

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

Principal Bench, New Delhi

O.A. No. 995/2019

Chander Singh

Applicant

Vs.

Union of India & Ors.

Respondent(s)

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(Nazimuddin)

Scientist-E

Central Pollution Control Board,  
Parivesh Bhawan, East Arjun Nagar,  
Delhi- 110032.

Date: 21.10.2021

Place: Delhi

Joint Committee Report in reference to Hon'ble NGT order in the  
matter of OA No 995/2019  
(October 2021)

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1. Hon'ble NGT vide its order dated 24.02.2020, in the matter of OA No 995/2019, constituted a joint Committee comprising representatives of CPCB, Indian School of Mines (Dhanbad), Indian Bureau of Mines (Ministry of Mines, Government of India, New Delhi) and SEIAA Uttarakhand (Dehradun). CPCB is the nodal agency for coordination and compliance.
2. The relevant para of said Hon'ble NGT order, pertaining to the mandate of the committee is reproduced hereunder,

*"...3. In view of the above acknowledged violations, remedial action needs to be taken to recover compensation by following due process of law. Apart from recovering compensation, remediation of the area is also necessary for restoration of the environment. It is necessary to prepare a remediation plan for the purpose.*

*4. In order to carry out remediation as well as to assess compensation, we constitute a joint Committee comprising the CPCB, Indian School of Mines, Dhanbad, Bihar, Indian Bureau of Mines, Ministry of Mines, Government of India, New Delhi and SEIAA, Uttarakhand, Dehradun. The CPCB will be the nodal agency for coordination and compliance. The report may be filed*

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*before the next date by email at judicial-ngt@gov.in. Further action may be completed within three months."*

3. The designated joint Committee vide its interim report dated 10.09.2020 submitted the eight major recommendations at clause 5.5 which are reproduced as follows,

*5.5. Though the mining operations are closed at present, some of the immediate steps required to be taken as interim measures/action points to avoid any further damage to the environment are as follows;*

*5.5.1. Not to allow mining operations till complying prescribed environmental Norms/ guidelines/ recommendations of the committee hereunder.*

*5.5.2. To carry out geo-referenced drone survey of the lease area and its surrounding affected area due to spillage of material from mine and submit the output in appropriate format for further analysis and preparation of remedial plans.*

*5.5.3. Take all appropriate immediate actions to arrest/trap the material from rolling down/flowing away outside lease area by gravity or rain or otherwise.*

*5.5.4. Give undertaking that waste material/muck will not be dumped outside the mining lease area in future.*

*5.5.5. Prepare a time bound action plan to take all appropriate actions to address the impact of waste lying outside the lease;*

*i) shift the outside dumped/ rolled/ flown/ washed material/ muck to a suitable safe and secure place within mining lease area and stabilize it.*

*ii) in case of area where such material is not safe to handle such portion shall be appropriately terraced, compacted,*

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*reclaimed by plantation of local species and ensure its watch and ward till the plantation achieved self-sustained age and height.*

*iii) Any other appropriate method for restoration /reclamation etc.*

*5.5.6. To construct robust obstruction structures (such as toe walls, parapet walls) silting ponds etc. under the guidance of district administration, ensure that muck mixed slurry water of rain does not enter into the Dundu stream.*

*5.5.7. To develop a natural obstruction and/or construct retaining walls at the end of lowest/bottom most bench of the mine so that waste material/muck does not roll down/spillover downwards along the hillock to outside mining lease.*

*5.5.8. To submit the action plan for repairing the irrigation water channels and village roads blocked by spillover of muck, if any.*

4. Hon'ble NGT accepted all the recommended action points vide its order dated 16.09.2020. The relevant para of Hon'ble NGT order is reproduced hereunder as

*".....We see no reason why the above recommendations be not followed. Accordingly, the above recommendations be acted upon. We grant the time sought by the Committee for completing its task and the report may now be submitted within three months....."*

*.....The Committee may also ensure that EC conditions are duly complied with. List for further consideration on 22.01.2021."*

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5. Accordingly, the designated joint Committee has filed its report through CPCB on 20.01.2021. Based on the said report, Hon'ble NGT vide its order dated 05.04.2021, instructed as following at Point No 06 & 09.

*".....6. While the situation emerging from the Expert Committee report is that the violation of law continues and remedial action is still required, the applicant has sought permission to withdraw the application. The application having been filed for protection of the environment cannot be withdrawn at the will of the applicant. Under the circumstances, we proceed with the matter of requiring further remedial action to be taken. While we accept the recommendations that a geo-referenced drone survey is required, we do not appreciate the suggestion that it should be got done by the project proponent itself. It should be got done by the Committee through an appropriate official mechanism. Needless to say, that the Committee can take assistance of such other expert or institution as may be necessary....."*

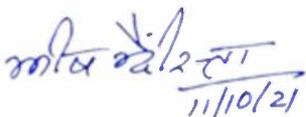
*.....9. The stand of the project proponent that the report is not factually correct cannot be straightaway accepted and can at best be required to be verified by the joint Committee. The mining been suspended till compliance which, even according to the latest report, has not happened so far. The project proponent has to ensure compliance of environmental norms and restoration of the area. In particular, sliding/disposal of muck in water course must be stopped. The joint Committee may verify the stand of the applicant and the project proponent*

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*with the assistance of the District Administration to take further remedial action. The Committee will be free to have the restoration plan executed from the project proponent or from any other agency and till such execution mining may not be allowed to be resumed. IA Nos. 390-391/2020 stand disposed of accordingly....."*

6. The joint Committee convened meeting through video conferencing (VC) on 20.07.2021 to discuss the further course of action in the matter. The two members of the committee also visited the mining site in question on 18.08.2021.
7. Based on the observations made by the committee during visit of M/s N B Minerals Corporation located at Village – Dundu, Tehsil – Didihat, District – Pithoragarh the following is submitted with respect to the environmental damage assessment.
  - 7.1. The NB Minerals Magnesite mine is located at village Dundu Chaden dev, Tehsil Didihat/ Kanaricheena District Pithoragarh in Kumaon region of Uttarakhand State. It has an area of 4.241 hectare which comprises of 2.291 hectare of forest (Benap) land and 1.950 hectare of private land.
  - 7.2. The detail regarding environmental clearance is as given
    - 7.2.1. Initially, the mine lease was granted to the proponent on July 09, 1980 for mining of Magnesite & Dolomite minerals for 20 years. Thereafter, the renewal was granted for a period of 20 years vide Government of Uttarakhand G.O No. 917/SAAT/103-KHA/2004 dated 14.09.2004 with validity up to July 08, 2020.

  
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7.2.2. In 2015, the Mining Department, Directorate of Industry, Uttarakhand directed the project proponent to obtain the Environment Clearance of the mine on the basis of EIA notification 2006. The reminder letter was also been issued by the department in 2017.

7.2.3. The project proponent applied for Environment Clearance to DEIAA, Pithoragarh, and was accorded by DEIAA vide letter No I-E.C-I (DEIAA)/2017 dated 03.10.2017 with certain specific and general conditions.

7.2.4. The District Magistrate, Pithoragarh, vide letter dated April 02, 2019, informed the proponent that Environmental Clearance (EC) for this mine doesn't fall under the jurisdiction of DEIAA and directed for closure. They had been asked to obtain the Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA).

7.2.5. The project proponent approached the Hon'ble High Court of Uttarakhand, Nanital to provide relief on the said order of District Magistrate, Pithoragarh. In line with the above petition, Hon'ble High Court on 24.04.2019 directed the project proponent to submit a fresh application for obtaining EC before SEIAA.

7.2.6. Accordingly, the proponent had applied to SEIAA and after following due procedure, the environmental clearance has been issued on 09.10.2019 by State Level Environment Impact Assessment Authority.

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- 7.2.7. The latest Consolidated Consent to operate, and Authorisation (CCA) issued by Uttarakhand SPCB on 27.04.2018 is valid up to 31.03.2023. The consent has been issued only for the production of Raw Magnesite (50,000 MT/Year).
- 7.3. It was informed by the proponent that the mining operations were closed on date 02.04.2019 by District Magistrate. However, it was restarted in January 2020 and continued till March 2020. Thereafter, the mining operations have not been started as the approval on the mining plan accorded by the Indian Bureau of Mine was expired on 31.03.2020. As per the lease agreement the lease was valid upto 08.07.2020 and the extension of lease period is still pending with State Govt.
- 7.4. The details of the mining lease area and coordinates of 20 pillars to define the lease area boundary certified by the State Government are plotted in KML file format. The same has been plotted on the Google earth application. A copy of the image is attached as Annexure.
- 7.5. The operational mining pit is located towards the east side of the allotted mining lease area between pillars C, D, E, F, S, G and T.
- 7.6. Steep valley is located on the north side of the lease area. During the visit it was observed that mining lease holder has constructed the gravity retaining wall on the bottom of the steep side in North of the lease to arrest the movement of waste. However, during field visit, it was found that the retaining walls were filled with material upto its brim and has overflowed, thus causing environmental damage.

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- 7.7. Also, it was noticed that adequate measures have not been taken by the proponent to avoid the spillages from the active mine pit area towards the slope/valley.
- 7.8. Large quantity of the muck (overburdened waste material) is spread into the environment beyond the allotted area mainly on the north side of the mining pit.
- 7.9. It has been informed by the proponent, that the overflowed material is the waste/ reject that was supposed to be stacked at the dumping site. However, due to incorrect dumping, it had been left behind in the mining pit, which has been spilled out towards the slopy area along with surface runoff water during the rainy seasons.
- 7.10. Estimation of Environmental Damage

7.10.1. To estimate the damage caused by the lenient approach of the project proponent, the amount of waste material spilled outside the mine area and the area of the land on which this waste material spilled out has been considered.

7.10.2. The google earth images show that the substantial impact on the said area is mainly visible after 2010. Hence, data of the mine production carried out since 2010-11 is captured from the mine proponent. The quantity of reject generated during this period has also been obtained.

7.10.2.1. The mine has been operated for 2,687 days during the period 2010-11 to 2019-20.

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7.10.2.2. During the above-mentioned period, a total of 1,73,134 T Magnesite has been produced as per the returns provided by lessee.

7.10.2.3. It has been found from the returns that 5,17,012 MT of overburden / waste is reported in the returns. generated during the period 2010-11 onwards. But no major dump except for few stacks of mineral reject and a small stabilized dump on the top of pit could be seen during inspection.

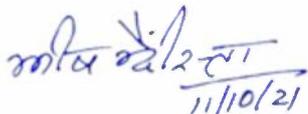
7.10.2.4. It has been verified from the returns that 5,17,012 MT of overburden / waste generation is reported in the returns. But this reply too could not be accepted, as the same is neither reflected in the plans nor submitted by lessee in the returns submitted.

7.11. The proponent has also submitted a survey report prepared by M/s Maa Bhagawati Engg & Cons. As per this report, around 16,757.28 MT muck/waste generated is either stored at the muck dumping yard or reused.

7.12. As suggested by the committee, the physical survey of the impacted land has also been carried out through the private firm, and the data generated has been cross verified by the Assistant Engineer of PWD.

7.12.1. As per report provided in the form of map, the impacted area is 18,263.56 Sq. meter.

7.12.2. The coordinates generated through the said physical survey have been obtained from the firm in the KML file format. Based on the provided information the polygon of the impacted area

  
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has been drawn on Google Earth. As per this data, the damaged area is around 18,269 Square meters.

7.13. The land on which this waste material has overflowed is mainly the agricultural land on which 'Urad Dal' was been cultivated. However, due to this overflowing material, farmers have not been able to use this land for agricultural purposes since 2010-11.

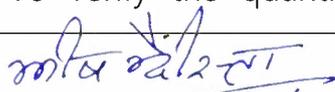
8. Restoration Plan – Based on present scenario assessed during the field visit, the committee has chalked out the restoration plan that needs to be implemented. The table containing required restoration activities and responsible agency is as given below,

Sr No	Identified activities	Responsible Agency
a)	Only such mining operations be allowed which are required to restore mining activities.	IBM, SPCB & District Administration
b)	For material lying outside the lease area, appropriate reclamation and stabilization be done by plantation of local species and ensure its watch and ward till the plantation achieved self-sustained age and height.	Project Proponent under the supervision of district administration
c)	To develop a natural obstruction and construct or increase the height of retaining walls at the bottom of the cliff in North side outside lease area so that waste material/muck does not roll down/spillover downwards along the hillock to outside mining lease.	Project Proponent under the supervision of district administration

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Sr No	Identified activities	Responsible Agency
d)	<p>To construct, outside the lease area, robust settling tank under the guidance of district administration, to ensure that muck mixed slurry water of rain does not enter into the Dundu stream.</p> <p>Obtain the certification regarding the same from district administration.</p>	Project Proponent under the supervision of district administration
e)	<p>To submit time-bound action plan for the execution activities defined at b-d above along with surface plan showing the details as per rule 32(1) of MCDR' 2017. And action plan to avoid such incidents in future.</p>	Project Proponent in consultation with Designated joint committee
f)	<p>Verification for the completion of the defined restoration activities and review of the measures taken for avoiding such spillages of muck in future.</p>	Designated joint committee
g)	<p>Before issuing permission for mining operation, following activities need to be taken care of:</p> <p>Obstruction mechanism to stop the flow of material into the slope side of the cliff need to be maintained.</p>	IBM, CPCB and Mining department
h)	<p>To take adequate measures to ensure that the material is not washed off due to the rainfall.</p>	Project proponent
i)	<p>To verify the quantity of waste material</p>	State mining

  
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Sr No	Identified activities	Responsible Agency
	moved out of the lease area (if any) and to recover the applicable charges from the lessee as per the law.	department
j)	To comply with all the conditions prescribed in the environmental clearance issued by SEIAA during its operations.	Project proponent and verification by SEIAA.
k)	To provide alternative equivalent agricultural land or the equivalent cost of the land to the farmers whose land has been impacted.	Project proponent and verification by District Administration.

## 9. Environmental Compensation

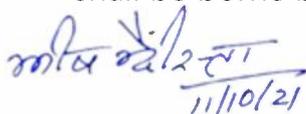
9.1. For calculation of environmental compensation, the Committee referred the various document including the policy framed by CPCB and the World Bank 'Methodology for calculating environmental damage' which is available on their website at '<http://documents.worldbank.org>'.

9.2. The project proponent is liable to pay

9.2.1. The actual cost required for the restoration activities,

9.2.2. Cost equivalent to the loss of agricultural production caused since 2010-11.

9.3. The proponent has to undertake the above-mentioned restoration activities in a time-bound manner under the supervision of district administration. The incurred cost towards these restoration activities shall be borne by the project proponent.

  
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- 9.4. As per the information provided by the 'Patwari', the 'Urad Dal' is the main crop been cultivated in the area. Hence, the statement showing minimum support prices (MSP) fixed by the Government of India, that is available at <https://farmer.gov.in> is referred by the Committee. The MSP of Urad during 2010-11 was Rs. 2900/- per quintal which is increased on yearly basis and it is Rs. 6300/- per quintal for the year 2021-22. The detail of the MSP referred for calculating the compensation is attached at Annexure.
- 9.5. The success report published by the Crop Division, Ministry of Agriculture & Farmers welfare which is available at <https://farmer.gov.in/SucessReport2018-19.pdf> is referred to assess the per hectare production of the 'Urad'. As per this document the reported yield level of Urad is 352 kg/ha (i.e., 3.52 Quintal/year). Whereas, as per the details given by the 'Patwari', the production of the Urad in the area is 4.00 Quintal/year. The committee has considered the undertaking of the 'Patwari' for calculation of loss of production.
- 9.6. As reported above in the environmental damage assessment portion, the damaged area is around 1.8269 hectares. And hence, the loss of production of Urad is  $(4 \times 1.8269)7.3076$  Quintal/year.
- 9.7. The yearly loss of production of Urad is multiplied by the year wise MSP declared by the Govt. of India.
- 9.8. Thus, total loss of production of Urad during 2010-11 to 2021-22 is Rs. 4,22,196.59/-.

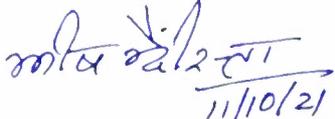
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9.9. Thus, the project proponent is liable to pay Rs. 4,22,196.59/- as an environmental compensation in addition to the actual cost involved in the restoration activities.

#### Recommendations

The nominated joint committee visited the site to verify the present scenario and based on the field observations the restoration plan has been drawn. The project proponent is liable to complete defined restoration activities at his cost. In addition, to the cost involved in restoration activities, he is liable to pay environmental compensation of Rs. 4,22,196.59/ -towards the loss of crops in the affected area since 2010-11.

Committee member	Signature
Prof (Dr.) Vinod P Sinha, ISM Dhanbad	
Shri Manish K Maindiratta, Regional Controller of Mines, IBM	 11/10/21
Shri S S Bist, Member SEIAA, Uttarakhand	 11/10/21
Shri Rajendra D Patil, Sci – D CPCB Regional Directorate, Lucknow	 11.10.2021
Date: 11.10.2021	



### List of Annexures

<b>S. No.</b>	<b>Details of Annexures</b>	<b>No. of Pages</b>
1.	Production details provided by Project Proponent	01
2.	Copy of Survey Report	01
3.	Details of Co-ordinates (Survey Report)	01
4.	Survey report of Muck out flow	01
5.	Google map of Muck out flow	01
6.	Report from Patwari	01
7.	Crop yield Report (GOI)	05
8.	MSP Details for the year 2010-11 to 2021-22	03

YEAR	ROM (IN M.T.)	PRODUCTION MAGNESITE (IN M.T.)	PRODUCTION DOLOMITE (IN M.T.)	TOTAL	REJECTION (IN M.T.) <small>(Rejected Dolomite Stone &amp; Lime Stone, Ordenerly Stone)</small>	NO OF WORKING DAYS
2010-11	12899.342	11514.572	96	11610.572	1289.934	310
2011-12	12755.235	12449.235	153	12602.235	1275.523	311
2012-13	13541.212	12187.09	0	12187.09	1354.121	312
2013-14	15651.145	14074.435	11.595	14086.03	1565.114	310
2014-15	28722.302	16691.58	9161.035	25852.7	2872.230	311
2015-16	21400.812	13579.132	5681.3	19260.432	2140.08	312
2016-17	25144.806	22630.325	0	22630.325	2514.480	296
2017-18	22726.578	20453.92	0	20453.92	2272.657	182
2018-19	44781.234	40303.11	0	40303.11	4478.123	288
2019-20	10278.889	9251	0	9251	1027.89	55
	207901.555	173134.399	15102.93	188237.414	20790.152	
	QTY.SOLD DURING 2010-2020	170986.349	14922.93			
	Balance Quantity	MAGNESITE (IN M.T.) 2148	DOLOMITE (IN M.T.) 180			

For N. B. Minerals Corporation

R.B.  
L.R. SINHA  
Partner

PAN NO. ABMFM4136G

GST NO. 05ABMFM4136G1ZB

**MAA BHAGWATI ENGG & CONS****Govt. Contractor & Supplier**Chandrabhaga , Aincholi  
Pithoragarh

UKFIRM8001119006225

MO. 9997082595

पत्रांक :

दिनांक : 27/08/21

**Survey Report of N.B. Minerals Corporation**  
**Dundu Magnesite Mines**

The project proposed in Vill- Dundu, Post& Tehsil- Didihat, District- Pithoragarh for 10 years from 2010-2020. The detail of total production of material (Minerals) and total rejection of material as given below during 2011-2020 :-

Total production of Magnesite &amp; Dolomite = 188237.414 M.T (as per attached table)

Total Rejection of Material ( Lime stone &amp; Ordinary Stone) = 20790.152 M.T.

(as per attached table)

= 18900.14 Ton

= 18900.14 X 0.56 = **10584.08 CUM****Reuse of Rejected Material:-**

Total quantity of debries in Muck Dumping Yard = 1810.7 Cum. = 3233.39 Ton

Total quantity of retaining Wall in Muck Dumping Yard = 1572.75 Cum = 2808.48 Ton

Total quantity of retaining wall in school = 302.20 Cum = 539.64 Ton

Total quantity of retaining wall in Temple = 429.00 Cum = 766.07 Ton

Total quantity of retaining wall constructed to protect in outflow of debries = 4007.2 Cum  
= 7155.71 Ton

Total quantity of H.P. Stone filling in Wall = 1262.23 Cum = 2253.98 Ton

**Total quantity reused** 1810.7+1694.25+302.2+429+4108.8+1262.23 = 9384.08 Cum  
= 16757.28 Ton

Therefore total quantity of outflow debries except Muck Dumping

= 10584.08-9384.08Cum

= 1200 Cum = 2142.86 Ton

= **2357.14 MT.**MAA BHAGWATI ENGINEERING  
AND CONSTRUCTION*Kanchan*  
PARTNER

EX. KANCHAN KHARKWAL

PAN NO. ARMFEM136G

GST NO. 05ABMI M4136G1ZB

**MAA BHAGWATI ENGG & CONS**

Govt. Contractor &amp; Supplier

Chandrabhaga, Aincholi

Pithoragarh

UKFIRM8001119006225

MO. 9997082595

पत्रांक :

दिनांक : 27/08/2021

**Survey Report of N.B. Minerals Corporation**  
**Dundu Magnesite Mines**

We find the following co-ordinate of the polygon of muck outflow during surveying with Total Station :-

**UTM co-ordinates ( 44RMT)-**

S.N.	Easting	Northing
1.	4344173.7	3283082.17
2.	434151.84	3283076.53
3.	434132.01	3283071.20
4.	434101.09	3283081.50
5.	434080.09	3283087.02
6.	434043.10	3283131.08
7.	434029.95	3283157.61
8.	434023.70	3283175.07
9.	434052.68	3283202.93
10.	434083.00	3283213.34
11.	434109.55	3283223.73
12.	434148.12	3283221.55
13.	434176.57	3283216.34
14.	434190.38	3283194.73
15.	434182.51	3283164.73
16.	434173.03	3283125.07

MAA BHAGWATI ENGINEERING  
AND CONSTRUCTION

*Kamhar*  
PARTNER



INDEX		
1.	BOUNDARY	
2.	RETAINING WALL	
3.	MAJOR CONTOUR	
4.	MINOR CONTOUR	

ALL DIMENSIONS ARE IN METER

- \* MINOR CONTOUR INTERVAL= 2M
- \* MAJOR CONTOUR INTERVAL= 10M
- \* SCALE 1:09
- \* GRID SECTION IS IN 20 METER
- \* AREA= 18263.56 Sqm

## SITE PLAN OF MUCK OUTFLOW IN MINE

VILL: DUNDU, POST & TEHSIL- DIDIHAT,  
DISTRICT- PITHORAGARH

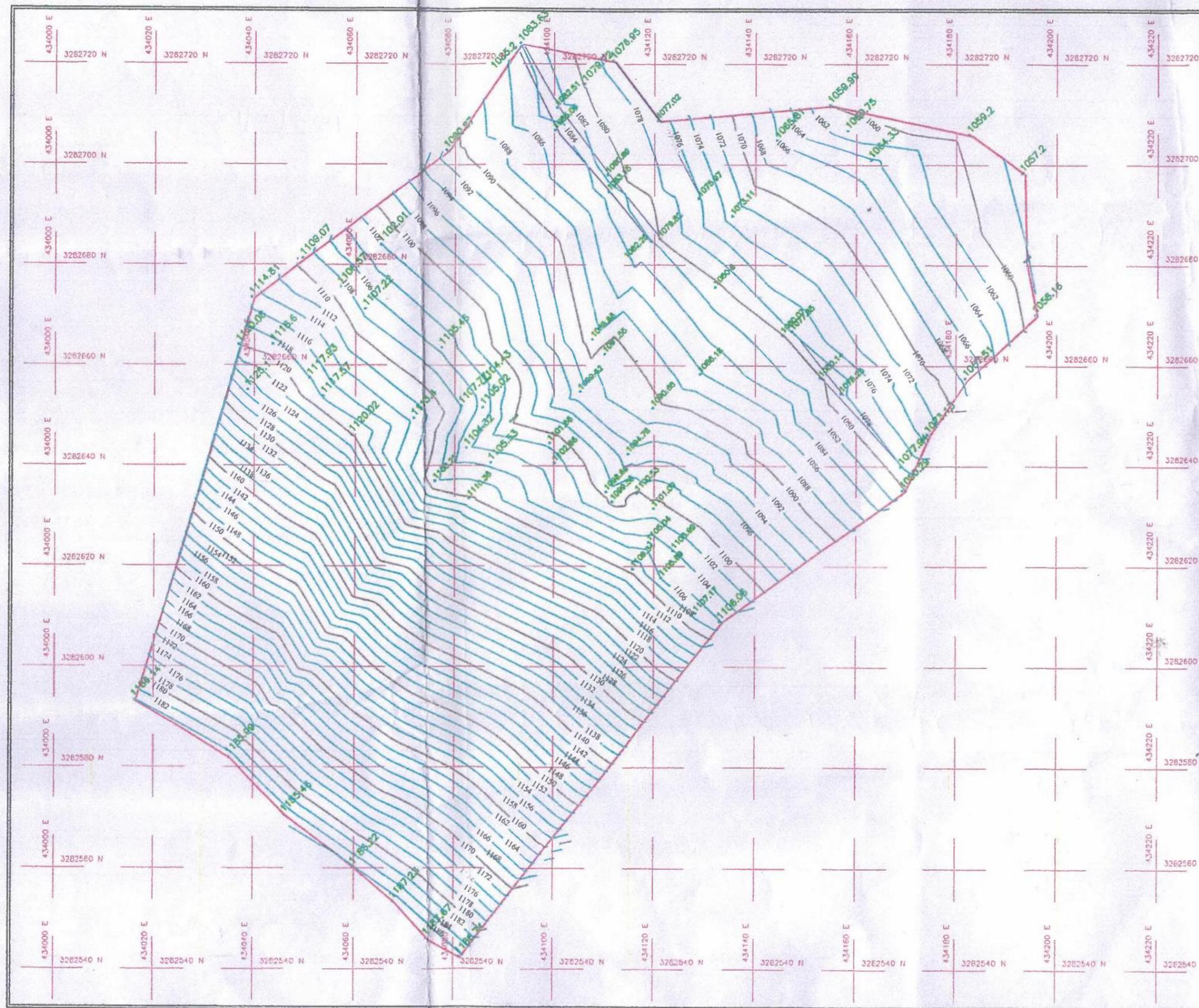
\*\*\*  
PREPARED BY :-  
MAA BHAGWATI ENGINEERING & CONSTRUCTION  
ADD- CHANDRABHAGA, AINCHOLI

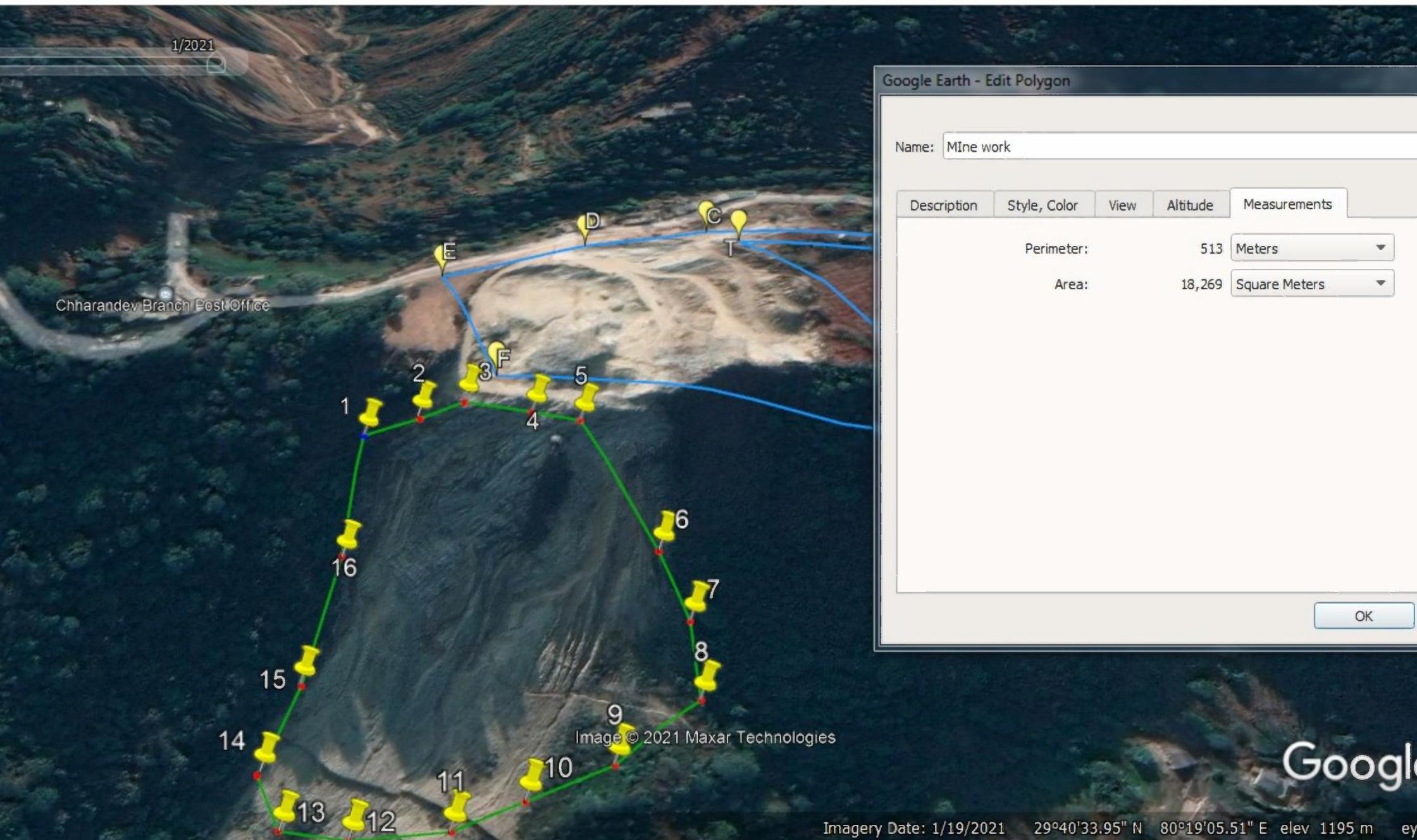
SIGNATORY AUTHORITY :-  
MAA BHAGWATI ENGINEERING  
AND CONSTRUCTION

*Kandhas*  
PARTNER

COUNTERSIGNED BY:-

*clis -*  
*Anil*  
सहायक अभियन्ता  
प्रान्तीय खण्ड लो०नि०वि०  
पिथौरागढ़





## प्रमाण पत्र

प्रमाणित किया जाता है, कि ग्रामसभा डूण्डू में जिस क्षेत्र में एन0 बी0 मिनरल्स कॉरपोरेशन के द्वारा खनन का कार्य किया जाता है, उसके आस-पास उड़द की दाल पैदा होती है, जिसकी औसत उपज 4 कुन्टल प्रति हैक्टेयर प्रति वर्ष है।

दिनांक-16.09.2021

*(Signature)*  
16/09/21  
राजस्व उपनिरीक्षक  
क्षेत्र- छड़नदेव  
तहसील- कनालीछीना  
राजस्व उपनिरीक्षक  
क्षेत्र- छड़नदेव  
तहसील- कनालीछीना।



# **PULSES REVOLUTION FROM FOOD TO NUTRITIONAL SECURITY**

Crops Division  
Government of India  
Ministry of Agriculture & Farmers Welfare  
Department of Agriculture, Cooperation & Farmers Welfare  
Krishi Bhavan, New Delhi - 110 001



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## 2.5.7 Urdbean (Blackgram)

Urdbean crop is also gaining momentum since 2015-16 and there has been phenomenal increase in its coverage. During 2017-18 the crop was cultivated over an area of > 50 Lha. The success of this crop was released with a harvest of about 35 Lt at an ever highest yield levels of 352 kg/ha.

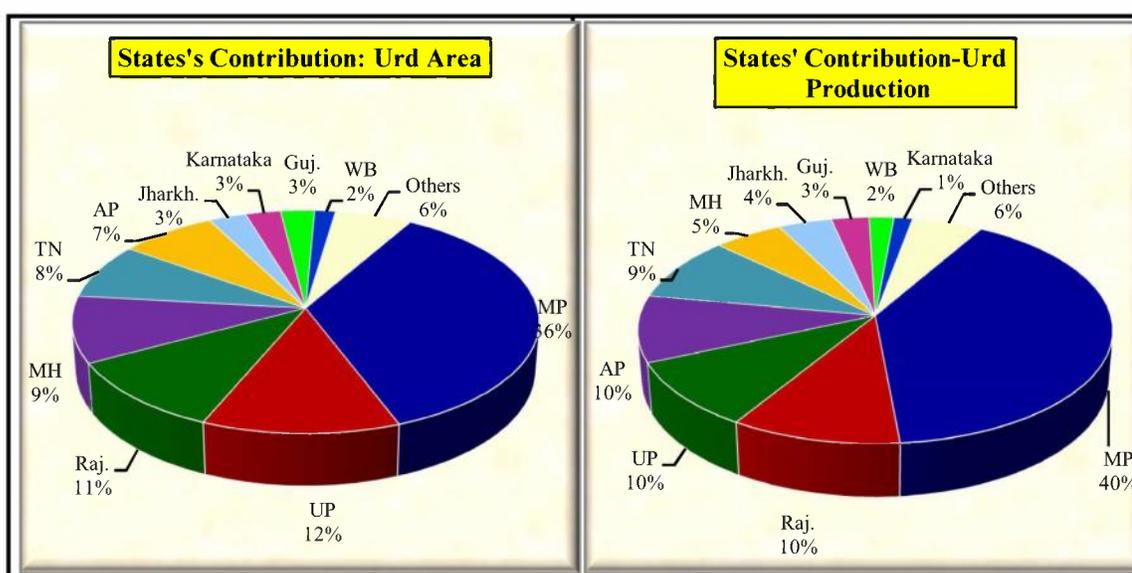
More than 90 per cent of uradbean production comes from 09 states of Madhya Pradesh, Rajasthan, Uttar Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra, Jharkhand, Gujarat and West Bengal. (Table-2.10)

**(Table-2.10): States' Contribution in Area & Production- Urdbean (2017-18)**

(Area-Lakh ha, Production-Lakh tons)

States	Area	% Contri.	States	Production	% Contri.
Madhya Pradesh	18.04	35.86	Madhya Pradesh	13.20	40.19
Uttar Pradesh	6.14	12.20	Rajasthan	3.37	10.26
Rajasthan	5.40	10.73	Uttar Pradesh	3.15	9.59
Maharashtra	4.84	9.62	Andhra Pradesh	3.13	9.53
Tamilnadu	4.06	8.06	Tamilnadu	3.01	9.17
Andhra Pradesh	3.81	7.57	Maharashtra	1.77	5.39
Jharkhand	1.48	2.94	Jharkhand	1.36	4.13
Karnataka	1.38	2.74	Gujarat	0.96	2.92
Gujarat	1.33	2.64	West Bengal	0.63	1.91
West Bengal	0.82	1.63	Karnataka	0.47	1.43
Others	3.02	6.00	Others	1.79	5.46
<b>All India</b>	<b>50.31</b>		<b>All India</b>	<b>32.84</b>	

Source: DES, Ministry of Agri. &FW (DAC&FW), Govt. of India,; 2017-18\*-III<sup>rd</sup> Adv. Est.



**Fig.-2.9: States' Contribution in Area & Production- Urdbean (2017-18)**

## Urdbean Production Technology



**Minimum Support Prices***Annexure VIII***Statement Showing Minimum Support Prices - Fixed by Government (Rs.quintal)**

Commodity	Variety	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>KHARIF CROPS</b>													
PADDY	Common	1000	1080	1250	1310	1360	1410	1470	1550	1750	1815	1868	1940
	Grade 'A'	1030	1110	1280	1345	1400	1450	1510	1590	1770	1835	1888	1960
JOWAR	Hybrid	880	980	1500	1500	1530	1570	1625	1700	2430	2550	2620	2738
	Maldandi	900	1000	1520	1520	1550	1590	1650	1725	2450	2570	2640	2758
BAJRA		880	980	1175	1250	1250	1275	1330	1425	1950	2000	2150	2250
MAIZE		880	980	1175	1310	1310	1325	1365	1425	1700	1760	1850	1870
RAGI		965	1050	1500	1500	1550	1650	1725	1900	2897	3150	3295	3377
Tur (Arhar)		3000	3200	3850	4300	4350	4625 <sup>^</sup>	5050 <sup>^^</sup>	5450 <sup>^</sup>	5675	5800	6000	6300
MOONG		3170	3500	4400	4500	4600	4850 <sup>^</sup>	5225 <sup>^^</sup>	5575 <sup>^</sup>	6975	7050	7196	7275
URAD		2900	3300	4300	4300	4350	4625 <sup>^</sup>	5000 <sup>^^</sup>	5400 <sup>^</sup>	5600	5700	6000	6300
COTTON	Medium Staple	2500	2800	3600	3700	3750	3800	3860	4020	5150	5255	5515	5726
	Long Staple	3000	3300	3900	4000	4050	4100	4160	4320	5450	5550	5825	6025
Groundnut		2300	2700	3700	4000	4000	4030	4220 <sup>*</sup>	4450 <sup>^</sup>	4890	5090	5275	5550
SUNFLOWER SEED		2350	2800	3700	3700	3750	3800	3950 <sup>*</sup>	4100 <sup>*</sup>	5388	5650	5885	6015

	Yellow\$\$	1440	1690	2240	2560	2560	2600	2775*	3050^	3399	3710	3880	3950
SESAMUM	-	2900	3400	4200	4500	4600	4700	5000^	5300*	6249	6485	6855	7307
NIGERSEED	-	2450	2900	3500	3500	3600	3650	3825*	4050*	5877	5940	6695	6930
<b>RABICROPS</b>													
WHEAT		1120	1285	1350	1400	1450	1525	1625	1735	1840	1925	1975	-
BARLEY	-	780	980	980	1100	1150	1225	1325	1410	1440	1525	1600	-
GRAM	-	2100	2800	3000	3100	3175	3500**	4000^	4400!	4620	4875	5100	-
MASUR (LENTIL)	-	2250	2800	2900	2950	3075	3400**	3950!	4250*	4475	4800	5100	-
Rapeseed & Mustard	-	1850	2500	3000	3050	3100	3350	3700*	4000*	4200	4425	4650	-
SAFFLOWER	-	1800	2500	2800	3000	3050	3300	3700*	4100	4945	5215	5327	-
TORIA	-	1780	2425	2970	3020	3020	3290	3560	3900	4190	4425	4650	-
<b>OTHER CROPS</b>													
COPRA	Milling	4450	4525	5100	5250	5250	5550	5950	6500	7511	9521	9960	10335
(Calender Year)	Ball	4700	4775	5350	5500	5500	5830	6240	6785	7750	9920	10300	10600
DE-HUSKED COCONUT Calender Year)		1200	1200	1400	1425	1425	1500	1600	1760	2030	2571	2700	2800
JUTE		1575	1675	2200	2300	2400	2700	3200	3500	3700	3950	4225	4500

^^ Including Bonus of Rs. 425 per quintal .				
* Including Bonus of Rs. 100 per quintal .				
\$\$ Minimum of Support Price of Soyabean yellow is also applicable to black variety during 2015-16 and 2016-17.				
! Including Bonus of Rs. 150 per quintal.				

Item No. 07

Court No. 1

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

(By Video Conferencing)

Original Application No. 995/2019  
(I.A. No. 390/2020 & I.A. No. 391/2020)

(with report dated 20.01.2021)

Chander Singh

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 05.04.2021

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

Applicant: Ms. Nidhi Mittal, Advocate

Respondents: Mr. Mukesh Kumar, Advocate for CPCB  
Mr. Mukesh Verma, Advocate for UEPPCB  
Mr. Sandeep Mishra, Advocate for M/s N.B. Minerals Corporation

**ORDER**

1. A joint report was sought from the SEIAA, Dehradun, District Magistrate, Pithoragarh, Uttarakhand State PCB and representative of the Indian Bureau of Mines and Ministry of Mines, Government of India, with reference to the allegation that mine of dolomite was illegally being operated by N.B Minerals Corporation Ltd., Haldwani, District Nainital at Village Dundu, Tehsil Didihat, Distt. Pithoragarh, Uttarakhand.

2. The matter was considered on 24.02.2020 in the light of report dated 27.01.2020 to the effect that there was violation of environmental norms, including in disposal of the muck. The Tribunal observed:

***“3. In view of the above acknowledged violations, remedial action needs to be taken to recover compensation by***

***following due process of law. Apart from recovering compensation, remediation of the area is also necessary for restoration of the environment. It is necessary to prepare a remediation plan for the purpose.***

*4. In order to carry out remediation as well as to assess compensation, we constitute a joint Committee comprising the CPCB, Indian School of Mines, Dhanbad, Bihar, Indian Bureau of Mines, Ministry of Mines, Government of India, New Delhi and SEIAA, Uttarakhand, Dehradun. The CPCB will be the nodal agency for coordination and compliance. The report may be filed before the next date by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). Further action may be completed within three months.*

*5. A copy of this order be sent to the CPCB, Indian School of Mines, Dhanbad, Bihar, Indian Bureau of Mines, Ministry of Mines, Government of India, New Delhi and SEIAA, Uttarakhand, Dehradun by email for compliance.”*

3. The matter was last considered on 16.09.2020 in the light of further report filed by the joint Committee dated 10.09.2020 recommending stopping of mining till compliance and taking other steps mentioned therein to address the impact of waste lying outside the leased area. The report was accepted and the Committee was directed to complete its task of preparing and getting executed the remedial plan in terms of order dated 24.02.2020. The operative part of the order is as follows:

*“3. Accordingly, report dated 10.09.2020 has been filed by the CPCB to the effect that further detailed examination is necessary for determining the quantum of damage. It is also recommended that some immediate measures be taken to prevent further damage as follows:*

*“5.5.1. Not to allow mining operations till complying prescribed environmental Norms/ guidelines/ recommendations of the committee hereunder.*

*5.5.2. To carry out geo-referenced drone survey of the lease area and its surrounding affected area due to spillage of material from mine and submit the output in appropriate format for further analysis and preparation of remedial plans.*

*5.5.3. Take all appropriate immediate actions to arrest/trap the material from rolling down/flowing away outside lease area by gravity or rain or otherwise.*

5.5.4. Give undertaking that waste material/muck will not be dumped outside the mining lease area in future.

5.5.5. Prepare a time bound action plan to take all appropriate actions to address the impact of waste lying outside the lease;

- i) shift the outside dumped/ rolled/ flown/ washed material/ muck to a suitable safe and secure place within mining lease area and stabilize it.
- ii) in case of area where such material is not safe to handle such portion shall be appropriately terraced, compacted, reclaimed by plantation of local species and ensure its watch and ward till the plantation achieved self-sustained age and height.
- iii) Any other appropriate method for restoration /reclamation etc.

5.5.6. To construct robust obstruction structures (such as toe walls, parapet walls) silting ponds etc. under the guidance of district administration, ensure that muck mixed slurry water of rain does not enter into the Dundu stream.

5.5.7. To develop a natural obstruction and/or construct retaining walls at the end of lowest/bottom most bench of the mine so that waste material/muck does not roll down/spillover downwards along the hillock to outside mining lease.

5.5.8. To submit the action plan for repairing the irrigation water channels and village roads blocked by spillover of muck, if any.

4. We see no reason why the above recommendations be not followed. Accordingly, the above recommendations be acted upon. We grant the time sought by the Committee for completing its task and the report may now be submitted within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The Committee may also ensure that EC conditions are duly complied with.”

4. Accordingly, the Committee has filed its report through CPCB on 20.01.2021 mentioning the steps taken in the matter and suggesting that a geo-referenced drone survey be carried out for further analysis and based thereon further action be taken. The recommendations are as follows:

“xxx.....xxx.....xxx.....”

6.2. The proponent has submitted compliance status to CPCB vide its letter dated 03.12.2020. Copy of the letter is attached for the reference at Annexure-3. **As per the status submitted by the proponent, none of the recommendation of the committee has been denied and given the action plan for compliance and most of the actions suggested are yet to be completed. Further it was informed by IBM that on date no mining plan is under approval stage with them.**

6.3. **The Committee requires technical inputs prior to field visit like georeferenced drone survey of the lease area and its surrounding affected area due to spillage of material from mine for analysis and preparation of remedial plans. The same was recommended in interim report at 5.5.2. As these inputs have not been received thus the field visit, as proposed, in interim report couldn't be undertaken. Wherein, as per the proponent they are in process of finding the suitable agency for conducting the desired survey.**

6.4. **The Committee recommends that the proponent shall carry-out and submit the geo-referenced drone survey of the lease area and its surrounding affected area due to spillage of material from mine and submit the output in appropriate format for further analysis and preparation of remedial plans at the earliest. On receipt of the data/survey details field visit and inspection will be finalized and report will be submitted in two months' time.**

7. **The Committee recommends Hon'ble NGT to issue appropriate directions to proponent for providing required geo-referenced drone survey of the lease area and its surrounding affected area due to spillage of material from mine for analysis and preparation of remedial plans.”**

5. Annexure-III referred to in para 6.2 above is reproduced below:

<b>S. No.</b>	<b>conditions</b>	<b>Reply</b>
5.5.1	Not to allow mining operations till complying prescribed environmental Norms/guidelines/recommendations of the committee hereunder.	Operation of mining activities is not under process from 22.03.2020 and will be started after the recommendation the committee as started i.e. 5.5.1
5.5.2	To carry out geo-referenced drone survey of the lease area and its surroundings affected area due to spillage of material from rolling down/flowing away outside lease area by gravity or rain or otherwise.	The geo reference drone survey will be carried out by suitable/capable surveyor. We are in process of finding the suitable consultants who is capable to carry out survey.
5.5.3	Take all appropriate immediate actions to arrest/trap the material	We have taken all the precautionary measure

	<i>from rolling down/flowing away outside lease area by gravity or rain or otherwise.</i>	<i>like retaining wall/toe wall to arrest/trap the material from rolling down/flowing away outside lease area by gravity or rain or otherwise.</i>
5.5.4	<i>Give undertaking that waste material/muck will not be dumped outside the mining lease area in future.</i>	<i>The undertaken is attached as Annexure-I. The waste material/muck is not to be dumped in area which is not controlled in mine owner.</i>
5.5.5	<i>Prepare a time bound action plan to take all appropriate actions to address the impact of waste lying outside the lease.</i>	<i>At present the mining operation has been stopped from March 22, 2020. The mine plan is under approval process from IBM. The details of appropriate action on waste lining outside the lease are given below.</i>
	<i>i) Shift the outside dumped/rolled/flown/washed material/muck to a suitable safe and secure place within mining lease area and stabilize it.</i>	<i>The material was fall through monsoon period during heavy rain. Approx. 30.0 Nalli land has already been purchase by N.B. Minerals and our Transporter Mr. Kishan Bhandari, who has no objection. Other land in which waste material flown down due to natural calamities i.e. rains, we have already compensate those land owners. In own land, we will stabilize the material through spreading and develop green belt and removing the waste material from other land when the mining work starts.</i>
	<i>ii) In case of area where such portion shall be appropriately terraced, compacted, reclaimed by plantation of local species and ensure its watch and ward till the plantation achieved self sustained age and height.</i>	<i>Due to terraced with slope land, we will stabilize the material through spreading and develop green belt. We will construct a retaining wall during mining operation around the periphery of the mine for controlling flow down of waste material.</i>

	<i>iii) Any other appropriate method for restoration/ reclamation etc.</i>	<i>No any other method for restoration except construct a retaining wall during mining operation around the periphery of the mine for controlling flow down of waste material</i>
5.5.6	<i>To construct robust obstruction structures (such as toe walls, parapet walls) silting ponds etc. under the guidance of district administration, ensure that muck mixed slurry water of rain does not enter into the Dundu Stream.</i>	<i>We will construct toe walls/parapet walls around waste material side for controlling slurry water is not enter into Dundu stream during rains with the discussion of district administration.</i>
5.5.7	<i>To develop a natural obstruction and/or construct retaining walls at the end of lowest/bottom most bench of the mine so that waste material/muck does not roll down/spillover downwards along the hillock to outside mining lease.</i>	<i>We will construct retaining wall around lowest bench before monsoon season for material/muck does not roll down /spillover downwards along the hillock to outside mining.</i>
5.5.8	<i>To submit the action plan for repairing the irrigation water channels and village roads by spillover of muck, if any.</i>	<i>Irrigation water channels is already repaired and muck removed from the village roads. Letter from village panchayat is attached as Annexure-2.</i>

6. While the situation emerging from the Expert Committee report is that the violation of law continues and remedial action is still required, the applicant has sought permission to withdraw the application. The application having been filed for protection of the environment cannot be withdrawn at the will of the applicant. Under the circumstances, we proceed with the matter of requiring further remedial action to be taken. While we accept the recommendations that a geo-referenced drone survey is required, we do not appreciate the suggestion that it should be got done by the project proponent itself. It should be got done by the Committee through an appropriate official mechanism. Needless to say that the Committee can take assistance of such other expert or institution as may be necessary.

7. IA 390-391/2020 have been filed by M/s. N.B. Minerals Corporation on 23.11.2020, the project proponent for modification of the order of this Tribunal of not permitting mining till compliance of violations noticed and praying that no coercive steps be taken for non compliance. It is stated that EC was granted on 09.10.2019 which was received by the mining company on 26.10.2019. Present application was filed on 11.10.2019. Mining was allowed by the Joint Secretary, Department of Mines, vide letter dated 15.01.2020, as a result of an order of the Uttarakhand High Court in W.P. No. 11/2019, which was later stopped on account of lockdown. All norms have been duly followed. The company is giving employment and generating income. Still, closure order was passed which is not called for. Vide letter dated 19.10.2020, the State Government required the project proponent to stop mining to which the project proponent gave response. The report of the Committee, based on satellite image, is not factually correct. Closure of mine is against public interest. Similar stand has been taken by the applicant by filing an affidavit on 04.04.2021.

8. Prayer of the project proponent and the applicant, who is also supporting it, cannot be accepted in view of finding in a credible report of the Expert Committee comprising CPCB, Indian School of Mines, Dhanbad, Indian Bureau of Mines, GoI, and SEIAA, Uttarakhand, dated 27.01.2020 as follows:

***“During inspection it was found that muck extracted during mining was being dumped outside the leased area on the agricultural lands and no safeguards are being adopted by the lessee. This information was sent to the District Magistrate who had already suspended the mining work but there were no scientific steps taken as a result of stopping of the mining activity which were necessary.”***

9. The stand of the project proponent that the report is not factually correct cannot be straightaway accepted and can at best be required to be verified by the joint Committee. The mining been suspended till compliance which, even according to the latest report, has not happened so far. The project proponent has to ensure compliance of environmental norms and restoration of the area. In particular, sliding/disposal of muck in water course must be stopped. The joint Committee may verify the stand of the applicant and the project proponent with the assistance of the District Administration to take further remedial action. The Committee will be free to have the restoration plan executed from the project proponent or from any other agency and till such execution mining may not be allowed to be resumed. IA Nos. 390-391/2020 stand disposed of accordingly.

10. The Committee may furnish its action taken report within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 13.07.2021.

A copy of this order be forwarded to CPCB, Indian School of Mines, Dhanbad, Indian Bureau of Mines, GoI, SEIAA, Uttarakhand and District Magistrate, Pithoragarh by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

April 5, 2021  
Original Application No. 995/2019  
I.A. No. 390/2020 & I.A. No. 391/2020  
DV