

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SITTING AT NEW DELHI**

In

Original Application No.83 of 2020

IN THE MATTER OF:

Krishan Chander

..... Applicant

Versus

Union of India & ors.

..... Respondents

INDEX

Sr. No.	Particulars	Page No
1.	REPORT OF THE COMMITTEE DULY CONSTITUTED IN THE OA NO. 83/2020 Rakesh Kumar and Anr Vs State of Haryana	1-3
2.	ANNEXURE-R1 Copy of order dated 16.06.2020.	4-6
3.	ANNEXURE-R2 Copy of order issued by Deputy Commissioner, Sonapat dated 24.06.2020	7
4.	ANNEXURE-R3 Copy of LOI dated 02.01.2015 issued by mining Department	8-13
5.	ANNEXURE-R4 Copy of Environment clearance dated 22.03.2016 issued by MoEF & CC.	14-27
6.	ANNEXURE-R5 Copy of CTE issued by HSPCB.	28-30
7.	ANNEXURE-R6 Copy of CTO issued by HSPCB	31-33

FILED BY:

Bhupinder Singh
Bhupinder Singh,
Regional Officer,

Haryana State Pollution Control Board, Sonapat

Date : 14/07/2020

Place : Sonapat

**Report of the committee duly constituted in the OA No. 83/2020 titled
as Krishan Chander vs Union of India & ors.**

1. Background

The complaint has been made in the Hon'ble NGT inter alia seeks direction to demolish temporary bridge allegedly constructed by the respondent no.10, M/s DSP Associates, Sonapat for the purpose of mining activities in violation of conditions of Environment Clearance.

The said matter OA no. 83 of 2020 was listed before Hon'ble National Green Tribunal on 16.06.2020 and passed an order the operative part of the Order is as under:

" Since it is stated that the above direction has not been complied with, we consider it appropriate to require a factual and action taken report from District Collector, Sonapat and Haryana State PCB. Report be sent by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of image Pdf within two months."

Copy the order dated 16.06.2020 is attached as **Annexure-R1**.

In Compliance of the order passed by Hon'ble NGT, Principal Bench, New Delhi in OA No 83/2020 the team of following officers was constituted by Deputy Commissioner, Sonapat vide order no. 11790-93/MB dated 24.06.2020. The copy of said order is attached as **Annexure- R2**.

1. Sh. Vijay Singh, Sub-Divisional Magistrate, Sonapat
2. Sh. Ashwani Phogat, XEN, Irrigation Department, Sonapat.
3. Sh. Gulshan Arora, Representative of Mining Officer, Sonapat.
4. Bhupinder Singh, Regional Officer, Haryana State Pollution Control Board, Sonapat.

The above said team inspected the mining site mentioned in the referred application on 04.09.2020.

2. The methodology adopted by the joint team for investigating the matter:

- Visit to the site of the units mentioned in the complaint.
- Inspection of village Road used for transportation by the project proponent.

3. Detail of License obtained by the unit M/s DSP Associates, village Tikola, Sand Mining, Sonapat, Haryana.

3.1 The unit mentioned in the complaint is operating in name of M/s DSP Associates, village Tikola, Sand mining, Murthal, Sonapat has been issued Letter of Intent

(LOI) by the Mining and Geology Department, Haryana vide letter memo no. DMG/Hy/Cont/Tikola-1 Sand unit/2015/29 Dated 02.01.2015. The period of mining contract issued to the above said unit of the area namely "Tikola-1 Sand unit" is of Nine years. The period of contract shall commence with effect from the date of grant of Environment Clearance by the Competent authority or on expiry of period of 12 months from the date of communication of acceptance of highest bid issuance of "Letter on Intent", whichever is earlier. Copy of letter attached as **Annexure R-3**.

3.2 The unit M/s DSP Associates, village Tikola, Sand mining, Sonapat, obtained Environment Clearance from the Ministry of Environment, forest & Climate change (MoEF & CC) vide letter no. F.No. J-11015/24/2015-IA (M) dated 22.03.2016 for mining of sand (Minor Mineral) from Mines/Quarries of "Tikola Sand Unit" with production Capacity of 15,17,600 TPA of Sand (Minor Mineral) at Village Tikola, Tehsil Sonapat, District Sonapat, Haryana (42.50 ha) lies mainly in the bed of river Yamuna (31.50 ha) and partly in outside riverbed area (11.00 Ha). Copy of Environment Clearance attached as **Annexure R-4**

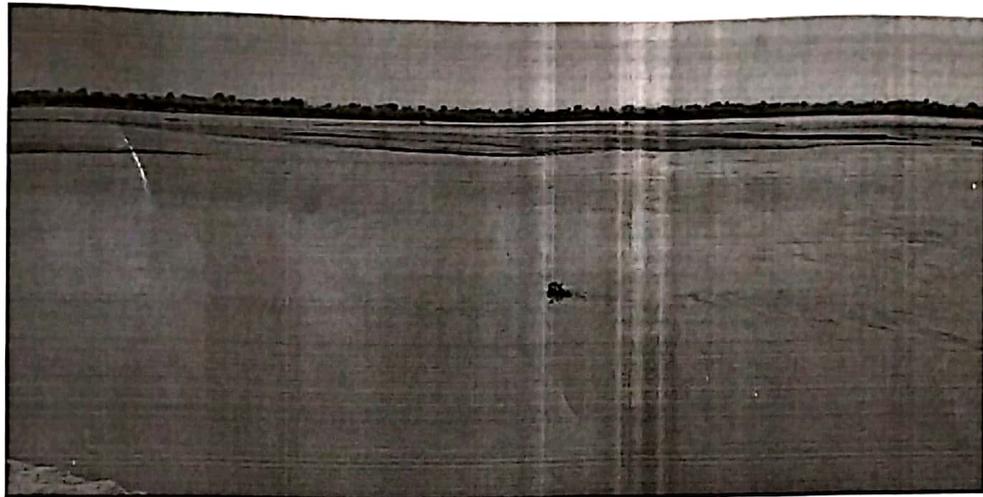
3.3 The unit M/s DSP Associates, village Tikola, Sand mining, Sonapat obtained Consent to Establish from HSPCB vide no. 2811916SONCTE3066117 dated 29.04.2016 Sand mining at Village Tikola, Sand mining, Tehsil Sonapat, District Sonapat. The said unit has valid consent to operate from HSPCB upto 30.09.2020 issued vide letter no.313100418SONCTO5273196 dated 14.05.2018. Copy of CTE and CTO is attached as **Annexure R-5 & R-6** respectively.

4. Observation made by the team during inspection on 04.09.2020 at site village Tikola, Sand mining, Sonapat.

4.1 That during inspection of the sand mining unit at village Tikola by the team it was noticed that the mining operation is presently lying closed due to Rainy season and no mining activity is being carry out at site presently.

4.2 That all the river bed area is covered with Water flowing in River Yamuna and no separate Pathways/bundhs has been found at site which may lead to obstruction of natural flow of River Yamuna.

Amal
Moh
Vegh
A. V.



Picture 1

River Yamuna at Village Tikola

4.3 That the unit has constructed separate road for transportation of minerals and is not using embankment of the River constructed by Irrigation Department.

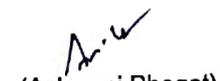
5. Recommendation and conclusion:

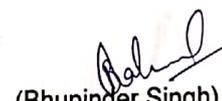
5.1 That presently the mining activity is lying closed due to Rainy season.

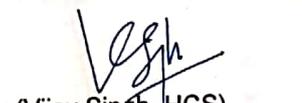
5.2 That separate Road has been constructed by the unit for transportation and is not using embankment of the river constructed by Irrigation Department.

5.3 That Joint Committee will abide by any direction issued by Hon'ble NGT in this regard.


(Gulshan Arora)
Representative
Of Mining Officer ,
Sonapat.


(Ashwani Phogat)
XEN, Irrigation,
Sonapat


(Bhupinder Singh)
Regional Officer,
HSPCB, Sonapat


(Vijay Singh, HCS)
Sub-divisional Magistrate
Sonapat

Item No. 02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 83/2020

Krishan Chander

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 16.06.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Ms. Upama Bhattacharya, Advocate

ORDER

This application inter alia seeks direction to demolish temporary bridge allegedly constructed by respondent No.10, M/s D.S.P Associates, Sonpat for the purpose of mining activities in violation of conditions of EC.

The matter was earlier considered by this Tribunal on 03.07.2019 in O.A No. 382/2019, *Krishan Chander v. Irrigation and Water Resources Department & Ors*, filed by the applicant. It was observed:

"9. Condition No. (xxii) is as follows:

"(xxii) Transportation of the minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that the impact of sound, dust and accidents could be mitigated. The Project Proponent shall bear the cost towards the widening and strengthening of existing public road network in case the same is proposed to be used for the Project. No road movement should be allowed on existing village road

network without appropriately increasing the carrying capacity of such roads.

10. Thus, the policy permitting use of embankment of the river by commercial vehicles carrying mined material is against the concept of 'Sustainable Development' and can have adverse impact on river ecology, apart from causing air pollution and cannot be given effect to.

11. In view of above, we direct that the bundh in question be not used for carrying commercial vehicles for transportation of minerals and the same used as a flood control measure or other life saving activities which the administration may consider necessary consistent with the need for environment protection."

Since it is stated that the above direction has not been complied with, we consider it appropriate to require a factual and action taken report in the matter from a joint Committee comprising the District Collector, Sonipat and the Haryana State PCB. Report be sent by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF within two months.

A copy of this order be sent to the District Collector, Sonipat and the Haryana State PCB by email for compliance.

The applicant may furnish a set of papers to the District Collector, Sonipat and the Haryana State PCB and file affidavit of service within one week.

List again on 23.09.2020.

Adarsh Kumar Goel, CP

Sheo Kumar Singh, JM

Dr. Nagin Nanda, EM

June 16, 2020
Original Application No. 83/2020
(I.A. No. 164/2020)

AK





आदेश

ओ0ए0 नम्बर 83 ऑफ 2020 - कृष्ण चन्द्र बनाम यूनियन ऑफ इंडिया का केस माननीय राष्ट्रीय हरित अधिकरण (एन0जी0टी0), नई दिल्ली के न्यायालय में विचाराधीन है, जिसमें आगामी तिथि पेशी 23-09-2020 निश्चित है, जिसमें उपायुक्त, सोनीपत एवं प्रदूषण नियन्त्रण बोर्ड, सोनीपत द्वारा माननीय न्यायालय एन0जी0टी0 द्वारा दिये गये आदेशों की पालना में ओ0ए0 नम्बर 83 ऑफ 2020 में की गई कार्यवाही की रिपोर्ट प्रस्तुत की जानी है। अतः इसलिए उप मण्डल अधिकारी (ना0), सोनीपत की अध्यक्षता में जांच रिपोर्ट तैयार करने हेतु निम्नलिखित अधिकारियों की एक कमेटी का गठन किया जाता है:-

1.	उप मण्डल अधिकारी (ना0), सोनीपत	अध्यक्ष
2.	क्षेत्रीय अधिकारी, हरियाणा राज्य प्रदूषण नियन्त्रण बोर्ड, सोनीपत	सदस्य सचिव
3.	कार्यकारी अभियन्ता, सोनीपत जल सेवाएं मण्डल, राई	सदस्य
3.	खनन एवं भू-गर्भ अधिकारी, खनन विभाग, सोनीपत	सदस्य

उपरोक्त गठित टीम को निर्देश दिए जाते हैं कि वह उक्त केस में जांच करके जांच रिपोर्ट 10 दिन के अन्दर-अन्दर इस कार्यालय में भिजवाना सुनिश्चित करें ताकि निर्धारित तिथि को माननीय राष्ट्रीय हरित अधिकरण (एन0जी0टी0), नई दिल्ली के न्यायालय में वांछित एक्शन टेकन/जांच रिपोर्ट भिजवाई जा सके।

संलग्न :- ओ0 ए0 नम्बर 83 ऑफ 2020 की छाया प्रति

कृत: उपायुक्त, सोनीपत

पृ0 क्रमांक 11740-93 /एम0बी0 दिनांक 24-06-2020

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं पालना हेतु प्रेषित है:-

- 1- उप मण्डल अधिकारी (ना0), सोनीपत।
- 2- क्षेत्रीय अधिकारी, हरियाणा राज्य प्रदूषण नियन्त्रण बोर्ड, सोनीपत।
- 3- कार्यकारी अभियन्ता, सोनीपत जल सेवाएं मण्डल, राई।
- 4- खनन एवं भू-गर्भ अधिकारी, खनन विभाग, सोनीपत।

कृत: उपायुक्त, सोनीपत

प्रतिलिपि:- निजी सहायक, उपायुक्त, सोनीपत।

From

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

49
4-1-18

To

M/s DSP Associates,
H.No.1305, Sector-14,
Sonipat.

Memo No. DMG/Hy/Cont/Tikola-1 Sand Unit/2015/
Dated Chandigarh, the

Subject: Acceptance of the highest bid/ in respect of the Sand minor mineral mines/quarries of "Tikola-1 Sand Unit" having total area of 42.50 hectares in the district Sonpat, offered in the auction held on 30.12.2014 and issue of Letter of Intent (Lol) - regarding.

You offered the highest bid of Rs. 9,07,00,000 [Rs. Nine Crore seven lakh only] per annum, against the Reserve Price of Rs. 9,04,00,000/- per annum, for obtaining the Mining Contract of Minor Mineral Mines namely 'Tikola-1 Sand Unit' having the total area of 42.50 hectares which, inter alia, contains two mining blocks, in the auction held on 30.12.2014 in the office of Assistant Mining Engineer, Sonipat in accordance with terms and conditions of the Auction Notice No. DMG/HY/Auction/SNP/2014/ 5659 dated 15.12.2014. The detail of the khsara numbers of the tentative area under above said Mining Unit is attached as Annexure 'A'.

2. You are hereby informed that the state government has accepted the highest bid of Rs. 9,07,00,000 [Rs. Nine Crore seven lakh only] offered by you in respect of the above said minor mineral mines unit of Tikola-1 Sand Unit under the provisions of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012 (State Rules). Accordingly, you have become the successful bidder in respect of Tikola-1 Sand Unit of the district Sonapat.

3. The State Government having accepted the aforementioned highest bid offered by you, the Department is pleased to issue this Letter of Intent (Lol) in your favour in respect of the Mining Unit/area namely "Tikola-1 Sand Unit" subject to the following terms and conditions:

- (i) The period of contract shall be 09 years and the same shall commence with effect from the date of grant of environmental clearance by competent authority or on expiry of a period of 12 months from the date of this communication of acceptance of highest bid/ issuance of "Letter of Intent", whichever is earlier;
- (ii) Though due care had been taken in specifying the details of the area of the mining units/ blocks etc., the block/unit areas are tentative and notified on as is where is

basis. However, in case of any inadvertent mistake, the same shall be got rectified/ corrected before execution of the agreement;

- (iii) No request regarding reduction in bid amount on account of reduction in land/area of the Mining Unit, including due to change in description of khasra numbers/location etc. at any stage will be entertained on any ground including loss/reduction of area for mining on account of compliance of applicable laws/restrictions. Needless to state that this also includes the changes, if any, as per condition no. 3 of auction notice.
- (iv) The amount of the highest successful bid i.e. Rs. 9,07,00,000 [Rs. Nine Crore seven lakh only] shall be the "Annual Contract Money" payable by you as the contractor in the manner prescribed in the contract agreement to be executed on form MC-1 appended to State Rules;
- (v) The above said annual contract money shall be increased at the rate of 25% on completion of each block of three years. Accordingly, the year-wise amount of the annual contract money shall be as per details given below:

Sr. No.	Year of the Contract Period	Annual contract Money
1	First Year	Rs. 9,07,00,000/-
2	Second Year	Rs. 9,07,00,000/-
3	Third Year	Rs. 9,07,00,000/-
4	Fourth Year	Rs. 11,34,00,000/-
5	Fifth Year	Rs. 11,34,00,000/-
6	Sixth Year	Rs. 11,34,00,000/-
7	Seventh Year	Rs. 14,17,00,000/-
8	Eighth Year	Rs. 14,17,00,000/-
9	Ninth Year	Rs. 14,17,00,000/-

- (vi) As per the terms and conditions of the grant, you are liable to deposit Rs. 2,26,75,000/- i.e. equal to 25% of the annual bid amount as "security deposit" out of which you have already deposited an amount of Rs. 90,70,000/- (Ninety lakh seventy thousand only) i.e. equal to 10% of the annual bid amount as 'Initial bid security' at the fall of hammer. The balance amount of Rs. 1,36,05,000/- of the bid security i.e. 15% of the annual bid amount alongwith one month's advance contract money shall be deposited before commencement of the mining operations or before expiry of the period of 12 months, whichever is earlier;
- (vii) You shall execute an Agreement Deed in Form MC-1 appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & Prevention of Illegal Mining Rules-2012 (the State Rules 2012) within a period of 90 days from the date of issuance of this communication/ grant of Lol;
- (viii) It may be pointed out that as per existing applicable rates the contract agreement had to be executed on Non Judicial Stamp papers worth Rs. 34,57,940/- (Rs. Thirty four lacs fifty seven thousand nine hundred and forty only). However you are aware that

M/s Haryana Royalty Company, one of the Lol holder (who participated in the auctions held in December 2013) has filed a CWP No. 6018 of 2014 before the Hon'ble Punjab & Haryana High Court. Further a few other similarly situated Lol holders have also filed separate CWP's before the Hon'ble Punjab and Haryana High Court challenging demand/ levy of Stamp Duty on execution of 'Contract Agreement'. The said matter is still pending for adjudication. Accordingly, the auction was conducted subject to outcome of said cases. Therefore, the charging of stamp duty for the execution of contract agreement shall be as per final outcome of the said CWP's.

- (ix) The Contract Agreement would also be required to be got Registered on payment of the applicable Registration fee;
- (x) In case you fail to execute the Agreement Deed within the prescribed period of 90 days, this Lol shall be deemed to have been revoked and the amount of initial bid security deposited at the time of auction shall be forfeited. Further, the balance amount of 15% towards the bid security, amounting to Rs. 1,36,05,000/- being the 15% of the annual bid amount, shall be recovered as arrears of land revenue and, you, as the Lol holder/ defaulter, shall be debarred from participation in any future auctions for a period of 5 years;
- (xi) You shall also furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the Agreement. In case the surety offered by the contractor(s) during the subsistence of the contract is not found solvent, the contractor(s) shall offer another solvent surety and a supplementary deed shall be executed to this effect;
- (xii) After execution of Agreement, either before commencement of the mining operation or before expiry of the period of 12 months from the date of issuance of this Lol, whichever is earlier, in case of failure to deposit the balance 15% amount towards security [as required under clause (v) above] the acceptance of bid/issuance of Lol/execution of agreement shall be deemed to have been revoked and 10% amount deposited towards as initial bid security at the time of auction shall stand forfeited. Further, un-paid 15% amount towards security shall be recovered as arrears of land revenue and you shall debarred from participation in any subsequent bids for a period of 5 years;
- (xiii) You shall be liable to deposit the contract money in advance at monthly intervals as per provisions of Contract Agreement i.e. from the date of commencement of the contract Agreement;
- (xiv) You shall also deposit/ pay an additional amount equal to 10% of the due contract money along with the monthly installments towards the 'Mines and Minerals Development, Restoration and Rehabilitation Fund'.

- (xv) You shall also be liable to pay advance income tax as per provisions of Section 206(c) of income tax act in addition to contract money, payable as per terms and conditions of contract agreement.
- (xvi) On enhancement of the contract money with the expiry of every three years period, you shall deposit the balance amount of security so as to upscale the security amount equal to 25% of the revised annual contract money as applicable for one year with respect to the next block of three years. No interest, whatsoever, shall be payable on the security amount deposited under the prescribed security head of the government;
- (xvii) You shall prepare a Mining Plan along with the Mine Closure Plan (Progressive & Final) as per chapter 10 of the State Rules for each block of the "Mining Unit" and shall not commence mining operations in any area except in accordance with such Mining Plan duly approved by an officer authorised by the Director, mines & Geology, in this behalf.
- (xviii) Further, the actual mining will be allowed to be commenced only after prior Environmental Clearance is obtained by you as the Lol holder/mining contractor for the Mining Blocks from the Competent Authority separately or jointly for the mining unit as permitted by the competent Authority required under EIA notification dated 14/9/2006, as amended from time to time by the MoE&F, GoI and guidelines/ circulars issued in this behalf;
- (xix) The Mining contractor to whom mining rights have been granted through this contract would also be liable to pay the following to the landowners to undertake mining operations:
- (a) Annual rent in respect of the land area blocked under the concession but not being operated, and
 - (b) Rent plus compensation in respect of the area used for actual mining operations.
- (xx) The amount of annual rent and the compensation shall be settled mutually between the landowner and the mining contractor. In case of non-settlement of the rent and compensation, the same shall be decided by the District Collector concerned in accordance with the provisions contained in Chapter 9 of the "Haryana Minor Mineral Concession, Stocking, and Transportation of Minerals and Prevention of Illegal Mining Rules, 2012";
- (xxi) The total mineral excavated and stacked by the concession holder within the area granted on mining contract shall not exceed two times of the average monthly production as per approved Mining Plan at any point of time;

- (xxii) The Mining Contractor shall not stock any mineral outside the concession area granted on mining contract, without obtaining a valid license as per provisions contained in Chapter 14 of the State Rules;
- (xxiii) The contractor shall not carry out any mining operations in any reserved/ protected forest or any area prohibited by any law in force in India, or prohibited by any authority without obtaining prior permission in writing from such authority or officer authorized in this behalf. In case of refusal of permission by such authority or officer authorized in this behalf, contractor(s) shall not be entitled to claim any relief in payment of contract money on this account;
- (xxiv) Following special conditions shall be applicable for excavation of minor mineral(s) from river beds in order to ensure safety of river-beds, structures and the adjoining areas:
- (a) No mining would be permissible in a river-bed up to a distance of five times of the span of a bridge structure on up-stream side and ten times the span of such bridge structure on down-stream side, subject to a minimum of 250 meters on the up-stream side and 500 meters on the down-stream side;
 - (b) There shall be maintained an un-mined block of 50 meters width after every block of 1000 meters over which mining is undertaken or at such distance as may be directed by the Director or any officer authorised by him;
 - (c) The maximum depth of mining in the river-bed shall not exceed three meters from the un-mined bed level at any point in time with proper bench formation;
 - (d) Mining shall be restricted within the central 3/4th width of the river/ rivulet;
 - (e) No mining shall be permissible in an area up to a width of 500 meters from the active edges of embankments in case of river Yamuna, 250 meters in case of Tangri, Markanda and Ghaggar and 100 meters on either side of all other rivers/ rivulets;
 - (f) Any other condition(s), as may be required by the Irrigation Department of the state from time to time for river-bed mining in consultation with the Mines & Geology Department, may be made applicable to the mining operations in river-beds.
- (xxv) A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf. Further, the depth of excavation of mineral shall not exceed nine meters (9m) at any point of time;

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

(xxvii) The contractor shall be under obligation to carry out mining in accordance with all other provisions as applicable under the Mines Act, 1952, Mines and Minerals (Development and Regulation) Act, 1957, Indian Explosives Act, 1884, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and the rules made thereunder, Wild Life (Protection) Act, 1972; Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981;

4. Accordingly, for the time being you are advised to submit the Draft Contract Agreement on Form MC-I (in Five copies) appended to the State Rules-2012, on plain papers along with other requisite documents including a solvent surety(s) for a sum equal to the amount of the annual bid for execution of the agreement, within a period of 90 days from the date of issue of this bid acceptance letter and the Lol. You should also furnish an affidavit to the effect that you will immediately deposit the requisite stamp duty as per out of the related court cases as stated under para 3(viii) above.

5. Please note that one Sh. Rajbir Singh had filed a CWP bearing No. 27700 of 2013 before the Hon'ble Punjab & Haryana High Court challenging the conditions of the auction notice and the rules relating to payment of Rent and Compensation to the land owners and the time of 12 months allowed to the highest bidders/ Lol holders for obtaining the Environmental Clearance as per EIA notification of the Ministry of Environment & Forests, Government of India. While the Hon'ble High Court did not restrain the auction proceedings and held that that the auctions may be held but it has also directed vide its orders dated 17.12.2013 that the same shall be subject to final outcome of the above said CWP. Accordingly, the auction was conduded subject to outcome of above case, hence this acceptance /Lol is being issued subject to the outcome in CWP No. 27700 of 2013 pending before Hon'ble Punjab & Haryana High Court.

- 5/1
State Mining Engineer,
for Director General, Mines & Geology, Haryana.

Endst.No. DMG/Hy/Cont/Tikola-1 Sand Unit/2015/30

Dated:-02.01.2015

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

1. The Chairman, Haryana State Pollution Control Board, Panchkula.
2. The Deputy Commissioner, Sonapat.
3. The Assistant Mining Engineer, Mines & Geology Deptt., Sonapat.


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

Scanned by CamScanner

ANNEXURE A/3

40



Speed Post

F. No. J-11015/24/2015-IA-II(M)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

3rd Floor, Vayu Wing,
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Dated: 22nd March, 2016

To,

M/s DSP Associates
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Sub.: Mining of Sand (Minor Mineral) by M/s DSP Associates with production capacity of 15,17,600 TPA of Sand (Minor Mineral), located at Village - Tikola, Tehsil - Sonipat, District- Sonipat, Haryana (42.50 Ha)- Environment Clearance regarding.

Reference: Online Application IA/HR/MIN/26522/2015

Sir,

This has reference to your online application for the above mentioned proposal. The proposal of M/s DSP Associates is for Sand (Minor Mineral) Mining with annual production capacity 15.176 Lakh Tons of Sand (Minor Mineral) in 42.50 Ha. The mine lease (ML) area lies mainly on the bed of River Yamuna (31.50 Ha.) and partly in outside riverbed (11.00 Ha.) over an area of 42.50 Ha of District - Sonipat, State - Haryana. The proposed production from river bed is 13,41,600 TPA and outside river bed is 1,76,000 TPA. The Latitudes and Longitudes of MLA in River bed are North 29°04'36" N, 29°04'30" N, 29°04'22" N and 29°04'22" N and East 77°09'00" E, 77°09'48" E, 77°09'11"E and 77°09'53"E; in outside river bed are North 29°04'39" N, 29°04'39" N, 29°04'29" N and 29°04'29" N and in East 77°08'23" E, 77°08'37" E, 77°08'23" E and 77°08'37" E on Survey of India topo-sheet (OSM) numbers H43X1, H43R8 and H43R4. The Project is located in Seismic zone-IV. The Project is located in Seismic zone-IV. It was informed that project was considered as category 'A' project due to interstate boundary of Haryana and Uttar Pradesh at a distance of 1.0 Km East. However, as per recent amendment to EIA notification S.O. no. 141(E) dated 15.01.2016 the project is categorized as category B project as general condition of interstate boundary is not applicable for sand mining projects. The proposal was considered in the Ministry as it was listed in agenda before the notification was published. The proposal was appraised before the Expert Appraisal Committee in its 2nd Meeting held during January 20-22, 2016 wherein the Committee recommended the proposal for Environmental Clearance.

EC for Mining Project of M/s DSP Associates

Page 1 of 14

T/c
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14

41

2. The proposal was considered by the Expert Appraisal Committee in its 31st EAC Meeting held during March 16-18, 2015 to determine the Terms of Reference (TOR) for undertaking detailed EIA study. The TOR were issued by MoEF&CC vide letter No. J-11015/24/2015-IA-II (M) dated 13.04.2015. The proponent submitted Final EIA/EMP to the Ministry on 12.10.2015 for seeking environmental clearance after conducting public hearing on date 17.09.2015.

3. The mine lease area 42.50 Ha., lies mainly in the bed of River Yamuna (31.50 Ha.) and partly in outside riverbed area (11.00 Ha.). The land use of the lease area is Govt. waste land i.e. Gair mumkin nadi nallah in riverbed of Yamuna river and Private land in outside riverbed. No forest land is involved. The Letter of Intent (LOI) of mining lease was granted to M/s DSP Associates on 2nd January 2015 for 9 years by Director, Department of Mines & Geology, Haryana vide letter No. DMG/Hy/Cont/Tikola-1/2015/29. The Mining Plan is approved by Director General, Mines and Geology Department, Govt. of Haryana; vide letter no. DMG/Hy/MP/SNP/Tikola-1/3841 dated 17.06.2015.

4. Method of mining is opencast method (semi-mechanized) in riverbed and opencast method (mechanized) in outside riverbed. The total water requirement is 18 KLD including water demand for domestic purpose, dust suppression and plantation development which shall be met by hired tanker. The working is proposed only upto 3 meters in riverbed and upto 9 m in outside riverbed; no ground water interception during the mining operations is envisaged as ground water table is 5-10 m bgl in the riverbed and 15-20 m bgl in outside riverbed. The maximum depth of mining in the riverbed will not exceed 3m from the un-mined bed level at any point of time with mining restricted to the central 3/4th width of the river. A safety margin of 2m will be maintained above the ground water table and no mining operation will be permitted below this level.

5. Project Proponent submitted that mining will be done leaving a safety distance from the banks. Mining will be done only during day time and completely stopped in monsoon season. The site elevation is 221 to 218 m AMSL. Mineral will be transported through road. Project Proponent has made the Traffic Analysis survey and reported that frequency of trucks will be deployed 400 per day (25 tones capacity each) which increase 150 PCUs per hour for three highways NH1, SH11 and SH57. The level of service (LOS) for NH1 will remain same as "D", for SH11 it will be same as "C" and for SH57 it will change from "B" to "C". Project Proponent reported that haul roads will be repaired regularly and maintained in good conditions. The NH-1 is currently 6-lane Highway and it is proposed to be 8-lane Highway. The expansion (widening of lanes) of NH-1 is going on and will be completed within 3-4 months. Then the scenario of the LOS will be improved positively from D to C.

6. Project Proponent reported that no National Parks, Wildlife Sanctuaries, Tiger Reserves, eco sensitive Zones falls within study area (10 km radius of the mine boundary). Baseline data has been collected from Pre-Monsoon (March to May 2015) within 10 Km radius of the study area. All the physical parameters i.e. air; water noise and soil along with biological parameter i.e. Ecology and Biodiversity are within permissible limit.

7. The public hearing for the Proposed Project was conducted on 17.09.2015 at 10:00 am at mine site in village-Tikola, Tehsil and Distt.-Sonapat, Haryana. The Public

EC for Mining Project of M/s DSP Associates

Page 2 of 14

T/c
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15

hearing was presided over by Sh. Shiv Prasad Sharma, Additional Deputy Commissioner District-Sonipat, Haryana. The Issues raised during the public hearing were also considered and discussed during the meeting, which inter-alla, included that priority to local people in employment, effective implementation of measures to control dust pollution, water conservation measures, village development activities and do not harm nearby fields and social development of village.

8. It was reported by the PP that there is no court case against this project. The capital cost of the project is Rs. 5.50 Crores; cost for Environmental Protection is Rs. 19.10 Lakhs; Budget for Occupational Health and Safety is Rs. 15.0 Lakhs. A budget of Rs. 2.0 Lakhs has been proposed for the conservation of wildlife in the area. A budget of Rs. 5.50 Lakhs per annum is earmarked for plantation and its maintenance. For CSR Rs. 19.0 Lakhs/annum will be allocated. The project proponent will deposit 10% of the annual contract money i.e. Rs. 90.70 Lakhs to the Mines and Minerals Development, Restoration and Rehabilitation Fund.

9. The Ministry of Environment, Forests & Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments thereto and hereby accords the environmental clearance under the provisions thereof to the above mentioned proposal of **Mining of Sand (Minor Mineral) by M/s DSP Associates with production capacity of 13,41,600 TPA of Sand (Minor Mineral) from river bed, located at Village - Tikola, Tehsil - Sonipat, District- Sonipat, Haryana over the mine lease area of 31.50 Ha in river bed** subject to compliance of the followings terms and conditions and environmental safeguards mentioned below:-

A. Specific conditions

- (i) Environmental clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court of Haryana and any other Court of Law, if any, as may be applicable to this project.
- (ii) Environmental clearance is subject to obtaining clearance, under the Wildlife (Protection) Act, 1972 from the National Board of Wildlife, as applicable to the project.
- (iii) No mining activities will be allowed in forest area or agriculture area, if any, for which the Forest Clearance is not available.
- (iv) The Project Proponent shall obtain Consent to Operate from the State Pollution Control Board, Haryana and effectively implement all the conditions stipulated therein.
- (v) Project Proponent shall implement the Disaster Management Plan as the mine lease area is located in Seismic Zone-IV. Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
- (vi) Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; All the old age people of the surrounding villages may be provided medical facilities.

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- (vii) 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.
- (viii) The number of trips of the trucks shall not exceed the estimated quantity of 400 trucks trips per day. 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.
- (ix) 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.
- (x) 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.
- (xi) 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.
- (xii) 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.
- (xiii) Washing of all transport vehicle should be done inside the mining lease.
- (xiv) 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.
- (xv) An independent study be organised during peak activity, to understand how the actuals compare with the carrying capacities and further decisions taken to maintain sustainability of this essential sand extraction and supply activity. **Project Proponent shall ensure that the road may not be damaged due to transportation of the sand; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.**
- (xvi) The pollution due to transportation load on the environment shall be effectively controlled & water sprinkling be done regularly. Vehicles with PUC only shall 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.
- (xvii) There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis in consultation with Regional Director, Central Groundwater Board and Implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- (xviii) Implementation of Environment Management Policy of the Company w.r.t. judicious use of Mineral resources for growth & development synchronizing mining & environment with prosperity.
- (xix) The Project Proponent shall also take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted in the study area.
- (xx) The illumination and sound at night at project site, 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.

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Habitations have a right for darkness and minimal noise levels at night. Project Proponent 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 light/night hours.

- (xxi) Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers.
- (xxii) Transportation of the minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that the impact of sound, dust and accidents could be mitigated. The Project Proponent shall bear the cost towards the widening and strengthening of existing public road network in case the same is proposed to be used for the Project. No road movement should be allowed on existing village road network without appropriately increasing the carrying capacity of such roads.
- (xxiii) Likewise, Alteration or re-routing of foot paths, pagdandies, cart roads, and village infrastructure/public utilities or roads (for purposes of land acquisition for mining) shall be avoided to the extent possible and in case such acquisition is inevitable, alternative arrangements shall be made first and then only the area acquired. In these types of cases, Inspection Reports by site visit by experts may be insisted upon which should be done through reputed Institutes.
- (xxiv) CSR activities by Companies including the Mining Establishments has become mandatory up to 2% of their financial Turn-over, Socio Economic Development of the neighborhood Habitats could be planned and executed by the Project Proponent more systematically based on the 'Need based door to door survey' by established Social Institutes/Workers. The report shall be submitted to the Ministry of Environment & Forest and its Regional Office located at Dehradun on six monthly basis.
- (xxv) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- (xxvi) A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the Ministry of Environment, Forest & Climate Change 5 years in advance of final mine closure for approval.

B 1 : Special Conditions:

The Ministry of Environment, Forest and Climate has constituted a Committee to formulate the "Guidelines for Sustainable Sand Mining in the Country". The Guidelines, Inter-alia, included the following recommendations. The Project Proponent shall implement the following special conditions so as to mitigate the environment impact of mining activities:-

Impact Category	S. No	Environmental Conditions
Stakeholder Engagement	1	In the case of private land not owned by the lease holder an affidavit should be obtained regarding consent of the concerned land owner (s) for carrying out the mining operation.
	2	Stakeholder awareness and ability to raise concerns and

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		getting it to be addressed.
	3	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.
	4	Having valid lease and all the permits is very much needed.
	5	To establish a Monitoring Committee including Local Panchayat, to check on traffic due to transportation and submit an annual report on the same.
	6	The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 may be strictly followed.
	7	All the provisions made and restrictions imposed as covered in the Minor Mineral Rule, shall be complied with, particularly regarding Environment Management Practices and its fund management and Payment of compensation to the land owners.
Sustainable Mining Practices	8	District level Survey Report should be prepared and area suitable for mining and area prohibited for mining be identified.
	9	The depth of mining in Riverbed shall not exceed one meter or water level whichever is less, provided that where the Joint Inspection Committee certifies about excessive deposit or over accumulation of mineral in certain reaches requiring channelization, it can go up to 3 meters on defined reaches of the River.
	10	No River sand mining be allowed in rainy season.
	11	To submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
	12	Ultimate working depth shall be up to 3 m from Riverbed level and not less than one meter from the water level of the River channel whichever is reached earlier. In hilly terrain this depth be preferably restricted to one meter.
	13	In River flood plain mining a buffer of 3 meter to be left from the River bank for mining.
	14	In mining from agricultural field a buffer of 3 meter to be left from the adjacent field.
	15	Mining shall be done in layers of 1 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
	16	To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the River whichever is more will be left intact as no mining zone.
	17	No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources

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		are obstructed due to mining operations.
	18	No blasting shall be resorted to in River mining and without permission at any other place.
	19	Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method.
Identification and Preparation of Mining Site	20	Mining should be done only in area / stretch Identified in the District Level Survey Report suitable for mining and so certified by the Sub-Divisional Level Committee after site visit.
	21	Mining should begin only after pucca pillar marking the boundary of lease area is erected at the cost of the lease holder after certification by the mining official and its geo coordinates are made available to the District Level Committee.
	22	The top soil in case of surface land mining shall be stored temporarily in an earmarked site and concurrently used for land reclamation.
	23	The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers of Central Government and State for inspection.
Monitoring the Mining of Mineral and its Transportation	24	For each mining lease site the access should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for.
	25	The State / District Level Environment Committee should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the lease area and the number of trucks moving out with the mineral.
	26	There should be regular monitoring of the mining activities in the State to ensure effective compliance of stipulated EC conditions and of the provisions under the Minor Mineral Concessions Rules framed by the State Government.
Noise Management	27	Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit.
	28	Restricted working hours. Sand mining operation has to be carried out between 6 am to 7 pm.
Air Pollution and Dust Management	29	The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
	30	Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
	31	The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be

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		Installed and used.
Management of Visual Impact	32	The mining operations are to be done in a systematic manner so that the operations shall create a major visual impact on the site.
Bio-Diversity Protection	33	Restoration of flora affected by mining should be done immediately. Twice the number of trees destroyed by mining to be planted preferably of indigenous species. Each EC holder should plant and maintain for lease period at least 5 trees per hectare in area near lease.
	34	No mining lease shall be granted in the forest area without forest clearance in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made thereunder.
	35	Protection of turtle and bird habitats shall be ensured.
	36	No felling of tree near quarry is allowed. For mining lease within 10km of the National Park / Sanctuary or In Eco-Sensitive Zone of the Protected Area, recommendation of Standing Committee of National Board of Wild Life (NBWL) have to be obtained as per the Hon'ble Supreme Court order in I.A. No. 460 of 2004.
	37	Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
Management of Instability and Erosion	38	Removal, stacking and utilization of top soil in mining are should be ensured. Where top soil cannot be used concurrently, it shall be stored separately for future use keeping in view that the bacterial organism should not die and should be spread nearby area.
	39	The EC should stipulate conditions for adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures
	40	Use of oversize material to control erosion and movement of sediments
	41	No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.
	42	No extraction of stone / boulder / sand in landslide prone areas.
	43	Controlled clearance of riparian vegetation to be undertaken
Waste Management	44	Site clearance and tidiness is very much needed to have less visual impact of mining.
	45	Dumping of waste shall be done in earmarked places as approved in Mining Plan.
	46	Rubbish burial shall not be done in the Rivers.
Pollution Prevention	47	The EC holder shall take all possible precautions for the protection of environment and control of pollution.
	48	Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
Protection of Infrastructur	49	Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and

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		downstream of water supply / Irrigation scheme, 100 meters from the edge of National Highway and railway line, 50 meters from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meters from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
	50	For carrying out mining in proximity to any bridge or embankment, appropriate safety zone (not less than 200 meters) should be worked out on case to case basis, taking into account the structural parameters, location aspects and flow rate, and no mining should be carried out in the safety zone so worked out.
	51	Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archeological importance.
Enhancement of Road Safety	52	Vehicles used for transportation of sand are to be permitted only with fitness and PUC Certificates.
	53	Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
	54	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.
	55	No stacking allowed on road side along National Highways.
	56	The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
Closure and Reclamation of Mined Out Area	57	Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster. This should be appropriately reflected as EC condition in each EC in cluster.
	58	Site specific plan with eco-restoration should be in place and implemented.
	59	Health and safety of workers should be taken care of.
Health and Safety	60	Transport of mineral will not be done through villages / habitations.
	61	The Project Proponent shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
	62	Project Proponent shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
	63	Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records

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		maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
Monitoring the Impact of Mining	64	The Project Proponent shall report monitoring data on replenishment, traffic management, levels of production, River Bank erosion and maintenance of Road etc.
Mineral Conservation	65	Use of alternate material such as M-sand in place of natural River sand shall be encouraged in order to reduce stress on natural eco-system.

B-2: PROCEDURE FOR MONITORING OF SAND MINING

- (i) Project Proponent must ensure that the security features of Transport Permission viz. (a) Printed on Indian Bank Association (IBA) approved Magnetic Ink Character Recognition Code (MICR) paper; (c) Unique Barcode; (d) Unique Quick Response Code (QR); (e) Fugitive Ink Background; (f) Invisible Ink Mark; (g) Void Pantograph; (h) Watermark.
- (ii) Project Proponent must ensure that the CCTV camera, Personal Computer (PC), 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.
- (iii) Project Proponent must ensure the Scanning of Transport Permit or Receipt and Uploading on Server.
- (iv) The State Mines and Geology Department should print the Transport Permits / Receipt with security features enumerated at Paragraph (i) above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.
- (v) The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.
- (vi) In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server / call centre.
- (vii) The route of vehicle from source to destination shall be tracked through the system using check points, Radio-frequency identification (RFID) Tags, and Global Positioning System (GPS) tracking.
- (viii) The system shall enable the Authorities to develop periodic report on different parameters like daily lifting report, vehicle log/ history, lifting against allocation, and total lifting. The system can be used to generate auto mails/SMS. This will enable the District Collector / Magistrate to get all the relevant details and will

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enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle should be tracked.

C. General conditions

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment, Forest & Climate Change.
- (ii) No change in the calendar plan including excavation, quantum of mineral and waste should be made.
- (iii) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and ground water for the project.
- (iv) There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis in consultation with Regional Director, Central Groundwater Board and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- (v) Regular monitoring of ground water table to be carried out at the upstream and depth of water available in the dug well is to be measured. Monitoring to be done by establishing a network of existing wells and constructing new piezometers.
- (vi) Monitoring of Ambient Air Quality to be carried out based on the Notification, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places loading and unloading points & transfer point to reduce fugitive emissions.
- (vii) The upliftment of scheduled caste/scheduled tribe population, specific programmes have been taken in to consideration specially with respect to education, health care, livelihood generation, infrastructure development & promotion of sports & culture for SC/ST population and that these will be intensified in future.
- (viii) The top soil, if any, shall temporarily be stored at earmarked site(s) only and it should not be kept unutilized for long. The topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only and it should not be kept active for a long period of time. The maximum height of the dumps shall not exceed 8m and width 20 m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled and afforested. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest & Climate Change and its Regional Office located at Chandigarh on six monthly basis.
- (ix) Catch drains and siltation ponds of appropriate size shall be constructed around the mine working, mineral and OB dumps to prevent run off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly. The drains, settling tanks and check dams of appropriate size, gradient and length shall be constructed both around the mine pit and over burden dumps

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to prevent run off of water and flow of sediments directly into the river and other water bodies and sump capacity should be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity should also provide adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and desilted at regular intervals.

- (x) Plantation shall be raised in a 20m wide green belt in the safety zone around the mining lease, backfilled and reclaimed area, around water body, along the roads etc. by planting the native species in consultation with the local DFO/Agriculture Department. The density of the trees should be around 2500 plants per ha. Greenbelt shall be developed all along the mine lease area in a phased manner and shall be completed within first five years.
- (xi) Dimension of the retaining wall at the toe of over burden dumps and OB benches within the mine to check run-off and siltation shall be based on the rain fall data.
- (xii) Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM_{10} and $PM_{2.5}$ such as haul road, loading and unloading point and transfer points. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
- (xiii) Regular monitoring of the flow rate of the springs and perennial nullahs flowing in and around the mine lease shall be carried out and records maintained. Regular monitoring of water quality upstream and downstream of water bodies shall be carried out and record of monitoring data should be maintained and submitted to the Ministry of Environment, Forest & Climate Change, its Regional Office, Chandigarh, Central Groundwater Authority, Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board.
- (xiv) Regular monitoring of ground water level and quality shall be carried out in and around the mine lease by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring shall be carried out four times in a year - pre- monsoon (April-May), monsoon (August); post-monsoon (November) and winter (January) and the data thus collected may be sent regularly to Ministry of Environment, Forest & Climate Change and its Regional Office, Chandigarh, Central Ground Water Authority and Regional Director, Central Ground Water Board.
- (xv) The critical parameters such as PM_{10} (size less than 10 micro meter), $PM_{2.5}$ (size less than 2.5 micro meter), NO_x in the ambient air within the impact zone, peak particle velocity at 300m distance or within the nearest habitation, whichever is closer shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The circular No. J-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest & Climate Change, which is available on the website of the Ministry www.envfor.nic.in shall also be referred in this regard for its compliance.
- (xvi) Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for PM_{10} , $PM_{2.5}$, SO_2 & NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State

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- Pollution Control Board. Data on ambient air quality should be regularly submitted to the Ministry including its Regional office located at Chandigarh and the State Pollution Control Board / Central Pollution Control Board once in six months.
- (xvii) Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
 - (xviii) Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
 - (xix) Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap should be installed before discharge of workshop effluents.
 - (xx) 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.
 - (xxi) Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
 - (xxii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
 - (xxiii) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Chandigarh.
 - (xxiv) The project authorities should inform to the Regional Office located at Chandigarh regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
 - (xxv) The Regional Office of this Ministry located at Chandigarh shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / Information / monitoring reports.
 - (xxvi) The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment, Forest & Climate Change, its Regional Office, Chandigarh, Central Pollution Control Board and State Pollution Control Board.
 - (xxvii) A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal.
 - (xxviii) State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/ Tehsildar's Office for 30 days.
 - (xxix) The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment, Forest & Climate Change at

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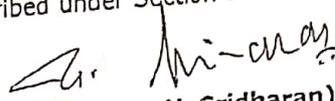
<http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of this Ministry located Chandigarh.

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

11. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.

12. 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 of Punjab and Haryana and any other Court of Law relating to the subject matter.

13. 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.


(Dr. U. Sridharan)
Scientist 'F'

Copy to:

- i. **The Secretary**, Ministry of Mines, Government of India, Shastri Bhawan, New, Delhi.
- ii. **The Secretary**, Department of Environment, Government of Haryana, Chandigarh.
- iii. **The Secretary**, Department of Forest, Government of Haryana, Chandigarh.
- iv. **The Secretary**, Department of Mines and Geology, Government of Haryana, Chandigarh.
- v. **The Additional Principal Chief the Conservator of Forests (C)**, Ministry of Environment & Forests, Regional Office (NZ), Bays No. 24-25, Sector 31-A, Dakshin Marg, Chandigarh-160 030.
- vi. **The Chairman**, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office complex, East Arjun Nagar, New Delhi-1100032.
- vii. **The Member Secretary**, Central Ground Water Authority, A-2, W3, Curzon Road Barracks, K.G. Marg, New Delhi-110001.
- viii. **The Chairman**, Haryana Pollution Control Board, Plot No. C-11, Sector-6, Panchkula- 134109, Haryana.
- ix. **The Controller General**, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur-440 001.
- x. The District Collector, Sonipat, District, Haryana.
- xi. Guard File.

(Dr. U. Sridharan)
Scientist 'F'

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**HARYANA STATE POLLUTION CONTROL BOARD
C-II, SECTOR-6, PANCHKULA**

Website - www.hspcb.gov.in E-Mail - hspcb.pkk@sifymail.com

Telephone No. - 0172-2577870-73

No. HSPCB/Consent/ : 2811916SONCTE3066117

Dated:29/04/2016

To

M/s : DSP Associates

Village Tikola Tehsil Sonapat District sonapat

SONIPAT

131027

Sub. : Issue of Consent to Establish from pollution angle .

Please refer to your Consent to Establish application received in this office on the subject noted above. Under the Authority of the Haryana State Pollution Control Board vide its agenda Item No. 47.8 dated 28.04.83 sanction to the issue of "Consent to Establish" with respect to pollution control of Water and Air is hereby accorded to the unit DSP Associates, for manufacturing of Sand , with the following terms and conditions:-

1. The industry has declared that the quantity of effluent shall be 2.5 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 2.5 KL/Day for Domestic and the same should not exceed .
2. The above "Consent to Establish" is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.

Specific Conditions

Other Conditions :

1. That the unit shall keep all the parameters within the prescribed limits and shall comply with all the Norms and Rules as prescribed in the Act & unit will sprinkle water to control dust emissions during mining and transportation ;
2. That the unit will comply with the conditions of EC and submit half yearly compliance report to the designated quarters concerned
3. That the unit will comply with all the provisions of Hazardous Waste Rules and will make agreement with Authorized recycler of the Board for waste oil.
4. The unit will obtain CTO before start the production as per policy
5. That the CTE so granted shall become invalid in case of violation of any of the above / any law of the land.

Salinder Pal Verma Digitally signed by Salinder Pal Verma
Date: 2016.04.29 21:51:18 +05'30'

Regional Officer, HQ

For and on be'half of chairman

Haryana State Pollution Control Board



HARYANA STATE POLLUTION CONTROL BOARD

Star Complex, Opp. General Hospital,
Delhi Road, Sonapat Ph. 0130-2236119(O)

E-mail: hspcb.pkl@sify.com



No. HSPCB/Consent/ : 313100418SONCTO5273196

Dated:14/05/2018

To.

M/s :DSP Associates

Village Tikola Tehsil Sonipat Diatrick sonipat

Subject: Grant of consent to operate to M/s DSP Associates.

Please refer to your application-no. 5273196 received on dated 2018-04-12 in regional office Sonipat. With reference to your above application for consent to operate, M/s DSP Associates is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	12/04/2018 - 30/09/2020
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	550.0
Total Land Area(Sq. meter)	0.0
Total Builtup Area(Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	2.5 KL/Day
Number of outlets	1:0.
Mode of discharge	
1. Domestic	septic tank
2. Trade	
Domestic Effluent Parameters	
1. NA	mg/l
Trade Effluent Parameters	
1. NA	mg/l
Number of stacks	1
Height of stack	
1. na	
Emission parameters	
1. SPM	100 mg/m3
Product Details	
1. Mining of river sand	5058.6 Metric Tonnes/day
Capacity of boiler	
1. na	Ton/hr

Type of Furnace	
1. na	
Type of Fuel	
1. NA	KL/day
Raw Material Details	
na	Metric Tonnes/Day

*Regional Officer, Sonipat
Haryana State Pollution Control Board.*

Terms and conditions

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

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.
12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.
13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.
14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.
15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.
16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1. That the unit will comply with the conditions of EC and submit quarterly compliance report to the designated quarters concerned.
2. That the unit shall keep all the parameters within the prescribed limits and shall comply with all the Norms and Rules as Applicable on the unit ;
3. That the unit will sprinkle water to control dust emissions during mining and transportation and provide permanent sprinkles in the Core Area .
4. That the unit will comply all the orders of Hon'ble NGT regarding Mining and will not do mechanical mining .
5. That the unit will apply for renewal of CTO 90 days before the expiry of CTO in future.
6. That the unit will not use any D.G set with out prior permission from the board
7. That the CTO so granted shall become invalid in case of violation of any of the above / any law of the land

**Naveen
Gulia**
Regional Officer, Sonipat

Digitally signed
by Naveen Gulia
Date: 2018.05.14
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Haryana State Pollution Control Board.