

704
Before The Hon'ble National Green Tribunal
Eastern Zone Bench, Kolkata

OA No. 177/2025/EZ

(I.A. No. 88/2025/EZ)

(I.A. No. 89/2025/EZ)

Rizwan

...Applicant(s)

Versus

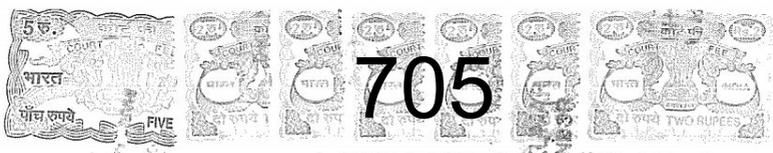
State of Jharkhand & Ors.

...Respondent(s)

Sub: Counter Affidavit

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02/03/2026
Rizwan

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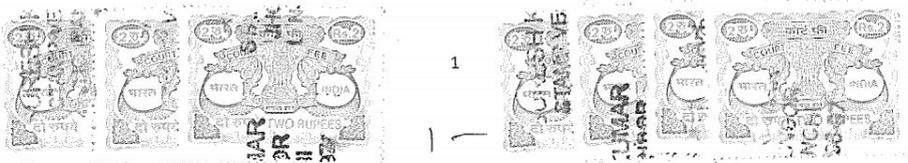
Thanya - Pankaj, Ashu
J 2871A/103
2/3/2026

Counter Affidavit on behalf of Respondent no. 05 & 06 i.e. State Level Environment Impact Assessment Authority (SEIAA), Jharkhand.

I, Smitha Pankaj, Daughter of Shri P.N. Pankajakshan aged about 45 years, presently posted as Ex-Officio Member Secretary in the State Level Environment Impact Assessment Authority (hereinafter called SEIAA), Jharkhand, Ranchi do hereby solemnly affirm and state as follows:-



1. That, I have been impleaded as Respondent no. 05 & 06 and am well acquainted with the present original application and competent to swear the present counter affidavit.



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- i. That, present original application has been filed under section 14 and 15 of the National Green Tribunal Act, 2010 seeking the following reliefs:-
- ii. *Pass an order quashing and setting aside the Impugned DSR for District Godda, State of Jharkhand as approved by the SEAC, UP on 21.03.20023 and SEIAA, UP on 01.04.2023, being in flagrant violation of the EIA, 2006, SSMG, 2016 and EMGSM, 2020 and Judgments passed by the Hon'ble Supreme Court and this Hon'ble Tribunal; and*
- iii. *Pass an order quashing and setting aside the Impugned Auction Notice dated 02.09.2025 issued by the Respondent No. 4, District Mining Officer, Godda, Jharkhand; and*
- iv. *Pass an order directing the Respondents to prepare a fresh DSR for District Godda and/or conduct fresh Auctions after conducting a Replenishment Study for the year 2025 (or latest available Replenishment Study) by a credible Central*

or State institute, in strict compliance of the EIA, 2006, SSMG, 2016 & EMGSM, 2020; and

- v. Pass an order setting aside any Letter of Intent, Environmental Clearance and/or Mining leases if any, granted by the Respondents, in furtherance of the Impugned Auction Notice dated 02.09.2025; and*
- vi. Pass any other orders as the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case.*

2. That, brief facts pertaining to preparation appraisal, recommendation and approval of District Survey Report (DSR) is being reproduced below for proper assistance and adjudication of this Hon'ble Tribunal.

- a. That, the District Survey Report (DSR) has been made mandatory for minor minerals by MoEF & CC, Govt. of India vide S.O no. 141(E), dated 15.01.2016.

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b. That, the MoEF & CC, Govt. of India prescribed the detailed procedure and format for preparation of District Survey Report (DSR) for Sand Mining or River Bed Mining alongwith Minor Minerals other than Sand Mining or River Bed Mining vide its S.O. No. 3611 (E), dated 25.07.2018 in the light of Hon'ble High Court Jharkhand order dated 11.04.2018 and 19.06.20018 in W. P.(PIL) No. 1806 of 2015 in the matter of Court on its Own Motion Vs The State of Jharkhand and Others with W.P. (PIL) No. 290 of 2013, in the matter of Hemant Kumar Shikarwar Vs The State of Jharkhand and Others.

True/Xerox copy of the S.O.

No. 3611 (E), dated

25.07.2018 issued by MoEF &

CC, Govt. of India is being

annexed herewith and

marked as **Annexure-R- 05**

& **06/A** to this Counter

Affidavit.

- c. That, the District Survey Report (DSR) must be prepared scrupulously follow the procedure and the parameters as laid down under the Sustainable Sand Mining Management Guidelines, 2016 (in short SSMMG 2016) and Enforcement & Monitoring Guidelines for Sand Mining 2020 (in short ESGSM 2020) read in sync with each other, issued by Ministry of Environment, Forest and Climate Change, Govt. of India (hereinafter called MoEF & CC).
- d. That as per S.O no. 141(E), dated 15.01.2016 and S.O. No. 3611 (E), dated 25.07.2018 issued by MoEF & CC, Govt. of India the District Level Environment Impact Assessment Authority (hereinafter called DEIAA) was the competent Authority for approval of District Survey Report (DSR)

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- prepared by Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate (ii) Officers from (a) Irrigation department (b) State Pollution Control Board or Committee (c) Forest Department (d) Geology or Mining Officer.
- e. That, the vide order dated 04.09.2018 & 13.09.2018 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 173 of 2018 & O.A. No. 186 of 2016 in the matter of Sudarsan Das Vs State of West Bengal & Ors. and Satendra Pandey Vs MoEF & CC and Ors. DEIAAs became defunct.
- f. That, the Hon'ble National Green Tribunal in O.A. No. 40/2020/EZ with O.A. No. 57/2020/EZ passed an order on 14.10.2020 directing that District Survey Report (DSR) shall be prepared by engaging NABET Accredited Consultant and same shall be appraised by SEAC and approved by SEIAA.
- g. That, further above order dated 14.10.2020 passed by Hon'ble National Green Tribunal in O.A. No. 40/2020/EZ

with O.A. No. 57/2020/EZ was challenged before Hon'ble Supreme Court in the matter of Civil Appeal Nos. 3661-3662 of 2020, The State of Bihar & Others Vs Pawan Kumar and Others in which Hon'ble Supreme Court vide an order 10.11.2021 modified the direction of Hon'ble NGT passed in O.A. No. 40/2020/EZ with O.A. No. 57/2020/EZ with direction the draft DSR shall be prepared by the Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer. The same shall be prepared by undertaking site visits and also by using modern technology. The said draft DSRs shall be appraised by SEAC and approved by SEIAA.

- h. That, in the 99th meeting of State Level Expert Appraisal Committee (hereinafter called SEAC) convened on 07th to 11th December, 2022, the District Survey Report (DSR) of Sand Mining or River Bed Mining of Khunti, Lohardaga,

Palamu and Latehar District were taken for appraisal in the presence of District Mining Officer and Assistant Director Geology of concerned Districts. During appraisal of District Survey Report (DSR) it was observed by SEAC, Jharkhand that concerned Deputy Commissioner of Districts has submitted draft District Survey Report (DSR) to the SEIAA for appraisal. During appraisal of draft District Survey Report (DSR) before SEAC a detailed discussion was made between District Mining Officer of concerned District and Members of SEAC regarding preparation of District Survey Report (DSR) in the light of Hon'ble Apex Court in Civil Appeal No. 3661-3662/2020, papwan Kumar Vs State of Bihar & Ors, Hon'ble NGT in O.A. No. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors Sustainable Sand Mining Management Guidelines, 2016 and Enforcement and Monitoring Guidelines for Sand Mining 2020.



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District Mining Officer and Assistant Director
Geology of concerned Districts and NABET Accredited
Consultant agreed that the submitted draft District Survey
Report (DSR) is having several shortcomings which will be
rectified in the final District Survey Report (DSR). The
shortcomings highlighted during the discussion were
enlisted in the minutes of the meeting and placed on
website for information in general. The SEAC Committee
also emphasized that the final District Survey Report (DSR)
should be submitted to SEIAA only after approval by the
Sub-Divisional Committee, Deputy Commissioner and
Incorporation of the Public Comments alongwith other
points which were enlisted in the 99th Minutes of Meeting of
SEAC convened on 07th to 11th December, 2022.

- i. That, the final District Survey Report (DSR) for Sand Mining
or River Bed Mining of Godda District has been submitted
by Deputy Commissioner, Godda vide letter no. 138/M,,



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dated 04.02.2023 to SEIAA for approval and it was taken for appraisal in 101st Minutes of Meeting of SEAC held on 20th to 24th February, 2023. During appraisal of District Survey Report (DSR) in the presence of District Mining Officer Godda, Shri Meghlal Tuddu and Assistant Director, Geology, Shri Niral Dhan, who were properly authorized by Deputy Commissioner-Cum-District Magistrate Godda, the SEAC observed that District Survey Report (DSR) has been properly examined and recommended by Sub-Divisional Committee after Incorporating all the points and suggestions made by SEAC in its 99th Minutes of Meeting of SEAC convened on 07th to 11th December, 2022. During appraisal some shortcomings were observed and it was also suggested to DMO by SEAC to rectify the shortcomings which were found in final District Survey Report (DSR) in the 101st meeting of SEAC held on 20th to 24th February, 2023, Jharkhand which are as follows:-

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- i. The basis of deciding the size of the Ghats is required to be detailed.
- ii. The photographs provided must display the date, time and location of the place where the photographs have been taken and the purpose of photographs.
- iii. The number of zones must be listed in a table alongwith the coordinates of the zone, the reference point and the details of Ghats in each zone.
- iv. The table providing the detail of the Ghats should also include the river on which the Ghat is located.
- v. The Ghats have been categorized as category 1 & 2 Ghats. The criteria for this categorization is to be detailed in the DSR.
- vi. The distance from the bridges and highways have not been provided. The same should be provided alongwith the basis of the distance from the bridges and

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highways as required point no. 4.3 (h) at page no. 22 of EMGSM 2020.

- vii. The replenishment study should clearly specify the percentage of sand replenished for each proposed Ghats.
- viii. Details of Flora & Fauna found in aquatic bodies of the area to be included in the DSR report.
- ix. All annexures of EMGSM 2020 should be properly filled and included in the DSR.
- x. Table providing the chronology of the work done is to be included in the DSR.

True/Xerox copy of the relevant extract of the 101st Minutes of Meeting of SEAC held on 20th to 24th February, 2023 is being annexed

herewith and marked as
Annexure-R- 05 & 06/B to
this Counter Affidavit.

j. That, Deputy Commissioner-Cum-District Magistrate, Godda again submitted the revised District Survey Report (DSR) incorporating all the points/suggestion given by SEAC in its 101st Minutes of Meeting of SEAC held on 20th to 24th February, 2023 to SEIAA vide letter no. 358/M, dated 17.03.2023. The District Survey Report (DSR) was again taken for appraisal in 102nd Minutes of Meeting of SEAC held on 21st to 25th March, 2023. During the meeting the consultant Sathi Planners Pvt. Ltd., Ranchi in the presence of DMO, Godda and Assistant Director Geology, Dumka presented the District Survey Report (DSR) before the Committee. The DSR was appraised considering scrupulously the following the direction of SMMG, 2016/

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EMGSM guidelines, 2020 / Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors and it was observed that:-

- i. The final DSR submitted is duly signed by all members of the Sub Divisional Committee and the Consultant. All the pages of the DSR are signed by the authorized officer of the Sub Divisional Committee.
- ii. The final DSR consists of the complete potential area and is demarcated as Potential Resource Area (PRA) / Sand Leases / Ghats as per EMGSM guideline 2020.
- iii. The replenishment study of pre & post monsoon period is included in final DSR.
- iv. The final DSR has been placed in the public domain for 01 (One) month from the 20.11.2022. As per the

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Sub Divisional Committee no comments / observations were obtained.

- v. Demand and supply of the river bed material has been provided. The future demand for next 05 years is included in the final DSR.
- vi. The PRA / Sand Leases / Ghats have not been proposed on the confluence / meanders / concavities / active channels of the river.
- vii. Khata & Khasra numbers of the lease area certified by the concerned Circle Officer (CO) are incorporated in the final DSR.
- viii. The distance of PRA / Sand Leases / Ghats from the Forest / Wildlife Protected area / Birds Sanctuary/ Wildlife Sanctuary / National Park / Eco Sensitive Zone has been verified and certified by the concerned DFOs of the respective Territorial and Wildlife division.

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- ix. A report detailing the presence of aquatic animal in the river in proximity of the proposed PRA / Sand Leases / Ghats is included in the final DSR.
- x. The proposed PRA / Sand Leases / Ghats meet the siting criteria of State Pollution Control Board / SEIAA.
- xi. High resolution color satellite images of the proposed potential sand mining areas are included in final DSR.
- xii. Bulk density and specific gravity of sand sample data has been provided by NABL accredited laboratory.
- xiii. Cluster and contiguous cluster formation as per EMGSM guidelines, 2020 has been included in the Annexures.
- xiv. Mining is restricted to 3/4th of the river width and 60% of the mineable reserve.
- xv. Transportation routes for movement of sand are provided in the final DSR.

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- xvi. All the annexures as per EMGSM guidelines, 2020 are included in the final DSR.
- xvii. An undertaking with reference to Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary has been provided.
- xviii. The representative of the Sub Divisional Committee along with the Consultants have affirmed that all the guidelines of EMGSM guidelines, 2020 / Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors have been followed in preparation of the final DSR.

After proper appraisal and detailed deliberation by the SEAC and following all the direction of competent Court of Law and Guidelines of SSMMG 2016 and EMGSM 2020

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issued by MoEF & CC, Govt. of India, the final District Survey Report (DSR) for Sand Mining or River Bed Mining of Godda District was recommended to SEIAA for approval.

True/Xerox copy of the relevant extract of the 102nd Minutes of Meeting of SEAC held on 21st to 25th March, 2023 is being annexed herewith and marked as **Annexure-R- 05 & 06/C** to this Counter Affidavit.

k. That, the SEIAA examined the recommendation of SEAC for approval of District Survey Report (DSR) for Sand Mining or River Bed Mining of Godda District in the light of EMGSM guidelines, 2020 / Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors,

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Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors and unanimously approved the said DSR in its 103rd meeting held on 01st and 02nd April, 2023.

True/Xerox copy of the relevant extract of the 103rd minutes of meeting of SEIAA held on 01st and 02nd April, 2023 is being annexed herewith and marked as **Annexure-R- 05 & 06/D** to this Counter Affidavit.

Para wise Reply

3. That, with regard to statement made by applicant in para 1 and para 2 of the instant Original Application, it requires no comment.

4. That, the applicant in first part of para 3 inter-alia seeks appropriate orders for quashing of the DSR for Godda District which has been approved by SEIAA UP on 01.04.2023. In this regard it is stated and submitted that the applicant has made this prayer without proper application of mind, the DSR of Godda District has been approved by SEIAA Jharkhand not by SEIAA UP. The applicant has not assigned any proper reason in this para for quashing the DSR of Sand of Godda District. Accordingly the prayer made by applicant should not be entertained.

Further in the rest part of para 3 applicant seeks for appropriate orders for quashing the impugned auction notice dated 02.09.2025 issued by respondent no. 04, District Mining Officer, Godda and the same is not related with SEIAA, Jharkhand.

5. That, with regard to statement made by applicant in para 4 of the instant Original Application, it is stated and submitted that the preparation of DSR of Sand of Godda District is not faulty but all

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scientific assessment, replenishment study and compliances of SSMMG 2016, EMGSM 2020 issued by MoEF & CC, Govt. of India and direction issued by Hon'ble Apex Court has been scrupulously followed and strictly adhered while preparing District Survey Report (DSR) and has been properly appraisal by SEAC and approval by SEIAA as stated in previous para 2 (h) (i) (j). Hence the statement made by applicant is wrong and accordingly denied.

6. That, with regard to statement made by applicant in para 5 of the instant Original Application, it is stated and submitted that DSR of Sand of Godda District is not faulty as stated in above para 5 of this counter reply. Hence the statement made by applicant is wrong, without merit and accordingly denied.

7. That, with regard to statement made by applicant in para 6 of the instant Original Application, it requires no comment.

8. That, with regard to statement made by applicant in para 7 (i), para 7 (ii), para 7 (iii), para 7 (iv), para 7 (v), para 7 (vi), para 7

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- (vii), para 7 (viii), para 7 (ix) & para 7 (x) of the instant Original Application is a matter of record hence, requires no comment.
9. That, with regard to statement made by applicant in para 7 (xi), para 7 (xii) & para 7 (xiii) of the instant Original Application, it is not related with SEIAA, Jharkhand.
10. That, with regard to statement made by applicant in para 7 (xiv) and para 7 (xv) it is denied. It is further stated that District Survey Report (DSR) of Godda district has been prepared verified and finalized by Sub Divisional Committee of Godda district and same was submitted by Deputy Commissioner, Godda to SEIAA. During appraisal of DSR by SEAC it was found that DSR has been prepared as per EMGSM 2020 guidelines which has been stated in previous para 2 (h) (i) (j) (k) of this counter reply and annexed as **Annexure R - 05 & 06 /B/C/D**.
11. That, with regard to statement made by applicant in para 7 (xvi) it is stated and submitted that it is not related with SEIAA, Jharkhand.



MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 25th July, 2018

S.O. 3611(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forest issued *vide* number S.O. 1533(E), dated the 14th September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) (hereinafter referred to as the said notification) directions have been given regarding the prior environmental clearance;

And whereas, the Ministry of Environment, Forest and Climate Change has amended the said Notification *vide* S.O. 141 (E) dated 15th January, 2016 wherein the procedure for preparation of District Survey Report for minor mineral has been prescribed;

And whereas, the Hon'ble High Court of Jharkhand at Ranchi in its orders dated the 11th April, 2018 and 19th June, 2018 in W.P. (PIL) No. 1806 of 2015, in the matter of Court on its Own Motion Versus the State of Jharkhand & Others with W.P. (PIL) No. 290 of 2013, in the matter of Hemant Kumar Shilkarwar Versus the State of Jharkhand & Others, has *inter-alia* directed the preparation of District Survey Report for minor minerals other than Sand and Bajri or delegation of the powers for preparation of format of District Survey Report of minor minerals other than sand and bajri to the State Government and/or District Environment Impact Assessment Authority and District Expert Appraisal Committee;

And whereas, the Central Government hereby in the public interest dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment Protection Rules, 1986,

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the erstwhile Ministry of Environment and Forests *vide* number S.O. 1533(E), dated the 14th September, 2006, namely: -

In the said notification, for Appendix X, the following shall be substituted, namely: -

"APPENDIX - X

[See paragraph 7 (iii) (a)]

I. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT FOR SAND MINING OR RIVER BED MINING

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following: -

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

- (1) Introduction;
- (2) overview of Mining Activity in the District;
- (3) the List of Mining Leases in the District with location, area and period of validity;
- (4) details of Royalty or Revenue received in last three years;
- (5) detail of Production of Sand or Bajri or minor mineral in last three years;
- (6) process of Deposition of Sediments in the rivers of the District;
- (7) general Profile of the District;
- (8) land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.;
- (9) physiography of the District;



- (10) rainfall: month-wise;
 (11) geology and Mineral Wealth.

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source;
 (b) District wise availability of sand or gravel or aggregate resources;
 (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

Drainage system with description of main rivers

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District
(1)			
(2)			

Salient Features of Important Rivers and Streams:

S. No.	Name of the River or Stream	Total Length in the District (in Km)	Place of origin	Altitude at Origin
(1)				
(2)				

Portion of the River or Stream Recommended for Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition

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S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
(1)						
(2)						
Total for the District						

A Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) Officers from (a) Irrigation department, (b) State Pollution Control Board or Committee, (c) Forest department, (d) Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

Methodology adopted for calculation of Mineral Potential:

The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and location, depth of mineable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50 % to 60 % of the area of a particular river or stream. For Example, in some hill States mineral constituents like boulders, river born Bajri, sand up to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

The District Survey Report shall be prepared in the district and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on the district's website for twenty-one days. The comments received shall be considered and if found correct, shall be incorporated in the final Report to be finalised within six months by the District Environment Impact Assessment Authority.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.

II. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT OF MINOR MINERALS OTHER THAN SAND MINING OR RIVER BED MINING

The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty-one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.

The District Survey Report for minor minerals other than sand mining or River bed mining shall be as per structure mentioned below: -

FORMAT FOR PREPARATION OF DISTRICT SURVEY REPORT FOR MINOR MINERALS OTHER THAN SAND MINING OR RIVER BED MINING

- (1) Introduction;
- (2) overview of Mining Activity in the District;
- (3) general Profile of the District;
- (4) geology of the District;
- (5) drainage of Irrigation pattern;
- (6) land Utilisation Pattern in the District: Forest, Agricultural, Horticultural, Mining etc.;
- (7) surface Water and Ground Water scenario of the district;

(8) rainfall of the district and climatic condition;

(9) details of the mining leases in the District as per the following format: -

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Lessee	Mining lease Grant Order No. & date	Area of Mining lease (ha)	Period of Mining lease (Initial)		Period of Mining lease (1 st /2 nd ...renewal)	
						From	To	Form	To
1	2	3	4	5	6	7	8	9	10

Date of commencement of Mining Operation	Status (Working/Non-Working/Temp. Working for dispatch etc.)	Captive/ Non-Captive	Obtained Environmental Clearance (Yes/No), If Yes Letter No with date of grant of EC.	Location of the Mining lease (Latitude & Longitude)	Method of Mining (Opencast/Underground)
11	12	13	14	15	16

(10) details of Royalty or Revenue received in last three years;

(11) details of Production of Minor Mineral in last three years;

(12) mineral Map of the District;

(13) list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format :-

(14) total Mineral Reserve available in the District;

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Letter of Intent Holder	Letter of Intent Grant Order No. & date	Area of Mining lease to be allotted	Validity of LoI	Use (Captive/ Non-Captive)	Location of the Mining lease (Latitude & Longitude)
1	2	3	4	5	6	7	8	9

(15) quality /Grade of Mineral available in the District;

(16) use of Mineral;

(17) demand and Supply of the Mineral in the last three years;

(18) mining leases marked on the map of the district;

(19) details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude);

(20) details of Eco-Sensitive Area, if any, in the District;



- (21) impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity;
- (22) remedial Measures to mitigate the impact of mining on the Environment;
- (23) reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan);
- (24) risk Assessment & Disaster Management Plan;
- (25) details of the Occupational Health issues in the District. (Last five-year data of number of patients of Silicosis & Tuberculosis is also needs to be submitted);
- (26) plantation and Green Belt development in respect of leases already granted in the District;
- (27) any other information.

The District Environment Impact Assessment Authority (DEIAA) based on the nature and type of minor mineral in the District may include the additional parameters in the District Survey Report in consultation with the Department of Mines and Geology of the concerned State Government.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years”;

[F.No. L-11011/26/2018-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended by :-

1. S.O. 1949 (E), dated the 13th November, 2006;
2. S.O. 1737 (E), dated the 11th October, 2007;
3. S.O. 3067 (E), dated the 1st December, 2009;
4. S.O. 695 (E), dated the 4th April, 2011;
5. S.O. 156 (E), dated the 25th January, 2012;
6. S.O. 2896 (E), dated the 13th December, 2012;
7. S.O. 674 (E), dated the 13th March, 2013;
8. S.O. 2204 (E), dated the 19th July 2013;
9. S.O. 2555 (E), dated the 21st August, 2013;
10. S.O. 2559 (E), dated the 22nd August, 2013;
11. S.O. 2731 (E), dated the 9th September, 2013;
12. S.O. 562 (E), dated the 26th February, 2014;
13. S.O. 637 (E), dated the 28th February, 2014;
14. S.O. 1599 (E), dated the 25th June, 2014;
15. S.O. 2601 (E), dated the 7th October, 2014;
16. S.O. 2600 (E), dated the 9th October, 2014;
17. S.O. 3252 (E), dated the 22nd December, 2014;
18. S.O. 382 (E), dated the 3rd February, 2015;
19. S.O. 811 (E), dated the 23rd March, 2015;
20. S.O. 996 (E), dated the 10th April, 2015;



21. S.O. 1142 (E), dated the 17th April, 2015;
22. S.O. 1141 (E), dated the 29th April, 2015;
23. S.O. 1834 (E), dated the 6th July, 2015;
24. S.O. 2571 (E), dated the 31st August, 2015;
25. S.O. 2572 (E), dated the 14th September, 2015;
26. S.O.141 (E), dated the 15th January, 2016;
27. S.O.648 (E), dated the 3rd March, 2016;
28. S.O. 2269 (E) dated the 1st July, 2016;
29. S.O. 2944 (E) dated the 14th September, 2016;
30. S.O. 3518 (E) dated the 23rd November 2016;
31. S.O. 3999 (E) dated the 9th December, 2016; and
32. S.O. 4241 (E) dated the 30th December, 2016.

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MINUTES OF THE 101TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 20TH, 21ST, 22ND, 23RD and 24TH FEBRUARY, 2023.

The 101th meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand was held on 20th, 21st, 22nd, 23rd and 24th February, 2023 under the Chairmanship of Shri Ashok Kumar Singh, IFS (Retd.) in the Conference Room at SEAC, Ranchi.

The following members were present :

1. Shri Ashok Kumar Singh, IFS (Retd.) - Chairman
2. Dr. Kirti Avishek - Member
3. Shri Niranjana Lal Agarwalla - Member
4. Dr. Raju Kumar - Member
5. Dr. Ajay Govind Bhatt - Member
6. Shri Srikant Verma, IFS - Secretary

SEIAA forwarded various projects to the SEAC for the technical appraisal after the last SEAC meeting held on 09th, 10th, 11th, 12th, 13th and 14th January, 2023. These projects have been put up for discussions. Besides, these Projects, wherein PP's were asked to provide requisite information / clarifications in the earlier meeting of SEAC, were also considered for appraisal. The Project Proponents have been asked to make technical presentation for the appraisal of their projects before the committee.

The following observations / recommendations were made during the presentation (Project -wise), as under :-

Day 1 : February 20th, 2023 [Monday]

- A. Matter referred by SEIAA related to calculate / assess the amount of Remediation Plan, Natural and Community Resource Augmentation Plan in violation projects as per the latest guidelines of Central Pollution Control Board (CPCB) issued and uploaded in December, 2022 on CPCB website.

The matter was considered by SEAC and following points have been emerged during the discussion which is as follows :

- i. The Central Pollution Control Board has issued only framework in December, 2022. These are not guidelines.
- ii. The assessment of amount of Remediation Plan, Natural and Community Resource Augmentation Plan for violation projects have been done on the basis of guidelines issued by Central Pollution Control Board in 2019 based on "polluter pay principle" of Hon'ble Apex Court.

Hence, this Committee is of the view that the guidelines of CPCB issued in 2019 are still applicable until fresh guidelines are issued by MoEF&CC or CPCB for calculation of Remediation Plan, Natural and Community Resource Augmentation Plan for violation projects.



A. Deputy Commissioner, Godda or through authorized representative and M/s Sathi Planners Pvt. Ltd., Ranchi.

i. Draft District Survey Report (DSR) of Sand, Godda.

The DSR was submitted by Deputy Commissioner - cum - District Magistrate, Ranchi. He was represented by District Mining Officer, Godda Sri Meghla Tuddu and Assistant Director, Geology, Dumka Sri Niral Dhan at the SEAC meeting on 22.02.2023.

During the meeting the consultant M/s Sathi Planners Pvt. Ltd., Ranchi in the presence of DMO, Godda and Assistant Director, Geology, Dumka presented the DSR before the Committee. The observation of the Committee is that the following shortcomings are in the submitted DSR.

1. The basis of deciding the size of the Ghats is required to be detailed.
2. The photographs provided must display the date, time and location of the place where the photographs have been taken and the purpose of photographs.
3. The number of zones must be listed in a table alongwith the coordinates of the zone, the reference point and the details of Ghats in each zone.
4. The table providing the detail of the Ghats should also include the river on which the Ghat is located.
5. The Ghats have been categorized as category 1 & 2 Ghats. The criteria for this categorization is to be detailed in the DSR.
6. The distance from the bridges and highways have not been provided. The same should be provided alongwith the basis of the distance from the bridges and highways as required point no. 4.3 (h) at page no. 22 of EMGSM 2020.
7. The replenishment study should clearly specify the percentage of sand replenished for each proposed Ghats.
8. Details of flora & fauna found in aquatic bodies of the area to be included in the DSR report.
9. All annexures of EMGSM 2020 should be properly filled and included in the DSR.
10. Table providing the chronology of the work done is to be included in the DSR.

The DSR should be revised including the above shortcomings and submit the same for reconsideration.

Handwritten signatures and initials: UCA, A, A, [Signature], [Signature], [Signature]

MINUTES OF THE 102ND MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 21ST, 22ND, 23RD, 24TH and 25TH MARCH, 2023.

The 102nd meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand was held on 21st, 22nd, 23rd, 24th and 25th March, 2023 under the Chairmanship of Shri Ashok Kumar Singh, IFS (Retd.) in the Conference Room at SEAC, Ranchi.

The following members were present :

1. Shri Ashok Kumar Singh, IFS (Retd.) - Chairman
2. Dr. Kirti Avishek - Member
3. Shri Niranjan Lal Agarwalla - Member
4. Dr. Raju Kumar - Member
5. Dr. Ajay Govind Bhatt - Member
6. Shri Srikant Verma, IFS - Secretary

Day 1 : March 21st, 2023 [Tuesday]

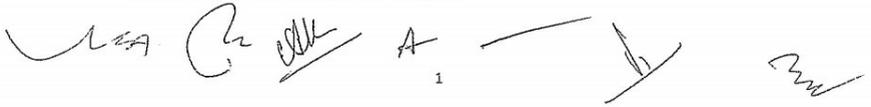
A. Deputy Commissioner, Godda or through authorized representative and M/s Sathi Planners Pvt. Ltd.

i. Final District Survey Report (DSR) of Sand, Godda.

The Final DSR was submitted by Deputy Commissioner, Godda. He was represented by District Mining Officer, Godda Sri Meghlal Tuddu and Assistant Director, Geology, Dumka Sri Niral Dhan at the SEAC meeting on 21.03.2023.

During the meeting the consultant M/s Sathi Planners Pvt. Ltd., Ranchi in the presence of DMO, Godda and Assistant Director, Geology, Dumka presented the DSR before the Committee. The DSR was appraised considering the following aspects alongwith other conditions of EMGSM guidelines, 2020 / Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors.

1. The final DSR submitted is duly signed by all members of the Sub Divisional Committee and the Consultant. All the pages of the DSR are signed by the authorized officer of the Sub Divisional Committee.
2. The final DSR consists of the complete potential area and is demarcated as Potential Resource Area (PRA) / Sand Leases / Ghats as per EMGSM guideline 2020.
3. The replenishment study of pre & post monsoon period is included in final DSR.
4. The final DSR has been placed in the public domain for 01 (One) month from the 20.11.2022. As per the Sub Divisional Committee no comments / observations were obtained.
5. Demand and supply of the river bed material has been provided. The future demand for next 05 years is included in the final DSR.
6. The PRA / Sand Leases / Ghats have not been proposed on the confluence / meanders / concavities / active channels of the river.





7. Khata & Khasra numbers of the lease area certified by the concerned Circle Officer (CO) are incorporated in the final DSR.
8. The distance of PRA / Sand Leases / Ghats from the Forest / Wildlife Protected area / Birds Sanctuary/ Wildlife Sanctuary / National Park / Eco Sensitive Zone has been verified and certified by the concerned DFOs of the respective Territorial and Wildlife division.
9. A report detailing the presence of aquatic animal in the river in proximity of the proposed PRA / Sand Leases / Ghats is included in the final DSR.
10. The proposed PRA / Sand Leases / Ghats meet the siting criteria of State Pollution Control Board / SEIAA.
11. High resolution color satellite images of the proposed potential sand mining areas are included in final DSR.
12. Bulk density and specific gravity of sand sample data has been provided by NABL accredited laboratory.
13. Cluster and contiguous cluster formation as per EMGSM guidelines, 2020 has been included in the Annexures.
14. Mining is restricted to 3/4th of the river width and 60% of the mineable reserve.
15. Transportation routes for movement of sand are provided in the final DSR.
16. All the annexures as per EMGSM guidelines, 2020 are included in the final DSR.
17. An undertaking with reference to Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary has been provided.
18. The representative of the Sub Divisional Committee along with the Consultants have affirmed that all the guidelines of EMGSM guidelines, 2020 / Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors have been followed in preparation of the final DSR.

During appraisal, a few shortcomings were observed which were rectified and included in the final DSR.

The final DSR (sand) of District Godda is recommended to SEIAA for approval.

B. Deputy Commissioner –cum- District Magistrate, Latehar or through authorized representative and M/s Sathi Planners Pvt. Ltd.

i. Final District Survey Report (DSR) of Sand, Latehar.

The Final DSR was submitted by Deputy Commissioner –cum- District Magistrate, Latehar. He was represented by District Mining Officer, Godda Sri Anand Kumar at the SEAC meeting on 21.03.2023.








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MINUTES OF THE 103RD MEETING OF STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, JHARKHAND HELD ON 01ST AND 02ND APRIL, 2023.

The 103rd meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 01st & 02nd April, 2023 in the office of SEIAA, Ranchi under the chairmanship of Shri S.E.H. Kazmi, SEIAA, Jharkhand. The attendance in the meeting was as follows:

1. **Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand, Ranchi.**
2. **Shri Ashok Kumar, Member Secretary, SEIAA, Jharkhand, Ranchi.**
3. **Shri Amar Nath Verma, Member, SEIAA, Jharkhand, Ranchi.**

The decisions taken in the 103rd SEIAA meeting are as follows:-

1. SEIAA considered the recommendations made by SEAC in its 102nd meeting held on 21st, 22nd, 23rd, 24th and 25th March, 2023 for approval of District Survey Reports (DSRs) of Sand of the following districts:

A. **District Survey Report (Sand) of Godda district.**

After Technical presentation before SEAC and appraisal of DSR, the unanimous recommendation was sent to SEIAA for approval of District Survey Report (Sand) of Godda district.

In the light of the recommendation of SEAC for approval of District Survey Report (Sand) of Godda district, the same was considered in the 103rd meeting of SEIAA, Jharkhand on 01.04.2023 and 02.04.2023.

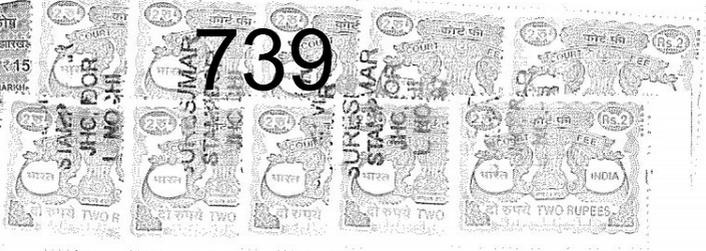
The SEIAA, unanimously, decided to approve the District Survey Report of Sand mineral of Godda district on the basis of recommendation of SEAC and in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of Bihar & Hon'ble NGT Order in OA No. 54/2022/EZ, Bhumi Adhgrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors, It was also decided that a copy of approved District Survey Report of sand should be sent to the concerned Deputy Commissioner for necessary action.

B. **District Survey Report (Sand) of Latehar district.**

After Technical presentation before SEAC and appraisal of DSR, the unanimous recommendation was sent to SEIAA for approval of District Survey Report (Sand) of Latehar district.

In the light of the recommendation of SEAC for approval of District Survey Report (Sand) of Latehar district, the same was considered in the 103rd meeting of SEIAA, Jharkhand on 01.04.2023 and 02.04.2023.

The SEIAA, unanimously, decided to approve the District Survey Report of Sand mineral of Latehar district on the basis of recommendation of SEAC and in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of



Before, the National Green Tribunal
Eastern Zone Bench, Kolkata

VAKALATNAMA FOR Respondent no. 5 & 6

O 'A Case No. 177 of

20.05/22

Rizwan

Petitioner (S)/
Appellant (S)

Versus

State of Jharkhand

Opp Party (ies)
Respondent (S)



Know all men by these present that by this Vakalatnama I/We
Smitha Pandey, D/o Shri P. M. Panbojastan, aged
Do hereby *about 45 years, Presently posted as Ex-officio Member Secretary in*
SEIAA, Jamshed
Appoint the advocates noted below in the margin or any of them as my/our lawful
advocate in the above mentioned case for appearing in conduction and arguing the
same, for depositing or withdrawing any money in connection therewith for putting
in papers, petition etc on my/our behalf for filling or taking back any document, or
withdrawing suit or appeal with permission to institute fresh suit etc. and make
compromise and for referring the case to arbitration and for doing all act that be
necessary to be done in connection with the said case. I/We further say that any
Vakalatnama shall be considered as my/our true and lawful act.

Mr. Ashok Prasad, Advocate

Mr. BHANU KUMAR, Adv

To be above effect we execute this Vakalatnama

Date

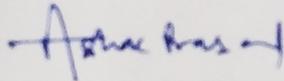
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20.05.....

Received Vakalatnama from the executant / through *R. M. S & B*
.....and accepted on satisfaction.

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Prasanna Kumar
J2871A/03
Mumbai High Court.



(ASHOK PRASAD)

Advocate

Enrolment No. WB/303/2003

D - 17B, Tagore Park

Kolkata - 700039