

BEFORE THE NATIONAL GREEN TRIBUNAL
O.A. No. 131/2023
CENTRAL ZONE BENCH, BHOPAL

IN THE MATTER OF:

PRABHAT MOHAN PANDEY

...APPLICANT

Versus

STATE OF MP & ORS

....RESPONDENTS

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Date: 25.01.2024

Submitted by MPPCB:-

Place: Bhopal



through Counsel

Adv. Parul Bhadoria

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL BENCH, BHOPAL

Original Application No. 131/2023 (CZ)

Prabhat Mohan Pandey

VS

State of Madhya Pradesh, Minerals Resource Department,
& Ors.

Date of Inspection:- 28/11/2023

Committee members :-

- 1- District Collector -Sehore (M.P.)
- 2- One representative of MP SEIAA
- 3- Regional Officer M.P. Pollution Control Board

**Factual & Action Taken Report in compliance of order dated 10/10/2023
issued by Hon'ble National Green Tribunal in the matter of O.A No.
131/2023 (CZ)(Prabhat Mohan Pandey Vs State of Madhya Pradesh,
Mineral Resource Department & Ors)**

Hon'ble National Green Tribunal, Central Bench, Bhopal has issued the following directions vide order dated 10/10/2023 in the O.A No. 131/2023 (CZ) Prabhat Mohan Pandey Vs State of Madhya Pradesh, Mineral Resource Department & Ors :-

- 1- The issue raised in this application is restitution of the environment degraded due to mining in the District- Sehore, M.P.*
- 2- The contention of the applicant is that before floating the tender in question, and assessment of the availability of the sand was done by the District Administration, accordingly the tender was floated. After analysing the quantity of the sand permissible under the tender document and given permission under the EC document, it was realised that there is an illegal excavation of sand which is more than the tender document.*
- 3- It is further submitted that before restoring/restituting the environment, the tender which was floated in the next year could not be permitted to be continued.*
- 4- A substantial issue of environment has been raised.*
- 5- Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within Six weeks through E-filing portal, 2 preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF*
- 6- Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.*
- 7- We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-*

i. District Collector, Sehore, (M.P.).

ii. One representative from MPSEIAA

iii. One representative from Madhya Pradesh Pollution Control Board

8- The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support

In compliance of the Hon'ble NGT order the joint committee consisting below mentioned officers visited the site located on River Narmada in District- Sehore (MP) on dated 28/11/2023

- i. Shri Anil Kumar Sharma, Member M.P. SEIAA Bhopal
- ii. Shri Brajesh Sharma, Regional Officer M.P. Pollution Control Board, Bhopal
- iii. Shri Rajendra Parmar District Mining officer Sehore Dist-Sehore

Committee has reviewed the matter raised in the petition and the points are mentioned as under:

1. On dated 30/08/2019, the Madhya Pradesh Sand Mining Policy, 2019 was notified by State of M.P.
2. According to this policy, every district was required to have its own contractor or a group of contractors for carrying out the task of excavation of sand.
3. In the month of October 2019 tender was floated for inviting contractor for the district of Sehore.
4. As per tender, the total quantity of sand which has been auctioned is 74,38,560 cubic meters.
5. The tender in question was awarded in favor of M/S Power Mech Project Limited.
6. M/S Power Mech Project Limited executed agreement with the state

government and started applying for necessary permission as mentioned in Rule 12 of the M.P. Sand mining Rules 2019.

7. M/S Power Mech Project Limited got all the environment clearances that have been applied.
8. EC has been issued for 26 mines out of total 30 tendered mines.
9. EC granted for total 92,02,370 cubic meters sand and despite the quantity of sand tendered being 74,38,560 cubic meters of sand.
10. The total quantity of sand for which EC has been issued in access to the tendered quantity is 26,92,775 cubic meters of sand.
11. Petitioner provided a tabular chart of 26 mines which EC has been granted are as enclosed as **Annexure - 01**

Field Observation:

The committee first visited the site to observe the present status of sand mines. The Mining lease area of the sand mines are located on River Narmada, Distt Sehore. Some of the mines are visited by the committee and statuses observed during inspection are as follow. The geographical locations of the site are measured using mobile based application. The photographs taken during inspection and the geographical location of the mines visited by the committee are enclosed as **Annexure - 02: -**

During inspection following status was observed by the committee:

1. Jahajpura-1 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 15.80 Hectares.
- Sand mining was not found operational.
- Some sand pits are found at the lease area.
- the lease area not properly demarcated with pacca munnare.

2. Jahajpura-2 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 23.00 Hectares.
- Sand mining was not found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

3. Babri-2 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 20.50 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

4. Ambajdeed-1 Sand Mine: -

- Lease area of the sand mine is 21.582 Hectares.
- Sand mining was not found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

5. Ambajdeed-2 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 23.341 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

6. Dimawar Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 23.17 Hectares.

- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

7. Ambajdeed-3 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 20.00 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

8. Joshipur Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 20.242 Hectares.
- Sand mining was not found operational.
- The lease area not properly demarcated with pacca munnare.

9. Badgaon-1 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 16.032 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

10.Badgaon-2 Sand Mine: -

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 21.733 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

11. Janwasa-1 Sand Mine:-

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 14.00 Hectares.

- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

12. Janwasa-2 Sand Mine:-

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 20.00 Hectares.
- Sand mining was found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

13. Jajna Sand Mine :-

- EC is transferred to M P State Mining Corporation, Bhopal and the lease area of the sand mine is 12.14 Hectares.
- Sand mining was not found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.
- The lease area of sand mine is in submerged condition.

14. Bagwada-2 Sand Mine: -

- Area of the sand mine is 16.667 Hectares.
- Sand mining was not found operational.
- Some sand pits are found at the lease area.
- The lease area not properly demarcated with pacca munnare.

Action Taken By MPPCB

Regional Office, MPPCB, Bhopal vide letter no 2400 dated 29/11/2023 issued to M P State Mining Corporation, Bhopal for submission of clarification in reference to order dated 10/10/2023 of Honble NGT (CZ) and specify the sand quantity mentioned in tender, the quantity mentioned in the environmental clearance and the actual excavated quantity of sand. The copy of the letter is enclosed as **Annexure - 03**

Reply of M P State Mining Corporation, Bhopal

M P State Mining Corporation, Bhopal vide letter No /Sand/2023-24/1313 Dated 12/01/2024 submitted the note on the matter. The copy of the letter is enclosed as **Annexure -04**. The contents of the letter are mentioned as under:

1. On 30 July 2019, details of sand mines were publicly displayed to invite suggestions and objections for the purpose of upcoming auction.
2. A separate rule for regulation of sand business in Madhya Pradesh was notified on August 30, 2019
3. According to these rules, the collector was responsible for demarcating and declaring sand mines in the district. The State Mining Corporation handled the disposal of sand mines through tenders, with details provided in the tender form, including approximate quantity and approximate area of the mines included in the group. The tendered quantity for the group represents the maximum amount of sand permitted for extraction from any or all mines within the group in a given year. The total quantity, or any potential variations, sets the basis for determining the reserve price. Initially the price of the tendered quantity was Rs 125/- per cubic meter, the reserve price was subsequently amended to Rs 250/- per cubic meter
4. Tenders were conducted for 3.96 Crores cubic meters out of a total of approximately 8 Crore cubic meters of sand which is sufficient to explain that government never intended to exploit whole of deposit of sand. Contractors were entrusted with the responsibility of obtaining statutory clearances like mining plans, environmental clearances & CTO etc. accordingly. It is clarified that the tendered quantity

represented the total for the group of mines, not on a mine-by-mine basis.

Production capacity mentioned in Notice Inviting Tender and Environmental Clearance: -

1. The EC applications are decided by the MPSEIAA strictly as per the procedure laid down in the EIA Notification 2006. Therefore, SEIAA has considered the quantity of sand mentioned in the approved mining plan and replenishment Plan approved by the Competent Authority and as per the recommendations of SEAC
2. The procedure adopted by mining department for allotment of mining lease by issuing Notice Inviting Tender (NIT) is a preliminary process. Once the mining lease is allotted and mining plan is prepared and approved by the mining department, the EC application is filed before SEIAA for grant of EC
3. That, it has been provided in Rule 12 (1)(d) of the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rules 2019 as under:- Rule 12 (1)(d)
4. The mining plan shall be prepared only on the basis of actual quantity available/estimated and all the Mining operations shall be carried- out in accordance with the approved mining plan
5. That, it has further been provided in Rule 12 (4) of the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rules, 2019 as under: -
 1. Rule 12 (4) Permissible Quantity The mining shall be permitted up to mineable quantity fixed in the mining plan, environmental clearance, water and air consent (whichever is less)
6. This rule gives further clarity in the matter as the documents required to be relied upon for determining the permissible quantity are mining

plan, EC and Air/Water consent. The tender document is not relevant document as per the Rule 12(4) while determining the permissible mineable quantity. The above-mentioned provisions also clarify that the approved mining plan is the basis on which further permissions and approvals are given. The procedure adopted prior to the preparation of mining plan is not relevant for SEIAA while dealing with the EC applications

7. That, the para 11 of the notification is of utmost importance while dealing with this appeal as it pertains to “Transferability of Environmental Clearance (EC)” and it reads as under: -

Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

- The requirements of para 11 of the EIA Notification are being followed by SEIAA while deciding the applications filed for the transfer EC. While dealing with the cases of the transfer of EC and para 11 of the EIA Notification, the most important environmental concern is that, there should be no change in the terms and conditions under which the prior environmental clearance was initially granted, and transferred EC shall also be valid for the same terms and conditions and validity period and

quantity

- It is stated that the Hon'ble National Green Tribunal vide its Order dated 22.02.2022 in OA 96/2020 directed MP-SEIAA that EC should be accorded only to the limit of auctioned and sustainably permissible quantity. Thereafter MP-SEIAA undertook a Policy Decision wherein no mining activity shall be carried out beyond either the EC quantity, tendered value, mining plan, DSR or replenishment plan whichever is lower.
- The same was communicated vide letter dated 13.04.2022 to all District Collectors and Director Geology Mining to comply with the aforementioned policy decision of SEIAA and with the directions of NGT.
- That thereafter a mandatory condition has been incorporated in ECs granted post the directions of NGT dated 22.02.2022 wherein it is made clear to the project proponents and the district administration that no mining shall be permitted beyond the tendered value, mining plan, or DSR replenishment plan (whichever is lowest)
- Board has also granted Consent to operate on the basis of quantity mentioned in EC given by MP SEIAA.

Conclusion:

As per the information provided by M P State Mining Corporation the committee observed the following points:

Earlier EC was granted to previous contractor M/s Power Mech Project Limited in the year of 2020 for the periods of 03 years i.e. from 2020 to 2023, in accordance with the prevailing rules and regulation in force at that time.

At the time of EC granted to previous contractor, the rule which states that “the production quantity of mines should be less than the DSR quantity, Auctioned Quantity and EC quantity, whichever is less” was not in force. EC issued to the M/s Power Mech Project Limited has been expired on dated 30.06.2023. A mandatory condition has been incorporated in ECs granted post the directions of NGT dated 22.02.2022 wherein it is made clear to the project proponents and the district administration that no mining shall be permitted beyond the tendered value, mining plan, or DSR replenishment plan (whichever is lowest).

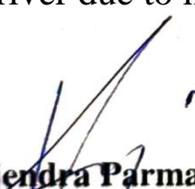
M P State Mining Corporation has submitted the information of estimated tender quantity, EC quantity, CTO quantity and consumed quantity of 30 sand mines for the entire contract period (03 years) (**Annexure-05**). As per data given by MP State Mining Corporation the production quantity of sand mines is found less than the EC quantity and CTO quantity.

Recommendations: -

- a. Occupier shall ensure compliance of the Enforcement & Monitoring Guidelines for Sand Mining January 2020, Conditions stipulated by MP SEIAA and MPPCB should be strictly followed and complied.
- b. As far as possible Modern technology wherever applicable shall be used to comply the provision of "Enforcement & Monitoring Guidelines for Sand mining, issued by the MOEF in January 2020.
- c. Proper monitoring methodology should be planned by mining department and other regulatory agencies for proper execution and implementation of provisions of sustainable sand mining guidelines 2016 and Enforcement & Monitoring Guidelines 2020. A detailed

plan of action at district level should be prepared to oversee the mining activities and to control illegal mining and compliance of EC of MPSEIAA & MPPCB clearance / consent conditions.

- d. The older excavated pits should be filled by mined out boulders and gravels and should be leveled to enhance the replenishment process of river sand.
- e. Proper care should be taken to avoid mining near the habitation. Also instream manual sand mining by using boats should not be allowed.
- f. The transportation route should be properly planned and executed to avoid villages / habitation.
- g. Warning boards intimating the penalty for illegal mining and transportation of sand should be placed by the Mining Department. Sufficient cautionary and warning boards should be placed at important places on the transport route for intimating the penalty for illegal mining and transportation of sand.
- h. The natural drainage system of the river near the sand mining lease area should be protected. Restore the natural drainage system of river due to mining activity.


(Rajendra Parmar)
District Mining Officer
Dist-Sehore
24/11/24


(Brajesh Sharma)
Regional Officer
M.P. Pollution Control Board
Bhopal


(Anil Kumar Sharma) 24/01/2024
Member, MP SEIAA
Bhopal

The Sand mine details as provided by Petitioner

S. No	Name	EC Detail	Location	Area (Hectares)	Quantity of Sand As Per EC (Cubic Meter/Year)	Total 03 Years Quantity of Sand As Per EC (Cubic Meter)	Total Quantity of Sand As Per NIT (Cubic Meter)	Difference in Mines (Cubic Meter) Col 07- Col 08
1	8376/2021 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Nehlai, Tehsil Rehti, District Sehore, Khasra No 120	8.093	76000	228000	121395	106605
2	8377/2021 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Ninaur, Tehsil Rehti, District Sehore, Khasra No 120	20.000	74803	224409	200000	24409
3	8419/2021 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Baghwara-2, Tehsil Budhni, District Sehore, Khasra No 352/340	16.667	74822	224466	166670	57796
4	8900/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Jahajpura, Tehsil Rehti, District Sehore, Khasra No 300, 311	23.000	285855	857565	345000	512565
5	8901/2021	EC	Village	15.000	202380	607140	450000	157140

	M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	Granted	Janwasa-4, Tehsil Budhni, District Sehore, Khasra No 155/1/1					
6	8902/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Neelkanth, Tehsil Nasrullaganj, District Sehore, Khasra No 79	16.10	188613	565613	240000	325613
7	8903/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Baghwara-1, Tehsil Budhni, District Sehore, Khasra No 352/340	18.107	171000	513000	181070	331930
8	8904/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Budhni, Mahukala, Tehsil Budhni, District Sehore, Khasra No 263/212	20.995	199329	597987	209950	388037
9	8905/2021 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Janwasa-3, Tehsil Budhni, District Sehore, Khasra No 155/1/1	10.000	171000	513000	300000	213000
10	8906/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Somalwada, Tehsil Budhni, District Sehore, Khasra No 104/2	12.950	198300	594900	259000	335900
11	8907/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2	EC Granted	Village Charua, Tehsil Rehti, District Sehore, Khasra No 146	5.140	24510	73530	51400	22130

	Shakti Nagar, Habibganj Bhopal							
12	8908/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Sardarnagar, Tehsil Budhni, District Sehore, Khasra No 893/852	16.187	216000	648000	242805	405195
13	9173/2022 M/S Power Mech Project Ltd., Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Badgaon-3, Tehsil Nasrullaganj, District Sehore, Khasra No 01	4.000	18620	55860	60000	-4140
14	7626/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Ambajidid-2, Tehsil Nasrullaganj, District Sehore, Khasra No 223	23.341	90940	272820	350115	-77295
15	7615/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Janwasa-1, Tehsil Budhni, District Sehore, Khasra No 154	14.000	84000	252000	280000	-28000
16	7610/2020 M/S Power Mech Project Ltd., Executive Director, Shri	EC Granted	Village Ambajidid-1, Tehsil Nasrullaganj, District Sehore,	21.582	92490	277470	323730	-46260

	Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal		Khasra No 224					
17	7617/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Badgaon-1, Tehsil Nasrullaganj, District Sehore, Khasra No 178	16.032	61810	185430	240480	-55050
18	7614/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Dimawar, Tehsil Nasrullaganj, District Sehore, Khasra No 508/505, 509/506	23.170	230000	690000	347550	342450
19	7623/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Babri-1, Tehsil Rehti, District Sehore, Khasra No 363/1	4.000	17100	51300	60000	-8700
20	7622/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen	EC Granted	Village Janwasa-2, Tehsil Budhni, District Sehore, Khasra No 155/1/1	20.000	120000	360000	600000	-240000

	Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal							
21	7621/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Badgaon-2, Tehsil Nasrullaganj, District Sehore, Khasra No 165/1	21.733	91.120	273360	325995	-52635
22	7624/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Ambajidid-3, Tehsil Nasrullaganj, District Sehore, Khasra No 223	20.000	77020	231060	300000	-68940
23	7625/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Jahajpura-2, Tehsil Rehti, District Sehore, Khasra No 300	23.000	108840	326520	345000	-18480
24	7627/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No	EC Granted	Village Jahajpura-1, Tehsil Rehti, District Sehore, Khasra No 241	15.801	72850	218550	237015	-18465

	248, Sector-2 Shakti Nagar, Habibganj Bhopal							
25	7629/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Joshiapur, Tehsil Budhni, District Sehore, Khasra No 149/1	20.242	91450	274350	202420	71930
26	7630/2020 M/S Power Mech Project Ltd., Executive Director, Shri Krishna Praveen Kota, Flat No 248, Sector-2 Shakti Nagar, Habibganj Bhopal	EC Granted	Village Shahganj, Tehsil Budhni, District Sehore, Khasra No 896/1	7.000	28680	86040	70000	16040

Inspection Photographs of Sand Mines in District Sehore



Jahajpura Sand Mine



Jahajpura Sand Mine



Jahajpura Sand Mine



Jahajpura-1 Sand Mine



Jahajpura-1 Sand Mine





Babri-2 Sand Mine



Babri-2 Sand Mine



Ambajdeed-1 Sand Mine



Ambajdeed-1 Sand Mine



Ambajdeed-1 Sand Mine



Dimawar Sand Mine



Dimavar Sand Mine



Ambajdeed-2 Sand Mine



Ambajdeed-2 Sand Mine



Joshipur Sand Mine



Joshipur Sand Mine



Joshipur Sand Mine



Bagwada-2 Sand Mine



Bagwada-2 Sand Mine



Bagwada-2 Sand Mine

Google Earth Map of Sand Mining in Sehore in the matter of OA 131/2023 (CZ)



क्षेत्रीय कार्यालय
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड
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क्रमांक 2400 /क्षेका/प्रनिबो/2023
प्रति,

भोपाल, दिनांक 29/11/2023

प्रबंध संचालक,
एम.पी. स्टेट माईनिंग कार्पोरेशन,
पर्यावरण भवन,
जिला-भोपाल, (म0प्र0)

विषय:- माननीय एनजीटी के प्रकरण क्रमांक 131/2023 (सीजेड) (प्रभात मोहन पांडे विरुद्ध म.प्र. शासन, माईनिंग विभाग एवं अन्य) के संबंध में ।

उपरोक्त विषयांतर्गत लेख है कि, माननीय एनजीटी के प्रकरण क्रमांक 131/2023 (सीजेड) (प्रभात मोहन पांडे विरुद्ध म.प्र. शासन एवं माईनिंग विभाग व अन्य) में दिनांक 10.10.2023 को पारित आदेश में समिति गठित कर जानकारी चाही गई है । प्रकरण की पिटीशन के अनुसार नर्मदा नदी, बुधनी, जिला-सीहोर के अन्तर्गत पूर्व में आवंटित रेत खदान के संबंध में टेंडर में उल्लेखित रेत खनन की मात्रा तथा रेत खदान को प्रदत्त पर्यावरण स्वीकृति में उल्लेखित रेत उत्खनन की मात्रा में अंतर के संबंध में जानकारी चाही गई है । सुलभ-संदर्भ हेतु माननीय एनजीटी के आदेश दिनांक 10.10.2023 संलग्न कर प्रेषित है । प्रकरण में आगामी सुनवाई दिनांक 06.12.2023 को नियत है । वर्तमान में रेत खदान का आवंटन स्टेट माईनिंग कार्पोरेशन के द्वारा किया गया है ।

अतः कृपया पिटीशन में उल्लेखित बिन्दुओं के परिपेक्ष्य में तथा आदेश दिनांक 10.10.2023 के संबंध में अपने अभिमत से अवगत करावें, ताकि तदानुसार उत्तर माननीय एनजीटी के सम्मुख प्रस्तुत किया जा सकें ।

संलग्न :- उपरोक्तानुसार ।


(बृजेश शर्मा)
क्षेत्रीय अधिकारी
म.प्र. प्रदूषण नियंत्रण बोर्ड,
भोपाल





दि मध्यप्रदेश स्टेट माइनिंग कारपोरेशन लि.

(मध्यप्रदेश शासन का उपक्रम)

दूरभाष : 2763391, 2763392, 2763393
 फ़ैक्स : 0755- 2763394
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 CIN : U01410MP1962SGC000937

पंजीकृत कार्यालय :
 पर्यावास भवन, ब्लाक नं. 1 (ए)
 द्वितीय तल, जेल रोड,
 अरेरा हिल्स, भोपाल- 462011

No./Sand/2023-24/1313

Date:-12.01.2024

Note on Sand tenders - 2019

1. On 30 July 2019, details of sand mines were publicly displayed to invite suggestions and objections for the purpose of upcoming auction.
2. A separate rule for regulation of sand business in Madhya Pradesh was notified on August 30, 2019.
3. According to these rules, the Collector was responsible for demarcating and declaring sand mines in the district. The State Mining Corporation handled the disposal of sand mines through e-tenders, with details provided in the tender form, including approximate quantity and approximate area of the mines included in the group. The tendered quantity for the group represents the maximum amount of sand permitted for extraction from any or all mines within the group in a given year. The total quantity, or any potential variations, sets the basis for determining the reserve price. Initially the reserve price of the tendered quantity was Rs 125/- per cubic meter, the reserve price was subsequently amended to Rs 250/- per cubic meter.
4. Tenders were conducted for 3.96 Crores cubic meters out of a total of approximately 8 Crore cubic meters of sand available in the state which is sufficient to explain that government never intended to exploit whole of deposit of sand. Contractors were entrusted with the responsibility of obtaining statutory clearances like mining plans, environmental clearances & CTO etc. Accordingly, it is clarified that the tendered quantity represented the total for the group of mines, not on a mine-by-mine basis.

ASHUTOSH TEMLE
 General Manager(Mines)

SEHORE DISTRICT SAND EXCAVATION STATUS 2020-2023						
Sr No	Mines Name	Estimated Tender Quantity for Per Year	Estimated Tender Quantity for the entire Contract Period	EC Qty across the contract Period	CTO qty for contract period	Consumed qty for contract period
1	Amba Jadeed-1	3,23,730	9,71,190	2,77,470	2,77,470	2,15,874
2	Amba Jadeed-2	3,50,115	10,50,345	2,72,820	2,72,820	2,57,045
3	Amba Jadeed-3	3,00,000	9,00,000	2,31,060	2,31,060	1,53,331
4	Amba Jadeed-4	3,64,365	10,93,095	-	-	-
5	Babri -1	60,000	1,80,000	51,300	51,300	34,053
6	Babri -2	3,07,500	9,22,500	6,15,000	6,15,000	6,09,248
7	Badhgaow 1	2,40,480	7,21,440	1,85,430	1,85,430	1,23,570
8	Badhgaow 2	3,25,995	9,77,985	2,73,360	2,73,360	1,82,184
9	Badhgaow 3	60,000	2,40,000	1,17,240	1,17,240	78,341
10	Bagwada 1	1,81,070	7,24,280	7,02,000	7,02,000	6,45,093
11	Bagwada 2	1,66,670	5,00,010	1,49,644	1,49,644	71,205
12	Charua	51,400	1,54,200	49,020	49,020	23,975
13	Chidgaon Kaachi	75,000	2,25,000	-	-	-
14	Dimawar	3,47,550	10,42,650	6,90,000	6,90,000	6,82,526
15	Jahajpura-1	2,37,015	7,11,045	2,18,550	2,18,550	2,14,785
16	Jahajpura-2	3,45,000	10,35,000	3,26,520	3,26,520	3,23,929
17	Jahajpura-3	3,45,000	13,80,000	10,31,710	10,31,710	9,09,268
18	Jajna	1,82,100	5,46,300	2,15,280	2,15,280	1,68,328
19	Janwasa -2	6,00,000	18,00,000	3,60,000	3,60,000	3,28,890
20	Janwasa-1	2,80,000	8,40,000	2,52,000	2,52,000	1,77,051
21	Janwasa-3	3,00,000	9,00,000	3,42,000	3,42,000	1,68,443
22	Janwasa-4	4,50,000	13,50,000	4,04,760	4,04,760	2,01,247
23	Joshipur	2,02,420	6,07,260	2,74,350	2,74,350	2,64,523
24	Mahukala	2,09,950	8,39,800	8,18,658	8,18,658	7,48,875
25	Nahlai	1,21,395	3,64,185	1,52,000	1,52,000	75,047
26	Neelkanth	2,40,000	7,20,000	3,77,226	3,77,226	1,86,222
27	Ninor	2,00,000	6,00,000	1,49,606	1,49,606	73,828
28	Sadarnagar	2,42,805	9,71,220	7,55,740	7,55,740	5,79,730
29	Shahganj	70,000	2,10,000	86,040	86,040	80,775
30	Somalwadha	2,59,000	10,36,000	6,55,600	6,55,600	4,76,202
	Total Qty	74,38,560	2,36,13,505	1,00,34,384	1,00,34,384	80,53,587



ASHUTOSH TEMLE
General Manager(Mines)

VAKALATNAMA
 [Rule 4(1) of the Rules framed under Advocates Act, 1961]
BEFORE THE NATIONAL GREEN TRIBUNAL
O.A. No. 131/2023
CENTRAL ZONE BENCH, BHOPAL

IN THE MATTER OF:

PRABHAT MOHAN PANDEY

...APPLICANT

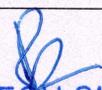
Versus

STATE OF MP & ORS....RESPONDENTS

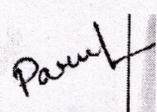
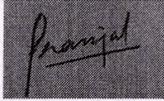
I/We/Appellant/Claimant/Petitioner or Defendant/Respondent/Non-Applicant named below do hereby appoint, engage, and authorize advocate(s) named below to appear, act and plead as aforesaid case proceedings which shall include application for restoration, setting aside of ex- party orders, corrections, modifications, review and recall of orders passed in these proceedings, in this court or any other court in which the same may be tried/ heard/proceeded and also in appellate. Revisional and executing court in respect of proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/them to sign and file pleadings, appeals, cross objections, applications, affidavit or other documents as may be deemed necessary for the proper prosecution/defence of the case in all its stages and also agree to ratify and confirm act done by him/them as if done by me.

In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this 25th day of January 2024.

PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA

Name & Fathers Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature/ Thumb
Brajesh Sharma, Regional Officer, MPPCB Regional Office Bhopal	E-5, Arera Colony, Paryavaran Parisar, Bhopal, Madhya Pradesh 462016	0755-2466392 romppcb_bpl@rediff.com	Officer-in-Charge	 BRAJESH SHARMA Regional Officer M.P Pollution Control Board BHOPAL

Accepted

Name & Enrollment. No.	Address (If any) E-Mail Add.	Telephone (If any)	Full Signature
PARUL BHADORIA 1587-2012	parul.bhadoria04@gmail.com	8085977111	
PRANJAL PANDEY MP 2881-2021	advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023	advshivamdwivedi20@gmail.com	8878471359	