in the quarry area to the concerned District Magistrate forthwith.
21. The contractor shall have no claim against the Collector for compensation or damages and in respect of modification in contract amount of sand quarry included in the contract, due to approach road, availability of mineral and any other reason.
22. If the contractor is desirous of determining the contract before the completion of the period of contract, he/she shall give six months written notice of such intention to the Collector. On the expiry of above period and in case of any dues not remain outstanding against the contractor the State Government on the proposal of the Collector shall accept the surrender and the security deposit shall be refundable. The annual contract amount for the said period shall be compulsorily deposited by the contractor; in this period mining operations may be conducted. Once, the application for surrender is submitted the same shall be irrevocable. The corporation shall restart the process of re-tender for the group after receiving the information of the surrender:
23. The contractor shall not use the lands given to him/her under this agreement for any purpose other than those for which the contract has been given.
- 24.(1) In the event of a war or state of emergency the Government shall have the right to take possession of the quarry, articles, land, machinery, plants, buildings and material and in such event the contractor shall have no claim to any compensation.
- (2) The State Government shall have the right to take possession of the quarry before completion of the contract in public interest:

Provided that, before taking possession one month's notice shall be given to the contractor.

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25. If a dispute is arising out of and/or in connection with and/or in relation to this contract, the decision of the State Government shall be final and binding.
26. **Resumption of Possession.** - (1) Where any sand quarry is cancelled or determined or a decision is taken to resume possession of the quarry in the public interest or the period for which the sand quarry is granted has expired, the contractor shall hand over possession of the sand quarry to Collector in which the sand quarry/group or major portion thereof is situated within a period of seven days from the date of cancellation or determination or decision to take back possession in the public interest is communicated or on the day following the date of expiry of the period of contract of the quarry, as the case may be.
- (2) Where the contractor fails to hand over possession of the sand quarry/group within the period specified in sub-clause (1), the Collector or an Officer authorised by him/her shall serve or cause to be served a notice on the contractor either by post or by tendering or delivering the copy of it personally to the contractor or one of his/her family members or servants or by affixing it to a conspicuous part of the place of his/her residence or place of business or publishing it in at least one newspaper having circulation in the locality where the contractor resides.
- (3) The notice under sub-clause (2) shall contain a statement that the contractor shall hand over possession of the sand quarry/group to the Collector or an Officer authorised by him/her under sub-clause (1) within a period of seven days of the date of service of the notice.
- (4) Where a contractor fails to hand over possession of the sand quarry/group within the period specified in the notice under sub-clause (2), the Collector or an Officer authorised by him/her under sub-clause (1), may take possession of the sand quarry from the contractor and for that purpose may use such force as may be considered necessary.
- (5) If on the expiry of the period of the contract, a contractor fails to hand over possession on the next day, the contractor shall abide by all the conditions of the agreement till the possession is taken back.
27. If the contractor contravenes the conditions of the agreement, the Collector shall have the right to forfeit the security amount or part thereof deposited by the Contractor.
28. The contractor shall issue a transit pass prescribed by the State Government for each trip for each vehicle carrying the mineral or its product from the quarry.
29. e-Tender document, agreement etc. will be the integral part of this contract.
30. It is hereby demised under the agreement that in case the contractor fulfils all the terms and conditions hereby contained and mentioned above then the amount security deposit of Rs..... (earnest money) which the contractor has deposited shall be refunded to him/her by the Collector.

**Schedule A**  
(See paragraph 1)

District	Tahsil	Name of the Group/Number	Village (were quarry is situated)	Khasra No.	Area (in hectare)
(1)	(2)	(3)	(4)	(5)	(6)

Signature with full name,  
address and occupation of  
the witnesses

- 1.
- 2.

Signature with full name,  
address and occupation of  
the witnesses

- 1.
- 2.

Signature of the Collector  
District .....

(Seal)

Name; address and signature of  
the contractor.

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**FORM-VI**

[See Rule 13 (2)]

**Surety Bond**

Know all Men By These Presents, that I,..... (hereinafter called the surety) D/o, W/o, S/o Shri/Smt.....Resident of.....in the Tehsil.....of the.....District am held and firmly bound to the Governor of Madhya Pradesh (hereinafter called the Governor), who are working as Collector/Additional Collector (Senior I.A.S. Scale) in the District ....., for the sum of Rs.....only (the whole amount payable during the contract period), to be paid to the Governor, his successors, or assignees or their attorney or the Officer authorised by the Governor in this behalf, for which payment will and truly to be made, I hereby bind myself, my heirs, executors, administrators and representatives, firmly by these witnesses;

As witness I have set out my hand, this day ..... month ..... year two thousand and .....

Whereas, Shri/Smt/Ku.....W/o,D/o,S/o of Shri/Smt.....resident of ..... in the tehsil.....or the district ..... (hereinafter called the contractor) has, on the basis of tender submitted by him, been granted quarry for (mineral)..... over an area of.....hectares in village.....Tehsil district.....for a period of ..... vide order No. dated.....

And whereas the contractor has agreed to execute the prescribed agreement with the Collector/Additional Collector (Senior I.A.S. Scale).

And whereas by virtue of the agreement to be executed between the Collector/Additional Collector (Senior I.A.S. Scale) (contractor) and Contractor, the said contractor is required to pay regularly and timely the contract amount and any other dues arising out of the contract.

And whereas the Collector/Additional Collector (Senior I.A.S. Scale) has asked Shri/Smt/Ku ..... W/o,D/o, S/o Shri/Smt ..... to furnish surety of Rs..... (Rupees ..... only), I,.....stand as surety for him to the above amount and execute this bond and I declare that I own the following immovable property of which I am the absolute owner and that the property is not mortgaged or gifted and it is free from all encumbrances.

Details of the property

.....Value.....

And the conditions of the Bond is such that if the contractor shall die or become insolvent or at any time ceases to pay the contract amount or any other dues arising out of the said contract, any such due on this account under this contract shall immediately become due and payable to the Collector/Additional Collector (Senior I.A.S. Scale) district ..... and the same will be recovered from my property detailed above as an arrear of land revenue in one installment by virtue of this Bond.

And I, further declare that I will not sell, mortgage, gift or transfer in any other manner and will not act in any way to dispose off the above property till this bond is in force.

In witness whereof the said has signed hereinto on day of..... Two thousand and.....

Signature with full name address  
and occupation of the witness.

1.....

2.....

Date.....

Signature of the surety

Verified and found correct has signed  
this Bond today in my presence

Executive, Magistrate.

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**FORM-VII**

[See Rule 17 (3)]

**Application for permit for sand available in private land**

Sender .....

To,

Collector,

Mining Section

District .....

Sir/Madam,

1. I/We am/are the valid contractor of the sand quarry group number ..... situated at village ..... Tehsil ..... District ..... and as per the sanctioned tender amount of sand payable at the rate of Rs. .... per cubic meter is being paid to the State Government by me/us, in vicinity to my/our sand group quarry the sand is available on private land, the details of which is as under :-

Sr. No.	Village	Khasra No.	Area (Hectare)	Remark
(1)	(2)	(3)	(4)	(5)

2. I/We request for grant of permit for extraction and sale of sand from the private land.
3. The required application fee of Rs. .... has been deposited vide challan no. .... date ..... (challan enclosed)
4. Other required details :-
- (1) Name of the Applicant/Address  
.....
- (2) Mobile Number/E-mail ID  
.....
- (3) Business of applicant .....
- (4) Affidavit of the land owner of the applied land for the consent (be enclosed)
- (5) Affidavit of applicant (for mining dues or any other govt dues) for no dues (be enclosed)
- (6) Other details (Applicant desire to submit)

Date:

Place:

Signature of Applicant

Name

Address

**FORM-VIII**

[See Rule 18(7)(i)]

**Application for grant of storage license of sand**

To,

Collector,

District .....

I, ..... S/o,D/o,W/o Shri/Smt ..... aged ..... year, resident of ..... district ....., am the contractor of the sanctioned group quarry number ..... in tender. I am authorised on behalf of firm/company to submit the application for grant of storage license (attached copy of the letter of authorization). The following document are attached along with the application form :-

- (1) The challan No. of the application fee ..... date ..... (original copy of the challan is attached).
- (2) Map and Khasra Panchsala of the place of storage
- (3) Affidavit stating that no mineral revenue or govt. dues is outstanding against me/firm/company (be enclosed).
- (4) That the place of storage belongs to me/belongs to others and the consent of the land owner for storing the mineral has been obtained by me the affidavit of the concerned land owner is attached.
- (5) In case the storage place is govt. land, NoC of Tahsildar of such intension that the land (storage place) is not reserved for any plan/scheme.

The information given above is correct. I know that the legal proceedings against me may be initiated if information given is found incorrect.

Date:

Place:

.....

Signature of Applicant

Name

Address .....

Group quarry No. ....

District .....

.....

**FORM-IX**

[See Rule 22(1) and 23(1)]

**Application for Appeal/Revision**

(to be submitted in duplicate)

To,

.....

.....

1. Name and Address of Applicant

.....

2. Name of authority, number and date of order against which the appeal/revision application is filed. (enclosed certified copy of the order)

3. Appeal/Revision fees, number and date of treasury challan.....

(enclosed original treasury challan).

4. Ground of appeal/revision

.....

5. Any additional information the applicant desires to furnish

.....

6. In case the application of appeal/revision preferred after 60 days of the communication of the order, the reason of delay

.....

Date :

Place :

Signature of Applicant

Name of Applicant

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,  
सरिता बाला ओम प्रजापति, उपसचिव.

संलग्न - 6  
ANNEXURE-C

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संचालनालय  
भौमिकी तथा खनिकर्म:मध्यप्रदेश  
29-ए, खनिज भवन, अरेरा हिल्स, भोपाल  
फोन एवं फैक्स 0755 2551795  
Email - [dirgeomn@mp.nic.in](mailto:dirgeomn@mp.nic.in)

आदेश

भोपाल, दिनांक 22/10/20

क्रमांक 11120 /भौमिकी/2020 , भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा रेत खनन हेतु Sustainable Sand Mining Management Guideline 2016 जारी की गयी है। इसके अनुसार रेत एवं अन्य गौण खनिज हेतु District Survey Report (जिला सर्वेक्षण रिपोर्ट-DSR) तैयार किये जाने के प्रावधान किये गये है, जिसके पालन में विभाग द्वारा आदेश दिनांक 20.02.2016 से रेत एवं अन्य सभी गौण खनिजों के संबंध में DSR तैयार किया जाने के निर्देश दिये गये है। तदनुसार विभाग द्वारा तैयार किये गये DSR में गौण खनिजों के अतिरिक्त पर खनिज संबंधी जानकारी का समावेश किया गया है।

भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा जारी सशोधित अधिसूचना दिनांक 25.07.2018 एवं इन्फोर्समेंट एण्ड मॉनिटरिंग गाइडलाइन फॉर सैंड माइनिंग 2020 में रेत खनिज के लिए पृथक से District Survey Report तैयारी कराये जाने के प्रावधान किए गए है। राज्य सरकार द्वारा प्रदेश में रेत खनिज संबंधी पृथक नियम वर्ष 2018 एवं उसके पश्चात वर्ष 2019 में लागू किये गये। वर्तमान में प्रदेश में मध्यप्रदेश रेत (खनन, परिवहन, भण्डारण एवं व्यापार) नियम 2019 लागू है। भारत सरकार द्वारा जारी सैंड माइनिंग गाइडलाइन 2020 के परिपालन में रेत एवं गौण खनिज हेतु District Survey Report तैयार किए जाने के लिए निम्नलिखित अधिकारियों को उनके नाम के सम्मुख दर्शित जिले की जिला सर्वेक्षण रिपोर्ट तैयार करने हेतु आदेशित किया जाता है।

क्रमांक	अधिकारी का नाम एवं पदनाम तथा पदस्थापना स्थान	जिला सर्वेक्षण रिपोर्ट बनाने हेतु आवंटित जिला
1	श्री एस.बी. धोपेश्वर सहायक भौमिकीविद् क्षेत्रीय कार्यालय, जबलपुर	जबलपुर
2	श्री सतीश कुमार मिश्रा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला कटनी	कटनी
3	श्री मनीष पालेवार खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला छिन्दवाड़ा	छिन्दवाड़ा

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4	श्री महेंद्र मसराम खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला बालाघाट	बालाघाट
5	श्री रमेश पटेल खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला नरसिंहपुर	नरसिंहपुर
6	सुश्री आशालता वैद्य खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला सिवनी	सिवनी
7	श्री बसंत पाटिल खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला मण्डला	मण्डला
8	श्री हितेश बिसेन खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला डिण्डौरी	डिण्डौरी
9	श्री अनित पण्डया प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला सागर	सागर
10	श्री रवि पटेल खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला दमोह	दमोह एवं पन्ना
11	श्री अमित मिश्रा खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला छतरपुर	छतरपुर
12	श्री प्रशांत तिवारी खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला टीकमगढ़	टीकमगढ़
13	श्री रत्नेश दीक्षित प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला रीवा	रीवा

14	श्री रामसुशील चौरसिया खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला सीधी	सीधी
15	श्री विद्याकांत तिवारी खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला सिंगरौली	सिंगरौली
16	श्री पवन कुशवाहा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला सतना	सतना
17	सुश्री फरहतजहां खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला शहडोल	शहडोल
18	श्रीमती शकुंतला खाखा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला उमरिया	उमरिया
19	श्री पी.पी. राय खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला अनूपपुर	अनूपपुर
20	श्री एच.पी. सिंह प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला भोपाल	भोपाल
21	श्री अजय मिश्रा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला छतरपुर	निवाडी
22	सुश्री सुचि माथुर खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला भोपाल	सीहोर
23	श्रीमती रश्मि पाण्डेय खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला उज्जैन	राजगढ़
24	श्री राजीव कदम खनि निरीक्षक	रायसेन

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	जिला कार्यालय (खनि शाखा) जिला रायसेन	
25	श्री पंकज वानखेडे खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला विदिशा	विदिशा
26	श्री वीरेन्द्र वशिष्ठ खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला बैतूल	बैतूल
27	श्रीमती अर्चना ताम्रकर खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला होशंगाबाद	होशंगाबाद
28	श्री आलोक अग्रवाल खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला इंदौर	हरदा
29	श्रीमती प्रभा शर्मा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला इंदौर	इंदौर
30	डा. एम.एस. खतेड़िया प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला धार	धार
31	श्री राजकुमार गुप्ता खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला खण्डवा	खण्डवा
32	सुश्री सोनल सिंह तोमर खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला बुरहानपुर	बुरहानपुर
33	श्री सावन सिंह चौहान प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला खरगौन	खरगौन
34	सुश्री प्रियका अजनार खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला खरगौन	झाबुआ

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35	श्री धनश्याम यादव खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला दतिया	दतिया
36	श्री रविन्द्र परमार प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला बड़वानी	बड़वानी एवं अलीराजपुर
37	श्री जयदीप नामदेव खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला उज्जैन	उज्जैन
38	श्री आरिफ खान प्रभारी अधिकारी जिला कार्यालय (खनि शाखा) जिला देवास	देवास
39	श्रीमती तिनू डावर खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला मंदसौर	मंदसौर
40	श्री गजेन्द्र सिंह डावर खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला नीमच	नीमच
41	सुश्री आकांक्षा पटेल खनि अधिकारी जिला कार्यालय (खनि शाखा) जिला रतलाम	रतलाम
42	श्री व्ही.के. सांखला उप संचालक (तकनीकी) क्षेत्रीय कार्यालय, इंदौर	शाजापुर एवं आगर मालवा
43	श्री दीपक सक्सेना खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला ग्वालियर.	ग्वालियर
44	श्री राकेश देशमुख खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला भिण्ड	भिण्ड
45	श्री वीरेन्द्र वर्मा खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला मुरैना	मुरैना

46	सुश्री पूजा वानखेडे खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला गुना	गुना एवं अशोकनगर
47	श्रीमती भावना सेंगर खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला श्योपुर	श्योपुर
48	श्री सुरेन्द्र पटले खनि निरीक्षक जिला कार्यालय (खनि शाखा) जिला शिवपुरी	शिवपुरी

#### 1. सामान्य दिशा-निर्देश:-

- संबंधित अधिकारी उनके नाम के सम्मुख दर्शित जिले की DSR तैयार कर उस जिले के क्षेत्रीय प्रमुख, क्षेत्रीय कार्यालय को अनुमोदन हेतु प्रस्तुत करेंगे। क्षेत्रीय प्रमुख सस्टेनबल सेड माइनिंग मेनेजमेंट गाइडलाइन 2016, संशोधित अधिसूचना दिनांक 25.07.2018 एवं इन्फोर्समेंट एण्ड मॉनिटरिंग गाइडलाइन फॉर सेड माइनिंग 2020 के अनुरूप परीक्षण करेंगे, परीक्षण उपरांत योग्य पाये जाने पर DSR का अनुमोदन प्रदान करेंगे।
- समस्त क्षेत्रीय प्रमुख, क्षेत्रीय कार्यालयों की सीमा में शामिल जिलों की रिपोर्ट अधिसूचना के अनुसार तैयार कराने एवं समय सीमा में प्रस्तुत कराने हेतु जिला कार्यालय एवं अतिविभागीय कार्यालयों से समन्वय कर पर्यवेक्षण करेंगे।
- भोपाल एवं नर्मदापुरम संभाग में शामिल जिलों की रिपोर्ट तैयार कराने हेतु पर्यवेक्षण का दायित्व श्री विनोद बागडे, अधीक्षण भौमिकीविद, संचालनालय भौमिकी तथा खनिकर्म, भोपाल का होगा।
- DSR संबंधी समस्त कार्यों की मॉनीटरिंग कार्यालय प्रमुख, संचालनालय भौमिकी तथा खनिकर्म, भोपाल द्वारा की जायेगी।
- भारतीय भू-वैज्ञानिक सर्वेक्षण द्वारा प्रत्येक जिले का डिस्ट्रिक्ट रिसोर्स मैप (DRM) तैयार किया गया है। इसे भी संदर्भ के रूप में जिला सर्वेक्षण रिपोर्ट में शामिल किया जाये।
- DSR हेतु समस्त नक्शें यथा, भू-भौगोलिक नक्शा, भौमिकी नक्शा, खनिज संपदा नक्शा, बेसिन नक्शा 1:2,50,000 तथा संभावित रेत संसाधन क्षेत्र मजमूली नक्शे के पैमाने पर तैयार किये जाये।
- DSR 5 प्रतियों (हार्ड कॉपी एवं Soft कॉपी) में तैयार किया जाए। DSR की एक प्रति (हार्ड कॉपी एवं Soft कॉपी) संचालनालय, एक प्रति क्षेत्रीय कार्यालय, एक प्रति संबंधित जिला, एक प्रति MOPRO राज्य खनिज निगम एवं एक प्रति संबंधित अधिकारी के पास प्रेषित की जाये।

- संबंधित अधिकारी द्वारा DSR की बाईन्ड की हुई प्रति प्रस्तुत की जायेगी। तैयार करने में होने वाले व्यय (स्टेशनरी, बाईन्डिंग आदि) की प्रतिपूर्ति संबंधित जिले के क्षेत्रीय कार्यालय द्वारा नियमानुसार की जायेगी। भोपाल एवं नर्मदापुरम संभाग से संबंधित जिलों के DSR की बाईन्ड प्रति पर होने वाले व्यय की प्रतिपूर्ति संचालनालय, भौमिकी तथा खनिकर्म, भोपाल द्वारा की जायेगी।
- DSR की एक प्रति जिला खनिज कार्यालय द्वारा जिले के पोर्टल पर अपलोड की जाये। साथ ही DSR को विभागीय वेबसाईट पर आम व्यक्ति के लिए प्रदर्शित किया जाये।
- DSR भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा जारी सस्टेनेबल सेंड माइनिंग मैनेजमेंट गाइडलाइन 2016, अधिसूचना दिनांक 15.01.2016 संशोधित अधिसूचना दिनांक 25.07.2018 एवं इन्फोर्समेंट एण्ड मॉनिटरिंग गाइडलाइन फॉर सेंड माइनिंग 2020 का अध्ययन भलीभाँति कर ले, विरोधाभास की स्थिति में गाइडलाइन 2020 के प्रावधान लागू होंगे।

2. जिला सर्वेक्षण रिपोर्ट ( रेत खनिज हेतु) के निम्नलिखित संघटक होंगे :-

- (1) प्रस्तावना।
- (2) जिले में खनन कार्यकलापों का विहंगावलोकन।
- (3) अवस्थिति क्षेत्र और वैधता की अवधि सहित जिले में खनन पट्टों की सूची।
- (4) पिछले तीन वर्ष में प्राप्त स्वामित्व या राजस्व के ब्यौरे।
- (5) पिछले तीन वर्षों के दौरान बालू या रेत या गौण खनिज के उत्पादन के ब्यौरे।
- (6) जिले की नदियों में तलछट के जमा होने की प्रक्रिया।
- (7) जिले का साधारण प्रोफाइल।
- (8) जिले में भू उपयोग का पैटर्न: वन, कृषि, उद्यान कृषि, खनन आदि।
- (9) जिले की भूगर्भीय स्थिति।
- (10) मासवार वर्षा।
- (11) भूगर्भ और खनिज संपदा।

उपरोक्त के अतिरिक्त रिपोर्ट में निम्नलिखित अंतर्विष्ट होंगे :-

- (क) जिलावार नदी या धारा और अन्य रेत के स्रोत के ब्यौरे।
- (ख) जिलावार रेत या कंकड़ या समग्र संसाधनों की उपलब्धता
- (ग) जिलावार विद्यमान रेत के खनन पट्टों के ब्यौरे और समग्र।





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**De-Siltation Location:(Lakes/Ponds/Dams etc.) (Existing & proposed)**

Name of Reservoir/ Dams	Maintain/Controlled by State Govt./PSU etc.	Location	District	Tehsil	Village	Size (Ha)	Quantity MT / Year	Existing /Proposed

**M-Sand Plants : ( existing & proposed)**

Plant Name	Owner	District	Tehsil	Village	Geo- location	Quantity Tones/ Annum	Existing/Proposed

**Annexure-IX**

**Cluster & Contiguous Cluster details Clusters:**

River Name	Cluster No.	Lease No	Location (Riverbed / Patta Land)	Village	Area (in Ha)	Total Excavation (Ton)	Total Mineral Excavation (Ton)

**Contiguous Clusters:**

River Name	Contiguous Cluster No.	Cluster No.:	Number of leases in the cluster	Location (Riverbed / Patt Land)	Distance between clusters	Village	Area of Cluster (Ha)	Total Mineral Excavation (Ton)

**Annexure-X**

**Transportation Routes for individual Sand Quarry and Sand Quarry in Cluster**

For Leases: Lease No	Transportation Route No	Number of tippers /day of lease	Number Of tippers /day of all the lease on route	Length of Route in KM	Type of Road (Black Topped/ unpaved)	Recommendation for road (Black Topped/ unpaved)	The road Will be Constructed by Govt./ Lease Owner	Route Map & Location

**For Clusters**

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Cluster No	Transportation Route No	Number of tipper s /day of cluster	Number Of tippers /day of all the clusters on route	Length of Route in KM	Type of Road (Black Topped/ unpaved)	Recommen dation for road(Black Topped/ unpaved)	The road will be Constructe d by Govt./Lease Owner	Route Map & Locati on

**Annexure-XI**

**Final List of Potential Sand Mining Area (existing & proposed)**

**Rivers**

River Details	Lease Details	Area (in Ha)	Distance (in KM) from PA/BR/WC/	Distance from Forest Area (in KM)	Mining leases within 500 meters (if yes cluster area)	Total excavation in (MT/Yr) (Mine depth max as 3 m)	Mineral to be mined (Sand/Bajri/ RBM etc.)	Existing /Proposed

**Patta Lands/Khatedari Land: (existing & proposed)**

Owner	Sy. No	Area	District	Tehsil	Village	Total Reserve (MT)	Total Mineral to be mined (MT)	Existing /Proposed

**De-Siltation Location: (Lakes/Ponds/Dams etc.) (Existing & proposed)**

Name of Reservoir/ Dams	Maintain/ Controlled by State Govt./PSU etc.	Location	Distt.	Tehsil	Village	Size(Ha)	Quantity MT/Year	Existing/ Proposed

**M-Sand Plants :( existing & proposed)**

Plant Name	Owner	District	Tehsil	Village	Geo- location	Quantity MT/Annm	Existing/Proposed

**Annexure-XII**

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River Name	Cluster No.	Lease No	Location (Riverbed /Patta Land)	Village	Area (in Ha)	Total Excavation (Ton)	Total Mineral Excavation (Ton)

**Contiguous Clusters:**

River Name	Contiguous Cluster No.	Cluster No	Number of leases in the cluster	Location (Riverbed /Patta Land)	Distance between clusters	Village	Area of Cluster (in Ha)	Total Mineral Excavation (Ton)

Annexure-XIII

**Final Transportation Routes for individual Sand Quarry and Sand Quarry Cluster**

**For Leases**

Lease No	Transportation Route No	Number of tippers /day of lease	Number of tippers /day of all the lease on route	Length of Route in KM	Type of Road (Black Topped/ unpaved)	Recommendation for road (Black Topped/ unpaved)	The road will be Constructed by Govt/Lease Owner	Route Map & Location

**For Clusters**

Cluster No	Transportation Route No	Number of tippers /day of cluster	Number of tippers /day of all the clusters on route	Length of Route in KM	Type of Road (Black Topped/ unpaved )	Recommendation for road (Black Topped/ unpaved)	The road will be Constructed by Govt/Lease Owner	Route Map & Location

Annexure-XIV

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**जिले में स्थित रेत खदानों में रेत पुर्नभरण की जानकारी**

जिले का नाम	जिले में मानसून प्रारंभ की तिथि / माह	जिले का मानसून अवसान तिथि / माह	नदी का नाम	खदान का नाम	रेत खदान की लंबाई (मीटर)	रेत खदान की चौड़ाई (मीटर)	रेत खदान की औसत गहराई (मीटर)	मानसून के पूर्व उपलब्ध रेत खनिज की मात्रा (घन मीटर)	मानसून के पश्चात उपलब्ध रेत खनिज की मात्रा (घन मीटर)	प्रतिवर्ष अनुमानित उत्पादन की मात्रा (घन मीटर)	विगत तीन वर्षों का उत्पादित रेत खनिज की मात्रा (प्रतिवर्ष) (घन मीटर)

**3. जिला सर्वेक्षण रिपोर्ट में उपरोक्त के अतिरिक्त निम्न बिंदुओं का भी समावेश किया जाये:-**

1. रेत खनन हेतु उपयुक्त क्षेत्रों के चिन्हांकन के अतिरिक्त रेत के ऐसे क्षेत्रों को भी चिन्हित किया जाये जहाँ पर पर्यावरण की दृष्टि से खनन संभव नहीं है या उस स्थान पर खनन से पर्यावरण को क्षति पहुंचती है।
2. मध्यप्रदेश रेत (खनन, परिवहन, भण्डारण एवं व्यापार) नियम 2019 के अनुसार रेत खनन हेतु प्रतिबंधित क्षेत्र कौन से है।
3. ऐसे निजी क्षेत्रों (खेत/निजी भूमि) को भी चिन्हित किया जाये जहाँ पर रेत उपलब्ध है तथा जिनका पुनर्भरण नदियों के बहाव के साथ प्रतिवर्ष संभव है।
4. जिले में नदी रेत के अतिरिक्त M Sand हेतु कौन से क्षेत्र है जिनका विकास किया जा सकता है।
5. जिलों में रेत खनिज की आवश्यकता तथा रेत खनिज की आपूर्ति के संभावित क्षेत्रों का भी आकलन DSR में किया जाये।
6. DSR में रेत खनन हेतु चिन्हित क्षेत्रों को समूह के रूप में चिन्हांकित किया जाये। एक समूह से दूसरे समूह की दूरी 2.5 किमी. होनी चाहिए।
7. जिले में रेत परिवहन के संभावित मार्गों का चिन्हांकन स्पष्ट रूप से किया जाये।
8. रेत खनन हेतु प्रतिबंधित क्षेत्रों को वन संरक्षित एवं वन आदि से स्पष्ट दूरी इंगित की जाये।
9. रेत खनन हेतु चिन्हांकित संभावित क्षेत्रों की चतुर्सीमा के अक्षांश-देशांश एवं संभावित समुद्र तल से ऊँचाई का उल्लेख किया जाये।

**4. गौण खनिज हेतु जिला सर्वेक्षण रिपोर्ट :-**

भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा जारी अधिसूचना दिनांक 15.01.2016 द्वारा जिला सर्वेक्षण रिपोर्ट तैयार की गयी थी। सुशोधित अधिसूचना दिनांक 25.07.2018 में रेत एवं गौण खनिज की जिला सर्वेक्षण रिपोर्ट पृथक तैयार करने के प्रावधान किये गये

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हैं। विभागीय आदेश क्रमांक 794/2016/12-1 भोपाल, दिनांक 20.02.2016 के तहत संलग्न जिले की जिला सर्वेक्षण रिपोर्ट को निम्न बिंदुओं को शामिल करते हुए अद्यतन किया जाये।

जिला सर्वेक्षण रिपोर्ट (गौण खनिज) हेतु निम्नलिखित संघटक होंगे

- (1) प्रस्तावना
- (2) जिले में खनन कार्यकलापों का विहंगावलोकन
- (3) जिले का साधारण प्रोफाइल
- (4) जिले की भूगर्भीय स्थिति
- (5) सिंचाई निष्कासन पैटर्न
- (6) जिले में भू उपयोग का पैटर्न : वन, कृषि, उद्यान कृषि, खनन आदि
- (7) जिले में सतह जल और भूमिगत जल का परिदृश्य
- (8) जिले में वर्षा वृत्ति और जलवायु स्थिति
- (9) निम्नलिखित प्रारूप के अनुसार जिले में खनन पट्टों के ब्यौरे:-

क्रम सं.	खनिज का नाम	पट्टेदार का नाम	पट्टेदार का नाम और संपर्क संख्या	खनन पट्टा अनुदान आदेश संख्या एवं तारीख	खनन पट्टे का क्षेत्र (हेक्टेयर में)	खनन पट्टे की अवधि (प्रारंभिक)		खनन पट्टे की अवधि (द्वितीयक)	
						स	तक	स	तक
1	2	3	4	5	6	7	8	9	10

खनन प्रचालन के प्रारंभ होने की तारीख	प्रास्थिति (कार्यशील/ गैर-कार्यशील पारिषेध आदि के लिए स्थायी रूप से कार्यशील)	कैप्टिव/ गैर कैप्टिव	पर्यावरणीय निकासी अभिप्राप्त (हां/नहीं) यदि हां तो पर्यावरण निकासी अनुदत्त करने की तारीख सहित पत्र संख्या	खनन पट्टे की अवस्थिति (अक्षांश एवं देशांतर)	खनन की विधि (खुली/भूमिगत)
11	12	13	14	15	16

- (10) पिछले तीन वर्ष के दौरान प्राप्त स्वामिस्व या राजस्व
- (11) पिछले तीन वर्ष के दौरान उत्पादन किए गए गौण खनिज के ब्यौरे
- (12) जिले का खनिज मानचित्र
- (13) निम्नलिखित प्रारूप के अनुसार जिले में आशय पत्र के धारकों की तसकी वैधता सहित सूची :-

क्रम सं.	खनिज का नाम	पट्टेदार का नाम	आशय पत्र धारक का पता एवं संपर्क संख्या	आशय पत्र आदेश की संख्या एवं तारीख	आवृत्त किए जाने वाले खनन पट्टे का क्षेत्र	आशय पत्र की वैधता	उपयोग (कैप्टिव/ गैर कैप्टिव)	खनन पट्टे की अवस्थिति (अक्षांश एवं देशांतर)

✓

- (14) जिले में उपलब्ध कुल खनिज भण्डार
- (15) जिले में उपलब्ध खनिज की क्वालिटी/ग्रेड
- (16) खनिज का उपयोग
- (17) पिछले तीन वर्षों के दौरान खनिज की मांग और पूर्ति
- (18) जिले के मानचित्र पर चिन्हांकित खनिज पट्टे
- (19) उस क्षेत्र के ब्यौरे, जहां खनिज पट्टों का समूह है, अर्थात् खनिज पट्टों की संख्या, अवस्थिति (अक्षांश और देशांस)
- (20) जिले में पारिस्थिति की संवेदनशील क्षेत्र, यदि कोई हो
- (21) पर्यावरण (वायु, जल, ध्वनि, मृदा, वनस्पति और प्राणी, भू-उपयोग, कृषि, वन आदि) पर खनन कार्यकलाप का संघात
- (22) पर्यावरण पर खनन संघात को कम करने लिए उपचारात्मक उपाय
- (23) खनन किए गए क्षेत्र को पुनः प्राप्त करना (जिले में नियमों और विनियम, प्रस्तावित पुनः प्राप्ति योजना के अनुसार) सर्वोत्तम व्यवहार को पहले ही कार्यान्वित किया गया है
- (24) जोखिम निर्धारण एवं आपदा प्रबंधन योजना
- (25) जिले में व्यवसायिक सुरक्षा मुद्दों के ब्यौरे(सिलिकोसिस एवं तपेदिक के रोगियों के पिछले पांच वर्षों के डाटा को प्रस्तुत करने की आवश्यकता है)
- (26) जिले में पहले ही अनुदत्त पट्टों के संबंध में पौधारोपण और हरित पट्टी विकास
- (27) कोई अन्य सूचना।

उपरोक्तानुसार दोनों जिला सर्वेक्षण रिपोर्ट दिनांक 31.12.2020 तक अनिवार्य रूप से तैयार किया जाना सुनिश्चित किया जाये।

संचालक

पृ. क्रमांक 1132/भौमिकी/2020  
प्रतिलिपी:-

भोपाल, दिनांक 22.10.20

1. सचिव, म.प्र.शासन, खनिज साधन विभाग, मंत्रालय, वल्लभ भवन, भोपाल।
2. आयुक्त, ..... संभाग, म0प्र0।
3. कलेक्टर, जिला समस्त, म0प्र0 की ओर लेख है कि कृपया आपके जिले से संबंधित जिला सर्वेक्षण रिपोर्ट तैयार करने हेतु संलग्न अधिकारियों को आवश्यकतानुसार विभागीय तथा अंतर्विभागीय जानकारी उपलब्ध कराने हेतु आवश्यक सहयोग प्रदान करने का अनुरोध करें।
- ✓ 4. कार्यालय प्रमुख, संचालनालय, भौमिकी तथा खनिकर्म, भोपाल, म0प्र0।
5. श्री विनोद बागड़े, अधीक्षण भौमिकीविद्, संचालनालय, भौमिकी तथा खनिकर्म, भोपाल, म0प्र0।
6. क्षेत्रीय प्रमुख, संचालनालय, भौमिकी तथा खनिकर्म, क्षेत्रीय कार्यालय, शिवा, जबलपुर, इंदौर, ग्वालियर, म0प्र0 की ओर समन्वय एवं पालनार्थ।
7. संबंधित अधिकारी श्री .....
8. प्रभारी अधिकारी, ई-खनिज, आई.टी. भाखा, विभागीय पोर्टल पर प्रदर्शित करने हेतु।

संचालक

ANNEXURE-D

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कार्यालय  
संचालक भौमिकी तथा खनिकर्म  
मध्यप्रदेश

केवल मेल द्वारा

२९-ए खनिज भवन अरेरा हिल्स भोपाल

फोन एवं फैक्स 0755-2551795

E-mail : dirgeomn@mp.nic.in

क्रमांक/ 1239  
प्रति, /माईनिंग प्लान.शाखा/नस्ती क्र./2015

भोपाल, दिनांक 23/11/16

समस्त मान्यता प्राप्त योग्य व्यक्ति (RQP)  
मध्यप्रदेश

विषय:- रेत खदानों की खनन योजनाओं में रेत के पुर्नभरण (Replenishment) के संबंध में।

उपरोक्त विषयान्तर्गत लेख है कि आपके द्वारा प्रस्तुत किये जाने वाले रेत खदानों की खनन योजनाओं में रेत खनिज के प्रतिवर्ष पुर्नभरण के संबंध में जानकारी आवश्यक है।

अतः आप प्रस्तुत की जाने वाली खनन योजनाओं में रेत खनिज के पुर्नभरण के संबंध में एक पृथक अध्याय (Chapter) के साथ जानकारी दें। इसमें खनन क्षेत्र में रेत का पुर्नभरण प्रतिवर्ष किस तरह, कितनी मात्रा में होगा। पुर्नभरण की प्रस्तावित योजना हेतु वैज्ञानिक/तकनीकी आधार का समावेश भी किया जावे।

उक्त जानकारी के अभाव में खनन योजना का अनुमोदन नहीं किया जा सकेगा।

क्रमांक/ 1240-42  
प्रतिलिपि:- /माईनिंग प्लान.शाखा/नस्ती क्र./2015

भोपाल, दिनांक 23/11/16

संचालक

1. सचिव, म.प्र. शासन, खनिज साधन विभाग, मंत्रालय, भोपाल की ओर सूचनार्थ प्रेषित.
2. समस्त क्षेत्रीय प्रमुख, संचालनालय भौमिकी तथा खनिकर्म क्षेत्रीय कार्यालय रीवा, जबलपुर, इंदौर तथा ग्वालियर की ओर सूचनार्थ एवं पालनार्थ प्रेषित.
3. समस्त, प्रभारी अधिकारी, (Mining Plan सेल 1,2,3,4 संचालनालय भौमिकी तथा खनिकर्म भोपाल की ओर सूचनार्थ एवं पालनार्थ प्रेषित.

संचालक

संचालनालय भौमिकी तथा खनिकर्म मध्यप्रदेश  
29-ए, खनिज भवन, अरेरा हिल्स, भोपाल  
फोन एवं फैक्स 0755 2551795  
Email - dirgeomn@mp.nic.in

BY MAIL ONLY, L

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क्रमांक 2038 / माइनिंग प्लान सेल / 2016  
प्रति,

भोपाल, दिनांक 04/02/16

क्षेत्रीय प्रमुख (समस्त),  
क्षेत्रीय कार्यालय,  
संचालनालय भौमिकी तथा खनिकर्म  
मध्यप्रदेश

विषय: रेत खदानों की खनन योजनाओं में रेत के पुर्नभरण (Replenishment) के संबंध में।

संदर्भ: संचालनालय का पत्र क्रमांक 1239/माइनिंग प्लान शाखा/न.क्र./2015 दिनांक 23.01.2016 एवं राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, मध्यप्रदेश, भोपाल का कार्यालयीन ज्ञापन दिनांक 01.02.2016.

कृपया संदर्भित पत्र का अवलोकन करने का कष्ट करें। आपके कार्यालय में अनुमोदन हेतु प्रस्तुत खनन योजनाओं में रेत खनिज के पुर्नभरण (Replenishment) के संबंध में एक पृथक अध्याय (Chapter) के रूप में आर.क्यू.पी. के द्वारा जानकारी प्रदाय की जावेगी। इसमें खनन क्षेत्र में रेत का पुर्नभरण प्रतिवर्ष किस तरह, कितनी मात्रा में होगा, पुर्नभरण की प्रस्तावित योजना हेतु वैज्ञानिक/तकनीकी आधार का समावेश करते हुये जानकारी प्रदाय की जावेगी। उक्त जानकारी के अभाव में संबंधित सक्षम प्राधिकारी द्वारा खनन योजना का अनुमोदन नहीं किया जायेगा।

आपके द्वारा पूर्व में जो खनन योजनायें अनुमोदित की जा चुकी है, उन खनन योजनाओं हेतु भी पृथक-पृथक रेत के पुर्नभरण (Replenishment) से संबंधित जानकारी आर.क्यू.पी. द्वारा प्रदाय की जायेगी। इस जानकारी को खनन योजना का भाग मान कर, इस जानकारी को भी आवश्यक जांच उपरांत अनुमोदित करें।

संलग्न: उपरोक्तानुसार

Ullasix  
संचालक

पृ. क्रमांक 2039 / माइनिंग प्लान सेल / 2016

भोपाल, दिनांक

04/2/16

प्रतिलिपि:

1. सचिव, म.प्र. शासन, खनिज साधन विभाग, मंत्रालय, भोपाल की ओर सूचनार्थ प्रेषित।
2. कलेक्टर (खनि शाखा), जिला समस्त, म.प्र. की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. समस्त आर.क्यू.पी. (मध्यप्रदेश) की ओर लेख है कि आपके द्वारा प्रस्तुत की जाने वाली खनन योजनाओं एवं पूर्व में प्रस्तुत खनन योजनायें जो अनुमोदित हो चुकी है, के लिये उपरोक्त संदर्भित पत्र अनुसार पृथक-पृथक खनन योजनाओं हेतु जानकारी तैयार कर चार मूल प्रतियों में संबंधित अधिकारी को अनुमोदन हेतु प्रस्तुत करें। प्राप्त अनुमोदित प्रति संबंधित खनि शाखा, सिया/सियेक एवं संबंधित आवेदक को प्रस्तुत करें।
4. प्रभारी अधिकारी, माइनिंग प्लान सेल-1, 2, 3, 4, संचालनालय, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

Ullasix  
संचालक

11



राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, म.प्र.  
( पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)

पर्यावरण नियोजन एवं समन्वय संगठन  
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी  
भोपाल-462016 (म.प्र.)

वेबसाइट- <http://www.mpseiaa.nic.in>

दूरभाष नं. - 0755-2468970, 2466859

फैक्स नं. - 0755-2462136

10883 / SEIAA/16

Date: 01/02/16

कार्यालयीन द्वापन (Office Memorandum)

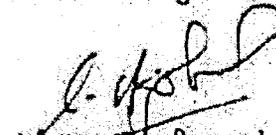
रेत खनन के प्रकरणों में माननीय एनजीटी सेन्ट्रल बेंच भोपाल द्वारा अपील क्र. 53/201 दिनांक 06.01.2015 में पारित आदेश के परिपालन में MP-SEIAA द्वारा 284वीं बैठक दिनांक 23.01.2016 में नीतिगत निर्णय लिया गया है।

नियमानुसार रेत खनन के समस्त प्रकरणों में संचालक, भौमिकी एवं खनिकर्म के द्वारा अनुमोदित एवं जारी किये जाने वाले माइनिंग प्लान में रेत के Annual Replenishment एवं सूखे मौसम (Lean Season) में जल के सामान्य स्तर के बारे में जानकारी समाहित की जायेगी।

रेत खनन के नवीन प्रकरणों में आवेदक द्वारा जमा की जाने वाली हार्ड कॉपी के साथ प्रस्तुत की जाने वाली सक्षम प्राधिकारी से अनुमोदित खनन योजना में रेत के Annual Replenishment एवं सूखे मौसम (Lean Season) में जल के सामान्य स्तर की जानकारी के बारे में एक पृथक अध्याय का अपरिहार्य रूप से समावेश किया जाना है। इस अध्याय के दिना प्रस्तुत खनन योजना को SEIAA कार्यालय द्वारा स्वीकार नहीं किया जायेगा।

इसके अतिरिक्त ऐसे प्रकरण जो SEAC द्वारा पूर्व पर्यावरणीय अनुमति हेतु अनुशंसित है, उन प्रकरणों पर सक्षम अधिकारी से अनुमोदित संशोधित खनन योजना, जिसमें रेत के Annual Replenishment एवं सूखे मौसम (Lean Season) में जल के सामान्य स्तर की जानकारी के बारे में एक पृथक अध्याय जोड़ा गया है, के प्रस्तुत होने के पश्चात् ही लिया द्वारा विचार किया जायेगा। तत्पश्चात इन प्रकरणों को SEAC के पुनर्मूल्यांकन हेतु भेजा जायेगा।

रेत खनन के ऐसे प्रकरणों पर जिनमें पूर्व में पर्यावरणीय स्वीकृति जारी की जा चुकी है उनमें SEAC के साथ विचार विमर्श कर एक कार्यशील व्यवस्था बनायी जानी है।

  
(अजातशत्रु श्रीवास्तव)

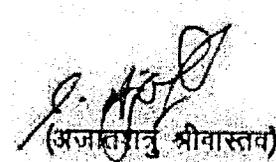
सदस्य सचिव

भोपाल दिनांक - 01/02/16

प.क. 10884/SEIAA/2016

प्रतिलिपि :-

1. अध्यक्ष/सदस्य, MP-SEIAA भोपाल
2. सभी अधिकारी MP-SEIAA एवं SEAC भोपाल
3. सभी संबंधित
4. गार्ड फाईल
5. MP-SEIAA वेबसाइट

  
(अजातशत्रु श्रीवास्तव)  
सदस्य सचिव

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**Minutes of the 284<sup>th</sup> Meeting of SEIAA dated 23.01.2016**

The 284<sup>th</sup> meeting of the State Level Environment Impact Assessment Authority, was convened on 23.01.2016 at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Park, Bhopal. The meeting was chaired by Shri Waseem Akhtar, Chairman SEIAA. Due to pre-occupation, Shri Ajayshatru Shevastava, Member Secretary could not attend the meeting. The following member attended the meeting:

1. Shri H S. Verma Member

**A. POLICY DECISIONS IN RESPONSE TO THE DIRECTIVES OF HON'BLE NGT IN THEIR ORDER DATED 06.01.2016**

Hon'ble NGT in their order in Appeal No. 53/2015 dtd. 06.01.2016 has directed SEIAA as follows :-

*In the reply that has been submitted on behalf of the MP SEIAA it has been submitted that based upon the Office Memorandum dated 24.12.2013 issued by the MoEF, the SEIAA had considered the Applications taking into account the annual replenishment of the sand in the leased areas also. It has however been submitted that independently of what has been provided by way of information by the Project Proponent which in turn has been obtained from the Director Geology and Mines and no independent appraisal has been called out by SEIAA itself. We feel that under the scheme of appraisal, of SEAC needs to carry out the appraisal of all available material and data and not merely what has been provided by the Director Geology and Mines. Since this has not been done so far, we would direct that in each of these cases this needs to be reviewed by SEAC. At the same time, fresh Applications which are pending and are under consideration need to be dealt with in accordance with the aforesaid.*

*It was also come to light that under the specific conditions of the EC, particularly condition No. 2 which reads as follows: "The depth of the pit shall not exceed 3 meters or water level whichever is less."*

*In Himmat Singh's case, the Principle Bench NGT, in paragraph 13 it has been categorically stated in point no. 2 as follows: "The surface water level is referred to in office memorandum dated 24.12.2014 would be a normal water level prevalent in the lean season."*

*Having received the above statement of the MoEF officials, it has been directed that to that extent the office memorandum dated 24.12.2013 is explained and clarified and dealt with in the MoEF in accordance with law.*

*We however feel that in the EC, the sternness clarifier which was required to be put in place in terms of Himmat Singh's case, was not mentioned in point no. 2 of the EC. No direction was issued to add in so far as the EC which have already been granted under the direction of the NGT in Himmat Singh's case and in all pending matters whenever EC is granted, this clarification would be put in place."*

In response to the above directives, all cases pertaining to Sand Mining the mining plan to be submitted by Director, Geology & Mining should include details about annual replenishment of sand in the leased area and the normal water level prevalent in the lean season. The cases recommended by SEAC and under process in SEIAA will be considered only after the revised mining plan duly incorporating the additional chapters as directed above by the Hon'ble NGT is submitted by the FP and duly approved by the competent authority. The cases will be reappraised by SEAC on the basis of revised mining plan and in accordance with the directives of the Hon'ble NGT.

ii. Copy of the Hon'ble NGT order in Appeal No. 53/2015 dtd. 06.01.2016 should be sent to SEAC for compliance in the cases being dealt at their level.

  
(H.S. Verma)  
Member

  
(Waseem Akhtar)  
Chairman

2600

(iii) "Suggestions in the High Power Committee Report"  
of Hon'ble NGT Order dated 4.09.2018.

**Progress Made:**

The recommendations of the High Power Committee Constituted by Hon'ble NGT in the matter of OA 184/2013, orders passed by NGT in other similar matters along with experience and suggestion received on implementation of present Sustainable Sand Mining and Management Guidelines-2015 issued by Ministry has been complied and accordingly in consultation with some experts, dealing sand mining, a draft guideline on enforcement and monitoring of sand mining has been prepared.

In addition, the relevant provision of sand mining frame work published by Ministry of Mines has been considered as base for all monitoring and enforcement purpose, except for environmental related issue.

Further, requirement and procedure of Replenishment study for River Sand mining has also been suitably incorporated.

The draft guideline is submitted before competent authority for consideration before it is circulated to stakeholder for their feedback /suggestion to finalize the guideline.

A discussion with limited input was received from states which attended meeting on 17.12.2019 but formal response on each direction of NGT is still awaited.

ANNEXURE - E (copy)

Office of the Director  
Geology and Mining  
Madhya Pradesh  
29-A, Khanij Bhawan, Arera Hills, Bhopal  
Phone & Fax : 0755-2551795  
E-mail : dirgeomn@mp.nic.in

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No. 11594 /DGM/Geo/2020,  
To,

Bhopal, Dated 15/10/2020

Shri A.K. Agarwal  
Director  
Central Water and Power Reserch Station  
Khadakwasla, Pune (M.S.) 411024

Subject:- Systematic estimation and replenishment study of sand in the sand quarry of Madhya Pradesh.

Govt. of India Ministry of Environment Forest and Climate Change has issued the guideline for sand mining "the sustainable sand mining management guideline 2016 and enforcement & monitoring guideline for sand mining 2020". According to the guideline issued by GoI, it is proposed to carryout the study of systematic estimation and replenishment study of sand in the State.

In the State of MP at present 1483 sand quarries situated in various river of the State. According to the survey carried out by the State total estimated quantity of sand in these quarries is about 8cr cubic meter.

It is requested to please inform whether the study as per the guideline issued by GoI, is possible by your organisation. If it is possible than please inform the modelities of term and conditions of such studies.

Early response is solicited.

  
Director

Endt.No. 11595-96 /DGM/Geo/2020,  
Copy to:-

Bhopal, Dated 15/10/2020

1. Secretary. Govt. of Madhya Pradesh, Mineral Resources Department, Mantralaya, Bhopal.
2. Executive Director, MPSMC, Paryawas Bhawan, Bhopal.

  
Director

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**Office of the Director  
Geology and Mining  
Madhya Pradesh**  
29-A, Khanij Bhawan, Arera Hills, Bhopal  
Phone & Fax : 0755-2551795  
E-mail : dirgeomn@mp.nic.in

No. 11861 /DGM/Geo/2020,  
To.

Bhopal, Dated 21/10/2020

**Chairman cum Managing Director,  
Mineral Exploration Corporation Ltd.  
Dr. Baba Saheb Ambedkar Bhawan,  
Seminary Hills, Nagpur, Maharashtra 440006**

**Subject:- Systematic estimation and replenishment study of sand in the sand quarry of Madhya Pradesh.**

Govt. of India Ministry of Environment Forest and Climate Change has issued the guideline for sand mining "the sustainable sand mining management guideline 2016 and enforcement & monitoring guideline for sand mining 2020". According to the guideline issued by GoI, it is proposed to carryout the study of systematic estimation and replenishment study of sand in the State

It is requested to please inform whether the study as per the guideline issued by GoI, is possible by your organisation. If it is possible than please inform the modelities of term and conditions of such studies.

Early response is solicited.

Encl -

1. Sustainable sand mining management guideline 2016.
2. Enforcement & Monitoring guideline for sand mining 2020.

*U. S. Singh*  
Director

Encl. No. 11862-63 /DGM/Geo/2020,  
Copy to -

Bhopal, Dated 21/10/2020

1. Secretary Govt. of Madhya Pradesh, Mineral Resources Department, Mantralaya, Bhopal.
2. General Manager (Exploration) Dr. Baba Saheb Ambedkar Bhawan, Seminary Hills, Nagpur Maharashtra (Pin code-440005)

*U. S. Singh*  
Director

ANNEXURE-f  
2603



**State Environment Impact Assessment Authority, M.F**  
(Ministry of Environment, Forest and Climate Change, Government of India)

**Environmental Planning & Coordination Organization**

Paryavaran Parisar, E-5, Arera Colon

Bhopal - 462010

visit us <http://www.mpseiaa.nic.in>

Email : [mpseiaa@gmail.com](mailto:mpseiaa@gmail.com)

Tel.: 0755 - 2466970, 2466850

Fax : 0755 - 2462130

प्रति,

संचालक

भौमिकी तथा खनिकर्म संचालनालय

मध्य प्रदेश शासन

29-खनिज भवन, अरेरा हिल्स,

भोपाल

No.:

/SEIAA/

Date :

विषय:- माननीय एन.जी.टी., नई दिल्ली द्वारा ओ.ए. क्रमांक 456/2018 (पूर्व में 146/14 (सी.जेड.) नित्यानंद मिश्रा विरुद्ध म.प्र. शासन ) एवं ओ.ए. क्रमांक 726/2018 (रूपेश पेठे विरुद्ध म.प्र. शासन) में पारित आदेश दिनांक 17/08/2020 के संबंध में।

संदर्भ:- आपका पत्र क्र. 11775-76 दिनांक 17.10.2020.

उपरोक्त विषयांतर्गत संदर्भ में माननीय एन.जी.टी., नई दिल्ली द्वारा ओ.ए. क्रमांक 456/2018 (पूर्व में 146/14 (सी.जेड.) नित्यानंद मिश्रा विरुद्ध म.प्र. शासन) जिला सिंगरौली /सीधी /सतना/शहडोल/जिले से संबंधित सोन घड़ियाल अभ्यारण क्षेत्र में रेत खनिज के अवैध उत्खनन /अवैध परिवहन के संबंध में दायर की गयी है तथा ओ.ए. क्रमांक 726/2018 (रूपेश पेठे विरुद्ध म.प्र. शासन) हौशगांवादा जिले में रेत के अवैध उत्खनन के संबंध में दायर की गई है। माननीय एन.जी.टी., प्रिंसिपल बैच, नई दिल्ली द्वारा पारित आदेश दिनांक 17.08.2020 के परिपालन में स्थायी अधिवक्ता के ई-मेल पत्र दिनांक 15.10.2020 में उल्लेखित बिंदु क्रमांक (h), (i), (j) की चाही गयी जानकारी के संबंध में लेख है कि सिया द्वारा रेत खनिज के उत्खनन हेतु जारी पर्यावरणीय स्वीकृति की सामान्य शर्तों में बिंदु क्रमांक (h) एवं (j) का समावेश कर निम्न शर्तें स्पष्ट अधिरोपित की गयी है

1. PP shall carry out independent environmental audit atleast once in a year by reputed third party entity and report of such audit be placed on public domain.
2. The mining shall be carried out strictly as per the approved mine plan and in accordance with the Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF&CC, Gol ensuring that the annual replenishment of sand in the mining lease area is sufficient to sustain the mining operations at levels prescribed in the mining plan.

पर्यावरणीय स्वीकृति जारी होने के उपरांत उसमें निहित शर्तों की मॉनिटरिंग क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार भोपाल द्वारा नियमित की जाती है। Enforcement and Monitoring Guideline For Sand Mining 2020 के अनुसार परियोजना प्रस्तावक को पर्यावरण अंकेक्षण (audit) थर्ड पार्टी NABET Accredited Consultant से करवाकर Public domain पर प्रदर्शित करना एवं राज्य प्रदूषण नियंत्रण मंडल

2604

में प्रत्येक वित्तीय वर्ष (31 मार्च तक का) पर्यावरणीय विवरण (Statement) 30 सितम्बर तक जमा करना होता है। पर्यावरण अंकेक्षण के दौरान जिलाध्यक्ष द्वारा 3 सदस्यीय समिति को संबद्ध करने का भी प्रावधान है।

(तन्वी सुन्दरियाल)  
कार्यपालन संचालक

पृष्ठ क्रं 3959 / सिया / 2020 दिनांक 22/10/20

प्रतिलिपि:—1. सचिव, खनिज साधन विभाग, मध्य प्रदेश शासन, मंत्राल, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु। ।

2. सुश्री रूकमणी बोबड़े, स्थायी अधिवक्ता, डी- 221, ग्राउंड फ्लोर,, डिफेंस कालोनी, नई दिल्ली की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

(तन्वी सुन्दरियाल)  
कार्यपालन संचालक

ANNEXURE-9  
(10-9)

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मध्य प्रदेश शासन  
खनिज साधन विभाग  
मंत्रालय, तल्लम भवन, भोपाल

आदेश :-

भोपाल, दिनांक 22 मार्च, 2006

क्रमांक एफ 19-23/2005/2/2 : राज्य शासन प्रदेश में अवैध उत्खनन एवं परिवहन की रोकथाम के लिये भारत सरकार द्वारा निर्धारित संरचना अनुसार जिला स्तर पर निम्नानुसार टास्क फोर्स का गठन करता है :

1.	जिला कलेक्टर,	अध्यक्ष.
2.	पुलिस अधीक्षक,	सदस्य
3.	जिला वन अधिकारी,	सदस्य
4.	जिला प्रदूषण नियंत्रण बोर्ड प्रतिनिधि	सदस्य
5.	जिला परिवहन अधिकारी	सदस्य
6.	जिला खनिज अधिकारी,	सदस्य सचिव/संयोजक

समिति का कार्यक्षेत्र :

उपरोक्त समिति का कार्यक्षेत्र निम्नानुसार रहेगा :-

1. उनके कार्य क्षेत्र में अवैध उत्खनन एवं परिवहन से संबंधित जानकारी/प्रकरण/मामलों का संकलन एवं समीक्षा की जाना।
2. की गई कार्यवाही की जानकारी राज्य स्तरीय टास्क फोर्स के अध्यक्ष को उपलब्ध कराना।

बैठक की कालावधि :

जिला स्तरीय टास्क फोर्स की बैठक माह में एक बार की जावे।

उपरोक्त आदेश तत्काल प्रभाव से प्रभावशील होंगे।

मध्य प्रदेश के राज्यपाल  
के नाम से  
तथा आदेशानुसार  
हस्ता/-

(डॉ. देव राज बिरदी)  
सचिव,

मध्य प्रदेश शासन,  
खनिज साधन विभाग.

पृ. क्रमांक एफ. 19-23/2005/12/2 भोपाल, दिनांक मार्च 2006

प्रतिलिपि :

1. सचिव, भारत सरकार, खान मंत्रालय, शास्त्री भवन, नई दिल्ली।
  2. प्रमुख सचिव, मध्य प्रदेश शासन, वन/परिवहन/गृह (पुलिस)/आवास एवं पर्यावरण विभाग, मंत्रालय, भोपाल।
  3. समस्त आयुक्त, मध्य प्रदेश
  4. समस्त कलेक्टर, मध्य प्रदेश
  5. निज सचिव, माननीय राज्य मंत्री (स्वतंत्र प्रभार), खनिज साधन विभाग, मध्य प्रदेश, भोपाल।
  6. संचालक, भौमिकी एवं खनिकर्म, मध्य प्रदेश, भोपाल।
  7. नियंत्रक, भारतीय खान ब्यूरो जबलपुर, मध्य प्रदेश।
  8. उप संचालक (खनि प्रशासन)/खनि अधिकारी, जिला —, म.प्र.
  9. वन मंडलाधिकारी, जिला —, मध्य प्रदेश
  10. अनुविभागीय अधिकारी(राजस्व), जिला —, मध्य प्रदेश।
  11. जिला परिवहन अधिकारी, जिला —, मध्य प्रदेश।
  12. क्षेत्रीय प्रमुख, प्रदूषण निवारण बोर्ड, जिला —, मध्य प्रदेश
- की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित।



सचिव,  
मध्य प्रदेश शासन,  
खनिज साधन विभाग।

उत्तर प्रदेश स्टेट माइनिंग कार्पोरेशन लिमिटेड  
भोपाल

लिमिटेड

ANNEXURE - H  
(50-2018)

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क्रमांक / रेत/न0क्र0-72/2020-21/2 2 24, 2 230  
प्रति,

दिनांक :- 10/09/2020

कलेक्टर, (स्व)  
जिला .....  
म0प्र0

विषय:- रेत खदानों के सीमांकन पश्चात सीमा चिन्ह तथा पिलर स्थापना एवं सूचना पटल आदि का प्रदर्शन।

विषयान्तर्गत लेख है कि नवीन रेत नियम 2019 के तहत रेत खदानों के जिला समूह की निविदा कार्यवाही पश्चात सफल निविदाकार के साथ अभी तक कुल 38 जिलों में अनुबंध निष्पादित किये जा चुके हैं तथा अधिकांश जिलों में कुछ खदानों का संचालन भी आरंभ हो चुका है। आपके जिले से संबंधित सभी निष्पादित अनुबंध पत्रों की प्रतियां समय-समय पर आपको भेजी गयी है एवं भविष्य में होने वाले खदानवार अनुबंधों की प्रतियां भी आपको प्रेषित की जावेंगी।

खदानों के संचालन के पूर्व जिला स्तर से खदानों के सीमांकन आदि की कार्यवाही मौके पर कराई गई होगी। इस संबंध में सफल निविदाकार के साथ निष्पादित अनुबंध की कंडिका-10 निम्नानुसार है:-

" ठेकेदार, स्वयं के व्यय पर भूमि की सीमाओं को दर्शित करने के लिये सीमा चिन्ह तथा स्तम्भ (पिलर) का निर्माण करेगा तथा उन्हें हमेशा दुरूस्त रखेगा।"

इसी क्रम में निविदा प्रपत्र की कंडिका -28 में निम्नानुसार प्रावधान है :-

" ठेकेदार को प्रत्येक खदान क्षेत्र में ठेकेदार एवं खदान का विवरण, रेत की विक्रय दर, मजदूरों द्वारा लिये जा रहे लोडिंग / अनलोडिंग की दर इत्यादि की जानकारी सूचना पटल पर प्रदर्शित करना होगा।"

अनुरोध है कि एक बार आपके स्तर से समीक्षा करले कि जिन खदानों के अनुबंध निष्पादित हो गये हैं, उन सभी खदानों का सीमांकन पश्चात ठेकेदार द्वारा स्वयं के व्यय पर सीमा चिन्ह तथा पिलर का निर्माण कर लिया गया है और साथ ही खदानों के विवरण दर्शित करने वाले सूचना पटल खदानों पर लगा दिये गये हैं।

(दिलीप कुमार) IAS  
कार्यपालक संचालक

निरंतर ...2

मध्यप्रदेश स्टेट माइनिंग कारपोरेशन लिमिटेड  
भोपाल

121  
2608

॥ 2 ॥

पृ० क्र० / गेन/न०क्र०-72/2020-211-6 ) 232

दिनांक 10.09.2020

प्रतिलिपि :-

- 1 सचिव, म०प्र० शासन खनिज साधन विभाग की ओर सूचनार्थ।
- 2 संचालक, संचालनालय भूमिकी एवं खनिकर्म की ओर सूचनार्थ।
- 3 समस्त खनि अधिकारी, जिला ..... की ओर सूचनार्थ।
- 4 संभागीय एवं उपसंभागीय अधिकारी, संभागीय एवं उपसंभागीय कार्यालय ..... की ओर भेजकर लेख है कि कृपया अपने प्रभार क्षेत्र के सभी अनुबंधित ठेकेदारों से खदानों के सीमा चिन्ह एवं पिलर निर्मित करने तथा सूचना पटल लगाने की कार्यवाही सुनिश्चित करावें तथा प्रतिवेदन 15 दिवस में प्रस्तुत करें।

  
कार्यपालक संचालक

ANNEXURE - I

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संचालनालय  
भौमिकी तथा खनिकर्म मध्यप्रदेश  
29-ए "खनिज भवन" अरेरा हिल्स भोपाल (म.प्र.)  
फोन एवं फैक्स - 0755-2551795  
E-mail - dirgeomn@nic.in

क्रमांक - 9254-61

भोपाल दिनांक - 8/4/2020

प्रति

- (1) कलेक्टर  
खनिज शाखा  
जिला - समस्त (म.प्र.)।
- (2) सदस्य सचिव,  
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड  
पर्यावरण परिसर,  
ई-5, अरेरा कालोनी, भोपाल।
- (3) कार्यपालक निदेशक,  
म.प्र. राज्य खनिज निगम,  
पर्यावास भवन, ब्लॉक नंबर 1(ए),  
द्वितीय तल, जेल रोड, अरेरा हिल्स,  
भोपाल (म.प्र.).

विषय :- माननीय एन.जी.टी. प्रिंसीपल बैंच नई दिल्ली द्वारा ओ.एस. क्रमांक 726/2018 (रूपेश पेटे विरुद्ध म.प्र. शासन) में पारित आदेश दिनांक 17/08/2020 के संबंध में।

संदर्भ :- इस कार्यालय का पत्र क्रमांक 8445-47 दिनांक 27/08/2020.

उपरोक्त विषयांकित आवेदन में माननीय एन.जी.टी. प्रिंसीपल बैंच नई दिल्ली द्वारा दिनांक 17/08/2020 को निम्नानुसार आदेश पारित किया है -

"Learned counsel for the State seeks time to seek updated instructions in the light of the revised Sustainable Sand Mining Guidelines, 2020 and the new Compensation Regime."

List again on 04/11/2020.

- (2) उक्त आदेश दिनांक 17/08/2020 के पालन में दिनांक 04/11/2020 के पूर्व की गई कार्यवाही की जानकारी प्रस्तुत की जाना है।
- (3) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय नई दिल्ली द्वारा Sustainable Sand Mining Management Guideline 2016 जारी की गई है। उक्त गाइड लाइन में दिए गए निर्देशों को शामिल करते हुए दिनांक 30/08/2019 से मध्यप्रदेश रेत (खनन, परिवहन, भण्डारण एवं व्यापार) नियम 2019 प्रभावशील किए गए हैं। इसके उपरांत भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली द्वारा नियामक प्रावधानों को प्रभावी रूप से लागू करने एवं समीक्षा करने के उद्देश्य से Enforcement and Monitoring Guidelines For Sand Mining 2020 माह जनवरी 2020 में जारी की है। जिसकी प्रति संलग्न है।
- (4) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय नई दिल्ली द्वारा निम्नानुसार निर्देशित किया गया है -

2610

"Enforcement and Monitoring Guidelines For Sand Mining 2020 is supplemental to the existing "sustainable Sand Mining Management Guideline - 2016 (SSMG-2020) and these two guidelines viz. "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM-2020) and SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provisions of both these document arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining-2020" shall prevail.

अतः भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय नई दिल्ली द्वारा यह निर्देशित किया गया है कि उक्त गाइड लाइन 2016 एवं 2020 को एक साथ पढ़ते हुए रेत खनन के संबंध में क्रियान्वित किया जाए। यदि दोनों गाइडलाइन्स में कोई अस्पष्टता अथवा परिवर्तन की स्थिति निर्मित होती है तो "Enforcement & Monitoring Guidelines for Sand Mining-2020" के प्रावधान लागू होंगे। उपरोक्त दोनों गाइड लाइन्स भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय नई दिल्ली की वेबसाइट से प्राप्त की जा सकती हैं।

अतः रेत खनन के संबंध में "Enforcement & Monitoring Guidelines for Sand Mining-2020" में दिए गए निर्देशों का सख्ती से पालन किया जाना सुनिश्चित किया जाए तथा पालन हेतु क्या कदम उठाए गए हैं इसकी जानकारी 07 दिवस के भीतर इस कार्यालय को ई-मेल से उपलब्ध कराने का कष्ट करें ताकि जानकारी संकलित कर पालन प्रतिवेदन माननीय एन.जी.टी. में प्रस्तुत किया जा सके। यदि उक्त गाइड लाइन 2020 के संबंध में मध्यप्रदेश रेत (खनन, परिवहन, भण्डारण एवं व्यापार) नियम 2019 में कोई संशोधन की आवश्यकता हो अथवा कोई अतिरिक्त प्रावधान जोड़े जाने का प्रस्ताव हो तो उस संबंध में जानकारी उपलब्ध कराने का कष्ट करें।

संलग्न - उपरोक्तानुसार।

o/l

U. P. Singh  
संचालक

पृ. क्रमांक - 0262-64

भोपाल दिनांक - 8/9/2020

प्रतिलिपि -

1. सचिव म.प्र. शासन खनिज साधन विभाग मंत्रालय भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. सदस्य सचिव, "सिया" मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड, पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. सुश्री रुकमणी बोबडे, स्थायी अधिवक्ता, डी-221, ग्राउण्ड फ्लोर, डिफेंस कालोनी, नई दिल्ली - 110024 की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित। (E-mail-info@bobdekunwar.in)

o/l

U. P. Singh  
संचालक