



महाराष्ट्र शासन
जिल्हाधिकारी, चंद्रपूर यांचे कार्यालय
खनिकर्म विभाग

ई-मेल:- miningofficer.chanda@gmail.com

कार्यालय दुरध्वनी क्र. 07172-272690

क्र. खशा/ कार्या-11/ गौण खनिज/टे. 2/2025/ 1116

दिनांक :- 07/ 09/2025

प्रति,

शासकीय अभियोक्ता,
मा. राष्ट्रीय हरित लवाद
खंडपीठ, पश्चिम विभाग, पुणे

विषय:- मा. राष्ट्रीय हरित लवाद येथे दाखल Original Application No — 89 of 2025 (WZ)
Premnath Singh Vs State of Maharashtra व इतर 7 बाबत.

संदर्भ:- 1. अवर सचिव, महसूल व वन विभाग, मंत्रालय मुंबई यांचे पत्र क्रमांक गौखनि
50/0118/प्र.क्र.585/ख दिनांक 12.02.2018
2. मा. रजिस्ट्रार, राष्ट्रीय हरित लवाद यांचे ई मेल प्राप्त दिनांक 07.08.2025

उपरोक्त विषयांचे अनुषंगाने सादर करण्यात येते की, मा. राष्ट्रीय हरित लवाद (WZ) येथील दाखल Original Application No. 89 of 2025 (WZ) Premnath Singh Vs State of Maharashtra व इतर 7 मध्ये मा. जिल्हाधिकारी, चंद्रपूर प्रतिवादी क्रमांक — 2 व जिल्हा खनिकर्म अधिकारी, चंद्रपूर प्रतिवादी क्रमांक — 3 आहे. रिट याचिकेच्या अनुषंगाने मुददेनिहाय उत्तर सादर करण्याबाबत दिनांक 07.08.2025 रोजीच्या मेलव्दारे या कार्यालयास कळविण्यात आले आहे. त्यानुसार मुददेनिहाय उत्तर तयार करण्यात आलेले आहे.

सबब, उक्त याचिकेमध्ये प्रतिवादी क्रमांक — 2 व 3 च्या वतीने मुददेनिहाय उत्तर दाखल करण्यात येत आहे.

सहपत्र:- मुददेनिहाय उत्तर

(रोहन ठवरे)

जिल्हा खनिकर्म अधिकारी (प्र.)
चंद्रपूर

IN THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION 89/2025

Applicant/ Petitioner: Premnath Singh,
Punawale, Pune – 411033.

Respondent : 1) Govt. of Maharashtra, Respondents
Department of Revenue & Forest Mumbai.
2) Collector Chandrapur
3) District Mining Officer, Chandrapur.

PARAWISE REPLY ON BEHALF OF RESPONDENT NO.-2

Preliminary Submissions:

At the outset, Respondent No. 2 unequivocally **denies all allegations of illegal mining and environmental degradation** as alleged by the Applicant. Every action taken for the auction, allotment, and operation of sand ghats in Chandrapur District was in accordance with the governing laws, the orders of competent authorities, and all applicable environmental regulations and policies. Respondent further submits that the process was completely transparent, with all statutory conditions and public safeguards fully observed.

Reply to Para 1–2: Background & Party Details

No comment—these are admitted as matters of record.

Para 3–4: Applicant’s Locus & Grounds

- The auction of sand ghats and subsequent mining activity in Chandrapur District were conducted in absolute compliance with the Mines & Minerals (Development & Regulation) Act, 1957, the Maharashtra Minor Mineral Extraction (Development & Regulation) Rules, and the Sand Policy, 2025 (GR dated 08/04/2025) of the State of Maharashtra.
- No act, omission, or step has been taken which can be termed as “illegal” under any law or policy. All statutory and environmental clearances were obtained before any operational activity.

Para 5–6: Competence & Tender Process

- The entire tender and auction process strictly followed the Sand Policy 2025, issued vide Government Resolution dated 08/04/2025.
- The e-tender process was initiated **only after valid Environment Clearance (EC)** was received from SEIAA, Maharashtra, for each sand ghat, as required under law.
- Prior to public auction, all steps—such as public notice, document verification, bid qualification, and eligibility screening—were conducted transparently and per policy norms.
- The acceptance letter and allotment order were issued only after confirmation of each condition precedent, including the EC and mining plan validity.

Para 7–9: Environmental Clearances, DSR, and Statutory Compliance

- The ECs for the sand ghat projects were granted by SEIAA after the full process of technical and environmental appraisal by SEAC, imposition of conditions, and referencing the then-current mining plan. [Ec-validity-letter.pdf](#)
- Per MoEF&CC Notification dated 12.04.2022 (S.O. 1807(E)) and OM dated 13.12.2022, the EC validity for mining projects is directly linked (“co-terminus”) with the validity of the mining plan, subject to a maximum of thirty years. These updated rules were circulated by SEIAA Maharashtra and are binding on all stakeholders. [Ec-validity-letter.pdf](#)
- The EC letters—issued by SEIAA on 11/11/2024 and 14/05/2025—explicitly specify that the “EC is valid as per the approved/extended mining plan,” thus directly satisfying central government and SEIAA conditions. [Ec-validity-letter.pdf](#)
- The additional assertion about absence of DSR or non-posting of DSR online is baseless; all statutory requirements about DSR preparation and periodic review as per Sustainable Sand Mining Guidelines, 2016, have been duly adhered to and monitored at district level.

Para 10–12: Chronology and Actions

- Chronology of permissions and compliance:
 - Application for EC submitted to MoEF&CC (when SEIAA was not functional) between 28/03/2024 and 04/04/2024.
 - MoEF&CC forwarded the proposal to SEIAA on 19/06/2024 after restoration of SEIAA’s functions.

- SEAC scrutinized the proposal in its meeting dated 27/06/2024, recommended EC conditional upon timely extension of the mining plan.
- SEIAA meeting on 13/08/2024 reiterated grant of EC subject to mining plan validity, and formal EC issued 11/11/2024.
- Extension of mining plan was duly approved by DGM Nagpur on 17/02/2025 for the period up to 30/09/2025.
- All process steps, including public auction and operational start, were taken only after the completion of these requirements and receipt of documentary approvals.
- Thus, at no stage was any mining operation undertaken without the concurrent existence of both a valid EC and a valid mining plan.

Para 13–17: Tender, Sale, Allegations

- The period permitted for mining and sale of sand was as per EC conditions and Sand Policy 2025:
 - Excavation was permitted only up to 10/06/2025 (with monsoon ban enforced as per policy—no mining allowed June–October).
 - Sale of excavated sand permitted up to 30/09/2025 only, after which no material movement took place.
- All required pre-possession and operational formalities—GPS survey, boundary demarcation, signages, installation of surveillance and public disclosure—were strictly implemented; monitoring and compliance certificates are on record.
- The process was regularly monitored by State and district authorities and is auditable at all stages. No sand excavation/sale in the absence of EC or mining plan was ever allowed. Ec-validity-letter.pdf
- The applicant's contentions regarding "illegal mining," "lack of transparency," and policy violations are speculative and unsupported by any factual evidence.

Para 18–23: Relief Sought by Applicant

- The demands for stopping work or penalizing Respondent No. 2 are entirely unfounded:
 - The mining and sale were always tied to a valid EC and to the current mining plan.

- The ECs were granted in accordance with the latest MoEF&CC notifications and SEIAA instructions, and their validity/extension was tracked and adhered to throughout the operational timeline.
- All technical conditions such as mining plan review, tender/auction mode, transparency compliance, and monsoon ban were fully enforced.
- There is no violation of any Supreme Court order, EIA Notification, MMDR Act, or other environmental statutes; as such, the prayer for any interim/final stoppage or restoration order does not arise.

Additional Submissions:

- **Legal Position on EC Validity:** As per the most recent central and state policy, the validity of EC for mining projects is automatically aligned with the project life specified in the approved mining plan, subject to a thirty-year maximum, with further extension permissible on review if safeguards are adequate.
- **Documentation:** All original ECs, mining plans, DSRs, periodic compliance reports, and public notices are available for audit and have been submitted to statutory authorities whenever called for.
- **Transparency:** No stage of the process was opaque or in violation of any guideline. Policy, auction notifications, results, and environmental safeguards were publicly disclosed per standard government practice and as required by law.

Prayer:

All allegations in the applicant's case regarding "illegal mining," lack of EC validity, or breach of policy/statute are factually and legally incorrect. The tender of sand ghats in Chandrapur district were conducted in compliance with all applicable laws, notifications, and government resolutions. The application is therefore liable to be dismissed in toto.