

**FACTUAL AND ACTION TAKEN REPORT**  
**OF JOINT COMMITTEE**  
**IN OA NO. 99/2020 (CZ)**

**RUPESH NEMA**

**VS**

**THE MINERAL RESOURCE DEPARTMENT & ORS**

**REPORT 1 [SEHORE]**

**Date of Inspection :- 17.02.2021**

**Committee members :-**

- (i) SDM, Budhni, Sehore
- (ii) Mining Inspector, Sehore
- (iii) District Mining Officer, Sehore
- (iv) Regional Officer and Scientist, M.P. Pollution Control Board, Bhopal

**REPORT 2 [RAISEN]**

**Date of Inspection :- 01.02.2021**  
**& 05.02.2021**

**Committee members :-**

- (i) SDO, (Revenue), Bareilly, Raisen
- (ii) District Mining Officer, Raisen
- (iv) Regional Officer, M.P. Pollution Control Board, Raisen

## Inspection Report

**Ref. - Inspection as per the Hon'ble NGT order on dated 23/12/2020 in OA No 99/2020 (CZ) (Rupesh Nema vs. Mineral Resources Department & ors)**

With reference to above order dated 23/12/2021 of Hon'ble NGT, a team of officials of Collector Office, Sehore comprising of Mining Officer, Sehore and SDM, Budhni and M.P. Pollution Control Board officers visited the sand mining leases mentioned in the petition. The team has referred the main contents of the order, which are as follows-

*"1. The issue of excessive illegal sand mining going on in the embankment areas of River Narmada in an unabated manner by respondent nos. 4 and 5 causing grave danger to the lives of thousands residing, has been raised by the applicant. This illegal mining is said to be in operation in violation of 'Enforcement and Monitoring Guidelines for Sand Mining' issued by the Ministry of Environment, Forest and Climate Change.*

*5. We deem it just and proper to constitute a Committee consisting (i) the District Magistrate/Collector, District Sehore, (ii) the District Magistrate/Collector, District Raisen and (iii) Representative of Madhya Pradesh Pollution Control Board and to direct them to submit a factual and action taken report within six weeks. Madhya Pradesh PCB will be the nodal agency for compliance."*

In reference to above order the respondent no 04 is M/s Power Mech Project Ltd (Contractor for Sehore). The following leases of M/s Power Mech Project Ltd are visited by the team and the details are as under.

1. JAHAJPURA-3 SAND QUARRY, Area – 23.00 Ha, Khasra No 300, 311, Village- Jahajpura, Tehsil- Rehti, District- Sehore
2. BADGAON-3 SAND QUARRY, Area – 4.00 Ha, Khasra No 1, Village - Badgaon, Tehsil - Nasrullaganj, District Sehore
3. SOMALWADA SAND QUARRY, Area – 12.950 Ha, Khasra No 104/2, Village - Somalwada, Tehsil- Budhni, District- Sehore
4. SARDARNAGAR SAND QUARRY, Area – 16.187 Ha, Khasra No 893/852, 852 Village- Sardarnagar, Tehsil -Budhni, District –Sehore
5. MAHUKALA SAND QUARRY, Area – 20.995 Ha, Khasra No 263/212, Village- Mahukala, Tehsil -Budhni, District- Sehore
6. BAGHWADA-1 SAND QUARRY, Area – 18.107 Ha, Khasra No 352/340 Village - Baghwada, Tehsil- Budhni, District –Sehore

All above sand mines have obtained environmental clearance from MPSEIAA and the consent under water act and air act are valid up to 31/03/2021.

The team has visited the sand mining leases mentioned as above and observations are recorded as per inspection the. The geographical locations are marked on the Google map and screen shots are enclosed for reference. As per the site visit and the available data the observation and the comment of the team are mentioned as under:

1. During the inspection, the geographical location in terms of latitude and longitude of places are measured using mobile based GPS application. The measured latitude and longitude are marked on the Google map and the screen shots are enclosed.

2. Sufficient flow was observed in the River Narmada. All these sand mining leases are located on the right side bank of River Narmada under District Sehore and the nearest distance of habitation is approx 500 meters away.
3. Mining leases are demarcated by poles and pegging. For this Mining department has issued instruction in this regard vide letter dated 24/09/2020. No bund / obstruction is constructed in the river stream.
4. As per the record of Mining Department, only manual mining is allowed in the River Narmada and especial checking is conducted in day and night to curb any untoward condition.
5. During inspection, mines were found operating and no heavy machinery was observed deployed in the lease area for sand mining.
6. No in stream mining was observed and the depth of the pit was not exceeding 3.0 meter or water level. The sand is found collected in the form of heaps on the river bed and the sand thus stored sends to nearby holding area by tractor trolleys. Photographs are enclosed.
7. Sufficient quantity of sand stock is found available on the river bed and no excessive sand mining like situation observed. Photographs of all the mines are enclosed. As per mining department, required quantity is available for sand mining in all these mines.
8. Separate roads are constructed for sand transportation from mining lease to main road.
9. All sand mines are operative after obtaining environmental clearance under EIA notification 2006 and the consent of MPPCB with validity up to 31/03/2021.
10. Collector, District Sehore (Mining department) has issued instruction vide letter dated 23/12/2020 for checking of illegal mining, transportation and storage of sand .

#### Recommendations:

1. Mine management shall provide trolley based water sprinkling system on the approach road for fugitive dust suppression generates during sand transportation.
2. The vehicle used for the transportation of sand shall be PU certified and shall be properly maintained to reduce the noise.
3. Sand should be transported using covered vehicles.

*Santosh*  
Santosh Suryavanshi  
Mining Inspector  
District Mining Office  
District- Sehore

*20/12/21*  
S. S. Pandya  
Scientist  
Regional Office, MPPCB, Bhopal

*Shailendra*  
Shailendra Hinotiya  
SDM, Budhni, Distt- Sehore

*Rajendra*  
Rajendra Parmar  
District Mining Officer  
District Mining Office  
District- Sehore

*Brajesh*  
Brajesh Sharma  
Regional Officer, Regional Officer,  
MPPCB, Bhopal

### JAHAJPURA-3 SAND QUARRY, Area – 23.00 Ha. River, Village – Jahajpura, Tehsil – Rehti, District – Sehore



### BADGAON-3 SAND QUARRY, Area – 4.00 Ha., Village – Badgaon, Tehsil – Nasrullaganj, District – Sehore



### SOMALWADA SAND QUARRY, Area – 12.95 Ha. Village – Somalwada, Tehsil – Budhni, District – Sehore



### SARDARNAGAR SAND QUARRY Area – 16.187 Ha. Village – Sardarnagar, Tehsil – Budhni, District – Sehore





### MAHUKALA SAND QUARRY Area – 20.995 Ha., Village – Mahukala, Tehsil – Budhni, District – Sehore



### BAGHWADA-1 SAND QUARRY

Area – 18.107 Ha., Village – Baghwada, Tehsil – Budhni, District – Sehore

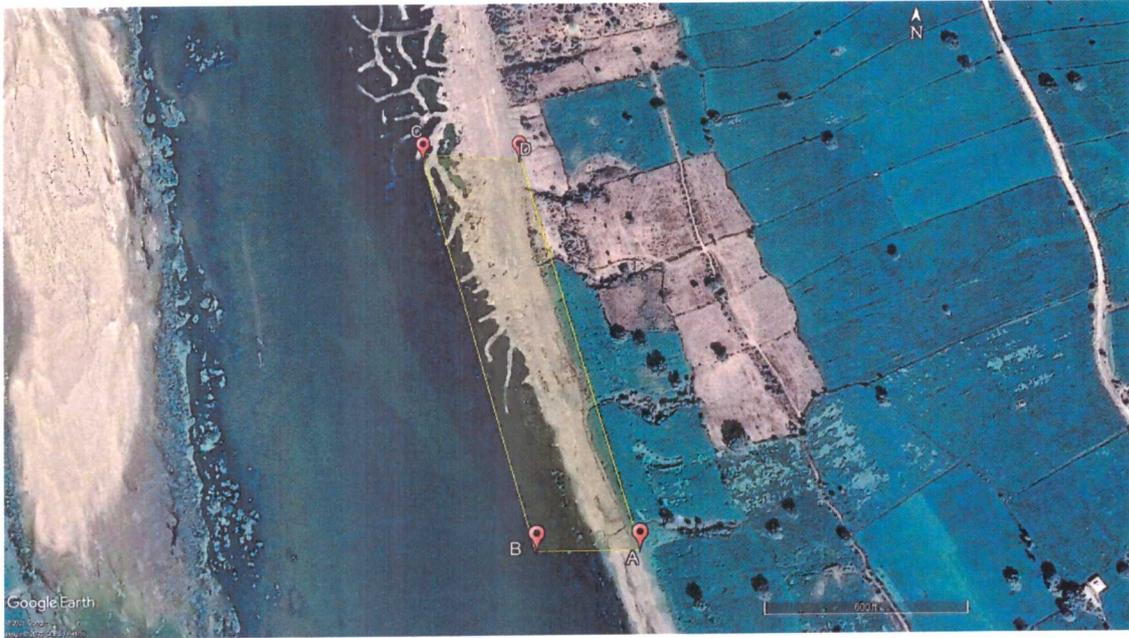


Google Map Screen Shots of Sand mining leases

### JAHAJPURA-3 SAND QUARRY



### BADGAON-3 SAND QUARRY



### SOMALWADA SAND QUARRY



### SARDARNAGAR SAND QUARRY



### MAHUKALA SAND QUARRY



### BAGHWADA-1 SAND QUARRY



**Factual & Action Taken Report in compliance of Order dated 23/12/2020 issued by The Hon'ble National Green Tribunal in the Matter of OA No. 99/2020 (Rupesh Nema V/s The Mineral Resources Department & Ors.) :**

Hon'ble National Green Tribunal issued following directions on dated 23/12/2020 in the Matter of OA No. 99/2020 (Rupesh Nema V/s The Mineral Resources Department & Ors.) :-

"We deem in just proper to constitute a committee consisting (i) the District Magistrate / Collector, District Sehore (ii) the District Magistrate / Collector, District Raisen and (iii) Representative of Madhya Pradesh Pollution Control Board and to direct them to submit a factual and action taken report within six weeks. Madhya Pradesh PCB will be the nodal agency for compliance."

In compliance of the direction of The Hon'ble NGT, Collector District Raisen constituted a team of following officers to examine and submit factual report :-

- 1- Sub Divisional Officer (Revenue), Bareilly District – Raisen (M.P.)
- 2- Regional Officer, Madhya Pradesh Pollution Control Board, Mandideep District – Raisen
- 3- Mining Officer, District – Raisen

Following Officers in the team have visited the sand mine lease located on bed of River Narmada in District Raisen which are maintained in the application by the petitioner on dated 01/02/2021 and 05/02/2021 :-

- 1- Shri Pramod Singh Gurjar, Sub Divisional Officer (Revenue) , Bareilly District – Raisen (M.P.)
- 2- Shri S.N. Dwivedi, Regional Officer, Madhya Pradesh Pollution Control Board, Mandideep District – Raisen
- 3- Shri R.K. Kaithal, Mining Officer, District – Raisen

The team visited all 11 Mine leases located on the bed of River Narmada in District – Raisen which have been allotted to Respondent No. 5 Shri Rajendra Raghuvanshi and under operation after having Environmental Clearance (EC) & Consent to Operate (CTO) from MPPCB. Location and consent status of the mines visited are as follows :-

S. No.	Location of Mine	Area of Mine	Consent Valid up to dated	Consent Capacity (cubic meter per year)
1.	Village – Gora Mcchai Kh. No.475	20 Hectare	31.08.2021	200000
2.	Village– Kotparmahant Kh. No.51	10 Hectare	31.03.2021	100000
3.	Village– Kotparmahant Kh. No.187	1.210 Hectare	31.03.2022	35000
4.	Village – Aliganj Kh. No. 422A,423C	4.046 Hectare	31.03.2022	75000
5.	Village – Sivani Kh. No. 317	0.405 Hectare	31.03.2022	12150
6.	Village – Sojani Kh. No. 235	20 Hectare	31.03.2021	200000
7.	Village – Boaras Kh. No. 735	2.203 Hectare	31.03.2021	50000
8.	Village – Ketoghan Kh. No. 510	2.428 Hectare	31.03.2021	50000
9.	Village – Ketoghan Kh. No. 510	2.428 Hectare	31.03.2021	50000
10.	Village – Ketoghan Kh. No. 510	2.428 Hectare	31.03.2021	50000
11.	Village – Ketoghan Kh. No. 510	2.428 Hectare	31.03.2021	50000

The team has visited the sand mining leases mentioned as above and during the inspection details are recorded. The geographical locations are marked on the Google map and screen shots are enclosed for reference. As per the site visit and the data the observation and the comment of the team are mentioned as under:

1. During the inspection, the geographical location in terms of latitude and longitude of of places are measured using mobile based GPS application. The measured latitude and longitude are marked on the Google map and the screen shot is enclosed. **Annexure-1**

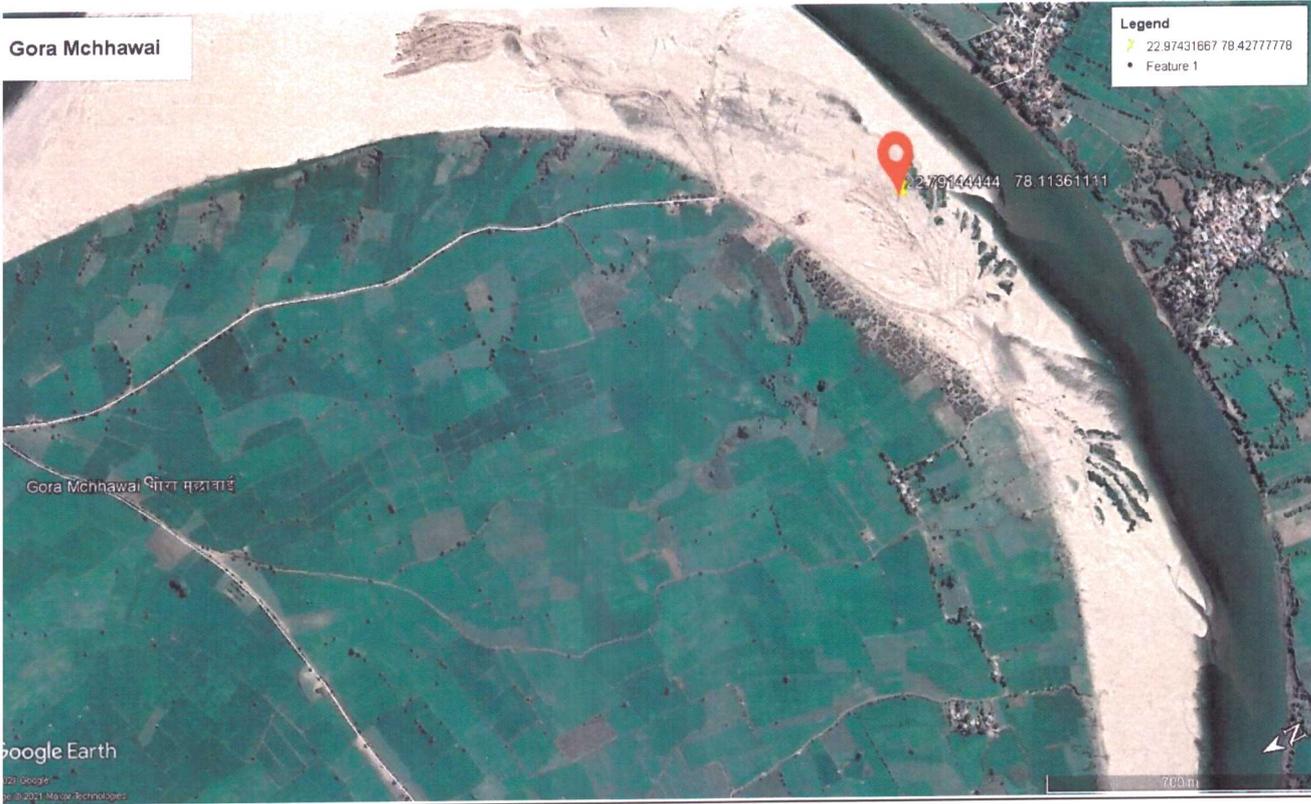
2. All above sand mines were found non-working due to non payment of royalty amount to the Government from dated 27/01/2021. As the mine owner deposits Royalty amount the mines will be allowed to operate by the Mining Department.
3. The sand mining has been done according to the guidelines. No stream mining was observed during inspection and as per observations no mining pit more than 3 meter or below the water level was observed. No bund or obstacle across the river were observed and sufficient flow was observed in the River.
4. No heavy machinery was found operating within mining lease area for sand mining during inspection. As per record of Mining Department only manual mining is allowed in the River Narmada and special checking is conducted in day night to curb any untoward conditions.
5. During inspection it has been observed that the mining lease areas have been demarcated by poles & pegging. During inspection, latitude and longitude of the mines were verified by using mobiles based GPS application and mining work was found conducted within the mine lease area. Due to replenishment of sand during monsoon the mine were observed with sufficient quantity of sand stock and no excessive sand mining type condition observed. As per Mining Department approx 50 to 60% quantity is presently available.
6. All mines have valid consent under the Water (Prevention and Control of Pollution) Act 1974 & the Air (Prevention and Control of Pollution) Act 1981 and EC in accordance with the provisions of EIA Notification 2006.
7. The Respondent No. 5 Shri Rajendra Raghuvanshi (Contractor for Raisen) has been granted mining lease for all above 11 mines which are under operation. Shri Raghuvanshi is operating the mines with valid lease, CTO & EC. Therefore it is verified that illegal sand mining is not being done by the Respondent 5.
8. District Mining Department has responsibility to prevent illegal mining and it is stated that to check the illegal mining regular checking of transport of sand is done through check barriers / Chowkies and whenever illegal sand mining / transport is found strict action has been taken as per law by launching FIRs, imposing penalties and seizing the transport vehicles and machine etc. Action taken to check the illegal mining during 2020-21 is annexed as **Annexure-2**.
9. Details of Mining done and quantity of sand mined during 2020-21 in above 11 mines by the Respondent No. 5 is as per **Annexure-3**. It is stated that the Respondent No.5 has done sand mining from the particular mine within permitted capacity as per EC and consent (CTO of MPPCB).
10. Photographs of mining leases visited by the team are annexed as **Annexure-4**

(R.K. Kaithal)  
Mining Officer  
District – Raisen

(S.K. Dwivedi)  
Regional Officer  
M.P.Pollution Control Board  
Mandideep, District – Raisen

(Pramod Singh Gurjar)  
Sub-Divisional Officer  
(Revenue)  
Bareilly, District – Raisen (M.P.)

**Gora Mchhawai (20 Hactare)**



**Kotparmahant -A (10 Hactare )**



**Kotparmahant – C (1.210 Hactare)**

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**Aliganj (4.046 Hactare)**



**Sivani (0.405 Hactare)**



**Sojani (20 Hactare)**



**Boras (2.203 Hactare)**



**Ketoghan-A (2.428 Hactare)**



**Ketoghan-B (2.428 Hactare)**



**Ketoghan-C (2.428 Hactare)**

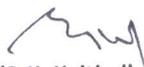


Ketoghan-D (2.428 Hactiare)



## CASES REGISTERED AGAINST ILLEGAL MINING AND TRANSPORTATION DURING 2020-21

S. No.	Type of Case	No. of Cases	Penalty Imposed (In Rs.)	Deposited Penalty (In Rs.)
1.	Illegal Transportation	117	68,45,000/-	68,45,000/-
2.	Illegal Mining	03	7,20,000/-	7,20,000/-
<b>Total</b>		<b>120</b>	<b>75,65,000/-</b>	<b>75,65,000/-</b>

  
(R.K. Kaithal)  
Mining Officer  
District-Raisen

**Annexure-3****DISTRICT RAISEN 11 SAND MINES AND THEIR MINED SAND QUANTITY DURING 2020-21**

S. No.	Mine Name	Area of Mine	Quantity Approved in Environmental clearance. (cubic meter per year)	Consent Capacity (cubic meter per year)	Mined Sand Quantity During 2020-21
1.	Village – Goramachuwai 2	20 Ha.	200000	200000	34,047.00
2.	Village– Kotparmahant- A	10 Ha.	100000	100000	17,183.50
3.	Village– Kotparmahant-C	1.210 Ha.	35000	35000	31,046.90
4.	Village – Aliganj	4.046 Ha.	75000	75000	84,813.50
5.	Village – Seoni	0.405 Ha.	12150	12150	5,387.30
6.	Village – Sojani	20 Ha.	200000	200000	192,514.67
7.	Village – Boras	2.023 Ha.	50000	50000	1,102.00
8.	Village – Ketoghan -A	2.428 Ha.	50000	50000	13,866.45
9.	Village – Ketoghan -B	2.428 Ha.	50000	50000	12,170.83
10.	Village – Ketoghan -C	2.428 Ha.	50000	50000	10.97
11.	Village – Ketoghan-D	2.428 Ha.	50000	50000	45,900.85

  
**(R.K. Kaithal)**  
**Mining Officer**  
**District-Raisen**

M/s Rajendra Raghuvanshi (Goramchhawai Sand Mine- 20 Hectare)  
Kh. No. 475, Village - Goramchhawai, Tehsil Badi, District – Raisen  
Latitude : 22.7977004 Longitude : 78.1206874



M/s Rajendra Raghuvanshi (Kotparmahant-A Sand Mine- 10 Hectare)  
Kh. No. 51, Village- Kotparmahant, Tehsil Bareilly, District – Raiesan  
Latitude : 22.92021667 Longitude : 78.34222222

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M/s Rajendra Raghuvanshi (Kotparmahant-C Sand Mine- 1.210 Hectare)  
Kh. No. 187, Village- Kotparmahant, Tehsil Bareli, District – Raisen  
Latitude : 22.91935000 Longitude : 78.34833333

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M/s Rajendra Raghuvanshi (Sivani Sand Mine- 0.405 Hectare)  
Kh. No. 317, Village- Sivani, Tehsil Bareilly, District – Raiesan  
Latitude : 22.935707      Longitude : 78.371797



M/s Rajendra Raghuvanshi (Sojani Sand Mine- 20 Hectare)  
Kh. No. 235, Village- Sojani, Tehsil Bareilly, District – Raieson  
Latitude : 22.89256111 Longitude : 78.29750000



M/s Rajendra Raghuvanshi (Boras Sand Mine- 2.203 Hectare)  
Kh No. 735, Village - Boras, Tehsil Udaipura, District - Raisen  
Latitude : 23.01194444      Longitude : 78.52944444



M/s Rajendra Raghuvanshi (Ketoghan-A Sand Mine- 2.428 Hectare)  
Kh. No. 510, Village - Ketoghan, Tehsil Udaipura, District – Raisen  
Latitude : 22.970407 Longitude : 78.414297



M/s Rajendra Raghuvanshi (Ketoghan-B Sand Mine- 2.428 Hectare)  
Kh. No. 510, Village - Ketoghan, Tehsil Udaipura, District - Raisen  
Latitude : 22.973807 Longitude : 78.425400



M/s Rajendra Raghuvanshi (Ketoghan-C Sand Mine- 2.428 Hectare)  
Kh. No. 510, Village - Ketoghan, Tehsil Udaipura, District – Raisen  
Latitude : 22.97571667 Longitude : 78.42583333



M/s Rajendra Raghuvanshi (Ketoghan-D Sand Mine- 2.428 Hectare)  
Kh. No. 510, Village - Ketoghan, Tehsil Udaipura, District – Raisen  
Latitude : 22.97431667 Longitude : 78.42777778

