

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SITTING AT NEW DELHI  
MEMORANDUM OF APPLICATION**

(Under Sec. 14 read with Sec. 15 of the National Green Tribunal  
Act, 2010)

**ORIGINAL APPLICATION NO. 427 OF 2025**

Ameel Khan

..... APPLICANT

**VERSUS**

State of Uttar Pradesh and others

.....RESPONDENTS

**PAPER BOOK**

**REPLY TO THE ORIGINAL APPLICATION FILED BY THE  
APPLICANT ON BEHALF OF THE RESPONDENT NO. 15**

**Compilation – I**

(FOR INDEX KINDLY SEE INSIDE)

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**NDOH: 10.12.2025**

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Place: New Delhi  
Dated: 09.12.2025

RESPONDENT No. 15

Through



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**REPLY TO THE ORIGINAL APPLICATION FILED BY THE APPLICANT ON BEHALF OF THE RESPONDENT NO. 15****MOST RESPECTFULLY SHOWETH:**

The applicant above named most respectfully showeth as under:-

1. That the applicant has filed the instant Original Application challenging the District Survey Report Saharanpur which has been approved by SEIAA, U.P. on 24.05.2024. The applicant has also challenged the auction notices dated 28.02.2025, 26.05.2025, 05.06.2025 and 07.08.2025 issued by respondent no. 3 i.e. District Magistrate, Saharanpur and the subsequent Letter of Intents (LOIs) issued to the highest bidders i.e. respondent no. 7 to 17

(including the answering respondents), along with the replenishment study of the year 2024 conducted by Sub Divisional Committee of District Saharanpur and with other reliefs.

2. That after going through the contents of paragraphs of the original application the answering respondent submits as under:
3. In exercise of powers under Section 3 (1) and 3(2) (v) of the Environmental Protection Act, 1986 read with Rule 5 (3) of the Environment Protection Rules, 1986, an Environmental Impact Assessment Notification dated 14.09.2006 (hereinafter referred to as the EIA Notification dated 14.09.2006 in short) was published, under which it was provided that prior Environmental Clearance was mandatory to be obtained before starting any mining activity, both for major and minor minerals.
4. The matter regarding contiguous blocks, area less than 5 hectare recharge and replenishment etc., in respect of river bed mineral, was a matter of consideration before the Hon'ble Supreme Court and the Hon'ble Supreme Court in the case of ***Deepak Kumar v State of Haryana***, as reported in **(2012) 4 SCC 629**, has held that all mining

leases irrespective of its size will have to obtain prior Environmental Clearance Certificate.

5. The MoEF&CC vide EIA Notification dated 15.01.2016 made certain amendments in the EIA Notification dated 14.09.2006 and after sub-para 7(ii), para 7(iii) was inserted which now statutorily provides for preparation of District Survey Report for sand mining or riverbed mining and mining of other Minor minerals.
6. It is relevant to state here that para 7(iii) of the EIA Notification 2016 requires preparation of the District Survey Report (DSR) for sand, river bed or other minor minerals as per the procedure prescribed in **Appendix X** of the said Notification.
7. The **Appendix X** of the **EIA Notification 2016** categorically states that the District Survey Report shall be the basis of the application for environmental clearance. Relevant portion of the **Appendix X** is reproduced herein under for your kind perusal:

*“A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining*

*officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.*

***Methodology adopted for calculation of Mineral Potential:***

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

*The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in*

*Collectorate and posting it on district's website for twenty one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.*

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

8. Taking into consideration the order passed by the Hon'ble Supreme Court in the case of *Deepak Kumar* (supra), Ministry of Environment, Forest and Climate Change, (hereinafter referred to *MoEF&CC* in short) framed and issued The Sustainable Sand Management Guidelines 2016 (hereinafter referred to as the *SSMG 2016* in short), wherein recognizing the importance of conducting a replenishment study it was specifically stated that river bed sand mining should be based on *measured annual replenishment*.
9. This Hon'ble Tribunal in ***Original Application No. 557/2017*** in ***Anjani Kumar Versus State of U.P. and others*** which was decided on 08.12.2017 held that the

District Survey Report is mandatorily to be prepared before issuance of the advertisement for grant of mining leases.

10. The MoEF&CC issued EIA Notification dated 25.07.2018 amending the EIA Notification 14.09.2006 and 15.01.2016 amending para 7(iii)(a) titled as "*I. Procedure for preparation of District Survey Report for sand Mining or river bed*" and "*II. Procedure for preparation of District Survey Report of Minor Minerals other than sand Mining or River Bed Mining.*" True copy of the EIA Notification dated 25.07.2018 is filed herewith as **Annexure No. 1**.
11. Thereafter MOEF&CC issued Enforcement & Monitoring Guidelines for Sand Mining 2020 (hereinafter referred to as the EMGSM 2020 in short) in January 2020, so as to ensure the compliance of sustainable sand mining Management Guidelines, 2016.
12. In internal page 3 of the EMGSM-2020 is stated that the existing SSMG-2016 and EMGSM-2020 shall be read and implemented in sync with each and if there is any ambiguity or variation between the two documents then the provision made in EMGSM-2020 shall prevail. That further, the same has been affirmed by this Hon'ble Tribunal in

Original Application No. 23 of 2020 titled *Pratap Goswami v. State of Maharashtra Through its Chief Secretary*.

13. The Para 4.1.1 of the EMGSM 2020 titled as “Preparation of District Survey Report ” states the process and need of District Survey Report. At internal page 15 of the EMGSM 2020 under the heading 4.1.1 titled “*Preparation of District Survey Report* ” it is mentioned

*“a) District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent (LoI) by Mining department or department dealing the mining activity in respective states.*

*b) The first step is to develop the inventory of the River Bed Material and Other sand sources in the District. In order to make the inventory of River Bed Material, a detailed survey of the district needs to be carried out, to identify the source of River Bed Material and alternative source of sand (M-Sand). The source will include rivers, de-siltation of reservoir/dams, Patta lands/Khatedari Land, M-sand etc.*

*c) District Survey Report is to be prepared in such a way that it not only identifies the mineral-bearing area but*

*also define the mining and no mining zones considering various environmental and social factors.*

*d) Identification of the source of Sand & M-Sand. The sources may be from Rivers, Lakes, Ponds, Dams, De-silting locations, Patta land/Khtedari lands. The details in case of Rivers such as [name, length of river, type (Perennial or Non-Perennial ), Villages, Tehsil, District], in case of Lakes, Ponds, Dams, De-silting locations [Name, owned/maintained by (State Govt./PSU), area, Villages, Tehsil, District] in case of Patta land/Khtedari lands [ Owner Name, Sy No, Area, Agricultural/Non-Agricultural, Villages, Tehsil, District], in case of M-Sand Plant [Owner Name, Sy No, Area, Quantity/Annum, Villages, Tehsil, District], needs to be recorded as per format given in Annexure-I.*

*e) Defining the sources of Sand/M-Sand in the district is the next step for identification of the potential area of deposition/aggradation wherein mining lease could be granted. Detailed survey needs to be carried out for quantification of minerals. The purpose of mining in the river bed is for channelization of rivers so as to avoid the possibility of flooding and to maintain the flow of the*

*ivers. For this, the entire river stretch needs to be surveyed and original ground level (OGL) to be recorded and area of aggradation/deposition needs to be ascertained by comparing the level difference between the outside riverbed OGL and water level. Once the area of aggradation/deposition are identified, then the quantity of River Bed Material available needs to be calculated. The next step is channelization of the river bed and for this central  $\frac{3}{4}$ th part of the river, width needs to be identified on a map. Out of the  $\frac{3}{4}$ th part area, where there is a deposition/aggradation of the material needs to be identified. The remaining  $\frac{1}{4}$ th area needs to be kept as no mining zone for the protection of banks. The specific gravity of the material also needs to be ascertained by analyzing the sample from a NABL accredited lab. Thus, the quantity of material available in metric ton needs to be calculated for mining and no mining zone.*

*Note: As physical survey with conventional method is time-consuming, use of unmanned aerial vehicle (UAV) may be explored to carry out the survey and finalizing*

*the original ground level and for developing a 3D model of the area.*

*f) The permanent boundary pillars need to be erected after identification of an area of aggradation and deposition outside the bank of the river at a safe location for future surveying. The distance between boundary pillars on each side of the bank shall not be more than 100 meters.*

*g) Identifying the mining and no mining zone shall follow with defining the area of sensitivity by ascertaining the distance of the mining area from the protected area, forest, bridges, important structures, habitation etc. and based on the sensitivity the area needs to be defined in sensitive and non-sensitive area.*

*h) Demand and supply of the Riverbed Material through market survey needs to be carried out. In addition to this future demand for the next 5 years also needs to be considered.*

*i) It is suggested that as far as possible the sensitive areas should be avoided for mining, unless local safety condition arises. Such deviation shall be temporary & shall not be a permanent feature.*

*j) The final area selected for the mining should be then divided into mining lease as per the requirement of State Government. It is suggested the mining lease area should be so selected as to cover the entire deposition area. Dividing a large area of deposition/aggradation into smaller 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 selected should be verified by the State Government for its carrying capacity. o) Potential site for mining having its impact on the forest, protected area, habitation, bridges etc, shall be avoided.*

*For this, a sub-divisional committee may be formed which after the site visit shall decide its suitability for mining. The list of mining lease after the recommendation of the Committee needs to be defined in the following format given in as Annexure-II. The Sub-Divisional Committee after the site visit shall make a recommendation on the site for its suitability of mining and also records the reason for selecting the mining lease in the Patta land. The details regarding cluster and contiguous cluster needs to be provided as in Annexure-III. The details of the transportation need to be provided as in Annexure IV.*

*p) Public consultation-The Comments of the various stakeholders may be sought on the list of mining lease to be auctioned. The State Government shall give an advertisement in the local and national newspaper for seeking comments of the general public on the list of mining lease included in the DSR. The DSR should be placed in the public domain for at least one month from the date of publication of the advertisement for obtaining comments of the general public. The comments so received shall be placed before the sub-divisional*

*committee for active consideration. The final list of sand mining areas [leases to be granted on riverbed & Patta land/Khatedari land, desiltation location (ponds/lakes/dams), M-Sand Plants (alternate source of sand)] after the public hearing needs to be defined in the final DSR in the format as per Annexure-V. The details regarding cluster and contiguous cluster needs to be provided in Annexure-VI. The details of the transportation need to be provided in Annexure-VII.”*

14. It is pertinent to mention here that at internal page 27 of the Clause 5.0 of the EMGSM 2020 titled as **“Replenishment Study”** specifically states that *“It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.”*
15. Subsequently, the Hon’ble Apex Court in **State of Bihar and others versus Pawan Kumar**, as reported in **(2022)2 Supreme Court Cases 348**, has held the following:

*“16.1. The exercise of preparation of DSR for the purpose of mining in the State of Bihar in all the districts shall be undertaken afresh. The draft DSRs shall be prepared by the Sub Divisional Committees consisting of the Sub Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer. The same shall be prepared by undertaking site visits and also by using modern technology. The draft DSRs shall be prepared within a period of 6 weeks from the date of this order. After the draft DSRs are prepared, the District Magistrate of the district concerned shall forward the same for examination and evaluation by SEAC. The same shall be examined by SEAC within a period of 6 weeks and its report shall be forwarded to SEIAA within the aforesaid period of 6 weeks from the receipt of it. SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereon.*

*16.2. Needless to state that while preparing the DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that strict adherence to the procedure and*

*parameters laid down in the policy of January 2020 should be followed.”*

16. That in respect of DSR of District Saharanpur a Committee comprising of Joint Director/Mines Officer, Saharanpur, Public Works Department, Saharanpur, Executive Engineer, Irrigation Unit, Saharanpur, Regional Officer, Uttar Pradesh Pollution Control Board, Divisional Forest Officer, Saharanpur and Additional District Magistrate (Finance and Revenue), Saharanpur was constituted for preparation of replenishment study vide Letter dated 02.05.2022.
17. The aforementioned committee held its meeting on 26.12.2022 regarding completion and assessment on pre and post monsoon study of total 22 existing mining areas.
18. Further a Sub Divisional Committee for District Saharanpur was constituted vide Letter dated 05.01.2023 for preparation of District Survey Report.
19. The Sub Divisional Committee vide its Letter dated 13.01.2023 recommended uploading the DSR for 21 days on NIC and it was uploaded on the portal on 13.01.2023.

20. Thereafter the District Magistrate, Saharanpur submitted the copy of the DSR Saharanpur to Member Secretary, SEAC for its appraisal on 18.12.2023.
21. The Director, Directorate of Geology and Mining, Uttar Pradesh through its letter dated 19.04.2024 informed Member Secretary SEAC that the DSR for District Saharanpur is prepared in consonance with the SOP issued by SEIAA/SEAC.
22. Subsequently, the DSR for Saharanpur was extensively appraised in Joint Meeting of SEAC 1 and SEAC 2 on 03.05.2024 and was approved by SEAC and forwarded it to SEIAA.
23. SEIAA, U.P. in its 814<sup>th</sup> Meeting held on 24.05.2024 agreed with the recommendation of SEAC and approved the DSR Saharanpur.
24. Also, the Member Secretary, SEIAA by its Letter dated 07.06.2024 informed the Director, Directorate of Geology and Mining about approval of DSR.
25. That the DSR which was approved is valid for a period of 5 years as per EIA Notification dated 15.01.2016 and 25.07.2015.

26. That it pertinent to mention here that the auction notices dated 28.02.2025, 26.05.2025, 05.06.2025 and 07.08.2025 were issued only after the Final DSR was approved by SEIAA.
27. That the contention of the applicant that the replenishment study was not conducted by a credible Central or State Institution or Agency cannot be sustained because Sub Divisional Committee consists of officials from several departments of the State Agencies which are well equipped and competent to carry out replenishment study as well as prepare District Survey Report.

It is submitted here that the EIA Notification dated 25.07.2018 mentions the structure of the DSR and its contents wherein it has stated that survey shall be carried out by DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or remote Sensing Department or Mining Department etc. in the district.

Further, the SOP issued by SEIAA states that it will be responsibility of the SDC/hired agency to collect primary and secondary data, DSR drafting with Annexure-1 to

Annexure-VII and conduct presentation before SEAC/SEIAA and DGM, hence DSR which has been prepared is in consonance with the provisions of law.

28. That it is submitted that the applicant has not pointed out any categorical illegality in the procedure of preparation of DSR for District Saharanpur and has only contended that since it was prepared prior to issuance of SOP dated 02.02.2024 it is not in consonance with SOP and other that the replenishment study was not part of the DSR.

It is pertinent to mention here that the draft DSR of District Saharanpur was uploaded on 13.01.2023 but it was approved by the SEIAA only on 24.05.2024.

It is submitted that the Director, Directorate of Geology and Mining intimated SEIAA, U.P. through letter dated 19.04.2024 that the DSR prepared was in consonance with the SOP issued.

29. That the DSR for Saharanpur is in strict adherence to the SOP.
30. That it is submitted that the contention of the applicant that certain areas advertised and which are part of the DSR are either wholly or partly filled with water is not accepted in the manner stated. It is pertinent to mention here that the

mining areas often get flooded with water and subsequently water recedes after monsoon so it is a temporary geographical condition and the same cannot be a ground to allege that the replenishment study has not been carried out and that the area is not fit for mining.

31. That it is pertinent to mention here that the entire process of preparation of replenishment study and District Survey Report of Saharanpur is in consonance with the EIA Notifications as issued by MoEF&CC, SSMG 2016 and EMGSM 2020 and directions of this Hon'ble Tribunal.
32. That despite carrying out replenishment study for 3 consecutive years as prescribed in the Para 5.1 of the EMGSM 2020 titled as *Generic Structure of Replenishment Study*, the applicant without any credible material to prove otherwise has filed the instant original application which shows that the intention of the applicant is not protection of the environment but only to harass the answering respondent.
33. That it is pertinent to mention here that the contention of the applicant that quantity mentioned in the advertisement is more than the replenishment study for the period 2024 is not accepted as stated. It is submitted that the quantity

mentioned in the auction notice is the same as the quantity mentioned in the approved DSR which was prepared on the basis of study of 2022 and 2023 which is correct and therefore there is no illegality in the auction notices dated 26.05.2025, 05.06.2025 and 07.08.2025.

34. That it is submitted that the DSR is prepared for a period of 5 years which provide a generic data for 5 years which helps in ascertaining an approximate quantity available in a mining lease whereas replenishment study is carried out annually which helps to determine the annual replenished quantity.
35. That the annual replenishment study is a mandatory standard condition for sand mining mentioned in the environmental clearance as mentioned in SSMG 2016. The standard condition is reproduced herein under for your kind perusal: *“To 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.”*
36. That it is pertinent to mention here that the SEIAA, U.P. vide its Meeting dated 06.03.2025 kept all the approved

DSRs in abeyance till replenishment studies are submitted before SEIAA for each DSR. Keeping the DSRs in abeyance was conditional i.e. till such time replenishment studies are not submitted before the SEIAA.

37. That it is pertinent to mention here that the DSR for Saharanpur was uploaded on public portal for more than 21 days and some grievance/complaints were received by the SDC and the same were addressed and thereafter the DSR was approved by SEIAA.

It is submitted that the applicant has never represented or filed objections to the DSR when it was on the public domain and it was only after the Letter of Intent were issued in the auctions notices, the instant Original Application has been filed which raises questions on the bonafide of the applicant.

38. That the answering respondent had participated in the advertisement dated 28.02.2025 and was subsequently granted Letter of Intent dated 11.05.2025 in respect of area at Gata no. 1/1, situate in Village Rasoolpur Urf Rasooli – 108991, Tehsil Behat, District Saharanpur, admeasuring 34.0 hectare with annual quantity of 6,12,000 cubic meter.

True copy of the Letter of Intent dated 11.05.2025 is filed herewith as **Annexure No. 2.**

39. That the date on which the DSR was placed before the public for objections/comments i.e. 13.01.2023 on that date the replenishment study was upto date.
40. That even when approval of Final DSR was done the replenishment study of years 2022 and 2023 were seen.

That in view of the foregoing reasons, none of the prayers/reliefs prayed by the answering respondent deserve to be granted. It is the respectful submission of the answering respondent that the present original application filed before this Hon'ble Tribunal deserves to be dismissed.

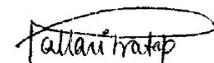
- (A) Pass any such other order or orders as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.

Dated: 9.12.2025

Respondent No.15

New Delhi

Through



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SITTING AT NEW DELHI

**MEMORANDUM OF APPLICATION**

(Under Sec. 14 and 15 of the National Green Tribunal Act, 2010)

**ORIGINAL APPLICATION NO. 427 OF 2025**

Ameel Khan

...APPLICANT

**VERSUS**

State of Uttar Pradesh and others

... RESPONDENTS

**AFFIDAVIT**

I, Rajesh Rexwal Verma, aged about 47 years, Son of Sriram Verma, Resident of 231, Dhola Mohalla, Badarpur, South Delhi, Delhi - 110044, presently at Delhi, do hereby solemnly affirm and declare as under:-

1. That I am the partner of the respondent no. 15 firm and as such I am conversant with the facts of the case and thus competent to affirm this affidavit.
2. That I have read the contents of the accompanying application including facts in brief etc. from pages 1 to ..... and have understood the same.

*Rajesh*



3. That the facts stated therein are true and correct to the best of my knowledge and belief and nothing material has been suppressed.

4. That I have instructed by Advocate and the Application has been prepared by my Advocate on my instructions are stated above.

Verified at Saharanpur..... On this 9<sup>th</sup> day of 12, 2025

Rajesh  
DEPONENT



**VERIFICATION**

I above named deponent do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from

Verified at Saharanpur (U.P.)..... on 9<sup>th</sup> day of 12, 2025.

Rajesh  
DEPONENT

Identified by

5410 - 599  
certified that on 9.12.25 at 11.30 AM presented this affidavit before me and admitted it on Oath after hearing and understanding

Saharanpur  
J P INDIA

Vijay Kumar  
Advocate & Notary

9.12.25



भारत सरकार  
GOVERNMENT OF INDIA



Issue Date: 30/12/2011



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UNIQUE IDENTIFICATION AUTHORITY OF INDIA

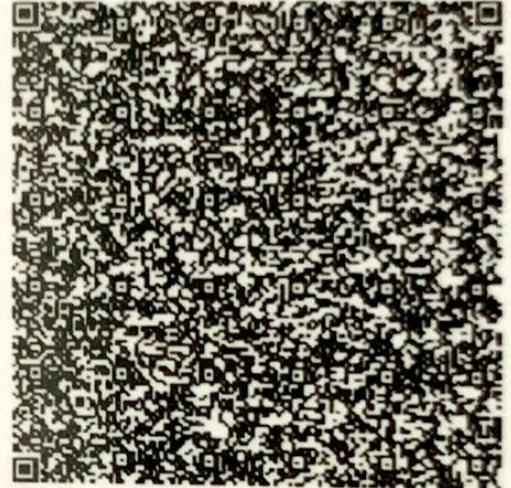


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# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

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## पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

### अधिसूचना

नई दिल्ली, 25 जुलाई, 2018

**का.आ. 3611(अ).**—भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) प्रकाशित की गई थी, जिसके द्वारा पूर्व पर्यावरण निकासी के संबंध में निदेश जारी किए गए हैं ;

और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में उक्त अधिसूचना को का.आ. 141(अ) तारीख 15 जनवरी, 2016 द्वारा संशोधित किया है, जिसमें गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने की प्रक्रिया को विहित किया गया है ;

और रांची स्थित माननीय झारखंड उच्च न्यायालय ने 2015 की रिट याचिका (पीआईएल) संख्या 1806, स्वप्रेरणा बनाम झारखंड राज्य एवं अन्य के मामले में रिट याचिका (पीआईएल) सं. 2013 की 290, हेमंत कुमार शिल्कारवर बनाम झारखंड राज्य एवं अन्य के मामले में, अन्य बातों के साथ, तारीख 11 अप्रैल, 2018 और 19 जून, 2018 के आदेश में बालू और रेत से भिन्न गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने या बालू और रेत से भिन्न गौण खनिजों की जिला सर्वेक्षण रिपोर्ट तैयार करने के लिए शक्तियों का प्रत्यायोजन करने के लिए राज्य सरकार और/या जिला पर्यावरण संघात निर्धारण प्राधिकरण और जिला विशेषज्ञ मूल्यांकन समिति को निदेश दिया है ;

और केंद्रीय सरकार लोक हित में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना देने की अपेक्षा से अभिमुक्ति प्रदान करती है ;

और केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में परिशिष्ट 10 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :--

**“परिशिष्ट 10**

**[पैरा 7 (iii) (क) देखें]**

**1. बालू खनन या नदी तल खनन के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने के लिए प्रक्रिया**

जिला सर्वेक्षण रिपोर्ट तैयार करने का मुख्य उद्देश्य (भरणीय बालू खनन के लिए मार्गदर्शक सिद्धांतों के अनुसार) निम्नलिखित को सुनिश्चित करना है :--

उच्चयन या जमाव के क्षेत्रों की पहचान, जहां खनन को अनुज्ञात किया जा सकता है ; और भूक्षयण के क्षेत्रों की पहचान तथा अवसंरचना ढांचों और प्रतिष्ठापनों से निकटता जहां खनन को प्रतिषिद्ध किया जाना चाहिए और भराई की वार्षिक दर की गणना तथा उस क्षेत्र में खनन के पश्चात् भराई के लिए समय को अनुज्ञात करना ।

रिपोर्ट के निम्नलिखित संघटक होंगे :

- (1) प्रस्तावना ;
- (2) जिले में खनन कार्यकलापों का विहंगावलोकन ;
- (3) अवस्थिति क्षेत्र और वैधता की अवधि सहित जिले में खनन पट्टों की सूची ;
- (4) पिछले तीन वर्ष में प्राप्त स्वामिस्व या राजस्व के ब्यौरे ;
- (5) पिछले तीन वर्ष के दौरान बालू या रेत या गौण खनिज के उत्पादन के ब्यौरे ;
- (6) जिले की नदियों में तलछट के जमा होने की प्रक्रिया ;
- (7) जिले का साधारण प्रोफाइल ;
- (8) जिले में भू उपयोग का पैटर्न : वन, कृषि, उद्यान कृषि, खनन आदि ;
- (9) जिले की भूगर्भीय स्थिति ;
- (10) मासवार वर्षा ;
- (11) भूगर्भ और खनीज संपदा ।

पूर्वोक्त के अतिरिक्त रिपोर्ट में निम्नलिखित अंतर्विष्ट होंगे :

- (क) जिलावार नदी या धारा और अन्य रेत के स्रोत के ब्यौरे ;
- (ख) जिलावार रेत या कंकड़ या समग्र संसाधनों की उपलब्धता ;
- (ग) जिलावार विद्यमान रेत के खनन पट्टों के ब्यौरे और समग्र ।

जिला पर्यावरण संघात निर्धारण प्राधिकरण द्वारा भूविज्ञान विभाग या सिंचाई विभाग या वन विभाग या लोक निर्माण विभाग या भू-जल बोर्ड या सुदूर संवेदन विभाग या खनन विभाग आदि की सहायता से जिले में सर्वेक्षण किया जाएगा ।

**मुख्य नदियों के विवरण सहित निकासी प्रणाली**

क्रम सं.	नदी का नाम	निष्कासन क्षेत्र (वर्ग किलोमीटर)	जिले में प्रतिशत निष्कासित क्षेत्र
(1)			
(2)			

**महत्वपूर्ण नदियों और धाराओं की मुख्य विशेषताएं :**

क्रम सं.	नदी या धारा का नाम	जिले में कुल लंबाई (किलोमीटर में)	उद्भव का स्थान	उद्भव के स्थान पर ऊंचाई
(1)				
(2)				

खनिज छूट के लिए सिफारिश किया गया नदी या धारा का भाग	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की लंबाई (किलोमीटर में)	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की औसत चौड़ाई (मीटर में)	खनिज छूट के लिए सिफारिश किया गया क्षेत्र (वर्ग मीटर में)	खनन योग्य खनिज क्षमता (मीट्रिक टन में) (कुल खनिज क्षमता का 60 प्रतिशत)

## खनिज क्षमता

बोल्डर (मीट्रिक टन)	रेत (मीट्रिक टन)	बालू (मीट्रिक टन)	कुल खनन योग्य खनिज क्षमता (मीट्रिक टन)

## वार्षिक जमाव


क्रम सं.	नदी या धारा	खनिज छूट के लिए सिफारिश किया गया नदी या धारा का भाग	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की लंबाई (किलोमीटर में)	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की औसत चौड़ाई (मीटर में)	खनिज छूट के लिए सिफारिश किया गया क्षेत्र (वर्ग मीटर में)	खनन योग्य खनिज क्षमता (मीट्रिक टन में) (कुल खनिज क्षमता का 60 प्रतिशत)
(1)						
(2)						
जिले के लिए योग						

उप प्रभागीय समिति, जो (i) उप प्रभागीय मजिस्ट्रेट (ii) निम्नलिखित विभागों के अधिकारियों (क) सिंचाई विभाग (ख) राज्य प्रदूषण नियंत्रण बोर्ड या समिति (ग) वन विभाग (घ) भू-विज्ञान या खनन अधिकारी से मिलकर बनेगी, खनन के लिए उपयुक्तता या खनन को प्रतिषिद्ध करने के लिए प्रत्येक स्थान का, जिसके लिए पर्यावरण निकासी का आवेदन किया गया है, भ्रमण करेगी।

**खनन क्षमता की संगणना करने के लिए अंगीकृत विधि :**

खनन क्षमता की संगणना स्थान की जांच और नदी या धारा के आवाह क्षेत्र के भू-विज्ञान के आधार पर की जाएगी। स्थल स्थिति और अवस्थिति, खनन योग्य खनिजों को परिभाषित किया जाएगा। किसी नदी या धारा में खनिजों के खनन का विनिश्चय भू-आकृति विज्ञान और अन्य कारकों के आधार पर किया जा सकता है, यह किसी विशिष्ट नदी या धारा के क्षेत्र का 50 से 60 प्रतिशत हो सकता है। उदाहरणार्थ कुछ पहाड़ी राज्यों में खनिज संघटक, जैसे बोल्डर, नदी से उत्पन्न रेत, बालू को एक मीटर तक संसाधन खनिज माना जाता है। अन्य संघटक जैसे क्ले और तलछट को किसी विशिष्ट नदी या धारा की खनिज क्षमता की संगणना करते समय अपशिष्ट माना जाता है।

जिला सर्वेक्षण रिपोर्ट जिले में तैयार की जाएगी और उसके प्रारूप को पब्लिक डोमेन में कलेक्टर के कार्यालय में

उसकी एक प्रति रखकर रखा जाएगा तथा उसे 21 दिन के लिए जिले की वेबसाइट पर भी पोस्ट किया जाएगा। प्राप्त टिप्पणियों पर विचार किया जाएगा तथा यदि सही पाया जाता है तो जिला पर्यावरण संघात निर्धारण प्राधिकरण द्वारा छह मास के भीतर तैयार की जाने वाली अंतिम रिपोर्ट में उसे सम्मिलित किया जाएगा।

जिला सर्वेक्षण रिपोर्ट पर्यावरण निकासी, रिपोर्टों और मूल्यांकन परियोजनाओं को तैयार करने का आधार बनेगी। रिपोर्ट को प्रत्येक पांच वर्ष में एक बार अद्यतन किया जाएगा।

## II. बालू खनन या नदी तल खनन से भिन्न गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने की प्रक्रिया

जिला सर्वेक्षण रिपोर्ट को जिले में प्रत्येक गौण खनिज के लिए पृथक् रूप से तैयार किया जाएगा और उसके ड्राफ्ट को पब्लिक डोमेन में कलेक्टर के कार्यालय में उसकी एक प्रति रखकर रखा जाएगा तथा उसे 21 दिन के लिए जिले की वेबसाइट पर भी पोस्ट किया जाएगा। प्राप्त टिप्पणियों पर विचार किया जाएगा तथा यदि सही पाया जाता है तो जिला पर्यावरण संघात निर्धारण प्राधिकरण द्वारा छह मास के भीतर तैयार की जाने वाली अंतिम रिपोर्ट में उसे सम्मिलित किया जाएगा।

बालू खनन या नदी तल खनन से भिन्न गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट नीचे वर्णित संघटकों के अनुसार होगी :-

### बालू खनन या नदी तल खनन से भिन्न गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने का प्रारूप

- (1) प्रस्तावना ;
- (2) जिले में खनन कार्यकलापों का विहंगावलोकन ;
- (3) जिले का साधारण प्रोफाइल ;
- (4) जिले की भूगर्भीय स्थिति ;
- (5) सिंचाई निष्कासन पैटर्न ;
- (6) जिले में भू उपयोग का पैटर्न : वन, कृषि, उद्यान कृषि, खनन आदि ;
- (7) जिले में सतह जल और भूमिगत जल का परिदृश्य ;
- (8) जिले में वर्षा वृत्ति और जलवायु स्थिति ;
- (9) निम्नलिखित प्रारूप के अनुसार जिले में खनन पट्टों के ब्यौरे :-

क्रम सं.	खनिज का नाम	पट्टेदार का नाम	पट्टेदार का नाम और संपर्क संख्या	खनन पट्टा अनुदान आदेश संख्या एवं तारीख	खनन पट्टे का क्षेत्र (हेक्टेयर में)	खनन पट्टे की अवधि (प्रारंभिक)		खनन पट्टे की अवधि (पहला/दूसरा ..... नवीकरण)	
						से	तक	से	तक
1	2	3	4	5	6	7	8	9	10

खनन प्रचालन के प्रारंभ होने की तारीख	प्रास्थिति (कार्यशील/गैर-कार्यशील पारेषण आदि के लिए स्थायी रूप से कार्यशील)	कैप्टिव/गैर-कैप्टिव	पर्यावरणीय निकासी अभिप्राप्त (हां/नहीं) यदि हां तो पर्यावरण निकासी अनुदत्त करने की तारीख सहित पत्र संख्या	खनन पट्टे की अवस्थिति (अक्षांश एवं देशांतर)	खनन की विधि (खुली/भूमिगत)
11	12	13	14	15	16

- (10) पिछले तीन वर्ष के दौरान प्राप्त स्वामिस्व या राजस्व  
 (11) पिछले तीन वर्ष के दौरान उत्पादन किए गए गौण खनिज के ब्यौरे  
 (12) जिले का खनिज मानचित्र  
 (13) निम्नलिखित प्ररूप के अनुसार जिले में आशय पत्र के धारकों की उसकी वैधता सहित सूची :-

क्रम सं.	खनिज का नाम	पट्टेदार का नाम	आशय पत्र धारक का पता एवं संपर्क संख्या	आशय पत्र आदेश की संख्या एवं तारीख	आबंटित किए जाने वाले खनन पट्टे का क्षेत्र	आशय पत्र की वैधता	उपयोग (कैप्टिव/ गैर-कैप्टिव)	खनन पट्टे की अवस्थिति (अक्षांश एवं देशांतर)
1	2	3	4	5	6	7	8	9

- (14) जिले में उपलब्ध कुल खनिज भंडार ;  
 (15) जिले में उपलब्ध खनिज की क्वालिटी / ग्रेड ;  
 (16) खनिज का उपयोग ;  
 (17) पिछले तीन वर्षों के दौरान खनिज की मांग और पूर्ति ;  
 (18) जिले के मानचित्र पर चिह्नांकित खनिज पट्टे ;  
 (19) उस क्षेत्र के ब्यौरे, जहां खनिज पट्टों का समूह है, अर्थात् खनिज पट्टों की संख्या, अवस्थिति (अक्षांश और देशांतर) ;  
 (20) जिले में पारिस्थितिकी संवेदनशील क्षेत्र, यदि कोई हो ;  
 (21) पर्यावरण (वायु, जल, ध्वनि, मृदा, वनस्पति और प्राणी, भू-उपयोग, कृषि, वन आदि) पर खनन कार्यकलाप का संघात ;  
 (22) पर्यावरण पर खनन संघात को कम करने के लिए उपचारात्मक उपाय ;  
 (23) खनन किए गए क्षेत्र को पुनः प्राप्त करना (जिले में नियमों और विनियम, प्रस्तावित पुनः प्राप्ति योजना के अनुसार) सर्वोत्तम व्यवहार को पहले ही कार्यान्वित किया गया है ;  
 (24) जोखिम निर्धारण एवं आपदा प्रबंधन योजना ;  
 (25) जिले में व्यवसायिक सुरक्षा मुद्दों के ब्यौरे (सिलिकोसिस एवं तपेदिक के रोगियों के पिछले पांच वर्ष के डाटा को प्रस्तुत करने की आवश्यकता है) ;  
 (26) जिले में पहले ही अनुदत्त पट्टों के संबंध में पौधा रोपण और हरित पट्टी विकास ;  
 (27) कोई अन्य सूचना ।

जिला पर्यावरण संघात निर्धारण प्राधिकरण (डीईआईए) जिले में गौण खनिज की किस्म की प्रकृति के आधार पर संबंधित राज्य सरकार के खनिज और भू-विज्ञान विभाग के परामर्श से जिला सर्वेक्षण रिपोर्ट में अतिरिक्त मानकों को सम्मिलित कर सकेगी ।

जिला सर्वेक्षण रिपोर्ट पर्यावरणीय निकासी, रिपोर्टों को तैयार करने और परियोजनाओं के मूल्यांकन के लिए आधार होगी । रिपोर्ट को प्रत्येक पांच वर्ष में एक बार अद्यतन किया जाएगा ।”

[फा. सं. एल-11011/26/2018-आईए-II(एम)]

ज्ञानेश भारती, संयुक्त सचिव

**टिप्पण :** मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में सं. का.आ. 1533(अ) तारीख 14 सितंबर 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसे निम्नानुसार संशोधित किया गया :-

1. का. आ. 1949 (अ), तारीख 13 नवंबर, 2006;
2. का. आ. 1737 (अ), तारीख 11 अक्टूबर, 2007;
3. का. आ. 3067 (अ), तारीख 1 दिसंबर, 2009;
4. का. आ. 695 (अ), तारीख 4 अप्रैल, 2011;
5. का. आ. 156 (अ), तारीख 25 जनवरी, 2012;
6. का. आ. 2896 (अ), तारीख 13 दिसंबर, 2012;
7. का. आ. 674 (अ), तारीख 13 मार्च, 2013;
8. का. आ. 2204 (अ), तारीख 19 जुलाई 2013;
9. का. आ. 2555 (अ), तारीख 21 अगस्त, 2013 ;
10. का. आ. 2559 (अ), तारीख 22 अगस्त, 2013;
11. का. आ. 2731 (अ), तारीख 9 सितंबर, 2013;
12. का. आ. 562 (अ), तारीख 26 फरवरी, 2014;
13. का. आ. 637 (अ), तारीख 28 फरवरी, 2014;
14. का. आ. 1599 (अ), तारीख 25 जून, 2014;
15. का. आ. 2601 (अ), तारीख 7 अक्टूबर, 2014;
16. का. आ. 2600 (अ), तारीख 9 अक्टूबर, 2014;
17. का. आ. 3252 (अ), तारीख 22 दिसंबर, 2014;
18. का. आ. 382 (अ), तारीख 3 फरवरी, 2015;
19. का. आ. 811 (अ), तारीख 23 मार्च, 2015;
20. का. आ. 996 (अ), तारीख 10 अप्रैल, 2015;
21. का. आ. 1142 (अ), तारीख 17 अप्रैल, 2015;
22. का. आ. 1141 (अ), तारीख 29 अप्रैल, 2015;
23. का. आ. 1834 (अ), तारीख 6 जुलाई, 2015;
24. का. आ. 2571 (अ), तारीख 31 अगस्त, 2015;
25. का. आ. 2572 (अ), तारीख 14 सितंबर, 2015;
26. का. आ. 141 (अ), तारीख 15 जनवरी, 2016;
27. का. आ. 648 (अ), तारीख 3 मार्च, 2016;
28. का. आ. 2269 (अ) तारीख 1 जुलाई, 2016;
29. का. आ. 2944 (अ), तारीख 14 सितंबर, 2016;
30. का. आ. 3518 (अ) तारीख 23 नवंबर 2016;
31. का. आ. 3999 दिसंबर (अ) तारीख 9 दिसंबर, 2016; और
32. का. आ. 4241 (अ) तारीख 30 दिसंबर, 2016

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE****NOTIFICATION**

New Delhi, the 25th July, 2018

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

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

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

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

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

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

**“APPENDIX - X****[See paragraph 7 (iii) (a)]****I. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT FOR SAND MINING OR RIVER BED MINING**

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

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

The report shall have the following structure:

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

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

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

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

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

**Drainage system with description of main rivers**

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

**Salient Features of Important Rivers and Streams:**

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

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

**Mineral Potential**

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

**Annual Deposition**


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

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

#### **Methodology adopted for calculation of Mineral Potential:**

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

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

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

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

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

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

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

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

- (8) rainfall of the district and climatic condition;
- (9) details of the mining leases in the District as per the following format: -

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

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

- (10) details of Royalty or Revenue received in last three years;
- (11) details of Production of Minor Mineral in last three years;
- (12) mineral Map of the District;
- (13) list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format :-
- (14) total Mineral Reserve available in the District;

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

- (15) quality /Grade of Mineral available in the District;
- (16) use of Mineral;
- (17) demand and Supply of the Mineral in the last three years;
- (18) mining leases marked on the map of the district;
- (19) details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude);
- (20) details of Eco-Sensitive Area, if any, in the District;

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

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

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

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

GYANESH BHARTI, Jt. Secy.

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

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

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



# कार्यालय जिलाधिकारी, Saharanpur

(अमान-अनुमान)  
खनन पट्टा हेतु महामति पत्र (Letter of Intent)

ANNEXURE NO.2



**MINE MITRA**

पत्रांक: LOI/2025/5/11-05-2025 00:00:00/477741

दिनांक: 11-05-2025

उपरोक्त (परिहार) नियमावली, 2021 के नियम 23 के अंतर्गत खनन पट्टा के महामति पत्र में सम्बंधित।

## निविदाकर्ता का संक्षिप्त विवरण

निविदाकर्ता का नाम	DEEPAK MINES (mstc/DEEPAK MINES /566661)
निविदाकर्ता का पता	2B2215 SHIVAJI NAGAR DELHI ROAD, Saharanpur
निविदाकर्ता का मोबाइल नं०	9811181100
खनन पट्टा की अवधि	60 माह अथवा मात्रा जो पहले पूर्ण हो।

## भूमि का विवरण

एरिया कोड	जनपद	तहसील	ग्राम/मोहल्ला	गाटा (प्लॉट) संख्या	क्षेत्रफल/मात्रा
1089910501	Saharanpur	Behat	Rasoolpur Urf Rasooli - 108991	1/1	34.0000 हे० / 612000.00 घन मी०

## देय धनराशि

बनुकाट उपखनिज	बनुकाट मात्रा	उत्तम बिड दर (₹)	प्रथम वर्ष की देय धनराशि (₹)	अर्नेस्ट मनी (प्रथम वर्ष की देय धनराशि का 25%) (₹)	प्रथम वर्ष की प्रथम किस्त (प्रथम वर्ष की देय धनराशि का 20%) (₹)	प्रीबिड समायोजित अवशेष धनराशि (₹)	देय DMF (₹)	देय TCS (₹)	बन्ध
Sand or Bajri or Boulder RBM	612000.00 घन मी०	463.00	283356000.0000	70839000.0000	56671200.0000	110680200.00	28335600.00	5667120.00	0.00
		कुल	283356000.0000	70839000.0000	56671200.0000	110680200.00	28335600.00	5667120.00	0.00

अतः आपसे अपेक्षा की जाती है कि उपरोक्त देय धनराशि 2 कार्य दिवस के अंदर जमा करा कर चालान की मूल प्रति upminemitra.in पोर्टल पर अपने लॉगिन से अपलोड करें ताकि आपको नियमानुसार खनन पट्टा निर्गत करने की कार्यवाही की जा सके।

अवेदक द्वारा अनुसूचक-1 अर्थों का अनुपायन किया जाना आवश्यक है।

Digitally signed by MANISH BANSAL  
Date: 11 May 2025 12:31:25  
Saharanpur

\\TRUE COPY\\