

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, DELHI

IN THE MATTER OF
ORIGINAL APPLICATION NO.755/2024

TRIBUNAL ON ITS OWN MOTION ..APPLICANT

//VERSUS//

STATE OF RAJASTHAN ORS. ...RESPONDENTS

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DATE 13⁰².2025

PLACE: DELHI



ROHIT SHARMA
COUNSEL FOR RSPCB

DETAILS OF STATUTORY PERMISSIONS GRANTED FOR MINING OPERATIONS

2. That the Ministry of Environment, Forest & Climate Change (MoEF&CC), vide letter dated 14.10.2020, granted Environmental Clearance(EC) for the mining of mineral Bajri from river stretches in two rivers, namely Khari River and Mashi River, located in the revenue villages of Shahpura tehsil. The EC was issued to *Mr. Ashu Singh Bhati S/o Mr. Magan Singh Bhati, R/o 45 Pashchim Vihar, Vaishali Nagar, Jaipur* (hereinafter referred to as the Project Proponent (PP)) for a proposed annual production of 0.84 MTPA from a 24.31 ha area each year, as concluded in Points 22 & 23 of the Environmental Clearance. Copy of the letter dated 14.10.2020 is marked and annexed herewith as **Annexure R/1**.
3. That the mining lease for extraction of mineral Bajri from 624.39 ha of river stretches in Shahpura tehsil was registered and handed over to the lessee, *Mr. Ashu Singh Bhati*, on 09.03.2023, for a period of 4 years and 4 months, effective from 09.03.2023.
4. That the Rajasthan State Pollution Control Board initially granted Consent-to-Establish and Consent-to-Operate under the Air (Prevention and Control of Pollution) Act, 1981, vide its letters dated 17.03.2023, with a condition that the maximum permissible mining depth shall not exceed 1 metre, in line with the EC dated 14.10.2020. Copy of the CTO and CTE dated 17.03.2023 is marked and annexed herewith as **Annexure R/2**.
5. That the State Environmental Impact Assessment Authority vide its letter dated 27.10.2023, amended

the previous EC dated 14.10.2020, increasing the permissible mining depth from 1 metre to 3 metres and extending the validity of the EC to coincide with the lease period, without any change in the total annual production (0.84 MTPA) for the mineable area of 624.39 ha located in the revenue villages of Tehsil Shahpura. The amendment included a specific condition that the depth of mining shall be restricted to the replenishment depth as per the replenishment study submitted by the PP or up to a maximum depth of 3 metres, whichever is less. Copy of the letter dated 27.10.2023 is marked and annexed herewith as **Annexure R/3**.

6. That, following the amendment in EC, the Rajasthan State Pollution Control Board issued fresh Consent-to-Establish and Consent-to-Operate under the Air (Prevention and Control of Pollution) Act, 1981, vide letters dated 13.02.2024. The revised consent allows mining up to a maximum depth of 3 metres or as per the replenishment study, whichever is less, in line with the EC dated 27.10.2023, and remains valid until 08.07.2027. Copy of the letter dated 13.02.2024 is marked and annexed herewith as **Annexure R/4**.

7. That vide order dated 05.08.2024 Hon'ble Tribunal constituted a Joint Committee comprising of:

- I. District Magistrate Shahpura;
- II. Representative of Indian School of Mines, Dhanbad to be nominated by Director of the said institute;
- III. Representative of Institute of Seismology, Gandhinagar to be nominated by Director/Director General of Institute;

IV.A senior Scientist of MoEF&CC not below the rank of Director

V. Member Secretary, Central Pollution Control Board.

8. That on 16.11.2024, the Joint Committee, along with other officers comprising of Tehsildar, Phuliya Kalan, the Senior Scientific Officer Rajasthan State Pollution Control Board, Bhilwara, the Junior Scientific Officer, RSPCB, Bhilwara, and the Senior Mining Foreman, District Mining Office, Bhilwara; conducted a site inspection.
9. That with respect to the issues raised in the instant Application, the Joint Committee observed the following points: -

i. Carrying on mining activities at a depth of more than permissible depth: -

The Joint Committee members measured the depth of the mined pits at various locations in the river during the site visit using a measuring tape. It was observed that the depth of mining from the adjacent nearby riverbed was 1.4 meters at certain locations, while at some places, it reached up to 2.5 meters. Additionally, excavation ranging from 2 to 2.5 meters below the nearby riverbed was noted at one location in the riverbed, in proximity to the terrace where the crematorium is situated.

ii. Damaging pipelines of villagers: -

The Joint Committee observed that local villagers in Kheda Hetam village use PVC pipes for irrigation in their agricultural fields. During the site visit, no damage to the pipelines was observed. However, there remains a possibility of damage to the pipelines if trucks or other vehicles operate during mining activities without due precaution.

iii. Damaging trees of crematorium ground by heavy machines

The crematorium of Village Kheda Hetam is situated on the terrace of the right bank of the Khari River on river/government land. The Joint Committee visited the crematorium site in Village Kheda Hetam, which is adjacent to the river. No evidence of damage to the trees near the crematorium was observed by the Committee members at the site. A comparison of satellite (Google Earth) images from April 2022 (pre-monsoon) and November 2023 (post-monsoon) revealed that tree cover had increased in November 2023 as compared to April 2022. However, it was observed that mining activities had been carried out up to the vicinity of the trees planted on one side of the crematorium, located on the terrace of the left bank of the river. One naturally grown Keekar tree was found uprooted on the bank between the river and the crematorium. However, the uprooting did not appear to be a consequence of mining or related transport activities, as the tree was located on the raised terrace of the left bank, where mining activities have not been conducted, and vehicle movement in this area is unlikely.

10. That based on the site observations, the Joint Committee has made the following recommendations: -
- 1) The illegal mining occurring in the river within Tehsil Phuliya Kalan shall be immediately stopped by the concerned authorities of the State. Appropriate measures shall be implemented to monitor the transportation of minerals from the mining area to the end user, incorporating

essential security features such as check posts, CCTV cameras, GPS tracking, and other necessary mechanisms. Additionally, regular surveillance of sand mining sites shall be ensured, along with the constitution of a district-level task force for this purpose, as prescribed in Chapters 7 and 9 of the Enforcement and Monitoring Guidelines for Sand Mining, 2020.

- 2) An appropriate mechanism shall be implemented to ensure strict punitive action against individuals and vehicles involved in illegal mining in the area, in accordance with the provisions of the *Mines and Minerals (Development and Regulation) Act, 1957* (MMDR Act) and the directions issued by the Hon'ble National Green Tribunal vide order dated 26.02.2021 in O.A. 360 of 2015. Such action shall include the imposition of penalties and environmental compensation as per the applicable legal framework.
- 3) The District Survey Report shall be prepared scientifically, as prescribed in the Sustainable Sand Mining Guidelines, 2016, preferably by government institutes or organizations. Additionally, no-mining zones, including specified distances from riverbanks, bridges, dams, and other critical structures, shall be clearly mapped in the Survey Reports to ensure clarity and compliance with regulatory requirements.
- 4) Mining shall be permitted only after conducting a proper Annual Replenishment Study, as prescribed under Chapter 8 of the *Enforcement &*

Monitoring Guidelines for Sand Mining, 2020. In this regard, the following recommendations are made:

- The initial replenishment study was conducted by CMPDI in 2017/2018. Successive yearly replenishment studies shall accurately depict the factual position and levels for all corresponding cross-sections, clearly differentiating between mined and unmined areas.
 - Replenishment reports shall include key maps of the mining channel/stretch area to ensure transparency and effective monitoring.
- 5) In the case of permitted sand mining, the provisions stipulated in the Sustainable Sand Mining Guidelines, 2016 shall be strictly implemented to ensure environmentally sustainable mining practices. The permissible mining depth conditions and distance/buffer criteria, including specified distances from riverbanks, bridges, dams, and other critical structures, shall be rigorously enforced for non-mining zones. Under no circumstances shall mining be conducted below the water level or the sub-surface water level of the river.
- 6) Prior to the commencement of mining operations, pillars shall be installed to demarcate the banks in the active mining channel/stretch in accordance with the bank's boundary map. Additionally, pillars shall be fixed at the boundary of the mining zone, maintaining the designated buffer zone from the banks, with level marks clearly indicated on these pillars.
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In the absence of these measures, precise compliance verification on the ground with respect to mining depth and the buffer zone left from the banks shall not be feasible.

- 7) During permitted mining operations, proper care shall be taken to ensure that no damage is caused to the plantation on the banks and the pipelines laid by farmers for irrigation. Additionally, strict compliance with the permissible mining depth and bank buffer conditions shall be ensured at all times.
11. That based on the observations and recommendations made by the Joint Committee, the Regional Office of the Rajasthan State Pollution Control Board, Bhilwara vide its letter dated 13.12.2024, has requested the then District Collector, Shahpura, and the Mining Engineer, Bhilwara, to ensure compliance with the recommendations. As most of the matters pertain to the Department of Mines & Geology, Government of Rajasthan. Copy of the letter dated 13.12.2024 is marked and annexed herewith as **Annexure R/5**.
12. That on 03.01.2025, Rajasthan State Pollution Control Board has requested the Director, Department of Mines & Geology, Udaipur, to ensure compliance with the recommendations of the Joint Committee, as reproduced in the Hon'ble NGT order dated 05.12.2024. Copy of the letter dated 03.01.2025 is marked and annexed herewith as **Annexure R/6**.
13. That additionally, the Rajasthan State Pollution Control Board, vide its letter dated 03.01.2025, has requested the District Collector, Bhilwara, to ensure compliance with the recommendations of the

Joint Committee, as reproduced in the Hon'ble NGT order dated 05.12.2024, to effectively curb illegal mining activities in the area. Copy of the letter dated 03.01.2025 is marked and annexed herewith as **Annexure R/7.**

14. That the RSPCB has also sought a verification report on the compliance of conditions of the Environmental Clearance issued to the lessee, M/s Ashu Singh Bhati, in compliance with the Hon'ble NGT order dated 05.12.2024, from the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India. Copy of the letter issued by RSPCB to MOEF is marked and annexed herewith as **Annexure R/8.**

15. That the Answering Respondent, vide its letter dated 03.01.2025, has issued a Show Cause Notice to M/s Ashu Singh Bhati for the intended revocation of consent to operate, based on the observations made by the Joint Committee in this matter. The notice is based on the inspection conducted on 16.11.2024 and the report submitted to the Hon'ble NGT on 29.11.2024. Copy of the Show Cause Notice is marked and annexed herewith as **Annexure R/9.**

16. That the lessee, M/s Ashu Singh Bhati, vide its letter dated 20.01.2025, has submitted a reply to the Show Cause Notice dated 03.01.2025, stating that their mining lease has not been in operation since 18.06.2024 and denying all allegations related to illegal mining. The lessee has further denied any involvement in the pits observed by the Joint Committee, contending that their mining operations had ceased in June 2024. Copy of the

reply to the Show Cause Notice is marked and annexed herewith as **Annexure R/10**.

17. That the Mining Engineer, Bhilwara, vide its letter dated 27.01.2025, has submitted that based on violations committed by the lessee, a notice was issued by the Department of Mines & Geology vide letter dated 20.06.2024, directing the lessee to submit a reply within 30 days from the date of issuance of the notice. The lessee submitted its reply to the Department of Mines & Geology on 19.07.2024 and subsequently via email on 22.07.2024. The Department of Mines & Geology, Bhilwara, found the reply unsatisfactory, and based on the improper response and various rules and regulations governing the Mines Department, the Mining Engineer, Bhilwara, vide its letter dated 30.07.2024, recommended the cancellation of the mining lease allotted to the lessee. This recommendation was forwarded to the Director, Department of Mines & Geology, Udaipur. The Director, Department of Mines & Geology approved the recommendations made by the Mining Engineer, Bhilwara, and forwarded the same to the State Government for further action, which is currently under consideration at the State Level. Copy of the letter dated 27.01.2025 is marked and annexed herewith as **Annexure R/11**.

18. That the Mining Engineer, Bhilwara, in the aforesaid letter, has also submitted that as mining operations are currently halted, compliance with the Enforcement & Monitoring Guidelines for Sand Mining, 2020, and the Sustainable Sand Mining

Guidelines, 2016, shall be ensured upon resumption of mining activities. This includes:

- Digging of trenches on both sides of the mining lease.
 - Limiting the number of Entry and Exit points to the mining lease.
 - Installation of CCTV cameras at all Entry and Exit points of the mining lease to curb illegal mining activities in the area.
19. That Regarding the action taken against illegal mining, the Mining Engineer, Bhilwara, has informed that an amount of Rs. 115 Lacs has been realized as environmental compensation from 2022-2023 till December 2024. The details of the same are enclosed in the aforesaid letter.
20. That the Mining Engineer, Bhilwarahas also informed that the District Survey Report(DSR) for Bajri Mineral has been prepared in compliance with various Court Orders, the Sustainable Sand Mining Management Guidelines, 2016, and the Enforcement & Monitoring Guidelines for Sand Management, 2020. The DSR has been approved by SEIAA Jaipur vide letter dated 29.01.2024. The Mining Engineer has further submitted details of the available minable reserves in the lease area as of 2023, based on the replenishment study, as stated in the aforesaid letter.
21. That the answering Respondent - RSPCB craves leave of the Hon'ble Tribunal to file additional detailed para wise reply in case the needs to accrue in future.
22. That the instant Reply is supported by way of an Affidavit.
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PRAYER

In view of the following facts and circumstances, it is respectfully prayed that the instant Original Application be dismissed at the very threshold and appropriate orders be passed in the interest of justice and for fair adjudication of the matter.

DATE 13/02.2025
PLACE: DELHI



ROHIT SHARMA
COUNSEL FOR RSPCB

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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AFFIDAVIT

I, DEEPAK DHANETWAL S/o Shri _TARA CHAND VERMA, aged 38 years, presently posted as Regional Officer, Rajasthan State Pollution Control Board, Bhilwara, having office at 17-18, Near Pannadhaya Circle, Azad Nagar, Bhilwara, (Rajasthan), do hereby solemnly affirm on oath as under:

1. That I am the Regional Officer for Rajasthan State Pollution Control Board, Bhilwara, Rajasthan and fully conversant with the facts of the case and hence competent to swear on this Affidavit.
2. That I am filing the Reply to the Original Application on behalf of Rajasthan State Pollution Control, the contents which are true and correct to the best of my knowledge and belief and no material fact has been concealed thereof.
3. That the instant Reply has been drafted by my counsel on my instructions.

NOTARY S No. ¹¹⁵⁰ 2025

VERIFICATION

I, the above-named Deponent do hereby verify that the contents of the Affidavit are true and correct to the best of my knowledge and belief and no material fact has been concealed.

Signed and verified on this 13th Day of February, 2025 at Delhi.



DATE.....
Deponent Sworn and Signature before me and Admitted the Contents to be True Hence Attested Identified by....

BHAGWATI SHARMA
NOTARY PUBLIC
Session Court, Bhilwara
Mo -9829587725

DEPONENT
राजस्थान प्रदूषण नियंत्रण मण्डल
भीलवाड़ा

DEPONENT
क्षेत्रीय अधिकारी
राजस्थान प्रदूषण नियंत्रण मण्डल
भीलवाड़ा



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LIST OF DOCUMENTS

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DATE 13.02.2025

PLACE: DELHI



ROHIT SHARMA
COUNSEL FOR RSPCB



सत्यमेव जयते

F. No. J-11015/286/2013-IA.II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan
 Prithwi Wing, 2nd Floor, Aliganj,
 Jor Bagh Road, New Delhi-110 003

Dated: 14th October, 2020

To

M/s Shri. Ashu Singh Bhati
 45, Paschim Vihar, Vaishali Nagar
 Jaipur, Rajasthan-302021

Subject: Mining of Mineral Bajri (Minor Mineral) with proposed production capacity of 0.84 Million TPA (ROM) by Shri Ashu Singh Bhati, located at Revenue villages of Tehsil Shahpura, District-Bhilwara, Rajasthan (MLA 624.39ha)[F. No. J-11015/286/2013-IA.II (M); Proposal No. IA/RJ/MIN/20582/2013] – Environmental Clearance

Sir,

This has reference to proposal No. IA/RJ/MIN/20582/2013 of Shri Ashu Singh Bhati is for mining of Bajri (Minor Mineral) with proposed production capacity of 0.84 Million TPA (ROM). The mine lease area is located at Revenue villages of Tehsil – Shahpura, District – Bhilwara in the mine lease area of 624.39ha. The mine lease area lies on Khari and Mashi River. The Project is located in Seismic zone-II. The Lease area falls on Survey of India toposheet number 45K/13, 45K/14, 45O/1 and 45O/2. The Latitudes and Longitudes of the mine lease area as below:

Zone	Latitudes	Longitudes
Zone - I	25°52'42.86" N to 25°46'05.84"N	74°52'03.21" E to 74°06'46.70" E
Zone –II (A)	25°48'15.32" N to 25°46'05.84"N	74°45'31.08" E to 74°06'46.70" E
Zone – II (B)	25°40'06.02" N to 25°44'00.95" N	74°47'09.75" E to 74°57'11.6" E

1. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

The Committee previously asked the PP to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.

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PP in its reply dated 10.07.2020 submitted Cluster Certificate issued by Mining Officer, Bhilwara vide its Letter. No 218 dated 15.06.2020 wherein it has mentioned that there is one mining lease within 500 meters as per following details:

M.L. No.	Tehsil	District	Area (in ha)	Name of LOI Holder
119/2012	Hurda, Masud	Bhilwara, Ajmer	544.03	Shri. Vikramaditya Rathod

2. The proposal of TOR was considered by the Expert Appraisal Committee in its 13th Meeting held during 12th November, 2013 to determine the Terms of Reference (TOR) for undertaking detailed EIA study. The TOR was issued by MoEF&CC vide letter No. J-11015/286/2013-IA.II (M) dated 09.12.2013.
3. **PP vide Proposal No. IA/RJ/MIN/20582/2013 dated 05.05.2015** applied for Environmental Clearance and submitted the EIA/ EMP Report online to Ministry for seeking Environmental Clearance after conducting Public Hearing for mining of Bajri (Minor Mineral) with proposed production capacity of 0.84 Million TPA (ROM). The mine lease area is located at Revenue villages of Tehsil – Shahpura, District –Bhilwara in the mine lease area of 624.39ha. The Proposal of EC was appraised before the Expert Appraisal Committee in its meeting held during August 25- 27, 2015. The Committee deliberated at length the information submitted by PP and **recommended** the Proposal for Environmental Clearance for Mining of Mineral Bajri with proposed production capacity of **0.84 Million TPA (ROM)**. *The Committee recommended additional specific conditions viz. (i) 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; (ii) Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical checkup and once in six months and necessary medical care/preventive measures under taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; (iii) 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.; (iv) 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; (v) 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; (vi) Implementation of Action Plan on the issues raised during the Public Hearing. The Proponent shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing; (vii) 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; Washing of all transport vehicle should be done inside the mining lease; and (viii) 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.*
4. **Additional details were sought from the PP vide letter dated 26.12.2016 (uploaded on PARIVESH on 29.12.2016) to conduct a scientific replenishment study citing the following:**

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5. *The matter was examined in the Ministry w.r.t. replenishment study and noted that the Ministry has issued the terms of reference and inter-alia mentioned a condition that the Project Proponent shall conduct a detailed replenishment study and submit the report along with the EIA/EMP. However, the Project Proponent has made a theoretical study based on Dendy Bolton's Replenishment Formula. In view of the above, the Ministry requested the EAC to recommend the amount of production on yearly basis based on a duly conducted scientific replenishment study before recommending Environmental Clearance. Accordingly, the proposal to discuss the replenishment study issues related to sand/bajri mining projects have been re-considered before the EAC meeting held during October 24-25, 2016.*
6. *The Committee deliberated the issues and opined that Replenishment of the sand is a natural process in the perennial rivers. The sand moves along with the water streams and is deposited in the void created in the mined out areas. Replenishment rates vary depending on nature of watershed, nature of soil and rainfall etc. and mining beyond the natural replenishment rate results into damage of river bed leading to adverse environmental consequences. Mining proposals under the category of river mining are received for Environmental Clearance mainly from States such as Uttarakhand, Himachal Pradesh, Uttar Pradesh, Jammu and Kashmir, Haryana, Bihar and Rajasthan. Analysis of these proposals reveals that the proposals of sand mining from Rajasthan are not in perennial rivers. These are, in effect, paleo sand deposits and are not replenished annually during monsoon season. The mined out areas are not replenished adequately and may turn into permanent depressions.*
7. *The Committee noted that the EIA/EMP reports on sand mining proposals estimate replenishment rates based on theoretical Dendy—Bolton formula and not on actual replenishment studies. The Dendy- Bolton formula is not very useful to estimate replenishment rates at a particular stretch of a river and its application to cases such as those of Rajasthan, where rivers are not perennial, is even more problematic. In view of the above, there is a need, therefore, to treat the river sand mining proposals from Rajasthan differently from those of other States. The Committee deliberated the issues w.r.t. replenishment study and is of the view that in case of Sand/Bajri mining projects from the State of Rajasthan, Project Proponents shall first conduct a scientific replenishment study and submit the report before the EAC for further consideration of amount of production for mining of sand/bajri on yearly basis. Therefore, the Committee deferred all such sand/bajri mining proposals of State of Rajasthan."*
8. **In response to the ADS dated 27.12.2016, PP uploaded the "Scientific Replenishment Study Report for Bajri/Sand Mine Leases in The State of Rajasthan (Phase-II Report)" dated February, 2018 on PARIVESH on 03.04.2018.**
9. **Notably, the proposals of River Sand/Bajri Mining in State of Rajasthan were considered by the Special EAC meeting held on 08.01.2018 pursuant to the judgement of Hon'ble Supreme Court, dated 16.11.2017.** These proponents had submitted Scientific Replenishment Study Report prepared by the Central Mine Planning & Design Institute (CMPDI). Apart from M/s CMPDI and PPs, the officials of the State Government of Rajasthan namely Shri Deepak Tanwar, Senior Mining Engineer, Bharatpur and Shri D. P. Gaur, Senior Mining Engineer, Jaipur were invited to attend the EAC meeting.
10. *The Member Secretary appraised the Committee that the Hon'ble Supreme Court vide its judgment dated 16.11.2017 in the matter of SLP(C) No.34134 of 2013 (State of Rajasthan Vs Nature Club of Rajasthan) has restrained river sand/ bajri mining in the State of Rajasthan in respect of 82 Letter of Intert (LoI) holders who had submitted their applications to the MoEFCC for grant of EC. The above 19 PPs are covered under 82 LoI holders who have been restrained from carrying out river sand/ bajri mining.*
11. *The Consultant, M/s CMPDI, on behalf of PPs submitted that it has carried out three-stage study to estimate the replenishment of sand in the State of Rajasthan (as detailed in the minutes). Based on the study, M/s CMPDI estimated the annual replenishment of*

sand w.r.t. each of the proposals. For this proposal of M/s. Pradeep Sethi Estimated the Annual Replenishment was found to be 1.61 Million m³. Based on the above replenishment estimations, M/s CMPDI has indicated the replenishment status vis-a-vis annual planned production for each of the case. In case of this proposal of M/s. Pradeep Sethi, it is estimated that "Replenishment will be less than planned annual production."

12. The Committee noted that apart from the above estimations, M/s CMPDI has made certain conclusions and recommendations, the salient features of which are as below: - i. The rivers of Rajasthan are ephemeral in nature and not replenished annually as compared to perennial rivers and therefore, the concept of annual replenishment is not applicable. There is a need to consider appropriate change in the policy applicable for annual replenishment of rivers vis-à-vis mine capacity permits in case of Rajasthan. ii. Due to erratic and uncertain occurrence of rainfall in the State, there exists appreciable variation in the amount of replenishment of the rivers. The replenishment achieved at one point of time may be utilized over more than a year depending upon requirement which needs to be considered while linking annual production with annual replenishment of the rivers in the State of Rajasthan. iii. As per their considered opinion, M/s CMPDI mentioned that there is a need to consider the concept of resource accounting of bajri/ sand in the rivers of Rajasthan and take the replenishment as a measure for resource augmentation. The permissible level of bajri/sand in each stretch need to be identified and each year, the resource augmentation based on the replenishment of the river need to be added onto it for updating the bajri/sand. Based on such estimation, quantum of further permits may be decided by State Government. iv. Apart from the above, system of Environment Accounting has also been propagated by United Nations (UN) with System of Environment – Economic Accounting 2012-Central Framework (SEEA-Central Framework) which is a statistical framework consisting of a comparable statistics and indicators for policy making etc. It is a tool that helps in tackling natural resource depletion and environmental degradation. For sand mining projects of Rajasthan, Physical Supply Use Tables (PSUT), as provided in SEEA-Central Framework of UN, may be utilized for sustainable use of sand mining and grant of mining permits. The mining lease in Rajasthan occurs in paleo sand deposits and use if PSUT will be appropriate in this case. v. The installation of observation points may be appropriately considered for determination of replenishment level in each tract of river under consideration. The observation points may be installed at strategic locations and rise in the level of Bajri/sand may be monitored.
13. The Committee made detailed deliberations and noted that there is a requirement of identification of active mining area within leased river stretches and subsequent identification and preparation of cross-section for assessing replenishment of sand in coming years. Hence, mining permission is technically required to be granted so as to conduct replenishment studies in future and demonstrate the same to State Govt. to regulate mining of paleo deposits in future. Accordingly, EAC recommended mining of river sand/ bajri to up to 25% capacity of the annual proposed production capacity **subject to submission** of information and undertaking as below:
1. DMG, State Government to submit demarcated river stretch through latitudes and longitudes (out of the total lease) where river sand/ bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section in consultation with State Irrigation Department;
 2. PPs and M/s CMPDI to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate;

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3. PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota;
 4. State Government of Rajasthan shall regulate the mining operations by PPs and submit report to MoEFCC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season; and
 5. State Deptt. Of Mines & Geology and PPs are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.
14. Further, the Environmental Clearance Proposals for mining of Sand/Bajri which were received from the State of Rajasthan were at various stages of consideration before the Expert Appraisal Committee (EAC) under the provisions of the EIA Notification, 2006. These Proposals were deliberated and discussed by the EAC in its meeting held during May 30-31, 2018. The detailed Minutes of EAC meeting may kindly be seen at <http://environmentclearance.nic.in>, the summary of which is as follows:
15. The Member Secretary has informed to the Committee that the issues related to replenishment study on the sand/bajri mining projects were deliberated by the EAC in its meeting held during October 24-25, 2016 wherein the Committee deliberated the issues w.r.t. replenishment study for the sand/bajri mining projects received from State of Rajasthan and the Committee suggested that Project Proponents shall first conduct a scientific replenishment study and submit the report before the EAC for further consideration of amount of production for mining of sand/bajri on yearly basis. Therefore, the Committee had deferred all such sand/bajri mining proposals of State of Rajasthan.
 16. The Member Secretary has appraised the Committee that the Hon'ble Supreme Court vide its judgment dated 16.11.2017 in the matter of SLP(C) No.34134 of 2013 (State of Rajasthan Vs Nature Club of Rajasthan) has restrained river sand/ bajri mining in the State of Rajasthan in respect of 82 Letter of Intent (LoI) holders who had submitted their applications to the MoEFCC for grant of EC.
 17. The Member Secretary has also informed that Government of Rajasthan has issued the Rajasthan Minor Mineral Concession (Amendment) Rules, 2018 on 28th February, 2018 and has amended Rule 5 and 6 of the Rajasthan Minor Mineral Concession Rules, 2017 w.r.t. existing expression "one year", to "thirteen months" i.e. all LOI of minor mineral issued are only valid up to 31.03.2018. Government of Rajasthan, vide letter no. 14(4) Mines/Gr. II/2014, dated 9th April 2018, has submitted the status of 82 bajri mining cases. Out of 82 LOIs, 42 LOIs are cancelled/lapsed, 10 LOIs are sanctioned the lease/executed, and 30 LOIs are under stay in the Hon'ble High Court at Jodhpur w.r.t. regard to validity of LOI. The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.
 18. The Member Secretary has informed that the Ministry is receiving the projects of Bajri/Sand mining from the State of Rajasthan and requested the EAC to suggest further course of action. The Committee has also observed that similar proposals from the State of Rajasthan were considered by the EAC in its meetings held on 8th January 2018 and May 30-31, 2018 (this meeting) wherein the Committee has asked the following certain information/clarifications and undertaking from the State Government of Rajasthan/Project Proponent: -

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1. Complete appraisal of the EIA/EMP report along with TOR compliance and other mitigation measures, if not done earlier.
2. Details of Scientific Replenishment Study report needs to be presented with other requisite information.
3. DMG, State Government to submit demarcated river stretch through latitudes and longitudes (out of the total lease) where river sand/bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section in consultation with State Irrigation Department;
4. PP and Consultant to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate;
5. PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth to be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota;
6. State Government of Rajasthan shall regulate the mining operations made by PP and submit report to MoEF&CC on quarterly basis. It shall also be ensured that leveled cross section is made before the onset of next rainfall season; and
7. State Department of Mines & Geology and PP are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.
8. The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal
9. The PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan.
10. The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chianages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.
11. Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed forexcavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be submitted by the PP.

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12. PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.
13. The plans and sections should be depicting the dates (period) of survey further in order to ensure the ground survey. PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.
14. In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.
15. The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters drawn at 90 degrees.
16. PP shall submit the compliances as per the Ministry's Office Memorandum No.3-50/2017-IA.TII(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.
19. The Committee has made the detailed deliberations in the EAC held during May 30- 31, 2018. The representatives of State Government of Rajasthan were also present during the meeting. Based on the detailed deliberations and discussions, the Committee is of the view that the complete appraisal may be done once the information as sought in the similar cases of State of Rajasthan for bajri/sand mining project may be submitted by the State Govt. of Rajasthan and Project Proponent. In view of the above, the Committee suggested that first State Govt. of Rajasthan and Project Proponent shall submit the above mentioned information for all similar case of the State of Rajasthan. Thereafter the proposals may be considered. The Committee also suggested that the proposals can only be considered before the EAC once all the complete information received from State Govt. of Rajasthan and Project Proponents.
20. The Committee suggested that the Ministry first seek the above mentioned information from PPs and State Govt. in all similar cases from State of Rajasthan and afterwards placed before the EAC.

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21. The matter was examined in the Ministry and accordingly Project Proponent and Department of Mines and Geology, Govt. of Rajasthan were requested vide letter dated 18.06.2018 (uploaded on PARIVESH on 19.06.2018) to submit the above mentioned requisite information online to the Ministry for further necessary action on the matter.

In view of above, the Ministry informed the PP on 07.10.2019 to "upload all the information sought by EAC in its meeting held on Jan-2018 and May 2018 in respect of sand mining project from State of Rajasthan. Upload the actual replenishment study report. Recommendation of SubDivisional Committee as per S.O. 141(E) dated 15.01.2016."

In response to above deliberation and ADS raised, PP has now replied on 16.05.2020 stating that Replenishment study report has been prepared and verified by Irrigation as well as Department of Mines & Geology, Rajasthan Complying. PP has further provided the following compliance w.r.t. the points asked during the 32nd EAC meeting held on May 30-31, 2018.

The proposal was placed in the 18th EAC (Non-coal Mining) held during 22-24 June, 2020. The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant in the meeting and deferred the proposal and advised the project proponent to submit the following information, as sought for the proposals deliberated during the 5th - 6th May, 2020.

Further, Review on the status of the Sand Mining Proposals received from the State of Rajasthan is as follows:

1. The committee also reviewed the status of the Sand Mining Proposals received from the State of Rajasthan. The Committee is of the view that the Hon'ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order, to expedite the process, a Special Meeting was also conducted on 12.06.2020 wherein two proposals from State of Rajasthan was recommended. The representative of State Government of Rajasthan in the previous meeting brought to the notice of the Committee that there is a scarcity of the mineral in the State. The Committee therefore desired to know the status of the remaining proposals.
2. The Member Secretary informed the Committee the State Government in its letter dated 3.02.2020 mentioned that reports of 16 proposals have been submitted to the Ministry. Information for the remaining proposal is yet to be submitted by the State Government and Project Proponent. In order to facilitate the information uploading the Ministry also re-listed the projects but as the information was not submitted for more than 3 months the proposals were auto delisted from the PARIVESH Portal. Till dated Ministry did not receive any request from Project Proponent /State Government for re-listing of these proposals.
3. The Committee is of the opinion that the Ministry may write to State Government and Project Proponent, to submit the requisite information as early as possible, so that appraisal of the projects can be completed.
4. In view of the same, PP vide its letter dated 10.07.2020 has submitted the information
5. PP has submitted that the mine lease area is 624.39ha which is Khari and Mashri River. No forest land is involved. Letter of Intent (LOI) for grant of mining lease for minor mineral Bajri over an area of 624.39 ha has been granted by the Director of Mines and Geology Department, Govt. of Rajasthan, vide letter dated 27.03.2013 for the period of 5 year. The river area spreads in 17 villages of Shahpura Tehsil, Bhiwara district.

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The Committee observed that the EAC in its minutes of meeting held during 30.05.2018 inter-alia mentioned that "The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal."

PP in its reply submitted on 16.05.2020 mentioned that LOI issued by the state Govt. is valid vide letter no. P10 (9) Mine/Group2/2013 dated 27.02.2013 issued by Department of Mines & Geology, Government of Rajasthan. As per the letter LOI is valid for 5 years only.

6. PP has submitted that the Mining Plan is approved by SME, Bhilwara Circle, Bhilwara vide letter no. SME/ BHL-C12/F/Mining Plan/ Mining Scheme/ 3762 dated 27.08.2013. Committee previously asked that "The details of the area to be utilized & not to be utilized for mining, as Approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or unutilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided."

PP in its reply submitted on 10.07.2020 mentioned that "The details of the area to be utilized as per Approved mining plan is 100.0 Hect. Thus area not to be utilized is 524.39 Hect. (Annexure No.-5A). Area Demarcated by Department of Mines & Geology comes under-utilized zone (Annexure-6). The area required under Mining will be same as approved in the Mining Plan (The justification is given as Annexure No.-7). There is no prohibited area within the LOI area/demarcated area."

As it appears from the submission that large area remains un-utilized the Committee previously asked the PP that "Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining, 2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the current proposal shall be compared and explained, as there is significant difference in mining intensity per ha. Area."

PP in its reply dated 10.07.2020 submitted that the "Mining is proposed in the small area where mining will be done as per condition of environment clearance, sustainable Sand Mining Guidelines 2016. Environment & Monitoring Guidelines,2020 for Sand Mining and RMMCR, 2017. To curb the illegal Mining in the remaining area. There are eighteen entry point (Roads) from where river can be approached. Therefore, eighteen numbers of night vision camera will be installed and data will be made available to state government. Apart from this the Project Proponent takes the responsibility that no illegal Mining will be allowed/ done for remaining area. The budget required to curb the illegal Mining will be as follows:-Budget for Surveillance equipment: i) Transport Permit (Rs 4.0 Lakh), ii) CCTV Camera (Rs 8.0 Lakh-Capital and 0.8 lakh recurring), iii) Weigh bridge (Rs 25.0 Lakh-Capital and Rs 2.5 Lakh-recurring), iv) Personal Computer with power backup (Rs 3.0 Lakh-Capital and Rs 0.3 Lakh-recurring), v) Mobile Application Barcode Scanner (Rs 3.0 Lakh-Capital and Rs 0.3 Lakh-recurring), vi) Radio Frequency identification tags (RFID) and Global Positioning System (GPS) tracking (Rs 4.0 Lakh-Capital and Rs 0.4 Lakh-recurring), v) Annual audit of each lease (Rs 4.0 Lakh-recurring) , and vi) Security Guard (Rs 129.6 Lakhrecurring).

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Compassion between original proposed & Current Proposed

S.No.	Details	Original Proposed	Current Proposed
1	Mining Area	624.39 ha.	50.1307 ha.
2	Reserve	11.31 Million tonne	2.22 Million tonne
3	Production	0.84 Million Tonne	0.82 Million
4	EMP Cost	11.50 Lacs	200 lacs
5	CSR /CER Cost	10.50 Lacs	167 lacs
6	Water requirement	13 KLD	17.14 KLD
7	Project Cost	1.40 Cr	3.20 Cr.

The Committee observed that to achieve a production of 0.84 MTPA the area required is very less as compared to LOI allocated area or area demarcated by DMG. The Committee asked State Government that why a larger area is provided. The Representative of the State Government informed the Committee that it's the policy of Rajasthan Government to grant large area tehsil wise and for the remaining un-utilized area the onus of preventing illegal mining is with PP & State Government. The Committee is of the view that SOP in this regard may be submitted by the State Government.

In addition to above, Committee is also of the view that policy of granting large mining area tehsil wise is not feasible as it blocks the mineral resource and lead to shortage of supply of the sand in the State and also the loss of revenue to State Government. The State Government may look into the policies and grant only that much area which is sufficient for the said production or as per demand of the sand in the State.

Committee observed that PP in its submission made to the Ministry mentioned that "The extractable Replenished quantity per Hectare is about 34257.74 Tonne. So to achieve 0.84 million Tonnes per annum the net area required will be 24.52 Hectare. So total net area required during the next five years will be 73.56 ha. The area worked during 1st years and 2nd Year will be worked out in the 4th & 5th year respectively." The Committee is of the view that area required to achieve 0.84 million TPA of production is 73.56 Ha.

- The Proponent has submitted that Method of mining is semi - mechanized opencast method. Excavation will be carried out up to a maximum depth of 3.0 meters from surface of deposit and not less than one meter. from the water level of the River Khari and Mashi whichever is reached earlier. Proponent informed that 100 ha area will be used for excavation; 12.06 ha for safety zone against bridges (9 nos.); 30.24 ha for permanent roads (21 nos.) and 67.39 ha for wells (103 nos.). Project Proponent reported that mining will be done leaving a safety distance from the banks i.e. 7.5m of the width of the River from both the banks. No ponding will take place. Mining will be done only during day time and completely stopped in monsoon season. No mining will be done in the zone of 45m on either side of the structure/ bridge. Project Proponent reported that there will be temporary rest shelters during operational phase. Mineral will be transported through road. Project Proponent has made the traffic analysis survey and reported that no. of trucks will be deployed 150 per day (20 tonnes capacity each) which increase 250 PCUs per day and the level of service (LOS) remains as "A".

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Project Proponent reported that roads will be repaired regularly and maintained in good conditions. A supervisor will be appointed to regulate the traffic movement near site. Speed breakers and signage will be maintained at the sensitive places.

The Committee observed that EAC in its meeting held during 8.01.2018 inter alia mentioned that "PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth to be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota". In compliance to this condition the PP also submitted an undertaking on its letter-head dated 26.02.2020 wherein inter-alia it has mentioned that PP shall use only scraper for mining and no excavator & JCB will be used for mining.

The Committee observed that in last EAC meeting "The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing the EAC and informed the Committee there is sufficient material available for mining and requested for grant of EC."

The Committee is of the view that now PP has submitted an actual replenishment study which shows that there is some deposition of mineral. PP also submitted the action to be taken for the prevention of illegal mining, State Government is also sensitized for the requirement of replenishment study and methodology for the same, area is already demarcated by State Government, the PP has also increased the budget for the Environmental Management Plan. Therefore, the Committee is of the view the use of machine with bucket capacity of 1.0 m³ and boom length not more than 3 meters may be allowed for this project. Regarding timing of the mining the Committee is of the view that mining shall be restricted to day hours only (9 AM to 6 PM) till the time PP demonstrate the compliance of EC conditions and effective measures to be taken for the protection of environment as per EC Conditions. The depth of mining shall not be more than 1 meter from OGL (unmined area).

8. PP submitted that the site elevation is 362 MSL highest and working level will be 359 MSL (3 m bgl). The ground water is at 353 MSL (10 m bgl). There will be no intersection of ground water table as mining activity will be restricted up to 3.0m from bed level or 1.0m above the ground water table. PP has submitted that the daily water demand will be 13.0 KLD, out of which 3.0 KLD will be used for domestic purpose and 10.0 KLD for dust suppression. Water will be obtained through tanker supply from near village. NOC from Gram Panchayat for water supply will be obtained shortly.

The Committee previously asked that PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.

PP in its reply submitted on 10.07.2020 re-estimated the water requirement and it has mentioned that total water requirement will be 17.14 KLD (0.3 KLD for domestic use, 16.65 KLD for dust suppression and 0.0185 KLD for plantation). The cost of water tanker is Rs. 900 per tanker.

The Committee is of the view that water requirement for dust suppression is only for one cycle of spraying but for effective dust suppression at least 3 cycles/day is required and thus the water consumption from the project will be around 50.435 KLD (0.3KLD for domestic, 49.95 KLD for dust suppression and 0.185 KLD for plantation).

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9. PP has submitted that the lease area is in the river bed and devoid of any vegetation. Mining activities will not cause any harm to riparian vegetation cover as the working will not extend beyond the offset left against the banks. Plantation will be carried out as social forestry programme in villages, school and the areas allocated by the Panchayat / State authorities. Plantation has been proposed on both sides of the roads as greenbelt to provide cover against dust dissemination. A massive plantation will be done nearby the mine area to mitigate the ill-effects of mining and to improve environment of its surrounding area. Native plants like Neem, Pipal, Khejri, Mango and other local species will be planted. The management will give emphasis on plantation and will also motivate local persons for plantation during rainy season. This will also increase the consciousness in workers and near-by villagers for greenery. Fruit trees can contribute towards their financial gains. PP has submitted a 5 year action plan for Green Belt Development with a plantation rate of 1560 saplings/year. A total of about 7,800 trees of native species along with some fruit bearing and medicinal trees will be planted at various places in a span of five years. The green belt development will be carried out by Project Proponent and maintenance will be done by the villagers/ NGO's with their active participations. PP has earmarked a budget of Rs. 0.5 Lakhs towards plantation.

The Committee in the last EAC meeting asked that "The PP needs to submit timebound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost".

PP in its reply dated 10.07.2020 submitted that 3 Layer plantations on both side of the kachha road will increase the floral diversity of The area. Sufficient availability of Water will be ensured for green belt. The green belt area once marked will not be disturbed during life of mine. The lease area is devoid of any vegetation. Total of about 8,880 trees of native species along with some fruit bearing and medicinal trees will be planted at various places in a span of five Years. Total budget of Rs. 90 Lakhs has been earmarked for 5 years towards Greenbelt.

The Committee is of the view that PP shall plant not less than 4000 saplings of within a period of 2 years. The height of seedlings shall not be less than 2 meters. Species such as Azadirachta indica (Neem), Ailanthus excels (Ardu) Albizia lebbeck(Siris), Ficus religiosa (Peepal), Lasora (Cordia dicotoma), Dalbergia sissoo (Shisham), Tamarindus indica (Imli), Morus alba (Shahtoot), Ziziphus mauritiana (Ber), Syzygium cumini (Jamun), Mangifera indica (Mango), Diospyros melanoxylon (Tendu), Annona squamosa (Sitafal), Pithecelabium dulce etc. (Jungle jalebi) . The Plantation shall be carried out along the road side, banks of river and public places under social forestry programme in consultation of local authorities in five year". The budget proposed for plantation shall not be less than Rs 90 Lakh and the same may be increased if required.

10. PP submitted that there is no forest land involved in the lease area. Project Proponent reported that there is no National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Tiger/ Elephant Reserves (existing) is situated within 10km of the mining lease area as per the primary survey and the available secondary data. A certificate has been obtained stating that the above mentioned, from the Office of Deputy Conservator of Forests, Bhilwara vide letter no. F()Survey/Uvas/2062 dated 11.03.2015. PP has also reported that a certificate is issued regarding the mine site not falling in Aravali Hills, authenticated by Department of Mines and Geology vide letter

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- dated 06.02.2014. The area is not covered under Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The Committee in the previous meeting asked the PP to submit the certificate w.r.t involvement of forest area in the mining lease.
- The PP in its reply dated 10.07.2020 submitted the letter No F()Survey/Uvas/2062 dated 11.03.2015 issued by DFO, Bhilwara wherein it has mentioned that said land is not falling under forest area. In the same letter it has mentioned that there is no National Park, Sanctuary, Biosphere Reserve, Wildlife Corridor, Tiger/Elephant Reserve (existing as well as proposed) within 10 km radius of the mine lease.
11. PP submitted that a detailed biological study of flora and fauna (core and buffer zone) has been carried out. The authenticated list of flora and fauna has been obtained from the Office of Deputy Conservator of Forest, Bhilwara vide letter no. F() tak/Uvas/2062 dated 11.03.2015. Schedule – 1 fauna Peafowl has been reported in the buffer zone during the study period. The conservation plans for Peafowl has been prepared by in-house expert. An amount of Rs. 2.0 lacs have been earmarked for the conservation of schedule – 1 species.
- The Committee in the previous meeting asked the PP to submit authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted.
- PP in its reply dated 10.07.2020 submitted a list of flora and fauna in the Core and Buffer Zone which also includes Schedule-I Species authenticated by DCF, Bhilwara vide letter no. F()Survey/Uvas/2062 dated 11.03.2015. Further, PP submitted a letter written to Chief Wildlife Warden vide letter dated 02.06.2020 for approval of conservation plan.
12. PP on 16.05.2020 submitted the District Survey Report of District Tonk, in pursuant to MoEFCC Notification dated 15.01.2016.
13. PP has submitted that Baseline data for ambient air quality (PM10, PM2.5, SO2 & NO2), water quality, noise level, soil and flora & fauna was generated for the period during October 2013 to December 2013. The criteria of the baseline data collection were based on the impact zone on both the sides of the river bank which was expected to be around the 2-3km from both the sides. The stations were considered based on their sensitivity by considering the close proximity with the sensitive zones like reserve forests and expected high pollutant concentration zones like Naka etc. The results obtained for the collected surface water samples indicate that the surface water qualities were found to be well within the prescribed standards Limits (Class C). The analysis results indicate that hardness ranges from 64 to 2280 mg/L in the ground water study and pH and conductivity of the groundwater was in range of 6.87 – 7.32 and 1436-4176 μ S/cm. The TDS were found to be in the range of 582 – 8016 mg/l. Other parameters like chlorides and sulphate were observed to be well within the prescribed limits but sulphate is found to be little high in village Swaroopgun (436.1 mg/l). The physic – chemical analysis for some of the parameters has exceeded the standards as per IS: 10500. The water quality is not potable in nature and needs necessary treatment before drinking. The necessary treatment required to minimize the impact has been mentioned in EMP and cost to be borne by the Project Proponent has been given in CSR activities. An auto weather monitoring stations was installed at mine site during the study period to record various meteorological parameters on hourly basis to understand the wind pattern, temperature variation and relative humidity variation. The average wind speed recorded during the study period was 0.76

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m/s. Calm conditions prevailed for 36.78 %. The prevalent wind direction accounting for maximum length of time is N to S, W to E and NNW to SSE. The results of the monitored data indicate that the ambient air quality of the region in general is in conformity with respect to norms of National Ambient Air Quality standards of CPCB, at all locations monitored. It is observed that the day time noise levels are in accordance to the prescribed limit of 55 dB(A) and that the night time noise levels at mine site were found to little very high due to vehicular movement, within the prescribed standard of 45 dB(A).

The Committee in the previous meeting asked that i) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided and ii) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.

PP in its reply submitted on 10.07.2020 mentioned that the Impact of the transportation of mineral on local transport infrastructure averred and found to be in excellent. State highway adjoining to lease. There is a 3.7 Km Kacha road in SE direction. No habitation/Villages located around this Kacha road. The Width of Road is about 6 mtr. Considering 20 Tonnes capacity and 240 days working about 85 trucks will ply on this Kacha Road. A Budget of Rs. 8.50 Lacs per annum has been proposed for maintenance of 3.7 km Kacha road and water will be sprinkled twice daily and plantation is also proposed on both side of Kacha Road. Around 8,880 Trees will be planted on the both side of three layers. For these Rs 8.50 lacs for Dust Suppression and Rs.90.0 Lacs per annum for plantation has been proposed in EMP project. PP also submitted that there is no proposal for utilization of land outside the mining lease for transportation.

The Committee is of the view that saplings shall be planted in 3 rows and distance between the saplings should not be more than 2.5 meters. In addition to this seedling of height not less than 2 meters to be planted. The plantation along the road side should be completed in 1st year only.

14. The Project Proponent reported that the Public Hearing for the proposed Project was conducted on 07.11.2014 at 4:00 PM at Tehsil Office, Tehsil – Shahpura, District – Bhilwara. The Public hearing was presided over by Shri Giriraj Verma, Additional District Magistrate, Bhilwara. The representative from the Rajasthan State Pollution Control Board was also present. Notice for the Public Hearing was published in "Rajasthan Patrika" & "Hindustan Times" on dated 04.10.2014 & 05.10.2014. The issues raised during the Public Hearing were also considered and discussed during the meeting, which interalia, included that depletion of bajri, water level going down, maintain of roads/rasta, effective implementation of measures will be adopted. Project Proponent has made the action plan with budgetary provisions. The Committee deliberated in EAC held in Aug 2015 and was of the view that PP needs to implement the action plan and the Implementation Report has to be submit to the Regional Office of the MoEFCC every six month.
15. PP has made a budgetary provision towards Corporate Social Responsibility (CSR) as Rs. 14.0 Lakhs as capital cost. This includes 1) Health Checkup at camps – Rs. 4.0 lakhs, 2) Surveillance Programme of the Workers - Rs. 2 lakhs, 3) Assistance to Local Schools, Scholarships to Students - Rs. 2 lakhs, 4) Sanitation and Drinking Water

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Facilities - Rs. 2 lakhs, 5) Vocational Training to persons for income generation - Rs. 2 lakhs and 6) Assistance to Self Help Groups - Rs. 2 lakhs.

The Committee previously asked the PP to submit the time bound action plan and budget for CER/CSR.

The PP in its reply submitted on 10.07.2020 mentioned that budget earmarked for CER/CSR is Rs 33.4 Lakh which includes i) Rs 4.0 Lakh for Health checkup camps for villagers (every six months), ii) Rs 5.0 Lakh for Surveillance Programme of the worker (annually), iii) Rs 5.0 Lakh for assistance to Local Schools, Scholarships to Students (annually), iv) Rs 6.0 Lakh for Drinking Water Facilities [Financial aid will be provided to resume the water supply by ground water and PHD supply Water supply through tanker in villages Near Villages. V) 3.0 lacs for assistance to self help group. vi) 4.0 lac for vocational training to person for income generation. vii) Rs 4.0 Lakh for Construction and Maintenance of Drainage system in the Nearby Villages with the help of Village Panchyat., viii) Rs 2 Lakh construction of Rain water harvesting structure ix) Rs. 2 Lakhs for Construction and maintenance of toilets for boys/girls in Government Schools.

Observation of EAC: The Committee observed that similar activities is proposed by the other project and there should not be any duplication of activities and other activities such as i) installation of solar light in the school and villages, ii) providing computer with internet connection and furniture to nearby government schools, iii) distribution of sanitary napkins in villages, iv) construction of additional room in schools etc. may be done under CER fund.

16. Project Proponent reported that there is no R&R plan is applicable for this project as the mine lease area lies entirely on the River bed and there is no establishment on the site.

17. The Project Proponent has earmarked Rs. 11.50 lacs towards Environment Protection Measures. This cost will be spending phase wise along with the growth project. This will include 1) Pollution Monitoring - Air, Water, Noise - ₹ 4.0 Lakhs, Dust Suppression (Water Sprinkling) - ₹ 3.0 Lakhs, 3) Wire Fencing at Plantation Site - ₹ 0.5 Lakhs, 4) Plantation Including Maintenance - ₹ 0.5 Lakhs, 5) Rain Water Harvesting - ₹ 2 Lakhs and 6) Haul Road Other Roads Repair and Maintenance - ₹ 1 Lakhs.

The Committee previously asked the PP to submit the time bound action plan and budget for EMP.

PP in its reply submitted on 10.07.2020 submitted the revised budget for EMP as 112.0 Lakh which includes i) Rs.1.30 Lakh/annum for Environmental Pollution Monitoring i.e. Water, Air, soil & Noise etc. [Air Sample 6 Location $6 \times 2 \times 3500 = 42,000$, Water Sample 8 Location $8 \times 2 \times 2500 = 40,000/-$ Noise Sample 6 Location $6 \times 2 \times 2000 = 24,000/-$ Soil Sample 6 Location $6 \times 2 \times 2000 = 24,000/-$ Total cost of monitoring year 1, 30,000/- ; frequency of monitoring half yearly], ii) Rs 8.50 Lakh/annum for Dust Suppression (Water Sprinkling) (frequency daily); iii) Rs 4.0 Lakh for Environmental Awareness Programme (monthly), iv) Rs 3.0 Lakh for Occupational Health and Safety Mine worker (Health camps, training etc) and v) Rs 90.0 Lakh for Green Belt plantation. PP also submitted that cost of water tanker is Rs 900/Tanker.

18. PP has submitted that the occupational health impacts of river bed sand mining is remote. However, such evidences have not been proven so far, though the monitoring undertaken for years. No records for any occupational health problems were recorded during the primary survey. However, in case of health implications will be referred

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following mitigation measures will be adopted - All employees will be trained, educated and encouraged to follow best and safe work practices in their working environment. Personnel Protective Equipments like face mask, earmuffs, ear plugs, gloves, safety goggles and safety boots is being provided. All workers will be subjected to Initial Medical Examination as per Mines Rule 1955 both at times of appointment and Periodical Medical Examination at least once in five years. First aid trained personnel's, first aid stations fully equipped as per Mines Rules 1955 and first aid kits will be made available all the time. Awareness programme regarding the use, maintenance and up-keep of respirators will be conducted on regular basis so that employees are trained to handle the equipment properly.

The Committee previously asked the PP to submit the time bound action plan and budget for Occupational Health Plan.

PP in its reply submitted on 10.07.2020 mentioned that for the Persons working in dusty area to be provided with protective wears such as helmets, dust masks, ear muff, Heat stroke. Continuous sitting driving vehicle the Backaches. Hearing loss. Body electrical resistance damage. Regular water sprinkling at dust Generating areas, Haul roads. Occupational health checkup of all workers Working in mine and Pulmonary function test for workers working In dusty areas. Ergonomic factor & noise issue will be taken up during the perches of machines. A budget of Rs 3.0 Lakh is earmarked for occupational health plan.

19. PP submitted that there is no litigation is pending against the project / applicant in any court of law. However, there is a PIL in the High Court of Rajasthan filed by an NGO, Nature Club of Rajasthan. The order was passed on dated 16 April' 2013 by Hon'ble Court giving directions to State Govt. to finalize the allotment of mining leases of Bajri in the State within a period of six months as per new rules and adopt procedure for revenue collection under new rules only.

The Project Proponent has also made a submission that in accordance to Hon'ble Supreme Court of India's orders dated 25.11.2013, 24.02.2014 and 27.03.2014 (In Civil Appeal No. 9703-9706 of 2013) production of ~ 19534 Tons of Bajri has been made during January 2014 to March 2014 and ~ 43,830 Tons of Bajri has been made during April 2014 to March 2015.

The Committee observed that in the instant case as reported by PP and State Government the LOI issued by the state Govt. is valid as per the Hon'ble Supreme Court order dated 10.05.2019 & 06.12.2019. Although PP has provided the list of cases on various issues wherein the project proponent is a party. During the meeting the Committee confirmed from the PP that whether there is any case which is directly pertaining to grant of EC. The PP informed that there is no such court case.

20. PP has submitted the affidavit vide Certificate No. AW 454298 dated 26.02.2020 as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

The Consultant in the EIA report has given a declaration that they confirm that they shall be fully accountable for any misleading information mentioned in the statement. Further, PP has given undertaking in EC Report that they hereby give undertaking that the data and information given in the application and enclosures are true to be best of their knowledge and belief and they are aware that if any part of the data and information found to be false or misleading at any stage, the project will be rejected

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and clearance given, if any to the project will be revoked at their risk and cost. The Committee observed that in the previous meeting the Member Secretary informed the Committee about the complaint received from the Sr. Advocate wherein the issue raised is regarding applicability of Common Cause Judgment dated 2.08.2017 and illegal mining in the sand mining cases from the State of Rajasthan. Due to this the Committee in its meeting held during 06.05.2020 asked the PP to submit "a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted."

PP in its reply submitted on 10.07.2020 submitted that after from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in this matter and A certificate that there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017 has been provided vide letter No. Adm/JPR/courtcase/2020/165 dated 10.06.2020 wherein it has mentioned that project proponent has undertaken mining activities on the lease hold area in term of the temporary working permits issued by the State of Rajasthan vide order dated 19.12.2013, which was issued as per the direction of the Hon'ble Apex Court dated 25.11.2013 in S.L.P.(Civil) No.34134/2013 titled as State of Rajasthan Vs Nature Club of Rajasthan and others and as such the project proponent has not undertaken mining activity without due permission. Mining activity was carried out under the order of Hon'ble Apex Court and thus is not in violation of common cause judgment. No mining has been carried out by project proponent in the lease area before the Hon'ble Supreme Court Order dated 25.11.2013 in S.L.P (Civil) No.34134/2013 titled as State of Rajasthan Vs Nature Club of Rajasthan and after order dated 16.11.2017 in S.L.P (Civil) No.34811/2013 titled as Naveen Sharma Vs State of Rajasthan.

PP has further submitted the affidavit vide Certificate No. AV 278823 dated 11.06.2020 as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

The Committee in the previous meeting also asked the PP to submit a letter regarding change of consultant in pursuant to Ministry's O.M. No. J11013/41/2006-IA. II (I) dated 17.03.2010.

PP, in compliance of Ministry Office Memorandum No.-J-11013/412006-IA.II (I) dated 17.03.2010 submitted a letter wherein it has mentioned that "I hereby submit the intimation regarding the change of Environment Consultants from Enkay Envir Services Pvt. Ltd Jaipur to Overseas Min-Tech Consultants Jaipur"

21. The Proponent submitted that total project cost will be approx. Rs. 1.40 Crores. Total employment in the mining lease will be around 61 people. The local villagers will be preferred for employment.

22. Replenishment Study

- i) Dandy Boltan formula: The Ministry granted ToR vide letter No. J11015/286/201 IA.II (M) dated 09.12.2013 wherein one the condition was for submission of detail replenishment study. The PP in EIA/EMP Report submitted some details EIA/EMP Report based on Dandy-Bolton formula. The EAC in its meeting held during 24-25 Oct 2016 inter-alia mentioned that "The EIA/EMP reports on sand mining proposals estimate replenishment rates based on theoretical Dandy-Bol

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formula and not on actual replenishment studies. The Dendy Boltan formula is not very useful to estimate replenishment rates at a particular stretch of a river. Its application to cases such as those of Rajasthan, where river is not perennial, is even more problematic". "In case of Sand/Bajri mining projects from the State of Rajasthan, Project Proponents shall first conduct a scientific replenishment study and submit the report before the EAC for further consideration of amount of production for mining of sand/bajari on yearly basis. Therefore, the Committee deferred all such sand/bajri mining proposals of State of Rajasthan."

- ii) Meyer-Peter's equation: The PP did not submit the revised EIA/EMP Report. But based on the above meeting entrusted the task of replenishment study to CMPDI and submitted the same to MoEF&CC online on 03.04.2018. The Committee during EAC meeting held during 08.01.2018 observed that CMPDI conducted a replenishment study of the entire mining lease area during 2017 which is based on the Meyer-Peter's equation.

Comment of PD: As per the Replenishment report submitted by PP on 03.04.2018 (CMPDI-Phase-II, February, 2018), the details such as lease dimensions, Estimated Bed Load, Estimated deposition or replenishment, Sediment Load Deposition per month, Annual Replenishment, Estimated Annual Replenishment, Estimates Reserve, Annual Production Capacity envisaged (as per mining plan), Estimated Annual replenishment, Replenishment Status vis-à-vis planned production have not been detailed out in the report for this particular lease.

- (a) As per the EIA/EMP Report the details of the geological & Mineable Reserves are as follows:

S.No.	Details	Original Proposed	Current Proposed
1	Mining Area	624.39 Ha	50.1307 Ha.
2	Reserve	11.31 Million tonne	2.22 Million tonne
3	Production	0.84 Million Tonne	0.82 Million Tonne
4	EMP Cost	11.50 Lacs	200 lacs
5	CSR /CER Cost	10.50 Lacs	167 lacs
6	Water requirement	13 KLD	17.14 KLD
7	Project Cost	1.40 Cr	3.20 Cr.

- (b) In the EAC meeting held during 8.1.2018 the then EAC noted the submissions of the Consultant and observed that the present exercise is essentially an empirical attempt of estimating sand replenishment from Meyer's Peter equation. The Committee also enquired about the extent of over-estimation already included in the formula vis-a-vis the actual figures. M/s CMPDI submitted that Meyer Peter's equation takes into account an overestimation of 25-30% on conservative basis. The Committee thus observed that the estimations arrived at by M/s CMPDI in Para 4 are already overstated in comparison to actual figures. However, the Committee also noted the submissions of M/s CMPDI that the sand/ bajri existing in the river beds in State of Rajasthan are paleo sand deposits rather than annually replenished sand as the rainfall pattern is not regular in the state and therefore, does not lead to annual replenishment.
- (c) In the EAC meeting held on 08.01.2018 the then Committee also interacted with the representatives of the State Government of Rajasthan and noted their

- submissions. The officials of State Government submitted that due to stoppage of river sand/ bajri mining in the State, many infrastructure projects (covering Government as well as Private) have come to a halt. Additionally, the State Government is also loosing revenue (royalty, license fee etc.). Further, being a mineral rich State, the said order has adversely affected the socio-economic situation w.r.t. loss of jobs/ livelihood etc.
- (d) The then Committee made detailed deliberations and observed that the river sand mining proposals for the State of Rajasthan cannot be governed by annual river replenishment studies alone and there is a need for caution in sand/ bajri mining of these paleo deposits. The Committee also observed that M/s CMPDI has not presented its data in the Scientific Replenishment Study report as the same was accepted to be rough estimate and non-representative of the actual replenishment status.
- (e) The then Committee made detailed deliberations on the issues and noted that there is a requirement of identification of active mining area within leased river stretches and subsequent identification and preparation of cross section for assessing replenishment of sand in coming years. Hence, mining permission is technically required to be granted so as to conduct replenishment studies in future and demonstrate the same to State Govt. to regulate mining of paleo deposits in future. Accordingly, EAC recommended mining of river sand/ bajri to up to 25% capacity of the annual proposed production capacity subject to submission of information and undertaking. The Committee observed that 25% of annual proposed capacity for this project comes out to be 0.21 MTPA (25% of 0.84 MTPA).
- (f) Based on the recommendations made by EAC in its meeting held during 8.01.2018 , the Ministry, vide letter dated 05.02.2018 has requested Department of Mines and Geology, Government of Rajasthan/Project Proponent to submit the above mentioned information. In this context, the Department of Mines and Geology, Government of Rajasthan, vide letter dated 20.04.2018 has submitted the information for 18 LOIs and as the information was technical in nature the proposal was placed before EAC in its meeting held during 30-31 May, 2018 wherein the State Government submitted the details of identified the mineable block of 100.00 Ha for this mining lease and surveyed area is 73.7841 Ha. The Committee deferred the proposal and sought requisite information with respect to validity of Lol and other details.
- (g) In view of the requisite information as sought during 8.01.2018 & 30.05.2018 EAC meetings, the PP submitted the replenishment study report on 03.04.2018. As complete information was not uploaded an EDS was raised on 07.10.2019, the PP submitted the desired information on 16.05.2020 and the proposal was considered in EAC meeting held during 23.06.2020 wherein the Committee deferred the proposal for want of requisite information. PP submitted the information on 11.07.2020 and the the proposal is considered in the EAC meeting held during 19.08.2020.
- (h) The Committee observed that technical deliberation on feasibility of project for mining of 0.84 MTPA was almost completed during 2015-16 but replenishment details submitted by PP was based on the Dandy and Bolton formula therefore Committee asked PP to submit the revised EIA/EMP. The PP did not submit the same. The issue thereafter remains is submission of replenishment study

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report and finalization of safe extractable quantity for this mining lease. The Committee observed that replenishment study for the entire mining lease area has already done by CMPDI and results of which shows that there is a replenishment of the mineral. Although, the said study was based on theoretical calculations but still it gives rough estimates about the replenishment of the mineral in the area.

- iii) Replenishment Study based on Pre & Post Monsoon Data: The State Government demarcated the area for mining and PP has also conducted replenishment study based on pre-monsoon and post monsoon data of 2018 over an area which was identified by the State Government. In the EAC meeting held during 24.06.2020 the Committee observed that quantity of the mineral proposed to be excavated as per replenishment study report is 2.19 million TPA (as against 0.84 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report. In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{1}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. The PP in its reply submitted on 16.05.2020 inter-alia mentioned that out of total mining lease area of 624.39 Ha the area under $\frac{1}{4}$ width of river is 468.2925 Ha, area under $\frac{1}{4}$ width of river is 156.0975 Ha and area under 7.5 safety zone is 63.22 Ha. Further, the area demarcated by DMG for Stretch -I is 28.4808 Ha out of this area falling under 7.5 statutory barrier is 0.02849, area under $\frac{1}{4}$ width of the river is 3.813 Ha and area under $\frac{1}{4}$ width of the river is 24.668 Ha. The reserves blocked under $\frac{1}{4}$ th width of river is 1,27,099.7566 Tonne and Reserves available under $\frac{1}{4}$ width of the river is 8,31,413.7141 Tonnes. The area demarcated by DMG for Stretch -II is 36.8559 Ha out of this area falling under 7.5 statutory barrier is 0.3806, area under $\frac{1}{4}$ width of the river is 6.2359 Ha and area under $\frac{1}{4}$ width of the river is 30.62 Ha. The reserves blocked under $\frac{1}{4}$ th width of river is 2,15,808.0066 Tonne and Reserves available under $\frac{1}{4}$ width of the river is 11,37,053.179 Tonnes. The area demarcated by DMG for Stretch -III is 8.4474 Ha out of this area falling under 7.5 statutory barrier is 0.0674, area under $\frac{1}{4}$ width of the river is 0.8744 Ha and area under $\frac{1}{4}$ width of the river is 7.573 Ha. The reserves blocked under $\frac{1}{4}$ th width of river is 29,490.92926 Tonne and Reserves available under $\frac{1}{4}$ width of the river is 2,57,136.473 Tonnes.
- The PP also submitted that the extractable Replenished quantity per Hectare is about 34257.74 Tonne. So to achieve 0.84 Million Tonnes per annum the net area required will be 24.52 Hectare. So total net area required during the next five years will be $24.52 \times 3 = 73.56$ ha. The area worked during 1st years and 2nd Year will be worked out in the 4th & 5th year respectively.
- The Committee observed that as per mining plan the depth of mining is 3 meters. But the average deposition of mineral as per replenishment study is about 1.37 meters. The PP in the study report proposed a mining with slice of 1 meter. The Committee therefore restricts the depth of mining as 3 meter or water level whichever is less.
- As per approved mining plan light weight excavators will be deployed for extraction. Mineral will be loaded in trucks of 20 tonnes capacity trucks and equipment, earth movers will be on hire basis. During EAC meeting held on 8.01.2018 as the actual replenishment study was not available the Committee suggested use of scrappers

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and also asked for an undertaking from PP in this regard. But now as the replenishment study is available & as per request made by Bajri LOI Holder Association the Committee agreed for use of excavators having bucket capacity not more than 1.0 m³ and boom length not more than 3 meters for this project.

22. Based on the deliberations held during August 25- 27, 2015, 24-25 Oct 2016, January 8, 2018, May 30-31, 2018, 22-24 June, 2020 and document submitted by the PP dated 03.04.2018, 16.05.2020, 10.07.2020, the Committee recommended the proposal for production of 0.84 MTPA of Sand/Bajri from 24.31 ha each year (maximum area of 72.93 Ha in 5 years) from the area demarcated by Department of Mines and Geology, Rajasthan, for the lease of Shri Ashu Singh Bhati, located at Revenue villages of Tehsil Shahpura, District-Bhilwara, Rajasthan subject to the following specific conditions in addition to Standard EC conditions (given at Annexure-III) and also the relevant special conditions as per Sustainable Sand Mining Management Guidelines 2016 and Enforcement & monitoring Guidelines for sand mining 2020:
23. The Ministry of Environment, forest and Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments thereto; and after accepting the recommendation of EAC meeting held during August 19-21, 2020 here by decided to accord the Environmental Clearance (EC) under the provisions thereof to the above mentioned proposal for production of 0.84 MTPA of Sand/Bajri from 24.31 ha each year (maximum area of 72.93 Ha in 5 years), the area demarcated by Department of Mines and Geology, Rajasthan, for the lease of Shri Ashu Singh Bhati, located at Revenue villages of Tehsil Shahpura, District-Bhilwara, Rajasthan subject to the following specific conditions in addition to Standard EC conditions (given at Annexure-III) and also the relevant special conditions as per Sustainable Sand Mining Management Guidelines 2016 and Enforcement & monitoring Guidelines for sand mining 2020. The Committee also prescribed the following specific condition for this project:
- 1) Permissible Mining of River Bed Material (Sand/Bajri) shall be limited to 0.84 MTPA from an effective mineable area of 24.31 ha, with a maximum minable depth of 1 meter from the original ground level as reported in the replenishment study. The permissible minable material of 0.84 Million Ton will be valid till one year from the day of issuance of the EC.
 - 2) For subsequent period, project proponent shall submit fresh annual replenishment study to MoEF&CC for amendment in EC for mineable quantity and maximum permission depth for mining based on the scientific findings of replenishment study. Such study shall be placed before EAC for appraisal for next three years to assess rate of deposition and accordingly, minable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the EAC. The placing of the study report before EAC is mandatory for initial three years.
 - 3) The project proponent shall take all measures for the surveillance as proposed by the PP. The status of implementation with documentary proof needs to be submitted to Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.

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- 4) Not more than 17.14 KLD water shall be used for this project. Water shall be sourced from legal suppliers and record of water supplier and trips shall be maintained on daily bases. At least 3 times day water shall be sprayed to avoid fugitive emission. The water tanker having mist generator system shall be used for conservation of water. PP shall submit the status report for implementation along with photograph to Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
- 5) PP shall plant at least 8800 saplings of within a period of 2 years. The height of seedlings shall not be less than 2 meters. Species such as Azadirachta indica (Neem), Allanthus excels (Ardu) Albizia lebbeck(Siris), Ficus religiosa (Peepal), Lasora (Cordia dicotoma), Dalbergia sissoo (Shisham), Tamarindus indica (Imli), Morus alba (Shahtoot), Ziziphus mauritiana (Ber), Syzygium cumini (Jamun), Mangifera indica (Mango), Diospyros melanoxylon (Tendu), Annona squamosal (Sitafal), Pithecelabium dulce etc.(Jungle jalebi). The Plantation shall be carried out along the road side, banks of river and public places under social forestry programme in consultation of local authorities. PP should annually submit the audited statement along with proof of activities viz. photographs (before & after with geo-location date & time), details of expert agency engaged, details of species planted, number of species planted, survival rate, density of plantation etc. to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
- 6) The conservation plan in consultation with the Forest Department shall be implemented and compliance of the same shall be submitted to Regional Office of MoEF&CC before 1st July of every year.
- 7) The PP shall implement the mitigation measure to control the impact due to transportation viz. Kaccha road of 3.7 Km, transportation of sand from villages having habitation should be avoided, regular water sprinkling (3 times a day) before transportation of mineral, plantation (not less than 8880 sapling having height of not less than 2 meters) on the both side of this road should be completed within 1 year , trucks shall not be overloaded, spillage of the mineral to be avoided, covered transportation. Implementation report with supporting documents & photographs before and after shall be submitted to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
- 8) The project Proponent shall implement the committed activities under Corporate Environment Responsibility and implementation report with supporting documents & photographs before and after shall be submitted to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
- 9) The project proponent shall implement all mitigative measures envisaged in the Environmental Management Plan (EMP) and committed during the presentation and subsequent submissions. The water shall be sourced from legal water supplier and record of the same needs to be maintained. In addition to this PP shall also keep a record of water spraying trips on daily basis. A separate Environment management cell (EMC) shall be created with suitable staff having relevant qualification in environment with supporting staff. Implementation report with supporting documents, test reports, geolocations & photographs before and after

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- and composition of EMC shall be submitted to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
- 10) PP shall implement the occupational health plan and provide personal protective equipment to all the workers (helmets, dust masks, ear muffs), provision of safe drinking water to workers, shelters for rest etc. In addition to this Occupational health check-up of all workers working in mine, and pulmonary function test for workers working in dusty areas. Implementation report with supporting documents & photographs before and after shall be submitted to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.
 - 11) The PP shall implement the conditions prescribed in Enforcement & Monitoring Guidelines for Sand Mining 2020, as applicable for PP and also SoP issued by the Rajasthan State Government for prevention of illegal river sand mining in the state. Implementation report with supporting documents & photographs before and after shall be submitted to the Regional Office of MoEF&CC before 1st July of every year for the activities carried out during previous year.

24. Standard conditions

I. Statutory compliance

- 1) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 2) The Project proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors before commencing the mining operations.
- 3) The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
- 4) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- 5) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- 6) State Pollution Control Board/Committee shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.

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7) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

8) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

II. Air quality monitoring and preservation

9) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM₁₀, PM_{2.5}, NO₂, CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCII, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.

10) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM₁₀ and PM_{2.5} are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipments/ machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

II. Water quality monitoring and preservation

1) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.

2) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Pollution Control Board.

Ground Water Authority/ State Ground Water Department. The Report on changes in Groun water level and quality shall be submitted on six-monthly basis to the Regional Office of th Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

13) The Project Proponent shall undertake regular monitoring of natural water cours water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease including upstream and downstream. Sufficient number of gullies shall be provided appropriate places within the lease for management of water. The parameters to be monitor shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies durir mining operations without justification and prior approval of MoEFCC. The monitoring of wat courses/ bodies existing in lease area shall be carried out four times in a year viz. pr monsoon (April-May), monsoon (August), post-monsoon (November) and winter (Januar and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Region Director, Central Ground Water Board, State Pollution Control Board and Central Polluti Control Board. Clearly showing the trend analysis on six-monthly basis.

14) Quality of polluted water generated from mining operations which include Chemir Oxygen Demand (COD) in mines run-off, acid mine drainage and metal contamination in run shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of t company as well as displayed at the project site in public domain, on a display board, a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-I (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change n also be referred in this regard.

15) Project Proponent shall plan, develop and implement rainwater harvesting measu on long term basis to augment ground water resources in the area in consultation with Cer Ground Water Board/ State Groundwater Department. A report on amount of water rechar needs to be submitted to Regional Office MoEFCC annually.

16) Industrial waste water (workshop and waste water from the mine) should be proff collected and treated so as to conform to the notified standards prescribed from time to t. The standards shall be prescribed through Consent to Operate (CTO) issued by conce State Pollution Control Board (SPCB). The workshop effluent shall be treated after its passage through Oil and grease trap.

17) The water balance/water auditing shall be carried out and measure for reducir consumption of water shall be taken up and reported to the Regional Office of the MoE and State Pollution Control Board/Committee.

IV. Noise and vibration monitoring and prevention

18) The peak particle velocity at 500m distance or within the nearest habitation, wh is closer shall be monitored periodically as per applicable DGMS guidelines.

19) The illumination and sound at night at project sites disturb the villages in re both human and animal population. Consequent sleeping disorders and stress may ; health in the villages located close to mining operations. Habitations have a right for

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minimal noise levels at night. project proponents must ensure that the biological clock of villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.

The Project Proponent shall take measures for control of noise levels below 85 dBA in work environment. The workers engaged in operations of HEMM, etc. should be provided ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided protective respiratory devices along with adequate training, awareness and information safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

Mining plan

The Project Proponent shall adhere to approved mining plan, inter alia, including, total excavation (quantum of mineral, waste, overburden, interburden and top soil etc.); mining technology; lease area; scope of working (method of mining, overburden & dump management, O.B& dump mining, mineral transportation mode, ultimate depth of mining, current reclamation and reclamation at mine closure; land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life; etc.).

The shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional office.

Land reclamation

The Overburden (O.B.), waste and topsoil generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB / waste dumps / topsoil dump like height, slope and angle of slope shall be governed as per the approved Mining Plan and the guidelines/circulars issued by D.G.M.S. The topsoil shall be used for land reclamation and afforestation.

The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the environment. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ bulldozers thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geomembranes / clay liners / Bentonite etc. shall be undertaken for stabilization of dumps.

Check drains, settling tanks and siltation ponds of appropriate size shall be constructed at mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of sediments and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The water should be utilized for watering the mine area, roads, green belt development.

plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

26) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains.

VII. Transportation

27) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, project proponent shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the project proponent in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers. [If applicable in case of road transport]

28) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

VIII. Green Belt

29) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

30) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram

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Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

31) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

IX. Public hearing and human health issues

32) Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

X. Corporate Environment Responsibility (CER)

33) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. II (M) dated 01.05.2018 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.

XI. Miscellaneous

34) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEF&CC.

35) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

36) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.

37) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report

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to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.

38) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

39) In pursuant to Ministry's O.M No 22-34/2018-IA.III dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No 114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

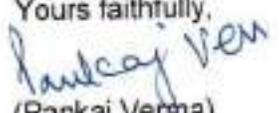
25. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

26. 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 attracts action under the provisions of Environment (Protection) Act, 1986.

27. The above conditions will be enforced inter-alia, under the provisions 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 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/High Court and any other Court of Law relating to the subject matter.

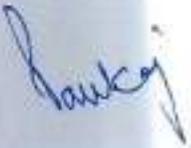
28. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

29. This issues with the approval of Competent Authority.

Yours faithfully,

 (Pankaj Verma)
 Scientist E

Copy to:

1. The Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi-110 001.
2. The Secretary, Department of Mines & Geology, Government of Rajasthan, Secretariat, Jaipur.
3. The Secretary, Department of Environment, Government of Rajasthan, Secretariat, Jaipur.
4. The Secretary, Department of Forests, Government of Rajasthan, Secretariat, Jaipur.
5. The Chief Wildlife Warden, Government of Rajasthan, Jaipur.



6. The Dy. Director General of Forests, Ministry of Environment, Forest and Climate Change, Regional Office (CZ), Kendriya Bhawan, 5th Floor, Sector 17, Aliganj, Lucknow – 226020
7. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
8. The Member Secretary, Central Ground Water Authority, 18/11, Jam Nagar House, Man Singh Road, New Delhi-110011.
9. The Chairman, Rajasthan State Pollution Control Board, Jaipur, Rajasthan.
10. The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur-440 001.
11. The District Collector, Bhilwara, District, Government of Rajasthan.
12. Guard File.
13. MoEF&CC Website.

Pankaj Verma
(Pankaj Verma)
Scientist E



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814



Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7396-7400

Order No 2022-2023/Mines/10772

Date: 17/03/2023

Unit Id : 124,971

M/s M/s Ashu Singh Bhati

45, Paschim Vihar, Vaishali Nagar, Jaipur, Rajasthan, Jaipur

E-Mail : shahpurabajri@gmail.com

Sub: Grant of Consent to Establish under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 for your **Minor Mineral** Mine at near Village-**Shahpura**, Tehsil-**Shahpura**, District- **Bhilwara (M.L.No-ML No.-111/2012)**.

Ref: (i) Your application dated 31/01/2023
(ii) Received on 31/01/2023

Sir,

In view of the details submitted vide your above referred application/ documents, the **Consent to Establish** under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 is hereby granted for carrying mining activities. This consent is subject to the following stipulations:-

- 1 That this consent is being granted in favour of **M/s. M/s Ashu Singh Bhati**, a Mine of **Minor Mineral** having **M.L.No-ML No.-111/2012 in an area measuring 624.3900 Hectares** at/near Village-**Shahpura**, Tehsil-**Shahpura**, District-**Bhilwara**.
- 2 That this consent is valid for a period from **17/03/2023** to **19/01/2024**, or commencement of production whichever is earlier.
- 3 That this consent is valid for following mining activities :-

Mineral	Permitted Mining Capacity
1 Bajri (ROM)	0.8400 MILLION TONNES PER ANNUM

- 4 That the project proponent will comply with the Standard as prescribed vide the Ministry of Environment, Forest and Climate Change notification no. GSR 826(E) dated 16th November, 2009 with respect to National Ambient Air Quality standards.
- 5 That you shall not operate the mine without obtaining **Consent to Operate** from the Board.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:13:55 IST
Reason: SelfAttested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7396-7400

Order No 2022-2023/Mines/10772

Date: 17/03/2023

Unit Id : 124,971

- 6 That this consent to establish/consent to operate is only for carrying out mining of mineral/ore and not for any processing/benefication or crushing/grinding of ore/mineral for which a separate application for consent to establish and/or consent to operate should be submitted. The project proponent is required to obtain separate consent to establish and consent to operate for carrying out mining of other minerals(s), if any or processing/benefication of such mineral(s) and for any addition/modification/alteration or change in process.
- 7 That the occupier/operator of mine shall ensure that all the conditions imposed in the Environmental Clearance granted by the MoEF&CC vide letter dated 14.10.2020 are strictly complied with.
- 8 That this consent is valid for production of Bajri @ 0.84 (ROM) Million Ton per Annum. For any change in product and/or increase in capacity/lease area, the mine has to seek fresh Environmental Clearance, consent to establish & consent to operate.
- 9 That plantation shall be developed so as to cover at least 33% of the total land use for mining and allied activities as given in Approved Mining Plan and shall be maintained at all the time to maintain ambient air quality around the mine.
- 10 That the lessee shall submit monitoring report of Ambient Air Quality within the lease area, once in 3 months.
- 11 That ground water shall not be abstracted without prior permission of the Central Ground Water Authority (CGWA).
- 12 That haul roads should be regularly graded and compacted. Regular water sprinkling should be carried out on haul roads to minimize dust generations.
- 13 That adequate measure shall be taken for control of fugitive emissions from the areas prone to air pollution.
- 14 That you shall not operate any stone crusher/mineral grinding/mineral processing plant within said lease without obtaining prior consent of the State Board.
- 15 That this consent to establish shall not be valid, if the lessee has not obtained permissions required, if any, from NBWL/Forest Department etc. with respect to Wild Life Sanctuary /National Parks/ Critical Tiger Habitats in compliance of various orders passed by any other law/act/rule/ regulation or order of MoEF&CC and/or any Court/Tribunal time to time.
- 16 That regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RSPM such as on haul road, loading and unloading points and transfer points.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:13:55 IST
Reason: Self Attested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

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File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7396-7400

Order No 2022-2023/Mines/10772

Date: 17/03/2023

Unit Id : 124,971

- 17 That the mine shall install adequately designed rain water harvesting structure for prevention and recharge of ground water in and around the lease area.
- 18 That the mine shall not allow making any obstacles to any natural water flow i.e., natural nallah/steam carrying rain water to any water body.
- 19 This the mine shall not allow unauthorized disposal of any solid waste on land inside or outside the premises.
- 20 That this consent to establish shall be subject to compliance of direction/order passed by Courts of Law in the matter,if any.
- 21 That the lessee should dump the overburden in such a manner that it does not get washed away to nearby water tanks and lakes etc. during rainy season.
- 22 That the lease shall not intersect the ground water table without permission of CGWA.
- 23 This consent shall be subject to validity of mining lease.
- 24 That Permissible mining of river bed material (Sand/Bajri) shall be limited to 0.84 Million TPA(ROM) from an effective mineable area of 624.39 Ha. with maximum mineable depth of 1 meter.
- 25 That all other general conditions enclosed as **Annexure** shall be strictly complied with.
- 26 That this Consent is subject to the conditions as stated above and general conditions as stated in **Annexure**. Further, the mining unit will comply with the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and any such conditions as may be specified from time to time by the State Board under the provisions of the aforesaid Act.
- 27 That the grant of this **Consent to Establish** 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.
- 28 That the grant of this **Consent to Establish** shall not, in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:13:55 IST
Reason: SelfAttested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

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File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7396-7400

Order No 2022-2023/Mines/10772

Date: 17/03/2023

Unit Id : 124,971

- 29 That the grant of this consent to establish/operate 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 legal instrument in force. The sole and complete responsibility, to comply with the conditons laid down in all other laws for the time-being in force, rests with the industry/unit/project proponent.

This bears approval of the competent authority.

Encl: As Above

Yours sincerely,

Group Incharge-Mines

(A): **Copy To:-**

- 1 Director, Department of Mines & Geology, Government of Rajasthan, Shastri Circle, Udaipur..
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara-please ensure compliance of conditions of Consent to Establish & Environmental Clearance and send bi-monthly report to Head Office
- 3 Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara -To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments.
- 4 Master File .

(B):

- 1 The Additional PCCF (WL) and Chief Wild Life Warden, Aranya Bhawan, Jhalana Institutional Area, Jaipur/DCF(WL), Bhilwara, To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments

Group Incharge-Mines

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:13:55 IST
Reason: SelfAttested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814



Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7401-7405

Order No 2022-2023/Mines/10773

Date: 17/03/2023

Unit Id : 124,971

M/s M/s Ashu Singh Bhati

45, Paschim Vihar, Vaishali Nagar, Jaipur, Rajasthan, Jaipur

E-Mail : shahpurabajri@gmail.com

Sub: Grant of Consent to Operate under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 for your **Minor Mineral** Mine at near Village-**Shahpura**, Tehsil-**Shahpura**, District- **Bhilwara (M.L.No-ML No.-111/2012)**.

Ref: (i) Your application dated 31/01/2023
(ii) Received on 31/01/2023

Sir,

In view of the details submitted vide your above referred application/ documents, the **Consent to Operate** under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 is hereby granted for carrying mining activities. This consent is subject to the following stipulations:-

- 1 That this consent is being granted in favour of **M/s. M/s Ashu Singh Bhati**, a Mine of **Minor Mineral** having **M.L.No-ML No.-111/2012** in an area measuring **624.3900 Hectares** at/near Village-**Shahpura**, Tehsil-**Shahpura**, District-**Bhilwara**.
- 2 That this consent is valid for a period from **17/03/2023** to **19/01/2024**
- 3 That this consent is valid for following mining activities :-

Mineral	Permitted Mining Capacity
1 Bajri (ROM)	0.8400 MILLION TONNES PER ANNUM

- 4 That the project proponent will comply with the Standard as prescribed vide the Ministry of Environment, Forest and Climate Change notification no. GSR 826(E) dated 16th November, 2009 with respect to National Ambient Air Quality standards.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:14:10 IST
Reason: SelfAttested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7401-7405

Order No 2022-2023/Mines/10773

Date: 17/03/2023

Unit Id : 124,971

- 5 That this consent to establish/consent to operate is only for carrying out mining of mineral/ore and not for any processing/benefication or crushing/grinding of ore/mineral for which a separate application for consent to establish and/or consent to operate should be submitted. The project proponent is required to obtain separate consent to establish and consent to operate for carrying out mining of other minerals(s), if any or processing/benefication of such mineral(s) and for any addition/modification/alteration or change in process.
- 6 That the occupier/operator of mine shall ensure that all the conditions imposed in the Environmental Clearance granted by the MoEF&CC vide letter dated 14.10.2020 are strictly complied with.
- 7 That this consent is valid for production of Bajri @ 0.84 (ROM) Million Ton per Annum. For any change in product and/or increase in capacity/lease area, the mine has to seek fresh Environmental Clearance, consent to establish & consent to operate
- 8 That plantation shall be developed so as to cover at least 33% of the total land use for mining and allied activities as given in Approved Mining Plan and shall be maintained at all the time to maintain ambient air quality around the mine
- 9 That the lessee shall submit monitoring report of Ambient Air Quality within the lease area, once in 3 months
- 10 That ground water shall not be abstracted without prior permission of the Central Ground Water Authority (CGWA)
- 11 That haul roads should be regularly graded and compacted. Regular water sprinkling should be carried out on haul roads to minimize dust generations
- 12 That adequate measure shall be taken for control of fugitive emissions from the areas prone to air pollution.
- 13 That you shall not operate any stone crusher/mineral grinding/mineral processing plant within said lease without obtaining prior consent of the State Board.
- 14 That this consent to operate shall not be valid, if the lessee has not obtained permissions required, if any, from NBWL/Forest Department etc. with respect to Wild Life Sanctuary /National Parks/ Critical Tiger Habitats in compliance of various orders passed by any other law/act/rule/ regulation or order of MoEF&CC and/or any Court/Tribunal time to time
- 15 That regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RSPM such as on haul road, loading and unloading points and transfer points.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:14:10 IST
Reason: Self Attested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7401-7405

Order No 2022-2023/Mines/10773

Date: 17/03/2023

Unit Id : 124,971

- 16 That the mine shall install adequately designed rain water harvesting structure for prevention and recharge of ground water in and around the lease area
- 17 That the mine shall not allow making any obstacles to any natural water flow i.e., natural nallah/steam carrying rain water to any water body.
- 18 This the mine shall not allow unauthorized disposal of any solid waste on land inside or outside the premises
- 19 That this consent to operate shall be subject to compliance of direction/order passed by Courts of Law in the matter,if any.
- 20 That the lessee should dump the overburden in such a manner that it does not get washed away to nearby water tanks and lakes etc. during rainy season
- 21 That the lease shall not intersect the ground water table without permission of CGWA
- 22 This consent shall be subject to validity of mining lease.
- 23 That Permissible mining of river bed material (Sand/Bajri) shall be limited to 0.84 Million TPA(ROM) from an effective mineable area of 624.39 Ha. with maximum mineable depth of 1 meter.
- 24 That all other general conditions enclosed as **Annexure** shall be strictly complied with.
- 25 That this Consent is subject to the conditions as stated above and general conditions as stated in **Annexure**. Further, the mining unit will comply with the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and any such conditions as may be specified from time to time by the State Board under the provisions of the aforesaid Act.
- 26 That the grant of this **Consent to Operate** 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.
- 27 That the grant of this **Consent to Operate** shall not, in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:14:10 IST
Reason: SelfAttested
Location:





Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Chittorgarh(Gangrar)/28(1)/2022-2023/7401-7405

Order No 2022-2023/Mines/10773

Date: 17/03/2023

Unit Id : 124,971

- 28 That the grant of this consent to establish/operate 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 legal instrument in force. The sole and complete responsibility, to comply with the conditons laid down in all other laws for the time-being in force, rests with the industry/unit/project proponent.

This bears approval of the competent authority.

Encl: As Above

Yours sincerely,

Group Incharge-Mines

(A): Copy To:-

- 1 Director, Department of Mines & Geology, Government of Rajasthan, Shastri Circle, Udaipur..
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara-please ensure compliance of conditions of Consent to Operate & Environmental Clearance and send bi-monthly report to Head Office
- 3 Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara -To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments.
- 4 Master File .

(B):

- 1 The Additional PCCF (WL) and Chief Wild Life Warden, Aranya Bhawan, Jhalana Institutional Area, Jaipur/DCF(WL), Bhilwara, To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments

Group Incharge-Mines

Signature Not Verified

Digitally signed by Khem Chand
Gupta
Date: 2023.03.17 16:14:10 IST
Reason: SelfAttested
Location:



State Level Environment Impact Assessment Authority (SEIAA), Rajasthan
Room No. 11, Aravali Bhawan, Jaipur - 302004.

F1 (4)/SEIAA/SEAC-Raj/Sectt/Project /Cat. 1(a)B1(23333)/2021-22

Jaipur, Dated:

27 OCT 2023

AMENDMENT IN EC

This has reference to your application dated 19.11.2022 seeking amendment in EC issued by MoEF&CC dated 14.10.2020 for the project under 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.

The SEIAA Rajasthan considered the Project in 5.100th meeting held on 26.10.2023 and resolved to accept the recommendation of the SEAC and the following amendment is being made in the EC granted earlier vide MoEF&CC letter dated 14.10.2020 on the basis of Form-I, Form-4 and other requisite documents, subject to same terms & conditions:

S. No.	Amendments now being made
1.	River Bed Sand Mining Project for increase in depth of mining from 1.0m to 3.0m & increase in lease period without any change in Total production capacity (i.e. 0.84 Million TPA (ROM), Mineable area- 624.39 Hectare, Located at Revenue Villages of Tehsil- Shahpura& District- Bhilwara, (Rajasthan) (Proposal No- 293455) with a <i>validity of EC may be kept co-terminus with the lease period only.</i>

Additional Condition:

- i) MoEF&CC in the earlier granted EC vide dated 14.10.2020.
- ii) Ministry's O.M. No. 22-34/2018-LA.III dated 08.01.2019 & 16.01.2020.
- iii) Conditions as per Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020, SOP issued by the Rajasthan State Government for prevention of illegal river sand mining in the state.
- iv) Further, the PP will have to ensure the compliances of all the directions issued by Hon'ble Courts with reference to River Sand Mining.
- v) The PP shall submit action taken report of Compliance Report to Integrated Regional Office and RSPCB, Jaipur, within 30 days.

A. Specific Condition:

1. The depth of mining is permitted up to the replenishment depth as per replenishment study submitted by the PP or up to depth of 1.0 m to 3.0 m, whichever is less.

I. Statutory compliance:

- I. This Environmental Clearance (EC) is subject to orders/directions of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, as is applicable.
- II. The Project proponent complies with all the statutory requirements and judgments of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- III. The Department of Mines & Geology, Government of Rajasthan (DMG, GoR) shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of



Common Cause versus Union of India & Ors.

- IV. **In case the project falls within a distance of 10 Km from the boundary of a National Park/ Wildlife Sanctuary, wherein final ESZ Notification has not been issued so far, the EC shall come into effect only after the PP obtains clearance from the Standing Committee of National Board for Wildlife (SCNBWL) as per OM dated 08.08.2019 of MoEF& CC.**
- V. This Environmental Clearance shall become operational only after receiving formal SCNBWL Clearance from Ministry of Environment, Forest & Climate Change, (MoEF& CC), Government of India (GoI) subsequent to the recommendations of the Standing Committee of National Board for Wildlife, if applicable to the Project.
- VI. This Environmental Clearance shall become operational only after receiving Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, if applicable to the Project.
- VII. Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish/ Consent to Operate from the State Pollution Control Board.
- VIII. The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines (IBM) from time to time.
- IX. The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made thereunder in respect of lands which are not owned by it.
- X. The Project Proponent shall follow the mitigation measures provided in MoEF CC's Office Memorandum No. Z-11013/57/2014-LA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- XI. The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- XII. A copy of EC letter will be marked to concerned Panchayat/ local NGO etc. if any, from whom suggestion/ representation has been received while processing the proposal.
- XIII. State Pollution Control Board shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- XIV. The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board and website of the Department of Environment, Govt. of Rajasthan, RSPCB for compliance and record.
- XV. The Project Proponent shall inform the MoEF& CC/ SEIAA for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred then mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.
- XVI. The Mining Department will ensure that while executing the mining lease, if the mining lease forms a cluster of total area of more than 5.0 ha, in accordance with EIA notification dated 15.01.2016 and 01.07.2016, then such mining lease will be

- executed/ registered only after public hearing has taken place for the entire cluster and there has been EIA/EMP study of the entire cluster. The Mining Department will further ensure that revised EC is also obtained by such mining lease holder (s) in the cluster.
- XVII. The Mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to the mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
- XVIII. That the grant of this E.C. 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 project proponent.
- XIX. No further expansion or modifications in the project shall be carried out without prior approval of the SEIAA/MoEF& CC as the case may be. In case of deviations or alterations in the project proposal from those submitted to this Authority for clearance, a fresh reference shall be made to the Authority to assess the adequacy of conditions imposed and to include additional environmental protection measures required, if any.
- XX. The EC is liable to be rejected/ revoked, in case it is found that the PP has deliberately concealed and/or furnished false and misleading information or data which is material to screening or scoping or appraisal or decision on the application for EC.
- XXI. Officials from the Department of Environment, Government of Rajasthan, Jaipur/ Regional Office of MoEF& CC, Lucknow, RSPCB who would be monitoring the implementation of Environmental safeguards should be extended full cooperation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents submitted to SEIAA should be forwarded to the CCF, Regional Office of MoEF, Lucknow, Department of Environment, Government of Rajasthan, Jaipur / RSPCB.
- XXII. The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provision of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
- XXIII. The above condition shall be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006, along with their amendments and rules.
- XXIV. The PP shall obtain prior clearance from forestry and wildlife aspects including clearance from Standing Committee of National Board of Wild Life (if applicable). It is further categorically stated that grant of EC does not necessary imply that Forestry and Wildlife clearance shall be granted to the project by the concerned authorities. Proposals for forestry and wildlife clearance will be considered by the concerned authorities on its merits and decision taken accordingly. The investment made in the project, if any based on EC so granted, in anticipation of clearance from Forestry and Wildlife aspects shall be entirely at the cost and risk of the PP and MOEF & CC/SEIAA/ SEAC/ DOE shall not be responsible in this regard in any manner.
- XXV. The SEIAA, Rajasthan may revoke or suspend the Environmental Clearance, if implementation of any of the above conditions is not satisfactory.
- XXVI. The PP shall submit an environmental statement for the financial year ending 31st

March in Form-V as prescribed under the environment (Protection) Rules, 1986, as amended subsequently on or before the 30th day of September every year, to the Rajasthan State Pollution Control Board/SEIAA and shall also be put on the website of the company/ unit/ industry along with the status of compliance of environmental clearance conditions and shall also be sent to the Lucknow Regional offices of MoEF/SEIAA/ RSPCB by e-mail as well as hard copy duly signed by competent person of company.

- XXVII. This EC is granted for mining of the mineral with production mentioned in the above table subject to the stipulation that the PP shall abide by the annual/ permitted production schedule specified in the mining plan and that any deviation therein will render the PP liable for legal action in accordance with Environment and Mining Laws.
- XXVIII. The PP shall spend the various amounts in the respective heads as mentioned in Annexure G.
- XXIX. Drills shall either be operated with dust extractors or equipped with water injections system.
- XXX. Data on ambient air quality and stack emissions should be submitted to Rajasthan State Pollution Control Board once in six months. The monitoring/ sampling and analysis are to be carried out by MOEF/ NABL/ CPCB/ RSPCB/ Government approved lab.
- XXXI. Blasting operations, if permitted, should be carried out only during the daytime with safe blasting parameters.
- XXXII. The PP shall carry out mining activities with open cast method. The PP to undertake underground mining only if permitted specifically.
- XXXIII. In the project related to Bajri mining the PP shall follow the 'Sustainable Sand Mining Guidelines 2016' and 'Enforcement and Monitoring Guidelines for Sand Mining, 2020' laid down by the MoEF& CC, GOI. The Bajri sand mining activity is restricted to three meters from ground level or water level whichever is less and the PP shall carry out river sand (Bajri) mining activity only manually or semi mechanized method as provided under the 'Sustainable Sand Mining Management Guidelines, 2016' and 'Enforcement and Monitoring Guidelines for Sand Mining, 2020'.
- XXXIV. 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 the National Green Tribunal Act, 2010.

2. Air quality monitoring and preservation:

- i. The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM2.5, NO2; CO and SO2 etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCI/I. dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- ii. Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The fugitive dust emissions from all sources shall be regularly controlled by installation of required equipments/ machineries and preventive maintenance. Use of suitable water-soluble

chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEF& CC/ Central Pollution Control Board.

3. Water quality monitoring and preservation:

- i. In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEF& CC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- ii. Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- iii. Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- iv. The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The project proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-a-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEF& CC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- v. Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Dissolved Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No.I-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- vi. Project Proponent shall plan, develop and implement rainwater harvesting measures on

long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEF& CC annually.

- vii. Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- viii. The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF& CC and State Pollution Control Board.

4. Noise and vibration monitoring and prevention:

- i. The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- ii. The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- iii. The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs/ muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.
- iv. The ambient noise level should conform to the standards prescribed under E (P) A Rules, 1986 viz 75 dB (A) during day time and 70 dB (A) during night time.

5. Mining plan:

- i. The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation i.e. quantum of mineral, waste, over burden, inter burden and top soil etc.. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change/ SEIAA, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.
- ii. The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office, MoEF& CC/ SEIAA/ SPCB for record and verification.
- iii. The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-a-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEF& CC/ SEIAA/ SPCB and its concerned Regional Office.

6. Land reclamation:

- i. The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- ii. The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- iii. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.
- iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- v. The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF& CC/ RSPCB.
- vi. Catch drains, settling tanks and siltation ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
- vii. Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains.
- viii. The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

7. Transportation:

- i. No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed

in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

- ii. The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

8. Green Belt:

- i. The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry/ SEIAA irrespective of the stipulation made in approved mine plan.
- ii. The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- iii. The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- iv. The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- v. And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry/ SEIAA.

9. Public hearing and human health issues:

- i. The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like nr, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the

- same may be sent to MoEF& CC/ SEIAA/ Regional Office and DGMS on half-yearly basis.
- ii. The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
 - iii. The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium-Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminum, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
 - iv. The Proponent shall maintained a record of performance indicators for workers which includes (a) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9, (b) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,(c) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1), Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age, (d) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented), (e) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement, (f) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEF& CC/ SEIAA annually along with details of the relief and compensation paid to workers having above indications.
 - v. The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
 - vi. Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

vii. The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

10. Miscellaneous:

- i. The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEF& CC/ SEIAA/SPCB.
- ii. The Project Authorities should inform to the SEIAA/Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- iii. The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- iv. A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEF& CC/ SEIAA/ SPCB.
- v. The MoEF& CC/ SEIAA/ SPCB shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEF& CC/ SEIAA/ SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- vi. Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEF& CC/ SEIAA/ SPCB and its concerned Regional Office.

Additional conditions recommended in view of OM dated 08.08.2019 of the MoEF& CC (applicable where the project falls within a distance of 10 Km from the boundary of National Park/ Wildlife Sanctuary and outside notified ESZ):

1. The mining activity should be carried out in a manner so that the water regime/system of the sanctuary is not disturbed. The mining activity should not adversely affect any existing water course, water body, catchment etc. The PP shall while carrying out mining activity ensure compliance of the provisions of Air (Prevention and Control of Pollution) Act 1981, Water (Prevention and Control of Pollution) Act 1974 and the Environment (Protection) Act, 1986 so that the wildlife in the area is not adversely affected.
2. The processes like blasting, drilling, excavation, transport and haulage resulting into noise, should be carried out in such a manner so that such activities do not disturb wild animals and birds particularly during sunset to sunrise. The level of noise should be kept within the permissible limits.
3. The mining activity should not create any obstacle in the way of free movement of wildlife and adversely affect wildlife corridors.
4. The mineral waste/ slurry should be dumped only at the designated places only and such waste dumps should be reclaimed in accordance with the conditions of the mining plan/ consent issued by the RSPCB under the Water and Air act.
5. The PP shall cooperate with the concerned DCF, Wildlife in their efforts towards protection and conservation of wildlife in the Sanctuary/ Park.

6. The PP shall ensure that the transporter and labor employed by him should not damage flora and fauna in the ESZ and the Wildlife Sanctuary/ National Park.

Specific Conditions applicable, in the cases of violation in terms of the Notification dated 14.3.2017 and 8.3.2018 and OMs dated 30.5.2018, 4.7.2018 of the MoEF&CC :

1. The PP shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of the Hon'ble Supreme Court dated 02.08.2017 in the matter of Writ Petition (Civil) No. 114 of 2014, Common Cause V/s Union of India & others before grant of ToR/EC. The undertaking inter-alia include commitment of the PP not to be repeat any such violation in future.
2. In case of violation of above undertaking/ affidavit, the ToR/EC shall be liable to be terminated forthwith.
3. The environmental clearance will not be operational, till such time the Project Proponent complies with all the statutory requirements and judgment of the Hon'ble Supreme Court dated 02.08.2017 in the matter of Writ Petition (Civil) No. 114 of 2014, Common Cause V/s Union of India & others.
4. The department of Mines & Geology shall ensure that the mining operations shall not commence till the entire compensation levied, if any, for illegal mining, is paid, by the Project Proponent through the Department of Mines and Geology, in strict compliance of the judgment of the Hon'ble Supreme Court dated 02.08.2017 in the matter of Writ Petition (Civil) No. 114 of 2014, Common Cause V/s Union of India & others.

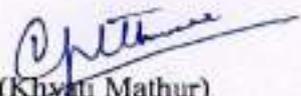
GENERAL CONDITIONS

1. That the grant of this E.C. 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 the National Green Tribunal Act, 2010.
2. No further expansion or modifications in the project shall be carried out without prior approval of the SEIAA/Ministry of Environment and Forests as the case may be. In case of deviations or alterations in the project proposal from those submitted to this Authority for clearance, a fresh reference shall be made to the Authority to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
3. The implementation of the project vis-à-vis environmental action plans shall be monitored by MoEF Regional Office at Lucknow / RSPCB / CPCB / SEIAA, Department of Environment, Government of Rajasthan, Jaipur and this office. A six monthly compliance status report shall be submitted to monitoring agencies.
4. The EC is liable to be rejected, in case it is found that the PP has deliberately concealed and furnished false and misleading information or data which is material to screening or scoping or appraisal or decision on the application for EC.
5. The project authorities shall inform the MoEF Regional Office at Lucknow / RSPCB / CPCB / SEIAA, Department of Environment, Government of Rajasthan, Jaipur and the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
6. Officials from the Department of Environment, Government of Rajasthan, Jaipur/ Regional Office of MoEF, Lucknow, RSPCB who would be monitoring the implementation of Environmental safeguards should be given full cooperation, facilities and documents/data by the project **Proponents** during their inspection. A complete set of

all the documents submitted to SEIAA should be forwarded to the CCF, Regional Office of MoEF, Lucknow / SEIAA, Department of Environment, Government of Rajasthan, Jaipur / RSPCB.

7. The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provision of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
8. The project **Proponent** should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental Clearance and copies of clearance letters are available with the Rajasthan State Pollution Control Board and may also be seen on the website of the RSPCB. The advertisement should be made within 7 days from the day of issue of the clearance letter and a copy of the same should be forwarded to the Regional Office of MoEF at Lucknow/Department of Ecology and Environment, Government of Rajasthan, Jaipur.
9. The above condition shall be enforced among others under the provisions of water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006, along with their amendments and rules.
10. The PP shall obtain prior clearance from forestry and wild Life angle including clearance from standing committee of National Board of Wild Life (if applicable). It is further categorically stated that grant of EC does not necessary imply that Forestry and Wild Life clearance shall be granted to the project and that proposals for forestry and wild Life clearance will be considered by the respective authorities on their merits and decision taken. The investment made in the project, if any based on EC so granted, in anticipation of clearance from Forestry and Wild Life angle shall be entirely at the cost risk of the PP and MOEF/SEIAA shall not be responsible in this regard in any manner.
11. The SEIAA, Rajasthan may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
12. Main haulage road should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers. The material transfer points should invariably be provided with Bag filters and or dry fogging system. In case of Belt- conveyors facilities the system should be fully covered to avoid air borne dust; Use of effective sprinkler system to suppress fugitive dust on haul roads and other transport roads shall be ensured.
13. Periodic monitoring of ambient air quality shall be carried out for PM10, PM2.5, SPM, SO2 and NOx 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 Rajasthan State pollution Control Board (RPCB). Six monthly reports of the data so collected shall be regularly submitted to the RPCB/CPCB including the MoEF, Regional office, Lucknow.
14. 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.
15. The ambient noise level should conform to the standards prescribed under E (P) A Rules, 1986 viz 75 dB (A) during day time and 70 dB (A) during night time.
16. The PP shall submit an environmental statement for the financial year ending 31st March in Form-V as prescribed under the environment (Protection) Rules, 1986, as amended subsequently on or before the 30th day of September every year, to the Rajasthan State Pollution Control Board/SEIAA and shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also

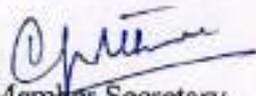
- be sent to the Lucknow Regional offices of MoEF/SEIAA by e-mail as well as hard copy duly signed by competent person of company.
17. The Mining Department will ensure that while executing the mining Lease/LoI, if the mining lease forms a cluster of total area of more than 5.0 ha, in accordance with EIA notification dated 15.01.2016 and 01.07.2016, then such mining lease will be executed / registered only after public hearing has taken place for the entire cluster and there has been EIA/EMP study of the whole cluster. The Mining Department will further ensure that revised EC is also obtained by such mining lease holder (s) in the cluster.
 18. The Mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restored the land to a condition which is fit for growth of fodder, flora, fauna etc.
 19. This EC is being issued on the condition that the applied area is at a distance of more than 50 metres from the boundary of the closest forest area as stated by project proponent in Form I.


 (Khyati Mathur)
 Member Secretary,
 SEIAA, Rajasthan.

No. F1 (4)/SEIAA/SEAC-Raj/Scctt/Project/Cat.1(a)B1(23333)/2021-22 Jaipur, Dated:

Copy to following for information and necessary action:

1. Secretary, Ministry of Environment, Forest & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. ACS, Environment & Climate Change Department, Rajasthan, Jaipur.
3. Chairman, SEIAA, Aravali Bhawan, Jhalana Doongri, Jaipur, Rajasthan.
4. Member, SEIAA, Aravali Bhawan, Jhalana Doongri, Jaipur, Rajasthan.
5. Member Secretary, Rajasthan State Pollution Control Board, Jaipur for information & necessary action and to display this sanction on the website of the Rajasthan Pollution Control Board, Jaipur.
6. Member Secretary, SEAC Rajasthan.
7. The CCF, Regional Office, Ministry of Environment & Forests, RO(CZ), Kendriya Bhawan, 5th Floor, Sector 'H', Aliganj, Lucknow-226 020.
8. M/s-Ashu Singh Bhati, S/o- Magansingh Bhati, Address.- 45, PaschimVihar, Vaishali Nagar, Jaipur Rajasthan.
9. I.A., SEIAA, Jaipur with the direction to upload the copy of this Amendment in EC letter on the website.


 Member Secretary,
 SEIAA, Rajasthan.



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814



Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7080-7084

Order No 2023-2024/Mines/11079

Date: 13/02/2024

Unit Id : 124,971

M/s M/s Ashu Singh Bhati

45, Paschim Vihar, Vaishali Nagar, Jaipur, Rajasthan, Jaipur

E-Mail : shahpurabajri@gmail.com

Sub: Grant of Consent to Establish under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 for your **Minor Mineral** Mine at near Village-**Shahpura**, Tehsil-**Shahpura**, District- **Bhilwara (M.L.No-ML No.-111/2012)**.

Ref: (i) Your application dated 19/12/2023
(ii) Received on 19/12/2023

Sir,

In view of the details submitted vide your above referred application/ documents, the **Consent to Establish** under Section 21(4) of Air (Prevention & Control of Pollution) Act,1981 is hereby granted for carrying mining activities. This consent is subject to the following stipulations:-

- 1 That this consent is being granted in favour of **M/s. M/s Ashu Singh Bhati**, a Mine of **Minor Mineral** having **M.L.No-ML No.-111/2012 in an area measuring 624.3900 Hectares** at/near Village-**Shahpura**, Tehsil-**Shahpura**, District-**Bhilwara**.
- 2 That this consent is valid for a period from **13/02/2024** to **08/07/2027**, or commencement of production whichever is earlier.
- 3 That this consent is valid for following mining activities :-

Mineral	Permitted Mining Capacity
1 Bajri (ROM)	840000.0000 TON PER ANNUM

- 4 That the project proponent will comply with the Standard as prescribed vide the Ministry of Environment, Forest and Climate Change notification no. GSR 826(E) dated 16th November, 2009 with respect to National Ambient Air Quality standards.
- 5 That you shall not operate the mine without obtaining **Consent to Operate** from the Board.



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7080-7084

Order No 2023-2024/Mines/11079

Date: 13/02/2024

Unit Id : 124,971

- 6 That this consent to establish/consent to operate is only for carrying out mining of mineral/ore and not for any processing/beneficiation or crushing/grinding of ore/mineral for which a separate application for consent to establish and/or consent to operate should be submitted. The project proponent is required to obtain separate consent to establish and consent to operate for carrying out mining of other minerals(s), if any or processing/beneficiation of such mineral(s) and for any addition/modification/alteration or change in process.
- 7 That the occupier/operator of mine shall ensure that all the conditions imposed in the Environmental Clearance granted by the MoEF&CC vide letter dated 14.10.2020 and SEIAA vide letter dated 27.10.2023 are strictly complied with.
- 8 That the rules of sand mining in river of GOI may be strictly followed.
- 9 That this consent is valid for production of Bajri (ROM) @ 840000 Ton/Annum. For any change in product and/or increase in capacity/lease area, the mine has to seek fresh Environmental Clearance, consent to operate.
- 10 That the occupier/operator of the unit shall give more focus on plantation to cover 1/3 lease area under plantation. The species like Tamarind/Imli(Tamarindus Indica), Palas(Butea Monosperma), Ber(Zizipus Mauritiana), Bael(Aegle Marmelos), Mousari(Mimusops Elengi), Siris(Albizia Lebbeck), Kacchnar(Bauhinia Variegata) should be planted for better control of noise and air pollution. Copy of bills of saplings purchased should be submitted to Board's Regional Office, Bhilwara and compliance shall be submitted with photographic evidence by 3 months.
- 11 That all the PCM needed to mitigate the fugitive emission shall be strictly followed. It includes water sprinkling etc. The Trucks or other transportation medium involved shall be covered with tarpaulin.
- 12 That in order to reduce the air pollution due to the excavation and follow-up operation, greenbelt of necessary width at least one row at both sides shall be developed by the PP. Since creating in such situation may be impracticable by the unit itself because of technical reason, unit shall involve Forest Department to raise the plantation. The unit may deposit the amount as per the estimate prepared by the local Forest Department and accordingly this process can be achieved.
- 13 That ground water shall not be abstracted without prior permission of the Central Ground Water Authority (CGWA).



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

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File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7080-7084

Order No 2023-2024/Mines/11079

Date: 13/02/2024

Unit Id : 124,971

- 14 That internal transport roads (Haul roads) should be Paved/Hard Surfaced using bitumen etc and compliance shall be submitted with photographic evidence by 3 months.
- 15 That adequate measure shall be taken for control of fugitive emissions from the areas prone to air pollution
- 16 That you shall not operate any stone crusher/mineral grinding/mineral processing plant within said lease without obtaining prior consent of the State Board.
- 17 That this consent to establish shall not be valid, if the lessee has not obtained permissions required, if any, from NBWL/Forest Department etc. with respect to Wild Life Sanctuary /National Parks/ Critical Tiger Habitats in compliance of various orders passed by any other law/act/rule/ regulation or order of MoEF&CC and/or any Court/Tribunal time to time
- 18 That regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RSPM such as on haul road, loading and unloading points and transfer points
- 19 That the mine shall install adequately designed rain water harvesting structure for prevention and recharge of ground water in and around the lease area
- 20 That the mine shall not allow making any obstacles to any natural water flow i.e., natural nallah/steam carrying rain water to any water body
- 21 This the mine shall not allow unauthorized disposal of any solid waste on land inside or outside the premises
- 22 That this consent to establish shall be subject to compliance of direction/order passed by Courts of Law in the matter,if any.
- 23 That the lessee should dump the overburden in such a manner that it does not get washed away to nearby water tanks and lakes etc. during rainy season
- 24 That the lease shall not intersect the ground water table without permission of CGWA
- 25 This consent shall be subject to validity of mining lease
- 26 That Permissible mining of river bed material (Sand/Bajri) shall be limited to Bajri @ 840000 TPA (ROM) from an effective mineable area of 624.39 Ha. with maximum mineable depth of 3 meter or up to depth as per replenishment study, whichever is less.



Rajasthan State Pollution Control Board

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File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7080-7084

Order No 2023-2024/Mines/11079

Date: 13/02/2024

Unit Id : 124,971

27 That all other general conditions enclosed as **Annexure** shall be strictly complied with.

28 That this Consent is subject to the conditions as stated above and general conditions as stated in **Annexure**. Further, the mining unit will comply with the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and any such conditions as may be specified from time to time by the State Board under the provisions of the aforesaid Act.

29 That the grant of this **Consent to Establish** 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.

30 That the grant of this **Consent to Establish** shall not, in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.

31 That the grant of this consent to establish/operate 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 legal instrument in force. The sole and complete responsibility, to comply with the conditons laid down in all other laws for the time-being in force, rests with the industry/unit/project proponent.

This bears approval of the competent authority.

Encl: As Above

Yours sincerely,

Group Incharge-Mines



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7080-7084

Order No 2023-2024/Mines/11079

Date: 13/02/2024

Unit Id : 124,971

(A): **Copy To:-**

- 1 Director, Department of Mines & Geology, Government of Rajasthan, Shastri Circle, Udaipur..
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara-please ensure compliance of conditions of Consent to Establish & Environmental Clearance and shall submit an interim report after 3 months about these compliances along with photographic evidences
- 3 Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara -To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments
- 4 Master File .

(B):

- 1 The Additional PCCF (WL) and Chief Wild Life Warden, Aranya Bhawan, Jhalana Institutional Area, Jaipur/DCF(WL), Bhilwara, To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments

Group Incharge-Mines



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814



Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7085-7089

Order No 2023-2024/Mines/11080

Date: 13/02/2024

Unit Id : 124,971

M/s M/s Ashu Singh Bhati

45, Paschim Vihar, Vaishali Nagar, Jaipur, Rajasthan, Jaipur

E-Mail : shahpurabajri@gmail.com

Sub: Grant of Consent to Operate under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 for your **Minor Mineral** Mine at near Village-**Shahpura**, Tehsil-**Shahpura**, District- **Bhilwara (M.L.No-ML No.-111/2012)**.

Ref: (i) Your application dated 19/12/2023
(ii) Received on 19/12/2023

Sir,

In view of the details submitted vide your above referred application/ documents, the **Consent to Operate** under Section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 is hereby granted for carrying mining activities. This consent is subject to the following stipulations:-

- 1 That this consent is being granted in favour of **M/s. M/s Ashu Singh Bhati**, a Mine of **Minor Mineral** having **M.L.No-ML No.-111/2012 in an area measuring 624.3900 Hectares** at/near Village-**Shahpura**, Tehsil-**Shahpura**, District-**Bhilwara**.
- 2 That this consent is valid for a period from **13/02/2024** to **08/07/2027**
- 3 That this consent is valid for following mining activities :-

Mineral	Permitted Mining Capacity
1 Bajri (ROM)	840000.0000 TON PER ANNUM

- 4 That the project proponent will comply with the Standard as prescribed vide the Ministry of Environment, Forest and Climate Change notification no. GSR 826(E) dated 16th November, 2009 with respect to National Ambient Air Quality standards.



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7085-7089

Order No 2023-2024/Mines/11080

Date: 13/02/2024

Unit Id : 124,971

- 5 That this consent to establish/consent to operate is only for carrying out mining of mineral/ore and not for any processing/beneficiation or crushing/grinding of ore/mineral for which a separate application for consent to establish and/or consent to operate should be submitted. The project proponent is required to obtain separate consent to establish and consent to operate for carrying out mining of other minerals(s), if any or processing/beneficiation of such mineral(s) and for any addition/modification/alteration or change in process.
- 6 That the occupier/operator of mine shall ensure that all the conditions imposed in the Environmental Clearance granted by the MoEF&CC vide letter dated 14.10.2020 and SEIAA vide letter dated 27.10.2023 are strictly complied with.
- 7 That you are advised to complete adequate plantation(i.e. 33% of the area used in mining and allied activities) within 6 months. The lessee shall submit Bank Guarantee of the amount of 10% of the total cost required for completion of above work for the compliance, within 30 days of the issuance of this consent along with action plan for completion of above work within 6 months. The mine shall submit the compliance after 6 months along with the photographic evidences.
- 8 That the lessee shall carryout monitoring of Ambient Air Quality after regular mining operation.
- 9 That the rules of sand mining in river of GOI may be strictly followed.
- 10 That this consent is valid for production of Bajri (ROM) @ 840000 Ton/Annum. For any change in product and/or increase in capacity/lease area, the mine has to seek fresh Environmental Clearance, consent to operate.
- 11 That the CTO shall be valid from the end of monsoon since riverbed mining is completely banned during monsoon months.
- 12 That the occupier/operator of the unit shall give more focus on plantation to cover 1/3 lease area under plantation. The species like Tamarind/Imli(Tamarindus Indica), Palas(Butea Monosperma), Ber(Zizipus Mauritiana), Bael(Aegle Marmelos), Mousari(Mimusops Elengi), Siris(Albizia Lebbeck), Kacchnar(Bauhinia Variegata) should be planted for better control of noise and air pollution. Copy of bills of saplings purchased should be submitted to Board's Regional Office, Bhilwara and compliance shall be submitted with photographic evidence by 3 months.



Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 0141-2716814,2716813 Fax: 0141-2716814

Registered

File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7085-7089

Order No 2023-2024/Mines/11080

Date: 13/02/2024

Unit Id : 124,971

- 13 That all the PCM needed to mitigate the fugitive emission shall be strictly followed. It includes water sprinkling etc. The Trucks or other transportation medium involved shall be covered with tarpaulin.
- 14 That in order to reduce the air pollution due to the excavation and follow-up operation, greenbelt of necessary width at least one row at both sides shall be developed by the PP. Since creating in such situation may be impracticable by the unit itself because of technical reason, unit shall involve Forest Department to raise the plantation. The unit may deposit the amount as per the estimate prepared by the local Forest Department and accordingly this process can be achieved.
- 15 That ground water shall not be abstracted without prior permission of the Central Ground Water Authority (CGWA).
- 16 That internal transport roads (Haul roads) should be Paved/Hard Surfaced using bitumen etc and compliance shall be submitted with photographic evidence by 3 months.
- 17 That adequate measure shall be taken for control of fugitive emissions from the areas prone to air pollution
- 18 That you shall not operate any stone crusher/mineral grinding/mineral processing plant within said lease without obtaining prior consent of the State Board.
- 19 That this consent to operate shall not be valid, if the lessee has not obtained permissions required, if any, from NBWL/Forest Department etc. with respect to Wild Life Sanctuary /National Parks/ Critical Tiger Habitats in compliance of various orders passed by any other law/act/rule/ regulation or order of MoEF&CC and/or any Court/Tribunal time to time
- 20 That regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RSPM such as on haul road, loading and unloading points and transfer points
- 21 That the mine shall install adequately designed rain water harvesting structure for prevention and recharge of ground water in and around the lease area
- 22 That the mine shall not allow making any obstacles to any natural water flow i.e., natural nallah/steam carrying rain water to any water body
- 23 This the mine shall not allow unauthorized disposal of any solid waste on land inside or outside the premises
- 24 That this consent to operate shall be subject to compliance of direction/order passed by Courts of Law in the matter,if any



Rajasthan State Pollution Control Board

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File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7085-7089

Order No 2023-2024/Mines/11080

Date: 13/02/2024

Unit Id : 124,971

- 25 That the lessee should dump the overburden in such a manner that it does not get washed away to nearby water tanks and lakes etc. during rainy season
- 26 That the lease shall not intersect the ground water table without permission of CGWA
- 27 This consent shall be subject to validity of mining lease
- 28 That Permissible mining of river bed material (Sand/Bajri) shall be limited to Bajri @ 840000 TPA (ROM) from an effective mineable area of 624.39 Ha. with maximum mineable depth of 3 meter or up to depth as per replenishment study, whichever is less.
- 29 That all other general conditions enclosed as **Annexure** shall be strictly complied with.
- 30 That this Consent is subject to the conditions as stated above and general conditions as stated in **Annexure**. Further, the mining unit will comply with the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and any such conditions as may be specified from time to time by the State Board under the provisions of the aforesaid Act.
- 31 That the grant of this **Consent to Operate** 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.
- 32 That the grant of this **Consent to Operate** shall not, in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.
- 33 That the grant of this consent to establish/operate 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 legal instrument in force. The sole and complete responsibility, to comply with the conditons laid down in all other laws for the time-being in force, rests with the industry/unit/project proponent.



Rajasthan State Pollution Control Board

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File No F(Mines)/Bhilwara(Shahpura)/20(1)/2023-2024/7085-7089

Order No 2023-2024/Mines/11080

Date: 13/02/2024

Unit Id : 124,971

This bears approval of the competent authority.

Encl: As Above

Yours sincerely,

Group Incharge-Mines

(A): **Copy To:-**

- 1 Director, Department of Mines & Geology, Government of Rajasthan, Shastri Circle, Udaipur..
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara-please ensure compliance of conditions of Consent to Operate & Environmental Clearance and shall submit an interim report after 3 months about these compliances along with photographic evidences
- 3 Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara -To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments
- 4 Master File .

(B):

- 1 The Additional PCCF (WL) and Chief Wild Life Warden, Aranya Bhawan, Jhalana Institutional Area, Jaipur/DCF(WL), Bhilwara, To inform that this consent has been issued from the environmental angle only, and ensuring compliance of any other law/act/rule/regulation or order of any Court /Tribunal is the sole responsibility of the project proponent and the concerned departments

Group Incharge-Mines



क्षेत्रीय कार्यालय
REGIONAL OFFICE

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल, भीलवाड़ा
RAJASTHAN STATE POLLUTION CONTROL BOARD, BHILWARA
Email: rorpcb.bhilwara@gmail.com
www.environment.rajasthan.gov.in



RPCB/RO Bhilwara/L-79/ Rajkaj Ref No

(Through Email)

Date- As per E Sign

1. District Collector,
Shahpura
2. Mining Engineer,
Department and Mines & Geology,
Bhilwara

Sub:-Regarding compliance of Hon'ble NGT direction issued vide order dated 05.12.2024 issued in original application no. 755/2024-PB, titled "Tribunal on its own motion Vs State of Rajasthan and others".

Ref:- Hon'ble NGT (Principal Bench), New Delhi's order sheet dated 05.12.2024

Sir,

Apropos above, it is submitted that Hon'ble NGT (PB), New Delhi in aforesaid O.A No.755/2024, passed an order dated 05.12.2024 and included few additional respondents which includes District Magistrate, Shahpura along with RSPCB and Lessee Sh. Ashu Singh Bhati.

Further, pointwise submission in this matter is as under: -

- i. That aforesaid OA has been registered bearing no. 755/2024, based on the complaint received from the Villagers of Village-Kheda Hetam, Tehsil-Phuliyakalan, District - Shahpura on dated 05.08.2024. (enclosed as Annexure-1)
- ii. That as per the contents of the complaint, it has been observed that same is related with the Sand Mining lease holders who are carrying on mining activities at a depth of more than 3 mtrs on the site of River Khari passing through River Kheda, Hetam, Tehsil Phuliya Kalan, District Shahpura, by violating the norms as prescribed in various guidelines which includes, cutting of several trees illegally; heavy machines are being used for mining activities and no action has been taken by concerned authorities despite above illegal activities.
- iii. That after registering the complaint as letter petition Hon'ble NGT vide aforesaid order, constituted a Joint Committee comprising of District Magistrate Shahpura, representative of Indian School of Mines (ISM), Dhanbad, representative of Institute of Geology, Gandhinagar, Senior Scientist of MoEF&CC not below the rank of Director and Member Secretary, Central Pollution Control Board.



Signature valid

Digitally signed by Deepak Dhanetwal
Designation : Senior Environmental
Engineer
Date: 2024.12.13 16:27:37 IST

18-19.पन्नाधाय सर्किल. आजादनगर. भीलवाड़ा

18-19, Near Pannadhaya Circle, Azad Nagar Bhilwara



- iv. Joint Committee visited the site and lease area on dated 16.11.2024 and submitted its report on dated 29.11.2024. (Annexure-2)
- v. That after perusing the Joint Committee report and in the light of observations made by the Joint Committee, Hon'ble NGT issued aforesaid order as mentioned under reference and impleaded additional respondents including Rajasthan State Pollution Control Board through Member Secretary, 4, Institutional Area, Jhalana Doongari, Jaipur, Rajasthan 302004 as Respondent no.-3. (Annexure-3)
- vi. That Hon'ble NGT in aforesaid order has allowed 03 weeks' time to file responses as well objections, if any, on the observations and/or recommendations of Joint Committee by respondents .
- vii. It is also pertinent to mention here that area /sand mining lease referred is belong to M/s Ashu Singh Bhati . ML No. -111/2012 in an area measuring 624.3900 Hectares, District- Shahpura for Bajri (ROM)-0.84 Million Ton /Annum.
Further , State Board has accorded consent to operate vide order dated 13.02.2024 and same is valid up to 08.07.2027 imposing certain specific /relevant conditions (Unit ID - 124971).
- viii. That as per Joint Committee report dated 16.11.2024 submitted on 29.11.2024, various observations were made. Details of observations / highlighted by Joint committee are summarised below:- (Ref :Hon'ble NGT order dated 05.12.2024):-

- (i) *The excavations were done in an unsystematic and haphazard manner which may hamper the natural flow of the river. This reveals that mining activity in the river was done without proper supervision and inspection thus damaging the river course.*
- (ii) *Boundary pillars were not found at the site of the mining lease to demarcate the mining lease area, which should have been done by the lessee.*
- (iii) *For the stocks permitted by mining department, It was suggested to make catch drains, siltation ponds around the sand stocks, so that no flow of sand occur in the adjacent agricultural and other land.*
- (iv) *There were no checkpoints, CCTV camera, RFID tagged transportation equipment observed by Committee members which were important equipment installations to control/check illegal sand mining as are mentioned in Sustainable Sand Mining*

Signature valid

Digitally signed by Deevak Dhanetwal
Designation: Senior Environmental
Engineer

Date: 2024.12.13 16:27:37 IST

Reason: Approved

18-19.पन्नाधाय सर्किल. आजादनगर. भीलवाड़ा

18-19, Near Pannadhaya Circle, Azad Nagar Bhilwara



क्षेत्रीय कार्यालय

REGIONAL OFFICE

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RAJASTHAN STATE POLLUTION CONTROL BOARD, BHILWARA

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guidelines (SSMG 2016) and Enforcement and Monitoring ,Guidelines for Sand Mining (EMGSM 2020) issued by MoEF&CC.

ix. **Further in addition to observations made, Joint committee has also made certain recommendations, based on the observations made during visit. Details of recommendations made by Joint committee in report are reproduced as under:- (Ref :Hon'ble NGT order dated 05.12.2024) :-**

- The illegal mining happening in river in Tehsil Phuliya Kalan be immediately stopped by concerned authorities in the state by implementing appropriate measures for monitoring of transportation of mineral from mining area to end-user, such as essential security features. check posts, CCTV camera, GPS tracking etc., and for regular surveillance of the sand mining reaches and constitution of district level task force for this purpose, as outlined in Chapter 7 and 9, respectively, of the Enforcement and Monitoring Guidelines for Sand Mining 2020.*
- Appropriate mechanism be implemented for taking strict punitive action against the persons and vehicle involved in illegal mining in the area under MMDR Act and the direction issued by Hon'ble National Green Tribunal vide order dated 26.02.2021 in O.A. 360 of 2015 in terms of penalty and environmental compensation.*
- District Survey Report should be scientifically prepared as prescribed in the Sustainable Sand Mining Guidelines 2016, preferably by government institutes/organizations. No-mining zones (distance from riverbank, bridges, dams, etc.) be mapped in the Survey Reports for clarity.*
- Mining should be permitted only after proper annual replenishment study as prescribed under Chapter 8 of the Enforcement & Monitoring Guideline for Sand Mining 2020, and the following are recommended in this regard: - Initial replenishment study was carried out by CMPDI in 2017/2018. Successive yearly replenishment studies should depict the factual position and levels for all corresponding cross sections, clearly differentiating the mined and unmined area. Replenishment reports should contain key maps of mining channel/stretch area.*
- In case of permitted sand mining, provisions stipulated in the Sustainable Sand Mining Guidelines 2016 should be implemented strictly for environmentally sustainable mining activity. The permissible mining depth condition and distance/buffer criteria (distance from riverbank, bridges, dams etc.) for no-mining zones should be strictly implemented. In no case mining should be carried out below water level of surface water level in the river.*

Signature valid

Digitally signed by Deevak Dhanetwal
Designation : Senior Environmental
Engineer
Date: 2024.12.13 16:27:37 IST

Reason: Approved

18-19.पन्नाधाय सर्किल. आजादनगर. भीलवाड़ा

18-19, Near Pannadhaya Circle, Azad Nagar Bhilwara



- f) Pillars before mining operation shall be fixed to demarcate the banks in the active mining channel/stretch according to the banks boundary map. Pillars be also fixed at the boundary of mining zone, leaving buffer zone from the banks, with level mark son these pillars. Without these facilities, precise compliance verification on ground w.r.t depth of mining and buffer zone left from the banks is not possible.
- g) During permitted mining operations, proper care should be taken to ensure no damage is done to the plantation on the banks and the pipelines laid by farmers for irrigation and that the permissible depth and bank buffer conditions are fully complied.

Therefore, in above matter and being impleaded as respondent, this office has highlighted the proposed action on the recommendations made by the Joint Committee as enclosed.

In view of above, you are here by requested to submit an action taken report as per the sheet enclosed, so that same may be apprised to Hon'ble NGT well within time.

Regards

Sincerely,

Encl: As above.

(Deepak Dhanetwal)
SEE & Regional officer

Copy to :-

1. Member Secretary, Rajasthan State Pollution Control Board Jaipur, for information please.
2. Sh. Ashu Singh Bhati, S/o Sh. Magan Singh Bhati, R/o 45, Pachim Vihar, Vaishali Nagar, Jaipur

Regional officer

Signature valid

Digitally signed by Deepak Dhanetwal
Designation : Senior Environmental
Engineer
Date: 2024.12.13 16:27:37 IST

Reason: Approved

18-19.पन्नाधाय सर्किल. आजादनगर. भीलवाडा
18-19, Near Pannadhaya Circle, Azad Nagar Bhilwara

Sr. No.	Recommendations of the Joint Committee	Provision of SSMMG, 2016	Provision of SSMMG, 2020	Required Action	Stakeholder Department
1	The illegal mining happening in river in tehsil Phuliya Kalan be immediately stopped by concerned authorities in the state by implementing appropriate measures for monitoring of transportation of mineral from mining area to end-user, such as essential security features. check posts, CCTV camera, GPS tracking etc., and for regular surveillance of the sand mining reaches and constitution of district level task force for this purpose, as outlined in Chapter 7 and 9, respectively, of the Enforcement and Monitoring Guidelines for Sand Mining 2020		1.Project Proponent must ensure that CCTV camera, Personal Computer (PC) or laptop, Internet Connection, Power Back up, access control of mine lease site; and arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used at mine lease site are available.	Mining department and District Administration shall ensure that no illegal mining shall be allowed in the matter . A Special Task Force comprising of all stake holder departments i.e Mining department, Police Department, District Administration may look into it. Further, few check points may be established where there occurs such incident in past of illegal mining. Detailed report in this matter may be sought from Department of Mines & Geology, Bhilwara to ensure the recommendations, further, to be submitted at Hon'ble NGT.	District Administration and Mining Department.
			2.The officers involved in monitoring should be provided with mobile application and/or bar code scanners using which the TP can be checked anywhere on road.	Department of Mines and Geology , is required to provide information that, if there exist any such mobile application and/or bar code scanning system available with the officers involved in vigilance activities to verify the TP issued.	Department of Mines and Geology, BHilwara

			<p>3. There shall be one entry and exit point provided for trucks/vehicles. The said entry point should have facilities as mentioned above. In case, it is necessary to have more than one entry/exit points, all such points shall have checkpoints with facilities as mentioned above. All other possible ways of entry/exit should be closed using barriers like compound, trench, etc. All provisions shall be made to not make it possible for any vehicle to enter or exit without entry into the computerized system.</p>	<p>Department of Mines & Geology, Bhilwara is requested to provide information related to existing no of entry and exit points in the mining lease under question. Further, in case of multiple entry and exit points, department is requested to minimize the multiple points and to provide all facilities at all points which includes setting up of check points, installation and monitoring of CCTV cameras at all entry and exit points. Further, Project Proponent shall ensure to develop a trench along the lease area in order to restrict the unauthorized access to the sanctioned lease. A detailed action taken report is required from Department of Mines and Geology, Bhilwara and Project Proponent in this regard.</p>	<p>Department of Mines and Geology, Bhilwara and Project Proponent</p>
2	<p>Appropriate mechanism be implemented for taking strict punitive action against the persons and vehicle involved in illegal mining in the area under the MMDR Act and direction issued by Hon'ble National Green Tribunal vide order dated 26.02.2021 in O.A. 360 of 2015 in terms of penalty</p>	-	-	<p>Department of Mines & Geology, Bhilwara is required to submit a detailed report regarding action taken against the illegal mining of bajri as on today and further action plant to restrict the illegal mining of Bajri in the area .</p>	<p>Department of Mines & Geology , Bhilwara.</p>

	and environmental compensation.				
3	District Survey Report should be scientifically prepared as prescribed in the Sustainable Sand Mining Guidelines 2016, preferably by government institutes/organizations. No-mining zones (distance from riverbank, bridges, dams, etc.) be mapped in the Survey Reports for clarity.			Department of Mines & Geology, Bhilwara shall provide details regarding the agency who prepared the DSR and verification of the facts as envisaged in the DSR	Department of Mines & Geology, Bhilwara
4	<p>Mining should be permitted only after proper annual replenishment study as prescribed under Chapter 8 of the Enforcement & Monitoring Guideline for Sand Mining 2020, and the following are recommended in this regard:</p> <ul style="list-style-type: none"> - Initial replenishment study was carried out by CMPDI in 2017/2018. Successive yearly replenishment studies should depict the factual position and levels for all corresponding cross sections, clearly differentiating the mined and unmined area. - Replenishment reports should contain key maps of mining channel/stretch area. 	-	Chapter 8 of the Enforcement & Monitoring Guideline for Sand Mining 2020	Department of Mines & Geology, Bhilwara shall provide details regarding the agency who has carried out the replenishment study and actions taken by the project proponent and Department of Mines in implementing the measures suggested in the Replenishment Study.	Department of Mines & Geology , Bhilwara and Project Proponent.

5	In case of permitted sand mining, provisions stipulated in the Sustainable Sand Mining Guidelines 2016 should be implemented strictly for environmentally sustainable mining activity. The permissible mining depth condition and distance/buffer criteria (distance from riverbank, bridges, dams etc.) for no-mining zones should be strictly implemented. In no case mining should be carried out below water level or sub-surface water level in the river.	Sand mining, provisions stipulated in the Sustainable Sand Mining Guidelines 2016	-	Department of Mines & Geology, Bhilwara is requested to ensure that mining shall not be allowed below the level as sanctioned in Mining Plan and as allowed by the SEIAA in its EC. Further, Department of Mines and Geology, Bhilwara is also requested to certify that mining is not being carried out below water level or sub surface level in the river.	Department of Mines & Geology , Bhilwara .
6	Pillars before mining operation shall be fixed to demarcate the banks in the active mining channel/stretch according to the banks boundary map. Pillars be also fixed at the boundary of mining zone, leaving buffer zone from the banks, with level marks on these pillars. Without these facilities, precise compliance verification on ground w.r.t depth of mining and buffer zone left from the banks is not possible.	-	-	Department of Mines & Geology, Bhilwara is requested to provide the past status of erection of pillars for demarcation at various strategic locations at the commencement of mining lease and present status of these pillars. Further, Project proponent shall ensure to provide pillars and proper demarcation at all strategic locations .	Department of Mines & Geology , Bhilwara and Project Proponent.

7	During permitted mining operations, proper care should be taken to ensure no damage is done to the plantation on the banks and the pipelines laid by farmers for irrigation and that the permissible depth and bank buffer conditions are fully complied."			Project Proponent shall ensure to carry out more dense plantation along the lease area. Further, lessee is also directed to maintain and not to damage the pipelines laid down by the farmers for irrigation and in case of any such damage , lessee shall immediately restore the status quo.	Department of Mines & Geology , Bhilwara and Project Proponent.
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Regional Officer



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
 Phone: 0141- 2716804, 2716800 e-mail: member-secretary@rpcb.nic.in
 Helpline No. : 0141-2716877

Reg. Post/Email

No.:F-12(BH-70)/RPCB/Mines/1351

Date: 03/01/2025

Director,
 Department of Mines and Geology,
 Khanij Bhawan, Shastri Circle,
 Udaipur.

Urgent –Hon'ble NGT Matter

Sub:- Regarding compliance of Hon'ble NGT direction issued vide order dated 05.12.2024 in original application no. 755/2024 titled as "Tribunal on its own motion Vs State of Rajasthan".

Ref:- Hon'ble NGT (Principal Bench), New Delhi's order dated 05.08.2024 & 05.12.2024 in OA no. 755/2024 (Copy enclosed).

Sir,

Your kind attention is invited towards the Hon'ble NGT order dated 05.12.2024 in OA No. 755/2024 (PB) titled as "Tribunal on its own motion Vs State of Rajasthan" in the matter of Sand Mining lease holders who are carrying on mining activities at a depth of more than 3 meters on the site of River Khari passing through River Kheda, Hetam, Tehsil Phuliya Kalan, District Bhilwara.

Whereas, A Joint Committee was constituted by Hon'ble NGT in order dated 05.08.2024 to submit factual report in the matter and the Joint Committee has made following recommendation in its report dated 16.11.2024 (Ref - Hon'ble NGT order dated 05.12.2024) –

- i. The illegal mining happening in river in Tehsil Phuliya Kalan be immediately stopped by concerned authorities in the state by implementing appropriate measures for monitoring of transportation of mineral from mining area to end-user, such as essential security features. check posts, CCTV camera, GPS tracking etc., and for regular surveillance of the sand mining reaches and constitution of district level task force for this purpose, as outlined in Chapter 7 and 9, respectively, of the Enforcement and Monitoring Guidelines for Sand Mining 2020.
- ii. Appropriate mechanism be implemented for taking strict punitive action against the persons and vehicle involved in illegal mining in the area under MMDR Act and the direction issued by Hon'ble National Green Tribunal vide order dated



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
 Phone: 0141- 2716804, 2716800 e-mail: member-secretary@rspcb.nic.in
 Helpline No. : 0141-2716877

26.02.2021 in O.A. 360 of 2015 in terms of penalty and environmental compensation.

- iii. District Survey Report should be scientifically prepared as prescribed in the Sustainable Sand Mining Guidelines 2016, preferably by government institutes/organizations. No-mining zones (distance from riverbank, bridges, dams, etc.) be mapped in the Survey Reports for clarity.
- iv. Mining should be permitted only after proper annual replenishment study as prescribed under Chapter 8 of the Enforcement & Monitoring Guideline for Sand Mining 2020, and the following are recommended in this regard: - Initial replenishment study was carried out by CMPDI in 2017/2018. Successive yearly replenishment studies should depict the factual position and levels for all corresponding cross sections, clearly differentiating the mined and unmined area. Replenishment reports should contain key maps of mining channel/stretch area.
- v. In case of permitted sand mining, provisions stipulated in the Sustainable Sand Mining Guidelines 2016 should be implemented strictly for environmentally sustainable mining activity. The permissible mining depth condition and distance/buffer criteria (distance from riverbank, bridges, dams etc.) for no-mining zones should be strictly implemented. In no case mining should be carried out below water level or subsurface water level in the river.
- vi. Pillars before mining operation shall be fixed to demarcate the banks in the active mining channel/stretch according to the banks boundary map. Pillars be also fixed at the boundary of mining zone, leaving buffer zone from the banks, with level mark son these pillars. Without these facilities, precise compliance verification on ground w.r.t depth of mining and buffer zone left from the banks is not possible.
- vii. During permitted mining operations, proper care should be taken to ensure no damage is done to the plantation on the banks and the pipelines laid by farmers for irrigation and that the permissible depth and bank buffer conditions are fully complied.

In this regard, you are requested to issue directions to concerned officials to keep strict vigilance to curb illegal mining activities in the district - Bhilwara and ensure compliance

510



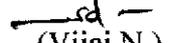
Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
Phone: 0141- 2716804, 2716800 e-mail: member-secretary@rpcb.nic.in
Helpline No. : 0141-2716877

of above recommendations given by the Joint Committee and take strict punitive actions against the defaulters to stop illegal mining activities in the area.

Encl: As above.

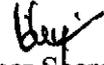
Yours sincerely,


(Vijai N.)

Member Secretary

Copy to-

✓ Regional Officer, Regional Office, Bhilwara – request to follow up the matter to ensure compliance of order dated 05.12.2024 issued by Hon'ble NGT.


Member Secretary



Rajasthan State Pollution Control Board

511

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
 Phone: 0141- 2716804, 2716800 e-mail: member-secretary@rpcb.nic.in
 Helpline No. : 0141-2716877

Reg. Post/Email

No.:F-12(BH-70)/RPCB/Mines/ 1358

Date: 03/01/2025

District Collector,
 Bhilwara.

Urgent –Hon'ble NGT Matter

- Sub:- Regarding compliance of Hon'ble NGT direction issued vide order dated 05.12.2024 in original application no. 755/2024 titled as "Tribunal on its own motion Vs State of Rajasthan".
- Ref:- Hon'ble NGT (Principal Bench), New Delhi's order dated 05.08.2024 & 05.12.2024 in OA no. 755/2024 (Copy enclosed).

Sir,

Your kind attention is invited towards the Hon'ble NGT order dated 05.12.2024 in OA No. 755/2024 (PB) titled as "Tribunal on its own motion Vs State of Rajasthan" in the matter of Sand Mining lease holders who are carrying on mining activities at a depth of more than 3 meters on the site of River Khari passing through River Kheda, Hetam, Tehsil Phuliya Kalan, District Bhilwara.

Whereas, A Joint Committee was constituted by Hon'ble NGT in order dated 05.08.2024 to submit factual report in the matter and the Joint Committee has made following recommendation in its report dated 16.11.2024 (Ref - Hon'ble NGT order dated 05.12.2024) –

- i. The illegal mining happening in river in Tehsil Phuliya Kalan be immediately stopped by concerned authorities in the state by implementing appropriate measures for monitoring of transportation of mineral from mining area to end-user, such as essential security features. check posts, CCTV camera, GPS tracking etc., and for regular surveillance of the sand mining reaches and constitution of district level task force for this purpose, as outlined in Chapter 7 and 9, respectively, of the Enforcement and Monitoring Guidelines for Sand Mining 2020.
- ii. Appropriate mechanism be implemented for taking strict punitive action against the persons and vehicle involved in illegal mining in the area under MMDR Act and the direction issued by Hon'ble National Green Tribunal vide order dated 26.02.2021 in O.A. 360 of 2015 in terms of penalty and environmental compensation.
- iii. District Survey Report should be scientifically prepared as prescribed in the Sustainable Sand Mining Guidelines 2016, preferably by government



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
 Phone: 0141- 2716804, 2716800 e-mail: member-secretary@rpcb.nic.in
 Helpline No. : 0141-2716877

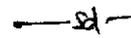
institutes/organizations. No-mining zones (distance from riverbank, bridges, dams, etc.) be mapped in the Survey Reports for clarity.

- iv. Mining should be permitted only after proper annual replenishment study as prescribed under Chapter 8 of the Enforcement & Monitoring Guideline for Sand Mining 2020, and the following are recommended in this regard: - Initial replenishment study was carried out by CMPDI in 2017/2018. Successive yearly replenishment studies should depict the factual position and levels for all corresponding cross sections, clearly differentiating the mined and unmined area. Replenishment reports should contain key maps of mining channel/stretch area.
- v. In case of permitted sand mining, provisions stipulated in the Sustainable Sand Mining Guidelines 2016 should be implemented strictly for environmentally sustainable mining activity. The permissible mining depth condition and distance/buffer criteria (distance from riverbank, bridges, dams etc.) for no-mining zones should be strictly implemented. In no case mining should be carried out below water level or subsurface water level in the river.
- vi. Pillars before mining operation shall be fixed to demarcate the banks in the active mining channel/stretch according to the banks boundary map. Pillars be also fixed at the boundary of mining zone, leaving buffer zone from the banks, with level mark son these pillars. Without these facilities, precise compliance verification on ground w.r.t depth of mining and buffer zone left from the banks is not possible.
- vii. During permitted mining operations, proper care should be taken to ensure no damage is done to the plantation on the banks and the pipelines laid by farmers for irrigation and that the permissible depth and bank buffer conditions are fully complied.

In this regard, you are requested to issue directions to concerned officials to keep strict vigilance to curb illegal mining activities in the district - Bhilwara and ensure compliance of above recommendations given by the Joint Committee and take strict punitive actions against the defaulters to stop illegal mining activities in the area.

Encl: As above.

Yours sincerely,


 (Vijai N.)

Member Secretary



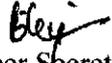
Rajasthan State Pollution Control Board

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Helpline No. : 0141-2716877

Copy to-

- ✓ 1. Regional Officer, Regional Office, Bhilwara – request to follow up the matter to ensure compliance of order dated 05.12.2024 issued by Hon'ble NGT.


Member Secretary

514



Rajasthan State Pollution Control Board

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 Helpline No. : 0141-2716877

Reg. Post/Email

No.:F-12(BH-70)/RPCB/Mines/ 1356

Date: 03/01/2025

Deputy Director,
 Integrated Regional Office, MOEF&CC,
 A-209 & 218, Aranya Bhawan, Mahatma Gandhi Road,
 Jhalana Institutional Area,
 Jaipur (Raj.) – 304002

- Sub:- Regarding compliance of Conditions of Environmental Compensation (EC) by M/s Ashu Singh Bhati, ML No. 111/2012, Village & Tehsil – Shapura, District – Bhilwara”.
- Ref:- 1. Hon’ble NGT (Principal Bench), New Delhi’s order dated 05.08.2024 & 05.12.2024 in OA no. 755/2024 (Attached as annexure - I).
 2. EC issued to M/s Ashu Singh Bhati by MOEF&CC vide letter dated 14.10.2020 & amendment issued vide SEIAA letter dated 27.10.2023. (Attached as annexure - II).

Madam/Sir,

Your kind attention is invited towards the Hon’ble NGT order dated 05.12.2024 in OA No. 755/2024 (PB) titled as “Tribunal on its own motion Vs State of Rajasthan” in the matter of Sand Mining lease holders who are carrying on mining activities at a depth of more than 3 meters on the site of River Khari passing through River Kheda, Hetam, Tehsil - Phuliya Kalan, District - Bhilwara.

In this matter, it is informed that Environmental clearance was issued to M/s Ashu Singh Bhati located at Revenue villages of Tehsil – Shahpura, District – Bhilwara by MOEF&CC vide letter dated 14.10.2020 for mining of Mineral Bajri.

In this regards, you are requested to provide verification report of compliance of conditions of EC issued to M/s Ashu Singh Bhati, if any, so as to enable State Board to ensure compliance of order dated 05.12.2024 issued by Hon’ble NGT.

Encl: As above.

Yours sincerely,

—sd—
 (Vijai N.)

Member Secretary

Copy to-

- ✓ Regional Officer, Regional Office, Bhilwara – request to follow up the matter to ensure compliance of order dated 05.12.2024 issued by Hon’ble NGT.

—sd—
 Member Secretary



Rajasthan State Pollution Control Board 515

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141- 2716804, 2716800 e-mail : member-secretary@rpcb.nic.in

Helpline No. : 0141-2716877

Reg. Post/Email

No.:F-12(BH-70)/RPCB/Mines/ 1353

Date: 03/01/2025

Sh. Ashu Singh Bhati,
M/s Ashu Singh Bhati,
45, Paschim Vihar, Vaishali Nagar,
Jaipur.

Sub:- Show cause notice for intended revocation of consent to operate under the Air (Prevention and Control of Pollution) Act, 1981 for your mine located at **ML No. 111/2012, Village & Tehsil – Shapura, District – Bhilwara.**

Ref:-

1. Consent to operate granted vide State Board's order dated 13.02.2024.
2. Hon'ble NGT order dated 05.12.2024 in original application no. 755/2024(PB) titled as "Tribunal on its own motion Vs State of Rajasthan".
3. Visit of mine carried out by Joint committee on 16.11.2024.

1. Whereas the Air (Prevention & Control of Pollution) Act, 1981 (hereinafter called as 'the Air Act) came into force in the whole of the State of Rajasthan with effect from 16.05.1981.
2. Whereas the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter called as 'the Water Act) came into force in the whole of the State of Rajasthan with effect from 23.03.1974.
3. And whereas the Air Act has been enacted to provided for the prevention, control and abatement of air pollution and the Water Act to provide for the prevention and control of water pollution and for maintaining and restoring the wholesomeness of water.
4. And whereas keeping this in view Rajasthan State Pollution Control Board (hereinafter called as 'the Board') has been conferred power to take such steps as are deemed necessary for the prevention, control and abatement of air and water pollution.
5. And whereas **M/s Ashu Singh Bhati** (herein after referred to as "the Mine") is engaged in mining of "Bajri(ROM)" at **ML No. 111/2012, Village & Tehsil – Shapura, District – Bhilwara.**
6. And whereas consent to operate under Air Act was granted to the mine vide State Board letter dated 13.02.2024 which is valid upto 08.07.2027.
7. And whereas, a Joint Committee was constituted by Hon'ble NGT vide order dated 05.08.2024 to submit factual report in the matter of OA no. 755/2024(PB) titled as "Tribunal on its own motion Vs State of Rajasthan.
8. And whereas the Joint Committee has visited the mine on 16.11.2024 and submitted report on 29.11.2024 with following observations (Ref - Hon'ble NGT order dated 05.12.2024) -



Rajasthan State Pollution Control Board

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- i. The excavations were done in an unsystematic and haphazard manner which may hamper the natural flow of the river. This reveals that mining activity in the river was done without proper supervision and inspection thus damaging the river course.
 - ii. Boundary pillars were not found at the site of the mining lease to demarcate the mining lease area, which should have been done by the lessee.
 - iii. For the stocks permitted by mining department, It was suggested to make catch drains, siltation ponds around the sand stocks, so that no flow of sand occur in the adjacent agricultural and other land.
 - iv. There were no checkpoints, CCTV camera, RFID tagged transportation equipment observed by Committee members which were important equipment/installations to control/check illegal sand mining as are mentioned in Sustainable Sand Mining guidelines (SSMG 2016) and Enforcement and Monitoring ,Guidelines for Sand Mining (EMGSM 2020) issued by MoEF&CC.
9. And whereas the above observations indicate that the mine has failed to comply with the provisions of the Air Act.
 10. And whereas above stated non-compliance and violations of the provisions of the Air Act have been viewed seriously by the Board.
 11. And whereas the State Board in order to prevent and control air pollution being caused by the Mine is competent to issue any directions under 31A of the Air Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

In case, you have any objection against intended revocation of consent to operate, you may submit your reply along with action taken report to this office along with copy to Regional office, RSPCB, Bhilwara i.e. latest by 20.01.2025, failing which the Consent to operate under reference may be revoked without any further notice and punitive action may be initiated against mine without any further notice.

Yours sincerely,

— sd —
 (Vijai N.)

Member Secretary

Copy to:

1. Regional Officer, Bhilwara - to verify the reply and forward verification report, if received.
2. Master file, RSPCB, Jaipur.


 Member Secretary

ASHU SINGH BHATI

45, PASCHIM VIHAR, VAISAHALI NAGAR, JAIPUR (JAIPUR)
Phone: (+91 141) 2339307 Mobile: +91 8875001251

Date: 20.01.2025

To,

The Member Secretary
Rajasthan Pollution Control board
Jaipur, Rajasthan

Subject - Reply to your show cause notice no F-12(BH-70)/RPCB/Mines/1352 dated 03/01/2025

- Reference -
1. Your show cause notice no F-12(BH-70)/RPCB/Mines/1352 dated 03/01/2025.
 2. Judgement of Hon'ble NGT dated 19.09.2024 in OA 148/2023(CZ) titled as "Bhanwar lal gurjar vs State of Rajasthan & ors."

Dear Sir

With reference to the findings of Joint Committee report dated 29.11.2024, Hon'ble NGT order dated 05.12.2024 and your notice dated 03/01/2025 I would like to draw your kind attention towards similar litigation filled before Hon'ble NGT (OA 148/2023(CZ) titled as Bhanwar lal gurjar vs State of Rajasthan & ors.) where Hon'ble NGT was kind enough to dismiss same allegation based on a Joint Committee report by order dated 19.09.2024 (**Annex -1**).

That the complainants are false litigators who themselves are indulged in illegal mining and don't want legal minors to operate in this area. That my mining lease is not operations since 18 June 2024 therefore there is no occasion for any illegal mining done by me and the same can be confirmed by Mining department.

That my bajri mining lease is located in Riverbed and in Rajasthan, riverbed mining is not allowed in monsoon i.e. July and August. Therefore any mining operations done by me before June 2024 must have been leveled or replenished due to flow of water in riverbed. Hence any pit or mining activity if found must have been done after August and therefore cannot be attributed to me.

ASHU SINGH BHATI

45, PASCHIM VIHAR, VAISAHALI NAGAR, JAIPUR (JAIPUR)
Phone: (+91 141) 2339307 Mobile: +91 8875001251

Point wise reply is as follows –

1. That I have complied with all rules and regulation as per Minor mineral concession rules and conditions as stated in Environment clearance dated 14/10/20 And CTO dated 17.03.2023 That in light of Hon'ble NGT order dated 19.09.2024 where State PCB has submitted that –

“The submission of the learned Counsel for the State PCB are that no illegal mining activities were found during the visit and the lease holders are operating the mining after obtaining environmental clearance from the MoEF&CC. No mining activity relating to Bajri was observed in the river bed area and there is no violation based on the production report received from the Mining Department. The report submitted by the In-charge Ground Water Scientist from the Ground Water Department, Bhilwara discloses that the ground water survey conducted in 2023 in the case discloses rise in the ground water level. On the point of Ambient Air Quality the State PCB had issued notices to the Project Proponents.”

And considering the fact that my lease is not operational since 18 June 2024 these allegations cannot stand valid.

2. That my mining lease was demarcated on the basis of khasra allotted by mining department. And as my mining lease is situated in riverbed and is not operational for almost 7 months some boundary pillars were removed by illegal minors or local villagers or might have been damaged with flow of water. I have repaired/ installed new pillars in compliance of your notice. Latest pictures of boundary pillars are annexed as **Annex – 2**.
3. That mining department has sanctioned 13 check post for checking illegal transportation of bajri in lease hold area eqipt by CCTV camera Photo **Annex – 3**. Similarly stock point are also equipped with CCTV camera. As my mines is not operational since June 2024, therefore there is no mining or dispatch from lease/stock. Once mining and dispatch will resume it shall be done by using RFID vehicle in compliance of all guidelines of Sustainable Sand Mining Management Guidelines (SSMG) 2016 and Enforcement & Monitoring Guidelines for sand mining (EMGSM) 2020 related to control/check illegal mining Once mining operations start in lease area.

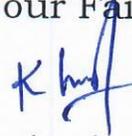
ASHU SINGH BHATI

45, PASCHIM VIHAR, VAISAHALI NAGAR, JAIPUR (JAIPUR)
Phone: (+91 141) 2339307 Mobile: +91 8875001251

Therefore you are humbly requested to kindly consider my point wise reply and the fact that Hon'ble NGT has already decided similar litigation where it was observed that no illegal mining was done by lease holder and that my lease is not operational since June 2024, intended revocation of CTO may be turned down.

Thanking You,

Your Faithfully



(Authorized Person)

Ashu Singh Bhati

(Lease Holder)

Enclosures: As above.



राजस्थान सरकार

कार्यालय खनि अभियन्ता, खान एवं भूविज्ञान विभाग, भीलवाड़ा
खनिज भवन, पन्नाधाय सर्कल के पास, आजाद नगर, भीलवाड़ा (राज.)

E-mail – me.bhilwara@rajasthan.gov.in

क्रमांक: खअ/भील/एन.जी.टी./ओ.ए. 755/2024/62

दिनांक: 27.01.2025

प्रेषित :-

क्षेत्रीय अधिकारी,
राजस्थान राज्य प्रदुषण नियंत्रण मण्डल,
भीलवाड़ा (राज.)

विषय :- ओ.ए. संख्या 755/2024 पीबी ट्रिब्युनल ऑन इट्स आउन मोशन बनाम राजस्थान राज्य एवं अन्य समक्ष माननीय राष्ट्रीय हरित प्राधिकरण, भोपाल।

प्रसंग :- राजस्थान राज्य प्रदुषण नियंत्रण मण्डल, जयपुर का पत्र क्रमांक F-12(BH-70)/RPCB/Mines/1357 दिनांक 03.01.2025 के क्रम में।

महोदय,

उपरोक्त विषयान्तर्गत निवेदन हैं कि विषयांकित प्रकरण ओ.ए. संख्या 755/2024 पीबी ट्रिब्युनल ऑन इट्स आउन मोशन बनाम राजस्थान राज्य एवं अन्य समक्ष माननीय राष्ट्रीय हरित प्राधिकरण भोपाल, में तथ्यात्मक प्रतिवेदन पत्र के साथ संलग्न कर प्रेषित हैं।

संलग्न : उपरोक्तानुसार।

भवदीय,

(महेश शर्मा)
खनि अभियन्ता,
भीलवाड़ा

क्रमांक : समसंख्यक /

प्रतिलिपि :- श्रीमान् जिला कलक्टर महोदय, जिला कलक्ट्रेट, भीलवाड़ा (राज.)

दिनांक: 01.2025

खनि अभियन्ता,
भीलवाड़ा

राष्ट्रीय हरित प्राधिकरण में दायर ओ.ए. 755/2024 ट्रीब्यूनल ऑन इट्स ऑवन मॉशन बनाम राजस्थान राज्य का तथ्यात्मक प्रतिवेदन

श्री आशु सिंह भाटी पुत्र श्री मगन सिंह भाटी निवासी 45, पश्चिम विहार, वैशाली नगर, जयपुर (राज.) के पक्ष में शासन का आदेश क्रमांक प.10(9)खान/ग्रुप-2/2013 जयपुर दिनांक 22.12.2022 द्वारा जिला भीलवाड़ा (नवीन जिला शाहपुरा) की तहसील शाहपुरा (नवीन तहसील शाहपुरा एवं फुलियांकला) के राजस्व गांवों में गैर मुमकिन नदी, नालों, बालों से (खसरे के अनुसार) निकलने वाला खनिज बजरी क्षेत्रफल 624.39 हैक्टर खनन पट्टा संख्या 111/2012 अवधि दिनांक 01.01.2014 से 31.12.2018 तक डाईज नॉन पिरीयड (04 वर्ष 04 माह) जोड़े जाने से खनन पट्टा अवधि उक्त आदेश के तहत कब्जा सम्भलाये जाने की दिनांक से 04 वर्ष 04 माह तक के लिये स्वीकृत किया गया।

शासन द्वारा जारी स्वीकृति आदेश की पालना में खनन पट्टे का संविदा निष्पादन दिनांक 20.01.2023 को किया गया तथा पंजीयन दिनांक 09.03.2023 को हुआ। वर्तमान में उक्त खनन पट्टा कब्जा सम्भलाये जाने की दिनांक 09.03.2023 से 04 वर्ष 04 माह अर्थात दिनांक 08.07.2027 तक के लिये प्रभावी हैं।

1. खनन पट्टा अन्तर्गत पट्टाधारी द्वारा वाहन संख्या RJ08GB3162 का दिनांक 23.10.2023 को ई-ट्राजिट पास संख्या TOKV1026686880 जारी कर खनिज बजरी का अवैध निर्गमन करना पाया। ई-ट्राजिट पास संख्या TOKV1026686880 Generated on 23-Oct-2023 04:51:31AM जारी किया जाकर वे-ब्रिज MAHENDRA SINGH RAJAWAT 03 (201711080400)Aamlda पर तुलाकर Confirmed on 23-Oct-2023 04:52:12 AM किया गया, जबकि दोनो स्थानो कि दूरी 50 किलोमीटर से अधिक होने से यह सम्भव नहीं हैं। उक्त वाहन बून्दी जिले में चेक करने पर अवैध परिवहन करते हुये पकड़ा गया था। तत्पश्चात् जॉच में पाया गया कि पट्टाधारी श्री आशु सिंह भाटी के पक्ष में स्वीकृत टी.पी. पोईन्टों से अवधि दिनांक 05.09.2023 से दिनांक 13.01.2024 तक इसी प्रकार के जारी ट्राजिट पास का दुरुपयोग कर कुल मात्रा 92740.71 टन अन्यत्र स्थान से बजरी का अवैध खनन किये जाने से राजस्थान अप्रधान खनिज रियायत नियमावली, 2017 के प्रावधानो एवं संविदा की शर्तो का उल्लंघन पाये जाने से पट्टेधारी को कार्यालय द्वारा दिनांक 20.06.2024 से 30 दिवसीय वैधानिक चेतना पत्र जारी किया है। नोटिस की पालना में पट्टेधारी के अधिकृत प्रतिनिधि ने पत्र दिनांक 19.07.2024 जो जरिये ई-मेल दिनांक 22.07.2024 जवाब कार्यालय में प्रस्तुत किया गया। पट्टाधारी द्वारा प्रस्तुत जवाब सन्तोषप्रद नहीं होने से नोटिस की पालना नहीं होती हैं। पट्टेधारी द्वारा शासन एवं निदेशालय द्वारा समय-समय पर जारी परिपत्रों, आदेशों एवं गाईडलाईन का उल्लंघन किया जाकर खनिज बजरी का अवैध खनन, निर्गमन एवं भण्डारण किया गया है, ऐसी स्थिति में उक्त खनन पट्टा खण्डित किये जाने योग्य होने से कार्यालय पत्र क्रमांक 706 दिनांक 30.07.2024 से उक्त खनन पट्टा प्रतिभूति राशि जब्त करते हुए खण्डित करने हेतु श्रीमान् निदेशक महोदय, खान एवं भूविज्ञान विभाग, उदयपुर को प्रस्ताव प्रेषित किये गये। जिसके क्रम में अग्रिम कार्यवाही कराते हुए निदेशालय, उदयपुर

को उक्त खनन पट्टा खण्डित किये जाने हेतु दिनांक 04.08.2024 से शासन को प्रस्तावित किया गया, जो शासन स्तर पर अग्रिम कार्यवाही हेतु प्रक्रियाधीन हैं।

खनन पट्टा अन्तर्गत स्वीकृत ट्रान्जिट स्टॉक पोईन्ट ग्राम बड़ला, फुलियाकंला, नई अरवड़ में अनियमितता पाये जाने से अधीक्षण खनि अभियन्ता, भीलवाड़ा के आदेश दिनांक 18.06.2024 एवं 19.06.2024 से उक्त ट्रान्जिट स्टॉक पोईन्ट को डी-एक्टिवेट कर दिया गया है। वर्तमान में उक्त खनन पट्टों के सभी स्टॉक (टी.पी. पोईन्ट) डि-एक्टिव कर खनिज बजरी का निर्गमन रोक दिया गया है। खनन पट्टा क्षेत्र में खनन गतिविधिया पुनः प्रारम्भ किये जाने पर चेकपोस्ट, सीसीटीवी केमरा एवं जी.पी.एस. युक्त वाहनों का उपयोग एवं Enforcement & Monitoring Guidelines for Sand Mining-2020 की पालना सुनिश्चित की जावेगी। Enforcement & Monitoring Guidelines for Sand Mining-2020 में वर्णित निर्देशों के तहत नदी क्षेत्र में अवैध खनन एवं निर्गमन की रोकथाम हेतु नदी के दोनों तरफ ट्रेन्वेज खोदने तथा नदी के प्रवेश एवं निकासी मार्ग की सिमित संख्या रखे जाने तथा प्रवेश एवं निकासी मार्ग पर सी.सी.टी.वी. केमरे स्थापित करने के सम्बन्ध में कार्यालय स्तर से पट्टाधारी को शीघ्र ही नोटिस जारी किये जाने की कार्यवाही की जावेगी।

- माननीय उच्चतम न्यायालय एवं माननीय राष्ट्रीय हरित प्राधिकरण, भोपाल द्वारा समय-समय पर जारी निर्देशों तथा एम.एम.डी.आर. एक्ट व राजस्थान अप्रधान खनिज रियायत नियमावली, 2017 के नियम एवं समय-समय पर होने वाले संशोधन के अनुरूप खनिज बजरी के अवैध खनन, निर्गमन एवं भण्डारण के विरुद्ध कार्यवाही की जाती हैं। तहसील क्षेत्र शाहपुरा, फुलियाकंला क्षेत्राधिकार में खनिज बजरी में विगत तीन वर्षों में की गई कार्यवाही का विवरण निम्नानुसार है :-

वित्तीय वर्ष	अवैध खनन/ निर्गमन/ भण्डारण के प्रकरण की संख्या	वसूल शास्ती एवं कम्पाउण्ड राशि (लाखों में)	वसूल पर्यावरण क्षतिपूर्ति राशि (लाखों में)	दर्ज एफ. आर. की संख्या
2022-23	32	10.54	30.0	07
2023-24	37	14.99	45.0	14
2024-25 दिसम्बर 24 तक	19	12.67	40.0	06

- खनिज बजरी जिला सर्वे रिपोर्ट (डी.एस.आर.) माननीय न्यायालयों एवं Sustainable Sand Mining Management Guidelines, 2016 तथा Enforcement & Monitoring Guidelines for Sand Management, 2020 की पालना कर तैयार की गई। जिला भीलवाड़ा की खनिज बजरी जिला सर्वे रिपोर्ट (डी.एस.आर.) राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, जयपुर के पत्र क्रमांक F.1(4)/SEIAA/SEAC/DSR/2023-24/25-26 दिनांक 29.01.2024 से अनुमोदित हुई।
- वर्तमान में खनन पट्टा क्षेत्र में खनन गतिविधियां बन्द हैं। पुनः चालू किये जाने पर पट्टाधारी द्वारा वांछित पालना की जावेगी। उक्त खनन पट्टा क्षेत्र की रिप्लेनिशमेन्ट स्टडी में दर्शायी गई खनिज की मात्रा का विवरण निम्नानुसार है :-

क्र.सं.	रिप्लेनिशमेन्ट स्टडी वर्ष (प्री एवं प्रोस्ट)	माईनेबल रिजर्व की मात्रा (मेट्रिक टन में)
1	2018	2432047.53
2	2022	10628837.56
3	2023	41780194.61

5. पट्टाधारी द्वारा Enforcement & Monitoring Guidelines for Sand Mining-2020, SUSTAINABLE SAND MINING MANAGEMENT GUIDELINES-2016 एवं पर्यावरण स्वीकृति की पालना सुनिश्चित की जावेगी।
6. खनन पट्टा क्षेत्र में पर्यावरण स्वीकृति एवं संविदा की शर्तों के अनुरूप खनन गतिविधियां किये जाने हेतु कार्यालय स्तर से पट्टाधारी को सूचित किया जावेगा। उक्त खनन पट्टा क्षेत्र का आवंटन तहसीलवार गैर-मुमकीन खसरा वार किया गया। चूंकि नदी क्षेत्र घुमावदार एवं एक समान प्रकृति का नहीं होने से सीमा स्तम्भ का निर्धारण नहीं किया जा सकता है। पट्टाधारी को सीमा क्षेत्र में खनन करने हेतु निर्देशित किया जायेगा।
7. नदी क्षेत्र के किनारे पर वृक्षरोपण एवं किसानों द्वारा सिंचाई के लिए बिछायी गई पाईप लाईनों को सुरक्षित रखते हुए तथा अनुमत गहराई के अनुसार खनन गतिविधि किये जाने हेतु पट्टाधारी को कार्यालय स्तर से पट्टाधारी को शीघ्र ही नोटिस जारी किये जाने की कार्यवाही की जावेगी।

(महेश शर्मा)
खनि अभियन्ता,
भीलवाड़ा

VAKALATNAMA

Before the Hon'ble National Green Tribunal,

Principal Bench, Delhi

Case No OA 755/2024

Tribunal on its Own

APPELLANT/APPLICANT/COMPLAINANT

//VERSUS//

State of Rajasthan & Ors

RESPONDENT/NON-APPLICANT

I/We Deepak Dhaneetwal the Petitioner/Appellant or Respondent/ Non-Applicant named above to appear, act and plead in aforesaid case/proceedings, which shall include applications for restoration, setting aside or *ex parte* orders, corrections, modifications, review and recall of orders passed in these proceedings, in this Court or in any other Court in which the same may be tried/heard/proceeded with and also in the Appellate, Revisional or Executing Court in respect of proceedings arising from this case/proceedings as per agreed terms and conditions and authorize him/them to sign and file pleadings, appeals, cross objections, petitions, applications, affidavits, or other documents as may be deemed necessary or proper for the prosecution/defence of the said case in all its stages and also agree to ratify and confirm acts done by him/them as if done by me/us :

In witness whereof I/we do hereunto set my/our hand to these presents, the contents of which have been duly understood by me/us, this 13 day of Feb 2025

**Particulars (in block letters) of each Party
Executing Vakalatnama**

Sr. No.	Name & Father's/ Husband's Name	Registered Address	Telephone Number (if any)	Status in the Case	Full Signature/ Thumb Impression
1.)	Deepak Dhaneetwal, S/o Sh. Tara Chand Verma, 109, Chand Bihari Nagar, Kharipura Road, Jaipur- 9785291723				 Deepak Dhaneetwal / दीपक धनेटवाल Regional Officer / क्षेत्रीय अधिकारी Rajasthan Pollution Control Board राजस्थान राज्य प्रदूषण नियंत्रण मंडल Bhilwara / भीलवाड़ा

PARTICULARS OF ADVOCATE ACCEPTING VAKALATNAMA

Sr. No.	Name and Enrollment	Registered Address	Contact No.	E-mail (if any)	Signature
	ROHIT SHARMA ADVOCATE (MP/1838/2013) OFFICE ADDRESS :: E-5/43B, ARERA COLONY, BHOPAL (MP)462016 CONTACT NO. +91-8435256569				