

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**
Original Application No. 06/2025

IN THE MATTER OF:

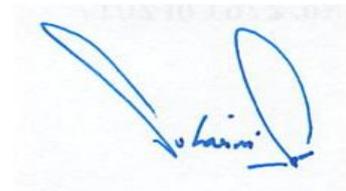
News Item titled “*Mining mafia brings down another Aravalli hill*” appearing in The Tribune dated 21.12.2024

NDOH: 05.12.2025

INDEX

S. No.	Particulars	Page No.
1.	Affidavit on behalf of the Ministry of Environment, Forest and Climate Change – Respondent No. 4 & 5.	1-7
2.	<u>Annexure R4&5/1:</u> A true copy of Notification S.O. 637 (E) dated 28.02.2014.	8-9
3.	<u>Annexure R4&5/2:</u> A true copy of Notification S.O. 1886 (E) dated 20.04.2022.	10-15
4.	<u>Annexure R4&5/3:</u> A true copy of Circular No. J-11013/41/2006-IA.II.(I) dated 22.09.2008.	16
5.	<u>Annexure R4&5/4:</u> A true copy of ‘Environmental Guidelines for Stone Crushing Units’ issued by CPCB.	17-28
6.	<u>Annexure R4&5/5:</u> A true copy of Judgment dated 20.11.2025 In Re: T. N. Godavarman Thirumulpad v. Union of India Writ Petition No. 202 of 1995.	29-57

THROUGH



SUHASINI SEN
(COUNSEL FOR MOEF&CC)
R289B, LGF, GREATER KAILASH NEW DELHI- 110048
TEL: +91-96500 96066, +91-9953049776,
suhasini@rschambers.net, office@rschambers.net

New Delhi
Date: 02.12.2025

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 06 of 2025

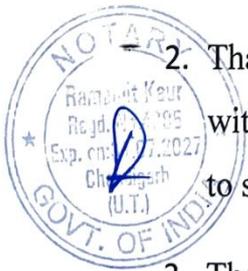
IN THE MATTER OF:

News Item titled "Mining mafia brings down another Aravalli hill" appearing
in The Tribune dated 21.12.2024

COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF
ENVIRONMENT, FOREST AND CLIMATE CHANGE (RESPONDENT
NO. 4 & 5)

I, Dr. K.M. Selvan, S/o Shri Muthu Kanaga Raj, aged 41 years, currently working as Scientist 'E' in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Office, Chandigarh, do hereby solemnly affirm and state as under:-

1. That I, in my official capacity of Scientist 'E' in the Ministry Environment, Forest and Climate Change, i.e. Respondent No. 4 & 5 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. That I, the above named Deponent, am authorized and well conversant with the facts and circumstances of the present case and thus competent to swear the present Affidavit.
3. That I have read and understood the contents of the present Affidavit. The contents thereof are true and no part of it is false and no material has been concealed therefrom.

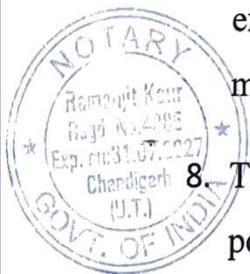


4. That without prejudice to the above and as an alternative submission, the deponent craves liberty to raise further required contentions during the course of the proceedings if sought by this Hon'ble Tribunal.

6. The instant original application is registered suo-motu on the basis of the news item titled "Mining mafia brings down another Aravalli hill" appearing in The Tribune dated 21.12.2024. It is also alleged that rampant illegal mining and blast of a hillock of the protected Aravalli range on the Haryana-Rajasthan border, making it collapse entirely within a few hours. The incident mentioned in the article reportedly occurred at Rava village in Nuh, but the Haryana mining authorities continued to claim that it happened in neighbouring Rajasthan. The article alleges that mafia's modus operandi is to conduct a blast on the Rajasthan side, where mining is legal to some extent, and eat into the hills of Haryana.

7. That, it is most respectfully submitted that the Ministry of Environment, Forest & Climate Change has notified Environment Impact Assessment (EIA) Notification, 2006 under the provisions of the Environment (Protection) Act, 1986 which deals with the process to grant prior Environment Clearances (EC) for the new projects and activities listed in the Schedule of this notification, for expansion and modernization of the existing projects and for any change in product-mix in an existing manufacturing units.

8. That, it is most respectfully submitted that EIA involves assessing the potential environmental effects of a proposed project, encompassing interconnected socio- economic, cultural, and human-health impacts both positive and negative. Furthermore, it's crucial to note that the granting of EC to a project isn't a singular step; it follows a prescribed process outlined in the EIA Notification, 2006, which includes:

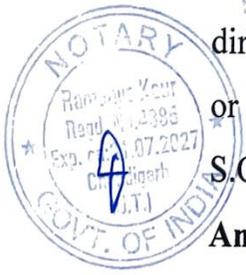


Signature

- Stage (1)-Screening
- Stage (2) Scoping i.e. prescribing Terms of Reference (TOR) or undertaking detailed Environment Impact assessment studies.
- Stage (3) Public Consultation to be conducted by the respective State Pollution Control Board/UT Pollution Control Committee.
- Stage (4) - Appraisal - by Expert Appraisal Committee (EAC).

9. That, it is most respectfully submitted that, in exercise of the powers conferred upon the Central Government under sub section (3) of section 3 of the Environment (Protection) Act, 1986 and in accordance with the procedures specified in the EIA Notification, 2006, SEIAAs have been constituted in different States/UTs to discharge the functions of the regulatory authorities for the respective States/UTs.

10. That, it is most respectfully submitted that, the Ministry vide notification no. S.O. 637 (E) dated 28.02.2014 delegated the power to SEIAA to issue show cause notice to project proponents in case of violation of the conditions of the Environmental Clearances (EC) issued by the said authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such EC in abeyance or withdrawing them, if required, for violations. Copy of the Notification S.O. 637 (E) dated 28.02.2014 is marked and annexed herein as **Annexure No. R 4 & 5/1.**



11. That, it is most respectfully submitted that, the Ministry vide notification S.O. 1886 (E) dated 20.04.2022 has delegated the power to the State Level Environment Impact Assessment Authority (SEIAA) to grant Environmental Clearances to all minor mineral mining projects, irrespective of mine lease area and ≤ 250 ha mining lease area in respect

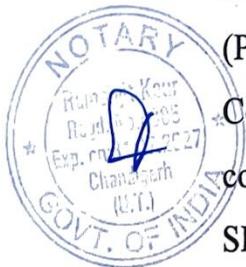
of major mineral mining lease other than coal. Copy of the Notification S.O. 1886 (E) dated 20.04.2022 is marked and annexed herein as **Annexure No. R4 & 5/2.**

12. It is respectfully submitted that, the standalone stone crusher is not covered under Environment Impact Assessment (EIA) Notification, 2006 for the grant of prior Environment Clearance (EC).

13. That, the Answering respondent issued a circular vide dated 22.09.2008 stating; "...crushing and screening (sizing of ore) without upgrading of quality of ore is not covered by the provisions of the EIA Notification, 2006. However, necessary clearance under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and any other Acts as may be applicable to such projects should be obtained..." Copy of the circular is annexed and marked herein as **Annexure-R4 & 5/3.**

14. That, the Stone Crusher units should be operating only after obtaining Consent to Establish (CTE)/ Consent to Operate (CTO) by concerned State Pollution Control Board/ Pollution Control Committees (hereinafter referred to as "SPCBS/PCCs") under the existing provisions of the Water (Prevention & Control of Pollution) Act, 1974, and the Air (Prevention & Control of Pollution) Act, 1981. The Stone Crusher should meet the conditions of consents laid down in CTE and CTO issued by SPCBs/PCCs.

15. That, the Central Pollution Control Board (CPCB) has further formulated Environmental Guidelines issued in the month of July, 2023 for Stone Crushing Units. The stone crushing units should adopt environmental guidelines to prevent/suppress fugitive dust emissions from their operation. Regulatory/Monitoring Mechanism for Stone Crushing Units



have also been provided in the guidelines. Copy of the 'Environmental Guidelines for Stone Crushing Units' issued in the month of July 2023 by CPCB is annexed and marked herein as **Annexure-R4 &5/4**.

16. That it is most respectfully submitted that, the State Department of Mines and Geology is the Nodal Authority in the State for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act) and is entrusted with the enforcement and regulation of mining operations in a State including illegal mining. Further, the State Government is empowered under Section 23 C of the Mines and Minerals (Development and Regulation) Act 1957 (MMDR Act) to make rules for prevention of illegal mining, transportation and storage of minerals.

17. That the State Pollution Control Board is the Nodal Authority in the State for dealing with cases related to pollution or environment management coming under the purview of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act 1986.

18. It is submitted that the Hon'ble Supreme Court of India in W.P.(C) No. 4677/1985 in the matter of M.C. Mehta Vs. Union of India & Ors. vide its order dated 09.05.2024 inter alia directed the following: -

"7...We, therefore, direct that a Committee be constituted comprising of the following officers/officials to have a uniform definition of the Aravalli hills and ranges: -

i. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.

ii. Secretaries of the Department of Forests, Government of National Capital Territory of Delhi and the States of Haryana, Rajasthan and Gujarat.

iii. A representative of the Forest Survey of India.

iv. A representative of the Central Empowered Committee.

v. A representative of the Geological Survey of India.

vi. A Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, shall be the convenor of the Committee..."

19. It is submitted that in compliance of the order *supra*, the Ministry had filed a report of the committee along with the affidavit before the Hon'ble Supreme Court. It is pertinent to mention that the report submitted by the Answering Respondent (Ministry) contained the various steps to prevent illegal mining in Aravalli Hills and ranges, safeguards for systematic and sustainable mining in Aravalli Hills, etc.. It is humbly submitted that the Hon'ble Supreme Court has accepted the aforesaid report filed by the Ministry and pronounced its judgement on 20.11.2025. Copy of the Hon'ble Supreme Court order dated 20.11.2025 is annexed herewith as **Annexure-R4 &5/5**.

20. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.



Signature
DEPONENT

VERIFICATION:

Verified at Chandigarh on this 02nd, December 2025 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

[Signature]
DEPONENT



डॉ. जे. मुथमिज सेल्वन/Dr. K. Muthamizh Selvan
 वैज्ञानिक 'ई'/Scientist 'E'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
 क्षेत्रीय कार्यालय, चंडीगढ़/Regional Office, Chandigarh

ATTESTED
[Signature]
RAMANJIT KAUR
 Notary, Distt. Courts, Chandigarh

The contents of this Affidavit/Document has been explained to the deponent/executants. He/She has admitted the same to be correct. The deponent/executant has signed Register at Sr. No. 2284 P. No. 48-49, Date 02 DEC 2025

- 2 DEC 2025

02 DEC 2025

Mu Khan
 Tikhonov...
 8000/2025...
 10/10/2025



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 545]

नई दिल्ली, मंगलवार, मार्च 4, 2014/फाल्गुन 13, 1935

No. 545]

NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 637(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलाओं को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 638(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनमें से प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 638(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

S. No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-20042022-235241
CG-DL-E-20042022-235241

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1795]

नई दिल्ली, बुधवार, अप्रैल 20, 2022/चैत्र 30, 1944

No. 1795]

NEW DELHI, WEDNESDAY, APRIL 20, 2022/CHAITRA 30, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 20 अप्रैल, 2022

का.आ. 1886(अ).—केंद्रीय सरकार पर्यावरण और वन विभाग के पूर्ववर्ती मंत्रालय में पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसमें इसके पश्चात ईआईए अधिसूचना, 2006 कहा गया है), परियोजनाओं की कतिपय प्रवर्ग के लिए पूर्व पर्यावरणीय मंजूरी आज्ञापक बनाने के लिए, संख्या का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की है।

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण (एसईआईए) का गठन प्रवर्ग ख के अधीन सभी प्रस्तावों के लिए पर्यावरण मंजूरी (ईसी) पर विचार और अनुदान के लिए प्रत्यायोजित शक्तियों का प्रयोग करने हेतु राज्य स्तर पर ईआईए अधिसूचना, 2006 के कार्यान्वयन के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन किया गया है;

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण ने पर्यावरण मंजूरी मूल्यांकन प्रक्रिया में पिछले पंद्रह वर्षों में पर्याप्त अनुभव प्राप्त किया है और राज्य स्तर पर पर्यावरण मंजूरी प्रस्तावों के कुशल और पारदर्शी निपटान के लिए परिवेश पोर्टल के माध्यम से पूरी तरह से ऑनलाइन कर दिया गया है;

और केंद्रीय सरकार राज्य स्तर पर मंजूरी की प्रसुविधा के लिए पर्यावरण मंजूरी प्रक्रिया को और विकेंद्रीकृत करना आवश्यक समझती है;

और आज की तारीख में, सुरक्षा भागीदारी के महत्वपूर्ण तत्वों के साथ राष्ट्रीय रक्षा और सामरिक महत्व से संबंधित प्रवर्ग ख की परियोजनाओं का राज्य स्तर पर भी मूल्यांकन किया जा रहा है, जिसे केंद्रीय सरकार राष्ट्रीय सुरक्षा चिंताओं को ध्यान में रखते हुए केंद्रीय रूप से मूल्यांकन करना आवश्यक समझती है;

अतः अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा को समाप्त करने के पश्चात्, लोकहित में भारत सरकार की तत्कालीन पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितम्बर, 2006, की अधिसूचना में निम्नलिखित और संशोधन करती है अर्थात्:-

उक्त अधिसूचना में-

(1) पैरा 4 में, उप-पैरा (iii) क) के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

(iii) क) राष्ट्रीय रक्षा या सामरिक या सुरक्षा महत्व से संबंधित हैं या जिन्हें केंद्रीय सरकार द्वारा संकटकाल जैसे महामारी, प्राकृतिक आपदाओं जैसी अत्यावश्यकताओं के कारण ऐसी प्रवर्ग 'ख' परियोजनाओं को अधिसूचित किया गया है या राष्ट्रीय कार्यक्रमों या स्कीमों या मिशन या ऐसी परियोजनाओं के अधीन पर्यावरण के अनुकूल क्रियाकलापों का संवर्धन करने के लिए जो इस अधिसूचना में यथा अधिकथित समय-सीमा से अधिक विलंबित हैं और समय-समय पर इस संबंध में यथा-अधिकथित मानदंडों को पूरा करती हैं, उन्हें केंद्रीय स्तर पर प्रवर्ग 'ख' परियोजनाओं के रूप में विचार किया जाएगा;

(2) अनुसूची में, -

(i) मद 1(क) के सामने, -

(क) स्तंभ (3) में, -

(क) गैर-कोयला खनन पट्टे के संबंध में "> 100 हेक्टेयर खनन पट्टा क्षेत्र" के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

"कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में >250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) ">150 हेक्टेयर" प्रतीक, अंक और अक्षर के स्थान पर, "> 500 हेक्टेयर" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) स्तंभ (4) में, -

(क) गैर-कोयला खनन के संबंध में <100 हेक्टेयर खनन पट्टा क्षेत्र के स्थान पर,

पट्टा", निम्नलिखित रखा जाएगा, अर्थात्: -

"लघु खनिज खनन पट्टों के संबंध में सभी खनन पट्टा क्षेत्र और कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में <250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) "<150 हेक्टेयर" के प्रतीकों, अंकों और अक्षरों के स्थान पर "<500 हेक्टेयर" के प्रतीक, अंक और अक्षर रखे जाएंगे;

(ii) मद 1(ग) के सामने, -

(क) स्तंभ (3) में, -

(क) क्रम संख्या (i) में, "> 50 मेगावाट, प्रतीकों, अंकों और अक्षरों के स्थान पर "> 100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) और उससे संबंधित प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, -

(क) क्रम संख्या (i) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) में, -

(I) "और <50,000 हेक्टेयर" शब्द, प्रतीक और अंक का लोप किया जाएगा;

(II) बिंदु (ग) में सारणी में, "से <50,000" शब्द, प्रतीक और अंक का लोप किया जाएगा; ।

(ग) स्तंभ (5) में, क्रम संख्या (ii) के पश्चात, निम्नलिखित क्रम संख्या अंतःस्थापित किया जाएगा, अर्थात् :-

"(iii) अंतर-राज्यीय मुद्दों से संबंधित सिंचाई परियोजनाओं का मूल्यांकन केंद्रीय स्तर पर श्रेणी में परिवर्तन के बिना किया जाएगा।";

(iii) मद 1(घ) के सामने,-

(क) स्तंभ (3) में, "> 50 मेगावाट" प्रतीकों, अंकों और अक्षरों के स्थान पर, "> 100 मेगावाट" प्रतीकों, अंकों और अक्षरों को रखा जाएगा;

(ख) स्तंभ (4) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(iv) मद 2(क) के सामने, -

(क) स्तंभ (3) में, ">1" प्रतीकों और अंक के स्थान पर, ">2.5" प्रतीकों और अंक को रखा जाएगा;

(ख) स्तंभ (4) में, "<1" प्रतीकों और अंक के स्थान पर, "< 2.5" प्रतीक और अंक रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात्: -

"खनन पट्टा क्षेत्र के भीतर स्थित धुलाई मशीनों के साथ एकीकृत कोयला खनन परियोजनाओं को कोयला खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार केंद्रीय स्तर या राज्य स्तर पर, यथास्थिति, विचार किया जाना जारी रहेगा।";

(v) मद 2 (ख) के सामने, -

(क) स्तंभ (3) में, विद्यमान प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, "<0.5 मिलियन टीपीए का उत्पादन" प्रतीक, अंक, शब्द और अक्षर के स्थान पर, "सभी खनिज परिष्करण परियोजना, परिष्करण की प्रक्रिया पर ध्यान दिए बिना" शब्द रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा रखा जाएगा,

अर्थात्: -

"भीतर स्थित लाभकारी संयंत्रों के साथ एकीकृत खनन परियोजनाएं खनन पट्टा क्षेत्र पर केन्द्रीय स्तर पर विचार किया जाता रहेगा या यथास्थिति, राज्य स्तर, खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार।";

(vi) मद 7 (क) के सामने,-

(क) स्तंभ (3) में, "सभी परियोजनाओं" शब्दों के स्थान पर "सभी नई परियोजनाएं" शब्द रखे जाएंगे;

(ख) स्तंभ (4) में, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्: -

"सभी विस्तार परियोजनाएं, जिनमें हवाई पट्टियां भी सम्मिलित हैं, जो वाणिज्यिक उपयोग के लिए हैं।"

[फा. सं. आईए 3-22/10/2022-आईए. III]

डॉ. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड III, उप-खंड (ii), संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 1807(अ), तारीख 12 अप्रैल, 2022 द्वारा अंतिम संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 20th April, 2022

S.O. 1886(E).—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification, 2006), vide number S.O.1533 (E), dated the 14th September, 2006 for mandating prior environmental clearance for certain category of projects;

And whereas, the State Environment Impact Assessment Authorities (SEIAAs) have been constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for implementation of the EIA Notification, 2006 at State level for exercising delegated powers to consider and grant Environmental Clearance (EC) for all proposals under Category B;

And whereas, the SEIAAs have gained substantial experience over the past fifteen years in the EC appraisal process and the process at the State level has also been made completely online through the PARIVESH portal for efficient and transparent disposal of EC proposals;

And whereas, the Central Government deems it necessary to further decentralise the EC process for facilitating clearances at State level;

And whereas, as on date, category 'B' projects, relating to national defence and strategic importance with significant element of security involvement are also being appraised at the State level which, the Central Government deems it necessary to be appraised centrally taking into account national security concerns;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006, namely:-

In the said notification,-

(1) in paragraph 4, for sub-paragraph (iii a), the following shall be substituted, namely:-

(iii a) Such Category 'B' projects, relating to the National defence or strategic or security importance or those as notified by the Central Government on account of exigencies such as pandemics, natural disasters or to promote environmentally friendly activities under National Programmes or Schemes or Missions or such projects which are inordinately delayed beyond the stipulated timeline as laid down in this notification and also meet the criteria as laid down in this regard from time to time, shall be considered at the Central level as Category 'B' projects;

(2) in the Schedule,-

(i) against item 1(a),-

(a) in column (3),-

(A) for ">100 ha. of mining lease area in respect of non-coal mining lease", the following shall be substituted, namely:-

">250 ha mining lease area in respect of major mineral mining lease other than coal";

(B) for the symbol, figures and letters "> 150 ha", the symbol, figures and letters "> 500 ha" shall be substituted;

(b) in column (4),-

(A) for "≤ 100 ha of mining lease area in respect of non-coal mine lease", the following shall be substituted, namely:-

"All mining lease area in respect of minor mineral mining leases and ≤ 250 ha mining lease area in respect of major mineral mining lease other than coal";

(B) for the symbols, figures and letters “ ≤ 150 ha”, the symbols, figures and letters “ ≤ 500 ha” shall be substituted;

(ii) against item 1(c),—

(a) in column (3),—

(A) in serial number (i), for the symbols, figures and letters “ ≥ 50 MW”, the symbols, figures and letters “ ≥ 100 MW” shall be substituted;

(B) serial number (ii) and the entries relating thereto shall be omitted;

(b) in column (4),—

(A) in serial number (i), for the symbol, figures and letters “ < 50 MW”, the symbol, figures and letters “ < 100 MW” shall be substituted;

(B) in serial number (ii),—

(I) the word, symbol and figures “and $< 50,000$ ha.” shall be omitted;

(II) in point (c) in the table, the word, symbol and figures “to $< 50,000$ ” shall be omitted;

(c) in column (5), after serial number (ii), the following serial number shall be inserted, namely:—

“(iii) Irrigation projects involving Inter-State issues shall be appraised at Central level without change in category.”;

(iii) against item 1(d),—

(a) in column (3), for the symbols, figures and letters “ ≥ 50 MW”, the symbols, figures and letters “ ≥ 100 MW” shall be substituted;

(b) in column (4), for the symbol, figures and letters “ < 50 MW”, the symbol, figures and letters “ < 100 MW” shall be substituted;

(iv) against item 2(a),—

(a) in column (3), for the symbols and figure “ ≥ 1 ”, the symbols and figures “ ≥ 2.5 ” shall be substituted;

(b) in column (4), for the symbols and figure “ < 1 ”, the symbols and figures “ < 2.5 ” shall be substituted;

(c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—

“Integrated coal mining projects with washeries located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for coal mining projects.”;

(v) against item 2 (b),—

(a) in column (3), the existing entries shall be omitted;

(b) in column (4), for the symbol, figures, words and letters “ < 0.5 million TPA throughput”, the words “All mineral beneficiation projects irrespective of the procedure for beneficiation” shall be substituted;

(c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—

“Integrated mining projects with beneficiation plants located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for mining projects.”;

(vi) against item 7 (a),—

(a) in column (3), for the words “All projects”, the words “All new projects” shall be substituted;

(b) in column (4), the following shall be inserted, namely:—

“All expansions projects, including airstrips, which are for commercial use.”.

[F. No. IA3-22/10/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section III, sub-section (ii), vide, number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide, the notification number S.O. 1807(E), dated the 12th April, 2022.

ANNEXURE R4&5/3

No. J-11013/41, 2006-IA.II(I)
 Government of India
 Ministry of Environment and Forests
 I.A. Division

Paryavaran Bhawan,
 CGO Complex, Lodi Road,
 New Delhi-11003

Dated the 22nd September, 2008

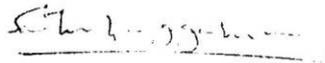
CIRCULAR

Subject: Clarification regarding applicability of EIA Notification, 2006 in respect of the Beneficiation Plant-regarding.

State Pollution Control Board, Orissa has sought clarification regarding applicability of EIA Notification dated 14th September, 2006 to stand alone iron ore crusher, when the process involves crushing and screening (sizing of ore only) through dry route without upgrading the quality of ore. The matter has been examined in the Ministry.

It is clarified that crushing and screening (sizing of ore) without upgrading of quality of ore is not covered by the provisions of the EIA Notification, 2006. However, necessary clearance under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and any other Acts as may be applicable to such projects should be obtained.

This issues with the approval of the competent authority.


 (Dr. S.K. Aggarwal)
 Director

To:

- (1) The Member Secretary, All SPCBs/ UT Pollution Control Committees.
- (2) The Secretary, Department of Environment of all States/ UTs.
- (3) The Member Secretary of all SEIAAs
- (4) All Officers of IA Division
- (5) All Regional Offices of the Ministry of Environment and Forests.

Copy to:

1. PS to MOS (E).
2. PPS to Secretary (E&F).
3. PPS to AS(JMM).

ANNEXURE R4&5/4

Environmental Guidelines for Stone Crushing Units



Central Pollution Control Board

Ministry of Environment, Forest and Climate Change

Parivesh Bhawan, East Arjun Nagar

Delhi-110032

(July, 2023)

1.0 Introduction

Stone crushing sector is an important industrial sector engaged in producing crushed stone of various sizes (40 mm.20 mm.10 mm. crushed sand, stone dust etc) depending upon the requirement which acts as raw material for various construction activities.

Stone crushing operation releases a substantial amount of fugitive dust, which not only pollute the environment, but also pose a health hazards to the workers and the surrounding population. The growth in infrastructure is leading to increase in demand of raw materials, thereby resulting in the need to set up new stone crushing units or increase production from existing units. This poses a challenge to maintain the ambient air quality, which is possible if environmental guidelines predetermined by the industry concerned are followed.

Inventory and information about stone crushing units gathered from 27 SPCBs/PCCs (Arunachal Pradesh, Andaman & Nicobar island, Assam, Bihar, Chandigarh, Chhattisgarh, Daman, Dadra & Nagar Haveli, Goa, Gujarat, Haryana, Himanchal Pradesh, Jharkhand, J&K, Karnataka, Kerala, Madhya Pradesh Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Punjab, Sikkim, Tripura, Uttarakhand), and the data received indicates that there are about 16,931 stone crushing units with capacity ranges between 0.1 TPH to 1,400 TPH.

2.0 Classification of Stone Crushing Units

Based on the information received from SPCBs/PCCs, stone crushers may be classified into small, medium and large-scale in terms of production capacity.

S.No.	Category	Production capacity (TPH)
1.	Small Scale	Up to 25
2.	Medium Scale	26 to 100
3.	Large Scale	100above

3.0 Stone Crushing Process

The stone crushing process can be broadly divided in following stages:

3.1 Transportation of raw material: Stones extracted from various sources are transported to stone-crushing units by means of trucks, trailers or automatic dumpers.

3.2 Primary crushing: Mined stones are fed directly into the primary crusher through stone feeders. The primary crusher breaks large stones and boulders into 100-140 mm size stones. Crushed stones are sent to secondary crusher for further reduction into smaller sizes. Various types of crushers are used in stone crushing industry. Jaw crushers are widely used as primary crushers.

3.3 Secondary crushing: After primary crushing, crushed stones are fed to secondary crushers through conveyor belts. In this stage, stones are further crushed to a size of 40-60 mm to 10 mm or even smaller. Stone crushing units use different types of crushers for secondary crushing. Granulator or cone crusher is usually used for secondary crushing.

3.4 Screening: From secondary crusher, crushed stones are transferred for screening through a conveyor belt. Screening is the process for segregating products of various sizes. Different mesh size screens are aligned one below the other and each screen is connected to a separate conveyor belt for discharging different size products. Mass that remains on the screen is called 'oversize' and material that passes through screen is called 'under size'. Oversize is returned to secondary crushers for further crushing and then again to screen. Under size is discharged through a 'telescopic chute' and screened products of various sizes are conveyed to stockpiles by belt conveyors. Different types of screens are used such as; grizzly-type screen, vibrating screen and rotary screen. Vibrating screens are most commonly used.

3.5 Tertiary crushing: Tertiary crushing is carried out in units that produce stone dust as their primary product. Dust is usually a by-product of stone crushing process. Units that produce dust, install a separate machine, usually roller crushers. Stones of size 10-20 mm are sent to roller crushers for grinding into fine dust.

3.6 Product storage and loading: After crushing and screening, final product is transferred to a conveyor belt which distributes the product into different stockpiles, depending on size of the product. The product/fines are either stored as stockpiles or directly loaded into trucks & dumpers and transported.

4.0 Environmental issues associated with Stone Crushing Units

The major environmental issue due to operation of a stone crushing unit is fugitive dust emissions which is contributed by the following processes:

- **Primary crushing:** Primary crushers breaks large boulders into smaller sizes. Crushing process as well as unloading of stones generate a substantial amount of fugitive dust. Mechanism for water sprinkling is provided to reduce fugitive dust. Some primary crushing areas are partially or completely covered with a shed as a measure to further prevent the fugitive dust emissions to surroundings, however at some places partial coverings provided which do not appear to be sufficient to such emissions.
- **Secondary crushing:** Compared to primary crushing, fugitive dust emitted at secondary crushing is relatively higher. Generally, insufficient covered shed provided in the process results in fugitive emissions.
- **Screening:** Screening process is also a source of fugitive dust emissions. As the material is conveyed to screen from secondary crusher, screen vibrates and thus, separates the material of different sizes resulting into huge amount of fugitive dust emissions. Generally, units provide covered shed and water sprinklers to combat

dust emissions however, improper design and operation of sprinklers and improper covering is an issue.

- **Tertiary crushing:** Fugitive emissions are generated during grinding of stones into fine dust.
- **Conveyor Belt:** Conveyor belts are primary means of transferring raw materials and products from one end to the other. Movement of products on the conveyor belts is a potential source of fugitive dust emissions. To reduce dust emissions, water sprinkling arrangement is provided on each belt. Some units cover conveyor belts either with sheets or thick cloth to reduce dust emissions.
- **Product release and storage:** Fugitive emissions generated during transfer of material through telescopic chutes is lower than that generating during direct disposal of product on stockpile. Material, such as stone dust, stored in open areas is are also a potential source of fugitive dust emissions.
- Although no process waste water is generated from stone crushing units, however, water is used for sprinkling, conveyed to settling tanks of appropriate size which is recycled and reused in process.

5.0 Environmental Guidelines for Stone Crushing Units

The stone crushing units should adopt following environmental guidelines to prevent/suppress fugitive dust emissions from their operation:

Source of emission	Measures to be Taken
Unloading of raw material for storage	*Water sprinkling with adequately designed nozzle which produce tiny droplets of water should be provided during raw materials unloading .
Unloading of raw material into hopper	<ul style="list-style-type: none"> • Three sides and top should be covered and one side may be kept open for vehicular movement. • Water sprinklers should be provided on approach roads.

Primary Crushing/ Jaw Crusher	<ul style="list-style-type: none"> • Crusher should be completely enclosed by GI/MS sheets on top and at least three sides completely from the ground level. One side should have provision of movable sheet/door for movement/maintenance. • Primary crushers/jaw crushers should be covered with tarpaulin/cotton cloth/suitable materials to contain fugitive dust emissions (Figure-1) • Water sprinkler system with adequately designed nozzle which produce tiny droplets of water should be provided at primary crusher/jaw crusher so that fugitive emissions are contained and amount of water sprayed should be optimized.
Secondary Crushing	<ul style="list-style-type: none"> • Crusher should be completely enclosed by GI/MS sheets on top and at least three sides completely from the ground level. One side should have provision of movable sheet/door for movement/maintenance. • Dry extraction cum bag filter followed by cyclone to be provided for control of emissions.
Screening	<ul style="list-style-type: none"> • Crusher should be completely enclosed by GI/MS sheets on top and at least three sides completely from the ground level. One side should have provision of movable sheet/door for movement/maintenance. Door to be kept closed during operation. • Flexible covers where conveyors pass through the screen house should be installed at entries and exits of conveyors to screen house. • Dust extraction system connected with bag filter to be provided. • Provision of water mist sprinkling systems with adequately designed nozzle which produce tiny droplets of water should be made at inlet/outlet of screens.
Tertiary Crushing	<ul style="list-style-type: none"> • Crusher should be completely enclosed by GI/MS sheets on top and at least three sides completely from the ground level. One side should have provision of movable sheet/door for movement/maintenance. Dust extraction system connected with bag filter to be provided. • Provision of water mist sprinkling system should be made with adequately designed nozzle which produce tiny droplets of water.

Conveyor Belts	Conveyor belts should be properly covered from node to node with a thick sheet of suitable material along with water sprinkling system with adequately designed nozzle which produce tiny droplets of water.
Discharge points	Flexible Telescopic chute from top of discharge point to the ground level should be provided (Figure-2 & Figure-2(a)).
Product storage	<ul style="list-style-type: none"> • Properly designed telescopic chute of adequate length of suitable material should be provided at ends of conveyor so that dust generated from this section is contained at source. • All open stockpiles for aggregates of size above 5 mm should be kept sufficiently wet by water spraying. • Stockpiles of aggregates of 5 mm size or less should be covered to ensure that same is not carried away (or whipped out) by wind.

5.1 General Measures

- i. Wind breaking wall: GI/MS/brick wall should be provided along the periphery of crusher. Height of the wall should be 3-ft more than the highest node of the crusher.
- ii. Roads: Metaled/concrete roads should be provided within the premises. Ramps and the entire ground area inside the premises should also be metaled.
- iii. Housekeeping: To curb the air pollution in the crusher premises, arrangement of rotating water sprinkling system/fogger/Anti-smog gun should be provided. Water sprinklers should have adequately designed nozzle which produce tiny droplets of water, as such system is more effective in dust control with significant reduction in consumption of water. Fine dust accumulated and bag filters in the crushing area should be cleaned at regular intervals and the collected dust should be stored in sacks for further sale or disposal.
- iv. Plantation: 2-3 rows of tall trees should be planted around the periphery of crusher.
- v. Housing should be open for movement of mechanical drivers, conveyor belts, etc. should be sealed properly with flexible rubber flaps.

- vi. Name of the unit, contact details of the owner and address of the unit, plant capacity and date of issue of CTE/CTO from SPCBs/PCCs should be displayed on the display board at the entrance.
- vii. Transportation: Vehicles carrying any kind of material should be completely covered.
- viii. Regular wetting of roads should be done to suppress dust within the premises to control dust emission re-suspension.
- ix. Water consumption and handling: Unit should provide settling tanks of appropriate size and recycle & reuse of the water in process. Crusher should provide a water storage tank with adequate capacity. In case of use of groundwater, stone crushing unit should obtain permission to extract groundwater from the Central Ground Water Authority (CGWA)/Ground Water Department (GWD) of the State/UT. Unit should maintain proper log book of consumption of fresh water. Depending on availability, efforts may be made to use STP treated water instead groundwater to control emissions from process activities.

6.0 Regulatory/Monitoring Mechanism for Stone Crushing Unit

- i. Stone crushing unit should obtain Consent to Establish (CTE) and Consent to Operate (CTO) from the concerned SPCBs/PCCs.
- ii. Unit while applying for CTO/renewal of consent, should upload the duly filled checklist attached at **Annexure-1** along with digitally tagged photographs and videos of the crushing unit to ensure compliance of the conditions mentioned in the guidelines. SPCBs/PCCs should digitally verify the said conditions before issuance of CTE/CTO/renewal of consent.
- iii. CCTV/PTZ cameras should be installed at the entrance and all corners of the premises of the unit covering entire area with minimum of 30 days data storage.
- iii. Stone crushing unit shall comply with emission norms prescribed under the Environment (Protection) Rules, 1986 and conditions laid down in CTO by concerned SPCB/PCC.

- v. Online/manual ambient air monitoring systems to be installed in crusher zone as per CPCB/SPCB guidelines – in upwind and downwind directions.
- vi. Stone crushing unit should develop green belt as per the plan approved by concerned Department of the State/UT.
- vii. Local authorities should associate with stone crusher associations for the construction of metalled road in the entire crusher zone.
- viii. A District Level Committee should be constituted under chairmanship of District Magistrate/Deputy Commissioner so that surprise inspections for surveillance of stone crushing units located under their jurisdiction can be carried out on regular basis.
- ix. Health survey of workers should be carried out by the stone crusher on half-yearly basis.
- x. New Crushers should be allowed to operate only in dedicated crusher zones as per the siting policies of SPCBs/PCCs.
- xi. Stone crusher unit should be operated only during day time (i.e. 6.00 AM to 10.00 PM) to avoid inconvenience to the nearby residents due to ambient noise.



Figure-1: Covering of Primary/Jaw crusher



Figure-2: Chute from top of discharge point



Figure-2(a): Chute from top of discharge point**Annexure-1****Format/Checklist for SPCBs/PCCs before issuance of CTE & CTO**

S. No.	Fugitive Emission Source Locations	Checklist for compliance of conditions of Environmental guidelines	Yes/No
1.	Unloading area of raw material, primary crusher, Screener, conveyors belts and transfer points	Water sprinklers installed with adequate designed nozzles (Upload photo/videos).	
2.	Primary crushers, Secondary crushers, Screeners and tertiary crushers	Enclosures by GI/MS sheets on top and at least three sides completely from the ground level (Upload photo/videos).	
3.	Secondary, Tertiary crushers and Screener	Dry extraction cum bag filter followed by cyclone. (Upload photo).	
4.	Covering of Conveyor belts from node to node with a thick sheet of suitable material	Covering of Conveyor belts (Upload photo).	
4	At discharge points	Flexible Telescopic chute from top of discharge point to the ground level (Upload photo).	
5	GI/MS/brick wind breaking wall of 3-ft more than the highest node of the crusher along the periphery of crusher	Wind breaking wall (Upload photo)	
General			
6.	Wind breaking wall	GI/MS/brick wind breaking wall of 3-ft more than the highest node of the crusher along the periphery of crusher (Upload photo)	

7.	Roads	Metalled/concrete roads within the premises. Ramps and the entire ground area inside the premises should also be metalled	
8.	Suppression of dust within the premises	Arrangement of rotating water sprinkling system/fogger/Anti-smog gun in the premises to suppress dust within the premises to control dust emission re suspension	
9.	Green belt	Plantation of 2-3 rows of tall trees around the periphery of crusher	
9.	Display board	Display board at the entrance, having name of unit, contact details of owner and address of unit, plant capacity and date of issue of CTE/CTO from SPCB/PCC	
10	Covering of vehicles	Covering of vehicles carrying any kind of material .	
11	CCTV/PTZ camera	CCTV/PTZ cameras installed at the entrance and all corners of the premises of the unit covering entire area with minimum of 30 days data storage	
12	Photos/videos	Upload photographs/videos ensuring compliance of all conditions as mentioned in the guidelines while applying CTE/CTO/ Renewal	



232

ANNEXURE R4&5/5

2025 INSC 1338

REPORTABLE

**IN THE SUPREME COURT OF INDIA
INHERENT/ORIGINAL JURISDICTION**

**IN RE : ISSUE RELATING TO DEFINITION OF ARAVALI
HILLS AND RANGES**

**I.A. NO.105701 OF 2024
(CEC REPORT NO. 03 OF 2024)**

IN

WRIT PETITION (C) NO.202 OF 1995

IN RE: T.N. GODAVARMAN THIRUMULPAD

...PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

J U D G M E N T

B.R. GAVAI, CJI

IMPORTANCE OF ARAVALIS

1. In the present matter, we are concerned with the definition of Aravali Hills and Ranges and the need for the proper conservation of the same in the States of Delhi, Haryana, Gujarat and Rajasthan.

2. The Aravali Range spanning across the aforesaid four States is one of the oldest geological features on planet Earth.

Signature Not Verified
Digitally signed by
NARENDRA PRASAD
Date: 2025.11.20
18:32:32 IST
Reason: [S]

It is one of the oldest fold mountains in India. It is rich in wildlife, flora and fauna, and significantly influences the climate and biodiversity across North India.

3. The scientific assessments of the Aravali Range establish the fact that the Aravali ecosystem acts as a “*green barrier*” and forms an effective “*shield*” against desertification by preventing the eastward spread of the Thar Desert towards the Indo-Gangetic plains, Haryana and western Uttar Pradesh.

PREVENTION OF DESERTIFICATION AND LAND DEGRADATION

4. The *United Nations Convention on Combat Desertification*¹ was ratified by India on 17th December 1996.

5. Article 4 of the said Convention requires the States, which are parties to it, to *inter-alia* adopt an integrated approach to address the physical, biological and socio-economic aspects of desertification, promote the conservation of land and water resources as they relate to desertification, and to determine institutional mechanisms for the same.

6. As per Article 5 of the said Convention, India as a signatory to the UNCCD, is required to strengthen the existing laws, enact new laws as may be needed, and undertake long-

¹ Hereinafter, “UNCCD”.

term policy measures and action programmes to combat desertification.

7. A perusal of Articles 10(2)(c) and 10(4) of the said Convention would reveal that national action programmes in this regard are required to be framed and particular attention must be given to preventive measures for lands that are not yet degraded, or which are only slightly degraded.

8. In order to give effect to its commitments under the UNCCD, the Ministry of Environment, Forest and Climate Change² issued a *National Action Plan to Combat Desertification and Land Degradation* through Forestry Interventions in 2023. The said Plan highlights the need for a synergistic and convergent implementation of eco-restoration initiatives in the country.

9. In recognition of the ecological importance of the Aravali Ranges, the MoEF&CC has also launched the “*Aravali Green Wall Project*”, an initiative aimed at restoring degraded land, preventing desertification, enhancing green cover and improving the ecological health of the Aravali landscape.

² Hereinafter, “MoEF&CC”.

10. These cumulative obligations in international law require that a uniform and streamlined approach be taken towards the preservation and restoration of the Aravali ecosystem including regulation of exploitation of the Aravali Hills in a scientific and sustainable manner, guided by the precautionary principle.

PROCEEDINGS BEFORE THIS COURT

11. This Court is seized of the issues with regard to the Aravali Hills and Ranges in two sets of proceedings. The first is in *M.C. Mehta v. Union of India and Others*³ and the second one is in *T.N. Godavarman Thirumalpad v. Union of India and Others*⁴.

12. When *T.N. Godavarman Thirumalpad* was listed before this Court on 10th January 2024, an issue arose for consideration as to whether some of the mining activities were falling in the Aravali Hills or beyond it.

13. The learned Senior Counsel appearing for the State of Rajasthan on that day had raised an issue as to whether the classification between the Aravali Hills and Aravali Ranges,

³ WP(C) No.4677 of 1985

⁴ WP(C) No.202 of 1995

insofar as the mining activities are concerned, needs to be finally decided by this Court.

14. On similar lines, the learned *Amicus Curiae* had also raised an issue as to whether continuation of the mining activities in Aravali Hills and Ranges was in the larger public interest or not. The learned *Amicus* had therefore suggested that it will be appropriate if all the issues with regard to the Aravali Hills and Ranges be examined by the Central Empowered Committee⁵ and directions be issued by this Court in that regard.

15. We had, therefore, *vide* our order dated 10th January 2024 requested the CEC to examine as to whether the classification of Aravali Hills and Ranges insofar as permitting mining is concerned, needs to be continued or not. We had also requested the CEC to take on board the experts in geology before finalising its report.

16. *Vide* the said order, this Court also noticed that the issues with regard to the mining in Aravali Hills and Ranges in the State of Haryana were placed before another Bench of this Court hearing ***M.C. Mehta*** (*supra*) and the issues with

⁵ “Hereinafter, “CEC”.

regard to mining in Aravali Hills and Ranges in the State of Rajasthan was being considered by this Court in the present proceedings. We had, therefore, directed that both the matters be placed before the then Hon'ble Chief Justice of India for placing the same before one and the same Bench so as to avoid any conflicting order(s).

17. In pursuance to the order passed by this Court on 10th January 2024, the CEC submitted its report on 7th March 2024 (CEC Report No.3 of 2024).

18. It will be relevant to refer to the recommendations made by the CEC in its report *i.e.*, CEC Report No. 3 of 2024, which read thus:

“I. RECOMMENDATIONS

i) Mapping of the entire Aravalli Hill Range should be undertaken and completed within a period of six months by the Forest Survey of India, as per the norms followed for the State of Rajasthan. The National CAMPA may be directed to release funds required for the mapping purpose. All the mapped areas should be geo-tagged.

ii) Macro-level EIA study of all mining affected districts of Rajasthan falling in Aravalli Hill Ranges should be done by ICFRE and/or any other competent national level central government institution as was done in case of Karnataka in compliance of the orders of this Hon'ble Court in WP(C) 562/2009 dated 05.08.2011. The level of mineral extraction should also be analysed along with EIA study, on the basis of local requirement of

minerals, available infrastructure and environmental concerns. This study can be completed in six months period. The funds can be made available by MoEFCC from the National CAMPA. Till this exercise is completed no new mining leases or renewals of old mining leases should be allowed in the Aravalli Hill Ranges.

iii) Mining should be strictly prohibited in following areas falling under such mapped Aravalli Hill Range:

a) Protected Areas including Tiger Reserves declared under Wild Life Protection Act 1972.

b) where ESZs of protected areas mentioned in (i) above have been notified - within ESZ and up to 1 km from the boundary of these ESZ; and within 10 kms of boundary of protected areas mentioned in (i) where ESZ has not been notified.

c) all identified Tiger Corridors.

d) within 2 km radius/boundary of perennial water bodies and wetlands identified and notified as Ramsar Sites the wetlands notified as per provisions laid under Rule 3(b) of the wetlands (Conservation and Management) Rules, 2017.

e) all areas where plantations have been raised with funds from any government or agency.

f) all those minerals where mining disturbs larger volume of minerals and soils but yields low revenue such as masonry stone.

g) areas which are falling within the NCR.

h) regions where there are proven or potential water aquifers or aquifer recharge areas or wherefrom groundwater is sourced for irrigation and/or drinking purposes.

- i) Areas which have been identified as DARK Zone by the Groundwater Board such as Faridabad and Gurgaon.
- j) within 10 km aerial distance on either side of the inter- state boundary between Rajasthan and Haryana States along Aravali Hill range.
- iv) All mining in forest areas falling in Aravali Hill Ranges should be suspended and may be allowed after completion of mapping of area and EIA study, only in exceptional circumstances, and after due permission from this Hon'ble Court.
- v) The mining in other areas may be permitted only after all the statutory clearances / approvals including environmental clearance have been obtained and renewals should also be done only after grant of fresh environmental clearance.
- vi) The States shall first identify all the abandoned mining sites of area which exceeds one hectare, both legal and illegal, within a period of six months. Thereafter, the States shall prepare a site-specific reclamation and rehabilitation plans for all these sites and submit them along with the maps to the CEC. Once these plans are approved, the States will execute them in a time bound manner.
- vii) Mines which have reached the groundwater level should be closed to prevent destruction of underground aquifers, wastage of water and depleting of groundwater.
- viii) The mining leases found to have been operated / being operated without the requisite statutory approvals/ permissions and/or found to have exceeded permissible production limits and/or not following the mining plan prescriptions should be immediately closed and shall be liable to be terminated. Also, no mining lease where any condition of EC or any other statutory condition has been violated, renewal should not be allowed in any circumstances.

ix) Online Integrated Lease Management System (ILMS) for computerized and network-based management of mineral production and dispatch, collection of royalty, issue of permit and generation and submission of online reports involving mining leases and crusher operations, on the lines being followed by the State Government of Karnataka should be implemented immediately.

x) The licenses to stone crushers may be given on the basis of quantity of raw mineral available in the area to prevent illegal mining and permit sustainable mining as has been permitted by this Hon'ble Court for the wood based industries (saw mills and plywood factories).

xi) No crusher shall be located within 10 km. aerial distance from the boundary of Aravalli Hill Range. Clusters may be located in a cluster similar to an industrial estate where all inward coming raw material and outgoing finished/ processed product is controlled and regulated on real time basis.

xii) Use of explosives in mining should be discouraged and may be allowed where Indian Bureau of Mines (IBM) certifies that its use is essentially required.

xiii) Regular biennial evaluation of the cumulative impacts of existing and proposed mining activities in the entire Aravalli region should be ensured to prevent exceeding the ecosystem's carrying capacity

xiv) Independent and transparent environmental monitoring mechanisms should be established preferably under the chairmanship of Chief Secretary of the state to ensure compliance of all regulations and also action taken where there are non-compliances.

xv) In districts involving heavy mining a District Task Force of Revenue, Forest, Police and Mining Department should be constituted to control illegal mining.”

19. In the meantime, in pursuance to the order passed by this Court dated 10th January 2024, the then Hon'ble Chief Justice of India constituted a Special Bench comprising of B.R. Gavai and Abhay S. Oka, JJ. (as they then were).

20. Upon perusal of the report of the CEC dated 7th March 2024, this Court by an order dated 9th May 2024 passed in ***M.C. Mehta*** (*supra*) taken along with the present proceedings, found that the issue with regard to mining activities in the Aravali Hills and Ranges needs to be addressed jointly by the MoEF&CC as well as all the four States *i.e.*, National Capital Territory of Delhi and States of Rajasthan, Haryana and Gujarat.

21. Pertinently, this Court *vide* the aforesaid order also noticed that one of the major issues with regard to the illegal mining was on account of different definitions of “*Aravali Hills/Ranges*”, as adopted by the different States. We, therefore, directed that a committee be constituted for providing a uniform definition of the Aravali Hills and Ranges.⁶

⁶ Hereinafter, “Committee”.

22. It will be relevant to refer to the entire order passed by this Court on 9th May 2024, which reads thus:

1. Since certain matters from State of Rajasthan with regard to mining in Aravalli Ranges and Hills were pending before the Bench presided over by one of us (B.R. Gavai, J.) and other matters from State of Haryana were pending before the Bench presided over by one of us (Abhay S. Oka, J.), the matter was referred to the Hon'ble the Chief Justice of India with an observation that it will be appropriate that all the matters are heard together so that the issues are addressed commonly.

2. Accordingly, a Special Bench consisting of the two of us has been constituted under the orders of the Hon'ble the Chief Justice of India.

3. There are certain issues with regard to illegal mining as well as mining under the permissions granted by the States in Aravalli Hills/Ranges. One of the major issues is with regard to the different definitions of "Aravalli Hills/Ranges", as adopted by different States. The learned Amicus Curiae states that insofar as the State of Haryana is concerned, there is not even a definition of Aravalli hills and ranges.

4. The Central Empowered Committee (CEC) has submitted its Report No.3/2024, wherein certain aspects have been pointed out. The Report also points out various illegal mining activities carried out throughout the State of Rajasthan, district wise details have been given with regard to the areas under illegal mining.

5. In the report of the CEC, a report prepared by the FSI is annexed. As per the Report of the FSI the definition of Aravalli hills has been given as the hill as well as the uniform 100 meter wide buffer surrounding the downside of the hills.

6. We find that the issue with regard to the mining activities in the Aravalli Hills and Ranges needs

to be addressed jointly by the Ministry of Environment, Forest and Climate Change (MoEFCC) as well as all the four State Governments i.e. the Government of National Capital Territory of Delhi (GNCTD) and the States of Rajasthan, Haryana and Gujarat.

7. We, therefore, direct that a Committee be constituted comprising of the following officers/officials to have a uniform definition of the Aravalli hills and ranges:-

i. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.

ii. Secretaries of the Department of Forests, Government of National Capital Territory of Delhi and the States of Haryana, Rajasthan and Gujarat.

iii. A representative of the Forest Survey of India.

iv. A representative of the Central Empowered Committee.

v. A representative of the Geological Survey of India.

vi. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, shall be the convenor of the Committee.

8. The said Committee shall submit its report within a period of two months from today.

9. In the meantime, we also issue the following directions, as suggested by Shri P. Parameshwar, learned Amicus Curiae, to which Shri Tushar Mehta, learned Solicitor General of India appearing for the State of Haryana and Shri K.M. Natraj, learned Additional Solicitor General of India appearing for the State of Rajasthan, do not have any objection:-

i. Direct the Union of India through the MoEFCC, State of Rajasthan, State of Haryana and GNCTD to file affidavits with details comments on the CEC Report

No.3/2024 and also the issues identified hereinabove.

ii. The States of Haryana and Rajasthan should specifically indicate what steps for compliance of 15 (fifteen) Judgments/Orders of this Court's have been taken by the respective States.

iii. The States of Haryana and Rajasthan should specifically state what action has been taken on the CAG/CEC Reports on illegal mining and whether prosecution under the relevant State Laws and Recovery Process has been undertaken.

iv. The State of Rajasthan to specifically state the actions taken pursuant to the FSI Report dated 22.02.2018 where illegal mining polygons have been identified.

v. The State of Rajasthan be directed to reply to the FSI Report submitted to this Court pursuant to Order dated 19.02.2010. The FSI Report dated 25.08.2010 and the CEC Report thereon dated 25.10.2010 were shared with the State of Rajasthan way back in 2010.

vi. The States of Rajasthan and Haryana shall also state the extent and mapping of all boundaries of mining areas (mentioned in the mining leases) within the area of the State.

10. Shri K. Parameshwar, learned Amicus Curiae, has further submitted that until further orders are passed by this Court, no fresh mining leases or renewal of existing mining leases should be permitted in Aravalli Ranges and Hills in the States of Haryana and Rajasthan.

11. The said suggestion is opposed by Shri Tushar Mehta, learned Solicitor General of India and Shri K.M. Natraj, learned Additional Solicitor General of India and Shri A.N.S. Nadkarni, learned senior

counsel appearing for the Federation of Associations of Mining in Rajasthan. It is submitted that millions of labourers are dependent upon the mining activities carried out in these States. It is submitted that if the order, as sought by the learned Amicus Curiae is passed, it would have a cascading effect on the livelihood of millions of labourers.

12. According to our experience and as has been pointed out by this Court, in the judgment of this Court dated 10.11.2021 passed in C.A. No.3661-3662/2020, a total ban on mining is not conducive even to the interest of the environment, inasmuch as it gives scope for illegal mining.

13. In that view of the matter, to balance the competing interest, we find that the following direction would subserve the purpose:-

“Until further orders, though all the States in which Aravalli Ranges and Hills are situated would be at liberty to consider and process the applications for grant of mining leases and also for renewal thereof including obtaining statutory clearances from the various authorities, no final permission shall be granted for mining in the Aravalli Hills/Ranges, as defined in the FSI Report dated 25.08.2010, without permission from this Court.”

14. Needless to state that this order in no way shall be construed as prohibiting the legal mining activities which are being carried out in accordance with the valid permits/licences.

15. Needless further to state that our orders are restricted only to the mining in the Aravalli hills/ranges.”

[Emphasis supplied]

23. It appears that thereafter the matter was adjourned from time to time so as to enable the Committee constituted as per the order dated 9th May 2024 to submit its report.

24. When the matter was, thereafter, listed on 12th August 2025, by way of last chance, this Court had granted two more months' time so as to enable the Committee to submit its report.

25. Accordingly, the Committee submitted its report *via* the MoEF&CC on 3rd October 2025.

26. We have extensively heard Mr. K. Parameshwar, learned *Amicus Curiae*, Ms. Aishwarya Bhati, learned Additional Solicitor General appearing for the MoEF&CC, Mr. Balbir Singh, learned Senior Counsel appearing for the State of Haryana and Mr. K.M. Natraj, learned ASG appearing for the State of Rajasthan.

27. The learned *Amicus* submitted that the Forest Survey of India,⁷ *vide* its Status Report dated 19th August 2010 in pursuance to the order of this Court dated 19th February 2010 in the present proceedings, has defined the Aravalis as under:

⁷ Hereinafter, "FSI".

“(i) slope >3°, (ii) foothill buffer = 100m, (iii) inter hill distance or valley width= 500m and (iv) the area enclosed by above defined hills from all sides.”

28. The learned *Amicus* submitted that the FSI is an expert body in the field and there should have been no reason for the Committee to not accept the definition as proposed by the FSI and substitute it with another definition.

29. The learned *Amicus* placed before this Court the report of the Committee and how the Aravali Hills and Ranges have been sought to be defined for the purposes of mining.

The same is as under:

“7. Recommendations and Way Forward

7.1 Definition of Aravali Hills and Ranges in the context of mining

7.1.1 The committee recommends following operational definition of Aravali Hills and Ranges in the context of mining:

Aravali Hills: Any landform located in the Aravali districts, having an elevation of 100 metres or more from the local relief, shall be termed as Aravali Hills. For this purpose, the local relief shall be determined with reference to the lowest contour line encircling the landform, as per Para-5.1.1 above. The entire landform lying within the area enclosed by such lowest contour, whether actual or extended notionally, together with the Hill, its supporting slopes and associated landforms irrespective of their gradient, shall be deemed to constitute part of the Aravali Hills.

Aravali Range: Two or more Aravali Hills, as defined at Para- 5.1.2 above, located within the proximity of

500m from each other, measured from the outermost point on the boundary of the lowest contour line on either side forms Aravali Range. The area between the two Aravali hills is determined by first creating buffers with a width equal to the minimum distance between the lowest contour lines of both hills. An intersection line is then generated between the two buffer polygons by joining the intersection of both buffer polygons. Finally, two lines, are drawn perpendicularly from both endpoints of the intersection line and extended till it intersects the lowest contour line of both hills. The entire area of landforms falling between the lowest contour lines of these Hills as explained, along with associated features such as Hills, Hillocks, supporting slopes, etc., shall also be included as part of Aravali Range.”

30. The learned *Amicus* submitted that if the definition as recommended by the Committee is accepted, all the hills below the height of 100 metres would be opened up for mining and as a result the Aravali Hills and Ranges would lose their continuity and integrity. He, therefore, submitted that if the definition as suggested by the Committee is accepted, it would totally endanger the environment and ecology of the mountains.

31. As against this, Ms. Bhati, learned ASG submitted that if the definition of Aravali Hills and Ranges as suggested by the FSI is accepted, it would *exclude* large areas from the Aravali Hills and Ranges. She, however, submitted that the

definition as suggested by the Committee is adopted, a larger area would be *included* as part of the Aravali Hills and Ranges.

32. Ms. Bhati further submitted that the Committee itself has recommended that except in case of critical, strategic and atomic minerals, the mining activities would be prohibited in the core/inviolable areas. She further submitted that the Committee has made various recommendations in order to prevent rampant mining and permit *only* sustainable mining.

33. No doubt that the Committee, with the assistance of the technical committee, has done a commendable work. However, recently we had an occasion to consider a matter with regard to ***Saranda Wildlife Sanctuary*** as part of the present proceedings. In the said matter, we had noticed that the MoEF&CC had got a study done by an expert body namely Indian Council of Forestry Research and Education⁸. On the basis of the said study, the Management Plan for Sustainable Mining⁹ in Saranda and Chaibasa, Singhbhum District, Jharkhand was carried out. In the said matter, we had noticed that ICFRE's geo-referenced ecological assessment enabled the identification of areas suitable for

⁸ Hereinafter, "ICFRE".

⁹ Hereinafter, "MPSM".

mining, areas requiring strict ecological protection and zones where biodiversity values necessitated conservation priority.

34. *Vide* the judgment and order dated 13th November 2025 in the present proceedings to which two of us (Gavai, CJI and K. Vinod Chandran, J.) were a party, this Court has directed the Wildlife Sanctuary to be established insofar as the compartments which were identified as conservation areas/no mining zones. However, this Court explicitly excluded the compartments wherein the MPSM found that sustainable mining could be permitted.

35. It is not in dispute that the Aravali Hills and Ranges also exhibit similar ecological fragility, and it is also an area comprising of significant biodiversity. Not only that it acts as a green barrier thereby preventing desertification in the Indo-Gangetic plains, Haryana and western Uttar Pradesh.

36. No doubt that as stated by the learned ASG, the MoEF&CC had decided to develop a green corridor/green wall. However, the note submitted by the learned ASG would itself reveal that the Aravali mountain range faces “escalating degradation pressures”. The note further states that deforestation, unsustainable grazing, illegal and excessive

mining, and urban encroachment have contributed to widespread ecosystem damage. It further states that forest cover has declined significantly in the last two decades, desert sands are moving eastwards, and aquifers have been depleted or damaged by mining activities. It further states that these cumulative impacts undermine not only biodiversity but also water security and climate resilience. It has further been stated that all these affect the livelihoods of communities dependent on the landscape's resources.

37. Taking all these aspects into consideration, we are of the considered view that while we propose to accept the report of the Committee constituted by the MoEF&CC pursuant to the orders passed by this Court, it would also be in the best interest of the ecology and environment that a similar study as was conducted for Saranda and Chaibasa, Singhbhum District, Jharkhand by ICFRE is also conducted for Aravali Hills and Ranges. No doubt that the Committee has taken care by recommending prohibition of mining in core/inviolate areas except in cases of critical, strategic and atomic minerals. However, we find that it would be appropriate that such a

study be carried out taking into consideration the geological importance of the Aravali mountain ranges.

38. It will be relevant to refer to paragraphs 7.3 and 7.4 of the report of the Committee, which read thus:

“7.3 Regulation of Mining in Aravali Hills and Ranges

7.3.1 The Committee recommends that to ensure sustainable mining in the Aravalli Hills and ranges, **no new mining lease**, except in case of critical, strategic and atomic minerals (Atomic minerals notified in part B and Critical and Strategic minerals notified in Part D of the First Schedule of the MMDR Act) and minerals listed in the Seventh Schedule of the MMDR Act 1957 may be granted in Aravalli Hills and Ranges as marked in the SOI Toposheets as per the procedure described above

7.3.2 *Regulation of operation of existing mines in Aruvalli Hills and Ranges:* The Committee recommends that in case of ongoing mining leases falling within in the area of Aravalli Hills and Ranges as defined above, as well as for the renewal of such mining leases, a team of experts comprising officers of State Forest Department, Mining and Geology Department, Local Administration and State Pollution Control Board (SPCB) and such domain experts as may be required, shall visit the concerned mine to take stock of the compliance of EC/CTO conditions and environmental safeguards followed by the Mines for conservation of Aravalli Hills/Ranges and prescribe necessary environmental safeguards as deemed appropriate. The additional environmental safeguard, as proposed by the Committee, may be made a part of CTO conditions and compliance thereof may be monitored by the concerned SPCB.

7.4 Prohibition of Mining in Core/Inviolate Areas

7.4.1 Core/Inviolate areas may be designated in the Aravalli Hills and Ranges for prohibiting mining in them. For this purpose, following areas may be designated as core/inviolate areas for the purpose of mining:

i. Protected Areas, including tiger reserves and all identified tiger corridors.

ii. Area covered under Draft or Final Eco Sensitive Zone (ESZ)/Eco Sensitive Area (ESA) notified under Section 3(2)(v) of the Environment (Protection) Act, 1986, and Section 5(1) of the Environment (Protection) Rules, 1986

iii. For ESZs around Protected Areas, for which proposals have been submitted by the State Governments but are yet to be notified as Draft/Final Notification by the MoEFCC and for those, in which the proposals are yet to be submitted by the State Governments, the default ESZ shall be regulated strictly as per the orders of Hon'ble Supreme Court issued from time to time in the matter of Writ Petition(s) (Civil) No(s). 202/1995 T.N. Godavarman Thirumulpad versus Union of India & Ors.;

iv. No mining to be allowed within 1.0 km of the boundary of Protected Area, even if the boundary of ESZ is less than 1.0 km from the boundary of the Protected Area.

v. Areas where plantations have been raised with funds from CAMPA, Government sources or under international cooperation

vi. 500 m from the boundary of Ramsar sites and Wetlands under Wetland (Conservation & Management) Rules, 2017.”

39. We also appreciate the recommendations made by the Committee for preventing illegal mining and permitting only sustainable mining in the Aravali Hills and Ranges.

40. However, taking all aspects of the matter into consideration, especially the fact that the Aravali Hills and Ranges harbour rich biodiversity, with twenty-two wildlife sanctuaries, four tiger reserves, the Keoladeo National Park, along with wetlands like Sultanpur, Sambhar, Siliserh, and Asola Bhati, and aquifers that recharge river systems including the ones at Chambal, Sabarmati, Luni, Mahi, and Banas, it is more than appropriate that before permitting further sustainable mining activities, the same are preceded by preparation of an MPSM.

41. In this regard, Ms. Bhati, learned ASG, expressed an apprehension that insofar as *Saranda* was concerned, it dealt with a much smaller area. She further submitted that carrying out an MPSM for such a huge area covered by the Aravali Hills and Ranges, would take a much longer time and would be a herculean task.

42. We are of the considered view that it may not be in the interest of ecology and environment if further mining activities

are permitted to be carried out without a body of experts, such as ICFRE, examining the issue of protection of the conservation areas. The MPSM will provide adequate data on the basis of geo-referenced ecological assessment and identify the areas which have wildlife and other high eco-sensitive areas, which are required to be conserved. The MPSM will also provide data as to how sustainable mining is to be conducted.

43. The MPSM, for *Saranda*, had put up a specific question as to whether diversion of one of the best natural virgin forest areas in the country for a lease of 12 to 13 years for mining activities, is really worthy and justified? It is not in dispute that the Aravali Hills and Ranges are one of the oldest geological features of planet Earth. The MPSM for *Saranda* has emphasized the need for identification of critical wildlife habitats, corridors linking critical wildlife habitats, rich forests and such other important forest areas in *Saranda Forest* which need to be protected and conserved for posterity and are considered as ecologically important and may be considered as inviolate for iron ore mining. Such areas have been notified as Conservation Reserve/Corridors or Ecologically Sensitive

Areas in accordance with the provisions of the *Wild Life (Protection) Act, 1972* and the *Environment (Protection) 1986*.

44. We are, therefore, of the considered opinion that if such an MPSM is carried out for the Aravali Hills and Ranges, it can also identify the areas where sustainable mining activities could be permitted.

45. We therefore find that it will be appropriate to prepare a Management Plan, in the nature of MPSM for *Sarandha*, for the Aravali Hills and Ranges.

46. The MoEF&CC, if necessary, can also consider preparing MPSM for each of the districts in the Aravali Hills and Ranges. However, while doing that, it should be ensured that the continuity and integrity of the Aravali Hills and Ranges is maintained.

47. Further, insofar as a ban on mining is concerned, we do not propose to impose any such ban on the present legal mining activities that are already being undertaken in the Aravali Hills and Ranges.

48. This Court had on an earlier occasion noticed the ill consequences of imposing a complete ban on mining activities in the case of ***State of Bihar and Others v. Pawan Kumar***

and Others,¹⁰ to which one of us (Gavai, J., as he then was) was a party. A complete ban on mining could, as was seen in the said case, lead to illegal mining activities being carried out, creation of land/mining mafias and criminalisation.

49. We, however, clarify that mining activities already being undertaken in the Aravali Hills and Ranges would be carried out *strictly* in accordance with paragraph 8 of the recommendations of the Committee's Report.

50. In the result, we pass the following order:

- (i) We accept the recommendations made by the Committee with regard to the definition of Aravali Hills and Ranges given by MoEF&CC;
- (ii) We further accept the recommendations with regard to the prohibition of mining in core/inviolable areas with exception as carved out in paragraph 7.3.1 of the Committee's Report;
- (iii) We also accept the recommendations for sustainable mining in Aravali Hills and Ranges and the steps to be taken for preventing illegal mining in Aravali Hills and Ranges;

¹⁰ (2022) 2 SCC 348

- (iv) We, however, direct the MoEF&CC to prepare a MPSM through ICFRE for the entire Aravalis, i.e., understood as the continuous geological ridge extending from Gujarat to Delhi on the lines of the MPSM for Saranda and the MPSM must:
- a. Identify permissible areas for mining, ecologically sensitive, conservation-critical and restoration-priority areas within the Aravali landscape where mining shall be strictly prohibited or permitted only under exceptional and scientifically justified circumstances;
 - b. Incorporate a thorough analysis of cumulative environmental impacts and the ecological carrying capacity of the region; and
 - c. Include detailed post-mining restoration and rehabilitation measures.
- (v) We further direct that till the MPSM is finalised by the MoEF&CC through ICFRE, no new mining leases should be granted;
- (vi) We further direct that upon the MPSM being finalised by MoEF&CC in consultation with the ICFRE, mining would

be permitted as per the MPSM only in those areas wherein sustainable mining could be permitted; and

- (vii) In the meantime, the mining activities in the mines which are already in operation would be continued in strict compliance with the recommendations made by the Committee in paragraph 8 of its Report.

51. Since one of us (B.R. Gavai, CJI) is sitting in the proceedings in W.P.(C) No.202/1995 for the last time, we feel that it is our duty to place on record our deep appreciation for Mr. K. Parameshwar, learned *Amicus Curiae*, who, for the last three years has laboriously assisted this Court in passing various judgments and orders for the protection and conservation of environment, wildlife and ecology. We must also place on record our deep appreciation for Mr. M.V. Mukunda, Ms. Kanti, Ms. Raji Gururaj and Mr. Shreenivas Patil, learned counsel, whose contribution in assisting Mr. K. Parameshwar, learned *Amicus Curiae* is very valuable. We must also place on record our appreciation for Ms. Aishwarya Bhati, learned Additional Solicitor General of India, who has been representing the MoEF&CC in this matter for a pro-active role and assisting this Court to find out the

solutions for protection and conservation of environment, wildlife and ecology. We also place on record our appreciation for Mr. Balbir Singh, learned Senior Counsel appearing for the State of Haryana and Mr. K.M. Nataraj, learned Additional Solicitor General of India appearing for the State of Rajasthan in the present matter.

.....CJI
(B.R. GAVAI)

.....J
(K. VINOD CHANDRAN)

.....J
(N.V. ANJARIA)

**NEW DELHI;
NOVEMBER 20, 2025.**