

JOINT INSPECTION REPORT

IN

Original Application No.91/2020 (CZ)

ABHISHEK BENIWAL

VS

STATE OF M.P. & ORS.

Date of Inspection :- 20.11.2020

Committee Members :- District Mining Officer, Harda

Regional Officer, MPPCB, Mandideep

JOINT INSPECTION REPORT

Inspection Date - 20.11.2020

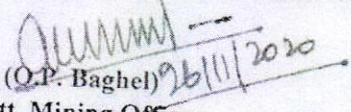
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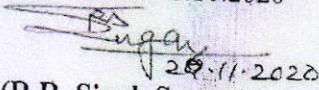
Subject - Joint Committee Inspection as per the Hon'ble NGT order passed on 20.10.2020 in OA. No. 91/2020 (CZ) (Abhisekh Beniwal Vs M.P. State and Others)

With reference to above order dated 20.10.2020 of Hon'ble NGT a Joint Committee consisting District Mining Officer Harda and Regional Officer, M.P. Pollution Control Board carried out an inspection on the matter in issue raised in application. As per order Committee has visited the sites of sand mines located on bank of River Narmada and sand Stocks in district Harda which are mentioned in application. The Committee made following observation and verified facts from various government department -

1. In District Harda there are total 16 Sanctioned Sand Mines.
2. The contract of sand mining in whole Harda district has been granted by Mining department to Shri Ujjwal Singh Chouhan for 03 years periods.
3. Only 09 sand mines are operational at present with valid EC and CTO.
4. Sand Mines mentioned in application named Uchan, Segon, Golamalgujari and Handia were found non operational. These sand mines were seen submerged in water (back water of Indira Sagar Dam) at the time of inspection. So no mining activity was seen at these mine sites. Photographs enclosed as **Annexure - 1**.
5. Sand stock yard of contractor situated in village Mangrol was also found non operational. Only about 10-12 cubic meter of sand was found stored in this stock site. This stock yard has valid CTO.
6. Manoharpura sand mine was seen operational. Most part of mine was seen submerged in water. From open river bed sand was collected manually and also manually loaded in dumpers. No mechanical mining and loading etc was seen at mine site. Some boats were seen in river near this sand mine but mine representative denied that the boats belong to them. But circumstantial evidences reflected the probability of in stream sand excavation through boats. Photographs enclosed as **Annexure - 2**. A notice in this regard has been issued by mining department to mine contractor on dated 25-11-2020 which is enclosed as **Annexure-3**.
7. As per District Collector Harda order dated 19.06.2020, the sand mining was banned in the district from midnight of 30.06.2020 to 01.10.2020 due to monsoon season. As per district mining office record no sand mine was open for operation in this period.
8. Mining office had strict vigil over illegal mining of sand during monsoon period and no case of illegal sand mining was observed.
9. A joint committee formed by Hon'ble NGT in case OA 20/2018 (CZ) Vijay Bajaj vs Union of India and Ors was also carried out inspection on 05.09.2020. No sand mining was seen on bank of river Narmada at that time and flood condition in river was seen. Report enclosed **Annexure-4**
10. A report of Police station Handia is also called upon during inspection which is enclosed as **Annexure-5**. As per report 12 cases of illegal sand transportation were registered in period from 01-07-2020 to 31-10-2020.

The above factual report is submitted in compliance to Honorable NGT order dated 20.10.2020


(O.P. Baghel) 26/11/2020
Asstt. Mining Officer
OIC, Mining Office
District - Harda


(R.R. Singh Sengar)
Regional Officer
Regional Office
M.P.P.C.B. Mandideep

Annexure – 1



Seegon Sand Mine, District Harda



Golamalgujari Sand Mine, District - Harda



Unchan Sand Mine, District - Harda



Margul Sand Stock Yard, District - Harda

Annexure – 2

Photographs of Manoharpura Sand Mine, District – Harda



Joint Inspection report

NGT Case No. 91/2020

Date 20.11.2020

(5)

कार्यालय कलेक्टर (खनिज शाखा) जिला हरदा (म.प्र.)

क्रमांक / २११ / खनिज / 2020-21

हरदा, दिनांक 25/11/2020

// नोटिस //

प्रति

Annexure -3

टेकेंदार उज्जवल चौहान,
आ.दशरथ चौहान,
(अधिकृत प्रतिनिधि देवेश देशमुख)
संतोषी माता वार्ड, पांडुर्णा,
जिला-छिंदवाड़ा (म0प्र0)
हा0मु0 हाईवे ट्रीट हंडिया,
तहसील-हंडिया, जिला-हरदा

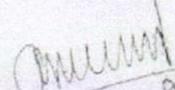
विषय:- ग्राम मनोहरपुरा रेत खदान में संयुक्त समिति द्वारा की गई जांच के संबंध में।

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उपरोक्त विषयान्तर्गत लेख है, कि दिनांक 20.11.2020 को ग्राम मनोहरपुरा तह0हंडिया, जिला हरदा के खसरा नं. 1/1 रकबा 10.000 हेक्टे. पर आपको स्वीकृत रेत खदान की माननीय एन0जी0टी0. सेंट्रल जोनल बैंक, भोपाल के ओ0ए0 नं. 91/2020(CZ) में दिनांक 20.10.2020 को दिये गये आदेश के पालन में म0प्र0प्रदूषण नियंत्रण बोर्ड तथा जिला खनिज विभाग, हरदा के अधिकारियों द्वारा की गई संयुक्त जांच में पाया गया कि ग्राम मनोहरपुरा में नर्मदा नदी के भीतर नावे चल रही थी तथा मजदूरों द्वारा वाहनों में रेत भरी जा रही थी, जो कि बाद में वाहन भगा लिया गया, पूर्व में दिनांक 26.09.2020 को कलेक्टर, हरदा की ओर से आपको सूचना पत्र दिया गया था, जिसमें जिले की रेत खदानों में अवैध उत्खनन रोकने तथा जिला प्रशासन को सूचित करने का लेख किया गया था, परन्तु आज दिनांक तक आपके द्वारा ना तो नर्मदा तथा गंजाल नदी में अवैध उत्खनन की रोकथाम की गई, ना ही इसकी सूचना जिला प्रशासन को दी गई।

दिनांक 20.11.2020 की संयुक्त जांच में ऐसा प्रतीत होता है, कि आपके द्वारा ई.सी. तथा म.प्र.प्रदूषण नियंत्रण बोर्ड की शर्तों का उल्लंघन करते हुये नर्मदा नदी मनोहरपुरा खदान से पानी के भीतर से रेत निकालकर परिवहन कराई जाती है।

अतः आप एक सप्ताह के भीतर सूचना पत्र का जबाब समक्ष में प्रस्तुत करें। अन्यथा आपके विरुद्ध नियमानुसार कार्यवाही हेतु कार्यपालक संचालक, म0प्र0राज्य खनिज निगम, भोपाल को प्रस्ताव प्रेषित किया जावेगा।


प्रभन्री अधिकारी,
(खनिज शाखा)
जिला-हरदा(म.प्र.)

25/11/2020

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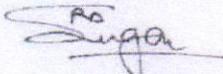
Annexure - 4

Inspection Report

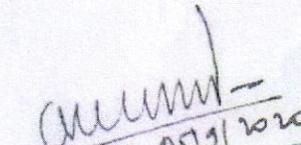
Ref. - Joint inspection as per the Hon'ble NGT order passed on dated 04/08/2020 in OA No 20/2018 (CZ) (Vijay Bajaj vs. Union of India & Other)

With reference to above order dated 04/08/2020 of Hon'ble NGT, a team of officials of Office of District Collector, District - Harda and M.P. Pollution Control Board conducted an inspection of the matter on dated 5th September 2020. As per order, team has visited the site of sand mines located on the River Narmada in district Harda. The observations are mentioned as under:

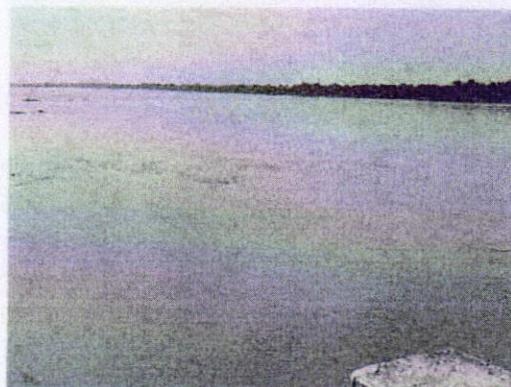
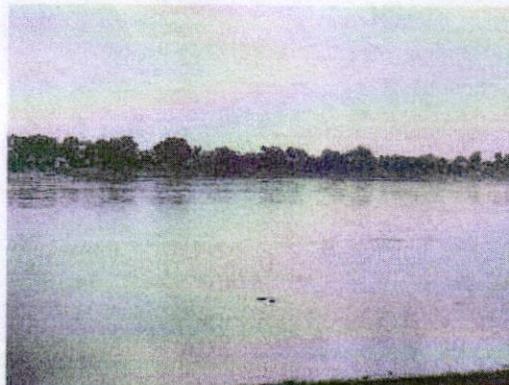
1. The team has visited the sand mines located at different sites on the stretch of River Narmada in distt Harda as mentioned in the petition. The photographs are enclosed.
2. Due to sever rain in the area there is a flood like situation in the river Narmada and all the sand leases are submerged in the water. Approx 10 feet water is flowing above the lease ground level.
3. The status of sand leases can not be visualized as leases are submerged in the river water.
4. As per the District Collector, Harda order No 292 dated 19/06/2020, the sand mining is banned in the district from 30/06/2020 to 01/10/2020 due to mansoon season. As per District Mining Office record no mine is open for operation.
5. The sand mine as mentined in the petition have been surrendered by the owner//lease expired as per the District Mining Office, Harda record. As per record the sand leases mentioned in the petition are allotted to new contractors.
6. In light of above due to flood like situation no sand mining is found operational in the area. Due to submergence of the sand mine leases situated on the bank of river Narmada, the points mentioned in the petition could not be verified in the prevailing conditions.


R R Sing Sengar
Regional Officer,
Regional ffice,
MPPCB , Mandideep,


Brajesh Sharma
Eexecutive Engineer,
Head Office, MPPCB ,
Bhopal


O P Baghel 05/9/2020
Asstt. Mining Officer
OIC, Mining Office,
District - Harda

Photographs of River Narmada



कार्यालय पुलिस थाना हण्डिया जिला हरदा (म.प्र.)

क्रमांक-पु.था./हण्डिया/4225/2020

दिनांक - 20.11.2020

प्रति,

श्रीमान खनिज अधिकारी महोदय

जिला हरदा (म0प्र0)

विषय:-

अवैध रेत खनन उत्खन्न के संबंध में ।

महोदय

उपरोक्त विषयांतर्गत निवेदन है दिनांक 01 जुलाई 2020 से 31 अक्टूबर 2020 तक मानसून प्रतिबंध के दौरान थाना हण्डिया में अवैध रेत परिवहन (चोरी) के कुल 12 प्रकरण पंजीबद्ध किये गये हैं जिनमें से 07 टेक्टर ट्राली एवं 05 डम्पर जप्त कर वाहन चालक एवं वाहन मालिक के विरुद्ध अपराध पंजीबद्ध किये गये हैं व जप्त शुदा वाहनो को माननीय न्यायालय के आदेश से वाहन मालिक को सुपुर्द कर दिये गये हैं । आपके द्वारा चाही गई जानकारी निम्नानुसार है :-
बिन्दु क्रमांक 05 - पुलिस के द्वारा किसी रेत माफिया को अवैध रेत उत्खन्न व रेत परिवहन में सहयोग नहीं किया गया ।

अपितु पुलिस के द्वारा अवैध उत्खन्न व परिवहन रोकने के लिये निरंतर हण्डिया क्षेत्र में सतत भ्रमण कर पुलिस एवं खनिज विभाग द्वारा 07 टेक्टर ट्राली एवं 05 डम्परों पर कार्यवाही की गई है ।

बिन्दु क्रमांक 06 - थाना हण्डिया में किसी व्यक्ति विशेष के द्वारा अवैध रेत उत्खन्न एवं परिवहन की कोई भी शिकायत नहीं की गई है ।

थाना हण्डिया में पदरथ कोई भी पुलिस अधिकारी / कर्मचारी के द्वारा अन्य किसी व्यक्ति के माध्यम से अवैध रेत उत्खन्न एवं परिवहन नहीं किया गया ।

अतः चाही गई जानकारी श्रीमान जी की ओर सादर प्रेषित है ।

20/11/2020

थाना प्रभारी
जिला हरदा
हण्डिया