HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

APPEAL NO. 01 TO 26/2026(WZ)

AND

APPEAL NO. 641/2025 (WZ)

[TAGGED WITH OTHER MATTERS]

Abhishek Vikas Gondane .... Appellant
Shamshir Abdul Wahab Khan
Sanjay Kushabrao Rehpade

VERSUS

R Sandesh Infravision P L .... Respondents

COMMON AFFIDAVIT IN REPLY
IN ALL ABOVE APPEALS FILED BY
M/S R SANDESH INFRAVISION PVT LTD
RESPONDENT

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Date : **04/03/2026**
Place : Pune
Filed by :





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ABBREVIATIONS

Short form	Full form
DSR	District Survey Report
EC	Environmental Clearance
SEIAA	State Environment Impact Assessment Authority
EMP	Environmental Management plan
SEAC-1	State Expert Appraisal Committee - 1
WZ	Western Zone
NOC	No Objection certificate
DMO	District Mining Officer
MoEFCC	Ministry of Environment Forest and Climate change
NGT	National Green Tribunal
WZ	Western Zone
OA	Original Application
GSDA	Groundwater Surveys and Development Agency
ITR	Income Tax Return
TDS	Tax Deducted at Source,
TCS	Tax Collected at Source
BG	Bank Guarantee
GoM	Government of Maharashtra
LoI	Letter of Intent
NOC	No Objection Certificate
OM	Office Memorandum

DATE AND EVENTS

Sr	Date	Events
1.	18.11.2025	The District Level Sand Monitoring Committee held a meeting and approved the proposal to apply for Environment Clearance (EC) for 118 sand ghats in Bhandara District.
2.	17.10.2025	The District Administration, Bhandara, published and uploaded the Draft District Survey Report (DSR) on the official Collectorate website for a one-month public notice period.
3.	21.11.2025	The District Administration, Bhandara, finalized and published the Final DSR for Bhandara District for the year 2025–2026.
4.	27.11.2025	The Directorate of Geology and Mining, Government of Maharashtra (GoM), approved the Mining Plan for 112 sand ghats in Bhandara District.

Sr	Date	Events
5.	28.11.2025	Respondent No. 2 filed applications for EC via the PARIVESH Portal for 23 specific sand ghats Kothurna, Juni Takli, Mandvi, Wadegaon (Rithi), Gudegaon, Itgaon, Junona, Junona 2, Khaksi, Khatkheda 1, Kodurli, Kurza, Mangli 1, Pauni 1, Pauni 2, Kapilapuri-2, Shivni, Walani 1, Walani 2, Yenoda, Vilam, Bhojapur, Dhanori. Simultaneously, Respondent No. 3 uploaded the Environment Management Plan (EMP) and Site-Specific Monitoring Plan.
6.	03.12.2025	The State Level Expert Appraisal Committee-1 (SEAC-1) recommended the grant of Environment Clearance for the 23 sand ghats for a period ending 30.09.2026.
7.	08.12.2025	The State Environment Impact Assessment Authority (SEIAA), in its 313th Meeting, approved the grant of Environment Clearance for the 23 sand ghats.
8.	10.12.2025	Respondent No. 3 published an e-Auction Notice for 99 sand ghats in Bhandara District, including the 23 EC-approved sites, scheduling the auction for 29.12.2025.

Sr	Date	Events
9.	12.12.2025	SEIAA formally granted prior Environment Clearance for 15 sand ghats (Kothurna, Mandvi, Wadegaon (Rithi), Gudegaon, Kurza, Mangli 1, Pauni 1, Pauni 2, Kapilapuri-2, Shivni, Walani 1, Walani 2, Yenoda, Vilam, and Bhojapur).
10	13.12.2025	SEIAA formally granted prior Environment Clearance for the 1 sand mining project at Kodurli.
11	16.12.2025	SEIAA formally granted prior Environment Clearance for 7 sand ghats (Juni Gudegaon, Itgaon, Junona, Junona 2, Khaksi, Khatkheda 1, and Dhanori).
12	**22.01.2025**	**Appellant filed appeals 641 up to 727 of 2025 (WZ) in Hon'ble National Green Tribunal (NGT)**
13	01.01.2026	Respondent no 3 issued Letter of Intent (LOI) to Respondent regarding the Sand/Gravel Ghat Auction for the year 2025-2026.
14	02.01.2026	Respondent transferred 25% amount Rs. 10,29,17,760 to Collector Bhandara
15	06.01.2026	Respondent no 3 sent letter to SEIAA for EC transfer of sand ghats

Sr	Date	Events
16	09.01.2026	Respondent submitted letter to DMO for submission of payment of amount 75% Rs.50,25,25,080. Also sent letter of confirmation of payment to Groundwater Survey & Development Agency (GSDA)
17	12.01.2026	Bank Guarantee (BG) of Rs 1,34,00,669 issued by Small Finance Limited to Respondent no 3.
18	13.01.2026	Lease transfer deed - Respondent paid Rs. 67,00,33,440 to respondent no 3
19	13.01.2026	Respondent submitted Stamp duty of Rs.13,40,000 and Registration fee of Rs. 30,000 to Respondent.
20	15.01.2026	Respondent no. 3 gave Work Order to Respondent
21	27.01.2026	SEIAA granted the transfer of Environment Clearance for the 23 sand ghats to the Transferee.
22	05.02.2026	Hon'ble National Green Tribunal granted stay on mining through Collector Bhandara in matters of 1st batch of EC
23	26.02.2026	Hon'ble National Green Tribunal granted stay on mining through Collector Bhandara in matters of 2nd batch of EC

TABLE 1
DETAILS OF SAND GHATS

Sr	Name of Sand Ghat	Proposal No. for EC	Proposal No. for EC Transfer	Taluka	Name of River	Gat No.	Area (ha)	Brass
1	Kothurna	SIA/MH/MIN/559268/2025	SIA/MH/MIN/564494/2026	Bhandara	Wainganga	573, 571/1, 571/2, 569, 570	1.62	5724
2	Juni Takli	SIA/MH/MIN/559234/2025	SIA/MH/MIN/564496/2026	Bhandara	Wainganga	319/1, 319/2	4	16961
3	Mandvi	SIA/MH/MIN/559270/2025	SIA/MH/MIN/564498/2026	Bhandara	Wainganga	558, 559, 560, 561, 562	3.5	12367
4	Wadegaon (Rithi)	SIA/MH/MIN/559276/2025	SIA/MH/MIN/564500/2026	Bhandara	Wainganga	1	4.60	19505
5	Gudegaon	SIA/MH/MIN/559207/2025	SIA/MH/MIN/564530/2026	Bhandara	Wainganga	150, 176, 177, 178, 179, 180, 189, 190	4.90	25972
6	Itgaon	SIA/MH/MIN/559210/2025	SIA/MH/MIN/564546/2026	Pauni	Wainganga	13, 14, 19, 20, 23, 691, 27,	4.55	16078
7	Junona	SIA/MH/MIN/559215/2025	SIA/MH/MIN/564554/2026	Pauni	Wainganga	62, 61, 59	4.50	23852
8	Junona 2	SIA/MH/MIN/559222/2025	SIA/MH/MIN/564562/2026	Pauni	Wainganga	419, 415, 413, 412	3	15901
9	Khaksi	SIA/MH/MIN/559228/2025	SIA/MH/MIN/564569/2026	Pauni	Wainganga	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177,	4.80	25442
10	Khatkheda 1	SIA/MH/MIN/559230/2025	SIA/MH/MIN/564578/2026	Pauni	Wainganga	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	4.90	25972
11	Kodurli	SIA/MH/MIN/559236/2025	SIA/MH/MIN/564583/2026	Pauni	Wainganga	344, 345	2	8481
12	Kurza	SIA/MH/MIN/559245/2025	SIA/MH/MIN/564587/2026	Pauni	Wainganga	740, 745, 757, 770, 774	3.15	13357
13	Mangli 1	SIA/MH/MIN/559246/2025	SIA/MH/MIN/564594/2026	Pauni	Wainganga	593, 558/1, 558/2	4.90	25972
14	Pauni 1	SIA/MH/MIN/559252/2025	SIA/MH/MIN/564598/2026	Pauni	Wainganga	23, 15/3A, 15/3B	4.06	17226
15	Pauni 2	SIA/MH/MIN/559253/2025	SIA/MH/MIN/564609/2026	Pauni	Wainganga	86, 85, 82/2/1	4.50	18271
16	Ruyad/Kapila puri 2	SIA/MH/MIN/559256/2025	SIA/MH/MIN/564615/2026	Pauni	Wainganga	65, 66, 119, 122	4.50	23852
17	Shivnala	SIA/MH/MIN/559255/2025	SIA/MH/MIN/564626/2026	Pauni	Wainganga	609, 608, 607, 606,	4.50	23852
18	Walani 1	SIA/MH/MIN/559281/2025	SIA/MH/MIN/564635/2026	Pauni	Wainganga	4, 5, 889, 888, 887, 886, 885	4.50	23852
19	Walani 2	SIA/MH/MIN/559283/2025	SIA/MH/MIN/564639/2026	Pauni	Wainganga	815, 816, 814,	4.50	23852
20	Yenoda	SIA/MH/MIN/559287/2025	SIA/MH/MIN/564699/2026	Pauni	Wainganga	38, 41	4.57	20970
21	Vilam	SIA/MH/MIN/559257/2025	SIA/MH/MIN/564707/2026	Pauni	Wainganga	268, 275, 269, 270, 271, 272, 273,	4.90	25972
22	Bhojapur	SIA/MH/MIN/559193/2025	SIA/MH/MIN/564722/2026	Pauni	Wainganga	222, 226, 227, 230, 231, 232, 245	4.90	17314
23	Dhanori	SIA/MH/MIN/559194/2025	SIA/MH/MIN/564732/2026	Pauni	Wainganga	181/1, 180/2, 181, 579, 182,183,	4.50	23852

MOST RESPECTFULLY SUBMITTED

1. I, Ruchir Kumar Agrawal, working as Director of M/s R Sandesh Infravision Pvt Ltd, (answering Respondent) am filing this affidavit in reply in the Appeals No. 641/2025 Western Zone (WZ) [tagged with many other matters] last heard on 05/02/2026 and Appeal Nos. 01 to 26/2016(WZ) last heard on 25/02/2026.

FACTS

2. The Respondent submits that the EC No. as given in the Table-1 [Page No. 10] were granted to Collector Bhandara District, Govt. of Maharashtra, by SEIAA – Maharashtra, as per the dates shown in the table. **[■ Ax. A, Page 38]**.

3. **10/12/2025** The Respondent states that the tender for the respective Sand Ghats was published by the Collector Bhandara in various newspapers. The tender document is enclosed. **[■ Ax. C, Page 53, Point No. 1 & 2]**.

- [The correct word would be Sand-**Gat** गट which is translation of वाळू-गट. The word घाट has different meaning in Marathi with reference to

rivers and the Sand Policy published by GoM].

4. 01/01/2026 That the tender was finalized in the name of the Respondent by issuing a Letter of Intent (LOI). As per the tender condition and the LoI, the EC was to be transferred within a period of one month. LoI is enclosed. **[■ Ax. G, Page 71]**.

5. 08/01/2026 That the Respondent submitted the applications for transfer of EC to SEIAA through PARIVESH portal. The application was submitted for transfer of EC as per Clause No. 11 of the EIA Notification 14/09/2006. As per requirement, the application was accompanied by required documents, i.e. request letter, undertaking and No Objection Certificate (NOC) of the earlier EC holder.

6. Respondent states that it was not mentioned in the tender document OR in LoI that the appeals against the EC are pending in the Hon'ble National Green Tribunal.

7. No notice was served on Respondent OR the Respondent was informed about this pending litigation before NGT in the advertisement, tender documents, or the letter of intent of award (LoI) OR even by the Appellant before the NGT OR SEIAA-Maharashtra while transferring the EC, as a "subject

to" condition. As such the answering Respondent was not aware of any impediment or embargo on the transfer of EC.

8. **On 27/01/2026** The Respondent received the letters of transfer of EC, after following due process of law and through the legally prescribed PARIVESH portal. These were formal letters through PARIVESH portal and by SEIAA-Maharashtra. There was no reason not to believe them or distrust or doubt any infirmity in these official letters.

9. The Respondent states that it is pertinent to note that there was no status quo OR stay order OR any restraining order of any competent court OR Tribunal at that point of time. Respondent was an innocent bonafide third-party transferee, for a fair bonafide transfer value, who acted in good faith, based on the formal EC documents and hence should not suffer for alleged deficiencies in proceedings, if any, between the original parties in the Appeals.

10. The Respondent was not made party by the Appellant at the stage of hearing on 05/02/2026 when the ECs were already transferred on 27/01/2026. This information was in public domain and was also known to the Appellant. This seems intentional suppression of information.

11. The Respondent submits that the EC was transferred on 27/01/2026, in the name of the Respondent M/s R Sandesh Infravision Pvt Ltd through their Directors Mr. Ramdeo Agrawal, Mr. Ruchir Kumar Agrawal and Mr. Rahul Gupta. Along with the letter of EC transfer, the letter from SEIAA-Maharashtra was enclosed which has Table showing the list of all EC, Ghats, etc. **[■ Ax. B, Page 49]**.

GROUNDS

12. **05/02/2026** The Respondent states that during the course of hearing on 05/02/2026 – when the stay was given, the Hon'ble National Green Tribunal was made aware that EC has been already transferred and third-party interest have been created on 27/01/2026. This is evident from the **Daily Order 05/02/2026, Point No. 2**. **[■ Ax. M, Page 178, Point No. 2]**.

13. **Suppression of Material Facts by Appellants:** As noted in the NGT Daily Order itself, the Appellant's Ld. Advocate specifically complained that the EC was being transferred — showing that they were fully aware. Yet they never sought to implead M/s R Sandesh Infravision Pvt Ltd OR the respective beneficiaries / transferee of the EC OR serve notice on them before seeking stay on the mining – without hearing the affected parties. The

stay on mining was granted without hearing EC Transferee.

14. This conduct of the Appellants — knowing about the transfer and staying silent about the identity of the actual EC-holder and obtaining the stay order on mining — amounts to suppression of material facts before the Tribunal, which is a ground to recall the order and impose appropriate penalty on the Appellants.

15. The Respondent submits that though at that point of time, the Respondent was not the party before the Hon'ble National Green Tribunal and without giving any opportunity of hearing to the directly affected party, an order was passed by this Hon'ble Tribunal adversely affecting the Respondent. Ld. Advocate for the Appellants, in all fairness and as the Officer of the Court ought to have realized this fact and served notices upon the EC Transferees, i.e. the current EC Holders – and the answering Respondent.

16. The Respondent submits that having taken judicial note of the fact that the EC has been transferred to the Respondent, no stay ought to have been pressed by the Ld. Advocate of the Appellants, without hearing the Respondent and without issuing the notice to the Respondent.

17. The Respondent states that after the transfer of EC, the Respondent paid in total amount, as per the break-up given below, of **Rs. 92,35,54,460/-** (Rupees Ninety-two Crore thirty-five lakhs fifty-four thousand four hundred sixty) to The Collector Bhandara District and started the work at site as per the EC condition. **[■ Ax. H & I, Page 77,78]**.

Total payments required for the Bhandara division sand ghats

R Sandesh Infravision Pvt Ltd

Sr. No.	Head of Payment	Amount (₹)	Payment Mode
1	Upfront 25% Bid Amount	16,75,08,360	Paid
2	Balance 75% Bid Amount	50,25,25,080	ICICI Bank Challan
3	Total Bid Value 1+2	**67,00,33,440**	
4	Security Deposit (25%)	16,75,08,360	Challan
5	Income Tax TCS (2%)	1,34,00,669	Challan (TAN NGPD03489D)
6	Groundwater Survey Fee	1,20,000	Cheque (Dy. Director, GSDA)
7	DMF Fund (10% of Royalty)	2,58,36,240	HDFC Bank (Bhandara)
8	Stamp Duty (0.2%)	13,40,067	Challan
9	GST RCM @18% paid in GST return of Jan 2026	3,82,02,106	Challan in Feb 2026
10	SI Charges	71,13,578	Rs.16.52 x 430604 brass
	Total 3 to 10	**92,35,54,460**	
11	Environment Fee (BG):	1,34,00,669	Paid Through Bank Guarantee

18. Further, in additional to above, the Respondent mobilized equipment and manpower at site and made investment of **Rs. 2,25,00,000/-** (Rupees 2.25 Crore) for the preparation at site.

19. The Respondent submits that the period available for sand mining is from the date of transfer of EC on 27/01/2026 to 09/06/2026. i.e. the total

133 days. The excavation of sand at site has already started from 19/01/2026 and the time now remaining as per the EC conditions from the probable date of vacating stay by this Hon'ble Tribunal from 11/03/2026 is barely 90 days.

POINTS OF LAW

20. The DSR was displayed on the website for public comments for the period of one month. None of the appellants have objected to it OR raised the objection before any authority, at that point of time. As such the DSR including its contents have now reached finality. As such subsequent objections now, about the DSR are barred by limitation and can't be raised in these Appeals against the EC. Present Appeals are in violation of principles laid down by Hon'ble Apex Court. This Hon'ble Tribunal while passing judgement in OA 162-2024 had referred to order of Hon'ble Apex Court highlighting steps required to be taken for preventing illegal sand mining as –

> *"43. Thereafter, the Hon'ble Supreme Court, vide Order/Judgment dated 18.01.2022 delivered in I.A. Nos.154740-154741 of 2021, 153531- 153532 of 2021, 165173 of 2021, 160138 of 2021, 160139 of 2021. 160142 of 2021 and 163177 of 2021 in Civil Appeal Nos.3661-3662 of 2020 (The State of Bihar & Others vs. Pawan Kumar & Ors.), has passed order, as below:-*

"14. We had issued the directions vide order dated 10th November 2021 in the peculiar facts and circumstances of the matter. We had noticed that unless the detailed DSRs are prepared by the Sub-Divisional Committees by undertaking site visits and using the modern technology and unless the same are examined by SEAC and SEIAA, it will not be appropriate to carry out the mining activities. However, we had also noticed that if there is a ban on mining activities, apart from it leading to illegal sand mining, criminalization and clashes between the sand mafias, it would also cause huge loss to the public exchequer. We had noticed that sand is also required for construction of public infrastructural projects as well as public and private construction activities.

15. Taking into consideration these aspects of the matter, we had issued directions so that the Sub-Divisional Committees, the SEAC and SEIAA act within the stipulated time periods. We had granted 6 weeks' time at each level and had directed the matter to be kept after 20 weeks. However noticing, that during the said period, it was necessary to permit the mining activities so as to prevent illegal mining and also to prevent loss to the public exchequer, we had permitted the Corporation to carry out the mining activities, and further to employ the services of the contractor. However, while doing so, we had directed the State Government to ensure that all environmental concerns are taken care of and no damage is caused to the environment. It could thus be seen that this was only a stop gap arrangement……."

44. In view of above, it is apparent that there is force in the argument of learned counsel for Respondent No.13, as the Hon'ble Supreme Court itself had clarified in the above-cited rulings that the direction given in that case for DSR to be evaluated by the SEAC and thereafter, grant of its approval by SEIAA, to such DSRs, would be done within six weeks from the receipt thereof, was in the peculiar fact and circumstances of the matter

because that case belongs to the State of Bihar. Therefore, this provision may be taken to be applicable only for the State of Bihar and no other States, except when specific order is passed by the Hon'ble Supreme Court otherwise."

21. The Respondent had taken note of the sand available for excavation as per replenishment study and buffer limit of 2 m of bottom layer of sand above the bed rock is to be kept for ensuring ecologically sustainable sand mining. The DSR had clearly defined the Lat-Long area of the Ghat and volume of the sand available for excavation at each ghat. The Respondent bidder accordingly has quoted based on these quantities of available sand, only. The Respondent's bid is for the specific quantity of sand in cu.m (m^3), at specific locations and governed by the conditions of EC over and above this, with additional rider of keeping the bottom sand buffer of 2 m layer at the bottom. As such conjoined reading of the tender volume, location and EC shows that the environment is well taken care of.

22. The sand level in the river can and would change only after the monsoon and thereafter if the river continues to flow with the enough force/flow to score the riverbed and bring the sand along with the flow of water.

- Pre-monsoon levels of sand measured sometime in April/May is reference level.

- After monsoon, once the replenishment has happened with the monsoon flow – sand level measured sometime in October will indicate the volume, location of accumulated sand available for mining.

23. The Respondent states that as per his understanding the sand quantity allocated in the tender is based on scientific surveys and levels, strictly defined by Lat-Long location, measured levels of sand available at site – keeping aside the safe bottom level buffer of 2 m.

24. Even if the monsoon prolongs and/or river water brings additional sand thereafter by way of additional replenishment, the same level of accumulated sand will increase but will not decrease. More sand would be available in riverbed, than what has been measured earlier. Even if this additional replenished sand which is added to the sand-ghat is not measured, it will leave the sand in the riverbed, unexcavated, as it is as it is because quantity of sand to be mined is specifically stated in the Tender as well as EC. The Respondent can not mine sand more than level decided as per survey carried out after monsoon. This is excellent measure specified by EC which ensures that sand taken out is never more than sand replenished This can be at the most loss

of revenue to Government but not loss or harm to environment in anyway. This will result in under excavation and not over excavation. It is submitted that Hon'ble Apex Court in Civil Appeal No. 1046 of 2019, Kantha Vibhag Yuva Koli Samaj Parivartan Trust and Others Versus State of Gujarat and Others had recorded -

> *"15. It is first important to differentiate expert committees which are set by the courts/tribunals from those set up by the Government in exercise of executive powers or under a particular statute. The latter are set up due to their technical expertise in a given area, and their reports are, subject to judicially observed restraints, open to judicial review before courts when decisions are taken solely based upon them. The precedents of this court unanimously note that courts should be circumspect in rejecting the opinion of these committees, unless they find their decision to be manifestly arbitrary or mala fide...."*

25. AS SUCH THE LAW-POINTS ARE:

A. Whether the river hydraulics (slope, depth, width, bottom roughness) , variation of water flow in rivers and sand replenishment pattern in rivers in Jammu & Kashmir area is similar to that of rivers in Maharashtra, so as to apply the same judgement as it is when the facts on site are entirely different? [**SC Civil Appeal No. 8055/2022 Union territory of J & K and Anr. v/s Raja Muzaffar Bhat & Ors. Judgement**

dated 22/08/2025] **[■ Ax. S, Page 356, Point No.]**

B. Whether the above Judgement dated 22nd August 2025 was known and applicable in Maharashtra when the DSR for the year 2024-2025 and 2025-2026 was prepared?

26. Whether the EC granted based on these two – pre-monsoon and post-monsoon - levels and further ensuring that quantity of sand allowed to be taken out is less than sand replenished during monsoon does not fulfil requirements of sustainable sand mining merely on the grounds that four surveys as per "generic structure of replenishment study guidelines" were not carried out? And whether Experts in SEAC/SEIAA erred in applying scientific principles while assessing adequacy of replenishment study?

27. The lease period as per GoM policy is only of one year (and excavation period from 1st October to 9th June – which is total about 251 days). Thereafter, again next DSR has to be prepared with fresh replenishment study by measuring the pre-monsoon and post monsoon sand levels, and determining the sand available for excavation, for the next year, if the same ghat is selected or proposed for the next year.

28. As per the understanding of the Answering Respondent in the present cases, all these sand-ghats were fresh green sand ghats – considering the Latitude and Longitude coordinates. **As such there was no excavation on these sand ghats till date**. As such there was no possibility of determination of depletion in sand level due to earlier excavation in the past. As such any additional measurement of sand levels would have been a futile exercise. It would not have helped the environment in any way.

29. In any case, the Respondent (bidder) EC Transferee was entitled to excavate sand only in the allocated Lat-Long demarcated area, volume as specified in the EC and that too by keeping the bottom buffer level of 2 m of sand in the riverbed.

30. The Respondent states that reconciling all these facts put together, they all adequately protect the environment. The only loss may be to the Government if more sand is accumulated/left in the sand-ghat, by way of loss of revenue by way of royalty will be to the Collector Bhandara. **There is no possibility of adverse impact on environment.**

HOW SC CASE REFERERRED IS DIFFERENT THAN FACTS OF THIS CASE

31. In other states and particularly where the SC Judgement is referred,

1. The DSR is prepared for 5 years period.
2. The Mining Lease period is from 5 to 30 years.
3. Rivers are perennial and continue to get water flow from monsoon and substantial force by melting of snow after monsoon

32. These are major distinguishing facts of the case referred, i.e. SC Civil Appeal No. 8055/2022 Union territory of J & K and Anr. v/s Raja Muzaffar Bhat & Ors. Judgement dated 22/08/2025. The Judgement is considering the rivers and rigorous water flow even in post-monsoon period, in Jammu & Kashmir area which have totally different water flow, period of monsoon, prolonged monsoon, flow from melting of snow and sand replenishment pattern due to highly sloping loose soil terrain. These differentiating points of merit are well known to the Expert Members of SEAC-1. One of the Hon'ble Member of the SEAC-1 is the former Chief Engineer of Irrigation Department, Govt. of Maharashtra, who knows these basic differentiating facts.

33. In contrast to DSR in J & K, the DSR is prepared every year in Maharashtra. Lease period is also just 1 year and that too limited to excavation period specified. The level of sand deposits in north India is are as high as 20-30 m and as such it is difficult to reach the river bed-rock level for measuring accumulated sand levels. Hence, theoretical methods and studies are required, as alternatives for "estimation".

34. In Maharashtra, each year, sand replenishment is hardly 2-3 meters. So, direct in-situ actual auger boring method and measurement is possible. When actual measurement is possible and done, then there is no relevance of "theoretical study or estimation". Estimate can't be substitute to "actual" measurements, which are direct, accurate and most reliable. Therefore, auger boring method is a commonly used, cost-effective technique for investigating soil profiles, particularly for identifying sand layers, determining their depth, and assessing groundwater levels. It was done in cases of these sand ghats and hence Respondent is surer about the volumes mentioned in the tender documents, which were based on the "actual measurements".

35. As such the MoEFCC's *generic* Guidelines and OM will have to be applied with technical caution

by SEAC/SEIAA, without adversely affecting the interest of environment. Which is followed in letter and spirit in the present cases.

36. The Judgement referred is a case specific and hence the ratio would be applicable only in similar facts of the case, site conditions and terrain.

37. The Respondent submits that that these Appeals are in no way filed in the interest of environment but to delay the formalization of the award of sand excavation tender so that this valuable natural resource is free for exploitation by the sand mafia.

38. In the entire set of appeal, there is no pleading as to how the deficiency if any, has caused any harm to environment OR has potency to cause harm to environment. Appellants nowhere plead and have shown how the sand at the ghats can be lesser than what has been actually measured and hence it would result in over-excavation resulting in the damage to environment.

39. The Respondent submits that the appellant never objected when the tender was advertised on 10/12/2025. The appellant never approached when the tender was advertised. It is only when the tender was awarded to unfavourable

party that these appeals have been filed.

40. The total sand royalty payable to Government is Rs. 1557/- per brass and the market rate of sand is Rs. 4500/- per brass. The Respondent submits that the sand-mafia are paying no royalty to Government and are not under any EC regime OR obligation to be bound by EC. Hence the gain out of illegal excavation to sand mafia is Rs.6057/brass – when they continue illegal sand mining. That's why they have filed huge number of appeals for sabotaging the proper legitimate sand excavation.

41. **Prima facie case**: The EC was validly transferred under Clause 11 of EIA Notification 2006 before any stay existed; the Respondent is a bona fide transferee for value; the underlying challenge to the DSR is disputed on merits.

42. **Balance of convenience**: The Respondent has paid ₹92.35 crores to the Collector, spent ₹2.25 crores in equipment mobilization. The mining season in Maharashtra closes on 09/06/2026 — a stay or formal legitimate award of mining lease effectively destroys the entire mining season; if the EC is ultimately upheld, no compensation can restore lost mining days.

43. **Irreparable harm/loss**: The 133-day

mining window from EC transfer cannot be recovered; the Respondent will suffer financial ruin with no adequate remedy in damages. Now the time left if hardly 90 days.

Considering all above, Hon'ble Tribunal may decide on the grant of EC in future with DSR and replenishment study.

44. However, considering the various legal precedence's stated below from various Judgements, should protect the EC that have been bonafidely transferred for consideration value paid to the Government of Maharashtra through the Collector Bhandara.

LEGAL PRECEDENCE

SC CA 595/2021 dated 2021-11-26
Sai Baba Sales Pvt. Ltd.

45. The Hon'ble Supreme Court while considering the effect of subsequent invalidation of environmental regime categorically protected activities undertaken pursuant to Environmental Clearance granted by the competent authority. The Hon'ble Court upheld protection granted by NGT and observed: **[■ Ax. N, Page 199, Point No. 19]**.

> *"Considering the above circumstances, the NGT rightly protected the already erected buildings and this protection in our view, should not be impacted by the earlier judgment of the NGT on 8.12.2017 in the OA No. 677/2016 whereby certain portions of the MoEFCC's 9.12.2016 notification were invalidated and direction was issued to the Ministry to revisit the said notification. Importantly, neither the NGT's invalidation order nor the subsequent clarifications by the State of Maharashtra, have suggested any adverse action against the pre-existing structures."*

46. Further, the Hon'ble Court ruled that a Project Proponent cannot be expected to suffer consequences due to later legal developments and held: **[■ Ax. N, Page 199, Point No. 25]**.

> *"A Project Proponent is not expected to anticipate the changes in EC regimes, especially as a result of judicial interventions, and keep revisiting the sanctioned clearances by the competent authority or even raze down validly constructed structures."*

47. Thus, the Supreme Court clearly settled that existing EC-based activity must be protected and regulatory compliance may apply only to future operations.

DOCTRINE OF LEGITIMATE EXPECTATION

48. Applying the Doctrine of Legitimate Expectation, the Hon'ble Supreme Court emphasized certainty in environmental governance and held: **[■ Ax. N, Page 199, Point No. 20]**.

"The Project Proponent can legitimately expect a certain degree of stability in the manner in which environmental regime is set and how the applications are processed."

49. The Court further clarified that investments made relying upon granted EC cannot be retrospectively jeopardized and observed: **[■ Ax. N, Page 199, Point No. 24]**.

"They cannot be pushed to a precipice and be made to fall. Doing so would be inequitable particularly when, the appellant has scrupulously adhered to the applicable legal framework during the concerned period."

50. Accordingly, once EC is granted and acted upon, **authorities must regulate prospectively rather than suspend or invalidate the existing clearance**.

SC CA 1394/2023 dated 16/05/2025
Vanshakti vs Union of India

51. While reiterating the importance of Environmental Clearance, the Hon'ble Supreme Court clarified the temporal operation of EC and held: **[■ Ax. O, Page 205, Point No. 17]**.

"We make it clear that an EC will come into force not earlier than the date of its grant."

52. The Court emphasized that environmental regulation operates within defined legal timelines and cannot retrospectively unsettle permissions already granted under law, thereby reinforcing that **environmental compliance mechanisms operate prospectively and not by invalidating existing clearances already acted upon**.

NGT OA 07/20222 (WZ) dated 22/03/2024 Shashikant Vitthal Kamble vs MoEF&CC

53. In this matter, even where appraisal concerns and alleged violations were examined, the Hon'ble NGT did not annul the Environmental Clearance but instead directed statutory regulatory action and appraisal under Environmental laws. The Tribunal while directing appraisal and compliance measures. held that: **[■ Ax. P, Page 246, Point No. 40]**.

> *"action may be taken against the PP by the respective State Pollution Control Board under the provisions of Section 19 of the Environment (Protection) Act, 1986;"*

54. The approach adopted by the Hon'ble Tribunal demonstrates that **deficiencies or procedural issues invite corrective regulation and not suspension of already granted EC**.

NGT OA 144/2017 (WZ) dated 04/11/2023
Umarshad Khan Vs State of Maharashtra

55. This case, heard before the National Green Tribunal (NGT), Western Zone Bench, Pune, involves allegations of environmental non-compliance in a large-scale redevelopment project located in Kolekalyan, Kalina, Santacruz (East), Mumbai. The Tribunal has explicitly noted that; **[■ Ax. Q, Page 278, Point No. 03]**

> *it has not granted any stay on the existing proceedings or the developer's applications.*

56. The Tribunal has noted that it has not granted any stay on the existing proceedings or the developer's applications.

57. Because there is no stay, the NGT directed the **SEIAA** to process the developer's pending applications for EC extension and expansion on their own merits, regardless of the ongoing litigation.

58. The cases in all above matters were pending before Hon'ble Tribunal. However, Hon'ble Tribunal clarified that the statutory authority could perform their statutory duty.

59. There is many cases before Hon'ble Tribunal under consideration. However, stay or status quo unless specifically given, can't be read by

the statutory authorities. Government or statutory authorities can't operate in vacuum OR stop to perform their duties.

60. In this present case, in the tender published in the newspapers for auction of sand ghats there was no mention of pending litigation before Hon'ble National Green Tribunal.

2022 LiveLaw (SC) 868 dated 2022-10-21 U.P.Sate v/s Uday Education & Welfare Trust

61. In the above matter, the Hon'ble Supreme Court held that; **[■ Ax. R, Page 281, Point No. 102]**

> *Though we find that for the sustainable development of the State and on account of the availability of the timber, sanction of granting licenses can be permitted to continue, however, as a responsible State, it needs to ensure that environmental concerns are duly attended to. We, therefore, direct the State Government to ensure that while granting permission for felling trees of the prohibited species, it should strictly ensure that the permission is granted only when the conditions specified in the Notification dated 7th January 2020 are satisfied.*

62. It is relevant to note that an Hon'ble Member of SEAC-1 is ex-Chief Engineer of Irrigation Department, Maharashtra and is fully aware of the rivers in Maharashtra.

REQUEST FOR RELIEF

63. In view of the facts and circumstances mentioned above, the Respondent most respectfully requests the following relief that this Hon'ble Tribunal may be pleased to grant and pass the following order:

A. Declare that the EC dated 12/12/2025 are valid EC.

B. The discrepancy pointed out by the Appellant is not substantive in nature to vitiate the ECs granted.

C. Declare that transfer of EC to the Respondent is valid and in force.

D. Recall the interim stay order dated 05/02/2026 and 25/02/2025 insofar as it relates to the 22 sand ghats allotted to Respondent, for which the EC has been validly transferred to the Respondent, thereby allowing the Respondent to resume operations in strict compliance with EC conditions.

E. Clarify that any environmental concerns or procedural deficiencies identified by this Hon'ble Tribunal shall be applied prospectively to future EC cycles, without disrupting the current mining season for which third-party rights have already vested.

F. Declare that the EC transferred against consideration and to the bona fide EC holders are excluded and protected from the order of cancelling the original EC.

G. Even if the earlier EC of 12/12/2025 are treated as invalid, protect the EC transfer done to bona fide EC transferee by payment to Government and in accordance with the provisions of the EIA Notification 2006, Clause 11

H. Declare that the current EC holder (transferee - Respondent) are the valid bonafide EC holders as the EC Transferee have got the EC without having knowledge of the fact that the earlier EC were under challenge.

I. Extend the period of excavation till start of monsoon or by adding the days of stay granted to properly excavate the allotted sand quantity by following all environmental safeguards

J. EC transferee is entitled to refund of the amount paid to Collector with interest and return of Bank Guarantee, as they are the bonafide EC holders without being made aware of the litigation before NGT in Tender Notice, LoI and Contract.

K. Hon'ble Tribunal may pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE RESPONDENT SHALL EVER PRAY.

(Ruchir K. Agrawal)

Date : **04/03/2026** RESPONDENT
Place: Nagpur **R SANDESH INFRAVISION PVT LTD**

VERIFICATION AND AFFIDAVIT

I, Ruchir Kumar Agrawal, am working as Authorized Director of M/s R Sandesh Infravision Pvt Ltd. I have read the facts and verified it. I have not supressed any relevant facts. I am submitting this on affirmation and oath.

(Ruchir K. Agrawal)

Date : **04/03/2026** RESPONDENT
Place: Nagpur **R SANDESH INFRAVISION PVT LTD**

Identified by Advocate

Before me.

J. S Dubilan (Advocate)

SWORN BEFORE ME ON THIS 4th DAY OF March 2026 AT NAGPUR BY SHRI / SMT./ KU. Ruchir K. Agrawal R/O NAGPUR WHO HAS BEEN IDENTIFIED BY SHRI / SMT. J. S. Dubilan ADVOCATE, NAGPUR.

Mrs. S. R. MATTA
ADVOCATE &

NOTARIAL REGISTER No. 656 DATE 4/3/2026

Mrs. S. R. MATTA NOTARY NAGPUR DIST. (M.S.) INDIA Regd. No. 6776 My Term Expires on 21-9-2028 GOVT. OF INDIA

NOTARY Mrs. S. R. MATTA DIST. NAGPUR (M.S.) REGD. NO. 6776 GOVT. OF INDIA

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BEFORE THE HONOURABLE

NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

APPLICATION / APPEAL NO. 01-26 /2026 (WZ)

AND ANY OTHER IA/MA/CAVETA RELATED TO THIS

VAKALATNAMA

BETWEEN

Shamshir Abdul Wahab Khan
Sanjay Kushabrao Rehpade
Abhishek Vikas Gondane ..... **Appellant**

VERSUS

SEIAA - MAHARASHTRA .....**Respondent/s**

We hereby appoint the following Advocate/s to represent us before any statutory Authority, Board, Tribunal, Court and sign wherever required in relation to this in good faith, on our behalf.

Raghunath Mahabal रघुनाथ भालचंद्र महाबळ

BE (Mechanical), ME (Industrial Management) VJTI Mumbai
Chartered Engineer, Arbitrator, FIE - IIE; LLM - **ADVOCATE**

Flat No. A-101/201/202/203, B-201/202/203/302 Chandravijay, Mahatma Fule Road, Mulund East, Mumbai - 400081.

Phone: +91-74-0011-6222 email: mahabal60@gmail.com

A-2,3,4,5, Kakade Angan, Tanaji Nagar, Gawade Chowk, near Datt Digambar Mandir, Chinchwad gaon, Pune - 411033.

along with other Advocates that would be appointed by him.

ACCEPTED SUBJECT TO PAYMENT OF FEES.

Raghunath Mahabal High Court Mumbai ADVOCATE

Adv. Raghunath Mahabal Roll No.MAH/349/2012

(Ruchin S. Agarwal)

Date **:25/02/2026**
Place :Nagpur

R Sandesh Infravision Pvt Ltd
Applicant/Apellant/Respondent No. ____

सत्यमेव जयते

File No.: SIA/MH/MIN/559268/2025

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA), MAHARASHTRA)

****

Dated **12/12/2025**

To,

sachin rambhau wadhave
sachin rambhau wadhave
District Mining Office, Office of the District Collector, Bhandara, Kothurna, BHANDARA, MAHARASHTRA, 441904
dmobhandara01@gmail.com

Subject: Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/MH/MIN/559268/2025 dated 28/11/2025 for grant of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC25C0107MH5325195N
(ii) File No.	SIA/MH/MIN/559268/2025
(iii) Clearance Type	Mining EC Under 5 Ha
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara, Maharashtra by District Mining Officer, Bhandara
(viii) Location of Project (District, State)	BHANDARA, MAHARASHTRA
(ix) Issuing Authority	SEIAA
(x) Applicability of General Conditions	No

Plot/Survey Khasra Nos.: 573, 571/1, 571/2, 569, 570

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A, B and C)/ EIA & EMP Reports were submitted to the SEIAA for an appraisal by the SEIAA under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by SEIAA in the meeting held on 07/12/2025. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed from the PARIVESH portal by scanning the QR Code above. Brief description of the project is as under:

5. Details of the minerals to be mined along with production capacity and the brief on the salient features of the project as submitted by the project proponent in Form 1 (Part A and B) in the reports and as presented during SEIAA are annexed to this EC as Annexure (1).

6. The SEIAA, in its meeting held on 07/12/2025, based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as detailed in the point below.

7. The SEIAA has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEIAA hereby accords Environment Clearance for the instant proposal to M/s. sachin rambhau wadhave under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of the Specific and Standard EC conditions as given in Annexure (2)

8. The Ministry reserves the right to stipulate additional conditions, if found necessary.

9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

10. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.

11. General Instructions:

    1. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.

    2. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.

    3. The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.

    4. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Six monthly progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.

    5. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

    6. The Regional Office of this SEIAAshall monitor compliance of the stipulated conditions. The project

authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.

7. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

12. This issue with an approval of the Competent Authority.

Annexure 1

Specific EC Conditions for (Mining Of Minerals)

1. Specific Conditions

S. No	EC Conditions
1.1	**Specific Conditions** 1. The Project Proponent, i.e., the District Collector & District Mining Officer, shall strictly adhere to the provisions of the New Sand Disposal Policy, 2025, including all guidelines, regulations, conditions, and due procedures prescribed therein. 2. The Project Proponent shall ensure compliance with the Sustainable Sand Management Guidelines, 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by MoEF&CC. 3. The Project Proponent shall strictly follow the principles and guidelines of scientific river replenishment studies to ensure minimal impact on the ecological equilibrium of the riverine regime. 4. This recommendation is subject to compliance with the Hon'ble Supreme Court judgment in CA No. 8055/2022 (UT J&K vs Raja Bhat, dated 22.08.2025) 5. Mining shall be carried out only by manual means; the use of mechanical equipment or machinery is strictly prohibited. 6. Mining operations shall be conducted only between sunrise and sunset. 7. A 7.5 m wide safety zone shall be maintained around the lease area in accordance with prescribed guidelines. 8. Transportation of sand shall be permitted only during daytime. 9. The approach road shall be maintained in good condition throughout the lease period to minimise dust generation and avoid inconvenience to the local population. 10. Green Belt Development shall be undertaken in the identified areas, with regular monitoring of survival rates. 11. Corporate Environment Responsibility (CER) activities shall be executed as committed, giving priority to the needs of local communities. 12. The Environmental Management Plan (EMP) shall be implemented in its entirety, ensuring effective pollution prevention and safety measures. 13. The transportation route for sand-carrying vehicles shall be identified separately and shall not pass through any village or habitation. In case no alternate route is available, only the minimum required portion of the existing road may be used, and the same shall be properly maintained by the Project Proponent throughout the agreement period. After deliberations, SEAC-1 hereby recommends the proposal for the prior Environmental Clearance (EC) subject to the provisions and guidelines issued by MoEF&CC till 30.09.2026.

Annexure 2

Details of the Project

<table>
<tr><th>S. No.</th><th>Particulars</th><th>Details</th></tr>
<tr><td>a.</td><td>Details of the Project</td><td>Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara, Maharashtra by District Mining Officer, Bhandara</td></tr>
<tr><td>b.</td><td>Latitude and Longitude of the project site</td><td>21.2289676896,79.7040115264 21.2303221957,79.7066518642</td></tr>
<tr><td>c.</td><td>Land Requirement (in Ha) of the project or activity</td><td><table><tr><th>Nature of Land involved</th><th>Area in Ha</th></tr><tr><td>Non-Forest Land (A)</td><td>0</td></tr><tr><td>Forest Land (B)</td><td></td></tr><tr><td>Total Land (A+B)</td><td>1.62</td></tr></table></td></tr>
<tr><td>d.</td><td>Date of Public Consultation</td><td>Public consultation for the project was held on</td></tr>
<tr><td>e.</td><td>Rehabilitation and Resettlement (R&R) involvement</td><td>NO</td></tr>
<tr><td>f.</td><td>Project Cost (in lacs)</td><td>34.34</td></tr>
<tr><td>g.</td><td>EMP Cost (in lacs)</td><td></td></tr>
<tr><td>h.</td><td>Employment Details</td><td></td></tr>
</table>

Details of Minerals Products & By-products

Name of the Mineral to be mined	Classification of mineral [Major/Minor]	Production capacity in MTPA	Remarks
Sand	Minor	25758.0	

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/MIN/559268/2025
Environment & Climate Change Department
Room No. 217, 2nd Floor,
Mantralaya, Mumbai- 400032.

To
District Mining Officer,
Bhandara.

Subject : Environment Clearance for Kothurna Sand Ghat, (Area- 1.62 ha, Brass Qty- 5724). Taluka: Bhandara, Dist. Bhandara

Reference : Application no. SIA/MH/MIN/559268/2025

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-1 in its 339th meeting under screening category 1 (a) B2 as per EIA Notification, 2006 and recommend to SEIAA. Proposal then considered in 313th Day-4 meeting of State Level Environment Impact Assessment Authority (SEIAA) held on 5th December, 2025.

2. Brief Information of the project submitted by you is as below: -

1.	Village/Town: Kothurna	Taluka: Bhandara	District: Bhandara
2.	Land Gat No: 573,571/1, 571/2, 569, 570	Area: 1.62 Ha	
3.	River name: Wainganga River	Ghat Name: Kothurna Sand Ghat	
4.	Length/ Width/ Depth: 270 m ×60 m × 1.0 m	Life of sand ghat: 1 (years)	
5.	Mineable Quantity of sand available: 5724 (brass)		
6.	Per year excavation quantity: 5724 (brass)		
7.	Sensitive Structures (Nearby):(Highway/Dam/River/Bridge etc.) • NH 6- 9.5 km, SSW • Gosekhurd Dam- 40.0 km, SSW • Wainganga River bed • Wainganga Highway Bridge - 9.5 km, SSW		
8.	Nearest Habitat/ Village Distance: Kothurna Village- 0.2 km, NW		
9.	Approach Road Availability: 1009 m		
10.	Public Hearing: NA	PH objection (if any): No	
11.	Mining Plan Approval & Validity: 27.11.2025 valid till 30.09.2026		

12.	DMO's Cluster Certificate: 01.12.2025			
13.	DMO site visit: 17.10.2025			
14.	Proposed Ghat Area Comes Under Western Ghat Notification (Yes/No)- No			
15.	GSDA Geological Study Report Obtained (Yes/No) -Yes			
16.	Forest Department Area Distance: No			
17.	Project Site all corner Latitude & Longitude:	**Boundary points**	**Latitude**	**Longitude**
		B.P 1	21°13'46.11"N	79°42'14.44"E
		B.P 2	21°13'44.28"N	79°42'15.16"E
		B.P 3	21°13'47.33"N	79°42'23.95"E
		B.P 4	21°13'49.16"N	79°42'23.22"E
18.	DSR Approval Date:	21.11.2025		

3. The proposal has been considered by SEIAA in its 313th Day -4 meeting and decided to accord Environment Clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implantation of following terms and conditions-

Specific Conditions:

A. SEAC Conditions-

1. The Project Proponent, i.e., the District Collector & District Mining Officer, shall strictly adhere to the provisions of the New Sand Disposal Policy, 2025, including all guidelines, regulations, conditions, and due procedures prescribed therein.

2. The Project Proponent shall ensure compliance with the Sustainable Sand Management Guidelines, 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by MoEF&CC.

3. The Project Proponent shall strictly follow the principles and guidelines of scientific river replenishment studies to ensure minimal impact on the ecological equilibrium of the riverine regime.

4. This recommendation is subject to compliance with the Hon'ble Supreme Court judgment in CA No. 8055/2022 (UT J&K vs Raja Bhat, dated 22.08.2025)

5. Mining shall be carried out only by manual means; the use of mechanical equipment or machinery is strictly prohibited.

6. Mining operations shall be conducted only between sunrise and sunset.

7. A 7.5 m wide safety zone shall be maintained around the lease area in accordance with prescribed guidelines.

8. Transportation of sand shall be permitted only during daytime.

9. The approach road shall be maintained in good condition throughout the lease period to minimise dust generation and avoid inconvenience to the local population.

10. Green Belt Development shall be undertaken in the identified areas, with regular monitoring of survival rates.

11. Corporate Environment Responsibility (CER) activities shall be executed as committed, giving priority to the needs of local communities.

12. The Environmental Management Plan (EMP) shall be implemented in its entirety, ensuring effective pollution prevention and safety measures.

13. The transportation route for sand-carrying vehicles shall be identified separately and shall not pass through any village or habitation. In case no alternate route is available, only the minimum required portion of the existing road may be used, and the same shall be properly maintained by the Project Proponent throughout the agreement period.

B. SEIAA Conditions-

1. DMO to adhere to the conditions stipulated by SEAC-1.
2. District Collector to personally monitor/ ensure strict compliance of the condition mentioned in SEAC deliberation.
3. The validity of Environmental Clearance is subject to validity of approved mining plan that is submitted to SEAC during appraisal.
4. The sand extraction /harvesting should be commensurate with replenishment studies.
5. DMO should strictly follow the conditions mentioned in the Govt of Maharashtra Sand Policy 2025.

General Conditions:

I. District Collector and District Mining Officer to ensure the directions given by Hon'ble National Green Tribunal, Pune in Appeal No 10/2013 (WZ) dated 1st October 2013 as bellow- However, we direct that when further auctioning process is required to be conducted, ordinarily, the sand beds falling between the sand beds which are now already auctioned shall be avoided unless there is special certification issued by the competent authority which would indicate absence of any environmental damage, having regard to precautionary principle which is required to be adopted. We mean to say, it should not happen that presently the sand beds are auctioned by keeping distance of 1 k.m. from each other and gap is filled up subsequently under one or another pretext.

II. Distance between lease area to be marked as per actual shape and size, on Village Map or authenticated map available with Revenue Authority and ensure provisions regarding distance between two lease area and total lease area in the OM dated 24th December 2013 issued by MoEF.

III. District Collector and District Mining Officer to ensure the directions given by Hon'ble National Green Tribunal, Pune in application no 44/2014 (Paramjeet Singh kalsi Vs MoEF&CC & Others) dated 19.10.2015 as below-

   i) After the grant of 'Environment Clearance' to District Mining Officer, and once the Lessee or Transferee or actual person who is going to execute the mining activity or sand exploration, is decided, 'Environment Clearance' shall be transferred in the latter's name as per procedure in Clause No. 11 of the EC Notification.

   ii) District Mining Officer will forward the proposal to SEIAA for transfer of Environment Clearance to Lessee or Transferee.

iii) The concerned Tahsildar of that area will be the Authority for conducting periodic inspections, site visits and attending to complaints of violation etc. Tahsildar will visit the site to verify whether the concerned Lessee or Transferee, after transfer of Environment clearance on their name, have followed the conditions stipulated in the Environment clearance.

iv) In respect of cases of violation of conditions of Environment clearance, the Tahsildar will submit his report to the District Collector and District Collector will send the report to SEIAA with his/her observations.

IV. Project proponent to follow the standard environmental conditions for sand mining of sustainable sand mining management guidelines 2016, issued by MoEF & CC.

V. Project proponent to ensure the strictly implementation of Environment management plan.

VI. District Collector to ensure that conditions stipulated in the Government Resolution (G.R.) dated 31.01.2018 issued by Revenue and Forest Department, Government of Maharashtra (GoM) is implemented in letter and spirit.

VII. Sand excavation is allowed only for the Reti Guts having sand deposition more than 2 m and excavation should be for layers above 2 m of sand deposit as recommended by GSDA.

VIII. The instructions of MoEF & CC in the Sustainable sand mining guidelines 2016 [regarding sand mining approval and tracking system and transport of excavated sand] should be followed.

IX. District Collector to ensure that every receipt given is serially scanned and registration number so generated must be written on such receipt to avoid duplication and unauthorized transportation of the sand.

X. Project Proponent to ensure that vehicles transporting sand should not be overloaded beyond stated capacity.

XI. The District collector should ensure that mining will be done strictly up to the depth recommended by GSDA.

XII. The green belt development /tree plantation will be made either on river bank or along road side.

XIII. Measures for prevention & control of soil erosion and management of silt shall be undertaken.

XIV. Project Proponent to ensure that there is no violation of the Supreme Court order and orders of the National Green Tribunal given in the related matters.

XV. Project Proponent & District Mining Officer will be held individually responsible for non-compliance of the conditions stipulated in the Environmental clearance and shall be liable for legal action under Environment (Protection) Act of 1986.

XVI. Transport of sand should be through vehicle which is properly covered with Tarpaulin and it should not be overloaded.

XVII. Project Proponent to ensure that the mining plan is approved by Director of Geology and Mining comprising study to show that annual replenishment of sand in the mining lease area is sufficient to sustain the mining operations at levels prescribed in the mining plan and that the transport infrastructure is adequate to transport the mined material.

XVIII. Provisions stipulated in Maharashtra Minor Minerals Extraction (development and Regulation) Rules 2013 and Government Resolution of Revenue and Forest Department dated 03.01.2018 shall be strictly fallowed by Project proponent.

XIX. The depth of sand layer to be mined, after retaining 2 m minimum layer below, should not be more than 2 meters as per Government Resolution of Revenue Department dated 03.01.2018 e.g. if the total depth of sand is 3 m, only up to one meter of sand shall be mined.

XX. Project Proponent or District Collector will take bank guarantee up to 2% of the total auction cost for the given auction period from the Lessee to ensure the compliance of the conditions stipulated. In case of violation of stipulated conditions by the Lessee, bank guarantee so obtained shall be forfeited and legal action under the law should initiated against such Lessee.

XXI. The distance 3 m or 10 % of the width of river whichever is more will be kept intact as a no mining zone.

XXII. No cutting of the trees shall be done while excavating the sand or while constructing the access road to sand ghat.

XXIII. All mining shall be carried out manually.

XXIV. Underwater mining shall not be permitted without the specific expert sanction of the State Government only for prevention of flood and increasing the capacity of reservoir if any.

XXV. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.

XXVI. It shall be ensured that mining does not in any way disturb the turbidity, velocity and flow pattern of the river water.

XXVII. It shall be ensured that there is no fauna dependent on the river bed or areas close to mining for its nesting is disturbed.

XXVIII. Turtle nesting units conservation is very important. Therefore sand mining in such areas is to be prohibited.

XXIX. Precise mining area will be jointly demarcated at site by officials of Mining/Revenue department prior to mining operations for all proposals under consideration. Such site plan, duly verified by competent authority shall be submitted to Environment Department.

XXX. All necessary statutory clearances shall be obtained before start of mining operations.

XXXI. No mining shall be carried out in the live streams.

XXXII. Mining shall be limited to day hours time only.

XXXIII. No mining shall be carried out in the safety zone of any bridge and/or embankment.

XXXIV. No mining shall be carried out in the vicinity of natural/ manmade archaeological sites.

XXXV. The lease holder shall obtain necessary prior permission of the competent authorities for drawal of requisite quantity of water (surface water and groundwater), if required for the project.

XXXVI. Waste water, if any, shall be properly collected and treated so as to conform to the standards prescribed by MoEF/CPCB.

XXXVII. No wildlife habitat will be infringed.

XXXVIII. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.

XXXIX. Green belt development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.

XL. Parking of vehicles should not be made on public places.

XLI. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism so that no spillage of mineral/dust takes place.

XLII. It shall be ensured that there is no leakage of oil and grease from the vehicles used for transportation.

XLIII. Special Measures shall be adopted to prevent the nearby settlements from the impacts of mining activities. Maintenance of roads through which transportation of minor minerals is to be undertaken, shall be carried out regularly.

XLIV. Provision for first-aid, medical health care safe drinking water, and sanitation etc. shall be provided at site.

XLV. Ambient air quality will be monitored at the site and the nearest habitation regularly. Ambient air quality at the boundary of the precise mining area shall conform to the norms prescribed by MoEF & CC, GOI.

XLVI. Measures shall be taken for control of noise level to the limits prescribed by CPCB.

XLVII. Any change in mining area, khasra /Gat numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per provisions of EIA Notification, 2006 (as amended).

XLVIII. SEAC appraised the proposals on the basis of information submitted by concerned District Mining Officer. Mining Officer shall submit the list of blocks satisfying conditions stipulated above to Revenue & Environment dept. The list of blocks and conditions stipulated above shall be made available in public domain.

4 The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.

5 In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

6 The Environment department reserves the right to add any stringent condition or to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.

7 In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the

adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.

8 The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.

9 Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Jayashree Bhoj (IAS)
(Member Secretary, SEIAA)

Copy to:

1. Chairman, SEIAA (Maharashtra), Mumbai.
2. Secretary, MoEF & CC, IA- Division MOEF & CC
3. Member Secretary, Maharashtra Pollution Control Board, Mumbai.
4. Regional Office MoEF & CC, Nagpur
5. District Collector, Bhandara
6. Regional Officer, Maharashtra Pollution Control Board, Nagpur

सत्यमेव जयते

File No.: SIA/MH/MIN/564494/2026

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA), MAHARASHTRA)

***

Dated **27/01/2026**

To,

ruchir kumar agrawal
sachin rambhau wadhave
House No. 613 & 614, Shiv Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur, Maharashtra, Pin code 440018, Kothurna, BHANDARA, MAHARASHTRA, 440018
tenders@rsandeshgroup.com

Subject: Grant of Transfer of EC to the project under the provision of the EIA Notification 2006 and as amended thereof regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/MH/MIN/564494/2026 dated 06/01/2026 for grant of transfer of EC to the project under the provision of para 11 of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC26C0107MH5926095T
(ii) File No.	SIA/MH/MIN/564494/2026
(iii) Clearance Type	Transfer of EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals
(vii) Name of Project	Transfer of Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara to M/s R Sandesh Infravision Pvt Ltd.
(viii) Location of Project (District, State)	BHANDARA, MAHARASHTRA
(ix) Issuing Authority	SEIAA
(x) EC Date	27/01/2026
(xi) Details of Transferee	M/s R Sandesh Infravision Pvt Ltd, House No. 613 & 614, Shiv Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur, Maharashtra, Pin code 440018,Nagpur,484,27,440018

(xii) Details of Transferor

sachin rambhau wadhave, District Mining Office, Office of the District Collector, Bhandara,Kothurna,471,27,441904

Plot/Survey Khasra Nos.: 573,571/1, 571/2, 569, 570

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-7 were submitted to the SEIAA under the provision of Para 11 of the EIA notification 2006 and its subsequent amendments. Details in Form 7 can be accessed on PARIVESH portal by scanning the QR Code above.
4. The SEIAA has examined the requisite information/documents required for transfer of EC in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and hereby accords Transfer of EC dated to M/s R Sandesh Infravision Pvt Ltd under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of EC conditions issued vide EC letter dated 06/01/2026.
5. The Ministry may revoke or suspend the clearance, if implementation of any of the EC conditions is not satisfactory. The Ministry reserves the right to stipulate additional conditions, if found necessary.
6. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of the prior EC issued vide dated 06/01/2026.
7. This issue with the approval of the Competent Authority.

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e-Payments
e-Processing
CPC GREEN
Nature Protects if She is Protected

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No.SIA/MH/MIN/Sand Ghat/2026
Environment & Climate
Change Department,
Room No. 217, 2nd Floor,
Mantralaya, Mumbai- 400032.

To,
M/s R Sandesh Infravision Pvt Ltd

Sub: Transfer of Environmental Clearance from DMO Bhandara to M/s R Sandesh Infravision Pvt Ltd for Sand Ghats in Bhandara District

Ref:

1. Applications for transfer of EC submitted on PARIVESH Portal 2.0.
2. Original EC letters issued to previous holders.

This has references to online applications in prescribed Form-7 and other documents for seeking transfer of Environmental Clearance (EC) for the projects mentioned below:

Sr. No.	Sand Ghat Name	Proposal No.	Earlier EC Letter No.	Earlier EC dated	Transferor	Transferee
1	Kothurna	SIA/MH/MIN/ 564494/2026	SIA/MH/MIN/ 559268/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd.
2	Juni Takli	SIA/MH/MIN/ 564496/2026	SIA/MH/MIN/ 559234/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
3	Mandvi	SIA/MH/MIN/ 564498/2026	SIA/MH/MIN/ 559270/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
4	Wadegaon (Rithi)	SIA/MH/MIN/ 564500/2026	SIA/MH/MIN/ 559276/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
5	Gudegaon	SIA/MH/MIN/ 564530/2026	SIA/MH/MIN/ 559207/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
6	Itgaon	SIA/MH/MIN/ 564546/2026	SIA/MH/MIN/ 559210/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
7	Junona	SIA/MH/MIN/ 564554/2026	SIA/MH/MIN/ 559215/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
8	Junona 2	SIA/MH/MIN/ 564562/2026	SIA/MH/MIN/ 559222/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
9	Khaksi	SIA/MH/MIN/ 564569/2026	SIA/MH/MIN/ 559228/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
10	Khatkheda 1	SIA/MH/MIN/ 564578/2026	SIA/MH/MIN/ 559230/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd

11	Kodurli	SIA/MH/MIN/ 564583/2026	SIA/MH/MIN/ 559236/2025	13.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
12	Kurza	SIA/MH/MIN/ 564587/2026	SIA/MH/MIN/ 559245/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
13	Mangli 1	SIA/MH/MIN/ 564594/2026	SIA/MH/MIN/ 559246/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
14	Pauni 1	SIA/MH/MIN/ 564598/2026	SIA/MH/MIN/ 559252/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
15	Pauni 2	SIA/MH/MIN/ 564609/2026	SIA/MH/MIN/ 559253/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
16	Kapilapuri -2	SIA/MH/MIN/ 564615/2026	SIA/MH/MIN/ 559256/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
17	Shivnala	SIA/MH/MIN/ 564626/2026	SIA/MH/MIN/ 559255/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
18	Walani 1	SIA/MH/MIN/ 564635/2026	SIA/MH/MIN/ 559281/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
19	Walani 2	SIA/MH/MIN/ 564639/2026	SIA/MH/MIN/ 559283/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
20	Yenoda	SIA/MH/MIN/ 564699/2026	SIA/MH/MIN/ 559287/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
21	Vilam	SIA/MH/MIN/ 564707/2026	SIA/MH/MIN/ 559257/2025	12.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
22	Bhojapur	SIA/MH/MIN/ 564722/2026	SIA/MH/MIN/ 559193/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd
23	Dhanori	SIA/MH/MIN/ 564732/2026	SIA/MH/MIN/ 559194/2025	16.12.2025	DMO Bhandara	M/s R Sandesh Infravision Pvt Ltd

You have submitted the following documents in support of your applications:

i. LOI issued by Transferor (i.e. DMO Bhandara)
ii. Consent letter from Transferor. (i.e. DMO Bhandara)
iii. Undertaking by Transferee (i.e. M/s R Sandesh Infravision Pvt Ltd.) regarding acceptance of the terms and conditions of the earlier EC letter.

SEIAA noted the above facts and decided to transfer the Environmental Clearance from DMO Bhandara mentioned above to the respective transferee (successful bidder) i.e. M/s R Sandesh Infravision Pvt Ltd. This letter shall be read with the respective EC letters issued earlier. All other terms and conditions mentioned in the original EC letters shall remain the same.

Jayashree Bhoj
(Member Secretary, SEIAA)

Ax. C

जाहीर सूचना

जिल्हाधिकारी कार्यालय, भंडारा
सन 2025-2026 साठी रेतीगट/वाळुगट लिलावाकरीता ई-निविदा (e-Tendering) व ई-लिलाव (e-Auction) सूचना.

(प्रथम लिलाव)

संदर्भ : 1) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 08/04/2025.

2) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 09/10/2025.

3) मा. SEIAA (पर्यावरण विभाग,महाराष्ट्र) यांचे दिनांक 7/12/2025 व 8/12/2025च्या सभेच्या इतिवृत्ताव्दारे प्राप्त पर्यावरण अनुमती.

उपरोक्त संदर्भानुसार राज्य स्तरीय पर्यावरण प्राधिकरण यांचेकडुन पर्यावरण अनुमती प्राप्त एकुण 99 रेतीघाटांना अधिन राहून भंडारा जिल्हयातील उपविभाग निहाय 03 स्वतंत्र ई-निविदा व ई-लिलाव आयोजित करण्यात येत आहे. ई-निविदा व ई-लिलाव यात सहभागी होऊ इच्छिणाऱ्या व्यक्ती / संस्था यांच्या सुलभ संदर्भासाठी http://mahatenders.gov.in व https://www.bhandara.gov.in या वेबसाईट / संकेतस्थळावर निविदा दस्तावेज, निविदेबाबतच्या आवश्यक सूचना तसेच अटी व शर्तींचा सविस्तर तपशिल उपलब्ध करुन देण्यात आलेला आहे. इच्छुक कंत्राटदार व्यक्ती / संस्था यांना सदर लिलावात सहभागी होण्यास याद्वारे आवाहन करण्यात येत आहे.

तसेच दिनांक 15.12.2025 रोजी दुपारी 01:00 वाजता इच्छुक निविदा / बोलीधारकांकरीता Online प्रशिक्षण आयोजित करण्यात येत आहे. सदर प्रशिक्षणाकरीता व शंकाचे निरसन करण्याकरीता इच्छुक निविदा / बोलीधारकांना Online प्रशिक्षणार्थ सहभाग घेण्याकरीता आवाहन करण्यात येत आहे. सदर Online प्रशिक्षणार्थ वेबलिंक http://mahatenders.gov.in व https://www.bhandara.gov.in या संकेत स्थळावर उपलब्ध करुन देण्यात येत आहे.

लिलावाचे वेळापत्रक

अ.क्र.	दिनांक	विवरण
1	11.12.2025	सकाळी 10.00 वाजता पासुन ई-निविदा ऑनलाईन पध्दतीने स्विकारणे सुरु होईल.
2	15.12.2025	इच्छूक रेतीघाट निविदा/बोलीधारकांकरिता प्रशिक्षण ऑनलाईन/वेबीनार द्वारे दुपारी 01.00 वाजता आयोजीत केलेले आहे. सदर प्रशिक्षणाची लिंक http://mahatenders.gov.in व http:// https://bhandara.gov.in या संकेतस्थळावर उपलब्ध करून देण्यात येईल.
3	25.12.2025	सायं. 05.00 वाजता ई-निविदा (ई-टेंडर) (संगणकीय) ऑनलाईन स्वीकारणे बंद होईल.
4	26.12.2025	ई-निविदा (तांत्रिक लिफाफा) उघडण्यात येईल.
	29.12.2025	ई-निविदा तांत्रिक पडताळणी नंतर आर्थिक लिफाफा उघडण्यात येईल.
5		ई-ऑक्शन (ई-लिलाव) प्रक्रिया सकाळी 11.00 वाजतापासून सायं. 04.00 वाजेपर्यत सुरु राहील. त्यानंतर लिलावाची उच्चतम बोली जाहीर करण्यात येईल.

उपविभागनिहाय उपलब्ध परिमाणानुसार वार्षिक उलाढाल खालीलप्रमाणे बंधनकारक राहील.

अ.क्र.	उप विभाग	वाळू घाटांची संख्या	वार्षिक उलाढाल (रुपये)	उत्खननाकरीता वाळूचे एकुण परिमाण (ब्रास) 100%	लिलावाकरीता वाळूचे परिमाण (ब्रास) 90%	परिमाण (ब्रास) 90% नुसार प्रतीब्रास रु. 600/- प्रमाणे हातची किंमत	भाग घेणाऱ्या व्यक्ती / संस्थेला निविदेसोबत भरावयाची इसारा रक्कम (EMD) 25% रक्कम
1	भंडारा	24	5 कोटी	478449	430604	258362400	64590600
2	साकोली	33	5 कोटी	415969	374372	224623200	56155800
3	तुमसर	42	5 कोटी	679129	611216	366729600	91682400
एकुण		99	15 कोटी	1573547	1573547	1416192	849715200

1- निविदेचा कालावधी - 1 वर्ष (30 सप्टेंबर, 2026 पर्यंत)

2- वाळू उत्खननाचा कालावधी - 9 जून, 2026 पर्यंत.

3- जाहिरातीमध्ये नमूद वाळू / रेतीगटांत अपेक्षित वाळूसाठा आहे किंवा नाही, वाहतूकीसाठी आवश्यक रस्ते उपलब्ध आहेत किंवा नाहीत, वाळू गटामधील वाळू मातीमिश्रीत आहे किंवा कसे, याची लिलावापूर्वी खात्री करुन घेण्याची जबाबदारी संबंधित लिलावधारकाची राहील. वाळू/रेतीगटाचा ताबा घेऊन लिलावधारकाने वाळूचे उत्खनन केल्यानंतर यासंबंधीची कोणतीही तक्रार विचारात घेतली जाणार नाही. तसेच वाळू गट बदलून देण्याची किंवा वाळू लिलावापोटी शासनजमा केलेल्या रकमेपैकी प्रमाणशीर रक्कम परत करण्याच्या विनंतीचा विचार केला जाणार नाही.

4- नदी/खाडी पात्रामधून वाळू निर्गतीकरीता पात्र लिलावधारक यांना त्यांनी उत्खनन केलेल्या वाळूच्या जास्तीत जास्त १० टक्के वाळू प्रधानमंत्री आवास योजनेंतर्गत तसेच आर्थिक दृष्ट्या मागास प्रवर्गातील लाभार्थ्यांच्या घरकुलांकरीता विनामूल्य उपलब्ध करुन देणे लिलावधारक यांना बंधनकारक राहील. त्याबाबत लिलावधारकास शासनामार्फत कोणतीही रक्कम अनुज्ञेय राहणार नाही याची लिलावधारकाने नोंद घ्यावी.

5-कोणतेही कारण नमुद न करता ई-निविदा प्रक्रिया रद्द करणे, वेळापत्रकात बदल करणे, निविदेतीलअटी व शर्तीमध्ये बदल करणे इत्यादी अधिकार जिल्हाधिकारी यांना राहतील.

10/4/2026

जिल्हाधिकारी भंडारा

English Translation of Ax. C

Public Notice
District Collector's Office, Bhandara

Notice for e-Tendering and e-Auction of Sand Ghats/Sand Blocks for the year 2025-2026

(First Auction)

References:

1. Sand/Gravel Disposal Policy-2025, Govt. Resolution No. Gaukhani 10 / 0125 / Pr.Kra.05 / Kha-1, dated **08/04/2025**.
2. Sand/Gravel Disposal Policy-2025, Govt. Resolution No. Gaukhani 10 / 0125 / Pr.Kra.05 / Kha-1, dated **09/10/2025**.
3. Environmental Clearance received via minutes of meetings dated **07/12/2025** and **08/12/2025** from Hon. SEIAA (Environment Dept., Maharashtra).

According to the above references, 03 independent e-tenders and e-auctions are being organized sub-division wise for a total of **99 sand ghats** in Bhandara district, which have received environmental clearance from the State Level Environmental Authority. For the convenience of individuals/organizations wishing to participate, tender documents, necessary instructions regarding tenders, and detailed terms and conditions are available on the websites **http://mahatenders.gov.in** and **https://www.bhandara.gov.in**. Interested contractors/individuals/organizations are hereby invited to participate in the said auction.

Furthermore, an **Online Training** session is being organized for interested bidders on **15.12.2025 at 01:00 PM**. To participate in this training and for clarification of doubts, bidders are invited to join. The web link for this online training

will be made available on the websites http://mahatenders.gov.in and https://www.bhandara.gov.in.

Auction Schedule

Sr. No.	Date	Description
1	**11.12.2025**	Online acceptance of e-tenders will commence from **10:00 AM**.
2	**15.12.2025**	Online training/webinar for interested sand ghat bidders at **01:00 PM**. Link available on official websites.
3	**25.12.2025**	Online acceptance of e-tenders will close at **05:00 PM**.
4	**26.12.2025**	Opening of e-tender (**Technical Envelope**). Following technical verification, the **Financial Envelope** will be opened.
5	**29.12.2025**	**e-Auction process** will run from **11:00 AM to 04:00 PM**. Thereafter, the highest bid of the auction will be announced.

Sub-division Wise Annual Turnover and Quantities

The following table outlines the mandatory annual turnover and quantity targets for the auction:

Sr. No.	Sub-division	Number of Sand Ghats	Annual Turnover (Rupees)	Total Sand Quantity (Brass) 100%	Quantity for Auction (Brass) 90%	Offset Price at Rs. 600/- per Brass (90% Qty)	Earnest Money Deposit (EMD) 25% Amount
1	**Bhandara**	24	5 Crores	478,449	430,604	258,362,400	64,590,600
2	**Sakoli**	33	5 Crores	415,969	374,372	224,623,200	56,155,800
3	**Tumsar**	42	5 Crores	679,129	611,216	366,729,600	91,682,400
Total		**99**	**15 Crores**	**1,573,547**	**1,416,192**	**849,715,200**	**212,428,800**

Key Terms and Conditions

1. **Tender Period:** Valid for **1 year** (until **September 30, 2026**).

2. **Excavation Period:** Sand excavation is permitted until **June 9, 2026**.
3. **Due Diligence:** The bidder is responsible for verifying the availability of sand/gravel stocks, access roads for transportation, and the quality of sand (e.g., whether mixed with soil) prior to the auction. No complaints or requests for site changes or refunds of the proportional amount paid to the government will be entertained after the bidder takes possession of the ghat.
4. **Social Obligation:** Successful bidders are mandated to provide up to **10%** of the excavated sand free of cost for beneficiaries of the **Pradhan Mantri Awas Yojana** and other housing schemes for economically weaker sections. No reimbursement from the government will be provided for this.
5. **Administrative Rights:** The District Collector reserves the right to cancel the e-tender process, change the schedule, or modify the terms and conditions without providing any reason.

Project Name:	Transfer of Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara to M/s R Sandesh Infravision Pvt Ltd.	**Single Window Number:**	SW/271448/2026
		Proposal Number:	SIA/MH/MIN/564494/2026
State:	MAHARASHTRA	**Current Status:**	EC Granted
Submission Date:	08/01/2026		

CAF | Form 7

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project	Transfer of Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara to M/s R Sandesh Infravision Pvt Ltd.
1.2. Project Proposal For	New
1.3. Project ID (Single Window Number)	SW/271448/2026
1.4. Description of Project	This is a river bed mining project

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency	Individual
2.2. Name of the Company/ Organization/User agency	ruchir kumar agrawal

Registered address

2.3. Address	House No. 613 & 614, Shiv Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur, Maharashtra, Pin code 440018
2.4. Village /Town / City	Kothurna
2.5. State	MAHARASHTRA
2.6. District	BHANDARA
2.7. Pin Code	440018
2.8. E-mail address	tenders@rsandeshgroup.com
2.9. Mobile number	xxxxxx5252

3. Details of the person making application

3.1. Name	ruchir kumar agrawal
3.2. Designation	Head Projects & Operations

Correspondence address

3.3. Address	Ruchir Kumar Agrawal, C/o: Suresh Kumar Agrawal, Flat No. 401, Sai Ankur Apartment, Near Dr. Arneja Hospital, Ramdashpeth, Shankar Nagar, Nagpur, Maharashtra
3.4. State	MAHARASHTRA
3.5. District	NAGPUR
3.6. Pin Code	440010
3.7. E-mail address	tenders@rsandeshgroup.com
3.8. Landline Number	3525252
3.9. Mobile number	xxxxxx5252

Project Location

4. Location of the Project or Activity

4.1. Upload KML	mine site kothurna.kml
4.2. Whether the project/activity falling in the state/UT sharing international borders	NO
5. Shape of the Project	Non - Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
F44N12	MAHARASHTRA	Bhandara	[illegible]	Kothurna	573,571/1, 571/2, 569, 570

Remarks
N/A

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6. Land Requirement (in Ha) of the project or activity

6.1. Nature of Land involved	
6.2. Non-Forest Land [A]	1.62
6.3. Forest Land [B]	0
6.4. Total Land [A+B]	1.62

Project Activity Cost

7. Project/Activity Cost

7.1. Total Cost of the Project at current price level (in Lakhs)	34.34 Amount in Words : **Thirty Four Point Thirty Four Lakh(s) Only**

8. Employment likely to be generated

8.1. During construction phase

Permanent employment

Temporary employment

8.2. During operational phase

Permanent employment

8.2.1. No. of permanent employment (No.s) [A]	43
8.2.2. Period of employment (No. of days) [B]	240
8.2.3. No. of man-days [X]=[A]*[B]	10320

Temporary employment

8.2.4. Total [X] +[Y]	10320

Others

9. Whether Rehabilitation and Resettlement (R&R) involved?	NO
10. Whether project area involves shifting of watercourse/road/rail/Transmission line/water pipeline, etc. required?	NO
11. Whether any alternative site(s) examined or part thereof for the non-site-specific component?	Not applicable as the project or activity is site specific
12. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site?	NO
13. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up?	NO
14. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government?	NO

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Project Name:	Transfer of Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara to M/s R Sandesh Infravision Pvt Ltd.	**Single Window Number:**	SW/271448/2026
		Proposal Number:	SIA/MH/MIN/564494/2026
State:	MAHARASHTRA	**Current Status:**	EC Granted
Submission Date:	08/01/2026		

CAF | Form 7

Application for Transfer of EC- Form-7

Basic Details

1. Details of Project

1.1. Proposal No.	SIA/MH/MIN/559268/2025
1.2. Name of the Project	Transfer of Environment Clearance for Kothurna Sand Ghat over an extent of 1.62 ha. at Wainganga River Bed Adjoining Gut No.. 573,571/1, 571/2, 569, 570 Village Kothurna, Tehsil Bhandara, District Bhandara to M/s R Sandesh Infravision Pvt Ltd.

2. Details of the Company/Organization/User Agency

2.1. Application filled by	Transferee
2.2. Whether the change of ownership is involved?	Yes
2.3. Transferor (Holder of earlier EC)	
2.3.1. Name of the Company / Organization/User agency	sachin rambhau wadhave
2.4. Registered address	
2.4.1. Door/ House No, Street Number and Name	District Mining Office, Office of the District Collector, Bhandara
2.4.2. Village /Town / City	Kothurna
2.4.3. State	MAHARASHTRA
2.4.4. District	BHANDARA
2.4.5. Pin Code	441904
2.4.6. Landmarks	N/A
2.4.7. E-mail address	dmobhandara01@gmail.com
2.4.8. Landline Number	N/A
2.4.9. Mobile number	9975334324
2.5. Legal Status of the Company / Organisation / User Agency	Individual

3. Transferee (To whom the transfer of EC is being sought)

3.1. Name of the Company / Organization/User agency	M/s R Sandesh Infravision Pvt Ltd

Note: If the User Agency/ Individual name does not exist then kindly register

3.2. Registered Address

3.2.1. Door/ House No, Street Number and Name	House No. 613 & 614, Shiv Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur, Maharashtra, Pin code 440018
3.2.2. Village /Town / City	Nagpur
3.2.3. State	MAHARASHTRA
3.2.4. District	NAGPUR
3.2.5. Pin Code	440018
3.2.6. Landmarks	N/A
3.2.7. e-mail address	tenders@rsandeshgroup.com
3.2.8. Landline Number	3525252
3.2.9. Mobile number	9373525252
3.3. Legal Status of the Company / Organisation / User Agency	Private Limited

4. Details of the person making application

4.1. Name of the applicant	M/s R Sandesh Infravision Pvt Ltd
4.2. Designation	Head Projects & Operations
4.3. Correspondence Address	
4.3.1. Door/ House No, Street Number and Name	Ruchir Kumar Agrawal, C/o: Suresh Kumar Agrawal, Flat No. 401, Sai Ankur Apartment, Near Dr. Arneja Hospital, Ramdaspeth, Shankar Nagar, Nagpur, Maharashtra

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4.3.1. Door/ House No, Street Number and Name	Arneja Hospital, Ramdashpeth, Shankar Nagar, Nagpur, Maharashtra
4.3.2. Village /Town / City	Nagpur
4.3.3. State	MAHARASHTRA
4.3.4. District	NAGPUR
4.3.5. Pin Code	440010
4.3.6. Landmarks	N/A
4.3.7. e-mail address	tenders@rsandeshgroup.com
4.3.8. Landline Number	3525252
4.3.9. Mobile number	9373525252

5. Location of the Project or Activity

5.1. Upload KML	mine site kothurna.kml

Toposheet No.	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
F44N12	MAHARASHTRA	Bhandara	Bhandara	Kothurna	573,571/1, 571/2, 569, 570

5.2. Remarks	N/A

Project Details

5. Category of the Project/Activity

5.1. Whether multiple items (Components) as per the notification involved in the proposal?	No	
5.1.1. Item No. as per schedule to EIA Notification, 2006	1(a) Mining of minerals	Non-Coal Mining (Minor Minerals- river bed mining)
5.1.2. Capacity	1.62	Ha
6. Category of the project as per EIA Notification, 2006	B2	

7. Details of Prior environmental clearance

7.1. MoEF&CC / SEIAA File No.	SIA/MH/MIN/559268/2025
7.2. Date of issue of Prior environmental clearance	12-12-2025
7.3. Copy of EC letter	kothurna ec letter.pdf
7.4. Whether any amendment/corrigendum/transfer to the earlier EC has been obtained?	No
7. Brief note on the chronology of the clearances and subsequent 5. amendments/corrigendum/transfers, if any.	na.pdf

Activity Details

7. Status of Implementation of Project or Activity

7.1. Status of Implementation of Project or Activity?	No further action after EC
7.1.1. Reasons thereof	NA

Enclousers

8. Documents to be attached

8.1. No Objection from the transferor	dmo letter for ec transfer.pdf
8.2. Undertaking by transferee stating regarding acceptance of the terms and conditions under which the Prior Environment Clearance was granted.	kothurna sand ghat_bhandra ec terms 1.pdf
8.3. Copy of Transfer of the firm from competent authority was granted.	kothurna sand ghat_bhandra ec comply terms.pdf

9. Additional Information

S. No.	Document Name	Remark	Document
1	Mining Plan Approval Letter	Mining Plan Approval Letter	mining plan approval letter bhandara (112 sand ghats).pdf
2	LOI	LOI	loi- bhandara division.pdf
3	EC Letter	EC Letter	kothurna ec letter.pdf

10. Undertaking

10.1. ☑ I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and clearance given if any to the project will be revoked at our risk and cost. In addition to the above, I hearby give undertaking that no activity/construction/expansion has been taken up

10.2. Name of the person making application	ruchir kumar agrawal
10.3. Designation	Head Projects & Operations
10.4. Company	ruchir kumar agrawal
10.5. Address	House No. 613 & 614, Shiv Narayan Bhavan, [illegible] Marg, Santra Market, Nagpur, Maharashtra, Pin code 440018
10.6. Date	06/01/2026

Ax. E

No. MLV/Misc./432/Part/2025/3909
Directorate of Geology and Mining,
Government of Maharashtra,
"Khanij Bhavan", 27, Shivaji Nagar,
Cement Road, Nagpur-440010
Dated :- 27 NOV 2025

To,

District Mining Officer/Successful Bidder,
Collector Office, Bhandara.

Sub.:- Approval of Mining Plan of Sand Ghat of Dist. Bhandara in the State of Maharashtra.

Ref.:- 1) Revenue & Forest Department, Govt. of Maharashtra, G.R. Dated 08/04/2025.
2) Revenue & Forest Department, Govt. of Maharashtra, G.R. Dated 09/10/2025.
3) District Mining Officer, Bhandara consent letter dated 17/11/2025.
4) RQP letter dated 25/11/2025.

Sir,

In exercise of the power conferred by Government of Maharashtra vide industries, Energy and Labour department, Mumbai, Notification No. MNG/1004/P.K. 610/Ind-9 dated 16/6/2004 under rule 22(BB) of Mineral Concession Rules 1960, Mineral (Excluding Atomic and Hydrocarbon Energy) Concession Revised Rule, 2021 and vide Directorate of Geology and Mining, Government of Maharashtra, Nagpur Notification No. Mining/480/2024/3292, Dated 04/10/2024.

I hereby approve the said mining plan subject to following conditions:

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
1	District Mining Officer,Bhandara	Wadegaon (Rithi)	Wainganga	Bhandara	1 Part	4.60
2	District Mining Officer,Bhandara	Mandavi	Wainganga	Bhandara	558, 559, 560, 561, 562	3.50
3	District Mining Officer,Bhandara	Kothurna	Wainganga	Bhandara	573, 571/1, 571/2, 569, 570	1.62
4	District Mining Officer,Bhandara	Juni Takli	Wainganga	Bhandara	319/1, 319/2	4.00
5	District Mining Officer,Bhandara	Bhojapur	Wainganga	Pauni	222, 226, 227, 230, 231, 232, 245	4.90
6	District Mining Officer,Bhandara	Khatkheda 1	Wainganga	Pauni	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	4.90
7	District Mining Officer,Bhandara	Vilam	Wainganga	Pauni	268, 275, 269, 270, 271, 272, 273	4.90
8	District Mining Officer,Bhandara	Mangli 1	Wainganga	Pauni	593, 558/1, 558/2	4.90
9	District Mining Officer,Bhandara	Junona 2	Wainganga	Pauni	419, 415, 413, 412	3.00
10	District Mining Officer,Bhandara	Yenoda	Wainganga	Pauni	38, 41	4.57
11	District Mining Officer,Bhandara	Junona	Wainganga	Pauni	62, 61, 59	4.50
12	District Mining Officer,Bhandara	Gudegaon	Wainganga	Pauni	150, 176, 177, 178, 179, 180, 189, 190	4.90
13	District Mining Officer,Bhandara	Pauni	Wainganga	Pauni	23, 15/3A, 15/3B	4.06

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
14	District Mining Officer,Bhandara	Pauni 2	Wainganga	Pauni	86, 85, 82/2/1	3.98
15	District Mining Officer,Bhandara	Shivnala	Wainganga	Pauni	609, 608, 607, 606	4.50
16	District Mining Officer,Bhandara	Walni 1	Wainganga	Pauni	4, 5, 889, 888, 887, 886, 885	4.50
17	District Mining Officer,Bhandara	Walni 2	Wainganga	Pauni	815, 816, 814	4.50
18	District Mining Officer,Bhandara	Itgaon	Wainganga	Pauni	13, 14, 19, 20, 23, 691, 27	4.55
19	District Mining Officer,Bhandara	Kurza	Wainganga	Pauni	740, 745, 757, 770, 774	3.15
20	District Mining Officer,Bhandara	Ruyad	Wainganga	Pauni	65, 66, 119, 122	4.50
21	District Mining Officer,Bhandara	Khaksi	Wainganga	Pauni	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177	4.80
22	District Mining Officer,Bhandara	Dhanori	Wainganga	Pauni	181/1, 180/2, 181, 579, 182,183	4.50
23	District Mining Officer,Bhandara	Visapur	Wainganga	Pauni	33/1, 33/2, 33/3, 32, 69, 70	4.50
24	District Mining Officer,Bhandara	Kodurli	Wainganga	Pauni	344, 345	2.00
25	District Mining Officer,Bhandara	Wattetkar	Chulbandh	Sakoli	10	2.40
26	District Mining Officer,Bhandara	Salebardi	Chulbandh	Sakoli	122, 123,124,125	1.50
27	District Mining Officer,Bhandara	Sasra	Chulbandh	Sakoli	553, 556	2.75
28	District Mining Officer,Bhandara	Khandala	Chulbandh	Sakoli	58, 59, 54, 41	2.00
29	District Mining Officer,Bhandara	Parsodi (Madeghat)	Chulbandh	Sakoli	540, 581, 541, 657, 655, 656, 654, 653	2.50
30	District Mining Officer,Bhandara	Parsodi (Amrai)	Chulbandh	Sakoli	530, 531, 525, 533, 534, 536, 537, 539, 538, 532, 529	2.00
31	District Mining Officer,Bhandara	Parsodi (Powartoli)	Chulbandh	Sakoli	865, 867, 863, 864, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 824, 829, 830, 831, 832, 833, 847, 845	3.00
32	District Mining Officer,Bhandara	Mahalgaon	Chulbandh	Sakoli	319, 317, 316, 228/1, 212, 225	1.10
33	District Mining Officer,Bhandara	Jambhali	Chulbandh	Sakoli	285, 286, 287, 288, 289, 290, 293, 294, 295, 296	1.35
34	District Mining Officer,Bhandara	Nyaharwani	Chulbandh	Sakoli	84/1, 84/2	2.00
35	District Mining Officer,Bhandara	Palasgaon	Chulbandh	Lakhani	6, 17/1/1, 17/2,17/3,19/2,19/3 ,19/4,19/5,19/6,19/ 7, 19/8, 19/9	2.50

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
36	District Mining Officer,Bhandara	Marhegaon	Chulbandh	Lakhani	410, 408, 407, 406, 405, 404, 403, 718, 402, 400, 411, 466	1.50
37	District Mining Officer,Bhandara	Wakal	Chulbandh	Lakhani	155, 158, 391, 163, 164, 165, 173, 174, 175, 176, 177, 178, 181, 182	2.48
38	District Mining Officer,Bhandara	Vihirgaon	Chulbandh	Lakhani	329, 328, 327, 326, 318, 316, 315, 314, 313, 309, 307, 306	2.60
39	District Mining Officer,Bhandara	Narwha 1	Chulbandh	Lakhani	137, 139, 140, 141, 173, 178, 179, 180, 133	3.00
40	District Mining Officer,Bhandara	Narwa 2	Chulbandh	Lakhani	208, 211, 212, 213, 214	3.00
41	District Mining Officer,Bhandara	Pathari	Chulbandh	Lakhani	470, 471./1	2.38
42	District Mining Officer,Bhandara	Khairna	Wainganga	Lakhandur	476, 478, 489, 487	4.50
43	District Mining Officer,Bhandara	Kholmara	Chulbandh	Lakhandur	125, 124, 117, 116, 113, 163	3.60
44	District Mining Officer,Bhandara	Lakhandur	Chulbandh	Lakhandur	132, 143	1.50
45	District Mining Officer,Bhandara	Asola	Chulbandh	Lakhandur	13, 12, 26, 3, 27, 872, 34	2.09
46	District Mining Officer,Bhandara	Bhagadi 1	Chulbandh	Lakhandur	57, 62	1.30
47	District Mining Officer,Bhandara	Antargaon Kha.	Chulbandh	Lakhandur	344/2, 345/3	1.25
48	District Mining Officer,Bhandara	Donad	Wainganga	Lakhandur	714, 716	3.01
49	District Mining Officer,Bhandara	Moharna 2	Wainganga	Lakhandur	848, 836	4.80
50	District Mining Officer,Bhandara	Irali Dambi	Wainganga	Lakhandur	654, 664, 447, 446	4.80
51	District Mining Officer,Bhandara	Nanded 1	Wainganga	Lakhandur	206, 210, 211	4.80
52	District Mining Officer,Bhandara	Moharna 1	Wainganga	Lakhandur	835/1, 835/2, 836	4.50
53	District Mining Officer,Bhandara	Gavrala1	Wainganga	Lakhandur	65/1, 65/2, 50	4.80
54	District Mining Officer,Bhandara	Gavrala 2	Wainganga	Lakhandur	65/1, 65/2	4.80
55	District Mining Officer,Bhandara	Gavrala 3	Wainganga	Lakhandur	65, 50, 739	4.80
56	District Mining Officer,Bhandara	Vihirgaon	Wainganga	Lakhandur	248, 249, 252	1.60
57	District Mining Officer,Bhandara	Tembhari	Wainganga	Lakhandur	13, 15, 14,1/1	4.50
58	District Mining Officer,Bhandara	Itan	Wainganga	Lakhandur	18, 19	4.30
59	District Mining Officer,Bhandara	Dandegaon	Chulbandh	Lakhandur	253, 254, 255, 256, 257, 259	1.11

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
60	District Mining Officer,Bhandara	Dhamapuri	Chulbandh	Lakhandur	1, 2, 12, 14	2.00
61	District Mining Officer,Bhandara	Kocchi	Chulbandh	Lakhandur	8, 9, 10, 12, 13, 17	3.50
62	District Mining Officer,Bhandara	Dighori Mothi	Chulbandh	Lakhandur	245, 235, 262, 225, 248	2.50
63	District Mining Officer,Bhandara	Barvha	Chulbandh	Lakhandur	373, 371, 370, 369	2.00
64	District Mining Officer,Bhandara	Bhagdi 2	Chulbandh	Lakhandur	20, 21, 22, 23	1.75
65	District Mining Officer,Bhandara	Soni	Chulbandh	Lakhandur	742, 740, 737, 718, 719/1, 739	1.00
66	District Mining Officer,Bhandara	Dhiwarwada I	Wainganga	Mohadi	430 A, 431,432,433,434, 435	4.80
67	District Mining Officer,Bhandara	Mundhri Khu	Wainganga	Mohadi	440, 439, 438, 437, 436, 431, 404, 403, 402	4.20
68	District Mining Officer,Bhandara	Mundhri Bu	Wainganga	Mohadi	1, 468	4.70
69	District Mining Officer,Bhandara	Kanhalgaon	Wainganga	Mohadi	6, 381, 375, 376, 374	4.20
70	District Mining Officer,Bhandara	Devhada Kh.	Wainganga	Mohadi	31, 32, 25, 24, 310	1.41
71	District Mining Officer,Bhandara	Nilaj Khu	Wainganga	Mohadi	220, 221	3.91
72	District Mining Officer,Bhandara	Takli	Sur	Mohadi	154,155,158,159,160,203, 205	2.25
73	District Mining Officer,Bhandara	Pachgaon-1	Sur	Mohadi	258,259,260,261,265,264, 266	1.20
74	District Mining Officer,Bhandara	Bothali	Sur	Mohadi	181, 182, 183, 201	2.50
75	District Mining Officer,Bhandara	Mohgaon Devi	Sur	Mohadi	319, 320, 321	1.11
76	District Mining Officer,Bhandara	Betala South	Wainganga	Mohadi	952, 1035,1036, 1037, 1040	4.80
77	District Mining Officer,Bhandara	Betala North	Wainganga	Mohadi	949, 887	4.80
78	District Mining Officer,Bhandara	Nilaj Bu I	Wainganga	Mohadi	417, 416, 415, 414, 413, 410, 409, 408	4.90
79	District Mining Officer,Bhandara	Nilaj Bu 2	Wainganga	Mohadi	42, 429, 428	4.80
80	District Mining Officer,Bhandara	Betala (Ghatkuroda)	Wainganga	Mohadi	160, 161, 171	4.80
81	District Mining Officer,Bhandara	Khumari Bu	Sur	Mohadi	40,41,47,48	1.20
82	District Mining Officer,Bhandara	Chikhali 1	Bawanthadi	Tumsar	515, 514, 513	1.05
83	District Mining Officer,Bhandara	Chikhali 2	Bawanthadi	Tumsar	489	1.20

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
84	District Mining Officer,Bhandara	Dongri Buzurg 1	Bawanthadi	Tumsar	220, 221, 858, 957, 490, 171, 178, 170, 865, 177, 166, 164, 167, 168, 169, 180	1.93
85	District Mining Officer,Bhandara	Dongri Buzurg 2	Bawanthadi	Tumsar	263, 264, 265, 356, 352, 353, 354, 355	1.62
86	District Mining Officer,Bhandara	Lobhi 1	Bawanthadi	Tumsar	258, 259, 260, 261 262	2.70
87	District Mining Officer,Bhandara	Lobhi 2	Bawanthadi	Tumsar	221, 225/1, 225/2, 226, 227, 236, 237	1.46
88	District Mining Officer,Bhandara	Lobhi 3	Bawanthadi	Tumsar	60, 61/1, 61/2, 62, 63/1, 63/2, 63/3	1.30
89	District Mining Officer,Bhandara	Chandmara 1	Bawanthadi	Tumsar	97, 96, 101, 92, 90	3.94
90	District Mining Officer,Bhandara	Chandmara 2	Bawanthadi	Tumsar	228, 216, 229, 230, 231	1.85
91	District Mining Officer,Bhandara	Aashti Aanjan Vihri 1	Bawanthadi	Tumsar	1190, 1183, 2821, 2818	4.50
92	District Mining Officer,Bhandara	Aashti Aanjan Vihri 2	Bawanthadi	Tumsar	1275, 1270, 1271, 1265	3.80
93	District Mining Officer,Bhandara	Dhutera 1	Bawanthadi	Tumsar	63, 65, 62, 66	3.36
94	District Mining Officer,Bhandara	Dhutera 2	Bawanthadi	Tumsar	118, 128, 117, 116, 130	3.33
95	District Mining Officer,Bhandara	Dhutera 3	Bawanthadi	Tumsar	140, 141, 142, 143, 144, 145, 146, 147	2.13
96	District Mining Officer,Bhandara	Kavlewada 1	Bawanthadi	Tumsar	152, 149, 148, 144	2.78
97	District Mining Officer,Bhandara	Kavlewada 2	Bawanthadi	Tumsar	253, 254, 255, 256	2.15
98	District Mining Officer,Bhandara	Kavlewada 3	Bawanthadi	Tumsar	237, 238, 239, 240, 241	2.67
99	District Mining Officer,Bhandara	Sondya 1	Bawanthadi	Tumsar	235	4.00
100	District Mining Officer,Bhandara	Sondya 2	Bawanthadi	Tumsar	171, 172, 173	4.60
101	District Mining Officer,Bhandara	Sondya 3	Bawanthadi	Tumsar	48, 47, 46, 45	2.97
102	District Mining Officer,Bhandara	Mandvi 1	Wainganga	Tumsar	14	4.00
103	District Mining Officer,Bhandara	Mandvi 2	Wainganga	Tumsar	29	3.66
104	District Mining Officer,Bhandara	Sukli de	Wainganga	Tumsar	451, 450, 446	2.00
105	District Mining Officer,Bhandara	Warpindkepar	Bawanthadi	Tumsar	339, 340, 412, 413, 414	3.50
106	District Mining Officer,Bhandara	Chargaon	Wainganga	Tumsar	10, 11, 16, 17	4.03
107	District Mining Officer,Bhandara	Umarwada	Wainganga	Tumsar	390, 393, 395, 397	4.50
108	District Mining Officer,Bhandara	Panjra Re	Wainganga	Tumsar	132/1, 132/2	4.00

Sr. No.	Name of Project Proponent	Name of Sand Ghat	Name of River	Taluka	Nearest Gut No.	Area in Ha.
109	District Mining Officer,Bhandara	Tamaswadi	Wainganga	Tumsar	245, 246, 260, 261, 267, 269, 270, 271	4.00
110	District Mining Officer,Bhandara	Koshti	Wainganga	Tumsar	291, 294, 295, 330, 327, 325	3.00
111	District Mining Officer,Bhandara	Bori	Wainganga	Tumsar	160, 161, 176, 177	4.50
112	District Mining Officer,Bhandara	Bamhani	Wainganga	Tumsa	371, 372, 373/1, 373/2	3.50

Conditions :-

1. The mining plan along with PMCP is approved without prejudice to any other laws that applicable to mine/area of sand ghat from time to time whether made by Central or State government or any other authority.
2. That this approval of mining plan along with PMCP does not in any way imply the approval of the Government in terms of any other provisions of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules-2013 including environment protection Act.-1986 and the Rules made there under.
3. Relevant clearances should be obtained by the proponent as per Environment protection Act.-1986 and EIA notification dated 21/01/1994 and 04/09/2006.
4. It is further clarified that the approval of the mining plan along with PMCP is subject to the provisions of forest (conservation) Act-1980, Forest conservation rules, 2003 and other relevant status, order and guidelines of Supreme Court, High Court and NGT as may be applicable to the lease area from time to time.
5. The execution of mining plan along with PMCP shall be subject to vacation of prohibitory order/notices, if any by the any State authority, Court, NGT etc.
6. This department does not undertake any responsibility regarding correctness of the boundaries of the lease area shown on the ground with reference to lease map and other plans furnished by the lessee.
7. That if anything found to be concealed, in the contents of mining Plan and the proposal for rectification has not been made, the approval shall be deemed to have been withdrawn with immediate effect.
8. That mining plan along with PMCP is approved without prejudice to any other order or directions for any court of competent jurisdiction.
9. The financial assurance should be submitted to District Collectorate before the execution of the said mining lease/sand ghat as per rule 30 of Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.
10. This approval of proposed mining operations and associated activities is restricted to the proposed mining lease area/sand ghat only.
11. The DMO is directed to verify the sand mining activity must be carried out as per approved mining plan.
12. This approval of mining plan is for manual method of mining using spade/pawda and labours only.
13. The mining plan is approved with regards to the mining of sand mineral for the purpose allotted by competent authority as per Sand Mining Policy dated 08/04/2025, 09/10/2025 & Sustainable Sand Management Guidelines, 2020.
14. The production of sand mineral will be restricted to the approved quantity of mining plan and not permitted to excavate annual production of the Sand beyond prescribed limit by Mining Plan and Environment Clearance by MoEF&CC.
15. Approval of mining plan is subject to rules framed by State Government with respect to sand and same shall be abided to the lease holder / allottee of Sand Ghat.
16. The approval is without prejudice to any other order by the competent authority or direction from any court under jurisdiction.

17. The approval is given for the received proposal as applicable from this date onward and valid upto 30/09/2026 or till excavation of sand permitted in the approved mining plan whichever is earlier.
18. At any stage, if it is observed that the information furnished in the documents are incorrect or misrepresented the facts, the approval of the mining plan shall be revoked with immediate effect.
19. The approval of mining plan is subject to compliance and to fulfill the requirements as mentioned in MoEF&CC notification S.O.141(E) dated 15th January,2016, MoEF&CC Sustainable Sand Management Guidelines, 2020 and Sand Mining Policy 08/04/2025 & 09/10/2025.
20. The approval of the above sand mining plan is subject to compliance and to fulfill the requirement as mentioned in Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013 & MoEF&CC's Sustainable Sand Management Guidelines. 2020.

Encl:- Approved Mining Plan (112 Copies)

Director,
Directorate of Geology and Mining,
Government of Maharashtra, Nagpur.

Copy to:-
1) Deputy Director, Directorate of Geology & Mining, Regional Office, Nagpur.
2) Shri. Ashutosh Meshram, TQP, Open Arch Design & Enviro Solution LLP, Office No. 1104 & 1105, Real Tech Park, Sector 30 A, Near Vashi Railway Station, Vashi, Navi Mumbai-400705.

Sd/-
Director,
Directorate of Geology and Mining,
Government of Maharashtra, Nagpur.

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Ax. F

दै. भंडारा पत्रिका नियमित वाचा!

महाराष्ट्र जीवन प्राधिकरण विभाग, गोंदिया

ई निविदा सूचना क्र. १४ सन २०२५-२०२६ (प्रथम मागणी)

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DGIPR/2025.26/3325

सार्वजनिक बांधकाम (विद्युत) विभाग, नागपूर

ई-निविदा सूचना क्रमांक ८४ सन २०२५-२६

कार्यकारी अभियंता, सार्वजनिक बांधकाम (विद्युत) विभाग, बांधकाम भवन, सिव्हील लाईन्स, नागपूर (दूरध्वनी क्र. २५१२-२५६२४६) महाराष्ट्र शासनाच्या सार्वजनिक बांधकाम विभागाकडे शेवट तसा कार्यालय योजनेतून कार्यान्वयन करावयाच्या निविदा (ई निविदा प्रणालीद्वारे) (ऑनलाईन) संगणक प्रणाली विकसित करण्यात आलेली आहे. (क १ ते १५) संगणकीय प्रणालीद्वारे www.mahapwd.gov.in "Pay PWD Online" पोर्टल कार्यान्वित करण्यात आली असून निविदा प्रक्रियेसाठी आवश्यक असणारी सर्व माहिती http://mahatenders.gov.in या कार्यकारी अभियंता, सार्वजनिक बांधकाम (विद्युत) विभाग, नागपूर संकेतस्थळावर उपलब्ध करण्यात आली आहे. निविदा प्रक्रियेसाठी आवश्यक असणारी सर्व माहिती

Sr. No.	Name of Work	Tender Amount (In figure)	Tender Amount (In words)	EMD Amount
1	Estimate No. 1068/NGP/2025-26 Prov. Annual Maintenance contract to Air Conditioner units in Rashtrapati at Nagpur	[illegible]	Four lac seventy one thousand twenty	8000/-
2	Estimate No 1120/NGP/2025-26 Prov. Renovation to El to Screening section at High Court Main Building Nagpur	639619/-	Six lac twenty eight thousand six hundred ninety	6300/-
3	Estimate No. 1012/NGP/2025-26 - Providing Annual Maintenance Contract for 4 500 KVA D.G. Set With AMF Panel at District Court Building, Nagpur	764364	Seven lac sixty four thousand three hundred fifty four	8000/-
4	Estimate No 895/GND/2025-26 - Providing Electrical Installation and CCTV, Audio& Video, Audio Conference System to Videolink Witness Center at Civil Court Palus Tah. Palus Dist Bhandara	688665/-	Six lac eighty eight thousand six hundred seventy eight	6900/-
5	Estimate No 1130/NGP/2025-26 Prov. Renovation to E I to Gynecology OT at 200 Bedad Building at IGGMC, Nagpur	673981/-	Six lac thirteen thousand eighty three	6000/-
6	Estimate No 1134/GND/2025-26 - Providing El to Newly Constructed Veterinary Dispensary Building at Gothangaon Taluka Arjuni Morgaon Dist Gondia	423371	Four lac twenty three thousand three hundred seventy one	4300/-
7	Estimate No 573/NGP/2025-26 -Prov. Area lighting & shifting of LT panel from corridor to panel room at newly constructed workshop building at Govt. Engineering college Nagpur	375974/-	Three lac seventy five thousand two hundred seventy four	3800/-
8	Estimate No 1136/NGP/2025-26 - Providing Maintenance & Replacement of faulty Panel Lights, Tube Lights, Street Lights fittings & Switchgears in the premises of Suvoj Building for Winter Assembly 2025 at Nagpur	408121/-	Four lac eight thousand one hundred twenty one	4100/-
9	Estimate No. 1135/NGP/2025-26 - Providing Maintenance & Replacement of faulty Switches & MCB switchgears for CM office & Barracks at Hyderbad House for Winter Assembly at Nagpur	408192/-	Four lac eight thousand one hundred ninety two	4100/-
10	Estimate No 1145/NGP/2025-26 - Providing Repairs to E I to 8 Nos. Quarters in Building No 1 (G 3) at Ravinagar, Nagpur	419071/-	Four lac nineteen thousand seventy one	4200/-
11	Estimate No.901/NGP/2025-26 -Providing Replacement of Ceiling Exhaust & Wall Fans By BLDC Fans in Vidhan Bhavan Building at Nagpur	204567/-	Twenty lac forty five thousand seven hundred seventy eight	2050/-
12	Estimate No 1118/NGP/2025-26 - Providing Renovation to E I to Cottage No. 18 at Ravibhavan Premises at Civil Lines, Nagpur	1466708/-	Fourteen lac sixty six thousand seven hundred eight	14700/-
13	Estimate No 1119/NGP/2025-26 - Proveing Renovation to E I to Cottage No. 29 at Devgiri Premises at Civil Lines, Nagpur	1395858/-	Thirteen lac eighty five thousand eight hundred fifty eight	13900/-
14	Estimate No.1131/NGP/2025-26 - Providing Renovation to El to Anti Corruption Bureau Office, 4th Floor at Administrative Building No. 1, Civil Lines, Nagpur	864108/-	Eight lac sixty four thousand one hundred eight	8700/-
15	Estimate No.863/NGP/2025-26 -Providing ducting and rearrangement and replacement of wires and cables at High Court First Floor From Court A to D B to and Ground Floor Main Building High Court, Civil Lines, Nagpur	4257865/-	Forty two lac fifty seven thousand eight hundred sixty six	42600/-
16	Estimate No.1150/NGP/2025-26 -Providing Lift to Devgiri Bungalow Civil lines, Nagpur	1352873/-	Thirteen lac fifty two thousand eight hundred seventy three	13600/-

1) निविदा उपलब्ध कालावधी अ.क्र.-१ ते १० दिनांक १७.१०.२०२५ ते २४.१०.२०२५ निविदा सादर करण्याचा दि २७.१०.२०२५
2) निविदा उपलब्ध कालावधी अ.क्र.-११ ते १५दिनांक १७.१० २०२५ ते २४.१०.२०२५ निविदा उघडण्याचा दि २७.१०.२०२५
खालील संकेतस्थळावर ई-निविदाची सर्व माहीती उपलब्ध आहे.
१. www.mahatenders.gov.in (NIC portal) व www.mahapwd.gov.in "Pay PWD Online" (सदर निविदेतील काही बदल होत असल्यास वरील वेबसाईटवर प्रसिध्दीस येईल.)
२ कार्यकारी अभियंता, सार्वजनिक बांधकाम (विद्युत) विभाग, नागपूर कार्यालयातील सुचना फलक

कार्यकारी अभियंता,
सार्वजनिक बांधकाम (विद्युत),
विभाग, नागपूर

नगरपरिषद साकोली-लेंदुरवाफा सार्वत्रिक निवडणूक - २०२५
निविदा सूचना

नगरपरिषदेच्या सार्वत्रिक निवडणूक 2025 करीता शासनाकडे आलेल्या कामाकरीता पॅनेलचे / अनुभवी कंत्राटदार / पुरवठादार यांचेकडून दिलेल्याकाळा पहातीचे सिलबंद निविदा फार्म मागविण्यात येत आहे तरा करीता करीता निविदा चा दिनांक 23/10/2025 ते 30/10/2025 चा पुणारी 3.00 वाजेपर्यंत आणा सोईन निविदा दिनांक 31/10/2025 चा सायंकाळी 5.00 वाजेपर्यंत निवेदनाचा पॅनेल व निविदा शासनाकडा त्याच दिवशी सायंकाळी 6.00 वाजता उपस्थितीत पॅनेल.

अ. क्र.	कामाचे नांव	कोरी निविदा फार्म किंमत
1	स्टेशनरी साहित्याचा पुरवठा करणे व निवडणूक विषयक कामासाठी झेरॉक्स (Photo Copy) करणे.	500/-
2	झोनील स्टेशनरी साहित्याचा पुरवठा करणे.	500/-
3	फर्निचर, पैसान, लाईट, लाउडस्पीकर व बॉरीकेडिंग ची व्यवस्था करणे.	500/-
4	चहापान, अल्पोपहार व भोजन पुरवठा करणे.	500/-
5	संगणक साहित्य, प्रोजेक्टर पुरवठा करणेव निवडणूक कालावधी करीता आवश्यक टिकाणी सीसीटीव्ही कॅमेरा मॅच बसविणे	500/-
6	वाहन पुरवठा करणे व वाहनामध्ये gps ची व्यवस्था करणे.	500/-
7	फिडबॉक्स निर्मितीकरण व फोटोग्राफी करणे.	100/-
8	कॅश पुरवठा करणे.	100/-

टिप.- निविदेच्या अटी व शर्तीं कार्यालयीन वेळेत नगरपरिषद साकोली-लेंदुरवाफा कार्यालयात पहावयास मिळतील

स्वा/-
(मंगेश वासेकर)
मुख्याधिकारी
नगरपरिषद साकोली-लेंदुरवाफा

दोन दिवसीय जागर संविधानाच्या कार्यक्रमाचा समारोप..

चंद्रपूर : सांस्कृतिक कार्य विभाग, सांस्कृतिक कार्य मंत्रालयाच्या आणि महाराष्ट्र शासनाच्यावतीने भारतीय संविधान अमृत महोत्सवी वर्षानिमित्त चंद्रपुरात आयोजित दोन दिवसीय जागर संविधानाच्या कार्यक्रमाचा समारोप गुरुवारी झाला. या कार्यक्रमाच्या अमृतमहोत्सवी वर्षाच्या निमित्ताने सांस्कृतिक कार्य मंत्री आशिष शेलार यांच्या संकल्पनेतून या कार्यक्रमाचे आयोजन करण्यात आले. सांस्कृतिक विभागाचे सचिव डॉ.किरण कुलकर्णी व विभागाचे संचालक यांच्या मार्गदर्शनाखाली व नियोजनाखाली या कार्यक्रमाचे आयोजन धन्य स्वरूपात प्रियदर्शनी सभागृह चंद्रपूर येथे करण्यात आले.

यावेळी १५ ऑक्टोबर रोजी प्रसिद्ध गायिका, सरेगमा फेम आकांक्षा नागरकर, स्मित वंजारी, अंकित गणवीर आणि त्यांच्या चमूने संविधानावर आधारित सांस्कृतिक कार्यक्रमाचे सादरीकरण तसेच महात्मानंद डॉ. बाबासाहेब आंबेडकर यांच्या जीवन प्रवासाच्या जागर सादर केला. तर, १६ ऑक्टोबर रोजी संविधानावर आधारित संगीतमय नाट्यासने सादरीकरण प्रसिद्ध शाहिरा सीमा पाटील आणि त्यांचा संघाने केले.

महाराष्ट्र शासन
जिल्हाधिकारी भंडारा यांचे कार्यालय
(खनिकर्म शाखा)
Email : dmobhandara123@gmail.com

क्र.आसन-१४/खनिज/अका/काबि- ८५७/२०२५ दिनांक :- १७/१०/२०२५

सूचना 17/10/2025

जिल्हाधिकारी कार्यालय, भंडारा यांच्याकडून पर्यावरण सल्लागार यांचे मार्गदर्शनाने शासन निर्णय क्र. गौखनि- १०/प्र.क्र./१२५/प्र.क्र.०५/ख-१ यातू घोरण दिनांक ०८/०४/२०२५ नुसार सन- २०२५-२६, २०२६-२७ व २०२७-२८ या कालावधीकरीता जिल्हयातील वालू घाटांचे पर्यावरण अनुमती प्राप्त करुन जिल्हयातील नागरिकांना स्वस्त दरात वालू उपलब्ध करुन देण्याकरीता प्रस्तावीत वालू गट वाचत प्राप्त जिल्हा सर्वेक्षण अहवाल (Draft District Survey Report- DSR) तयार करण्यात आलेला आहे. केंद्र शासनाच्या पर्यावरण, वने व वातावरण बदल मंत्रालय, यांनी जानेवारी २०२० मध्ये प्रसिध्द केलेल्या वालू/रेती उत्खनन मार्गदर्शक सूचनेनुसार (Enforcement And Monitoring Guidelines for Sand Mining 2020) नुसार सदर अहवाल (Draft DSR) जनतेच्या माहीती व अभिप्राय/सूचना/आक्षेप इत्यादी (Comments) नोंदविण्याकरीता https://www.bhandara.nic.in या संकेत स्थळावर ३० दिवसांकरीता उपलब्ध करुन देण्यात येत आहे.

त्या अनुषंगाने ज्या व्यक्ती किंवा संस्थेस काही आक्षेप/अभिप्राय/सूचना असल्यास त्यासंबधीचे कारण आक्षेपदाराने नाव व पत्यासहीत खनिकर्म शाखा जिल्हाधिकारी कार्यालय, भंडारा यांचेकडे ऊरुप्रसिध्द झाल्याच्या दिनांकापासून ३० दिवसाच्या आत लेखी किंवा ई-मेल (dmobhandara123@gmail.com) वर सादर करावे.

सबब, मी जिल्हाधिकारी, भंडारा याद्वारे सर्व जनतेस आव्हान करतो की, सदर रेती घाटांबाबत आपले आक्षेप/अभिप्राय/सूचना लेखी स्वरुपात जिल्हा खनिकर्म अधिकारी, जिल्हाधिकारी कार्यालय, भंडारा यांचे कार्यालयास सादर करावे.

स्वा/-
(सावनकुमार, भाप्रसे.)
जिल्हाधिकारी, भंडारा

क्र.संभावज/नाग/५१८/२०२५

जलसंपदा विभाग

कार्यकारी अभियंता, व्दार निर्मिती विभाग " अ "दापोडी पुणे-१२
ई निविदा सूचना क्रमांक १ सन २०२५-२०२६ (ऑनलाईन मागणी)

कार्यकारी अभियंता, व्दार निर्मिती विभाग" अ" दापोडी पुणे-१२ (दूरध्वनी व फॅक्स क्रमांक ०२०-२७१४०३०) हे खालील नमुद केलेल्या कामाचा पुकुर्णभव असलेल्या सक्षम/पात्र कंत्राटदाराकडुन खालील कामाकरीता ब-१ नमुन्यातील निविदा ई निविदा प्रणालीद्वारे (ऑनलाईन) मागविण्यात येत आहे. ई निविदा कागदपत्रांचा तपशील "https://mahatenders.gov.in' या संकेत स्थळावर उपलब्ध आहे. तेथुन ते डाऊनलोड करण्यात यावीत. तसेच निविदा स्विकारण्याचा अथवा नाकारण्याचा अधिकार कार्यकारी अभियंता, व्दार निर्मिती विभाग" अ" दापोडी पुणे-१२ यांनी राखुन ठेवला आहे. अट असलेली निविदा स्विकारली जाणार नाही.

अ.क्र.	कामाचे नांव	अंदाजपत्रकीय किंमत रक्कम रु व सेवाकर वगळुन
१	देवरी नवेगाव उ.सि.यो., ता.जि. गोंदिया येथील आपत्कालीन व्दार रोप द्वय उच्चालक १५ टन क्षमता -१ नग व पोलादी आधारवस्तु निर्मिती व उभारणी करणे तसेच इतर अनुषंगिक यांत्रिकी कामे करणे बाबत.	रू. ६७,३५,६९४/-

ई निविदा संकेत स्थळावर उपलब्ध कालावधी : दि. २८/१०/२०२५ ते दि.०७/११/२०२५
ई निविदा संकेत स्थळावर उघडण्याचा कालावधी: दि. १०/११/२०२५ (शक्य झाल्यास)
महाराष्ट्र शासन, जलसंपदा विभाग, शासन निर्णय क्रमांक सीकॉर्प/१२१०/प्र.क्र.११४/१७)/यांत्रिकी दिनांक १८/१०/२०२३ अन्वये रू.१० लक्ष कोरील निविदेतील कामाच्या कारारनाम्यात पश्चात अर्हता निकष समाविष्ट आहेत. खालील संकेतस्थळावर ई-निविदा बाबत सर्व माहिती उपलब्ध आहे.
http://mahatenders.gov.in. (सदर निविदासूचनेमध्ये काही बदल होत असल्यास वरील वेबसाईटवर कळविण्यात येईल.)
कार्यकारी अभियंता, व्दार निर्मिती विभाग " अ" दापोडी पुणे-१२ यांचे कार्यालयातील सुचना फलकावर सविस्तर निविदा सूचना पहावयास मिळेल.

जावक क्र.व्दा.नि.वि.अ/लेखा-२/निविदा/२९३१ / सन २०२४.
कार्यकारी अभियंता, व्दार निर्मिती विभाग " अ" दापोडी पुणे-१२
यांचे कार्यालय. दिनांक: ०९/१०/२०२५

स्वा/-
कार्यकारी अभियंता,
व्दार निर्मिती विभाग अ"
दापोडी पुणे-४११०१२

क्र.संभावज/नाग/४७५/२०२५

विदर्भ पाटबंधारे विकास महामंडळ, नागपूर,
(महाराष्ट्र शासनाचा अंगिकृत उपक्रम)
कार्यकारी अभियंता, गोसीखुर्द डावा कालवा विभाग, वाही (पवनी)
(ई-मेल : eegldcwahi@yahoo.com दूरध्वनी क्र. ०७१८५/२९९१८८)
ई- निविदा सूचना क्र. २२/२०२५-२६
Main portal : https://mahatenders.gov.in

महाराष्ट्र राज्यातील शासनपत्रांनुसार कार्यरत अधिकारी, गोसीखुर्द डावा कालवा विभाग वाही (पवनी), मध्ये पवनी, जि. भंडारा अन्वयाचा विभाग, महाराष्ट्र शासन यांचे कार्यान्वयाखाली खालील यथावर्णित वर्णन असलेल्या कंत्राटदारांकडून ब-१ नमुन्यातील ई-निविदा प्रणालीद्वारे (ऑनलाईन) निविदा मागविण्यात येत आहे. निविदा संबंधात सर्व माहिती शासनाच्या संकेतस्थळावर व वितरणीय कार्यालयाच्या सूचना फलकावर उपलब्ध आहे. http://mahatenders.gov.in येथुन डाऊनलोड करावयाचा आहे. निविदा विक्रीबाबतच्या अथवा डाऊनलोडच्या अडचणी कार्यकारी अभियंता, गोसीखुर्द डावा कालवा विभाग वाही (पवनी), मध्ये पवनी, जि. भंडारा यांनी दुरध्वनी क्रमांक ०७१८५/२९९१८८ अथवा ई-मेल eegldcwahi@yahoo.com येथे संपर्क साधावा.

अ. क्र.	कामाचे नांव	जिल्हा	कामाची निविदा रक्कम	कामाचा कालावधी	पहिल्या निविदेची रक्कम	अनामत	काम पूर्ण करण्याचा कालावधी
१.	राजापूर पाणी वापर संस्था (वीरोरा) अंतर्गत लाभक्षेत्र सुधार क्र. १ च्या मुख्य वितरिकेवरील वितरिका क्रमांक १ ते ५, खातेगाव पाणी वापर संस्था (कवी), सोनेगाव पाणी वापर संस्था (सोनेगाव), गंगाधरपारी पाणी वापर संस्था (गर्व दुर्ग) अंतर्गत लघुपाटबंधारेतील १०४९.७५ हे. क्षेत्र लेवाखाली लाभक्षेत्र विकास (काम-१- चारास-व) अंतर्गत.	भंडारा	रु. ३७३.८५ लक्ष	रु. १.१० लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	मातीकाही पुरवी व दगडाकाही पक्का दगडात	१८ महिने (पावसाळा पकडून)
२.	मौ.डा.का. च्या शाखा कालवा क्र. २ वरुन निर्माण होत्तन लघु कालवा व होत्तन उपलब्धुवाहका क्र. २ वरील शाखा कालवा क्र. १ च्या मा. क्र. १००० मौ. चांदूर होत्तन उपलब्धुवाहका क्र. २ वरील टेलिस्कोप बांधकाम.	भंडारा	रु. १८१.८४ लक्ष	रु. १.५० लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	मातीकाही पुरवी व दगडाकाही पक्का दगडात	१३ महिने (पावसाळा पकडून)
३.	पाटबोडा विमोचकावरील Lv, Lc, व R1 लघु कालव्याचे वर जोरीवाडी टेलिस्कोपचे बांधकाम.	भंडारा	रु. ५५.७१ लक्ष	रु. १.९५ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	मातीकाही पुरवी व दगडाकाही पक्का दगडात	१३ महिने (पावसाळा पकडून)
४.	पवनी उपसा सिंचन योजनेच्या पवनूर व सिर्सीमालगतील वर्धक प्रणालीकरण, नवी Pitching व दुरुस्तीकरणाचे कामाचे अंदाजपत्रक तयार करण्यात.	भंडारा	रु. १८.७५ लक्ष	रु. ०.२५ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे 'अ' वर्गात नोंदणीकृत मजूर सहकारी संस्था	१२ महिने (पावसाळा पकडून)
५.	गोसी बुद्रु उपसा सिंचन योजने करीत 33/11 kv switchyard करिता पोहोच रस्त्याचे (Earring) चे बांधकाम.	भंडारा	रु. ३१.४१ लक्ष	रु. १.४४ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे 'अ' वर्गात नोंदणीकृत मजूर सहकारी संस्था	९ महिने (पावसाळा पकडून)
६.	गोसी (बुद्रु) उ. सि. यो. च्या १ ते ११ लघुकालव्या परिसरातील पूल बांधकामाचे काम.	भंडारा	रु. ३३.९८ लक्ष	रु. १.५३ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे 'अ' वर्गात नोंदणीकृत मजूर सहकारी संस्था	९ महिने (पावसाळा पकडून)
७.	गोसीखुर्द डावा कालव्यावरील खापा कालवा क्र.१ च्या हस्तांतरीत निर्देशकेवरील मा. क्र. ७८९० मी. चा DHPC चे बांधकाम.	भंडारा	रु. ३९.५१ लक्ष	रु. १.७३ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे 'अ' वर्गात नोंदणीकृत मजूर सहकारी संस्था	१३ महिने (पावसाळा पकडून)
८.	गोसीखुर्द डावा कालव्या उपशिखा क्र. १, २, ३ व चिन वितरण उ.सि. उपशिखा क्र. १ कालवा कामे महिला उमाकन्हारने बांधकाम.	भंडारा	रु. २९.७३ लक्ष	रु. १.३० लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे 'अ' वर्गात नोंदणीकृत मजूर सहकारी संस्था	१३ महिने (पावसाळा पकडून)
९.	गोसीखुर्द डावा मुख्य कालव्याच्या मा. क्र. १८१५० मी. चा Escape वरील लांबीची Shade चे बांधकाम.	भंडारा	रु. २५.०४ लक्ष	रु. १.२५ लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे गोरेगाव सुतोलीक कार्यालय अधिनस्त	१२ महिने (पावसाळा पकडून)
१०.	गोसी उपसा सिंचन योजनेच्या टप्पा क्र. १ अंतर्गत पंपगृह क्र. २ करिता लागणे वर्धकीकरण व दुरुस्तीकामाचे काम.	भंडारा	रु. २४.०३ लक्ष	रु. १.२० लक्ष	रु. २०००/- (रोखपरी १८% रु. ३६०/- ते रु. ३३६०/-	भंडारा जिल्हामीन सार्वजनिक बांधकाम विभागाकडे गोरेगाव सुतोलीक कार्यालय अधिनस्त	१३ महिने (पावसाळा पकडून)

अ) ई-निविदा उपलब्धता कालावधी	:-	दि. १७/१०/२०२५ सकाळी १०.०० ते २४/१०/२०२५ रोजी १८.३० वाजता पर्यंत.
ब) ई-निविदा सादर करण्याचा अंतिम दिनांकापर्यंत	:-	दि. २४/१०/२०२५ वेळ १८.३० वाजता पर्यंत.
क) निविदा पूर्व बैठक	:-	(i) इच्छित कंत्राटदार तुर्तीमधील अनुक्रमांक १ ते २ करीता निविदापूर्व बैठक आयोजित करण्यात येणार नाही. परंतु, निविदाकारांना निविदा डाऊनलोड केल्यानंतर पोर्टल वरील Seek Clarification Option अंतर्गत निविदा सम्बन्धाचा संकेतस्थळावर व दिलासूचीत अभिकरण पोर्टलवरी दिलासा देतील. या शंकांचे समाधानकारक/ समाधान प्रोटोकॉल पोर्टलवर Common set of deviation (CSD) ही सुविधा देखील उपलब्ध आहे. सदरचे लिखित/ स्पष्टीकरण वितरणाचे निविदा सादर करण्याच्या अंतिम दिनांकापर्यंत येतील याबाबत निविदेच्या अटी व शर्तीत काहीही बदल नाहीत असे समजून निविदाधारकी निविदा सादर करावी. या अंतिम बाबतचे वेब कॉन्फरन्सी प्रसारण संबंध विकास येईलच याची खात्री नाही. (ii) इच्छित कंत्राटदार तुर्तीमधील अनुक्रमांक १ ते १० करीता निविदापूर्व बैठक व Common set of deviation (CSD) लागू नाही.
ड) निविदा उघडणे	:-	दिनांक - २७/१०/२०२५. (वेळ तुर्ती १२ ०० वाजता)

(सदर निविदे मुद्देविषयी काही बदल होत असल्यास वरील वेबसाईटवरती उपलब्धता येईल)
१) ज्या कामकरीता पात्रता अर्हता (Prequalification) घेतला लागू नाही.
२) कार्यकारी अभियंता कार्यालयाकडून ई-निविदा करी इच्छे विकरी लागत करोत.
३) अधिक ई - निविदा सूचना महाराष्ट्र शासनाच्या संकेतस्थळ http://mahatenders.gov.in या संकेत कार्यकारी अभियंता कार्यालयातील नोटीस बोर्डवर पाहावीत.
४) या कामाचे अंदाजपत्रक, रा. विशेषत, योजनेचे नकाशे इ. कार्यकारी अभियंता यांच्या कार्यालयात उपलब्ध आहे. निविदाधारक प्रत्यक्ष कार्यस्थळ परिस्थितीनुसार या कामाचा सकाळात सहमतीत आहे याबाबत कोणत्याही प्रकारचे दावे (Claims) निविदाधारक देय राहणार नाही.
५) निविदेमध्ये दर्शविलेल्या अर्हतेच्या शर्तीस व पॅकेजनुसार (तांत्रिक तिपत्रका व आर्थिक तिपत्रका) उपकंत्राटदार निविदाकाराने किंमत त्यांच्या प्रतिनिधीने निश्चित कार्यालयात उपस्थित राहावे, अन्यथा निविदा उपलब्धतेबाबतची कोणतीही सकल निवेदनाही जाणार नाही.

सही/-
कार्यकारी अभियंता,
गोसीखुर्द डावा कालवा विभाग,
वाही (पवनी).

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Government of Maharashtra
Office of the District Collector, Bhandara
(Mining Branch) Email:
dmobhandara123@gmail.com
Ref No: Outward-14/Mining/Aka/Kavi- 857/2025
Date: 17/10/2025

NOTICE

The District Collector's Office, Bhandara, with the assistance of environmental consultants, has prepared a **Draft District Survey Report (DSR)** for proposed sand groups. This is in accordance with Government Resolution No. Gaukhani-10/Pr.Kr.0125/Pr.Kr.05/Kha-1, Sand Policy dated 08/04/2025, for the periods 2025-26, 2026-27, and 2027-28. The objective is to obtain Environmental Clearance for sand ghats (banks) within the district to provide sand to citizens at affordable rates.

As per the **"Enforcement and Monitoring Guidelines for Sand Mining 2020"** published by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Central Government, in January 2020, this report (Draft DSR) is being made available on the website **https://www.bhandara.nic.in** for a period of **30 days** for public information and to record comments/suggestions/objections.

Accordingly, any person or organization having objections, opinions, or suggestions should submit them in writing or via email to the **Mining Branch, District Collector's Office, Bhandara**, along with the reason for the objection and the name and address of the objector, within **30 days** from the date of publication.

Therefore, I, the District Collector of Bhandara, hereby appeal to the general public to submit their objections/opinions/suggestions regarding the said sand ghats in writing to the office of the District Mining Officer, District Collector's Office, Bhandara.

Signed/-
(Savan Kumar, I.A.S.)
District Collector, Bhandara
No. Sampavaj/Nag/518/2025

Ax. G

महाराष्ट्र शासन
जिल्हाधिकारी भंडारा यांचे कार्यालय
(खनिकर्म शाखा)

Email ID : dmobhandara123@gmail.com

क्र.आसन-14/खनिज/अका/कावि- ०१ /2026 दिनांक :-०१ /०१ /2026

हेतुपत्र-(LOI)

प्रति,

आर संदेश इंफ्राविजन,
प्रा. लि. श्री. नारायण भवन,
पि. एस. अग्रवाल मार्ग, संत्रा मार्केट,
नागपुर-440018
(tenders@rsandeshgroup.com)

विषय :- **रेती / वाळू घाट लिलाव सन 2025 -2026**
ऑनलाईन लिलावा अंतर्गत सर्वोच्च बोलीधारकास रेती घाट मंजूरीची कार्यवाही बाबत.

संदर्भ :- 1) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 08/04/2025.
2) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 09/10/2025.
3) मा. SEIAA (पर्यावरण विभाग,महाराष्ट्र) यांचे दिनांक 7/12/2025 व 8/12/2025 च्या सभेच्या इतिवृत्ताव्दारे प्राप्त पर्यावरण अनुमती.
4) रेतीघाट ई-निविदा व ई-लिलाव दिनांक 30/12/2025

उपरोक्त विषयान्वये आपणास कळविण्यात येते की, जिल्हाधिकारी कार्यालय, भंडारा मार्फत आयोजित सन 2025-26 अंतर्गत रेती / वाळू घाटाचे उपविभागनिहाय ऑनलाईन लिलाव दिनांक 30/12/2025 रोजी पूर्ण करण्यात आले असून सदर लिलावात आपण भंडारा उपविभागकरीता सर्वोच्च देकारधारक असल्यामूळे आपणास रेतीघाट मंजूरीच्या दृष्टीने शासकीय रकमेचा भरणा करण्यास कळविण्यात येत आहे.

आपणास लिलावाच्या अटी व शर्तीनूसार सर्वोच्च बोलीच्या 25% फरकाची रक्कम लिलावाच्या मंजुरी दिनांकापासून 48 तासाच्या आत (सुट्टीचे दिवस वगळुन) भरणा करावयाचे अनिवार्य आहे. सबब 25% टक्के फरकाची रक्कम 48 तासाचे आत भरणा करावा.

याअगोदर आपण सदर उपविभागातील वाळूघाटांकरीता निविदेसोबत भरावयाची इसारा रक्कम 25% रक्कम (100% च्या 90% चे 25 %) रुपये 64590600/- रक्कम भरलेली असुन लिलावाच्या अटी व

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शर्तीनूसार सर्वोच्च बोलीच्या (670033440/-) 25% फरकाची रक्कम रुपये 102917760/- लिलावाच्या दिनांकापासून 48 तासाच्या आंत भरणा करावयाचे अनिवार्य आहे.

तसेच सदर रेतीघाट मंजूरीच्या अनुषंगाने व रेतीघाटाचा करारनामा करण्याचे दृष्टीने आपण खालील उर्वरीत 75% रक्कम व इतर करांची रक्कम तातडीने शासन जमा करावे, जेणेकरून आपणास रेतीघाट मंजूरी आदेश निर्गमीत करणे व करारनामा करणे सोईचे होईल.

आपणास असेही कळविण्यात येते की, मंजूर रेतीघाटाचा ताबा घेण्याचे दृष्टीने संबंधीत तहसिलदार यांच्याशी संपर्क साधावा जेणेकरून ताबा देण्याची कार्यवाही पूर्ण करता येईल.

अ.क्र.	भरना करावाच्या रकमेचे विवरण	रक्कम	शेरा
1	रेतीघाटाच्या लिलावाच्या सर्वोच्च बोलीच्या 25% फरकाची रक्कम	10,29,17,760/-	ICICI A/c No. 049505001250 IFSC Code – ICIC0000495
2	रेतीघाटाच्या लिलावाच्या सर्वोच्च बोलीच्या किमतीच्या 75% रक्कम	50,25,25,080/-	ICICI A/c No. 049505001250 IFSC Code - ICIC0000495
3	अनामत रक्कम (रेतीघाटाच्या लिलावाच्या बोलीच्या रक्कमेच्या 25%)	16,75,08,360/-	(चलानद्वारे)
4	आयकर TCS (लिलावाच्या सर्वोच्च बोलीच्या 2%)	1,34,00,669/-	(चलानद्वारे TAN No. NGPD03489D)
5	पर्यावरण शुल्क (लिलावाच्या सर्वोच्च बोलीच्या 2%)	1,34,00,669/-	(बँक गॅरंटी)
6	भुजल सर्व्हेक्षण शुल्क (प्रति घाट 5000 रू.)	1,20,000/-	धनादेश (उपसंचालक, भुजल सर्वेक्षण आणि विकास यंत्रणा, नागपुर)
7	जिल्हा खनिज प्रतिष्ठान निधी - (स्वामीत्वधनाच्या रक्कमेच्या 10%)	2,58,36,240/-	HDFC Bank Bhandara येथील खाते क्र. 50200111442907, IFSC Code:- HDFC0002500
8	मुद्रांक शुल्क - (लिलावाच्या सर्वोच्च बोलीच्या 0.2%)	13,40,067/-	(चलानद्वारे)
9	EMP& CER Cost	The financial provision/budget reserved for the EMP and CER should be utilized for the activities mentioned in EMP and CER Plan of the District. The submission of implementation It is mandatory to submit half yearly compliances	

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		as per EIA notification 2006 for the terms and condition as mention in EC and Mining Plan to the competent authority. Failure in implementation of EMP and CER will lead to recovery of the same amount from Security Deposit.

- शासनाने वेळोवेळी लागू केलेले शुल्क भरणे अनिवार्य राहील.

उपरोक्त रकमेचा भरणा करण्याकरीता तसेच आपणास मंजूर करावयाच्या रेतीघाटाच्या सिमांकन करावयाच्या दृष्टीने सदर पत्र देण्यात येत आहे. उपरोक्त रकमेचा भरणा झाल्यानंतर आपणास प्रस्तावित रेती घाटाचे मंजूरी आदेश निर्गमीत करण्यात येईल.

(मा. जिल्हाधिकारी यांचेकडुन का. टी. मंजुर)

(सचिन वाढवे)
जिल्हा खनिकर्म अधिकारी,
भंडारा

प्रतिलिपी :—

1. उपविभागीय अधिकारी, भंडारा यांना माहितीकरीता अग्रेषित.
2. तहसिलदार भंडारा / पवनी यांना माहिती व उचित कार्यवाहीस्तव अग्रेषित.

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English Translation of Ax. G

Government of Maharashtra
Office of the District Collector, Bhandara
(Mining Branch)

Email ID: dmobhandara123@gmail.com

No. Aasan-14/Minerals/Aka/Kavi-01/2026 Date- 01/01/2026
Letter of Intent (LOI)

To,
R Sandesh Infravision Pvt. Ltd.
Shri Narayan Bhavan, P.S. Agarwal Marg,
Santra Market, Nagpur - 440018
(tenders@rsandeshgroup.com)

Subject : Regarding the process of approving sand ghats for the highest bidder under online auction for the year 2025-2026

References :
1. Sand/Reti Disposal Policy-2025, Govt. Resolution No. Gaukhan 10/0125/Pr.Kr. 05/Kh-1, dated 08/04/2025.
2. Sand/Reti Disposal Policy-2025, Govt. Resolution No. Gaukhan 10/0125/Pr.Kr. 05/Kh-1, dated 09/10/2025.
3. Environmental Clearance received via minutes of meetings dated 7/12/2025 and 8/12/2025 from Hon. SEIAA (Environment Dept., Maharashtra).
4. Sand Ghat e-Tender and e-Auction dated 30/12/2025.

Communication Details

With reference to the subject mentioned above, you are informed that the online auctions for sand ghats under the Bhandara subdivision for the year 2025-26 were completed on 30/12/2025. As you are the **highest bidder** for the Bhandara subdivision, you are directed to deposit the official government dues to proceed with the approval of the sand ghat.

According to the terms and conditions of the auction, it is mandatory to deposit the **25% difference amount** of the highest bid within **48 hours** (excluding holidays) from the date of auction approval.

You have previously deposited an Earnest Money Deposit (EMD) of ₹6,45,90,600/- (representing 25% of 90% of the total). Per the auction conditions, you must now mandatory deposit the remaining **25% difference amount of ₹10,29,17,760/-** (based on the highest bid of ₹67,00,33,440/-) within 48 hours.

Furthermore, to issue the approval order and execute the agreement, you must immediately deposit the remaining 75% amount and other applicable taxes. You are also advised to contact the concerned Tehsildar to initiate the process of taking possession of the sanctioned sand ghat.

Payment Schedule and Details

Sr. No.	Description of Payment	Amount (₹)	Bank/Account Details
1	25% Difference of Highest Bid	10,29,17,760/-	ICICI A/c: 049505001250 (IFSC: ICIC0000495)
2	75% of Highest Bid Price	50,25,25,080/-	ICICI A/c: 049505001250 (IFSC: ICIC0000495)
3	Security Deposit (25% of Bid)	16,75,08,360/-	Via Challan
4	Income Tax TCS (2% of Bid)	1,34,00,669/-	Via Challan (TAN: NGPD03489D)
5	Environmental Fee (2% of Bid)	1,34,00,669/-	Bank Guarantee
6	Groundwater Survey Fee	1,20,000/-	Cheque (Dy. Director, GSDA, Nagpur)
7	District Mineral Foundation (DMF) (10% of Royalty)	2,58,36,240/-	HDFC Bhandara A/c: 50200111442907

8	Stamp Duty (0.2% of Bid)	13,40,067/-	Via Challan
9	**EMP & CER Cost**	The financial provision/budget reserved for the EMP and CER should be utilized for the activities mentioned in EMP and CER Plan of the District. The submission of implementation It is mandatory to submit half yearly compliances as per EIA notification 2006 for the terms and condition as mention in EC and Mining Plan to the competent authority. Failure in implementation of EMP and CER will lead to recovery of the same amount from Security Deposit.	

- It is mandatory to pay all fees as applied by the government from time to time.

  This letter is issued for the payment of the above amounts and for the demarcation of the sanctioned sand ghat. The formal approval order will be issued only after the full payment of the aforementioned amounts.

(Approved by Hon. District Collector)

Sd/- (Sachin Wadhve)
District Mining Officer, Bhandara

Copy to:

1. Sub-Divisional Officer, Bhandara, for information.
2. Tehsildar Bhandara / Pauni, for information and appropriate action.

Statement of Account

R SANDESH INFRAVISION PRIVATE LIMITED

C/O R SANDESH INFRAVISION PRIVATE LIMITED

H NO 613 AND 614 E MILL ROAD SANTRA

CKYC Number 90009914385376

City NAGPUR
State MH
Country INDIA
Zip 440018
Mobile No. 917420002927
Email RSANDESHINFRAVISION@GMAIL.COM
Statement Date 02/01/2026 11:44

Union Bank of India

Branch CIVIL LINES

Customer Id 901409883

A/C Number 442405010000575

Currency INR
Account Type Cash Credit

Statement From 01/01/2026

Records from N to N. More records available.

Date	Tran Id	Remarks	UTR Number	Instr. Id	Withdrawals
02-01-2026 10:48:10	S74384382	RTGSO-COLLECTOR BHANDARA MI UBINR22026010201559049	'-	17338278	102917760.00

Ax. I

R SANDESH INFRAVISION PRIVATE LIMITED
CIN No. : U43299MH2023PTC414988
GST No.:19AANCR1955R1ZC
Add. : House No. 613 & 614 Mill Road, Santra Market Road, Mahatma Fule Bazar, Nagpur- 440018 (MH)

REF. :

DATE : _____

RSIPL/073/2025-26 **Date: 09.01.2026**

To,
District Mining Officer,
Bhandara.

Subject: Submission of confirmation of Payments

Reference: Letter of Intent (LOI) No. आसन-**14**/खनिज/अका/कावि-**01/2026** dated 01.01.2026

Name of Work: E-Tender cum E-Auction of Sand Ghat at District Bhandara for Year 2025-2026

Respected Sir,

With reference to the above subject and LOI, we hereby submit the confirmation of payments made towards the auction amount and other applicable charges as per the terms and conditions of the tender.

The payment details are furnished **table-wise** as under:

1. Payment of 75% of Auction Amount (i.e. Rs. 50,25,25,080.00) via RTGS

Particular	Details
Account Name	Collector Bhandara Mining Processing
Account No.	049505001250
Bank Name	ICICI Bank Ltd.
IFSC Code	ICIC0000495
Amount	Rs. 50,25,25,080.00
UTR No.	UBINR22026010901151551

2. Payment of 25% of Auction Amount i.e. Rs. 16,75,08,360.00 (Rupees Sixteen Crore Seventy Five Lakh Eight Thousand Three Hundred and Sixty Only) has been paid vide Cheque No. 338280, drawn on Union Bank of India, Civil Lines Branch, Nagpur – 400001, dated 05.01.2026.

3. TCS of Rs. 1,34,00,669.00 Paid via Income Tax Challan Number – 260109000544 58UBIN.

4. Bank Guarantee (2% of Auction Amount i.e. Rs. 1,34,00,669.00)

Particular	Details
BG No.	
Beneficiary	District Mining Officer, Bhandara
Bank Name	AU Small Finance Bank Ltd.
Date of Expiry	07.01.2027
Amount	Rs. 1,34,00,669.00

09.1.2026
प्राप्तकर्ता / जावक
जिल्हा खनिकर्म विभाग
जिल्हाधिकारी कार्यालय भंडारा

R SANDESH INFRAVISION PRIVATE LIMITED
CIN No. : U43299MH2023PTC414988
GST No.:19AANCR1955R1ZC
Add. : House No. 613 & 614 Mill Road, Santra Market Road, Mahatma Fule Bazar, Nagpur- 440018 (MH)

REF. :

DATE : _____

5. District Mineral Foundation Fund of Rs. 2,58,36,240.00 Paid via RTGS

Particular	Details
Account Name	District Mineral Foundation Fund
Account No.	50200111442907
Bank Name	HDFC Bank Ltd.
IFSC Code	HDFC0002500
Amount	Rs. 2,58,36,240.00
UTR No.	UBINR22026010901151749

6. Stamp Duty (0.2% of Auction Amount i.e. Rs. 13,40,067.00) – Will be paid directly on the date of Agreement via Stamp Duty.

We request you to kindly acknowledge receipt of the above payments and do the needful at your end. Thanking you.

With Regards,

For **R Sandesh Infravision Private Limited**

Authorised Signatory

R SANDESH INFRAVISION PVT. LTD. NAGPUR

Encl.: Letter of Intent (LOI) No. आसन-**14/**खनिज/अका/कावि-**01 /2026** dated 01.01.2026

Serial No.: 152485

716

AU SMALL FINANCE BANK

Ax. J

AU SMALL FINANCE BANK LTD.
BLOCK NO 4/25 GANDHI GRAIN MARKET,
CA ROAD TELEPHONE EXCHANGE SQUARE, NAGPUR

TO,
THE DISTRICT MINING OFFICER
COLLECTORATE BUILDING
TRIMURTHY SQUARE
BHANDARA 441904

OUR REFERENCE	:	AWJIPBG260120001
DATE OF ISSUE	:	12-JAN-26
APPLICANT	:	R SANDESH INFRAVISION PRIVATE LIMITED
GUARANTEE AMOUNT	:	INR 1,34,00,669.00
AMOUNT IN WORDS	:	RUPEES ONE CRORE THIRTY FOUR LAKH SIX HUNDRED SIXTY NINE ONLY
EXPIRY DATE	:	07-JAN-27
CLAIM EXPIRY DATE	:	07-APR-27

DEAR SIR/MADAM,

PLEASE FIND ENCLOSED THE CAPTIONED GUARANTEE DULY ISSUED BY US. THIS GUARANTEE ATTACHED IS TO BE RETURNED TO US WITHIN 15 DAYS FROM THE DATE IT CEASES TO BE IN FORCE OR AS SOON AS THE PURPOSE FOR WHICH IT HAS BEEN ISSUED IS FULFILLED, WHICHEVER IS EARLIER. WE CONFIRM THAT THE SIGNATORIES WHO HAVE SIGNED THE SUBJECT GUARANTEE /EXTENSION AS STATED BELOW HAVE THE REQUISITE POWER TO SIGN ON BEHALF OF THE BANK.

1. MR./MS. SURAJ DHARRAJA
(AUTHORISED SIGNATORY)
DESIGNATION Marwar (TDO)
SIGNATURE NO. 42043

AU SMALL FINANCE BANK LTD. Nagpur 2369

2. MR./MS. .
(AUTHORISED SIGNATORY)
DESIGNATION
SIGNATURE NO.

UMEHANI VIRPURWALA
EMP CODE : 449450
BOSM

FURTHER CONFIRMATION OF THIS GUARANTEE SHOULD BE OBTAINED FROM OUR CENTRAL TRADE UNIT THROUGH POST/COURIER OR EMAIL ID AS UNDER:

KIND ATTENTION: BANK GUARANTEE DEPT.
CENTRAL TRADE UNIT (CTU)
AU SMALL FINANCE BANK LIMITED
CP3-232, INDUSTRIAL AREA, APPAREL PARK,
MAHAL ROAD, JAGATPURA, JAIPUR-302022
OR
Email ID: BGCONFIRM_CTU@AUBANK.IN
THIS LETTER FORMS AN INTEGRAL PART OF THE GUARANTEE.

भारतीय गैर न्यायिक

भारत INDIA

रु. 500 FIVE HUNDRED RUPEES

सत्यमेव जयते

पाँच सौ रुपये Rs. 500

INDIA NON JUDICIAL

महाराष्ट्र MAHARASHTRA ◐ 2024 ◐

NAGPUR TREASURY
DD 842391
23 DEC 2025
Stamp Head Clerk - Clerk

This non judicial stamp paper forms part and parcel of the Bank Guarantee/ Bank Guarantee amendment dated 12/01/26 issued under Ref. No: AUSFBG/26012001/ In favour of: The District mining officer collectorate Building Tukumwadi Square Bhandara By AU Small Finance Bank Limited On behalf of: M Sandeep Industries Private Limited

AU SMALL FINANCE BANK LTD. Nagpur 2369

AU SMALL FINANCE BANK LTD. Nagpur 2369

07 JAN 2026

होय / नाही

Serial No.: 152486

719

AU SMALL FINANCE BANK

Bank Guarantee No. AWJIPBG260120001
Date: January 12, 2026

BANK GUARANTEE

To,
The District Mining Officer,
Collectorate Building, Trimurthy Square,
Bhandara - 441904.

Applicant: M/s. R Sandesh Infravision Private Limited.

WHEREAS Office of the District Mining Officer, Collectorate Building, Trimurthy Square Bhandara - 441904 Maharashtra having its office of Bhandara (hereinafter referred to as "The Owner" which expression shall unless repugnant to the context includes their legal representatives successors and permitted assigns) has executed a binding to the contract on 07-01-2026 ("Contract") with M/s. R Sandesh Infravision Private Limited, 879, Shiv Narayan Bhawan, Santra Market, Marwadi Chawal Pole No. S13, Nagpur-440018, Maharashtra (hereinafter referred to as the 'Contractor" which expression shall unless repugnant to the context include its legal representatives successors and permitted permitted assigns) for the mining stones, soft stones and other misc., mining of Bhandara Sand Ghats shall have the meaning ascribed to it in the Contract based on the terms & conditions set out in the Tender Number 2025_BHNDR_1258004_1 dated 11-12-2025 Issued by Hon'ble District Collector, Bhandara.

AND WHEREAS one of the conditions of the Contract is that the Contractor shall furnish to the Owner a Bank Guarantee from a Scheduled Commercial Bank in India having a branch of Nagpur for security amount of Rs.1,34,00,669/- (Rupees One Crore Thirty-Four Lakh Six Hundred Sixty-Nine Only) (the amount guaranteed under this bank guarantee shall hereinafter be referred to as the "Guaranteed Amount") against due and faithful performance of the Contract including the performance bank guarantee obligation and other obligations of the Contractor for the supplies made and the services being provided and executed by under the Contract. This bank guarantee shall be valid till twelve months i.e. 07-01-2027 (Expiry Date) after the expiry of contract period including any extension thereof.

And Whereas the Contractor has approached AU Small Finance Bank Ltd., a company registered under the Companies Act 2013, a Scheduled Commercial Bank under second schedule of Reserve Bank of India Act 1934, and a small finance bank under Section 22 of Banking Regulation Act 1949 having its registered office at 19-A, Dhuleshwar Garden, Ajmer Road Jaipur-302001 and having one of its branch at Block No 4/25 Gandhi Grain Market, Ca Road Telephone Exchange Square, Nagpur (hereinafter called the "Bank") at the request of the Contractor and in consideration of the promises made by the Contractor, the Bank has agreed to give such guarantee as hereunder.

I. The Bank hereby undertakes to pay under this bank guarantee, the Guaranteed Amount claimed by the Owner without any further proof or conditions and without demur, reservation, contest, protest and without any enquiry or notification to the Contractor merely on a written demand raised by the Owner stating that the amount claimed is due to the Owner under the Contract. Any such written demand made

MR./MS.
AUTHORIZED SIGNATORY

MR./MS.
AUTHORIZED SIGNATORY

Bank Guarantee No. AWJIPBG260120001
Date: January 12, 2026

on the Bank by the Owner shall be conclusive as regards the amount due and payable by the Bank under this bank guarantee and the Bank shall pay without any deductions or set-offs of Counterclaims whatsoever, the total sum claimed by the Owner in such Demand. The Owner shall have the right to make an unlimited number of Demands under this bank guarantee provided that the aggregate of all sums paid to the Owner by the Bank under this bank guarantee shall not exceed the Guaranteed Amount. In each case of demand, resulting to change of Performance Guarantee values, the Owner shall surrender the current Performance Guarantee to the bank for amendment in price. However, the Bank's liability under this bank guarantee shall be restricted to an amount not exceeding the Guaranteed Amount of Rs.1,34,00,669/- (Rupees One Crore Thirty-Four Lakh Six Hundred Sixty-Nine Only).

II. The Owner will have full liberty without reference to the Bank and without affecting the bank guarantee to postpone for any time or from time to time the exercise of any powers and rights conferred on the Owner under the Contract and to enforce or to forbear endorsing any powers or rights or by reasons of time being given to the contractor which under law relating the Surety would but for the provisions have the effect of releasing the surely.

III. The rights of the Owner to recover the Guaranteed Amount from the Bank in the manner aforesaid will not be affected or suspended by reasons of the fact that any dispute or disputes have been raised by the Contractor and/or that any disputes are pending before any office, tribunal or court in respect of such Guaranteed Amount and/or the Contract.

IV. The bank guarantee herein contained shall not be affected by the liquidation of winding up, dissolution, change of constitution or insolvency of the Contractor but shall in all respects and for all purposes be binding and operative until payment of all money due to the Owner in respect of such liability or liabilities is effected or till 07-01-2027 (Expiry Date) whichever is earlier

V. This bank guarantee shall be governed by and construed in accordance with the laws of the Republic of India and the parties to this bank guarantee hereby submit to the jurisdiction of the Courts of Nagpur for the purposes of settling any disputes or differences which may arise out of or in connection with this bank guarantee and for the purposes of enforcement under this bank guarantee.

VI. The liability of the Bank under this bank guarantee is restricted to the Guaranteed Amount and this bank guarantee shall expire on the expiry 07-01-2027 (Expiry Date).

VII. Unless a written Demand under this bank guarantee is filed against the Bank from the date of expiry i.e. 07-04-2027 (Claim Expiry date) of this bank guarantee all the rights of the Owner under this bank guarantee shall be forfeited and the Bank shall 'be relieved and discharged from all liabilities hereunder.

VIII. However, in the opinion of the Owner. if the Contractor's obligations against which this bank guarantee is given are not completed fully performed by the Contractor within the period prescribed under the Contract on request of the Contractor, the Bank hereby agrees to further extend the bank

MR./MS.

AUTHORIZED SIGNATORY

MR./MS.

AUTHORIZED SIGNATORY

Serial No.: 152488

721

AU SMALL FINANCE BANK

Bank Guarantee No. AWJIPBG260120001
Date: January 12, 2026

guarantee, till the Contractor fulfils its obligations under the Contract as required by contractor, however such extension will be done at the sole discretion on the bank

We hereby waive the necessity of your demanding the said Guaranteed amount from the contractor before presenting us with the demand.

We further agree that no change of addition to or other modification of the terms of the contract to be performed there under or of any of the contract documents which may be made between you and the contractor shall in any way release us from any liability under the guarantee and we hereby waive notice of any such change, addition or modification.

The confirmation of this bank guarantee is available with our office. The beneficiary in his own Interest should obtain such confirmation from the office at the following address: AU Small Finance Bank Ltd., Block No 4/25 Gandhi Grain Market, Ca Road Telephone Exchange Square, Nagpur.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREINABOVE:

a. The liability of the Bank under this bank guarantee shall not exceed Rs.1,34,00,669/- (Rupees One Crore Thirty-Four Lakh Six Hundred Sixty-Nine Only).

b. This bank guarantee shall be valid up to 07-01-2027 ("Expiry Date").

c. The Bank is liable to pay up to the Guaranteed Amount or any part thereof under this guarantee only and only if the Owner serve upon the Bank, a written claim or demand on or before 07-04-2027 ("Claim Expiry Date") at AU Small Finance Bank Ltd., Block No 4/25 Gandhi Grain Market, Ca Road Telephone Exchange Square, Nagpur. Unless a written claim or invocation under this bank guarantee is received by the Bank on or before the Claim Expiry Date of this bank guarantee, all the rights of the Owner under this bank guarantee shall be extinguished and the Bank shall be relieved and discharged from all liabilities thereunder, irrespective of return of original bank guarantee.

d. The Bank shall be discharged under this bank guarantee in the event no claim under this bank guarantee is received by the Bank in writing on or before 07-04-2027 ("Claim Expiry Date") and/or upon receipt of original copy of bank guarantee and/or release letter from the Owner, whichever is earlier.

e. Under this Bank Guarantee, the Limitation Period to enforce the claim before any Court of Law, under the applicable laws, shall be 1 year from the date of receipt of written claim or invocation by the Bank on or before the Claim Expiry Date specified in Clause C above.

For AU Small Finance Bank Ltd.

Dated- 12-01-2026
Place- Nagpur.

AU SMALL FINANCE BANK LTD. Nagpur 2369

MR./MS.

AUTHORIZED SIGNATORY

AU SMALL FINANCE BANK LTD. Nagpur 2369

MR./MS.

AUTHORIZED SIGNATORY

301/261 **पावती** **Original/Duplicate**

Tuesday,January 13 ,2026 नोंदणी क्रं. :39म

3:18 PM Regn.:39M

पावती क्रं.: 324 दिनांक: 13/01/2026

गावाचे नाव: **भंडारा (खास)**

दस्तऐवजाचा अनुक्रमांक: **बडर-261-2026**

दस्तऐवजाचा प्रकार : **भाडेपट्ट्याचे हस्तांतरणपत्र**

सादर करणाऱ्याचे नाव: **सचिन गाढवे जिल्हा खनिकर्म अधिकारी भंडारा - -**

नोंदणी फी	रु. 30000.00
दस्त हाताळणी फी	रु. 1280.00
पृष्ठांची संख्या: 32	
एकूण:	रु. 31280.00

आपणास मूळ दस्त ,थंबनेल प्रिंट,सूची-२ अंदाजे 3:37 PM ह्या वेळेस मिळेल.

सह दुय्यम निबंधक भंडारा

बाजार मुल्य: रु.0 /-

मोबदला रु.670033440/-

भरलेले मुद्रांक शुल्क : रु. 1340067/-

1) देयकाचा प्रकार: DHC रक्कम: रु.1280/-

डीडी/धनादेश/पे ऑर्डर क्रमांक: 0126134404469 दिनांक: 13/01/2026

बँकेचे नाव व पत्ता:

2) देयकाचा प्रकार: eChallan रक्कम: रु.30000/-

डीडी/धनादेश/पे ऑर्डर क्रमांक: MH015174049202526P दिनांक: 13/01/2026

बँकेचे नाव व पत्ता:

मूळ दस्त स्कॅनिंग करुन परत दिला.

CHALLAN

MTR Form Number-6

GRN	MH015174049202526P	BARCODE	Date	13/01/2026-10:55:18	Form ID	60

Department	Inspector General Of Registration	**Payer Details**	
Type of Payment	STAMP DUTY AND REGISTRATION FEE COMBINE PAYMENT	**TAX ID / TAN (If Any)**	
		PAN No.(If Applicable)	AANXXXXXXR
Office Name	BDR_HQR SUB REGISTRAR BHANDARA	**Full Name**	R Sandesh Infravision Private Limited
Location	BHANDARA		
Year	2025-2026 One Time	**Flat/Block No.**	24 SAND GHATS
Account Head Details	**Amount In Rs.**	**Premises/Building**	
0030046401 Stamp Duty	1340067.00	**Road/Street**	
0030063301 Registration Fee	30000.00	**Area/Locality**	PAUNI
		Town/City/District	
		PIN	4 4 1 9 1 0
		Remarks (If Any)	DISTRICT MINING OFFICER (DMO),BHANDARA
Total	13,70,067.00	**Amount In Words**	Thirteen Lakh Seventy Thousand Sixty Seven Rupees Only

ब ड र
२६१ /२०२६
१ / ३२

THE SEAL OF THE JOINT SUB REGIS... BHANDARA
भंडारा

Payment Details	SBIEPAY PAYMENT GATEWAY	**FOR USE IN RECEIVING BANK**			
Cheque-DD Details		Bank CIN	Ref. No.	10000502026011300902	1480221531847
Cheque/DD No.		Bank Date	RBI Date	13/01/2026-10:55:52	Not Verified with RBI
Name of Bank		Bank-Branch		SBIEPAY PAYMENT GATEWAY	
Name of Branch		Scroll No. , Date		Not Verified with Scroll	

Department ID :
Mobile No. : XXXXXX4800

NOTE:- This challan is valid for document to be registered in Sub Registrar office only. Not valid for unregistered document.

सदर चलन केवळ दुय्यम निबंधक कार्यालयात नोंदणी करावयाच्या दस्तांसाठी लागु आहे. नोंदणी न करावयाच्या दस्तांसाठी सदर चलन लागु नाही.

Print Date 13-01-2026 10:59:45

Document **H**andling **C**ha₹ges
Inspector General of Registration & Stamps

Receipt of Document Handling Charges

PRN :	0126134404469	**Payment Date :**	13/01/2026

Received from **Sandesh Infravision Pvt Ltd Through Rudhir Agrawal** , Mobile number **9503221980**, an amount of Rs.**1280/-**, towards Document Handling Charges for the **iSarita 1.9** in the Joint District Registrar office **JDR Bhandara** of the District **Bhandara**.

Payment Details

Bank Name :	SBIN	**Receipt Date :**	13/01/2026
Bank CIN :	10029762026011304307	**REF No. :**	0173644829738

This is computer generated receipt, hence no signature is required.



महाराष्ट्र शासन
जिल्हाधिकारी भंडारा यांचे कार्यालय
(खनिकर्म शाखा)

Email ID : dmobhandara123@gmail.com

क्र.आसन-14/खनिज/अका/कावि-27/2026 दिनांक :- 12/01/2026

प्रति,

दुय्यम निबंधक,
भंडारा

विषय :- **दस्तावेज नोंदणी करण्याबाबत.**

संदर्भ :- 1) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 08/04/2025.
2) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 09/10/2025.
3) रेतीघाट ई-निविदा व ई-लिलाव दिनांक 30/12/2025
4) या कार्यालयाचे पत्र क्र. क्र.आसन-14/खनिज/अका/कावि-०1/2026 दि. 01/01/2026

उपरोक्त संदर्भिय विषयाचे अनुषंगाने वाळु / रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 08/04/2025 व वाळु / रेती निर्गती धोरण-2025 शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 09/10/2025 अन्वये भंडारा जिल्ह्याकरीता पर्यावरण अनुमती प्राप्त वाळु घाटांकरीता उपविभाग निहाय रेतीघाट ई-निविदा व ई-लिलाव जाहिरात दिनांक 11/12/2025 रोजी प्रसिध्द करण्यात आलेली होती.

सदर ई-निविदा व ई-लिलावामध्ये आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर- 440018 tenders@rsandeshgroup.com यांनी भंडारा उपविभागातील 24 वाळुघाटांमधील उपलब्ध वाळुसाठा 478449 ब्रास हातची किंमत रुपये 25,83,62,400/- करीता प्रतिब्रास 1556.03 रुपये प्रमाणे एकुण रुपये 67,00,33,440/- सर्वोच्च बोली / देकार नोंदविलेला असल्याने वाळुघाट मंजुरीबाबत संदर्भ क्र. 4 अन्वये LOI देण्यात आलेला आहे. मंजुर करण्यात आलेल्या वाळु / रेतीघाटांकरीता करारनामा निष्पादन करण्यात आला असुन करारनामा नोंदणीकृत होणे आवश्यक असल्याने सदर करारनाम्याची नोंणी करुन देण्यात यावी, हि विनंती.

सहपत्र:- करारनामा

(सचिन वाढवे)
जिल्हा खनिकर्म अधिकारी,
भंडारा

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Stamp Duty of Rs. 5067/- Paid by
e Payment by Way of Simple Receipt.
Receipt / Challan No.— GRN No MH015174049202526P
CIN No. Dated 13/01/2026
10000502026011300902

Joint Sub Registrar
Bhandara

महसूल व वन विभाग, वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दिनांक 08/04/2025 शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र. 05/ख-1, दिनांक 30/04/2025 शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 09/10/2025 अन्वये यशस्वी लिलावधारकासमवेत करावयाचा करारनामा

सचिन वाढवे
जिल्हा खनिकर्म अधिकारी, भंडारा — **करारनामा लिहून घेणार**

आर संदेश इंफ्राविजन प्रा. लि.,
तर्फे रुचिर कुमार अग्रवाल
श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग,
संत्रा मार्केट, नागपुर-440018 — **करारनामा लिहून देणार**

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<u>कारणे करारनामा लिहून देण्यात येतो की,</u>

लिहून देणार आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 येथील असुन त्यांचा पॅन क्रमांक AANCR1955R आहे. वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 08/04/2025 व वाळू/ रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 09/10/2025 अन्वये भंडारा जिल्हयाकरीता पर्यावरण अनुमती प्राप्त वाळू घाटांकरीता उपविभाग निहाय रेतीघाट ई-निविदा व ई-लिलाव जाहिरात दिनांक 11/12/2025 रोजी प्रसिध्द करण्यात आलेली होती. सदर ई-निविदा व ई-लिलावामध्ये आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 यांनी भंडारा या उपविभागातील 24 वाळूघाटांमधिल उपलब्ध एकुण वाळूसाठ चे 90% 430604 ब्रास हातची किंमत रूपये 25,83,62,400/- करीता प्रतिब्रास रूपये 1556.03/- रूपये प्रमाणे एकुण रूपये 67,00,33,440/- सर्वोच्च बोली/देकार नोंदविलेला असुन.

District Mining Officer
Collectorate, Bhandara

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लिलावधारक यांनी भंडारा उपविभागातील खालील नमुद 24 वाळू घाटांकरीता संपूर्ण रक्कमेचा भरणा पूर्ण केलेला आहे.

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उपविभाग- भंडारा

अ.क्र	तालुका	रेतीघाटाचे नाव	नदीचे नाव	रेतीघाट लगतचे गट क्र.	वाळूघाटाची लांबी X रुंदी X खोली	आराजी (हे. आर.)	उत्खनन योग्य रेतीचे परिमाण (ब्रास)	पर्यावरण अनुमती प्राप्त दिनांक
1	भंडारा	वडेगाव (रिठी)	वैनगंगा नदी	1 Part	460x100x1.2	4.6	19505	मा. SEIAA (पर्यावरण विभाग,महाराष्ट्र) यांचे दिनांक 7/12/2025 व 8/12/2025 च्या सभेच्या इतिवृत्ताव्दारे प्राप्त पर्यावरण अनुमती
2	भंडारा	मांडवी	वैनगंगा नदी	558, 559, 560, 561, 562	350x100x1	3.5	12367	
3	भंडारा	कोथुर्णा	वैनगंगा नदी	573, 571/1, 571/2, 569, 570	270x60x1	1.62	5724	
4	भंडारा	जूनी टाकळी	वैनगंगा नदी	319/1, 319/2	400x100x1.2	4	16961	
5	पवनी	भोजापूर 1	वैनगंगा नदी	222, 226, 227, 230, 231, 232, 245	490x100x1	4.9	17314	
6	पवनी	खातखेडा 1	वैनगंगा नदी	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	490x100x1.5	4.9	25972	
7	पवनी	विलम	वैनगंगा नदी	268, 275, 269, 270, 271, 272, 273	490x100x1.5	4.9	25972	
8	पवनी	मांगली1	वैनगंगा नदी	593, 558/1, 558/2	490x100x1.5	4.9	25972	
9	पवनी	जूनोना 2	वैनगंगा नदी	419, 415, 413, 412	200x150x1.5	3	15901	
10	पवनी	येनोळा	वैनगंगा नदी	38, 41	415x110x1.3	4.57	20970	
11	पवनी	जूनोना	वैनगंगा नदी	62, 61, 59	300x150x1.5	4.5	23852	

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12	पवनी	गुडेगाव	वैनगंगा नदी	150, 176, 177, 178, 179, 180, 189, 190	490x100x1.5	4.9	25972	
13	पवनी	पवनी	वैनगंगा नदी	23, 15/3A, 15/3B	325x125x1.2	4.06	17226	
14	पवनी	पवनी 2	वैनगंगा नदी	86, 85, 82/2/1	215x185x1.3	3.98	18271	
15	पवनी	शिवनाळा	वैनगंगा नदी	609, 608, 607, 606	250x180x1.5	4.5	23852	
16	पवनी	वलनी 1	वैनगंगा नदी	4, 5, 889, 888, 887, 886, 885	250x180x1.5	4.5	23852	
17	पवनी	वलनी 2	वैनगंगा नदी	815, 816, 814	250x180x1.5	4.5	23852	
18	पवनी	इटगाव	वैनगंगा नदी	13, 14, 19, 20, 23, 691, 27	350x130x1	4.55	16078	
19	पवनी	कुर्झा	वैनगंगा नदी	740, 745, 757, 770, 774	350x90x1.2	3.15	13357	
20	पवनी	रुयाळ	वैनगंगा नदी	65, 66, 119, 122	300x150x1.5	4.5	23852	
21	पवनी	खाकसी	वैनगंगा नदी	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177	400x120x1.5	4.8	25442	
22	पवनी	धानोरी	वैनगंगा नदी	181/1, 180/2, 181, 579, 182,183	450x100x1.5	4.5	23852	
23	पवनी	विसापूर	वैनगंगा नदी	33/1, 33/2, 33/3, 32, 69, 70	450x100x1.5	4.5	23852	
24	पवनी	कोदूर्ली	वैनगंगा नदी	344, 345	200x100x1.2	2	8481	
एकुण							**478449**	

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भंडारा उपविभागातील वाळूगटाची सर्वोच्च बोलीची रक्कम व इतर देय रक्कमा शासन जमा केल्यामुळे आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 यांना भंडारा उपविभागातील वरील रेतीघाटातून वाळू/रेती उत्खनन व वाहतूक करण्याकरिता दिनांक 10 जून, 2026 पर्यंत आणि विक्री करण्याकरिता परवानगी दिनांक 30 सप्टेंबर, 2026 पर्यंत महसूल व वनविभाग, महाराष्ट्र शासन, मंत्रालय मुंबई, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र. 05/ख-1. दिनांक 08/04/2025 व महसूल व वनविभाग, महाराष्ट्र शासन, मंत्रालय मुंबई, शासन निर्णयक्र. गौखनि 10/0125/प्र.क्र. 05/ख-1, दिनांक30/04/2025 आणि या कार्यालयाची ई-निविदा दिनांक 16/10/2025 मधील अटी व शर्तीच्या अधिन राहून परवानगी देण्यात आलेली आहे.

पर्यावरण विभागाने सदर रेतीघाटाकरिता पर्यावरण विषयक मंजुरी (Environment Clearance) प्रदान केलेली असून त्यात नमुद सर्वसाधारण अटी व शर्ती रेतीघाटधारकास बंधनकारक राहतील व त्यांची अंमलबजावणी करण्याची जबाबदारी रेतीघाटधारकाची राहील. पर्यावरण अनुमतीनुसार EMP आणि CER बाबतची अंमलबजावणी करण्याची जबाबदारी लिलावधारकांची राहील.

वाळूगट लिलावाकरीता सर्वसाधारण अटी व शर्ती

1. पर्यावरण विभाग, मुंबई SEIAA यांचेकडून प्राप्त पर्यावरण अनुमती मधील सर्व अटी व शर्तीचे पालन करणे बंधनकारक राहील.

2. घाटधारकाला नदीपात्रातून / नाल्यातून रेती / वाळू उत्खनन करण्यासाठी ज्या क्षेत्राचे वाटप केले असेल त्याचक्षेत्रातून रेती/वाळू उत्खनन करतांना नैसर्गिक संपत्तीस व पर्यावरणास धोका होणार नाही याची सर्व खबरदारी घाटधारकाने घ्यावयाची आहे.

3. महाराष्ट्र गौण खनिज उत्खनन (विकास व नियमन) नियम, 2013 तसेच वाळू/रेती निर्गती धोरण-2025 दिनांक 08.04.2025 व दिनांक 09.10.2025 आणि शासनाने वेळोवेळी निर्गमीत केलेले अधिनियम, नियम, परिपत्रके यामधील सर्व तरतुदीचे तंतोतंत पालन करणेची लिलावधारकाची जबाबदारी राहील. तसेच पर्यावरण, वने व वातावरणीय बदल मंत्रालय, नवी दिल्ली (MOEF) या विभागाने वेळोवेळी निर्गमित केलेल्या नियमाचे पालन करणे लिलावधारकावर बंधनकारक राहील.

4. नदी प्रवाहाचा व परिसरातील पर्यावरणाचा समतोल राखुनच मंजुर रेतीघाटातून रेतीचे उत्खनन करण्यात यावे.

5. माननीय सर्वोच्च न्यायालयाने विशेष अनुमती याचिका (सी) क्र. 19628-1629/2009 मध्ये दि. 27/02/2012 रोजी दिलेले आदेश तसेच नदीपात्रातील पाणी स्वच्छ व शुध्द राहण्यासाठी व नैसर्गिकरित्या पाण्याचे नदीपात्रात वहन होण्यासाठी वाळू/रेती निर्गती धोरण दिनांक 03/09/2019 नुसार तहसिलचे तांत्रिक उपसमितीने संबंधित रेतीघाटाच्या थराची जाडी निश्चित केली आहे व

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पर्यावरण मंजुरी आदेशामध्ये जी खोली शिफारस आहे, त्यामर्यादेत रेतीघाटाचे उत्खनन करता येईल.

6. लिलावधारकाने वाळू थराची जाडी सातत्याने राहण्यासाठी बेंच मार्क निश्चित करुन बेंच मार्कच्या खाली कोणत्याही परिस्थितीत वाळूचे उत्खनन करता येणार नाही. निश्चित केलेले बेंच मार्क पडणार नाहीत, तसेच नदीपात्रातील वाळूच्या थराच्या आधारे आजूबाजुच्या विहिरीतील पाण्याची पातळी कमी होणार नाही, याबाबत योग्य ती दक्षता लिलावधारकाने घेणे आवश्यक राहील.

7. रेतीची वाहतूक करणाऱ्या प्रत्येक वाहनावर GPS बसविणे आवश्यक राहील. रेतीची वाहतूक करणाऱ्या वाहनामध्ये GPS न बसविल्यास बारकोड टि.पी. चे Invoice Generate होणार नाही.

8. सर्वोच्च न्यायालयाचे आदेश व राष्ट्रीय हरीत न्यायाधीकरण (National Green Tribunal) यांचे आदेशाचे उल्लघंन होणार नाही याची दक्षता घ्यावी.

9. सांडपाणी निर्माण होत असल्यास त्यावर पर्यावरण व वन्यजीव संरक्षण मंत्रालय, भारत सरकार तसेच प्रदुषण नियंत्रण मंडळ यांनी विहीत केलेल्या प्रमाणकानुसार प्रक्रीया करण्यात यावी.

10. उत्खनन केलेली वाळू/रेती वाहतूक करण्याकरिता वापरण्यात येणारी वाहने सुस्थितीत ठेवणे व त्यासाठी PUC Certificate घेणे बंधनकारक राहील. PUC Certificate नसलेली वाहने वाळू वाहतूकीकरिता वापरता येणार नाही. वाळू उत्खनन व वाहतुकीसाठी वापरणेत येणाऱ्या यंत्रातील इंधन / ग्रीस गळतीमुळे प्रदुषण होणार नाही किंवा पाणी दुषीत होणार नाही याची दक्षता ठेकेदाराने घेणेची आहे. तसेच ध्वनी प्रदुषण होणार नाही याची दक्षता घेणेची आहे. सदरील बाबीचे उल्लंघन केल्यास ठेकेदारास दंडास पात्र राहतील.

11. केंद्र शासनाच्या Enforcement & Monitoring Guidelines 2020, व पर्यावरण वने व वातावरणीय बदल मंत्रालय नवी दिल्ली (MOEF) या विभागाने वेळोवेळी निर्गमित केलल्या नियमाचे पालन करणे बंधनकारक राहील.

12. रेतीची वाहतूक करतांना गावातील नागरीकांना त्याचा त्रास होणार नाही किंवा त्यांना जिवीत वा वित्तीय हानी पोहचणार नाही याची सर्वस्वी जबाबदारी रेतीघाटधारक यांची राहील. तसेच वापर करण्यात येत असलेले रस्ते खराब होणार नाही याची दक्षता घ्यावी अथवा रेती/वाळू वाहतुकीकरीता उपलब्ध झाल्यास गावाचे बाहेरील रस्त्याचा वापर करण्यात यावा तसेच शाळा सुरु होणे व सुटण्याचे वेळी वाहतूक करता येणार नाही.

13. यशस्वी लिलावधारकास खाणकाम आराखडयामधील अटी व शर्तीचे पालन करणे बंधनकारक राहील.

14. लिलावाचा कालावधी पावसाळ्याच्या कालावधीसह समाविष्ट असेल.

15. **दिनांक १० जून ते ३० सप्टेंबर हा पावसाळ्याचा कालावधी असेल व या कालावधी मध्ये वाळू उत्खनन करता येणार नाही.**

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सन 2025-2026 वाळूगट लिलावासाठी व उत्खननासाठी सर्वसाधारण अटी व शर्ती

1) लिलावधारकाने/परवानाधारकाने त्याला मंजूर केलेल्या वाळूगटाच्या ठिकाणी फलक, दिशादर्शक लावून, उत्खनन क्षेत्राची सीमा निश्चित करुन सीमा दर्शविणारे खांब उभारणे अनिवार्य राहील. विहीत केलेल्या क्षेत्राच्या बाहेर वाळू/रेतीचे उत्खनन करता येणार नाही. तसेच लिलावधारकाने जिल्हाधिकारी यांच्या पूर्वपरवानगीने सदर वाळूगटाचे कामकाज पाहण्यासाठी नियुक्त केलेले उपठेकेदार, व्यवस्थापक व कर्मचारी यांची नावे, पत्ता व जागेचा तपशील दर्शविणारा फलक योग्य ठिकाणी लावणे आवश्यक राहील.

2) माननीय सर्वोच्च न्यायालयाने विशेष अनुमती याचिका (सी) क्र.१९६२८-१९६२९/२००९ मध्ये दि.२७/०२/२०१२ रोजी दिलेले आदेश तसेच नदीपात्रातील पाणी स्वच्छ व शुध्द राहण्यासाठी व नैसर्गिकरित्या पाण्याचे नदीपात्रात वहन होण्यासाठी वाळू/रेती गटातून जास्तीत जास्त ३ मीटर किंवा पाण्याची पातळी यापैकी जे कमी असेल तितक्या खोलीपर्यंत किंवा पर्यावरण अनुमतीमध्ये परवानगी दिलेल्या खोलीपर्यंत यापैकी जे कमी असेल तेवढ्या खोलीपर्यंतच लिलावधारक / परवानाधारकाला वाळू/रेतीचे उत्खनन करता येईल.

3) नदीपात्रातील वाळूथराची जाडी सातत्याने राहण्यासाठी बेंच मार्क निश्चित करुन बेंच मार्कच्या खाली कोणत्याही परिस्थितीत वाळूचे उत्खनन करता येणार नाही. निश्चित केलेले बेंच मार्क पडणार नाहीत, तसेच नदीपात्रातील वाळूच्या थराच्या आधारे आजूबाजूच्या विहिरीतील पाण्याची पातळी कमी होणार नाही, याबाबत योग्य ती दक्षता लिलावधारकाने घेणे आवश्यक राहील.

4) लिलावधारकास/परवानाधारकास मंजूर केलेल्या वाळूसाठ्या इतकेच उत्खनन करण्याचा अधिकार प्राप्त होईल.

5) राज्यात अवैध उत्खनन व वाहतूक ही प्रामुख्याने रात्रीच्या वेळी होत असल्याचे निदर्शनास येत असल्याने त्यावर प्रतिबंध करण्यासाठी नदी/खाडीपात्रातून वाळू/रेतीचे उत्खनन सकाळी ०६.०० ते सायंकाळी ०६.०० वाजेपर्यंत करणे बंधनकारक असेल. सायंकाळी ०६.०० नंतर नदी/खाडीपात्रातून उत्खनन करुन वाहतूक करणे प्रतिबंधित राहील. या कालावधी व्यतिरिक्त इतर वेळेत केलेले उत्खनन अवैध समजून कारवाई करण्यात येईल.

6) महाखनिज प्रणालीद्वारे वाळू विक्रीबाबत देण्यात येणाऱ्या परवान्यानुसार (eTP) मंजूर कालावधीपर्यंत
वाळूची वाहतूक करता येईल.

7) उत्खननासाठी मंजूर करण्यात आलेल्या वाळू गटाचे Geo- fencing करणे बंधनकारक राहील.

8) सदर मंजूर वाळूगटामधून वाळूचे उत्खनन करुन वाहतूक करताना ज्या वाहनातून वाळूची वाहतूक होणार आहे त्याचा वाहतूक पास (ETP) हा सदर वाळूगटाच्या चतुःसिमांचे Geo-fencing च्या क्षेत्राच्या आत तयार करण्यात येऊन त्याबाबत महाखनिज संगणक प्रणालीवर नोंद घेणे बंधनकारक राहील.

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9) वाळूगटाधून उत्खनन केलेल्या वाळूची नोंद महाखनिज प्रणालीवर ऑनलाईन घेणे बंधनकारक असेल.

10) कोणत्याही रेल्वे पुलाच्या व रस्ते पुलाच्या कोणत्याही बाजूने ६०० मीटर्स (२००० फूट) अंतराच्या आत वाळूचे उत्खनन करता येणार नाही.

11) कोल्हापूर पध्दतीचे बंधारे असलेल्या ठिकाणापासून १०० मीटरच्या आत कोणतेही उत्खनन करता येणार
नाही.

12) सार्वजनिक पाणवठा / पाणीपुरवठा व्यवस्था असलेल्या ठिकाणापासून १०० मीटर अथवा भूजल सर्वेक्षण व
विकास यंत्रणा निश्चित केलेल्या अंतरापलीकडे उत्खनन करणे आवश्यक राहील.

13) रस्ते/पायवाट म्हणून वापरण्यात येणाऱ्या जमिनीतून वाळू / रेती काढता येणार नाही.

14) लिलावधारकाने / परवानाधारकाने वाळूगटाचा ताबा दिल्याच्या दिनांकापासून एका आठवड्याच्या आत वाळू/रेतीचे उत्खनन सुरू करणे आवश्यक राहील.

15) लिलावधारकाला/परवानाधारकाला नदीपात्रातून / नाल्यातून रेती / वाळू उत्खनन करण्यासाठी ज्या क्षेत्राचे वाटप केले असेल त्या क्षेत्रातून रेती/वाळू उत्खनन करताना नैसर्गिक संपत्तीस व पर्यावरणास धोका होणार नाही याची सर्व खबरदारी लिलावधारक/परवानाधारक यांनी घ्यावयाची आहे.

16) लिलावधारक/परवानाधारक यांनी गावकऱ्यांच्या निस्तारहक्कांस बाधा पोहोचविता कामा नये.

17) लिलावधारकाने/परवानाधारकाने रेती / वाळूचे केलेले उत्खनन, विक्री व वाहतूक केलेल्या रेतीबाबतची दैनंदिन हिशोब नोंदवही ठेवणे आवश्यक आहे. ही नोंदवही व इतर हिशोब कागदपत्रे जिल्हा खनिकर्म अधिकारी, खनिकर्म निरीक्षक, महसूल अधिकारी तसेच जिल्हाधिकारी व भूविज्ञान व खनिकर्म संचालनालयातील निरीक्षण करणाऱ्या अधिकाऱ्यांना उत्खननाच्या जागेवर उपलब्ध करुन द्यावीत.

18) लिलावधारकास/परवानाधारकास वाळूची / रेतीची वाहतूक करण्यासाठी परवाना द्यावयाचा असल्यास त्याने सहकारी संस्था/संस्थांना प्राधान्य दिले पाहिजे.

19) वाळूची वाहतूक करतांना वाहनातील वाळू ताडपत्रीने आच्छादित करुनच वाळूची वाहतूक करणे बंधनकारक आहे. अशी वाहतूक न केल्यास दंडात्मक कारवाई करण्यात येईल.

20) रेती / वाळूची वाहतूक करणाऱ्या वाहनास त्याच्या वहन क्षमतेइतक्याच परिमाणाची वाहतूक करावी. वहन क्षमतेपेक्षा अधिक परिमाणाची रेती / वाळू वाहून नेत असल्याचे आढळून आल्यास त्या वाहनातील संपूर्ण वाळू अवैध आहे, असे समजून त्यावर नियमानुसार दंडात्मक कारवाई तसेच क्षमतेपेक्षा जास्त वाहतूकीबाबत मोटर वाहन कायद्यानुसार कारवाई करावी. दंडनीय कारवाईबरोबर जप्त केलेल्या रेतीचा लिलाव करण्यात यावा.

21) रेती / वाळूचे उत्खनन करताना अथवा वाहतूक करताना अपघात झाल्यास लिलावधारकाने/परवानाधारकाने अपघाताची माहिती तात्काळ जवळच्या पोलीस ठाण्यात द्यावी.

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22) लिलावधारकाने/परवानाधारकाने नियमात नमूद केल्याप्रमाणे अटी व शर्तीचे तसेच गौण खनिज उत्खनन नियमातील तरतुदीनुसार असलेले नियम (संबंधित विभागास लागू असलेले नियम) आणि महाराष्ट्र जमीन महसूल अधिनियमातील तरतुदीनुसार लागू असलेल्या नियमांचे तसेच पर्यावरण अनुमतीमधील अटी व शर्तीचे पालन करणे बंधनकारक राहील. त्याचप्रमाणे लिलावधारकाने रेतीचा/वाळूचा पूर्ण उपयोग गौण खनिज म्हणूनच केला पाहिजे.

23) रेतीचे/वाळूचे उत्खनन करतेवेळी जर काही प्रमुख खनिज आढळून आल्यास लिलावधारकाने / परवानाधारकाने विभागीय आयुक्त/जिल्हाधिकारी यांच्याकडे सात दिवसात कळविले पाहिजे.

24) पर्यावरण अनुमती नुसार रेतीघाटातुन वाळुचे उत्खनन मनुष्यबळाचे सहाय्यानेच करणे निविदाधारकास बंधनकारक राहील.

25) नदी/खाडी पात्रामधुन वाळु निर्गतीकरीता पात्र लिलावधारक यांना त्यांनी उत्खनन केलेल्या एकुण वाळु साठ्याच्या 10 टक्के वाळु प्रधानमंत्री आवास योजनेतंर्गत तेसच आर्थिक दृष्टया मागास प्रवर्गातील लाभार्थ्यांना घरकुलांकरीता विनामुल्य उपलब्ध करुन देणे लिलावधारक यांना बंधनकारक राहील. त्याबाबत लिलावधारकास शासनामार्फत कोणतीही रक्कम अनुज्ञेय राहणार नाही यांची लिलावधारकाने नोंद घ्यावी.

23) अंदाजित परिमाणापेक्षा अधिक वाळूसाठा रेतीगटात असल्यास त्यावर लिलावधारकाचा कोणताही अधिकार राहणार नाही व अंदाजित परिमाणापेक्षा अधिक उत्खनन करण्यास लिलावधारकास परवानगी देता येणार नाही.

24) मंजूर क्षेत्रातून करारात नमूद केलेल्या कालावधीत, पर्यावरण अनुमतीनुसार परवानगी दिलेल्या साधनाच्या सहाय्यानेच वाळूचे/रेतीचे उत्खनन करण्याची जबाबदारी लिलावधारकाची राहील. वाळू स्थळात अपेक्षित साठा नाही, रस्ते उपलब्ध नाहीत, वाळूस्थळात पाणी आहे, वाळूगटामधील वाळू मातीमिश्रीत आहे अशा तसेच मानवी वा नैसर्गिक आपत्तीच्या कारणास्तव सदर कालावधी कोणत्याही परिस्थितीत वाढवून दिला जाणार नाही व वाळूगट बदलून दिला जाणार नाही. तसेच या कारणास्तव कोणताही परतावा देण्यात येणार नाही.

25) उत्खनन केलेल्या किंवा काढलेल्या वाळू / रेतीची साठवणूक, लिलाव ज्या जिल्हाधिकाऱ्याने केला असेल त्याच जिल्ह्यात करावी लागेल व त्यासाठी अकृषक परवान्यासह आवश्यक जमीन उपलब्ध करुन घेण्याची जबाबदारी लिलावधारकाची असेल. वाळू / रेती ठेक्याची मुदत संपण्यापूर्वी ज्या वाळू / रेतीचे उत्खनन केलेले आहे त्या वाळूचा / रेतीचा साठा मुदत संपल्यानंतर 10 दिवसांत उत्खननाच्या जागेवरुन हलविण्यात आला नाही तर तो शासनाच्या मालकीचा होईल. अशा वाळूच्या / रेतीच्या किंमतीबाबत अथवा मालकीबाबत लिलावधारकास अथवा त्यांच्या ठेकेदारास कोणताही हक्क सांगता येणार नाही किंवा त्याबाबत शासनाविरुध्द दावा करता येणार नाही.

26) लिलावाचा कालावधी संपल्यानंतर तसेच 10 दिवसांची मुदत संपल्यानंतर कोणत्याही परिस्थितीत वाळू / रेतीसाठा करण्यास परवानगी देता येणार नाही किंवा त्याच्या वाहतूकीसाठी दुय्यम वाहतूक पासेस देण्यात येणार नाहीत.

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27) शासनाच्या पूर्वपरवानगीशिवाय लिलावधारकास लिलाव ठेका दुसऱ्या कोणाकडेही हस्तांतरीत करता येणार नाही किंवा दुसऱ्या कोणालाही चालविण्यास देता येणार नाही किंवा लिलावानंतर भागीदारही घेता येणार नाही.

28) लिलावधारक/परवानाधारक त्यांना मंजूर केलेल्या वाळूगटातून उत्खनन केले आहे. त्याबाबतचे विवरणपत्र सक्षम प्राधिकारी यांनी प्रमाणित करुन दर महिन्याच्या १० तारखेला महाखनिज या प्रणालीवर ऑनलाईन सादर करणे बंधनकारक राहील. जे लिलावधारक/परवानाधारक मासिक विवरणपत्र विहित वेळेत ऑनलाईन सादर करणार नाहीत, त्यांच्याविरुध्द ठेका रद्द करण्याबाबत तसेच त्यांच्याविरुध्द दंडात्मक कारवाई करण्याचे अधिकार जिल्हाधिकारी यांना राहतील.

29) मंजूर क्षेत्रातील ज्या ठिकाणातून रेती / वाळू काढल्याने धूप होऊ शकेल व त्यामुळे निवासी इमारतींना, घरे अथवा इतर बांधकामे यांना धोका निर्माण होईल अशा ठिकाणातून वाळूचे स्वतः उत्खनन करणार नाही अथवा इतरांना तसे करण्यास परवानगी देणार नाही. अशा प्रकरणी जिल्हाधिकारी यांचा उत्खनन करण्यास प्रतिबंध करण्याचा निर्णय अंतिम राहील.

30) एकदा अत्युच्च बोली स्विकारुन अंतिम करण्यात आलेल्या लिलावात कोणत्याही परिस्थितीत रेती / वाळू उत्खननाचा कालावधी वाढवून देण्याचा अथवा कोणत्याही कारणास्तव रेतीचा / वाळूचा गट बदलून देण्याची मागणी लिलावधारकास करता येणार नाही. उत्खनन केलेल्या वाळूच्या / रेतीच्या वाहतुकीसाठी पर्यावरण अनुमती देताना दर्शविण्यात आलेले रस्तेच लिलावधारकाने वापरावयाचे आहेत. तसेच वाहतूकीसाठी वेगळे रस्ते उपलब्ध करुन दिले जाणार नाहीत. तसेच वाहतुकीसाठी नवीन रस्ता मिळविण्याची जबाबदारी लिलावधारकाची राहील. रस्ते उपलब्ध नाहीत किंवा वाहतुकीसाठी बंद आहेत या कारणास्तव कोणत्याही परिस्थितीत रेती / वाळू उत्खननाचा कालावधी वाढवून दिला जाणार नाही अथवा रेती/वाळूगट बदलून दिला जाणार नाही.

31) अवैध वाळू / रेतीसाठा पकडल्यानंतर महाराष्ट्र जमीन महसूल अधिनियम, १९६६ मधील नियम ४८ (७) व (८) नुसार कारवाई करण्यात यावी.

32) लिलावधारकाने / परवानाधारकाने वाळू वाहतुकीसाठी वापरण्यात येणाऱ्या वाहनांची माहिती जिल्हाधिकारी यांना देण्यात यावी. कोणत्याही परिस्थितीत वाहनाच्या वहनक्षमतेपेक्षा जास्त वाहतूक होणार नाही याची दक्षता घेण्यात यावी.

33) वाळूचे / रेतीचे उत्खनन करताना किंवा ती काढताना खाजगी मालमत्तेस कोणतीही हानी/नुकसान पोहचल्यास त्याची भरपाई करण्याचे दायित्व लिलावधारकावर राहील. अशा हानीची / नुकसानीची परिगणना सक्षम अधिकाऱ्याकडून करण्यात येईल व त्याबाबतचा निर्णय अंतिम राहील व अशी रक्कम जमीन महसूलाच्या थकीबाकीच्या वसुलीप्रमाणे संबंधित लिलावधारकाकडून वसूल करण्यात येईल.

34) लिलावधाकर / परवानाधारक यांनी शासन निर्णय 8 एप्रिल, 2025 व दिनांक 09 ऑक्टोंबर, 2025 मधील सर्व अटी व शर्तीचे पालन करणे बंधनकारक राहील.

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प्रतिबंधात्मक उपाययोजना :-

i) प्रत्येक वाळूगटांमधील वाळू वाहतूकीसाठी एकच रस्ता राहील याबाबत लिलावधारक यांनी दक्षता घ्यावी.

ii) प्रत्येक वाळूगटाच्या ठिकाणी 24x7 छायाचित्रण होण्यासाठी लिलावधारकामार्फत CCTV बसविण्यात यावेत. यापैकी किमान एक CCTV कैमेरा वाहतुकीच्या साधनात ज्या ठिकाणी वाळू भरण्यात येते त्या ठिकाणी बसविण्यात यावा व वाळूगटातील वाळूची वाहतूक करणारी सर्व वाहने गावातील ज्या ठिकाणावरुन ये-जा करतात त्या ठिकाणच्या छायाचित्रणासाठी वापरण्यात यावा. वाळूगटाच्या ठिकाणी बसविलेल्या CCTV ची किंमत लिलावधारकांना/परवानाधारकांना सोसणे आवश्यक राहील. तसेच लिलाव न झालेल्या वाळूगटातील वाळूची अवैध वाहतुक होवू नये यासाठी ज्या ठिकाणाहून वाहतूक होण्याची शक्यता आहे, अशा ठिकाणीही सीसीटीव्ही कॅमेरे बसविण्यात यावे व यासाठी जिल्हा नियोजन समितीकडून निधी उपलब्ध करुन घेण्याबाबत कार्यवाही करण्यात यावी.

iii) लिलावधारकांने/परवानाधारकाने CCTV सार्वजनिक सर्वेक्षणासाठी शासनाने निश्चित केलेल्या संकेतस्थळावर उपलब्ध करुन देणे बंधनकारक राहील.

iv) लिलावधारकाने/परवानाधारकाने बसविलेल्या CCTV चा Address जिल्हाधिकारी / विभागीय आयुक्त व शासनाच्या महसूल व वन विभागाकडे देणे आवश्यक राहील. लिलावधारकाने वाळू उत्खनन व वाहतूकीचे छायाचित्रण असलेली सीडी दर 15 दिवसांनी तहसिलदार कार्यालयात जमा करणे अनिवार्य राहील. लिलावधारकाने / परवानाधारकाने वाळूघाटात बसविलेले सीसीटीव्हीच्या आधारे वाळू उत्खननावर संनियंत्रण करण्याकरिता तहसील कार्यालयामध्ये 24 X 7 कार्यरत सीसीटीव्ही नियंत्रण कक्षाची स्थापना करण्यात यावी. सदर नियंत्रण कक्षाची संबंधित जिल्हाधिकारी /उप विभागीय अधिकारी यांनी वेळोवेळी करतील. तसेच, लिलावधारकाने / परवानाधारकाने वाळूघाटात बसविलेले सीसीटीव्हीच्या आधारे वाळू उत्खननावर संनियंत्रण करण्याकरिता सर्वसामान्य नागरिकांसाठी Access उपलब्ध करुन देण्यात येईल.

v) तहसिलदार सदर सीडीमधील छायाचित्रण आपल्या अधिनस्त यंत्रणेमार्फत तपासून घेतील. संबंधित तहसिलदार व उप विभागीय अधिकारी हे अधूनमधून स्वतः देखील अशा छायाचित्रणाची तपासणी करतील. अशा तपासणीत सी.सी.टी.व्ही. कॅमेरा काही काळासाठी बंद असल्याचे निदर्शनास आल्यास, सनियंत्रण कक्षामधील वाळू घाटाचे CCTV फुटेज पाहून अनधिकृत उत्खनन आढळल्यास मंजूर वाळूसाठा व वाळू उत्खननासाठी उपलब्ध दिवस यानुसार दरदिवशी करावयाचे उत्खनन विचारात घेऊन, जेवढे दिवस सी.सी.टी.व्ही. कॅमेरा बंद होता, तेवढे दिवस सरासरी उत्खनन केले, असे गृहीत धरुन लिलावाच्या रकमेनुसार प्रतीब्रास रक्कम परिगणित करुन त्या दराने सी.सी.टी.व्ही. कॅमेरा बंद असलेल्या कालावधीत उत्खनन केलेल्या वाळूच्या रक्कमेएवढी दंडात्मक रक्कम लिलावधारकाकडून वसूल करतील. एखाद्या दिवशी कितीही कालावधीसाठी सी.सी.टी.व्ही बंद असला, तरीही पूर्ण दिवसासाठी सी.सी.टी.व्ही. बंद असल्याचे समजून वरीलप्रमाणे दंडात्मक रकमेची आकारणी व वसूली करण्यात येईल.

vi) प्रत्येक गाव कामगार तलाठी त्यांच्या कार्यक्षेत्रातील वाळूगटास नियमितपणे भेट देतील. त्यासाठी संबंधित लिलावधारकाकडे/परवानाधारकाकडे तहसिलदारांनी प्रमाणित करून दिलेली भेटवही ठेवणे

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लिलावधारकास बंधनकारक असेल. तलाठ्याने वाळूगटास भेट दिल्यानंतर दैनंदिन भेट-वहीमध्ये त्याची नोंद करुन दिनांकित स्वाक्षरी करणे आवश्यक राहील.

vii) संबंधित मंडळ अधिकाऱ्यानेही नियमितपणे त्यांच्या कार्यक्षेत्रातील वाळूगटाची पाहणी करून, त्याची नोंद उक्त दैनंदिन भेटवहीमध्ये करुन, दिनांकित स्वाक्षरी करणे आवश्यक राहील.

viii) संबंधित तहसिलदार, उपविभागीय अधिकारी त्यांच्या क्षेत्रातील वाळूगटाला वेळोवेळी आकस्मिक भेट देतील व त्याची दैनंदिन भेटवहीत नोंद करुन, दिनांकित स्वाक्षरी करतील. अधिकाऱ्यांनी रेतीगटाची तपासणी करताना खालील बाबी कटाक्षाने पाहतील:-

अ) उत्खननास प्रारंभ केल्यापासून तपासणीच्या दिनांकापर्यंत उत्खनन केलेल्या वाळूचे परिमाण व तपासणीच्या दिवसापर्यंत उत्खननाच्या ठिकाणी असलेला वाळूसाठा.

आ) संबंधित तलाठी व ग्रामसेवक तसेच संबंधित लिलावधारक यांच्यासमक्ष दरमहा वाळूगटामधील उत्खननाची मोजणी करण्यात यावी.

इ) नदीपात्रात पूल असल्यास त्या पुलाच्या आजूबाजूस तसेच बेंच मार्कच्या आजूबाजूस व बेंच मार्कच्या खाली वाळू उत्खनन केले जात आहे किंवा कसे याची पहाणी करण्यात यावी व त्याची नोंद भेटवहीत घेण्यात यावी.

ई) नदीच्या काठाजवळच्या लगतच्या भागामध्ये उत्खनन केले जाते आहे किंवा कसे व त्याकरीता पोकलेन / जेसीबी यांसारख्या यांत्रिक साधनांचा वापर करण्यात आला आहे किंवा कसे, याची पहाणी करण्यात यावी व त्याची नोंद भेटवहीत घेण्यात यावी.

उ) उत्खनन केलेला वाळूसाठा विहित अंतरापर्यंत करण्यात आलेला आहे किंवा कसे, याची नोंद भेटवहीत घेण्यात यावी.

बंडल
२६१/२०२६
१४/३२

ऊ) निविदाधारक यांनी पर्यावरण अनुमतीमधील तरतुदीनुसार वेळोवेळी मान्यता प्राप्त पर्यावरण सल्लागार यांचे मार्फत अनुपालन सादर करणे आवश्यक राहील.

लिलावधारक/परवानाधारकाने अटी शर्तींचे उल्लंघन केल्यास करावयाची कारवाई:-

i) पर्यावरण अनुमतीमध्ये परवानगी दिलेल्या खोलीपेक्षा जास्त खोल उत्खनन केल्याचे निदर्शनास आल्यास लिलावधारक/परवानाधारकाकडून घेण्यात आलेली अनामत रक्कम जप्त करण्यात येऊन, लिलाव/परवाना रद्द करण्यात येईल. तसेच असे उत्खनन अवैध ठरवून महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) व (८) मधील तरतुदीनुसार कारवाई करण्यात येईल.

ii) वाळू/रेतीची वाहतूक करणाऱ्या वाहनचालकाकडे वैध बारकोडयुक्त वाहतूक पास आहे किंवा नाही, याची शहानिशा करण्यात येईल. याबाबतच्या निरीक्षणाच्या वेळी संबंधित वाहनचालकाकडे वैध बारकोडयुक्त वाहतूक पास आढळला नाही किंवा वाहतूक पासचा निर्दिष्ट कालावधी संपलेला असेल तर सदर वाळूचे उत्खनन वाहतूक अवैध समजून त्याविरुध्द महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) व (८) नुसार कारवाई करण्यात येईल.

District Mining Officer
Collectorate, Bhandara

R SANDESH INFRAVISION PVT LTD
DIRECTOR / ATTORNEY

iii) अवैध उत्खनन व वाहतुकीच्या प्रकरणामध्ये संबंधित ठेकेदार / लिलावधारक दोषी आढळल्यास त्यांच्याविरुध्द प्रचलित नियमानुसार कारवाई करण्यात येईल. यापूर्वी भारतीय दंड संहितेमधील कलम, ३४,११४,३७९,३९२,३९३,३९४,३९६ इत्यादी कलमांतर्गत गुन्हा दाखल करण्याची कार्यवाही करण्यात येत होती. आता भारतीय दंड संहितेऐवजी भारतीय न्याय संहितेचा अवलंब करण्यात आला असून त्यामधील कलम ३ (५), ५४, ३०३(२), ३०९ (४), ३०९ (५), ३०९ (६) व ३१०(३) या कलमातील तरतूदीची खात्री करुन कारवाई करण्यात येईल तसेच, महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) मधील तरतुदीनुसार दंडात्मक कारवाई करणे व कलम ४८(८) मधील तरतुदीनुसार वाळू उत्खननासाठी वापरलेली यंत्रसामग्री व वाहतुकीसाठी वापरलेली वाहने जप्त करणे, अवैध उत्खनन केलेली वाळू जप्त करणे इत्यादी कारवाई करण्यात येईल.

iv) तसेच वाळूचे अवैध उत्खनन / वाहतूकीच्या अनुषंगाने कारवाई करतांना महसूल अधिकारी / कर्मचारी यांच्यावर हल्ले होत असल्याचे निदर्शनास आल्यास किंवा अशा ठिकाणी संघटित गुन्हेगारीचे प्रकार आढळून आल्यास अशा संघटित गुन्हेगारीविरुध्द "महाराष्ट्र झोपडपट्टी गुंड, हातभट्टीवाले, औषधिद्रव्ये विषयक गुन्हेगार, धोकादायक व्यक्ती व यांच्या विघातक कृत्यांना आळा घालण्याबाबत अधिनियम, १९८१ या अधिनियमान्वये कारवाई करण्यात येईल.

v) लिलावधारक / परवानाधारक यांनी पर्यावरण अनुमतीमधील अटी व शर्तीचे तसेच पर्यावरणविषयक नियमातील तरतूदींचे पालन करणे बंधनकारक असेल. सदर तरतुदीचे उल्लंघन झाल्यास ते पर्यावरण (संरक्षण) अधिनियम, १९८६ मधील तरतुदीनुसार कारवाईस पात्र राहतील.

सहपत्र - पर्यावरण अनुमती

बंडर
२६१/२०२६
१५/३२

स्थळ - भंडरा
दिनांक- १३ / ०१ /2026

करारनामा लिहून घेणार **करारनामा लिहून देणार**

( )

(सचिन वाढवे)
जिल्हा खनिकर्म अधिकारी, भंडारा
District Mining Officer
Collectorate, Bhandara



आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018

R SANDESH INFRAVISION PVT LTD
DIRECTOR / ATTORNEY

स्वाक्षीदार १) श्री० विनीत अग्रवाल वय ३६ रा० अलेक्षापेठ नागपूर ता०जि० नागपूर.



स्वाक्षीदार २) श्री० प्रविन किशोर शामकुंवर रा० भंडारा.



268/3472
Saturday,June 15 ,2024
1:04 PM

पावती

Original/Duplicate
नोंदणी क्रं. :39म
Regn.:39M

पावती क्रं.: 6053 दिनांक: 15/06/2024

गावाचे नाव:
दस्तऐवजाचा अनुक्रमांक: **नगन5-3472-2024**
दस्तऐवजाचा प्रकार : **स्पेशल पॉवर ऑफ अँटर्नी**
सादर करणाऱ्याचे नाव: **रुचिर कुमार सुरेंशचंद अग्रवाल .**

नोंदणी फी	रु. 100.00
दस्त हाताळणी फी	रु. 200.00
पृष्ठांची संख्या: 10	
एकूण:	रु. 300.00

आपणास मूळ दस्त ,थंबनेल प्रिंट,सूची-२ अंदाजे
1:23 PM ह्या वेळेस मिळेल.

NGP5
सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

बाजार मुल्य: रु.1 /-
मोबदला रु.0/-
भरलेले मुद्रांक शुल्क : रु. 500/-

1) देयकाचा प्रकार: DHC रक्कम: रु.200/-
डीडी/धनादेश/पे ऑर्डर क्रमांक: 0624158302180 दिनांक: 15/06/2024
बँकेचे नाव व पत्ता:
2) देयकाचा प्रकार: eChallan रक्कम: रु.100/-
डीडी/धनादेश/पे ऑर्डर क्रमांक: MH003533075202425P दिनांक: 15/06/2024
बँकेचे नाव व पत्ता:

बदर
२६/२०२६
१६/३२

CHALLAN
MTR Form Number-6

GRN	MH003533075202425P	BARCODE		Date	13/06/2024-17:58:09	Form ID	48(f)

Department	Inspector General Of Registration	Payer Details	
Type of Payment	Stamp Duty Registration Fee	TAX ID / TAN (If Any)	
		PAN No.(If Applicable)	
Office Name	NGP3_JT NAGPUR NO 3 SUB REGISTRAR	Full Name	Ruchir Kumar Sureshchand Agrawal
Location	NAGPUR		
Year	2024-2025 One Time	Flat/Block No.	As per Deed
Account Head Details	Amount In Rs.	Premises/Building	
0030046401 Stamp Duty	500.00	Road/Street	Nagpur
0030063301 Registration Fee	100.00	Area/Locality	Nagpur
		Town/City/District	
		PIN	4 4 0 0 0 1
		Remarks (If Any)	
		SecondPartyName=As per Deed~	
Total	600.00	Amount In Words	Six Hundred Rupees Only

Payment Details	PG2	FOR USE IN RECEIVING BANK			
Cheque-DD Details		Bank CIN	Ref. No.	02003812024061300336	30553324
Cheque/DD No.		Bank Date	RBI Date	13/06/2024-17:58:12	Not Verified with RBI
Name of Bank		Bank-Branch		PG2	
Name of Branch		Scroll No. , Date		Not Verified with Scroll	

Department ID :
Mobile No. : 9373525252
NOTE:- This challan is valid for document to be registered in Sub Registrar office only. Not valid for unregistered document.
सदर चलन केवल दुय्यम निबंधक कार्यालयात नोंदणी करावयाच्या दस्तांसाठी लागु आहे. नोंदणी न करावयाच्या दस्तांसाठी सदर चलन लागु नाही.

नगन-५
3862/2024
9/90

बउर
६९/२०२६
९६/३२

Page 1/1
Print Date 13-06-2024 05:59:24

CHALLAN
MTR Form Number-6

GRN	MH003532770202425P	BARCODE		Date	13/06/2024-17:55:05	Form ID	

Department	Inspector General Of Registration	Payer Details	
Type of Payment	Registration Fee Ordinary Collections IGR	TAX ID / TAN (If Any)	
		PAN No.(If Applicable)	
Office Name	NGP3_JT NAGPUR NO 3 SUB REGISTRAR	Full Name	Ruchir Kumar Sureshchand Agrawal
Location	NAGPUR		
Year	2024-2025 One Time	Flat/Block No.	As per Deed
Account Head Details	Amount In Rs.	Premises/Building	
0030063301 Amount of Tax	25.00	Road/Street	Nagpur
		Area/Locality	Nagpur
		Town/City/District	
		PIN	4 4 0 0 0 1
		Remarks (If Any)	SecondPartyName=As per Deed~
		Amount In Words	Twenty Five Rupees Only
Total	25.00		

Payment Details	PG2	FOR USE IN RECEIVING BANK			
Cheque-DD Details		Bank CIN	Ref. No.	02003812024061300332	30553170
Cheque/DD No.		Bank Date	RBI Date	13/06/2024-17:55:08	Not Verified with RBI
Name of Bank		Bank-Branch		PG2	
Name of Branch		Scroll No. , Date		Not Verified with Scroll	

Department ID : Mobile No. : 9373525252

NOTE:- This challan is valid for document to be registered in Sub Registrar office only. Not valid for unregistered document.

सदर चलन केवळ दुय्यम निबंधक कार्यालयात नोंदणी करावयाच्या दस्तांसाठी लागु आहे. नोंदणी न करावयाच्या दस्तांसाठी सदर चलन लागु नाही.

Print Date 13-06-2024 05:56:19

SPECIAL POWER OF ATTORNEY
(FOR ADMISSION)

THIS SPECIAL POWER of ATTORNEY is made and executed at Nagpur 14th Day of June 2024 BY:

RUCHIR KUMAR S/O SURESHCHAND AGRAWAL, (Date of Birth 30/11/1976) Aged 48 Years, PAN-AFLPA2062E, AADHAR UID : 577832732755, Mobile No.9373525252, Email ld.swarneemagrawal@gmail.com, Resident of Flat no 401, Sai Ankur, Apartment, Near Dr. Arneja Hospital, Ramdaspeth, Nagpur-440010, Hereinafter known and referred to as **"THE PRINCIPALS",**

IN FAVOUR OF

MANOHAR KUMAR S/O MANAKCHANDJI AGRAWAL, (Date of Birth 30/06/1959) aged 65 Years, PAN-AIPPA5974N, AADHAR UID 9058 8595 6395, Mobile No.9850215802, Resident of Flat No.302, Jain Apartment, Sudam Road, behind Guru Pratiksha Building Itwari Nagpur-440002, Tahsil and District - NAGPUR; Hereinafter and/or severally known and referred to as **"THE AGENT/S", WITNESSTH:**

WHEREAS the PRINCIPAL is in his capacity as Proprietor/Partner/Director of their various Concerns/Firms/Companies and/or as Power of Attorney holder(s) is required to execute and register various Indentures, Documents, Agreement/s, Sale Deed/s, Conveyance/s, Correction Deed, Exchange Deed etc. in his favour as well as in favour of the prospective Purchasers; AND

WHEREAS the PRINCIPAL is busy in his day-to-day activities and it is not possible for him to present every now and then to appear before the concerned Sub-Registrar of Assurances, and to register the document of Agreement/conveyance and hence it is decided by the PRINCIPAL to execute the Power of Attorney in favour of the AGENT so that he can present such documents for registration and admit it for registration for and on behalf of the PRINCIPAL; AND

I, the PRINCIPAL named above do hereby nominate and appoint **MANOHAR KUMAR S/O MANAKCHANDJI AGRAWAL** as my lawful AGENT or Attorney in my name and on my behalf to do all acts, deeds, and things necessary in respect of the said work more particularly to do the following: -

1) To present, admit and register the Agreement to Sale, Sale Dees, Conveyance/s, Correction/Amendment Deeds or any other documents executed by the PRINCIPAL in favour of prospective purchasers in respect of the properties with the concerned Sub-Registrar of Assurances and to lodge the Conveyance or any document of transfer, correction/Amendment etc. alongwith supplements and other documents connected therewith in favour of PRINCIPAL and/or in favour of the prospective purchaser(s) for registration and to admit the execution thereof before the concerned Sub-Registrar for Assurances as may be required and to do all other connected things under the various Acts and Rules for and on behalf of the PRINCIPAL and to give sign, undertaking, verification etc., in respect of the properties for the said work and to do and perform all acts, deeds and things connected with the same.

I, the PRINCIPAL DO hereby declare and affirm that all acts, deeds and things done by my said AGENT by virtue of this Power of Attorney shall be construed as acts, deeds and things done by the me and shall be binding on me. I, hereby under take to rectify all such acts, deeds and things done by my said AGENT

IN WITNESS WHEREOF I, THE PRINCIPAL and the AGENT have set his respective hands hereunto on the day, month and year first hereinabove written.

Photo	Left Thumb Impression	Signature
		**RUCHIR KUMAR S/O SURESHCHAND AGRAWAL** [PRINCIPAL]
		**MANOHAR KUMAR S/O MANAKCHANDJI AGRAWAL** [AGENT]

नगन-५
३५२ / २०२४
४ / १०

SEAL OF THE JOINT SUB-REGISTRAR CLASS-II

बंडर
२६१ / २०२६
२० / ३१

THE SEAL OF THE JOINT SUB REGISTRAR

		WITNESS
		WITNESS

Drafted by Adv. Kamal Ahuja as per instructions & documents given by the Parties
Mobile No.7387311616, Mail Id.-kahuja247@gmail.com

अर्थनिर्देशन क्र. 3८५/२४
हे मुखत्यार पत्र श्री/श्रीमती. सुधीर कुमार सुरेशचंद अग्रवाल
वय 46 व्यवसाय व्यापार रा. नागपूर
यांनी तारिख 14/10/24 रोजी माझे समक्ष सही
करुन दिली त्यांच्या ओळखी विषयी श्री. तुषार पुरोहित
वय 33 व्यवसाय खाजगी
रा. नागपूर .. यांनी माझी खात्री करुन दिली आहे

दि : 14/10/24
कि रु : 3५1-
दस्त क्र : ६०४८

सह दुय्यम निबंधक, वर्ग-२
नागपूर शहर, क्र. ५.

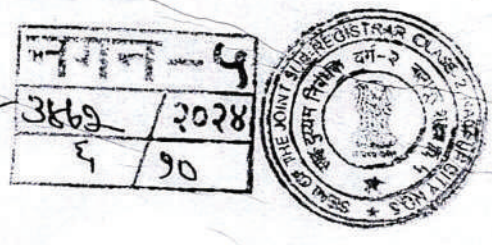
टिप : सदर दस्तामध्ये एकूण 03 पाने समाविष्ट असुन कोणतेही पाने खाडाखोड किंवा आंतर ओळ समाविष्ट नाही.

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५,












भारत सरकार
Government of India
आधार
मनोहर कुमार अग्रवाल
Manohar Kumar Agarwal
जन्म तारीख / DOB: 01/01/1967
पुरुष / Male
Issue Date: 04/03/2012
9058 8595 6395
मेरा आधार, मेरी पहचान


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
AADHAAR
पता: फ्लैट नो 302 जैन अपार्टमेंट, सुदाम रोड, गुरु प्रतीक्षा बिल्डिंग मागे, इतवारी, नागपुर सिटी, नागपुर, महाराष्ट्र, 440002
Address: flat no 302 jain apartment, sudam road, behind guru pratiksha building, itwari, Nagpur City, Nagpur, Maharashtra, 440002
Print Date: 24/05/2022
9058 8595 6395
1947 help@uidai.gov.in www.uidai.gov.in


भारत सरकार
Government of India
आधार
महेशकुमार पुरनलाल देवदास
Maheshkumar Puranlal Devdas
जन्म तारीख/DOB: 16/08/1975
पुरुष/ MALE
M.No. 9021026474
9198 2375 4623
VID : 9169 6520 1752 9157
माझे आधार, माझी ओळख


भारतीय विशिष्ट ओळख प्राधिकरण
Unique Identification Authority of India
AADHAAR
पत्ता:
आनंद बुध विहार जवळ, क्र.नो. ब/२८/२१३ बिनाखी हुडको कॉलनी, डॉ.आंबेडकर मार्ग स.ओ, नागपूर, महाराष्ट्र - 440017
Address:
anand baudha vihar jawal, Q.No. B/28/213 Binaki hudko colony, Dr.Ambedkar Marg S.O, Nagpur, Maharashtra - 440017
9198 2375 4623
VID : 9169 6520 1752 9157
1947 | help@uidai.gov.in | www.uidai.gov.in


भारत सरकार
Government of India
आधार
Ruchir Kumar Agrawal
DOB : 30/11/1976
Male
Issue Date : 07/10/2011
5778 3273 2755
मेरा आधार, मेरी पहचान


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
AADHAAR
Address: C/O: Suresh Chand Agrawal, Flat No.401, Sai Ankur Apartment, , Near DR. Arneja Hospital, , Ramdaspeth, , Shankar Nagar, Nagpur, Maharashtra, 440010
Print Date : 15/10/2022
5778 3273 2755
1947 help@uidai.gov.in www.uidai.gov.in


भारत सरकार
Government of India
आधार
तुषार किशोर चेटूले
Tushar Kishor Chetule
जन्म तिथि/DOB: 13/07/1990
पुरुष/ MALE
आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/ ऑफलाइन एक्सएमएल की स्कैनिंग) के साथ किया जाना चाहिए।
Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML).
Aadhaar no. Issued: 09/02/2016
7055 9429 2470
मेरा आधार, मेरी पहचान


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
AADHAAR
पत्ता:
आत्मज: किशोर चेटूले, 297, नटवरलाल पटेल बलोद्यान परिसर, राजगोपालचारी वॉर्ड, भंडारा, भंडारा, भंडारा, महाराष्ट्र - 441904
Address:
S/O: Kishor Chetule, 297, natwarlal patel balodyan parisar, rajgopalachari ward, Bhandara, PO: Bhandara, DIST: Bhandara, Maharashtra - 441904
Details as on: 19/02/2024
7055 9429 2470
VID : 9166 3477 5611 5459
1947 | help@uidai.gov.in | www.uidai.gov.in

नमुना-६
३४६२ | २०२४
६ | ९०

SEAL OF THE JOINT SUB-REGISTRAR CLASS-2 NAGPUR CITY NO.5

बंदर
२६१/२०२६
२२/३२

CHALLAN

MTR Form Number-6

GRN MH003533075202425P	BARCODE	Date 13/06/2024-17:58:09	Form ID 48(f)

Department	Inspector General Of Registration	Payer Details	
Type of Payment	Stamp Duty Registration Fee	TAX ID / TAN (If Any)	
		PAN No.(If Applicable)	
Office Name	NGP3_JT NAGPUR NO 3 SUB REGISTRAR	Full Name	Ruchir Kumar Sureshchand Agrawal
Location	NAGPUR		
Year	2024-2025 One Time	Flat/Block No.	As per Deed
Account Head Details	Amount In Rs.	Premises/Building	
0030046401 Stamp Duty	500.00	Road/Street	Nagpur
0030063301 Registration Fee	100.00	Area/Locality	Nagpur
		Town/City/District	
		PIN	4 4 0 0 0 1
		Remarks (If Any)	SecondPartyName=As per Deed~
Total	600.00	Amount In Words	Six Hundred Rupees Only

बडर
२६७/२०२६
२४/२२

DEFACED ₹600.00 DEFACED

Payment Details	PG2	FOR USE IN RECEIVING BANK			
Cheque-DD Details		Bank CIN	Ref. No.	02003812024061300336	30553324
Cheque/DD No.		Bank Date	RBI Date	13/06/2024-17:58:12	Not Verified with RBI
Name of Bank		Bank-Branch		PG2	
Name of Branch		Scroll No. , Date		Not Verified with Scroll	

Department ID : Mobile No. : 9373525252

NOTE:- This challan is valid for document to be registered in Sub Registrar office only. Not valid for unregistered document.

सदर चलन केवल दुय्यम निबंधक कार्यालयात नोंदणी करावयाच्या दस्तासाठी लागु आहे. नोंदणी न करावयाच्या दस्तांसाठी सदर चलन लागु नाही.

Challan Defaced Details

Sr. No.	Remarks	Defacement No.	Defacement Date	UserId	Defacement Amount
1	(iS)-268-3472	0001995331202425	15/06/2024-13:03:56	IGR387	100.00
2	(iS)-268-3472	0001995331202425	15/06/2024-13:03:56	IGR387	500.00
			Total Defacement Amount		600.00

नगन-५
३४७२ / २०२४
७ / १०

SEAL OF THE JOINT SUB-REGISTRAR CLASS-2 NAGPUR CITY NO.5 सह दुय्यम निबंधक वर्ग-२ नागपुर शहर क्र.५

Print Date 15-06-2024 01:05:12

268/3472
शुक्रवार,15 जून 2024 1:04 म.नं.

दस्त गोषवारा भाग-1

नगन5 5/90
दस्त क्रमांक: 3472/2024

दस्त क्रमांक: नगन5 /3472/2024

बाजार मुल्य: रु. 01/- मोबदला: रु. 00/-

भरलेले मुद्रांक शुल्क: रु.500/-

दु. नि. सह. दु. नि. नगन5 यांचे कार्यालयात

अ. क्रं. 3472 वर दि.15-06-2024

रोजी 1:02 म.नं. वा. हजर केला.

पावती:6053 पावती दिनांक: 15/06/2024

सादरकरणाराचे नाव: रुचिर कुमार सुरेंशचंद अग्रवाल .

नोंदणी फी	रु. 100.00
दस्त हाताळणी फी	रु. 200.00
पृष्टांची संख्या: 10	
एकुण:	300.00

दस्त हजर करणाऱ्याची सही:

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

दस्ताचा प्रकार: स्पेशल पॉवर ऑफ अॅटर्नी

मुद्रांक शुल्क: a जेव्हा तो प्रतिफलार्थ देण्यात आलेला असून@ त्यामुळे कोणतीही स्थावर मालमत्ता विकण्याचा प्राधिकार मिळत असेल तेव्हा

शिक्का क्रं. 1 15 / 06 / 2024 01 : 02 : 24 PM ची वेळ: (सादरीकरण)

शिक्का क्रं. 2 15 / 06 / 2024 01 : 03 : 46 PM ची वेळ: (फी)

SEAL OF THE JOINT SUB-REGISTRAR CLASS-2 NAGPUR CITY NO.5

हजर
२६७/२०२४
२५/३२

15/06/2024 1 06:30 PM

दस्त गोषवारा भाग-2

नगन5 90/90
दस्त क्रमांक:3472/2024

दस्त क्रमांक :नगन5/3472/2024
दस्ताचा प्रकार :-स्पेशल पॉवर ऑफ अॅटर्नी

अनु क्र.	पक्षकाराचे नाव व पत्ता	पक्षकाराचा प्रकार	छायाचित्र	ठसा प्रमाणित
1	नाव:मनोहर कुमार माणिकचंद अग्रवाल . पत्ता:प्लॉट नं: -, माळा नं: -, इमारतीचे नाव: -, ब्लॉक नं: -, रोड नं: 302, जैन अपार्टमेंट सुदाम रोड गुरु प्रतिक्षा बिल्डींग मागे इतवारी नागपूर , महाराष्ट्र, NAGPUR. पॅन नंबर:AIPPA5974N	पॉवर ऑफ़ अटॉर्नी होल्डर वय :-65 स्वाक्षरी:-		
2	नाव:रुचिर कुमार सुरेंशचंद अग्रवाल . पत्ता:प्लॉट नं: -, माळा नं: -, इमारतीचे नाव: -, ब्लॉक नं: -, रोड नं: 401, साई अंकुर अपार्टमेंट डॉ. अनेजा हॉस्पिटल जवळ रामदासपेठ नागपूर , महाराष्ट्र, NAGPUR. पॅन नंबर:AFLPA2062E	कुलमुखत्यार देणार वय :-47 स्वाक्षरी:-		

वरील दस्तऐवज करुन देणार तथाकथीत स्पेशल पॉवर ऑफ अॅटर्नी चा दस्त ऐवज करुन दिल्याचे कबुल करतात.
शिक्का क्र.3 ची वेळ:15 / 06 / 2024 01 : 05 : 36 PM

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

ओळख:-
दस्तऐवज निष्पादनाचा कबुलीजबाब देणाऱ्या सर्व पक्षकारांची ओळख संमती-आधारित - आधार प्रणालीद्वारे पडताळण्यात आली आहे. त्याबाबत प्राप्त माहिती पुढीलप्रमाणे आहे.

Sr. No.	Type of Party & Name	Date & Time of Verification with UIDAI	Information received from UIDAI (Name, Gender, UID, Photo)	
1	पॉवर ऑफ़ अटॉर्नी होल्डर मनोहर कुमार माणिकचंद अग्रवाल .	15/06/2024 01:06:04 PM	मनोहर कुमार अग्रवाल M 1171682532234186752	
2	कुलमुखत्यार देणार रुचिर कुमार सुरेंशचंद अग्रवाल .	15/06/2024 01:05:50 PM	रुचीर कुमार अग्रवाल M 1168444119875870720	

शिक्का क्र.4 ची वेळ:15 / 06 / 2024 01 : 06 : 04 PM

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

बडर
२६१/२०२६
२६/३२

NGP5

Payment Details.

sr.	Purchaser	Type	Verification no/Vendor	GRN/Licence	Amount	Used At	Deface Number	Deface Date
1	Ruchir Kumar Sureshchand Agrawal	eChallan	02003812024061300336	MH003533075202425P	500.00	SD	0001995331202425	15/06/2024
2		DHC		0624158302180	200	RF	0624158302180D	15/06/2024
3	Ruchir Kumar Sureshchand Agrawal	eChallan		MH003533075202425P	100	RF	0001995331202425	15/06/2024

[SD:Stamp Duty] [RF:Registration Fee] [DHC: Document Handling Charges]

१ नंबराचे बुकाचे
३४६२ नंबरी नोंदला
प्रमाणित करण्यात येते कि,
या दस्तात एकूण ३० पाने आहेत.

3472 /2024

1. Verify Scanned Document for correctness through thumbnail (4 pages in a page) printout before scanning.
2. Get print immediately after registration.

For feedback please write to us at [illegible]k.isarta@gmail.com

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५,
दि.१५...माह..जून.....सन २०२४

268/0
Saturday,15 June 2024 1:07 PM

इतर पावती

Original/Duplicate
नोंदणी क्रं. :39म
Regn.:39M

पावती क्रं.: 6054 दिनांक: 15/06/2024

गावाचे नाव:
दस्तऐवजाचा अनुक्रमांक: नगन5-0-2024
दस्तऐवजाचा प्रकार :
सादर करणाऱ्याचे नाव: रुचिर कुमार सुरेंशचंद अग्रवाल
वर्णन अॅथन्टीकेशन क्र. 385/24,आममुखत्यार अधिपमाणन करीता

मुखत्यारनामा अनुप्रमाणन	रु. 25.00
एकूण:	रु. 25.00

सह दुय्यम निबंधक वर्ग-२
नागपूर शहर क्र. ५

1); देयकाचा प्रकार: eChallan रक्कम: रु.25/-
डीडी/धनादेश/पे ऑर्डर क्रमांक: MH003532770202425P दिनांक: 15/06/2024
बँकेचे नाव व पत्ता:

DELIVERED

ब दंड र
२६१/२०२६
२६/३२

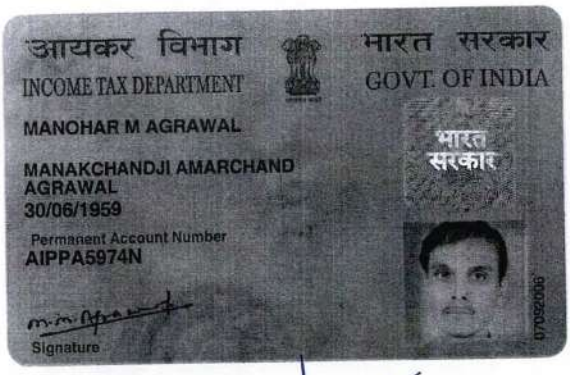
CRuchir S Agrawal


भारत सरकार
Government of India
आधार
मनोहर कुमार अग्रवाल
Manohar Kumar Agarwal
जन्म तारीख / DOB: 01/01/1967
पुरुष / Male
Issue Date: 04/03/2012
9058 8595 6395
मेरा आधार, मेरी पहचान


भारत सरकार
Government of India
आधार
Ruchir Kumar Agrawal
DOB : 30/11/1976
Male
Issue Date : 07/10/2011
5778 3273 2755
मेरा आधार, मेरी पहचान


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
AADHAAR
पता: फ्लैट नो 302 जैन अपार्टमेंट, सुदाम रोड, गुरू प्रतीक्षा बिल्डिंग मागे, इतवारी, नागपूर सिटी, नागपूर, महाराष्ट्र, 440002
Address: flat no 302 jain apartment, sudam road, behind guru pratiksha building, itwari, Nagpur City, Nagpur, Maharashtra, 440002
Print Date: 24/05/2022
9058 8595 6395
1947 help@uidai.gov.in www.uidai.gov.in


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
AADHAAR
Address: C/O: Suresh Chand Agrawal, Flat No.401, Sai Ankur Apartment, , Near DR. Arneja Hospital, , Ramdaspeth, , Shankar Nagar, Nagpur, Maharashtra, 440010
Print Date : 15/10/2022
5778 3273 2755
1947 help@uidai.gov.in www.uidai.gov.in


आयकर विभाग
INCOME TAX DEPARTMENT
भारत सरकार
GOVT. OF INDIA
MANOHAR M AGRAWAL
MANAKCHANDJI AMARCHAND AGRAWAL
30/06/1959
Permanent Account Number
AIPPA5974N
Signature
भारत सरकार


आयकर विभाग
INCOME TAX DEPARTMENT
भारत सरकार
GOVT. OF INDIA
स्थायी लेखा संख्या कार्ड
Permanent Account Number Card
AFLPA2062E
नाम/ Name
RUCHIR KUMAR AGRAWAL
पिता का नाम/ Father's Name
SURESH CHANDRA AGRAWAL
जन्म की तारीख / Date of Birth
30/11/1976
हस्ताक्षर / Signature
10072022





भारत सरकार
Government of India

विनीत संजय अग्रवाल
Vinit Sanjay Agrawal
जन्म तारीख/DOB: 14/11/1989
पुरुष/ MALE

3433 5783 4564
VID : 9191 4806 6865 2126

माझे आधार, माझी ओळख

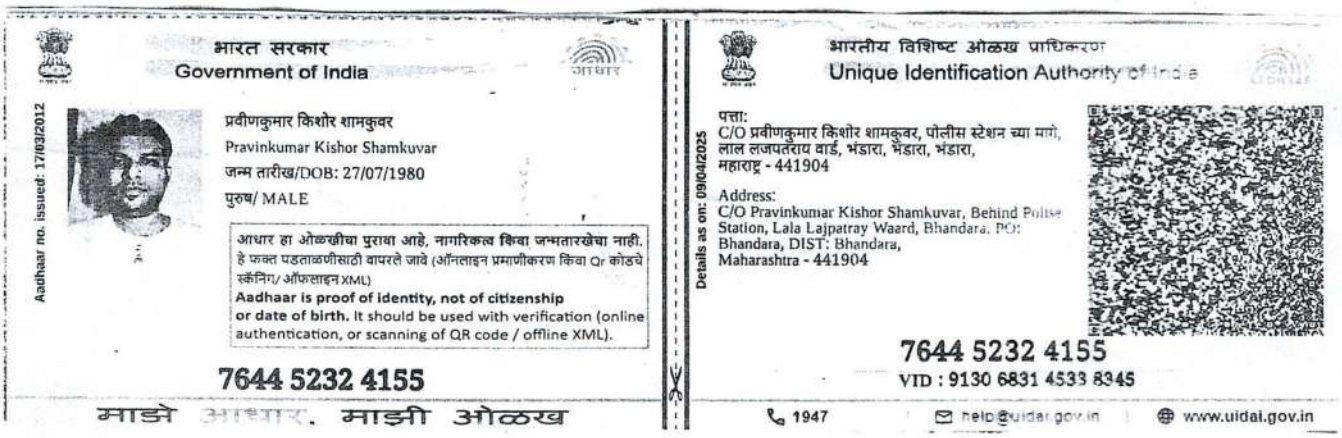
भारतीय विशिष्ट ओळख प्राधिकरण
Unique Identification Authority of India

पत्ता:
बी 906, गोदरेज आनंदम, गणेशपेठ, महात्मा फुले बझार, नागपूर,
महाराष्ट्र - 440018

Address:
B 906, GODREJ ANANDAM,
GANESHPETH, Mahatma Fule Bazar,
Nagpur,
Maharashtra - 440018

QR Code with Photograph

3433 5783 4564
VID : 9191 4806 6865 2126



Aadhaar no. issued: 17/03/2012

भारत सरकार
Government of India

प्रवीणकुमार किशोर शामकुवर
Pravinkumar Kishor Shamkuvar
जन्म तारीख/DOB: 27/07/1980
पुरुष/ MALE

आधार हा ओळखीचा पुरावा आहे, नागरिकत्व किंवा जन्मतारखेचा नाही.
हे फक्त पडताळणीसाठी वापरले जावे (ऑनलाइन प्रमाणीकरण किंवा Qr कोडचे स्कॅनिंग/ ऑफलाइन XML)
Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML).

7644 5232 4155

माझे आधार, माझी ओळख

Details as on: 09/04/2025

भारतीय विशिष्ट ओळख प्राधिकरण
Unique Identification Authority of India

पत्ता:
C/O प्रवीणकुमार किशोर शामकुवर, पोलीस स्टेशन च्या मागे, लाल लजपतराय वार्ड, भंडारा, भंडारा, भंडारा,
महाराष्ट्र - 441904

Address:
C/O Pravinkumar Kishor Shamkuvar, Behind Police Station, Lala Lajpatray Waard, Bhandara, PO: Bhandara, DIST: Bhandara,
Maharashtra - 441904

7644 5232 4155
VID : 9130 6831 4533 8345

1947 | help@uidai.gov.in | www.uidai.gov.in



बडर
२६१/२०१६
३०/३२

महाराष्ट्र शासन महसूल व वनविभाग शासन परिपत्रक क्रमांक - मुद्रांक २०१५/प्र.क्र.१११/म-१ दि.१२ मे २०१५

प्रतिज्ञापत्र / घोषणापत्र

मी / आम्ही खालील सही करणार प्रतिज्ञापत्राव्दारे घोषीत करतो की, मा. नोंदणी महानिरीक्षक व मुद्रांक नियंत्रक महाराष्ट्र राज्य पुणे यांचे दिनांक ३०.११.२०१३ रोजीचे परिपत्रकाचे काळजीपुर्वक वाचन केलेले आहे व त्यातील सर्व अटी शर्ती आम्हास कबुल आहेत. मी / आम्ही सदर दस्तातील मिळकतीबाबत अभिलेखात शोध घेतलेला आहे. नोंदणीसाठी सादर केलेल्या दस्तऐवजामधील मिळकत ही फसवणूव्दारे अथवा दुबार विक्री होत नाही. दस्तातील लिहून देणार / घेणार / कुलमुख्त्यारधारक हे खरे असून आज रोजी आम्ही सर्व हयात आहो. सदर नोंदणीचा दस्तऐवज निष्पादीत करतांना नोंदणी प्रक्रियेनुसार आमची वैयक्तीक मालकी तसेच मिळकतीचे मालकीचे नेमुन दिलेल्या कुलमुख्त्यारधारक लिहून देणार हे हयात आहेत व दस्तासोबत जोडलेले कुलमुख्त्यारपत्र अदयापही अस्तित्वात आहे व ते आजपावेतो रदद झालेले नाही याची मी / आम्ही कबुली देत आहोत व सदर दस्तातील सहया, अंगठे, फोटो माझे/आमचे आहेत याची कबुली देतो व खात्री करुन देण्यासाठी व दस्तासोबत आम्हाला चांगल्याप्रकारे ओळखणारे दोन इसम / व्यक्ती कबुलीजवाब व स्वाक्षरीसाठी घेऊन आलो आहे. दस्तातील मिळकतीबाबतचे मी / आम्ही आर्थीक व्यवहार पुर्ण करुन दस्तऐवज साक्षीदारासमक्ष निष्पादीत केलेला आहे हे कबुल करतो की दस्तातील मिळकत ही माझी / आमची मालकीची असून शासन मालकीची नाही किंवा अतिक्रमण केलेली नाही. नोंदणी नियम १९६१ चे नियम ४४ नुसार बाधीत होत नाही दस्तातील मिळकतीचा हस्तांतरणाबाबत कोणत्याही मा. न्यायालयात / शासकीय कार्यालयाचा मनाई हुकुम नाही. तसेच दावा दाखल नाही किंवा प्रस्तावित नाही. सदर दस्तात आवश्यक असलेल्या सक्षम अधिकारी यांच्या पुर्वपरवानगी घेण्याची जवाबदारी घेणार देणार म्हणून आमची आहे. हे आम्हास कबुल आहे. दस्तातील मिळकतीवर कोणतेही शासकीय, निमशासकीय, खाजगी कर्ज, बैंक बोजे, हक्क हितसंबंध, विकसन बोजे नाहीत. भविष्यात तसेच काही निघाल्यास मी / आम्ही देणार , घेणार जवाबदार राहू याची जाणीव आहे. मी/आम्ही नोंदविलेल्या व्यवहारात भविष्यात कायदयानुसार मुद्रांक शुल्क किंवा नोंदणी फी कमी पडली असल्यास ती शासन जमा करण्याची जवाबदारी घेणार देणार म्हणून आमची राहील हे आम्हाला कबुल आहे व ती त्वरीत जमा करु. नोंदणी अधिनियमानुसार या दस्तासोबत नोंदणी प्रकियेमध्ये जोडण्यात आलेले सर्व पुरक कागदपत्रे हे वैध/खरे आहेत मा. न्यायालयाने दिलेल्या निर्णयानुसार (मा. उच्च न्यायालय नागपुर यांनी गोपाल व्दारकादास पांडे विरुध्द जिल्हाधिकारी भंडारा व इतर रिट पिटीशन क्रमांक २९/२००३ मध्ये दिनांक २४/०३/२००३ रोजी दिलेल्या निकाल) देणार / विक्रेता यांचे मिळकतीचे मालकी हक्क / टायटल तपासून पाहण्याची जवाबदारी नोंदणी अधिका-याची नाही. (टायटल व्हेरीफीकेशन) मालकी हक्काची पडताळणी करण्याची जवाबदारी ही ट्रान्सफर ऑफ प्रापर्टी ॲक्ट १८६२ कलम ५५ नुसार संबंधीत व्यवहार करणा-या उभय पक्षकारांची असते याची मला / आम्हास पुर्ण जाणीव आहे कबुल करतो. भविष्यात कोणत्याही प्रकारचा कायदेशीर प्रश्न उदभवल्यास किंवा कोणतेही गुन्हे घडल्यास मी / आम्ही व दस्तऐवजातील निष्पादक पक्षकार व ओळख देणारे जवाबदार राहु. असे आम्ही कबुल करतो.

स्थावर मिळकतीविषयी होत असलेले फसवणूक/बनावट/संगनमत व त्या अनुषंगाने पोलीस स्टेशनमध्ये दाखल होत असलेले गुन्हे हे माझ्या दस्तऐवजातील मिळकतीविषयी होऊ नये म्हणून नोंदणी अधिनियम १९०८ चे कलम ८२ तरतुदीचे अधिन राहुल मी / आम्ही प्रतिज्ञापत्र / घोषणापत्र लिहून देत आहोत. नोंदणी अधिनियम १९०८ चे कलम ८३ व भारतीय दंड संहिता १९६० मधील नमुदअसलेल्या तरतुदीनुसार ७ वर्षाच्या शिक्षा आहे याची मला / आम्हाला पुर्णपणे जाणीव आहे त्यामुळे हे प्रतिज्ञापत्र / घोषणापत्र सदर दस्ताचा भाग म्हणून जोडत आहे. सही दि. २३/१/२६

साक्षीदार क्रमांक - १. _____ लिहून देणार _____

२. _____ लिहून घेणार _____

301/261
मंगळवार,13 जानेवारी 2026 3:18 म.नं.

दस्त गोषवारा भाग-1

बडर 29/22
दस्त क्रमांक: 261/2026

दस्त क्रमांक: बडर /261/2026

बाजार मुल्य: रु. 00/- मोबदला: रु. 67,00,33,440/-

भरलेले मुद्रांक शुल्क: रु.13,40,067/-

दु. नि. सह. दु. नि. बडर यांचे कार्यालयात
अ. क्रं. 261 वर दि.13-01-2026
रोजी 3:15 म.नं. वा. हजर केला.

पावती:324 पावती दिनांक: 13/01/2026

सादरकरणाराचे नाव: **सचिन गाढवे जिल्हा खनिकर्म अधिकारी भंडारा --**

नोंदणी फी	रु. 30000.00
दस्त हाताळणी फी	रु. 1280.00
पृष्ठांची संख्या: 32	
एकुण:	31280.00

दस्त हजर करणाऱ्याची सही:

छगन उत्तमराव पाटील
सह दु.नि.भंडारा
सह दुय्यम निबंधक
भंडारा

छगन उत्तमराव पाटील
सह दु.नि.भंडारा
सह दुय्यम निबंधक
भंडारा

दस्ताचा प्रकार: भाडेपट्ट्याचे हस्तांतरणपत्र

मुद्रांक शुल्क: *जंगम मालमत्ता (खंड 25-अ प्रमाणेच)

शिक्का क्रं. 1 13 / 01 / 2026 03 : 15 : 55 PM ची वेळ: (सादरीकरण)

शिक्का क्रं. 2 13 / 01 / 2026 03 : 17 : 15 PM ची वेळ: (फी)

THE SEAL OF THE JOINT SUB REGISTRAR BHANDARA
सह दुय्यम निबंधक भंडारा यांची मुद्रा
भंडारा

13/01/2026 3 20:27 PM

दस्त गोषवारा भाग-१

बडर ३२१३२
दस्त क्रमांक:261/2026

दस्त क्रमांक :बडर/261/2026
दस्ताचा प्रकार :-भाडेपट्ट्याचे हस्तांतरणपत्र

अनु क्र.	पक्षकाराचे नाव व पत्ता	पक्षकाराचा प्रकार	छायाचित्र	ठसा प्रमाणित
1	नाव:सचिन गाढवे जिल्हा खनिकर्म अधिकारी भंडारा - - पत्ता:प्लॉट नं: 0, माळा नं: 0, इमारतीचे नाव: रा. भंडारा त. जि. भंडारा, ब्लॉक नं: 0, रोड नं: 0, महाराष्ट्र, भंडारा. पॅन नंबर:	लिहून घेणार वय :-45 स्वाक्षरी:-	image.jpg	image.jpg
2	नाव:संदेश इंफ्राविजन प्रा. लि. तर्फे सचिव अग्रवाल तर्फे मुखत्यार म्हणुन मनोहरकुमार माणिकचंदजी अग्रवाल पत्ता:प्लॉट नं: 0, माळा नं: 0, इमारतीचे नाव: रा. फलॅट नं. 302 जैन अपार्टमेन्ट सुदाम रोड नागपूर त. जि. नागपूर, ब्लॉक नं: 0, रोड नं: 0, महाराष्ट्र, नागपुर. पॅन नंबर:AIPPA5974N	लिहून देणार वय :-65 स्वाक्षरी:-		

वरील दस्तऐवज करुन देणार तथाकथीत भाडेपट्ट्याचे हस्तांतरणपत्र चा दस्त ऐवज करुन दिल्याचे कबुल करतात.
शिक्का क्र.3 ची वेळ:13 / 01 / 2026 03 : 18 : 54 PM

ओळख:-
खालील इसम असे निवेदीत करतात की ते दस्तऐवज करुन देणा-यानां व्यक्तीशः ओळखतात, व त्यांची ओळख पटवितात

अनु क्र.	पक्षकाराचे नाव व पत्ता	छायाचित्र	ठसा प्रमाणित
1	नाव:प्रविणकुमार किशोर शामकुवंर वय:45 पत्ता:रा. लाला लजपतराय वार्ड भंडारा त. जि. भंडारा पिन कोड:441904		
2	नाव:विनीत संजय अग्रवाल वय:36 पत्ता:रा. महात्मा फुले बाजार गणेशपूठ नागपूर त. जि. नागपूर पिन कोड:440002		

स्वाक्षरी

स्वाक्षरी

शिक्का क्र.4 ची वेळ:13 / 01 / 2026 03 : 19 : 27 PM

प्रमाणित करण्यात येते की.
या दस्तामध्ये एकुण -३२
पाने आहेत

सह दुय्यम निबंधक, भंडारा

१ - नंबराचे बुकाचे
२६१ नंबरी नोंदला

सह दुय्यम निबंधक भंडारा
तारीख १३ माहे ०१ सन २०२६

छगन उत्तमराव पाटील
सह द.नि.भंडारा
सह दुय्यम निबंधक
भंडारा

Payment Details.

sr.	Purchaser	Type	Verification no/Vendor	GRN/Licence	Amount	Used At	Deface Number	Deface Date
1	R Sandesh Infravision Private Limited	eChallan	10000502026011300902	MH015174049202526P	1340067.00	SD	0008637041202526	13/01/2026
2		DHC		0126134404469	1280	RF	0126134404469D	13/01/2026
3	R Sandesh Infravision Private Limited	eChallan		MH015174049202526P	30000	RF	0008637041202526	13/01/2026

[SD:Stamp Duty] [RF:Registration Fee] [DHC: Document Handling Charges]

261 /2026

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2. Get print immediately after registration.

For feedback, please write to us at feedback.isarita@gmail.com

755
CHALLAN
MTR Form Number-6

GRN	MH015174049202526P	BARCODE		Date	13/01/2026-10:55:18	Form ID	60

Department	Inspector General Of Registration	**Payer Details**	
Type of Payment	STAMP DUTY AND REGISTRATION FEE COMBINE PAYMENT	**TAX ID / TAN (If Any)**	
		PAN No.(If Applicable)	AANXXXXXXR
Office Name	BDR_HQR SUB REGISTRAR BHANDARA	**Full Name**	R Sandesh Infravision Private Limited
Location	BHANDARA		
Year	2025-2026 One Time	**Flat/Block No.**	24 SAND GHATS
Account Head Details	**Amount In Rs.**	**Premises/Building**	
0030046401 Stamp Duty	1340067.00	**Road/Street**	
0030063301 Registration Fee	30000.00	**Area/Locality**	PAUNI
		Town/City/District	
		PIN	4 4 1 9 1 0
		Remarks (If Any)	DISTRICT MINING OFFICER (DMO),BHANDARA
Total	13,70,067.00	**Amount In Words**	Thirteen Lakh Seventy Thousand Sixty Seven Rupees Only

Payment Details	SBIEPAY PAYMENT GATEWAY	**FOR USE IN RECEIVING BANK**			
Cheque-DD Details		Bank CIN	Ref. No.	10000502026011300902	1480221531847
Cheque/DD No.		Bank Date	RBI Date	13/01/2026-10:55:52	Not Verified with RBI
Name of Bank		Bank-Branch		SBIEPAY PAYMENT GATEWAY	
Name of Branch		Scroll No. , Date		Not Verified with Scroll	

Department ID : Mobile No. : XXXXXX4800

NOTE:- This challan is valid for document to be registered in Sub Registrar office only. Not valid for unregistered document.

सदर चलन केवळ दुय्यम निबंधक कार्यालयात नोदंणी करावयाच्या दस्तासाठी लागु आहे. नोदंणी न करावयाच्या दस्तांसाठी सदर चलन लागु नाही.

119

Print Date 13-01-2026 10:59:45

756
English Translation of Ax. K

Registration Receipt

Receipt No.: 324 | Date: 13/01/2026

Registration No.: 39M | Reference: 301/261

Field	Details
Village Name	Bhandara (Khas)
Document Serial No.	BDR-261-2026
Document Type	Leasehold Transfer Deed (भाडेपट्ट्याचे हस्तांतरणपत्र)
Presented By	Sachin Gadhe, District Mining Officer, Bhandara
Registration Fee	₹ 30,000.00
Document Handling Fee (DHC)	₹ 1,280.00
Number of Pages	32
Total Amount Paid	₹ 31,280.00

Valuation and Stamp Duty Details

- Market Value: ₹ 0/-
- Consideration Amount: ₹ 67,003,344/-
- Stamp Duty Paid: ₹ 1,340,067/-

Payment Breakdown

1. Fee Type: DHC
    - Amount: ₹ 1,280/-
    - DD/Cheque/Pay Order No: 0126134404469
    - Date: 13/01/2026
2. Fee Type: eChallan
    - Amount: ₹ 30,000/-
    - DD/Cheque/Pay Order No: MH015174049202526P
    - Date: 13/01/2026

Government of Maharashtra
Office of the District Collector, Bhandara (Mining Branch)

Email ID: dmobhandara123@gmail.com

No.: Aasan-14/Mining/Aka/Kavi-27/2026 Date: 13/01/2026

To,
Sub-Registrar, Bhandara.

Subject : Regarding the registration of documents

Reference :
1. Sand/Silt Disposal Policy-2025, Government Resolution No. Gaukhan 10/0125/P.R.05/Kha-1, dated 08/04/2025.
2. Sand/Silt Disposal Policy-2025, Government Resolution No. Gaukhan 10/0125/P.R.05/Kha-1, dated 09/10/2025.
3. Sand Ghat E-Tender and E-Auction dated 30/12/2025.
4. Letter from this office No. Aasan-14/Mining/Aka/Kavi-01/2026, dated 01/01/2026

In connection with the above-referenced subject, and as per the Sand/Silt Disposal Policy-2025 (GRs dated 08/04/2025 and 09/10/2025), an advertisement for the E-Tender and E-Auction of sand ghats (sand banks) with Environmental Clearance in Bhandara district was published on 11/12/2025.

In the said E-Tender and E-Auction, R. Sandesh Infravision Pvt. Ltd. (through Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018) submitted the highest bid for a sand

quantity of 478,449 Brass across 24 sand ghats in the Bhandara sub-division.

The bid details are as follows:

- Offset Price: ₹25,83,62,400/-
- Bid Rate: ₹1556.03 per Brass
- Total Bid Amount: ₹67,00,33,440/-

Pursuant to the Letter of Intent (LOI) issued via reference No. 4, an agreement for the sanctioned sand ghats has been executed. Since it is mandatory to register this agreement, it is requested that the registration of the said agreement be completed.

Attachment: Agreement

(Sachin Wadve)
District Mining Officer,
Bhandara.

Revenue and Forest Department, Sand/Gravel Excavation Policy-2025
Government Resolution No. Gaukhani 10/0125/Pr.Kra.05/Kha-1, Dated 08/04/2025
Government Resolution No. Gaukhani 10/0125/Pr.Kra.05/Kha-1, Dated 30/04/2025
Agreement to be executed with the successful auction holder in accordance with Government Resolution No. Gaukhani 10/0125/Pr.Kra.05/Kha-1, Dated 09/10/2025

Sachin Wadhve
District Mining Officer, Bhandara
[Executant / Receiver of Agreement]

R Sandesh Infravision Pvt. Ltd.
Represented by Ruchir Kumar Agrawal
Shree Narayan Bhavan, P.S. Agrawal Marg,
Santra Market, Nagpur-440018
[Executant / Giver of Agreement]

Reason for executing this Agreement:

The Executant, R Sandesh Infravision Pvt. Ltd., through Ruchir Agrawal, residing at Shree Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018, having PAN No. AANCR1955R.

Under the Sand/Gravel Excavation Policy-2025, Government Resolution No. Gaukhani 10/0125/Pr.Kra.05/Kha-1, dated 08/04/2025 and dated 09/10/2025, an e-tender and e-auction advertisement was published on 11/12/2025 for the subdivision-wise sand ghats (sand banks) in Bhandara District that have received environmental clearance.

In the said e-tender and e-auction, R Sandesh Infravision Pvt. Ltd., through Ruchir Agrawal, Nagpur, has been recorded as the highest bidder for a total sand stock of 430,604 brass (representing 90% of the available stock) from 24 sand ghats in the Bhandara subdivision. The bid was recorded at an offset price of Rs. 25,83,62,400/- at the rate of Rs. 1556.03/- per brass, totaling Rs. 67,00,33,440/-.

The auction holder has completed the full payment for all 24 sand ghats mentioned below in the Bhandara subdivision

Subdivision: Bhandara

Sr. No.	Taluka	Name of Sand Ghat	Name of River	Gut No. Adjacent to Sand Ghat	Length x Width x Depth of Sand Ghat	Area (Hectare)	Permissible Quantity of Sand for Extraction (Brass)	Date of Receipt of Environmental Clearance
1	Bhandara	Wadegaon (Rithi)	Waingan ga	1 Part	460 x 100 x 1.2	4.6	19505	Environmental Clearance (EC) received via the minutes of the SEIAA (Environment Dept, Maharashtra) meetings held on 07/12/2025 and 08/12/2025.
2	Bhandara	Mandavi	Waingan ga	558, 559, 560, 561, 562	350 x 100 x 1	3.5	12367	
3	Bhandara	Kothurna	Waingan ga	573, 571/1, 571/2, 569, 570	270 x 60 x 1	1.62	5724	
4	Bhandara	Juni Takli	Waingan ga	319/1, 319/2	400 x 100 x 1.2	4	16961	
5	Pauni	Bhojapur 1	Waingan ga	222, 226, 227, 230, 231,	490 x 100 x 1	4.9	17314	

				232, 245				
6	Pauni	Khatkheda 1	Waingan ga	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	490 x 100 x 1.5	4.9	25972	
7	Pauni	Vilam	Waingan ga	268, 275, 269, 270, 271, 272, 273	490 x 100 x 1.5	4.9	25972	
8	Pauni	Mangli 1	Waingan ga	593, 558/1, 558/2	490 x 100 x 1.5	4.9	25972	
9	Pauni	Junona 2	Waingan ga	419, 415, 413, 412	200 x 150 x 1.5	3	15901	
10	Pauni	Yenola	Waingan ga	38, 41	415 x 110 x 1.3	4.57	20970	
11	Pauni	Junona	Waingan ga	62,61, 59	300 x 150 x 1.5	4.5	23852	
12	Pauni	Gudegaon	Waingan ga	150, 176, 177, 178, 179, 180, 189, 190	490x100x 1.5	4.9	25972	Environmental Clearance (EC) received via the minutes of the SEIAA (Environment Dept, Maharashtra) meetings held on 07/12/2025 and 08/12/2025.
13	Pauni	Pauni	Waingan ga	23, 15/3A, 15/3B	325x125x 1.2	4.06	17226	
14	Pauni	Pauni 2	Waingan ga	86, 85, 82/2/1	215x185x 1.3	3.98	18271	
15	Pauni	Shivnala	Waingan ga	609, 608, 607, 606	250x180x 1.5	4.5	23852	

16	Pauni	Valni 1	Waingan ga	4, 5, 889, 888, 887, 886, 885	250x180x 1.5	4.5	23852	
17	Pauni	Valni 2	Waingan ga	815, 816, 814	250x180x 1.5	4.5	23852	
18	Pauni	Itgaon	Waingan ga	13, 14, 19, 20, 23, 691, 27	350x130x 1	4.55	16078	
19	Pauni	Kurjha	Waingan ga	740, 745, 757, 770, 774	350x90x1 .2	3.15	13357	
20	Pauni	Ruyal	Waingan ga	65, 66, 119, 122	300x150x 1.5	4.5	23852	
21	Pauni	Khaksi	Waingan ga	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177	400x120x 1.5	4.8	25442	
22	Pauni	Dhanori	Waingan ga	181/1, 180/2, 181, 579, 182, 183	450x100x 1.5	4.5	23852	
23	Pauni	Visapur	Waingan ga	33/1, 33/2, 33/3, 32, 69, 70	450x100x 1.5	4.5	23852	
24	Pauni	Kodurli	Waingan ga	344, 345	200x100x 1.2	2	8481	
Total							**478449**	

Since the highest bid amount and other payable dues for the sand ghat (sand block) in the Bhandara Subdivision have been deposited with the government, permission is hereby granted to R. Sandesh Infravision Pvt. Ltd., through Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018.

This permission allows for the excavation and transportation of sand/gravel from the aforementioned sand ghat in the Bhandara Subdivision until June 10, 2026, and for its sale until September 30, 2026. This is subject to the terms and conditions of the Revenue and Forest Department, Government of Maharashtra, Mantralaya Mumbai, Government Resolution (GR) No. Gaukhani 10/0125/P.K. 05/K-1 dated 08/04/2025 and 30/04/2025, and the e-tender dated 16/10/2025.

The Environment Department has granted Environmental Clearance (EC) for the said sand ghat. The general terms and conditions mentioned therein shall be binding on the sand ghat holder, and the responsibility for their implementation lies with the holder. According to the Environmental Clearance, the responsibility for implementing the EMP (Environmental Management Plan) and CER (Corporate Environmental Responsibility) lies with the auction purchaser.

General Terms and Conditions for Sand Ghat Auction

1. It shall be binding to follow all terms and conditions mentioned in the Environmental Clearance received from the SEIAA (State Level Environment Impact

Assessment Authority), Environment Department, Mumbai.

2. The ghat holder must take all necessary precautions to ensure that no harm is caused to natural resources or the environment while excavating sand/gravel from the specific area allotted within the riverbed/nullah.

3. It shall be the responsibility of the auction purchaser to strictly follow all provisions of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013, the Sand/Gravel Policy-2025 dated 08.04.2025 and 09.10.2025, and all Acts, Rules, and Circulars issued by the Government from time to time. Additionally, compliance with rules issued by the Ministry of Environment, Forest and Climate Change (MoEFCC), New Delhi, is mandatory.

4. Sand excavation from the sanctioned sand ghat must be carried out only by maintaining the balance of the river flow and the surrounding environment.

5. 5. The Hon'ble Supreme Court, in Special Leave Petition (C) No. 19628-1629/2009, via its order dated 27/02/2012, as well as for the purpose of keeping river water clean and pure and ensuring the natural flow of water within the riverbed, the sand/gravel excavation policy dated 03/09/2019 has been followed. Accordingly, the Technical Sub-committee of the Tehsil has determined the thickness of the sand layer at the respective sand ghat (sand bank), and excavation of the sand ghat can be carried out within the depth limits

recommended in the Environmental Clearance (EC) order.

6. The auction holder must establish benchmarks to ensure a consistent thickness of the sand layer is maintained. Under no circumstances shall sand be excavated below these fixed benchmarks. The auction holder is responsible for ensuring that benchmarks are not disturbed and that the water levels in surrounding wells do not drop due to the extraction of the sand layer from the riverbed.
7. It is mandatory to install GPS on every vehicle transporting sand. If a vehicle is not equipped with GPS, a Barcode Transit Pass (T.P.) Invoice will not be generated.
8. Care must be taken to ensure that there is no violation of the orders issued by the Hon'ble Supreme Court and the National Green Tribunal (NGT).
9. If sewage/wastewater is generated, it must be treated according to the standards prescribed by the Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India, and the Pollution Control Board.
10. Vehicles used for transporting excavated sand/gravel must be kept in good condition, and obtaining a PUC (Pollution Under Control) Certificate is mandatory. Vehicles without a PUC Certificate cannot be used. The contractor must ensure that fuel or grease leaks from machinery do not cause pollution or contaminate water. Additionally, noise

pollution must be prevented. Violations will make the contractor liable for penalties.

11. It is mandatory to follow the Enforcement & Monitoring Guidelines 2020 of the Central Government and the rules issued from time to time by the Ministry of Environment, Forest and Climate Change (MoEFCC), New Delhi.

12. The sand ghat holder bears full responsibility for ensuring that the transportation of sand does not cause distress, loss of life, or financial harm to village residents. Care must be taken to ensure roads are not damaged; if available, bypass/outer roads should be used. Transportation is prohibited during school opening and closing hours.

13. The successful auction holder is bound to comply with the terms and conditions mentioned in the Mining Plan.

14. The auction period shall include the duration of the monsoon season.

15. The monsoon period is defined as June 10 to September 30, during which sand excavation is strictly prohibited.

General Terms and Conditions for Sand Ghat Auction and Excavation (2025-2026)

1. Demarcation and Signboards: The auction holder/licensee must install boards and direction indicators at the sanctioned sand ghat to define the excavation boundaries. It is mandatory to erect pillars showing these boundaries. Sand/sand excavation outside the prescribed area is prohibited.

Furthermore, a board displaying the names, addresses, and site details of subcontractors, managers, and employees appointed by the auction holder (with prior permission from the District Collector) must be placed at an appropriate location.

2. Excavation Depth Limits: In accordance with the Supreme Court orders dated 27/02/2012 in Special Leave Petition (C) No. 19628-19629/2009, and to ensure river water remains clean and flows naturally, excavation is restricted. The auction holder/licensee may only excavate to a maximum depth of 3 meters or the water level (whichever is less), or the depth permitted in the Environmental Clearance (EC) (whichever is less).

3. Bench Mark and Water Table Protection: To maintain the thickness of the sand layer in the riverbed, "Bench Marks" must be fixed. Excavation below these marks is strictly prohibited under any circumstances. The auction holder must ensure that the Bench Marks are not disturbed and that excavation does not lead to a drop in the water levels of nearby wells.

4. Quantity Limits: The auction holder/licensee is only authorized to excavate the specific quantity of sand stock that has been sanctioned.

5. Operational Hours: To prevent illegal excavation and transportation, which primarily occurs at night, excavation from river/creek beds is mandatory only between 06:00 AM and 06:00 PM. Excavation and

transportation after 06:00 PM are prohibited. Any activities conducted outside these hours will be considered illegal and subject to action.

6. e-Transport Permits (eTP): Sand transportation is permitted only during the validity period of the permits issued through the 'Mahakhanij' system.

7. Geo-fencing: It is mandatory to implement Geo-fencing for the sand ghat sanctioned for excavation.

8. Digital Records: While transporting sand from the sanctioned ghat, the transport pass (ETP) for the vehicle must be generated within the Geo-fenced area of the sand ghat's boundaries. It is mandatory to record this information on the Mahakhanij computer system.

9. It is mandatory to record the sand excavated from the sand ghat (sand bed) online on the "Mahakhanij" system.

10. Sand excavation cannot be carried out within a distance of 600 meters (2,000 feet) from any side of a railway bridge or a road bridge.

11. No excavation shall be allowed within 100 meters of locations where Kolhapur-style weirs (Bandharas) are situated.

12. Excavation must be carried out beyond 100 meters from public water sources/water supply systems or at distances determined by the

Groundwater Survey and Development Agency (GSDA).

13. Sand/soil cannot be removed from land used as a road or a footpath.

14. The auction purchaser/permit holder must start the excavation of sand/soil within one week from the date of taking possession of the sand ghat.

15. The auction purchaser/permit holder must take all necessary precautions to ensure that no damage is caused to natural resources or the environment while excavating sand/soil from the allocated riverbed/nallah area.

16. The auction purchaser/permit holder must not obstruct the Nistar rights (customary rights to forest/land produce) of the local villagers.

17. It is mandatory for the auction purchaser/permit holder to maintain a daily account register of the sand excavated, sold, and transported. This register and other accounting documents must be made available at the excavation site for inspection by the District Mining Officer, Mining Inspector, Revenue Officer, District Collector, and officials from the Directorate of Geology and Mining.

18. If the auction purchaser/permit holder needs to grant permission for the transport of sand, they should give preference to cooperative societies.

19. While transporting sand, it is mandatory to cover the sand in the vehicle with a tarpaulin. Failure to do so will result in punitive action.

20. Vehicles transporting sand/soil must carry only the quantity within their authorized carrying capacity. If a vehicle is found carrying sand in excess of its capacity, the entire quantity of sand in that vehicle will be treated as illegal. Punitive action will be taken as per rules and the Motor Vehicles Act. In addition to the fine, the seized sand shall be auctioned.

21. In the event of an accident during the excavation or transportation of sand/soil, the auction purchaser/permit holder must immediately report the details of the accident to the nearest police station

22. The auction purchaser/permit holder shall be bound to comply with the terms and conditions specified in the rules, the provisions of the Minor Mineral Extraction Rules (rules applicable to the concerned department), the provisions of the Maharashtra Land Revenue Code, and the terms and conditions of the Environmental Clearance (EC). Furthermore, the auction purchaser must use the extracted sand/gravel solely as a minor mineral.

23. While extracting sand/gravel, if any major minerals are discovered, the auction purchaser/permit holder must inform the Divisional Commissioner/District Collector within seven days.

24. In accordance with the Environmental Clearance, it is mandatory for the tenderer to extract sand from the sand bed (reti-ghat) using manual labor only.

25. Eligible auction purchasers extracting sand from river/creek beds are mandated to provide 10% of their total excavated sand stock free of cost for beneficiaries of the Pradhan Mantri Awas Yojana and other economically weaker sections for housing. The auction purchaser should note that no compensation or amount will be payable by the Government for this.

26. If the actual sand stock in the sand block exceeds the estimated quantity, the auction purchaser shall have no right over the excess stock, and permission for extraction beyond the estimated quantity will not be granted.

27. The responsibility of extracting sand/gravel from the sanctioned area within the contract period, using only the means permitted by the Environmental Clearance, lies with the auction purchaser. The time period will not be extended under any circumstances, nor will the sand block be changed due to reasons such as: lack of expected stock, unavailability of roads, water presence in the sand bed, sand mixed with soil, or any human-made or natural calamities. No refunds will be issued for these reasons.

28. Storage of excavated sand/gravel must be done within the same district where the auction was conducted by the District Collector. The responsibility for securing the necessary land, including Non-Agricultural (NA) permission, lies with the auction purchaser. If the extracted sand is not removed from the site within 10 days after the expiry of the lease period, it will become Government property. The auction purchaser or their contractor will have no claim over the value or ownership of such sand, nor can they file a claim against the Government.

29. After the expiry of the auction period and the subsequent 10-day grace period, permission to store sand/gravel will not be granted under any circumstances, nor will secondary transport passes (TPs) be issued for its transportation.

30. The auction holder shall not transfer the auction lease to any other person, nor allow any other person to operate it, nor enter into a partnership after the auction without prior permission from the Government.

31. It is mandatory for the auction holder/permit holder to submit a certified monthly statement of the sand excavated from the sanctioned sand ghat to the "Mahakhanij" online system by the 10th of every month. The District Collector reserves the right to cancel the lease and initiate punitive action against those who fail to submit these statements within the stipulated time.

32. The auction holder shall not conduct, nor allow others to conduct, excavation in sanctioned areas where sand removal could cause erosion or pose a threat to residential buildings, houses, or other structures. In such cases, the District Collector's decision to prohibit excavation shall be final.

33. Once an auction is finalized after accepting the highest bid, the auction holder cannot, under any circumstances, demand an extension of the excavation period or a change of the sand group (site) for any reason. The auction holder must use only those roads for sand transportation that were specified during the issuance of the Environmental Clearance (EC). No separate roads will be provided for transport. The responsibility for securing a new road for transport lies solely with the auction holder. No extension of time or change of site will be granted on the grounds that roads are unavailable or closed.

34. Action shall be taken against illegal sand/gravel mining under Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.

35. The auction holder/permit holder must provide information regarding the vehicles used for sand transportation to the District Collector. Care must be taken to ensure that vehicles are never loaded beyond their carrying capacity.

36. If any damage/loss is caused to private property during the excavation or removal of sand/gravel, the liability for compensation shall rest with the auction

holder. The assessment of such damage will be conducted by a competent officer, whose decision shall be final. This amount will be recovered from the auction holder as arrears of land revenue.

37. It is mandatory for the auction holder/permit holder to comply with all terms and conditions specified in the Government Resolutions (GR) dated April 8, 2025, and October 09, 2025.

Preventive Measures

i) The auction holder must ensure that there is only one dedicated road for sand transportation from each sand ghat (sand reach).

ii) CCTV cameras must be installed by the auction holder for 24x7 photography/video recording at each sand ghat. At least one CCTV camera must be installed at the specific location where sand is loaded into vehicles, and another must be used to record all vehicles entering or leaving the village from the sand ghat. The cost of these CCTVs must be borne by the auction holders/licensees. Furthermore, to prevent illegal sand transportation from non-auctioned ghats, CCTV cameras should be installed at potential transport points, with funding facilitated through the District Planning Committee.

iii) It is mandatory for auction holders/licensees to make the CCTV feed available on the government-designated portal for public surveillance.

iv) The auction holder/licensee must provide the CCTV address (IP/Location) to the District Collector, Divisional Commissioner, and the State Revenue

and Forest Department. It is mandatory to submit a CD containing footage of sand excavation and transportation to the Tehsildar office every 15 days. A 24x7 CCTV control room shall be established in the Tehsildar office to monitor sand excavation based on the installed CCTVs. This control room will be inspected periodically by the concerned District Collector or Sub-Divisional Officer. Additionally, access will be provided to general citizens to monitor sand excavation via these CCTVs.

v) The Tehsildar will verify the footage in the said CDs through their subordinate system. The concerned Tehsildar and Sub-Divisional Officer will also personally inspect such footage from time to time. During such inspections, if it is observed that a CCTV camera was non-functional for any period, or if unauthorized excavation is found upon viewing footage, the authorities will calculate the average daily excavation based on the sanctioned sand stock and available excavation days. For every day the CCTV was off, it will be assumed that average excavation took place. A penalty equivalent to the value of the sand excavated during the "offline" period (calculated at the auction rate) will be recovered from the auction holder. Even if the CCTV is off for any part of a day, it will be considered non-functional for the entire day for the purpose of calculating and recovering this penalty.

vi) Each Village Revenue Officer (**Talathi**) shall regularly visit the sand ghats (sand mining sites) within their jurisdiction. For this purpose, it shall be binding upon the concerned **auction**

holder/license holder to maintain a visit logbook (Bhet-vahi) certified by the **Tehsildar**. After the Talathi visits the sand ghat, it is mandatory for them to make an entry in the daily visit logbook and provide a dated signature.

vii) The concerned Circle Officer shall also regularly inspect the sand ghats (mining sites) within their jurisdiction, record the findings in the daily visit log, and sign it with the date.

viii) The concerned Tehsildar and Sub-Divisional Officer shall make occasional surprise visits to the sand ghats in their area, record the visit in the daily log, and sign with the date. While inspecting the sand ghats, officers shall strictly check the following points:

- **A)** The quantity of sand excavated from the start of mining until the date of inspection, and the stock of sand available at the mining site on the day of inspection.
- **AA)** Monthly measurement of excavation at the sand ghat should be conducted in the presence of the concerned Talathi, Gram Sevak, and the auction purchaser (leaseholder).
- **I)** If there is a bridge in the riverbed, inspections must be carried out to see if sand is being excavated around the bridge, or around and below the bench marks, and this must be recorded in the visit log.
- **EE)** It should be inspected whether excavation is being carried out in areas adjacent to the

riverbanks and whether mechanical means like Poclain/JCB are being used for the same. This must be recorded in the visit log.

- **U)** It should be recorded in the visit log whether the excavated sand stock has been kept within the prescribed distance.
- **UU)** The tenderer/bidder shall be required to submit compliance reports from time to time through a recognized Environmental Consultant as per the provisions in the Environmental Clearance (EC).

Action to be taken if the Auction Purchaser/Licensee violates the Terms and Conditions:—

i) If it is observed that excavation has been carried out deeper than the depth permitted in the Environmental Clearance, the security deposit paid by the auction purchaser/licensee shall be forfeited, and the auction/license shall be canceled. Furthermore, such excavation shall be declared illegal, and action shall be taken as per the provisions of **Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.**

ii) It will be verified whether the driver of the vehicle transporting sand/gravel has a valid barcoded transport pass. If a valid barcoded transport pass is not found with the driver during inspection, or if the specified duration of the transport pass has expired, then the said sand excavation and transportation shall be deemed illegal. Action shall be taken

against them under **Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.**

iii) In cases of illegal excavation and transportation, if the concerned contractor/auctioneer is found guilty, action will be taken against them as per the prevailing rules. Previously, action was taken to file offenses under sections such as 379, 411, 414, 392, 393, 394, 395, etc., of the Indian Penal Code (IPC). Now, instead of the Indian Penal Code, the **Bharatiya Nyaya Sanhita (BNS)** has been adopted. Action will be taken after verifying the provisions under Sections 3(5), 54, 303(2), 309(4), 309(5), 309(6), and 310(3) of the BNS. Additionally, punitive action will be taken as per the provisions of Section 48(7) of the **Maharashtra Land Revenue Code, 1966**, and machinery used for sand excavation and vehicles used for transportation will be seized as per Section 48(8), and the illegally excavated sand will also be seized.

iv) Furthermore, if it is observed that revenue officers/employees are attacked during the course of taking action against illegal sand excavation/transportation, or if organized crime is detected in such locations, action will be taken against such organized crime under the **"Maharashtra Prevention of Dangerous Activities of Slum-lords, Bootleggers, Drug-Offenders, Dangerous Persons and Video Pirates Act, 1981" (MPDA).**

v) The auctioneer/permit holder shall be bound to follow the terms and conditions of the

Environmental Clearance as well as the provisions of environmental regulations. If these provisions are violated, they shall be liable for action under the provisions of the **Environment (Protection) Act, 1986.**

Annexure: Environmental Clearance

Place: Bhandara
Date: 13/01/2025

Agreement Receiver (Sachin Wadve)
District Mining Officer, Collectorate, Bhandara

Agreement Executant (Provider)
R Sandesh Infravision Pvt. Ltd.
Represented by Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santara Market, Nagpur - 440018
(Signed by Director/Attorney)

Witnesses:

1. Shri Vineet Bhagwan (Age 36), Residing at Ayodhya Peth, Nagpur.
2. Shri Pravin Kishor Shamkuwar, Residing at Bhandara.

Receipt (Original/Duplicate)

Registration No.: 39M
Date: June 15, 2024
Time: 1:04 PM
Receipt No.: 6053

Field	Details
Village Name:	[Blank]
Document Serial No.:	NGN5-3472-2024
Type of Document:	Special Power of Attorney
Presented by:	Ruchir Kumar Sureshchand Agrawal

Fee Details

- Registration Fee: ₹ 100.00
- Document Handling Fee (DHC): ₹ 200.00
- Number of Pages: 10
- Total Amount: ₹ 300.00

Additional Information

- Estimated Delivery: You will receive the original document, thumbnail print, and Index-II at approximately 1:23 PM.
- Market Value: ₹ 1/-
- Consideration Amount: ₹ 0/-
- Stamp Duty Paid: ₹ 500/-

Payment Details

1. Payment Type: DHC | Amount: ₹ 200/-
    - DD/Check/Pay Order No.: 0624158302180 | Date: 15/06/2024
2. Payment Type: eChallan | Amount: ₹ 100/-
    - DD/Check/Pay Order No.: MH003533075202425P | Date: 15/06/2024

Government of Maharashtra, Revenue and Forest Department- Government Circular No. – Mudrank 2015/P.K.111/M-1, dated 12 May 2015

AFFIDAVIT / DECLARATION

I/We, the undersigned, hereby declare through this affidavit that I/we have carefully read the circular dated **30.11.2013** issued by the Hon. Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune, and all terms and conditions therein are acceptable to us.

I/We have searched the records regarding the property mentioned in the said document. The property in the document submitted for registration is not being sold through fraud or double sale. The executants (Seller/Giver/Receiver/Power of Attorney holder) in the document are genuine and are all alive as of today. While executing this registration document, per the registration process, our individual ownership as well as the ownership of the property's appointed Power of Attorney holder/executant are alive, and the Power of Attorney attached to the document is still in existence and has not been cancelled to date; I/we hereby admit this.

I/we confirm that the signatures, thumbprints, and photos in the said document are mine/ours. To verify this, I/we have brought two persons/individuals who know us well to give their statement and signatures. I/we have completed the financial transactions regarding the property in the document and have executed the document in the presence of witnesses. I/we admit that the property in the document is my/our

ownership and is not government-owned or encroached upon. Per **Rule 44 of the Registration Rules, 1961**, the transfer of the property in the document is not restricted by any Hon. Court or Government Office stay order. Similarly, no lawsuit is filed or proposed.

The responsibility to obtain prior permission from the competent authority required for the said document lies with us as the Giver/Receiver; this is acceptable to us. There are no government, semi-government, private loans, bank encumbrances, rights, interests, or development dues on the property in the document. If any such thing arises in the future, I/we, the Giver and Receiver, shall remain responsible; I/we are aware of this. In the registered transaction, if there is any deficiency in stamp duty or registration fees according to the law in the future, the responsibility to deposit it into the government treasury shall be ours as Giver/Receiver; we agree to this and will deposit it immediately.

Per the Registration Act, all supplementary documents attached to this document during the registration process are valid/genuine. According to the judgment given by the Hon. Court (the decision given on **24/03/2003** by the **Hon. High Court Nagpur** in the case of *Gopal Dwarkadas Pande vs. Collector Bhandara & Others, Writ Petition No. 29/2003*), it is not the responsibility of the Registration Officer to verify the ownership rights/title of the Giver/Seller. I/we are fully aware and agree that the responsibility to verify ownership rights lies with both parties involved in the transaction as per **Section 55 of the Transfer of**

Property Act, 1882. If any legal question arises or any crime occurs in the future, I/we, the executants of the document, and the identifiers shall be held responsible. We agree to this.

To ensure that fraud/forgery/collusion regarding immovable property and related crimes filed at police stations do not occur regarding the property in my document, I/we are submitting this Affidavit/Declaration subject to the provisions of **Section 82 of the Registration Act, 1908**. I/we are fully aware that under **Section 83 of the Registration Act, 1908**, and the provisions mentioned in the **Indian Penal Code, 1860**, there is a punishment of 7 years imprisonment; therefore, this Affidavit/Declaration is being attached as part of the said document.

Place: Bhandara **Date:** 13/1/26

Witness No. 1: **Giver (Executant):**
Witness No. 2: **Receiver:**

Ax. L

महाराष्ट्र शासन
जिल्हाधिकारी भंडारा यांचे कार्यालय
(खनिकर्म शाखा)

Email ID : dmobhandara123@gmail.com

क्र.आसन-14/खनिज/अका/कावि- ३५ /2026 दिनांक :- १५/०१//2026

वाचा : 1) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 08/04/2025
2) वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 09/10/2025
3) रेतीघाट ई-निविदा व ई-लिलाव दि. 30/12/2025
4) या कार्यालयाचे पत्र क्र. आसन-14/खनिज/अका/कावि-01/2026 दिनांक 01/01/2026
5) या कार्यालयाचे पत्र क्र. आसन-14/खनिज/अका/कावि-14/2026 दिनांक 06/01/2026
6) या कार्यालयाचे आदेश क्र. आसन-14/खनिज/अका/कावि-34/2026 दिनांक 15/01/2026
7) मा. SEIAA (पर्यावरण विभाग,महाराष्ट्र) यांचे पर्यावरण अनुमती निविदाधारक यांना हस्तांतरण केल्याचा दिनांक 16/01/2025 रोजीच्या सभेच्या इतिवृत्ताव्दारे प्राप्त पर्यावरण अनुमती.

//आदेश//

वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 08/04/2025 व वाळू/रेती निर्गती धोरण-2025, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र.05/ख-1, दि. 09/10/2025 अन्वये भंडारा जिल्हयाकरीता पर्यावरण अनुमती प्राप्त वाळू घाटांकरीता उपविभाग निहाय रेतीघाट ई-निविदा व ई-लिलाव जाहिरात दिनांक 11/12/2025 रोजी प्रसिध्द करण्यात आलेली होती. सदर ई-निविदा व ई-लिलावामध्ये आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 tenders@rsandeshgroup.com यांनी भंडारा या उपविभागातील 24 वाळूघाटामधील उपलब्ध एकुण वाळूसाठा चे 430604 ब्रास हातची किंमत रूपये 25,83,62,400/- करीता प्रतिब्रास रूपये 1556.03/- रूपये प्रमाणे एकुण रूपये 67,00,33,440/- सर्वोच्च बोली/देकार नोंदविलेला आहे.

अ.क्र.	भरना करावाच्या रकमेचे विवरण	रक्कम	शेरा
1	रेतीघाटाच्या लिलावाच्या सर्वोच्च बोलीच्या 25% फरकाची रक्कम	10,29,17,760/-	ICICI A/c No. 049505001250 IFSC Code - ICIC0000495
2	रेतीघाटाच्या लिलावाच्या सर्वोच्च बोलीच्या किमतीच्या 75% रक्कम	50,25,25,080/-	ICICI A/c No. 049505001250 IFSC Code - ICIC0000495
3	अनामत रक्कम (रेतीघाटाच्या लिलावाच्या बोलीच्या रक्कमेच्या 25%)	16,75,08,360/-	(चलानद्वारे)
4	आयकर TCS (लिलावाच्या सर्वोच्च बोलीच्या 2%)	1,34,00,669/-	(चलानद्वारे TAN No. NGPD03489D)

5	पर्यावरण शुल्क (लिलावाच्या सर्वोच्च बोलीच्या 2%)	1,34,00,669/-	(बँक गॅरंटी)
6	भुजल सर्व्हेक्षण शुल्क (प्रति घाट 5000 रू.)	1,20,000/-	धनादेश (उपसंचालक, भुजल सर्वेक्षण आणि विकास यंत्रणा, नागपुर)
7	जिल्हा खनिज प्रतिष्ठान निधी - (स्वामीत्वधनाच्या रक्कमेच्या 10%)	2,58,36,240/-	HDFC Bank Bhandara येथील खाते क्र. 50200111442907, IFSC Code:- HDFC0002500
8	मुद्रांक शुल्क - (लिलावाच्या सर्वोच्च बोलीच्या 0.2%)	13,40,067/-	(चलानद्वारे)
9	EMP& CER Cost	The financial provision/budget reserved for the EMP and CER should be utilized for the activities mentioned in EMP and CER Plan of the District. The submission of implementation It is mandatory to submit half yearly compliances as per EIA notification 2006 for the terms and condition as mention in EC and Mining Plan to the competent authority. Failure in implementation of EMP and CER will lead to recovery of the same amount from Security Deposit.	

आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 tenders@rsandeshgroup.com यांनी भंडारा उपविभागातील खालील नमुद 24 वाळू घाटांकरीता संपूर्ण रक्कमेचा भरणा पूर्ण केलेला आहे.

Sr. No.	Name of Sand Ghat	Taluka	Name of River	Adjoining Gat. No. / Survey No. / Khasra No.	Length (m)	Width (m)	Depth (m)	Total area (Ha,)	Production (Given by Us) (Brass)	Latitude	Longitude
1	Wadegaon (Rithi)	Bhandara	Wainganga	1 part	460	100	1.2	4.6	19505	21°12'58.48"N	79°41'34.46"E
										21°13'0.36"N	79°41'31.61"E
										21°12'47.53"N	79°41'23.53"E
										21°12'45.65"N	79°41'26.35"E
2	Mandavi	Bhandara	Wainganga	558, 559, 560, 561, 562	350	100	1	3.5	12367	21°13'55.80"N	79°43'6.06"E
										21°13'53.39"N	79°43'8.39"E
										21°14'1.04"N	79°43'17.38"E
										21°14'3.45"N	79°43'15.05"E
3	Kothurna	Bhandara	Wainganga	573, 571/1, 571/2, 569, 570	270	60	1	1.62	5724	21°13'46.11"N	79°42'14.44"E
										21°13'44.28"N	79°42'15.16"E
										21°13'47.33"N	79°42'23.95"E

										21°13'49.16"N	79°42'23.22"E
4	Juni Takli	Bhandara	Wainganga	319/1, 319/2	400	100	1.2	4	16961	21°11'33.29"N	79°41'20.38"E
										21°11'32.24"N	79°41'23.66"E
										21°11'44.54"N	79°41'28.17"E
										21°11'45.60"N	79°41'24.89"E
5	Bhojapur	Pauni	Wainganga	222, 226, 227, 230, 231, 232, 245	490	100	1	4.9	17314	20°45'24.33"N	79°41'44.65"E
										20°45'26.94"N	79°41'46.71"E
										20°45'18.04"N	79°42'0.76"E
										20°45'15.46"N	79°41'58.68"E
6	Khatkheda 1	Pauni	Wainganga	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	490	100	1.5	4.9	25972	20°44'11.60"N	79°44'10.49"E
										20°44'9.77"N	79°44'7.64"E
										20°43'56.80"N	79°44'17.47"E
										20°43'58.67"N	79°44'20.27"E
7	Vilam	Pauni	Wainganga	268, 275, 269, 270, 271, 272, 273	490	100	1.5	4.9	25972	20°45'14.65"N	79°43'15.45"E
										20°45'11.62"N	79°43'14.76"E
										20°45'6.17"N	79°43'29.05"E
										20°45'9.38"N	79°43'30.15"E
8	Mangli 1	Pauni	Wainganga	593, 558/1, 558/2	490	100	1.5	4.9	25972	20°45'22.72"N	79°42'41.69"E
										20°45'19.52"N	79°42'40.98"E
										20°45'15.02"N	79°42'57.23"E
										20°45'18.19"N	79°42'57.91"E
9	Junona 2	Pauni	Wainganga	419, 415, 413, 412	200	150	1.5	3	15901	20°47'33.62"N	79°39'36.38"E
										20°47'29.23"N	79°39'34.11"E
										20°47'26.48"N	79°39'40.41"E
										20°47'30.86"N	79°39'42.58"E
10	Yenoda	Pauni	Wainganga	38, 41	415	110	1.3	4.565	20970	20°47'37.04"N	79°39'17.10"E
										20°47'34.21"N	79°39'14.93"E
										20°47'42.09"N	79°39'3.40"E
										20°47'45.19"N	79°39'5.36"E
11	Junona	Pauni	Wainganga	62, 61, 59	300	150	1.5	4.5	23852	20°47'23.28"N	79°40'0.14"E
										20°47'19.77"N	79°39'56.55"E
										20°47'13.32"N	79°40'4.34"E
										20°47'16.79"N	79°40'7.89"E
12	Gudegaon	Pauni	Wainganga	150, 176, 177, 178, 179, 180, 189, 190	490	100	1.5	4.9	25972	20°44'35.56"N	79°43'46.87"E
										20°44'37.55"N	79°43'49.50"E
										20°44'49.23"N	79°43'37.88"E
										20°44'47.12"N	79°43'35.21"E
13	Pauni1	Pauni	Wainganga	23, 15/3A, 15/3B	325	125	1.2	4.063	17226	20°48'41.16"N	79°37'42.70"E
										20°48'42.16"N	79°37'46.79"E
										20°48'52.31"N	79°37'44.064"E
										20°48'51.37"N	79°37'39.95"E
14	Pauni 2	Pauni	Wainganga	86, 85, 82/2/1	215	185	1.3	3.978	18271	20°48'17.96"N	79°37'53.31"E
										20°48'21.61"N	79°37'57.81"E
										20°48'27.73"N	79°37'53.35"E

										20°48'23.43"N	79°37'48.71"E
15	Shivnala	Pauni	Wainganga	609, 608, 607, 606	250	180	1.5	4.5	23852	20°45'14.65"N	79°43'15.45"E
										20°45'11.62"N	79°43'14.76"E
										20°45'6.17"N	79°43'29.05"E
										20°45'9.38"N	79°43'30.15"E
16	Walni 1	Pauni	Wainganga	4, 5, 889, 888, 887, 886, 885	250	180	1.5	4.5	23852	20°46'32.00"N	79°41'8.62"E
										20°46'27.99"N	79°41'4.19"E
										20°46'21.10"N	79°41'8.92"E
										20°46'25.13"N	79°41'13.42"E
17	Walni 2	Pauni	Wainganga	815, 816, 814	250	180	1.5	4.5	23852	20°46'49.25"N	79°40'43.78"E
										20°46'45.13"N	79°40'51.16"E
										20°46'40.32"N	79°40'47.71"E
										20°46'44.37"N	79°40'40.30"E
18	Itgaon	Pauni	Wainganga	13, 14, 19, 20, 23, 691, 27	350	130	1	4.5 5	16078	20°50'18.23"N	79°37'57.50"E
										20°50'17.51"N	79°37'53.03"E
										20°50'6.32"N	79°37'55.21"E
										20°50'7.13"N	79°37'59.58"E
19	Kurza	Pauni	Wainganga	740, 745, 757, 770, 774	350	90	1.2	3.1 5	13357	20°50'51.54"N	79°37'43.4[illegible]
										20°50'50.70"N	79°37'40.54"E
										20°51'1.75"N	79°37'37.33"E
										20°51'2.51"N	79°37'40.32"E
20	Ruyad	Pauni	Wainganga	65, 66, 119, 122	300	150	1.5	4.5	23852	20°48'2.85"N	79°38'40.93"E
										20°47'57.60"N	79°38'49.74"E
										20°47'53.29"N	79°38'47.45"E
										20°47'58.52"N	79°38'38.63"E
21	Khaksi	Pauni	Wainganga	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177	400	120	1.5	4.8	25442	20°49'27.06"N	79°37'46.01"E
										20°49'27.07"N	79°37'42.22"E
										20°49'14.37"N	79°37'41.98"E
										20°49'13.97"N	79°37'46.33"E
22	Dhanori	Pauni	Wainganga	181/1, 180/2, 181, 579, 182,183	450	100	1.5	4.5	23852	20°45'37.30"N	79°41'31.27"E
										20°45'39.77"N	79°41'33.57"E
										20°45'49.18"N	79°41'21.81"E
										20°45'46.84"N	79°41'19.49"E
23	Visapur	Pauni	Wainganga	33/1, 33/2, 33/3, 32, 69, 70	450	100	1.5	4.5	23852	20°45'14.65"N	79°43'15.45"E
										20°45'11.62"N	79°43'14.76"E
										20°45'6.17"N	79°43'29.05"E
										20°45'9.38"N	79°43'30.15"E
24	Kodurli	Pauni	Wainganga	344, 345	200	100	1.2	2	8481	20°46'56.73"N	79°39'51.41"E
										20°46'58.81"N	79°39'53.96"E
										20°46'54.57"N	79°39'59.30"E
										20°46'52.46"N	79°39'56.61"E
Total									**478449**		

संदर्भ क्र. 6 नुसार भंडारा उपविभागातील वाळू गटाची सर्वोच्च बोली ची रक्कम व इतर देय रक्कमा शासन जमा केल्यामुळे आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 यांना भंडारा उपविभागातील वरील रेती घाटातून वाळू / रेती उत्खनन व वाहतूक करण्याकरिता दिनांक 10 जून, 2026 पर्यंत आणि विक्री करण्याकरिता परवानगी दिनांक 30 सप्टेंबर, 2026 पर्यंत महसूल व वन विभाग, महाराष्ट्र शासन, मंत्रालय मुंबई, शासन निर्णयक्र. गौखनि 10/0125/प्र.क्र. 05/ख-1. दिनांक 08/04/2025 व महसूल व वन विभाग, महाराष्ट्र शासन, मंत्रालय मुंबई, शासन निर्णय क्र. गौखनि 10/0125/प्र.क्र. 05/ख-1, दिनांक 30/04/2025 आणि या कार्यालयाची ई-निविदा दिनांक 16/10/2025 मधील अटी व शर्तीच्या अधिन राहून परवानगी देण्यात येत आहे.

संदर्भ क्र. 7 अन्वये पर्यावरण विभागाने सदर रेतीघाटाकरिता पर्यावरण विषयक मंजुरी (Environment Clearance) प्रदान केलेली असून त्यात नमुद सर्वसाधारण अटी व शर्ती रेतीघाटधारकास बंधनकारक राहतील व त्यांची अंमलबजावणी करण्याची जबाबदारी रेतीघाटधारकाची राहील. पर्यावरण अनुमतीनुसार EMP आणि CER बाबतची अंमलबजावणी करण्याची जबाबदारी आपली राहील. अटी व शर्ती बाबतचा करारनामा करुन दिल्यानंतरच ही परवानगी अंमलात येईल व त्यानंतरच प्रत्यक्ष रेती / वाळू उत्खननास सुरुवात करता येईल.

वाळूगट लिलावाकरीता सर्वसाधारण अटी व शर्ती

1. पर्यावरण विभाग, मुंबई SEIAA यांचेकडून प्राप्त पर्यावरण अनुमती मधील सर्व अटी व शर्तीचे पालन करणे बंधनकारक राहील.
2. घाटधारकाला नदीपात्रातून / नाल्यातून रेती / वाळू उत्खनन करण्यासाठी ज्या क्षेत्राचे वाटप केले असेल त्याचक्षेत्रातून रेती/वाळू उत्खनन करतांना नैसर्गिक संपत्तीस व पर्यावरणास धोका होणार नाही याची सर्व खबरदारी घाटधारकाने घ्यावयाची आहे.
3. महाराष्ट्र गौण खनिज उत्खनन (विकास व नियमन) नियम, 2013 तसेच वाळू/रेती निर्गती धोरण-2025 दिनांक 08.04.2025 व दिनांक 09.10.2025 आणि शासनाने वेळोवेळी निर्गमीत केलेले अधिनियम, नियम, परिपत्रके यामधील सर्व तरतुदीचे तंतोतंत पालन करणेची लिलावधारकाची जबाबदारी राहील. तसेच पर्यावरण, वने व वातावरणीय बदल मंत्रालय, नवी दिल्ली (MOEF) या विभागाने वेळोवेळी निर्गमित केलेल्या नियमाचे पालन करणे लिलावधारकावर बंधनकारक राहील.
4. नदी प्रवाहाचा व परिसरातील पर्यावरणाचा समतोल राखुनच मंजुर रेतीघाटातून रेतीचे उत्खनन करण्यात यावे.
5. माननीय सर्वोच्च न्यायालयाने विशेष अनुमती याचिका (सी) क्र. 19628-1629/2009 मध्ये दि. 27/02/2012 रोजी दिलेले आदेश तसेच नदीपात्रातील पाणी स्वच्छ व शुध्द राहण्यासाठी व नैसर्गिकरित्या पाण्याचे नदीपात्रात वहन होण्यासाठी वाळू/रेती निर्गती धोरण दिनांक 03/09/2019 नुसार तहसिलचे तांत्रिक उपसमितीने संबंधित रेतीघाटाच्या थराची जाडी निश्चित केली आहे व पर्यावरण मंजुरी आदेशामध्ये जी खोली शिफारस आहे, त्यामर्यादेत रेतीघाटाचे उत्खनन करता येईल.
6. लिलावधारकाने वाळू थराची जाडी सातत्याने राहण्यासाठी बेंच मार्क निश्चित करुन बेंच मार्कच्या खाली कोणत्याही परिस्थितीत वाळूचे उत्खनन करता येणार नाही. निश्चित केलेले बेंच मार्क पडणार नाहीत, तसेच नदीपात्रातील वाळूच्या थराच्या आधारे आजूबाजुच्या विहिरीतील पाण्याची पातळी कमी होणार नाही, याबाबत योग्य ती दक्षता लिलावधारकाने घेणे आवश्यक राहील.
7. रेतीची वाहतूक करणाऱ्या प्रत्येक वाहनावर GPS बसविणे आवश्यक राहील. रेतीची वाहतूक करणाऱ्या वाहनामध्ये GPS न बसविल्यास बारकोड टि.पी. चे Invoice Generate होणार नाही.
8. सर्वोच्च न्यायालयाचे आदेश व राष्ट्रीय हरीत न्यायाधीकरण (National Green Tribunal) यांचे आदेशाचे उल्लघंन होणार नाही याची दक्षता घ्यावी.

9. सांडपाणी निर्माण होत असल्यास त्यावर पर्यावरण व वन्यजीव संरक्षण मंत्रालय, भारत सरकार तसेच प्रदुषण नियंत्रण मंडळ यांनी विहीत केलेल्या प्रमाणकानुसार प्रक्रीया करणेत यावी.
10. उत्खनन केलेली वाळू/रेती वाहतूक करण्याकरिता वापरण्यात येणारी वाहने सुस्थितीत ठेवणे व त्यासाठी PUC Certificate घेणे बंधनकारक राहील. PUC Certificate नसलेली वाहने वाळू वाहतूकीकरिता वापरता येणार नाही. वाळू उत्खनन व वाहतुकीसाठी वापरणेत येणाऱ्या यंत्रातील इंधन / ग्रीस गळतीमुळे प्रदुषण होणार नाही किंवा पाणी दुषीत होणार नाही याची दक्षता ठेकेदाराने घेणेची आहे. तसेच ध्वनी प्रदुषण होणार नाही याची दक्षता घेणेची आहे. सदरील बाबीचे उल्लंघन केल्यास ठेकेदारास दंडास पात्र राहतील.
11. केंद्र शासनाच्या Enforcement & Monitoring Guidelines 2020, व पर्यावरण वने व वातावरणीय बदल मंत्रालय नवी दिल्ली (MOEF) या विभागाने वेळोवेळी निर्गमित केलल्या नियमाचे पालन करणे बंधनकारक राहील.
12. रेतीची वाहतूक करतांना गावातील नागरीकांना त्याचा त्रास होणार नाही किंवा त्यांना जिवीत वा वित्तीय हानी पोहचणार नाही याची सर्वस्वी जबाबदारी रेतीघाटधारक यांची राहील. तसेच वापर करण्यात येत असलेले रस्ते खराब होणार नाही याची दक्षता घ्यावी अथवा रेती/वाळू वाहतुकीकरीता उपलब्ध झाल्यास गावाचे बाहेरील रस्त्याचा वापर करण्यात यावा तसेच शाळा सुरु होणे व सुटण्याचे वेळी वाहतूक करता येणार नाही.
13. यशस्वी लिलावधारकास खाणकाम आराखडयामधील अटी व शर्तीचे पालन करणे बंधनकारक राहील.
14. लिलावाचा कालावधी पावसाळ्याच्या कालावधीसह समाविष्ट असेल.
15. दिनांक १० जून ते ३० सप्टेंबर हा पावसाळ्याचा कालावधी असेल व या कालावधीमध्ये वाळू उत्खनन करता येणार नाही.

सन 2025-2026 वाळूगट लिलावासाठी व उत्खननासाठी सर्वसाधारण अटी व शर्ती

1) लिलावधारकाने/परवानाधारकाने त्याला मंजूर केलेल्या वाळूगटाच्या ठिकाणी फलक, दिशादर्शक लावून, उत्खनन क्षेत्राची सीमा निश्चित करुन सीमा दर्शविणारे खांब उभारणे अनिवार्य राहील. विहीत केलेल्या क्षेत्राच्या बाहेर वाळू/रेतीचे उत्खनन करता येणार नाही. तसेच लिलावधारकाने जिल्हाधिकारी यांच्या पूर्वपरवानगीने सदर वाळूगटाचे कामकाज पाहण्यासाठी नियुक्त केलेले उपठेकेदार, व्यवस्थापक व कर्मचारी यांची नावे, पत्ता व जागेचा तपशील दर्शविणारा फलक योग्य ठिकाणी लावणे आवश्यक राहील.
2) माननीय सर्वोच्च न्यायालयाने विशेष अनुमती याचिका (सी) क्र.१९६२८-१९६२९/२००९ मध्ये दि.२७/०२/२०१२ रोजी दिलेले आदेश तसेच नदीपात्रातील पाणी स्वच्छ व शुध्द राहण्यासाठी व नैसर्गिकरित्या पाण्याचे नदीपात्रात वहन होण्यासाठी वाळू/रेती गटातून जास्तीत जास्त ३ मीटर किंवा पाण्याची पातळी यापैकी जे कमी असेल तितक्या खोलीपर्यंत किंवा पर्यावरण अनुमतीमध्ये परवानगी दिलेल्या खोलीपर्यंत यापैकी जे कमी असेल तेवढ्या खोलीपर्यंतच लिलावधारक / परवानाधारकाला वाळू/रेतीचे उत्खनन करता येईल.
3) नदीपात्रातील वाळूथराची जाडी सातत्याने राहण्यासाठी बेंच मार्क निश्चित करुन बेंच मार्कच्या खाली कोणत्याही परिस्थितीत वाळूचे उत्खनन करता येणार नाही. निश्चित केलेले बेंच मार्क पडणार नाहीत, तसेच नदीपात्रातील वाळूच्या थराच्या आधारे आजूबाजूच्या विहिरीतील पाण्याची पातळी कमी होणार नाही, याबाबत योग्य ती दक्षता लिलावधारकाने घेणे आवश्यक राहील.
4) लिलावधारकास/परवानाधारकास मंजूर केलेल्या वाळूसाठ्याइतकेच उत्खनन करण्याचा अधिकार प्राप्त होईल.
5) राज्यात अवैध उत्खनन व वाहतूक ही प्रामुख्याने रात्रीच्या वेळी होत असल्याचे निदर्शनास येत असल्याने त्यावर प्रतिबंध करण्यासाठी नदी/खाडीपात्रातून वाळू/रेतीचे उत्खनन सकाळी ०६.०० ते सायंकाळी ०६.०० वाजेपर्यंत करणे बंधनकारक असेल. सायंकाळी ०६.०० नंतर नदी/खाडीपात्रातून उत्खनन व

वाहतूक करणे प्रतिबंधित राहील. या कालावधीव्यतिरिक्त इतर वेळेत केलेले उत्खनन अवैध समजून कारवाई करण्यात येईल.

6) महाखनिज प्रणालीद्वारे वाळू विक्रीबाबत देण्यात येणाऱ्या परवान्यानुसार (eTP) मंजूर कालावधीपर्यंत वाळूची वाहतूक करता येईल.

7) उत्खननासाठी मंजूर करण्यात आलेल्या वाळू गटाचे Geo- fencing करणे बंधनकारक राहील.

8) सदर मंजूर वाळूगटामधून वाळूचे उत्खनन करुन वाहतूक करताना ज्या वाहनातून वाळूची वाहतूक होणार आहे त्याचा वाहतूक पास (ETP) हा सदर वाळूगटाच्या चतुःसिमांचे Geo-fencing च्या क्षेत्राच्या आत तयार करण्यात येऊन त्याबाबत महाखनिज संगणक प्रणालीवर नोंद घेणे बंधनकारक राहील.

9) वाळूगटाधून उत्खनन केलेल्या वाळूची नोंद महाखनिज प्रणालीवर ऑनलाईन घेणे बंधनकारक असेल.

10) कोणत्याही रेल्वे पुलाच्या व रस्ते पुलाच्या कोणत्याही बाजूने ६०० मीटर्स (२००० फूट) अंतराच्या आत वाळूचे उत्खनन करता येणार नाही.

11) कोल्हापूर पध्दतीचे बंधारे असलेल्या ठिकाणापासून १०० मीटरच्या आत कोणतेही उत्खनन करता येणार नाही.

12) सार्वजनिक पाणवठा / पाणीपुरवठा व्यवस्था असलेल्या ठिकाणापासून १०० मीटर अथवा भूजल सर्वेक्षण व
विकास यंत्रणा निश्चित केलेल्या अंतरापलीकडे उत्खनन करणे आवश्यक राहील.

13) रस्ते/पायवाट म्हणून वापरण्यात येणाऱ्या जमिनीतून वाळू / रेती काढता येणार नाही.

14) लिलावधारकाने / परवानाधारकाने वाळूगटाचा ताबा दिल्याच्या दिनांकापासून एका आठवड्याच्या आत वाळू/रेतीचे उत्खनन सुरू करणे आवश्यक राहील.

15) लिलावधारकाला/परवानाधारकाला नदीपात्रातून / नाल्यातून रेती / वाळू उत्खनन करण्यासाठी ज्या क्षेत्राचे वाटप केले असेल त्या क्षेत्रातून रेती/वाळू उत्खनन करताना नैसर्गिक संपत्तीस व पर्यावरणास धोका होणार नाही याची सर्व खबरदारी लिलावधारक/परवानाधारक यांनी घ्यावयाची आहे.

16) लिलावधारक/परवानाधारक यांनी गावकऱ्यांच्या निस्तारहक्कांस बाधा पोहोचविता कामा नये.

17) लिलावधारकाने/परवानाधारकाने रेती / वाळूचे केलेले उत्खनन, विक्री व वाहतूक केलेल्या रेतीबाबतची दैनंदिन हिशोब नोंदवही ठेवणे आवश्यक आहे. ही नोंदवही व इतर हिशोब कागदपत्रे जिल्हा खनिकर्म अधिकारी, खनिकर्म निरीक्षक, महसूल अधिकारी तसेच जिल्हाधिकारी व भूविज्ञान व खनिकर्म संचालनालयातील निरीक्षण करणाऱ्या अधिकाऱ्यांना उत्खननाच्या जागेवर उपलब्ध करुन द्यावीत.

18) लिलावधारकास/परवानाधारकास वाळूची / रेतीची वाहतूक करण्यासाठी परवाना द्यावयाचा असल्यास त्याने सहकारी संस्था/संस्थांना प्राधान्य दिले पाहिजे.

19) वाळूची वाहतूक करतांना वाहनातील वाळू ताडपत्रीने आच्छादित करुनच वाळूची वाहतूक करणे बंधनकारक आहे. अशी वाहतूक न केल्यास दंडात्मक कारवाई करण्यात येईल.

20) रेती / वाळूची वाहतूक करणाऱ्या वाहनास त्याच्या वहन क्षमतेइतक्याच परिमाणाची वाहतूक करावी. वहन क्षमतेपेक्षा अधिक परिमाणाची रेती / वाळू वाहून नेत असल्याचे आढळून आल्यास त्या वाहनातील संपूर्ण वाळू अवैध आहे, असे समजून त्यावर नियमानुसार दंडात्मक कारवाई तसेच क्षमतेपेक्षा जास्त वाहतूकीबाबत मोटर वाहन कायद्यानुसार कारवाई करावी. दंडनीय कारवाईबरोबर जप्त केलेल्या रेतीचा लिलाव करण्यात यावा.

21) रेती / वाळूचे उत्खनन करताना अथवा वाहतूक करताना अपघात झाल्यास लिलावधारकाने/परवानाधारकाने अपघाताची माहिती तात्काळ जवळच्या पोलीस ठाण्यात द्यावी.

22) लिलावधारकाने/परवानाधारकाने नियमात नमूद केल्याप्रमाणे अटी व शर्तीचे तसेच गौण खनिज उत्खनन नियमातील तरतुदीनुसार असलेले नियम (संबंधित विभागास लागू असलेले नियम) आणि महाराष्ट्र जमीन महसूल अधिनियमातील तरतुदीनुसार लागू असलेल्या नियमांचे तसेच पर्यावरण अनुमतीमधील अटी व शर्तीचे पालन करणे बंधनकारक राहील. त्याचप्रमाणे लिलावधारकाने रेतीचा/वाळूचा पूर्ण उपयोग गौण खनिज म्हणूनच केला पाहिजे.

23) रेतीचे/वाळूचे उत्खनन करतेवेळी जर काही प्रमुख खनिज आढळून आल्यास लिलावधारकाने / परवानाधारकाने विभागीय आयुक्त/जिल्हाधिकारी यांच्याकडे सात दिवसात कळविले पाहिजे.

24) पर्यावरण अनुमती नुसार रेतीघाटातुन वाळुचे उत्खनन मनुष्यबळाचे सहाय्यानेच करणे निविदाधारकास बंधनकारक राहील.

25) नदी/खाडी पात्रामधुन वाळु निर्गतीकरीता पात्र लिलावधारक यांना त्यांनी उत्खनन केलेल्या एकुण वाळु साठ्याच्या 10 टक्के वाळु प्रधानमंत्री आवास योजनेतंर्गत तेसच आर्थिक दृष्टया मागास प्रवर्गातील लाभार्थ्यांना घरकुलांकरीता विनामुल्य उपलब्ध करुन देणे लिलावधारक यांना बंधनकारक राहील. त्याबाबत लिलावधारकास शासनामार्फत कोणतीही रक्कम अनुज्ञेय राहणार नाही यांची लिलावधारकाने नोंद घ्यावी.

26) अंदाजित परिमाणापेक्षा अधिक वाळूसाठा रेतीगटात असल्यास त्यावर लिलावधारकाचा कोणताही अधिकार राहणार नाही व अंदाजित परिमाणापेक्षा अधिक उत्खनन करण्यास लिलावधारकास परवानगी देता येणार नाही.

27) मंजूर क्षेत्रातून करारात नमूद केलेल्या कालावधीत, पर्यावरण अनुमतीनुसार परवानगी दिलेल्या साधनाच्या सहाय्यानेच वाळूचे/रेतीचे उत्खनन करण्याची जबाबदारी लिलावधारकाची राहील. वाळू स्थळात अपेक्षित साठा नाही, रस्ते उपलब्ध नाहीत, वाळूस्थळात पाणी आहे, वाळूगटामधील वाळू मातीमिश्रीत आहे अशा तसेच मानवी वा नैसर्गिक आपत्तीच्या कारणास्तव सदर कालावधी कोणत्याही परिस्थितीत वाढवून दिला जाणार नाही व वाळूगट बदलून दिला जाणार नाही. तसेच या कारणास्तव कोणताही परतावा देण्यात येणार नाही.

28) उत्खनन केलेल्या किंवा काढलेल्या वाळू / रेतीची साठवणूक, लिलाव ज्या जिल्हाधिकाऱ्याने केला असेल त्याच जिल्ह्यात करावी लागेल व त्यासाठी अकृषक परवान्यासह आवश्यक जमीन उपलब्ध करुन घेण्याची जबाबदारी लिलावधारकाची असेल. वाळू / रेती ठेक्याची मुदत संपण्यापूर्वी ज्या वाळू / रेतीचे उत्खनन केलेले आहे त्या वाळूचा / रेतीचा साठा मुदत संपल्यानंतर 10 दिवसांत उत्खननाच्या जागेवरुन हलविण्यात आला नाही तर तो शासनाच्या मालकीचा होईल. अशा वाळूच्या / रेतीच्या किंमतीबाबत अथवा मालकीबाबत लिलावधारकास अथवा त्यांच्या ठेकेदारास कोणताही हक्क सांगता येणार नाही किंवा त्याबाबत शासनाविरुध्द दावा करता येणार नाही.

29) लिलावाचा कालावधी संपल्यानंतर तसेच 10 दिवसांची मुदत संपल्यानंतर कोणत्याही परिस्थितीत वाळू / रेतीसाठा करण्यास परवानगी देता येणार नाही किंवा त्याच्या वाहतूकीसाठी दुय्यम वाहतूक पासेस देण्यात येणार नाहीत.

30) शासनाच्या पूर्वपरवानगी शिवाय लिलावधारकास लिलाव ठेका दुसऱ्या कोणाकडेही हस्तांतरीत करता येणार नाही किंवा दुसऱ्या कोणालाही चालविण्यास देता येणार नाही किंवा लिलावानंतर भागीदारही घेता येणार नाही.

31) लिलावधारक/परवानाधारक त्यांना मंजूर केलेल्या वाळूगटातून उत्खनन केले आहे. त्याबाबतचे विवरणपत्र सक्षम प्राधिकारी यांनी प्रमाणित करुन दर महिन्याच्या १० तारखेला महाखनिज या प्रणालीवर ऑनलाईन सादर करणे बंधनकारक राहील. जे लिलावधारक/परवानाधारक मासिक विवरणपत्र विहित वेळेत ऑनलाईन सादर करणार नाहीत, त्यांच्याविरुध्द ठेका रद्द करण्याबाबत तसेच त्यांच्याविरुध्द दंडात्मक कारवाई करण्याचे अधिकार जिल्हाधिकारी यांना राहतील.

32) मंजूर क्षेत्रातील ज्या ठिकाणातून रेती / वाळू काढल्याने धूप होऊ शकेल व त्यामुळे निवासी इमारतींना, घरे अथवा इतर बांधकामे यांना धोका निर्माण होईल अशा ठिकाणातून वाळूचे स्वतः उत्खनन करणार नाही अथवा इतरांना तसे करण्यास परवानगी देणार नाही. अशा प्रकरणी जिल्हाधिकारी यांचा उत्खनन करण्यास प्रतिबंध करण्याचा निर्णय अंतिम राहील.

33) एकदा अत्युच्च बोली स्विकारुन अंतिम करण्यात आलेल्या लिलावात कोणत्याही परिस्थितीत रेती / वाळू उत्खननाचा कालावधी वाढवून देण्याचा अथवा कोणत्याही कारणास्तव रेतीचा / वाळूचा गट बदलून देण्याची मागणी लिलावधारकास करता येणार नाही. उत्खनन केलेल्या वाळूच्या / रेतीच्या वाहतुकीसाठी पर्यावरण अनुमती देताना दर्शविण्यात आलेले रस्तेच लिलावधारकाने वापरावयाचे

आहेत. तसेच वाहतूकीसाठी वेगळे रस्ते उपलब्ध करुन दिले जाणार नाहीत. तसेच वाहतुकीसाठी नवीन रस्ता मिळविण्याची जबाबदारी लिलावधारकाची राहील. रस्ते उपलब्ध नाहीत किंवा वाहतुकीसाठी बंद आहेत या कारणास्तव कोणत्याही परिस्थितीत रेती / वाळू उत्खननाचा कालावधी वाढवून दिला जाणार नाही अथवा रेती/वाळूगट बदलून दिला जाणार नाही.

34) अवैध वाळू / रेतीसाठा पकडल्यानंतर महाराष्ट्र जमीन महसूल अधिनियम, १९६६ मधील नियम ४८ (७) व (८) नुसार कारवाई करण्यात यावी.

35) लिलावधारकाने / परवानाधारकाने वाळू वाहतुकीसाठी वापरण्यात येणाऱ्या वाहनांची माहिती जिल्हाधिकारी यांना देण्यात यावी. कोणत्याही परिस्थितीत वाहनाच्या वहनक्षमतेपेक्षा जास्त वाहतूक होणार नाही याची दक्षता घेण्यात यावी.

36) वाळूचे / रेतीचे उत्खनन करताना किंवा ती काढताना खाजगी मालमत्तेस कोणतीही हानी/नुकसान पोहचल्यास त्याची भरपाई करण्याचे दायित्व लिलावधारकावर राहील. अशा हानीची / नुकसानीची परिगणना सक्षम अधिकाऱ्याकडून करण्यात येईल व त्याबाबतचा निर्णय अंतिम राहील व अशी रक्कम जमीन महसूलाच्या थकीबाकीच्या वसुलीप्रमाणे संबंधित लिलावधारकाकडून वसूल करण्यात येईल.

37) लिलावधाकर / परवानाधारक यांनी शासन निर्णय 8 एप्रिल, 2025 व दिनांक 09 ऑक्टोंबर, 2025 मधील सर्व अटी व शर्तीचे पालन करणे बंधनकारक राहील.

प्रतिबंधात्मक उपाययोजना :-

xvii) प्रत्येक वाळूगटांमधील वाळू वाहतूकीसाठी एकच रस्ता राहील याबाबत लिलावधारक यांनी दक्षता घ्यावी.

xviii) प्रत्येक वाळूगटाच्या ठिकाणी 24x7 छायाचित्रण होण्यासाठी लिलावधारकामार्फत CCTV बसविण्यात यावेत. यापैकी किमान एक CCTV कैमेरा वाहतुकीच्या साधनात ज्या ठिकाणी वाळू भरण्यात येते त्या ठिकाणी बसविण्यात यावा व वाळूगटातील वाळूची वाहतूक करणारी सर्व वाहने गावातील ज्या ठिकाणावरुन ये-जा करतात त्या ठिकाणच्या छायाचित्रणासाठी वापरण्यात यावा. वाळूगटाच्या ठिकाणी बसविलेल्या CCTV ची किंमत लिलावधारकांना/परवानाधारकांना सोसणे आवश्यक राहील. तसेच लिलाव न झालेल्या वाळूगटातील वाळूची अवैध वाहतुक होवू नये यासाठी ज्या ठिकाणाहून वाहतूक होण्याची शक्यता आहे, अशा ठिकाणीही सीसीटीव्ही कॅमेरे बसविण्यात यावे व यासाठी जिल्हा नियोजन समितीकडून निधी उपलब्ध करुन घेण्याबाबत कार्यवाही करण्यात यावी.

xix) लिलावधारकांने/परवानाधारकाने CCTV सार्वजनिक सर्वेक्षणासाठी शासनाने निश्चित केलेल्या संकेतस्थळावर उपलब्ध करुन देणे बंधनकारक राहील.

xx) लिलावधारकाने/परवानाधारकाने बसविलेल्या CCTV चा Address जिल्हाधिकारी / विभागीय आयुक्त व शासनाच्या महसूल व वन विभागाकडे देणे आवश्यक राहील. लिलावधारकाने वाळू उत्खनन व वाहतूकीचे छायाचित्रण असलेली सीडी दर 15 दिवसांनी तहसिलदार कार्यालयात जमा करणे अनिवार्य राहील. लिलावधारकाने / परवानाधारकाने वाळूघाटात बसविलेले सीसीटीव्हीच्या आधारे वाळू उत्खननावर संनियंत्रण करण्याकरिता तहसील कार्यालयामध्ये 24 X 7 कार्यरत सीसीटीव्ही नियंत्रण कक्षाची स्थापना करण्यात यावी. सदर नियंत्रण कक्षाची संबंधित जिल्हाधिकारी /उप विभागीय अधिकारी यांनी वेळोवेळी करतील. तसेच, लिलावधारकाने / परवानाधारकाने वाळूघाटात बसविलेले सीसीटीव्हीच्या आधारे वाळू उत्खननावर संनियंत्रण करण्याकरिता सर्वसामान्य नागरिकांसाठी Access उपलब्ध करुन देण्यात येईल.

xxi) तहसिलदार सदर सीडीमधील छायाचित्रण आपल्या अधिनस्त यंत्रणेमार्फत तपासून घेतील. संबंधित तहसिलदार व उप विभागीय अधिकारी हे अधूनमधून स्वतः देखील अशा छायाचित्रणाची तपासणी करतील. अशा तपासणीत सी.सी.टी.व्ही. कॅमेरा काही काळासाठी बंद असल्याचे निदर्शनास आल्यास, सनियंत्रण कक्षामधील वाळू घाटाचे CCTV फुटेज पाहून अनधिकृत उत्खनन आढळल्यास मंजूर वाळूसाठा व वाळू उत्खननासाठी उपलब्ध दिवस यानुसार दरदिवशी करावयाचे उत्खनन विचारात घेऊन, जेवढे दिवस सी.सी.टी.व्ही. कॅमेरा बंद होता, तेवढे दिवस सरासरी उत्खनन केले, असे गृहीत धरुन

लिलावाच्या रकमेनुसार प्रतीब्रास रक्कम परिगणित करुन त्या दराने सी.सी.टी.व्ही. कॅमेरा बंद असलेल्या कालावधीत उत्खनन केलेल्या वाळूच्या रक्कमेएवढी दंडात्मक रक्कम लिलावधारकाकडून वसूल करतील. एखाद्या दिवशी कितीही कालावधीसाठी सी.सी.टी.व्ही बंद असला, तरीही पूर्ण दिवसासाठी सी.सी.टी.व्ही. बंद असल्याचे समजून वरीलप्रमाणे दंडात्मक रकमेची आकारणी व वसूली करण्यात येईल.

xxii) प्रत्येक गाव कामगार तलाठी त्यांच्या कार्यक्षेत्रातील वाळूगटास नियमितपणे भेट देतील. त्यासाठी संबंधित लिलावधारकाकडे/परवानाधारकाकडे तहसिलदारांनी प्रमाणित करून दिलेली भेटवही ठेवणे लिलावधारकास बंधनकारक असेल. तलाठ्याने वाळूगटास भेट दिल्यानंतर दैनंदिन भेट-वहीमध्ये त्याची नोंद करुन दिनांकित स्वाक्षरी करणे आवश्यक राहील.

xxiii) संबंधित मंडळ अधिकाऱ्यानेही नियमितपणे त्यांच्या कार्यक्षेत्रातील वाळूगटाची पाहणी करून, त्याची नोंद उक्त दैनंदिन भेटवहीमध्ये करुन, दिनांकित स्वाक्षरी करणे आवश्यक राहील.

xxiv) संबंधित तहसिलदार, उपविभागीय अधिकारी त्यांच्या क्षेत्रातील वाळूगटाला वेळोवेळी आकस्मिक भेट देतील व त्याची दैनंदिन भेटवहीत नोंद करुन, दिनांकित स्वाक्षरी करतील. अधिकाऱ्यांनी रेतीगटाची तपासणी करताना खालील बाबी कटाक्षाने पाहतील:-

अ) उत्खननास प्रारंभ केल्यापासून तपासणीच्या दिनांकापर्यंत उत्खनन केलेल्या वाळूचे परिमाण व तपासणीच्या दिवसापर्यंत उत्खननाच्या ठिकाणी असलेला वाळूसाठा.

आ) संबंधित तलाठी व ग्रामसेवक तसेच संबंधित लिलावधारक यांच्यासमक्ष दरमहा वाळूगटामधील उत्खननाची मोजणी करण्यात यावी.

इ) नदीपात्रात पूल असल्यास त्या पुलाच्या आजूबाजूस तसेच बेंच मार्कच्या आजूबाजूस व बेंच मार्कच्या खाली वाळू उत्खनन केले जात आहे किंवा कसे याची पहाणी करण्यात यावी व त्याची नोंद भेटवहीत घेण्यात यावी.

ई) नदीच्या काठाजवळच्या लगतच्या भागामध्ये उत्खनन केले जाते आहे किंवा कसे व त्याकरीता पोकलेन / जेसीबी यांसारख्या यांत्रिक साधनांचा वापर करण्यात आला आहे किंवा कसे, याची पहाणी करण्यात यावी व त्याची नोंद भेटवहीत घेण्यात यावी.

उ) उत्खनन केलेला वाळूसाठा विहित अंतरापर्यंत करण्यात आलेला आहे किंवा कसे, याची नोंद भेटवहीत घेण्यात यावी.

ऊ) निविदाधारक यांनी पर्यावरण अनुमतीमधील तरतुदीनुसार वेळोवेळी मान्यता प्राप्त पर्यावरण सल्लागार यांचे मार्फत अनुपालन सादर करणे आवश्यक राहील.

लिलावधारक/परवानाधारकाने अटी शर्तीचे उल्लंघन केल्यास करावयाची कारवाई:-

i) पर्यावरण अनुमतीमध्ये परवानगी दिलेल्या खोलीपेक्षा जास्त खोल उत्खनन केल्याचे निदर्शनास आल्यास लिलावधारक/परवानाधारकाकडून घेण्यात आलेली अनामत रक्कम जप्त करण्यात येऊन, लिलाव/परवाना रद्द करण्यात येईल. तसेच असे उत्खनन अवैध ठरवून महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) व (८) मधील तरतुदीनुसार कारवाई करण्यात येईल.

ii) वाळू/रेतीची वाहतूक करणाऱ्या वाहनचालकाकडे वैध बारकोडयुक्त वाहतूक पास आहे किंवा नाही, याची शहानिशा करण्यात येईल. याबाबतच्या निरीक्षणाच्या वेळी संबंधित वाहनचालकाकडे वैध बारकोडयुक्त वाहतूक पास आढळला नाही किंवा वाहतूक पासचा निर्दिष्ट कालावधी संपलेला असेल तर सदर वाळूचे उत्खनन वाहतूक अवैध समजून त्याविरुध्द महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) व (८) नुसार कारवाई करण्यात येईल.

iii) अवैध उत्खनन व वाहतुकीच्या प्रकरणामध्ये संबंधित ठेकेदार / लिलावधारक दोषी आढळल्यास त्यांच्याविरुध्द प्रचलित नियमानुसार कारवाई करण्यात येईल. यापूर्वी भारतीय दंड संहितेमधील कलम, ३४,११४,३७९,३९२,३९३,३९४,३९६ इत्यादी कलमांतर्गत गुन्हा दाखल करण्याची कार्यवाही करण्यात येत होती. आता भारतीय दंड संहितेऐवजी भारतीय न्याय संहितेचा अवलंब करण्यात आला असून

त्यामधील कलम ३ (५), ५४, ३०३(२), ३०९ (४), ३०९ (५), ३०९ (६) व ३१०(३) या कलमातील तरतूदीची खात्री करुन कारवाई करण्यात येईल तसेच, महाराष्ट्र जमीन महसूल संहिता, १९६६ मधील कलम ४८ (७) मधील तरतुदीनुसार दंडात्मक कारवाई करणे व कलम ४८(८) मधील तरतुदीनुसार वाळू उत्खननासाठी वापरलेली यंत्रसामग्री व वाहतुकीसाठी वापरलेली वाहने जप्त करणे, अवैध उत्खनन केलेली वाळू जप्त करणे इत्यादी कारवाई करण्यात येईल.

iv) तसेच वाळूचे अवैध उत्खनन / वाहतूकीच्या अनुषंगाने कारवाई करतांना महसूल अधिकारी / कर्मचारी यांच्यावर हल्ले होत असल्याचे निदर्शनास आल्यास किंवा अशा ठिकाणी संघटित गुन्हेगारीचे प्रकार आढळून आल्यास अशा संघटित गुन्हेगारीविरुध्द "महाराष्ट्र झोपडपट्टी गुंड, हातभट्टीवाले, औषधिद्रव्ये विषयक गुन्हेगार, धोकादायक व्यक्ती व यांच्या विघातक कृत्यांना आळा घालण्याबाबत अधिनियम, १९८१ या अधिनियमान्वये कारवाई करण्यात येईल.

v) लिलावधारक / परवानाधारक यांनी पर्यावरण अनुमतीमधील अटी व शर्तीचे तसेच पर्यावरणविषयक नियमातील तरतूदींचे पालन करणे बंधनकारक असेल. सदर तरतुदीचे उल्लंघन झाल्यास ते पर्यावरण (संरक्षण) अधिनियम, १९८६ मधील तरतुदीनुसार कारवाईस पात्र राहतील.

(सावन कुमार, भाप्रसे)
जिल्हाधिकारी, भंडारा

प्रतिलिपी –

1. उपविभागीय अधिकारी, भंडारा यांना माहितीकरीता अग्रेषित.
2. तहसिलदार भंडारा / पवनी यांना कळविण्यात येते की, जिल्हा खनिकर्म अधिकारी, भंडारा यांचेसोबत झालेल्या करारनाम्याची नोंदणीकृत प्रत तपासून यशस्वी लिलावधारकास रेतीघाटाचे अनुषंगाने स्टॉकपाईंट करीता योग्य ते सहकार्य करावे. तसेच निविदाधारक यांना रेतीघाटांचा ताबा देण्याबाबत यथावकाश आदेशित करण्यात येईल.
3. आर संदेश इंफ्राविजन प्रा. लि., तर्फे रुचिर अग्रवाल, श्री. नारायण भवन, पि. एस. अग्रवाल मार्ग, संत्रा मार्केट, नागपुर-440018 यांना माहिती व उचित कार्यवाहीस्तव
4. मेसर्स शौर्या टेक्नोसॉफ्ट प्रा. लि., पुणे यांना माहिती व उचित कार्यवाहीस्तव
5. जिल्हा खनिकर्म शाखा, जि.का. भंडारा

English Translation of Ax. L

Government of Maharashtra
Office of the District Collector, Bhandara
(Mining Department)

Email ID: dmobhandara123@gmail.com

No. Aasan-14/Mining/Aka/Kavi- 95 /2026 Date: 15/01/2026

Read:

1. Sand/Gravel Extraction Policy-2025, Govt. Resolution No. Gaukhani 10/0125/Pr.Kr.05/Kha-1, dated 08/04/2025.
2. Sand/Gravel Extraction Policy-2025, Govt. Resolution No. Gaukhani 10/0125/Pr.Kr.05/Kha-1, dated 09/10/2025.
3. Sand Ghat e-Tender and e-Auction dated 30/12/2025.
4. Letter from this office No. Aasan-14/Mining/Aka/Kavi-01/2026, dated 01/01/2026.
5. Letter from this office No. Aasan-14/Mining/Aka/Kavi-14/2026, dated 06/01/2026.
6. Order from this office No. Aasan-14/Mining/Aka/Kavi-34/2026, dated 15/01/2026.
7. Environmental Clearance received via minutes of the meeting dated 16/01/2025 from Hon. SEIAA (Environment Dept., Maharashtra) regarding the transfer of environmental clearance to the tenderer.

ORDER

As per the Sand/Gravel Extraction Policy-2025 and the Government Resolutions mentioned above, an advertisement for e-Tender and e-Auction was published on 11/12/2025 for environment-cleared

sand ghats in Bhandara district, categorized by sub-division. In the said e-tender and e-auction, R. Sandesh Infravision Pvt. Ltd., through Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018 (tenders@rsandeshgroup.com), registered the highest bid of ₹67,00,33,440/- (at the rate of ₹1556.03 per brass) for a total sand stock of 430,604 brass across 24 sand ghats in the Bhandara sub-division.

Sr.	Description of Amount to be Deposited	Amount (₹)	Remarks
1	25% difference amount of the highest bid for the Sand Ghat auction	10,29,17,760/-	ICICI A/c No. 049505001250 IFSC: ICIC0000495
2	75% amount of the highest bid value for the Sand Ghat auction	50,25,25,080/-	ICICI A/c No. 049505001250 IFSC: ICIC0000495
3	Security Deposit (25% of the bid amount of the Sand Ghat auction)	16,75,08,360/-	(Via Challan)
4	Income Tax TCS (2% of the highest bid)	1,34,00,669/-	(Via Challan) TAN No. NGPD03489D
5	Environmental Fee (2% of the highest bid)	1,34,00,669/-	(Bank Guarantee)
6	Groundwater Survey Fee (₹5000 per ghat)	1,20,000/-	Demand Draft (Deputy Director, Groundwater Survey and Development Agency, Nagpur)
7	District Mineral Foundation (DMF)	2,58,36,240/-	HDFC Bank Bhandara, A/c No.

	Fund (10% of the royalty amount)		50200111442907, IFSC: HDFC0002500
8	Stamp Duty (0.2% of the highest bid)	13,40,067/-	(Via Challan)
9	EMP & CER Cost	The financial provision/budget reserved for the EMP and CER should be utilized for the activities mentioned in EMP and CER Plan of the District. The submission of implementation It IS mandatory to submit half yearly compliances as per EIA notification 2006 for the terms and condition as mention in EC and Mining Plan to the competent authority. Failure in implementation of EMP and CER will lead to recovery of the same amount from Security Deposit.	

R. Sandesh Infravision Pvt. Ltd. has completed the full payment for the following 24 sand ghats in the Bhandara sub-division.

Sr. No.	Name of Sand Ghat	Taluka	Name of River	Adjoining Gat. No. / Survey No. / Khasra No.	Length (m)	Width (m)	Depth (m)	Total area (Ha,)	Production (Given by Us) (Brass)	Latitude	Longitude
1	Wadegaon (Rithi)	Bhandara	Wainganga	1 part	460	100	1.2	4.6	19505	21°12'58.48"N	79°41'34.46"E
										21°13'0.36"N	79°41'31.61"E
										21°12'47.53"N	79°41'23.53"E
										21°12'45.65"N	79°41'26.35"E
2	Mandavi	Bhandara	Wainganga	558, 559, 560, 561, 562	350	100	1	3.5	12367	21°13'55.80"N	79°43'6.06"E
										21°13'53.39"N	79°43'8.39"E
										21°14'1.04"N	79°43'17.38"E
										21°14'3.45"N	79°43'15.05"E
3	Kothurna	Bhandara	Wainganga	573, 571/1, 571/2, 569, 570	270	60	1	1.62	5724	21°13'46.11"N	79°42'14.44"E
										21°13'44.28"N	79°42'15.16"E
										21°13'47.33"N	79°42'23.95"E

										21°13'49.16"N	79°42'23.22"E
4	Juni Takli	Bhandara	Wainganga	319/1, 319/2	400	100	1.2	4	16961	21°11'33.29"N	79°41'20.38"E
										21°11'32.24"N	79°41'23.66"E
										21°11'44.54"N	79°41'28.17"E
										21°11'45.60"N	79°41'24.89"E
5	Bhojapur	Pauni	Wainganga	222, 226, 227, 230, 231, 232, 245	490	100	1	4.9	17314	20°45'24.33"N	79°41'44.65"E
										20°45'26.94"N	79°41'46.71"E
										20°45'18.04"N	79°42'0.76"E
										20°45'15.46"N	79°41'58.68"E
6	Khatkheda 1	Pauni	Wainganga	564, 560, 199, 200, 202, 517, 562, 219, 220, 201	490	100	1.5	4.9	25972	20°44'11.60"N	79°44'10.49"E
										20°44'9.77"N	79°44'7.64"E
										20°43'56.80"N	79°44'17.47"E
										20°43'58.67"N	79°44'20.27"E
7	Vilam	Pauni	Wainganga	268, 275, 269, 270, 271, 272, 273	490	100	1.5	4.9	25972	20°45'14.65"N	79°43'15.45"E
										20°45'11.62"N	79°43'14.76"E
										20°45'6.17"N	79°43'29.05"E
										20°45'9.38"N	79°43'30.15"E
8	Mangli 1	Pauni	Wainganga	593, 558/1, 558/2	490	100	1.5	4.9	25972	20°45'22.72"N	79°42'41.69"E
										20°45'19.52"N	79°42'40.98"E
										20°45'15.02"N	79°42'57.23"E
										20°45'18.19"N	79°42'57.91"E
9	Junona 2	Pauni	Wainganga	419, 415, 413, 412	200	150	1.5	3	15901	20°47'33.62"N	79°39'36.38"E
										20°47'29.23"N	79°39'34.11"E
										20°47'26.48"N	79°39'40.41"E
										20°47'30.86"N	79°39'42.58"E
10	Yenoda	Pauni	Wainganga	38, 41	415	110	1.3	4.5 65	20970	20°47'37.04"N	79°39'17.10"E
										20°47'34.21"N	79°39'14.93"E
										20°47'42.09"N	79°39'3.40"E
										20°47'45.19"N	79°39'5.36"E
11	Junona	Pauni	Wainganga	62, 61, 59	300	150	1.5	4.5	23852	20°47'23.28"N	79°40'0.14"E
										20°47'19.77"N	79°39'56.55"E
										20°47'13.32"N	79°40'4.34"E
										20°47'16.79"N	79°40'7.89"E
12	Gudegaon	Pauni	Wainganga	150, 176, 177, 178, 179, 180, 189, 190	490	100	1.5	4.9	25972	20°44'35.56"N	79°43'46.87"E
										20°44'37.55"N	79°43'49.50"E
										20°44'49.23"N	79°43'37.88"E
										20°44'47.12"N	79°43'35.21"E
13	Pauni1	Pauni	Wainganga	23, 15/3A, 15/3B	325	125	1.2	4.0 63	17226	20°48'41.16"N	79°37'42.70"E
										20°48'42.16"N	79°37'46.79"E
										20°48'52.31"N	79°37'44.064"E
										20°48'51.37"N	79°37'39.95"E
14	Pauni 2	Pauni	Wainganga	86, 85, 82/2/1	215	185	1.3	3.9 78	18271	20°48'17.96"N	79°37'53.31"E
										20°48'21.61"N	79°37'57.81"E
										20°48'27.73"N	79°37'53.35"E

										20°48'23.43"N	79°37'48.71"E
15	Shivnala	Pauni	Wainganga	609, 608, 607, 606	250	180	1.5	4.5	23852	20°45'14.65"N 20°45'11.62"N 20°45'6.17"N 20°45'9.38"N	79°43'15.45"E 79°43'14.76"E 79°43'29.05"E 79°43'30.15"E
16	Walni 1	Pauni	Wainganga	4, 5, 889, 888, 887, 886, 885	250	180	1.5	4.5	23852	20°46'32.00"N 20°46'27.99"N 20°46'21.10"N 20°46'25.13"N	79°41'8.62"E 79°41'4.19"E 79°41'8.92"E 79°41'13.42"E
17	Walni 2	Pauni	Wainganga	815, 816, 814	250	180	1.5	4.5	23852	20°46'49.25"N 20°46'45.13"N 20°46'40.32"N 20°46'44.37"N	79°40'43.78"E 79°40'51.16"E 79°40'47.71"E 79°40'40.30"E
18	Itgaon	Pauni	Wainganga	13, 14, 19, 20, 23, 691, 27	350	130	1	4.5 5	16078	20°50'18.23"N 20°50'17.51"N 20°50'6.32"N 20°50'7.13"N	79°37'57.50"E 79°37'53.03"E 79°37'55.21"E 79°37'59.58"E
19	Kurza	Pauni	Wainganga	740, 745, 757, 770, 774	350	90	1.2	3.1 5	13357	20°50'51.54"N 20°50'50.70"N 20°51'1.75"N 20°51'2.51"N	79°37'43.4[illegible] 79°37'40.54"E 79°37'37.33"E 79°37'40.32"E
20	Ruyad	Pauni	Wainganga	65, 66, 119, 122	300	150	1.5	4.5	23852	20°48'2.85"N 20°47'57.60"N 20°47'53.29"N 20°47'58.52"N	79°38'40.93"E 79°38'49.74"E 79°38'47.45"E 79°38'38.63"E
21	Khaksi	Pauni	Wainganga	165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177	400	120	1.5	4.8	25442	20°49'27.06"N 20°49'27.07"N 20°49'14.37"N 20°49'13.97"N	79°37'46.01"E 79°37'42.22"E 79°37'41.98"E 79°37'46.33"E
22	Dhanori	Pauni	Wainganga	181/1, 180/2, 181, 579, 182,183	450	100	1.5	4.5	23852	20°45'37.30"N 20°45'39.77"N 20°45'49.18"N 20°45'46.84"N	79°41'31.27"E 79°41'33.57"E 79°41'21.81"E 79°41'19.49"E
23	Visapur	Pauni	Wainganga	33/1, 33/2, 33/3, 32, 69, 70	450	100	1.5	4.5	23852	20°45'14.65"N 20°45'11.62"N 20°45'6.17"N 20°45'9.38"N	79°43'15.45"E 79°43'14.76"E 79°43'29.05"E 79°43'30.15"E
24	Kodurli	Pauni	Wainganga	344, 345	200	100	1.2	2	8481	20°46'56.73"N 20°46'58.81"N 20°46'54.57"N 20°46'52.46"N	79°39'51.41"E 79°39'53.96"E 79°39'59.30"E 79°39'56.61"E
Total									**478449**		

According to Reference No. 6, since the highest bid amount for the sand groups in the Bhandara Sub-division and other payable amounts have been deposited with the Government, permission is hereby granted to R. Sandesh Infravision Pvt. Ltd. (through Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018).

This permission allows for the excavation and transportation of sand/gravel from the specified sand ghats in Bhandara Sub-division until June 10, 2026, and for its sale until September 30, 2026. This is

subject to the terms and conditions of Government Resolution No. Gokhani 10/0125/Pr.Kr. 05/Kh-1 dated April 8, 2025, and April 30, 2025, issued by the Revenue and Forest Department, Mantralaya, Mumbai, and the e-tender dated October 16, 2025.

Per Reference No. 7, the Environment Department has provided Environmental Clearance for these sand ghats. All general terms and conditions mentioned therein are binding on the leaseholder, and the responsibility for implementation lies with them. You are responsible for the implementation of EMP (Environmental Management Plan) and CER (Corporate Environmental Responsibility). This permission will come into effect only after an agreement regarding the terms and conditions is signed; actual excavation may only begin thereafter.

General Terms and Conditions for Sand Group Auction

1. It is mandatory to comply with all terms and conditions mentioned in the Environmental Clearance received from the SEIAA (State Level Environment Impact Assessment Authority), Environment Department, Mumbai.
2. While excavating sand/gravel from the area allocated in the riverbed/stream, the leaseholder must take all precautions to ensure no harm is caused to natural resources or the environment.
3. The leaseholder is responsible for strictly following the provisions of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013, the Sand/Gravel Policy 2025 (dated April 8, 2025, and October 9, 2025), and all acts, rules, and circulars issued by the government from time to time. They must also follow the rules issued by the

Ministry of Environment, Forest and Climate Change (MoEF), New Delhi.

4. Excavation must be carried out in the approved sand ghats while maintaining the balance of the river flow and the surrounding environment.

5. In accordance with the orders of the Hon'ble Supreme Court (SLP No. 19628-1629/2009) dated February 27, 2012, and the Sand/Gravel Policy dated September 3, 2019, the thickness of the sand layer has been determined by the technical sub-committee of the Tehsil. Excavation may only be done within the depth limits recommended in the Environmental Clearance.

6. The leaseholder must establish a bench mark to ensure the thickness of the sand layer is maintained; excavation below the bench mark is prohibited under any circumstances. Care must be taken to ensure that the water level in surrounding wells does not drop due to the sand excavation.

7. It is mandatory to install GPS on every vehicle transporting sand. If GPS is not installed, a Barcode T.P. (Transport Permit) Invoice will not be generated.

8. Precaution must be taken to ensure that no orders of the Supreme Court or the National Green Tribunal (NGT) are violated.

9. If wastewater is generated, it must be treated according to the standards prescribed by the Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India, and the Pollution Control Board.

10. Vehicles used for transporting excavated sand must be kept in good condition and must possess a valid PUC (Pollution Under Control)

Certificate. Vehicles without a PUC certificate cannot be used. The contractor must ensure that fuel or grease leaks from the machinery do not cause pollution or contaminate the water. Additionally, care must be taken to prevent noise pollution; violations will make the contractor liable for penalties.

11. Compliance with the Enforcement & Monitoring Guidelines 2020 of the Central Government and rules issued periodically by the MoEFCC, New Delhi, is mandatory.

12. The sand ghat holder is entirely responsible for ensuring that the transportation of sand does not cause distress, loss of life, or financial loss to village residents. They must ensure that the roads used are not damaged, or use bypass roads outside the village if available. Furthermore, transportation is prohibited during school opening and closing hours.

13. The successful bidder must comply with all terms and conditions of the Mining Plan.

14. The auction period includes the monsoon season.

15. The period from June 10 to September 30 is designated as the monsoon season, during which sand excavation is strictly prohibited.

General Terms and Conditions for Sand Group Auction & Excavation (2025-2026)

1. The bidder/permit holder must install signboards and direction markers at the sanctioned sand group location and must erect pillars to clearly define the boundaries of the excavation area. Excavation outside the prescribed area is prohibited. Additionally, a board displaying the names, addresses, and

site details of sub-contractors, managers, and employees appointed with the prior permission of the District Collector must be placed at an appropriate spot.

2. Per the Hon'ble Supreme Court’s orders (dated Feb 27, 2012) and to maintain clean river water and natural flow, excavation is limited to a maximum depth of 3 meters or the water level (whichever is less), or the depth permitted in the Environmental Clearance (whichever is less).
3. To maintain the thickness of the sand layer, a bench mark must be established; excavation below this mark is prohibited under any circumstances. The bidder must ensure the bench mark remains intact and that the water level in nearby wells is not depleted due to the excavation.
4. The bidder/permit holder is only authorized to excavate the quantity of sand specifically sanctioned for that sand group.
5. It has been observed that illegal excavation and transportation in the State occur primarily during the night. To prevent this, it shall be mandatory to conduct the excavation of sand/gravel from river/creek beds only between 06:00 AM and 06:00 PM. Excavation and transportation from river/creek beds shall be prohibited after 06:00 PM. Any excavation carried out outside of this prescribed time period will be considered illegal, and appropriate action will be taken..
6. Sand transportation can only be carried out within the time period approved as per the permit (eTP) issued through the Mahakhanij system.

7. It is mandatory to perform Geo-fencing of the sand blocks approved for extraction.
8. While extracting and transporting sand from the approved block, the vehicle used must be prepared with Geo-fencing within the boundaries of said sand block, and it is mandatory to record this on the Mahakhanij organization system.
9. It is mandatory to record the details of the sand extracted from the sand block online on the Mahakhanij system.
10. No sand extraction can be carried out within a distance of 600 meters (2,000 feet) from any side of a railway bridge or a road bridge.
11. No extraction can be carried out within 100 meters of locations where Kolhapur-style weirs (bandhara) exist.
12. Extraction must be carried out beyond 100 meters from public water sources/water supply systems or beyond the distance determined by the Groundwater Survey and Development Agency.
13. Sand/silt cannot be removed from land used as roads or footpaths.
14. The auction holder/permit holder must start the extraction of sand/silt within one week from the date of taking possession of the sand block.
15. While extracting sand/silt from the riverbeds/streams allocated to them, the auction holder/permit holder must take all precautions to ensure no harm is caused to natural resources and the environment.

16. The auction holder/permit holder must not obstruct the "Nistar" rights (traditional community rights) of the villagers.

17. The auction holder/permit holder must maintain daily accounts of the sand/silt extracted, sold, and transported. This register and other accounting documents must be made available at the extraction site for inspection by the District Mining Officer, Mining Inspector, Revenue Officer, District Collector, and officials from the Directorate of Geology and Mining.

18. If the auction holder/permit holder needs to grant a permit for the transportation of sand/silt, they must give priority to cooperative societies.

19. While transporting sand, it is mandatory to cover the sand in the vehicle with a tarpaulin. Failure to do so will result in penal action.

20. Vehicles transporting sand/silt must only carry the quantity within their authorized carrying capacity. If a vehicle is found carrying more than its capacity, the entire quantity of sand in that vehicle will be considered illegal. Punitive action will be taken as per rules, along with action under the Motor Vehicles Act. Additionally, the seized sand will be auctioned.

21. In case of an accident during the extraction or transportation of sand/silt, the auction holder/permit holder must immediately report the information to the nearest police station.

22. The auction holder/permit holder is bound to follow the terms and conditions mentioned in the regulations, the provisions of the Minor Mineral Extraction Rules, the Maharashtra Land Revenue Code, and the terms and conditions of the Environmental Clearance. Furthermore, the

auction holder must use the sand/silt solely as a minor mineral.

23. If any major minerals are discovered while extracting sand/silt, the auction holder/permit holder must inform the Divisional Commissioner/District Collector within seven days.

24. As per environmental clearance, it is mandatory for the bidder to extract sand from the sand bed using only manual labor.

25. For sand removal from river/creek beds, auction holders are required to provide 10% of their total excavated sand stock free of charge to beneficiaries under the Pradhan Mantri Awas Yojana and for housing for economically weaker sections. The auction holder should note that no amount will be payable by the government for this.

26. If the sand stock in the sand block exceeds the estimated quantity, the auction holder will have no right over the excess, and no permission will be given to extract more than the estimated quantity.

27. The responsibility for extracting sand/silt within the period mentioned in the contract and using approved means as per environmental clearance lies with the auction holder. This period will not be extended under any circumstances due to reasons such as lack of expected stock, unavailability of roads, water at the site, sand mixed with soil, or human/natural disasters. No refund will be given for these reasons.

28. Storage of extracted sand/silt must be done within the same district where the auction was conducted. The responsibility to secure necessary land and non-agricultural (NA)

permission lies with the auction holder. If the sand stock is not moved from the extraction site within 10 days after the permit expires, it will become government property. The auction holder or their contractor will have no claim over its price or ownership.

29. After the auction period and the subsequent 10-day grace period expire, storage of sand/silt will not be permitted under any circumstances, nor will secondary transportation passes be issued.

30. Without prior government permission, the auction holder cannot transfer the auction contract to anyone else, let someone else operate it, or enter into a partnership after the auction.

31. It is mandatory for the auction holder/permit holder to submit a certified monthly statement of sand extracted from the approved block on the Mahakhanij online system by the 10th of every month. If the statement is not submitted on time, the District Collector has the right to cancel the contract and initiate punitive action.

32. Extraction shall not be carried out (nor allowed by others) in areas where removing sand/silt could cause erosion or pose a threat to residential buildings, houses, or other structures. The District Collector’s decision to prohibit extraction in such cases shall be final.

33. Once an auction has been finalized after accepting the highest bid, the auction holder shall not be entitled to demand an extension of the sand/gravel excavation period or a change of the sand/gravel plot (gat) under any circumstances or for any reason. For the transportation of excavated sand/gravel, the

auction holder must use only those roads that were specified during the granting of environmental clearance. No separate roads will be provided for transportation. Furthermore, the responsibility for securing a new road for transportation shall lie solely with the auction holder. An extension of the sand/gravel excavation period or a change of the sand/gravel plot will not be granted under any circumstances on the grounds that roads are unavailable or closed for transportation.:

34. Action against illegal sand/silt shall be taken in accordance with Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.

35. The auction/permit holder must provide information regarding the vehicles used for sand transportation to the District Collector. Care must be taken to ensure that vehicles are never loaded beyond their carrying capacity.

36. If any damage or loss is caused to private property during sand/silt extraction, the liability for compensation lies with the auction holder. The amount of damage will be calculated by a competent officer whose decision will be final, and such amount shall be recovered from the auction holder as arrears of land revenue.

37. It is mandatory for the auction/permit holder to comply with all terms and conditions of the Government Decisions dated April 19, 2025, and October 09, 2025.

xvii) The auction holder must ensure that there is only one dedicated route for sand transportation from each sand depot/cluster.

xviii) CCTV cameras must be installed by the auction holder at each sand depot to ensure 24x7 video

recording. At least one CCTV camera must be installed at the specific location where sand is loaded into vehicles. It should also cover the specific points in the village through which all sand-transporting vehicles pass. The cost of these CCTV cameras shall be borne by the auction holders/permit holders. Additionally, to prevent illegal sand transportation from un-auctioned depots, CCTV cameras should be installed at potential transport points, and action should be taken to make funds available for this through the District Planning Committee.

xix) It shall be mandatory for the auction holder/permit holder to make the CCTV feed available for public surveillance on the website designated by the Government.

xx) The auction holder/permit holder must provide the IP Address of the installed CCTV cameras to the District Collector, Divisional Commissioner, and the Revenue and Forest Department of the Government. It is mandatory to submit a CD containing the video footage of sand excavation and transportation to the Tehsildar's office every 15 days. A 24x7 CCTV control room shall be established at the Tehsil office to monitor sand excavation based on these cameras. The concerned District Collector or Sub-Divisional Officer shall inspect this control room from time to time. Furthermore, access will be provided to general citizens to monitor sand excavation based on the CCTVs installed at the sand ghats.

xxi) The Tehsildar Sadar shall get the photography in the CD inspected through their subordinate machinery. Concerned Tehsildars and Sub-Divisional Officers shall also personally inspect such photography from time to time. During such inspection, if it is observed that the CCTV camera was closed (off) for some time, by checking the CCTV footage of the sand depots (Valu Ghat) in the monitoring cell, if unauthorized excavation is found,

then considering the daily excavation to be done according to the approved sand quota and the days available for sand excavation, it will be assumed that average excavation was done for as many days as the CCTV camera was closed. By calculating the amount per brass according to the auction amount, the penal amount equivalent to the value of the sand excavated during the period the CCTV camera was closed shall be recovered from the auction holder. Even if the CCTV is closed for any duration on a single day, it will be considered as if the CCTV was closed for the entire day, and the assessment and recovery of the penal amount will be carried out as mentioned above.

xxii) Every Village Worker (Talathi) shall regularly visit the sand spots within their jurisdiction. For this purpose, it shall be mandatory for the concerned auctioneer/license holder to maintain a Visit Book (Bhet-Vahi) certified by the Tehsildar. After visiting the sand spot, it shall be necessary for the Talathi to make an entry in the daily Visit Book and provide a dated signature.

xxiii) The concerned Circle Officer (Mandal Adhikari) shall also regularly inspect the sand spots within their jurisdiction, record the entry in the said daily Visit Book, and provide a dated signature.

xxiv) Surprise Inspections by Senior Officers: * The Tehsildar and Sub-Divisional Officers will conduct occasional surprise visits to the sand blocks.

- During inspections, officials will strictly monitor the following:
    - (a) The volume of sand extracted from the start of operations until the date of inspection.
    - (aa) Monthly measurement of extraction in the presence of the Talathi, Gram Sevak, and the auction holder.

- (i) Whether extraction is occurring near bridges or bench marks and ensuring it remains within permitted limits.
- (ee) Checking if prohibited heavy machinery like Poclains or JCBs are being used near riverbanks.
- (u) Ensuring the extracted sand stock is kept at the prescribed distance.
- (oo) Ensuring compliance reports are submitted by an approved environmental consultant as per environmental clearance.

Actions for Violation of Terms and Conditions

i) Depth Violations: * If extraction is found to be deeper than the depth permitted in the environmental clearance, the security deposit of the auction/permit holder will be forfeited.

- The auction/permit will be canceled, the extraction will be deemed illegal, and action will be taken under Sections 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.

ii) Transportation Violations: * Every vehicle driver must possess a valid barcode-equipped transport pass.

- If a driver is caught without a valid barcode pass or if the pass has expired, the sand will be treated as illegal, and action will be taken under the Maharashtra Land Revenue Code.

iii) Legal Framework: * If an auction holder or contractor is found guilty of illegal extraction or transportation, they will be prosecuted under current regulations.

- While such cases were previously filed under sections of the Indian Penal Code (IPC) (e.g., Sections 34, 114, 379, 411, etc.), they will now

be prosecuted under the corresponding provisions of the Bharatiya Nyaya Sanhita (BNS).

iv) Actions will be taken based on the provisions in sections 3(5), 54, 303(2), 309(4), 309(5), 309(6), and 310(3). Additionally, as per the provisions of Section 48(7) of the Maharashtra Land Revenue Code, 1966, punitive action will be taken. According to Section 48(8), machinery used for sand excavation and vehicles used for transportation will be seized, and illegally excavated sand will also be confiscated.

Furthermore, if it is observed that revenue officers or employees are attacked during actions against illegal sand excavation/transportation, or if organized crime is found at such locations, action will be taken against such organized crime under the "Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders, Dangerous Persons and Video Pirates Act, 1981" (MPDA).

v) It shall be mandatory for the auction-holder/license-holder to comply with the terms and conditions of the environmental clearance as well as the provisions of environmental rules. Violation of these provisions will make them liable for action under the Environment (Protection) Act, 1986.

(Signed)

Collector, Bhandara

Distribution (Copy to):

1. Sub-Divisional Officer, Bhandara: Forwarded for information.

2. Tehsildar, Bhandara / Pauni: You are informed to verify the registered copy of the agreement made with the District Mining Officer, Bhandara, and provide necessary cooperation to the successful auction-holder for setting up a stockyard. Additionally, orders regarding the handing over of possession of the sand ghats to the bidders will be issued in due course.
3. R. Sandesh Infravision Pvt. Ltd.: Through Ruchir Agrawal, Shri Narayan Bhavan, P.S. Agrawal Marg, Santra Market, Nagpur-440018, for information and appropriate action.
4. M/s Shaurya Technosoft Pvt. Ltd., Pune: For information and appropriate action.
5. District Mining Branch, District Collector's Office, Bhandara.

Item Nos.2.1 to 2.26 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

APPEAL NO.01 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.02 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.03 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.04 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.05 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.06 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.07 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.08 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.09 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.10 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.11 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.12 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.13 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.14 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.15 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.16 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.17 OF 2026 (WZ)

Sanjay Kushabrao Rehpade .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.18 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.19 OF 2026 (WZ)

Sanjay Kushabrao Rehpade .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.20 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.21 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.22 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.23 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.24 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.25 OF 2026 (WZ)

Shamshir Abdul Wahab Khan .....Appellant

Versus

SEIAA & Ors. ....Respondents

WITH

APPEAL NO.30 OF 2026 (WZ)

Abhishek Vikas Gondane .....Appellant

Versus

SEIAA & Ors. ....Respondents

Date of hearing: 05.02.2026

CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER

Appellant : Mr. Sangramsingh R. Bhonsle,, Advocate along-with Mr. Nrupal Dingankar, Ms. Pallavi Kakade, Ms. Pushkara Bhonsle, Mr. Sanmitra Pol, Mr. Naman Sherstra and Ms. Sneha Bhonsle, Advocates

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-1/SEIAA & 6/MPCB
Mr. Nitin P. Deshpande, Advocate for R 2 & 3

ORDER

1. The present appeals have been filed by the appellants seeking quashing of the following Environmental Clearances granted by Respondent No.1- SEIAA for undertaking sand mining at the site in question:-

"

Item Nos.	Appeal No.	Date of EC
1	01/2026	16.12.2025
2	02/2026	16.12.2025
3	03/2026	16.12.2025
4	04/2026	16.12.2025
5	05/2026	10.12.2026
6	06/2026	12.12.2026
7	07/2026	16.12.2025
8	08/2026	11.12.2025
9	09/2026	12.12.2026
10	10/2026	12.12.2026
11	11/2026	12.12.2026
12	12/2026	12.12.2026
13	13/2026	12.12.2026
14	14/2026	12.12.2026
15	15/2026	12.12.2026
16	16/2026	12.12.2026
17	17/2026	12.12.2026
18	18/2026	11.12.2025
19	19/2026	11.12.2025
20	20/2026	12.12.2026
21	21/2026	12.12.2026
22	22/2026	16.12.2025
23	23/2026	16.12.2025
24	24/2026	10.12.2026

25	25/2026	12.12.2026
26	30/2026	12.12.2026

2. These appeals have been filed on the grounds that the Replenishment Study, which forms a part of the District Survey Report, in terms of the 2020 Guidelines, is defective, as the same is not being done in consonance with the Enforcement and Monitoring Guidelines for Sand Mining- 2020, which provides as under:-

> ***"5.1 Generic Structure of Replenishment Study:***
>
> *Initially replenishment study requires four surveys. The first survey needs to be carried out in the month of April for recording the level of mining lease before the monsoon. The second survey is at the time of closing of mines for monsoon season. This survey will provide the quantity of the material excavated before the offset of monsoon. The third survey needs to be carried out after the monsoon to know the quantum of material deposited/replenished in the mining lease. The fourth survey at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river. Based on the replenishment rate future auction may be planned."*

3. According to the above guidelines, four surveys were required to be conducted for the first year, for which specific time period was also provided. But in the case in hand, the surveys, which are said to have been conducted, details of which are given at page nos.382 to 387 of the paper book, the same do not indicate as to when these surveys were conducted, as they show only the year i.e. from 2015-16 up to 2025-26. As per the MoEF&CC's Notification dated 15.01.2016, the District Survey Report in terms of the Notification of the Ministry of Environment, Forest & Climate Change dated 15.01.2016, as well as 25.07.2018 ought to form the basis

for application of Environment Clearance, preparation of reports and appraisal of projects. As per the said Notifications, the District Survey Report ought to be updated once every 5 years.

4. It is further submitted that in the present case, admittedly, the District Survey Report has been prepared by Respondent No.3- The District Mining Officer, Bhandara in the year 2025-2026. Therefore, the same shall be valid up-to 2030-2031. However, in terms of Clause 5.1 of the 2020 Guidelines, since the District Survey Report has been recently updated by Respondent No.3 in the year 2025-2026, the Replenishment Study would require four surveys. However, on perusing of the Replenishment Study at Chapter No. 8, viz. Replenishment Calculation of Sand Ghat of the District Survey Report prepared by the Respondent No. 3, the same does not disclose any details pertaining to the four surveys undertaken by Respondent No.3. The four surveys, which are mandatorily required for the Replenishment Study, are not forming a part of the Replenishment Study, render the same defective, which in turn, renders the District Survey Report as defective.

5. It is further submitted that no Mining Plan has been submitted by Respondent No.3 in Proposal for grant of Environment Clearance. The Notification dated 15.01.2016, issued by Respondent No.4, in Appendix- XI provides for the Procedure for Environmental Clearance for Mining of Minor Minerals. Further, the 'Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation' provides for the specific requirements that ought to be fulfilled by any proposal for grant of Environment Clearance for various Category of Projects. For a project in the 'Category B2' having an area of 0 to 5 Ha., the proposal for grant of Environment Clearance ought to contain a copy of Approved Mine Plan along-with other documents. But in the case in hand,

Respondent No.3 has only submitted a Letter dated 27.11.2025, which is annexed at page nos.505 to 511 of the paper book, issued by the Directorate of Geology and Mining, Government of Maharashtra, approving the Mining Plans for a total of 112 sand ghats, including the said sand ghat. But Respondent No.3 has not produced a copy of the Approved Mining Plan in its application for grant of Environment Clearance. Therefore, the Impugned Environment Clearance, being contrary to the Notification dated 15.01.2016, ought to be quashed and set aside.

6. It is further submitted that no Pre-Feasibility Report has been annexed in Proposal for grant of Environment Clearance. Clause 6 of the Notification dated 15.01.2016 mandates that a Project Proponent shall furnish a Pre-Feasibility Report when making an application for grant of Environment Clearance for a Category B2 Project. Therefore, since the submission of a Pre-Feasibility Report is a statutory mandate, the absence of a Pre-Feasibility Report in the present case renders the application for grant of Environment Clearance fundamentally defective. On perusal of the PARIVESH Portal of Respondent No.4, for the purposes of grant of the impugned Environment Clearance, it is evident that no Pre-Feasibility Report has been uploaded by Respondent No.3 on the portal of the Respondent No.4. However, even in the absence of the Pre-Feasibility Report, the SEAC-1 in its 339th Meeting has proceeded to recommend the grant of the Impugned Environment Clearance. Such recommendation is contrary to the provisions of Clause 6 of the Notification dated 15.01.2016 issued by the Respondent No. 4, which categorically mandates a copy of a Pre-Feasibility Report, in addition to the other documents as specified. Hence, the same is liable to be quashed and set aside.

7. It is further submitted that no recommendation has been made by the Sub-Divisional Committee for proposing the said sand ghat for

Environment Clearance. The Notification dated 15.01.2016, in Appendix- X titled as “Procedure for Preparation of District Survey Report” provides that a Sub-Divisional Committee, comprising of a Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geology or Mining Officer shall visit each site, for which Environment Clearance has been applied for and make recommendation on the suitability of the site for mining or prohibition thereof. But in the present case, this requirement of the Notification dated 15.01.2016 has not been complied with. Respondent No.5 vide its Notification dated 08.04.2025, in Part Two has constituted a Technical Sub-Committee, a Taluka Sand Mining Monitoring Committee and a District Level Sand Mining Monitoring Committee. In the proposal made by Respondent No. 3 for the grant of the Impugned Environment Clearance, Respondent No. 3 has relied on the alleged recommendations of the Technical Sub-Committee constituted, in terms of the Notification dated 08.04.2025. However, in terms of the Notification dated 15.01.2016 as well as 25.07.2018, the Respondent No. 4 has constituted a Sub-Divisional Committee, which is under an obligation to visit the site, and then recommend the suitability of the site for the project. The Respondent No. 3, on the basis of the Notification of the Respondent No. 5 dated 08.04.2025 has merely relied upon the recommendations of the Technical Sub-Committee, without complying and relying on the recommendations of the Sub-Divisional Committee, in terms of the Notification dated 15.01.2016 as well as 25.07.2018. The Notification dated 08.04.2025, being a State Notification, at best can only assist and add to the Notifications dated 15.01.2016 and 25.07.2018 issued by the Respondent No.4. The Notification dated 08.04.2025 of the Respondent No.5- The State of Maharashtra through the Chief Secretary, in no way, can run contrary or

omit any procedure established, in terms of the Notification dated 15.01.2016 and 25.07.2018. Hence, the present appeals have been filed.

8. We may mention here that the main challenge in the present appeals appears to be to the District Survey Report (DSR), which is said to be defective because of the improper replenishment study being conducted. We fail to understand as to why the DSR was not assailed at the appropriate stage when the same was put in public domain inviting objections against the same by the appellants herein.

9. In regard to the above, when we enquired from learned counsel for the appellants, he has drawn our attention to the Judgment of Hon'ble Supreme Court delivered in ***Union Territory of J&K (Previously State of Jammu & Kashmir) & Anr. vs. Raja Muzaffar Bhat & Ors. [(2025) SCC OnLine SC 1789]***, wherein he has drawn our attention to following paragraphs:-

> *"**3.** It is, therefore, compelling to hold that a DSR is valid and tenable only when a proper replenishment study is conducted.....*
>
> *.....*
>
> ***29.** From the foregoing analysis, it is apparent that in light of Guidelines, 2016 and the Guidelines, 2020, the absence of a replenishment study renders a DSR fundamentally defective. These guidelines categorically require that any assessment of mineable mineral quantity must be premised on scientific estimation of replenishment rates, failing which the DSR lacks the foundational data necessary to determine sustainable extraction limits.*

.....

.....

33. *In view of the existing legal regime that mandates preparation of replenishment report in a scientific manner and such a report forming an integral part of the District Survey Report, we hold that a District Survey Report without a proper replenishment study is equally untenable.....”*

10. Having relied upon the above citation, it is urged by learned counsel for the appellants that the District Survey Report (DSR) requires proper study to be conducted and if the Replenishment Study is found to be defective, as in the case in hand, it is said that four surveys were not conducted, and the same should be held to be not appropriate Replenishment Study. Consequently, the DSR should also be treated to be defective one, hence it is said that the basis of assailing the impugned EC is the defective District Survey Report (DSR).

11. In view of above submissions, we admit these appeals.

12. Registry is directed to issue Notice to the Respondents, returnable within 02(two) weeks.

13. Since learned counsel for Respondent No.1- SEIAA & Respondent No.6- MPCB; and learned counsel for Respondent No.2- The District Collector, Bhandara and Respondent No.3- The District Mining Officer, Bhandara accept notice on behalf of these Respondents respectively, notices are waived against them.

14. Appellants are directed to take necessary steps for service to the Respondents by both ways (Dasti as well as by Registered Post) and also on available e-mail/WhatsApp., and submit service affidavit within one week.

15. Appellants are also directed to supply copy of the appeals and relevant documents to the Respondents within a week.

16. Respondents are directed to submit their reply affidavits within 02(two) weeks through e-filing and also circulate the same to the appellants and also the other Respondents by available e-mail.

17. Rejoinder, if any, is directed to be submitted within one week thereafter.

18. Learned counsel for the appellants has pressed for interim stay to be passed in the appeals in hand. But we are of the view that we will consider the prayer for stay only after hearing the other side.

19. Put up these matters for further consideration on 13.03.2026.

Dinesh Kumar Singh, JM

Dr. Sujit Kumar Bajpayee, EM

February 05, 2026
APPEAL NO.01 OF 2026 (WZ) along-with
the other Appeals
AM

Items no. 10.1 to 10.26 Pune Bench

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

I.A. No.38/2026(WZ)
In
Appeal No.01/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.02/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.03/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.04/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.05/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.06/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.07/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.08/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.09/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.10/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.11/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.12/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.13/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.14/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.15/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.16/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.17/2026 (WZ)

Sanjay Kushabrao Rehpade Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.18/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.19/2026 (WZ)

Sanjay Kushabrao Rehpade Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.20/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.21/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.22/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.23/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.24/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.25/2026 (WZ)

Shamshir Abdul Wahab Khan Appellant

Versus

SEIAA & Ors. Respondents

WITH

Appeal No.30/2026 (WZ)

Abhishek Vikas Gondane Appellant

Versus

SEIAA & Ors. Respondents

Date of hearing: 26.02.2026

CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER

Appellants: Mr. Sangramsingh Bhonsle, Ms. Pallavi V. Kakade, Mr. Nrupal A. Dingankar, Ms. Pushkara A. Bhonsle, Mr. Sanmitra Pol and Ms. Shruti Sharma, Advocates

Respondents: Mr. Aniruddha Kulkarni a/w Mr. Savyasachi Bhardwaj, Advocates for R-1, 5 & 6
Mr. Nitin Deshpande, Advocate for R-2 & 3
Mr. Pushkal Mishra, Advocate for R-4
Mr. Raghunath B Mahabal, Advocate for Caveator

ORDER

1. From the side of respondent no. 4-MoEF&CC, learned counsel Mr. Pushkal Mishra has put in appearance and states that Respondent No.4 is a formal party, therefore, he would not be filing the reply affidavit.

2. From the side of respondents nos. 1, 5 and 6-State Environment Impact Assessment Authority (SEIAA), Maharashtra; State of Maharashtra; and Maharashtra Pollution Control Board (MPCB) respectively, learned counsel Mr. Aniruddha Kulkarni has put in appearance and filed reply dated

25.02.2026 from the side of respondent no. 1 only, stating therein that the Environmental Clearances (ECs) have been transferred to successful bidder, therefore, present Appeals suffer from non-joinder of the necessary parties, as all the successful bidders now need to be impleaded as respondents. Further, it is mentioned that process of transfer of the ECs has been done in accordance with the provisions of EIA Notifications. There is no illegality in the said process. DMO and successful bidders are well within their right to do the mining work. No Court had put any restraint on the transfer. These Appeals have not been filed in the interest of the environment, rather the same have been filed with the intention for proliferation of illegal sand mining. If the stay is granted, as prayed, it will cause illegal sand mining in District: Bhandara, which will be harmful to the environment.

3. A copy of the above affidavit is said to have been served upon the learned counsel for the appellant, who seeks time to file rejoinder. We allow three days' time as prayed to file rejoinder to the same with a direction that a copy of the same be also served upon all the other parties.

4. From the side of respondent no. 2-District Collector, Bhandara and respondent no. 3-District Mining Officer, Bhandara, affidavit dated 26.02.2026 has been filed, stating therein that this Tribunal has granted stay of mining operations in *Appeal No. 641/2025(WZ), Shamshir Abdul Wahab Khan vs. The State Environment Impact Assessment Authority, Maharashtra & Ors*. From the very beginning, the said Appeal is being treated as lead matter, in which pleadings are complete, therefore, it is prayed that rather than preponing the other Appeals and *Appeal No. 641/2025(WZ) (supra)*, which is listed on 10.03.2026, all the Appeals should be decided together on that date.

5. Today, the application, on which hearing is to be done, is I.A. No.38/2026(WZ), by which the learned counsel for the appellants has sought

preponement of the date of hearing from 13.03.2026 to any earlier convenient date and simultaneously, it was prayed that a direction may be issued to maintain *status quo*.

6. During arguments, learned counsel Mr. Raghunath B. Mahabal has put in appearance and has filed *Caveat No. 08/2026*, praying therein that a direction may be issued to the Registrar of this Tribunal to direct the appellant to implead the caveator as necessary party. He has given in para 2 of this Caveat, the EC numbers, which are seventeen (17) in total, in which ECs have been transferred to the applicant, therefore, he prays that he should be given an opportunity of hearing before the grant of any stay/any further order because his interest are going to be affected adversely.

7. A copy of the above Caveat has been served upon learned counsel for the appellants, who orally submits that previously, 85 Appeals had been filed on 05.01.2026, wherein this Tribunal had passed interim order of stay on 05.02.2026 because the replies could not be filed earlier and now, matter is listed for hearing to be done on interim relief on 10.03.2026.

8. Learned counsel for the appellants has further apprised that after filing these Appeals on 05.01.2026, the respondents continued to transfer the ECs on different dates which ought not to have been done, though there was no stay till then and now since third party interest has been created, he does not have any objection to implead all the transferee of the ECs who now have accrued interest in the present Appeals. We are of the view that in view of the third party interest having been created, we have no option but to direct impleadment of all the EC holders who have now been transferred the EC and direct accordingly that they may be impleaded within one week. In this regard, since large number of people are involved, we would like a list to be provided of all those persons, who need to be impleaded, by the respondent nos. 2 and 3 to the applicant's learned counsel within two days.

9. Now, we have to decide as to whether interim stay should be passed in these new set of Appeals, which are being heard today. In this regard, we are of the view that all Appeals (total in number-109 Appeals), which have been filed, are identical having the common ground and in one set of Appeals, we have already passed an order of interim stay till 10.03.2026, therefore, in the present set of Appeals also, the same order shall remain in force till next date i.e., 10.03.2026.

10. Put up for next consideration on 10.03.2026.

Dinesh Kumar Singh, JM

Dr. Sujit Kumar Bajpayee, EM

February 26, 2026
Appeal No.01/2026(WZ) alongwith
the other Appeals
R

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Ax. N

2021 SCC OnLine SC 1133

In the Supreme Court of India

(BEFORE R. SUBHASH REDDY AND HRISHIKESH ROY, JJ.)

Civil Appeal No. 595 of 2021

Sai Baba Sales Pvt. Ltd. … Appellant(s);

Versus

Union of India and Others … Respondent(s).

With

Civil Appeal No. 5768 of 2021

Civil Appeal No. 595 of 2021 and Civil Appeal No. 5768 of 2021

Decided on November 26, 2021

The Judgment of the Court was delivered by

HRISHIKESH ROY, J.:— Heard Mr. Huzefa Ahmadi, learned senior counsel appearing for the appellant in Civil Appeal No. 595/2021. Mr. Lonkar Nitin representing the Original Applicant before the National Green Tribunal. Ms. Aishwarya Bhati, learned Additional Solicitor General of India appears for the Ministry of Environment & Forest. The Government of Maharashtra and the State Pollution Control Board are represented by Mr. Rahul Chitnis and Mr. Mukesh Verma, learned counsel respectively.

2. These two appeals are filed under Section 22 of the National Green Tribunal Act, 2010 (for short "the NGT Act") assailing the judgment and final order dated 18.1.2021 in the OA No. 83/2019. Under the impugned judgment, the NGT held that further construction cannot be made without environment impact assessment, but protected the constructions already made by the appellant, M/s Sai Baba Sales Pvt. Ltd. ("Project Proponent") on the basis of the Environmental Clearance ("EC" for short) issued by the Pimpri Chinchwad Municipal Corporation ("PCMC" for short) as per the notification dated 9.12.2016. The Original Applicant, on the other hand, is aggrieved by the decision of the NGT to protect the standing construction and limiting the impact of the impugned judgment on further construction to be made by the project proponent.

3. The main issue that arises for consideration in these matters is whether the Project Proponent herein possesses a validly granted Environmental Clearance (EC) under the Environmental Impact Assessment (EIA) notification dated 14.9.2006. The 2006 EIA notification provided that the projects above 20,000 sq. meter and below 1,50,000 sq. meter should obtain an EC from the State Environment Impact Assessment Authority (SEIAA) of the Ministry of Environment, Forest and Climate Change (MoEFCC).

4. For deciding the issue, the necessary facts in brief are that the Project Proponent initially conceived a project of 15,040 sq. mtrs. (below the EC threshold limit of 20,000 sq. mtrs.) and it approached the PCMC for a lay out order which was a prerequisite, to obtain an EC from the SEIAA of the MoEFCC. The application was processed and the Building Permission Department of the PCMC granted the commencement certificate to the Project Proponent for an area of 15,040 sq. mtrs. and approved the plan under the sanction letter dated 14.5.2013. With such permission, the Project Proponent could construct the permitted structures, and since the built up area was less than the threshold limit of 20000 sq. mtrs., the EC permission was not needed for the intended construction.

5. The Project Proponent builder then applied and was granted additional FSI as it intended to expand the project to one with built up area of 49,012 sq. mtrs. and for

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this they approached the PCMC for a lay out order, which as noted earlier was essential to obtain an EC from the SEIAA of the Ministry of Environment, Forest and Climate Change (MoEFCC). The required approval was issued by the Corporation on 28.11.2016.

6. Under the Ministry's notification dated 9.12.2016, the EIA regime was altered to indicate that the EC could be obtained from the Environmental Cell of a local authority, such as the PCMC. The State of Maharashtra opted for the new regime and adopted the environmental condition stipulated in the MoEFCC notification dated 9.12.2016. This was followed by the communication of the MoEFCC on 7.7.2017 which clarified that separate environmental clearance is not required for projects upto 1,50,000 sq. mtrs. built up area in respect of municipal corporations in Pune and Konkan division.

7. The Project Proponent then filed an application for EC under the 2016 notification which was considered by the Environmental Cell of the PCMC which appraised the project, as contemplated in the notification dated 9.12.2016. The necessary permission for construction to the builder was issued on 28.11.2017, stipulating the environmental conditions for buildings and constructions and this permission was accorded as per the amended regime under the notification dated 9.12.2016 of the MoEFCC and consequential one dated 13.4.2017 of the Maharashtra Government.

8. While the matter stood thus, the NGT while considering the challenge by certain applicants to the exemption from EC, in a batch matter, quashed certain portions of the MoEFCC notification dated 9.12.2016. The NGT in the analogous judgment dated 8.12.2017 in the OA No. 677/2016 (*Society for Protection of Environment and Biodiversity* v. *Union of India*) and other cases, directed the MoEFCC to revisit its notification dated 9.12.2016 and to take appropriate steps to amend/rectify certain clauses in the Ministry's notification, in terms of the NGT's judgment.

9. Nearly two years after the Project Proponent secured construction permission on 8.12.2017 from the PCMC, the OA No. 83/2019 was filed by the Pune resident (respondent No. 10) with the allegation that the Project Proponent had made construction without obtaining any EC. In this proceeding the NGT constituted a three Member Committee comprising the SEIAA - Maharashtra, the State PCB and the Municipal Commissioner, Pune. The Committee, after spot verification, in its Report dated 18.8.2020 noted that construction of total built up area of 22930.17 sq. mtrs. is already completed for Building Nos. A, E, B, D and the Club House. Thereafter, the NGT considered the submission of the original applicant, who contended that while the authority to grant EC is SEIAA as per the EIA notification dated 14.9.2006, the EC for the project in question was granted by the PCMC. The NGT in its order on 17.11.2020, in the first round, opined that the constructions were irregular and remedial measures were directed for the project in question.

10. The above order of the NGT was challenged before this Court and the Project Proponent's CA No. 3893/2020 was allowed on 11.12.2020 whereby, the NGT's order was set aside and the matter was remitted back to the NGT to afford hearing to the appellants and to pass a fresh order.

11. The case of the Project Proponent as can be seen from the pleadings was that he had initially commenced construction on 14.5.2013 with a sanction plan of 15040.05 sq. mtrs., which, being lesser than the threshold limit of 20,000 sq. mtrs, did not require a prior EC. Thereafter, for the proposed expansion of the project, for total constructed area of 49,012 sq. mtrs., the Project Proponent approached the concerned authority on 7.11.2016 for issuance of "*Proposed Development Certificate*", which is a prerequisite to apply for EC, and the said certificate was granted on 28.11.2016 for the purpose of obtaining the EC from the SEIAA. But at that stage, by virtue of the MoEFCC notification dated 9.12.2016, the concerned local authority was designated as the sanctioning authority for projects between 20,000 sq. mtrs. and

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50,000 sq. mtrs. and accordingly under the changed regime the Project Proponent applied to PCMC on 10.7.2017 and was sanctioned EC by the competent local authority, on 28.11.2017.

12. It is the further contention of the Project Proponent that when the NGT on 8.12.2017 had invalidated certain portions of the 2016 notification, it did not issue any order nullifying those ECs which were granted by the local authority under the altered regime.

13. The original applicant on the other hand, contended that when the NGT struck down certain provisions of the MoEFCC's 2016 notification, the 28.11.2017 EC granted by the Municipal Corporation, would not legitimize the construction and therefore the Project Proponent should be prevented from proceeding with the construction and also be penalized for the unauthorized construction.

14. The NGT then observed that because of the invalidation of certain clauses in the 2016 notification, the EC obtained from the PCMC is unacceptable and accordingly rendered a finding that the Project Proponent had failed to obtain the valid EC. The maintainability challenge of the OA on the ground of limitation was however rejected by observing that the cause of action arose only in 2017 when the builder allegedly exceeded the threshold limit of 20,000 sq. mtrs. Accordingly, the authorities were directed to take coercive action against the Project Proponent for construction done after 8.12.2017, when the NGT's judgment was rendered in the OA No. 677/2016. However, even with such finding having regard to the regime that existed at the relevant time and adverting to the ratio in *Goan Real Estate and Construction Ltd.* v. *Union of India*,[1] the NGT held that the construction already raised should be protected. However, further construction should be permitted only after securing the EC from the competent authority, under the current regime.

15. The picture which emerges from the above discussion is that when the Project Proponent initially wanted to apply for the EC it had obtained the requisite layout sanction for applying to the SEIAA. As such, it was operating well within the applicable procedure, prior to the amendment. After grant of such sanction, while the construction was underway, the amendment came about on 9.12.2016 whereby, the local authority such as the Municipal Corporation was made the competent authority to grant EC. In the changed circumstances, the Project Proponent necessarily had to apply to the PCMC as during the interregnum before the NGT's judgment on 8.12.2017, SEIAA was not the competent authority to consider application for EC. The Project Proponent was therefore, complying with the regime set out by the amended notification. It is apposite to note that the Committee appointed by the NGT, in its report dated 11.8.2020 had clearly indicated that when the Project Proponent had received the EC on 28.11.2017, the competent authority to issue the EC was the Environmental Cell of the PCMC. Thus, it is the discernible understanding as part of the NGT's own expert Committee that the Project Proponent had obtained the EC from the competent authority of the relevant time i.e. the PCMC. Interestingly, the constituted Committee also included a member of the SEIAA.

16. Moreover, only after the earlier judgment of the NGT on 8.12.2017 in the OA No. 677/2016, the State of Maharashtra issued a clarification on 29.1.2018 directing that the Municipal authorities should not process pending applications. But neither the decision of the NGT nor of the Maharashtra Government categorically gave any guidance as to the implication on the EC obtained by the Project Proponent, on the strength of which, a substantial measure of construction was already made. It is also necessary to note that in the subsequent notification issued on 14.11.2018 and 15.11.2018 by the MoEFCC, the power to grant EC continued to vest in the local authority such as the PCMC, with the only change being that it is the municipality itself and not its Environmental Cell which is empowered to grant the EC. For the sake

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of completion, it may be recorded that the said notifications of the MoEFCC is stayed by the Delhi High Court on 26.11.2018 in the WP(C) No. 12517/2018.

17. It is important to bear in mind that the Committee constituted by the NGT to report on the building project did not underscore any major deviation but instead found that the Project Proponent had made substantial compliance by obtaining the EC from the competent local authority. Moreover the OA, neither before the NGT or this Court, ever contended that appraisal done by the PCMC's Environmental Cell was defective or any different from one done by SEIAA. Both processes are also similarly structured. This may be the reason why the NGT in the impugned judgment itself protected the already made construction. However, the Project Proponent was restrained from making any further construction without obtaining clearance from the statutory EC and adhering to the environmental norms.

18. The project of the appellant comprises six buildings of which three were constructed in full, and the super structure of the fourth building is completed and only the internal works remains to be done. In the fourth building, 40 out of the 64 apartments have already been sold. In this context, it would be appropriate to advert to the submission of Ms. Aishwarya Bhati, the learned ASG who had clearly stated that at the relevant time, the competent authority to grant EC is the PCMC and not the SEIAA and therefore the internal works for the fourth constructed building, can be allowed to be completed.

19. Considering the above circumstances, the NGT rightly protected the already erected buildings and this protection in our view, should not be impacted by the earlier judgment of the NGT on 8.12.2017 in the OA No. 677/2016 whereby certain portions of the MoEFCC's 9.12.2016 notification were invalidated and direction was issued to the Ministry to revisit the said notification. Importantly, neither the NGT's invalidation order nor the subsequent clarifications by the State of Maharashtra, have suggested any adverse action against the pre-existing structures. As the expert body exclusively occupying the environmental field, the NGT has assessed the factual circumstances to consciously lean towards protecting the already constructed structures. Nothing more need be added on this aspect. It is also not necessary in this appeal to venture into the question of the retrospective implication of the invalidation of certain parts of the 2016 Notification for other project proponents, which may have gained their ECs in the interregnum.

20. In situations of this nature, the Doctrine of *Legitimate Expectation* is attracted. The principle of the rule of law as explained in *De Smith's Judicial Review*, such as, Regularity, Predictability and Certainty in Government's dealings with the Public, must operate in the present matter. The Project Proponent can legitimately expect a certain degree of stability in the manner in which environmental regime is set and how the applications are processed. The actions of the authorities are expected to adhere to the prevalent norms only, without the element of uncertainty for the executed project.

21. In the above context we may benefit by referring to the seminal case of *Attorney General of Hong Kong* v. *Ng Yuen Shiu*[2], where Lord Fraser speaking for the Privy Council, appositely observed thus,

> "... when a public authority has promised to follow a certain procedure, it is in the interest of good administration that it should act fairly and should implement its promise, so long as implementation does not interfere with its statutory duty."

22. This Court in *Sethi Auto Service Station* v. *Delhi Development Authority*[3], speaking through Justice D.K. Jain, has cited other opinions and elucidated on the concept of *legitimate expectation*, in the following manner,

> "24. The House of Lords in *Council of Civil Service Unions* v. *Minister for the Civil Service*, a locus classicus on the subject, wherein for the first time an attempt was made to give a comprehensive definition to the principle of legitimate expectation.

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Enunciating the basic principles relating to legitimate expectation, Lord Diplock observed that for a legitimate expectation to arise, the decision of the administrative authority must affect such person either

(a) **** **** **** **** ****

(b) **by depriving him of some benefit or advantage which either : (i) he has in the past been permitted by the decision maker to enjoy and which he can legitimately expect to be permitted to continue to do until some rational ground for withdrawing it has been communicated to him and he has been given an opportunity to comment thereon or** (ii) he has received assurance from the decisionmaker that they will not be withdrawn without first giving him an opportunity of advancing reasons for contending that they should be withdrawn."

(emphasis supplied)

23. The Doctrine of *Legitimate Expectation* is further explained in *Food Corporation of India* v. *Kamdhenu Cattle Feed Industries*[4] where for a Three-Judge Bench of this Court Justice J.S. Verma observed thus:—

"The mere reasonable or legitimate expectation of a citizen, in such a situation, may not by itself be a distinct enforceable right, but failure to consider and give due weight to it may render the decision arbitrary, and this is how the requirement of due consideration of a legitimate expectation forms part of the principle of non-arbitrariness, a necessary concomitant of the rule of law. Every legitimate expectation is a relevant factor requiring due consideration in a fair decision-making process. Whether the expectation of the claimant is reasonable or legitimate in the context is a question of fact in each case. Whenever the question arises, it is to be determined not according to the claimant's perception but in larger public interest wherein other more important considerations may outweigh what would otherwise have been the legitimate expectation of the claimant. A bona fide decision of the public authority reached in this manner would satisfy the requirement of non-arbitrariness and withstand judicial scrutiny. The doctrine of legitimate expectation gets assimilated in the rule of law and operates in our legal system in this manner and to this extent."

24. The more compelling public interest might possibly diminish the degree of *legitimate expectation* for a party but a balance has to be found. In the present matter the appellant has acted on the EC and made substantial investments. They cannot be pushed to a precipice and be made to fall. Doing so would be inequitable particularly when, the appellant has scrupulously adhered to the applicable legal framework during the concerned period. Moreover, third-party interests have also cropped up in the interregnum.

25. A Project Proponent is not expected to anticipate the changes in EC regimes, especially as a result of judicial interventions, and keep revisiting the sanctioned clearances by the competent authority or even raze down validly constructed structures. Neither can it be expected to knock the doors of an authority, not empowered at the relevant time, to process its applications. Such a scenario would render the process akin to a *Sisyphean task*, eternally inconclusive and never ending.

26. As seen, the NGT in the impugned judgment has protected the completed construction and, on this aspect, we deem it appropriate to endorse the same, by accepting the submission of the appellant's Counsel and the learned ASG. The four constructed buildings are resultantly to be treated to be under a valid EC with all legal consequences. It is, however, made clear that if any further construction is proposed by the appellant with the sanctioned layout, the same should not be done on the strength of the EC granted on 28.11.2017 by the PCMC. In other words, if the Project Proponent wishes to construct the remaining buildings, they must secure fresh

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clearance from the competent authority, as per the currently applicable framework. It is ordered accordingly.

27. With the above order, the appeals are disposed of without any order on cost.

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[1] (2010) 5 SCC 388

[2] (1983) 2 AC 629 : (1983) 2 WLR 735

[3] (2009) 1 SCC 180

[4] (1993) 1 SCC 71

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2025 INSC 718

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.1394 OF 2023

VANASHAKTI ...PETITIONER

Vs.

UNION OF INDIA ...RESPONDENT

WITH
WRIT PETITION (C) NO.118 OF 2019
WRIT PETITION (C) NO.115 OF 2024
AND
CIVIL APPEAL NO.381-382 OF 2025

J U D G M E N T

ABHAY S. OKA, J.

1. Part IV-A of the Constitution of India containing fundamental duties as set out in Article 51A was incorporated in the Constitution by the 42nd Amendment Act with effect from 3rd January 1977. Clause (g) of Article 51A provides that it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures. This Court in several decisions has held that the right to live in a

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pollution free atmosphere is a part of the fundamental right guaranteed under Article 21 of the Constitution of India.

2. The world changed rapidly after World War II. From the late 1960s and early 1970s, slowly there was a realisation about the drastic consequences of the destruction of environment and pollution of various kinds. In June 1972, at Stockholm, the United Nations Conference on Human Environment was held. In the said conference, several decisions were taken by the world community to protect the environment.

3. In our country, it took fourteen years thereafter for the legislature to come out with a law for protection and improvement of the environment. The Environment (Protection) Act, 1986 (for short, 'the 1986 Act') was brought into force with effect from 19th November 1986. As can be noticed from several orders of this Court and the High Courts, the progress of implementation of the 1986 Act has been very slow.

4. The 1970s and 1980s saw growth of industrialisation in our country. The activities such as mining, gas exploration, thermal power plants, petroleum refining industries, various other industries, building and construction projects, such as, highways started growing.

5. Again, it took twenty years after the 1986 Act came into force to exercise the power under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the 1986 Act read with clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 (for short, '1986 Rules') for coming out with the Environment Impact Assessment Notification, 2006 (for short, 'the EIA notification'). The EIA notification was issued on 14th September 2006. It provided that the projects or activities mentioned in clause (2) thereof shall require prior Environmental Clearance (for short, 'the EC') from the concerned regulatory authority. The concerned regulatory authority in the Central Government is the Ministry of Environment Forests and Climate Change (for short, 'the MoEFCC') for matters falling under Category 'A' in the Schedule, and at the State level, the State Environment Impact Assessment Authority (for short, 'the SEIAA') for the matters falling in Category 'B'. In the Schedule, Categories 'A' and 'B' were incorporated setting out industries and other development work. The entire controversy in this group of petitions is about ex post facto grant of EC.

6. On 14th March 2017, a notification was issued by the MoEFCC. The said notification is hereafter referred to as 'the 2017 notification'. The said notification was made applicable to the projects or activities that have

started the work on site, expanded the production beyond the limit of the EC, or changed the production mix without obtaining EC. The 2017 notification provided that in case of such works, ex post facto EC can be granted. It provided that the projects or activities which are in violation of the EIA notification as on 14th March 2017 were eligible to apply under the 2017 notification for ex post facto EC within a period of six months from 14th March 2017.

7. The National Green Tribunal (for short, 'the NGT') vide order dated 24th May 2021 directed the MoEFCC to prepare a Standard Operating Procedure (for short, 'the SOP') for grant of EC in the cases of violation so as to address the gap in the binding law and practice being currently followed. In purported compliance with the said direction, Office Memorandum dated 7th July 2021 (for short, 'the 2021 OM') was issued.

8. In the meanwhile, the 2017 notification was challenged by way of a writ petition before the High Court of Madras in the case of Puducherry Environment Protection Association v. Union of India[1], which was decided by order dated 13th October 2017. During the course of hearing of the case before the Madras High Court, when it was pointed out that the outer limit for making applications for grant of ex post facto EC have

1 **2017 SCC OnLine Mad 7056**

been repeatedly extended, the Union of India gave a categorical undertaking that the 2017 notification was only a one-time measure. By recording the said submission made on behalf of the Union of India that the 2017 notification was certainly and clearly only a one time measure, the High Court disposed of the petition. Later on, by order dated 14th March 2018 passed by the High Court of Madras in another case, the time period under the 2017 notification for submission of proposals by project proponents was extended by a further period of thirty days.

9. In Writ Petition (C) No.1394 of 2023, the first prayer is for quashing the 2021 OM on the ground that it was arbitrary, illegal and ultra vires the provisions of the 1986 Act. The second prayer is for issuing a writ of mandamus directing the MoEFCC and SEIAA/SEACs not to process and entertain any application for ex-post facto EC after 13th May 2018. As stated earlier, the time granted under the 2017 notification to apply was lastly extended till 13th April 2018.

10. In Writ Petition (C) No.118 of 2019, the challenge is to the 2017 notification issued by the MoEFCC. A prayer was made seeking directions to the respondents to produce a list of real estate projects and project proponents who have undertaken real estate development

projects without obtaining EC under the 2006 notification.

11. In Writ Petition (C) No.115 of 2024, the challenge is to the 2017 notification and the 2021 OM. A prayer for writ of prohibition is made for restraining the MoEFCC from issuing any notification or office memorandum permitting ex-post facto EC.

12. The High Court of Madras by judgment and order dated 30th August 2024 quashed the 2021 OM and another OM dated 19th February 2021. The challenge in Civil Appeal No.381-382 of 2025 is to this decision of the High Court of Madras. In the judgment and order dated 30th August 2024, the Madras High Court declared that its order will operate only prospectively and applications under consideration will remain unaffected. The challenge in this appeal is only to the extent of giving prospective effect to the impugned judgment.

THE EIA NOTIFICATION

13. Firstly, we come to the EIA notification. It has been issued in exercise of powers under sub-Section (1) and clause (v) of sub-Section (2) of Section 3 of the 1986 Act read with clause (d) of sub-Rule (3) of Rule 5 of the 1986 Rules. Section 3 of the 1986 Act reads thus:

> "3. Power of Central Government to take measures to protect and improve environment.—(1) Subject to the provisions

of this Act, **the Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.**

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:—

(*i*) co-ordination of actions by the State Governments, officers and other authorities —

(*a*) under this Act, or the rules made thereunder; or

(*b*) under any other law for the time being in force which is relatable to the objects of this Act;

(*ii*) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

(*iii*) laying down standards for the quality of environment in its various aspects;

(*iv*) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever:

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of

environmental pollutants from such sources;

(*v*) **restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;**

(*vi*) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

(*vii*) laying down procedures and safeguards for the handling of hazardous substances;

(*viii*) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

(*ix*) carrying out and sponsoring investigations and research relating to problems of environmental pollution;

(*x*) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;

(*xi*) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;

(*xii*) collection and dissemination of information in respect of matters relating to environmental pollution;

(*xiii*) preparation of manuals, codes or guides relating to the prevention control and abatement of environmental pollution;

(*xiv*) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under Section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures."

(emphasis added)

13.1 Sub-section (1) of Section 3 sums up the very object of the 1986 Act. Therefore, the EIA notification has been issued not only for the purposes of protecting and improving the quality of the environment but also for preventing and abating environmental pollution. Sub-section (1) of Section 3 confers general power of taking measures on the Central Government. Sub-section (2) confers specific power for taking measures in the matters set out in clauses (i) to (ix) thereof. Clause (v) of sub-section (2) of Section 3 empowers the Central Government to take measures for putting restrictions of areas in which any industries, operations or processes shall not be carried out or shall be carried out subject to safeguards.

14. Rule 5 of the 1986 Rules reads thus:

> "**5. Prohibition and restriction on the location of industries and the carrying on of processes and operations in different areas**.—(1) The Central Government may take into consideration the following factors while prohibiting or restricting the location of industries and carrying on of processes and operations in different areas:
>
> (*i*) Standards for quality of environment in its various aspects laid down for an area.
>
> (*ii*) The maximum allowable limits of concentration of various environmental pollutants (including noise) for an area.

(*iii*) The likely emission or discharge of environmental pollutants from an industry, process or operation proposed to be prohibited or restricted.

(*iv*) The topographic and climatic features of an area.

(*v*) The biological diversity of the area which, in the opinion of the Central Government needs to be preserved.

(*vi*) Environmentally compatible land use.

(*vii*) Net adverse environmental impact likely to be caused by an industry, process or operation proposed to be prohibited or restricted.

(*viii*) Proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a sanctuary, National Park, game reserve or closed area notified as such under the Wild Life (Protection) Act, 1972 or places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international conference, association or other body.

(*ix*) Proximity to human settlements.

(*x*) Any other factor as may be considered by the Central Government to be relevant to the protection of the environment in an area.

(2) While prohibiting or restricting the location of industries and carrying on of processes and operations in an area, the

Central Government shall follow the procedure hereinafter laid down.

(3) (*a*) Whenever it appears to the Central Government that it is expedient to impose prohibition or restrictions on the location of an industry or the carrying on of processes and operations in an area, it may, by notification in the Official Gazette and in such other manner as the Central Government may deem necessary from time to time, give notice of its intention to do so.

(*b*) Every notification under clause (*a*) shall give a brief description of the area, the industries, operations, processes in that area about which such notification pertains and also specify the reasons for the imposition of prohibition or restrictions on the location of the industries and carrying on of processes or operations in that area.

(*c*) Any person interested in filing an objection against the imposition of prohibition or restrictions on carrying on of processes or operations as notified under clause (*a*) may do so in writing to the Central Government within sixty days from the date of publication in the notification in the Official Gazette.

(*d*) The Central Government shall within a period of one hundred and twenty days from the date of publication of the notification in the Official Gazette consider all the objections received against such notification and may [within [seven hundred and twenty-five days [,and in respect of the States of Assam, Meghalaya, Arunachal

> Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim and Jammu and Kashmir in exceptional circumstance and for sufficient reasons within a further period of one hundred and eighty days,]] from such date of publication] impose prohibition or restrictions on location of such industries and the carrying on of any process or operation in an area:
>
> [Provided that on account of COVID-19 pandemic, for the purpose of this clause, the period of validity of the notification expiring in the financial year 2020-2021 and 2021-2022 shall be extended up to [30th June, 2022] or six months from the end of the month when the relevant notification would have expired without any extension, whichever is later.]
>
> [(4) Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (*a*) of sub-rule (3).]"

14.1 For issuing the EIA notification, power has been exercised under clause (d) of sub-rule (3) of Rule 5 which empowers the Central Government to impose prohibition or restrictions on location of such industries and the carrying on any process or operation in an area. There is a power to impose complete prohibition on carrying on any process or operation in an area. Clause (2) of the EIA notification reads thus:

> **"2. Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining minerals in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:
>
> (i) All new projects or activities listed in the Schedule to this notification;
>
> (ii) Expansion, modernization or any change in the product mix or raw material mix in existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7."

14.2 Therefore, without prior EC, construction of new projects or activities, expansion or modernisation of existing projects or activities listed in the Schedule entailing capacity addition with change in process or

technology, cannot be undertaken. Entire procedure for grant of prior EC is laid down in the EIA notification.

LEGALITY OF THE 2017 NOTIFICATION

15. The 2017 notification refers to the OMs dated 12th December 2012 and 27th June 2013 by which a process was sought to be established for grant of EC in the cases of violation of the EIA notification. It also refers to the judgment of the High Court of Jharkhand holding these two OMs as illegal. The same OMs were also quashed by the NGT as mentioned in the said notification. There are three recitals in the said notification which are relevant. Recital Nos.9 to 11 read thus:

> "**9.** And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for projects which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance;
>
> **10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving**

the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;"

15.1 Thus, what was sought to be done was to protect the project proponents who committed gross illegality by commencing construction or commencing operation or process without obtaining prior EC as provided in the

EIA notification. The 2017 notification was a one-time measure. Moreover, this Court in the case of ***Common Cause v Union of India & Ors.***[2], held in no uncertain terms that the concept of *ex post facto* or retrospective EC is completely alien to environmental jurisprudence including the EIA notification. The decision in the case of ***Common Cause***[2] was delivered on 2nd August 2017. Notwithstanding the clear declaration of law which was made on 2nd August 2017, the Central Government did not withdraw the 2017 notification.

16. We may note here that this is not the first time that the concept of prior EC was brought into force. For this purpose, useful reference can be made to a decision of this Court in the case of ***Alembic Pharmaceuticals v. Rohit Prajapati***[3]. It records that there was a notification of 27th January 1994 mandating prior EC for setting up and expansion of industrial projects falling within thirty categories. The issue before this Court was about the legality and validity of the circular dated 14th May 2002, which permitted obtaining of *ex post facto* EC. This Court specifically dealt with the challenge to the circular dated 14th May 2002. In paragraph 12, this Court noted the issue to be decided:

> "**12.** The issue to be adjudicated is whether in view of the requirement of a prior EC

2 2017 (9) SCC 499
3 2020 (17) SCC 157

> under the EIA Notification of 1994, a provision for an ex post facto EC to industrial units could be validly made by means of the Circular dated 14-5-2002."

16.1 Thereafter, this Court considered Section 3(1) of the 1986 Act. In paragraph 21 this Court held thus:

> **"21.** The omission in the appeal to make any attempt to sustain the Circular dated 14-5-2002 with reference to the provisions of Section 3 of the Environment (Protection) Act, 1986 is significant. For an action of the Central Government to be treated as a measure referable to Section 3 it must satisfy the statutory requirement of being necessary or expedient "for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environment pollution". The Circular dated 14-5-2002 in fact does quite the contrary. It purported to allow an extension of time for industrial units to comply with the requirement of an EC. The EIA Notification dated 27-1-1994 mandated that an EC has to be obtained before embarking on a new project or expanding or modernising an existing one. The EIA Notification of 1994 has been issued under the provisions of the Environment (Protection) Act, 1986 and the Environment Protection Rules, 1986, with the object of imposing restrictions and prohibitions on setting up of new projects or expansion or modernisation of existing project. The measures are based on the precautionary principle and aim to protect the interests of

the environment. The Circular dated 14-5-2002 allowed defaulting industrial units which had commenced activities without an EC to cure the default by an ex post facto clearance. Being an administrative decision, it is beyond the scope of Section 3 and cannot be said to be a measure for the purpose of protecting and improving the quality of the environment. The circular notes that there were defaulting units which had failed to comply with the requirement of obtaining an EC as mandated. The circular provided for an extension of time and inexplicably introduced the notion of an ex post facto clearance. In effect, it impacted the obligation of the industrial units to be in compliance with the law. **The concept of ex post facto clearance is fundamentally at odds with the EIA Notification dated 27-1-1994. The EIA Notification of 1994 contained a stipulation that any expansion or modernisation of an activity or setting up of a new project listed in Schedule I "shall not be undertaken in any part of India unless it has been accorded environmental clearance". The language of the notification is as clear as it can be to indicate that the requirement is of a prior EC. A mandatory provision requires complete compliance. The words "shall not be undertaken" read in conjunction with the expression "unless" can only have one meaning : before undertaking a new project or expanding or modernising an existing one, an EC must be obtained.** When the EIA Notification of 1994 mandates a prior EC, it

> proscribes a post activity approval or an ex post facto permission. What is sought to be achieved by the administrative Circular dated 14-5-2002 is contrary to the statutory Notification dated 27-1-1994. The Circular dated 14-5-2002 does not stipulate how the detrimental effects on the environment would be taken care of if the project proponent is granted an ex post facto EC. The EIA Notification of 1994 mandates a prior environmental clearance. The circular substantially amends or alters the application of the EIA Notification of 1994. The mandate of not commencing a new project or expanding or modernising an existing one unless an environmental clearance has been obtained stands diluted and is rendered ineffective by the issuance of the administrative Circular dated 14-5-2002. This discussion leads us to the conclusion that the administrative circular is not a measure protected by Section 3. Hence there was no jurisdictional bar on NGT to enquire into its legitimacy or vires. Moreover, the administrative circular is contrary to the EIA Notification 1994 which has a statutory character. The circular is unsustainable in law."
>
> (emphasis added)

16.2 Ultimately, in paragraph 23, this Court held thus:

> **The concept of an ex post facto EC is in derogation of the fundamental principles of environmental jurisprudence and is an anathema to the EIA Notification dated 27-1-1994. It is, as the judgment**

in *Common Cause* [*Common Cause* v. *Union of India*, (2017) 9 SCC 499] holds, detrimental to the environment and could lead to irreparable degradation. The reason why a retrospective EC or an ex post facto clearance is alien to environmental jurisprudence is that before the issuance of an EC, the statutory notification warrants a careful application of mind, besides a study into the likely consequences of a proposed activity on the environment. An EC can be issued only after various stages of the decision-making process have been completed. Requirements such as conducting a public hearing, screening, scoping and appraisal are components of the decision-making process which ensure that the likely impacts of the industrial activity or the expansion of an existing industrial activity are considered in the decision-making calculus. Allowing for an ex post facto clearance would essentially condone the operation of industrial activities without the grant of an EC. In the absence of an EC, there would be no conditions that would safeguard the environment. Moreover, if the EC was to be ultimately refused, irreparable harm would have been caused to the environment. In either view of the matter, environment law cannot countenance the notion of an ex post facto clearance. This would be contrary to both the precautionary principle as well as the need for sustainable development."

(emphasis added)

16.3 In fact, as noted in paragraph 22.1, the word 'prior' was not used in the EIA notification dated 27th January 1994. However, the words 'shall not be undertaken' were used. In the 2006 EIA notification, the word 'prior' appears at multiple places.

17. The issue of *ex post facto* EC was dealt with in the case of ***Common Cause***[2], In paragraph 108, a submission was recorded that the possibility of getting *ex post facto* EC was a signal to the mining leaseholders that obtaining an EC was not mandatory or that if it was not obtained, the default was retrospectively condonable. In paragraph 125, this Court held thus:

> "**125.** We are not in agreement with the learned counsel for the mining leaseholders. **There is no doubt that the grant of an EC cannot be taken as a mechanical exercise. It can only be granted after due diligence and reasonable care since damage to the environment can have a long-term impact. EIA 1994 is therefore very clear that if expansion or modernisation of any mining activity exceeds the existing pollution load, a prior EC is necessary and as already held by this Court in *M.C. Mehta* [*M.C. Mehta* v. *Union of India*, (2004) 12 SCC 118] even for the renewal of a mining lease where there is no expansion or modernisation of any activity, a prior EC is necessary. Such importance having been given to an EC, the grant of an ex post facto**

> **environmental clearance would be detrimental to the environment and could lead to irreparable degradation of the environment. The concept of an ex post facto or a retrospective EC is completely alien to environmental jurisprudence including EIA 1994 and EIA 2006.** We make it clear that an EC will come into force not earlier than the date of its grant."
>
> (emphasis added)

18. Therefore, there is already a concluded finding of this Court that the concept of *ex post facto* or retrospective EC is completely alien to environmental jurisprudence and the EIA notification. This view was reiterated by this Court in the case of ***Electrosteel Steels Ltd. v. Union of India and Ors.***[4],. In paragraph 72, this Court held thus:

> "**72. There can be no doubt that the need to comply with the requirement to obtain environment clearance is non-negotiable.** A project can be set up or allowed to expand subject to compliance of the requisite norms. Environmental clearance is granted on condition of the suitability of the site to set up the project from the environmental angle, and existence of necessary infrastructural facilities and equipment for compliance of environmental norms. To protect future generations, it is imperative that pollution laws be strictly enforced. Under no circumstances, can industries which pollute

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> be allowed to operate unchecked and degrade the environment."
>
> (emphasis added)

18.1 In this case, as well as in the case of ***Alembic Pharmaceuticals***[3], this Court exercised its jurisdiction under Article 142 of the Constitution and permitted *ex post facto* EC in particular cases considering the peculiar factual situation.

19. It is in this context that the legality and validity of the 2017 notification will have to be tested. Interestingly, in paragraph 10 of the notification, it is recorded that the MoEFCC deems it necessary for the purpose of protecting and improving the quality of environment and abating environmental pollution that all the entities not complying with the environmental regulation under EIA notification be brought under compliance within the environmental laws in an expeditious manner. The object of protecting and improving the environment and preventing and abating environmental pollution was achieved by the EIA notification. The object of the 2017 notification appears to be to protect the industries and entities which violated the EIA notification. In fact, paragraph 14 of the 2017 notification is material which reads thus:

> "**14**. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental

> clearance under this notification and the project proponents can apply for environmental clearance under this notification only within six months from the date of this notification."

20. Moreover, the 2017 notification is completely in violation of the law laid down by this court in the case of ***Common Cause***[2] and ***Alembic Pharmaceuticals***[3]**.** From the recitals of the 2017 notification, it is apparent that it was a one-time measure to protect those who were in violation as on the date of the 2017 notification. In view of the settled law, even a 'one-time measure' or 'one-time relaxation' was illegal. The 2021 OM encourages the entities who contributed to pollution by not obtaining prior EC. Whenever EC is granted, it is always conditional. Certain conditions are imposed to abate or reduce the pollution. Such one-time measures add to air and/or water pollution. Such measures infringe the right to live in a pollution free environment guaranteed by Article 21. Thus, the 2017 notification was completely illegal.

21. The Division bench of Madras High Court by judgment dated 13th October 2017, in the case of ***Puducherry Environment Protection Association***[1] dealt with the issue regarding the legality of the 2017 notification which was subject matter of challenge in a Public Interest Litigation. A very specific submission was

made before the Madras High Court on behalf of the Central Government by the learned Additional Solicitor General, which is recorded in paragraph 4(i) of the judgment. Relevant portion of paragraph 4(i) reads thus:

> "4(i) With regard to precautionary principle, faced with the situation that ex post facto clearance and regularization dates have been repeatedly extended time and again by series of notifications, **learned Additional Solicitor General at the bar, on instructions, submits that this impugned notification shall clearly and certainly be only a one time measure. We record this submission also**.
> ....."
>
> (emphasis added)

21.1 This statement was treated as an undertaking of the Central Government, which is clear from paragraph 4(n) of the said judgment:

> "4(n) We are convinced that paragraphs 3,4 and 5 of the impugned notification alluded to supra coupled with the two undertakings made on instructions by learned Additional Solicitor General that (a) public hearing can be read into paragraph 5 of the impugned notification and **(b) this shall certainly and clearly be a one time measure, this writ petition can be closed and disposed of recording the above submissions. We do so.**"
>
> (emphasis added)

21.2 It is in view of this undertaking that the High Court did not interfere. The Central Government is bound by this undertaking. It is the duty of the Central Government to comply with the undertaking in its true letter and spirit.

22. The period provided in the 2017 notification to apply for *ex-post facto* EC ended on 13th September 2017. In the case of ***Appaswamy Real Estates Limited v. Puducherry Environment Protection Association***[5], the request of the MoEFCC for extending the time provided in the 2017 notification was accepted. As a result, the OM dated 16th March 2018 was issued which permitted the project proponents to apply under the 2017 notification within thirty days from the date of the High Court order. What is pertinent to note is that notwithstanding the grant of extension of time to apply, there was no modification made to paragraph 14 of the 2017 notification which clarified that it is applicable only to those projects and activities which were in violation on the date of the said notification. Therefore, any project or activity or process which required EC under the EIA notification commenced after 14th March 2017 was not protected by the 2017 notification.

23. Apart from the fact that the very concept of grant of *ex-post facto* EC is illegal, it is not possible to understand

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why the Central Government made efforts to protect those who committed illegality by not obtaining prior EC in terms of the EIA notification. As the EIA notification was eleven years old when the 2017 notification was issued, there was no equity in favour of those who committed such gross illegality of not obtaining prior EC. The persons who acted without prior EC were not illiterate persons. They were companies, real estate developers, public sector undertakings, mining industries, etc. They were the persons who knowingly committed illegality. We, therefore, make it clear that hereafter, the Central Government shall not come out with a new version of the 2017 notification which provides for the grant of *ex-post facto* EC in any manner.

LEGALITY AND VALIDITY OF THE 2021 OM

SUBMISSIONS

24. The learned senior counsel appearing for the Petitioner submitted that post a series of judgments of this Court in ***Alembic***[3] and ***Common Cause***[2]**,** it is not permissible to grant *ex post facto* EC. He further submits that the 2021 OM is in violation of the 1986 Act and the EIA notification. He submits that EC must be prior and cannot be granted *ex post facto*. While the 2021 OM does not expressly extend the timeline under the 2017 notification or mention *ex post facto*, the 2021 OM and its

application has effectively allowed grant of *ex post facto* EC.

25. The main submission of the learned Additional Solicitor General is that the 2021 OM does not seek to grant *ex-post facto* EC. It is only an SOP. The learned ASG invited our attention to the contents of the SOP. Her submission is that it provides for the demolition of projects not allowable or permissible for want of EC. It also provides for the closure of projects allowable/permissible, if prior EC has not been taken as per the EIA notification. She submitted that even if EC is granted, it will be effective from the date of the issue, and therefore, it is not *ex post facto*. She submitted that before such EC is granted, the project proponent will have to pay certain amounts as provided therein based on Polluter Pays Principle. Moreover, the project proponents will have to undertake activities relating to remedial plan and community accommodation plan. She also pointed out that the projects which are not allowable or permissible, shall be demolished. She also pointed out provisions regarding penalty, project proponents furnishing bank guarantee, etc. Thus, in short, her submission is that the object of the 2021 OM is to protect those projects and industries which could have been granted an EC under EIA notification before the date of commencement of activities, but proceeded to commence

activities without EC. Her submission is that this measure has been taken to ensure that the huge spending on constructions is not lost and wasted.

OUR VIEW

26. The basic submission by learned ASG is based on a premise that what is provided under the 2021 OM is not grant of *ex-post facto* EC. The relevant part of the 2021 OM is in paragraph 10 and 11, which read thus:

> **"10.Standard Operating Procedure-Guiding Principles:**
>
> i. Without prejudice to any other consequences**, action has to be initiated under section 15 read with section 19** of The Environment (Protection) Act, 1986 **against all violations**.
>
> ii. Projects not allowable/permissible, for grant of EC, as per extant regulations: **To be demolished**.
>
> iii. Projects allowable/permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted)**.
>
> iv. **Polluter pays**: Violators to pay for violation period proportionate to the scale of project and extent of commercial transaction.
>
> v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).
>
> **11. SOP for dealing with the violation cases:**

Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to close its operation
2	If prior EC is available for existing/old unit	Order to revert the activity /production to permissible limits.
3	If prior EC was not required for earlier production level but is now required	Restrict the activity /production to the extent to which prior EC was not required

Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing**.

Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of

commencement of project. Therefore, the activity is not permissible and therefore it shall be ***closed & demolished****.*

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central Level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluter Pays principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present form/configuration/features** then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the**

> **amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation Plan and Natural & Community Resource Augmentation Plan."**

27. In short, it provides for grant of EC to category of 'allowable/permissible' projects. We must remember that the 2021 OM is applicable even to the completed projects. The 2021 OM says that grant of EC to such projects shall be effective from the date of issue. If the project proponent goes ahead with construction which requires EC under the EIA notification, it will amount to violation of the provisions of 1986 Act and 1986 Rules. It will attract penalty under Section 15 of the 1986 Act. Perusal of the provisions of Section 15 shows that even if the penalty is paid by the project proponent, it will not regularise the project. Therefore, even after the payment of penalty, if the project is under construction, the same has to be stopped and demolished and even if operation has already commenced, the same has to be stopped and demolished. Therefore, the construction work has to be demolished.

28. Now, we will consider what is the meaning of "*ex post facto*". Various dictionary meanings can be summarised as under:

a) Having retrospective effect or force;

b) From a thing done afterwards;

c) Retroactive or affecting something that has already happened.

29. Now, we will take a case of *ex post facto* EC provided under the 2017 notification. The effect of grant of *ex post facto* clearance is that if without obtaining EC, construction is in progress, the same is allowed to continue. If the construction is complete and operation and processes are going on, the same can go on after *ex post facto* EC is granted. Effect of grant of EC under clause (11) of 2021 OM will be grant of permission to complete the construction of the project, though construction had commenced without prior EC. Where the construction is already complete which is being used for processes etc., by grant of EC, the process/activities can continue. Thus, in effect, the EC granted under clause (11) of 2021 OM regularises something which was illegal with retrospective effect. In effect, the EC granted under clause (11) of 2021 OM will regularise the illegality done by commencing the construction or commencing the project without prior EC. Therefore, in substance, what is provided is grant of *ex post facto* EC. In other

words what is granted is EC with retrospective effect as it regularises illegality committed earlier. The grant of EC under the 2021 OM, no doubt, is subject to making payment of compensation determined based on Polluter Pays Principle and undertaking activities relating to remedial plan. Once there is a violation of the EIA notification, the project proponent has to compensate following the Polluter Pays Principle. Even if, EC is not granted to him he has to pay for remedial plan to remedy the damage done to the environment. He has to also pay the penalty under Section 15 of the 1986 Act. Therefore, what is done by the 2021 OM is something which was completely prohibited by this Court in the cases of ***Common Cause***[2] and ***Alembic Pharmaceuticals***[3]**.** It is an attempt to bring in an *ex-post facto* or retrospective regime by craftily drafting the SOP. The grant of EC under the 2021 OM in substance and in effect amounts to *ex post facto* grant of EC. The Court must come down very heavily on the attempt of the Central Government to do something which is completely prohibited under the law. Cleverly, the words *ex post facto* have not been used, but without using those words, there is a provision to effectively grant *ex post facto* EC. The 2021 OM has been issued in violation of the decisions of this Court in the cases of ***Common Cause***[2] and ***Alembic Pharmaceuticals***[3]. Therefore, we have no manner of

doubt that the 2021 OM which permits grant of EC is completely arbitrary and illegal. Moreover, the 2021 OM does not refer to exercise of any power under the 1986 Act or the 1986 Rules.

30. There is one more aspect which is required to be noted. As per paragraph 14 of the 2017 notification, provision for grant of *ex post facto* EC was made only in relation to projects or activities which were in violation as of 14th March 2017. Therefore, grant of *ex post facto* clearance was not permitted under 2017 notification for the projects and activities which were commenced or continued after 14th March 2017. The window which was initially for a period of six months was eventually extended till completion of 30 days from 14th March 2018. Therefore, the 2021 OM is brought in to do something which was not permissible under the 2017 notification, the law laid down by this Court, and the solemn undertaking given by the Central Government to the Madras High Court. We must deprecate such effort on the part of the Central Government.

31. The EIA notification is of 14th September 2006. When the 2021 OM was issued, it was nearly 15 years old. Therefore, all project proponents were fully aware of the stringent requirements under the EIA notification. The 2021 OM seeks to protect the violations of the EIA notification which have taken place or continue to take

place 15 years after the EIA notification came into force. Thus, the 2021 OM seeks to protect violators who have acted with full knowledge of consequences of violating the EIA notification. Those who violate the law regarding obtaining prior EC are not only committing gross illegality, but they are acting against the society at large. The violation of the condition of obtaining prior EC must be dealt with heavy hands. In environmental matters, the Courts must take a very strict view of the violations of the laws relating to the environment. It is the duty of the Constitutional Courts to do so.

32. Under Article 21 of the Constitution of India, the right to live in a pollution free environment is guaranteed. In fact, the 1986 Act has been enacted to give effect to this fundamental right. In 1977, fundamental duties of all citizens were incorporated in the Constitution which enjoined every citizen of India to protect and improve the environment as provided in clause (g) of Article 51A. Therefore, even the Central Government has a duty to protect and improve the natural environment.

33. Today, in the year 2025, we have been experiencing the drastic consequences of large-scale destruction of environment on human lives in the capital city of our country and in many other cities. At least for a span of two months every year, the residents of Delhi suffocate due to air pollution. The AQI level is either dangerous or

very dangerous. They suffer in their health. The other leading cities are not far behind. The air and water pollution in the cities is ever increasing. Therefore, coming out with measures such as the 2021 OM is violative of fundamental rights of all persons guaranteed under Article 21 to live in a pollution free environment. It also infringes the right to health guaranteed under Article 21 of the Constitution.

34. The 2021 OM talks about the concept of development. Can there be development at the cost of environment? Conservation of environment and its improvement is an essential part of the concept of development. Therefore, going out of the way by issuing such OMs to protect those who have caused harm to the environment has to be deprecated by the Courts which are under a constitutional and statutory mandate to uphold the fundamental right under Article 21 and to protect the environment. In fact, the Courts should come down heavily on such attempts. As stated earlier, the 2021 OM deals with project proponents who were fully aware of the EIA notification and who have taken conscious risk to flout the EIA notification and go ahead with the construction/continuation/expansion of projects. They have shown scant respect to the law and their duty to protect the environment. Apart from violation of Article 21, such action is completely arbitrary

which is violative of Article 14 of the Constitution of India besides being violative of the 1986 Act and the EIA notification.

35. We are, however, conscious of the fact that *ex post facto* EC may have been granted in certain cases both under the 2017 notification and the 2021 OM. ECs already granted under 2017 notification and the 2021 OM, at this stage, should not be disturbed.

36. Hence, we pass the following order:

a) We hold that the 2017 notification and the 2021 OM as well as all circulars/orders/OMs/notifications issued for giving effect to these notifications are illegal and are hereby struck down;

b) We restrain the Central Government from issuing circulars/orders/OMs/notifications providing for grant of *ex post* facto EC in any form or manner or for regularising the acts done in contravention of the EIA notification;

c) We clarify that the ECs already granted till date under the 2017 notification and the 2021 OM shall, however, remain unaffected.

37. The writ petitions and civil appeals are accordingly allowed on the above terms.

.....J.
(Abhay S. Oka)

.....J.
(Ujjal Bhuyan)

New Delhi;
May 16, 2025

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)
****

Original Application No.07/2022(WZ)

IN THE MATTER OF:

Mr. Shashikant Vitthal Kamble
Residing at: Popular Colony Flat No. Ci/13,
Near Vitthal Nagar, Warje Maiwadi, Warje,
Pune - 411 058.

.....Applicant

Versus

1. **Ministry of Environment, Forest & Climate Change (MoEF&CC) New Delhi, through its Secretary**,
having office at Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 110 003

2. **Central Ground Water Authority (CGWA), New Delhi, through its Chairman**,
having office at: 'Central Ground Water Board',
Bhujal Bhawan, NH-IV, Faridabad – 121 001.

3. **Central Pollution Control Board (CPCB), New Delhi, through its Member Secretary**,
having office at : Parivesh Bhawan,
CBD-cum-Office Complex
East Arjun Nagar, Delhi - 110 032.

4. **Environment Department, Maharashtra Through its Principal Secretary,**
having office at: Room No.229,
Mantralaya, Mumbai-400 032.

5. **State Environment Impact Assessment Authority (SEIAA), Maharashtra, through its Chairman,**
having office at : 601, 6th Floor, NKM International House,
behind LIC Yogakshema Building,
177 Babubhai Chinoy Marg,
Nariman Point, Mumbai -400 020.

6. **State Expert Appraisal Committee(SEAC), Maharashtra, through its Chairman,**
having office at : 15th floor, Environment Department,
Mantralaya, Mumbai-411 032.

7. **State Ground Water Authority, Maharashtra**
Through its Chairman,
having office at: New Agriculture College Building,
1st Floor, Bhujal Bhavan, KB Joshi Marg

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Near, Shivajinagar, Pune - 411005.

8. **Maharashtra Pollution Control Board (MPCB) Mumbai, through its Member Secretary,**
Having office at: Kalpataru Point, 3rd & 4th floor,
Road No.8, Sion Circle, Opp. PVR Theater,
Mumbai- 400 022.

9. **Maharashtra Pollution Control Board (MPCB),**
Pune, through its Regional Officer,
Having office at: Jog Center, 3rd Floor,
Mumbai Pune Road, Wakdewadi, Pune - 411 003.

10. **District Environment Impact Assessment Authority, Through the Collector, Pune as a Chairman,**
having office at : New Collectorate office,
Opposite Sasson Hospital, Pune- 411 001.

11. **The Commissioner Land and Records, Pune Through its Commissioner and Director,**
Having office at: 2nd & 3rd floor,
New Administrative Building, Opposite Council Hall,
Agarkar Nagar, Pune- 411 001.

12. **Pune Metropolitan Region Development Authority (PMRDA) through its Metropolitan Commissioner and Chief Executive Officer**
having office at: Maharaj Sayaji Gaikwad Udyog Bhawan,
Ward No.8, Survey No.152 - 153,
Aundh Gaon, Aundh, Pune - 411 067.

13. **Naiknavare Developers Private Limited through its Project Proponent,**
Mrs. Gauri Naiknavare
having office address at : 1204/4,
Ghole Road, Shivajinagar, Pune - 411 005.
having site address at: "Avon Vista"
at Survey No. 8/3, 8/4, 8/5, 8/6, 8/7,
8/9, 8/10, 8/11, 8/12, Mhalunge,
Pune - 410 501.

.....Respondent(s)

Counsel for Applicant:

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Counsel for Respondent(s):

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Mr. Aniruddha Kulkarni, Advocate for R-4/Envt. Deptt.,
R-5/SEIAA & R-6/SEAC
Mr. Yashwant Dhanegave, Advocate for R-7/SGWA
Ms. Manasi Joshi, Advocate for R-8 & 9/MPCB
Mr. R. B. Mahabal, Advocate for R-13/PP

PRESENT:

Hon'ble Mr. Justice Dinesh Kumar Singh (Judicial Member)
Hon'ble Dr. Vijay Kulkarni (Expert Member)

Reserved on : 21.02.2024
Pronounced on : 22.03.2024

JUDGMENT

1. This Original Application has been filed with the prayers that a direction be issued to the respondent No.13-Naiknavare Developers Private Limited through its Project Proponent to stop illegal construction in contravention to the Environment Clearance condition; a Committee be constituted with a direction to submit a factual report, based on which the illegal constructions, if any, be directed to be demolished; direction be issued to the government authorities as well as the Joint Committee to make a plan for restitution of the environment; and environmental compensation be levied from the respondent No.13-PP.

2. In brief, the facts of this case are that the respondent No.13-Naiknavare Developers Private Limited had obtained the Environment Clearance Permission on 18/07/2016, a copy of which is annexed as Annexure 'A'. On 19/09/2018, the Project Proponent was issued the amended Commencement Certificate by the Respondent No. 12-Pune Metropolitan Region Development Authority (PMRDA) for starting of the construction activity in the said project scheme, a copy of which is annexed as Annexure- 'B'. Another amended Commencement Certificate was issued by the respondent No.12 to the Respondent No.13-PP for the same purpose. On 17.12.2020, the respondent No.12 issued the Completion Certificate to respondent No.13-PP for Residential Building B-1, a copy of which is annexed as Annexure- 'D'. On 24/03/202021, the respondent No.8- Maharashtra Pollution Control Board issued the Consent

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to Operate, a copy of which is annexed as Annexure 'E'. On 31/03/2021, the respondent No.12 issued the Completion Certificate to respondent No.13-Project Proponent for Residential Building A-1, a copy of which is annexed as Annexure 'F'.

3. It is further submitted in this application that on 123rd Meeting of the SEAC-3 held on 2nd, 3rd, 6th, 7th, 8th & 9th September 2021, the respondent No.13- Project Proponent submitted proposal for amendment in the Environment Clearance. On 02/06/2021, the respondent No.12 issued the amended Commencement Certificate to the respondent No.13-Project Proponent, a copy of which is annexed as Annexure 'G'. On 14/10/2021, a notice was got issued to the respondent No.13 for violation during the construction activity, which was also duly served upon the respondent No.1-MoEF&CC to respondent No.12- PMRDA.

4. It is further submitted in this application that the respondent No.13-Project Proponent had proposed to construct the said project in question in the year 2016 and construction of the same was carried out by the respondent No.13 in violation of the EC terms & conditions. The respondent No.13-Project Proponent carried out additional construction without getting the EC amended. Since 2016 till the filing of this application, the respondent No.13-PP never made an application for obtaining amendment in the Environment Clearance. On 18/07/2016, the Environment Clearance was granted to the Respondent No.13 for carrying out construction for the Residential Buildings Al, Bl, B2, A2, A3, B3 and Club Houses. The said Environment Clearance Permission is annexed as Annexure- 'A'. On 17/12/2020 and 31/03/2021, the Respondent No.12 issued the Completion Certificate to the Respondent No.13, which are annexed as Annexure 'D' & 'F' respectively.

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5. We find that there are number of repetitions made in the pleadings by the applicant and that the pleadings mentioned in this application are very vague, making it difficult to understand as to what is the actual dispute, by and large, it appears that the ground of filing this application is that the terms & conditions of EC are allegedly violated by the respondent No.13-PP.

6. In para nos.27 & 28 of this application, there appears to be repetition of the earlier mentioned facts. In para no.29 of this application, it is submitted that the respondent No.13 approached the respondent No.12-PMRDA and obtained the Commencement Certificate dated 19/09/2018 for a total plot area of 50,900.00 sq. mtrs. The Environment Clearance dated 18.07.2016 for the same including FSI and Non-FSI built up area was 73427.00 sq. mtrs. There are various typographical errors found in the present Original Application, such as in para no.32, reference is being made of respondent No.15. But we do not find the name of respondent No.15 to be there in the present application.

7. It is further submitted in this application that the respondent No.13 has extracted the ground water through drilling bore in the ground without taking prior permission. The Respondent No.13-PP did not carry out plantation as per the guidelines of the appropriate Government authority. Respondent No.13 has not installed Rain Water Harvesting System, Sewage and Waste Water Management Systems nor have installed Pollution Monitoring Systems.

8. In other paragraphs of the present Original Application, by and large, there is repetition of facts and it is very much apparent that there is no coherence in what the applicant is trying to convey.

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9. Looking to the facts, it appears that the Predecessor of this Tribunal, on the very first date i.e. on 22.02.2022, while admitting the matter, has noted only 5 points pertaining to the violations of EC norms, which are narrated herein below:-

> "
> *(i). Plot area of Environmental Clearance (EC) and the plot area of the commencement certificate are different.*
>
> *(ii). The configuration of the buildings has been changed.*
>
> *(iii). Construction without prior permission of the competent authority.*
>
> *(iv). Construction of the building (A-1 and B-2) without having any environmental clearance.*
>
> *(v). Construction and action of the Respondent in contravention of the sanctioned layout plan and the environmental clearance conditions."*

10. On 21.02.2024, during argument, the learned counsel for applicant has also tried to confine himself to these five points only. On the very first date of this matter having been admitted by the Tribunal, the Joint Committee was constituted and also direction was given to send notices to the respondents.

11. In compliance of the above-mentioned order, the Joint Committee has submitted its report, which is annexed at page nos.129 to 355 of the paper book, the relevant part of which is quoted herein below for the sake of convenience:-

> *"**3.0 Observation and Findings**:-*
>
> *This report is outcome containing factual and action taken report of the said joint committee based on the preliminary information received from the nodal agency, followed by site inspection, information given by PP & Pune Metropolitan Region Development Authority (PMRDA) through MPCB and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below:*
>
> ***Observations w.r.t Environmental Clearance***
>
> *Details of EC, sanctioned plans, plinth certificate, completion certificate and current status of the project as verified and submitted by PMRDA to MPCB is given at Table No. 1. Copy of the same is given at Annexure-2 for kind information.*

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Table-1: Details of EC, sanctioned plans, plinth certificate, completion certificate and current status of the project

S. No.	Particulars	Configuration	Total Built-up Area
1	SEIAA Environmental Clearance (EC) Letter No. SEAC-III-240/CR-369/TC-3 dated 18.07.2016	Proposed in EC: Total Built Up Area (TBUA)- 73423.3 sq.m FSI- 34577.09 sq.m + Non FSI-38846.21 sq.m **Approved in EC: Total Built Up Area- 51,587.80 sq.m**	
2	Sanction Plan BMU/C.R.No.1385/16-17 dated 21/11/2016	• A1: P+21 • B1: P+21 • A2: P+21 • B2: P+21 • A3: P+5 • B3/C: P+5 • Club House: G+2 P-Lower + Upper Level Parking	• Total FSI- 23517.45 sq.m • Total Non FSI-20776.84 sq.m • **TBUA- 44294.29 sq.m**
3	Plinth Check Certificate dated 01.06.2017	'Club House' as per sanction plan dated 21.11.2016	
4	Sanction Plan BMU/C.R.No. 459/17-18 dated 21/12/2017	• A1: P+21 • B1: P+21 • A2: P+21 • B2: P+21 • A3: P+5 • B3: P+5 • Club House: G+1 P-Lower + Upper Level Parking	• Total FSI- 24218.68 sq.m • Total Non FSI- 20889.9 sq.m • **TBUA- 45108.58 sq.m**
5	Plinth Check Certificate dated 17.03.2018	Building 'B1' as per sanction plan dated 21.12.2017	
6	Sanction Plan BMU/C.R.No. 217/18-19 dated 19/09/2018	• A1: P+21 • B1: P+21 • A2: P+21 • B2: P+21 • A3: P+1 • B3: P+1 • Club House: G+1 P-Lower + Upper Level Parking	• Total FSI- 23960.84 sq.m • Total Non FSI- 19895.09 sq.m • **TBUA- 43855.93 sq.m**
7	Plinth Check Certificate dated 20.11.2018	Building 'A1' as per sanction plan dated 21.12.2017	
8	Plinth Check Certificate dated 20.09.2019	Building 'A2' as per sanction plan dated 19.09.2018	
9	Completion Certificate dated 24.09.2019	'Club House' as per sanction plan dated 19.09.2018	
10	Sanction Plan BMU/203/19-20 dated 13.11.2019	• A1: P+21 • B1: P+21 • A2: P+21 • B2: P+19 • A3: P • B3: P • Club House: G+1 P- Lower + Upper Level Parking	• Total FSI- 26878.24 sq.m • Total Non FSI- 23030.8 sq.m • **TBUA- 49909.04 sq.m**
11	Plinth Check Certificate dated 17.12.2020	Building 'B2' as per sanction plan dated 13.11.2019	

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12	Completion Certificate dated 17.12.2020	Part Building 'B1' as per sanction plan dated 13.11.2019	
13	Completion Certificate dated 31.03.2021	Part Building 'A1' as per sanction plan dated 13.11.2019	
14	Sanction Plan DP/MU/515/20-21 dated 02.06.2021	• A1: LP+UP+21 • B1: LP+UP+21 • A2: LP+UP+21 • B2: LP+UP+19 • A3: LP+UP+12 • B3: LP+UP+12 • Club House: G+1 P- Lower + Upper Level Parking	• Total FSI- 39829.96 sq.m • Total Non FSI- 25609.60 sq.m • **TBUA- 65439.02 sq.m**
15	Completion Certificate dated 28.07.2021	Complete Building 'B1' as per sanction plan dated 02.06.2021	
16	Completion Certificate dated 06.12.2021	Complete Building 'A1' as per sanction plan dated 02.06.2021	
17	Plinth Check Certificate dated 22.02.2022	Building 'A3' & 'B3' as per sanction plan dated 02.06.2021	
18	Current Status of the project as per Architect Certificate dated **03.06.2022**	• A1-P+21 (Completed) • B1-P+21 (Completed) • Phase I Parking (Completed) • Phase I-Podium + Pvt Garden (Completed) • Club House-P+1 (Completed) • A2-P+21 (Under Construction) • B2-P+11 (Under Construction) • Phase II- Podium + Pvt Garden (Under Construction) • Services (UGT,STP, Transformer Room, Pump Room, OWC Security, Cabin, WTP, etc)	• FSI-23086.46 sq.m • Non FSI-28053.79 sq.m • **Total BUA-51122.25 sq.m**

i. *PP has been granted Environmental Clearance (EC) by SEIAA vide letter No. SEAC-III-240/CR-369/TC-3, dated 18/07/2016 for construction of residential project for Total Built Up Area (TBA) of 51,587.80 sq.m. Copy of EC dated 18/07/2016 is given at Annexure-3.*

ii. *As per the information provided by PMRDA vide letter dated 13/06/2022, it is observed that subsequent to the said EC, the PP has obtained first layout sanctioned vide sanction plan vide no. BMU/C.R.No.1385/16-17 dated 21/11/2016 for TBA-44294.29 sq.m (FSI- 23517.45 sq.m & Non FSI-20776.84 sq.m) wherein building no. & configuration of A1: P+21, B1: P+21, A2: P+21, B2: P+21, A3: P+5, B3/C: P+5, Club House: G+2, P-Lower + Upper Level Parking have been obtained. Subsequently, the PP has obtained first plinth check certificate dated 01/06/2017 for club house only as per aforesaid sanction plan dated 21/11/2016.*

iii. *PP has obtained second layout sanctioned vide sanction plan vide no. BMU/C.R.No. 459/17-18 dated 21/12/2017 for TBA-45108.58 sq.m (FSI-24218.68 sq.m & Non FSI- 20889.9 sq.m) wherein building no. & configuration of A1: P+21, B1: P+21, A2: P+21, B2: P+21, A3: P+5, B3: P+5, Club House: G+1, P-Lower + Upper Level Parking have been obtained. Subsequently, the PP has obtained Plinth Check Certificate dated 17/03/2018 for building B1 as per aforesaid sanction plan dated 21/12/2017. Further, the PP has obtained plinth check certificate dated*

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20/11//2018 for building A1 as per aforesaid sanction plan dated 21/12/2017.

iv. *PP has obtained third layout sanctioned vide sanction plan vide no. BMU/C.R.No. 217/18-19 dated 19/09/2018 for TBA- 43855.93 sq.m (FSI-23960.84 sq.m & Non FSI- 19895.09 sq.m) wherein building no. & configuration of A1: P+21, B1: P+21, A2: P+21, B2: P+21, A3: P+1, B3: P+1 Club House: G+1, P-Lower + Upper Level Parking have been obtained. The PP has obtained plinth check certificate dated 20/09/2019 for building A2 as per aforesaid sanction plan dated 19/09/2018.*

v. *PP has obtained fourth layout sanctioned vide sanction plan vide no. BMU/203/19-20 dated 13/11/2019 for TBA- 49909.04 sq.m (FSI- 26878.24 sq.m & Non FSI- 23030.8 sq.m) wherein building no. & configuration of A1: P+21, B1: P+21, A2: P+21, B2: P+19, A3: P, B3: P Club House: G+1, P-Lower + Upper Level Parking have been obtained. The PP has obtained plinth check certificate dated 17/12/2020 for building B2 as per aforesaid sanction plan dated 13/11/2019.*

vi. *PP has obtained fifth layout sanctioned vide sanction plan vide no. DP/MU/515/20-21 dated 02.06.2021 for TBA- 65439.02 sq.m (FSI- 39829.96 sq.m & Non FSI- 25609.60 sq.m) wherein building no. & configuration of A1: LP + UP +21, B1: LP + UP +21, A2: LP + UP +21, B2: LP + UP +19, A3: LP + UP+ 12, B3: LP + UP + 12, Club House: G+1, have been obtained. The PP has obtained plinth check certificate dated 22/02/2022 for building A3 & B3 as per aforesaid sanction plan dated 02/06/2021.*

vii. *However, the total current construction area of the project as per the Architect Certificate dated 03/06/2022 (Annexure-4) is TBA: 51122.25 sq.m (FSI-23086.46 sq.m & Non FSI-28053.79 sq.m). Wherein it is observed that building A1 & B1 is completed & occupied. Similarly, building A2 is completed & finishing works are in progress, building B2 is completed up to 11th floor and building A3 & B3 was completed up to podium level. All the aforesaid buildings were constructed as per the various sanctioned plans granted from time to time by the PMRDA.*

viii. *PP has made an application to SEIAA for amendment in existing EC dated 18.07.2016 with proposed total built-up area 92,328.80 sq.m (FSI- 51,727.43+ Non FSI- 40,601.37 sq.m) on 13.02.2020 & 17.02.2020. (Copy of the applications submitted to SEIAA given at Annexure-5.*

ix. *As per the 123rd SEAC-3 Meeting scheduled in September, 2021;*

> *"Committee noted that, there is change in building profile; PP has constructed different profile than approved in EC. After detail deliberation & considering the above said changes in the approved building profile, committee noted that this seems to be a violation case. The expansion/amendment proposal therefore cannot be appraised at this juncture. Committee also noticed that, the PP has not submitted their application as per Notification issued by MoEF & CC dated 14.03.2017 for violation cases, hence Committee decided to refer the application to SEIAA for further necessary action."*

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x. *As per 203rd SEIAA Meeting scheduled of October, 2021;*

> *"PP further submitted that, there is a proposal considered in 203rd meeting of SEIAA at S.no 14 in which deviation made within the limit of BUA without increase in tenements has not been considered as violation by the SEIAA. The Minutes of the said meeting are as-The EIA Notification 2006 dated 14.09.2006 has laid down threshold area and limits for consideration of proposals of building construction under B2 category. Accordingly, when Environmental Clearance was already granted once for a specified Built Up Area (BUA) and afterwards Project Proponent comes for amendment/expansion, the area for which Environmental Clearance is granted is the primary factor in deciding amendment/expansion. The configuration of buildings submitted for Environmental Clearance may vary sometimes, but should be done to determine whether the environmental requirements/parameters are met. Such proposals cannot be considered as violation in terms of EIA Notification, in case Environmental Clearance was granted for a larger area. However, adequacy of environmental requirements/ stipulations should be appraised by the SEAC before considering grant of Environmental Clearance for amendment/expansion. PP requested that, the same precedent may be applied to this case. In the view of above, SEIAA is of the opinion that the proposal may not be considered as violation of earlier EC. SEIAA after deliberation decided to refer back the Proposal for appraisal"*

xi. *Based on the recommendations in 203rd SEIAA meeting, the project was again appraised in 133rd SEAC-3 meeting of Jan, 2022 and was referred back to SEIAA for EC. However, in 240th SEIAA meeting of March, 2022 the project was differed due to Hon'ble NGT order dated 22/02/2022. Copy of above mentioned Minutes of SEAC-3 and SEIAA meetings attached as Annexure-6.*

xii. *PP has provided solar water heating system for the completed buildings A1, B1 & A2 as per s. no. 33 of EC conditions dated 18/07/2016, it is informed that installation of solar panels shall be completed in a phased manner as & when the buildings are completed. Also, provided 02 out of 8 nos. of rain water harvesting recharge pits and storm water drainage system as per EC conditions dated 18/07/2016. PP has planted about 127 no. of trees against 233 no. of trees, as informed planation of remaining no. of trees shall be completed in a phased manner. Further, PP has provided organic waste convertor of reported design capacity of 750 Kg/day for processing of bio-degradable waste, which was found working. The manure is utilized for gardening within the project premises. PP has provided STP consisting of phytorid treatment system and tertiary treatment facility consisting of pressure sand, activated carbon filter & ozonation. As per conditions of CTO, the treated wastewater is reused in flushing & ancillary activities and remaining is reused in gardening/discharged into municipal drainage. However, no records were maintained for utilization of treated wastewater.*

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3.2 Observations w.r.t Plot Area

Details of plot areas as mentioned in the various sanctioned plans are given in Table-2.

Table-2: Details of Plot Area as mentioned in various Sanctioned Plans

S. No.	Area Statement in Sanction Plans	2021-2016	2019-2018-2017
	Description	sq-m	sq-m
1	Area of Plot	50900	50900
	Deduction		
2	Area required by National Highway	8500	8500
3	Remaining Plot Area (1-2)	42400	42400
4	Area not under NA Proposal	1300	1300
5	Area under NA	41100	Plot A-34091.78
			Plot B-3200
			Plot C-Aminity-3808.22
			Total-41100
6	Deduction		
	a) Area under 24M Wide Road	7391.24	Plot A-6661.30
			Plot B-730
			Plot C-0
			Total-7391.3
	b) Area under 12M Service Road	3741.67	Plot A-3373.73
			Plot B-367.94
			Plot C-0
			Total-341.67
	c) Area under 30M wide Green Belt	4578.94	Plot A-4578.94
			Plot B-0
			Plot C-0
			Total-4578.94
	d) Total Deduction (a+b+c)	15711.85	Plot A-14613.97
			Plot B-1097.94
			Plot C-0
			Total-15711.91
7	Remaining Gross Plot Area (5-Deductions at 6)	25388.15	Plot A-19477.81
			Plot B-2102.06
			Plot C-3808.22
8	Required Open Space (10% of 25388.15)	2538.82	
	Proposed Open Space		
9	Required Amenity Space (25388.15 x 15%)	3808.22	
	Proposed Amenity Space		
10	Remaining Gross Plot Area (7-9)	21579.93	
11	Area of Plot A	19477.87	
12	Area of Plot B	2102.06	

It is observed that the plot of total area 50,900 sq.m has been already divided into three plots with area of Plot A-34,091.84 sq.m, Plot B-3,200 sq.m and the Amenity Space (Plot C) - 3,808.22 sq.m, Area required by National Highway- 8,500 sq.m and Area not under NA Proposal-1,300 sq.m. Table-3 shows the owner of the plots based on the 7/12 Extracts. Copy of all 7/12 extracts are given at **Annexure-7**. 1.As per the agreement to "Sell cum Development Agreement" dated 07/07/2017 (**Annexure-8**) provided by the project proponent; Plot-C i.e. Amenity Space has been sold to M/s. Paranjape Schemes Construction Ltd.

Table-3: Details of owner of the subdivided plots based on the 7/12 Extracts

Name of Plot	7/12 Extract	As per the above mentioned sanctions	Total Area (sq.m)
Plot A	8/A1+8/A9+8/A2+8/A3+8/A4 belongs to Mr. Hemant Dattaji Naiknawre	(Gross Plot Area+ Open Space)+ Area under 30M wide Green Belt+ Area under 24M Wide Road+ Area under 12M Service Road	19477.87+4578.94+6661.30+3373.73=34091.84
Plot B	8/A5+8A/6+8A/7 belongs to Ms. Lata Khinvsara	Gross Plot Area+ Area under 24M Wide Road+ Area under 12M Service Road+	2102.06+370+367.94=3200
Plot C Amenity Space	8/A8 belongs to Mr. Hemant Dattaji Naiknawre	Amenity Space	3808.22

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3.3 Observations w.r.t Consent to Establish/Operate

i. *PP has obtained Consent to Establish (CTE) dated 24/04/2017 (Annexure-9) from MPCB for total plot area of 19,477.87 sq.m and total proposed construction built up area 73,423.09 sq.m.*

ii. *PP has obtained Consent to Operate (CTO-Part 1) dated 24/03/2021 (Annexure-10) from MPCB for total plot area of 19477.87 sq.m and construction BUA 27995.26 sq.m out of total construction built up area 51,587.80 sq.m which is valid up to 31/12/2021. Further, PP has applied for renewal of CTO to MPCB on 30/12/2021 (Annexure-11).*

4.0 Conclusions:

i. *PP has applied for Environmental Clearance (EC) for the total built-up area (TBA) of 73,423.3 sq.m. However, as per General Conditions for Pre-construction phase vide s. no. (i), PP has been granted EC by SEIAA vide letter No.SEAC-III-240/CR-369/TC-3, dated 18/07/2016 for construction of residential project for TBA of 51,587.80 sq.m.*

ii. *PP has obtained first plinth check certificate dated 01/06/2017 for construction of club house, which was constructed after obtaining prior EC from SEIAA, Maharashtra dated 18/07/2016 and CTE from MPCB dated 24/04/2017. Whereas, club house has not been stipulated/mentioned in s. no. 16 (no. of buildings & its configurations) of the aforesaid EC dated 18/07/2016. However, club house has been mentioned in the layout sanctioned vide sanction plan vide no. BMU/C.R.No.1385/16-17 dated 21/11/2016.*

iii. *PP has made an application to SEIAA, Maharashtra for amendment in existing EC dated 18/07/2016 with proposed TBA of 92,328.80 sq.m (FSI- 51,727.43 & Non FSI- 40,601.37 sq.m) on 13.02.2020 & 17.02.2020. However, grant of amended EC for the proposed expansion is pending before SEIAA, Maharashtra. Meanwhile, PP has obtained recent/revised layout sanctioned vide sanction plan vide no. DP/MU/515/20-21 dated 02/06/2021 for TBA-65439.02 sq.m (FSI- 39829.96 sq.m & Non FSI- 25609.60 sq.m) which is observed to be more than the granted TBA of 51,587.80 sq.m of earlier EC dated 18/07/2016. Further, the PP has obtained plinth check certificate dated 22/02/2022 for building A3 & B3 and also obtained completion certificate dated 28/07/2021 & 06/12/2021 for building B1 & A1, which are as per aforesaid sanction plan dated 02/06/2021.*

From the above, it is observed that the PP without obtaining amended EC for the proposed expansion of project (from existing TBA of 51,587.80 sq.m to 92,328.80 sq.m) has obtained the aforesaid plinth check certificate and building completion certificates. However, the total current construction area of the project as per the Architect Certificate dated 03/06/2022 (Annexure-4) is TBA: 51,122.25 sq.m (FSI-23086.46 sq.m & Non FSI-28053.79 sq.m) which is less than the granted TBA of 51,587.80 sq.m of earlier EC dated 18/07/2016.

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iv. *As per the various layout sanctioned plans of the aforesaid project, it is observed that the PP has changed the building no. &*

configurations, which are different from that of the EC granted dated 18/07/2016. However, total current construction area of the project as per the Architect Certificate dated 03/06/2022 (Annexure-4) is TBA: 51,122.25 sq.m (FSI-23086.46 sq.m & Non FSI-28053.79 sq.m) which is less than the granted TBA of 51,587.80 sq.m as per EC dated 18/07/2016.

v. *PP has not provided wastewater treatment system consisting of MBBR technology as per the s. no. 1 A of Schedule-I (i.e. terms & conditions for compliance of water pollution control) of the CTO dated 24/03/2021 and also as per s. no. 30 of the EC conditions dated 18/07/2016, instead PP has provided wastewater treatment system consisting of phytorid treatment system and tertiary treatment facility consisting of pressure sand, activated carbon filter & ozonation.*

5.0. Approach for penalty and remedial measures for prior environmental clearance (EC) violation

5.0 Approach for penalty and remedial measures for prior environmental clearance (EC) violation

Hon'ble NGT in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24/05/2021 has directed that *"...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country".*

In compliance to the aforesaid directions of the Hon'ble NGT, a Standard Operating Procedure (SoP) for dealing with violation cases were issued by the MoEF&CC vide Office Memorandum (OM) F. No. 22-21/2020-IA.III dated 07/07/202. As per the aforesaid SOP, it outlines the penalties including closure of operations that are operating without prior environment clearance including demolition of projects. It also outlines a procedure for the grant of environmental clearance to projects that have come up without obtaining prior environment clearance required under the Environmental Impact Assessment (EIA) Notification, 2006. As per the aforesaid SOP, the different approaches for dealing the violation cases are summarised as follows;

i. Closure or revision

a. If the project proponent has not taken prior EC, then the action shall be initiated to close the operation.

b. If the project proponent has taken prior EC for existing/old unit, then order to revert the activity/production to permissible limits.

c. If the project doesn't require EC for earlier production level but required at present, then restricting activity/production to extent to which prior EC was not required.

ii. Action under section 15 read with section 19 of the E (P) A, 1986 shall be initiated against the violators.

iii. Appraisal under EIA Notification, 2006: The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC;

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a. **If not permissible**: If a project is under prohibited area notified by Central/State Govt., then the such project shall be ordered for the demolition/closure after issuing show-cause notice and providing an opportunity of hearing.

b. **If permissible**, then such violation projects shall be issued with directions to complete the impact assessment studies and submit EIA report & EMP in a time bound manner. Also, such cases of violation shall be subject to appropriate: Damage Assessment, Remediation Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

The competent authority shall issue directions u/s 5 of The Environment (Protection) Act, 1986 for mandating payment of such amount (based on polluter's pay principle), undertaking activities relating to aforesaid plans and its appraisal by the Central sectoral expert appraisal committee or the State/UT level expert appraisal committee, as the case may be. However, even though the project may be permissible but not environmentally sustainable in its present form/configuration/features then such projects shall be directed to be modified so that the project would be environmentally sustainable. Further, if the project is not considered appropriate to issue EC, such project shall be directed to be demolished/closed.

The PP will be required to submit a bank guarantee equivalent to the amount of Remediation Plan and Natural and Community Resource Augmentation Plan with Central/State Pollution Control Board (depending on whether the project under reference is appraised at MoEF&CC or by SEIAA) prior to the grant of EC. The quantification of such liability will be recommended by EAC and finalized by the Regulatory Authority and the bank guarantee will be released after successful implementation of the Remediation Plan & Natural and Community Resource Augmentation Plan.

Penalty provisions for violation cases and applications

a. For new projects;
   - Where operation has not commenced: 1% of the total project cost incurred up to date of filing of application along with EIA/EMP report.
   - When operations have commenced without EC: 1% of the total project cost incurred up to the date of filing application along with EIA/EMP report PLUS 0.25% of the total turnover during period of violation).

b. For expansion projects;
   - When operation/production with expanded capacity has not commenced: 1% of the project cost, attributable to the expansion, incurred up to date of filing application along with EIA/EMP report.
   - When operation/production with expanded capacity have commenced: 1% of project cost (attributable to the expansion activity) incurred up to the date of filing application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

6.0 Recommendations

A. In view of the violation w.r.t. PP obtaining plinth check certificate dated 22/02/2022 for building A3 & B3 and obtaining completion certificates dated 28/07/2021 & 06/12/2021 for building B1 & A1, as per sanction plan dated 02/06/2021 for TBA of 65439.02 sq.m, which is exceeding the present TBA of 51,587.80 sq.m as per earlier EC dated 18/07/2016:

i. Action may be taken against the PP by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986;

ii. Appraisal of the project under EIA Notification, 2006 as outlined under s. no. iii (as above, given at paragraph 5) along with penalty for the expansion of project i.e. 1% of project cost (attributable to the expansion activity) incurred up to the date of filing application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation may be levied and deposited with the respective State Pollution Control Board.

iii. PMRDA may examine the architect certificate vide dated 03/06/2022 including verification of current constructed total built up area (as on

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03/06/2022) and deviation/changes, if any; as per the latest Layout Sanction(s) granted by PMRDA and communicate the reported deviation/changes if any; w.r.t. the constructed total built up area to SEIAA, Maharashtra. Accordingly, SEIAA, Maharashtra may take necessary action for as per the aforesaid SOP for identification and handling of violation cases under the EIA Notification, 2006 issued by MoEF&CC's OMs dated 07/07/2021 and 28/01/2022.

B. In view of the above, w.r.t. PP not providing particular type of wastewater treatment system CTO dated 24/03/2021 and also as per s. no. 30 of the EC conditions dated 18/07/2016;

i. MPCB may direct the PP to provide wastewater treatment system consisting of MBBR technology in compliance to the conditions of s. no. 1 A of Schedule-I (i.e. terms & conditions for compliance of water pollution control) of the CTO dated 24/03/2021 and also as per s. no. 30 of the EC conditions dated 18/07/2016.

C. PMRDA to ensure the compliance for installation of solar water heating panels for the remaining buildings and tree planation as per the EC conditions before issuance of final occupancy certificates to the PP. "

12. From the side of respondent No.13-Naiknavare Developers Private Limited, reply affidavit dated 19.09.2022 has been filed, wherein it is submitted that the applicant has wrongly impleaded Naiknavare Developers Private Limited as one of the respondents in the present application because there is another company by the name Naiknavare Profile Constructions Pvt. Ltd., which is raising the construction of project by the name 'Avon Vista'. In this regard, we have perused the EC dated 18.07.2016, in which we find that the name of the Project Proponent mentioned is M/s. Naiknavare Profile Developers LLP., which is annexed as Annexure- R3 at page no.446 onwards of the paper book.

13. In para no.12 of this affidavit of respondent No.13, it is mentioned that the Residential project- Naiknavare Profile LLP was erstwhile developer, therefore, the name of the said respondent would be read as Naiknavare Profile Constructions Pvt. Ltd. (NPCIL), which has undertaken the project by the name 'Avon Vista', which is being represented by the learned counsel Mr. R. B. Mahabal.

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14. It is further submitted in this affidavit by the respondent No.13 that the residential project 'Avon Vista' is situated on Plot-A with a net plot area of 19,477.87 m^2, out of the gross plot area of 34,090 m^2 and is a part of larger layout of Plots. The land holding of the original land owner as indicated in Annexure- R-1 was 50,900 m^2. Out of this total land holding, 8,500 m^2 was earmarked for acquisition by NHAI for National Highway-NH4. Accordingly, the same was acquired by NHAI. The balance land area of 41,100 m^2 was purchased by 'Synergy Corporation', a company of numerous investors, some of whom opted out, while some decided to keep the property in proportion to their respective investments. The 'Synergy Corporation', which was the owner of Plot-A, transferred development rights to Naiknavare Profile Constructions Pvt. Ltd. vide registered deed dated 25/04/2015. Thus, as per the above distribution in 50,900 m^2, only Plot- A admeasuring 34,091.78 m^2 is gross plot area and net plot area is 19,477.87 m^2 which remained for the development by erstwhile Naiknavare Profile LLP. As per the 2015 PMRDA rules, the proposed 12m. service road, 24m wide DP road and green belt located in the layout, as per the development plan, had to be deducted from the FSI calculations before receiving building sanction.

15. It is further submitted in this affidavit by the respondent No.13 that when the road area was handed over to the PMRDA, FSI of 1.0 was made available on the said Plot- A. Also, the Green Belt Area, adjoining to the Plot-A had to be deducted at the time of area calculations, as no FSI was then available for the same. After these deductions, Plot- A belonging to the respondent No.13-Naiknavare Profile Constructions Pvt. Ltd. admeasured 19,477.87 m^2, on which the proposed residential project was sanctioned in 2016 and it is because of this reason that the net plot area of 19477.87 m^2 of Plot-A has been mentioned as Plot-A in the EC

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application made in 2016. We have also verified this fact in the said EC and find that this is an area, which is mentioned therein, granted to the respondent No.13-PP.

16. It is further submitted in this affidavit by the respondent No.13 that the PMRDA, while sanctioning proposals on Plot in question, requires the history of the total land holding to be represented and hence the land area of the larger layout is mentioned to be 50,900 m^2.

17. Much emphasis is laid by the learned counsel for applicant on this aspect that the respondent No.12-PMRDA had sanctioned the project for an area of 50,900 sq. mtrs., while in the EC, the area recorded is only 19,477.87 m^2, which is discrepant. When we enquired as to what could be inferred from this discrepancy, he tried to convince us that the FSI at an area of 50,900 sq. mtrs. would be larger than on an area of 19,477.87 m^2. This discrepancy ought to have been clarified by the respondent No.6-SEIAA at the time of grant of EC. But we do not find any force in the argument made by the learned counsel for applicant because respondent No.6-SEIAA had granted the EC on earlier date i.e. on 18.07.2016, while the respondent No.12- PMRDA had issued Development Permit and Commencement Certificate on 19.09.2018, wherein the total BUA is recorded as 50,900 sq. mtrs. We also find at this stage that the Development Permit and Commencement Certificate issued in Marathi language, which are annexed at page nos.38 to 43 of the paper book, are not translated in totality by the applicant and only part of which has been presented before us at page no.44 of the paper book in the form of its English translation, which cannot be treated to be correct. This has very careless approach on the part of applicant and would amount to concealing the full information from the Tribunal.

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18. We may also note here that the argument, which is raised by the learned counsel for applicant, is that if a larger plot area would have been mentioned by the SEIAA in the EC to be 50,900 sq. mtrs., in-stead of 19,477.87 m^2, the FSI would have been larger and that would further go against the argument of the applicant.

19. It is further submitted in this affidavit by the respondent No.13 that the CC Certificate dated 21/11/2016 (copy is not found to have been enclosed) shows the plot area to be 50,900 m^2, which seems to be an inadvertent mistake. The answering respondent is making development only for the gross plot area of 34091.78 m^2 and net plot area of 19,477.87m^2, belonging to the NPCPL. In the next CCs dated 13/11/2019 & 02/06/2021, which are found annexed at page no.477 of the paper book, the area of the plot has been revised by the respondent No.12-PMRDA from 50,900 m^2 to 34091.78 m^2 gross plot area.

20. With respect to the clarification pertaining to configuration of building, it is submitted by the answering respondent that the Project Proponent received an EC on 18/07/2016 for 6 Towers on Podium and 1 clubhouse with a total of 492 residential flats for the sanctioned built-up area of 51,587.80 m^2. While granting this EC, SEAC-III made scrutiny for a total covered built-up construction area of 73,423.30 m^2 (FSI + non-FSI). However, EC was restricted to the area sanctioned by the PMRDA at that time. The market forces and change in DC rules, which permitted additional FSI, resulted in changes in project design. Thereafter, the answering respondent made an application for expansion of the EC in February 2020 (amendment application), for a total covered built-up construction area of 92,328.80 m^2 (FSI+Non-FSI). The said application has the same 6 Towers with no change in location on the proposed Podium. This application was first appraised in March 2020 during which the

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changes/revisions proposed in towers B2, A3, and B3 were shown and no non-compliance points were observed by the SEIAA. Despite Covid, the answering respondent continued the construction on the proposed 3 Towers A1, A2, and B1, out of the 6 towers that had received the sanction and EC, without any change in design. With the change in design, 2 Towers namely, A3 and B3 have been revised and accordingly sanction has been given by the respondent No.12-PMRDA, but no construction had been started on the project site for A3 and B3.

21. It is further submitted in this affidavit by the respondent No.13 that for tower/building B2, due to the market forces and change in the DC rules, the answering respondent was compelled to change design and to reduce the size of tenements. Thereby, on each floor, respondent No.13 had accommodated 6 smaller flats instead of 4 large flats without changing the location of the tower on the podium. This change in design is done as a response to the economic affordability of customers, post the pandemic.

22. It is further submitted in this affidavit by the respondent No.13 that the answering respondent began construction of Tower B2, which is constructed on a Podium connecting the towers A1, B1, B2, A2, B3 & A3, which had been approved by the EC granted to the answering respondent in 2016 and was also sanctioned by the PMRDA. Hence, there was no change in the building footprint on the Mother Earth and no additional impact had been created on the environment. Neither the area constructed nor the number of tenements constructed till date have exceeded than what was granted to the Project Proponent in the EC of July 2016. The change in design increased the floor space of building B2 only by 3%, above the level of Podium, which was already approved and granted to the answering respondent in the EC. However, concerning the footprint on the

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earth, there was no increase. The reasons for continuing with the construction, with this minor change in design, were felt to be justified in the face of the Covid pandemic, as it involved the issue of an existing labour force of 200 persons living in the labour camp. If the construction was stopped, they would have otherwise migrated back to their villages, causing social issues that the country faced.

23. It is further submitted in this affidavit by the respondent No.13 that the project in question has been built in full conformity with the PMRDA DCR and only after receiving the required sanction. The layout was sanctioned on 05/09/2014, wherein the total land was sub-divided into subplot nos.A, B & C. Revised Layout was sanctioned on 21/11/2016 and the Google Satellite Image showed that there was no construction on-site before 20/07/2016.

24. With respect to the allegation of construction being in contravention of Sanctioned layout and the EC condition, it is submitted that the construction on-site is as per the Updated Sanctioned Layout. The revised sanction was obtained on 13/11/2019 for the additional FSI available as per the changed DC rules. Soon after that, Amendment to EC was applied in February 2020 for a total covered built-up construction area of 92,328.80 sq. mtrs. Also, Consent to Establish was granted on 24/04/2017 by the MPCB. Consent to Operate was granted on 24/03/2021. All these documents have been filed as Annexures- 7, 9 & 11 respectively.

25. It is further submitted in this affidavit by the respondent No.13 that all the conditions stipulated in the EC were taken into consideration and mitigation measures were also put in place. Existing Borewell was present on-site, which was used by the previous owner and the same was not used

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for construction. Tanker water was being used for the purpose of construction activities. The Project Proponent had obtained permission from the Irrigation Department to lift water from the river, which was further treated in a WTP (Water Treatment Plant) for domestic use. All the other requirements as per the granted EC-2016, like UGWP, STP, OWC, Solar Water Heater, etc. have been provided on-site.

26. Point-wise replies to the allegations made in the present application are contained from page nos.388 to 413 of the paper book, in which all the allegations have been refuted and it is reasserted that there is no violation committed by the Project Proponent in any manner. Therefore, it is not being considered proper to reproduce all those averments in denial for the sake of brevity.

27. From page no.414 onwards, the Joint Committee Report has been dealt with by the Project Proponent.

28. With respect to the observations made by the Joint Committee in its Report at para no.4.0(i), the same has been either agreed/accepted or it is mentioned that nothing is required to be said in that regard.

29. With respect to the observation made by the Joint Committee in its Report at para 4.0(ii) that the Project Proponent obtained first plinth check certificate dated 01/06/2017 for construction of club house, which was constructed after obtaining prior EC from SEIAA, Maharashtra dated 18/07/2016 and CTE from MPCB dated 24/04/2017. Whereas, club house has not been stipulated/mentioned in sr. no.16 (no. of buildings & its configurations) of the aforesaid EC dated 18/07/2016. However, club house has been mentioned in the layout sanctioned vide sanction plan dated 21/11/2016. In this regard, it is submitted by the respondent No.13-Project Proponent that the EC dated 18/07/2016 was approved on

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the basis of the conceptual plan of 2014. Club House was also included therein and was part of the said conceptual plan, and this is also evident from the mention of the clubhouse and swimming pool at s.nos.7 & 8 of clause no.25 in the chart for the total water requirement column, although the same has also been shown in CS (Consolidated Statement) submitted by the PP in the application for EC in 2016.

30. The above-mentioned explanation appears to be justified because when at clause no.25 of the EC, there is mention made of Club House and Swimming Pool then certainly they ought to have been incorporated in the Column No.16 of the EC by the SEIAA. But it appears that the same has been omitted from being mentioned or it could be likely that the major construction works were shown and not the smaller one such as Club House, Security Cabin, Swimming Pool etc.

31. The Joint Committee in its Report at serial no.4.0 (iii) observed that the PP made an application to SEIAA, Maharashtra for amendment in existing EC dated 18/07/2016 with proposed TBA of 92,328.80 sq.m (FSI- 51,727.43 & Non FSI- 40,601.37 sq.m) on 13.02.2020 & 17.02.2020. However, grant of amended EC for the proposed expansion is pending before the SEIAA, Maharashtra. Meanwhile, the PP obtained recent/revised layout sanction vide sanctioned plan dated 02/06/2021 for TBA-65439.02 sq.m (FSI- 39829.96 sq.m & Non FSI- 25609.60 sq.m), which is observed to be more than the TBA granted to the extent of 51,587.80 sq.m in earlier EC dated 18/07/2016. Further, the PP obtained plinth check certificate dated 22/02/2022 for building A3 & B3 and also obtained completion certificate dated 28/07/2021 & 06/12/2021 for building B1 & A1, which are as per the aforesaid sanction plan dated 02/06/2021. From the above, it is observed that the PP without obtaining amended EC for the proposed expansion of project (from existing TBA of

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51,587.80 sq.m to 92,328.80 sq.m) obtained the aforesaid plinth check certificate and building completion certificates. However, the total current construction area of the project as per the Architect Certificate dated 03/06/2022 is TBA: 51,122.25 sq.m (FSI-23086.46 sq.m & Non FSI-28053.79 sq.m), which is less than the granted TBA of 51,587.80 sq.m of earlier EC dated 18/07/2016.

32. With respect to the above observation made by the Joint Committee, a clarification has been submitted by the Project Proponent that the revised sanction has been obtained as per the prevailing rules. No actual construction was done exceeding the granted TBA limit of 51587.80 m^2, as per 2016 EC. No change in building A1, B1 & A2 in profile, number of tenements or height of building is effected because whatever was stipulated in respect of these buildings in conceptual plan for EC, the same remained till completion of the construction. Building A3 and B3 are planned on a podium, which has been shown in the conceptual EC plan as well as building sanction plans issued by the PMRDA from 21/11/2016 to 02/06/2021. Hence plinth checking was required at podium level. No construction above the podium has been commenced. The construction is restricted to 51,122 m^2, which is < 51,587.80 m^2 granted under 2016 EC.

33. We find that the observation made by the Joint Committee at para no.4.0(iii) above has been directly replied by the Project Proponent, which has been mentioned by us above and it is quite evident from the said explanation that there is no construction found beyond the total BUA of 51,587.80 m^2, which was granted under 2016 EC because the area, which has been built up till then, was 51,122.25 sq.m, which is well within the said stipulation.

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34. The observation made by the Joint Committee in its report at para no.4.0 (iv) is that as per the various layout sanctioned plans of the project in question, it is observed that the PP has changed the building number & configurations, which are different from that of the EC granted dated 18/07/2016. However, total current construction area of the project as per the Architect Certificate dated 03/06/2022 (Annexure-4) is TBA: 51,122.25 sq.m (FSI-23086.46 sq.m & Non FSI-28053.79 sq.m), which is less than the granted TBA of 51,587.80 sq.m as per EC dated 18/07/2016.

35. With respect to our observation, it is responded by the answering respondent that both the EC of 2016 i.e. the Master layout and sanctions dated 21/11/2016 and 02/06/20201 respectively, show that there is neither change in the number of buildings nor in their locations.

36. We could not understand as to what the Joint Committee in its Report wanted to communicate at point no.4.0 (iv) in terms of the violation at the end of the Project Proponent, as it appears to be a simple observation of the situation.

37. The Joint Committee has further observed at point no.4.0(v) that the Project Proponent has not provided wastewater treatment system consisting of MBBR technology as per the s. no. 1 A of Schedule-I (i.e. terms & conditions for compliance of water pollution control) of the CTO dated 24/03/2021 and also as per s. no.30 of the EC conditions dated 18/07/2016, instead PP has provided wastewater treatment system consisting of phytorid treatment system and tertiary treatment facility consisting of pressure sand, filter, activated carbon filter & ozonation. In this regard, the Project Proponent has submitted that the current phytorid treatment system has been installed considering that there were lesser

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number of occupants and hence it did not justify to install MBBR technology. On completion of the project & full occupancy, the said phytorid treatment will be converted into MBBR technology. By this, the Project Proponent has saved the excess use of electricity and power requirements to treat the low volume of sewage. It is very difficult to operate the complete capacity of instruments of the proposed MBBR with very low volume of sewage.

38. At this stage, we may mention about this observation of the Joint Committee and response of the Project Proponent that there does not appear to be any violation in regard to setting up of waste water treatment system because the technology, which has been employed by the Project Proponent, at this stage, seems to be in proportion to the local population of occupants and moreover, in the additional affidavit dated 21.02.2024 of respondent No.13, in which at internal page no.4, it is recorded that the Advocate for the MPCB during hearing on 20.02.2024 had orally informed that "constructed wetland technology" is the one that was approved by the NEERI and the Ministry of Drinking Water & Sanitation. Constructed Wetland Technology is the same as 'Phytorid Treatment System'. Therefore, we are of the view that the system, which was put in place, is now found to be good enough keeping in view the total number of occupants in the building in question and that the Project Proponent has also undertaken to convert the same when deemed necessary.

39. We find from the EC, granted on 05.01.2024 to the respondent No.13- Project Proponent, that serial no.27 of that EC pertains to Sewage and Waste and they are permitted to adopt the STP technology "Constructed Wetland". Therefore, it cannot be said that there is any violation on the part of the Project Proponent in this regard, as the PP has already set up that technology in the project in question as per its affidavit

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dated 21.02.2024 and photographs of the said system, which are annexed at page nos.7 to 13 of this affidavit, are also made part of this affidavit.

40. With respect to recommendation made by the Joint Committee at Point No.6.0 (A) to the effect that in view of the violation w.r.t. PP obtaining Plinth Check Certificate dated 22/02/2022 for building A3 & B3 and obtaining Completion Certificates dated 28/07/2021 & 06/12/2021 for building B1 & A1, as per sanction plan dated 02/06/2021 for TBA of 65439.02 sq.m, which is exceeding the present TBA of 51,587.80 sq.m as per earlier EC dated 18/07/2016:- (i) action may be taken against the PP by the respective State Pollution Control Board under the provisions of Section 19 of the Environment (Protection) Act, 1986; (ii) Appraisal of the project under EIA Notification, 2006 as outlined under serial no.(iii) (as above, given at paragraph 5- appears to be of the Joint Committee Report) along-with penalty for the expansion of project i.e. 1% of project cost (attributable to the expansion activity) incurred up to the date of filing application along-with EIA/EMP Report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation may be levied and deposited with the respective State Pollution Control Board. In this regard, the respondent No.13- Project Proponent has submitted that it is not liable for any action because the construction of the site has not exceeded 51,587.80 m^2. The number of tenements is also within 492 residential flats, as per the Environmental Clearance granted on 18.07.2016. There was no change in buildings where completion had been taken from 2016 to date. Plinth Checking Certificate had been obtained only for podium level, which was sanctioned in EC granted. No further work above the podium has been initiated (Google image dated 11/08/2022 is annexed as Annexure –14). The amended EC applied for is pending with SEAC & SEIAA since 2020.

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41. We are of the view that the Joint Committee Report appears to be erroneous in respect of holding the Project Proponent to have caused a violation only because TBA of 65439.02 sq.m area is being shown in the sanctioned plan dated 02/06/2021 for the total project, whereas in the EC dated 18.07.2016, the total BUA, for which sanction was given, is recorded as 51,587.80 sq.m. As per the Joint Committee Report itself, nowhere has it been stated therein that the Project Proponent exceeded construction beyond 51,587.80 sq.m. Therefore, to hold the Project Proponent accountable for any construction beyond the said limit would not be appropriate only because the sanctioned plan was of larger TBA i.e. 65439.02 sq.m. Therefore, we are satisfied with the reply submitted by the respondent No.13- Project Proponent in this regard.

42. The next point no.6.0(A)(iii), which has been observed by the Joint Committee in its report that PMRDA may examine the Architect Certificate dated 03/06/2022 including verification of current constructed total built up area (as on 03/06/2022) and deviation/changes, if any. As per the latest Layout Sanction(s) granted by the PMRDA and in case it is found that there was any deviation/changes if any, SEIAA may take necessary action as per the aforesaid SOP for identification and handling of violation cases under the EIA Notification, 2006 issued by MoEF&CC's OMs dated 07/07/2021 and 28/01/2022. In this regard, reply has been submitted by the respondent No.13- Project Proponent that PMRDA has given a letter dated 13/06/2022, the figures given therein corroborate with those given in the Architect Certificate dated 03/06/2022.

43. We do not find the PMRDA letter dated 13/06/2022 and Architect Certificate dated 03/06/2022 having been annexed with this reply affidavit for the sake of perusal. It is a bulky compilation, therefore, it was the duty

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cast upon the respondent No.13 to point out these documents by indicating pages thereof where these documents are appended.

44. At Point No.6.0(B) of the Joint Committee Report, it is observed that the PP is not providing particular type of wastewater treatment system as laid down in CTO dated 24/03/2021 and also as per serial no.30 of the EC conditions dated 18/07/2016. Therefore, MPCB may direct the PP to provide wastewater treatment system consisting of MBBR technology in compliance to the conditions of serial no. 1A of Schedule-I (i.e. terms & conditions for compliance of water pollution control) of the above consent and EC conditions. We have already dealt with this issue (*supra*), hence need not be taken again.

45. At Point No.6.0(C) of the Joint Committee Report, it is observed that the PMRDA shall ensure the compliance for installation of solar water heating panels for the remaining buildings and tree planation as per the EC conditions before issuance of final occupancy certificates to the Project Proponent. In this regard, the respondent No.13- Project Proponent has submitted that the PP is bound to carry out these and undertakes to install solar water heating panels for the remaining buildings and tree plantation as per the EC conditions before issuance of the final occupancy certificate.

46. Rest of the issues, which are mentioned in this reply affidavit by the respondent No.13, are never raised during the argument by the learned counsel for applicant, hence we do not consider it necessary to take those facts into consideration.

47. During the argument, the learned counsel for applicant has pointed out an issue with respect to change in configuration by the Project Proponent in the building in question and has drawn our attention to page

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no.23 of the main petition, regarding which we have already dealt with (*supra*). We may, however, deal with the argument, which was specifically raised by him, with respect to applicability, in the case in hand, of Office Memorandum dated 05.05.2022, which relates to clarification having been issued by the MoEF&CC with regard to non-requirement of EC amendment due to change in conceptual plan arising out of statutory requirements in building and construction sector, in which in para no.5, following is recorded:-

> *"5. Accordingly, matter has been examined and it has been decided that any change in configuration/planning/design of the appraised building Project for which EC was granted shall not require amendment of EC, subject to no change in (i) Built Up Area (ii) Floor Area Ratio (FAR) (iii) change in exterior spaces green belts, parking, walkways and driveways that are covered including attics and outdoor sports courts Further there shall be no change in the designated use of the building, number of dwelling units, height of the building, number of floors & basements and total excavation of earth of the building/construction/ township/ area development project so as not to require any changes in the already approved Environmental Impact Analysis (EIA) and Environmental Management Plan (EMP)."*

48. Having drawn our attention to the above-mentioned OM, it is argued by the learned counsel for applicant that it would amount to interpretation that if there is any change in exterior spaces of the building in question, in that condition, an amendment in the EC would be required. But in the present case, despite their being changes in the exterior spaces of the building in question, the Project Proponent has not obtained any EC. Therefore, whatever changes have been made beyond the scope of original EC, they should be ordered to be demolished.

49. In this regard, we would like to mention here that we had made a query from the learned counsel for applicant, as to where is the evidence on record to show that there were any changes made by the Project Proponent in exterior spaces of the building in question, he could not show any evidence in that regard, except saying that Plinth Certificate has been

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granted for construction above podium, which should be treated to be change in exterior spaces of the building in question. We are not inclined to accept this argument raised by the learned counsel for applicant.

50. We may also mention here that a Summary in tabular form has been submitted by the respondent No.13- Project Proponent in respect of the Environmental Clearance (EC) granted to the Project Proponent along-with the Consent to Establish, Consent to Operate and Occupancy Certificates from time to time, that summary, which is for the sake of identification, is marked as Annexure-"X", was provided to the learned counsel for applicant in order to verify whether the facts mentioned therein were correct or erroneous. On the date of argument, he did not show any error in these dates and details mentioned in this document. Therefore, we have taken these dates as well as information mentioned therein to be correct.

51. He tried to impress upon us that since the first EC was granted to the Project Proponent on 18.07.2016, some construction had already been made by the Project Proponent. The 2nd EC dated 09.01.2023 was also granted after the construction had happened. But when we enquired from the learned counsel for applicant as to where is the evidence to that effect, he could not show. Therefore, only because he alleged orally that there was violation in this regard, cannot be taken to be a gospel truth for want of evidence.

52. From the side of respondent Nos.8 & 9-MPCB, reply affidavit dated 17.11.2022 has been filed, wherein no violations have been found to have been committed by the Project Proponent.

53. The learned counsel for respondent Nos.8 & 9-MPCB has also apprised us that there was no gap in dates in obtaining the Consents to Establish and Consents to Operate. Therefore, no rejoinder has been filed

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from their side against the reply affidavit of respondent No.13-Project Proponent. Therefore, the contents of the said affidavit are found to be correct.

54. From the side of respondent No.5- SEIAA, reply affidavit dated 25.04.2023 has been filed, wherein details of the various meetings of SEIAA and SEAC are given, where-under the EC/amended EC granted to the Project Proponent from time to time are mentioned. We do not find any lacuna to have been pointed out to be there at the end of the Project Proponent. The last amended EC, which has been granted by the SEIAA, is dated 09.01.2023, wherein total BUA is recorded as 92,328.80 m^2. We are of the view that at the time of grant of this EC, the terms and conditions of all the earlier ECs must have been verified and it must have been ensured by them that all the stipulated terms and conditions would have been followed/complied with by the Project Proponent, then only EC would have been granted. Therefore, the allegations made by the applicant that there were violations of the terms and conditions of EC at the end of the Project Proponent does not appear to be a valid allegation. It appears to have been levelled lightly without collecting any proper evidence at his end.

55. From the side of respondent No.2- Central Ground Water Authority (CGWA), reply affidavit dated 20.02.2024 has been filed, wherein, in para no.9, it is mentioned that the Project Proponent has obtained NOC from them with respect to the project in question.

56. In view of above analysis made by us, we do not find any infirmity in the project in question nor did we find any non-compliances of the terms and conditions stipulated in the EC, shown from the side of the learned counsel for applicant. It may also be made clear that in four ECs, which have been granted to the respondent No.13- Project Proponent from time

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to time, none of them has been challenged from the side of applicant at relevant time within the prescribed limitation period.

57. With the above directions/observations, we deem it appropriate to dispose of this application and is accordingly disposed of.

58. All pending applications, if any, also stand disposed of. No order as to cost.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

March 22, 2024
Original Application No.07/2022(WZ)
P.Kr

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"Certified that this is a true and accurate copy of the document of order as in the case No (Application / ~~Appeal~~ No. 07 ...2022...) And that all the matters appearing therein have been legibly and faithfully copied with no modifications"

For Registrar (NGT)
Signature 3/4/24

NATIONAL GREEN TRIBUNAL
(i) Serial No. the copy application 24/2024
(ii) Name of the Applicant Adv. R.B. Mahabal & Adv. S.S. Gogte
(iii) Date of presentation of application 03/04/24
(iv) No. of pages 32
(v) Copying fee charged/urgent/ordinary Ordinary
(vi) Date of preparation of copy 03/04/24
(vii) Date of which copy is ready 03/04/24
(viii) Date given for collection of copy 03/04/24
(ix) Date of delivery 03/04/24

For Registrar (NGT)
Signature 3/4/24

Item No.4 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

(By Video Conferencing)

ORIGINAL APPLICATION NO.144 OF 2017 (WZ)

Umarshad Khan & Ors. .... Applicants

Versus

State of Maharashtra & Ors. ....Respondents

Date of Hearing : 11.04.2023

CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER

Applicants : Ms. Priyanka Ghosh, Advocate

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-1 and R-8
Mr. Girish Utangale, Advocate for R-2
Mr. Raghvendra Kulkarni, Advocate holding brief for Mr. Sameer Khale, Advocate for R-3
Mr. R.B. Mahabal, Advocate for R-7
Mr. Rahul Garg, Advocate for MoEF&CC

ORDER

1. From the side of the applicants, learned counsel Ms. Priyanka Ghosh has appeared and states that she has not received copy of the inspection report submitted by the MoEF&CC, which is annexed at pages 232 to 307 of the paper-book. She states that she has to verify the status of the compliances of the terms and conditions of the Environmental Clearance granted to the project proponent – respondent No.7 and submit before this Tribunal an affidavit to that effect so as to assist this Tribunal in arriving at right conclusion in regard to the violations. The learned counsel for the applicants may file objections to the said inspection report, if she wants to, within two weeks.

2. From the side of respondent No.7 – Project Proponent, learned counsel Mr. R.B. Mahabal has appeared and filed written submissions

today, which are taken on record, submitting through it the current position of the site before this Tribunal. We direct him to serve a copy of the said written submissions to the other sides, particularly the learned counsel for the applicants, if not served so far. The learned counsel for the applicants may file rejoinder to the same, if any within two weeks.

3. The learned counsel for respondent No.7 – Project Proponent has brought to our notice through written submissions that the earlier EC which was granted to respondent No.7 on 23.01.2012, has expired on 23.01.2022, whereafter in the year 2018, they moved the SEIAA Maharashtra i.e. respondent No.8 for validity extension plus expansion of the EC, which is still pending with them for last many years on the ground that the present proceeding is pending before this Tribunal, despite having no stay. According to us, it is highly objectionable on the part of SEIAA not to process the application of respondent No.7 – Project Proponent with regard to extension and expansion of EC despite the fact that no stay has been granted by this Tribunal. We also find that no reply-affidavit has been filed from their side despite the matter being very old. We direct respondent No.8 – SEIAA to file reply-affidavit within two weeks and further direct that they shall process the application of respondent NO.7 – Project Proponent expeditiously on its own merits.

4. From the side of respondent No. 2 – Slum Rehabilitation Authority, learned counsel Mr. Girish Utangale has appeared and states that he has filed reply-affidavit dated 03.04.2023, copy of which has not been served on the applicant. We direct him to serve a copy of the reply-affidavit today itself to the applicant and the applicant may file rejoinder thereto within two weeks and no more and further direct that the copy of rejoinder shall be served on the other parties well in advance.

5. From the side of respondent No. 3 - MCGM, learned counsel Mr. Raghvendra Kulkarni has appeared today and states that he does not

want to file the reply as no relief is claimed against respondent No.3 in this matter.

6. Put up this matter for final hearing on 10.05.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 11, 2023
O.A.NO.144/2017 (WZ)
npj

Ax. R

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2407-2412 OF 2021

THE STATE OF UTTAR PRADESH & ORS. ETC. ETC. ...APPELLANT (S)

VERSUS

UDAY EDUCATION AND WELFARE TRUST AND ANR. ETC. ETC. ...RESPONDENT(S)

WITH
CIVIL APPEAL NOS. 3144-3146 OF 2022
CIVIL APPEAL NOS.3132-3134 OF 2022
CIVIL APPEAL NOS.3135-3137 OF 2022
CIVIL APPEAL NO.3138 OF 2022
CIVIL APPEAL NOS.4061-4062 OF 2022
CIVIL APPEAL NO.3141 OF 2022
CIVIL APPEAL NOS.2547-2548 OF 2020
CIVIL APPEAL NOS.3142-3143 OF 2022
CIVIL APPEAL NOS.3147-3149 OF 2022

J U D G M E N T

B.R. GAVAI, J.

1. For the reasons stated in the applications for impleadment/intervention, the same are allowed.

Signature Not Verified
Digitally signed by GEETA AHUJA
Date: 2021.10.21 13:20:33 IST
Reason:

2. This bunch of appeals challenges the order dated 18th February 2020, passed by the learned National Green Tribunal, Principal Bench, New Delhi (hereinafter referred to as "the learned NGT") in Original Application Nos.313, 335 and 396 of 2019, thereby quashing and setting aside the notice dated 1st March 2019 issued by the State of Uttar Pradesh for establishing new wood based industries (hereinafter referred to as "WBIs") and also setting aside all the provisional licenses given in pursuance thereof.

3. The appeals also challenge the orders dated 18th March 2020, 2nd December 2020, and 21st December 2020 vide which the review applications filed by the State of Uttar Pradesh and the provisional license holders have been rejected.

4. Civil Appeal Nos.2407-2412 of 2021 are filed by the State of Uttar Pradesh. The rest of the Civil Appeals are filed by the provisional license holders, who were granted licenses in pursuance of the notice dated 1st March 2019, issued by the State of Uttar Pradesh.

FACTUAL BACKGROUND

5. For the sake of convenience, we will refer to the facts as found in Civil Appeal Nos. 2407-2412 of 2021 filed by the State of Uttar Pradesh.

6. There are series of orders passed by this Court and the Central Empowered Committee (hereinafter referred to as "CEC") appointed by this Court, issuing various directions for prohibiting/regulating the felling of trees as well as the establishment of WBIs. We will refer to them extensively in the subsequent paragraphs.

7. In pursuance of the order passed by this Court dated 5th October 2015 in Writ Petition (Civil) No.202 of 1995 (T.N. Godavarman Thirumalpad vs. Union of India), the Ministry of Environment and Forest and Climate Change ("MOEFCC" for short) issued Wood Based Industries (Establishment and Regulation) Guidelines 2016 (hereinafter referred to as "2016 Guidelines") vide Notification No. S.O. 3456 (E) dated 11th November 2016.

8. Subsequent to the 2016 Guidelines, timber assessment for Trees Outside Forest ("TOF" for short) in the State of Uttar Pradesh for WBIs was done for the period between February 2017 and December 2017 by the Forest Survey of India ("FSI" for short). The FSI thereafter submitted its report, which contains district wise, species wise and diameter class wise number of stems (trees), volume and annual potential production of timber from TOF in rural areas of all the districts of the State.

9. In pursuance of the 2016 Guidelines, the matter was placed before the State Level Committee ("SLC" for short) for grant of licenses to various WBIs. The SLC in its meeting held on 4th May 2018, considered the matter about the grant of licenses to various WBIs after taking into consideration the availability of wood in the State of Uttar Pradesh for determining the amount of timber available for new WBIs. In the said meeting, it was also decided that, in order to determine the correct number of new licenses to be issued to WBIs under different categories against the timber

available in the State, a reassessment may be done by the Indian Plywood Industries Research and Training Institute ("IPIRTI" for short).

10. In the meeting of the SLC, held on 7th September 2018, since it was found that the capacity of plywood units is taken as fixed by the 2016 Guidelines, which, in turn, was based on the assessment of IPIRTI, a decision was taken that there was no need for the fresh assessment of the capacity by IPIRTI.

11. In pursuance of the aforesaid decision, E-lottery was held on 12th December 2018 for grant of licenses to various WBIs for the establishment of WBIs in 8 categories. Between 12th December 2018 and 31st December 2018, online letters of offer were issued to 1348 successful applicants. Subsequently, in the months of February and March 2019, provisional licenses were issued to 1215 successful applicants in the 8 categories to set up their WBIs. Subsequent thereto, on 1st March 2019, a notice was

issued by the Government of Uttar Pradesh communicating the grant of provisional licenses to the newly selected WBIs.

12. Being aggrieved thereby, Original Application No. 313 of 2019 came to be filed by Uday Education and Welfare Trust before the learned NGT in March 2019. Vide order dated 28th March 2019, the learned NGT directed the State Government to submit a report from the Joint Committee comprising of the representative of Principal Secretary (Forest), U.P. and the Principal Chief Conservator of Forest, U.P. to examine the issues.

13. Being aggrieved by the notice dated 1st March 2019 issued by the State Government, Original Application Nos. 335 and 396 of 2019 also came to be filed by Samvit Foundation and U.P. Timber Association respectively before the learned NGT.

14. In pursuance of the directions issued by the learned NGT, the Joint Committee Report came to be submitted on 3rd August 2019. Vide order dated 6th August 2019 passed in Original Application nos. 313, 335 and 396 of 2019, the

learned NGT directed the State Government to review the notice dated 1st March 2019 with regard to the establishment of new WBIs by 1350 units strictly in terms of the judgment of this Court in the case of ***T.N. Godavarman vs. Union of India***. Vide order dated 1st October 2019, the learned NGT directed the status quo to be maintained.

15. The State of Uttar Pradesh filed an Interlocutory Application No.732 of 2019 in O.A. Nos. 313, 335 and 396 of 2019, seeking modification of the order dated 6th August 2019 and the order dated 1st October 2019. Vide order dated 18th December 2019, the learned NGT issued directions to the State Government to provide certain data. Subsequently, vide the impugned order dated 18th February 2020, the learned NGT allowed the said Original Applications and quashed and set aside the notice dated 1st March 2019 issued by the State Government for establishing new WBIs and all the provisional licenses given.

16. Being aggrieved thereby, Civil Appeal (Diary) No.12004 of 2020 was filed before this Court. Vide order dated 26th October 2020, this Court dismissed the said appeals as withdrawn with a liberty to file review application before the learned NGT. Vide orders dated 18th March 2020, 2nd December 2020, and 21st December 2020, the learned NGT rejected the Review Applications.

17. The appellants, therefore, approached this Court being aggrieved by the orders passed by the learned NGT in the Original Applications as well as in the Review Petitions.

SUBMISSIONS

18. We have heard Shri Vikas Singh, Shri P.S. Patwalia and Mr. Rana Mukherjee, learned Senior Counsel appearing on behalf of the State of Uttar Pradesh, Shri V. Giri, Shri Syed Waseem Qadri, Shri V.K. Uniyal, Shri Vinay Navare, Shri V.K. Shukla, learned Senior Counsels, Ms. Prerna Singh, and Mr. Rudraksh Gupta, learned counsels appearing on behalf of the appellants, who were granted provisional licenses. We have also heard Shri Dhruv Mehta

and Shri Brijender Chahar, learned Senior Counsels appearing on behalf of the respondent No.1.

19. Shri Vikas Singh, learned Senior Counsel, submitted that the decision of the State Government to establish WBIs is in accordance with the 2016 Guidelines issued by the MOEFCC. He submits that the timber requirement by 1215 new WBIs, which were issued provisional licenses is only 12.35 lakh cubic meters per year, whereas the total timber available in the State is 80.30 lakh cubic meters per year. It is, therefore, submitted that, as such, the requirement is not even 20% of the total availability of timber. Learned Senior Counsel submitted that the only authorized agency in the country to conduct a survey of the forest as well as TOF is FSI. It is submitted that the object of IPIRTI is not to conduct a survey of either forest or TOF. It is submitted that, as a matter of fact, the learned NGT itself has directed such a study to be conducted by FSI, who has already undertaken similar studies for many States like Punjab, Maharashtra and others. It is submitted that when the

survey with regard to availability of timber in the State of Uttar Pradesh was done by the very same agency, the learned NGT fell in gross error in again directing the State Government to conduct such a survey through the FSI.

20. It is submitted that even the MOEFCC had supported the stand taken by the State of Uttar Pradesh and, therefore, the learned NGT ought not to have interfered with the decision of the State Government.

21. Shri P.S. Patwalia, learned Senior Counsel also submitted that the decision of the State Government was in tune with the decision of this Court dated 18th May 2007 and 5th October 2015 passed in Writ Petition (Civil) No.202 of 1995 (***T.N. Godavarman Thirumulpad vs. Union of India)***. It is submitted that when an expert body like the FSI had done an elaborate study, there was no reason for the learned NGT to have sat in appeal over the same. He further submits that though a detailed affidavit has been filed on behalf of the State of Uttar Pradesh in compliance with the order of the learned NGT dated 18th December

2019, regarding the availability of timber, the learned NGT has totally ignored the same.

22. Shri V. Giri, learned Senior Counsel, submits that the learned NGT erred in passing orders which have vitally affected the rights of the citizens who were granted provisional licenses. He submits that the order impugned is totally in breach of the principles of natural justice. It is submitted that, from the perusal of the record, it is clear that the State of Haryana while calculating its requirement for wood also takes into consideration the import from the State of Uttar Pradesh. It is submitted that when there is excess wood available in the State of Uttar Pradesh, there is no reason why the same should be permitted to be exported to the State of Haryana at the cost of entrepreneurs in the State of Uttar Pradesh.

23. Shri Vinay Navare, learned Senior Counsel, submitted that the timber used in the WBIs is from the trees which are agro-based. He submits that though the State of Uttar Pradesh had adopted an elaborate procedure right from

June 2018 till the grant of licenses, the applicants before the learned NGT had taken no steps. Shri Navare submits that only after the provisional licenses were issued and 632 out of 1215 WBIs provisional license holders had already been established and commenced operations, the applications were entertained and the orders were passed to the prejudice of the WBIs. It is submitted that Section 19(1) of the National Green Tribunal Act, 2010 (hereinafter referred to as "the NGT Act") mandates following of the principles of natural justice. It is submitted that though the applications for impleadment were made by the WBIs, the applicants were not granted an opportunity of being heard.

24. Shri V.K. Uniyal, learned Senior Counsel submitted that the learned NGT had erred in using the word "allotted". It is submitted that there is no question of allotment of timber to the WBIs and they are required to purchase the same from the open market.

25. Shri V.K. Shukla, learned Senior Counsel submitted that the State Government decided to grant provisional licenses for 8 different categories of WBIs. The requirement of raw material for different categories of WBIs is different. It is submitted that the learned NGT has grossly erred in considering all categories of WBIs together and setting aside the licenses granted to all of them. It is submitted that the said industries are established in pursuance of the National Agro Forestry Policy of 2014 and as such the learned NGT ought not to have interfered.

26. Ms. Prerna Singh, learned counsel appears for the appellants, who have been granted provisional licenses for plywood (press only) category. She submits that for plywood (press only) industries, there is no requirement of consumption of timber directly. It is submitted that initially veneer is manufactured out of round/fresh timber. Veneer then so manufactured is glued and pressed together to manufacture plywood. It is submitted that the learned NGT has considered the requirement of timber as twice the

actual requirement. She submits that in the State of Uttar Pradesh, veneer is manufactured in surplus, which is exported to the State of Haryana.

27. Shri Rudraksh Gupta, learned counsel, submits that the learned NGT has failed to take into consideration the report of the National Poplar Commission of India.

28. All the learned counsel appearing on behalf of the appellants, in unison, submit that the original applicants before the Court were not *bonafide* litigants. It is submitted that there are reasons to believe that the proceedings were initiated at the instance of either the existing WBIs in the State of Uttar Pradesh to prevent competition or they were filed at the instance of the WBIs in the State of Haryana who were importing timber from the State of Uttar Pradesh at cheaper rates.

29. Shri Dhruv Mehta, learned Senior Counsel appearing on behalf of the respondent No.1, on the contrary, submits that this Court has repeatedly held that the principles of sustainable development, the precautionary principle and

the polluter pays principle are to be followed consistently. He raised a preliminary objection on the ground that in view of Section 22 of the NGT Act, the scope of an appeal before this Court could be limited to that of Section 100 of the Code of Civil Procedure, 1908. It is, therefore, submitted that unless a substantial question of law is raised, the appeal could not be tenable.

30. Shri Dhruv Mehta submits that this Court vide order dated 12th December 1996 has specifically prohibited the felling of trees in any forest, public or private. He further relies on the report of CEC dated 15th March 2005 to buttress his submission that WBIs can be permitted only if they exclusively use timber derived from poplar and eucalyptus species or agriculture waste products. It is submitted that the said guidelines also specifically provided that if the unit is found to have used any timber other than poplar and eucalyptus whether from a legal source or otherwise, the license granted to the unit shall be liable to be cancelled. He further relies on the report of CEC dated

12th October 2006. He submits that an assessment has to be done on the basis of the district-wise survey about timber availability from the TOF category. He submits that the said report of CEC itself would reveal that the assessment of the State is much less than what was initially projected by the State Government. He submits that unless the timber availability for the new WBIs is assessed and the SLC examines and recommends its approval, it is not permissible to establish new WBIs.

31. Shri Mehta further submits that the report of CEC dated 18th April 2007, accepted by this Court vide its order dated 18th May 2007, would show that the availability of timber for WBIs in the State of Uttar Pradesh is only 45.70 lakh cubic meters per year. Learned Senior Counsel submits that taking into consideration the fact that presently many imported machines from China are being used, the capacity of the existing units has gone much higher and, therefore, the timber which is available in the

State of Uttar Pradesh would not be sufficient to meet the demand of the existing industries.

32. Shri Mehta submits that when SLC in its meeting dated 4th May 2018 had decided to get a report from IPIRTI, there was no occasion for it to review its decision in its subsequent meeting dated 7th September 2018. He submits that the Senior Officer of the Forest Department of the rank of Chief Conservator of Forest, Kanpur Division, Kanpur recommended that the report from IPIRTI should be obtained before deciding to issue the new licenses. It is submitted that the letters of the said officer dated 11th September 2019 and 20th April 2018 have been ignored by the SLC.

33. Shri Dhruv Mehta further submits that Annexure-I to the 2016 Guidelines is in contravention of the recommendations of CEC, which takes the requirement of timber for plywood unit as "NIL".

34. The learned Senior Counsel submits that vide Notification dated 20th July 2012, the State of Uttar Pradesh

had notified 7 species of trees in the prohibited category. However, vide another Notification dated 31st October 2017, the said trees were taken out of the prohibited category. The learned NGT had set aside the said Notification of 2017 by order dated 11th September 2018. It is submitted that the said order of the learned NGT has been accepted by the State of Uttar Pradesh and a fresh notification has been issued on 7th January 2020, again bringing the said trees in the prohibited category. The learned Senior Counsel submits that while assessing the availability of timber, the trees under the said prohibited category have also been taken into consideration. He submits that if 20.75 lakh cubic meters is deducted from the availability of the timber, then the timber available in the State would be much less.

35. The learned Senior Counsel further submits that the survey has not been conducted for all the districts and has been conducted only for 30 districts and, therefore, the survey itself is erroneous.

36. The learned Senior Counsel further submits that FSI, while conducting the survey, has not taken into consideration the rotation period and, therefore, the survey is erroneous on the said count also. Learned Senior Counsel, in support of his submissions, relies on the judgment of this Court in the cases of ***Common Cause vs. Union of India and others***[1], ***Mantri Techzone Private Limited vs. Forword Foundation and others***[2], ***Municipal Corporation of Greater Mumbai vs. Ankita Sinha and Others***[3] and ***Pragnesh Shah vs. Dr. Arun Kumar Sharma and others***[4].

37. Shri Dhruv Mehta, relying on the judgment of this Court in the case of ***Ankita Sinha and Others (supra)***, submits that this Court itself has considered the learned NGT to be a special Tribunal and held that it will even have jurisdiction to take suo motu cognizance of the environmental issues. He, therefore, submits that the

[1] (2017) 9 SCC 499
[2] (2019) 18 SCC 494
[3] 2021 SCC OnLine SC 897
[4] 2022 SCC OnLine SC 79

arguments made on behalf of the appellants with regard to locus are without substance.

38. Shri Vikas Singh, learned Senior Counsel, in rejoinder, submits that the only distinction between the prohibited trees and non-prohibited trees is that the non-prohibited trees can be felled without permission, whereas prohibited trees can be felled only in certain circumstances and only after the requisite permission is granted. He submits that the perusal of the FSI survey would reveal that even after the timber requirement for 1215 new units is taken into count, the State, still, will have 26.36 lakh cubic meters in reserve. He submits that if the new WBIs are permitted, it would result in more farmers going in for agro forestry in the State, which, in turn, will increase the forest cover. It is submitted that said 1215 units are likely to give employment to around 80000 people. Learned Senior Counsel, therefore, submits that the impugned orders deserve to be quashed and set aside.

EARLIER ORDERS OF THIS COURT

39. For appreciating the rival submissions, it will be apposite to refer to certain orders passed by this Court.

40. This Court in the case of ***T.N. Godavarman (supra)*** passed an order on 12th December 1996. The relevant part thereof is as under:

> "6. Each State Government should within two months, file a report regarding –
>
> (i) the number of saw mills, veneer and plywood mills actually operating within the State, with particulars of their real ownership;
>
> (ii) the licenced and actual capacity of these mills for stock and sawing;
>
> (iii) their proximity to the nearest forest;
>
> (iv) their source of timber.
>
> 7. Each State Government should constitute within one month, an Expert Committee to assess:
>
> (i) the sustainable capacity of the forests of the State qua saw mills and timber based industry;

(ii) The number of existing saw mills which can safely be sustained in the State;

(iii) The optimum distance from the forest, qua that State, at which the saw mill should be located."

41. Vide subsequent order dated 4th March 1997[5], this Court directed thus:

> "**6.** All unlicensed saw mills, veneer and plywood industries in the State of Maharashtra and the State of Uttar Pradesh are to be closed forthwith and the State Government would not remove or relax the condition for grant of permission/licence for the opening of any such saw mill, veneer and plywood industry and it shall also not grant any fresh permission/licence for this purpose. The Chief Secretary of the State will ensure strict compliance of this direction and file a compliance report within two weeks."

42. Vide order dated 9th May 2002, this Court constituted CEC for monitoring of the implementation of the orders passed by this Court and for placing non-compliances of the cases before it.

[5] (1997) 3 SCC 312

43. Vide order dated 29th October 2002[6], this Court further directed thus:

> "**44.** No State or Union Territory shall permit any unlicensed sawmills, veneer, plywood industry to operate and they are directed to close all such unlicensed unit forthwith. No State Government or Union Territory will permit the opening of any sawmills, veneer or plywood industry without prior permission of the Central Empowered Committee. The Chief Secretary of each State will ensure strict compliance with this direction. There shall also be no relaxation of rules with regard to the grant of licence without previous concurrence of the Central Empowered Committee.
>
> **45.** It shall be open to apply to this Court for relaxation and or appropriate modification or orders qua plantations or grant of licences."

44. Vide order dated 1st September 2006, this Court allowed licenses to be issued to the closed sawmills, Veneer and Plywood units as per availability of timber and eligibility and seniority as per CEC recommendation.

[6] (2008) 16 SCC 337

45. In pursuance of the orders passed by this Court, SLC was constituted by the State of Uttar Pradesh for verification and compilation of information about closed WBIs.

46. The FSI conducted its assessment and assessed the annual availability of wood from TOF in the State of Uttar Pradesh at 55.61 lakh cubic meters vide report dated 3rd April 2007.

47. On the basis of the report of the FSI, the SLC assessed the annual availability of timber for WBIs from TOF at 53.01 lakh cubic meters. CEC further reduced the same to 43.70 lakh cubic meters. However, it added 2.00 lakh cubic meters per year as timber available from government forests, and, therefore, assessed the annual availability of timber at 45.70 lakh cubic meters.

48. It is to be seen that in its report itself, the CEC included 17.77 lakh cubic meters of timber from the prohibited species. This Court considered the report of CEC and passed the following order on 18th May 2007:

> "The matters relate to Saw Mills, Plywood and Veneer Units.

> The CEC has considered the availability of wood for the industries, which was assessed as 43.70 lakh cu. mt from trees outside forests and 02.00 lakh cu. mt from Government Forests.
>
> It has also assessed the units into four categories.
>
> We accept the CEC's recommendations. The Saw Mills, Plywood and Veneer Units may be permitted, on the basis of the recommendations made by the CEC. Licences may be given by the State Level Committees.
>
> If there are any objections regarding grant of licences, the parties would be at liberty to submit their applications before the CEC for consideration."

49. It could thus be seen that in 2007 itself, this Court had accepted the recommendations of the CEC wherein the CEC had computed the total availability of timber and had also taken into consideration the availability of timber from the prohibited category.

50. Vide order dated 29th February 2008, this court considered the issue regarding the manufacturing of Medium Density Fiber board (MDF) and Particle board in

the States of Punjab, Uttarakhand and Karnataka. While considering the same, this Court passed the following order:

> "The matter relates to the manufacturing of Medium Density Fiber board (MDF) and Particle Board in the States of Punjab, Uttarakhand and Karnataka. CEC has filed its report and stated that there is a growing trend to use more and more MDF / Particle Board in place of industrial timber. The MDF/Particle Board help in reducing the pressure on natural forests. The lops and tops and small wood available from the plantations of eucalyptus, poplar, etc. raised on the non-forest can be used by MDF/Particle Board plants."

51. In view of the permissions granted by this Court, the licenses were granted to the unlicensed sawmills which were closed on account of the orders passed by this Court taking into consideration the availability of timber between 2007 and 2010. However, it is to be noted that the said licenses were granted only to the units which were closed and not to the new units.

52. The matter again came up for consideration before this Court on 30th April 2010, when this Court passed the following order:

> "(II) after meeting the requirement of the licensed wood based industry, the units permitted by this Hon'ble Court and the units whose category is yet to be finalised, the plywood/veneer units falling in category IV may be considered for grant of license to the extent of timber availability and strictly in the order of seniority, subject to the one-time payment of Rs.9 lakhs per press in respect of the veneer units and compliance of the other conditions that have been stipulated. The one-time payment of penalty will be in addition to the normal licence fee and the other charges, if any, payable to the U.P. Forest Department. As decided earlier, the above said amount should be kept in a designated interest bearing bank account and should be utilized only after the scheme in this regard is approved by this Hon'ble Court;"

53. It could thus be seen that this Court permitted granting of additional licenses if additional timber was found to be available.

54. The CEC in its meeting held on 26th May 2010 with the SLC and representatives of WBIs Associations in the State of

Uttar Pradesh, after taking into consideration the capacity of timber for Vertical Band Saw (VBS) sawmill, modified/reduced the value of capacity of timber for VBS sawmills upto 10 Horse Power from 540 to 270 cubic meters per year for the State of Uttar Pradesh in line with other States. As such, additional 9,58,230 cubic meters of timber became available for licenses from 3,549 such VBS units. In view of this position between 2010 and 2015, licenses came to be issued by the State of Uttar Pradesh to unlicensed WBIs, which were closed earlier by the order of this Court, as per the criteria recommended by the CEC and accepted by this Court.

55. The matter again came up for consideration before this Court on 5th October 2015 with regard to WBIs, when this Court passed the following order:

> "**CATEGORY I - MATTERS RELATING TO WOOD BASED INDUSTRIES:**
>
> We have heard Shri Harish Salve, learned *amicus curiae,* Shri Ranjit Kumar, learned Solicitor General of India, Shri K.K. Venugopal, learned senior counsel and other learned senior

counsel/counsels. Accordingly, we pass the following orders:

(i) The State Level Committees for Wood-Based Industries ("SLCs") are, subject to the compliance of the prescribed guidelines and procedure, authorized to take decisions regarding the grant of license/permission to the wood-based industries;

(ii) In each State/UT for which the SLC has so far not been constituted, the SLC under the Chairmanship of the Principal Chief Conservator of Forests with a representative of the Ministry of Environment and Forest and Climate Change ("MoEFCC") and an officer of the State Forest Department/Industries Department not below the rank of the Chief Conservator of Forests/ equivalent rank will immediately be constituted;

(iii) The MoEF is authorized to issue appropriate guidelines in conformation with the orders and directions issued by this Court and also the existing guidelines to the SLCs relating to assessment of timber availability for wood-based industries and grant of license/permission to the wood-based industries including addition of new machineries and also utilization of amounts recovered from the wood-based industries and connected matters;

> (iv) Any person aggrieved by the decision taken by the SLC may file an appeal before the MoEFCC seeking appropriate relief within 60 days' time. If, for any reason, any person is aggrieved by the orders so passed in the appeal, he may prefer an appropriate petition/application/appeal before the appropriate forum/Court for grant of appropriate relief(s).
>
> We also permit the MoEFCC to condone the delay, if any, in filing an appeal, if sufficient cause is made out by the applicant(s)/appellant(s)"

56. It is thus seen that vide the said order, SLCs were authorized to take decisions regarding the grant of license/permission to the WBIs. Vide the said order, it was also directed to constitute SLC under the Chairmanship of the Principal Chief Conservator of Forest with a representative of MOEFCC and an officer of the State Forest Department/Industries Department not below the rank of the Chief Conservator of Forests/equivalent rank. This Court further directed the SLCs to be constituted in each State/Union Territory for which the SLC was not yet constituted. The MOEF was also authorized to issue

appropriate guidelines in conformity with the orders and directions issued by this Court and also the existing guidelines to the SLCs relating to the assessment of timber availability for WBIs. Appeals could be filed before MOEFCC against the decision of the SLC.

MOEFCC GUIDELINES

57. In accordance with the directions issued by this Court vide order dated 5th October 2015, the MOEFCC issued 2016 Guidelines on 11th November 2016. The 2016 Guidelines provided for the constitution of the SLC as well as the powers and functions of SLC. Under clause 4 of the 2016 Guidelines, the SLC was authorised to assess the availability of timber for wood based industrial units in the State/UT every five years. The SLC was also authorised to approve appropriate locations for setting up of wood based industrial units. It was also authorized to approve the name of wood based industrial units which may be

considered for grant of fresh license or enhancement of the existing licensed capacity.

58. Clause 5 of the 2016 Guidelines provides for the assessment of the availability of timber for wood based industrial units. It requires that the quantity of timber would be assessed by commissioning the study, preferably in collaboration with institutes/universities of repute, once in five years. Under clause 6 of the 2016 Guidelines, the timber requirement for various units as assessed by IPIRTI was given in Annexure I. The said Annexure I reads thus:

> "The Indian Plywood Industry Research and Training Institute (IPlRTI), Bangalore an autonomous body under the Ministry of Environment, Forest and Climate Change has assessed the timber requirement per unit for peeling length of 4 feet and 8 feet size in the plywood/veneer units as 5 cu.mt and 11 cu.mt. respectively per day on an average of 8 working hours per day. By assuming that the peeling units work for 8 hours per day on an average for 300 days in a year the normal timber requirement of the peeling length of 4 feet size in veneer units is 1500 cu.mt. The total timber requirement for the

stand alone veneer units may be assessed by calculating the equivalent number of 4 feet length machines and by taking its normal installed capacity as 1500 cu.mt. per annum.

The timber requirement of a plywood unit may be taken as 'nil' on the ground that the round timber is used as timber in the veneer units only and that the plywood units are the secondary users which use the veneer as the raw material produced by the veneer units. The plywood units use presses of various sizes such as 8x4x6, 8x4xl2, 8x4xl5, 4x4x7, 4x4x10. A 8x4xl0 capacity press can produce upto 10 plywood pieces of 8'x4' size per hour whereas a 8x4xl5 capacity press can produce upto 15 plywood pieces of 8'x4' size per hour and so on. The normative installed capacity of the plywood units will accordingly depend upon the number and the type of presses. This number and type of presses installed in each of the plywood unit may be assessed and thereafter equivalent number or presses of 8x4x10 capacity may be calculated. The normative annual timber requirement for a integrated plywood unit having a 8x4x10 capacity press may be taken as 2000 cu.mt. per annum, and accordingly the total requirement of timber for the plywood units should be calculated."

59. It could thus be seen that even as per the assessment of the IPIRTI, the timber requirement of a plywood unit is required to be taken as 'NIL' on the ground that the round timber is used as timber in the veneer units only and that the plywood units are the secondary users which use the veneer as raw material. It could thus be seen that the plywood units use presses of various sizes.

60. In pursuance of the 2016 Guidelines, the SLC was reconstituted in the State of Uttar Pradesh under the Chairmanship of Principal Chief Conservator of Forest/Head of Forest Department on 17th May 2017. Vide Notification dated 11th September 2017, the MOEFCC amended the 2016 Guidelines.

61. Subsequently, in accordance with the 2016 Guidelines, the SLC assessed the availability of timber for WBIs in the State of Uttar Pradesh, through the FSI. For assessing the availability of timber, the FSI conducted a survey and arrived at the annual potential production of timber from TOF in rural areas of all the districts of the State. FSI

assessed the annual potential production from TOF at 77.74 lakh cubic meters. Subsequent to the survey and assessment, the SLC in its meeting dated 4th May 2018 considered the matter for grant of license to various WBIs. The SLC decided to get the reassessment done by IPIRTI to determine the correct number of new licenses to be issued to WBIs under different categories against the available timber. However, subsequently, the SLC, in its meeting dated 7th September 2018, found that IPIRTI had not done any new study/assessment of the consumption of timber by various WBIs in any State/Union Territory. It was also found that the State of Haryana had adopted the timber consumption figures based on the CEC figures of 2007. It was therefore unanimously resolved by the SLC that there was no need for any fresh study/assessment for the consumption of timber by WBIs to be conducted by IPIRTI and to adopt the figures for WBIs as were referred to in the 2016 Guidelines. It further found that the CEC in its meeting dated 26th May 2010 had reduced the annual

consumption of timber of sawmills upto 10 Horse Power or less HP to 270 cubic meters from 540 cubic meters.

62. On the basis of the decision of the SLC, e-lottery was held. After following the procedure, provisional licenses were issued to 1215 successful applicants in 8 categories of WBIs in February and March 2019. After the issuance of provisional licenses, on 1st March 2019, the State Government issued a Notice with regard to grant of provisional licenses to the newly selected WBIs which came to be challenged before the learned NGT by way of filing the aforesaid Original Applications by the respondents. The learned NGT after passing various interlocutory directions finally passed the impugned order and quashed and set aside the notice dated 1st March 2019 issued by the State Government and provisional licenses given in pursuance thereof. As such we are required to examine the correctness of the decision of the learned NGT.

CONSIDERATIONS

63. The learned NGT while passing the impugned order has set aside the notice of the State of Uttar Pradesh on the following grounds:

(1) that the WBIs can be allowed to operate only after ensuring timber and raw material availability to sustain such industries and this has to be determined in actual terms and not on mere assumptions;

(2) that it is difficult to accept the stand of the State of Uttar Pradesh that there was availability of timber/raw material to sustain the new WBIs;

(3) that it is the stand of the State of Uttar Pradesh that the total potential availability of timber per year in the State of Uttar Pradesh is 80.30 lakh cubic meters, which includes 2.56 lakh cubic meters from the Government forests and 77.74 lakh cubic meters from TOF. Out of 80.30 lakh cubic meters, 71.8 lakh cubic meters were stated to be available from 22 species and 8.50 lakh

cubic meters from the other species. Out of 22 species, there are 10 species that are prohibited from felling and as such, 20.75 lakh cubic meters from these 10 species are liable to be excluded;

(4) that the major contribution is from Eucalyptus (28 lakh cubic meters) and Poplar species (15 lakh cubic meters), a total of which is 43 lakh cubic meters. Thus, the figure is not actual but presumptive;

(5) that the standard error percentage adopted by the FSI is not correct and is much higher;

(6) that the total availability of timber for consumption including that from the government forests would not be more than 40-45 lakh cubic meters per year;

(7) that the potential availability of 77.74 lakh cubic meters from TOF as given in the affidavit has been overestimated.

64. It is to be noted that after this Court allowed the licenses to be issued to the closed sawmills vide order dated 1st September 2006, the SLCs were constituted. The permissions were to be granted on the recommendations of the CEC. Vide order dated 18th May 2007, this Court had also accepted the recommendation of the CEC. Vide another order dated 30th April 2010, this Court permitted additional licenses to be granted if additional timber was available. Accordingly, licenses were granted between 2010 and 2015. Vide subsequent order dated 5th October 2015, this Court allowed the grant of license/permission to unlicensed WBIs in the country. This Court had directed the reconstitution of the SLCs for WBIs. In pursuance of the directions issued by this Court, the 2016 Guidelines were issued by the MOEFCC. As per the 2016 Guidelines, the SLC was reconstituted in the State of Uttar Pradesh on 17th May 2017.

65. One of the duties which was cast upon the SLC was to assess the availability of timber for wood based industrial

units in the State. The SLC was to assess the availability of timber by commissioning studies, preferably in collaboration with institutes/universities of repute, once in five years. In accordance with the 2016 Guidelines, the FSI conducted the survey and submitted its report in March 2018. It will be relevant to refer to the relevant part of the Foreword of the said report of the FSI.

> "In the recent past, a number of requests were received for establishment of wood based industries in the state for which the raw material would come from outside the forest areas. Since accurate assessment of TOF is needed for effective planning & management, Uttar Pradesh Forest Department requested FSI to make Agro-Climatic zone wise assessment on the basis of inventory already done during its regular course of inventory conducted in the State. As per the final report, the total stems as estimated from the study is 299.43 million with a volume of 79.40 m. cum. The total yield in the Uttar Pradesh is estimated 7.8 million cum.
>
> The report gives an assessment of the growing stock existing outside state forest reserves. The report has also indicated district-wise, species-wise and girth class-wise number of stems and

> volume in each Agro-Climatic Zone wise of inventoried districts. I am confident that this report would provide useful data for arriving at informed policy and programme interventions to give a fillip to forestry sector in the state besides providing benchmark data for tree crop in non-forest area."

66. After conducting the survey, the FSI has come to a finding that the State of Uttar Pradesh had an annual potential production of 77,74,521 cubic meters of timber. For conducting the survey, the FSI acquired satellite data for the inventoried districts of Uttar Pradesh State from National Remote Sensing Centre, Hyderabad. The entire gambit of scientific methodology was applied. The data processing was carried out independently for all the inventoried districts of Uttar Pradesh. It will be relevant to refer to the following part of the report of the FSI:

> "The data processing was carried out independently for all the inventoried districts of Uttar Pradesh. Estimates of stems per ha and volume per ha were generated according to species and diameter class for block, linear and scattered stratum under each district.

> Estimated stems and their volumes were generated according to species and diameter class by aggregating stem per hectare and volume per hectare over the entire Rural CNF Area of each stratum for each district by combining the estimated stems and volumes under block, linear and scattered stratum. By aggregating the estimates of stems and volume of all the three strata, the estimates of stems and volumes according to species and diameter class has been prepared for Rural area separately."

67. The FSI had also divided the State of Uttar Pradesh into 9 Agro-climatic zones to generate the estimate of growing stock and annual potential production. District-wise production was estimated before concluding that 77,74,521 cubic meters of timber was the annual potential production. The contention of the respondents that the rotation method was not applied is totally incorrect. It will be relevant to refer to paragraph 5.4 of the said report, which reads thus:

> "**5.4 Estimates of Annual Potential Production of Wood from TOF (Rural)**

Yield of a forest depends on several factors such as its structure, growth, density, productive capacity of site etc. The estimate of yield been generated for rural area using growing stock estimates. The Uttar Pradesh Forest Department was supplied the complete list of tree species which were found in the survey. The Uttar Pradesh Forest Department was asked to indicate tree species being used as 'timber' and 'non timber' and rotation period of specified timber species. ***The Uttar Pradesh Forest Department informed that they do not have rotation period of all species and requested Forest Survey of India to use their rotation period used for estimation of annual potential production of wood.*** The species are arranged into two groups; one containing the species having timber values and another containing rest by agro-climatic zone wise. The yield has been calculated using Von Mentel formula as given below:

Yield= 2GS/R
Where GS: Growing Stock
R: rotation period

Using the information of timber value, growing stock and rotation period in the above mentioned formulae species wise yield were calculated. The Agro-Climatic Zone wise yield has been given in Annexure-11."

[emphasis supplied]

68. The standard error was also determined by applying the appropriate scientific method.

69. The FSI, hence, considered various aspects before concluding and submitting its 101 page report.

70. It could thus be seen that the estimation as arrived at by the FSI was by applying a proper and adequate scientific method.

71. However, it is surprising that the learned NGT has brushed aside such a scientific exercise by merely observing that the figures arrived at were by estimation and not realistic.

72. The FSI has published a paper on "Trees Outside Forest Resources in India". The contributors to the said paper are (1) Dr. Subhash Ashutosh, DG, FSI; (2) Prakash Lakhchaura, DDG, FI, (3) Kamal Pandey, DD, FI; (4) Dr. Sourav Ghose, Proj. Scientist D; (5) Sushila Tripathi; and (6) H.K. Tripathi. The paper shows that the timber and panel products of TOF origin have emerged as the major

alternative to timber from forests and thus TOF have significantly obviated pressure from forests. The report shows that, the extent of TOF in the country has been assessed at 29.38 m hectare, which is around 8.94% of the total geographical area of the country. The report further shows that based on the recommendations of the National Commission on Agriculture (NCA, 1976), the Government of India launched a social forestry program in the late seventies on a large scale. The paper further shows that, these days satellite data in a wide range of spectral, spatial, radiometric and temporal resolutions are available from various Remote Sensing Agencies of several countries. It further shows that there has been a rapid advancement in the development of digital image processing software. It, therefore, observes that the desired mapping of natural resources with reasonable accuracy is possible. The report refers to the methodology of assessment of TOF in different countries of the world and refers to various authorities. It refers to different types of methodologies used for different

periods; the first one being from 1991 to 2001; the second period being from 2001 to 2016; and the third period being from 2016 onwards. The report shows that the State of Maharashtra has the highest potential annual yield of timber in India followed by the States of Uttar Pradesh and Karnataka.

73. It will be relevant to refer to the conclusion of the said paper, which is as follows:

> "**5. Conclusion**
>
> TOF play a significant role in the socio-economic lives of people both in rural and urban areas of the country by enriching the people and society at large economically as well as ecologically. The management of TOF assumes high significance in the country for realizing much higher potential which it offers in generating wood based economy and ecosystem services including carbon sequestration. Periodic assessment of TOF resources including its spatial distribution is prerequisite for its scientific management in the country. FSI is mandated with this task however there is need for continuous improvement in the methodology and inclusion of more number of variables in the assessment. The organization will have to be further strengthened

particularly in terms of man power, to address the emerging information needs on TOF. There has been regular refinement in methodologies in the last three decades to quantify TOF resources using various statistical designs and estimates with better precision. The advancement of technologies in the field of remote sensing, satellite image processing and availability of high resolution satellite data made the methodology much precise and easier. The progression of science may further refine the existing method of TOF assessment in near future.

TOF also act as an important source for timber and fuel wood to meet the demands of fast growing population of the country. There is a need to put focus on increasing the growing stock per hectare or yield of TOF by better management and planning. There is also a need for a separate policy on TOF to ensure its expansion and sustainable management for multiple ecological benefits, timber production, carbon sequestration and for obviating pressure from the natural forests.

Occupying nearly 9% of the geographical area of the country, TOF are significant natural, renewable resource which make vital contribution to the agro-ecology, socio-economy of the rural areas, environmental amelioration in the urban areas and feed wood based industries with the raw material and thus generate significant employment. TOF form a

> nearly 38% of the carbon sink in forest & tree cover of the country. TOF offers the path for achieving the national policy goal of 33% of forest & tree cover in the country. Through expansion of TOF, particularly in agro-forestry and on culturable waste lands, India can substantially increase its carbon sink to achieve its international commitments of NDC and LDN by 2030."

74. It could thus be seen that the FSI has also emphasized the need of promoting TOF. It has been observed that TOF are significant natural, renewable resources which make vital contributions to the agro-ecology, socio-economy of the rural area, and environmental amelioration in the urban area and feed WBIs with raw material and thus generate significant employment.

75. It is our considered view that, when the estimation was done by the FSI by applying the scientific method and had arrived at the conclusion based on satellite data, such a report could not have been brushed aside by the learned NGT lightly.

76. Insofar as the finding of the learned NGT that the survey also takes into consideration the prohibited trees,

the felling of which is not permissible, it will be relevant to note that the Notification dated 7th January 2020 issued by the Government of Uttar Pradesh provides that the prohibited trees shall not be felled till 31st December 2025 except under unavoidable circumstances, such as when a tree is dead or dying or it constitutes a danger to persons or property, or its felling is necessary for executing development work approved by the Government, or if the fruit bearing capacity of such tree has declined substantially. Such trees cannot be felled unless permission to fell such tree has been obtained in writing from the competent authority. The tree owners are also required to maintain 10 trees in place of each tree felled. It is thus clear that there is no absolute prohibition for felling the trees which are in the prohibited category. However, the same can be done only in exceptional circumstances.

77. It is to be noted that the prohibited trees also include trees like Mango, Jamun, etc. which are fruit bearing trees. After a particular number of years, the fruit bearing

capacity of such trees drastically reduces and as such, the farmers normally fell such trees and go in for replantation of the orchard. Apart from that, it is to be noted that the CEC itself approved the availability of timber for the State of Uttar Pradesh in its report dated 19th April 2007, which included 17.77 lakh cubic meters of prohibited trees. The said report of the CEC was approved by this Court vide its order dated 18th May 2007.

78. It is further to be noted that in pursuance of the order of the learned NGT dated 28th March 2019, a Committee of Experts [Joint Committee comprising of representative of Principal Secretary (Forest), U.P. and Principal Chief Conservator of Forest, U.P.] had submitted its report on 3rd August 2019. Not only this, but in pursuance of the directions issued by the learned NGT on 18th December 2019, another detailed affidavit was filed on behalf of the State Government on 21st January 2020, giving therein the details about the availability of timber. It was specifically stated in the said affidavit that eucalyptus and poplar are

the main species of TOF and 80% of the wood is derived therefrom. It was further pointed out that the farmers in the State of Uttar Pradesh were not getting remunerative prices and are forced to sell their produce at a very cheap rate mainly to middlemen. It was also pointed out that there would be an expected investment of about Rs.3000 crore in the State with the establishment of new WBIs. The same would employ more than 80000 people, mostly in the rural areas of the State. However, all these factors have been ignored by the learned NGT.

79. As such, the learned NGT has grossly erred in deducting the availability of timber from the prohibited trees. By now, it is more than settled that the Courts should not enter into an area that is the domain of the experts. FSI, which is undisputedly an expert body, had arrived at its estimation based on the scientific method. The learned NGT could not have sat in appeal over the opinion of the expert.

80. It is relevant to note that MOEFCC, in pursuance of the directions issued by the learned NGT had filed its opinion on 18th December 2019. It will be relevant to refer to paragraph 8 of the said opinion.

> "8. That based on the examination of available documents in light of the provisions of the Wood Based Industries (Establishment and Regulation) Rules, 2016, MoEFCC is of the opinion that the State of U.P. has followed the Wood Based Industries (Establishment and Regulation) Guidelines, 2016 (as amended in 2017) issued by MoEFCC. The availability of wood in the State has also been assessed by the SLC through FSI. The Ministry is, therefore, of the view that the SLC may approve setting up of new industries in the State if it is satisfied that sufficient timber is available legally to run the new wood based industries."

81. The learned NGT has failed to take into consideration the stand of the MOEFCC, which also supported the stand of the State that sufficient timber was available legally to run the new WBIs.

82. Insofar as the contention of the learned counsel for the respondents that, though in the meeting of the SLC dated 4th May 2018, it was decided to get the assessment done by IPIRTI, the SLC in its meeting dated 7th September 2018 did a volte-face and decided not to get the assessment done from IPIRTI, the perusal of the minutes of the meeting of the SLC dated 7th September 2018 would reveal that it was found that the IPIRTI had not done any new study/assessment of the consumption of timber by various WBIs in any State/Union Territory. It was noticed that, as per the report of the FSI, the TOF available was 77,74,522 cubic meters. Adding the timber available in the forest area of 2,57,273 cubic meters, the total quantity of availability of timber was 80,31,795 cubic meters. It is to be noted that the SLC had taken note of the letter dated 29th August 2018 issued by the Director, IPIRTI, where he had communicated that no assessment pertaining to the annual consumption of timber by Veneer and Plywood Industries was undertaken by the IPIRTI during the last two years in any State of the

country. It was found that the 2016 Guidelines itself provided for annual consumption of timber based on the report of IPIRTI. In this premise, it was found that there was no need to conduct a fresh study/assessment for the consumption of timber by WBIs by IPIRTI. It was decided to accept the figures as provided in the 2016 Guidelines.

83. It can thus be seen that the decision of the SLC for not getting the assessment done by the IPIRTI is based on sound reasons. When the 2016 Guidelines itself provided for the consumption of timber by WBIs based on the report of the IPIRTI, there was no purpose to again get the assessment done by IPIRTI. The scope of judicial review has been succinctly explained by this court in the case of ***Tata Cellular vs. Union of India***[7], which has been consistently followed in a catena of cases. This Court, in the said case, observed thus:

> "**77.** The duty of the court is to confine itself to the question of legality. Its concern should be:

[7] (1994) 6 SCC 651

1. Whether a decision-making authority exceeded its powers?
2. Committed an error of law,
3. committed a breach of the rules of natural justice,
4. reached a decision which no reasonable tribunal would have reached or,
5. abused its powers.

Therefore, it is not for the court to determine whether a particular policy or particular decision taken in the fulfilment of that policy is fair. It is only concerned with the manner in which those decisions have been taken. The extent of the duty to act fairly will vary from case to case. Shortly put, the grounds upon which an administrative action is subject to control by judicial review can be classified as under:

(*i*) Illegality : This means the decision-maker must understand correctly the law that regulates his decision-making power and must give effect to it.

(*ii*) Irrationality, namely, Wednesbury unreasonableness.

(*iii*) Procedural impropriety.

The above are only the broad grounds but it does not rule out addition of further grounds in course of time. As a matter of fact, in *R.* v. *Secretary of State for the Home Department, ex Brind* [(1991) 1 AC 696] , Lord Diplock refers specifically to one development, namely, the possible recognition of the principle of proportionality. In all these

> cases the test to be adopted is that the court should, "consider whether something has gone wrong of a nature and degree which requires its intervention"."

84. Applying the aforesaid principle to the present case, it cannot be said that the decision-making process has been vitiated either on account of illegality, irrationality or procedural impropriety.

85. With regard to the contention of Shri Dhruv Mehta, learned Senior Counsel, that Annexure I to the 2016 Guidelines providing the timber requirement of a plywood unit to be taken as "NIL" is contrary to the CEC recommendations is concerned, we do not find any substance in the said submission. Firstly, 2016 Guidelines have been issued by the MOEFCC in pursuance of the directions issued by this Court dated 5th October 2015. In any case, the raw material for plywood industries is 'Veneer' and the raw material for veneer is 'timber'. We find substance in the contention of the appellants that, if timber is to be considered again as a raw material for plywood,

then it will amount to showing the consumption of the same timber more than once, which is, in fact, not consumed. It is not in dispute that veneer is a raw material for plywood, which is derived from timber. The same timber is used for deriving veneer and such veneer, which is used for manufacturing plywood, cannot be counted twice. In any case, as long as the 2016 Guidelines which are issued in pursuance of the directions issued by this Court are not set aside, the contention in that regard is without substance.

86. That leads us to consider the contention of the respondents that this Court has repeatedly emphasized the principles of sustainable development, the precautionary principle and the polluter pays principle. No doubt that the protection of the environment is of utmost importance. It is the duty of this generation to protect the environment for future generations.

CONCLUSION

87. It cannot be disputed that Section 20 of the NGT Act itself directs the learned Tribunal to apply the principles of

sustainable development, the precautionary principle and the polluter pays principle. Undisputedly, it is the duty of the State as well as its citizens to safeguard the forest of the country. The resources of the present are to be preserved for the future generations. However, one principle cannot be applied in isolation of the other.

88. It is necessary that, while protecting the environment, the need for sustainable development has also to be taken into consideration and a proper balance between the two has to be struck.

89. A body having expertise in the field, i.e. the FSI, upon a scientific study, has concluded that there is sufficient timber available in the State of Uttar Pradesh. Not only that, but the respondents themselves have placed on record a project report on "Study to know the percentage and value of the raw material sourced through U.P. Forests by Plywood and Khair (Kattha) Industries in U.P.". The said report is prepared by RAK Management Consultants on the instructions of the Department of Planning, Economic and

Statistics Division, Government of Uttar Pradesh. The said report itself shows that the consultants, during the field survey, observed resentment among the plywood manufacturers against the process of issuing new licenses to the WBIs by the State Government.

90. The report further goes on to show that on average 1500-1700 trucks/tractor trollies of the eucalyptus and popular wood from all over Haryana, Punjab, Himachal Pradesh and Uttar Pradesh go to Yamuna Nagar, Haryana daily. Out of the said trucks/trollies, approximately 300-350 tractor trollies and some other small vehicles per day come from Uttar Pradesh. The report shows that approximately 5 to 6 lakh metric tons of timber per year is exported to Yamuna Nagar. The said material belongs to the western districts of Uttar Pradesh, i.e. Muzaffarnagar, Saharanpur, Shamli, Baghpat and Meerut. It is stated that there is no sufficient market for this produce in the said area. The report further finds that the western districts of Uttar Pradesh, i.e. Meerut, Muzaffarnagar, Saharanpur,

Baghpat and Shamli, etc. do not have sufficient number of plywood and veneer units and as such, they are not sufficient for the entire farmers' produce available in the said area. The report itself shows that the western districts need around 80-85 plywood and veneer units. The report goes on further to show that there is dissatisfaction among the already existing industrialists about the assessment made by the FSI.

91. It is further to be noted that the State has specifically pointed out before the learned NGT that on the establishment of WBIs, an investment of about Rs.3000 crore was likely to be attracted in the State; employment opportunities to over 80000 people will be available and the farmers of the State would get a more remunerative price. This would result in more impetus for large-scale plantation and agro-forestry. The State also emphasized that this will reduce dependence on traditional/cash crops and also reduce migration of people to urban areas. It is also emphasized that if the new WBIs are permitted, it will

reduce the import of WBIs produce. However, all these aspects have not been taken into consideration by the learned NGT.

92. It will be relevant to note that the Forest Research Institute, Dehradun, Uttarakhand has published 'Country Report of Poplars and Willows Period : 2012-2015'. The report states that the timber from poplar and willow is the backbone of vibrant plywood, board, match, paper and sports goods industries. The report further states that in tune with Indian Agroforestry Policy 2014, the plantation of poplar has been promoted. It further states that the Planning Commission of India has given special grants to certain States for the diversification of agriculture where farmers are advised to move away from paddy cultivation to sustain agricultural production. Poplar and eucalyptus are among the few trees promoted under this diversification plan. The report states that Poplar plays a significant role in rural development by generating employment for many categories of skilled, semi-skilled and unskilled workers.

93. The paper on "Trees Outside Forest Resources in India" published by the FSI, cited supra, also emphasizes that TOF are significant natural, renewable resources which make vital contributions to the agro-ecology, socio-economic improvement of the rural areas, environmental amelioration in the urban areas and feed WBIs with raw material and thus generate significant employment. TOF form nearly 38% of the carbon sink in the forest and tree cover of the country. It states that TOF offers the path for achieving the national policy goal of 33% of forest and tree cover in the country. It states that through the expansion of TOF, particularly in agro-forestry and on culturable waste lands, India can substantially increase its carbon sink to achieve its international commitments of NDC and LDN by 2030.

94. As already discussed herein above, the majority of TOF is from two species, i.e. Poplar and Eucalyptus. These trees are fast growing. If a market is available for the said trees, there will be impetus to the farmers for large scale plantations. The rotation in these species is quite fast. This

will, in turn, increase the green coverage. We are of the considered view that the learned NGT has taken a lopsided view. It has failed to take into consideration the concerns expressed by the State. The learned NGT has committed patent error in ignoring the expert's report and sitting in appeal over the same. The learned NGT has also failed to take into consideration the stand taken by the MOEFCC, which supported the stand of the State. As already discussed herein above, the State had emphasized many advantages of granting new licenses to WBIs. It was also emphasized that the timber from the State of Uttar Pradesh was being exported to the State of Haryana. However, none of these aspects have been considered by the learned NGT. We are, therefore, of the considered view that the impugned orders of the learned NGT are not sustainable in law.

95. There is another reason, in our view, why the order of the learned NGT would not be sustainable. Though, on the date on which the review applications were rejected, 1215 provisional licenses were already granted and 633 units had

already been established and commenced production, the learned NGT has passed the impugned order which adversely affects their interest. Either some of such industries ought to have been impleaded in their representative capacity or a public notice should have been given so that such license holders could have represented their case. However, the said contention is lightly brushed aside by the learned NGT by holding that, since the issue is related to the general decision of the State which is applicable uniformly to all the proposed provisional licensees, it is not necessary to consider the issue raised in the impleadment applications. It is more than a settled law that the principles of natural justice are required to be followed even in administrative actions when such actions adversely affect the rights of the citizens. When the learned NGT exercised its judicial powers, it could not have ignored the principles of natural justice, which, even under Section 19(1) of the NGT Act, it is bound to follow.

96. Another aspect that needs consideration is that a serious issue was raised before the learned NGT by the appellants herein with regard to the credentials and *bonafides* of the original applicants.

97. When the matter was heard by us, we too made pertinent queries to Shri Mehta and Shri Chahar with regard to the credentials of the applicants before the learned NGT. One applicant is Uday Education and Welfare Trust; the second applicant is Samvit Foundation and the third applicant is U.P. Timber Association. Undisputedly, the U.P. Timber Association was a litigant interested in the litigation. However, insofar as the other original applicants, i.e. Uday Education and Welfare Trust and Samvit Foundation, for whom Shri Dhruv Mehta and Shri Brijender Chahar, learned Senior Counsel are appearing, specific queries with regard to the activities undertaken by the said original applicants were made as to whether they were involved in any activity with regard to the protection of the environment; had they at least been engaged in promoting

plantation; what were the aims and objectives of the said original applicants; and what are the sources of funding, etc. Shri Mehta and Shri Chahar, learned Senior counsel, fairly submitted that apart from the fact that they (original applicants) had previously filed some public interest litigations wherein orders were passed in their favour, they had no other information.

98. Shri Dhruv Mehta, learned Senior Counsel has rightly relied on the judgment of this Court in the case of ***Ankita Sinha and Others (supra)*** to submit that the learned NGT is empowered to take suo motu cognizance. This Court has held that, taking into consideration the nature of functions of the learned NGT, it cannot be equated with other Tribunals and in environmental matters, it will also have a power to take *suo motu* cognizance. However, when the credentials and *bonafides* of a litigant approaching the learned NGT are seriously raised, the same cannot be ignored.

99. We find that before a litigant is permitted to knock the doors of justice and seek orders which have far reaching effects of affecting the employment of thousands of persons, stopping investment in the State, prejudicing the interests of the farmers; the credentials and *bonafides* of the applicants must be tested. In the present case, there is scope to infer that the litigation could be at the behest of the existing WBIs who wanted to avoid competition and continue to get raw material at a cheaper rate. There is also scope to infer that it could be at the behest of the WBIs in the adjoining Yamuna Nagar district of Haryana where lakhs of tons of timber is exported from the State of Uttar Pradesh. There is scope to infer that it could be in the interest of middlemen who are engaged in exporting timber from Uttar Pradesh to Haryana. We would, therefore, only request the learned NGT that, when credentials and *bonafides* of such litigants are seriously raised and when entertaining the grievance of such litigants, which is likely

to adversely affect the rights of many, it should ensure the *bonafides* and credentials of such litigants.

100. Though we are allowing the appeals, setting aside the orders of the learned NGT, and upholding the action of the State Government in granting licenses, we would like to remind the State and its authorities that it is their duty to protect the environment. The State and its authorities should ensure that necessary steps are taken for arresting the problem of declining forest and tree cover. The State and its authorities should make meaningful and concerted efforts to ensure that the green cover in the State of Uttar Pradesh is not reduced and to ensure that it increases.

101. The conservation of forest plays a vital role in maintaining the ecology. It acts as processors of the water cycle and soil and also as providers of livelihoods. As such, preservation and sustainable management of forests deserve to be given due importance in formulation of policies by the State. In this regard, it will be apposite to refer to certain earlier pronouncements of this Court.

(a) In the case of ***Samatha vs. State of A.P. and Ors.***[8], a three-Judge Bench of this Court after referring to the earlier judgment in the case of ***State of H.P. and others vs. Ganesh Wood Products and others***[9] observed that, even while considering the grant of renewal of mining leases, the provisions of the Forest (Conservation) Act, 1980 and the Environment (Protection) Act, 1986 would apply. This Court held that the MOEF and all the States have a duty to prevent mining operations affecting forests. It further observed that, whether mining operations are carried on within the reserved forest or other forest area, it is their duty to ensure that the industry or enterprise does not denude the forest to become a menace to human existence nor a source to destroy flora and fauna and biodiversity. It has further been held that if it becomes inevitable to disturb the existence of forests, there is a concomitant duty upon the State to

[8] *AIR 1997 SC 3297 = (1997) 8 SCC 191*
[9] (1995) 6 SCC 363

reforest and restore the green cover and to ensure adequate measures to promote, protect and improve both man-made and natural environment, flora and fauna as well as biodiversity. It further held that there can be no distinction between government forests and private forests in the matter of forest wealth of the nation and in the matter of environment and ecology.

(b) In the case of ***Essar Oil Ltd. vs. Halar Utkarsh Samiti and others***[10], this Court discussed the need for a balance between the economic and social needs and development on the one hand and environment considerations on the other. It was observed that laws on environment should be to create harmony between the two since neither one can be sacrificed at the altar of the other. In this regard, the observations of this Court in the case of ***Indian Council for Enviro-Legal***

[10] (2004) 2 SCC 392

Action vs. Union of India and others[11] were quoted as under:

> "While economic development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation; at the same time, the necessity to preserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of environment."

(c) In the case of ***Maharashtra Land Development Corporation and others vs. State of Maharashtra and another***[12] reference was made to ***Glanrock Estate Private Limited vs. State of Tamil Nadu***[13] wherein it was observed as under:

> "*27.* .... Forests in India are an important part of the environment. They constitute [a] national asset. In various judgments of this Court delivered by the Forest Bench of this Court in *T.N. Godavarman*

[11] (1996) 5 SCC 281
[12] (2011) 15 SCC 616
[13] (2010) 10 SCC 96

> *Thirumulpad* v. *Union of India* (Writ Petition No. 202 of 1995), it has been held that 'intergenerational equity' is part of Article 21 of the Constitution.
>
> *28*. What is intergenerational equity? The present generation is answerable to the next generation by giving to the next generation a good environment. We are answerable to the next generation and if deforestation takes place rampantly then intergenerational equity would stand violated.
>
> *29*. The doctrine of sustainable development also forms part of Article 21 of the Constitution. The 'precautionary principle' and the 'polluter pays principle' flow from the core value in Article 21.
>
> *30*. The important point to be noted is that in this case we are concerned with vesting of forests in the State. When we talk about intergenerational equity and sustainable development, we are elevating an ordinary principle of equality to the level of overarching principle."

(d) Of course, one cannot ignore one of the several dicta of this Court in ***T.N. Godavarman***

Thirumulkpad vs. Union of India and others[14] wherein this Court enunciated the definition of "forest" in the following words:

> "**4.** The Forest Conservation Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "forest" must be understood according to its dictionary meaning. This description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(*i*) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof…"

[14] AIR 1997 SC 1228

102. Though we find that for the sustainable development of the State and on account of the availability of the timber, sanction of granting licenses can be permitted to continue, however, as a responsible State, it needs to ensure that environmental concerns are duly attended to. We, therefore, direct the State Government to ensure that while granting permission for felling trees of the prohibited species, it should strictly ensure that the permission is granted only when the conditions specified in the Notification dated 7th January 2020 are satisfied. The State Government shall also ensure that when such permissions are granted to the applicants, the applicants scrupulously follow the mandate in the said notification of planting 10 trees against 1 and maintaining them for five years.

103. In the result, the appeals are allowed. The impugned orders passed by the learned National Green Tribunal, Principal Bench, New Delhi in Original Application Nos.313, 335 and 396 of 2019 as well as in the Review Applications are quashed and set aside.

104. Pending applications, if any, shall stand disposed of.

No costs.

.....J.
[B.R. GAVAI]

.....J.
[B.V. NAGARATHNA]

NEW DELHI;
OCTOBER 21, 2022

2025 INSC 1025

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8055 OF 2022

UNION TERRITORY OF J & K (PREVIOUSLY STATE OF JAMMU & KASHMIR) & ANR. ...APPELLANT(S)

VERSUS

RAJA MUZAFFAR BHAT & ORS. ...RESPONDENT(S)

WITH

CIVIL APPEAL NO. 68 OF 2023

WITH

CIVIL APPEAL NO. OF 2025
@ DIARY NO(S). 1007 OF 2025

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1. Introduction of the issue:

1. In *State of UP v. Gaurav Kumar*[1], we have declared that a valid and subsisting District Survey Report[2] is mandatory for grant of environmental clearance[3] for sand mining. We have also annulled certain environmental clearances, even though recommended by District Expert Appraisal Committee[4] and granted by District Level Environment Impact Assessment Authority[5], on the basis that a 'draft DSR' is untenable[6] in law. In this appeal we take a step further. District Survey Reports are prepared under para 7(iii) of EIA notification dated 15.01.2016[7] following the mandatory procedure laid down in Appendix X read with Sustainable Sand

[1] 2025 SCC OnLine SC 1069.
[2] Hereinafter, "DSR".
[3] Hereinafter, "EC".
[4] Hereinafter, "DEAC".
[5] Hereinafter, "DEIAA".
[6] State of UP v. Gaurav Kumar, 2025 SCC OnLine SC 1069.
[7] Issued under Environment (Protection) Act, 1986.

Mining Management Guidelines, 2016[8] and Enforcement and Monitoring Guidelines for Sand Mining, 2020[9]. The purpose and objective of preparing such District Survey Report is to scientifically locate the place for sand mining after *calculation of annual rate of replenishment for allowing mining in the area.*

2. Just as forest conservation requires assessment of tree growth rate before permitting timber harvesting to ensure that felling of trees does not exceed tree growth, a replenishment study enables us to take an informed decision as to whether sand mining can be permitted without degrading the rivers' natural balance. Importance of *replenishment study* is explained in the Sand Mining Guidelines 2020 as follows:

> "*The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excessive sand extraction. Mining within or near riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, in-stream roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of the above attributes may cause an impact on the ecological equilibrium of the riverine regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on in-stream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period."*[10]

[8] Hereinafter, Sand Mining Guidelines, 2016.
[9] Hereinafter Sand Mining Guidelines, 2020.
[10] Guidelines formulated under Section 23C of MMDR Act, 1957.

3. It is, therefore, compelling to hold that a DSR is valid and tenable only when a proper *replenishment study* is conducted.

2. Factual Background:

4. The facts germane to the issue, and necessary for disposal of these appeals are as follows: The project proponent submitted three proposals for undertaking mining activities in (i) Block 1, Driegam Bridge Downstream, Shaliganga Nallah Bed Mining Project, (ii) Block-2 Banderpora Upstream, Shaliganga Nallah Bed Mining Project and (iii) Block 4, Panzam Bridge to Trumbi Bridge (Lalgam) Downstream. The J&K UT Expert Appraisal Committee ("J&K UT EAC" hereinafter) in its 81st meeting dated 03.01.2022 discussed the said proposals and rejected the same, particularly on grounds that the proposed area of extraction is already over-exploited and is depleted due to heavy illegal mining. It also noted that the DSR prepared for the concerned district was not formulated as per guidelines as the same needs revision for including replenishment data.

5. In the meanwhile, the project proponent received '*Fit for Mining Certificate*' for Blocks 1, 2 and 4 from the Geology and Mining Department on 05.02.2022.

6. Following certification of mining department, the project proponent submitted its second proposal. Having considered the said proposal in its 87th meeting on 02.03.2022, the J&K UT EAC recommended the project for grant of EC. While recommending grant of EC, the J&K UT EAC clearly recorded and reiterated that DSR is not being formulated as per the guidelines.

7. Accepting the recommendations of the EAC, the State Environment Impact Assessment Authority[11] granted EC to the project proponent on 19.04.2022. While granting the EC, SEIAA restricted the depth of mining to maximum of 1 meter in view of "*non-availability of replenishment data"* in the DSR.

8. *Challenge to the grant of EC*: Aggrieved by the issuance of EC dated 19.04.2022, *person interested in environment*, respondent no. 1 filed an appeal before the National Green Tribunal[12] primarily impugning the grant of EC on the grounds that;

> *"i. The Environmental Clearances dated 19.04.2022 were granted without taking into account the grounds on which the previous proposals of the project proponent were rejected and continued to grant Environmental Clearances without due consideration of the same;*
>
> *ii. Violation of Rule 4(iv) of Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 which prohibits any minor mineral concession being granted within a distance of 25 meters of any embankment;*

[11] Hereinafter, "SEIAA".
[12] Hereinafter, "Tribunal".

> *iii. The Environmental Clearances have been granted despite the District Survey Report not being prepared in line with the Guidelines, as noted by JKEAC;*
>
> *iv. Violations of conditions of the Environmental Clearances dated 19.04.2022 by the project proponent who undertook certain activities strictly prohibited under the Environmental Clearance."*
>
> (emphasis supplied)

9. The Tribunal, vide the order impugned before us allowed the appeal and set aside the EC dated 19.04.2022 finding it to be violative of environmental norms. Thus, the present appeals.

3. The Legal and Regulatory Regime:

10. The significance of mining for economic development, particularly in relation to industries involved in infrastructure development, energy, cement etc has long been recognised. In exercise of its legislative competence, Parliament enacted the Mines and Minerals (Development and Regulation) Act, 1957[13], for development and regulation of mines and minerals in the country. This legislation is, however, not concerned with safeguarding environmental interests. For that purpose, we have the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment

[13] Hereinafter, "MMDR Act".

(Protection) Act, 1986, as well as policy measures such as the National Mineral Policies of 2008 and 2019.

4. The Environment (Protection) Act:

11. The Environment (Protection) Act, 1986 is a comprehensive legislation enacted with the object of protecting and improving the environment. Under Sections 3 and 5 of the Act, the Central Government is empowered to take all such measures as may be necessary for the purpose of preventing, controlling and abating environmental pollution.

5. EIA Notifications 1994:

12. In exercise of the powers conferred under Sections 3 and 5, MoEF&CC issued the Environment Impact Assessment (EIA) Notification, 1994[14], which marked a significant shift in environmental governance by making prior environmental clearance mandatory for specified categories of industrial and development projects, including mining. The Notification laid down a procedural framework for assessing the likely environmental impact of proposed projects, mandating submission of detailed information, public consultation, and mitigation plans. Schedule I

[14] Hereinafter, "1994 Notification".

to the Notification listed 29 categories of projects requiring prior approval, with Item 20 expressly covering mining activities. Thus, the legislative intent was clear; no mining activity, whether new, expanded, or modernised could proceed without rigorous environmental scrutiny and express prior clearance from the competent authority.

6. The Environment Impact Assessment Notification, 2006:

13. The regulatory framework underwent further consolidation with the issuance of the EIA Notification dated 14.09.2006[15]. The 2006 Notification introduced a more elaborate, decentralised, and categorised approach to environmental appraisal. It classified projects into Category A and Category B, based on their potential environmental impact and scale, with Category A projects requiring clearance at the Central level and Category B projects at the State level, through the SEIAA. Para 2 of the 2006 Notification reads as under;

> ***2. Requirements of prior Environmental Clearance (EC)****:- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land*

[15] Hereinafter, "2006 Notification".

by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

14. Para 5, 6 and 7 gives a detailed procedure for grant of prior EC. Further, Para 8 talks about the final stage of grant or rejection of prior EC. Para 9 deals with the tenure and validity of an EC while Para 10 provides for post grant monitoring. The Appendix III enumerates the generic structure of an EIA application and its essentials. Over the course of years, this EIA Notification, 2006 underwent various amendments further strengthening the EC norms and laying down of detailed procedure thereto.

7. Decision of this Court in Deepak Kumar v. State of Haryana:

15. While the statutory framework under the Environment (Protection) Act, 1986 and the EIA Notification of 2006 laid down the procedural architecture for environmental clearance, judicial intervention became necessary to address persisting regulatory lapses, particularly in the context of sand mining. A seminal instance of such intervention is found in *Deepak Kumar v. State of*

Haryana[16], wherein the Supreme Court examined the legality of mining leases granted in the State of Haryana without prior environmental appraisal. This Court deprecated the practice of issuing auction notices for minor mineral extraction without first conducting scientific studies to assess the environmental impact. Emphasising the need for a precautionary approach, the Court underscored that no mining activity, however minor, could be permitted without an environmental clearance based on a proper *replenishment study* and sustainable extraction limits. This decision reaffirmed the necessity of grounding regulatory approvals in scientific analysis, and has since served as a judicial benchmark in ensuring that mining activities are aligned with environmental safeguards. This Court held as under:

> "*8..... Sand mining on either side of the rivers, upstream and instream, is one of the causes for environmental degradation and also a threat to the biodiversity. Over the years, India's rivers and riparian ecology have been badly affected by the alarming rate of unrestricted sand mining which damage the ecosystem of rivers and the safety of bridges, weakening of riverbeds, destruction of natural habitats of organisms living on the riverbeds, affects fish breeding and migration, spells disaster for the conservation of many bird species, increases saline water in the rivers, etc.*
>
> *9. Extraction of alluvial material from within or near a streambed has a direct impact on the stream's physical habitat characteristics. These characteristics include bed elevation, substrate composition and stability, instream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge and temperature. Altering these habitat characteristics can have deleterious impacts on both instream*

[16] (2012) 4 SCC 629. Hereinafter, "*Deepak Kumar*".

biota and the associated riparian habitat. The demand for sand continues to increase day by day as building and construction of new infrastructures and expansion of existing ones is continuous thereby placing immense pressure on the supply of the sand resource and hence mining activities are going on legally and illegally without any restrictions. Lack of proper planning and sand management cause disturbance of marine ecosystem and also upset the ability of natural marine processes to replenish the sand.

10. We are expressing our deep concern since we are faced with a situation where the auction notices dated 3-6-2011 and 8-8-2011 have permitted quarrying, mining and removal of sand from instream and upstream of several rivers, which may have serious environmental impact on ephemeral, seasonal and perennial rivers and riverbeds and sand extraction may have an adverse effect on biodiversity as well. Further, it may also lead to bed degradation and sedimentation having a negative effect on the aquatic life. The rivers mentioned in the auction notices are on the foothills of the fragile Shivalik Hills. Shivalik Hills are the source of rivers like Ghaggar, Tangri, Markanda, etc. River Ghaggar is a seasonal river which rises up in the outer Himalayas between Yamuna and Satluj and enters Haryana near Pinjore, District Panchkula, which passes through Ambala and Hissar and reaches Bikaner in Rajasthan. River Markanda is also a seasonal river like Ghaggar, which also originates from the lower Shivalik Hills and enters Haryana near Ambala. During monsoon, this stream swells up into a raging torrent, notorious for its devastating power, as also, River Yamuna.

11. We find that it is without conducting any study on the possible environmental impact on/in the riverbeds and elsewhere the auction notices have been issued. We are of the considered view that when we are faced with a situation where extraction of alluvial material within or near a riverbed has an impact on the river's physical habitat characteristics, like river stability, flood risk, environmental degradation, loss of habitat, decline in biodiversity, it is not an answer to say that the extraction is in blocks of less than 5 ha, separated by 1 km, because their collective impact may be significant, hence the necessity of a proper environmental assessment plan.

* * *

25. Quarrying of river sand, it is true, is an important economic activity in the country with river sand forming a crucial raw material for the infrastructural development and for the construction industry but excessive instream sand and gravel mining causes the degradation of rivers. Instream mining lowers the stream bottom of rivers which may lead to bank erosion. Depletion of sand in the streambed and along coastal areas causes the deepening of rivers which may result in destruction

of aquatic and riparian habitats as well. Extraction of alluvial material as already mentioned from within or near a streambed has a direct impact on the stream's physical habitat characteristics.

26. We are of the considered view that it is highly necessary to have an effective framework of mining plan which will take care of all environmental issues and also evolve a long-term rational and sustainable use of natural resource base and also the bio-assessment protocol. Sand mining, it may be noted, may have an adverse effect on biodiversity as loss of habitat caused by sand mining will affect various species, flora and fauna and it may also destabilise the soil structure of river banks and often leaves isolated islands. We find that, taking note of those technical, scientific and environmental matters, MoEF, Government of India, issued various recommendations in March 2010 followed by the Model Rules, 2010 framed by the Ministry of Mines which have to be given effect to, inculcating the spirit of Article 48-A and Article 51-A(g) read with Article 21 of the Constitution."

(emphasis supplied)

8. Environment Impact Assessment Notification, 2016:

16. The observations made by this Court in *Deepak Kumar* (supra) laid down the jurisprudential foundation for requiring scientific scrutiny, particularly through District Survey Reports (DSRs) before permitting sand mining even at the local level. Recognising the ecological fragility of riverbeds and the unchecked nature of minor mineral extraction, the Central Government, in response to the said judgment, amended the EIA Notification of 2006 on 15.01.2016, to introduce a distinct regulatory framework for riverbed and sand mining. These amendments introduced specific procedures for cluster-based assessments and made *replenishment studies* integral to the clearance process. The

preamble to the amended Notification is instructive and enables us to understand the purpose, scope, and statutory contours of the DSR, which now forms the central point of scrutiny in the present case. The preamble is as follows:

> *"And whereas, in pursuance to the order of Hon'ble Supreme Court dated the 27th February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease;*
>
> *And whereas, as a result of the above said Order of Hon'ble Supreme Court, the number of cases which are now required to obtain prior environmental clearance has increased substantially;*
>
> *And whereas, the Hon'ble National Green Tribunal, vide its order dated the 13th January, 2015 in the matter regarding sand mining has directed for making a policy on environmental clearance for mining leases in cluster for minor minerals;*
>
> *And whereas, the State Governments have represented for streamlining the process of environmental clearance for mining of minor mineral;*
>
> *And whereas, the Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on Sustainable Sand Mining detailing the provisions on environmental clearance for cluster, creation of District Environment Impact Assessment Authority and proper monitoring of sand mining using information technology and information technology enabled services to track the mined out material from source to destination;*
>
> *Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-*
>
> *In the said notification,-*
>
> *(a) in paragraph 2, after the words "in the said Schedule", the following words shall be inserted, namely:- "and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the said Schedule";*

(b) after paragraph 3, the following paragraph shall be inserted…"

A. Establishment of District Level Environment Impact Assessment Authority (DEIAA) & District Expert Appraisal Committee (DEAC) under Para 3A:

17. As is evident from the above extracted portion of the preamble to the EIA Notification 2016, two bodies namely, the DEIAA and DEAC have been established by inserting Para 3A to the EIA Notification, 2006 for grant of EC to a newly introduced category (by amending para 2), called category B2.

B. New category called Category B2 for sandmining in districts was introduced through para 4(iv):

18. Paragraph 4 of the EIA notification 2006 relating to categorization of projects and activities was also amended and category B2 falling within the jurisdiction of the DEIAA, acting on the decision and recommendation of DEAC is introduced.

C. Preparation of District Survey Report (DSR) Introduced through Para 7(iii):

19. Para 7 of the EIA Notification 2006 is of utmost importance as it relates to the process of EC for new projects which comprises of four stages namely, screening, scoping, public consultation and appraisal respectively. Para 7(ii) relates to process for expansion or modernisation or change of project mix in existing projects. It is in

this paragraph relating to the process of EC in the EIA Notification 2006 that further amendment was made introducing sub-para (iii). Introduction of para 7(iii) for the first time contemplated, preparation of DSR for sand mining or river bed mining and mining of other minor minerals. Para 7(iii) now reads as under;

> "*7.* ***Stages in the Prior Environmental Clearance (EC) Process for New Projects***
>
> *(i) ….*
>
> *(ii) …*
>
> *(iii)* ***Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of other Minor Minerals****:*
>
> *(a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.*
>
> *(b)The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI."*

D. Procedure for preparation of DSR introduced through Appendix X:

20. Procedure for preparation of the above referred DSR under para 7(iii) is laid down in great detail in Appendix X to the notification. Appendix X, apart from laying down the detailed procedure, also declares that the, "*District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.*" Appendix X is as follows;

"PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT

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

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

The report shall have the following structure:

1. Introduction

2. Overview of Mining Activity in the District

3. The List of Mining Leases in the District with location, area and period of validity

4. Details of Royalty or Revenue received in last three years

5. Detail of Production of Sand or Bajari or minor mineral in last three years

6. Process of Deposition of Sediments in the rivers of the District

7. General Profile of the District

8. Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.

9. Physiography of the District

10. Rainfall: month-wise

11. Geology and Mineral Wealth

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

(a) District wise detail of river or stream and other sand source.

(b) District wise availability of sand or gravel or aggregate resources.

(c) District wise detail of existing mining leases of sand and aggregates.

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

Drainage system with description of main rivers

***

Methodology adopted for calculation of mineral potential

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

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

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

(emphasis supplied)

21. The 2016 amendment also introduces Appendix XI in the context of preparation of DSR for sandmining or river bed mining of other minor minerals. The amendment also prescribes distinct procedure for EC for mining of minor minerals including cluster situation.

E. Challenge to the Notification 2016 the direction of NGT in Satendra Pandey's case:

22. Environmental concerns were expressed that the amendments brought about by the EIA notification 2016 did not translate into action the mandate of this Court's decision in

Deepak Kumar (supra). These concerns were considered by the NGT in *Satendra Pandey v. MoEFCC*[17] wherein the following directions were issued.

> *"22. For all these reasons, we direct that the procedure laid down in the impugned Notification be brought in consonance and in accord with the directions passed in the case of Deepak Kumar (supra) by (i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA; (iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance; (iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5 (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof; (v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment after mining closure in an area; (vi) the MoEF & CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining."*

9. The Sand Mining Guidelines and the Focus on Replenishment Study:

23. At this juncture, reference must be made to the Sustainable Sand Mining Management Guidelines 2016 and Enforcement and Monitoring Guidelines for Sand Mining 2020. They constitute binding directives for regulatory authorities, and their due observance is indispensable for safeguarding ecology and public interest.

[17] 2018 SCC OnLine NGT 2388.

A. Sustainable Sand Mining Management Guidelines, 2016:

24. The 2016 guidelines are based on the principle that unregulated sand mining is unsustainable and must be controlled. Compliance with existing and future laws is mandatory rather than optional. Leaseholders should be allowed to self-regulate, provided they demonstrate adherence to legal requirements. However, if self-regulation proves ineffective, stricter enforcement and monitoring will be necessary, with penalties imposed in accordance with the law. Additionally, environmental protection and public well-being must be prioritized, ensuring that natural resources are utilized responsibly to contribute positively and sustainably to the economy. The prime objective of the said Guidelines is to ensure that sand mining is done in an environmentally sustainable and socially responsible manner. The purpose and object of the guidelines is declared as under:

> *"Sustainable Development is built on three pillars - environmental, social and economic. Sustainable development cannot be achieved if the environment is protected but poverty is prevalent in a significant part of the population. Similarly, sustainable development cannot be achieved through inappropriate economic growth, if it undermines the environment in which people and businesses exists. These Guideliness support that fundamental concept, promoting environmental protection, limiting negative physiological, hydrological and social impacts under pinning sustainable economic growth.*
>
> *Sand and gravel have long been used as aggregate for construction of roads and building. Today, the demand for these materials continues to rise. In India, the main sources of sand*

are river flood plain, coastal sand, paleo channel sand, and sand from agricultural fields.

River sand mining is a common practice as habitation concentrates along the rivers and the mining locations are preferred near the markets or along the transportation route, for reducing the transportation cost. River sand mining can damage private and public properties as well as aquatic habitats. Excessive removal of sand may significantly distort the natural equilibrium of a stream channel.

Removing sediment from the active channel bed in river interrupt the continuity of sediment transport through the river system, disrupting the sediment mass balance in the river downstream and induces channel adjustments (usually incision) extending considerable distances (commonly one kilometer or more) beyond the extraction site.

The magnitude of the impact basically depends on the magnitudes of the extraction relative to bed load sediment supply and transport through the reach. Implementation of the principles and processes outlined in this Guidelines will limit the negative externalities of sand and gravel mining."

25. Explaining the method and manner by which sustainable sand and gravel mining are to be undertaken, the guidelines provide that:

The broad principle on which any sustainable sand mining Guidelines / policy can be based is that river/ natural resources must be utilized for the benefit of the present and future generation, so river resources should be prudently managed and developed. The preparation of District Survey Report is an important initial step.

The Processes under the Guidelines:

(a) Identification of areas of aggradation / deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited. Use of satellite imagery for identifying areas of sand deposit and quantity be done.

(b) Calculation of annual rate of replenishment and allowing time for replenishment after mining in area.

(c) Identifying ways of scientific and systematic mining.

(d) Identifying measures for protection of environment and ecology.

(e) Determining measures for protection of bank erosion.

(f) A bench mark (BM) with respect to mean sea level (MSL) should be made essential to in mining channel reaches (MCR). Below which no mining shall be allowed.

(g) Identifying steps for conservation of mineral.

(h) Permanent gauging facilities (for discharge and sediment both) should be made compulsory for the sites having excessive mining in consultation with Central Water Commission or any competent State Agency.

(i) Implementing safeguards for checking illegal and indiscrete mining.

Following the above processes, to begin with it is important to prepare a survey document mapping the status of sand sources in a district. This survey should be conducted and report be prepared for each district. Though it is an acceptable fact that rivers cut across districts and States and every river is an ecosystem in itself. But, keeping in view the fact that the district is the most established unit of administration at which this kind of survey, planning and monitoring can be ensured effectively, it is proposed that every district will prepare this document taking the river stretch in that district as an ecological unit and inventorising other sources of sand in the district.

(emphasis supplied)

26. As per the 2016 Guidelines, the preparation of DSR is essential for (i) identification of areas of aggradation/deposition where mining can be allowed, (ii) calculation of annual rate of replenishment, (iii) identifying ways of scientific and systematic mining, (iv) implementing safeguards in place to ensure the mining carried out is sustainable. The scope of the DSR should include detailed information for each district, covering rivers, streams, and other sand sources, along with the availability of sand, gravel, and aggregate resources. It must also provide data on existing mining

leases for these materials. Additionally, the classification of mining areas should distinguish between sections of rivers, streams, and other sources that are suitable for sand and aggregate extraction and those where such activities are strictly prohibited. It is further provided that such survey document shall be prepared in the district based on direct and indirect benefits of mining and identification of the potential threats to the river/stream beds in the district.

B. Enforcement and Monitoring Guidelines for Sand Mining, 2020:

27. While the 2016 guidelines focus on management of sand mining in the country, it was felt that there is a compelling need to provide guidelines for effective enforcement and also prescribe regulatory method for monitoring. With this objective, the Enforcement and Monitoring Guidelines for Sand Mining 2020 were issued. In paragraph 4, the 2020 guidelines provide the method of identification of possible sand mining source and preparation of the DSR and highlight that "*Preparation of District Survey Report is a very important step and sustainable sand mining in any part of the country will depends on the quality of District Survey Report.*"

"4.1.1 Preparation of District Survey Report.

Sustainable Sand Mining Guidelines, 2016" issued by MoEF&CC requires preparation of District Survey Report (DSR), which is an important initial step before grant of mining lease/LoI. The guidelines emphasize detailed procedure to be followed for the purpose of identification of areas of aggradation/ deposition where mining can be allowed and identification of areas of erosion and proximity to infrastructural structures and installation where mining should be prohibited. Calculation of annual rate of replenishment, allowing time for replenishment after mining, identification of ways of scientific and systematic mining; identifying measures for protection of environment and ecology and determining measures for protection of bank erosion, benchmark (BM) with respect to mean Sea Level (MSL) should be made essential in mining channel reaches (MCR) below which no mining shall be allowed."

28. The 2020 Guidelines lay special emphasis on the necessity to undertake replenishment study. It is provided thereunder that;

"***5.0 REPLENISHMENT STUDY***

The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excessing sand extraction. Mining within or near riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, in-stream roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of the above attributes may cause an impact on the ecological equilibrium of the riverine regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on in-stream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.

5.1 Generic Structure of Replenishment Study

Initially replenishment study requires four surveys. The first survey needs to be carried out in the month of April for recording the level of mining lease before the monsoon. The second survey is at the time of closing of mines for monsoon season. This survey will provide the quantity of the material excavated before the offset of monsoon. The third survey needs to be carried out after

the monsoon to know the quantum of material deposited/replenished in the mining lease. The fourth survey at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river. Based on the replenishment rate future auction may be planned.

The replenishment period may vary on nature of the channel and season of deposition arising due to variation in the flow. Such period and season may vary on the geographical and precipitation characteristic of the region and requires to be defined by the local agencies preferable with the help of the Central Water Commission and Indian Meteorological Department. The excavation will, therefore, be limited to estimated replenishment estimated with consideration of other regulatory provisions.

5.2. Methodology for Replenishment Study

5.2.1 Physical Survey of the field by the conventional method

5.2.2 Use of UAV/Drone and other image data processing techniques

5.2.3 Accuracy Assessment of Aerial Data

5.2.4 Replenishment study shall have the details of

- *List of instruments*
- *List of software*
- *Establishment of Benchmark by putting No. of pillar points and various Ground Control Points (GCP) at the site.*
- *Ground Control Points (GCP) Collection: - Various GCPs were observed by using DGPS for Permanent Benchmarks and for control points.*
- *The summary of the elevation data from each section's profile based on the post-monsoon the survey should have mentioned in the table form.*
- *The detail of post-monsoon survey data in the tabular form shall be*
- *The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be attached*
- *Cross-sectional depiction of deposition and erosion for each section in pre and post-deposition season shall be given supported by relevant field study data and plan."*

10. Need for replenishment study:

29. From the foregoing analysis, it is apparent that in light of Guidelines, 2016 and the Guidelines, 2020, the absence of a replenishment study renders a DSR fundamentally defective. These guidelines categorically require that any assessment of mineable mineral quantity must be premised on scientific estimation of replenishment rates, failing which the DSR lacks the foundational data necessary to determine sustainable extraction limits.

30. Over the past two decades, environmental statutory and regulatory law in India has undergone significant evolution, particularly in response to the challenges posed by unregulated and unsustainable sand mining. Recognizing the adverse ecological impacts of such activities, successive legal and policy frameworks have progressively tightened the requirements for environmental compliance. In order to appreciate the present controversy, it was necessary to retrace the legal trajectory. Recently, this Court has discussed, in detail, the legal regime surrounding the preparation, nature, scope and importance of DSR in *Gaurav Kumar* (supra). However, the focal point for present discussion is the value that must be appended to *replenishment study* before EC is granted to mining operations.

31. Demand for construction-grade sand is growing at a tremendous rate and it is said that the world is expected to run out of this resource by 2050. Construction-grade sand, can be found in aquatic environments, such as rivers and is a provisioning ecosystem service. Even under controlled circumstances, the practice of extracting sand from the riverbed and banks impacts the environment. In the physical environment, the primary effects are riverbed widening and lowering. In the biological environment, the overarching effect is a reduced biodiversity and stretches from the aquatic and shoreline flora and fauna to the whole floodplain area.[18] Due to easy access, river sand and gravel have been used extensively in construction projects. Depending on the mining operation method as well as morphologic and hydraulic characteristics of the river, sand mining may cause bed and bank erosion or other negative consequences for the river eco-system. It is, therefore, necessary to conduct appropriate studies, including that of replenishment to explore sustainable and cost-effective methods for river mining.[19]

[18] E.S. Rentier, L.H. Cammeraat, The Environmental Impacts of River Sand Mining, Science of the Total Environment, Vol. 838, Part I, 2022.
[19] Hamed Haghnazar, *et al* - Evaluation of infilling and replenishment of river sand mining pits, Environmental Earth Sciences, Vol. 79 (14), 2020.

32. Without a proper study of the existing position of the riverbed and its sustainability for further sand mining, grant of environmental clearances would be detrimental for the ecology. It has therefore been held that a detailed study leading to a preparation of the *replenishment report* is an integral part of the DSR. If the DSR becomes the foundation for consideration of an application for environmental clearance, then it is compelling to ensure replenishment studies are undertaken in advance and the report forms an integral part of the DSR.

33. In view of the existing legal regime that mandates preparation of *replenishment report* in a scientific manner and such a report forming an integral part of the District Survey Report, we hold that a District Survey Report without a proper replenishment study is equally untenable.

11. Application of law to the facts of the present case.

34. We will now consider the facts of the present case in light of the existing legal regime as applicable to sand mining. The Union Territory of Jammu & Kashmir, Department of Geology and Mining is said to have prepared the DSR of all the districts during the year 2017-18 as per the MoEF&CC notification. The National Highway Authority of India awarded a contract to the project proponent on

30.03.2021 for construction of a 4-lane bypass/ring road around Srinagar City. By its letter dated 07.05.2021, it directed the department to grant permission for mining at the identified sites to the project proponent to enable it to undertake the project. The Government also directed the project proponent to apply for permission under Rule 91 of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016. The Government reserved the four mineral blocks for the project proponent to excavate, develop and utilise the mineral. The project proponent in turn applied for environment clearances (EC) for extraction of sand and gravel in the 3 blocks.

35. The Jammu & Kashmir Expert Appraisal Committee by its order dated 03.01.2022 initially rejected the proposal for environmental clearance (EC). However, when the project proponent received *fit for mining* certificate from the department on 05.02.2022, the project proponent re-applied for grant of environmental clearance and the same was granted by J&K Expert Appraisal Committee by its order dated 02.03.2022. The committee specifically recorded that the District Survey Report is not formulated as per guidelines and therefore it needs revision for including the *replenishment data*. In our opinion, the J&K EAC committed a serious error in proceeding further with the DSR once

it realised that it is not formulated as per the MoEF&CC Notification 2016 and 2016 and 2020 Sand Mining Guidelines and also when the *replenishment data* is not complete. Further, the half-hearted approach adopted by the J&K EAC is evident from its final recommendation for grant of EC with *validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.*

36. The J&K Environment Impact Assessment Authority granted the environment clearance on 19.04.2022. The environment clearance was made subject to the following conditions.

> *"The Environment clearance is subject to Revision of mining plan in terms of Section 4.3(r) of Enforcement Monitoring Guidelines for Sand Mining-2020, issued by Ministry of Environment, Forests and Climate Change where-under the area of removal of minerals shall not exceed 60% of the mine lease area and any deviation or relaxation in this regard shall be adequately supported by the scientific report. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 34800MT, in view non-availability of replenishment data in the DSRs."*

37. It is unfortunate that J&K EIAA compromised with regulatory integrity by granting the environment clearances (EC) on the basis of a DSR without a *replenishment report*. The compromise sought to be achieved by permitting the project proponent to go ahead

with a "*restricted mining depth of maximum 1 meter and bulk density of 2.0 for production of the mineral and supplying it to maximum production of 34800 mt in view of non-availability of replenishment data*" is unacceptable. The illegality committed by the J&K EAC in so recommending is accentuated with the J&K EIAA in granting EC. This is how regulatory failure occurs.

38. We have already indicated that the respondent no.1 challenged the grant of environment clearance before the NGT. By the order impugned before us, the NGT allowed the appeal. We are in complete agreement with the following findings of the NGT:

> *"159. Learned Counsel appearing for PP also argued that mining activities only upto one meter depth was allowed and it takes care of absence of DSR and replenishment study but when questioned, could not show any provision where under if mining for one meter depth is allowed, in such a case requirement of preparation of DSR or replenishment study can be dispensed with. In fact, under EIA 2006 as amended by notifications dated 15.01.2016 and 25.07.2018, there is no exception in respect of preparation of DSR and the same thing has been reiterated in SSMG-2016 and EMGSM-2020.*
>
> *160. Non-preparation of DSR as per guidelines and absence of replenishment study is a fact which has not been disputed before us by Learned Counsel appearing for PP. Stand taken by respondent 1 and 4 in the written reply submitted before us also does not show anything otherwise."*

39. In view of the above discussion, we have no hesitation in upholding the decision of the NGT and dismissing the civil appeals of the UT of J&K, the NHAI and also that of the project proponent.

40. This takes us to issue no. 3, which relates to the allegation that project proponent has violated the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016. The Tribunal came to the conclusion that there is no evidence of such violation. As there is no cross appeal, this issue need not detain us any further.

41. Insofar as issues 4 and 5 are concerned, the allegation is that the project proponent has used heavy machines like JCB etc. for excavation. It is alleged by respondent no.1, a person interested in environment conservation, that the activity is in violation of condition no. 53 of the EC. The condition is as follows:

> *"53. Mining shall be done manually minimally supported by semi-mechanized methods. Heavy machinery like JCBs, Excavators/L&T hydraulic excavators etc. should not be allowed. Emphasis should be given to employment of locally available labour force to address the socio-economic concerns of the locals."*

42. The Tribunal came to the conclusion that there is in fact a violation and therefore directed J&K Pollution Control Board to take appropriate action. There is no need for us to interfere with this direction. The J&K Pollution Control Board will take its decision after giving the project proponent an opportunity of placing its case before it.

43. We are informed by Mr. Narender Hooda, learned senior counsel appearing on behalf of the project proponent that the project itself is complete and as such there is no further requirement of environment clearance. In this view of the matter, no further orders are necessary.

44. In view of the above, the appeals filed on behalf of the Union Territory of J&K, NHAI and the project proponent are dismissed. The parties shall bear their own costs.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ATUL S. CHANDURKAR]

NEW DELHI;
AUGUST 22, 2025

CHAPTER 8

REPLENISHMENT CALCULATION OF SAND GHAT

Methodology adopted for the sand replenishment study

1. **Field data collection** followed by cross section survey over the sections of fixed intervals along the river showing river bed material (RBM) with present elevations
2. **Remote sensing**- used for identification of watershed area relevant to the mine lease. The data used from the latest satellite imagery.
3. **Estimation of catchment yield and bed load transport**: The catchment yield has been computed using the Strange‟s runoff method (Strange‟s Monsoon runoff curves) for the runoff coefficient. The iso-pluvial maps of IMD have been used for estimation of catchment yield and peak flood discharge for the study area by various methods like Dickens, Jarvis, and Rational formula at 25, 50 and 100 years return period. The estimation of bed load transport comprises of use of analytical models namely the Einstein, Meyer Peter and Ackers &White‟s equation for calculation of bed loadtransport.

Study area:

Proposed leases are located all over the entire district. There are Four major Rivers in the District namely Wainganga, Chulbandh, Bavanthadi and Sur.

Rainfall Data for the study area:

The district receives 80% of the total rainfall during June to October. The average rainfall of the district is **1180.48**mm over 52-55 rainy days

Table no. 2 Strange's monsoon rainfall-runoff curves

Year	Rainfall (mm)	Year	Rainfall (mm)
1998	1266	**2012**	1363.2
1999	1108.7	**2013**	1691.2
2000	1139.5	**2014**	799.9
2001	1355.1	**2015**	1078.3
2002	1177.7	**2016**	927.9
2003	1393.3	**2017**	850.5
2004	765.3	**2018**	1029.6
2005	1622.8	**2019**	1286.5
2006	1031.9	**2020**	1172.4
2007	1313	**2021**	1099.8
2008	974.4	**2022**	1447.9
2009	983.6	**2023**	1142.4
2010	1558.7	**2024**	1232.5
2011	1113.1	**2025**	1180.0
Average Rainfall in mm			**1182.32**

Source- www.maharain.com

The dependability has been calculated on the basis of last 28 years rainfall, as indicated in Table-2 where water availability has been considered for arriving at 50% dependability (Table-3 and 4), respectively.

Table no. 3: Rainfall data (arranged in descending order, mentioning serial number/order number m) of each year's rainfall

S.N., i.e.order number (m)	Rainfall (mm)	S.N., i.e.order number (m)	Rainfall (mm)
1.	765.3	12.	1139.5
2.	799.9	13.	1177.7
3.	850.5	14.	1266
4.	927.9	15.	1286.5
5.	974.4	16.	1313
6.	983.6	17.	1355.1
7.	1029.6	18.	1363.2
8.	1031.9	19.	1393.3
9.	1078.3	20.	1558.7
10.	1108.7	21.	1622.8
11.	1113.1	22.	1691.2

Table no. 3: Calculation of order number (m)

	Rainfall dependability percentage
	p=50%
m =	N x p/100
	N= 28, p = 50
m =	**14**

Here, m = Order number

N = The available rainfall data of the past N years is first of all arranged in the descending order of magnitude

p = Dependability percentage

The rainfall value tabulated above in Table -3, the Order No. 11 has the values of 1266 mm

So, $\mathbf{P_{50\%} = 111.3\ cm}$

Average value of Strange's Run off percentage is calculated from Strange‟s monsoon rainfall-runoff curves **(Figure-8)** considering the catchment area as good and the Runoff % for the area is:

Runoff % at 50% dependability of rainfall = 43%

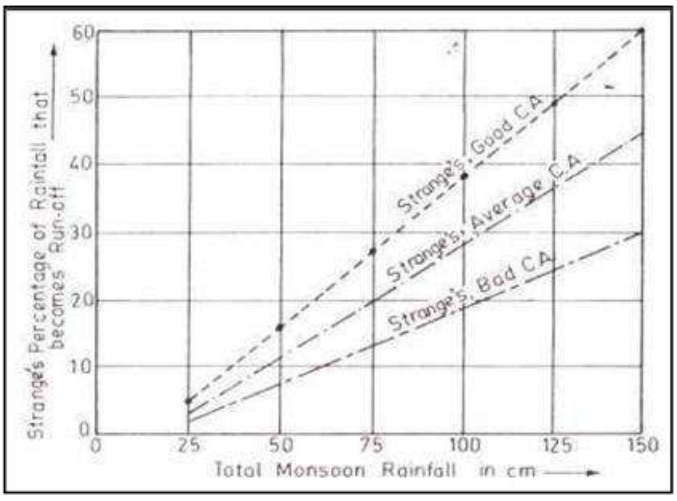


Figure-8Strange's monsoon rainfall-runoff curves

Sediment Transport Analysis

The sediment transport analysis is based on three different steps with various equations pertaining to stream process, dealing with critical dimensionless shear, another one relative roughness and boundary resistance and the last one bed load equations.

Flow Resistance from Relative Roughness

Colebrook-White equation, of which a number of variations exist, has the general form U/U* = A log(B*relative roughness)

Resistance Factor = velocity / shear velocity = U/U*

-Where:

U = velocity

U* = shear velocity

Value varies from about 2 for rough streambeds to 16 for smooth. U/U* is related to common resistance equations as follows:

Manning's roughness coefficient (n): U/U* = R(1/6)/(ng0.5)

D'Arcy-Weisbach friction factor (f): $U/U^* = (8/f)^{0.5}$

Because the Colebrook-White equation is a function of measurable values; depth and particle size, other roughness coefficients can be made functions of depth and particle size in generally straight uniform gravel-bed streams where resistance is dominated by boundary roughness

Shield's Threshold of Motion Equation.

$D_s = \Delta / ((\Delta_s - \Delta)\ g\ 0.06)(304.8)$

D_s=diameter sediment particle (mm)

Δ =shear stress=(Δg)(depth)(slope) (lb/ft^2)(N/m^2)

Δ_s=density of sediment (5.15 $slugs/ft^3$) or (2560 kg/m^3)

Δ =density of water (1.94 $slugs/ft^3$) (1000 kg/m^3) g=gravitational acceleration (32.2 ft/s^2) (9.81 m/s^2)

0.06 = Shield's parameter typically in the range of 0.04 to 0.07 Conversion Constant 304.8 mm/ft or 1000 mm/m

In gravel-bed streams at bankfull flow the particle at the threshold of motion is often near in size to the D_{50} of mobile bed surface material.

Bedload Sediment Rate

Three common bed load equations are Ackers and White, Meyer-Peter and Einstein. Many more equations exist, some of which are more appropriate for different conditions. The most appropriate for non-perenial streams applicable to this study is the Meyer-Peter equation, although calculations have been done for all

three. Out of the 3 methods considered, the Meyer-Peter equation gives the reliable value for bed load sediment rate calculation. Considering it has the most suitable equation for Non-perennial Rivers of Maharashtra.

Results

The sediment transport analysis was performed using "Sediment Equations, version 4.0" software developed by Department of Natural Resources, Ohio University, USA.

Table no. 4:Analysis result using Threshold of Motion

Threshold of Motion		Wainganga	Bawanthadi	Chulbandh	Sur	metric units
depth	d	**1.5**	**1**	**1.1**	**1.3**	m
slope	S	**0.00156**	**0.00142**	**0.00170**	**0.00155**	m/m
diameter sediment	d_s	**0.002**	**0.002**	**0.002**	**0.002**	m
Gravitational acceleration	g	9.81	9.81	9.81	9.81	m/sec^2
density fluid	r_f	1000	1000	1000	1000	kg/m^3
density sediment	r_s	2250	2250	2250	2250	kg/m^3
specific weight of water	γ	9810	9810	9810	9810	N/m^3
		1000	1000	1000	1000	kg_f/m^3
shear stress	t	23.0	13.9	18.3	19.8	N/m^2
		2.3	1.4	1.9	2.0	kg_f/m^2
Shields parameter	τ_{*c}	0.936	0.568	0.748	0.806	dimensionless
Particle at threshold of motion	D_{cr}	0.03	0.02	0.02	0.03	m

Table no. 5: Analysis result for Bedload per unit channel width

Bedload per unit channel width		Wainganga	Bawanthadi	Chulbandh	Sur	metric units
depth	d	**1.5**	**1**	**1.1**	**1.3**	m
slope	S	**0.00156**	**0.00142**	**0.0017**	**0.00155**	m/m
diameter sediment	d_s	**0.002**	**0.002**	**0.002**	**0.002**	m
gravitational acceleration	g	9.81	9.81	9.81	9.81	m/sec^2
density fluid	r_f	1000	1000	1000	1000	kg/m^3
density sediment	r_s	2250	2250	2250	2250	kg/m^3
relative density	s	2.25	2.25	2.25	2.25	
shear stress	t	23.0	13.9	18.3	19.8	N/m^2
dimensionless parameter	Y	1.07	1.76	1.34	1.24	
bed-load transport (Meyer-Peter)	F	6.706	3.008	4.695	5.290	
	q_s	**0.00210**	**0.00094**	**0.00147**	**0.00166**	m^2/s
bed-load transport (Einstein$_{42}$)	F	1.416	1.080	1.275	1.324	
	q_s	**0.00044**	**0.00034**	**0.00040**	**0.00041**	m^2/s
Ackers and White	n	0.019	0.018	0.019	0.019	
	U	2.77	2.04	2.37	2.52	m/s
	q_b	**0.00076**	**0.00033**	**0.00051**	**0.00059**	m^2/s

1. Therefore, based on the Meyer-Peter analysis, the bed load transport for the studied river Wainganga reach taking average width as 123 meters is **15197 MT/day or 12,15,751 MT/year** taking 80 days as river flow.
2. Therefore, based on the Meyer-Peter analysis, the bed load transport for the studied river Bawanthadi

reach taking average width as 120 meters is **8352 MT/day or 6,68,158 MT/year** taking 80 days as river flow

3. Therefore, based on the Meyer-Peter analysis, the bed load transport for the studied river Chulbandh reach taking average width as 50 meters is **5,535 MT/day or 4,42,844 MT/year** taking 80 days as river flow

4. Therefore, based on the Meyer-Peter analysis, the bed load transport for the studied river Sur reach taking average width as 50 meters is **6180.20 MT/day or 4,94,416 MT/year** taking 80 days as river flow.

Table no. 6: Status of Sand Replenishment against annual planned production

Total Reserve MT (Considering Proposed mineable depth and reserved depth 2m)	Proposed production MT	Replenishment capacity MT	Status
1,48,32,342	**74,16,171**	**28,21,169**	**Replenishment is more than planned Excavation**

River wise Distribution of sand ghat for replenishment study:

Wainganga River: The Wainganga rises in the Mahadeo Hills in south-central Madhya Pradesh state and flows 360 miles (580 km) south to join the Wardha river (a headwater of Godavari), northeast of Kagaznagar in Maharashtra state. Along the final 142 miles (229 km) of its course, the river forms the boundary between Maharashtra and Telangana states and is known as the Pranhita. The river receives water from numerous tributaries, notably the Bagh, Bawanthadi, Kanhan, Chulband, Garhvi, and Thanwar rivers. The river drains into the eastern Nagpur plain and the areas around Seoni and Chhindwara. During the rainy season the river is navigable for only a short distance upstream from the confluence with the Bagh River.

Tehsil	River	Length of the river
Tumsar	Wainganga	33.6 km
Mohadi	Wainganga	9.3 km
Bhandara	Wainganga	35.4 km
Pauni	Wainganga	30.75 km
Lakhandur	Wainganga	22.3 km

Table 7: Shows total depth and available depth of sand for mining year 2015-2016

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr.)	Available sand for mining in (mtr.)
1	Bhandara	Kothurna	Wainganga	3	1
2	Bhandara	Mandavi A & B	Wainganga	3 & 2.5	1 & 0.5
3	Pawni	Umri	Wainganga	3	1
4	Pawni	Pawni	Wainganga	2.5	0.5
5	Tumsar	Mandavi	Wainganga	3	1
6	Mohadi	Nilaj Bu	Wainganga	3	1
7	Lakhandur	Gavrala	Wainganga	2.5	0.5

Table 8: Shows total depth and available depth of sand for mining year 2016-2017

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Bhandara	Mandvi	Wainganga	3	1
2	Pawni	Junona	Wainganga	3	1
3	Pawni	Walni	Wainganga	3	1
4	Pawni	UmriChouk	Wainganga	2.5	0.5
5	Pawni	Gudegaon-Khatkheda	Wainganga	3	1
6	Pawni	Pawni	Wainganga	2.5	0.5
7	Tumsar	Tamsawadi	Wainganga	3	1
8	Tumsar	Brahmni	Wainganga	3	1
9	Tumsar	Chargaon	Wainganga	2.5	0.5
10	Tumsar	Mandvi	Wainganga	2.5	0.5
11	Mohadi	Betala A	Wainganga	3	1
12	Mohadi	Betala B	Wainganga	3	1
13	Mohadi	Kanhalgaon	Wainganga	2.5	0.5
14	Mohadi	Dhiwarwada-2	Wainganga	3	1
15	Mohadi	Nilaj Bu, NilajKhu, MundhariKhu	Wainganga	3	1
16	Lakhandur	Moharna	Wainganga	3	1
17	Lakhandur	Itan	Wainganga	3	1
18	Lakhandur	Nanded	Wainganga	3	1
19	Lakhandur	Gavarala	Wainganga	2.5	0.5

Table 9: Shows total depth and available depth of sand for mining year 2017-2018

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Bhandara	Takli	Wainganga	2.5	0.5
2	Pawni	Walni	Wainganga	3	1
3	Pawni	Umri-Isapur B	Wainganga	3	1
4	Pawni	Umri-Isapur A	Wainganga	3	1
5	Pawni	Itagaon	Wainganga	3	1
6	Pawni	Bhojapur	Wainganga	3	1
7	Tumsar	Bamhni	Wainganga	3	1
8	Tumsar	Chargaon	Wainganga	3	1
9	Tumsar	Mandvi	Wainganga	2.5	0.5
10	Mohadi	Betala South	Wainganga	3	1
11	Mohadi	NilajKhu, Mundrikhu	Wainganga	2.5	0.5
12	Mohadi	Nilaj Bu	Wainganga	2.5	0.5
13	Lakhandur	Mohrna	Wainganga	3	1
14	Lakhandur	Itan	Wainganga	3	1

Table 10: Shows total depth and available depth of sand for mining year 2018-2019

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Lakhandur	Moharna	Wainganga	3	1
2	Lakhandur	Itaan	Wainganga	3	1
3	Pawni	Pawni	Wainganga	4	0.5
4	Pawni	Walni	Wainganga	3.5	0.5
5	Pawni	Yenoda	Wainganga	3	0.5
6	Bhandara	Betala south	Wainganga	2.5	0.5
7	Pawni	Bhojapur	Wainganga	3.75	0.75
8	Tumsar	Bamhni	Wainganga	3.5	0.5
9	Tumsar	Chargaon	Wainganga	2.5	0.5
10	Mohadi	Dhiwarwada	Wainganga	4.0	0.5
11	Bhandara	Kothurna	Wainganga	3	1.20
12	Bhandara	Mandvi	Wainganga	3	1
13	Tumsar	Mandvi	Wainganga	3.5	0.5
14	Mohadi	Nilaj Bu	Wainganga	3.5	0.5
15	Mohadi	NilajKhu	Wainganga	4	0.5
16	Bhandara	Takli	Wainganga	3	1
17	Pawni	Itgaon	Wainganga	2.5	0.5

Table 11: Shows total depth and available depth of sand for mining year 2022-2023

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Lakhandur	Moharna	Wainganga	3	1
2	Lakhandur	Gavrala	Wainganga	3	1
3	Lakhandur	Kairna	Wainganga	3.5	1
4	Lakhandur	Nanded	Wainganga	2.5	1
5	Lakhandur	Vihirgaon	Wainganga	3	1
6	Lakhandur	Donad	Wainganga	3	1
7	Pauni	Pauni	Wainganga	4	1.50
8	Pauni	Walni	Wainganga	3.5	1
9	Pauni	Yenoda	Wainganga	3	1
10	Bhandara	Wadegaon (Rithi)	Wainganga	3	1
11	Pauni	Bhojapur	Wainganga	3.75	1
12	Tumsar	Bamhni	Wainganga	3.5	1
13	Tumsar	Chargaon	Wainganga	2.5	1
14	Mohadi	Dhiwarwada	Wainganga	4.0	1
15	Bhandara	Kothurna	Wainganga	3	1
16	Bhandara	Mandvi	Wainganga	3	1
17	Tumsar	Mandvi	Wainganga	3.5	1
18	Mohadi	Nilaj Bu	Wainganga	3.5	1
19	Mohadi	NilajKhu	Wainganga	4	1.50
20	Bhandara	Takli	Wainganga	3	1
21	Pauni	Gudegaon	Wainganga	3	1
22	Pauni	Itgaon	Wainganga	2.5	1
23	Pauni	Khatkheda	Wainganga	3	1
24	Pauni	Kurza	Wainganga	2.5	1
25	Pauni	Junona	Wainganga	3	1
26	Pauni	Vilam	Wainganga	3	1
27	Pauni	Shivnala	Wainganga	2.5	1
28	Tumsar	PanjaraRengepar	Wainganga	3.5	1

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
29	Tumsar	Sukadi	Wainganga	3	1
30	Tumsar	Tamaswadi	Wainganga	2.5	1
31	Tumsar	Umarwada	Wainganga	2.5	1
32	Mohadi	Betala (South)	Wainganga	3	1
33	Mohadi	Betala (North)	Wainganga	3	1
34	Mohadi	Devadakhurd	Wainganga	3	1
35	Mohadi	Mundhari Bhuj	Wainganga	4	1
36	Mohadi	Kahalgaon	Wainganga	3.5	1

Table 12: Shows total depth and available depth of sand for mining year 2023-2024

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Lakhandur	Moharna	Wainganga	3	1
2	Lakhandur	Gavrala	Wainganga	3	1
3	Lakhandur	Kairna	Wainganga	3.5	1
4	Lakhandur	Nanded	Wainganga	2.5	1
5	Lakhandur	Vihirgaon	Wainganga	3	1
6	Lakhandur	Donad	Wainganga	3	1
7	Pauni	Pauni	Wainganga	4	1.50
8	Pauni	Walni	Wainganga	3.5	1
9	Pauni	Yenoda	Wainganga	3	1
10	Bhandara	Wadegaon (Rithi)	Wainganga	3	1
11	Pauni	Bhojapur	Wainganga	3.75	1
12	Tumsar	Bamhni	Wainganga	3.5	1
13	Tumsar	Chargaon	Wainganga	2.5	1
14	Mohadi	Dhiwarwada	Wainganga	4.0	1
15	Bhandara	Kothurna	Wainganga	3	1
16	Bhandara	Mandvi	Wainganga	3	1
17	Tumsar	Mandvi	Wainganga	3.5	1
18	Mohadi	Nilaj Bu	Wainganga	3.5	1
19	Mohadi	NilajKhu	Wainganga	4	1.50
20	Bhandara	Takli	Wainganga	3	1
21	Pauni	Gudegaon	Wainganga	3	1
22	Pauni	Itgaon	Wainganga	2.5	1
23	Pauni	Khatkheda	Wainganga	3	1
24	Pauni	Kurza	Wainganga	2.5	1
25	Pauni	Junona	Wainganga	3	1
26	Pauni	Vilam	Wainganga	3	1
27	Pauni	Shivnala	Wainganga	2.5	1
28	Tumsar	Panjara Re	Wainganga	3.5	1
29	Tumsar	Sukadi	Wainganga	3	1
30	Tumsar	Tamaswadi	Wainganga	2.5	1
31	Tumsar	Umarwada	Wainganga	2.5	1
32	Mohadi	Betala (South)	Wainganga	3	1
33	Mohadi	Betala (North)	Wainganga	3	1
34	Mohadi	Devadakhurd	Wainganga	3	1
35	Mohadi	Mundhari Bhuj	Wainganga	4	1
36	Mohadi	Kahalgaon	Wainganga	3.5	1

Table 13: Shows Proposed total depth and available depth of sand for mining year 2025-26

SI. No.	Name of sand ghat	Tahsil	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1.	Wadegaon (Rithi)	Bhandara	Wainganga	3.5	1.2
2.	Mandavi	Bhandara	Wainganga	3	1
3.	Kothurna	Bhandara	Wainganga	3	1
4.	Juni Takli	Bhandara	Wainganga	3.5	1.2
5.	Bhojapur	Pauni	Wainganga	3	1
6.	Khatkheda 1	Pauni	Wainganga	3.5	1.5
7.	Vilam	Pauni	Wainganga	3.5	1.5
8.	Mangli 1	Pauni	Wainganga	3.5	1.5
9.	Junona 2	Pauni	Wainganga	3.5	1.5
10.	Yenoda	Pauni	Wainganga	3.5	1.3
11.	Junona	Pauni	Wainganga	3.5	1.5
12.	Gudegaon	Pauni	Wainganga	3.5	1.5
13.	Pauni	Pauni	Wainganga	3.3	1.2
14.	Pauni 2	Pauni	Wainganga	3.3	1.3
15.	Shivnala	Pauni	Wainganga	3.5	1.5
16.	Walni 1	Pauni	Wainganga	3.5	1.5
17.	Walni 2	Pauni	Wainganga	3.5	1.5
18.	Itgaon	Pauni	Wainganga	3	1
19.	Kurza	Pauni	Wainganga	3.2	1.2
20.	Ruyad	Pauni	Wainganga	3.5	1.5
21.	Khaksi	Pauni	Wainganga	3.5	1.5
22.	Dhanori	Pauni	Wainganga	3.5	1.5
23.	Visapur	Pauni	Wainganga	3.5	1.5
24.	Kodurli	Pauni	Wainganga	3.5	1.2
25.	Khairna	Lakhandur	Wainganga	3.5	1.5
26.	Donad	Lakhandur	Wainganga	3.5	1
27.	Moharna 2	Lakhandur	Wainganga	3.5	1.5
28.	Irali Dambi	Lakhandur	Wainganga	3.5	1.5
29.	Nanded 1	Lakhandur	Wainganga	3.5	1.3
30.	Moharna 1	Lakhandur	Wainganga	3.5	1.5
31.	Gavrala1	Lakhandur	Wainganga	3.5	1.6
32.	Gavrala 2	Lakhandur	Wainganga	3.5	1.6
33.	Gavrala 3	Lakhandur	Wainganga	3.5	1.6
34.	Vihirgaon	Lakhandur	Wainganga	2.5	0.5
35.	Tembhari	Lakhandur	Wainganga	3.5	1.5
36.	Itan	Lakhandur	Wainganga	3.5	1.5
37.	Dhiwarwada 1	Mohadi	Wainganga	3.5	1.6
38.	Mundhri Khu	Mohadi	Wainganga	4	1.7
39.	Mundhri Bu	Mohadi	Wainganga	3.6	1.6
40.	Kanhalgaon	Mohadi	Wainganga	3.5	1.5
41.	Devhada Kh.	Mohadi	Wainganga	3.2	1.2

42.	Nilaj Khu	Mohadi	Wainganga	3.5	1.5
43.	Betala South	Mohadi	Wainganga	3.5	1.6
44.	Betala North	Mohadi	Wainganga	3.5	1.6
45.	Nilaj Bu 1	Mohadi	Wainganga	3.5	1.5
46.	Nilaj Bu 2	Mohadi	Wainganga	3.6	1.6
47.	Betala (Ghatkuroda)	Mohadi	Wainganga	3.5	1.5
48.	Mandvi 1	Tumsar	Wainganga	3.5	1.5
49.	Mandvi 2	Tumsar	Wainganga	3.6	1.2
50.	Sukli de	Tumsar	Wainganga	3.5	1.2
51.	Chargaon	Tumsar	Wainganga	3.5	1.5
52.	Umarwada	Tumsar	Wainganga	3	1.2
53.	Panjra Re	Tumsar	Wainganga	3.5	1.5
54.	Tamaswadi	Tumsar	Wainganga	3	1.5
55.	Koshti	Tumsar	Wainganga	3	1.5
56.	Bori	Tumsar	Wainganga	3.5	1.2
57.	Bamhani	Tumsa	Wainganga	3.2	1.5

From the above data, it shows that replenishment rate of sand for River Wainganga is 1.8m/Year approximately. Replenishment rate of river varies from year to year and affected by-various factors like annual rainfall, lithology, flow rate of water, geology, geomorphology, etc.

Chulband River: Chulband River flows in the Bhandara and Gondia district of Maharashtra. Chulband River is one of tributaries of Godavari River. A dam named on the river; Chulband Dam is built across the Chulband River to supply water to the nearby regions of the river.

Tehsil	River	Length of the river
Sakoli	Chulband	33 km
Lakhandur	Chulband	44 km

Table 13: Shows total depth and available depth of sand for mining year 2015-2016

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Sakoli	Sasra B	Chulband	3	1
2	Sakoli	Vihirgaon	Chulband	2.5	0.5
3	Sakoli	Parsodi (Powartoli)	Chulband	3	1
4	Sakoli	Mahalgaon B	Chulband	3	1
5	Sakoli	Parsodi (Maleghat)	Chulband	3	1
6	Lakhani	Narva	Chulband	2.5	0.5
7	Lakhandur	DighoriMothi	Chulband	2.5	0.5
8	Lakhandur	Dharmapuri	Chulband	2.5	0.5
9	Lakhandur	Lakhandur	Chulband	2.5	0.5

Table 14: Shows total depth and available depth of sand for mining year 2016-2017

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Lakhani	Pathari	Chulband	2.5	0.5
2	Lakhani	Marhegaon	Chulband	2.5	0.5
3	Lakhani	Narvha	Chulband	2.5	0.5

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
4	Lakhani	Bhugaon	Chulband	2.5	0.5
5	Lakhani	Palasagaon	Chulband	2.5	0.5
6	Sakoli	Mahalgaon A	Chulband	2.5	0.5
7	Sakoli	Mahalgaon B-Umri	Chulband	2.5	0.5
8	Sakoli	Watetekar	Chulband	2.5	0.5
9	Sakoli	Parsodi-Maleghat	Chulband	2.5	0.5
10	Sakoli	Lavari	Chulband	2.5	0.5
11	Sakoli	Dharmapuri west	Chulband	2.5	0.5
12	Sakoli	Sasra B	Chulband	3	1
13	Lakhandur	DighoriMothi	Chulband	2.5	0.5
14	Lakhandur	Asola	Chulband	2.5	0.5
15	Lakhandur	Lakhandur	Chulband	2.5	0.5
16	Lakhandur	Dharmapuri	Chulband	2.5	0.5
17	Lakhandur	AntargaonKha	Chulband	2.5	0.5

Table 15: Shows total depth and available depth of sand for mining year 2017-2018

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Sakoli	Parsodi (Powartoli)	Chulband	2.5	0.5
2	Sakoli	Parsodi (Maleghat)	Chulband	2.5	0.5
3	Lakhani	Pathari	Chulband	2.5	0.5
4	Lakhani	Marhegaon	Chulband	2.5	0.5
5	Lakhani	Bhugaon	Chulband	2.5	0.5
6	Lakhani	Palasagaon	Chulband	2.5	0.5
7	Lakhandur	Asola	Chulband	2.5	0.5
8	Lakhandur	AntargaonKha	Chulband	2.5	0.5

Table 16: Shows total depth and available depth of sand for mining year 2018-2019

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Sakoli	Mahalgaon-A	Chulband	2.6	0.6
2	Sakoli	Parsodi (Powartoli)	Chulband	3	0.9
3	Sakoli	Parsodi (Maleghat)	Chulband	2.5	0.5
4	Sakoli	Girola	Chulband	2.6	0.6
5	Sakoli	Parsodi(Amrai)	Chulband	2.5	0.5
6	Sakoli	Sasra-B	Chulband	2.5	0.5
7	Lakhani	Pathari	Chulband	2.5	0.5
8	Lakhani	Palasgaon	Chulband	2.5	0.5
9	Lakhani	Wakal	Chulband	2.5	0.5
10	Lakhandur	Asola	Chulband	2.5	0.5
11	Lakhandur	Antargaon-Kha	Chulband	2.5	0.5
12	Lakhandur	Kholmara	Chulband	3	1

Table 17: Shows total depth and available depth of sand for mining year 2022-23

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Sakoli	Parsodi (Powartoli)	Chulband	3	1
2	Sakoli	Parsodi (Maleghat)	Chulband	2.5	1

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
3	Sakoli	Parsodi (Amrai)	Chulband	2.5	1
4	Sakoli	Sasra	Chulband	3	1.50
5	Sakoli	Salebardi	Chulband	2.5	1
6	Sakoli	Watetekar	Chulband	2	1
7	Sakoli	Khandala	Chulband	3.5	1
8	Lakhani	Vihirgaon/ K	Chulband	3.5	1.50
9	Lakhani	Narvha	Chulband	3.5	1.50
10	Lakhani	Palasgaon	Chulband	3	1.20
11	Lakhani	Wakal	Chulband	3.5	1.20
12	Lakhani	Miregaon	Chulband	3.5	1.20
13	Lakhani	Mharegaon	Chulband	3.3	1.20
14	Lakhandur	Asola	Chulband	3	1
15	Lakhandur	Antargaon-Kha	Chulband	3	1
16	Lakhandur	Kholmara	Chulband	3	1
17	Lakhandur	Lakhandur	Chulband	3	1
18	Lakhandur	Bhagadi	Chulband	3	1

Table 18: Shows total depth and available depth of sand for mining year 2023-24

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Sakoli	Wattekar	Chulband	3	1.00
2	Sakoli	Salebardi	Chulband	3	1.00
3	Sakoli	Sasra	Chulband	3	1.50
4	Sakoli	Khandala	Chulband	3	1.00
5	Sakoli	Parsodi (Maleghat)	Chulband	3	1.00
6	Sakoli	Parsodi (Aamrai)	Chulband	3	1.00
7	Lakhani	Palasgaon	Chulband	3.5	1.2
8	Lakhani	Miregaon	Chulband	3.5	1.2
9	Lakhani	Wakal	Chulband	3.5	1.2
10	Lakhani	Vihirgaon	Chulband	3.5	1.5
11	Lakhani	Narvha	Chulband	3.5	1.5
12	Lakhani	Marhegaon	Chulband	3.5	1.2
13	Lakhandur	Asola	Chulband	3	1
14	Lakhandur	Lakhandur	Chulband	3	1
15	Lakhandur	Aantargaon Kh.	Chulband	3	1
16	Lakhandur	Bhagdi	Chulband	3	1

Table 19: Shows total depth and available depth of sand for mining year2025-26

SI. No.	Name of sand ghat	Tahsil	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1.	Wattetkar	Sakoli	Chulbandh	3	1
2.	Salebardi	Sakoli	Chulbandh	3	1
3.	Sasra	Sakoli	Chulbandh	3	1
4.	Khandala	Sakoli	Chulbandh	3	1
5.	Parsodi (Madeghat)	Sakoli	Chulbandh	3	1
6.	Parsodi (Amrai)	Sakoli	Chulbandh	3	1

Sl. No.	Name of sand ghat	Tahsil	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
7.	Parsodi (Powartoli)	Sakoli	Chulbandh	3	1
8.	Mahalgaon	Sakoli	Chulbandh	3	1
9.	Jambhali	Sakoli	Chulbandh	3	1
10.	Nyaharwani	Sakoli	Chulbandh	3	1
11.	Palasgaon	Lakhani	Chulbandh	3.2	1.1
12.	Marhegaon	Lakhani	Chulbandh	3	0.7
13.	Wakal	Lakhani	Chulbandh	3.2	1.1
14.	Vihirgaon	Lakhani	Chulbandh	3	0.8
15.	Narwha 1	Lakhani	Chulbandh	3	0.8
16.	Narwa 2	Lakhani	Chulbandh	3	0.7
17.	Pathari	Lakhani	Chulbandh	3	0.7
18.	Kholmara	Lakhandur	Chulbandh	3	1
19.	Lakhandur	Lakhandur	Chulbandh	3	1
20.	Asola	Lakhandur	Chulbandh	3	0.5
21.	Bhagadi 1	Lakhandur	Chulbandh	3	0.5
22.	Antargaon Kha.	Lakhandur	Chulbandh	3	1
23.	Dandegaon	Lakhandur	Chulbandh	3.5	1
24.	Dhamapuri	Lakhandur	Chulbandh	3.5	1.5
25.	Kocchi	Lakhandur	Chulbandh	2.5	0.5
26.	Dighori Mothi	Lakhandur	Chulbandh	2.5	0.5
27.	Barvha	Lakhandur	Chulbandh	4	1.2
28.	Bhagdi 2	Lakhandur	Chulbandh	2.5	0.5
29.	Soni	Lakhandur	Chulbandh	3	1

From the above data, it shows that replenishment rate of sand for River Chulband is 1.6m/year approximately. Replenishment rate of river is varies from year to year and affected by various factors like annual rainfall, lithology, flow rate of water, geology, geomorphology, ect.

Sur Nadi: Sur River is a tributary of Wainganga River and flows in the districts of Bhandara and Nagpur in Maharashtra, India. It is located at an elevation of 341m above sea level. Ramtek Dam is situated on the Sur River. It is a very old dam which has been projected by the British. Since, Bhandara is an agricultural center for the farmers majorly growing rice; the dam fulfils its purpose by supplying sufficient water for irrigation. The city is split between two rivers one is Wainganga and other is Sur Nadi.

Tehsil	River	Length of the river
Mohadi	Sur Nadi	10.6 km
Bhandara	Sur Nadi	16 km

Table 19: Shows total depth and available depth of sand for mining year 2015-2016

Sl. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Pachgaon 2	Sur	3	1
2	Mohadi	Mohgaon Devi	Sur	2.5	0.5

Table 20: Shows total depth and available depth of sand for mining year 2016-2017

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Takli	Sur	2.5	0.5
2	Mohadi	Pachgaon 2	Sur	3	1
3	Mohadi	Mohgaon Devi	Sur	2.5	0.5
4	Mohadi	Bothali	Sur	2.5	0.5

Table 21: Shows total depth and available depth of sand for mining year 2017-2018

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Panjara	Sur	2.5	0.5
2	Mohadi	Bothali	Sur	2.5	0.5

Table 22: Shows total depth and available depth of sand for mining year 2018-2019

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Mohgaon Devi	Sur	2.5	0.5
2	Mohadi	Bothali	Sur	2.5	0.5
3	Mohadi	Panjara	Sur	2.5	0.5
4	Mohadi	Takali	Sur	2.5	0.5

Table 23: Shows total depth and available depth of sand for mining year 2022-2023

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Mohgaon Devi	Sur	2.5	1
2	Mohadi	Bothali	Sur	2	1
3	Mohadi	Pachgaon	Sur	3	1
4	Mohadi	Takali	Sur	2.5	1

Table 24: Shows total depth and available depth of sand for mining year 2023-2024

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Mohadi	Takli	Sur	2	1
2	Mohadi	Panchgaon 1	Sur	2	1
3	Mohadi	Bothli	Sur	2	1
4	Mohadi	Mohgaon Devi	Sur	2	1

Table 24: Shows total depth and available depth of sand for mining year 2024-2025

SI. No.	Name of sand ghat	Tahsil	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Takli	Mohadi	Sur	3	0.6
2	Pachgaon-1	Mohadi	Sur	3	0.5
3	Bothali	Mohadi	Sur	3	0.7
4	Mohgaon Devi	Mohadi	Sur	3	0.5
5	KhamariBu	Mohadi	Sur	3	0.6

From the above data, it shows that replenishment rate of sand for River Sur is 1.0m/year approximately.

Replenishment rate of river is varies from year to year and affected by various factors like annual rainfall, lithology, flow rate of water, geology, geomorphology, etc.

Bawanthadi River: The Bawanthadi River is an important river which originates in the Kurai plateau of Seoni District in Madhya Pradesh. It divides Madhya Pradesh and Maharashtra near Mowad and Bonkatta. The Bawanthadi River joins Wainganga after flowing 48 km south, near Mowad, Maharashtra. There is a middle size dam over this river which irrigates farm lands of M.P. and Maharashtra.

Tehsil	River	Length of the river
Tumsar	Bawanthadi	45.5 km

Table 25: Shows total depth and available depth of sand for mining year 2016-2017

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Tumsar	Warpindkepar	Bawanthadi	2.5	0.5
2	Tumsar	Chandamara	Bawanthadi	2.5	0.5
3	Tumsar	Devnara	Bawanthadi	2.5	0.5
4	Tumsar	Lobhi-Digdha	Bawanthadi	2.5	0.5
5	Tumsar	Ashti-Anjanvihiri	Bawanthadi	2.5	0.5

Table 26: Shows total depth and available depth of sand for mining year 2017-2018

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Tumsar	Chandamara	Bawanthadi	3	1

Table 27: Shows total depth and available depth of sand for mining year 2018-2019

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Tumsar	Chandamara	Bawanthadi	2.5	0.5

Table 28: Shows total depth and available depth of sand for mining year 2022-2023

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Tumsar	Warpindkepar	Bawanthadi	3	1
2	Tumsar	Chandamara	Bawanthadi	3	1
3	Tumsar	Sakardara	Bawanthadi	3	1
4	Tumsar	Lobhi-Digdha	Bawanthadi	3	1
5	Tumsar	Ashti-Anjanvihiri	Bawanthadi	3	1
6	Tumsar	Sondya	Bawanthadi	3	1

Table 29: Shows total depth and available depth of sand for mining year 2023-2024

SI. No.	Tahsil	Name of sand ghat	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1	Tumsar	Warpindkepar	Bawanthadi	3	1

2	Tumsar	Chandamara	Bawanthadi	3	1
3	Tumsar	Lobhi-Digdha	Bawanthadi	3	1
4	Tumsar	Ashti-Anjanvihiri	Bawanthadi	3	1
5	Tumsar	Sondya	Bawanthadi	3	1

Table 29: Shows total depth and available depth of sand for mining year 2025-26

Sl. No.	Name of sand ghat	Tahsil	Name of river	Depth of sand in (mtr)	Available sand for mining in (mtr)
1.	Chikhali 1	Tumsar	Bawanthadi	3.5	1.3
2.	Chikhali 2	Tumsar	Bawanthadi	3	1.2
3.	Dongri Buzurg 1	Tumsar	Bawanthadi	3	1
4.	Dongri Buzurg 2	Tumsar	Bawanthadi	3	1
5.	Lobhi 1	Tumsar	Bawanthadi	3	1.5
6.	Lobhi 2	Tumsar	Bawanthadi	3.5	1
7.	Lobhi 3	Tumsar	Bawanthadi	3	1.5
8.	Chandmara 1	Tumsar	Bawanthadi	3.5	1.2
9.	Chandmara 2	Tumsar	Bawanthadi	3	1.5
10.	Aashti Aanjan Vihri 1	Tumsar	Bawanthadi	3.5	1.5
11.	Aashti Aanjan Vihri 2	Tumsar	Bawanthadi	3.5	1.5
12.	Dhutera 1	Tumsar	Bawanthadi	3.5	1
13.	Dhutera 2	Tumsar	Bawanthadi	3	1
14.	Dhutera 3	Tumsar	Bawanthadi	3	1
15.	Kavlewada 1	Tumsar	Bawanthadi	3	1
16.	Kavlewada 2	Tumsar	Bawanthadi	3	1
17.	Kavlewada 3	Tumsar	Bawanthadi	3	1
18.	Sondya 1	Tumsar	Bawanthadi	3	1.5
19.	Sondya 2	Tumsar	Bawanthadi	3.5	1.5
20.	Sondya 3	Tumsar	Bawanthadi	3.5	1.2
21.	Warpindkepar	Tumsar	Bawanthadi	3	1.5

From the above data, it shows that replenishment rate of sand for **RiverBawanthadi**is **1.2m/year** approximately. Replenishment rate of river is varies from year to year and affected by various factors like annual rainfall, lithology, flow rate of water, geology, geomorphology, etc.