

IN THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA No.306/2022

IN THE MATTER OF :

Harbans Singh

Applicant

Versus

State of Haryana and others

Respondents

INDEX

Sr. No	Particulars	Page
1	Reply on behalf of Haryana State Pollution Control Board	1-9
2.	NGT order dated 06.05.2022 Annexure-R-1.	10-13
3.	Copy of LOI dated 19.06.2015 is attached herewith as Annexure-R2	14-20
4.	Copy of EC dated 27.06.2016 is attached herewith as Annexure-R3	21-28
5.	Copy of Notification dated 18.01.2021 is attached herewith as Annexure-R4	29-31
6.	Copy of order dated 12.09.2016 is attached herewith Annexure-R5	32-40
7.	Copy of order of Ld. Appellate Authority dated 03.07.2017 is attached herewith as Annexure-R6	41-69
8.	Copy of CTE dated 11.08.2017 is attached herewith as Annexure-R7	70-72
9.	Copy of NOC from DTP dated 30.06.2016 is attached herewith as Annexure-R8.	73
10.	Copy of application form no. 4634749 dated 11.12.2017 is attached herewith as Annexure-R9	74-80
11.	Copy of CTO for the period granted from 12.01.2018 to 30.09.2018 vide application no. 4634749 dated 12.01.2018 is attached herewith as Annexure-R10	81-84
12.	Copy of note history of application form no. 4634749 dated 12.01.2018 is attached herewith as Annexure-R11	85-88

13.	Copy of application form no.16596404 dated 01.10.2021 is attached herewith as Annexure-R12	89-95
14.	Copy of CTO for the period granted from 23.10.2021 to 30.09.2022 is attached herewith as Annexure-R13	96-99
15.	Copy of note history of application form no.16596404 dated 01.10.2021 is attached herewith as Annexure-R14	100-103
16.	Copy of LOI dated 20.07.2015 is attached herewith as Annexure-R15	104-111
17.	Copy of EC dated 20.08.2018 is attached herewith as Annexure-R16	112-119
18.	Copy of Notification dated 18.01.2021 is attached herewith as Annexure-R17	120-122
19.	Copy of consent to establish application dated 16.09.2021 is attached herewith as Annexure-R18	123-127
20.	Copy of letter of Executive Engineer Water Services Division, Dadupur Vide no. 6958-62/117-M dated 12.10.2021 is attached as Annexure-R19	128-135
21.	Copy of letter of Hydrologist submitted to mining officer Yamuna nagar vide this letter no. 326 dated 27.07.2016 is attached as Annexure-R20)	136
22.	Copy of stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 is attached as Annexure-R21)	137-138
23.	Copy of speaking orders the State of Haryana (Mines & Geology Department) vide orders dated 14.09.2021 is attached as Annexure-R22)	139-148
24.	Copy of complaint against Jaidhar Block B-34 is also attached at Annexure-R23	149-154
25.	Copy of Minutes of Public hearing is attached as Annexure-R24	155-161
26.	Copy of joint verification reports submitted by the officers is also enclosed as per Annexure-R25	162
27.	Copy of NOC dated 08.10.2021 is attached herewith as Annexure-R26	163
28.	Copy of CTE dated 25.10.2021 is attached herewith as Annexure-R27	164-167
29.	Copy of note history of CTE vide application no. 16113178 dated 25.10.2021 is attached as Annexure-R28	168-170
30.	Copy of application form no. 17349612 dated 26.10.2021 is attached herewith as	171-177

Annexure-R29		
31.	Copy of CTO for the period granted from 01.10.2021 to 30.09.2022 vide application no. 17349612 dated 30.10.2021 is attached herewith as Annexure-R30	178-181
32.	Copy of note history of application form no. 17349612 dated 26.10.2021 is attached herewith as Annexure-R31	182-186
33.	Copy of order dated 28.09.2021 is attached herewith as Annexure-R32.	187
34.	Copy Deputy Commissioner, Yamuna Nagar and Superintendent of Police, Yamuna Nagar vide RO Office letter no. HSPCB/YR/2022/4071-72 dated 27.07.2022. Copy attached as Annexure-R33.	188
35.	Copy of Letter issued to M/s Saharanpur Mines Management Services Pvt. Ltd., Village Mandewala, Tehsil Chhachhrauli, Mandewala Block/ YNR B-38, District Yamuna Nagar Annexure-R-34	189-190
36.	Copy of Letter issued to M/s Saharanpur Mines Management Services Pvt. Ltd., Village Jaidhar Jaidhar Tehsil Chhachhrauli, Jaidhar Jaidhar Block/ YNR B- 34 34 District Yamuna Nagar Annexure-R-35	191-192

[Signature]

Regional Officer,
Yamunagar, HSPCB

Place: Yamunanagar

Dated: 30.11.2022

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA No.306/2022

IN THE MATTER OF :

Harbans Singh

Applicant

Versus

State of Haryana and others

Respondents

Reply on behalf of respondent No. 4 i.e.Haryana State Pollution Control Board through Sh. Virender Singh Punia, Regional Officer, HSPCB, Yamuna Nagar.

MOST RESPECTFULLY SHOWETH

1. The Hon'ble NGT vide orders dated 06.05.2022(**Annexure-R/1**) passed the following directions:-

"5. Let notice be issued to Respondents requiring them to file replies specifically responding to all material averments made in the application within two months. The applicant is directed to take requisite steps for service of notices on the respondents and file his affidavit regarding the same by email at judicial-ngt@gov.in.

6. In the meanwhile no mining activities be allowed in the mining sites in question in villages Jhaidhar & Mandewala respectively and Deputy Commissioner and Superintendent of Police, Yamuna Nagar shall take requisite steps for ensuring prevention of any illegal mining.

7. List the matter for further consideration on 28.07.2022.

8. A copy of this order, along with a copy of the application and its annexures be forwarded to the Deputy Commissioner and Superintendent of Police, Yamuna Nagar by e-mail for compliance.

2. That reliefs claimed against the answering respondent is w.r.t. CTO dated 23.10.2021 and CTE dated 25.10.2021 pertaining to mining sites at villages Mandewala and Jaidhar, respectively. It is humbly submitted that remedy against grant/refusal of Consent is statutory appeal before the Appellate Authority under Section 28 of the Water Act, 1974 and the Air Act, 1981. Therefore, the present appeal is not maintainable and is liable to be dismissed.
3. That allegations made against the answering respondent are untenable, unsubstantiated, false and thus denied in toto. The correct factual and legal position with relevant record is explained in succeeding paragraphs.
4. The applicant has challenged the permissions granted to M/s Saharanpur Mines Management Services Pvt. Ltd. in respect of Village Mandewala, Tehsil Chhachhrauli, Mandewala Block/ YNR B-38, District Yamuna Nagar and Jaidhar Block/ YNR B34 Village Jaidhar, Tehsil Chhachhrauli, District Yamunanagar. The status of above said mining site is as under:-

Sr. No.	Name of Mining Project	River bed/ Outside River bed Mining	Area of Mining Project	Capacity of Mining Project (TPA)	Minerals Mined	Environment Clearance	CTE	CTO	Mining License
1	M/s Saharanpur Mines Management Services Pvt. Ltd., Village Mandewala, Tehsil Chhachhrauli, Mandewala Block/ YNR B-38, District Yamuna Nagar	Outside River bed	15 Ha	2,40,000	Boulder, Gravel and Sand (Minor Minerals)	EC Obtained vide No. SEIAA/HR/2 016/500 dt. 27.06.2016	Obtained vide no. HSPC B/201 7/5466 dt. 11.08. 2017	Valid upto 30.09.202 2	Presently closed

2	M/s Saharanpur Mines Management Services Pvt. Ltd., Jaidhar Block/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District Yamunanagar	Outside River bed	25.60 Ha	4,60,000	Sand Minor Mineral	EC obtained vide no., SEIAA/HR/2018/1068 dt. 20.08.2018	Obtained vide No. HSPC B/Consent/ 31310 0421Y AMCT E1611 3178 Dated: 25/10/2021	Valid upto 30.09.2022	Presently closed
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Status of M/s Saharanpur Mines Management Services Pvt. Ltd., Village Mandewala, Tehsil Chhachrauli, Mandewala Block/ YNR B-38, District Yamuna Nagar:-

5. It is submitted that the above said mining unit has obtained letter of intent (LOI) from Director General, Mines & Geology Department Haryana vide memo no. DMG/HY/Cont/Mandewala Block/YNR-B-38/2015/3937 dated 19.06.2015 for boulder, gravel and sand minor mineral over an area of 15.00 Hectares. The copy of LOI dated 19.06.2015 is attached herewith as **Annexure-R/2**. Thereafter the unit has obtained Environment Clearance from State Environment Impact Assessment Authority Haryana vide no. SEIAA/HR/2016/500 dated 27.06.2016 which was valid upto 5 years i.e. 26.06.2021. The copy of EC dated 27.06.2016 is attached herewith as **Annexure-R/3**. The ministry of Environment, forest and climate change issued a notification dated 18.01.2021 vide which the period of covid-19 (i.e. for 1 year) was relaxed and as per notification the validity of Environment Clearance is to be considered as upto 26.06.2022. The copy of Notification dated 18.01.2021 is attached herewith as **Annexure-R/4**. Thereafter the unit applied for consent to establish vide application no. 3199153 dated 20.06.2016 which was refused by the Chairman, HSPCB vide order dated 12.09.2016. The copy of order dated 12.09.2016

is attached herewith **Annexure-R/5**. Accordingly, unit was filed an appeal no. 24 of 2017 before Ld. Appellate Authority of the board dated 03.07.2017 and the CTE refusal order dated 12.09.2016 was quashed. The copy of order of Ld. Appellate Authority dated 03.07.2017 is attached herewith as **Annexure-R/6**. Thereafter, CTE was granted to the unit vide letter no. HSPCB/2017/5466 dated 11.08.2017. The copy of CTE dated 11.08.2017 is attached herewith as **Annexure-R/7**. The Consent to Establish was granted to the above said mining unit after following due procedure and as per policy of the board. The unit has also submitted NOC from District Town Planner, Yamuna Nagar vide Memo no. YR/DTP/E/879/2016 dated 30.06.2016. The copy of NOC from DTP dated 30.06.2016 is attached herewith as **Annexure-R/8**. Thereafter, the unit has applied first time for the consent to operate for the year 24.10.2017 to 30.09.2018 vide application no. 4634749 dated 11.12.2017 along with necessary documents. Accordingly, the CTO was granted to the unit for the period 12.01.2018 to 30.09.2018 vide application no. 4634749 dated 12.01.2018. The copy of application form, CTO certificate and note history are attached herewith as **Annexure-R/9, R/10&R/11** respectively. The renewal of CTO was again applied by the unit for the period 01.10.2021 to 30.09.2022 vide application no. 16596404 dated 01.10.2021. Accordingly, the CTO was granted to the unit for the period 23.10.2021 to 30.09.2022 vide application no. 16596404 dated 23.10.2021. The copy of application form, CTO certificate and note history are attached herewith as **Annexure-R/12, R/13&R/14** respectively. At present, the above said mining site is presently lying closed.

Status of M/s Saharanpur Mines Management Services Pvt. Ltd., Jaidhar Block/YNR B34Village Jaidhar, Tehsil Chhachhrauli, District Yamuna Nagar:-

6. It is submitted that the above said mining unit has obtained Letter of Intent (LoI) from Director General, Mines & Geology Department Haryana vide memo no. DMG/HY/Cont/Jaidhar Block/YNR-B-34/2015/7086 dated 20.07.2015 for sand minor mineral over an area of 25.60 Hectares. The copy of LOI dated 20.07.2015 is attached herewith as **Annexure-R/15**. Thereafter the unit has obtained Environment Clearance from State Environment Impact Assessment Authority Haryana vide no. SEIAA/HR/2018/1072 dated 20.08.2018 which was valid upto 5 years i.e.19.08.2023. The copy of EC dated 20.08.2018 is attached herewith as **Annexure-R/16**. The ministry of Environment, forest and climate change issued a notification dated 18.01.2021 vide which the period of covid-19 (i.e. for 1 year) was relaxed and as per notification the validity of Environment Clearance is to be considered as 19.08.2024. The copy of Notification dated 18.01.2021 is attached herewith as **Annexure-R/17**. Thereafter, the unit was applied for consent to establish vide application no. 16113178 dated 16.09.2021. The copy of consent to establish application dated 16.09.2021 is attached herewith as **Annexure-R/18**.
7. That it is further submitted that the operation of said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 (**copy attached as Annexure-R/19**) in the said matter Hon'ble High Court disposed of the matter with the directions to the state of Haryana to pass speaking orders and till then stay orders will remain in force.

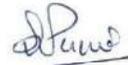
The State of Haryana (Mines & Geology Department) vide order dated 14.09.2021(**copy attached as Annexure-R/20**)passed the speaking orders and allowed the mining. However, at the same time the complaints for the above said mine received in this office through DC office. Complaint against Jaidhar Block B-34 is also attached at **Annexure-R/21**. On the above said complaints the Executive Engineer, Water Services Division Dadupur submitted his comments and requested for non issuance of permission to the said mines. Accordingly this office has raised the show cause notice to the said mines through online consent management system and they have submitted their reply and denied the observations raised by the Executive Engineer, Water Services Division Dadupur. It is further submitted that many observations in the complaint were same as raised at the time of public hearing and replied by the project proponent at site. Considering the whole scenario the environmental clearance was issued by the SEIAA. The copy of Minutes of Public hearing is attached as **Annexure-R/22**. However, this office regarding siting verification of the mining block from the structures of Irrigation Department, a request was made to the Deputy Commissioner, Yamuna Nagar for siting verification from the Joint Committee of Revenue and Mining Officer. The Deputy Commissioner, directed the both the offices for the joint verification. The joint verification reports submitted by the officers is also enclosed as per **Annexure-R/23**. The unit also submitted NOC from District Town Planner, Yamuna Nagar vide Memo no. P-2275 dated 08.10.2021. The copy of NOC dated 08.10.2021 is attached herewith as **Annexure-R/24**. Thereafter, CTE was granted to the unit vide letter no. 16113178 dated 25.10.2021. The copy of CTE dated 25.10.2021 is attached herewith as **Annexure-R/25**. The

copy of note history of CTE vide application no. 16113178 dated 25.10.2021 is attached as **Annexure-R/26**. The Consent to Establish was granted to the above said mining unit after following due procedure and as per policy of the board. Thereafter, the unit has applied first time for the consent to operate for the year 25.10.2021 to 30.09.2022 vide application no. 17349612 dated 26.10.2021 along with necessary documents. Accordingly, the CTO was granted to the unit for the period 30.10.2021 to 30.09.2022 vide application no. 17349612 dated 26.10.2021. The copy of application form, CTO certificate and note history are attached herewith as **Annexure-R/27, R/28&R/28** respectively. The renewal of CTO was again applied by the unit for the period 01.10.2021 to 30.09.2022 vide application no. 16596404 dated 01.10.2021. In compliance of order issued by Hon'ble Punjab & Haryana High Court, Chandigarh dated 14.01.2020 vide CWP No. 1010 of 2018, the Director General Mines & Geology, Panchkula passed an speaking order dated 13.09.2021. At present, the above said mining site is presently lying closed.

8. That the speaking orders passed by the Director General Mines & Geology, Panchkula dated 14.09.2021 was challenged before the Hon'ble Punjab & Haryana High Court, Chandigarh vide CWP No. 19286 of 2021. However, the same was ordered as dismissed vide Order dated 28.09.2021. The copy of order dated 28.09.2021 is attached herewith as **Annexure-R/29**.
9. That after the dismissal of CWP No. 19286 of 2021, the applicant herein has filed the present Original Application No. 306 of 2022 titled as Harbans Singh versus State of Haryana and others before this Hon'ble Tribunal.

10. That the order dated 06.05.2022 Hon'ble Tribunal has already been communicated to the Deputy Commissioner, Yamuna Nagar and Superintendent of Police, Yamuna Nagar vide RO Office letter no.HSPCB/YR/2022/4071-72 dated 27.07.2022. Copy attached as **Annexure-R/30**.

In view of the facts and circumstances mentioned herein above, it is humbly prayed that present OA may kindly be dismissed.



Regional Officer,
Yamunagar, HSPCB,

Place: Yamunagar

Dated: 30.11.2022

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

OA No.306/2022

IN THE MATTER OF :

Harbans Singh

Applicant

Versus

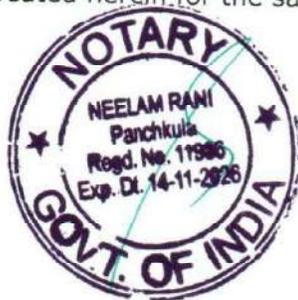
State of Haryana and others

Respondents

AFFIDAVIT

I, Virender Singh Punia, Regional Officer, HSPCB, Yamunanagar, aged about years, do hereby solemnly affirm and declare as under:

1. That I am authorized Representative of respondent No. 4 in the present matter. I have made myself conversant with the facts of the present case and therefore, I am competent to depose this affidavit.
2. That the accompanying reply has been drafted by my Counsel under my instructions. Same may kindly be read as part of this affidavit as the same are not being repeated herein for the sake of brevity.



[Signature]

DEPONENT

VERIFICATION:

Verified at On this day of November, 2022 that the contents of above affidavit are true and correct to the best of my knowledge and information derived from official record. No part of it is incorrect and nothing material has been concealed there from.

ATTESTED
NEELAM RANI
NOTARY PUBLIC
Panchkula Haryana

[Signature]
DEPONENT

Place: Panchkula

Dated: 30.11.2022

30 NOV 2022

I identify the deponent/declarant/ executant who has signed this document in my presence.

[Signature]

[Signature]
Sandeep Choudhary, Adv

Item No.2

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No. 306/2022
(I.A. No. 102/2022)

Harbans Singh

Applicant

Versus

State of Haryana & Ors.

Respondents

Date of hearing: 06.05.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Adv

ORDER

1. The applicant has filed present application under Section 14 read with Section 18 of the National Green Tribunal Act, 2010 *inter alia* seeking issuance of directions to State of Haryana to stop any mining activity at fertile agricultural lands in villages Jaidhar and Mandewal District Yamuna Nagar, Haryana, quash CTO dated 23.10.2021 and CTE dated 25.10.2021 issued by Haryana State Pollution Control Board (HSPCB) with respect to mining sites at villages Mandewala and Jaidhar respectively and environmental clearance dated 20.08.2018 issued by Haryana State Environment Impact Assessment Authority (HSEIAA) with respect to mining activity at village Jaidhar in favour of respondent no.9.

2. The applicant has challenged CTO dated 23.10.2021 and CTE dated 25.10.2021 issued by HSPCB and environmental clearance dated

20.08.2018 issued by HSEIAA in favour of respondent no.9 inter alia on the following grounds:

- a) The mining site located in village Jaidar falls in controlled area notified by the State Government vide notification dated 21.12.1981 issued under Section 4 of the Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act, 1963. No mining activity can be carried out without prior permission from the Director, Department of Town & Country Planning, Haryana. Such prior permission has not been granted to respondent No.9.
- b) As per report of the Hydrologist, G.W.C, Ambala submitted to Mining Officer, Department of Mines and Geology, Yamuna Nagar vide his letter no. 326 dated 27.07.2016 the depth of water table below ground level in village Jaidhar was 1.80 meters. Mining is allowed up to 02 meters above the ground water level as per Gazette Notification of Mining and Geology Department dated 27.04.2015 and no mining activity could be permitted within two meters of water table.
- c) HSPCB hurriedly granted CTO on 25.10.2021 with regard to mining in village Mandewala whereas environmental clearance dated 27.06.2016 in respect thereof had already expired on 26.06.2021 and no fresh environmental clearance had been given by HSEIAA which is investigating into the complaint of illegal mining by respondent No.9 on the site.
- d) Both the mining sites were auctioned to respondent No.9 which is accused by the Serious Fraud Investigating Office for illegal mining and is facing prosecution before Special Court (Companies Act), Dwarka.

- e) The Executive Engineer, Water Service Division Dadupur had vide letter dated 12.10.2021 opposed mining activity in village Jaidhar district Yamuna Nagar by stating that WJC MLU which runs from Hathnikund Barrage to Dadupur Pond has sandy strata and any mining activity in the area may adversely affect the stability of the channel and bridges over it and no mining activity be allowed in the area so as to safeguard the interest of the I & WR Department and to protect the agricultural lands of the farmers from high water table.
- f) The mining sites are admittedly located in fertile agricultural areas with there being no possibility of replenishment and mining in the said area will not be permissible being in violation of clauses 4.1.1 (m) and 4.3 (s) of the EMGSM Guidelines 2020 issued by MoEF & CC.
- g) The mining site in village Mandewala is at the distance of 1.5 kilometers from Yamuna river and as per EMGSM Guidelines 2020 issued by MoEF & CC no mining can be carried on within 5 kilometers of a river bed.

3. We have heard learned Counsel for the applicant and gone through the relevant record.

4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and validity of mining leases allegedly granted in violation of the environmental norms, notifications, rules and regulations.

5. Let notice be issued to Respondents requiring them to file replies specifically responding to all material averments made in the application within two months. The applicant is directed to take requisite steps for service of notices on the respondents and file his affidavit regarding the same by email at judicial-ngt@gov.in.
6. In the meanwhile no mining activities be allowed in the mining sites in question in villages Jhaidhar & Mandewala respectively and Deputy Commissioner and Superintendent of Police, Yamuna Nagar shall take requisite steps for ensuring prevention of any illegal mining.
7. List the matter for further consideration on 28.07.2022.
8. A copy of this order, along with a copy of the application and its annexures be forwarded to the Deputy Commissioner and Superintendent of Police, Yamuna Nagar by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

May 6, 2022
Original Application No. 306/2022
AG

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

Registered

From

The Director General,
Mines & Geology Department, Haryana
30 Bays building, Sector-17,
Chandigarh.

To

Saharanpur Mines Management Services Private Limited,
Shop No. 12, Mukund Market, Janakpur Chowk,
Saharanpur-247121 (Uttar Pradesh).

Memo No. DMG/HY/Cont/Mandewala Block/YNR B 38/2015/3937
Dated Chandigarh, the 19.06.2015

Subject: **Acceptance of the highest bid/ in respect of the Boulder, Gravel and Sand minor mineral mines of "Mandewala Block/YNR B 38" having Tentative Area of 15.00 hectares in the district Yamuna Nagar, offered in e- auction held on 10.06.2015 and 11.06.2015 and issue of Letter of Intent (LoI) - regarding.**

You participated in the in the e- auction held on 10.06.2015 and 11.06.2015 on the State Government web portal <https://haryanaeprocurement.gov.in> after accepting the terms and conditions of the auction notice DMG/HY/e Auction/YNR/2015/2150 dated 27.04.2015 and Corrigendum DMG/HY/e-Auction/YNR/Corr./2015/3358 dated 19.05.2015 in order to obtain mining contracts of minor mineral mines of the district Yamuna Nagar. You offered the highest bid of Rs. 16,55,50,000/- [Rs. Sixteen crore fifty five lakh fifty thousand only] per annum, against the Reserve Price of Rs. 07,10,00,000/- per annum, for obtaining the Mining Contract of Minor Mineral Mines namely 'Mandewala Block/YNR B 38' for extraction of Boulder, Gravel and sand having tentative area of 15.00 hectares. The details of the khasra numbers of the tentative area under above said Mining Block is attached as **Annexure 'A'**.

2. You are hereby informed that the State Government has accepted the highest bid of Rs. 16,55,50,000/- [Rs. Sixteen crore fifty five lakh fifty thousand only] offered by you in respect of the above said minor mineral mines of 'Mandewala Block/YNR B 38' under the provisions of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012 (State Rules). Accordingly, you have become the successful bidder in respect of Mandewala Block/YNR B 38 of the district Yamuna Nagar.

3. The State Government having accepted the aforementioned highest bid offered by you, the Department is pleased to issue this Letter of Intent (LoI) in your favour in respect of the Mining Block/area namely 'Mandewala Block/YNR B 38' subject to the following terms and conditions:

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

- (i) The period of contract shall be **08 years** and the same shall commence with effect from the date of grant of environmental clearance by competent authority or on expiry of a period of 12 months from the date of this communication of acceptance of highest bid/ issuance of "Letter of Intent", whichever is earlier;
- (ii) You may note that the detail of the area of the mining blocks is tentative and was notified "on as is where is basis" (refer condition no. 4 of the notice). In case of any inadvertent mistake, if any, the same would be rectified/ corrected before execution of the agreement (refer condition no. 3 of the notice);
- (iii) No request regarding reduction in bid amount on account of reduction in land/area of the Mining block, including due to change in description of khasra numbers/location etc. at any stage will be entertained on any ground including loss/reduction of area for mining on account of compliance of applicable laws/restrictions. Needless to state that this also includes the changes, if any, as per condition no. 3 of auction notice.
- (iv) The amount of the highest successful bid i.e. **Rs. 16,55,50,000/-** [Rs. Sixteen crore fifty five lakh fifty thousand only] per annum shall be the "Annual Contract Money" payable by you as the contractor in the manner prescribed in the contract agreement to be executed on form MC-1 appended to State Rules;
- (v) The above said annual contract money shall be increased at the rate of 25% on completion of each block of three years. Accordingly, the year-wise amount of the annual contract money shall be as per details given below:

Sr. No.	Year of the Contract Period	Annual contract Money
1	First Year	Rs. 16,55,50,000/-
2	Second Year	Rs. 16,55,50,000/-
3	Third Year	Rs. 16,55,50,000/-
4	Fourth Year	Rs. 20,69,37,500/-
5	Fifth Year	Rs. 20,69,37,500/-
6	Sixth Year	Rs. 20,69,37,500/-
7	Seventh Year	Rs. 25,86,71,875/-
8	Eighth Year	Rs. 25,86,71,875/-

- (vi) As per the terms and conditions of the grant, you are liable to deposit **Rs. 04,13,87,500/-** i.e. equal to 25% of the annual bid amount as "security deposit" out of which you have already deposited an amount of **Rs. 01,65,55,000/-** (Rs. One crore sixty five lakh fifty five thousand only) i.e. equal to 10% of the annual bid amount as 'initial bid security' after the conclusion of e-auction. The balance amount of **Rs. 02,48,32,500/-** of the bid security i.e. 15% of the annual bid amount¹⁶³ alongwith one month's advance contract money shall be deposited before

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

- commencement of the mining operations or before expiry of the period of 12 months, whichever is earlier;
- (vii) You shall execute an Agreement Deed in Form MC-I appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & Prevention of *Illegal Mining Rules-2012* (the State Rules 2012) within a period of 90 days from the date of issuance of this communication/ grant of Lol;
- (viii) It may be pointed out that as per existing applicable rates the contract agreement had to be executed on **Non Judicial Stamp papers worth Rs. 61,30,600/- (Rs. Sixty one lakh thirty thousand six hundred fifty only)**. However, you are aware that M/s Om Minerals, one of the Lol holders (who participated in the auctions held in December 2013) has filed a CWP No.7991 of 2014, before the Hon'ble Punjab & Haryana High Court. Further a few other similarly situated Lol holders have also filed separate CWP's before the Hon'ble Punjab and Haryana High Court challenging demand/ levy of Stamp Duty on execution of 'Contract Agreement'. The said matter is still pending for adjudication. Accordingly, the present auction was conducted subject to outcome of said cases. **Therefore, the charging of stamp duty for the execution of contract agreement shall be as per final outcome of the said CWP's.**
- (ix) The Contract Agreement would also be required to be got Registered on payment of the applicable Registration fee;
- (x) In case you fail to execute the Agreement Deed within the prescribed period of 90 days, this Lol shall be deemed to have been revoked and the amount of initial bid security deposited at the time of auction shall be forfeited. Further, the balance amount of 15% towards the bid security, amounting to **Rs. 02,48,32,500/-** being the 15% of the annual bid amount, shall be recovered as arrears of land revenue and, you, as the Lol holder/ defaulter, shall be debarred from participation in any future auctions for a period of 5 years;
- (xi) You shall also furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the Agreement. In case the surety offered by the contractor(s) during the subsistence of the contract is not found solvent, the contractor(s) shall offer another solvent surety and a supplementary deed shall be executed to this effect;
- (xii) After execution of Agreement, either before commencement of the mining operation or before expiry of the period of 12 months from the date of issuance of this Lol,⁶⁴ whichever is earlier, in case of failure to deposit the balance 15% amount towards

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

security [as required under clause (v) above] the acceptance of bid/issuance of Lol/execution of agreement shall be deemed to have been revoked and 10% amount deposited towards as initial bid security at the time of auction shall stand forfeited. Further, un-paid 15% amount towards security shall be recovered as arrears of land revenue and you shall be debarred from participation in any subsequent bids for a period of 5 years;

- (xiii) You shall be liable to deposit the contract money in advance at monthly intervals as per provisions of Contract Agreement i.e. from the date of commencement of the contract Agreement;
- (xiv) You shall also deposit/ pay an additional amount equal to 10% of the due contract money along with the monthly installments towards the **'Mines and Minerals Development, Restoration and Rehabilitation Fund'**.
- (xv) You shall also be liable to pay advance income tax as per provisions of Section 206(c) of income tax act in addition to contract money, payable as per terms and conditions of contract agreement.
- (xvi) On enhancement of the contract money with the expiry of every three years period, you shall deposit the balance amount of security so as to upscale the security amount equal to 25% of the revised annual contract money as applicable for one year with respect to the next block of three years. No interest, whatsoever, shall be payable on the security amount deposited under the prescribed security head of the government;
- (xvii) You shall prepare a Mining Plan along with the Mine Closure Plan (Progressive & Final) as per chapter 10 of the State Rules for the "Mining Block" and shall not commence mining operations in any area except in accordance with such Mining Plan duly approved by an officer authorised by the Director, mines & Geology, in this behalf.
- (xviii) Further, the actual mining will be allowed to be commenced only after prior Environmental Clearance is obtained by you as the Lol holder/mining contractor for the Mining Block from the Competent Authority as permitted by the competent Authority required under EIA notification dated 14/9/2006, as amended from time to time by the MoE&F, GoI and guidelines/ circulars issued in this behalf;
- (xix) The Mining contractor to whom mining rights have been granted through this contract would also be liable to pay the following to the landowners to undertake mining operations:

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

- (a) Annual rent in respect of the land area blocked under the concession but not being operated, and
 - (b) Rent plus compensation in respect of the area used for actual mining operations.
- (xx) The amount of annual rent and the compensation shall be settled mutually between the landowner and the mining contractor. In case of non-settlement of the rent and compensation, the same shall be decided by the District Collector concerned in accordance with the provisions contained in Chapter 9 of the "Haryana Minor Mineral Concession, Stocking, and Transportation of Minerals and Prevention of Illegal Mining Rules, 2012";
- (xxi) The total mineral excavated and stacked by the concession holder within the area granted on mining contract shall not exceed two times of the average monthly production as per approved Mining Plan at any point of time;
- (xxii) The Mining Contractor shall not stock any mineral outside the concession area granted on mining contract, without obtaining a valid license as per provisions contained in Chapter 14 of the State Rules;
- (xxiii) The contractor shall not carry out any mining operations in any reserved/ protected forest or any area prohibited by any law in force in India, or prohibited by any authority without obtaining prior permission in writing from such authority or officer authorized in this behalf. In case of refusal of permission by such authority or officer authorized in this behalf, contractor(s) shall not be entitled to claim any relief in payment of contract money on this account;
- (xxiv) Following are the general/ special conditions applicable for excavation of minor mineral(s) from river beds in order to ensure safety of river-beds, structures and the adjoining areas:
- (a) No mining would be permissible in a river-bed up to a distance of five times of the span of a bridge structure on up-stream side and ten times the span of such bridge structure on down-stream side, subject to a minimum of 250 meters on the up-stream side and 500 meters on the down-stream side;
 - (b) There shall be maintained an un-mined block of 50 meters width after every block of 1000 meters over which mining is undertaken or at such distance as may be directed by the Director or any officer authorised by him;
 - (c) The maximum depth of mining in the river-bed shall not exceed three meters from the un-mined bed level at any point in time with proper bench formation;

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

- (d) Mining shall be restricted within the central 3/4th width of the river/ rivulet;
- (e) No mining shall be permissible in an area up to a width of 500 meters from the active edges of embankments in case of river Yamuna, 250 meters in case of Tangri, Markanda and Ghaggar and 100 meters on either side of all other rivers/ rivulets. (This clause is applicable for mining outside river bed area);
- (f) Any other condition(s), as may be required by the Irrigation Department of the state from time to time for river-bed mining in consultation with the Mines & Geology Department, may be made applicable to the mining operations in river-beds.
- (xxv) A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf. Further, the depth of excavation of mineral shall not exceed nine meters (9m) at any point of time.(This clause is applicable for mining outside river bed area);
- (xxvi) The contractor shall not undertake any mining operations in the area granted on mining contract without obtaining requisite permission from the competent authority as required for undertaking mining operations under relevant laws;
- (xxvii) The contractor shall be under obligation to carry out mining in accordance with all other provisions as applicable under the Mines Act, 1952, Mines and Minerals (Development and Regulation) Act, 1957, Indian Explosives Act, 1884, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and the rules made thereunder, Wild Life (Protection) Act, 1972, Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981;
4. Accordingly, for the time being you are advised to submit the Draft Contract Agreement on Form MC-I (in Five copies) appended to the State Rules-2012, on **plain papers** along with other requisite documents including a solvent surety(s) for a sum equal to the amount of the annual bid for execution of the agreement, within a period of 90 days from the date of issue of this bid acceptance letter and the LoI. You should also furnish an affidavit to the effect that you will immediately deposit the requisite stamp duty as per out of the related Court cases as stated under para 3(viii) above.
5. Please note that one Sh. Rajbir Singh had filed a CWP bearing No. 27700 of 2013⁶⁷ before the Hon'ble Punjab & Haryana High Court challenging (i) commencement of contract

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

period after 12 months from the date of acceptance of highest bid/issuance of "Letter of Intent" or from date of obtaining of environmental clearance from competent authority which ever is earlier and (ii) payment of rent and compensation to surface right holder/land owners from where mining operations are to be carried out. Therefore, commencement of period of contract & payment of compensation to land owners shall be as per final outcome of court order in said CWP. Accordingly, the auction was conducted subject to outcome of above case, hence this acceptance /LoI is being issued subject to the outcome in CWP No. 27700 of 2013 pending before Hon'ble Punjab & Haryana High Court.


Mining Officer,
for Director General Mines & Geology, Haryana

Endst.No. DMG/HY/Cont/Mandewala Block/YNR B 38/2015/

Dated:19.06.2015

A copy is forwarded to the following for information and necessary action please:-

1. The Chairman, Haryana State Pollution Control Board, Panchkula.
2. The Deputy Commissioner, Yamuna Nagar.
3. The Mining Officer, Mines & Geology Department, Yamuna Nagar.


Mining Officer,
for Director General Mines & Geology, Haryana.

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No. 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

No. SEIAA/HR/2016/500

Dated: 27-06-2016...

To

M/s Saharanpur Mines Management Services Pvt. Ltd.,
 Shop No. 12, Mukund Market, Janakpur Chowk,
 Saharanpur-247121 (UP)

Subject: Environmental Clearance for Mining of Boulder, Gravel and Sand (Minor Minerals) Mines namely "Mandewala Block/YNR B-38" over an area of 15.00 Ha. Falling in Village-Mandewala, Tehsil-Chhachhrauli, District Yamuna Nagar, Haryana.

This has reference to your application transferred online by MoEF & CC, GoI to M. S. SEIAA on 16.04.2016; hard copy received on 21.04.2016 and subsequent letter dated 01.06.2016 seeking prior environmental clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 and subsequent amendments on the basis of the mandatory documents enclosed with the application viz., Form-1, Pre-feasibility report, copy of approved Mining Plan, EIA/EMP on the basis of approved TOR and the additional clarifications furnished in response to the observations of the EAC of MoEF & CC, GoI and State Expert Appraisal Committee (SEAC) constituted by MOEF & CC, GOI vide their Notification 21.08.2015, in its meetings held on 06.05.2016 and 01.06.2016.

[2] The SEAC has examined the application and noted that the proposal is for Mining of Boulder, Gravel and Sand (Minor Minerals) Mines namely "Mandewala Block/YNR B-38" falling in Village-Mandewala, Tehsil-Chhachhrauli, District Yamuna Nagar, Haryana over an area of 15.00 Ha. The Mines & Geology Department, Haryana has granted lease for an area of 15.00 Ha "Mandewala Block/YNR B-38" at Village-Mandewala, Tehsil-Chhachhrauli, District Yamuna Nagar vide LOI dated 19.06.2015. The project proponent has submitted approved mining plan dated 10.03.2016. The public hearing was conducted by HSPCB on 10.03.2016. The SEAC has appraised this project as category B-1. NOC from Forest Department has been obtained. It was noticed that the lease area is less than 25 Ha. The EAC of MoEF & CC, GoI and SEAC have appraise this project under category B-1 requiring approval of TOR, Public Consultation as per procedure prevalent at that time. The MoEF & CC, GoI on 15.01.2016 amended the Notification and as per amended Notification this project activity now falls under category B 2.

Brief details of the project:

1.	Category/Item no. (in schedule):	1 (a) B-1 (B-2 as per amended Notification)
2.	Location of Project	Village-Mandewala, Tehsil-Chhachhrauli, District Yamuna Nagar, Haryana

3.	Project Details Khasra No. Production capacity	"Mandewala Block/YNR B-38" over an area of 15.00 Ha 2,40,000 TPA @40 Trips/day (25 MT)																
4.	Project Cost	7 Crore																
5.	Water Requirement & Source	26 KLD through Tankers																
		Dust suppression	15 KLD															
		Plantation	10 KLD															
		Drinking	1 KLD															
6.	Environment Management Plan Budget	26 lakh																
7.	CSR Activates Budget	15 Lakh																
8.	Production	The proposed production for the five years is @ 2,40,000 TPA. The ultimate pit limit is 3 m bgl or 2 meter above water table which ever comes first in riverbed mining.																
9.	Corner Coordinates of the lease area	<table border="1"> <thead> <tr> <th>Corners</th> <th>Latitudes</th> <th>Longitudes</th> </tr> </thead> <tbody> <tr> <td>Mandewala,</td> <td>N 30⁰ 15'57.4"</td> <td>E77⁰ 30'31.7"</td> </tr> <tr> <td></td> <td>N 30⁰ 15'46.2"</td> <td>E77⁰ 30'32.1"</td> </tr> <tr> <td></td> <td>N 30⁰ 15'41.9"</td> <td>E77⁰ 30'25.9"</td> </tr> <tr> <td></td> <td>N 30⁰ 15'41.5"</td> <td>E77⁰ 30'38.4"</td> </tr> </tbody> </table>		Corners	Latitudes	Longitudes	Mandewala,	N 30 ⁰ 15'57.4"	E77 ⁰ 30'31.7"		N 30 ⁰ 15'46.2"	E77 ⁰ 30'32.1"		N 30 ⁰ 15'41.9"	E77 ⁰ 30'25.9"		N 30 ⁰ 15'41.5"	E77 ⁰ 30'38.4"
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V Yr.	400 Trees																	
11.	Machinery required	Excavator, JCB, Tipers/Trucks, Water Tanker Light Vehicles/Geep and Maintenance Van																

The Authority in its 92nd meeting held on 15.06.2016 decided to agree with the recommendations of SEAC to accord Environment Clearance to this project under category B2 in view of amendment to the Notification dated 15.01.2016, by imposing the following conditions:-

A SPECIFIC CONDITIONS:

- [1] This Environment Clearance is granted for the proposed production of Boulder, Gravel and Sand (Minor Minerals) for the five years @ 2,40,000 TPA. The ultimate pit limit is 3 m bgl or 2 meter above water table which ever comes first in riverbed mining. The Corner Coordinates of the leased area are:

Corners	Latitudes	Longitudes
Mandewala,	N 30 ⁰ 15'57.4"	E77 ⁰ 30'31.7"
	N 30 ⁰ 15'46.2"	E77 ⁰ 30'32.1"
	N 30 ⁰ 15'41.9"	E77 ⁰ 30'25.9"
	N 30 ⁰ 15'41.5"	E77 ⁰ 30'38.4"

- [2] The project proponent shall carry out mining activity strictly as per the approved Mining Plan.
- [3] Environmental Clearance is subject to obtaining clearance, under the Wildlife (Protection) Act, 1972 from the National Board of Wildlife, as applicable to the project.
- [4] No mining activities will be allowed in forest area, if any, for which the Forest Clearance is not available.
- [5] The Project proponent shall obtain consent to Operate from the State Pollution control Board, Haryana and effectively implement all the conditions stipulated therein.
- [6] Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for labour for ensuring good occupational environment for mine workers would also be adopted.
- [7] Project Proponent shall appoint a Monitoring Committee to monitor the replenishment study, traffic management, levels of production, River Bank erosion and maintenance of Road etc.
- [8] The number of trips of the trucks shall not exceed 40 Trips/day (25 Ton/Trip). Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages.
- [9] Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
- [10] Excavation will be carried out up to a maximum depth of 3 meters from surface of river bed one meter above from the ground water level of the River channel whichever is reached earlier.
- [11] The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centre.
- [12] Washing of all transport vehicles should be done inside the mining lease.

- [13] Permanent pillars has to be constructed to demarcate width of extraction of Reserve of Minerals leaving 25% of River width from the bank with depth of 1.5m below the ground and 1.2 m above the ground to observe its stability.
- [14] There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis in consultation with Regional Director, Central Groundwater Board and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- [15] The Project Proponent shall also take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted in the study area.
- [16] Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers.
- [17] Provision shall be made for the housing of construction for labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- [18] No River sand mining shall be allowed in flowing water and no mining is allowed in rainy season.
- [19] The project proponent shall submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity/ production levels shall be decreased/ stopped accordingly till the replenishment is completed.
- [20] The project proponent shall ensure that no natural water course/water body shall be obstructed due to any mining operations.
- [21] The dumping site selected and proposed shall be used for over burden dump at the designated site within the lease area as per the approved mine plan. In no case the overburden should be dumped outside the lease area.
- [22] Garland drains shall be constructed to prevent the flow of the water in the dumps.
- [23] Green belt should be developed as per the proposed plantation as given in the proposal. Plantation should be carried out in phased manner.
- [24] Regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of SPM and RPM such as haul road, loading and unloading point and transfer points. It shall be ensured that the Ambient Air Quality Parameters conform to the norms prescribed by the CPCB.
- [25] Regular monitoring of ground water level and quality shall be carried out in and around the mine lease. The monitoring shall be carried out four times in a year-pre

monsoon (April-May), monsoon (August), post monsoon (November); winter (January) and the data thus collected may be sent regularly to MOEF Regional Office, Chandigarh and Regional Director CGWB.

- [26] Data on ambient air quality and stack emissions shall be submitted to Haryana Pollution Control Board once in six months carried out by MOEF/NABL/CPCB/ Government approved lab.
- [27] Vehicular emissions shall be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral. The vehicles shall be covered with a tarpaulin and shall not be overloaded. The project proponent shall ensure that the vehicle must have pollution under control certificate.
- [28] The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna, if any, spotted in the study area. A plan for conservation shall be drawn and got approved from the Chief Wildlife Warden of the State before start of mining operations. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. All the safeguard measures brought out in the wildlife conservation plan so prepared specific to the project site shall be effectively implemented. A copy of action plan may be submitted to the HSPCB and MOEF, Regional Office, Chandigarh within 3 months..
- [29] As envisaged, the Project Proponent shall invest at least an amount of Rs. 26.0 lakh as cost for implementing various environmental protection measures including recurring expenses per year.
- [30] A sum of Rs. 15.0 lakh shall be earmarked by the Project proponent for investment as CSR on socio economic up-liftment activities of the area particularly in the area of habitat, health or education, training programme of rural women & man provide the kit for employment generation. The proposal should contain provision for monthly medical camps, distributions of medicines and improvement in educational facilities in the nearby schools. Details of such activity along with time bound action plan be submitted to HSPCB/SEIAA Haryana before the start of operation.
- [31] Budgetary provision of Rs. 5.0 lakh per year earmarked for the labours working in the Mine for all necessary infrastructure facilities such as health facility, sanitation facility, fuel for cooking, along with safe drinking water, medical camps and toilets for women, crèche for infants should be made and submitted to HSPCB at the time of CTE/CTO/SEIAA Haryana. The housing facilities should be provided for mining labours.

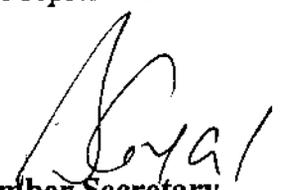
- [32] A Final Mine Closure Plan along with details of corpus fund shall be submitted to the SEIAA well within the stipulated period as prescribed in the minor mineral concession rules 2012.
- [33] The project proponent shall ensure that the Environment Clearance letter as well as the status of compliance of Environment Clearance conditions and the monitoring data are placed on company's website and displayed at the project site.
- [34] The project proponent shall ensure that loading in Trucks do not exceed the norms fixed by the Transport Department as per relevant rules.
- [35] The project proponent shall ensure approach roads are widened and strengthened as per requirements fixed by PWD and district administration before the start of the work.
- [36] The project proponent shall ensure supply of drinking water through RO.
- [37] The project proponent shall strictly adhere to the Sustainable Sand Mining Management guidelines issued by MoEF & CC, GoI on 15.03.2016 and shall ensure the compliance of the standard environmental conditions prescribed for the sand mining in the said guidelines; in addition to the conditions imposed in the environment clearance letter.
- [38] The project proponent shall carry out mining in semi mechanized manner using manpower, tractor, trucks, JCB and excavator for king transportation.

GENERAL CONDITIONS:

- [i] Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
- [ii] Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
- [iii] Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
- [iv] Periodic monitoring of ambient air quality shall be carried out for PM₁₀, PM_{2.5}, SO₂ and NO_x monitoring. Location of the stations (minimum 6) shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring shall be decided in consultation with the Haryana State Pollution Control Board (HSPCB). Six monthly reports of the data so collected shall be regularly submitted to the HSPCB/CPCB including the MOEF, Regional office, Chandigarh.
- [v] Personnel working in dusty areas shall wear protective respiratory devices they shall also be provided with adequate training and information on safety and health aspects.

- [vi] Occupational health surveillance program of the workers shall be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- [vii] The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year wise expenditure shall be reported to the HSPCB and the Regional office of MOEF located at Chandigarh.
- [viii] The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Environment Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the northern Regional Office of MoEF, the respective Office of CPCB, HSPCB and SEIAA Haryana.
- [ix] The above conditions will be enforced, inter alia, under the provision of the Water (Prevention & Control of Pollution) Act, 1974 the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act 1991 (all amended till date) and rules made hereunder and also any other orders passed by the Honb'le Supreme Court of India/High Court of Haryana and other Court of law relating to the subject matter.
- [x] The Project proponent should inform the public that the project has been accorded Environment Clearance by the SEIAA and copies of the clearance letter are available with the Haryana State Pollution Control Board & SEIAA. This should be advertised within 7 days from the date of issue of the clearance letter at least in two local newspapers that are widely circulated in the region and the copy of the same should be forwarded to SEIAA Haryana. A copy of Environment Clearance conditions shall also be put on project proponent's web site for public awareness.
- [xi] All the other statutory clearances such as the approvals for storage of diesel from the Chief Controller of Explosives, Fire department, Civil Aviation Department, Forest Conservation Act, 1980 etc. shall be obtained, as may be applicable, by Project Proponent from the competent authority before the start of mining operation.
- [xii] That the grant of this Environment Clearance is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the industry/unit/project proponent. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of National Green Tribunal Act, 2010.

- [xiii] The methodology of mining shall be strictly as per orders passed by Hon'ble NGT/ Hon'ble Supreme Court from time to time.
- [xiv] The Project Proponent shall not disturb/damage the position of studs in river bed and also not to damage the river banks and not to degrade the river bed in any manner.
- [xv] Any area which has been banned by any authority/courts shall not be used for mining activity.
- [xvi] Distance of mining to be maintained from Pucca Hydraulic structure/ Bridges shall be as per approved mining plan/ guideline issued by MoEF & CC/ Court Orders.
- [xvii] Quantum mining allowed in the river will be actual replenishment or mining allotted whichever is less.
- [xviii] The Project Proponent should set the Probable replenishment checked from the reputed institution.


Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

Endst. No. SEIAA/HR/2016/

Dated:.....

A copy of the above is forwarded to the following:

1. The Director (IA Division), MoEF&CC, GoI, Indra Paryavaran Bhavan, Zor bagh Road-New Delhi.
2. The Regional office, Ministry of Environment, Forests & Climate Change, Govt. of India, Bay's no. 24-25, Sector 31-A, Dakshin Marg, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, C-11, Sector-6, Pkl.
4. The Director General, Mines & Geology Department Haryana, Chandigarh.


Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.



भारत का राजपत्र

The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 201]
No. 201]

नई दिल्ली, सोमवार, जनवरी 18, 2021/पौष 28, 1942
NEW DELHI, MONDAY, JANUARY 18, 2021/PAUSHA 28, 1942

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 18 जनवरी, 2021

का.आ. 221(अ).— केंद्रीय सरकार, तत्कालीन पर्यावरण और वन मंत्रालय में, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन अपनी शक्तियों के प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसके बाद उक्त अधिसूचना कहा गया है) संख्या का. आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किया जा चुका है, उक्त अधिसूचना की अनुसूची में सभी संबंधित सूचीबद्ध नई परियोजनाओं या क्रियाकलापों के लिए उनके विस्तार और आधुनिकीकरण और/या उत्पाद मिश्रण में परिवर्तन किया जा सकता है यथास्थिति, भूमि को अभिप्रास करने के सिवाय, परियोजना प्रबंधन द्वारा किसी भी संनिर्माण कार्य या भूमि को तैयार करने से पूर्व संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति अपेक्षित होगी।

और कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) ने, क्षेत्र में परियोजनाओं या क्रियाकलापों के कार्यान्वयन को प्रभावित किया है। पर्यावरण और वन जलवायु परिवर्तन मंत्रालय उक्त अधिसूचना में अनुज्ञात अधिकतम अवधि से परे पूर्व पर्यावरणीय अनापत्तियों की विधिमान्यता के विस्तार के लिए अनुरोधों की संख्या प्राप्ति में है, क्योंकि कोविड 19 महामारी अभी तक समाप्त नहीं हुई है। मामले की उक्त मंत्रालय में समीक्षा की गई है और चिंता इस तथ्य को ध्यान में रखते हुए है कि लॉकडाउन (कुल या आंशिक) के कारण, क्षेत्र में क्रियाकलापों को जारी रखना कठिन हो सकता है।

अतः अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के (4) खंड के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) की उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा अभिमुक्ति के पश्चात् भारत के राजपत्र असाधारण, भाग- II, खंड 3, उपखंड (II), में प्रकाशित, भारत सरकार की तत्कालीन पर्यावरण और वन मंत्रालय अधिसूचना का.आ.1533 (अ), तारीख 14 सितंबर, 2006, में निम्नलिखित और संशोधन करती है, अर्थात्: -

उक्त अधिसूचना में,

(i) उप शीर्ष II "चरण (2)_विस्तारण", के अधीन पैरा 7 के उप पैरा 7(i) में, खंड (viii) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा अर्थात्: -

"(ix) उपरोक्त में अंतर्विष्ट किसी बात के होते हुए, 1 अप्रैल 2020 से 31 मार्च 2021 की अवधि में कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात् इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) की दृष्टि में इस अधिसूचना के उपबंधों के अधीन मंजूर संदर्भ की शर्तों की विधिमान्यता की अवधि की गणना के प्रयोजन के लिए विचार नहीं किया जाएगा ,तथापि उक्त संदर्भ की शर्तों के संबंध में इस अवधि के दौरान अपनाए गए सभी क्रियाकलाप विधिमान्य समझे जाएंगे।";

(ii) पैरा 9 क के स्थान पर, निम्नलिखित पैरा रखा जाएगा, अर्थात्: -

"9 क. इस अधिसूचना में अंतर्विष्ट किसी बात के होते हुए, 1 अप्रैल 2020 से 31 मार्च 2021की अवधि में कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात् इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) की दृष्टि में इस अधिसूचना के उपबंधों के अधीन मंजूर पूर्व पर्यावरणीय अनापत्ति की विधिमान्यताकी अवधि की गणना के प्रयोजन के लिए विचार नहीं किया जाएगा ,तथापि उक्त पर्यावरणीय अनापत्ति के संबंध में इस अवधि के दौरान अपनाए गए सभी क्रियाकलाप विधिमान्य समझे जाएंगे।";

[फा. सं. 22-25/2020-आई.ए. III]

गीता मेनन, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) संख्या का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना अधिसूचना संख्या का.आ. 4254 (अ), तारीख 27 नवंबर, 2020 द्वारा अंतिम बार संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th January, 2021

S.O. 221(E).—Whereas, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the said notification) *vide* number S.O.1533(E), dated the 14th September, 2006, making the requirement of prior environmental clearance from the concerned regulatory authority mandatory for all new projects or activities listed in the Schedule to the said notification, their expansion and modernisation and/or change in product mix, as the case may be, before any construction work or preparation of land by the project management except for securing the land;

And whereas, in view of the outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, implementation of projects or activities in the field has been affected. Ministry of

Environment, Forest and Climate Change is in receipt of number of requests for extension of the validity of prior environmental clearances beyond the maximum period allowed in the said notification, as the COVID-19 pandemic has not yet come to an end. The matter has been examined in the said Ministry and the concern is genuine keeping in view the fact that due to lockdowns (total or partial), continuation of activities in the field has been difficult.

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, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules in public interest, hereby makes the following further amendments in the notification of Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (II), namely:-

In the said notification, -

- (i) in paragraph 7, in sub-paragraph 7(i), under sub-heading II. "Stage (2) – Scoping", after clause (viii), the following clause shall be inserted, namely:-

"(ix). Notwithstanding anything contained above, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Terms of Reference granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the said Terms of Reference shall be treated as valid."

- (ii) for paragraph 9A, the following paragraph shall be substituted namely:-

"9A. Notwithstanding anything contained in this notification, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid."

[F.No.22-25/2020-IA.III]

GEETA MENON, Joint 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 was last amended vide the notification number S.O. 4254(E), dated the 27th November, 2020.

GOVERNMENT OF HARYANA
HARYANA STATE POLLUTION CONTROL BOARD

ORDER

[under sub-section 4 of section 25 of The Water (Prevention and Control of Pollution) Act, 1974, and under sub-section 4 of section 21 of The Air (Prevention and Control of Pollution) Act, 1981; and sub rule 4 of rule 6 of Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016]

No.

Date: 12th September, 2016.

Briefly stated, M/S Saharanpur Mines Management Services Pvt. Ltd. (hereinafter referred to as 'Saharanpur') participated in the auction to seek mining rights in the Mandewala Block falling in Yamunanagar District of Haryana and happened, in the auction conducted by the Department of Mines and Geology, Haryana on 6th/7th July, 2015, to be the highest bidder for the said mine block. Saharanpur proceeded ahead and subsequently preferred an application before the Haryana State Pollution Control Board (hereinafter referred to as 'the Board') seeking 'Consent to Establish' (CTE) under Air (read under The Air (Prevention and Control of Pollution) Act, 1981) /Water (read under The Water (Prevention and Control of Pollution) Act, 1974)/Hazardous Waste Management (HWM) (read under Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016) category for the said mine on 20.6.2016 (application no. 3199153). Application was preferred on behalf of Saharanpur by Sh. Ashok Kumar, in his capacity as Partner and Authorized Signatory of Saharanpur. The said application was preferred on-line and further processed online and in the course certain queries were raised by the authorities of the Board, which were answered by persons/authorities on behalf of Saharanpur. Subsequently, due to circumstances specific to the case, which would be seen hereinafter, it was decided to bring the application and its further consideration offline and deal with the case seeking the said CTE offline for final disposal. This order disposes off the said application in the said manner.

2. Though it may not appear directly to be relevant, in the intervening period i.e. the date on which Saharanpur became the highest bidder in the auction of the mine in Mandewala Block, falling in Yamunanagar District of Haryana (for which CTE has been applied for) on 6th/7th July, 2015 and the date on which the application for CTE were preferred i.e. 20.6.2016, certain developments involving Saharanpur directly or indirectly, did take place which happens to be pertinent to mention/discuss at this point as they may be appropriately useful in appreciating the issues in hand in its totality.

3. Through his complaint dated 19.5.2016, one Sh. Sajjan Singh made a reference to many authorities wherein he made certain allegations and relevant part thereof is summarized as given below:

In the District of Yamunanagar in Haryana, the front (shadow) companies actually owned by one Sh. Mohd Iqbal have obtained certain mining rights even while the Hon'ble National Green Tribunal has imposed environmental compensation of Rs. 50.00 Crores each on some amongst the Directors/Shareholders of such companies (which have acquired the said mining rights) for degrading the environment of River Yamuna and its catchment.

Further reference was also made of a Public Interest Litigation No. 818/2015 going on before the Hon'ble Supreme Court of India and orders passed therein on 14.12.2015 and 8.2.2016. Along with the complaint, bulk of documents was also attached.

The name of Saharanpur did figure in this complaint. Without going into the veracity of unsubstantiated claim and the credentials of the complaints, such of assertions/documents attached which were factual in nature and carried some relevance to the consideration in hand were indeed examined.

4. As the records reveal in a petition before the Hon'ble Supreme Court of India - Writ Petition Civil No. 818/2015 titled Ranvir Singh Vs Union of India and ors with one Sh. Mohd. Iqbal s/o Abdul

1
Order of Haryana State Pollution Control Board - C.H. - M/S Saharanpur Mines Management Services Pvt. Ltd. - Mandewala Block

कोपी स्टार की है
20/2/2016

Walid, MLC, U.P. arrayed as respondent at Sr. No. 15 (incidentally Government of Haryana through its Chief Secretary was also arrayed as a party), the Hon'ble Supreme Court of India, while taking up the petition for hearing on 14.12.2015, passed the following order:

'We make it clear that if the authority competent to inquire into the matter finds it to be a fit case to initiate any inquiry or investigation they shall be free to do so. The present proceedings shall not be seen as an impediment for them to initiate legal action wherever such action is deemed necessary.'

Reacting upon this order of hon'ble Supreme Court of India and making a reference of the said Order of the hon'ble Supreme Court, the Government of India in the Ministry of Corporate affairs, through their order dated 8.1.2016, ordered inquiry to be carried out into the affairs of six companies owned by Shri Mohd. Iqbal by the Serious Fraud Investigation Officer (SFIO). The relevant part of the order reads as under:

'Now, therefore, in compliance of the directions of Hon'ble Supreme Court of India that if the authority competent to inquire into the matter finds it to be a fit case to initiate any inquiry or investigation they shall be free to do so and taking into consideration the seriousness of the matter and serious allegation made in the said Writ Petition against respondent No. 15 namely Shri. Mohd. Iqbal, MLC of U.P., in exercise of the power conferred under Section 212 (1) (c) of the Companies Act, 2013 the Central Government hereby orders investigation into the affairs of the following six (6) companies owned by Shri Mohd. Iqbal to be carried out by the Serious Fraud Investigation Officer (SFIO).

- i) AMB Buildprop Private Limited
- ii) Apar Mines Management Services Private Limited
- iii) Giriasho Company Private Limited
- iv) Net Agrofoods Private Limited
- v) Sunview Housing Private Limited
- vi) Mastiff Industries Private Limited'

On 8.2.2016, when the case came up again for hearing before the Hon'ble Supreme Court, the Court was inform by the Additional Solicitor General about institution of this investigation, and was further informed that:

'Enforcement Directorate is examining the allegation made against respondent No. 15 (i.e. Shri Mohd. Iqbal). ---- the investigation now ordered will not remain confined to these companies only but will extend to other companies of respondent No. 15 as well. --- -- CBDT is also examining the allegations made against respondent No. 15.'

The Court closed the hearing on the said date while issuing the following directions:

'The Enforcement Directorate, Ministry of Corporate Affairs and CBDT shall in the meanwhile file further Status Report as to the progress made in connection with the investigation.'

5. As the records further suggest, Deputy Director of Income Tax (Investigation), Unit II, Dehradun, through his letter dated 21.4.2016 did prepare a 'first status report in the case of Writ Petition (C) 818 of 2015 filed by Sh. Ranvir Singh before the Hon'ble Supreme Court of India' This is a bulky report and most of the part of report does not bear any direct relevance to the consideration in hand, but such of the parts/findings that has some relevance are as reproduced below:

34
'Family Chart of Mohd. Iqbal – Mahmood Ali, Mohammad Inam (Brothers), Fareeda Begum (Wife), Tabassum, Musayuda, Schraj (Daughters), Mohd. Wazid Ali, Mohd. Javed, Mohd. Afzal, Abdul Quadir, Mohd. Alishan (Sons),' (page 4)

INVOLVEMENT OF FAMILY MEMBERS:

7. The inquiries have revealed that the family members of Mohd. Iqbal are either the directors or shareholders of the companies or the partners of the various firms floated by the family members of Mohd. Iqbal (*about 100 in numbers*). Some of the details are as follows: (page 20-21)

Mohd. Javed is director in following companies:

1. Apar Mines Management Services Pvt. Ltd.

4. Saharanpur Mines Management Services Pvt. Ltd.

Details of shareholdings of Mohd. Javed:

5. Saharanpur Mines Management Services Pvt. Ltd.

6. Giriasho Company Pvt. Ltd.'

'10. The Director General Mines & Geology, Haryana, ---- has intimated ----- A few of the family members had participated in the auctions which were held in June – July 2015 as partner/Director of the following companies:

a. M/s Saharanpur Mines Management Services Pvt. Ltd. (*wrested Madewala and Jaldhar Blocks in Yamunanagar*)

b. M/s Apar Mines Management Services Pvt. Ltd. (*wrested Lapra and Nandgarh Blocks in Yamunanagar*)'

FOREIGN EXCHANGE REMITTANCES:

12. In the case of Sh. Laique Ahmed Khan, one of the accomplices, foreign remittance has been received from U.A.E. from his brother Gayur Ahmed Khan. --- The matter has been referred to FT&TR to verify the source and genuineness of the same. (*emphasis added*)'

It is pertinent to mention that name of Saharanpur did appear in this Status Report on a number of occasion and instances were recorded indicating that Saharanpur did have very proximate relations, including being involved in possible multiple layering of transactions involving several companies including M/S Apar Mines Management Services Pvt. Ltd., with companies and family members and accomplices of Sh. Mohd. Iqbal.

Further, a close perusal of this report also reveals that there is a very close and proximate nexus between a large number of individuals, including S/Sh. Mohd. Iqbal, Mahmood Ali, Mohammad Inam, Mohd. Wazid Ali, Mohd. Javed, Mohd. Afzal, Abdul Quadir, Mohd. Alishan, Laique Ahmed Khan, Amit Jain, Mr. Vikal Agarwal, etc, and a large number of companies, including Saharanpur, Apar Mines Management Services Pvt. Ltd., Giriasho Company Pvt. Ltd. (against which enquiry by SFIO was ordered, etc.

6. As the records further suggests, the Principal Bench of the Hon'ble National Green Tribunal, through their order dated 18.2.2016 disposed of Original Application No. 184 of 2013 '*Gurpreet Singh Bagga vs. MoEF & Ors.*' and Original Application No. 304 of 2015 '*Jai Singh & Anr. vs. Union of India & Ors.*' (incidentally, in these applications, State of Haryana through its Chief Secretary was arrayed as

respondent) having some bearing on the consideration in hand. In the said judgment, the Hon'ble Tribunal made following observations/delivered following directions that are relevant to present consideration:

'Notices were issued to the five persons namely Mr. Amit Jain, Mohd. Inam (*brother of Mohd. Iqbal*), Mohd. Ali (*brother of Mohd. Iqbal*), Mr. Vikal Agarwal and Wazid Ali (*Son of Mohd. Iqbal*) as it was averred and even in the CEC Report stated that illegal, unauthorized, unscientific mining had been carried out in the areas under the lease of these noticees. ---- it is clear that all the 13 mining leases had been granted to different partnerships which had partners only from the above noticed five persons. In other words, since decades only these five noticees had been carrying on the mining activities in one trade name or the other.' – (para 29 of the Order)

'Thirteen mining leases have been given in favour of following persons, namely, Mahboob Ali and Dilsahd, Md. Inam and Mahboob Alam, Sh. Amit Jain and Naseem, Sh. Vikas Agarwal and Wajid Ali.' (page 61)

'The illegal mining in Saharanpur (District) in Uttar Pradesh, Haryana and Rajasthan is being carried out without any safeguards, mechanically and right in the river bed. Such activity is likely to have a serious toll on the environment, ecology and the dams on the river namely Tajewala Dam and Hathnikund Barrage (*incidentally, both falling in the State of Haryana*). The Head of the Cartel of the Mining Mafia in District Saharanpur is an influential politician of the district and is a Member of the Legislative Council and has been carrying on illegal mining for more than 10 years (*The reference to 'the Head of the Cartel of the Mining Mafia' very obviously indicates towards Md. Iqbal*). (*The Tribunal while recording the averments of applicant*) (page 70)

'There is sufficient evidence placed before the Tribunal to show that, despite such stands being taken by the Government and other authorities that this activity had been stopped it was, in fact, never stopped completely. This activity was being carried on, if not at a large scale, then certainly on a limited scale. This entire evidence clearly shows illegal mining and transportation of minor minerals as well as operation of stone crushers/screening plants in district Saharanpur. Furthermore, it is also evident that this illegal mining was being carried out by the lessees and/or the noticees (*Mr. Amit Jain, Mohd. Inam, Mohd. Ali, Mr. Vikal Agarwal and Wazid Ali*) either in the areas beyond the areas specified in the mining lease/EC or beyond the prescribed depth and also by incorrectly describing and under invoicing the quantity of the minerals in the transit permits used for transportation, which admittedly belong to and/or were under the control of the mine lease holders. Therefore, we conclude accordingly.' (pages 95-96)

'Thus a compensation of Rs. 50 Crores is to be paid by each of the private respondents/noticees who are carrying on the extraction of minor minerals and Rs. 2.5 Crores respectively by each of the stone crushers/screening plants which had been running illegally, in an unauthorized manner, without consent of the concerned Pollution Control Board.' (page 136)

'----- as well as causing air and water pollution and have degraded and damaged the environment, ecology and biodiversity particularly, with respect to river Yamuna and its bed, and affected the lives of residents of various villages, -----'

'We direct respondent No. 7 who falls in this category to pay Environmental Compensation of Rs. 2.5 Crores. We further direct all the five noticees (Mr. Amit Jain, Mohd. Inam, Mohd. Ali, Mr. Vikal Agarwal and Wazid Ali) who with one another are constituting all the 13 partnership firms to whom mining leases have been granted now for decades, to pay Environment Compensation of Rs. 50 Crores, payable by each of the individual partners for and on behalf of all the 13 mining lease firms.' (page 143)

'In the event any of the parties liable to pay Environmental Compensation, fails to pay the same within the stipulated period, the State and Board would forthwith revoke the mining leases as well as consents, EC, if granted ' (page 144-145)

Whether the mine operator, lessee of the mine and owner of the screening plant/stone crusher has been guilty of irregularities, or involved in illegal mining, or operated without consent/EC and/or violated terms and conditions, rules and regulations, would be a relevant consideration for all the concerned authorities while examining the grant of mining lease, consent to establish/operate and grant of EC.' (page 146 – one of the operating para)

7. At this stage, due to several issues relating to Saharanpur remaining utterly unclear, it became pertinent to seek some clarification from Saharanpur through its Partner and Authorised Signatory Sh. Ashok Gurjar. In response to the said clarification, through letter dated nil, two of the Directors of Saharanpur (who incidentally through an identical letter also responded for another firm 'Apar Mines Management Services Private Limited' as well) responded by saying that:

- i. Saharanpur has the approval to operate two mining block in the District of Yamunanagar (Haryana) in the name of Mandewala and Jaldhar blocks. Before these two contracts, in past, no other contract was awarded in favour of the said company since its inception either in U.P. or in Haryana;
- ii. At present, the company is served by two Directors, namely S/Sh Md. Javed and Rao Laique Ahmed and in the favour of either of the two, presently no other mining lease or contract is either allotted or operated.

Along with the said reply, posted online to the Board on 16.7.2016, a certificate was also appended on behalf of Saharanpur which says that Sh. Mohd. Javed had been an Additional Director of Saharanpur since 12.8.2009 till date and Sh. Laique Ahmed Khan had been a Director since 1.4.2008 till date.

8. There were lots of similarity between Saharanpur and one 'Apar Mines Management Services Private Limited', in whose case special circumstances were presented leading to thorough analysis which finally resulted in refusal of CTE asked for. Following amongst them were prominent:

Sh. Mohd. Javed was a common Director on both of them,

Both the companies were created almost at the same time and largely remained equally dormant till they wrested the mining rights in Haryana in the same auction,

Both had on very substantial period of their existence on their Board and as partners people with very close relationship with a common mentor (as close family members or very trusted accomplices) on one Sh. Mohd. Iqbal,

They preferred application seeking CTE on the same day and in the application under the column of 'Mobile Number' of occupier/applicant, all the three applicants i.e. Sh. Mohd. Javed as applicant for Lapra block of mines on behalf of 'Apar Mines Management Services Private Limited', Sh. Mohd. Inaam as applicant for Nandgarh block of mines on behalf of 'Apar Mines Management Services Private Limited' and Sh. Ashok Gurjar as applicant for Mandewala block of mines on behalf of Saharanpur, had mentioned the same Number i.e. 9760835031,

Status report of the Income Tax Department as mentioned elsewhere in this order indicates towards a close proximity between the said two companies, including Saharanpur.

9. Thus, a conclusion was arrived at to call the applicant for personal hearing for seeking some requisite clarification leading to confidence building clarity.

10. Accordingly, it was decided to afford a personal hearing to Saharanpur in order to seek the required clarification and Saharanpur was afforded an opportunity of personal hearing on 26th August, 2016 at 10.30 am through notice dated 11.8.2016 bearing No. 2864-66. Saharanpur was also asked to bring, in addition to such other documents that it wished to bring, copies of Shareholding Certificates of the firm ever since the firm i.e. the Saharanpur Mines Management Services Pvt. Ltd. came into being and copies of list of Directors who served the company i.e. the Saharanpur Mines Management Services

Pvt. Ltd. along with the duration of their appointment ever since the firm came into being on the so appointed date of personal hearing.

11. On 26th August, S/Sh Ashok Gujjar and Ravinder Singh (claiming to be looking after the legal matters of the applicant company) appeared before the undersigned at 3.00 pm and made a request to seek some more time, preferably somewhere in the next week, to submit the documents and plead their case. 30th of August suited them, and accordingly the personal hearing was postponed to 3.00 pm on 30th August. On 30th August, through a telephonic message from Sh. Ashok Gujjar, it was intimated that no one would be able to attend the personal hearing and requested for a fresh date. Accordingly, a last opportunity was afforded on 9.9.2016 by making it clear to them that as per the statutory provisions, such cases are required to be disposed off in a time bound manner (as the provision of deemed approval is attracted). However, on 9.9.2016 neither anyone appeared on behalf of the applicant firm nor any request for additional time was received. The applicant firm was afforded three opportunities (two extensions on their own request) over a period expanding for about a month, but they failed to avail the opportunity. Therefore, considering that a reasonable opportunity stood afforded, the case was proceeded to be decided on its own merit and based on available information/records.

12. The issue to be decided here is as to whether in the given circumstances, the sought for Consent to Establish should be granted to Saharanpur or not and, in terms of the discussions/circumstances narrated above, following considerations gains prominence in firming up the final decision to this end:

- i. Available records suggest that as on 31.3.2012, the shareholding of Saharanpur remained as given below:

Sr. No.	Name of Shareholder	Relationship With Shri Mohd. Iqbal	Type of Shares	Equity Shares
1	Giriasho Company Private Limited	Owned by Shri Mohd. Iqbal	Equity	384400
2	Laique Ahmed Khan	-	Equity	5000
3	Mohd. Javed	Son	Equity	5000
Total				394400

This certification has been filed by Sh. Liaque Ahmed Khan in his capacity as Director of Saharanpur.

Further, available records also suggest that as on 31.3.2010, the shareholding of Giriasho Company Private Limited, which remained a very major shareholder of Saharanpur as on 31.3.2012, remained as given below:

Sr. No.	Name of Shareholder	Relationship With Shri Mohd. Iqbal	Type of Shares	Equity Shares
1	Mohd. Iqbal	Self	Equity	153531
2	Mohd. Wazid Ali	Son	Equity	125981
3	Mohd. Naseem	-	Equity	81488
4	Mohd. Javed	Son	Equity	39000
Total				400000

- ii. There seems to be no doubt that Saharanpur is a very closely held family company, which has the ability to change its partnership/Directors almost at the will of certain prominent individuals forming the close group and under the overwhelming influence of the said Sh. Mohd. Iqbal. This aspect gets further credence from the fact that while acting under the comfort of the order dated 14.12.2015 of Hon'ble Supreme Court of India in the Writ Petition Civil No. 818/2015 titled Ranvir Singh Vs Union of India and ors, the Central Government in the Ministry of Corporate Affairs initiated investigations against six (6) companies by saying 'now, therefore, in compliance of the directions of Hon'ble Supreme Court of India that if the authority competent to inquire into the matter finds it to be a fit case to initiate any inquiry or investigation they shall be free to do so and taking into consideration the seriousness of the matter and serious allegation made in the said Writ Petition against respondent No. 15 namely Shri. Mohd. Iqbal, MLC of U.P., in exercise of

the power conferred under Section 212 (1) (c) of the Companies Act, 2013 the Central Government hereby orders investigation into the affairs of the following six (6) companies owned by Shri Mohd. Iqbal to be carried out by the Serious Fraud Investigation Officer (SFIO) and Giriasho Company Private Limited, which remained a very major shareholder of Saharanpur as on 31.3.2012, figured one amongst the said six (taking the Ministry to be one owned by Sh. Mohd. Iqbal). Saharanpur, at the least, happens thus to be one amongst several companies that are tightly controlled by Sh. Mohd. Iqbal, his family members and his close accomplices.

- iii. The report of Deputy Director of Income Tax (Investigation), Unit II, Dehradun, dated 21.4.2016 titled as 'first status report in the case of Writ Petition (C) 818 of 2015 filed by Sh. Ranvir Singh before the Hon'ble Supreme Court of India' does disclose a number of facts that has bearing on the affairs of companies owned or controlled by Sh. Mohd. Iqbal and his accomplices. The report lists over hundred such companies including Saharanpur. It includes the analysis of the role of the family members and accomplices of Sh. Mohd. Iqbal and also includes the response of Director General of Mines and Geology which mentions Saharanpur to be a company participating in the auction while having some of the family members of Sh. Mohd. Iqbal as Partners/Directors. Affairs of Saharanpur, thus, remains very central to the series of enquiries and investigations that germinated after the Hon'ble Supreme Court of India took cognizance of the matter placed before it in the Writ Petition Civil No. 818/2015 titled 'Ranvir Singh Vs Union of India and ors adding further credence to the aspect that Saharanpur is not one of those simple and innocent companies which are controlled and regulated by the persons seen directly to be involved with its affairs, but actually happens to be a company that assigns greater and overwhelming roles to people who are not directly seen as such. It is thus clearly a front company where it appears to have the character and qualities in public which is different from its real character, (and whose purpose as front company is often to deceive people or even hide an illegal activity).
- iv. The order dated 18.2.2016 passed by the Principal Bench of the Hon'ble National Green Tribunal while disposing the Original Application No. 184 of 2013 '*Gurpreet Singh Bagga vs. MoEF & Ors.*' and Original Application No. 304 of 2015 '*Jai Singh & Anr. vs. Union of India & Ors.*' is most revealing and during the course of its consideration, the Tribunal says that 'this entire evidence clearly shows illegal mining and transportation of minor minerals as well as operation of stone crushers/screening plants in district Saharanpur. Furthermore, it is also evident that this illegal mining was being carried out by the lessees and/or the noticees (*Mr. Amit Jain, Mohd. Inam, Mohd. Ali, Mr. Vikal Agarwal and Wazid Ali*) either in the areas beyond the areas specified in the mining lease/EC or beyond the prescribed depth and also by incorrectly describing and under invoicing the quantity of the minerals in the transit permits used for transportation, which admittedly belong to and/or were under the control of the mine lease holders. Therefore, we conclude accordingly'. Thus, the noticees (*Mr. Amit Jain, Mohd. Inam, Mohd. Ali, Mr. Vikal Agarwal and Wazid Ali*) were found to be guilty of being involved in conducting illegal mining including the areas beyond the areas specified in the mining lease/EC in past. Further, the Tribunal also rules that 'We further direct all the five noticees (*Mr. Amit Jain, Mohd. Inam, Mohd. Ali, Mr. Vikal Agarwal and Wazid Ali*) who with one another are constituting all the 13 partnership firms to whom mining leases have been granted now for decades, to pay Environment Compensation of Rs. 50 Crores, payable by each of the individual partners for and on behalf of all the 13 mining lease firms'. It means that the Tribunal not only found the noticees to be guilty of 'conducting illegal mining including the areas beyond the areas specified in the mining

lease/EC', but also ruled the said guilt to be grave enough to invite the said exemplary penalty. It is pertinent to mention that three amongst the noticees are close relative to the said Sh. Mohd. Iqbal [Mohd. Inam (*brother of Mohd. Iqbal*), Mohd. Ali (*brother of Mohd. Iqbal*), and Wazid Ali (*Son of Mohd. Iqbal*)] and other two are close accomplices. Further, Sh. Wazid Ali, one of the noticee in the said order of Tribunal, also happened to be a very major share holder of Giriasho Company Private Limited, which remained a very major shareholder of Saharanpur at least as on 31.3.2012. One of the other shareholder of the said company (Giriasho Company Private Limited) happened to be Sh. Mohd. Javed, who happens to be another son of Sh. Mohd. Iqbal and a serving Director on Saharanpur.

- v. The present application for Consent to Establish on 20.6.2016 was moved by Sh. Ashok Gurjar in his capacity as the Partner and Authorised Signatory of Saharanpur. It seems he went on to be associated with affairs of Saharanpur at stages much after Sh. Mohd. Javed, Sh. Liaque Ahmed Khan, Giriasho Company Private Limited and Sh. Wazid Ali.
13. On a very careful, comprehensive and thorough consideration of all the aspects relatable to this case, following conclusions emerge:

- i. Saharanpur is very much a company akin to the companies which found mention in the order of Hon'ble National Green Tribunal (13 mining leases) when it said 'as it was averred and even in the CEC Report stated that illegal, unauthorized, unscientific mining had been carried out in the areas under the lease of these noticees. --- it is clear that all the 13 mining leases had been granted to different partnerships which had partners only from the above noticed five persons. In other words, since decades only these five noticees had been carrying on the mining activities in one trade name or the other'. Further, one of the noticee in the said order of Tribunal, on which exemplary Environmental Compensation was slapped by Tribunal – Sh. Wazid Ali, who had been, as a prominent shareholder of Giriasho Company Private Limited till atleast 31.3.2012, happened to be a prominent shareholder in Saharanpur having a substantial interest in Saharanpur and its affairs.
- ii. Sh. Wazid Ali, Sh. Mohd. Javed, their other family members and accomplices, including Sh. Liaque Ahmed Khan, are indeed very central in the affairs, including management and shareholdings of Saharanpur. Thus the credentials of Saharanpur would be judged by the credentials of people backing and managing its affairs i.e. Sh. Wazid Ali, Sh. Mohd. Javed, their other family members and accomplices. As the Tribunal has also found, five, six similar intended people had, in past and at some other place, had cornered about 13 different leases and run it for decades in manner highly detrimental to the cause of Environment
- iii. The Tribunal has also mandated/directed in its order that 'Whether the mine operator, lessee of the mine and owner of the screening plant/stone crusher has been guilty of irregularities, or involved in illegal mining, or operated without consent/EC and/or violated terms and conditions, rules and regulations, would be a relevant consideration for all the concerned authorities while examining the grant of mining lease, consent to establish/operate and grant of EC.' The Tribunal has also found Sh. Wazid Ali and others like him (including some of his family members and close accomplices) and leases operated by them (in association with other lessees) to be guilty 'of irregularities, being involved in illegal mining, having operated mines without consent/EC and/or violated terms and conditions, rules and regulations' while imposing heavy Environmental Compensation Penalties on each of them individually. Therefore, Sh. Wazid Ali, Sh. Mohd. Javed, and his erring accomplices and family members do qualify to be 'mine operators' in whose cases the gist of order of Tribunal gets attracted to the effect that these irregularities conducted by

them and their leases form a 'relevant consideration for the authorities, including the one that is considering these issues in this order, while examining the grant of Consent to Operate (in present case).

14. On such a holistic consideration, without any hesitation or doubt, it is held that Sh. Wazid Ali. Sh. Mohd. Javed, their other family members and accomplices as discussed above are indeed guilty of irregularities, being involved in illegal mining, having operated without consent/EC and/or violated terms and conditions, rules and regulations in past while operating mines and thus, the credentials of Saharanpur, being closely managed and held by them, also shall be judged by the credentials of these persons and thus, on such a detailed and careful consideration, the Consent to Established applied on behalf of Saharanpur (M/S Saharanpur Mines Management Services Pvt. Ltd.) under Air/Water/Hazardous Waste Management (HWM) category for the said mine (Mandewala block) on 20.6.2016 (application no. 3199153) hereby refused.

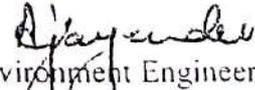
15. This concludes the order.

S.N. Roy
Chairman,
Haryana State Pollution Control Board
C-11, Sector: 6, Panchkula.

Endst. No. HSPCB/2016/3136-39 (FTMS-9470) Dated: 12th September, 2016

A copy is forwarded to the following for information and further necessary action:

- i. M/S Saharanpur Mines Management Services Pvt. Ltd. through Sh. Ashok Gurjar, in his capacity as Partner and Authorized Signatory.
- ii. Director General, Mines & Geology, Haryana.
- iii. Deputy Commissioner, Yamuna Nagar
- iv. Regional Officer, Haryana Pollution Control Board, Yamuna Nagar.


Environment Engineer
for Haryana State Pollution Control Board
C-11, Sector 6, Panchkula.

**BEFORE THE APPELLATE AUTHORITY (HARYANA) UNDER THE
WATER (PREVENTION AND CONTROL OF POLLUTION) ACT 1974,
AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981
AND BIO-MEDICAL WASTE MANAGEMENT AND HANDLING
RULES, 1998**

**Appeal No.24/2017
Old Appeal No.03/2017**

Saharanpur Mines Management Services, Pvt. Ltd., Shop No.12, Mukund Market, Janakpur Chowk., Saharanpur-247001 (U.P.) through its authorized signatory Ashok Gujjar s/o Sh. Afa Singh aged 48 years, R/o House No.-57, Veer Nagar, Jagadhari, Yamuna Nagar.

..... Appellant

Versus

1. State of Haryana through its Principal Secretary to Government Haryana, Mines and Geology Department, Haryana Civil Secretariat, Chandigarh.
2. Director General, Mines and Geology Haryana, 30 Bays Building, Sector-17, Chandigarh.
3. Mining Officer, Department of Mines and Geology, Haryana District Industries Centre, Yamuna Nagar.
4. Chairman, Haryana State Pollution Control Board, Sector-6, Panchkula.
5. Regional Officer, Haryana State Pollution Control Board, Yamuna Nagar.

..... Respondents

Appeal under Section 21 of Air Prevention and control of Pollution) Act, 1981, under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 and of Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016.



CORAM: MR. JUSTICE S.D. ANAND
PRESIDENT
MAJ. GEN. HARISH JIT SINGH
MEMBER
DR. SUKHDEV KUNDU
MEMBER

Argued by: *Mr. Aman Pal, Advocate for the applicant.*
Mr. Ramesh Kumar Chahal, Advocate (with Mr. Satbir Singh, District Attorney, Haryana State Pollution Control Board) for the Respondents No.4 and 5.

JUSTICE S.D. ANAND. PRESIDENT, APPELLATE AUTHORITY

ORDER: -

1. Facts, averred by the appellant herein in the course of the appeal, are indicated hereunder in the first instance.
2. The appellant, a private limited company incorporated under the Companies Act, 1956 on 01.04.2008, has filed this appeal to obtain the quashment of impugned order (Annexure A-3) vide which "its application for grant of Consent to Establish for Mandewala Block/YNR B-38 has been rejected".
3. At an e-auction held on 10.06.2015 and 11.06.2015, in pursuance of an Auction Notice dated 27.04.2015 (Annexure A-4), the appellant was declared to be the highest bidder, having offered the bid for an amount of Rs.16,55,50,000/- (Rupees Sixteen Crores, Fifty Five Lacs, Fifty Thousand only). Immediately thereafter, the appellant deposited 10% of the highest bid amount as 'initial bid security' and the tender/deposit was accepted by the State Government which issued a "Letter of Intent" in its favour on 19.06.2015 (Annexure A-5), to facilitate the obtaining of environment clearance from the Ministry of Environment, Forest and Climate Change, Govt of India, (hereinafter referred to as the MoEFC) in terms of its



notification dated 14.09.2006. On the recommendation of the State Environment Impact Assessment Authority (hereinafter referred to as the SEIAA), the State Expert Appraisal Committee (hereinafter referred to as the SEAC) granted the environmental clearance to the appellant on 27.06.2016 (Annexure A 6).

4. Thereafter, the appellant filed Application No.3199043 with the Haryana State Pollution Control Board (hereinafter referred to as the HSPCB) on-line on 20.06.2016. The application was "brought offline for certain reasons, by the board" and was rejected by the then Chairman of the HSPCB vide the impugned un-dated order which was communicated to the appellant on 12.09.2016 (Annexure A-3).
5. The quashment of the impugned order has been applied for on an averment that the principles of natural justice (audi alteram partem) had been flagrantly violated for reasons irrelevant to the consideration (Appeal No.03/2017). That appeal was disposed of on, in a consensual arrangement, with an order which is extracted hereunder: -

"Argues, inter-alia, that the Impugned Order would require out-right invalidation as being in violation of the Principles of Natural Justice. It is pointed out, in the context, that the Competent authority proceeded to take a view in the matter, without affording reasonable opportunity to the Appellant for the production of relevant documentation which could provide cue for a determinative view. It is further argued that in rejecting the plea of the Appellant for the grant of 'CTE', the Competent authority got



communication/notice dated 08.05.2017, requiring the Appellant to pay the indicated amount or else the revocation of the impugned mining contract would come about.

In the context of that grievance, it is agreed that no orders adverse to the Appellant shall be granted till the Competent authority disposes of the matter afresh, as already indicated, in pursuance of the consensual arrangement. It is further ordered that if the orders granted by the Competent authority, in pursuance of the deliberation afresh, are adverse to the Appellant, it shall be afforded 3 working days period thereafter to have recourse to the remedy available to it under the law.

The averments have been recorded herein on point of fact. However, it is made clear that nothing recorded herein would be construed to have any expression of opinion on the merits thereof.

The appeal shall stand disposed of accordingly."

6. That order was not complied with by the (then) Competent Authority. Thereafter, an application for grant of extension of time was filed on behalf of the Competent Authority upon which the learned Counsel for the appellant had endorsed no objection. Thus, by way of a consensual order, the time for compliance with the order dated 22.05.2017 of this authority was extended.



7. In the meantime, the Hon'ble National Green Tribunal (vide order dated 08.06.2017) directed the ceasure forthwith of the functioning by the Chairman, Haryana State Pollution Control Board. It was at this stage that the Additional Chief Secretary (Environment), vide administrative order dated 12.06.2017, authorized the Member Secretary, HSPCB, to comply with the direction given by this Authority on 22.05.2017.
8. The Member Secretary (vide order dated 14.06.2017 (Annexure 12B) found no validity for the review of the earlier order dated 12.09.2016 (Annexure A-3). The operative part of that order is extracted hereunder: -

“After having examined thoroughly the documents submitted by the applicant with the appeal and careful consideration of averments in the light of facts and law, it is found that the applicant has not submitted any new documents to support his claim for review of the earlier order, or any new fact or ground which was not considered earlier by authority while passing the order dated 12.09.2016. Further after careful perusal of said order passed by the then Chairman, I am of the considered view that the same is fully justified and well reasoned and thus requires no interference”

9. The above view, recorded by the Member Secretary, HSPCB, impelled the appellant herein to file the present appeal (No.23 of 2017).
10. Before dealing with the various contentions canvassed on behalf of the rival parties, we deem it appropriate to extract hereunder



the relevant part of the orders granted by the Hon'ble NGT (which stands extracted in the appeal itself) and also the impugned order dated 12th September, 2016. A conjunctive perusal thereof would facilitate appreciation of the controversy herein.

Orders of
Hon'ble NGT

"1. There shall be complete prohibition of carrying on of any mining of minor minerals (Bajri, Sand and Boulders) in the flood plain of river Yamuna in the district Yamuna Nagar (Haryana) and Saharanpur (Uttar Pradesh) and shall other villages situated on the bank of river Yamuna and rivers KaluwalaRao, Solani and BadshahibaghRao for a period of 45 days from the same period, no screening plant/stone crusher would be permitted to operate in the entire district of Saharanpur in Uttar Pradesh and Yamuna Nagar in Haryana.

2. For the same period, no screening plant/stone crusher would be permitted to operate in the entire district Saharanpur in Uttar Pradesh and Yamuna Nagar in Haryana.

3. We constitute the following High Powered Committee to submit a report to the Tribunal in accordance with these directions: -

1. Secretary Ministry of Environment, Forests and Climate Change will be the Chairperson.

2. Secretary, Department of Environment and Minor Minerals of the State of Uttar



Pradesh and similarly Secretary, Department of Environment and Minor Minerals of the State of Haryana.

3. Member Secretary, Central Pollution Control Board. 4. Member Secretaries of Haryana State Pollution Control Board and Uttar Pradesh Pollution Control Board.

5. Director Mining, State of Uttar Pradesh and State of Haryana.

6. Deputy Commissioner and Superintendent of Police of District Yamuna Nagar (Haryana) and Saharanpur (Uttar Pradesh).

Both the states of Haryana and Uttar Pradesh would submit complete and comprehensive mining plan in consonance with the Act, 1957, Rules of 1960, the provisions of the Rules of 1963, Rules of 2012 and Notification of 2006 to this High Powered Committee within 2 weeks from the date of the judgment. This plan shall provide inter-alia, but specifically, the methodology which could be followed for permitting mining on the river bed and conditions which should be imposed. It should also provide a complete mechanism for establishing check posts to ensure that there is no illegal transportation of mined minerals in these areas.



No over-loading should be permitted. Mining activity (if at all permitted) should be carried out in a semi-mechanised and scientific manner or totally non-mechanised manner. All other facets of extraction of minor minerals, mining, transportation and utilization of these minerals should be strictly in an environment friendly manner.

4. In the event both the State Governments, State Board, MoEF and other concerned parties are able to bring in force a complete regulatory regime and mechanism for ensuring on one hand, regulated and controlled mining in accordance with law, while on the other hand ensuring that there is no illegal and unauthorized mining or transportation of these minor minerals, the mining would be permitted after 45 days, subject to such orders of the Tribunal. During these 45 days, if any person is found to be violating these directions and carrying on mining of these minor minerals, mechanically or otherwise, their transportation and utilization thereof, such person responsible would be liable to pay Rs.5 lakhs as environmental compensation for each such event. The vehicles, machines/plants used for this purpose, in violation to order of the Tribunal, would be liable to be seized.



5. The report should also specifically deal with as to how both the States would create an inter-state mechanism to completely stop illegal extraction and transportation of minor minerals.

6. The Committee shall also define the closed season for carrying on of mining activity and the stretches of the river which should be preserved, delineated and excluded from mining, being turtle nesting zones.

7. The comprehensive mining plan and comprehensive report stating the extent of illegal extraction of minor minerals, their impact on environment, ecology and particularly, on river Yamuna and recommendations for restoration thereof shall be submitted by each of the State to the Committee within the afore-stated period. The High Powered Committee would examine the same in accordance with Rules and laws in force and submit the final report to the Tribunal within 3 weeks thereafter.

8. The report will also examine the recommendations of the States in regard to the above and express its opinion. Restrictions, limitations and financial liability that should be fastened upon these private parties for the violations and defaults in the past as well as



the cost of restoration and the steps required to be taken for restoration of the ecology and biodiversity, particularly, with reference to the flood plains of river Yamuna should be stated.

9. Upon receipt of the report, the same shall be placed before the Tribunal for final directions.

10. The operators of mines and stone crushers who have been operating without the consent of the State Boards, violating the laws, operating without EC, operating in violation of the conditions of the BC and operating without consent of the CGWA or any other Competent Authority as well as causing air water pollution and have degraded and damaged the environment, ecology and biodiversity particularly, with reference to river Yamuna and its bed, and affected the lives of the residents of various villages, falling under these Districts on the bank of river Yamuna. In view of the indisputable fact that nearly 2,40,704 cubic meter of mined minerals were illegally extracted and transported, the private respondents and noticees are liable to pay Environmental Compensation. We direct respondent no.7 who falls in this category to pay Environmental Compensation of Rs.2.5 Crores. We further direct all the five noticees



(Mr. Amit Jain, Mohd. Ali, Mr. Vikal Agarwal and Wajid Ali) who with one another are constituting all the 13 partnership firms to whom mining leases have been granted now for decades, to pay Environmental Compensation of Rs.50 Crores, payable by each of the individual partners for and on behalf of all the 13 mine lease firms. This compensation should be paid within 4 weeks from today in equal share to the respective State Governments and the State Pollution Control Boards of the respective States. This Environmental Compensation shall be kept in a separate account by the State Governments and the Boards and will be utilized only for the purpose of restoration of the environment, ecology, biodiversity and for taking precautionary steps to control and prevent pollution in these two districts, subject to further orders of the Tribunal.



11. We further direct both the States (State of Uttar Pradesh and State of Haryana) to complete their investigation and enquiry as per the order of the Supreme Court and this judgment of the Tribunal and submit the report to the Tribunal within three months from today. It will identify each of the persons who were responsible for carrying in illegal,

unauthorized, unscientific mining of minerals from the river or river bed and the surrounding villages. It will identify the screening plants/stone crushers in the district Saharanpur in State of Uttar Pradesh and district Yamuna Nagar in Haryana, where persons were carrying on such business illegally and unauthorisedly, particularly, in light of the fact that the mining had been stopped as per the orders of the Court.

The list of such violators along with their complete record shall be furnished to the Tribunal. They shall also be served with the notice explaining as to why they should not be asked to pay similar Environment Compensation, as imposed by the Tribunal under para 9 of the directions. The report and reply to the notice as well will be placed before the Tribunal.



12. In the event any of the parties, liable to pay Environmental Compensation, fails to pay the same within the stipulated period the State and the Boards would forthwith revoke the mining leases as well as the consents, EC, if granted. In the meanwhile, we also direct that the State Government, Board and MoEF will not extend or renew the mining leases, consents or the EC till final orders are passed

by the Tribunal upon the receipt of the report of the High Powered Committee.

13. We do expect that in terms of the recommendations of the CEC and the orders of the Supreme Court of India, the respective State Governments, State Pollution Control Boards and MoEF would take action against the defaulting officers.

14. We direct that all the persons carrying on mining activity as well as the persons operating screening plants/stone crushers shall obtain the consent of the State Board immediately. They shall submit the applications for the same within two weeks from the date of pronouncement of this judgment which shall be dealt with immediately and consent should be refused/granted by the State Board within three weeks thereafter. The State Board shall decide the application on the basis of the joint inspection conducted by the team(s) constituted by the High Powered Committee involving the State Boards of the respective States. If the consent is granted, the State Board shall stipulate such conditions as are necessary for protecting the environment, ecology and the interest of the people of that area in relation to mining and transpiration of



mined material and processing at the respective plants.

15. The mining units, if any, which have obtained the consent of the Board and are operating would be subjected to inspection by the Joint Inspection Team. They would be permitted to operate after expiry of 45 days only if the report of the Joint Inspection team is favourable to them, subject to the orders of the Tribunal.

16. Whether the mine operator, lessee of the mine and owner of screening plant/stone crushers has been guilty of irregularities, or was involved in illegal mining, or operated without consent/EC and/or violated terms and conditions, rules and regulations, would be relevant consideration for all the concerned authorities while examining the grant of mining lease, consent to establish/operate and grant of EC."



The (operative) part of impugned order dated 12.06.2016: -

"13. On a very careful, comprehensive and through consideration of all the aspects relatable to this case, following conclusion emerges:

- i. Apar Lapra is very much a company akin to the companies which found mention in the order of Hon'ble National Green

Tribunal (13 mining leases) when it said as it was averred and even in the CEC Report stated that illegal, unauthorized, unscientific mining had been carried out in the areas under the lease of these notices. - it is clear that all the 13 mining lease had been granted to different partnership which had partners only from the above noticed five persons. In other words, since decades only these five notices had been carrying on the mining activities in one trade name or the other'. Further, one of the noticee in the said order of Tribunal, on which exemplary Environmental Compensation was slapped by Tribunal - Sh. Mohd. Inam happens to be a prominent shareholder, Director and applicant (on behalf of Apar Lapra) in the present case

- ii. The effort that was taken on behalf of Apar Lapra to rid Sh. Mohd. Inam from the affairs of Apar Lapra in a somewhat, clandestine manner (as as on 20.6.2016 Sh. Mod. Inam while making the application to seek CTE on behalf Apar Lapra claims his capacity as Director and Authorised Signatory of Apar Lapra on the hand and on other hand it is stated



that he resigned from the post of Director by making an application in his own hand on 13.3.2016 itself and his resignation was accepted on the same day) goes on to establish that Apar Lapra was aware that such openly seen to be direct association of Sh. Mohd. Inam may certainly invite the implication of the order of Green Tribunal on it. In other words, the entire exercise was purportedly done only to circumvent the implication of the order of Tribunal. It is further pertinent to mention here that even if Sh. Mohd. Inam had actually dissociated him from the affairs of Apar Lapra on and after 13.3.2016, it would have hardly made any difference looking at the basic character of Apar Lapra and general standing of Sh. Mohd. Inam in such like front companies.



- iii. Sh. Mohd. Inam, Sh. Mohd. Javed, their other family members and accomplices are indeed very central in the affairs, including management and shareholding of Apar Lapra. Thus the credentials of Apar Lapra would be judged by the

credentials of people backing and managing its affairs i.e. Sh.Mohd. Inam, Sh. Mohd. Javed, their other family members of accomplice. As the Tribunal has also found, five, six similar intended people had, in past and at some other place had concerned about 13 different lease and run it for decades in manner highly detrimental to the cause of environment.

- iv. The Tribunal has also mandated/directed in its order that "Whether the mine operator, lessee of the mine and owner of the screening plant/stone crusher has been guilty of irregularities or involved in illegal mining, or operated without consent/EC and/or violated terms and conditions, rules and regulations, would be a relevant consideration for all the concerned authorities while examining the grant of mining lease, consent to establish/operate and grant of EC. The Tribunal has also found Sh. Mohd. Inam and others like him (including some of his family members and close accomplices) and leases operated by them (in association with other lessees) to be guilty of irregularities, being



involved in illegal mining, having operated mines without consent/EC and/or violated terms and conditions rules and regulations' while imposing heavy Environmental Compensation penalties on each of them individually. Therefore, Sh.Mohd. Inam and his erring accomplices and family members do qualify to be mine operators in whose cases the gist of order of Tribunal gets attracted to the effect that these irregularities conducted by them and their leases from a relevant consideration for the authorities, including the one that is considering these issues in this order, while examining the grant of consent to Operate (in present case).



14. On such a holistic consideration, without any hesitation or doubt, it is held that Mohd. Inam, their other family members and accomplices as discussed above are indeed guilty of irregularities, being involved in illegal mining, having operated without consent/EC and/or violated terms and conditions, rules and regulations in past while operating mines and thus, the credentials of Apar Lapra, being closely managed and held by them also shall be judged by the credentials of these persons

and thus, one such a detailed and careful consideration, the Consent to Established applied on behalf of Apar Lapra (M/s Apar Mincs Management Services Pvt. Ltd.) under Air/Water/Hazardous Waste Management (HWM) category for the said mine (Lapra block) on 20.6.2016 (Application no.3199043) is hereby refused.

15. This concludes the order”

11. (To put the record straight, we may indicate that it is with a view to focus upon the relevant factors – which weighed with the Competent Authority in the context – that we opted to extract the impugned order itself in this order).
12. The essential grievance, made by the appellant herein to the declining of the Consent request, is that the impugned order was actuated by considerations irrelevant to the point in issue. The further plea is that the imposition of penalty of Rs.50 crores upon one of the Directors of the appellant having been stayed by the Hon'ble Supreme Court of India, it could not have been used to the detriment of the appellant, particularly when the Director upon whom the penalty had been imposed had retired from placement in the month of April, 2016 before the appellant gave the bid for the relevant mine lease.
13. The learned Counsel for the appellant further argued, that the reliance placed by the Competent Authority (on the imposition of the Environmental Compensation by the NGT) would be violative of the orders of the Hon'ble Apex Court which had



restrained the initiation of any coercive action against the appellant therein.

14. The plea was resisted by the learned Counsel for the respondents who argued that the Hon'ble NGT order itself authorized the Competent Authority to take such facts into consideration while deliberating upon an identical appeal for the grant of consent. In that context, the learned Counsel relied upon the observations which are extracted hereunder: -

"16. Whether the mine operator, lessee of the mine and owner of screening plant/stone crushers has been guilty of irregularities, or was involved in illegal mining, or operated without consent/EC and/or violated terms and conditions, rules and regulations, would be relevant consideration for all the concerned authorities while examining the grant of mining lease, consent to establish/operate and grant of EC."



15. That view, it was argued, validates the drawl of an inference adverse to the interest of the appellant by the Competent Authority while deciding upon the plea for the grant of consent to operate.
16. We find ourselves in total agreement with the plea made by the learned Counsel for the appellant. This announcement of agreement draws implicit sustenance from the fact of the grant of stay orders by the Hon'ble Supreme Court. (In the SLP filed by the (presently) retired Director against the order of the Hon'ble NGT imposing Environmental Compensation of Rs.50 crores). In that context, we are of the considered view that if the fact of imposition of fine of Rs.50 crores by the NGT is allowed

to be taken into consideration, there could be no better exemplification of the violation of the orders of the Hon'ble Apex Court. The Competent Authority was not acting legally by taking the imposition of Environmental Compensation into consideration in declining the consent applied for by the appellant.

17. Insofar as the investigations being carried on, or even concluded, by the other Governmental agencies are concerned, the action thereunder/ in pursuance thereof has to be in accordance with law. That action, if any, would be inferred to be independent of the matter under challenge. Whosoever is found guilty therein will have to face the law. We are, at the same time, clear in our mind that the investigations aforementioned cannot validate the impugned denial of consent. It is to state the obvious that it is the orders of the Hon'ble Apex Court which would conclude the issue. It is particularly so when the Hon'ble Apex Court is seized of that matter and it is within the exclusive jurisdictional domain of that Hon'ble Court to take a view on the basis of "two interim reports, one by SFIO and the other by the ED" filed before the Hon'ble Apex Court - extraction from the order dated 04.01.2017,. The Competent Authority, and, for the matter of that, any authority in India, cannot preempt that ultimate decisional exercise of jurisdiction by the Hon'ble Apex Court. Even at the cost of repetition, we may indicate that the allowance of the approach of the Competent Authority in the above context to the detriment of the appellant would be a travesty of justice and a violation of the ambience of the Justice Delivery System which we cannot even envision. And we hereby,



in no uncertain terms, hold that the Competent Authority was not acting legally in denying the impugned consent by referring to and relying upon the matters aforementioned.

18. Indian Justice Delivery System provides for penal provisions applicable to various offences which are proved at a trial to have been committed by those charged therewith. There are penology provisions which provide for a minimum penalty awardable for an offence; while there are others which provide for the maximum awardable sentence. There are provisions too which provide for imposition of an enhanced penalty (incarceration in jail or otherwise) for a repeat offence. The occupants of seats at various hierarchical levels in the justicing infrastructure have a judicial discretion to award the sentences provided for in the penal provisions in the context.
19. Incidentally, and appropriately enough, the restricted area of jurisdiction indicated in the preceding para is applicable with equal vigour to the administrative/executive authorities, charged with the responsibility of like impositions or grants to validate the other licensed activities. It is to state the obvious that the administrative/executive authorities placed in a position to grant license for a commercial activity would consider the grant plea within the rigours of the relevant law etc. For imposition of an enhanced penalty or denial of a favourable consideration to an applicant proved to have contravened the provisions of a grant/license too, the administrative/executive authority shall have to look for a provision for enhanced imposition/denial altogether etc. to a 'repeat' offender within the legislation itself.



20. Having noticed and elaborated the jurisdictional contours of the administrative/executive authorities in the context, we may indicate here that we did, in the course of hearing, call upon the learned Counsel appearing on behalf of the respondents herein (and the District Attorney), to invite our attention to any legislated provision in the environmental laws which would validate denial of a license to an applicant (placed in the circumstances as the appellant herein). The query did not invite any response. The drawable inference is apparent enough in the facts and circumstances of the case.
21. The Competent Authority, in the matter of deliberation under challenge, is recorded to have been greatly influenced by the fact that a penalty ('Environmental Compensation') of Rs.50 crores had been imposed upon a (former) Director of the appellant. The investigation being carried on by certain other Governmental agencies (e.g. Income Tax etc.), under the orders of Government of India and the NGT, too is recorded to have weighed with the Competent Authority in forming a view adverse to the interest of the appellant. The Competent Authority further "held that Mohd. Wazid Ali, Sh. Mohd. Javed, there other family members and accomplices as discussed above are indeed guilty of irregularities, being involved in illegal mining, having operated without consent/EC and/or violated terms and conditions, rules and regulations in past while operating mines and thus, the credentials of Saharanpur, being closely managed and held by them also shall be judged by the credentials of these persons and thus, the consent to established applied on behalf of Saharanpur (M/s Saharanpur



Mines Management Services Pvt. Ltd.) under Air/Water/Hazardous Waste Management (HWM) category for the said mine (Mandewala Block) on 20.06.2016 (application no.3199153) is hereby refused".

22. The Competent Authority completely misdirected itself by taking into consideration factors which were not within its jurisdiction in the matter of consideration of the consent plea. The Hon'ble NGT had, on its own, taken care of all the relevant aspects. In the course of its order, the Hon'ble NGT provided for the payment of Environmental Compensation by the operators of mines and stone crushers who had been operating without the consent of the State Boards etc. The relevant direction is recorded in the course of Para-10 of the order of the Hon'ble NGT, the relevant part whereof is extracted hereunder: -

"10. The operators of mines and stone crushers who have been operating without the consent of the State Boards, violating the laws, operating without EC, operating in violation of the conditions of the BC and operating without consent of the CGWA or any other Competent Authority as well as causing air water pollution and have degraded and damaged the environment, ecology and biodiversity particularly, with reference to river Yamuna and its bed, and affected the lives of the residents of various villages, falling under these Districts on the bank of river Yamuna. In view of the indisputable fact that nearly



2,40,704 cubic meter of mined minerals were illegally extracted and transported, the private respondents and noticees are liable to pay Environmental Compensation. We direct respondent no.7 who falls in this category to pay Environmental Compensation of Rs.2.5 Crores. We further direct all the five noticees (Mr. Amit Jain, Mohd. Ali, Mr. Vikal Agarwal and Wajid Ali) who with one another are constituting all the 13 partnership firms to whom mining leases have been granted now for decades, to pay Environmental Compensation of Rs.50 Crores, payable by each of the individual partners for and on behalf of all the 13 mine lease firms. This compensation should be paid within 4 weeks from today in equal share to the respective State Governments and the State Pollution Control Boards of the respective States. This Environmental Compensation shall be kept in a separate account by the State Governments and the Boards and will be utilized only for the purpose of restoration of the environment, ecology, biodiversity and for taking precautionary steps to control and prevent pollution in these two districts, subject to further orders of the Tribunal."



23. Apart from the imposition aforementioned, the Hon'ble NGT also issued instructions to the States of Uttar Pradesh and Haryana "to complete their investigation and enquiry as per the order of the Supreme Court and this judgment of the Tribunal and submit the report to the Tribunal within three months from today. It will identify each of the persons who were responsible for carrying in illegal, unauthorized, unscientific mining of minerals from the river or river bed and the surrounding villages. It will identify the screening plants/stone crushers in the district Saharanpur in State of Uttar Pradesh and district Yamuna Nagar in Haryana, where persons were carrying on such business illegally and unauthorisedly, particularly, in light of the fact that the mining had been stopped as per the orders of the Court. The list of such violators along with their complete record shall be furnished to the Tribunal. They shall also be served with the notice explaining as to why they should not be asked to pay similar Environment Compensation, as imposed by the Tribunal under para 9 of the directions. The report and reply to the notice as well will be placed before the Tribunal".

24. It would, thus, be evident from a perusal of the extracted portion of the orders of the Hon'ble NGT (as quoted in the appeal itself), the Hon'ble Tribunal granted directions to deal with various acts of dereliction. It is not even the finding in the course of the impugned order that "The list of such violators alongwith their complete record" has been "furnished to the Tribunal". Though the fact of a mine operator, lessee of the mine and owner of screening plant/stone crusher" having been found to be "guilty of irregularities" or involvement "in illegal

mining" or operating "without consent/EC" and/or having violated terms and conditions, rules and regulations", could be a consideration to be taken into account by the Competent Authority while considering a plea for consent to establish the impugned order does not indicate that there had been any investigation wherein the appellant had been indicted for any category of the above derelictions. In the absence of that, it was illogical for the Competent Authority to decline the applied for consent by taking that into consideration.

25. It may be pertinent to notice that the Hon'ble NGT had taken a conscious decision to impose Environmental Compensation upon the noticees therein (which, of course, included one of the Directors of the appellant who quit before the bid in this case was given by the former). If the Hon'ble NGT wanted to grant any further imposition etc., it could have recorded so in the order. If a penalty, other than the imposition of Environmental compensation, is not recorded in that order, the Competent Authority could not have read into that order what was not there. If the Hon'ble NGT did not forbid the consideration of any (further) request by the noticees before it, it was inappropriate on the part of the Competent Authority in using that fact to the detriment of the appellant by denying the applied for consent.
26. We wish to point out that the appellant herein made a precise averment (in the course of Para-18(m) that once Environmental clearance had been given, there was in fact, no need to apply for the consent to establish. That averment is recorded in the para to have drawn sustenance from the observations made by the Central Pollution Control Board. A copy of that observation (vide



letter dated 02.02.2017) was placed on record as Annexure A-14 and the fact of annexed documentation is recorded in that para.

The corresponding para does not even make a mention, muchless offer denial, of Annexure A-14. That averment would, thus, be deemed to have been admitted by the respondents herein. A perusal of Annexure A-14 is fully supportive of the contention made on behalf of the appellant herein.

27. We, on perusal of the record and relating the pleas canvassed during the course of hearing, find that the Competent Authority did not act in a legally acceptable manner of appreciation. In the course of para-8 of the impugned order, the Competent Authority felt that the developments recorded in the pre para-8, including the reply "raised following suspicion/doubt in cleanness of operation". Likewise, it recorded elsewhere in the impugned order that "Lapra is not one of those simple an innocent companies which are controlled and regulated by the persons seen directly to be involved with its affairs but actually happens to be a company that assigns greater and over whelming roles to people". At yet another point, the Competent Authority recorded that "On such a holistic consideration, without any hesitation or doubt, it is held that Mohd. Inam, their other family members and accomplices as discussed above are indeed guilty of irregularities, being involved in illegal mining, having operated without consent/EC and/or violated terms and conditions, rules and regulations in past while operating mines and, thus, the credentials of Apart Lapra being closely manned and held by them also shall be judged by the credentials of these persons".



28. We are of the considered view that the entire approach of the Competent Authority in the matter of dealing with the applied for consent was flawed inasmuch as factors alien to consideration had been recorded in the order and relied upon to refuse consent.
29. In the light of the foregoing discussion, we have hesitation in holding that the impugned order deserves to be quashed and the hold so. The foundational order having been quashed, the order which came to be granted by the Member Secretary falls by the way side as a consequential effect thereof.
30. The appeal shall stand allowed accordingly.

Dated: 03.07.2017

-- Sd --
(JUSTICE S.D. ANAND)
 President
 Appellate Authority

-- Sd --
(MAJ. GEN. HARISH JIT SINGH)
 Member
 Appellate Authority

Attested to be true copy

 Assistant
 For President Appellate Authority HSPCB Panchkula

-- Sd --
(DR. SUKHDEV KUNDU)
 Member
 Appellate Authority



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph- 0172 -2577870-73 Fax No. 2581201
E-mail: hspcbho@gmail.com



No. HSPCB/2017/5466

Dated 11/8/17

To.

M/s : Saharanpur Mines Management Services (P) Ltd.
Mining of Boulder Gravel and Sand
at Mandewala block/YNR B- 38
District Yamuna Nagar,
Haryana.

Sub. : Grant of consent to Establish to M/s Saharanpur Mines Management Services (P) Ltd.

Please refer to your application no. 3199153 received on dated 20.06.2016 which was taken offline for decision and finally refused by the Chairman HSPCB vide orders dated 12.09.2016. In view of your appeal no. 24/2017 before Ld. Appellate Authority of Board which has been allowed vide orders dated 03.07.2017 and the refusal orders dated 12.09.2016 passed in your referred CTE application has been quashed.

With reference to your above application for consent to establish, M/s Saharanpur Mines Management Services (P) Ltd is here by granted consent to establish as per following specification/Terms and conditions.

Consent to establish Under Acts	Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981
Period of consent to establish	11.08.2017 – 10.08.2022
Industry Type	Mining and ore beneficiation
Category	RED
Investment (In Lakh)	700 (Seven Crores)
Dead rent as determined in the auction	Rs. 16,55,50,000 (Sixteen Crores Fifty Five lacs and fifty thousand only)
Total Land Area for mining	15 Hectares
Quantity of effluent	
1. Trade	00 KL/Day
2. Domestic	1.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	Septic Tank
2. Trade	NA
Number of stacks	0
Height of stack	NA
Capacity of boiler	
1. N.a.	0 Ton/hr
Type of Furnace	
1. N.a.	0
Type of Fuel	No

[Signature]
Environmental Engineer (HQ)
For Member Secretary
Haryana State Pollution Control Board

1. The industry has declared that the quantity of effluent shall be 1 KL/Day i.e 0 KL/Day for Trade Effluent, 0 KL/Day for Cooling, 1 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.
11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali

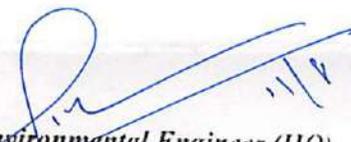
Grant of consent to Establish to M/s Saharanpur Mines Management Services (P) Ltd.

Area or non conforming area.

22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

Specific and other Conditions:

1. Unit will comply with the General Ambient Air Quality Standards prescribed under the national Ambient Air Quality Standards.
2. Unit will establish their mine in compliance with the Environment Clearance granted to the project by the SEIAA.
3. Unit will not operate the mining without prior consent to operate of the Board.
4. The consent to establish so granted is subject to the final outcome in appeal no. 24 of 2017 titled as Haryana State Pollution Control Board Vs. M/s Saharanpur Mines Management Services Pvt. Ltd. filed by the Board before the National Green Tribunal, New Delhi challenging the orders dated 03.07.2017 passed by Id. Appellate Authority, or any other legal directions of competent Court/ Tribunal/ Authority.


Environmental Engineer (HQ)
For Member Secretary
 Haryana State Pollution Control Board.

Endst. No. HSPCB/2017/

Dated

A copy of the above is forwarded to Regional Officer, HSPCB Yamuna Nagar for information w.r.t. your office letter no. 1389 dated 04.08.2017.

Environmental Engineer (HQ)
For Member Secretary
 Haryana State Pollution Control Board.

OFFICE OF DISTRICT TOWN PLANNER, YAMUNA NAGAR

☎ 01732-237885

HUDA Building, Sector-21, Jagadhri-Yamuna Nagar. e-mail dtp.yamunanagar.tcp@gmail.com

N.O.C-6/192

Memo No. YR/DTP-E/879/2016
Dated 30.06.2016

To

M/s Saharanpur,
Mines Management,
Services Pvt. Ltd., Shop No. 12,
Mukund Market, Janakpur Chowk,
Saharanpur-247121.

Subject: - Carification regarding location of our mining lease area measuring 15.00 Ha. at Mandewala Block, YNR B-38, Distt. Yamuna Nagar.

Reference: - Your application dated 21.06.2016 & received in this office on 27.06.2016.

It is intimated that the Mining of "Boulder, Gravel and Sand" (Minor Mineral) at Mandewala Block/YNR B-38 over and entative area of 15.00 Ha. (Khasra No. 11//13, 17, 18, 23/1, 23/2, 24, 25/1, 25/2, 15//1, 35/1, 9, 10, 11/1, 11/2, 12, 19, 20/1, 20/2, 21/8, 14//3/1, 3/2, 4/1, 4/2, 5/1, 5/2, 6/1, 6/2, 7, 8, 13, 14, 15/1, 15/2, 16/1, 16/2, 17, 18, 19, 20/1, 20/2, 21, 22, 23, 24/1, 24/2, 25/1, 25/2, 20//4/1, 4/2, 5/1, 5/2, 6, 7, 19//1 in Teh. Chhachhrauli, Distt. Yamuna Nagar does not fall in any of the Urban Area or Controlled Area declared by Department of Town and Country Planning, Haryana. Thus, this information is given subject to the following conditions: -

1. That you will obtain the necessary permission from mining department before initiating any activity at site.
2. That it does not provide any immunity to the site from other Acts and Rules as may be applicable on it.
3. That you will abide by the provisions of Controlled Areas Act No. 41 of 1963/Urban Area Act No. 8 of 1975, when it comes into force at site.
4. That you will abide by the provisions of NBC/BIS code for any type of construction at site.
5. That in case of non fulfillment of the above, this letter shall stand cancelled automatically.


District Town Planner,
Yamuna Nagar.



HARAYANA STATE POLLUTION CONTROL BOARD
C-11,SECTOR-6 PANCHKULA
Ph.2577870-73 Fax:01722581201-02



From: Industry ID-16YAM3198957

M/s. Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR
 Shop No 12 Mukund Market Janakpur Chowk Saharanpur 247121 Uttar Pradesh

To

The Member Secretary,
 Haryana State Pollution Control Board,
 Panchkula.

Sir,

I/We hereby apply to consent/authorization for the year 24/10/2017 to 30/09/2018 Application
 No. 4634749 dated 11-12-2017

1. Consent to /operate/renewal of consent under section 25 & 26 of the Water(Prevention and Control of Pollution)Act,1974 as amended
2. Consent to /operate/renewal of consent under section 21 of the Air(Prevention and Control of Pollution)Act,1981 as amended
3. Authorization/renewal of authorization under Rule 5 of the Hazardous Waste(Management and Handling Rules)1999 as amended in connection with my/our existing/proposes/alterd/additional manufacturing/processing activities from the premises as per details given below:-

PART A: GENERAL

1. Name : Mohd Javed
 Designation : Director
 Office Address :
 Telephone/Fax and : 0124-4291036,-
 Email Address of the applicant : vardanenviro165@gmail.com
2. (a) Name and location of the Industrial Unit/Premises for which the application is made.(Give Revenue Survey No/Plot No.,name of the Tulaka and District,also Telephone No. and Fax No.) : Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR Shop No 12 Mukund Market Janakpur Chowk Saharanpur 247121 Uttar Pradesh 0124-4291036
 -
- (b) Details of Planning Permission obtained from Municipal Corporation /directories of Urban Development of Town & Country palnning/Haryana Urban Development authority,whichecker applicable. :
- (c) Name of Municipal Corporation/ Panchayat Samiti/Panchayat under whose jurisdiction the unit is Located and name of the license issuing Authority. :

3. Name : Mohd Javed
 Address : Director and Authorized Signatory
 Telephone No.,Fax and Saharanpur Mines Management Services
 E-mail address Pvt Ltd
 of the officer responsible for the matter Shop No 12 Mukund Market Janakpur
 connected with Pollution Control and Chowk Saharanpur 247121 Uttar Pradesh
 Hazardous Waste Disposal. Phone no 9760835031

4. If registered as a small-scale industrial unit,give Number and Date of registraion. : , 01/01/2016

5. Gross Capital Investment of the unit without depreciation till the date of application(cost of building,land,plant and machinery)(to be supported by affidavit,annual report and certificate from Chartered Accountant.For proposed units, give estimated figure(In Lakhs)). : 700.000122

6. If the site is located near river bank/other water bodies; indicate the name and distance of the water body.

Sr. No.	Surrounding of site	Distance(in meters)	Description
		-----NIL-----	

7. Does the location satisfy the requirements under relevant Central/State Government notifications on ecologically fragile area etc., if so give details. :

8. If the site is situated in notified industrial estate: :

(a) Whether effluent collection,treatment and disposal system has been provided by the authority; NO

(b) will the applicant utilize the system,if provided; NO

(c) if not provided, details of proposed arrangement for the treatment of effluent.

9. Total Plot Area,Built up Area and Area available for the use of treated sewage/trade effluent. : Total Plot Area : 150000
 Built-up Area :

10. Month and year of proposed commissioning of the unit. : 20/08/2016

11. Number of workers and office staff. : 20

12. (a) Do you have a residential colony within the Premises in respect of which the present application is made? YES

(b)If yes,please state population staying

(c)indicates its location and distance with reference to plant site.

13. List of products and by-products manufactured in tones/Month,Kiloletre/Month or Numbers/Month(give figures corresponding to maximum installed production capacity).

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	Boulder, Gravel, Sand Mining; 40Trips/day (25T/trip)	Metric Tonnes/Day	0.8	1	0.8	0.8

Sr. No.	Name of the By-Products produced/to be produced		Quantity of By-Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
-----NIL-----						

14. List of raw-material and process of Chemicals with Annual consumption corresponding to above stated Production Figures, in tones/month or numbers/month.

S.No.	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
1	Boulder, Gravel and Sand Mining for 15 Ha 240000 TPA@40 Trips/day (25Tons/trip)	1	Metric Tonnes/Day

15. Description of Process of manufacture for each products showing input/output, quality and quantity of solid, liquid and gaseous wastes, if any, forms each unit process. (to be supported by flow sheet and material balance).

PART B: WASTE WATER ASPECTS (FOR WATER OF CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

16. Water consumption for different uses (m³/day).

Sr. No.	Water Consumed For	Quantity(KLD)
1	Others Dust Saperation	15.0
2	Others Plantation	10.0
3	Sanitation/Domestic/Horticulture	2.0

17. Source of water supply, Name of authority granting permission if applicable and quality permitted.

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Ground Water (outside premises)	Private Tankers	28.0

18. Water Treatment Details :

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Domestic Effluent	2.0	Yes	Septic Tank

19. Waste Water Discharge/Dosposal Details :

S.No	Type of Effluent	Maximum Generation Quantity of Effluent(KLD)	Effluent to be Recycle(KLD)	Effluent Disposal/Discharge Quantity (KLD)	Mode of disposal
1	Domestic Effluent	0.15	0.0	0.0	For Irrigation

20. Quality of untreated/treated effluents(specify pH and concentration of suspended solids, Bio chemical,Oxygen Demand and specific pollutants relevant to the industry.Total dissolved solids to be reported for disposal on the land or into stream/river).
Enclose a copy of latest report of analysis from the laboratory approved/ recognized by Haryana State Pollution Control Board/Central Government in the Ministry of Environment and Forest. For proposed unit furnish expected characteristics of untreated/treated effluents.

Sr. No.	Type of Effluent	Parameters	Conc. of Pollutant		Unit	Date of report	Report analysis no.	Name of Laboratory
			Untreated	Treated				
-----NIL-----								

PART C: AIR EMISSION ASPECTS(FOR AIR CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

21. Fuel Consumption :

Fuel Name	Daily Consumption(T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
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22. Details of Stack

Stacks Numbers :	
Stack Attached to:	
Fuel type:	
Fuel Quantity:	
Material for construction of Stack:	
Shape (Round/Rectangle):	
Height above ground level(in metres):	
Diameters/Size in meters	
Gas quantity Nm³/hr:	
Gas Temperature 'C:	
Exit velocity of Tones/sec:	

Details of DG Set:

Sr. No.	Capacity of D.G. set in(KVA)	Quantity of Fuel used/to be used (in Lts./day)	Ht. of Stack provided/to be provided above roof level(in mts.)	Whether canopy/acoustic enclosure provided/ to be provided(please define clearly)
1	125	50	1.5	Yes

23. Do you have an adequate facility of collection of samples of emission in the form of portholes, platforms, ladder etc., as per Central Board Publication 'Emissions Part iii'(December1985). : YES
24. Quality of treated fuel gas emission and process emissions. Specify concentration of criteria pollutants and industry/process specific pollutants stack wise. Enclose a copy of latest report of analysis from the approved/ recognized laboratory by Haryana State Pollution Control Board/ Central Government in the Ministry of Environment and Forest. For proposed units, furnish the expected characteristics for the emission.

Fuel Gas Emission quality parameter details:

Sr. No.	Stack	Parameters	Result	Units
-----NIL-----				

Process Emission quality parameter details:

Sr. No.	Process	Parameters	Conc. of pollutants		Units
			Untreated	Treated	
-----NIL-----					

Details of Process Emission:

Sr. No.	Source of Generation of process Emissions	Name of the emissions(i.e SO2/NOx/Acid Mist/any other).	Details of APCD provided/to be provided to control process emissions.	Height of Stack provided/to be provided for discharge of process emissions(in mts)..		Whether emission sampling facilities provided or not
				Above Ground Level	Above Roof Level	
-----NIL-----						

PART E: ADDITIONAL INFORMATION

28. (a) Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emission and hazardous waste. : YES
 (b) If yes,give details with time-schedule for the implementation and approx. expenditure to be incurred on it.
29. Capital and Recurring (Operations and Maintenance) expenditure on the various aspects of environment protection such as effluent emission HW solid waste tree plantation monitoring data acquisition etc. :
30. To which the pollution Control equipment separate meters for recording consumption of electric energy are installed? :
31. Which of the pollution Control items are connected to Diesel Generator set (captive power source) to ensure the running in the event of normal power failure. :
32. Name, quantity and method of disposal non-hazardous solid waste generated separately from the process of manufacture and waste treatment(give details of area/ capacity available in applicants land). :
33. Hazardous chemicals are defined under the Manufacture, Storage and Import of Hazardous Chemicals, Rules 1989.
 (a) List of Hazardous Chemicals stores(imported and indigenous).
 (b) Details of isolated storage.
 (c) Details of emergency preparedness plans (On-Site/ Off-Site prepared).
34. Brief details of tree plantation/ green belt development within applicant's premises. :
35. Information of schemes for waste minimization, source recovery and recycling implemented and to be implemented, separately. :
36. Any other additional information that the applicant desires to give. :
37. I/We further declares that the information furnished above is correct to the best of my/our knowledge.

38. I/We hereby submit that I am the authorised person of this unit to apply for CTO and incase of any change from what is stated in this application in respect of raw-materials, products, process of manufacture & treatment and/or disposal of emissions, hazardous waste etc. in quality & quantity; a fresh application for consent/authorization shall be made & until the grant of fresh consent/ authorization, no change shall be made.
39. I/We undertakes to furnish any other information within 1 month of its being called by the Board/Committee.
40. I/We agreed to submit to the board an application for renewal of consent/autorization 3 months in advance before the date of expiry of the consent/authorization validity period.
41. I/We deposit Rs.....(.....rupees) in favour of Haryana State Pollution Control Board as the fee for Consent/ Authorization.

Sr. No.	Fee For	Bank Name	Branch	DD No./Cheque No.	Date	Amount(in Rs.)

42. Declaration about awareness of the prescribed standards :-

a.) That I am aware of the provisions of the Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

Yours faithfully,

Signature _____
Name Mohd Javed
Designation Director

b.) That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 after commissioning of our unit.

c.) That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production with out installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.

d. In Case of any of the non-compliance by the unit, the Board will be at liberty to forfeit the performance security deposited along with the security case.

DOCUMENTS ENCLOSED:

1. Any other document 1
2. Fard Jamabandi or Intkal, whichever is applicable / Allotment letter in case of Industrial area.
3. Any other document 2
4. C.A. Certificate regarding capital investment cost w.r.t. land building, plant and machinery of the proposed project.
5. EnvirImpactAttach

**** This is System Generated Form Signature not Required ****



HARYANA STATE POLLUTION CONTROL BOARD

**SCO-131 Sector-17, HUDA
Jagadhari Ph.01732-200137**

E-mail: hspcb.pkl@sify.com



No. HSPCB/Consent/ : 313100418YAMCTO4634749

Dated:12/01/2018

To.

M/s :Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR
Shop No 12 Mukund Market Janakpur Chowk Saharanpur 247121 Uttar Pradesh

Subject: Grant of consent to operate to M/s Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR.

Please refer to your application no. 4634749 received on dated 2017-12-11 in regional office Yamuna Nagar. With reference to your above application for consent to operate, M/s Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	12/01/2018 - 30/09/2018
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	700.000122
Total Land Area(Sq. meter)	0.0
Total Builtup Area(Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	2.5 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	Septic tank
2. Trade	00
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. NA	
Emission parameters	
1. SPM	100 mg/m ³
Product Details	

1. Boulder, Gra vel, Sand Mining; 40Trips/day (25T/trip)	1 Metric Tonnes/day
Capacity of boiler	
1. NA	
Type of Furnace	
1. NA	
Type of Fuel	
1. NA	
Raw Material Details	
Boulder, Gra vel, Sand Mining; 40Trips/day (25T/trip)	1 Metric Tonnes/Day

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of

change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.

12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.

13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.

14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.

15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.

16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1. That the unit will submit the analysis report from the Board lab within one month from the date of issue of first consent to operate.

2. That the unit will run and maintain the APCM & green belt.

3. That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO.

4. That unit will abide with all the condition mentioned in the Environmental clearance obtained from SEIAA, Panchkula and submit compliance report.

5. After grant of the Ist CTO the inspection of the unit will be carried out by the authorized officer within a period of 3 months of grant of Ist CTO for collection of samples of effluent/ air emissions/ noise in case sampling is required. In case the analysis report of samples of Air/ effluent/ noise so collected are found complying the standards prescribed under EP Rules, 1986, then Ist CTO so granted will remain valid for the period of CTO for which it has been granted based upon the category of the unit or as was demanded by the unit but in case of failure of sample the Ist CTO so granted will be revoked/cancelled after following the due procedure.

6. That the unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of the case.

7. That the unit will abide by the directions of CPCB/HSPCB/any other competent authority time to time.

8. That the unit will abide the directions/ orders of Hon`ble Supreme court /High Court/NGT/any other court.

9. The Proponent will abide by the recommendations of the HIGH POWER COMMITTEE CONSTITUTED by the Hon`ble NGT in the OA NO 184 OF 2013 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of the case.

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*



Application Details

Print

From : M/S Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR (16YAM3198957)**No :** 4634749**Date :** 11/12/2017 11:55:21**Sub :** Application For - **CTO / both / new****Activity:** Forward**Description**

For necessary action

Activity: Verification**Description****Note By:** Rajinder Sharma (Regional O**Date Time:** 13/12/2017 16:31:**Forwarded To:** AEE III**Activity:** Forward**Description**

The said unit is a Mining Project. Recently, the unit has obtained the CTE on offline mode from head office (Copy of CTE grant attached in documents submitted by the unit). Now unit has applied for 1st consent to operate. As per the latest inspection policy no. 4.2.1 which read as "Ist Consent to Operate. No separate trial consent will be granted. Ist consent to operate will include consent. Inspection of the industry will be carried out by the authorized officer/ officers of the Board before commissioning of production in the unit and before giving the Ist CTO, after approval from the Competent Authority to check the status regarding installation of pollution control measures/ devices undertaken at the time of obtaining the CTE as well as their structure adequate before deciding the cases of Ist CTO. After grant of the Ist CTO the inspection of the unit will be carried out by the authorized officer within a period of 3 months of grant of Ist CTO for collection of samples of effluent/ air emissions/ noise in case sampling is required case the analysis report of samples of Air/ effluent/ noise so collected are found complying the standards prescribed under EP Ru 1986,the Ist CTO so granted will remain valid for the period of CTO for which it has been granted based upon the category of the unit or as was demanded by the unit but in case of failure of sample the Ist CTO so granted will be revoked/cancelled after following the procedure". --This unit has obtained the CTE previously and now as per the policy of the board sample is must for granting the reg consent to the unit,In view of above, it is therefore requested that the permission may be granted to this office to conduct inspection and collection of sample from the unit, please.

Note By: Naresh Kumar (AE**Date Time:** 15/12/2017 14:38:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

As recommended by AEE, if approved, permission may be granted to this office to conduct the inspection and collection of sample from the unit, please.

Note By: Rajinder Sharma (Regional O**Date Time:** 15/12/2017 14:40:**Forwarded To:** Senior Scientist**Activity:** Forward**Description**

submit copy of CTE and reason of inspection

Note By: Dinesh Kumar (Senior Scie**Date Time:** 18/12/2017 10:04:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

For necessary action

Note By: Rajinder Sharma (Regional O**Date Time:** 18/12/2017 12:12:**Forwarded To:** AEE III**Activity:** Forward**Description**

The copy of CTE is already attached in documents submitted by the unit and inspection is required to decide this CTO applicationIn view of above, it is therefore requested that the permission may be granted to this office to conduct the inspection and collection of sample from the unit, please.

Note By: Naresh Kumar (AE)**Date Time:** 18/12/2017 17:05:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

The copy of CTE is already attached in documents submitted by the unit and inspection is required to decide first CTO application recommended by AEE, if approved, permission may be granted to this office to conduct the inspection and collection of sample from unit, please.

Note By: Rajinder Sharma (Regional O**Date Time:** 19/12/2017 10:26:**Forwarded To:** Senior Scientist**Activity:** Forward**Description**

As requested by RO permission for inspection may be granted

Note By: Dinesh Kumar (Senior Scie**Date Time:** 20/12/2017 09:47:**Forwarded To:** MS**Activity:** Forward**Description**

Permission granted for inspection, as proposed

Note By: S Narayanan IFS**Date Time:** 21/12/2017 10:25:**Forwarded To:** Senior Scientist**Activity:** Forward**Description**

for n a

Note By: Dinesh Kumar (Senior Scie**Date Time:** 22/12/2017 10:55:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

Permission for inspection granted by Competent Authority. Inspect the site and submit your recommendation accordingly.

Note By: Rajinder Sharma (Regional O**Date Time:** 27/12/2017 16:11:**Forwarded To:** AEE III**Activity:** Forward**Description**

The said unit is a mining project and falls under the Red category of the Consent Management of Board. The unit has submitted first time for consent to operate application for mining lease over an area of site area 15.00 Ha Mandewala Block YNR-B-38 Bou Gravel & Sand Minor (Minor Mineral) at village Mandewala, Tehsil Jagadhri, District Yamuna Nagar. The unit has also obtained Letter of Intent (LOI) from Director General, Mines & Geology Department, Haryana vide Memo No DMG/HY/Cont/Mandewala Bk YNR B 38/2015/3937 dated 19.06.2015. and the permission in this regard enclosed in the documents submitted by the unit. The unit has obtained EC from SEIAA Panchkula as per notification 14.09.2006 vide their letter No SEIAA/HR/2016/500 dated 27.06.2016. unit has applied first time for the consent to operate for the year 24.10.2017 to 30.09.2018 along with necessary documents. consent to establish was granted to the unit through online reflected vide in this ID. The unit has submitted the consent fees i.e 5,25,000/- under Water Act & Air Act upto 30.09.2018. As per latest inspection policy of the board, the said unit has been inspected after obtaining valid permission from the competent authority. During the inspection, the said unit was inspected by the undersigned found that the unit has provided temporary structure like labour quarter, toilets, drinking water, agreement with doctor, office, agreement with farmers, Water sprinkling tankers etc. Now the unit is complying with the provisions of the Water Act & Air Act and said unit is fit for grant of CTO. In view of above, it is recommended that consent to operate may be granted to the unit for the year 24.10.2017 to 30.09.18 with the usual terms & condition of the Board and other specific condition of the Board. 1. That the unit submit the analysis report from the Board lab within one month from the date of issue of first consent to operate. 2. That the unit run and maintain the APCM & green belt. 3. That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO. 4. That unit will abide with all the condition mentioned in the Environmental clearance obtained from SEIAA, Panchkula submit compliance report. 5. After grant of the Ist CTO the inspection of the unit will be carried out by the authorized officer with period of 3 months of grant of Ist CTO for collection of samples of effluent/ air emissions/ noise in case sampling is required. In c

the analysis report of samples of Air/ effluent/ noise so collected are found complying the standards prescribed under EP Rules, 19 then Ist CTO so granted will remain valid for the period of CTO for which it has been granted based upon the category of the unit or as was demanded by the unit but in case of failure of sample the Ist CTO so granted will be revoked/cancelled after following the procedure. 6. That the unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of case. 7. That the unit will abide by the directions of CPCB/HSPCB/any other competent authority time to time 8. That the unit will abide the directions/ orders of Hon`ble Supreme court /High Court/NGT/any other court. 9. The Proponent will abide by the recommendation of the HIGH POWER COMMITTEE CONSTITUTED by the Hon`ble NGT in the OA NO 184 OF 2013 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final out come/deision of the case.

Activity: Verification Closed | [View Verification Report](#) |

Description

Note By: Naresh Kumar (AE)

Date Time: 03/01/2018 16:52:

Forwarded To: Regional Officer

Activity: Forward

Description

Please re-check and submit accordingly

Note By: Rajinder Sharma (Regional O)

Date Time: 11/01/2018 17:20:

Forwarded To: AEE III

Activity: Forward

Description

The said unit is a mining project and falls under the Red category of the Consent Management of Board. The unit has submitted first time for consent to operate application for mining lease over an area of site area 15.00 Ha Mandewala Block YNR-B-38 Bou Gravel & Sand Minor (Minor Mineral) at village Mandewala, Tehsil Jagadhri, District Yamuna Nagar. The unit has also obtained the Le of Intent (LOI) from Director General, Mines & Geology Department, Haryana vide Memo No DMG/HY/ Cont / Mandewala Block/ YN 38/2015/3937 dated 19.06.2015. and the permission in this regard enclosed in the documents submitted by the unit. The unit obtained EC from SEIAA Panchkula as per notification 14.09.2006 vide their letter No SEIAA/HR/2016/500 dated 27.06.2016. The has applied first time for the consent to operate for the year 12.01.2018 to 30.09.2018 along with necessary documents. The cons to establish was granted to the unit through offline by Head Office vide no. HSPCB / 2017/5467 dated 11.08. 2017. The unit submitted the consent fees i.e Rs 5,25,000/- under Water Act & Air Act upto 30.09.2018. As per latest inspection policy of the bo the said unit has been inspected after obtaining valid permission from the competent authority. During the inspection, the said unit inspected by the undersigned & found that the unit has provided temporary structure like labour quarter, toilets, drinking water agreement with doctor, office, lease agreement with farmers, Water sprinkling tankers etc. Now the unit is complying with provisions of the Water Act & Air Act and The said unit is fit for grant of CTO. In view of the facts given above, the case is fit for g of CTO and is recommended that consent to operate may be granted to the unit for the period from 12.01.2018 to 30.09.2018 with usual terms & condition of the Board and other specific condition of the Board. 1. That the unit will submit the analysis report from Board lab within one month from the date of issue of first consent to operate. 2. That the unit will run and maintain the APCM & gr belt. 3. That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO. 4. That unit will abide by all the condition mentioned in the Environmental clearance obtained from SEIAA, Panchkula and submit compliance report. 5. A grant of the Ist CTO the inspection of the unit will be carried out by the authorized officer within a period of 3 months of grant of CTO for collection of samples of effluent/ air emissions/ noise in case sampling is required. In case the analysis report of sample Air/ effluent/ noise so collected are found complying the standards prescribed under EP Rules, 1986, then Ist CTO so granted remain valid for the period of CTO for which it has been granted based upon the category of the unit or as was demanded by the but in case of failure of sample the Ist CTO so granted will be revoked/cancelled after following the due procedure. 6. That the unit comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/201 the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of the case. 7. That the unit will abide the directions of CPCB/HSPCB/any other competent authority time to time 8. That the unit will abide the directions/ orders of Hon Supreme court /High Court/NGT/any other court. 9. The Proponent will abide by the recommendations of the HIGH POWER COMMITTEE CONSTITUTED by the Hon`ble NGT in the OA NO 184 OF 2013 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjecte final outcome/decision of the case.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Naresh Kumar (AE)

Date Time: 12/01/2018 15:13:

Forwarded To: Regional Officer

Activity: Forward

Description

Detail of the case submitted by AEE. As recommended by AEE, If approved, consent to operate may be granted to the unit for period from 12.01.2018 to 30.09.2018 with the usual terms & condition of the Board and other specific condition of the Board. 1. That the unit will submit the analysis report from the Board lab within one month from the date of issue of first consent to operate. 2. That the unit will run and maintain the APCM & green belt. 3. That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO. 4. That unit will abide with all the condition mentioned in the Environmental clearance obtained from SEIAA Panchkula and submit compliance report. 5. After grant of the Ist CTO the inspection of the unit will be carried out by the authorized officer within a period of 3 months of grant of Ist CTO for collection of samples of effluent/ air emissions/ noise in case sampling required. In case the analysis report of samples of Air/ effluent/ noise so collected are found complying the standards prescribed under

EP Rules, 1986, then Ist CTO so granted will remain valid for the period of CTO for which it has been granted based upon the category of the unit or as was demanded by the unit but in case of failure of sample the Ist CTO so granted will be revoked/cancelled as following the due procedure. 6. That the unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of the case. 7. That the unit will abide by the directions of CPCB/HSPCB/any other competent authority time to time. 8. That the unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/any other court. 9. The Proponent will abide by the recommendations of the HIGH POWER COMMITTEE CONSTITUTED by the Hon`ble NGT in the OA NO 184 OF 2013 in case of GURPREET SINGH BAGGA vs MoEF & CC and subjected to final outcome/decision of the case.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Rajinder Sharma (Regional Officer)

Date Time: 12/01/2018 15:17:

Forwarded To: AEE HEPC

Activity: Forward

Description

As recommended by RO, CTO under Water Act 1974 & Air Act, 1981 for the period 12.01.2018 to 30.09.2018 may be granted, subject to conditions as proposed.

Note By: Nipun Gupta (AEE I)

Date Time: 12/01/2018 15:59:

Forwarded To: EE HEPC

Activity: Forward

Description

Approved for grant as proposed by AEE HEPC.

Note By: Balraj Singh (EE I)

Date Time: 12/01/2018 17:11:

Forwarded To: AEE HEPC

Activity: Forward

Description

Note By: Nipun Gupta (AEE I)

Date Time: 12/01/2018 18:57:

Forwarded To: Regional Officer

Activity: Forward

Description

issued as approved

Activity: Close After Approval

Description

Certificate Issued

Note By: Rajinder Sharma (Regional Officer)

Date Time: 12/01/2018 19:28:

Forwarded To: Regional Officer

HARYANA STATE POLLUTION CONTROL BOARD**C-11,SECTOR-6 PANCHKULA****Ph.2577870-73 Fax:01722581201-02****HSPCB**

From: Industry ID-16YAM3198957



M/s. Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR
Mandewala Block B 38, Yamuna Nagar

To

The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

Sir,

I/We hereby apply to consent/authorization for the year 01/10/2021 to 30/09/2022 Application
No. 16596404 dated 01-10-2021

1. Consent to /operate/renewal of consent under section 25 & 26 of the Water(Prevention and Control of Pollution)Act,1974 as amended
2. Consent to /operate/renewal of consent under section 21 of the Air(Prevention and Control of Pollution)Act,1981 as amended
3. Authorization/renewal of authorization under Rule 5 of the Hazardous Waste(Management and Handling Rules)1999 as amended in connection with my/our existing/proposes/alterd/additional manufacturing/processing activities from the premises as per details given below:-

PART A: GENERAL

1. Name : Sushil Kumar
Designation : Director
Office Address :
Telephone/Fax and : 0124-4291036,-
Email Address of the applicant : saharanpurmines.mandewala@gmail.com
2. (a) Name and location of the Industrial Unit/Premises for which the application is made.(Give Revenue Survey No/Plot No.,name of the Tulaka and District,also Telephone No. and Fax No.) : Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR Mandewala Block B 38, Yamuna Nagar 0124-4291036 -
(b) Details of Planning Permission obtained from Municipal Corporation /directories of Urban Development of Town & Country palnning/Haryana Urban Development authority,whichever applicable. :
(c) Name of Municipal Corporation/ Panchayat Samiti/Panchayat under whose jurisdiction the unit is Located and name of the license issuing Authority. :

3. Name
Address
Telephone No.,Fax and
E-mail address
of the officer responsible for the matter connected with Pollution Control and Hazardous Waste Disposal.

S.No.	Name	Designation	Residential Address	Email Id	Mobile Number	Owner Type
1	Sushil Kumar	Chairman	Vill Gaganpur Tehsil Barara Ambala	saharanpu rmines.ma ndewala@ gmail.com	99960150 05	

4. If registered as a small-scale industrial unit,give Number and Date of registraion. : S500, 01/01/2016

5. Gross Capital Investment of the unit without depreciation till the date of application(cost of building,land,plant and machinery)(to be supported by affidavit,annual report and certificate from Chartered Accountant.For proposed units, give estimated figure(In Lakhs)). : 700.0

6. If the site is located near river bank/other water bodies; indicate the name and distance of the water body.

Sr. No.	Surrounding of site	Distance(in meters)	Description
		-----NIL-----	

7. Does the location satisfy the requirements under relevant Central/State Government notifications on ecologically fragile area etc., if so give details. : HARYANA STATE

8. If the site is situated in notified industrial estate: :

(a) Whether effluent collection,treatment and disposal system has been provided by the authority; NO

(b) will the applicant utilize the system,if provided; NO

(c) if not provided, details of proposed arrangement for the treatment of effluent.

9. Total Plot Area,Built up Area and Area available for the use of treated sewage/trade effluent. : Total Plot Area : 15 hect
Built-up Area :

10. Month and year of proposed commissioning of the unit. : 20/08/2016

11. Number of workers and office staff. : 20

12. (a) Do you have a residential colony within the Premises in respect of which the present application is made? : YES

(b)If yes,please state population staying

(c)indicates its location and distance with reference to plant site.

13. List of products and by-products manufactured in tones/Month,Kiloletre/Month or Numbers/Month(give figures corresponding to maximum installed production capacity).

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	Boulder, Gravel and Sand (BGS)	Metric Tonnes/Day	800	800	800	800

Sr. No.	Name of the By-Products produced/to be produced		Quantity of By-Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
-----NIL-----						

14. List of raw-material and process of Chemicals with Annual consumption corresponding to above stated Production Figures, in tones/month or numbers/month.

S.No.	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
1	Boulder, Gravel and Sand (BGS)	800	Metric Tonnes/Day

15. Description of Process of manufacture for each products showing input/output, quality and quantity of solid, liquid and gaseous wastes,if any, forms each unit process.(to be supported by flow sheet and material balance).

PART B: WASTE WATER ASPECTS (FOR WATER OF CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

16. Water consumption for different uses (m³/day).

Sr. No.	Water Consumed For	Quantity(KLD)
1	Process and wash	25.0
2	Sanitation/Domestic/Horticulture	1.0

17. Source of water supply, Name of authority granting permission if applicable and quality permitted.

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Tubewell	By Tanker	26.0

18. Water Treatment Details :

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Domestic Effluent	1.0	Yes	Septic Tank

19. Waste Water Discharge/Disposal Details :

S.No	Type of Effluent	Maximum Generation Quantity of Effluent(KLD)	Effluent to be Recycle(KLD)	Effluent Disposal/Discharge Quantity (KLD)	Mode of disposal
1	Domestic Effluent	0.0	0.0	0.0	Others

20. Quality of untreated/treated effluents(specify pH and concentration of suspended solids, Bio chemical,Oxygen Demand and specific pollutants relevant to the industry.Total dissolved solids to be reported for disposal on the land or into stream/river).
Enclose a copy of latest report of analysis from the laboratory approved/ recognized by Haryana State Pollution Control Board/Central Government in the Ministry of Environment and Forest. For proposed unit furnish expected characteristics of untreated/treated effluents.

Sr . No.	Type of Effluent	Parameters	Conc. of Pollutant		Unit	Date of report	Report analysis no.	Name of Laboratory
			Untreated	Treated				
1	Domestic Effluent	Nickel	0	0	mg/l	01/10/2021	0	NA

PART C: AIR EMISSION ASPECTS(FOR AIR CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

21. Fuel Consumption :

Fuel Name	Daily Consumption(T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
HSD	10	Kilo Liters/Day				

22. Details of Stack

Stacks Numbers :	
Stack Attached to:	
Fuel type:	
Fuel Quantity:	
Material for construction of Stack:	
Shape (Round/Rectangle):	
Height above ground level(in metres):	
Diameters/Size in meters	
Gas quantity Nm³/hr:	
Gas Temperature 'C:	
Exit velocity of Tones/sec:	

Details of DG Set:

Sr. No.	Capacity of D.G. set in(KVA)	Quantity of Fuel used/to be used (in Lts./day)	Ht. of Stack provided/to be provided above roof level(in mts.)	Whether canopy/acoustic enclosure provided/ to be provided(please define clearly)
1	10	.001	3	Yes

23. Do you have an adequate facility of collection of samples of emission in the form of portholes, platforms, ladder etc., as per Central Board Publication 'Emissions Part iii'(December1985). : YES
24. Quality of treated fuel gas emission and process emissions. Specify concentration of criteria pollutants and industry/process specific pollutants stack wise. Enclose a copy of latest report of analysis from the approved/ recognized laboratory by Haryana State Pollution Control Board/ Central Government in the Ministry of Environment and Forest. For proposed units, furnish the expected characteristics for the emission.

Fuel Gas Emission quality parameter details:

Sr. No.	Stack	Parameters	Result	Units
-----NIL-----				

Process Emission quality parameter details:

Sr. No.	Process	Parameters	Conc. of pollutants		Units
			Untreated	Treated	
-----NIL-----					

Details of Process Emission:

Sr. No.	Source of Generation of process Emissions	Name of the emissions(i.e SO2/NOx/Acid Mist/any other).	Details of APCD provided/to be provided to control process emissions.	Height of Stack provided/to be provided for discharge of process emissions(in mts)..		Whether emission sampling facilities provided or not
				Above Ground Level	Above Roof Level	
-----NIL-----						

PART E: ADDITIONAL INFORMATION

28. (a) Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emission and hazardous waste. : YES
 (b) If yes,give details with time-schedule for the implementation and approx. expenditure to be incurred on it.
29. Capital and Recurring (Operations and Maintenance) expenditure on the various aspects of environment protection such as effluent emission HW solid waste tree plantation monitoring data acquisition etc. :
30. To which the pollution Control equipment separate meters for recording consumption of electric energy are installed? :
31. Which of the pollution Control items are connected to Diesel Generator set (captive power source) to ensure the running in the event of normal power failure. :
32. Name, quantity and method of disposal non-hazardous solid waste generated separately from the process of manufacture and waste treatment(give details of area/ capacity available in applicants land). :
33. Hazardous chemicals are defined under the Manufacture, Storage and Import of Hazardous Chemicals, Rules 1989.
 (a) List of Hazardous Chemicals stores(imported and indigenous).
 (b) Details of isolated storage.
 (c) Details of emergency preparedness plans (On-Site/ Off-Site prepared).
34. Brief details of tree plantation/ green belt development within applicant's premises. :
35. Information of schemes for waste minimization, source recovery and recycling implemented and to be implemented, separately. :
36. Any other additional information that the applicant desires to give. :
37. I/We further declares that the information furnished above is correct to the best of my/our knowledge.

38. I/We hereby submit that I am the authorised person of this unit to apply for CTO and incase of any change from what is stated in this application in respect of raw-materials, products, process of manufacture & treatment and/or disposal of emissions, hazardous waste etc. in quality & quantity; a fresh application for consent/authorization shall be made & until the grant of fresh consent/ authorization, no change shall be made.
39. I/We undertakes to furnish any other information within 1 month of its being called by the Board/Committee.
40. I/We agreed to submit to the board an application for renewal of consent/autorization 3 months in advance before the date of expiry of the consent/authorization validity period.
41. I/We deposit Rs.....(.....rupees) in favour of Haryana State Pollution Control Board as the fee for Consent/ Authorization.

Sr. No.	Fee For	Bank Name	Branch	DD No./Cheque No.	Date	Amount(in Rs.)

42. Declaration about awareness of the prescribed standards :-

a.) That I am aware of the provisions of the Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

Yours faithfully,

Signature _____
Name Sushil Kumar
Designation Director

b.) That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 after commissioning of our unit.

c.) That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production with out installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.

d. In Case of any of the non-compliance by the unit, the Board will be at liberty to forfeit the performance security deposited along with the security case.

DOCUMENTS ENCLOSED:

1. Any other document 2
2. Any other document 1
3. C.A. Certificate regarding capital investment cost w.r.t. land building, plant and machinery of the proposed project.
4. EnvirImpactAttach

**** This is System Generated Form Signature not Required ****



HARYANA STATE POLLUTION CONTROL BOARD

SCO-131 Sector-17, HUDA Jagadhari Ph.01732-200137 Email:- hspcbroyr@gmail.com

E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 313100421YAMCTO16596404

Dated:23/10/2021

To.

M/s :Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR
Mandewala Block B 38, Yamuna Nagar

Subject: Grant of consent to operate to M/s Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR.

Please refer to your application no. 16596404 received on dated 2021-10-01 in regional office Yamuna Nagar. With reference to your above application for consent to operate, M/s Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	23/10/2021 - 30/09/2022
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	700.0
Total Land Area(Sq. meter)	150000.0
Total Builtup Area(Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	1.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	Septic Tank
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. NA	
Emission parameters	
1. SPM	100 mg/m ³
Product Details	

1. Boulder, Gravel, Sand	827 Metric Tonnes/day
Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. NA	
Raw Material Details	
Boulder, Gravel, Sand	827 Metric Tonnes/Day

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any

account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.

12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.

13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.

14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.

15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.

16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1 Unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC.

2 Unit if found involved in illegal mining CTO so granted will be revoked .

3 Unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/any other court.

4 Unit will run and maintain the APCM & green belt.

5 The CTO is granted under Water Act 1974/ Air Act 1981 and if any violation reported against the unit at any stage, the closure action as per provisions of section 33 A of Water Act 1974 or 31 A of Air Act 1981 or under other relevant sections will be taken against the unit apart from prosecution against the unit and its partners/ proprietor/ stake holders /responsible person and unit will also be liable to pay the Environmental Compensation for the damage caused to the Environment because the act of omission and commission by the unit.

6 Unit will implement the Environment Management plan and will submit the recurring cost involved as per EC Condition and will also submit the detail of 5 persons engaged for implementation of Environment Management Plan.

7 Unit will submit the details of permission from CGWA if withdrawing ground water.

8 The mining operation shall be restricted to above ground water table and it should not intersect with ground water table.

9 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.

10 Unit will comply with the traffic management plan.

11 Unit will do the sufficient no. of plantation as per commitment in EC.

12 Unit will provide the sufficient no. of sprinklers system and will maintain the same to for dust suppression and unit will also provide dedicated vehicles/tankers for water sprinkling.

13 Unit will comply the various conditions of Environment Clearance.

14 Unit will be liable for Environmental Compensation for any kind of Environment

Violation/Damage and non compliance of various conditions of Environment Clearance or CTE/CTO granted.

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*



Application Details

Print

From : M/S Saharanpur Mines Management Services Pvt Ltd Mandewala Block B 38 YNR (16YAM3198957)**No :** 16596404**Date :** 01/10/2021 13:41:33**Sub :** Application For - **CTO / both / new****Activity:** Forward**Description**

the unit was earlier granted CTO up to 30.09.2018. Thereafter unit could not operate due to stay from High Court in CWP no.1010/2 vide orders dated 16.02.2018 the Mining operation was stayed. Further vide decision dated 14.01.2020 in the said matter Hon'ble HC Court disposed of the matter with the directions to the state of Haryana to pass speaking orders and till then stay orders will remain in force. The State of Haryana (Mining Department) vide orders dated 17.09.2021 passed the speaking orders and allowed the unit. Now unit has applied for the CTO and so permission for inspection of the site may be permitted to this office. The copy of speaking orders is enclosed.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Nirmal Kasyap (Regional Officer)**Date Time:** 04/10/2021 17:41:**Forwarded To:** Sr Environment Engineer**Activity:** Forward**Description**

The Environmental Clearance to the above mentioned Unit M/S Saharanpur Mines Management Services Pvt. Ltd., Shop No.12, Muk Market, Janakpur Chowk, Saharanpur-247121 (UP) Vide Memo No. SEIAA/HR/2016/500 dated 27/06/2016 for Sand Mining "Mandewala Block/YNR B-38" over an area of 15.00 Ha. Falling in Village-Mandewala, Tehsil Chhachhrauli, District Yamuna Nagar Haryana is valid only for five years i.e. upto 26/06/2021. Since EC granted to the unit is already expired, so if approved RO may be directed to decide the application strictly as per the policy of the Board.

Note By: Naveen Gulia (Sr Environment Engineer)**Date Time:** 06/10/2021 12:03:**Forwarded To:** MS**Activity:** Forward**Description**

Agreed.

Note By: S Narayanan IFS**Date Time:** 06/10/2021 13:02:**Forwarded To:** Sr Environment Engineer**Activity:** Forward**Description****Note By:** Naveen Gulia (Sr Environment Engineer)**Date Time:** 06/10/2021 14:32:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

Please refer the notification dated 18.01.2021 of Ministry of Environment, Forest & Climate Change. As per which it has been clarified that the period from 1st April, 2020 to 31st March 2021 shall not be considered for the purpose of calculation of the period of validity of terms of reference granted under the provisions of this notification in view of the outbreak of Corona Virus (COVID-19) subsequent lockdown (total or partial) declared for its control. The copy of the notification is also enclosed for reference. Therefore, agreed permission for inspection of the said site may be permitted as per policy of the board so that the CTO application of the unit may be decided.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Nirmal Kasyap (Regional Officer)**Date Time:** 08/10/2021 16:57:**Forwarded To:** Sr Environment Engineer**Activity:** Forward**Description**

May consider the note dated 06/10/2021 & notification dated 18/01/2021 along with recommendations of RO above, if agreed permission for inspection of the said site may be permitted as per policy of the board please.

Note By: Naveen Gulia (Sr Environment Eng**Date Time:** 12/10/2021 16:35:**Forwarded To:** MS**Activity:** Forward**Description**

Permission granted for inspection, as proposed

Note By: S Narayanan IFS**Date Time:** 13/10/2021 05:42:**Forwarded To:** Sr Environment Engineer**Activity:** Forward**Description****Note By:** Naveen Gulia (Sr Environment Eng**Date Time:** 13/10/2021 12:56:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 14/10/2021 10:50:**Forwarded To:** AEE**Activity:** Forward**Description**

The Executive Engineer Water Services Division, Dadupur Vide no. 6963-67/117-M dated 12.10.2021 Submitted that There exists a regulator and Head Regulator at RD 2758 of WJC main line lower for diversion of water supply to Hydrel channel which is at a distance of about 150 Mtr. Therefore any mining activity in this area may affect the stability of these structures. RLDSE bund downstream Tajewala was constructed a long time ago for the protection of Village Tajewala/Mandewala and other villages in close vicinity. The work for strengthening of this bund was undertaken in the year 2011-12 for an estimated amount of 40.00 Crores. The Natural surface level (NSL) in the mining lot is lower than the bed level of the river Yamuna. Therefore any mining activity in this area will further lower NSL which may damage the RLDSE bund and banks of the river resulting into endangering the safety of the above named villages. A MLU which runs from Hatnikund Barrage to Dadupur pond has sandy strata and therefore any mining activity in this area may adversely affect the stability of the channel and the bridges over it. Therefore no mining activities are advisable in this area. SCN may be issued to unit to clarify the position.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)**Note By:** Kuldeep Singh**Date Time:** 14/10/2021 13:13:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | [View SCN \(both\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 14/10/2021 15:46:**Forwarded To:** AEE**Activity:** Forward [View Document](#)**Description**

Sir reply already submitted in hard copy in your good office. Copy enclosed.

Note By: 16YAM3198957 (Ind**Date Time:** 22/10/2021 19:28:**Forwarded To:** AEE**Activity:** Forward**Description**

Please raise the inspection

Note By: Kuldeep Singh

Date Time: 22/10/2021 20:40:

Forwarded To: Regional Officer

Activity: Forward

Description

Activity: Verification

Description

Note By: Nirmal Kasyap (Regional O

Date Time: 22/10/2021 20:40:

Forwarded To: AEE

Activity: Forward

Description

The detailed recommendation is enclosed.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Activity: Verification Closed | [View Verification Report](#) |

Description

Note By: Kuldeep Singh

Date Time: 22/10/2021 20:42:

Forwarded To: Regional Officer

Activity: Forward

Description

The detailed recommendation may be referred in the note history dated 22.10.2021 of the field officer. CTO was issued by HSPCI the unit vide no. HSPCB/Consent/: 313100418YAMCTO4634749 Dated: 12/01/2018 valid upto 30.09.2018. however the operatio said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. The unit never came into operat Further vide decision dated 14.01.2020 in the said matter Hon'ble High Court disposed of the matter with the directions to the stat haryana to pass speaking orders and till then stay orders will remain in force. The State of haryana (mining department) vide or dated 17.09.2021 passed the speaking orders and allowed the mining. As the unit never came into operation so analysis report is applicable. The case is fit for grant of CTO and submitted all documents as per policy of the board. Therefore considering the at factual position as explained in the detailed report enclosed the Consent to Operate to the said unit may be granted for the pe 22.10.2021 to 30.09.2022 with terms and conditions mentioned in the detailed report.

Note By: Nirmal Kasyap (Regional O

Date Time: 22/10/2021 20:46:

Forwarded To: EE HEPC

Activity: Forward

Description

Approved for grant as recommended by RO with conditions as applicable.

Note By: Vinay Gautam (EE I

Date Time: 23/10/2021 07:48:!

Forwarded To: Regional Officer

Activity: Forward

Approval/Refusal Status: Approved

Description

Note By: Nirmal Kasyap (Regional O

Date Time: 23/10/2021 08:07:~

Forwarded To: Regional Officer

Activity: Forward

Description

Activity: Close After Approval

Description

Note By: Nirmal Kasyap (Regional O

Forwarded To: Regional Officer

Registered

From

The Director General,
Mines & Geology Department, Haryana
30 Bays building, Sector-17,
Chandigarh.

To

Saharanpur Mines Management Services Private Limited,
Shop No. 12, Mukund Market, Janakpur Chowk,
Saharanpur-247121 (Uttar Pradesh).

Memo No. DMG/HY/Cont/Jaidhar Block/YNR B 34/2015/7086
Dated Chandigarh, the 20.07.2015

Subject:

Acceptance of the highest bid/ in respect of the Boulder, Gravel and Sand minor mineral mines of "Jaidhar Block/YNR B 34" having Tentative Area of 25.60 hectares in the district Yamuna Nagar, offered in e- auction held on 06.07.2015 and 07.07.2015 and issue of Letter of Intent (LoI) - regarding.

You participated in the in the e- auction held on 06.07.2015 and 07.07.2015 on the State Government web portal <https://haryanaeprocurement.gov.in> after accepting the terms and conditions of the auction notice DMG/HY/e Auction/YNR/2015/3793 dated 15.06.2015 in order to obtain mining contracts of minor mineral mines/block of the district Yamuna Nagar. You offered the highest bid of Rs. 06,72,00,000/- [Rs. Six Crore seventy two lakhs only] per annum, against the Reserve Price of Rs. 06,71,00,000/- per annum, for obtaining the Mining Contract of Minor Mineral block namely 'Jaidhar Block/YNR B 34' for extraction of Boulder, Gravel and sand having tentative area of 25.60 hectares. The details of the khasra numbers of the tentative area under above said Mining Block is attached as Annexure 'A'.

2. You are hereby informed that the State Government has accepted the highest bid of Rs. 06,72,00,000/- [Rs. Six Crore seventy two lakhs only] offered by you in respect of the above said minor mineral block of 'Jaidhar Block/YNR B 34' under the provisions of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012 (State Rules). Accordingly, you have become the successful bidder in respect of 'Jaidhar Block/YNR B 34' of the district Yamuna Nagar.

3. The State Government having accepted the aforementioned highest bid offered by you, the Department is pleased to issue this Letter of Intent (LoI) in your favour in respect of the Mining Block/area namely 'Jaidhar Block/YNR B 34' subject to the following terms and conditions:

- (i) The period of contract shall be 08 years and the same shall commence with effect from the date of grant of environmental clearance by competent authority or on



Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.

expiry of a period of 12 months from the date of this communication of acceptance of highest bid/ issuance of "Letter of Intent", whichever is earlier;

- (ii) You may note that the detail of the area of the mining blocks is tentative and was notified "on as is where is basis" (refer condition no. 4 of the notice). In case of any inadvertent mistake, if any, the same would be rectified/ corrected before execution of the agreement (refer condition no. 3 of the notice).;
- (iii) No request regarding reduction in bid amount on account of reduction in land/area of the Mining block, including due to change in description of khasra numbers/location etc. at any stage will be entertained on any ground including loss/reduction of area for mining on account of compliance of applicable laws/restrictions. Needless to state that this also includes the changes, if any, as per condition no. 3 of auction notice.
- (iv) The amount of the highest successful bid i.e. **Rs. 06,72,00,000/-** [Rs. Six Crore seventy two lakhs only] per annum shall be the "Annual Contract Money" payable by you as the contractor in the manner prescribed in the contract agreement to be executed on form MC-1 appended to State Rules;
- (v) The above said annual contract money shall be increased at the rate of 25% on completion of each block of three years. Accordingly, the year-wise amount of the annual contract money shall be as per details given below:

Sr. No.	Year of the Contract Period	Annual contract Money
1	First Year	Rs. 06,72,00,000/-
2	Second Year	Rs. 06,72,00,000/-
3	Third Year	Rs. 06,72,00,000/-
4	Fourth Year	Rs. 08,40,00,000/-
5	Fifth Year	Rs. 08,40,00,000/-
6	Sixth Year	Rs. 08,40,00,000/-
7	Seventh Year	Rs. 10,50,00,000/-
8	Eighth Year	Rs. 10,50,00,000/-

- (vi) As per the terms and conditions of the grant, you are liable to deposit **Rs. 01,68,00,000/-** i.e. equal to 25% of the annual bid amount as "security deposit" out of which you have already deposited an amount of **Rs. 67,20,000/-** (Rs. Sixty seven lakh twenty thousand only) i.e. equal to 10% of the annual bid amount as 'initial bid security' after the conclusion of e-auction. The balance amount of **Rs. 01,00,80,000/-** of the bid security i.e. 15% of the annual bid amount alongwith one month's advance contract money shall be deposited before commencement of the mining operations or before expiry of the period of 12 months, whichever is earlier;

**Director General, Mines and Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

- (vii) You shall execute an Agreement Deed in Form MC-I appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & Prevention of Illegal Mining Rules-2012 (the State Rules 2012) within a period of 90 days from the date of issuance of this communication/ grant of Lol;
- (viii) It may be pointed out that as per existing applicable rates the contract agreement had to be executed on **Non Judicial Stamp papers worth Rs. 24,88,500/- (Rs. Twenty four lakh eighty eight thousand five hundred only)**. However, you are aware that M/s Om Minerals, one of the Lol holders (who participated in the auctions held in December 2013) has filed a CWP No.7991 of 2014, before the Hon'ble Punjab & Haryana High Court. Further a few other similarly situated Lol holders have also filed separate CWP's before the Hon'ble Punjab and Haryana High Court challenging demand/ levy of Stamp Duty on execution of 'Contract Agreement'. The said matter is still pending for adjudication. Accordingly, the present auction was conducted subject to outcome of said cases. **Therefore, the charging of stamp duty for the execution of contract agreement shall be as per final outcome of the said CWP's.**
- (ix) The Contract Agreement would also be required to be got Registered on payment of the applicable Registration fee;
- (x) In case you fail to execute the Agreement Deed within the prescribed period of 90 days, this Lol shall be deemed to have been revoked and the amount of initial bid security deposited at the time of auction shall be forfeited. Further, the balance amount of 15% towards the bid security, amounting to **Rs. 01,00,80,000/-** being the 15% of the annual bid amount, shall be recovered as arrears of land revenue and, you, as the Lol holder/ defaulter, shall be debarred from participation in any future auctions for a period of 5 years;
- (xi) You shall also furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the Agreement. In case the surety offered by the contractor(s) during the subsistence of the contract is not found solvent, the contractor(s) shall offer another solvent surety and a supplementary deed shall be executed to this effect;
- (xii) After execution of Agreement, either before commencement of the mining operation or before expiry of the period of 12 months from the date of issuance of this Lol, whichever is earlier, in case of failure to deposit the balance 15% amount towards security [as required under clause (v) above] the acceptance of bid/issuance of Lol/execution of agreement shall be deemed to have been revoked and 10% amount

deposited towards as initial bid security at the time of auction shall stand forfeited. Further, un-paid 15% amount towards security shall be recovered as arrears of land revenue and you shall be debarred from participation in any subsequent bids for a period of 5 years;

- (xiii) You shall be liable to deposit the contract money in advance at monthly intervals as per provisions of Contract Agreement i.e. from the date of commencement of the contract Agreement;
- (xiv) You shall also deposit/ pay an additional amount equal to 10% of the due contract money along with the monthly installments towards the '**Mines and Minerals Development, Restoration and Rehabilitation Fund**'.
- (xv) You shall also be liable to pay advance income tax as per provisions of Section 206(c) of income tax act in addition to contract money, payable as per terms and conditions of contract agreement.
- (xvi) On enhancement of the contract money with the expiry of every three years period, you shall deposit the balance amount of security so as to upscale the security amount equal to 25% of the revised annual contract money as applicable for one year with respect to the next block of three years. No interest, whatsoever, shall be payable on the security amount deposited under the prescribed security head of the government;
- (xvii) You shall prepare a Mining Plan along with the Mine Closure Plan (Progressive & Final) as per chapter 10 of the State Rules for the "Mining Block" and shall not commence mining operations in any area except in accordance with such Mining Plan duly approved by an officer authorised by the Director, mines & Geology, in this behalf.
- (xviii) Further, the actual mining will be allowed to be commenced only after prior Environmental Clearance is obtained by you as the Lol holder/mining contractor for the Mining Block from the Competent Authority as permitted by the competent Authority required under EIA notification dated 14/9/2006, as amended from time to time by the MoE&F, GoI and guidelines/ circulars issued in this behalf;
- (xix) The Mining contractor to whom mining rights have been granted through this contract would also be liable to pay the following to the landowners to undertake mining operations:
 - (a) Annual rent in respect of the land area blocked under the concession but not being operated, and



- (b) Rent plus compensation in respect of the area used for actual mining operations.
- (xx) The amount of annual rent and the compensation shall be settled mutually between the landowner and the mining contractor. In case of non-settlement of the rent and compensation, the same shall be decided by the District Collector concerned in accordance with the provisions contained in Chapter 9 of the "Haryana Minor Mineral Concession, Stocking, and Transportation of Minerals and Prevention of Illegal Mining Rules, 2012";
- (xxi) The total mineral excavated and stacked by the concession holder within the area granted on mining contract shall not exceed two times of the average monthly production as per approved Mining Plan at any point of time;
- (xxii) The Mining Contractor shall not stock any mineral outside the concession area granted on mining contract, without obtaining a valid license as per provisions contained in Chapter 14 of the State Rules;
- (xxiii) The contractor shall not carry out any mining operations in any reserved/ protected forest or any area prohibited by any law in force in India, or prohibited by any authority without obtaining prior permission in writing from such authority or officer authorized in this behalf. In case of refusal of permission by such authority or officer authorized in this behalf, contractor(s) shall not be entitled to claim any relief in payment of contract money on this account;
- (xxiv) Following are the general/ special conditions applicable for excavation of minor mineral(s) from river beds in order to ensure safety of river-beds, structures and the adjoining areas:
- (a) No mining would be permissible in a river-bed up to a distance of five times of the span of a bridge structure on up-stream side and ten times the span of such bridge structure on down-stream side, subject to a minimum of 250 meters on the up-stream side and 500 meters on the down-stream side;
- (b) There shall be maintained an un-mined block of 50 meters width after every block of 1000 meters over which mining is undertaken or at such distance as may be directed by the Director or any officer authorised by him;
- (c) The maximum depth of mining in the river-bed shall not exceed three meters from the un-mined bed level at any point in time with proper bench formation;
- (d) Mining shall be restricted within the central 3/4th width of the river/ rivulet;



- (e) No mining shall be permissible in an area up to a width of 500 meters from the active edges of embankments in case of river Yamuna, 250 meters in case of Tangri, Markanda and Ghaggar and 100 meters on either side of all other rivers/ rivulets. (This clause is applicable for mining outside river bed area);
- (f) Any other condition(s), as may be required by the Irrigation Department of the state from time to time for river-bed mining in consultation with the Mines & Geology Department, may be made applicable to the mining operations in river-beds.
- (xxv) A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf. Further, the depth of excavation of mineral shall not exceed nine meters (9m) at any point of time. (This clause is applicable for mining outside river bed area);
- (xxvi) The contractor shall not undertake any mining operations in the area granted on mining contract without obtaining requisite permission from the competent authority as required for undertaking mining operations under relevant laws;
- (xxvii) The contractor shall be under obligation to carry out mining in accordance with all other provisions as applicable under the Mines Act, 1952, Mines and Minerals (Development and Regulation) Act, 1957, Indian Explosives Act, 1884, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and the rules made thereunder, Wild Life (Protection) Act, 1972, Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981;
4. Accordingly, for the time being you are advised to submit the Draft Contract Agreement on Form MC-I (In Five copies) appended to the State Rules-2012, on plain papers along with other requisite documents including a solvent surety(s) for a sum equal to the amount of the annual bid for execution of the agreement, within a period of 90 days from the date of issue of this bid acceptance letter and the Lol. You should also furnish an affidavit to the effect that you will immediately deposit the requisite stamp duty as per out of the related Court cases as stated under para 3(viii) above.
5. Please note that one Sh. Rajbir Singh had filed a CWP bearing No. 27700 of 2013 before the Hon'ble Punjab & Haryana High Court challenging (i) commencement of contract period after 12 months from the date of acceptance of highest bid/issuance of "Letter of Intent" or from date of obtaining of environmental clearance from competent authority



**Director General, Mines & Geology Department Haryana
30-Bays Building, Sector-17, Chandigarh.**

which ever is earlier and (ii) payment of rent and compensation to surface right holder/land owners from where mining operations are to be carried out. Therefore, commencement of period of contract & payment of compensation to land owners shall be as per final outcome of court order in said CWP. Accordingly, the auction was conducted subject to outcome of above case, hence this acceptance /LoI is being issued subject to the outcome in CWP No. 27700 of 2013 pending before Hon'ble Punjab & Haryana High Court.



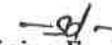
State Mining Engineer,
for Director General Mines & Geology, Haryana.

Endst.No. DMG/HY/Cont/Jaidhar Block/YNR B 34/2015/

Dated:

A copy is forwarded to the following for information and necessary action please:-

1. The Chairman, Haryana State Pollution Control Board, Panchkula.
2. The Deputy Commissioner, Yamuna Nagar.
3. The Mining Officer, Mines & Geology Department, Yamuna Nagar.


State Mining Engineer,
for Director General Mines & Geology, Haryana.



CONSENT LETTER FROM APPLICANT (Annexure-2)

The Mining Plan & Progressive Mine Closure Plan in respect of Sand Minor Mineral Mines of "Jaidhar Block /YNR B 34" having area – 25.60 Ha. in District - Yamuna Nagar by M/s. Saharanpur Mines Management Services Pvt. Ltd., has been prepared by S.N. Sharma bearing "Recognized Qualified Person" registration no. RQP/DDN/0135/2001-A.

We request "The Director Mines and Geology, Haryana" to make further correspondence regarding modification of the Mining Plan with the said RQP on the following address:-

Mr. S.N. Sharma
RQP/DDN/0135/2001-A.
First Floor, 282 sector 11 D, DLF,
Faridabad -121006 (Haryana)
Mobile: 09560848579
E-mail: snsharma@jbbtechnocrat.com

We also authorize Mr. S.N. Sharma to make correspondence with your office.

I hereby undertake that the Mining Plan in respect of the above area prepared by RQP be deemed to have been made with my knowledge and consent and shall be acceptable to me and binding on me in all respects.

Place:

Saharanpur Mines Management Services Pvt. Ltd.

Mohd Javed

Date:

(Authorized Signatory) **Director**



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No. 55-58, Prajapati Bhawan Sector-2, PANCHKULA.

No. SEIAA/HR/2018/1072

Dated: 20-8-18

To

M/s Saharanpur Mines Management Services Pvt. Ltd,
Shop No. 12, Mukund Market, Janakpur Chowk,
Saharanpur-247121, Uttar Pradesh

Subject: Environmental Clearance for proposed Sand Minor Mineral Mines at Jaidhar Block /YNR B-34 over an area of 25.60 ha. in Tehsil- Chhachhrauli, District Yamuna Nagar.

This has reference to your application no. nil dated 30.07.2015 addressed to M. S. SEIAA Haryana received on 23.11.2015 and subsequent letter dated 31.05.2016, 21.07.2016, 06.09.2016, 25.07.2018 and 07.08.2018 seeking prior environmental clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-I, Pre-feasibility report, copy of approved Mining Plan, EIA/EMP on the basis of approved TOR and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MOEF, GOI vide their Notification 21.08.2015, in its meetings held on 12.01.2016, 09.07.2016 and 03.08.2016

[2] The SEAC has examined the application and noted that the proposal is Sand Minor Mineral Mines at Jaidhar Block /YNR B-34 over an area of 25.60 ha. in Tehsil- Chhachhrauli, District Yamuna Nagar. The Letter of Intent (LOI) dated 20.07.2015. The lease has been granted for an area of 25.60 ha having Village- Jaidhar Block /YNR B-34. The project proponent on 23.11.2015 uploaded online application along with copy of approved Mining Plan under category B-1. The validity of Mining Scheme in the Mining plan is for 5 years. NOC from Forest Department has been obtained. The Mines and Geology Department has granted lease for a period of 08 years. The SEAC in its 125th meeting held on 12.01.2016 approved the TOR for EIA study. The public hearing was held on 09.04.2016.

Brief details of the project:

1.	Category/Item no. (in schedule):	1 (a) B-1
2.	Location of Project	Jaidhar Block /YNR B-34 in Tehsil- Chhachhrauli, District Yamuna Nagar
3.	Project Details Khasra No.	Mining of Sand Minor Mineral Mines at Jaidhar Block /YNR B-34 in Tehsil- Chhachhrauli, District Yamuna Nagar over an area of 25.60 ha.

		24,25,26//25/1,25,2,33//5,32//1/1,1/2,2,3,4/1,4/2,4/3,5,6,7,8,9,10,13,14,15,16,17,31//1,2,3,6,7/1,7/2,8,9,10,11,12/1,12/2,13/1,13/2,14/1,14/2,1516/1,16/2,17,18,19,20,21,22,23,24,25/1,25/2,43//2,3,4,4/1,4/2,5,6,30//11,19,20/1,20/2,21,22,23,44//1,2,3															
4.	Production capacity	4,60,000 TPA @ 61 Trips/day (25 Ton/Trip)															
5.	Project Cost	9 crores															
5.	Water Requirement & Source	36 KLD through Tankers															
		<table border="1"> <tr> <td>Dust suppression</td> <td>24.50 KLD</td> </tr> <tr> <td>Plantation</td> <td>10.00 KLD</td> </tr> <tr> <td>Drinking</td> <td>1.5 KLD</td> </tr> </table>	Dust suppression	24.50 KLD	Plantation	10.00 KLD	Drinking	1.5 KLD									
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Plantation	10.00 KLD																
Drinking	1.5 KLD																
6.	Environment Management Plan Budget	24.50 lakh															
7.	CSR Activates Budget	16.25 Lakh															
8.	Production	The proposed production for the five years is @ 4,60,000 TPA. The ultimate depth of Mining will be 9 meter. The alivation range of mine site is 282 amsl to 283 amsl.															
9.	Corner Coordinates of the lease area	<table border="1"> <thead> <tr> <th>Block</th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td>Jaidhar Block /YNR B-34</td> <td>30°13'42"N</td> <td>77°24'30"E</td> </tr> <tr> <td></td> <td>30°13'50"N</td> <td>77°24'42.5"E</td> </tr> <tr> <td></td> <td>30°13'36"N</td> <td>77°24'06"E</td> </tr> <tr> <td></td> <td>30°13'44"N</td> <td>77°24'52.5"E</td> </tr> </tbody> </table>	Block	Latitude	Longitude	Jaidhar Block /YNR B-34	30°13'42"N	77°24'30"E		30°13'50"N	77°24'42.5"E		30°13'36"N	77°24'06"E		30°13'44"N	77°24'52.5"E
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10.	Green belt/ plantation	<table border="1"> <thead> <tr> <th>Year of Plantation</th> <th>Proposed Plantation</th> </tr> </thead> <tbody> <tr> <td>I Yr.</td> <td>1000 Trees</td> </tr> <tr> <td>II Yr.</td> <td>1000 Trees</td> </tr> <tr> <td>III Yr.</td> <td>1000 Trees</td> </tr> <tr> <td>IV Yr.</td> <td>1000 Trees</td> </tr> <tr> <td>V Yr.</td> <td>1000 Trees</td> </tr> </tbody> </table>	Year of Plantation	Proposed Plantation	I Yr.	1000 Trees	II Yr.	1000 Trees	III Yr.	1000 Trees	IV Yr.	1000 Trees	V Yr.	1000 Trees			
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I Yr.	1000 Trees																
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IV Yr.	1000 Trees																
V Yr.	1000 Trees																
11.	Machinery required	Excavator/ JCB Tippers/Trucks, Water Tanker Light Vehicles/Geep and Maintaniance Van															

The Authority in its 116th meeting held on 16.08.2018 decided to agree with the recommendations of SEAC to accord Environment Clearance to this project after submission of satisfactory reply by imposing the following conditions.

A. SPECIFIC CONDITIONS:

- [1] This Environment Clearance is granted for the proposed production for the five years @ 4,60,000 TPA. The ultimate depth of Mining will be 9 meter. The alivation range of mine site is 282 amsl to 283 amsl. The Corner Coordinates of the leased area are:

Block	Latitude	Longitude
Jaidhar Block /YNR B-34	30°13'42"N	77°24'30"E
	30°13'50"N	77°24'42.5"E
	30°13'36"N	77°24'06"E
	30°13'44"N	77°24'52.5"E

- [2] The project proponent shall carry out mining activity strictly as per the approved Mining Plan.
- [3] Environmental Clearance is subject to obtaining clearance, under the Wildlife (Protection) Act, 1972 from the National Board of Wildlife, as applicable to the project.
- [4] No mining activities will be allowed in forest area, if any, for which the Forest Clearance is not available.
- [5] The Project proponent shall obtain consent to Operate from the State Pollution control Board, Haryana and effectively implement all the conditions stipulated therein.
- [6] Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for labour for ensuring good occupational environment for mine workers would also be adopted.
- [7] Project Proponent shall appoint a Monitoring Committee to monitor the replenishment study, traffic management, levels of production, River Bank erosion and maintenance of Road etc.
- [8] The number of trips of the trucks shall not exceed the estimated quantity @ 61 Trips/day (25 Ton/Trip). Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages.
- [9] Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per the Guidelines with respect to complying with traffic congestion and density.
- [10] Excavation will be carried out up to a maximum depth of 3 meters from surface of mineral deposit and not less than one meter from the water level of the River channel whichever is reached earlier.
- [11] The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centre.
- [12] Washing of all transport vehicles should be done inside the mining lease.

- [13] Permanent pillars has to be constructed to demarcate width of extraction of ROM leaving 25% of River width from the bank with depth of 1.5m below the ground and 1.2 m above the ground to observe its stability.
- [14] There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis in consultation with Regional Director, Central Groundwater Board and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- [15] The Project Proponent shall also take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted in the study area.
- [16] Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers.
- [17] Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- [18] No River sand mining shall be allowed in rainy season.
- [19] The project proponent shall submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity/ production levels shall be decreased/ stopped accordingly till the replenishment is completed.
- [20] In River flood plain mining a buffer of 3 meter to be left from the River bank for mining.
- [21] The project proponent shall ensure that no natural water course/water body shall be obstructed due to any mining operations.
- [22] The dumping site selected and proposed shall be used for OB dump at the designated site within the lease area as per the approved mine plan. In no case the overburden should be dumped outside the lease area.
- [23] Garland drains shall be constructed to prevent the flow of the water in the dumps.
- [24] Green belt should be developed as per the proposed plantation as given in the proposal. Plantation should be carried out in phased manner. The green belt should be developed in the safety zone around the mining lease by planting the native species around lease boundary and haul roads , backfilled and reclaimed around water body, road etc. in consultation with the local DFO/Agriculture Department.

- [25] Regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of SPM and RPM such as haul road, loading and unloading point and transfer points. It shall be ensured that the Ambient Air Quality Parameters conform to the norms prescribed by the CPCB.
- [26] Regular monitoring of ground water level and quality shall be carried out in and around the mine lease. The monitoring shall be carried out four times in a year-pre monsoon (April-May), monsoon (August), post monsoon (November); winter (January) and the data thus collected may be sent regularly to MOEF Regional Office, Chandigarh and Regional Director CGWB.
- [27] Data on ambient air quality and stack emissions shall be submitted to Haryana Pollution Control Board once in six months carried out by MOEF/NABL/CPCB/Government approved lab.
- [28] Vehicular emissions shall be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral. The vehicles shall be covered with a tarpaulin and shall not be overloaded. The project proponent shall ensure that the vehicle must have pollution under control certificate.
- [29] The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna, if any, spotted in the study area. A plan for conservation shall be drawn and approved by the State Wildlife Department. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. All the safeguard measures brought out in the wildlife conservation plan so prepared specific to the project site shall be effectively implemented. A copy of action plan may be submitted to the HSPCB and MOEF, Regional Office, Chandigarh within 3 months.
- [30] As envisaged, the Project Proponent shall invest at least an amount of Rs. 24.25 lakh as cost for implementing various environmental protection measures including recurring expenses per year.
- [31] A sum of Rs. 16.25 lakh shall be earmarked by the Project proponent for investment as CSR on socio economic up-liftment activities of the area particularly in the area of habitat, health or education, training programme of rural women & man provide the kit for employment generation. The proposal should contain provision for monthly medical camps, distributions of medicines and improvement in educational facilities in the nearby schools. Details of such activity along with time bound action plan be submitted to HSPCB/SEIAA Haryana before the start of operation.
- [32] Budgetary provision of Rs. 15.00 lakh per year earmarked for the labours working in the Mine for all necessary infrastructure facilities such as health facility.

sanitation facility, fuel for cooking, along with safe drinking water, medical camps and toilets for women, crèche for infants should be made and submitted to HSPCB at the time of CTE/CTO/SEIAA Haryana. The housing facilities should be provided for mining labours.

- [33] A Final Mine Closure Plan along with details of corpus fund shall be submitted to the SEIAA well within the stipulated period as prescribed in the minor mineral concession rules 2012.
- [34] The project proponent shall ensure that the EC letter as well as the status of compliance of EC conditions and the monitoring data are placed on company's website and displayed at the project site.
- [35] The project proponent shall ensure that loading in Trucks do not exceed the norms fixed by the Transport Department as per relevant rules.
- [36] The project proponent shall ensure approach roads are widened and strengthened as per requirements fixed by PWD and district administration before the start of the work.
- [37] The project proponent shall ensure supply of drinking water through RO.
- [38] No mining would be permissible in river bed up to a distance of five times of the span of a bridge on up-stream side and ten times the span of such bridge on down-stream side, subject to a minimum of 250 meters on the up-stream side and 500 meters on the down-stream side.
- [39] There shall be maintained an un-mined block of 50 meters width after every block of 1000 meters over which mining is undertaken or at such distance as may be directed by the Director or any officer authorized by him.
- [40] Mining shall be restricted within the central 3/4th width of the river/rivulet.
- [41] No mining shall be permissible in an area up to a width of 500 meters from the active edges of embankments in case of river Yamuna, 250 meters in case of Tangri, Markanda and Ghaggar and 100 meters on either side of all other rivers/rivulets;
- [42] Any other condition(s) as may be required by the Irrigation Department of the state from time to time for river-bed mining in consultation with the Mines & Geology Department may be made applicable to the mining operations in river bed.

GENERAL CONDITIONS:

- [i] Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
- [ii] Any change in mining technology/scope of working shall not be made without

- [iii] Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
- [iv] Periodic monitoring of ambient air quality shall be carried out for PM₁₀, PM_{2.5}, SO₂ and NO_x monitoring. Location of the stations (minimum 6) shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring shall be decided in consultation with the Haryana State Pollution Control Board (HSPCB). Six monthly reports of the data so collected shall be regularly submitted to the HSPCB/CPCB including the MOEF, Regional office, Chandigarh.
- [v] Personnel working in dusty areas shall wear protective respiratory devices they shall also be provided with adequate training and information on safety and health aspects.
- [vi] Occupational health surveillance program of the workers shall be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- [vii] The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year wise expenditure shall be reported to the HSPCB and the Regional office of MOEF located at Chandigarh.
- [viii] The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the northern Regional Office of MoEF, the respective Office of CPCB, HSPCB and SEIAA Haryana.
- [ix] The above conditions will be enforced, inter alia, under the provision of the Water (Prevention & Control of Pollution) Act, 1974 the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act 1991 (all amended till date) and rules made hereunder and also any other orders passed by the Honb'le Supreme Court of India/High Court of Haryana and other Court of law relating to the subject matter.
- [x] The Project proponent should inform the public that the project has been accorded Environment Clearance by the SEIAA and copies of the clearance letter are available with the Haryana State Pollution Control Board & SEIAA. This should be advertised within 7 days from the date of issue of the clearance letter at least in two local newspapers that are widely circulated in the region and the copy of the same should be forwarded to SEIAA Haryana. A copy of Environment Clearance conditions shall also be put on project proponent's web site for public awareness.
- [xi] All the other statutory clearances such as the approvals for storage of diesel from the Chief Controller of Explosives, Fire department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (protection) Act, 1972 etc. shall be

- obtained, as may be applicable, by Project proponent from the competent authority before the start of mining operation.
- [xii] That the grant of this EC is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the industry/unit/project proponent. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of National Green Tribunal Act, 2010.
- [xiii] The methodology of mining shall be strictly as per orders passed by Hon'ble NGT/Hon'ble Supreme Court from time to time.
- [xiv] The PP shall not disturb/damage the position of studs in river bed and also not to damage the river banks and not to degrade the river bed in any manner.
- [xv] Any area which have been banned by any authority/courts shall not be used for mining activity.
- [xvi] Distance of mining to be maintained from Pucca Hydraylic Structure/Bridges shall be as per approved mining plan/guidelines issued by MOEF & CC/Court Orders.
- [xvii] Quantum mining allowed in the river will be actual replenishment or mining allotted whichever is less.
- [xviii] Any area which has been banned by any authority will be out of bound of mining.
- [xix] The project proponent should set the probable replenishment checked from the reputed institution.
- [xx] The project proponent should intimate to the Authority well before shifting their address of communication.

Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

Endst. No. SEIAA/HR/2018/ 1072

Dated:..... 20-8-2018

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MoEF&CC, GoI, Indra Paryavaran Bhavan, Zor bagh Road-New Delhi.
2. The Regional office, Ministry of Environment, Forests & Climate Change, Govt. of India, Bay's no. 24-25, Sector 31-A, Dakshin Marg, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, C-11, Sector-6, Pkl.
4. The Director General, Mines & Geology Department Haryana, Chandigarh


Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.



भारत का राजपत्र

The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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नई दिल्ली, सोमवार, जनवरी 18, 2021/पौष 28, 1942
NEW DELHI, MONDAY, JANUARY 18, 2021/PAUSHA 28, 1942

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 18 जनवरी, 2021

का.आ. 221(अ).— केंद्रीय सरकार, तत्कालीन पर्यावरण और वन मंत्रालय में, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन अपनी शक्तियों के प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसके बाद उक्त अधिसूचना कहा गया है) संख्या का. आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किया जा चुका है, उक्त अधिसूचना की अनुसूची में सभी संबंधित सूचीबद्ध नई परियोजनाओं या क्रियाकलापों के लिए उनके विस्तार और आधुनिकीकरण और/या उत्पाद मिश्रण में परिवर्तन किया जा सकता है यथास्थिति, भूमि को अभिप्राप्त करने के सिवाय, परियोजना प्रबंधन द्वारा किसी भी संनिर्माण कार्य या भूमि को तैयार करने से पूर्व संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति अपेक्षित होगी।

और कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) ने, क्षेत्र में परियोजनाओं या क्रियाकलापों के कार्यान्वयन को प्रभावित किया है। पर्यावरण और वन जलवायु परिवर्तन मंत्रालय उक्त अधिसूचना में अनुज्ञात अधिकतम अवधि से परे पूर्व पर्यावरणीय अनापत्तियों की विधिमान्यता के विस्तार के लिए अनुरोधों की संख्या प्राप्ति में है, क्योंकि कोविड 19 महामारी अभी तक समाप्त नहीं हुई है। मामले की उक्त मंत्रालय में समीक्षा की गई है और चिंता इस तथ्य को ध्यान में रखते हुए है कि लॉकडाउन (कुल या आंशिक) के कारण, क्षेत्र में क्रियाकलापों को जारी रखना कठिन हो सकता है।

अतः अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के (4) खंड के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) की उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा अभिमुक्ति के पश्चात् भारत के राजपत्र असाधारण, भाग- II, खंड 3, उपखंड (II), में प्रकाशित, भारत सरकार की तत्कालीन पर्यावरण और वन मंत्रालय अधिसूचना का.आ.1533 (अ), तारीख 14 सितंबर, 2006, में निम्नलिखित और संशोधन करती है, अर्थात्: -

उक्त अधिसूचना में,

(i) उप शीर्ष II "चरण (2)_विस्तारण", के अधीन पैरा 7 के उप पैरा 7(i) में, खंड (viii) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा अर्थात्: -

"(ix) उपरोक्त में अंतर्विष्ट किसी बात के होते हुए, 1 अप्रैल 2020 से 31 मार्च 2021 की अवधि में कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात् इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) की दृष्टि में इस अधिसूचना के उपबंधों के अधीन मंजूर संदर्भ की शर्तों की विधिमान्यता की अवधि की गणना के प्रयोजन के लिए विचार नहीं किया जाएगा ,तथापि उक्त संदर्भ की शर्तों के संबंध में इस अवधि के दौरान अपनाए गए सभी क्रियाकलाप विधिमान्य समझे जाएंगे।";

(ii) पैरा 9 क के स्थान पर, निम्नलिखित पैरा रखा जाएगा, अर्थात्: -

"9 क. इस अधिसूचना में अंतर्विष्ट किसी बात के होते हुए, 1 अप्रैल 2020 से 31 मार्च 2021की अवधि में कोरोना वायरस (कोविड-19) के प्रकोप को देखते हुए और तत्पश्चात् इसके नियंत्रण के लिए घोषित लॉकडाउन (कुल या आंशिक) की दृष्टि में इस अधिसूचना के उपबंधों के अधीन मंजूर पूर्व पर्यावरणीय अनापत्ति की विधिमान्यताकी अवधि की गणना के प्रयोजन के लिए विचार नहीं किया जाएगा ,तथापि उक्त पर्यावरणीय अनापत्ति के संबंध में इस अवधि के दौरान अपनाए गए सभी क्रियाकलाप विधिमान्य समझे जाएंगे।";

[फा. सं. 22-25/2020-आई.ए. III]

गीता मेनन, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) संख्या का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना अधिसूचना संख्या का.आ. 4254 (अ), तारीख 27 नवंबर, 2020 द्वारा अंतिम बार संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th January, 2021

S.O. 221(E).—Whereas, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the said notification) *vide* number S.O.1533(E), dated the 14th September, 2006, making the requirement of prior environmental clearance from the concerned regulatory authority mandatory for all new projects or activities listed in the Schedule to the said notification, their expansion and modernisation and/or change in product mix, as the case may be, before any construction work or preparation of land by the project management except for securing the land;

And whereas, in view of the outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, implementation of projects or activities in the field has been affected. Ministry of

Environment, Forest and Climate Change is in receipt of number of requests for extension of the validity of prior environmental clearances beyond the maximum period allowed in the said notification, as the COVID-19 pandemic has not yet come to an end. The matter has been examined in the said Ministry and the concern is genuine keeping in view the fact that due to lockdowns (total or partial), continuation of activities in the field has been difficult.

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, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules in public interest, hereby makes the following further amendments in the notification of Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (II), namely:-

In the said notification, -

- (i) in paragraph 7, in sub-paragraph 7(i), under sub-heading II. "Stage (2) – Scoping", after clause (viii), the following clause shall be inserted, namely:-

"(ix). Notwithstanding anything contained above, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Terms of Reference granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the said Terms of Reference shall be treated as valid."

- (ii) for paragraph 9A, the following paragraph shall be substituted namely:-

"9A. Notwithstanding anything contained in this notification, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid."

[F.No.22-25/2020-IA.III]

GEETA MENON, Joint 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 was last amended vide the notification number S.O. 4254(E), dated the 27th November, 2020.



HARAYANA STATE POLLUTION CONTROL BOARD
PERFORMA FOR OBTAINING NO OBJECTION CERTIFICATE(N.O.C)
(For Status you may visit Website of the Board- hspcb.gov.in)



Industry ID: 21YAM431666
 Application No: 16113178
 Application Date: 16-09-2021
 Application Form Updated on: 22-10-2021

PART-A

1. NAME AND ADDRESS OF THE PROMOTER/INDUSTRIAL UNDERTAKING (BLOCK LETTERS)

Name of Industrial undertaking : SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED
 JAIDHAR BLOCK/ YNR B34 Village
 Jaidhar, Tehsil Chhachrauli, District Yamunanagar
 ,YAMUNANAGAR

Name of the promoter/ MD/Managing Partner with surname first

S.No.	Name	Designation	Residential Address	Email Id	Mobile Number	Owner Type
1	SUSHIL KUMAR	Board of director	VILLAGE GANGANPUR, TEHSIL BARARA, DISTRICT YAMUNA NAGAR	anshul.mangla16@gmail.com	9050800087	DIRECTOR

- 2. Address for communication** : Village Ganganpur, Tehsil Barara, District Ambala, BARARA, AMBALA/HARYANA, 133201
- Telephone** : 00000-000000
- Fax No.** : -
- Pin Code** : 133201
- Email Address** : anshul.mangla16@gmail.com
- 3. Constitution of the firm/ company** : Individual
- 4. Location** : JAIDHAR BLOCK/ YNR B34 Village
 Jaidhar, Tehsil Chhachrauli, District Yamunanagar
- Place/Town** :
- District** : YAMUNANAGAR
- State** : Haryana
- 5. Main items of manufacture/activity**

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	BOULDER GRAVEL SAND	Metric Tonnes/Day	1525	1525	1525	1525

6. Investment in fixed assets(Rs. In Lakhs)

(a) Land	:	0.0
(b) Building	:	0.0
(c) Plant and Machinery	:	9.0E7
(d) Other fixed assets	:	0.0
Total	:	9.0E7

7. Power requirements(KW)

:

8. Proposed Employment

:

9. Estimated date of commencement of production

:

30/09/2021

HARYANA STATE



PART-B

1. DETAILS OF PRODUCTION AND PROCESS

1.1 (i) list the main products which are proposed to be produced

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	BOULDER GRAVEL SAND	Metric Tonnes/Day	1525	1525	1525	1525

1.2 List all raw materials with the daily consumption at full production capacity

	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
1	BOULDER GRAVEL SAND	1525	Metric Tonnes/Day

2. Manufacturing Proceses involved : NO

3. No. of person likely to work in unit :

4. Location

4.1 Where is it proposed to locate the unit(Indl Area or otherwise) :

4.2 If the site is situated in notified industrial estate :

a) Whether effluent collection,treatment & disposal system has been provided by the authority : NO

b) Will the applicant utilize the system,if provided : NO

c) if not provided,details of proposed arrangement for the treatment of effluent :

4.3 If not located in Industrial Area then give identification of nearest Residential Area(such as village,town etc.) :

4.4 Total Plot Area,Built up area and area available for the use of treated sewage/trade effluent : Total Land Area - , Buildup Area -

4.5 Area proposed to be developed :

4.6 If the site located near river bank/other water bodies:indicate the name and distance of the body

Name of Surrounding	Distance(in meters)	Description
Villages	2000	Village Jaidhar had adjoining cillages

4.7 Does the location satisfy the requirements : NO-It satisfies the requirements
under Relevant Central/State Govt.
notifications on ecologically fragile area
etc.,if so give details?

4.8 Month and year of proposed commissioning : 30/09/2021
of the unit

5. **Average daily quantities of water to be consumed(inKl/d)**

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Tubewell	WATER TANKER	36.0

Sr. No.	Water Consumed For	Quantity(KLD)
1	Others	36.0

6. **WASTE WATER DISCHARGES(in kl/d)**

6.1 Waste water discharge per day from

Sr. No.	Source Name	Quantity (KLD)
-----NIL-----		

7. **Proposed effluent Treatment scheme**

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
-----NIL-----				

8. **Stack/Source of emission**

Sr. No.	Stack Attached	Height of above ground level (in mts.)	Height above top of building (in mts.)	Internal diameter in (mts.)
-----NIL-----				

9. **Proposed Air Pollution Control System**
Give information on type and add detailed specifications

Air pollution control system name	Status	Detail specification

10. **D.G Set Details**

Sr. No.	Capacity of D.G. set in(KVA)	Quantity of Fuel used/to be used (in Lts./day)	Ht. of Stack provided/to be provided above roof level(in mts.)	Whether canopy/acoustic enclosure provided/ to be provided (please define clearly)
1	62	20	1	Yes

11. **Proposed method of handling and disposal of waste trapped by pollution arresting equipment/hazardous waste**

Incinerators

12. Declaration about awareness of the prescribed standards :-

a. That I am aware of the provisions of the Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

b. That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 after commissioning of our unit.

c. That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production with out installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.

d. In Case of any of the non-compliance by the unit, the Board will be at liberty to forfeit the performance security deposited along with the security case.

PLACE: Haryana

SIGNATURE:

DATE: 22/10/2021

NAME: SUSHIL KUMAR

DESIGNATION: DIRECTOR

ADDRESS: JAIDHAR BLOCK/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District Yamunanagar

DOCUMENTS ENCLOSED:

1. manufacturing process involved
2. Manufacturing Process and Process flow chart
3. Copy of balance sheet duly attested by CA/CA certificate w.r.t. capital investment coast for the preceding year. (capital investment coast should include the original cost of land building, plant & machinery without depreciation but with upto date additions. The cost of land and building should be included in the capital investment cost even if, it is on lease/rent/mortgage)
4. Page of MOA / partnership Deed / Trust Deed having the names of Directors/Partners.
5. Copy of resolution of Board / power of attorney.
6. Lease deed/ Rent Agreement / Collaboration deed.
7. Copy of Environmental Clearances in case the project is covered under EIA Notification dated 14.09.2006. (Such unit 18covered under EIA notification shall obtain environmental clearance first and then will apply for Consent to Establish to the Board)
8. Fard Jamabandi or Intkal whichever is applicable / Allotment letter.
9. CompleteMachAttach
10. EnvirImpactAttach

**** This is System Generated Form Signature not Required ****



No. 6958-62 /117-M

Dated 12/10/2021.

To,

The Deputy Commissioner,
Yamuna Nagar

Subject: ग्राम जैधर जिला यमुना नगर में खनन नीलामी नोटिस व पर्यावरण सहमती की शर्तों के उलघन के सम्बन्ध में.

Ref: - Your office endst. No. 361/DC/Complaints dated 05/10/2021 received by email on dated 06/10/2021.

In this context, it is submitted that the issues raised by the applicants in their representations against permitting any mining activities in the area are valid for the reasons explained as under :-

1. Dadupur Head Works exists in the vicinity of Village Jaidhar and therefore the area around it has been notified as controlled Area vide Gazette Notification No. 12038-10-DP-81/21145 dated 21.12.1981 (copy enclosed). Section-7(I) of The Punjab Scheduled Roads & Controlled Area Restrictions of Unregulated Regulated Development Act 1963 (copy enclosed) states as under: -

“No land within the controlled area shall, except with the permission of the Director, (and on payment of such conversion charges as may be prescribed by the Govt. from time to time) be used for purposes other than those for which it was used on the date of publication of the notification under Subsection-1 of Section-4, and no land within such controlled area shall be use for the purposes of a charcoal kiln, pottery kiln, lime-kiln, brick-kiln or brick-field or for quarrying stone, bajri, surkhi, kankar or for other similar extractive or ancillary operation accept under and in accordance with the conditions of a license from the Director on payment of such fees and under such conditions as may be prescribed”

2. With the construction of Bhoruka Power Plant, at Dadupur there exists the problem of seepage and water logging leading to heavy losses to the farmers of village Harewa & Jaidhar who had filed CWP No. 3614 of 2016 (Sahab Singh & Others V.s State of Haryana) in the Hon'ble High Court of Punjab & Haryana at Chandigarh to alleviate the problem of higher water level at Dadupur Pond leading to underground seepage which causes various problems i.e. water logging, damages to crops fields etc.
3. The water table in this area is very high. As per report of the Hydrologist submitted to Mining officer Yamuna Nagar vide his letter No. 326 dated 27.07.2016 the depth of water Table below ground level was 1.80 mtr. (copy enclosed) and the mining is



allowed up to 02 Mtr. above the ground water level as per Gazette Notification of Mining and Geology Department dated 27/04/2015 (Copy enclosed)

4. WJC MLU which runs from Hathnikund Barrage to Dadupur Pond has sandy strata and therefore any mining activity in this area may adversely affect the stability of the Channel and the bridges over it. Therefore no mining activities are advisable in this area

Therefore, in view of the above, it is requested that no mining activities be allowed in this area so as to safeguard the interests of I&WR Deptt and to protect the agricultural lands of the farmers from high water table.

DA/As above


Executive Engineer,
Water Service Division,
Dadupur

CC: To the following for information and necessary action please.

1. Superintending Engineer, HKB Circle Jagadhri
2. Mining Officer, Mines & Geology Department, Yamuna Nagar
3. Regional Officer, HSPCB, Yamuna Nagar
4. Sub Divisional Officer, Water Services Sub Division, Tajewala w.r.t. his office letter No. 1125/19-R dated 11/10/2021

Haryana Government
Department of Mines and Geology
Sector-17, Chandigarh
27th April, 2015

DMG/HY/e Auction/YNR/2015/2150

It is hereby notified for the information of the General Public that mining contracts for extraction of minor mineral from mines of the district of Yamunanagar will be granted through the process of e-Auction. The e-Auction will be held on 10/06/ 2015 at 9.00 hours and bids can be submitted from 10.06.2015 09:00 am to 11.06.2015 12:00 Noon extendable maximum up to 3.00 PM. The important instructions for participation in the online e-Auction are as under:

- A. The bids shall be made online on the e-procurement website <https://haryanaeprocurement.gov.in>.
- B. The intending bidders before participation in the e- auction/ bidding process will be required to create their user account online and obtain user-id / password on the website <https://haryanaeprocurement.gov.in> (If already created user account, this step needs to be skipped). For necessary instructions regarding participation in e-Auction of mines/blocks please visit the aforementioned website and click on the available link "How to..." at the Home Page.
- C. After getting the user account created, the prospective/ intending bidders shall upload following documents (in PDF format not exceeding limit of 10 MB for individual document) along with **earnest money(EMD)** and **e-service fee** in order to participate in the e-Auction latest by 09/06/2015 05:00 PM anytime after the publication of this document:
 - (i) "No Dues Certificate" from the authorised officer or an affidavit sworn before any Magistrate to the effect that no amount of contract money, royalty, dead rent or surface rent is due in respect of any mining lease/mining contract or mineral concession held by him earlier or in respect of any mineral concession currently held by him or his family members;
 - (ii) Copy of the **Partnership deed or Article of Association (in case of company)**, or an affidavit (in case of sole proprietor);
 - (iii) A copy of **authority letter** by the Partnership Firms or **Copy of resolution** of the Board of Directors (BoD) of the Company in favour of the person who shall be offering the bids online for such intending agency;
 - (iv) **Earnest Money** equal to 10% of the reserve price of the mining area/site for which bid has to be made, rounded by an amount of Rs.10,000/-, through online payment in due course of time i.e up to 09.06.2015 till 05:00 PM. In case the intended bidder fails to pay online EMD fee under the stipulated time frame will not be allowed to enter in e-Auction of mine(s)/ block(s). The payment for EMD fee can be made by eligible bidders online through RTGS / NEFT or OTC. (Please refer to important Payment Guidelines under Annexure – 'A' provided by online payment gateway service provider i.e. ICICI Bank).

The intended bidder must remit the funds at least T+1 working day (Transaction day + One day) in advance before the expiry date & time i.e. 09.06.2015 upto 05:00 PM. The payment shall be made against the beneficiary account number as mentioned in the challan to be generated online at the e-Procurement portal <https://haryanaeprocurement.gov.in>.
- (v) Details of the bidding agency in case of requirement of **refund of EMD** (a) Refund Account Name (b) Refund Account No. (c) IFSC code of the Bank. Note: Please cross check the information to be submitted online before saving the same as the information in non editable.
- (vi) The Bidders shall have to pay **e-Service Fee of Rs.1000/- online** by using the service of secure electronic payment gateway. The secure electronic payments gateway is an online

***The Punjab Scheduled Roads and Controlled, Areas Restriction of Unregulated
Development Act, 1963
(Punjab Act No. 41 of 1963)
Last Updated 6th July, 2020 [hl628]***

Received the assent of the President of India on the 22nd November, 1963 and first Published in the Punjab Government Gazette (Extraordinary, Legislative Supplement, 30th November, 1963)

7. Prohibition on use of land in controlled areas. - (1) No land within the controlled area shall, except with the permission of the Director, [and on payment of such conversion charges as may be prescribed by the Government from time to time] be used for purposes other than those for which it was used on the date of publication of the notification under sub-section (1) of Section 4, and no land within such controlled area shall be used for the purposes of a charcoal-kiln, pottery kiln, lime-kiln, brick-kiln or bricks field or for quarrying stone, bajri, surkhi, kankar or for other similar extractive or ancillary operation except under and in accordance with the conditions of a licence from the Director on payment of such fees and under such conditions as may be prescribed :
[Provided that fee of charge leviable, if not paid within the specified period, shall be recoverable as the arrears of land revenue.]

[(1A) Local authorities, firms and undertakings of Government, colonisers and persons exempted from obtaining a licence under the Haryana Development and Regulation of Urban Areas Act, 1975, and authorities involved in land development will also be liable to pay conversion charges but they shall be exempt from making an application under Section 8 of this Act.]

(2) The renewal of such licences may be made [after three years] on payment of such fees as may be prescribed.

[7A. Power of relaxation. - The Government may, in public interest, relax any restrictions or conditions in so far as they relate to land use prescribed in controlled area in exceptional circumstances.]

[Provided that fee of charge leviable, if not paid within the specified period, shall be recoverable as the arrears of land revenue.]

[(1A) Local authorities, firms and undertakings of Government, colonisers and persons exempted from obtaining a licence under the Haryana Development and Regulation of Urban Areas Act, 1975, and authorities involved in land development will also be liable to pay conversion charges but they shall be exempt from making an application under Section 8 of this Act.]

(2) The renewal of such licences may be made [after three years] on payment of such fees as may be prescribed.

From

Hydrologist
Ground Water Cell
Ambala

To

Mining Officer,
Deptt. of Mines and Geology,
Yamunanagar.

Memo No. 326 Dt. 27-7-16

Subject: Appeal No. 33 of 2016- Tufel Ahmad and Ors Vs MoEF and Ors

Reference:- Your letter No. Mining/ YNR/NGT/Appeal No. 33 of 2016/ 1955, dated Chandigarh the 06-07-2016

Memo:- With reference to the subject cited above, it is to inform you that the required information of water table of the villages mentioned in the letter is observed in the month of July 2016 is as under:-

Sr. No.	Name of Village	Block	Depth to water Table (meters) below ground level	Remarks
1	Jaidhar	Chhachhrauli	1.80	Reported (in mining area)
2	Devdhar	Chhachhrauli	7.85	Observed (in village boundary)
3	Begumpur	Chhachhrauli	7.24	Interpolation by inverse distance square method using October data of 2015
4	Pipli Majara	Chhachhrauli	6.20	Interpolation by inverse distance square method using October data of 2015
5	Malikpur Khadar	Chhachhrauli	6.55	Observed (in village boundary)

These above water table data having 0.5 to 1.0 meter water table rise after monsoon period i.e. after September month and this water table may be 2 to 2.5 meter less in the mining area which is low lying area. This is for your information and n/a please.

M. K. Lamba
Hydrologist 27/7/2016
G.W.C. Ambala



Enforcement & Monitoring Guidelines for Sand Mining



Ministry of Environment, Forest and Climate change

January, 2020

mining leases should be avoided as it leads to loss of mineral and indirectly promote illegal mining.

- k) Cluster situation shall be examined. A cluster is formed when one mining lease of homogenous mineral is within 500 meters of the other mining lease. In order to reduce the cluster formation mining lease size should be defined in such a way that distance between any two clusters preferably should not be less than 2.5 Km. Mining lease should be defined in such a way that the total area of the mining leases in a cluster should not be more than 10 Ha.
- l) The number of a contiguous cluster needs to be ascertained. Contiguous cluster is formed when one cluster is at a distance of 2.5 Km from the other cluster.
- m) The mining outside the riverbed on Patta land/Khatedari land be granted when there is possibility of replenishment of material. In case, there is no replenishment then mining lease shall only be granted when there is no riverbed mining possibility within 5 KM of the Patta land/Khatedari land. For government projects, mining could be allowed on Patta land/Khatedari land but the mining should only be done by the Government agency and material should not be used for sale in the open market. Cluster situation as mentioned in para k above is also applicable for the mining in Patta land/Khatedari land.
- n) The State Government should define the transportation route from the mining lease considering the maximum production from the mines as at this stage the size of mining leases, their location, the quantity of mineral that can be mined safely etc. is available with the State Government. It is suggested that the transportation route should be selected in such a way that the movement of trucks/tippers/tractors from the villages having habitation should be avoided. The transportation route so

EXTRACT FROM HARYANA GOVT. GAZ., DATED THE 19 JANUARY, 1982
HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 21th December, 1981

No. 12038-10 DP-81/21145-In exercise of the powers conferred by sub-section (i)(b) of section 4 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and all other powers enabling him, the Governor of Haryana is pleased to declare the area around Dadu Pur Head works at village Dadu Pur Cantt., Tehsil Jagadhri, Distt. Ambala as specified in the Scheduled given below and shown in the plan appended hereto, to be a controlled area for the purposes of the said Act, namely:-

SCHEDULE

Schedule of boundaries for the Controlled Area around Dadu Pur Head works at village Dadu Pur Cantt., Tehsil Jagadhri, Distt. Ambala to be read with drawing No. DTP (A) 2336/81 dated 21 August, 1981.

- North:** Starting from Point 'A', i.e. the North-Western corner of Rect. no. 22 of village Sherpur, thence moving towards East along the Northern boundaries of Rect. No. 22 of village Sherpur, 22, 23, 24 and 25 of village Jaidhar up to point 'B', the North-Eastern corner of Rect. No. 25.
- East:** Thence moving towards South-East along the Eastern boundary of Rect. No. 25, Northern boundary of Rect. No. 33, Eastern boundary of Rect. No. 33 and 41 of village Jaidhar, Northern boundary of Rect. No. 16 of village Tapu Jaidhar upto Point 'C', i.e., North-Eastern corner of Rect. No.16, thence moving towards South along the Eastern boundaries of Rect. No. 16 and 19 of village Tapu Jaidhar, Rect. No. 1, 7, 9, 18 and 21 of village Nandgarh upto point 'D' the South-Eastern corner of Rect.no 21, thence moving from point 'D' towards South-West along the Southern boundary of Rect. No. 21 of village Nandgarh and Eastern boundary of Rect. No. 28 and 24 of village Nandgarh and Khadri respectively. Then along the Southern boundary of Rect. No. 24 and Eastern boundary of Rect. No. 35 of village Khadri upto point 'E', i.e., the South Eastern corner of Rect. No.35.
- South:** Thence moving from point 'E' towards West along the Southern boundary of Rect .no. 35, 34, 33,32 and 31 of village Khadri upto point 'F'.
- West:** Thence moving from point 'F' towards North-West along the Western boundary of Rect. No. 17, Southern boundary of Rect. No. 12, Western boundary of Rect. No. 12 of village of Dadpur Cantt. and Southern boundary of Rect. No. 9, Western boundary Rect. No. 9, Southern boundary of Rect. No. 5, of village Bhagwanpur upto point 'G', i.e., the South-West corner of Rect.no. 5 of village Bhagwanpur, thence towards North along the Western boundary of Rect. No. 5 of village Bhagwanpur, Western boundary of Rect. No.22 and 19 of village Kharwan, Western boundary of Rect. No. 99, 91, 78 and 70, Northern boundary of Rect. No.70 upto point 'H', i.e. the North-West corner Rect. No. 70 of village Balachaur, thence moving towards North-East along the Northern boundary of Rect. No.70, Western boundary of Rect. No.49, 43, Northern boundary of Rect. No. 43 of village Balachaur, Northern Western boundary of Rect. No. 20 of village Balachaur. Thence towards North along the Western boundary of Rect. No. 22 of village Sherpur upto point 'A' i.e. the point of start.

A.K. SINHA,
Special Secretary to Government, Haryana,
Town and Country Planning Department.

From

Hydrologist
Ground Water Cell
Ambala

To

Mining Officer,
Deptt. of Mines and Geology,
Yamunanagar.

Memo No. 326 Dt. 27-7-16

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Reference:- Your letter No. Mining/ YNR/NGT/Appeal No. 33 of 2016/ 1955, dated Chandigarh the 06-07-2016

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M. K. Ambala
Hydrologist
G.W.C. Ambala
27/7/2016



1/8/16
111

CWP-1010-2018 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-1010-2018 (O&M)

Date of decision : 14.01.2020

Sajjan Singh

...Petitioner

V/s

State of Haryana & ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Shailendra Jain, Sr. Advocate with
Mr. Sidharath Goyal, Advocate for the petitioner.
Mr. Ankur Mittal, Addl. A.G. Haryana.
Mr. Abhay Gupta, Advocate for
Mr. Amar Vivek, Advocate for respondent no. 3.
Mr. Balkar Singh, Advocate and
Mr. Anshul Mangla, Advocate for the respondents no. 4 to 6.

RAJAN GUPTA J. (ORAL)

With the consent of learned counsel, main case is taken up for hearing today itself.

During the course of hearing, Mr. Jain, learned senior counsel for the petitioner submits that petitioner shall be satisfied if a direction be given to respondent no. 1 to look into the entire matter in view of certain reports that companies i.e. respondents no. 4 & 5 have dubious background. According to him, while awarding the mining contract all these aspects need to be considered by the concerned authority.

Learned State counsel, on the other hand, submits that contract was awarded after conducting an open auction in which respondents no. 4 & 5 were successful. He, however, submits that State has no objection to consider the matter in light of contentions made by the petitioner and the materials on record.

In view of above, present petition is disposed off with the direction that State of Haryana may look into the matter and pass a speaking order at the earliest but not later than three months from today.

Till then interim order dated 16.02.2018 passed by this court would continue to operate.

As the main petition has been disposed off, no order needs to be passed in the accompanying application(s).

(RAJAN GUPTA)
JUDGE

January 14, 2020

Ajay

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:

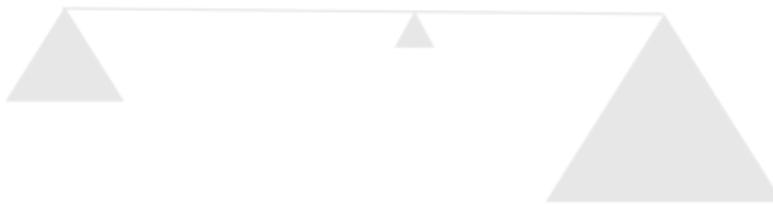
Yes/No

Whether reportable:

Yes/No



सत्यमेव जयते



**Director General, Mines and geology,
Haryana, Panchkula**

ORDER

The mining contract of minor mineral mine namely Jaidhar Block/YNR B-34, district Yamunanagar was granted over an area of 25.60 hectares to M/s Saharanpur Mines Management Services Pvt. Ltd. for a period of 08 years through e-auction held on 07.07.2015 after accepting their highest bid of Rs 6,72,00,000 per annum against the reserve price of Rs. 6,71,00,000. The bid was accepted and letter of Intent (LoI) was issued in their favor on 20.07.2015. The contract was granted subject to condition that mining shall be commenced only after obtaining prior Environmental Clearance (EC) from the competent authority. Further, the contract was granted subject to condition that period shall commence w.e.f. the date of grant of EC or on expiry of the period of 12 months from the date of issuance of LoI, whichever is earlier. The contractor company also executed an agreement on 09.06.2015 on Form MC-1 appended to the Haryana Minor Mineral Concession, Stocking and Transportation of Minerals, and Prevention of Illegal Mining Rules, 2012 (the State Rules,2012). The contractor company could not obtain Environmental Clearance within 12 months and as per terms of grant the pod of 12 months from the date of issuance of LoI expired on 10.07.2016 so the period of contract commenced from 20.07.2016. M/s Saharanpur Mines Management Services Pvt. Ltd were also granted another contract of Mandewala mine in district Yamunanagar itself in another auction held on 11.06.2015 and Letter of Intent was issued in said case on 19.06.2015. The company for Mandewala mine obtained Environmental Clearance from State Environment Impact assessment authority (SEIAA) on 27.06.2016. The company after obtaining EC were also required to have Consent to Establish (CTE)/ Consent to Operate (CTO) from the Haryana State Pollution Control Board (HSPCB). On submission of application for grant of CTE, the HSPCB vide its order dated 12.09.2016, refused/ rejected the consent to establish.

2 HSPCB refused CTE in 03 similar cases [02 in respect of M/s Apar Mines Management Services Private Limited and 01 of M/s Saharanpur Mines Management Services Pvt. Ltd.] mainly on the issues related to:



140
Director General, Mines and geology,
Haryana, Panchkula

-
- pending cases against the bidder/ contractor on alleged financial irregularities or
 - violations of Environmental laws / rules and regulation in undertaking mining in the State of UP and
 - adverse orders against the Directors or their related persons passed by the Hon'ble NGT.

In the light of refusal of CTE by the HSPCB, the mining operations could not be commenced by M/s Saharanpur Mines Management Services Pvt. Ltd. which was also granted a mining contract of **Mandewala mine** through e-auction held on 07.07.2015. In said case, matter relating to grant of EC was pending for decision, so in said case at that stage refusal of CTE by the HSPCB at that stage not relevant. However, the fate of same would have also been same being case of same company.

3. Keeping in view that the HSPCB rejected the CTE applications and further action are common in nature so historical background being interlinked and the related facts of the case/s are under:

- A. The HSPCB in all of the 03 cases [02 in respect of M/s Apar Mines Management Services Private Limited and 01 of M/s Saharanpur Mines Management Services Pvt. Ltd.] refused CTE on alleged financial irregularities or violations of Environmental laws / rules and regulation in undertaking mining in the State of UP and the adverse orders against the Directors or their related persons passed by the Hon'ble NGT orders.
- B. The contractor company/s against the refusal of CTE by the HSPCB – firstly filed CWP no. 6094 of 2017 before the Hon'ble Punjab and Haryana High Court. The Hon'ble High Court vide orders dated 27.04.2017 directed the company to file appeal before the Appellant Authority. The Appellant Authority on filing of appeal under Air Act, vide orders dated 03.07.2017 directed to the HSPCB to grant CTE to the said companies. Though initially the HSPCB filed appeal before the Hon'ble NGT and later decided to grant CTE/ CTO in favor of them.



**Director General, Mines and geology,
Haryana, Panchkula**

-
- C. M/s Apar Mines Management Services Private Limited for Lapra Mine was granted CTE on 11.08.2017 and CTO on 08.12.2017. The said company commenced mining in Lapra mine on 21.12.2017.
- D. On the other hand, M/s Saharanpur Mines Management Services Pvt. Ltd for were granted CTE /CTO on 12.01.2018. However, before M/s Saharanpur Mines Management Services Pvt. Ltd could have commenced mining in Mandewala mine the CTE/CTO granted to them and M/s Apar Mines Management Services Pvt. Ltd were challenged by on Sh. Sajjan Singh by way of filing a CWP no. 1010 of 2018 before the Hon'ble High Court. It was alleged that they are/were shell companies and that their Directors were indulged in various fraudulent activities. The grant of 'Consent to Operate' by the Haryana State Pollution Control Board and mining contracts granted by Mines & Geology Department were sought to be cancelled on the basis same. It was also that the contractor company changed its Directors even before execution of contract agreement which was not permissible as per terms of auction notice
- E. The Hon'ble High Court vide interim orders dated 16.02.2018 stayed the mining operation. In the light of same the mining operations commenced by M/s Apar Mines Management Services Private Limited in Lapra Block B-10 got stopped. M/s Saharanpur Mines Management Services Private Limited to whom CTE/ CTO for Mandewala mine was granted could not have commenced operation.
- F. The Hon'ble High Court finally vide orders dated 14.01.2020 disposed of the above CWP No. 1010 of 2018-Sajjan Singh Vs State of Haryana with direction to the State to look into the matter and pass a speaking order at the earliest. The orders of stay on mining were continued till such time.
4. In compliance of the order dated 14.01.2020, passed by the Hon'ble Punjab and Haryana High Court, the then DGMG after hearing all concerned noted that there were two main issues raised by the petitioner Sh. Sajjan Singh through his advocate:



**Director General, Mines and geology,
Haryana, Panchkula**

- a. Seeking cancellation of the contract based on the claim that investigation against the Directors of the said company by the Serious Fraud Investigation Office (SFIO)/ pending of related cases;
 - b. The company its Directors in violation even prior to execution of contract agreement which was not permissible a per stipulation imposed vide condition no. C (ii) of the auction notice, as per which that no transfer or addition or deletion of the Directors will be permissible before the execution of the contract agreement.
5. It was held that the pendency of the cases filed by SFIO against the Directors (existing or past) of the company was not valid ground to cancel the contracts of M/s Apar Mines Management Services Private Limited. However, in the said case it was found that in M/s Apar Mines Management Services Private Limited changed its Directors before execution of the Contract agreement. Because the contract agreements in respect of **Nandgarh** and **Lapra** Blocks were executed by M/s Apar Mines on 09.06.2015 whereas even before that one Director namely Mohammed Inam left the company on 31.03.2016 and one Laique Ahmad Khan was inducted as a Director on 01.04.2016. In the light of same in said case it was held that M/s Apar Mines changed the Directors of the Company before the execution of the mining contract in violation of the conditions mentioned in the auction notice.
6. In view of volition relating to change of Directors even before execution of contract agreements, the then DGMG after approval of the them PSMG cancelled both the contracts held by M/s Apar Mines Management Services Private Limited vide orders dated 22.06.2020 and 02.07.2020 respectively. The cancelation of contracts in said cases had been challenged by M/s Apar Mines and Management Pvt Ltd by way of CWP No. 19995 of 2020 and same is pending for adjudication but there is no interim orders/ stay.
7. The matter relating to that of two cases / contracts (Mandewala mine and other of Jaidher mine) held by M/s Saharanpur Mines Management Services Private Limited, also required to be decided. The then DGMG afforded opportunity of hearing to M/s Saharanpur Mines Management Services Private



**Director General, Mines and geology,
Haryana, Panchkula**

Limited on 28.07.2020 as per records Sh. Sushil Kumar Director of the company submitted their written submissions and further sought hearing to explain their case.

8. In the light of same the undersigned afforded opportunity of hearing to the M/s Saharanpur Mines Management Services Private Limited holding mining contract of Jaidhar mine on 15.06.2021. Sh. Sajjan Kumar (petitioner in CWP No. 1010 of 2018) vide letter dated 14.06.2021 submitted that the Director/s of the contractor company and company which had given surety are is facing cases filed by the SFIO. He further stated that the said companies are shell company. He sought that the contract held by said M/s Saharanpur Mines Management Services Private Limited be cancelled.

9. Sh. Sushil Kumar, Director of the M/s Saharanpur Mines Management Services Private Limited appeared along with his counsel appeared on 15.06.2021. Sh. Sushil Kumar at the outset submitted that few vested interests through Sh. Sajjan Singh were creating all kind of hurdles in let them undertake mining. He submitted that after grant of mining contract through transparent mode of e-auction conducted by the Department, they took steps to seek EC. Despite hurdles created they could obtain EC on 27.06.2016 and when they applied for grant of CTE to the HSPCB, some persons mislead the authorities in the HSPCB. They could manage in getting their CTE refused based on frivolous grounds. Due to which they could not commence mining operations.

10. He further submitted that they had to run from pillar to post to getting the litigation settled to get orders for grant of CTE/ CTO resulting in huge financial losses and lost opportunity of business. They could get CTE/ CTO after a period of more after more than about 18 months from date of grant of EC. Even after getting the same could not have commenced mining operations as Sh. Sajjan Singh filed CWP no 1010 of 2018 and obtained stay on mining on 16.02.2018. The matter remained pending before the Hon'ble High Court till 14.01.2020 when the state was directed to decide the related issues and pass speaking orders. In view of said litigation also they lost further time of about 2 years. Moreover, after passing of orders dated 14.01.2020 their case still not got

decided. He submitted that as and when their case is taken up for consideration vested interests one way or other not let the authorities decide the same.

11. He submitted that Sh. Sajjan Kumar is in fact is an interested party in mining and related works who was trying to derail their mining contract in order to perpetuate the virtual monopoly of existing mining contractors operating near the mining block in question. He claimed that even now he thought has no locus standi is trying to interfere in the process.

12. Sh. Sushil Kumar stated that the even during earlier hearings held before the then DGMG, it was clarified that the cases, if any pending before the SFIO or any other court against the Directors of the Company or company have any bearing on the operation of the mining contract awarded to them through the e-Auction. He pointed out that in two other cases / contracts of M/s Apar Mines and Management Services Pvt. Ltd., where few of the Directors of the present company were common, the matter has already been adjudicated by the Department. It has been held that same had no impact on grant or operation of mines by the company in the State of Haryana. Hence, on said part no further submissions may be required to justify his claim in this case also being of similar nature and is matter of record.

13. On the other issue relating to change of Directors of the company before execution of contract agreement in contravention of the condition of the auction notice, Sh. Sushil Kumar stated that they executed the agreement on 09.06.2016 and they had not changed the Directors before execution of the agreement. Hence, they not changed the Directors as their Directors as were prevailing at the time of auction and execution of agreement were same. At this stage he also pressed that in case of any private limited company the change of Directors are regulated as per provisions of the Company Act 1956 and change of Directors before or after execution of contract agreement has no impact on any company registered under Company Act. The Department in cases where the contractor company changed Directors before execution of contract agreements cancelled the contract agreement in the case of M/s Apar Mines. But the same is under challenge in CWP No. 19995 of 2020 before the Hon'ble High Court.



**Director General, Mines and geology,
Haryana, Panchkula**

14. He stated that irrespective of said litigation or cases, the facts of the present case are entirely different as none of the Directors of the company were changed before execution of contract agreement. He submitted that at the time of auction held and contract was executed on 09.06.2016 at that time also the Directors were same. It was informed and also confirmed as per records that at the time of auction held on 07.07.2015 the Directors of the Company were (1) Mohammed Javed and (2) Laique Ahmed Khan. At the time of execution also only these 02 persons were Director. So even if the said condition had been prevailing in the case also the company had not violated the same.

15. It was however, clarified that after execution of agreement on 17.11.2017 he (Sh. Sushil Kumar) joined as Director and thereafter Sh. Anand Kumar Ray on 15.01.2018 joined as another Director. He stated that change of Directors in any company registered under Companies Act, 1956 is dealt by the MCA. The changes as above were made for day-to-day workings of the Company with the consent / procedure prescribed by MCA. The same is not violation of the State Rules, 2012. Sh. Sushil Kumar clarified that change in Directors or induction of any new Director to look after operations/ workings of the company, the same is not transfer of company so no permission of Department was required.

16. The facts of the case as explained above make it clear that the company has not violated only of the condition auction notice as was claimed by Sh. Sajjan Singh the petitioner in the CWP No 1010 of 2018. It is not disputed that they had added 02 new Directors in the Company which is not a case of transfer of contract and only case of the appointment of Directors is regulated by the Companies Act, 1956. Further it is also not case where the changes were not in public domain as these details are available on MCA website.

17. In view of above stated facts that the mining contract was sought to be cancelled firstly that an investigation against the Directors of the said company by the Serious Fraud Investigation Office (SFIO)/ pending of related cases. The said matter already stands adjudicated in the other cases of M/s Apar Mines - that there is no such condition in the auction notice or rules that on such grounds contract can not be granted or the bidders were not eligible to participate in the



auction. The other ground was that the company changed its Directors in violation even prior to execution of contract agreement which was not permissible as per stipulation imposed vide *condition no. C (ii) of the auction notice, as per which that no transfer or addition or deletion of the Directors will be permissible before the execution of the contract agreement.* Whereas in the present case it is clear that Directors of the company were not changed prior to execution of the contract agreement. Hence it is clear that in the present case the contract is not liable to be cancelled on this ground. Hence none of the grounds raised by Sh. Sajjan Singh in CWP no. 1010 of 2018 were found valid to cancel the contract granted to M/s Saharanpur Mines Management Services Pvt. Ltd.

18. In the light of above facts, it can be held that the mining contract of minor mineral mine namely Jaidhar Block/YNR B- 34, district Yamunanagar granted over an area of 25.60 hectares to M/s Saharanpur Mines Management Services Pvt. Ltd. for a period of 08 years w.e.f. 20.07.2016 is valid and the contractor company is legally eligible to undertake mining after having all approvals such as EC and CTO. In case the CTO had expire they shall get the same extended from the HSPCB. In view of above the contract granted in favour of the M/s Saharanpur Mines Management Services Pvt. Ltd is held as valid. However, the findings as above shall not have any finding with regards to contractual liabilities on the contractor company which commenced from 19.06.2016.

19. Notwithstanding the above, the contract is had valid subject to condition that the contractor company shall provide fresh surety because veracity and solvency of the company namely M/s India Pacific Infrastructure Pvt. Ltd. who stood as surety for the contractor company cannot be considered further due to the fact that the said company is in dispute/ litigation. In this regard it is noted that as per Rule 26(3) of the State Rules, 2012 in case the surety offered by the contractor(s) during the subsistence of the contract is not found solvent, the contractor(s) shall offer another solvent surety and a supplementary deed to this effect shall be executed. Accordingly, it is also directed that M/s Saharanpur Mines Management Services Pvt. Ltd shall furnish fresh surety and execute supplementary deed within 10 days.



20. However, before concluding the case I would like to highlight that the conduct of Sh. Sajjan Singh. Instead of having fair submissions he had been making all out efforts to ensure derailing the normal process and browbeating of the authorities. He has his submissions on record which he sent letters dated 28.06.2021 and 29.06.2021, the same were examined at length. It was found that the submissions relating to cases pending / filed against the Directorates by the SFIO were being repeated despite that same were not found admissible in earlier similar cases. Sh. Sajjan Singh clearly had some hidden agenda to harm the interests of state and others for his or some other persons unlawful gains.

21. In the light of above the mining contractor is allowed to undertake mining after having all approvals including getting their CTO extended from the HSPCB in case the validity of same stands expired. However, before commencement of mining shall provide the fresh surety and execute supplementary contract agreement. It is also clarified that all terms and conditions of the contract and liabilities arising out of said contract shall remain same.

22. It is also noted that orders of the Hon'ble High Court vide orders dated 14.01.2020 while disposing of the CWP No. 1010 of 2018-Sajjan Singh Vs State of Haryana with direction to the respondent to look into the matter and pass a speaking order and also ordered that the orders of stay on mining shall continue till such time. Hence it is clear that with passing of speaking orders the same also stands vacated, so mining strictly as per rules and regulations can be undertaken.

Dated Panchkula, the
13.09.2021.


Mohammed Shayin, IAS
Director General, Mines & Geology,
Haryana.

148
Director General, Mines and geology,
Haryana, Panchkula

Endst. No.: DMG/HY/Cont./ 3599

Dated: 14-09-2021

A copy is forwarded to M/s Saharanpur Mines Management Services Pvt. Ltd. for information and necessary action.


Mining Engineer
for Director General, Mines & Geology,
Haryana.

Endst. No.: DMG/HY/Cont./ 3600

Dated: 14-09-2021

A copy is forwarded to Assistant Mining Engineer, Mines & Geology Department, Yamunanagar for information.


Mining Engineer
for Director General, Mines & Geology,
Haryana.

Endst No:- 361/149/DC/complaints
dated:- 5.10.2021

Annexure-R23

MO/RO, PLS / XEN Irrigation
Kindly report in 5 days.
7
5110

सेवा में,

माननीय मुख्यमंत्री महोदय,
हरियाणा सरकार, सिविल
सचिवालय, सेक्टर-1, चण्डीगढ़,
160001

विषय: ग्राम जयधर जिला यमुनानगर में खनन नीलाम नोटिस व पर्यावरण सहमति की शर्तों के उल्लंघन के सम्बन्ध में।

महोदय,

निवेदन इस प्रकार है कि ग्राम जयधर जिला यमुनानगर हरियाणा में उप खनिज का ढेका नदी के बाहर खेतों की कृषि भूमि में करने का दिया गया है जिसके सम्बन्ध में निम्न कथन करना चाहते हैं—

1. यह कि नीलाम मै0 सहारनपुर माईन्स मैनेजमेन्ट सर्विसेज प्रा0 लि0 पता Shop no. 12, Mukund Market, Janakpur Chowk, Saharanpur, Uttar Pradesh द्वारा लिया गया था जो एक खनन माफिया मौ0 इकबाल की थी। नीलाम नोटिस दिनांक 27.04.2015 की शर्त संख्या 30 व 32 जो निम्न प्रकार है—

“30. A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf;

32. The contractor shall not undertake any mining operations in the area granted on mining contract without obtaining requisite permission from the competent authority as required for undertaking mining operations under relevant laws;”

नीलाम नोटिस दिनांक 27.04.2015 का मुख्य भाग संलग्न है।

2. यह कि जयधर गाँव के बराबर में दादूपुर हेड बर्क्स स्थापित है जिसके चारों तरफ The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 के धारा 4 के अर्न्तगत दिनांक 21.12.1981 को गजट नोटिफिकेशन नं0 12038-10-डी0पी0-81/21145 के द्वारा प्रकाशन कर कन्ट्रोल एरिया घोषित किया गया है गजट नोटिफिकेशन दिनांक 21.12.1981 की प्रति मय नक्शे के संलग्न है।

The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 की धारा 7 के अनुसार कोई खनन बिना पूर्व अनुमति के नहीं चलाया जा सकता है। धारा 7 निम्न प्रकार है—

“7. *Prohibition on use of land in controlled areas.*— (1) No land within the controlled area shall, except with the permission of the Director, [and on payment of such conversion charges as may be prescribed by the Government from time to time] be used for purposes other than those for which it was used on the date of publication of the notification under sub-section (1) of Section 4, and no land within

such controlled area shall be used for the purposes of a charcoal-kiln, pottery kiln, lime-kiln, brick-kiln or bricks field or for quarrying stone, bajri, surkhi, kankar or for other similar extractive or ancillary operation except under and in accordance with the conditions of a licence from the Director on payment of such fees and under such conditions as may be prescribed:

Provided that any fee or charges leviable, if not paid within the specified period, shall be recoverable as arrears of land revenue."

नीलाम नोटिस दिनांक 27.04.2015 की शर्त नं० 32 के अनुसार अनुमति लिया जाना आवश्यक है जो नहीं ली गई है और इस क्षेत्र में खनन अनुमति दिया जाना जनहित में नहीं है।

उपरोक्त धारा 7 व नीलाम नोटिस की शर्त 32 के अनुसार बिना अनुमति के कोई खनन नहीं किया जा सकता है।

3. यह कि उपरोक्त शर्त के अनुसार भू-जल स्तर से 2 मीटर ऊपर तक ही खनन किया जा सकता है। ठेका मिलने के बाद जन सुनवायी में भी यह मुद्दा उठाया गया था जो निम्न प्रकार है-

1.Name: Sh. Saahab Singh, Village- Jaidhar

Ques: First of all, he welcomed the Hon'ble Deputy Commissioner, Yamuna Nagar, RO, HSPCB, Yamuna Nagar, all other officers and all stakeholders

1.He said that there is no mineable land in this village area and whole village is surrounding by water bodies and almost all land is agricultural land and the water table is available upto 1-1.5m depth only. He is not in favour of this mining project as this project will damage the fertility of the land.

2.He submitted that when mining was not restricted in this area that time also mining was not carried out due to the whole village is cultivable and full with greenery and no land available for mining because the water table in this area is upto 5 feet only. He also said that there is no description about Hidas river and Hareva Forest which is located less than 1 km from the mining site. The roads are not able to transport the mineral loaded trucks, here only mini vehicle and bull cart run on this road.

3. The mining activity on this land against the environment and most of the farmers already in trouble due to flow of canal and seepage of Dadupur Thermal Plant near to their land and the farmers had already filled a case in Hon'ble High Court and Central for Urbunal Tribunal for Electricity. The farmers also challenged the new Mining Act in Hon'ble High Court. He submitted that a survey had done by Irrigation department on expenses of Rs.30 Lakhs and their 80 pages report proved that, the ground water table in this area is upto 4 feet. He said that the whole villagers and Gram panchayat are against this mining activity and any private land and Gram panchayat land are not available for mining.

Reply:-

1. The Environment Consultant, Sh. RS Yadav replied that the water table in Chhachhrauli tehsil is more than 10 m and he displayed the authenticated report of CGWB, Yamuna Nagar (2012) in which the water level of Chhachhrauli tehsil is shown as more than 10 meters and he also said that the Mining Dept. of Haryana Govt. permitted 9m of mining depth for this project and lease holder is bound to stop the mining operation 2 m above the ground water table at any stage during mining.

जनसुनवायी दिनांक 19.04.2016 की प्रति संलग्न है।

4. यह कि उपरोक्त जनसुनवायी में कन्सलटेंट द्वारा गुमराह कर एक जनरल जिले व तहसील की रिपोर्ट का विवरण बताकर गुमराह कर दिया गया था जबकि यहाँ का जल स्तर 1 मीटर ही है। जिसकी पर्यावरण सहमति दिनांक 20.08.2018 विभिन्न शर्तों के अर्न्तगत जारी की गई जिसकी समय इस ई0सी0 के आधार पर कोई खनन अनुमति या प्रदूषण नियन्त्रण बोर्ड विभाग से सहमति प्रदान नहीं कर सकता है। दूसरा यह सहमति नदी तल के लिए रेतों की दी गई है जबकि यह नदी से बाहर बालू, बजरी, पत्थर पाया जाता है जो मुख्य भाग निम्न प्रकार है-

A. SPECIFIC CONDITIONS:

[1] This Environment Clearance is granted for **the proposed production for the five year@ 4,60,000 TPA.** The ultimate depth of Mining will be 9 meter. The alivation range of mine site is 282 amsl to 283 amsl. The Corner Coordinates of the leased area are:-

Block	Latitude	Longitude
Jaidhar Block/YNR B-34	30 13' 42" N	77 24' 30" E
	30 13' 50" N	70 24' 42.5" E
	30 13' 36" N	77 24' 06" E
	30 13' 44" N	77 24' 52.5" E

[2] The project proponent shall carry out mining activity strictly as per the approved Mining Plan.

पर्यावरण सहमति दिनांक 20.08.2018 की प्रति संलग्न है।

5. यह कि पर्यावरण सहमति दिनांक 20.08.2018 में लॉगीट्यूट व लैटीट्यूट दिये गये हैं जिसको गूगल मैप पर बनाया गया जिसके अनुसार खनन क्षेत्र मात्र 11 है० है जबकि ई०सी० में 25.6 है० की दी गई है 11 है० में 4,60,000 TPA निकालने में मात्र 4 वर्ष ही चल सकती है और नक्शे के अनुसार खसरे नं० उस क्षेत्र में नहीं पड़ते हैं नक्शे के अन्दर सड़क व गाँव घर के घर भी आ रहे हैं जहाँ खनन किया जाना सम्भव नहीं है लॉगीट्यूट व लैटीट्यूट के अनुसार कोई नक्शा माईनिंग प्लान में भी नहीं लगाया गया यह पर्यावरण सहमति मौके पर मिलान नहीं हो रही इसलिए इसके आधार पर कोई खनन अनुमति दिया जाना सम्भव नहीं है गूगल पर मार्क लॉगीट्यूट व लैटिट्यूट का नक्शा व सिजरा गूगल मैप नक्शा संलग्न है।
6. यह कि खनन स्वीकृत माईनिंग प्लान के अनुसार किया जाना है माईनिंग प्लान दिनांक 12.01.2016 को 5 वर्ष के लिए स्वीकृत की गई थी जब तक माईनिंग प्लान पुनः स्वीकृत नहीं हो जाता तब तक कोई अनुमति नहीं दी जा सकती है माईनिंग प्लान की पृष्ठ नं० 03 पर निम्न शर्त है।

“A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf.

The contractor shall not undertake any mining operations in the area granted on mining contract without obtaining requisite permission from the competent authority as required for undertaking mining operations under relevant laws.”

माईनिंग प्लान दिनांक 12.01.2016 की मुख्य भाग की प्रति संलग्न है।

7. यह कि उपरोक्त विवरण से स्पष्ट है कि जयधर गॉव में कोई खनन ग्राउण्ड वॉटर लेवल से 2 मीटर ऊपर तक ही किया जा सकता है उकसे नीचे नहीं किया जा सकता है। ग्राम जयधर एक जल योजना की बिल्कुल बराबर में है जहाँ पर भू-जल स्तर मात्र 0.5 से 1.5 मीटर से भी कम पर रहता है। जिस कारण यहाँ कोई खनन का ठेका नहीं दिया जा सकता है।
8. यह कि वर्ष 2010 में पूरे गॉव में पानी भर गया था जिसकी जाँच स्वयं अशोक सांगवान आई0ए0एस0 द्वारा की गई जिसकी रिपोर्ट दिनांक 30.11.2010 संलग्न है।
9. यह कि वर्ष 2010 की उप-जिलाधिकारी की रिपोर्ट दिनांक 15.12.2010 की प्रति संलग्न है।
10. यह कि जब से वहाँ लगातार पम्प सेट चलाकर पानी निकाला जाता है जिसकी फोटो संलग्न है। यहाँ खनन होने से पूरे गॉव को खतरा है व नहर को भी खतरा है।
11. यह कि उपरोक्त तथ्यों का उल्लेख करते हुए ग्राम वासीयों द्वारा वर्ष 2016 में भी प्रार्थना पत्र खनन न करने के लिए माननीय मुख्यमन्त्री के समक्ष दिया गया था जब भी खनन की अनुमति नहीं दी गई थी जिसमें निम्न बिन्दु उठाये गये थे-
 1. क्योंकि गॉव की भूमि में जल स्तर लगभग 2 मीटर की खुदायी ही पानी निकल आता है।
 2. इस भूमि में लगभग 30000 हजार पेड़ पोप्लर व कुछ पेड़ आम (बाग) के व अन्य काफी पेड़ मौके पर खड़े हैं।
 3. गॉव की आबादी की भूमि बहुत नजदीक है।
 4. गॉव की भूमि को चिन्हित करते वक्त मौका देखकर कोई सर्वे नहीं किया गया। अधिकारियों ने आनन फानन में गलत कार्य सर्वे रिपोर्ट तैयार की है इस भूमि में आम के बाग भी शामिल है।
 5. गॉव में पहले से ही भौरुखा पॉवर डैम दादूपुर की वजह से सेम की समस्या बनी हुई है भूमि की सेम की समस्या करें माननीय उपायुक्त महोदय यमुनानगर ने खुद गॉव का मौका करके अधिकारियों सहित अपनी रिपोर्ट तैयार भेजी हुई है।
 6. गॉव जैधर के चिन्हित भूमि के दक्षिण व पश्चिम दिशा में दो बड़ी नहरें चल रही हैं जिसकी वजह से भूमि में जलस्तर बहुत ऊपर रहता है कई बार तो गॉव में लगे नल व खेतों के ट्यूबवैल से खुद व खुद पानी बहता रहता है ऐसी भूमि में खनन संभव नहीं है।

प्रार्थना पत्र की प्रति संलग्न है।

12. यह कि एक मामले में हरियाणा सरकार द्वारा ग्राम जयधर में खनन के लिए भू-जल स्तर की जानकारी खनन विभाग से मांगी गई थी खनन विभाग द्वारा हाईड्रोलॉजी विभाग, ग्राउण्ड वॉटर सेल, अम्बाला से विशेष रूप से गॉवों के भू-जल स्तर की मांग की गई जिस जानकारी को हाईड्रोलॉजी विभाग अम्बाला द्वारा दिनांक 27.07.2016 को खनन अधिकारी को उपलब्ध कराया गया था जिसमें जयधर के भूजल स्तर 1.8 मीटर मानसून से पूर्व बतायी गई जबकि मानसून के बाद जल स्तर बढ़ जाता है। रिपोर्ट में जानकारी निम्न प्रकार उल्लेख है-

Memo:- with reference to the subject cited above, it is to inform you that the required information of water table of the villages mentioned in the letter is observed in the month of July 2016 is as under:-

Sr. No	Name of Village	Block	Depth to water Table (meters) below ground level	Remarks
1.	Jaidhar	Chhachhrauli	1.80	Reported (in mining area)

13. यह कि उपरोक्त रिपोर्ट को खनन अधिकारी यमुनानगर द्वारा महानिदेशक भूतत्व एवं खनिकर्म विभाग, चण्डीगढ़ को भेजी गई। सेंट्रल ग्राउण्ड वॉटर कमीशन द्वारा जनरल तहसील वाईस डाटा दिया जाता है जबकि हाईड्रोलॉजी विभाग द्वारा प्रतिवर्ष प्रत्येक गाँव का डाटा रखा जाता है जो एक विशेष डाटा है जनरल डाटा से विश्वसनीय विशेष डाटा है। जिससे खनिज विभाग के रिकॉर्ड पर स्पष्ट है कि जयधर का भूजल स्तर 2 मीटर से कम है। इसलिए वहाँ पर खनन नहीं किया जा सकता है। हाईड्रोलॉजी विभाग की रिपोर्ट दिनांक 27.07.2016 की प्रति व खनन अधिकारी यमुनानगर के पत्र की प्रति संलग्न है।

उपरोक्त सभी तथ्यों को ध्यान में रखते हुए जयधर गाँव में कोई खनन अनुमति न दी जाए यदि दी जा रही है तो रोका जाए नहीं तो गाँववासी मजबूरन न्यायालय की शरण में जाएंगे। अतः आपसे प्रार्थना है कि जयधर गाँव में कोई खनन अनुमति न दी जाए। आपकी अति कृपा होगी।

धन्यवाद

दिनांक: 04.10.2021

संलग्नक: उपरोक्तानुसार

प्रार्थीगण

Harbans Singh S/o Mangal Singh
S/o Mangal Singh

Gurpreet Singh
S/o Harchand Singh

Vikram
Vikramdeep Singh
S/o Harchand Singh

प्रतिलिपि:

1. श्रीमान सचिव, पर्यावरण एवं जलवायु परिवर्तन निदेशालय, हरियाणा राज्य, SCO-1-3, सैक्टर 17डी, चण्डीगढ़, हरियाणा।
2. श्रीमान निदेशक, भूतत्व एवं खनिकर्म विभागीय तल, डी0एच0एल0 स्क्वार्थ, सैक्टर 22, आईटी पार्क, पंचकुला, हरियाणा।
3. श्रीमान राज्य भू-विज्ञानी, भूतत्व एवं खनिकर्म विभाग, द्वितीय तल, डी0एच0एल0 स्क्वार्थ, सैक्टर 22, आईटी पार्क, पंचकुला, हरियाणा।
4. श्रीमान चैयरमैन, हरियाणा प्रदूषण नियन्त्रण बोर्ड, सी-11, सैक्टर 6, पंचकुला, हरियाणा।

5. श्रीमान सदस्य सचिव, स्टेट एक्सपर्ट एप्रीशियल कमेटी (SEAC), हरियाणा राज्य, पंचकुला हरियाणा।
6. श्रीमान चैयरमैन, राज्य पर्यावरण प्रभाव आंकलन प्राधिकरण, हरियाणा राज्य, बे नं० 55-58, प्रयत्न भवन, सैक्टर 2, पंचकुला, हरियाणा।
7. श्रीमान चैयरमैन, सेन्ट्रल ग्राउण्ड वॉटर बोर्ड, भूजल भवन, सी०जी०ओ० काम्पलैक्स रोड, न्यू इन्डस्ट्रीयल टाउन, फरीदाबाद, हरियाणा।
8. माननीय रजिस्ट्रार, राष्ट्रीय हरित प्राधिकरण, फरीदकोट हाउस, कापरनिकस मार्ग, नई दिल्ली।
9. श्रीमान सचिव, पर्यावरण वन एवं जलवायु परिवर्तन मन्त्रालय, भारत सरकार, जोर बाग रोड, लोधी कॉलोनी, नई दिल्ली।
10. श्रीमान क्षेत्रीय अधिकारी, हरियाणा राज्य प्रदूषण नियन्त्रण बोर्ड, एस०सी०ओ० 132, सैक्टर 17, हुडडा, यमुनानगर, हरियाणा।
11. श्रीमान खनन अधिकारी, यमुनानगर, हरियाणा।
12. श्रीमान डिप्टी कमीशनर, जिला यमुनानगर, हरियाणा।
13. श्रीमान उपजिलाधिकारी, जिला यमुना नगर, हरियाणा।
14. श्रीमान चैयरमैन, टाउन एवं कन्ट्री प्लानिंग विभाग, हुडडा काम्पलैक्स, सैक्टर 21, न्यू स्वामी विवेकानन्द कॉलेज, यमुनानगर, हरियाणा।

Amgaur 9416344224

सुधा सिंह

सुधा सिंह

Vmedlcamar 9850501404

शुभा

Vi 9812429653

Safar 935520958

Randhir singh

रंजित सिंह

सुधा सिंह

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शुभा 9813228019

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B Singh
BALDEV SINGH
NAMBARDAR
VILL-JAIDHAR

Proceeding of the Public Consultation (Hearing) under the provision of EIA notification 2006 (amended to date) for proposed mining of Boulder, Gravel and Sand (Minor Mineral) in Yamuna Nagar allotted M/s Saharanpur Mines Management Services Pvt. Ltd. on 19.04.2016 at 2:00 PM at Project Site Village - Jaidhar, Tehsil-Chhachhrauli, District-Yamuna Nagar having lease area of 25.60 ha. Having the capacity 4,60,000 TPA and the Project cost of Rs. 9.00 Crores held under Chairmanship of Dr. S.S. Phulla I.A.S., Deputy Commissioner, Yamuna Nagar.

The Public Consultation (hearing) was held as a mandatory requirement under EIA notification dated 14.09.2006 and subsequent amendment on date 15.01.2016.
Date & Time : 19.04.2016 at 02:00 PM.

Venue : At Site Village Jaidhar, Tehsil -Chhachhrauli, District-Yamuna Nagar, Haryana.

Chairman : Dr. S.S. Phulla I.A.S., Deputy Commissioner, Yamuna Nagar.

Officer / Officials Present

1. Sh. Sanjeev Kumar, Regional Officer, Yamuna Nagar Region, Haryana State Pollution Control Board.
2. Sh. Vipin Kumar, AEE, Yamuna Nagar Region, Haryana State Pollution Control Board.
3. Sh. Rajeev, Mining Officer, Yamuna Nagar.
4. Sh. Ranbir Sen, APRO, Yamuna Nagar.
5. Sh. VPS Walia, GMDIC, Yamuna Nagar.
6. Sh. RS Yadav, Environment Consultant, M/s Vardan Environet, Gurgaon.

Besides government officers/officials of the District Administration number of person from village i.e 89 and district Yamuna Nagar and other nearby villages were present during the public Hearing at the site Village Jaidhar for proposed project. The Hearing was also attended by Partners of Project Proponent.

- (Copy of the attendance, CD and Photographs prepared during hearing are enclosed herewith for reference)
- Copy of the executive summary of the EIA of "Yamuna Nagar mining of Sand (Minor Mineral)" at Village Jaidhar, Tehsil -Chhachhrauli, District-Yamuna Nagar, Haryana for proposed mining were distributed to the audience present in the hearing.

At the outset, Sh. R.S. Yadav, Environment Consultant (M/s Vardan Environet, Gurgaon) welcomed the Committee members, officers from the Haryana State Pollution Board and audience present in the public hearing.

Sanjeev Kumar, Regional Officer, Yamuna Nagar Region, Haryana State Pollution Control Board, welcomed the Deputy Commissioner, Yamuna Nagar Officers of the District Administration, panches & Sarpanches of surrounding area and public present in the hearing. He explained about the necessity of the public hearing being held under provision of EIA notification of 2006, amended to date. He detailed its legal requirement for obtaining clearance under the notification from MoEF, Govt. of India. He particularly emphasised that those present in the hearing should raised their queries/suggestion/objection regarding any problem which may crop after the coming of this project. He added that Haryana State Pollution Control Board bound to implement in Environmental Laws i.e. Water Act/ Air Act/ EP Act.

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66

Further formal permission to inaugurate the process of public hearing was guaranteed by the chairman Dr. S.S. Phulia, I.A.S., Deputy Commissioner, Yamuna Nagar.

Thereafter Sanjeev kumar, Regional Officer, requested project consultant to make the presentation for the project for information of all the people present.

The Project Consultant while making the presentation made a mentioned that the proposed project is a proposal of riverbed minor mineral mining and area of 25.60 ha. in above mentioned village of district Yamuna Nagar, total cost of the project shall be Rs.9.00 Crores. Consultant also explain the following:

1. Project Location
2. Salient Features of Project
3. Description of Project
4. Benefit of the Project
5. Mining Capacity, Raw material and By products
6. Topographical map
7. Baseline Environmental, Data including Air, Water, Soil quality and Noise Level
8. Air emission and control measures
9. Solid Waste Management
10. Noise Management
11. Green Development Plan
12. Environment Management Plan
13. Cost on Environment Management Plan
14. Corporate Social Responsibility

The details submitted by the consultant were recorded.

After the presentation, Sanjeev Kumar, Regional Officer, Yamuna Nagar, Haryana State Pollution Control Board requested the public to raise their questions/suggestion/objection.

Dr. S.S. Phulia, I.A.S., Deputy Commissioner, Yamuna Nagar, the brief introduction regarding this project has been given and also discussed the prospective and benefits of the Mining on this site.

The following questions were raised:-

1. **Name: Sh. Saahab Singh, Village- Jaidhar**

Ques: First of all, he welcomed the Hon'ble Deputy Commissioner, Yamuna Nagar, RO, HSPCB, Yamuna Nagar, all other officers and all stakeholders

1. He said that there is no mineable land in this village area and whole village is surrounding by water bodies and almost all land is agricultural land and the water table is available upto 1-1.5m depth only. He is not in favour of this mining project as this project will damage the fertility of the land.
2. He submitted that when mining was not restricted in this area that time also mining was not carried out due to the whole village is cultivable and full with greenery and no land available for mining because the water table in this area is upto 5 feet only. He also said that there is no description about Hida river and Hareva Forest which is located less than 1 km from the mining site. The roads are not able to transport the mineral loaded trucks, here only mini vehicle and bull cart run on this road.
3. The mining activity on this land against the environment and most of the farmers already in trouble due to flow of canal and seepage of Dadupur Thermal Plant near to their land and the farmers had already filled a case in Hon'ble High

94

Court and Central for Urbanal Tribunal for Electricity. The farmers also challenged the new Mining Act in Hon'ble High Court. He submitted that a survey had done by Irrigation department on expenses of Rs. 30 Lakhs and their 80 pages report proved that, the ground water table in this area is upto 4 feet. He said that the whole villagers and Gram panchayat are against this mining activity and any private land and Gram panchayat land are not available for mining.

4. He also submitted a written application to Deputy Commissioner and RO, HSPCB and requested that the targeted production of 4.60 Lakhs TPA of minerals is not feasible on this land and he said this village area is covered with poly-houses, farming land, gardens and agricultural land. There is no minable land in this village.

Reply:

1. The Environment Consultant, Sh. RS Yadav replied that the water table in Chhachhrauli tehsil is more than 10 m and he displayed the authenticated report of CGWB, Yamuna Nagar (2012) in which the water level of Chhachhrauli tehsil is shown as more than 10 meters and he also said that the Mining Dept. of Haryana Govt. permitted 9m of mining depth for this project and lease holder is bound to stop the mining operation 2 m above the ground water table at any stage during mining.
2. The Environment Consultant also said that the mineral rights of the any land may only vest with the mining department of the Haryana Government in the Haryana State either it is private land or Panchayat land or Government land hence, the Haryana Govt. legally and lawfully auctioned this area. The minerals are equally important as the agriculture. Because for the development of Country, the mineral is important for construction work/ infrastructure development work. The land of the this mining project is not falling in any forest and the notified Kalesar wildlife century is more than 10Km from the lease area. In this regard, NOC from DFO, Yamuna Nagar is obtained on dated 22.08.2015.
3. The Environment consultant and Lease holder replied that it has already been clarified that lease holder is bound to stop the mining operation 2m above the water table at any stage of mining.
First of all, before start of mining operation the lease holder will settle the compensation of the land with the land owners of project in mutually agreed financial terms and the govt. will also accept the same. In case of non-settlement of compensation amount with the land owner, the lease holder will deposit 10% of the contract money as tentative compensation to the Mining Officer/Deputy Commissioner, Yamuna Nagar for settlement of compensation. The affected land owner may file an appeal to DC Yamuna Nagar for seeking higher compensation of his project land. In addition to that, to redress such kind of grievances of land owners regarding damage of their cultivable land, first time Haryana Mining Department in their Minor Mineral Concession Rule, June 2012 made a provision of "Mines and Minerals Restoration and Rehabilitation Fund" in which the lease holder/contractor will deposit 10% of the annual contract money in advance to the mining department. This amount will be utilized to compensate the affected land owners and it will be monitored by concerned district level officers i.e. RO, HSPCB, Mining Officer by DC, Yamuna Nagar. In this case, Rs 67. 20 Lakhs per hectare will be deposited by the lease holders in this said fund.
4. The observations raised by him recorded in the report will be forwarded to competent authority for taking further necessary action.

2. **Name: Sh. Sunil Kumar, Village- Jaldhar.**

Ques: He said that earlier many project proponent promised for many social and welfare work for the villagers before starting the project but no one fulfilled their promises. He also said that according to Revenue Department about 350 acres land of village Jaldhar has already damaged by installation of Thermal Power plant and they filed many complaints to DC office. He said that ground water table in this area is upto 1to1.5 feet hence, he opposed this mining activity.

Reply: The Environment Consultant, Sh. RS Yadav replied that his question was repetition of Sh. Sahaab Singh in Para 1and the detailed reply has already been given.

3. **Name: Sh. Baldev Singh, Namberdaar, Village- Jaldhar**

Ques: He submitted that this area surrounded by the water bodies and he also stated that borewell in this area is upto 30 feet depth and water pressure is about 4 inches to flow which show that water table is available at 10-12 feet. Due to accumulation of water in some region the water table also rises in that area. He also said that the land of allotted mining lease area is only cultivable land in this village and the remaining area is filled with water and he further submitted that the agricultural activities such as farming of wheat, popular, mangoes etc. is being carried out in this mining lease area allotted land only. He said that there is no mineable land and whole land is agriculture land. He also opposed the mining project.

Reply: The Environment Consultant, Sh. RS Yadav replied that his question is same as previous and the detailed reply has already been given in above paras. He also said that lease holder is bound to stop the mining operation 2 m above the ground water table at any stage during mining. Mining activity will be stopped in the rainy season i.e. 65 days and mining will be done only 300 days in a year.

4. **Name: Sh. Virander Garg, Village- Jaldhar.**

Ques: He submitted that the villagers have very small land holding either 2-2.5 acres each and due to Dam nearby the land, it has already filled with water and it was inspected by previous DC, Yamuna Nagar Sh. Ashok Sangwaan. If the mining will be carried out in this land then the villager become unemployed. He again said that due to this mining activity many negative impact will be generated and there is no mineable land in the village and whole village is surrounding by water bodies and he himself and other villagers will not allow this mining activity.

Reply: The Environment Consultant, Sh. RS Yadav replied that the mining operation will not be carried out forcefully however, the lease holder will settle the compensation with the land owner in mutually agreed financially terms and take his consent before start of mining operation. The lease holder will stop the mining operation 2 m above the ground water table at any stage during mining. The Environment Consultant also submitted that the lease holder will deposit 10% of the contract money i.e. Rs 67. 20 Lakhs per year in "Mines and Minerals Restoration and Rehabilitation Fund" to Mining Department.

159

The amount of this fund will be utilized to compensate the affected land owner whose land may damage badly due to this mining activity. The officers of the district administration of Yamuna Nagar headed by DC will monitor about utilization of fund.

5. Name: Sh. Saahab Singh, Village- Jaidhar.

Ques: He stated that he himself and villagers are not willing to grant their consent to the lease holder to do the mining operation whatever may be the provisions of compensation and welfare schemes in favour of land owners.

Reply: The Environment Consultant, Sh. RS Yadav replied that this mining project have land of 25.60 ha in this village and at this stage today itself it is not possible to identify that the objections raised by above persons are actual land owner of this project or not. Before start of mining operation the mining lease area will be demarcated and individual land owner will be identified and compensation will be settled in mutually agreed financial terms with the land owners hence, mining operation will not be carried out force fully by the lease holder.

6. Name: Sh. Ramkumar, Village- Jaidhar.

Ques: He submitted that his 4-5 kila land situated near premises of public hearing and he requested to check the water level of that land and it is only 4-5 feet and he also said this water table is before pre-monsoon season and it will be raised in the post-monsoon.

He also stated that the report submitted by the lease holder claiming the water table is 9m in this area is not correct.

Reply: The Environment Consultant, Sh. RS Yadav replied that the lease holder is bound to stop the mining operation 2 m above the ground water table at any stage during mining.

7. Name: Sh. Satpal Singh, Subedaar, Village- Jaidhar.

Ques: He opposed this mining activity and he stated that at any cost he himself and land owners of the village will not allow the lease holder to carry out the mining operation.

Reply: The Environment Consultant, Sh. RS Yadav replied their observations have been recorded and same will be forwarded to the higher competent Environment Authority for taking further decision in this matter.

8. Name: Sanjeev Kumar, RO, Haryana State Pollution Control Board, Yamuna Nagar.

Ques: He questioned that what will be mitigation measures to prevent the air Pollution?

Reply: The Environment Consultant, Sh. RS Yadav and lease holder replied that regular water sprinkling will be carried out on the mining site and the Kachcha rasta used for transportation of minerals to suppress the dust particles and about 12.50 KLD water will be use for regular water sprinkling. A budget of Rs.19.50 Lakhs for Environment Protection measures including air pollution mitigation measures is provided. Minerals loaded vehicles will be covered by tarpaulin. Thick green belt will be developed along the boundry of

94

lease area and haul roads/kaccha roads and approx. 1000 No's of plants every year will be planted. Due care will be taken like manuring and watering of trees. These trees will be helpful to control the air and noise pollution. The mining operation will be temporary suspended during heavy wind flow to curb the air pollution.

9. Name: Vipin Kumar, AEE, Haryana State Pollution Control Board, Yamuna Nagar.

Ques:

1. He questioned that what are the provision in CSR activities for the local people?
2. What will be the time interval for the monitoring of ambient air quality and other Environmental parameters?

Reply:

1. The Environment Consultant, Sh. RS Yadav replied that a budget of Rs.11.25 Lakhs is provided for CSR activities. These activities are i.e. Provision of health checkup camps, scholarship to village students, vocational training, sanitation and drinking water facilities to the local people etc. In this mining project about 200-250 persons will get employment as drivers, helpers, cleaners, gardeners, guards and they will be employed from the nearby villages only.
2. The Environment Consultant, Sh. RS Yadav replied regular monitoring for the ambient air quality, Water, Noise and Soil and other environmental parameters will be done by NABL accredited Lab and its compliance reports will be submitted on every six monthly basis to Chairman, HSPCB and SEIAA, Haryana and concern RO, HSPCB. and a budget of Rs 4 Lakhs is also available for this purpose

10. Name: Dr. S.S. Phulia, IAS, Deputy Commissioner, Yamuna Nagar

Directed the lease holder will comply all the direction/orders of National Green Tribunal and other Courts also comply all Rules and Regulations.

The lease holder assured he will comply all the directions/Orders of Hon'ble NGT and other Rules and Regulations.

11. Name: Sh. Saahab Singh, Village- Jaidhar.

Ques: He question that from where the mineral loaded trucks will be transported for this project and who will give you land for passing of trucks because all of us against this mining project. Whole land of this village is fertile and cultivable hence, mining will not be allowed by villagers

Reply: The Environment Consultant, Sh. RS Yadav replied that the land of raasta for transportation of minerals will also be taken on lease from the concern land owner by paying adequate compensation to land owner by the lease holder. The other observations of Sh. Saahab Singh have been recorded in the proceeding and same will be forwarded to State Expert Appraisal Committee for taking further necessary action.

921

12. Name: Sh. VPS Walia, DIC, Yamuna Nagar.

Ques:

1. He questioned that how much dumpers will ply everyday and what is daily production ?
2. How much average water will be required to control air pollution?

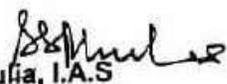
Reply:

1. The Environment Consultant, Sh. RS Yadav replied that 21 No's of dumpers will be ply everyday and the per day production will be 1533 Tons.
2. The Environment Consultant, Sh. RS Yadav replied that about 12.50 KLD water required for dust suppression and water will be supplied by hired tankers of nearby villages.

At last Sanjeev Kumar, Regional Officer, Yamuna Nagar Region thanked the public for attending the public hearing.

The public hearing was concluded with the vote of thanks to the chair.


Sanjeev Kumar
Regional Officer
Haryana State Pollution Control Board
Yamuna Nagar Region


Dr. S.S. Phulia, I.A.S
Deputy Commissioner-cum-chairman
Yamuna Nagar

तहसीलदार, छठरीली ।

सेवा में

उपायुक्त माझेदय,

यमुना नगर ।

क्रमांक 731/कसर दिनांक 19-10-2021

विषय:

Joint Siting Verification report of M/s Saharanpur Mines, Jaidhar (Block B-34).

उपरोक्त विषय बारे आपकी सेवा में अनुरोध है कि आपके कार्यालय द्वारा दूरभाष पर प्राप्त आदेशानुसार इल्का पटवारी, माईनिंग अफसर के साथ ग्राम जयधर में माईनिंग के लिए चिह्नित नम्बरों का मौका निरीक्षण करने उपरान्त राजस्व रिकार्ड अनुसार बिन्दुवार रिपोर्ट निम्न प्रकार से है:-

Sr.No.	Siting Parameter	Actual Distance (Kilo Meter)
1	The Minimum distance of the mining block from Dadupur Head Works.	01 K.M
2	The Minimum distance of mining block from Bhoruka Power Plant at Dadupur.	01.50 K.M
3	The minimum distance of mining block from WJC MLU which runs from Hathni Kund Barrage to Dadupur Pond	0.300 K.M

खन्नन अधिकारी यमुना नगर

तहसीलदार, छठरीली

19-10-21

To

M/s Saharanpur Mines Mangemant Services Pvt. Ltd,
Shop no. 12, Mukund Market, Janakpur Chowk, Distt. Saharanpur,
Through, Sh. Sushil Kumar S/o Sh. Rajbir Singh.
R/o Vill. Ganganpur, Tehsil. Barara,
Distt. Ambala.

Annexure-I

Subject: - Information regarding Urban Area & Controlled Area.

Reference: - Your application memo no TCP-OFA/18189/2021 dated 04.10.2021.

It is intimated that the land falling in Khasra No. 27//12, 13, 14, 16, 2, 17, 18/1, 18/2, 19, 20, 21, 22, 23, 24, 25, 26//25/1, 25/2, 32//1/1, 32//1/2, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 31//1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 31//17, 18, 19, 20, 21, 22, 23, 24, 25, 43//2, 3, 4, 5, 6, 30//11, 19, 20/1, 20/2, 21, 22, 23, 44//1, 44//2, 3 situated in the revenue estate of Vill. Jaidhar, (H.B. No:- 82), Tehsil. Khijarbad, Distt. Yamuna Nagar does not fall in any of the Urban Area or Controlled Area declared by Department of Town and Country Planning, Haryana. Thus, this information is given subject to the following conditions:-

- 1 That you will obtain the necessary permission from mining department before initiating any activity at site.
- 2 That it does not provide any immunity to the site from other Acts and Rules as may be applicable on it.
- 3 That you will abide by the provisions of Controlled Areas Act No. 41 of 1963/Urban Area Act No. 8 of 1975, when it comes into force at site.
- 4 That you will abide by the provisions of NBC/BIS code for any type of construction at site.
- 5 That in case of non fulfillment of the above, this letter shall stand cancelled automatically.

Beside above, in Model form for execution of mining contract dated 09.06.2016 Khasra no. 33//5 falls inside the Controlled Area Around Dadu Pur Head Works At Vill. Dadu Pur Cantt.

Hence you are directed to take license for this khasra on before starting any excavation work/construction any type of building etc.


District Town Planner,
Yamuna Nagar.


HARYANA STATE POLLUTION CONTROL BOARD
HSPCB SCO-131 Sector-17, HUDA Jagadhari Ph.01732-200137
Email:- hspcbroyr@gmail.com
Website: www.hrocmmms.nic.in E-Mail - hspcbho@gmail.com
Telephone No.: 0172-2577870-73

No. HSPCB/Consent/ : 313100421YAMCTE16113178
Dated:25/10/2021
To.
**M/s : SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED
 JAIDHAR BLOCK/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District**
Yamunanagar
YAMUNANAGAR
135003
**Sub. : Grant of consent to Establish to M/s SAHARANPUR MINES
 MANAGEMENT SERVICES PRIVATE LIMITED**

Please refer to your application no. 16113178 received on dated 2021-09-16 in regional office Yamuna Nagar.

With reference to your above application for consent to establish, M/s SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED is here by granted consent as per following specification/Terms and conditions.

Consent Under	AIR/WATER
Period of consent	25/10/2021 - 24/10/2026
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	9.0E7
Total Land Area (Sq. meter)	156000.0
Total Builtup Area (Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	1.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	Septic Tank
2. Trade	
Permissible Domestic Effluent Parameters	
1. NA	
Permissible Trade Effluent Parameters	
1. NA	
Number of stacks	1

Height of stack	
1. NA	
Permissible Emission parameters	
1. SPM	100 mg/m ³
Capacity of boiler	
1. NA	
Type of Furnace	
1. NA	
Type of Fuel	
1. NA	

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*

Terms and conditions

1. The industry has declared that the quantity of effluent shall be 1 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 1 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

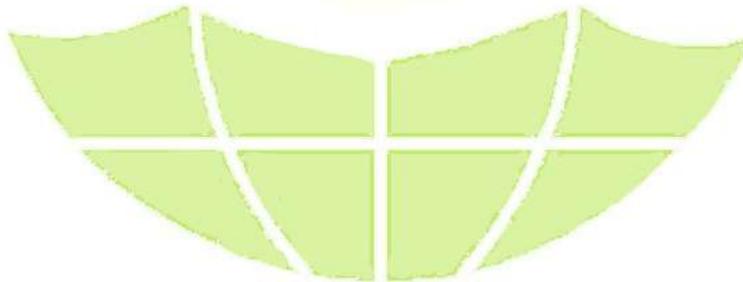
Specific Conditions

Other Conditions :

1. Unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC.
2. Unit will obtain the prior CTO before operation of the mines.
3. Unit if found involved in illegal mining CTE so granted will be revoked.
4. Unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/any other court.
5. The CTE is granted under Water Act 1974/ Air Act 1981 and if any violation reported against the unit at any stage, the closure action as per provisions of section 33 A of Water Act 1974 or 31 A of Air Act 1981 or under other relevant sections will be taken against the unit apart from prosecution against the unit and its partners/ proprietor/ stake holders /responsible person and unit will also be liable to pay the Environmental Compensation for the damage caused to the Environment because the act of omission and commission by the unit.
6. Unit will implement the Environment Management plan and will submit the recurring cost involved as per EC Condition and will also submit the detail of 5 persons engaged for implementation of Environment Management Plan.
7. Unit will submit the details of permission from CGWA if withdrawing ground water.
8. The mining operation shall be restricted to above ground water table and it should not intersect with ground water table.
9. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
10. Unit will comply with the traffic management plan.
11. Unit will do the sufficient no. of plantation as per commitment in EC.
12. Unit will provide the sufficient no. of sprinklers system and will maintain the same to for dust suppression and unit will also provide dedicated vehicles/tankers for water sprinkling.
13. Unit will comply the various conditions of Environment Clearance.
14. Unit will be liable for Environmental Compensation for any kind of Environment Violation/Damage and non compliance of various conditions of Environment Clearance or CTE granted.

HARYANA STATE

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*



Application Details

Print

From : M/S SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED (21YAM431666)

No : 16113178

Date : 16/09/2021 17:00:12

Sub : Application For - CTE / Air/Water / new

Activity: Forward**Description****Activity:** Verification**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 21/09/2021 12:01:**Forwarded To:** AEE**Activity:** Forward**Description**

SCN may be issued to unit for following observations- 1 Correct the address details in the Application form. 2 Not submitted proc submission of application to Forest department. 3 Not submitted compliance report of EC Conditions. 4 Not submitted copie: speaking order passed as per oder of Hon'ble High Court in CWP No. 1010 of 2018. 5 Not submitted Site Plan & Layout plan. 6 submitted Undertaking as per Annexure - A7 7 Not submitted latest order dated 13.09.2021 passed by Director , Mines.

Note By: Kuldeep Singh**Date Time:** 24/09/2021 13:07:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | | [View SCN \(NOC\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 24/09/2021 15:34:**Forwarded To:** AEE**Activity:** Forward**Description**

SCN for reminder may be issued please

Note By: Kuldeep Singh**Date Time:** 03/10/2021 14:02:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | | [View SCN \(NOC\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 11/10/2021 11:51:.**Forwarded To:** AEE**Activity:** Forward**Description**

The Executive Engineer Water Services Division, Dadupur Vide no. 6958-62/117-M dated 12.10.2021 Submitted that "With construction of Boruka Power Plant at Dadupur there exists the problem of seepage and water logging leading to heavy losses to farmers of village Harewa & Jaidhar who had filed CWP No. 3614 of 2016 (Sahab Singh & Others Vs State of Haryana) in the Hor High Court of Punjab & Haryana at Chandigarh to alleviate the problem of higher water level at Dadupur pond leading to undergro seepage which causes various problems i.e. water logging, damages to crops fields etc. The water table in this area is very high, As report of the Hydrologist submitted to mining officer Yamuna nagar vide this letter no. 326 dated 27.07.2016 the depth of water t: below ground level was 1.80 mtr. (copy enclosed) and the mining is allowed up to 02 mtr. Above the ground water level as per Gaz Notification of mining and geology department dated 27.04.2015. WJC MLU which runs from Hatnikund Barrage to Dadupur pond sandy strata and therefore any mining activity in this area may adversely affect. SCN may be issued to Unit to clarify the position

Attached Letter: Letter Attached By Officials

[View Letter](#)**Note By:** Kuldeep Singh**Date Time:** 13/10/2021 16:32:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Attached Letter:** [Letter Attached By Officials](#)
[View Letter](#)**Note By:** Kuldeep Singh**Date Time:** 13/10/2021 16:34:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | | [View SCN \(NOC\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 14/10/2021 10:51:!**Forwarded To:** AEE**Activity:** Forward [View Document](#)**Description**

The reply of show cause notice issued on 24.09.2021 1. Address in Application corrected. 2. Proof of submission in forest already submitted in hard copy in your office. 3. Unit is yet to be in operation and we undertake that we will comply with all condition of EC Copy of speaking order submitted in hard copy in your office. 5. It's a mining activity and so no layout plan of machinery is available no fixed machinery is involved. 6. Copy of undertaking is enclosed. 7. Director orders submitted in hard copy in your office. The reply show cause notice issued on 14.10.2021 We have already submitted reply in hard copy in your office So you are hereby requested to grant the CTE at the earliest

Note By: 21YAM431666 (Ind**Date Time:** 22/10/2021 19:14:.**Forwarded To:** AEE**Activity:** Forward**Description**

The unit is a mining outside River Bed unit. The unit has obtained Environment Clearance from SEIAA. It is further submitted that operation of said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 in the said matter Hon'ble High Court disposed of the matter with the directions to the state of haryana to pass speaking orders and till then stay orders will remain in force. The State of haryana(mining department) vide orders dated 13.09.2021 passed speaking orders and allowed the mining. The detailed recommendation is enclosed. The unit has submitted the desired documents as per policy of the board so CTE may be granted with the terms and conditions referred in the detailed report.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)**Activity:** Verification Closed | [View Verification Report](#) |**Description****Note By:** Kuldeep Singh**Date Time:** 22/10/2021 21:16:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

The detailed report may be referred in the note history of the field officer dated 22.10.2021. The unit is a mining outside River Bed unit. The unit has obtained Environment Clearance from SEIAA. It is further submitted that the operation of said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 in the said matter Hon'ble High Court disposed of the matter with the directions to the state of haryana to pass speaking orders and till then stay orders will remain in force. The State of haryana(mining department) vide orders dated 13.09.2021 passed the speaking orders and allowed the mining. Case is fit for grant of CTE and unit submitted the desired documents as per policy of the board. The unit has submitted desired documents as per policy of the board so CTE may be granted with the terms and conditions referred in the detailed report (report enclosed as per the note history of field officer dt. 22.10.2021).

Note By: Nirmal Kasyap (Regional O**Date Time:** 22/10/2021 21:19:

Forwarded To: EE HEPC

Activity: Forward
Approval/Refusal Status: Approved
Description

Note By: Vinay Gautam (EE I)
Date Time: 23/10/2021 07:57:

Forwarded To: Regional Officer

Activity: Forward
Description
Activity: Close After Approval
Description

Note By: Nirmal Kasyap (Regional O)
Date Time: 25/10/2021 16:04:

Forwarded To: Regional Officer

Application Form Updated on: 29-10-2021

HARYANA STATE POLLUTION CONTROL BOARD**C-11,SECTOR-6 PANCHKULA****Ph.2577870-73 Fax:01722581201-02****HSPCB**

From: Industry ID-21YAM431666



M/s. SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED

JAIDHAR BLOCK/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District Yamunanagar

To

The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

Sir,

I/We hereby apply to consent/authorization for the year 25/10/2021 to 30/09/2022 Application
No. 17349612 dated 26-10-2021

1. Consent to /operate/renewal of consent under section 25 & 26 of the Water(Prevention and Control of Pollution)Act,1974 as amended
2. Consent to /operate/renewal of consent under section 21 of the Air(Prevention and Control of Pollution)Act,1981 as amended
3. Authorization/renewal of authorization under Rule 5 of the Hazardous Waste(Management and Handling Rules)1999 as amended in connection with my/our existing/proposes/alterd/additional manufacturing/processing activities from the premises as per details given below:-

PART A: GENERAL

1. Name : SUSHIL KUMAR
Designation : DIRECTOR
Office Address :
Telephone/Fax and : -,-
Email Address of the applicant :
2. (a) Name and location of the Industrial Unit/Premises for which the application is made.(Give Revenue Survey No/Plot No.,name of the Tulaka and District,also Telephone No. and Fax No.) : SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED
JAIDHAR BLOCK/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District Yamunanagar
-
0000-00000
(b) Details of Planning Permission obtained from Municipal Corporation /directories of Urban Development of Town & Country palnning/Haryana Urban Development authority,whichever applicable. :
(c) Name of Municipal Corporation/ Panchayat Samiti/Panchayat under whose jurisdiction the unit is Located and name of the license issuing Authority. :

3. Name
Address
Telephone No.,Fax and
E-mail address
of the officer responsible for the matter connected with Pollution Control and Hazardous Waste Disposal.

S.No.	Name	Designation	Residential Address	Email Id	Mobile Number	Owner Type
1	SUSHIL KUMAR	Board of director	VILLAGE GANGAN PUR, TEHSIL BARARA, DISTRICT YAMUNA NAGAR	anshul.mangla16@gmail.com	9050800087	DIRECTOR

4. If registered as a small-scale industrial unit, give Number and Date of registration. : U14220UP2008PTC034927, 01/01/2021
5. Gross Capital Investment of the unit without depreciation till the date of application (cost of building, land, plant and machinery) (to be supported by affidavit, annual report and certificate from Chartered Accountant. For proposed units, give estimated figure (In Lakhs)). : 900.0
6. If the site is located near river bank/other water bodies; indicate the name and distance of the water body.

Sr. No.	Surrounding of site	Distance (in meters)	Description
1	Villages	2000	Village Jaidhar had adjoining cillages

7. Does the location satisfy the requirements under relevant Central/State Government notifications on ecologically fragile area etc., if so give details. : It satisfies the requirements

8. If the site is situated in notified industrial estate:

(a) Whether effluent collection, treatment and disposal system has been provided by the authority;

NO

(b) will the applicant utilize the system, if provided;

NO

(c) if not provided, details of proposed arrangement for the treatment of effluent.

9. Total Plot Area, Built up Area and Area available for the use of treated sewage/trade effluent. : Total Plot Area :
Built-up Area :

10. Month and year of proposed commissioning of the unit. : 30/09/2021

11. Number of workers and office staff. :

12. (a) Do you have a residential colony within the Premises in respect of which the present application is made? : YES

(b) If yes, please state population staying

(c) indicates its location and distance with reference to plant site.

13. List of products and by-products manufactured in tones/Month, Kiloletre/Month or Numbers/Month (give figures corresponding to maximum installed production capacity).

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	Boulder, Gravel and Sand (BGS)	Metric Tonnes/Day	1533.33	1533.33	1533.33	1533.33

Sr. No.	Name of the By-Products produced/to be produced		Quantity of By-Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	NA	Metric Tonnes/Day	0	0	0	0

14. List of raw-material and process of Chemicals with Annual consumption corresponding to above stated Production Figures, in tones/month or numbers/month.

S.No.	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
1	Boulder, Gravel and Sand (BGS)	1533.3	Metric Tonnes/Day

15. Description of Process of manufacture for each products showing input/output, quality and quantity of solid, liquid and gaseous wastes, if any, forms each unit process. (to be supported by flow sheet and material balance).

PART B: WASTE WATER ASPECTS (FOR WATER OF CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

16. Water consumption for different uses (m³/day).

Sr. No.	Water Consumed For	Quantity(KLD)
1	Sanitation/Domestic/Horticulture	11.5
2	Process and wash	24.5

17. Source of water supply, Name of authority granting permission if applicable and quality permitted.

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Tubewell	WATER TANKER	36.0

18. Water Treatment Details :

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Any Other Plantation	10.0	No	
2	Domestic Effluent 11.5	11.5	Yes	Sewer

19. Waste Water Discharge/Dosposal Details :

S.No	Type of Effluent	Maximum Generation Quantity of Effluent(KLD)	Effluent to be Recycle(KLD)	Effluent Disposal/Discharge Quantity (KLD)	Mode of disposal
1	Any Other Plantation	0.0	0.0	0.0	Others

20. Quality of untreated/treated effluents(specify pH and concentration of suspended solids, Bio chemical,Oxygen Demand and specific pollutants relevant to the industry.Total dissolved solids to be reported for disposal on the land or into stream/river).
Enclose a copy of latest report of analysis from the laboratory approved/ recognized by Haryana State Pollution Control Board/Central Government in the Ministry of Environment and Forest. For proposed unit furnish expected characteristics of untreated/treated effluents.

Sr. No.	Type of Effluent	Parameters	Conc. of Pollutant		Unit	Date of report	Report analysis no.	Name of Laboratory
			Untreated	Treated				
1	Any Other Plantation	Nickel	0	0	mg/l	26/10/2021	0	NA

PART C: AIR EMISSION ASPECTS(FOR AIR CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.

21. Fuel Consumption :

Fuel Name	Daily Consumption(T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
-----------	--------------------------	------	-----------------	--------------	------------------	--------

22. Details of Stack

Stacks Numbers :	
Stack Attached to:	
Fuel type:	
Fuel Quantity:	
Material for construction of Stack:	
Shape (Round/Rectangle):	
Height above ground level(in metres):	
Diameters/Size in meters	
Gas quantity Nm³/hr:	
Gas Temperature 'C:	
Exit velocity of Tones/sec:	

Details of DG Set:

Sr. No.	Capacity of D.G. set in(KVA)	Quantity of Fuel used/to be used (in Lts./day)	Ht. of Stack provided/to be provided above roof level(in mts.)	Whether canopy/acoustic enclosure provided/ to be provided(please define clearly)
1	62	20	1	Yes

23. Do you have an adequate facility of collection of samples of emission in the form of portholes, platforms, ladder etc., as per Central Board Publication 'Emissions Part iii'(December1985). : YES
24. Quality of treated fuel gas emission and process emissions. Specify concentration of criteria pollutants and industry/process specific pollutants stack wise. Enclose a copy of latest report of analysis from the approved/ recognized laboratory by Haryana State Pollution Control Board/ Central Government in the Ministry of Environment and Forest. For proposed units, furnish the expected characteristics for the emission.

Fuel Gas Emission quality parameter details:

Sr. No.	Stack	Parameters	Result	Units
-----NIL-----				

Process Emission quality parameter details:

Sr. No.	Process	Parameters	Conc. of pollutants		Units
			Untreated	Treated	
-----NIL-----					

Details of Process Emission:

Sr. No.	Source of Generation of process Emissions	Name of the emissions(i.e SO2/NOx/Acid Mist/any other).	Details of APCD provided/to be provided to control process emissions.	Height of Stack provided/to be provided for discharge of process emissions(in mts)..		Whether emission sampling facilities provided or not
				Above Ground Level	Above Roof Level	
-----NIL-----						

PART E: ADDITIONAL INFORMATION

28. (a) Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emission and hazardous waste. :
 (b) If yes,give details with time-schedule for the implementation and approx. expenditure to be incurred on it.
29. Capital and Recurring (Operations and Maintenance) expenditure on the various aspects of environment protection such as effluent emission HW solid waste tree plantation monitoring data acquisition etc. :
 30. To which the pollution Control equipment separate meters for recording consumption of electric energy are installed? :
 31. Which of the pollution Control items are connected to Diesel Generator set (captive power source) to ensure the running in the event of normal power failure. :
 32. Name, quantity and method of disposal non-hazardous solid waste generated separately from the process of manufacture and waste treatment(give details of area/ capacity available in applicants land). :
 33. Hazardous chemicals are defined under the Manufacture, Storage and Import of Hazardous Chemicals, Rules 1989. :
 (a) List of Hazardous Chemicals stores(imported and indigenous). :
 (b) Details of isolated storage. :
 (c) Details of emergency preparedness plans (On-Site/ Off-Site prepared). :
 34. Brief details of tree plantation/ green belt development within applicant's premises. :
 35. Information of schemes for waste minimization, source recovery and recycling implemented and to be implemented, separately. :
 36. Any other additional information that the applicant desires to give. :
 37. I/We further declares that the information furnished above is correct to the best of my/our knowledge.

38. I/We hereby submit that I am the authorised person of this unit to apply for CTO and incase of any change from what is stated in this application in respect of raw-materials, products, process of manufacture & treatment and/or disposal of emissions, hazardous waste etc. in quality & quantity; a fresh application for consent/authorization shall be made & until the grant of fresh consent/ authorization, no change shall be made.
39. I/We undertakes to furnish any other information within 1 month of its being called by the Board/Committee.
40. I/We agreed to submit to the board an application for renewal of consent/autorization 3 months in advance before the date of expiry of the consent/authorization validity period.
41. I/We deposit Rs.....(.....rupees) in favour of Haryana State Pollution Control Board as the fee for Consent/ Authorization.

Sr. No.	Fee For	Bank Name	Branch	DD No./Cheque No.	Date	Amount(in Rs.)

42. Declaration about awareness of the prescribed standards :-

a.) That I am aware of the provisions of the Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

Yours faithfully,

Signature _____
Name SUSHIL KUMAR
Designation DIRECTOR

b.) That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 after commissioning of our unit.

c.) That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production with out installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.

d. In Case of any of the non-compliance by the unit, the Board will be at liberty to forfeit the performance security deposited along with the security case.

DOCUMENTS ENCLOSED:

1. Declaration for auto renewal of CTO on prescribed performa
2. Any other document 2
3. Any other document 1
4. C.A. Certificate regarding capital investment cost w.r.t. land building, plant and machinery of the proposed project.
5. CompleteMachAttach
6. EnvirImpactAttach

**** This is System Generated Form Signature not Required ****



HARYANA STATE POLLUTION CONTROL BOARD

SCO-131 Sector-17, HUDA Jagadhari Ph.01732-200137 Email:- hspcbroyr@gmail.com

E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 313100421YAMCTO17349612

Dated:30/10/2021

To.

M/s :SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED
JAIDHAR BLOCK/ YNR B34 Village Jaidhar, Tehsil Chhachrauli, District Yamunanagar

Subject: Grant of consent to operate to M/s SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED.

Please refer to your application no. 17349612 received on dated 2021-10-26 in regional office Yamuna Nagar. With reference to your above application for consent to operate, M/s SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	30/10/2021 - 30/09/2022
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	900.0
Total Land Area(Sq. meter)	156000.0
Total Builtup Area(Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	1.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	Septic Tank
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. NA	
Emission parameters	
1. SPM	100 mg/m3
Product Details	

1. BOULDER GRAVEL SAND	1525 Metric Tonnes/day
Capacity of boiler	
1. NA	
Type of Furnace	
1. NA	
Type of Fuel	
1. NA	
Raw Material Details	
BOULDER GRAVEL SAND	1525 Metric Tonnes/Day

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any

account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.

12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.

13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.

14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.

15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.

16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1 Unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC.

2 Unit if found involved in illegal mining CTO so granted will be revoked .

3 Unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/any other court.

4 Unit will run and maintain the APCM & green belt.

5 The CTO is granted under Water Act 1974/ Air Act 1981 and if any violation reported against the unit at any stage, the closure action as per provisions of section 33 A of Water Act 1974 or 31 A of Air Act 1981 or under other relevant sections will be taken against the unit apart from prosecution against the unit and its partners/ proprietor/ stake holders /responsible person and unit will also be liable to pay the Environmental Compensation for the damage caused to the Environment because the act of omission and commission by the unit.

6 Unit will implement the Environment Management plan and will submit the recurring cost involved as per EC Condition and will also submit the detail of 5 persons engaged for implementation of Environment Management Plan.

7 Unit will submit the details of permission from CGWA if withdrawing ground water.

8 The mining operation shall be restricted to above ground water table and it should not intersect with ground water table.

9 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.

10 Unit will comply with the traffic management plan.

11 Unit will do the sufficient no. of plantation as per commitment in EC.

12 Unit will provide the sufficient no. of sprinklers system and will maintain the same to for dust suppression and unit will also provide dedicated vehicles/tankers for water sprinkling.

13 Unit will comply the various conditions of Environment Clearance.

14 Unit will be liable for Environmental Compensation for any kind of Environment

Violation/Damage and non compliance of various conditions of Environment Clearance or CTE/CTO granted.

15 Unit will submit AR within 03 months.

*Regional Officer, Yamuna Nagar
Haryana State Pollution Control Board.*



Application Details

[Print](#)**From :** M/S SAHARANPUR MINES MANAGEMENT SERVICES PRIVATE LIMITED (21YAM431666)**No :** 17349612**Date :** 26/10/2021 10:26:25**Sub :** Application For - **CTO / both / new****Activity:** Forward**Description****Activity:** Verification**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 26/10/2021 10:51:.**Forwarded To:** AEE**Activity:** Forward**Description**

Unit had applied 1st time for CTO necessary Permission for Inspection may be granted

Note By: Kuldeep Singh**Date Time:** 27/10/2021 15:45:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Clarification (**Send To Industry**) | **Reminder** | |**Number of Days** 07**Description**

Deposit CTO fees.

Note By: Nirmal Kasyap (Regional O**Date Time:** 28/10/2021 17:44:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

Permission granted.

Note By: Nirmal Kasyap (Regional O**Date Time:** 28/10/2021 17:45:**Forwarded To:** AEE**Activity:** Forward**Description**

SCN may be issued to unit to submit CTO Fees.

Note By: Kuldeep Singh**Date Time:** 28/10/2021 18:44:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | | [View SCN \(both\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 29/10/2021 12:29:.**Forwarded To:** AEE**Activity:** Forward [View Document](#)**Description**

Respected Sir, We have made two transection of 197000/- each by online mode and balance amount Demand Draft (Copy enclos Submitted at you good office.

Note By: 21YAM431666 (Ind**Date Time:** 29/10/2021 13:39:**Forwarded To:** AEE**Activity:** Forward**Description**

correct the cost detail in the application form

Note By: Kuldeep Singh**Date Time:** 29/10/2021 14:14:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Activity:** Show Cause (**Send To Industry**) | **Reminder** | | [View SCN \(both\) For Refusal](#)**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 29/10/2021 14:16:**Forwarded To:** AEE**Activity:** Forward**Description**

Respected Sir, Cost Corrected.

Note By: 21YAM431666 (Ind**Date Time:** 29/10/2021 14:19:**Forwarded To:** AEE**Activity:** Forward**Description**

Unit had obtained CTE from the board vide no HSPCB/Consent/ : 313100421YAMCTE16113178 Dated:25/10/2021. Now the unit applied for first CTO and submitted the CTO fees of Rs. 5 Lac (3.94 Lacs online and 1.06 Lac through DD vide no. 000246 29.10.2021. The unit is a mining outside River Bed unit. The unit has obtained Environment Clearance from SEIAA. It is further submitted that the operation of said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 in the said matter Hon'ble High Court disposed of the matter with the directions to the state of hary to pass speaking orders and till then stay orders will remain in force. The State of haryana(mining department) vide orders dated 13.09.2021 passed the speaking orders and allowed the mining. In view of above if agreed it is proposed that CTO may be granted to the unit for the period 29.10.2021 to 30.09.2022 with the following terms and condition :- 1 Unit will comply the Order of NGT, India Delhi vide Dated 01.06.2016 & 06.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC. 2 Unit if found involved in illegal mining CTO so granted will be revoked . 3 Unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/any other court. 4 Unit will run and maintain the APCM & green belt. 5 The CTO is granted under Water Act 1974/ Air Act 1981 and if any violation reported against the unit at any stage, the closure action as per provision section 33 A of Water Act 1974 or 31 A of Air Act 1981 or under other relevant sections will be taken against the unit apart from prosecution against the unit and its partners/ proprietor/ stake holders /responsible person and unit will also be liable to pay Environmental Compensation for the damage caused to the Environment because the act of omission and commission by the unit. Unit will implement the Environment Management plan and will submit the recurring cost involved as per EC Condition and will submit the detail of 5 persons engaged for implementation of Environment Management Plan. 8 Unit will submit the detail of permission from CGWA if withdrawing ground water. 9 The mining operation shall be restricted to above ground water table and should not intersect with ground water table. 10 The mineral transportation shall be carried out through covered trucks only and vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used. 11 Unit will comply with traffic management plan. 12 Unit will do the sufficient no. of plantation as per commitment in EC. 13 Unit will provide the sufficient of sprinklers system and will maintain the same to for dust suppression and unit will also provide dedicated vehicles/tankers for water sprinkling. 14 Unit will comply the various conditions of Environment Clearance. 15 Unit will be liable for Environmental Compensation for any kind of Environment Violation/Damage and non compliance of various conditions of Environment Clearance or CTE/CTO granted. 16 Unit will submit AR within 03 months.

Activity: Verification Closed | [View Verification Report](#) |**Description****Note By:** Kuldeep Singh**Date Time:** 29/10/2021 14:41:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

Attach the inspection report

Note By: Nirmal Kasyap (Regional O

Date Time: 29/10/2021 14:43:

Forwarded To: AEE

Activity: Forward

Description

Inspection report is attached.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Kuldeep Singh

Date Time: 29/10/2021 14:49:

Forwarded To: AEE

Activity: Forward

Description

Inspection report is attached.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Kuldeep Singh

Date Time: 29/10/2021 14:50:

Forwarded To: Regional Officer

Activity: Forward

Description

Unit had obtained CTE from the board vide no HSPCB/Consent/ : 313100421YAMCTE16113178 Dated:25/10/2021. Now the unit applied for first CTO and submitted the CTO fees of Rs. 5 Lac (3.94 Lacs online and 1.06 Lac through DD vide no. 000246 29.10.2021. The unit is a mining outside River Bed unit. The unit has obtained Environment Clearance from SEIAA. It is further submitted that the operation of said mines was stayed from High Court in CWP no.1010/2018 vide orders dated 16.02.2018. Further vide decision dated 14.01.2020 in the said matter Hon'ble High Court disposed of the matter with the directions to the state of haryana to pass speaking orders and till then stay orders will remain in force. The State of haryana(mining department) vide orders dated 13.09.2021 passed the speaking orders and allowed the mining. The unit has submitted the desired documents as per policy of board. The case is fit for grant. In view of above it is proposed that CTO may be granted to the unit for the period 29.10.2021 to 30.09.2022 with the following terms and condition :- 1 Unit will comply the Order of NGT, New Delhi vide Dated 01.06.2016 in the case of the OA NO 184/2013, 176/2016 & 272/2016 in the case of GURPREET SINGH BAGGA vs MoEF & CC. 2 Unit found involved in illegal mining CTO so granted will be revoked . 3 Unit will abide the directions/ orders of Hon'ble Supreme court /H.Court/NGT/any other court. 4 Unit will run and maintain the APCM & green belt. 5 The CTO is granted under Water Act 1974/ Air Act 1981 and if any violation reported against the unit at any stage, the closure action as per provisions of section 33 A of Water Act 1974 or 31 A of Air Act 1981 or under other relevant sections will be taken against the unit apart from prosecution against the unit and its partners/ proprietor/ stake holders /responsible person and unit will also be liable to pay the Environmental Compensation for damage caused to the Environment because the act of omission and commission by the unit. 6 Unit will implement the Environment Management plan and will submit the recurring cost involved as per EC Condition and will also submit the detail of 5 persons engaged for implementation of Environment Management Plan. 7 Unit will submit the details of permission from CGWA if withdrawing groundwater. 8 Unit will submit the details of permission from CGWA if withdrawing groundwater. 9 The mining operation shall be restricted to above ground water table and it should not intersect with ground water table. 10 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used. 11 Unit will comply with the traffic management plan. 12 Unit will maintain the sufficient no. of plantation as per commitment in EC. 13 Unit will provide the sufficient no. of sprinklers system and will maintain the same to for dust suppression and unit will also provide dedicated vehicles/tankers for water sprinkling. 14 Unit will comply with various conditions of Environment Clearance. 15 Unit will be liable for Environmental Compensation for any kind of Environment Violation/Damage and non compliance of various conditions of Environment Clearance or CTE/CTO granted. 16 Unit will submit the report within 03 months.

Note By: Nirmal Kasyap (Regional Officer)

Date Time: 29/10/2021 14:57:

Forwarded To: EE HEPC

Activity: Forward

Description

Pl. submit report about compliance of all the conditions of CTE and EC verified at site.

Note By: Vinay Gautam (EE I)

Date Time: 29/10/2021 16:47:

Forwarded To: Regional Officer

Activity: Forward

Description

Note By: Nirmal Kasyap (Regional Officer)

Date Time: 29/10/2021 17:06:**Forwarded To:** AEE**Activity:** Forward**Description**

Unit has submitted the desired documents regarding compliance of conditions of CTE and EC.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Kuldeep Singh**Date Time:** 30/10/2021 14:09:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

Unit has submitted the desired documents attached in the note history of AEE dated 30.10.2021 regarding compliance of condition CTE and EC.

Note By: Nirmal Kasyap (Regional O**Date Time:** 30/10/2021 14:15:**Forwarded To:** EE HEPC**Activity:** Forward**Description**

FO is requested to submit report about compliance of all the conditions of CTE and EC verified at site.

Note By: Vinay Gautam (EE I**Date Time:** 30/10/2021 15:52:**Forwarded To:** Regional Officer**Activity:** Forward**Description****Note By:** Nirmal Kasyap (Regional O**Date Time:** 30/10/2021 17:02:**Forwarded To:** AEE**Activity:** Forward**Description**

The unit has made agreement with the Dr. Vipin Sharma for occupational health services. Unit had submitted the Traffic Manager Plan and also provided toilet facility at site. Unit had also hired water tanker for the sprinkling purpose. Unit had also done the plantation at the site. Unit has complied with CTE and EC conditions. The photographs of site at the time of inspection are attached. The case is resubmitted for approval please.

Attached Letter: [Letter Attached By Officials](#)
[View Letter](#)

Note By: Kuldeep Singh**Date Time:** 30/10/2021 17:05:**Forwarded To:** Regional Officer**Activity:** Forward**Description**

The case is resubmitted for approval please.

Note By: Nirmal Kasyap (Regional O**Date Time:** 30/10/2021 17:09:**Forwarded To:** EE HEPC**Activity:** Forward**Description**

Approved for grant as recommended by RO

Note By: Vinay Gautam (EE I**Date Time:** 30/10/2021 17:54:**Forwarded To:** Regional Officer

Activity: Forward
Approval/Refusal Status: Approved

Description

Note By: Nirmal Kasyap (Regional O

Date Time: 30/10/2021 18:30:

Forwarded To: Regional Officer

Activity: Forward

Description

Activity: Close After Approval

Description

Note By: Nirmal Kasyap (Regional O

Date Time: 30/10/2021 18:30:

Forwarded To: Regional Officer

110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19286 of 2021 (O&M)

Date of decision : 28.09.2021

Sajjan Singh

..... Petitioner

versus

Union of India & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MRS.JUSTICE ALKA SARIN**

Present : Mr. Shailendra Jain, Senior Advocate with
Mr. Peeyushi Diwan Jain, Advocate for the petitioner.

Mr. Anand Chhibbar, Sr. Advocate with
Mr. Anshul Mangla, Advocate
for respondent No.5-caveator.

AJAY TEWARI, J. (Oral)

After arguing for sometime, learned counsel for the petitioner prays for permission to withdraw the present petition with liberty to file a Public Interest Litigation on the same cause of action.

Allowed as prayed for.

Dismissed as withdrawn with the aforesaid liberty.

Since the main case has been decided, the pending Miscellaneous Application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

**(ALKA SARIN)
JUDGE**

28.09.2021

pooja sharma-I

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No

**Regional Office, Yamuna Nagar Region
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar
Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com
Contact No. 01732-268137, 237840

No. HSPCB/YR/2022/ 4071-72

Dated: 27/07/2022

To

1. The Deputy Commissioner,
Yamuna Nagar.
2. The Superintendent of Police,
Yamuna Nagar.

Sub:-

Original Application No. 306/2022 titled as Harbans Singh Vs State of Haryana & Ors pending before Hon'ble NGT, New Delhi.

In this connection, please refer to the NGT order OA No. 306/2022 titled as Harbans Singh Vs State of Haryana & Ors. (Copy Enclosed). The Hon'ble NGT in OA No. 306/2022 has passed following directions:-

"4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and validity of mining leases allegedly granted in violation of the environmental norms, notifications, rules and regulations.

5. Let notice be issued to Respondents requiring them to file replies specifically responding to all material averments made in the application within two months. The applicant is directed to take requisite steps for service of notices on the respondents and file his affidavit regarding the same by email at judicial-ngt@gov.in.

6. In the meanwhile no mining activities be allowed in the mining sites in question in villages Jhaidhar & Mandewala respectively and Deputy Commissioner and Superintendent of Police, Yamuna Nagar shall take requisite steps for ensuring prevention of any illegal mining.

7. List the matter for further consideration on 28.07.2022.

8. A copy of this order, along with a copy of the application and its annexures be forwarded to the Deputy Commissioner and Superintendent of Police, Yamuna Nagar by e-mail for compliance."

The next date in the matter is 30.08.2022.

Submitted for information & necessary action please.

DA: as above.



ok

Carveen
28-7-22

Regional Officer
Yamuna Nagar





Regional Office, Yamuna Nagar Region
Haryana State Pollution Control Board
 S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar
 Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com
 Contact No. 01732-268137, 237840

MOST URGENT

To

M/s Saharanpur Mines Management Services Pvt. Ltd.,
 Village Mandewala, Tehsil Chhachhrauli,
 Mandewala Block/ YNR B-38,
 District Yamuna Nagar.

Subject: Directions to immediate stop the mining in view of orders dated 06.05.2022 issued by Hon'ble NGT in OA No. 306/2022 titled as Harbans Singh Vs State of Haryana & Ors pending before Hon'ble NGT, New Delhi.

In this connection, it is informed that a complaint has been filed by Sh. Harbans Singh before the National Green Tribunal, Principal Bench at New Delhi vide OA No. 306 of 2022 titled as Harbans Singh Vs State of Haryana & Ors against your unit. The Hon'ble NGT has passed an order dated 06.05.2022. Whereas directions has been passed. The relevant portion of the order is re-produced as under:-

4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and validity of mining leases allegedly granted in violation of the environmental norms, notifications, rules and regulations.

5. Let notice be issued to Respondents requiring them to file replies specifically responding to all material averments made in the application within two months. The applicant is directed to take requisite steps for service of notices on the respondents and file his affidavit regarding the same by email at judicial-ngt@gov.in.

6. In the meanwhile no mining activities be allowed in the mining sites in question in village; Jhaidhar & Mandewala respectively and Deputy Commissioner and Superintendent of Police, Yamuna Nagar shall take requisite steps for ensuring prevention of any illegal mining.

7. List the matter for further consideration on 28.07.2022.

8. A copy of this order, along with a copy of the application and its annexures be forwarded to the Deputy Commissioner and Superintendent of Police, Yamuna Nagar by e-mail for compliance."

Whereas your unit in the above OA No. is referred as respondent no. 9.

Therefore, you are hereby again directed to immediately to stop mining activity failing which further action as per Environmental Laws will be taken against your mining unit.

Treat it as most urgent being NGT Matter.

Signed by Virender Punia
Date: 26-09-2022 17:49:26
Reason: Approved
Regional Officer
Yamuna Nagar

File No.HSPCB-180001/143/2022-Region YamunaNagar-HSPCB



Regional Office, Yamuna Nagar Region
Haryana State Pollution Control Board
 S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar
 Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com
 Contact No. 01732-268137, 237840

MOST URGENT.

To

M/s Saharanpur Mines Management Services Pvt. Ltd.
 Village Jaidhar, Tehsil Chhachrauli,
 Jaidhar Block/ YNR B-34,
 District Yamunanagar.

Subject: Directions to immediate stop the mining in view of orders dated 06.05.2022 issued by Hon'ble NGT in OA No. 306/2022 titled as Harbans Singh Vs State of Haryana & Ors pending before Hon'ble NGT, New Delhi.

In this connection, it is informed that a complaint has been filed by Sh. Harbans Singh before the National Green Tribunal, Principal Bench at New Delhi vide OA No. 306 of 2022 titled as Harbans Singh Vs State of Haryana & Ors against your unit. The Hon'ble NGT has passed an order dated 06.05.2022. Whereas directions has been passed. The relevant portion of the order is re-produced as under:-

4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and validity of mining leases allegedly granted in violation of the environmental norms, notifications, rules and regulations.

5. Let notice be issued to Respondents requiring them to file replies specifically responding to all material averments made in the application within two months. The applicant is directed to take requisite steps for service of notices on the respondents and file his affidavit regarding the same by email at judicial-ngt@gov.in.

6. In the meanwhile no mining activities be allowed in the mining sites in question in villages Jhaidhar & Mandewala respectively and Deputy Commissioner and Superintendent of Police, Yamuna Nagar shall take requisite steps for ensuring prevention of any illegal mining.

File No.HSPCB-180001/143/2022-Region YamunaNagar-HSPCB

7. List the matter for further consideration on 28.07.2022.

8. A copy of this order, along with a copy of the application and its annexures be forwarded to the Deputy Commissioner and Superintendent of Police, Yamuna Nagar by e-mail for compliance."

Whereas your unit in the above OA No. is referred as respondent no. 9.

Therefore, you are hereby again directed to immediately to stop mining activity failing which further action as per Environmental Laws will be taken against your mining unit.

Treat it as most urgent being NGT Matter.

Signed by Virender Punia
Date: 26-09-2022 17:52:03
Reason: Approved

Regional Officer
Yamuna Nagar