

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

**ORIGINAL APPLICATION NO. 188 OF 2023**

**IN THE MATTER OF:**

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

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DATE: 14.08.2024  
PLACE: NEW DELHI

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

**ORIGINAL APPLICATION NO. 188 OF 2023**

**IN THE MATTER OF:**

GAURAV KUMAR

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STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

**REPLY TO OA NO. 188 OF 2023 ON BEHALF OF  
RESPONDENTS NO. 6 TO 17**

TO,

THE HON'BLE CHAIRPERSON AND HIS COMPANION  
JUDGES OF THE LEARNED NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

THE HUMBLE REPLY OF THE ANSWERING  
RESPONDENT HEREIN:

**MOST RESPECTFULLY SHOWETH:**

1. That the present OA is filed challenging the updated District Survey Report (DSR) for District Saharanpur dated 13.01.2023 which was prepared by the Sub-Divisional Committee, along with the subsequent E-Auction Notice dated 13.02.2023, which has been issued on the basis of the said updated DSR.
2. This Hon'ble Tribunal vide Order dated 8.11.2023 impleaded the answering Respondents No. 6-17/ intended lease holders to

whom Letters of Intent (LOIs) had been issued pursuant to the E-Auction Notice dated 13.02.2023.

3. The Respondents No. 7, 9, 11, 13, 14 and 16 were served in January, 2024 and the Respondent No. 9 filed its Reply on 22.02.2024. The Respondents No. 6, 8, 10, 12, 15 and 17 were served for the first time only in April, 2024 (Amended Memo of parties filed on 24.04.2024). Ergo, all the Respondents No. 6-17 herein are filing the present Reply to bring on record the relevant updated facts in furtherance of the Order dated 07.05.2024 passed by this Hon'ble Tribunal.
4. At the very outset the answering Respondents submit that the averments made in the present OA are concocted, misleading, baseless and factually incorrect and are thus denied in *toto* except specifically admitted hereinafter.

**BRIEF FACTS:**

5. The Brief facts and circumstances, relevant for the purposes of the present Reply and to enable this Hon'ble Tribunal to effectively and efficaciously adjudicate the present matter, are as under:

- i. That in September 2006, the MOEF issued the parent EIA Notification dated 14.09.2006 (*“hereinafter referred to as EIA, 2006”*) under Section 3 of the Environment (Protection) Act, 1986 *inter-alia* providing a substantive legal framework and comprehensive procedural mechanism for evaluation, assessment and monitoring of the Environmental impact on land, air and water due to various projects undertaken by persons in all sectors throughout the territory of India. The Schedule to the EIA regulated multifarious activities including mining of major and minor minerals.
- ii. The MOEF issued Notification dated 15.01.2016 and 20.01.2016 which amended the EIA, 2006 by *inter-alia* stipulating the procedure for Preparation of a District Survey Report (DSR) for Sand Mining or River Bed Mining and Mining of other Minerals, the procedure for obtaining Environmental Clearance (EC) for mining including those mines in Cluster (Appendix XI), and also the procedure for conducting an Annual Replenishment study.

Such District Survey Reports (DSRs) were to be prepared by a newly constituted District Environmental Impact Assessment Authority (*hereinafter referred to as "DEIAA"*) and District Expert Appraisal Committee (*hereinafter referred to as "DEAC"*) at the District level in each State.

A Copy of the Notifications dated 15.01.2016 and 20.01.2016 issued by the Respondent MOEF is enclosed herewith as **Annexure R-1 (Colly)** [at pages 52 to 65].

- iii. That a DSR was prepared by the DEAC, DEIAA, UP in terms of the MOEF Notifications dated 15.01.2016 and 20.01.2016, and the SSMG, 2016 Guidelines, for the District Saharanpur in the year 2017.
- iv. This Hon'ble Tribunal, Principal Bench vide its Judgment dated 13.09.2018 in the case titled '*Satender Pandey v. UOI*', partly quashed the Notifications dated 15.01.2016 and 20.01.2016, including DEIAA and DEAC.

- v. This Hon'ble Tribunal vide its Order dated 11.12.2018 in Execution Petition No. 55 of 2018 (*arising out of Judgment dated 13.09.2018 in the case of Satender Pandey*) directed the MOEF to take steps to revise the procedure laid down in the Notification dated 15.01.2016. A true copy of the Order dated 11.12.2018 passed by the Hon'ble NGT in Execution Application No. 55 of 2018 in O.A. No. 520 of 2016 titled '*Vikrant Tongad v. UOI*' is enclosed herewith as **Annexure-R-2 [at page 66 to 68 ]**.
- vi. The MOEF in supplement and addition to the Sustainable Sand Mining Management Guidelines, 2016 issued the Enforcement & Monitoring Guidelines for Sand Mining, 2020 (*hereinafter referred to as 'the EMGSM, 2020'*) which stipulated for preparation of a DSR and Replenishment study.
- It is submitted that subsequent to the quashing of the DEAC/DEIAA by this Hon'ble Tribunal in *Satender Pandey*, the MOEF despite the directions issued in

*Vikrant Tongad* to modify the procedure under the 15.01.2016 Notification, has till date not issued any clarification or Office Memorandum (OM) or revised instructions in respect of the procedure which is required to be followed for preparation of a DSR throughout the Country.

It is further relevant to mention that though this Hon'ble Tribunal in *Satender Pandey* in the context of issuance of ECs for Mining leases below 5 ha stated that the same would be granted by SEAC/ SEIAA instead of DEAC/ DEIAA, however nowhere mentioned the procedure for preparation of a DSR which was even otherwise not the subject matter of discussion, contention and dispute in *Satender Pandey*.

- vii.** The Hon'ble Supreme Court vide its Judgment dated 10.11.2021 in *Pawan Kumar*, modified the procedure for preparation of a DSR and directed that the same be prepared by a Sub-Divisional Committee comprising of
- (i) Sub-Divisional Magistrate,
  - (ii) Officers from

Irrigation Department (iii) SPCB (iv) Forest Department (v) Geology or Mining Officer.

A Copy of the Judgment dated 10.11.2021 passed by the Hon'ble Supreme Court in *State of Bihar v. Pawan*, (2022) 2 SCC 348 is enclosed herewith as **Annexure R-3** [at page 69 to 75 ].

- viii. This Hon'ble Tribunal, Principal Bench in the case of *Raj Kumar v. State of U.P.*, OA No. 140/2021, vide its Judgment dated 6.05.2022 accepted that a Replenishment Study is mandatorily to be conducted prior to e-Auctions in future and also for all current leases; and directed such replenishment studies to be expedited and completed in a time bound manner i.e. by 31<sup>st</sup> December 2022 for all Districts in U.P failing which no Mining shall be permitted.

Thus, despite Replenishment studies having not been conducted in any District in the State of UP and the same being required to be done prior to Auction and/or mining, this Hon'ble Tribunal permitted mining operations to continue by issuing time bound directions to conduct

Replenishment studies, and only after such specified time, mining was permitted.

The Hon'ble Supreme Court vide its Order dated 29.11.2022 dismissed the Civil Appeal No. 8035-8036 of 2022 filed by the State of UP being aggrieved by the abovementioned Judgment dated 6.05.2022, and directed the State authorities shall undertake Replenishment studies in terms of the directions passed by this Hon'ble Tribunal.

A Copy of the Judgment dated 06.05.2022 passed by this Hon'ble Tribunal, Principal Bench in the case titled '*Raj Kumar v. State of U.P.*', OA No. 140/2021 is enclosed herein and marked as **Annexure R-4 [at page 76 to 84 ]**.

- ix.** In accordance with the directions passed in *Raj Kumar*, Replenishment studies were conducted in District Saharanpur by a Sub-Divisional Committee in 2022 and 2023 (*pre and post monsoon*), as is clear from the Joint Committee Report dated 10.07.2023 filed in the present matter.

- x. The Govt. of UP vide Order dated 1.06.2022 constituted a Sub-Divisional Committee to prepare and finalize the DSR in District, Saharanpur. The said Sub-Divisional Committee duly prepared the updated DSR for District Saharanpur which was forwarded on 18.01.2023 and 1.02.2023 to the Special Secretary, Geology and Director, Mining Department, UP for approval. The said DSR was further uploaded on the District website portal on 13.01.2023 and also sent to District Administration, Yamunanagar, for public comments.

The Director, Geology and Mining Department vide its letter dated 27.03.2023 approved the updated DSR for Saharanpur, and the same is mentioned and enclosed as Annexure-12 of the Joint Committee Report.

- xi. That the District Collector, Saharanpur issued an E-Auction Notice dated 13.02.2023 for mining of RBM in 14 Sand Ghats in District Saharanpur in strict accordance with the DSR prepared by the Sub-Divisional Committee. It is pertinent to mention that said E-Auction Notice duly stated that the same was issued in terms of the Updated

DSR and after the completion of Pre and Post Monsoon Replenishment studies.

A Copy of the E-Auction notice dated 13.02.2023 issued by the Respondent No. 4, District Magistrate, Saharanpur is enclosed herein and marked as **Annexure R-5** [at page 85 to 123].

- xii.** The answering Respondent participated in the E-Auction Notice dated 13.02.2023 by believing the contents of the said E-Auction to be correct, wherein it was specifically stated that the said E-Auction was done in terms of the updated DSR and after conducting Replenishment studies.
- xiii.** That the Applicant herein filed the present OA *interalia* seeking issuance of directions to the State Government to prepare a fresh DSR for District Saharanpur and conduct a replenishment study, in terms of the MOEF Sand Mining Guidelines, 2020 and the MOEF Notification dated 15.01.2016 and 25.07.2018. The Applicant further challenged the said E-Auction notice

dated 13.02.2023 on the grounds that the same are issued without a DSR and/or replenishment studies.

- xiv.** That this Hon'ble Tribunal vide its Order dated 13.03.2023 constituted a Joint Committee comprising CPCB, State PCB and District Magistrate, Saharanpur who were directed to visit the sites and collect relevant information and submit a factual Report.

A Copy of the Order dated 13.03.2023 passed by this Hon'ble Tribunal is enclosed herewith as **Annexure R-6** [at page 124 to 125 ].

- xv.** The District Magistrate, Saharanpur issued Letters of Intent (LOI) in favour of all the answering Respondents on 21.05.2023, except for Respondents No. 6 and 12 who were issued the LOIs on 13.07.2023 and 22.08.2023 respectively.

A true translated copy of the Letter of Intents (LOIs) dated 21.05.2023, 13.07.2023 and 22.08.2023 issued to the answering Respondents are enclosed herewith as **Annexure R-7 (Colly)** [at page 126 to 147 ].

xvi. That pursuant to said LOIs, the answering Respondents No. 6-17 have paid and deposited substantial advance royalty to the tune of Rs. 82.81 Crores.

A Tabular Chart indicating the advance Royalty amounts deposited by the respective Respondents herein, is as under:

**TABULAR CHART**

| S. NO. | PROJECT PROPONENT                                      | DATE OF LOI | AMOUNT PAID   |
|--------|--|-------------|---|
| 1.     | <b>KRISHNA CONSTELLATION</b><br>[R6]                   | 13.07.2023  | Earnest Money – Rs.<br>4,69,39,500/-<br>First Installment – Rs.<br>3,75,51,600/-<br><b>TOTAL – 8,44,91,100</b>  |
| 2.     | <b>NUTRESSAORGA NICS INDIA PRIVATE LIMITED</b><br>[R7] | 21.05.2023  | Earnest Money –<br>Rs.3,24,16,200/-<br>First Installment –<br>Rs.2,59,32,960/-<br><b>TOTAL – 5,83,49,160/-</b>  |
| 3.     | <b>M/S MANNU ENTERPRISES</b><br>[R8]                   | 21.05.2023  | Earnest Money – Rs.<br>4,99,41,000/-<br>First Installment – Rs.<br>3,99,52,800/-<br><b>TOTAL- 8,98,93,800/-</b> |
| 4.     | <b>DOON MINES AND MINERALS</b><br>[R9]                 | 21.05.2023  | Earnest Money –<br>Rs.7,31,34,000/-<br>First Installment –<br>Rs.5,85,07,200/-                                  |

|     |                                    |            |   |
|-----|------------------------------------|------------|---|
|     |                                    |            | <b>TOTAL – 13,16,41,200/-</b>   |
| 5.  | <b>VEDANTA ASSOCIATES</b><br>[R10] | 21.05.2023 | Earnest Money – Rs.<br>3,54,51,000/-<br>First Installment – Rs.<br>2,83,60,800/-<br><br><b>TOTAL-6,38,11,800/-</b>  |
| 6.  | <b>YAMUNA MINES</b><br>[R11]       | 21.05.2023 | Earnest Money –<br>Rs.1,62,95,580/-<br>First Installment -<br>Rs.1,30,36,464/-<br><br><b>TOTAL – 2,93,32,044/-</b>  |
| 7.  | <b>CHOUDHARY MINES</b><br>[R12]    | 21.05.2023 | Earnest Money – Rs.<br>2,62,84,500/-<br>First Installment – Rs.<br>2,10,27,600/-<br><br><b>TOTAL -4,73,12,100/-</b> |
| 8.  | <b>MANISH JAISWAL</b><br>[R13]     | 21.05.2023 | Earnest Money –<br>Rs.1,56,89,700/-<br>First Installment –<br>Rs.1,25,51,760/-<br><br><b>TOTAL -2,82,41,460/-</b>   |
| 9.  | <b>RANA ROYALTY</b><br>[R14]       | 21.05.2023 | Earnest Money –<br>Rs.5,97,73,500/-<br>First Installment –<br>Rs.4,78,18,800/-<br><br><b>TOTAL – 10,75,92,300/-</b> |
| 10. | <b>MANISH AWANA</b><br>[R15]       | 21.05.2023 | Earnest Money – Rs.<br>70,12,425/-<br>First Installment – Rs.<br>56,09,940/-  |

|              |  |            |  |
|--------------|--|------------|--|
|              |  |            | <b>TOTAL – 1,26,22,365/-</b>   |
| 11.          | <b>BLUE STAR MINE</b><br>[R16]         | 21.05.2023 | Earnest Money –<br>Rs.2,72,00,250/-<br>First Installment –<br>Rs.2,17,60,200/-<br><br><b>TOTAL – 4,89,60,450/-</b>   |
| 12.          | <b>MAA SHAKUMBARI TRADERS</b><br>[R17] | 22.08.2023 | Earnest Money – Rs.<br>6,99,49,440/-<br>First Installment – Rs.<br>5,59,59,552/-<br><br><b>TOTAL- 12,59,08,992/-</b> |
| <b>TOTAL</b> |  |            | <b>82,81,56,771/-</b>  |

**xvii.** The Mining Plan submitted by the answering Respondents were duly approved by the Directorate of Geology and Mining, UP. in October 2023.

A true copy of the letters issued by the Directorate of Geology and Mining, UP approving the Mining Plan in respect of all the answering Respondents is enclosed herewith as **Annexure R-8 (Colly)** [at page 148 to 171].

**xviii.** That in pursuance of the Order dated 13.03.2023, the Joint Committee submitted its Report dated 10.07.2023 wherein it stated as under:

- (a) Pursuant to the E-Auction notice dated 13.02.2023, LOIs have been issued to 11 (eleven) bidders.
- (b) *Pre and post* monsoon Replenishment studies have been conducted in consonance with the directions passed by this Hon'ble Tribunal in *Raj Kumar*, by a Seven (7) member Sub-Divisional Committee.
- (c) The Hon'ble Tribunal vide its Order dated 25.01.2023 in OA No. 403 of 2022 recorded the reply of the Mining department that replenishment studies have been conducted prior to issuance of the Draft DSR for District Saharanpur, whereinafter the Hon'ble Tribunal disposed off the said OA.
- (d) The updated DSR was prepared by a Eight (8) member Sub-Divisional Committee and forwarded to the Geology and Mining Department, Uttar Pradesh on 18.01.2023 and 1.02.2023.
- (e) The updated DSR was uploaded on the Saharanpur District administration website on 13.01.2023 and also emailed to the District Administration, Yamunanagar for comments.

The said joint Committee Report concluded that the  
*“Updated DSR report and replenishment study report of*

*Saharanpur has been prepared and approved by the Government of UP. Mining permission is yet to be granted for all the proposed places”.*

It is pertinent to submit that the answering Respondents were not aware of the pendency of the present OA, having neither been served or informed by the Applicant nor informed by the Directorate of Geology and Mining, UP or by the Joint Committee, at any point of time.

A Copy of the Joint Committee Report [*CPCB, UPPCB, District Magistrate, Saharanpur, UP*] filed before this Hon’ble Tribunal on 10.07.2023 is enclosed herein and marked as **Annexure R-9** [at page 172 to 216].

- xix.** This Hon’ble Tribunal vide the Order dated 8.11.2023 impleaded the answering Respondents/ intended lease holder to whom LOIs had been issued. This Hon’ble Tribunal further directed the Original Applicant to serve the newly added Respondents and file an Affidavit of service.

A Copy of the Order dated 8.11.2023 passed by this Hon'ble Tribunal is enclosed herewith as **Annexure R-10** [at page 217 to 219].

**xx.** Pursuant to the Order dated 8.11.2023, the SEIAA, UP wrote a letter on 16.11.2023 to the MOEF seeking clarification on the procedure to be followed for preparation of a District Survey Report.

**xxi.** The Respondent No. 5 MOEF vide letter dated 4.12.2023 clarified the position, and stated that the DSR is prepared by the District Authorities as per the MOEF Notification dated 25.07.2018, and further stated that the DSR ought to be submitted to SEAC for examination and evaluation and then to SEIAA for approval in consonance with the Judgment dated 10.11.2021 passed by the Hon'ble Supreme Court in *Pawan Kumar*.

A true typed copy of the letter dated 4.12.2023 sent by MOEF to SEIAA, UP is enclosed herewith as **Annexure R-11** [at page 220]

**xxii.** That the Respondent No. 4, District Magistrate, Saharanpur vide his letter dated 18.12.2023 forwarded the

updated DSR for Saharanpur for the approval to SEAC/ SEIAA UP in terms of the MOEF letter dated 4.12.2023 along with NOCs received from the Forest Department and the Irrigation department.

A typed copy of the letter dated 18.12.2023 sent by the District Magistrate Saharanpur to SEAC, UP is enclosed herewith as **Annexure R-12 [at Pages 221 to 222]**.

- xxiii.** That the SEIAA and SEAC, UP held a Joint Meeting on 2.02.2024 which was attended by 17 members to discuss the issue regarding the procedure for approval of DSR. The SEAC/SEIAA in the said Joint Meeting adopted a detailed Standard Operating Procedure (SOP) regarding preparation and updation of DSR for Sand mining and/or R.B.M which was formulated and made effective with immediate effect throughout the State of UP.

A copy of the Minutes of the Joint meeting of SEIAA and SEAC, UP dated 2.02.2024 along with SOP for Sand mining is enclosed herewith as **Annexure R-13 [at Pages 223 to 234]**.

**xxiv.** The SEAC-1 and SEAC-2, UP vide its Joint Meeting held on 03.05.2024 evaluated and appraised the DSR for District Saharanpur that was prepared in 2022, in accordance with the SOP dated 02.02.2024, and approved the said DSR for District Saharanpur with the following conditions:

- i. *The period of validity of Revised DSR Saharanpur-2022 shall be for the remaining balance period of 03 years from the date of its approval.*
- ii. *The submitted DSR has 22 areas. NOC for 01 area (Village – Rahena, Lot No-3, area 8.050 ha.) has not been provided by Forest Department. Accordingly, approval of only 21 areas (except Village – Rahena, Lot No-3, area 8.050 ha.) is recommended in the revised DSR Saharanpur.*
- iii. *If any new lease is identified, its validity will be co-terminus with the validity period of current DSR and Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.*
- iv. *After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.*
- v. *The District Administration shall utilize the*

*District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.*

- vi. *The District Administration shall periodically conduct audits of operative mine leases using drone based survey and take corrective measures in case of adverse observations and a quarterly report on this shall be send to SEIAA as compliance.”*

It is trite to submit that the Revised/ updated DSR for Saharanpur prepared in the year 2022 was approved for the remaining period of 3 years in respect of 21 Areas which included the 14 Mining Areas auctioned vide the E-Tender/Auction Notice dated 13.02.2023.

It is pertinent to mention that the SEAC-1 and SEAC- II in the MOM dated 3.05.2024 noted that the updated DSR for Saharanpur was uploaded on the public domain on 28.03.2024, wherein 3 complaints/ representations (all from District Yamunanagar, Haryana) including one from the Applicant herein (i.e. Gaurav Kumar) were received, and the same were dealt with and disposed off

after being considered.

The SEAC-1 and SEAC-2 before approving the DSR further observed that *“the leases are getting over replenished and requires removal of deposits to maintain channel of river. The maximum leases are fresh for which LOI has been issued to project proponents who are in the process of securing EC”*, and noted that the updated DSR was prepared in the year 2022 after conducting replenishment studies, and further Replenishment Studies were conducted in the year 2023 which included physical surveys, DGPS survey and Drone based surveys.

A Copy of the Minutes of the Joint Meeting of SEAC-1 and SEAC-2, UP dated 03.05.2024 is enclosed herewith as **Annexure R-14** [at page 235 to 239].

- xxv.** The SEIAA, UP vide its 814<sup>th</sup> Minutes of the Meeting dated 24.05.2024 agreed with the recommendation of SEAC and approved the DSR for District Saharanpur along with the following conditions:

*“1. Mining Department, UP is advised to develop a mechanism for issuing online Lol.*

*2. As per MoEF&CC notification S. 0. 141(E) dated 15.01.2016- The District Survey Report shall be prepared for each minor mineral in the district separately. Hence, DSR for each minor mineral should be submitted separately.*

*3. The study for mineral availability and its finding should be uploaded on District website.*

*4. SEIAA noted that in draft DSR unit of quantity is not similar, like under list of potential mining lease (existing and proposed) rivers and cluster and contiguous detail, total excavation is given in MT/Year whereas in final list of cluster geological reserve is given in cubic meter, hence a clarification must be submitted and it should be same as given in Lol.”*

Subsequently, the units of quantity in the DSR were replaced from MT/year with cubic metres as given in the LOIs, in terms of the letter dated 7.06.2024 sent by SEIAA, UP to Director, Directorate of Geology and Mining, UP.

A Copy of the 814<sup>th</sup> Minutes of the Meeting dated 24.05.2024 of the SEIAA, UP is enclosed herewith as

**Annexure R-15 [at page 240**

A Copy of the updated DSR for District Saharanpur prepared by the Sub-Divisional Committee and approved

by the SEAC/SEIAA is enclosed herewith as **Annexure R-16** [at page 241 to 284].

A Copy of the letter dated 7.06.2024 sent by SEIAA, UP to Director, Directorate of Geology and Mining, UP is enclosed herewith as **Annexure R-17** [at page 285 to 286].

### **REPLY ON MERITS**

That in furtherance of the abovementioned facts and circumstances, the answering Respondent seeks to place its Reply on the grounds and issues raised in the present OA.

### **ON THE ISSUE OF DSR**

6. The issue pertaining to a challenge to the updated DSR for Saharanpur prepared by the Sub-Divisional Committee in the year 2022, including restraining the State from auctioning mining leases pursuant to the said DSR was a subject matter before this Hon'ble Tribunal in OA No. 403/2022, '*Daljeet Singh v State of UP*'. This Hon'ble Tribunal vide Order dated 25.1.2023 disposed off the said OA without passing any orders

as prayed for, and the same is duly extracted in the Report of the Joint Committee filed in the present case.

A Copy of the Orders dated 26.08.2022 & 25.01.2023 passed by this Hon'ble Tribunal in OA No. 403/2022, '*Daljeet Singh v State of UP*' is enclosed herewith as **Annexure R-18 (Colly)** [at Pages 287 to 286].

7. That the DSR for Saharanpur was duly prepared and updated by the Sub Divisional Committee on 13.01.2023 & uploaded on the District website on 31.01.2023, approved by the mining department on 27.3.2023.

It is submitted the Joint Committee of SEAC-1 and SEAC-2, UP vide its MOM dated 3.05.2024 & the SEIAA, UP vide its MOM dated 24.05.2024 and letter dated 7.06.2024 have approved the very same DSR on the basis of which the E-Auction Notice dated 13.02.2024 was issued and the subsequent LOIs were issued in favour of the answering Respondents.

8. That the answering Respondents participated in the E-Auction Notice 13.02.2023 by believing the representations of the Respondents that the same has been issued in terms of the

updated DSR and also conducting Replenishment studies in terms of the prevalent law, as specifically stated in the E-Auction Notice.

9. The answering Respondents pursuant to the LOIs granted under the E-Auction Notice dated 13.02.2023 deposited huge and substantial advance Royalties to the tune of Rs. 82.81 Crores which has been lying deposited with the Mining Department for over one year. The Mining plans submitted by the answering Respondents have also been approved, and thus quashing the E-Auction Notice dated 13.02.2023 at this stage would cause serious and irreparable harm to the answering Respondents and further put undue pressure on the Mining department to refund the amount of Rs. 82.81 along with interest, which have been absorbed by the Department and partly diverted to the District Mineral Fund (DMF), as recorded in the MOM of Joint Meeting of SEAC-1 & SEAC-2 held on 3.05.2024.
10. That it is an admitted fact that no mining has been conducted by the answering Respondents before the approval of the DSR

by the Expert bodies. It is further evident that the E-Auction Notice was issued on the basis of a newly prepared DSR by the Sub-Divisional Committee, and not in the absence thereof, and that the very same DSR (*without any changes to the 14 Mining blocks auctioned under the E-Auction Notice dated 13.02.2024*) has been approved by the SEAC/SEIAA, UP. Hence any mining activities undertaken under the E-Auction notice would be in substantial compliance of judgment passed by the Hon'ble Apex Court in *Pawan Kumar*.

11. That the issues raised in the present OA no longer survives, and allowing the prayer to quash the 13.02.2023 would invariably entail that the Mining department can issue the very same E-Auction Notice in respect to the same 14 Mining Blocks, and the answering Respondents would be required to repeat the very same.

This will obviously be cumbersome to the Department as well as seriously prejudice the answering Respondents, without benefiting any person, except the Applicant who has been put by the Mining lease holders in Yamunanagar, Haryana to get the mining activities delayed in the adjoining District of

Saharanpur so as to take benefit of the lack of supply of Sand/RBM which is mandatorily required for all Building construction/ highway projects, and hence increase the price (*and their own profits*) to meet the inelastic demand.

12. This Hon'ble Tribunal vide its Order dated 07.05.2024 OA No. 389 of 2024 being '*Raj Kumar v State of UP*', in a similar matter where 156 E-Auction Notices in the entire State of UP have been challenged on the ground of being issued without preparation of a DSR, held that if the auction notices have already been acted upon and LOI's have been issued to the successful bidders then the challenge to the auction notice will not survive without challenging the subsequent action of challenging the LOIs thus granted.

It is submitted that in the present case, the Applicant has challenged the auction notice dated 13.02.2023 without challenging the subsequent LOIs granted to the answering Respondents and thus in terms of the decision of this Hon'ble Tribunal in *Raj Kumar*, the challenge to the Auction notice dated 13.02.2023 does not survive.

The Relevant portion of the Order dated 07.05.2024 is as under:

*“4. ...In addition we also note that if the auction notices have already been acted upon and successful bidder has been selected/lease deed is issued to the successful bidder/LOI then the challenge to the auction notice itself may not survive without challenging the subsequent action. Hence, we are of the view that no case is made out for clarification/modification of the order dated 23.04.2024. I.A. No. 210/2024 is accordingly rejected.”*

A Copy of the Order dated 07.05.2024 passed by this Hon'ble Tribunal in OA No. 389 of 2024 being '*Raj Kumar v State of UP*' is enclosed herewith as **Annexure R-19 [at page 293 to 295 ]**.

13. That the Hon'ble Supreme Court vide its order dated 20.07.2022 in '*Mangal Singh Bundela v State of MP*', CA No. 4593 of 2022 in a near identical case where the e-auction dated 16.11.2021 was issued before the draft DSR dated 4.3.2022 considered the judgment in *Pawan Kumar* and directed that that no mining shall be carried out in the terms of the e-auction without finalizing the DSR. It is pertinent to mention that the Hon'ble Supreme Court without quashing the NIT or staying the process of grant of EC, stayed mining under the said NIT.

Apropos, permitting the LOIs to proceed in furtherance of the E-Auction Notice dated 13.02.2023 would not cause any damage to the Environment, in as much as, no mining has been undertaken till date, and subsequent Mining activities would be done in accordance with law, and after obtaining a prior EC and CTO/CTE.

A Copy of the Order dated 20.07.2022 passed by the Hon'ble Supreme Court in '*Mangal Singh Bundela v State of MP*', CA No. 4593 of 2022 is enclosed herewith as **Annexure R-20 [at Pages 296 to 297]**.

14. That subsequent to the quashing of the DEAC/DEIAA by this Hon'ble Tribunal in *Satender Pandey*, the MOEF despite the directions issued in *Vikrant Tongad* to modify the procedure under the 15.01.2016 Notification, has not issued any clarification or OM in respect of the procedure which is required to be followed for preparation of a DSR throughout the Country.

In respect of the State of UP, the District Magistrate Saharanpur after obtaining a clarification from MOEF on 4.12.2023, vide letter dated 18.12.2023 forwarded the DSR for

Saharanpur for the approval of SEAC, UP. The SEAC/SEIAA, UP in its Joint Meeting dated 2.02.2024 for the **first time** adopted a procedure and formulated a detailed Standard operating procedure (SOP) for preparation of DSR. In terms of the said SOP, the DSR for Saharanpur was listed before a Joint Committee of SEAC-1 and SEAC-2, UP for appraisal on 3.05.2024 wherein it was recommended for approval for the balance period of 3 years, and subsequently approved by the SEIAA, UP.

15. It is relevant to submit that except for District Saharanpur and District Jalaun, DSRs have not been approved in respect of any other District(s) by the SEAC/SEIAA. In the meanwhile, approximately 214 e-tenders have been floated between 2020-2024 in the State of UP for various districts without a duly finalized/ approved DSR by SEAC/SEIAA, UP, and quashing all such E-tenders which are in parity with the issuance of the Impugned Auction notice dated 13.02.2023 would seriously affect the availability of sand and ensue the dangers highlighted by the Hon'ble Supreme Court in the case of *Pawan Kumar*.

A Tabular Chart indicating the E-tenders/ Auction Notices issued District wise in the State of UP between 2020-2024 is enclosed herewith as **Annexure R-21** [at page 298]

16. Even otherwise, the answering Respondents respectfully submit that quashing the E-Auction Notice dated 13.02.2023 now and directing the Mining Department to issue the same E-Auction Notice under the same DSR would create a situation of *chaos* and be an exercise in futility, which would not only cause a huge loss to the public exchequer but seriously hamper the availability of sand in the District resulting in mushrooming of illegal mining.

The Hon'ble Apex Court in the case of *Pawan Kumar*, pending the preparation of DSR, had permitted mining activities in the *interim* to prevent mushrooming of illegal mining and further to prevent loss to the public exchequer and ensure availability of sand which is required for public and private construction projects.

The Relevant portion of the Judgment passed in Pawan Kumar is extracted hereinbelow

“7. It cannot be in dispute that though the developmental activities are not stalled, the environmental issues are also required to be addressed. A balanced approach of sustainable development ensuring environmental safeguards, needs to be resorted to. At the same time, it also cannot be ignored that when legal mining is banned, it gives rise to mushroom growth of illegal mining, resulting into clashes between sand mafias, criminalization and at times, loss of human lives. It also cannot be disputed that sand is required for construction of public infrastructural projects as well as public and private construction activities. A total ban on legal mining, apart from giving rise to illegal mining, also causes huge loss to the public exchequer.”

17. It is submitted that E-Auction Notices in District Saharanpur, UP are being challenged on some ground or the other (*at the behest of Applicant from Yamanaunagar put up by the Mining lease holders in the said District*). Resultantly, there is a scarcity of sand in District Saharanpur, which has made the Respondent Mining Department to issue more than 300 Short Term permits from 31.01.2022 till date whereunder almost 1 Crores Cubic metre (approx 2.1 Crore Ton) of RBM has been extracted without such Areas having being included in a DSR, without any replenishment study and/or without any Environmental clearance or safeguard.

Apropos, quashing the E-Auction Notice dated 13.02.2023 would seriously affect the availability of sand in and around District Saharanpur and *a fortiori* result in issuance of similar Short term permits by the Mining Department to meet the inelastic demand for sand/RBM, which would be damaging and deleterious to the Riverine Environment.

Even otherwise, it is submitted that the 14 Sand Blocks that are a subject matter of the E-Auction dated 13.02.23, as per the SEAC Joint Meeting dated 3.05.2023 are getting over replenished and require removal of deposits to maintain channel of river.

**DRAFT DSR PREPARED IN CONSULTATION WITH DISTRICT  
YAMUNANAGAR**

18. It is submitted that the updated DSR was duly sent to the District Magistrate Yamunanagar vide letter dated 1.2.2023 for their comments and inputs and the same has been stated in the Joint Committee Report. Thus, the requirement of Clause 9.3 of EMGSM, 2020 is substantially complied with.

It is relevant to mention that the challenge to the DSR for non-compliance of Clause 9.3 of EMGSM, 2020 was also raised in

OA No. 403 of 2022. This Hon'ble Tribunal vide Order dated 25.1.2023 disposed off the said OA without passing any orders as prayed for therein.

**ON THE ISSUE OF CLUSTER**

19. It is submitted that Appendix XI of the MOEF Notification dated 15.1.2016 by virtue of which the concept of Cluster was first introduced, does not cap the total area in a Cluster, and in fact specifically provides for the procedure for obtaining EC in a cluster situation of a size more than 50 ha.
20. The MOEF Notification dated 15.1.2016 which amended the EIA, 2006 is a measure under Section 3 of the EP Act and is statutory in nature which would prevail over the EMGSM, 2020 which are guidelines issued by the MOEF, that though are mandatorily required to be adhered to, however in case of a conflict in terms of the Notification and guideline, the Notification in law shall prevail.  
  
Be that as it may, Clause 4.1.1 (k) of the EMGSM, 2020 is merely recommendatory and suggestive in nature and does not prohibit clusters exceeding 10 ha and is thus even otherwise not in conflict with the Notification dated 15.01.2016.

**ON THE ISSUE OF CONTINUOUS STRETCH OF RIVER BED BEING  
AUCTIONED IN PIECES**

21. It is submitted that Clause 4.6 of the EMGSM, 2020 itself clarifies that it is suggestive in nature and thus not mandatory.

The said Clause 4.6 of the EMGSM, 2020 reads as under:

*“In those states where sand plots are auctioned to the highest bidder, the following is suggested:*

*It has been observed that bidders try to form a cartel and bids are received for certain plots where legal mining is done, and bids for certain other plots don't elicit any response. Sand from these unauctioned plots is then excavated using the same machinery deployed for the excavation of adjacent plot which might have been auctioned off. It is not easily possible for the field machinery to prevent such illegal activities. This may be prevented by having plot of larger size. plots are large in size as possible are identified for auction. Care may be taken to ensure that no continuous stretch of plot in the river bed is divided for auction. A continuous stretch of plot shall be preferred for auction, and the attempt may not be made to auction it off in pieces.”*

22. Apropos, it is further submitted that the decision to determine the size of the mining lease (whether by a continuous stretch of plot/river bed or divided) is at the discretion of the State Government under Rule 10 of the UP Minor Mineral Concession Rules, 2021.

It is trite to mention that this Hon'ble Tribunal in the case of *Pashupati Rice Mills [OA No. 62/2019 (EZ)]* vide Judgment

dated 12.12.2019 had upheld the power of the State Government to divide the lease areas as per its Policy decision, and rejected the submission that it ought to be auctioned contiguously as a single stretch.

**ON THE ISSUE OF REPLENISHMENT STUDY**

23. This Hon'ble Tribunal, Principal Bench in the case of ***Raj Kumar v. State of U.P., OA No. 140/2021***, vide its Judgment dated 6.05.2022 accepted that a Replenishment Study is mandatorily to be conducted prior to e-Auctions in future and also for all current leases; and directed such replenishment studies to be expedited and completed in a time bound manner i.e. by 31<sup>st</sup> December 2022 for all Districts in U.P failing which no Mining shall be permitted. The Hon'ble Supreme Court vide its Order dated 29.11.2022 dismissed the said Civil Appeal No. 8035-8036 of 2022 filed by the State of UP being aggrieved by the abovementioned Judgment dated 6.05.2022, and clarified that the State authorities shall undertake Replenishment studies for both years i.e. year ending 31.12.2021 as well as the current year ending 31.12.2022.

24. In pursuant thereof, Replenishment studies for District Saharanpur was duly conducted *pre and post monsoon* for the years 2022 and 2023 as is clear from the Joint Committee Report and the Joint Committee MOM dated 3.05.2024 of the SEAC-1 and SEAC-II.
25. It is pertinent to mention that this Hon'ble Tribunal vide Order dated 25.1.2023 in OA No. 403 of 2022 recorded that Replenishment study has been conducted in District Saharanpur prior to preparation of the DSR and disposed of the said OA.

**ON THE ISSUE OF RIVER CHANNEL PASSING THROUGH THE  
AREA OF IDENTIFIED MINING SITES**

26. The Corresponding submissions made in the OA are speculative, evasive and based on conjectures and surmises without furnishing any details whatsoever. The mining sites have been identified by the Sub Divisional Committee after conducting a field survey and after following the guidelines of the MOEF.

Therefore, in view of the averments made hereinabove, the answering Respondent humbly prays that the present OA be

disposed off. This Hon'ble Tribunal may also be pleased to direct, if it deems fit and proper, that thought the Auction Notice dated 13.02.2023 for District Saharanpur (*and 214 Auction notices in other Districts in the State of UP*) have been issued in accordance with the DSR duly approved by the Sub-Divisional Committee; post the approval of the said DSRs by the SEAC/SEIAA, UP if there are any subsequent modifications or amendments of Lease area or permissible quantities etc... (which there is none), the same may be simultaneously effected in the LOIs issued in favour of the successful bidders including the answering Respondent herein, so as to ensure that the Mining is conducted strictly in accordance with the approved DSRs and within the prevalent legal framework.

It is submitted that the answering Respondent is filing the present Reply, reserving its right to file a detailed para-wise Reply/ Additional Reply to bring on record subsequent events, as and when directed and required by this Hon'ble Tribunal.

Filed by:



**[VANSHDEEP DALMIA]**

Advocate for the Answering Respondent No. 6-17

Place: New Delhi  
Filed on: 14.08.2024

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

ORIGINAL APPLICATION NO. 188 OF 2023



IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

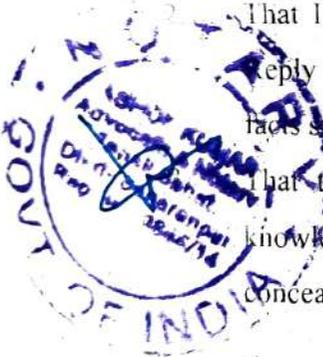
AFFIDAVIT

I, Manikant Tyagi S/o Ravi Kant, R/o 200 A, Baheri, Muzaffarnagar, Uttar Pradesh - 251202, do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent No. 6 Krishna Constellation Private Limited firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.

That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.

That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



DEPONENT

VERIFICATION:-

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

**TESTED**  
**ASHOK KUMAR**  
Advocate & Notary  
Tehsil Behat  
Distt- Saharanpur  
Reg. No. 10845/14

DEPONENT

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

ORIGINAL APPLICATION NO. 188 OF 2023



IN THE MATTER OF:

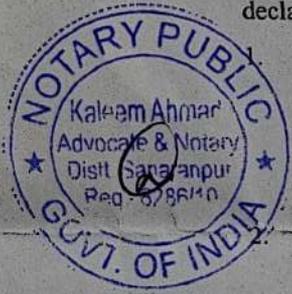
GAURAV KUMAR .....APPLICANT

VERSUS

STATE OF UP & ORS .....RESPONDENTS

AFFIDAVIT

I, Priya Jaiswal D/o Rajesh Jaiswal, R/o F1/502, Usha Colony, Pacific Golf Estate, Dehradun, Uttarakhand - 248001, do hereby solemnly affirm and declare as under:



1. That I am the Partner in Respondent No. 9 Doon Mines and Minerals firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.

2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.

3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION:-

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

**IDENTIFIED BY**

DEPONENT

820 9124

This affidavit is made before me this \_\_\_\_\_ day of \_\_\_\_\_ A.M. 2024  
By Priya Jaiswal  
who is identified by Kaleem Ahmad  
The contents of the affidavit have been compared to the deponent who admit to read and sign.  
Saharanpur  
U.P.  
08/08/2024  
Kaleem Ahmad  
Advocate & Notary

**KALEEM AHMAD**  
Advocate  
Reg. No.-10533/01  
Ch. 63, Civil Court, SRE  
Mob. 9359206239

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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

AFFIDAVIT

I, Rajendra Kumar S/o Mahendra Pal, R/o Roshnabad, Salempur Mahdood, Haridwar, Utrakhand - 249402 do hereby solemnly affirm and declare as under:

1. That I am the Proprietor of Respondent No. 8 M/s Mannu Enterprises in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

For Mannu Enterprises  
*Rajendra Kumar*  
DEPONENT Prop.

VERIFICATION:-

Verified at *SFB* on this *16th* day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Identified by

For Mannu Enterprises  
*Rajendra Kumar*  
DEPONENT Prop.

*500 2/13*  
Certified that on *16.8.24*  
*Rajendra Kumar S/o Mahendra Pal*  
at *7:00 PM* presented this affidavit  
before me and admitted it on Oath after  
hearing and understanding  
Saharanpur  
J P INDIA

Vijay Kumar  
Advocate & Notary  
*10.8.24*



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

ORIGINAL APPLICATION NO. 188 OF 2023



IN THE MATTER OF:

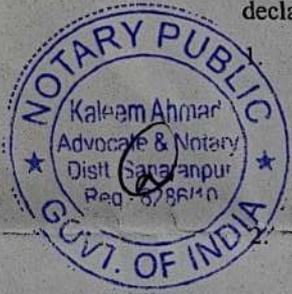
GAURAV KUMAR .....APPLICANT

VERSUS

STATE OF UP & ORS .....RESPONDENTS

AFFIDAVIT

I, Priya Jaiswal D/o Rajesh Jaiswal, R/o F1/502, Usha Colony, Pacific Golf Estate, Dehradun, Uttarakhand - 248001, do hereby solemnly affirm and declare as under:



- That I am the Partner in Respondent No. 9 Doon Mines and Minerals firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
- That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
- That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

*[Signature]*  
DEPONENT

VERIFICATION:-

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

**IDENTIFIED BY**

*[Signature]*  
DEPONENT

820 9124

This affidavit is made before me this \_\_\_\_\_ day of \_\_\_\_\_ A.M. 2024  
By *Priya Jaiswal*  
who is identified by *Kaleem Ahmad*  
The contents of the affidavit have been compared to the deponent who admit to read and sign.  
Signed: *[Signature]*  
UP, 12/8/2024  
Advocate & Notary

**KALEEM AHMAD**  
Advocate  
Reg. No.-10533/01  
Ch. 63, Civil Court, SRE  
Mob. 9359206239

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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

**AFFIDAVIT**

I, Pradeep Kumar S/o Naresh Chand, R/o 45, Shalimar Extension Mittal Nursery, Behat Road, Saharanpur, Uttar Pradesh - 247001 do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent No. 10 Vedanta Associates in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



*Pradeep Kumar*  
DEPONENT

**VERIFICATION:-**

Verified at SRE on this 10th day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Identified by

*S. No. 3616*

certified that on...  
*Pradeep Kumar*...  
 at... 2:40 PM...  
 before me and admitted it on Oath after  
 hearing and understanding  
 Saharanpur  
 J P INDIA

Vijay Kumar  
 Advocate & Notary  
*10.8.24*

DEPONENT

VEDANTA ASSOCIATES  
*Pradeep Kumar* Partner



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

**ORIGINAL APPLICATION NO. 188 OF 2023**

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

**AFFIDAVIT**

I, Kamaldeep B Pundir S/o Sri Bhopal Singh, R/o 346 Jaroda Jutt, Opposite Post Office, Jaroda Jutt, Saharanpur, do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent No. 11 Yamuna Mines firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



**For M/S Yamuna Mines**

*KamP*  
**Partner**

**DEPONENT**

**VERIFICATION:-**

Verified at \_\_\_\_\_ on this \_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

5004862

These affidavits are made before me on this 7<sup>th</sup> day of August 2024, at Saharanpur, U.P. by Kamaldeep B Pundir S/o Sri Bhopal Singh, R/o 346 Jaroda Jutt, Opposite Post Office, Jaroda Jutt, Saharanpur, who has been identified to me by the affidavit maker and I have compared the signature of the deponent with the original signature of the deponent and it is true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

*Kalem Ahmad*  
Advocate & Notary

**DEPONENT**

**For M/S Yamuna Mines**

*KamP*  
**Partner**

9/8/2024

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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

AFFIDAVIT

I, Blinder Kumar S/o Bundi Ram, R/o Deodhar (72), Yamuna Nagar, Haryana - 135021 do hereby solemnly affirm and declare as under:

1. That I am the Proprietor of Respondent No. 12 Choudhary Mines in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.

2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.

That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

M/S CHAUDHARY MINES  
*Blinder Kumar*

DEPONENT Partner

VERIFICATION:-

Identified by

Verified at SAB on this 18th day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

M/S CHAUDHARY MINES  
*Blinder Kumar*

DEPONENT Partner



certified that on 18/08/2024 at SAB Blinder Kumar S/o Bundi Ram presented this affidavit before me and admitted it on oath after hearing and understanding. *J.P. Indla* Notary



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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

**AFFIDAVIT**

I, Manish Jaiswal S/o Ram Ji Jaiswal, R/o Marwattiya, Akpangi, Basti, Uttar Pradesh - 272002, do hereby solemnly affirm and declare as under:

1. That I am Respondent No. 13 in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

*Manish Jaiswal*  
DEPONENT

**VERIFICATION:-**

Verified at \_\_\_\_\_ on this \_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

*Manish Jaiswal*  
DEPONENT

BEFORE ME  
*Kartika Kumari Singh*  
 (Advocate)  
 NOTARY  
 Lucknow (U.P.) INDIA  
 Date: 31/8/2024



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

**ORIGINAL APPLICATION NO. 188 OF 2023**

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

**AFFIDAVIT**

I, Pradeep Singh S/o Pritam Singh R/o Rana Apartments 8 Krishna Vihar Jakahan Rajpur Road, Dehradun, Utrakhhand-248001, do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent No. 14 Rana Royalty firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



For M/S Rana Royalty

Partner

DEPONENT

**VERIFICATION:-**

Verified at \_\_\_\_\_ on this \_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

m 4064

This affidavit is made before me today  
by Pradeep Singh S/o Pritam Singh  
R/o Rana Apartments 8 Krishna Vihar  
Jakahan Rajpur Road, Dehradun, Utrakhhand-248001  
The contents of the affidavit have been  
read and explained to the deponent who says  
that the contents are true and correct to his  
knowledge and belief.  
Kabeem Ahmad  
Advocate & Notary

DEPONENT  
For M/S Rana Royalty  
Partner

DEPONENT

For M/S Rana Royalty

Partner

4/8/2024

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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

AFFIDAVIT

I, Manish Awana S/o Dhramveer Awana, R/o Near Ajab Cable Network, Sector - 5, Gautam Buddha Nagar, Uttar Pradesh - 201301, do hereby solemnly affirm and declare as under:

1. That I am the Respondent No. 15 in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



*Manish*  
DEPONENT

VERIFICATION:-

Verified at \_\_\_\_\_ on this \_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

*Manish*  
DEPONENT

ATTESTED

*28*

Naveen Chandra Sharma  
Advocate Notary  
Qadri Noida (G E Nagar)

9 AUG 2024



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

**ORIGINAL APPLICATION NO. 188 OF 2023**

**IN THE MATTER OF:**

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

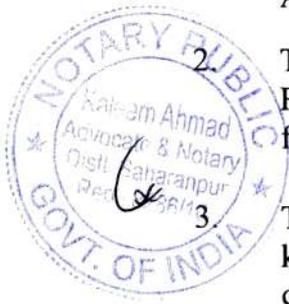
**AFFIDAVIT**

I, Mohd Ajhar Javed S/o Sri Mohammed Javed R/o 3/2204, Dehradun Road, Khanalampura, Saharanpur, Uttar Pradesh - 247001, do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent Blue Star Mines firm in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.

2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.

3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.



For M/S Blue Star Mines  
*Azhar Javed*  
Partner  
**DEPONENT**

**VERIFICATION:-**

Verified at \_\_\_\_\_ on this \_\_\_\_ day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

IDENTIFIED

**DEPONENT**

For M/S Blue Star Mines  
Partner

20460  
This affidavit is made before me by  
to my own knowledge and belief  
By *Mohd Ajhar Javed* R/o 3/2204, Dehradun Road, Khanalampura, Saharanpur, Uttar Pradesh - 247001  
who is identified to me by *Kalam Ahmad*  
The contents of the affidavit have been  
correctly stated and are true to the best of my  
knowledge and belief.  
Signature of Notary  
9/8/2024

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

ORIGINAL APPLICATION NO. 188 OF 2023

IN THE MATTER OF:

GAURAV KUMAR

...APPLICANT

VERSUS

STATE OF UP & ORS

...RESPONDENTS

**AFFIDAVIT**

I, Jai Kishorr Singhal S/o Trilok Chand Singhal, R/o H- 203 Shivalik Nagar, Phase -2, Haridwar, Uttarakhand, 249403, do hereby solemnly affirm and declare as under:

1. That I am the Partner in Respondent No. 17 Maa Shakumbhari Traders in the above Original Application and I am well conversant with the facts and circumstances of the case and competent to depose the present Affidavit.
2. That I have read and understood the contents of the accompanying Reply which has been drafted on my instructions and I say that the facts stated therein are true to my knowledge.
3. That the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

M/s Maa Shakumbhari Traders  
JK Singhal  
Partner  
DEPONENT

**VERIFICATION:-**

Verified at JRB on this 10th day August 2024, that the contents of the present affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Identified by

M/s Maa Shakumbhari Traders  
JK Singhal  
Partner  
DEPONENT

30 certified that on 10th day of August 2024, Jai Kishor Singh at 101 P.M. presented this affidavit before me and admitted it on Oath after hearing and understanding  
Saharanpur  
J P INDIA  
Vijay Kumar  
Advocate & Notary  
10-8-24



- 10 का.आ. 562(अ) तारीख 26 फ़रवरी 2014;
11. का.आ. 637(अ) तारीख 28 फ़रवरी 2014;
12. का.आ. 1599(अ) तारीख 25 जून 2014;
13. का.आ. 2601(अ) तारीख 7 अक्टूबर 2014;
14. का.आ. 2600(अ) तारीख 9 अक्टूबर 2014
15. का.आ. 3252(अ) तारीख 22 दिसम्बर 2014;
16. का.आ. 382(अ) तारीख 3 फरवरी, 2015;
17. का.आ. 811(अ) तारीख 23 मार्च, 2015;
18. का.आ. 996(अ) तारीख 10 अप्रैल 2015;
19. का.आ. 1142(अ) तारीख 17 अप्रैल 2015;
20. का.आ. 1141(अ) तारीख 29 अप्रैल 2015;
21. का.आ. 1834(अ) तारीख 6 जुलाई 2015;

ANNEXURE R-1

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 15th January, 2016

**S.O. 141(E).**—Whereas in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment Notification, 2006, issued *vide* number S.O. 1533(E), dated the 14<sup>th</sup> September 2006, was published under sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, *vide* number S.O. 2588(E), dated 22<sup>nd</sup> September, 2015, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date of publication on which copies of Gazette containing the said notification were available to the public;

And whereas, copies of said notification were made available to the public on 22<sup>nd</sup> September 2015;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

And whereas, in pursuance to the order of Hon'ble Supreme Court dated the 27<sup>th</sup> February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease;

And whereas, as a result of the above said Order of Hon'ble Supreme Court, the number of cases which are now required to obtain prior environmental clearance has increased substantially;

And whereas, the Hon'ble National Green Tribunal, *vide* its order dated the 13<sup>th</sup> January, 2015 in the matter regarding sand mining has directed for making a policy on environmental clearance for mining leases in cluster for minor minerals;

And whereas, the State Governments have represented for streamlining the process of environmental clearance for mining of minor mineral;

And whereas, the Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on Sustainable Sand Mining detailing the provisions on environmental clearance for cluster, creation of District Environment Impact Assessment Authority and proper monitoring of sand mining using information technology and information technology enabled services to track the mined out material from source to destination;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

**In the said notification,-**

(a) in paragraph 2, after the words “in the said Schedule”, the following words shall be inserted, namely:-  
“and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category ‘B2’ for mining of minor minerals in the said Schedule”;

(b) after paragraph 3, the following paragraph shall be inserted, namely:-

**“3 A. District Level Environment Impact Assessment Authority:-**

- (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.
  - (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
  - (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.
  - (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.
  - (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
  - (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member-Secretary.
  - (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
  - (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
  - (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
  - (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
  - (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
  - (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
  - (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.”;
- (c) in paragraph 4, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-  
“(iv) The ‘B2’ Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification.”;
- (d) for paragraph 5, the following paragraph shall be substituted, namely:-

**“5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category ‘A’, ‘B1 and B2’ and ‘B2’ projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union

territory Administration with identical composition. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3 A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

(c) The EAC and SEAC shall be reconstituted after every three years.

(d) The authorised members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.”;

(e) for paragraph 6, the following paragraph shall be substituted, namely:-

**“6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made by the project proponent in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II after the identification of prospective site (s) for the project and/or activities to which the application relates; and in Form 1M for mining of minor minerals up to five hectare under Category ‘B2’ projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land, or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.”;

(f) in paragraph 7,-

(i) in sub-paragraph (i), under the heading “I. Stage (1)- Screening:”, the existing sub-paragraph shall be lettered as sub-paragraph “(A)” and after sub-paragraph as so lettered, the following sub-paragraph shall be inserted, namely:-  
“(B) The cases as specified in Appendix IX shall be exempted from prior environmental clearance.”;

(ii) after sub-paragraph 7 (ii), the following sub-paragraph shall be inserted, namely:-

**“7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of other Minor Minerals:**

(a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.

(b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;

(g) in paragraph 8,-

(i) for the letters and word “EAC or SEAC”, the words and letters “EAC or SEAC or DEAC” shall be substituted;

(ii) for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee” wherever they occur, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(h) in paragraph 9, in sub-paragraph (i),-

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(i) in paragraph 10, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-

“(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.”;

(j) in paragraph 11, -

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(k) in the Schedule,-

(i) for item 1 (a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

| (1)   | (2)                    | (3)  | (4)   | (5)  |
|-------|------------------------|--|---|--|
| “1(a) | (i) Mining of minerals | ≥50 ha of mining lease area in respect of non-coal mine lease<br><br>>150 ha of mining lease area in respect of coal mine lease<br><br>Asbestos mining | <50 ha of mining lease area in respect of non-coal mine lease<br><br>≤150 ha of mining lease area in respect of coal mine lease | General Conditions shall apply except:<br><br>(i) for project or activity of mining of minor minerals of Category ‘B2’ (up to 25 ha of mining lease area);<br><br>(ii) River bed mining projects on account of inter-state boundary. |

|  |   |                             |  |   |
|--|---|-----------------------------|--|---|
|  |   | irrespective of mining area |  | <p><b>Note:</b></p> <p>(1) Mineral prospecting is exempted. ”;</p> <p>(2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;</p> <p>(3) The mining leases which have obtained environmental clearance under Environment Impact Assessment Notification, 1994 and Environment Impact Assessment Notification, 2006 shall not require fresh environmental clearance during renewal provided the project has valid and subsisting environmental clearance.</p> |
|  | (ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas. | All projects.               |  |   |

(l) after Appendix VI, the following appendices shall be inserted, namely:-

**“APPENDIX VII**

**(See paragraph 3 A)**

**Qualifications and terms for the Experts in DEIAA and DEAC**

- Qualification:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal training course together with prescribed practical training in the field leading to a B. Tech/ B.E./ B. Arch. Degree, or (iii) Other professional degree (e.g. MBA etc.) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/ article ship and pass examinations conducted by the concerned professional associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
- Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
- Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
- Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.

5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

**APPENDIX VIII**

(See paragraph 6)

**FORM 1 M****APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY 'B2' FOR LESS THAN AND EQUAL TO FIVE HECTARE****(II) Basic Information**

- (viii) Name of the Mining Lease site:
- (ix) Location / site (GPS Co-ordinates):
- (x) Size of the Mining Lease (Hectare):
- (xi) Capacity of Mining Lease (TPA):
- (xii) Period of Mining Lease:
- (xiii) Expected cost of the Project:
- (xiv) Contact Information:

**Environmental Sensitivity**

| Sl. No. | Areas   | Distance in kilometer / Details |
|---------|---|---------------------------------|
| 1.      | Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.  |                                 |
| 2.      | Distance from infrastructural facilities<br>Railway line<br>National Highway<br>State Highway<br>Major District Road<br>Any Other Road<br>Electric transmission line pole or tower<br>Canal or check dam or reservoirs or lake or ponds<br>In-take for drinking water pump house<br>Intake for Irrigation canal pumps |                                 |
| 3.      | Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value   |                                 |
| 4.      | Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests  |                                 |
| 5.      | Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration   |                                 |
| 6.      | Inland, coastal, marine or underground waters   |                                 |
| 7.      | State, National boundaries  |                                 |
| 8.      | Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas  |                                 |
| 9.      | Defence installations   |                                 |
| 10.     | Densely populated or built-up area, distance from nearest human habitation  |                                 |
| 11.     | Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)  |                                 |
| 12.     | Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)   |                                 |
| 13.     | Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)   |                                 |
| 14.     | Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)  |                                 |

|     |   |  |
|-----|---|--|
| 15. | Is proposed mining site located over or near fissure / fracture for ground water recharge   |  |
| 16. | Whether the proposal involves approval or clearance under the following Regulations or Acts, namely:-<br>(a) The Forest (Conservation) Act, 1980;<br>(b) The Wildlife (Protection) Act, 1972;<br>(c) The Coastal Regulation Zone Notification, 2011.<br>If yes, details of the same and their status to be given. |  |
| 17. | Forest land involved (hectares)   |  |
| 18. | Whether there is any litigation pending against the project and/or land in which the project is propose to be set up?<br>(a) Name of the Court<br>(b) Case No.<br>(c) Orders or directions of the Court, if any, and its relevance with the proposed project.   |  |

(Signature of Project Proponent  
Along with name and address)

#### APPENDIX – IX

[See paragraph 7(i) (B)]

#### EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require prior environmental clearance, namely:-

1. Extraction of ordinary clay or sand, manually, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand, manually, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works like de-silting of village ponds or tanks, construction of village roads, ponds, bunds undertaken in Mahatama Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes, and community efforts.
6. Dredging and de-silting of dams, reservoirs, weirs, barrages, river, and canals for the purpose of their maintenance, upkeep and disaster management.
7. Traditional occupational work of sand by Vanjara and Oads in Gujarat *vide* notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14<sup>th</sup> February, 1990 of the Government of Gujarat.
8. Digging of well for irrigation or drinking water.
9. Digging of foundation for buildings not requiring prior environmental clearance.
10. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nala, drain, water body, etc., to deal with any disaster or flood like situation upon orders of District Collector or District Magistrate.
11. Activities declared by State Government under legislations or rules as non-mining activity with concurrence of the Ministry of Environment, Forest and Climate Change, Government of India.

#### APPENDIX - X

[See paragraph 7 (iii) (a)]

#### PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT

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

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

The report shall have the following structure:

1. Introduction
2. Overview of Mining Activity in the District
3. The List of Mining Leases in the District with location, area and period of validity
4. Details of Royalty or Revenue received in last three years
5. Detail of Production of Sand or Bajari or minor mineral in last three years
6. Process of Deposition of Sediments in the rivers of the District
7. General Profile of the District
8. Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.

9. Physiography of the District
10. Rainfall: month-wise
11. Geology and Mineral Wealth

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

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

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

#### Drainage system with description of main rivers

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

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

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

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

#### Mineral Potential

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

#### Annual Deposition

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |

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

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

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

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

to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

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

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

#### APPENDIX - XI

[See paragraph 7 (iii) (b)]

#### PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR MINERALS INCLUDING CLUSTER

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation:-

- (1). The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2). The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3). There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4). Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5). The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigative measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearance's of individual project proponents in that cluster.
- (6). A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area.
- (7). Form 1M, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8). The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.

#### Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation

| Area of Lease (Hectare)  | Category of Project | Requirement of EIA / EMP             | Requirement of Public Hearing | Requirement of EC | Who can prepare EIA/ EMP | Who will apply for EC | Authority to appraise/ grant EC | Authority to monitor EC compliance                 |
|--|---------------------|--------------------------------------|-------------------------------|-------------------|--------------------------|-----------------------|---------------------------------|--|
| <b>EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease</b> |                     |                                      |                               |                   |                          |                       |                                 |  |
| 0 - 5ha  | 'B2'                | Form -1M, PFR and Approved Mine Plan | No                            | Yes               | Project Proponent        | Project Proponent     | DEAC/ DEIAA                     | DEIAA<br>SEIAA<br>SPCB<br>CPCB<br>MoEFCC<br>Agency |

|   |      |   |     |     |   |                   |              |  |
|---|------|---|-----|-----|---|-------------------|--------------|--|
| > 5 ha and < 25 ha  | ‘B2’ | Form –I, PFR and Approved Mine Plan and EMP                                   | No  | Yes | Project Proponent   | Project Proponent | SEAC / SEIAA | nominated by MoEFCC  |
| ≥ 25ha and < 50ha   | ‘B1’ | Yes   | Yes | Yes | Project Proponent   | Project Proponent | SEAC/ SEIAA  |  |
| ≥ 50 ha   | ‘A’  | Yes   | Yes | Yes | Project Proponent   | Project Proponent | EAC/ MoEFCC  |  |
| <b>EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation</b> |      |   |     |     |   |                   |              |  |
| Cluster area of mine leases up to 5 ha  | ‘B2’ | Form –IM, PFR and Approved Mine Plan  | No  | Yes | State, State Agency, Group of Project Proponents, Project Proponent | Project Proponent | DEAC/ DEIAA/ | DEIAA<br>SEIAA<br>SPCB<br>CPCB<br>MoEFCC<br>Agency nominated by MoEFCC |
| Cluster area of Mine leases > 5 ha and < 25 ha with no individual lease > 5 ha        | ‘B2’ | Form –I, PFR and Approved Mine Plan and one EMP for all leases in the Cluster | No  | Yes | State, State Agency, Group of Project Proponents, Project Proponent | Project Proponent | DEAC/ DEIAA/ |  |
| Cluster of mine leases of area ≥ 25 hectares with individual lease size < 50ha        | ‘B1’ | Yes   | Yes | Yes | State, State Agency, Group of Project Proponents, Project Proponent | Project Proponent | SEAC/ SEIAA  |  |
| Cluster of any size with any of the individual lease ≥ 50ha                           | ‘A’  | Yes   | Yes | Yes | State, State Agency, Group of Project Proponents, Project Proponent | Project Proponent | EAC/ MoEFCC  |  |

**APPENDIX - XII**

[See paragraph 10 (iv)]

**PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING**

1. The security feature of Transport Permit shall be as under:

- (a) Printed on Indian Banks’ Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
- (b) Unique Barcode.
- (c) Unique Quick Response (QR) code.
- (d) Fugitive Ink Background.
- (e) Invisible Ink Mark.
- (f) Void Pantograph.
- (g) Watermark.

2. Requirement at Mine Lease Site:

- (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.

- (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
- (c) Access control of mine lease site.
- (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.

3. Scanning of Transport Permit or Receipt and Uploading on Server:

- (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
- (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
- (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.

4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security features enumerated at Paragraph 1 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.

5. Checking On Route:

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.

6. Breakdown of Vehicle:

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 or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall 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 shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.”.

[No. Z-11013/98/2014-IA-II (M)]

MANOJ KUMAR SINGH, Jt. Secy.

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers :-

1. S.O. 1737 (E) dated the 11th October, 2007;
2. S.O. 3067 (E) dated the 1st December, 2009;
3. S.O. 695 (E) dated the 4th April, 2011;
4. S.O. 2896 (E) dated the 13th December, 2012;
5. S.O. 674 (E) dated the 13th March, 2013;
6. S.O. 2204 (E) dated the 19th July 2013;
7. S.O. 2555 (E) dated the 21st August, 2013;
8. S.O. 2559 (E) dated the 22nd August, 2013;
9. S.O. 2731 (E) dated the 9th September, 2013;
10. S.O. 562 (E) dated the 26th February, 2014;
11. S.O. 637 (E) dated the 28th February, 2014;
12. S.O. 1599 (E) dated the 25th June, 2014;
13. S.O. 2601 (E) dated the 7th October, 2014;
14. S.O. 2600 (E) dated the 9th October, 2014
15. S.O. 3252 (E) dated the 22nd December, 2014;
16. S.O. 382 (E) dated the 3rd. February, 2015;
17. S.O. 811 (E) dated the 23rd March, 2015;
18. S.O. 996 (E) dated the 10th April, 2015;
19. S.O. 1142 (E) dated the 17th April, 2015;
20. S.O. 1141 (E) dated the 29th April, 2015;
21. S.O. 1834 (E) dated the 6th July, 2015.

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|     |   |            |
|-----|---|------------|
| 1.  | ज्येष्ठतम कार्य पालक इंजीनियर, सिंचाई विभाग   | अध्यक्ष    |
| 2.  | ज्येष्ठतम उप प्रभागीय अधिकारी (वन)  | सदस्य      |
| 3.  | सुदूर संवेदन विभाग या जियोलोजी विभाग या राज्य भूजल विभाग का जिला मजिस्ट्रेट या जिला कलक्टर द्वारा नामनिर्दिष्ट किया जाने वाला प्रतिनिधि | सदस्य      |
| 4.  | जिला मजिस्ट्रेट या जिला कलक्टर द्वारा नामनिर्दिष्ट किया जाने वाला व्यवसायिक स्वास्थ्य विशेषज्ञ या चिकित्सा अधिकारी                      | सदस्य      |
| 5.  | जिला परिषद् से इंजीनियर   | सदस्य      |
| 6.  | राज्य प्रदूषण नियंत्रण बोर्ड या समिति का प्रतिनिधि  | सदस्य      |
| 7.  | प्रभागीय आयुक्त या मुख्य वन परिरक्षक द्वारा नामनिर्दिष्ट किया जाने वाला विशेषज्ञ  | सदस्य      |
| 8.  | प्रभागीय आयुक्त या मुख्य वन परिरक्षक द्वारा नामनिर्दिष्ट किया जाने वाला विशेषज्ञ  | सदस्य      |
| 9.  | प्रभागीय आयुक्त या मुख्य वन परिरक्षक द्वारा नामनिर्दिष्ट किया जाने वाला विशेषज्ञ  | सदस्य      |
| 10. | ज्येष्ठतम सहायक इंजीनियर, लोक निर्माण विभाग   | सदस्य      |
| 11. | जिले में सहायक निदेशक या उप निदेशक या जिला खान अधिकारी या भूगर्भविद, उसी क्रम में   | सदस्य-सचिव |

6. डीईएसी के अध्यक्ष और सदस्य जिले में अपनी पदावधि के दौरान पद धारण करेंगे तथा गैर शासकीय सदस्यों सक्षम प्राधिकारी द्वारा उनके नामनिर्देशन की तारीख से तीन वर्ष की अवधि के लिए पद धारण करेंगे।

7. डीईएसी ऐसी शक्तियों का प्रयोग करेगी और ऐसी प्रक्रिया का अनुसरण करेगी जो उक्त राजपत्र की अधिसूचना में विनिर्दिष्ट हैं।

8. डीईएसी सामूहिक उत्तरदायित्व के सिद्धांत पर कार्य करेगी और अध्यक्ष प्रत्येक मामले में सर्वसम्मति पर पहुंचने का प्रयास करेगा और यदि सर्वसम्मति पर नहीं पहुंचा जा सकता है तो बहुमत का मत अभिभावी होगा।

9. जिले का जिला मजिस्ट्रेट या जिला कलक्टर डी.ई.ए.सी. के लिए सचिवालय के रूप में कार्य करने के लिए किसी अभिकरण को अधिसूचित करेगा और अभिकरण सभी संभार तंत्र समर्थन जिसके अंतर्गत परिवहन, वास-सुविधा और इसके सभी कानूनी कृत्यों के संबंध में ऐसी अन्य सुविधाएं भी हैं, उपलब्ध कराएगी।

10. जिलों के लिए प्राधिकरण के गैर शासकीय सदस्य बैठक के लिए फीस, यात्रा भत्ता और महंगाई भत्ता के हकदार होंगे जिसका संदाय संबंधित राज्य सरकार के नियमों के अनुसार किया जाएगा।

[सं. जेड-11013/98/2014-आईए-II (एम)]

मनोज कुमार सिंह, संयुक्त सचिव

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 20th January, 2016

**S.O.190(E).**—In exercise of the powers conferred by sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14th September 2006 (hereinafter referred to as the said notification), the Central Government hereby constitutes the District Level Environment Impact Assessment Authority (DEIAA), for grant of environmental clearance for Category 'B2' Projects for mining of minor minerals, for all the districts in the country (hereinafter referred to as Authority for the districts) comprising of the following members, namely:—

1. District Magistrate or District Collector of the district —Chairperson
2. Senior most Divisional Forest Officer in the district —Member
3. An expert member to be nominated by the Divisional Commissioner or Chief Conservator of the Forest —Member
4. Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter —Member-Secretary

2. The Chairperson and official members of the Authority for the districts shall hold office during their tenure in the district on said posts and the expert member shall hold office for a period of three years from the date of nomination by the competent authority.

3. The Authority for the districts shall exercise such powers and follow the procedures as specified in the said notification.

4. The Authority for the districts shall base its decision on the recommendations of the District Level Expert Appraisal Committee constituted under paragraph 5 of this notification.

5. For the purposes of assisting the Authority for the districts, the Central Government hereby constitutes the District Level Expert Appraisal Committee for all the districts of the country (hereinafter referred to as DEAC for the district) comprising of the following members, namely:-

|     |   |                    |
|-----|---|--------------------|
| 1.  | Senior most Executive Engineer, Irrigation Department   | —Chairperson       |
| 2.  | Senior most Sub-Divisional Officer (Forest)   | —Member            |
| 3.  | A representative of Remote Sensing Department or Geology Department or State Ground Water Department to be nominated by the District Magistrate or District Collector | —Member            |
| 4.  | Occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector  | —Member            |
| 5.  | Engineer from Zila Parishad   | —Member            |
| 6.  | A representative of State Pollution Control Board or Committee  | —Member            |
| 7.  | An expert to be nominated by the Divisional Commissioner or Chief Conservator of Forest   | —Member            |
| 8.  | An expert to be nominated by the Divisional Commissioner or Chief Conservator of Forest   | —Member            |
| 9.  | An expert to be nominated by the Divisional Commissioner or Chief Conservator of Forest   | —Member            |
| 10. | Senior most Assistant Engineer, Public Works Department   | —Member            |
| 11. | Assistant Director or Deputy Director or District Mines Officer or Geologist in the district in that order  | —Member- Secretary |

6. The Chairperson and the official members of the DEAC shall hold office during their tenure in the district and the non-official members shall hold office for three years from the date of their nomination by the competent authority.

7. The DEAC shall exercise the powers and follow the procedures as specified in the said notification.

8. The DEAC shall function on the principles of collective responsibility and the Chairperson shall endeavor to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

9. The District Magistrate or District Collector of the district shall notify an agency to act as Secretariat for the Authority for the districts and DEAC. The agency shall provide all logistic support including transportation, accommodation, and such other facilities in respect of all its statutory functions.

10. The non-official members of the Authority for districts and the DEAC shall be entitled to such sitting fees, travelling allowance and dearness allowance which shall be paid in accordance with the concerned rules of the respective State Governments.

[No. Z-11013/98/2014-IA-II (M)]

MANOJ KUMAR SINGH, Jt. Secy.

Item No. 04

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHIExecutive Application No. 55/2018  
IN  
Original Application No. 520/2016

Vikrant Tongad

Applicant(s)

Versus

Union of India

Respondent(s)

Date of hearing: 11.12.2018

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**For Applicant(s): Mr. Rahul Choudhary, Advocate and Mr. Sany Antony,  
Advocate**ORDER**

1. Grievance in this application is that there is non-compliance of the judgment of this Tribunal dated 13.09.2018 in *Original Application No. 186/2016, Satendra Pandey Vs. Ministry of Environment, Forest & Climate Change & Anr.* The Hon'ble Supreme Court, vide judgment in *Deepak Kumar Vs. State of Haryana & Ors.: (2012) 4 SCC 629*, required proper Environmental Clearance before grant of lease of minor minerals, including sand mining. Vide Notification dated 15.01.2016 issued by MoEF&CC, environmental clearance was to be given by the District Environment Impact Assessment Authority (DEIAA) which defeat the direction of the Hon'ble Supreme Court.
2. This Tribunal noted that the Notification dated 15.01.2016 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) was not consistent with the mandate in *Deepak Kumar (supra)*.
3. The District Expert Appraisal Committee (DEAC) comprised officers having no expertise or scientific knowledge to assess environment implications. Permitting DEAC to make assessment

was also not consistent with the Sustainable Sand Mining Management Guidelines, 2016. Accordingly, MoEF&CC was directed to take steps to revise the procedure laid down in the Notification dated 15.01.2016.

4. According to the applicant, the MoEF&CC failed to issue appropriate Notification. Moreover, the State of Uttar Pradesh vide the letter dated 25.10.2018 and State of Kerala vide the letter dated 29.10.2018 directed Environmental Clearance to be given in accordance with the Notification dated 15.01.2016 in violation of the judgment of this tribunal dated 13.09.2018 which in turn is to implement the direction of the Hon'ble Supreme Court in Deepak Kumar (*supra*).
5. Accordingly, we direct the MoEF&CC to comply with the order dated 13.09.2018 forthwith and furnish a report of compliance on or before 31.12.2018 failing which coercive measures may have to be taken. We also make it clear that till a fresh Notification is issued by the MoEF&CC, Notification dated 15.01.2016 will not be acted upon.
6. Since our attention has been drawn to letter dated 29.10.2018 issued by the State Environment Impact Assessment Authority, Kerala addressed to the District Environment Impact Assessment Authorities of various districts in Kerala that Notification dated 15.01.2016 having not being stayed, the same be followed. This interpretation is clearly contrary to the order of this Tribunal disapproving the Notification dated 15.01.2016 and requiring the same to be revised. The direction that 15.01.2016 should still be acted upon is clearly illegal and in violation of judgment of this Tribunal. The same will stand suspended till a fresh Notification is issued by the MoEF&CC as directed hereinabove.
7. This direction will apply to all the State Environment Impact Assessment Authorities/State Governments.

8. List for further consideration along with the report of the MoEF&CC on 14.01.2019.
9. Copy of this order be sent to the MoEF&CC by e-mail.
10. The report may also be furnished to this Tribunal by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com).

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

December 11, 2018  
Executive Application No. 55/2018  
in Original Application No. 520/2016  
R



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SUPREME COURT CASES

(2022) 2 SCC

(2022) 2 Supreme Court Cases 348

3J

(BEFORE L. NAGESWARA RAO, SANJIV KHANNA AND B.R. GAVAL, JJ.)

STATE OF BIHAR AND OTHERS

.. Appellants;

*Versus*

PAWAN KUMAR AND OTHERS

.. Respondents.

Civil Appeals Nos. 3661-62 of 2020<sup>†</sup>, Order dated November 10, 2021

**Environment Law — Mining and Industries — Mining lease — Grant of — Preparation of District Survey Report (DSRs) through private consultants for identification of potential sites for mining — Whether necessary**

**— In view of provision for constitution of Sub-Divisional Committees comprising of officers of State Government from various Departments for identification of potential sites for mining in the Enforcement and Monitoring Guidelines for Sand Mining, 2020, and notification issued by MoEF and CC of 2016, held, there was no necessity of DSRs being prepared through private consultants — It would also unnecessarily burden public exchequer**

Ministry of Environment, Forest and Climate Change (MoEF and CC) in accordance with directions of National Green Tribunal, had issued Enforcement and Monitoring Guidelines for Sand Mining (2020 Guidelines)

In accordance with 2020 Guidelines, DSR is required to be prepared before auction/e-auction/grant of mining lease by Mining Department or Department dealing with mining activity in respective States — For this, a Sub-Divisional Committee is required to be formed which, after site visit, is required to decide regarding suitability of sites for mining — Sub-divisional committee is further required to record its reasons for selecting mining lease in patta land — With advent of modern technology, various technological gadgets like drones and satellite imaging, etc. can be used for identification of potential sites and preparation of DSR and also to check misuse and unauthorised mining

— Therefore, when 2020 Guidelines as well as notification issued by MoEF and CC of 2016 itself provide for constitution of Sub-Divisional Committees comprising of officers of State Government from various Departments for identification of potential sites for mining, there would be no necessity of DSRs being prepared through private consultants as directed by Tribunal — Sub-divisional committee consists of various officers from Revenue Department, Irrigation Department, State Pollution Control Board, Forest Department and Geology and Mining Department of State Government — They are better equipped to visit sites and prepare draft DSR for district concerned — Apart from that, preparation of DSR through private consultants would also unnecessarily burden public exchequer — Exercise of preparation of DSR for purpose of mining in State in all the districts directed to be undertaken afresh — Draft DSRs shall be prepared by Sub-Divisional Committees — Further until DSRs are finalised and granted

<sup>†</sup> Arising from the Judgment and Order in *Pawan Kumar v. State of Bihar*, 2020 SCC OnLine NGT 2848 (National Green Tribunal, Original Application No. 40 of 2020, dt. 14-10-2020) [Modified]

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approval by State Expert Appraisal Committee and State Environment Impact Assessment Authority, State Government permitted to continue with legal mining activities (Paras 10 to 16)

*a Pawan Kumar v. State of Bihar*, 2020 SCC OnLine NGT 2848, modified  
*Satendra Pandey v. Ministry of Environment, Forest & Climate Change*, 2018 SCC OnLine NGT 2388; *Deepak Kumar v. State of Haryana*, (2012) 4 SCC 629, referred to  
RM-D/68186/C

*b Chronological list of cases cited on page(s)*

1. 2020 SCC OnLine NGT 2848. *Pawan Kumar v. State of Bihar* 349d, 350a b, 350f, 350g h, 351a, 353d, 353f g
2. 2018 SCC OnLine NGT 2388. *Satendra Pandey v. Ministry of Environment, Forest & Climate Change* 349e f, 350c d, 351d e, 351e
3. (2012) 4 SCC 629. *Deepak Kumar v. State of Haryana* 351e

**ORDER**

*Per Court*

*d* 1. The present appeals challenge the judgment and order dated 14-10-2020, passed by the National Green Tribunal, Principal Bench, New Delhi (hereinafter referred to as “the Tribunal”) in *Pawan Kumar v. State of Bihar*<sup>1</sup>, thereby issuing the following directions: (SCC OnLine NGT para 103)

*e* “103. ... (i) Having regard to the findings at (a), (b) and (c) above, we direct the State to undertake further exercise for preparation of a fresh DSR for the Banka District.

(ii) As DEIAA is not functioning as a consequence of the decision of the Tribunal in *Satendra Pandey*<sup>2</sup>, the DSR shall be prepared through a consultant(s) accredited by the National Accreditation Board of Education and Training/Quality Control Council of India in terms of OM of MoEF & CC dated 16-3-2010.

*f* (iii) The DSR so prepared shall be submitted to the District Magistrate who shall verify the DSR only in respect of the relevant facts pertaining to the physical and geographical features of the district which shall be distinct from the scientific findings based on the parameters prescribed in the SMMG-2016. After such verification, the District Magistrate shall forward the DSR for examination and evaluation by the State Expert Appraisal Committee (“SEAC”) having regard to the fact that SEIAA comprises of technical/scientific experts. SEAC after appraisal of the report shall forward it to SEIAA for consideration and approval if it meets all scientific/technical requirements.

*h* 1 2020 SCC OnLine NGT 2848  
2 *Satendra Pandey v. Ministry of Environment, Forest & Climate Change*, 2018 SCC OnLine NGT 2388

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(iv) While preparing the DSR, the MoEF & CC accredited agency/ consultant shall scrupulously follow the procedure and the parameters laid down under the SSMMG-2016 and EMGSM-2020 read in sync with each other.”

2. The appellant State of Bihar has assailed the said judgment and order dated 14-10-2020<sup>1</sup>, on various grounds.

3. Shri Atmaram Nadkarni, learned Senior Counsel appearing on behalf of the State of Bihar submitted that the Tribunal has grossly erred in holding that unless the State Expert Appraisal Committee (hereinafter referred to as “SEAC”) and the State Environment Impact Assessment Authority (hereinafter referred to as “SEIAA”) grants approval to the District Survey Report (hereinafter referred to as “DSR”) for the purpose of mining of sand, the same cannot be carried out. He submitted that the Tribunal has further held that the very invitation of the tenders without preparing the DSR in accordance with the judgment of the Tribunal in *Satendra Pandey v. Ministry of Environment, Forest & Climate Change*<sup>2</sup> could not have been done. He submitted that after the tenders are invited in accordance with the DSR prepared by the District Level Committee, the successful bidder will be required to prepare a mining plan and unless such a mining plan is approved by SEAC and SEIAA, the environmental clearance would not be granted and in turn, mining activities cannot be carried out. He submitted that the finding of the Tribunal is like putting the cart before the horse.

4. Shri Nadkarni further submitted that the Tribunal has also grossly erred in holding that the DSRs prepared by the State were without following the requisite procedure and without considering the relevant factors. He submitted that not only the procedure as prescribed under the relevant rules and regulations was complied with, but the voluminous material in support of the same was also placed on record before the Tribunal. He submitted that the Tribunal has not taken into consideration the said material. He therefore submitted that the judgment and order passed by the Tribunal dated 14-10-2020<sup>1</sup>, needs to be set aside and the State needs to be permitted to finalise the tenders received by it.

5. Shri Nadkarni further submitted that on account of the orders passed by the Tribunal, the old lessees are continuing with the mining activities by paying a meagre amount to the State Government. He therefore submitted that on account of this, a huge loss would be caused to the public exchequer. In the alternative, he submitted that the State, at least, needs to be permitted to undertake mining activities through Bihar State Mining Corporation until the DSRs are finalised in accordance with the judgment<sup>1</sup> of the Tribunal.

<sup>1</sup> *Pawan Kumar v. State of Bihar*, 2020 SCC OnLine NGT 2848

<sup>2</sup> 2018 SCC OnLine NGT 2388

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a 6. Shri P.S. Patwalia, learned Senior Counsel appearing on behalf of the original applicant vehemently opposed the appeals. He submitted that the Tribunal has rightly held<sup>1</sup> that the DSRs are not prepared in accordance with the relevant rules as well as policy guidelines. He submitted that it is apparently clear that the State has taken into consideration only financial enrichment without considering the environmental aspects.

b 7. Though, we have heard the learned counsel for both the parties at length on merits, we find that it will be appropriate that the appeals are kept pending for further consideration and till then, certain interim orders are passed.

c 8. It cannot be in dispute that though the developmental activities are not stalled, the environmental issues are also required to be addressed. A balanced approach of sustainable development ensuring environmental safeguards, needs to be resorted to. At the same time, it also cannot be ignored that when legal mining is banned, it gives rise to mushroom growth of illegal mining, resulting into clashes between sand mafias, criminalisation and at times, loss of human lives. It also cannot be disputed that sand is required for construction of public infrastructural projects as well as public and private construction activities. A total ban on legal mining, apart from giving rise to illegal mining, also causes huge loss to the public exchequer.

d 9. Taking into consideration these aspects of the matter, we propose to issue certain interim directions.

e 10. The Tribunal, in *Satendra Pandey*<sup>2</sup>, has found that the Notification dated 15-1-2016, which provided environmental clearance to be given by the District Environment Impact Assessment Authority (hereinafter referred to as “the DEIAA”) was not in consonance with the judgment of this Court in *Deepak Kumar v. State of Haryana*<sup>3</sup>. The Tribunal therefore in *Satendra Pandey*<sup>2</sup>, had directed Ministry of Environment, Forest and Climate Change (hereinafter referred to as “MoEF and CC”) to take steps to revise the procedure laid down in the Notification dated 15-1-2016. It is to be noted that MoEF and CC, in accordance with the directions of the Tribunal, had issued Enforcement and Monitoring Guidelines for Sand Mining (hereinafter to referred to as “the 2020 Guidelines”) in the month of January 2020.

f 11. Chapter 4 of the 2020 Guidelines deals with identification of possible sand mining sources and preparation of DSR. It will be relevant to refer to Clauses 4.1.1(a), (o) and (p) of the 2020 Guidelines:

g “4.1. Identification of possible sand mining sources and preparation of District Survey Report (DSR)

4.1.1. Preparation of District Survey Report.

\* \* \*

h 1 *Pawan Kumar v. State of Bihar*, 2020 SCC OnLine NGT 2848  
2 *Satendra Pandey v. Ministry of Environment, Forest & Climate Change*, 2018 SCC OnLine NGT 2388  
3 (2012) 4 SCC 629

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

\* \* \*

(o) Potential site for mining having its impact on the forest, protected area, habitation, bridges, etc. shall be avoided. For this, a Sub-Divisional Committee may be formed which after the site visit shall decide its suitability for mining. The list of mining lease after the recommendation of the Committee needs to be defined in the following format given in as *Annexure II*. The Sub-Divisional Committee after the site visit shall make a recommendation on the site for its suitability of mining and also records the reason for selecting the mining lease in the Patta land. The details regarding cluster and contiguous cluster needs to be provided as in *Annexure III*. The details of the transportation need to be provided as in *Annexure IV*.

(p) *Public consultation* The comments of the various stakeholders may be sought on the list of mining lease to be auctioned. The State Government shall give an advertisement in the local and national newspaper for seeking comments of the general public on the list of mining lease included in the DSR. The DSR should be placed in the public domain for at least one month from the date of publication of the advertisement for obtaining comments of the general public. The comments so received shall be placed before the Sub-Divisional Committee for active consideration. The final list of sand mining areas [leases to be granted on riverbed & patta land/khatedari land, de-siltation location (ponds/lakes/dams), M-Sand Plants (alternate source of sand)] after the public hearing needs to be defined in the final DSR in the format as per *Annexure V*. The details regarding cluster and contiguous cluster needs to be provided in *Annexure VI*. The details of the transportation need to be provided in *Annexure VII*.”

12. It could thus be seen that in accordance with the 2020 Guidelines, the DSR is required to be prepared before the auction/e-auction/grant of mining lease by Mining Department or Department dealing with mining activity in the respective States. It is further provided that the potential site for mining having its impact on the forest, protected area, habitation and bridges should be avoided. For this, a Sub-Divisional Committee is required to be formed which, after the site visit, is required to decide regarding the suitability of the sites for mining. The Sub-Divisional Committee is further required to record its reasons for selecting the mining lease in the patta land. Various details are required to be given in the annexures appended to the said policy.

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**13.** It is further to be noted that Appendix X of the Notification dated 15-1-2016, issued by MoEF and CC also provides for composition of the Sub-Divisional Committee:

*a* “A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geology or Mining Officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.”

*b* **14.** It is to be noted that with the advent of modern technology, various technological gadgets like drones and satellite imaging, etc. can be used for identification of the potential sites and preparation of the DSR and also to check misuse and unauthorised mining.

*c* **15.** We further find that when the 2020 Guidelines as well as the notification issued by MoEF and CC of 2016 itself provide for constitution of Sub-Divisional Committees comprising of the officers of the State Government from various Departments for identification of the potential sites for mining, there would be no necessity of the DSRs being prepared through private consultants as directed by the Tribunal in the impugned order<sup>1</sup>. The Sub-Divisional Committee consists of various officers from Revenue Department, Irrigation Department, State Pollution Control Board, Forest Department and Geology and Mining Department of the State Government. They are better equipped to visit the sites and prepare the draft DSR for the district concerned. Apart from that, preparation of DSR through private consultants would also unnecessarily burden the public exchequer. We are therefore of the view that the direction in that regard issued by the Tribunal requires to be modified. We are further of the considered view that until the DSRs are finalised and granted approval by SEAC and SEIAA, it is appropriate that certain necessary arrangements are permitted so that the State can continue with legal mining activities. This apart from preventing illegal mining activities, would also ensure that the public exchequer is not deprived of its share in legalised mining.

*d* **16.** We therefore find it appropriate to substitute the directions issued by the Tribunal vide judgment and order dated 14-10-2020<sup>1</sup>, with the following directions:

*e* **16.1.** The exercise of preparation of DSR for the purpose of mining in the State of Bihar in all the districts shall be undertaken afresh. The draft DSRs shall be prepared by the Sub-Divisional Committees consisting of the Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer. The same shall be prepared by undertaking site visits and also by using modern technology. The said draft DSRs shall be prepared within a

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<sup>1</sup> *Pawan Kumar v. State of Bihar*, 2020 SCC OnLine NGT 2848

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period of 6 weeks from the date of this order. After the draft DSRs are prepared, the District Magistrate of the district concerned shall forward the same for examination and evaluation by SEAC. The same shall be examined by SEAC within a period of 6 weeks and its report shall be forwarded to SEIAA within the aforesaid period of 6 weeks from the receipt of it. SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereon.

**16.2.** Needless to state that while preparing DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that a strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed.

**16.3.** Until further orders, we permit the State Government to carry on mining activities through Bihar State Mining Corporation for which it may employ the services of the contractors. However, while doing so, the State Government shall ensure that all environmental concerns are taken care of and no damage is caused to the environment.

**17.** List the matter after 20 weeks.

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## ANNEXURE R-4

Item No. 03 &amp; 04

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 140/2021

(With report dated 31.03.2022)

Raj Kumar

Applicant

Versus

State of U.P. &amp; Ors.

Respondent(s)

**WITH**

Original Application No. 141/2021

Ramkaran Karn

Applicant

Versus

State of U.P. &amp; Ors.

Respondent(s)

Date of hearing: 06.05.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Vanshdeep Dalmia, Advocate

Respondent: Dr. Roshan Jacob, Secretary, Geology & Mining with Mr. Pradeep Misra,  
Advocate for the State of Uttar Pradesh & UPPCB**ORDER**

1. Grievance in these two identical applications is against illegal mining. In O.A. No. 140/2021, mining is in the submerged water area at Gata No. 28 (Part) and 29, Khand No. 1, village Kanwara, District Banda, UP by M/s Durge Trading Company and in O.A. No. 141/2021 it is in the submerged water area at Gata No. 2/4, 2/23, 2/24 and 2/28, Khand No. -4, village-Bendakhadar, District Banda, UP by Ashish Kumar Gautam,

S/o Suresh Kumar Gautam. Common stand in both the matters is that the mining is in violation of Sustainable Sand Mining Management Guidelines (SSMMG), 2016 and Enforcement and Monitoring Guidelines for Sand Mining (EMGSM), 2020 and binding orders of this Tribunal, including order dated 30.05.2017 in O.A. No. 78/2015 (CZ) reported in 2017 SCC OnLine NGT 1097, holding as follows: -

***“In the light of the above, we answer the question that has been referred to us that no river sand mining is permitted in the submerged area in accordance with the Sustainable Sand Mining Guidelines 2016 alternatively in so far as the issue whether it can be permitted in the submergence areas is concerned our answer to the same is that in submergence area which may be a wider area than the one actually submerged as a submergence area would encompass the full reservoir level of the river or the high flood level of the river recorded by in any case where the mineral is exposed and not in stream such sand mining in accordance with the Sand Mining Guidelines 2016 and the conditions imposed in the environmental clearance may be carried out.”***

2. Further order of this Tribunal relied upon by the applicants is order dated 26.02.2021 in O.A. No. 360/2015, *NGT Bar Association v. Virender Singh (State of Gujarat) and other connected matters*. Therein, on exhaustive review of the issues relating to sand mining, this Tribunal has issued directions, including the mechanism for enforcement of environmental norms, inter-alia as follows:-

“1to26..xxx.....xxx.....xxx

***27. We direct all the States/UTs to strictly follow the SSMG-2016 read with EMGSM-2020 reinforced by mechanism for preparation of DSRs (in terms of directions of this Tribunal dated 14.10.2020 in Pawan Kumar, supra and 04.11.2020 in Rupesh Pethe, supra), Environment Management Plans, replenishment studies, mine closure plans, grant of EC (in terms of direction dated 13.09.2018 in Satendra Pandey, supra), assessment and recovery of compensation (as per discussion in Para 25), seizure and release of vehicles involved in illegal mining (in terms of order dated 19.02.2020 in Mushtakeem, supra), other safeguards against violations, grievance redressal, accountability of the designated officers and periodical review at higher levels. As already noted,***

**EMGSM-2020 contemplates extensive use of digital technology, including remote sensing.**

**28. We further direct that periodic inspection be conducted by a five-members Committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Where CPCB regional office is not available, if MoEF&CC regional office is available, its Regional Officer will be included in the Committee. Where neither CPCB nor MoEF&CC regional office exists, Chairman, SEIAA will tie up with the nearest institution of repute such as IIT to nominate an expert for being included in the Committee. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any. The reports of such inspections be acted upon and placed on website of the SEIAA. Every lessee, undertaking mining, must have an environment professional to facilitate sustainable mining in terms of the mining plan and environmental norms. This be overseen by the SEIAA. Environment Departments may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers. Recommendations of the Oversight Committee for the State of UP quoted earlier may be duly taken into account.**

**The mechanism must provide for review at the level of the Chief Secretary at least once in every quarter, in a meeting with all concerned Departments in the State. The Chief Secretary UP may ensure further action in the light of the report of the Oversight Committee.**

**Similarly, at National level, such review needs to be conducted atleast once in a year by the Secretary, Environment in coordination with the Secretaries Mining and Jalshakti Ministries the CPCB.”**

3. It is submitted that no steps are being taken by the State of UP for compliance of directions of this Tribunal.

4. Vide order dated 02.07.2021 on consideration of the matter, the Tribunal directed Additional Chief Secretary, Mining, UP to furnish a report about the compliance status including the status of DSR and replenishment studies for Banda District and also in-stream mining in submerged water and monitoring mechanism.

5. The matter was last considered on 08.03.2022 and finding that no response was being filed by the Additional Chief Secretary, Mining, Uttar Pradesh, the Tribunal directed personal appearance of the ACS, Mining by V.C. and also directed the District Magistrate and State PCB to file a factual report. If anything, adverse was noticed, the PP was to be put to notice of these proceedings.

6. In pursuance of above, the ACS, Mining, UP is present in person by V.C. and report has been filed by the District Officer, Banda on 31.03.2022 as follows:

“xxx .....xxx.....xxx

10. *That for Environmental impact assessment (E.I.A.) study ministry of environment and forest and climate change (MoEF&CC) has propounded Sustainable sand mining management guidelines 2016 and enforcement and monitoring guidelines for sand mining 2020. In compliance of this Guidelines Government of Uttar Pradesh has issued a Government order no 790(1)/86-2020 dated 01.06.2020. As per this Government order, Government of Uttar Pradesh has constituted a team of officials of Department of Geology and Mining, Revenue Department, Forest Department and Irrigation Department, who give recommendation for any new area to be included or any change in D.S.R.(District survey report). Till November 2022 a total of 296 areas has been added in District survey report (D.S.R.) in different districts of Uttar Pradesh.*

*That in district Banda after proper study of replacement of Sand/Morrum on the areas the District Survey Report' (herein after referred as DSR) was prepared and loaded on District Administration Portal and objection of the public domain were also invited and after considering the objection the DSR finalised by the committee constituted by the Government of Uttar Pradesh on 23.11.2017.*

11. *That in Compliance of Hon'ble NGT order dated 02.07.2021 OA no. 140/2021 Raj Kumar Versus State of UP and OA no. 141/2021 Ram Karan karn Versus State of UP, D.M Banda has authorised C.M.P.D.I (Central mine planing and Design Institute limited), a public sector enterprise of Government of India to do the replenishment study of rivers flowing in district Banda on dated 28.10.2021 C.M.P.D.I has started the replenishment study of rivers of banda district and the work is on progress. Its report will be soon provided to the hon'ble NGT.*

*The copy of the order of D.M Banda dated 11.10.2021 and consent letter of C.M.P.D.I dated 19.10.2021 being annexed herewith as Annexure No.1, to this compliance report.*

12. *That if the bid found to be highest and satisfactory per cubic metre then a letter of intent is issued in favour of such bidder and thereafter, the applicant should obtain approval on its mining plan and environmental clearance from the competent authority and thereafter the mining lease is executed in his favour.*
13. *That in the lease deed, the following terms are specifically mentioned:-*
  - i. *The mining operations are to be carried only up to the depth of 3 metres, or up to the water level, whichever is less;*
  - ii. *The safety zone should be worked out;*
  - iii. *The mining operations will be done in accordance with the scheme mentioned in the Mining Plan;*
  - iv. *The lessee will be bound to obey the terms and conditions of the environmental clearance;*
  - v. *The mining will be done after sun-rise till sun-set;*
  - vi. *In the monsoon season, no mining will be done;*
  - vii. *Heavy machinery and Suction Machines will not be used for excavation of the mineral;*
  - viii. *No temporary bridge or hinderance will be created in the flow of river water during the lease period;*
  - ix. *That the Central Government framed Sustainable Sand Mining Management Guidelines 2016 with object of managing un-controlled sand mining in India.*
14. *That the Ministry of Environment, Forests & Climate Change, Government of India also framed Enforcement and monitoring Guidelines for Sand Mining in January 2020.*
15. *That list of mining leases, granted in District Banda for excavation of sand & morrum, at present, is being annexed herewith as Annexure No.2, to this compliance report.*
16. *That at the time, total 17 mining leases are in operation in Banda district and they have proper environmental clearances, as well as the consent issued by UPPB Lucknow under the provisions of "Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention Control of Pollution) Act, 1981."*
17. *That in compliance of the order dated 26.02.2021, passed by this Hon'ble Tribunal in O.A. No.360 of 2015 (National Green Tribunal Bar Associations. Veerendra Singh (State of Gujarat & others), 5 members Committee has been constituted by the District Officer, Banda, vide office order No.2892/Khanij-30 Banda, dated 14.12.2021. In the said Monitoring Committee, the members as under:*

1. *Divisional Forest Officer, Banda Chairman*
2. *Mines Officer/Mines Inspector/ Surveyor, Mines Department, Banda Member*
3. *Executive Engineer, Irrigation & Water Resources department, Banda- Member*
4. *Concerned Tehsildar Member*
5. *Regional Officer, Pollution Control Board, Banda Member Secretary.*

*A copy of the said office order dated 14.12.2021 issued by the District Officer, Banda, is being annexed herewith as Annexure No.3, to this compliance report.*

18. *That the said Enforcement Committee is regularly watching the mining activities of 17 areas and if any lessee is found to violate the above mentioned terms and conditions, then after issuing the notice, necessary proceedings are initiated against him.*
19. *That in the Headquarters, Lucknow, as well as in the districts, Surveillance Systems have also been installed for prevention of over-loading of minerals, as well as without transit passes, and due to this so many electronic challans are automatically created and served on the lessees for recovery of Government dues of such mineral.*
20. *That this Hon'ble Tribunal has also directed for submission of the status report of the following sand, morrum areas*

| <b>S. No.</b> | <b>Area</b>  | <b>Status</b>   |
|---------------|--|---|
| a)            | <i>Khand No.1<br/>Village Kanwara, Banda<br/>M/s Durga Trading Co.</i>   | <i>mining activities are not being done by the lessee due to preparation of approach road</i>   |
| b)            | <i>Khand No.4<br/>Village Banda Khadar,<br/>District Banda<br/>Ashish Kumar Gautam,<br/>S/o Shri Suresh Kumar<br/>Gautam</i> | <i>matter is pending before the Hon'ble Supreme court. (Ravi kumar vs State of U.P. Dairy No. 3177/2022) No mining activities are being done.</i> |

7. A report has also been filed on 06.04.2022 by the Geology and Mining Department, UP which is by and large similar to the report of the District Officer, Banda referred to above.

8. We have heard learned Counsel for the Applicants and interacted with the ACS present in person by VC.

9. We find that replenishment study as required under the SSMG-2016 and EMGSM-2020 has not been undertaken prior to the auction in terms of para 5.1 of the EMGSM, 2020 which is reproduced below:

#### **“5.0 REPLENISHMENT STUDY**

*The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excessing sand extraction. Mining within or near riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, in-stream roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of the above attributes may cause an impact on the ecological equilibrium of the riverine regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on instream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.*

#### **5.1 Generic Structure of Replenishment Study**

*Initially replenishment study requires four surveys. The first survey needs to be carried out in the month of April for recording the level of mining lease before the monsoon. The second survey is at the time of closing of mines for monsoon season. This survey will provide the quantity of the material excavated before the offset of monsoon. The third survey needs to be carried out after the monsoon to know the quantum of material deposited/replenished in the mining lease. The fourth survey at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river. **Based on the replenishment rate future auction may be planned.***

*The replenishment period may vary on nature of the channel and season of deposition arising due to variation in the flow. Such period and season may vary on the geographical and precipitation characteristic of the region and requires to be defined by the local agencies preferable with the help of the Central Water Commission and Indian Meteorological Department. The excavation will, therefore, be limited to estimated replenishment estimated with consideration of other regulatory provisions.”*

10. With regard to the allegation of instream mining in submerged water, it has been orally stated by the ACS that no such instream mining is permitted. However, in the reports filed before this Tribunal, no such statement has been made on behalf of the State.

11. Accordingly, the ACS, Mining, UP has fairly stated that replenishment study will be conducted prior to auctions in future and with regard to the current leases, ongoing replenishment study will be expedited. In the light thereof, the leases will be renewed, if necessary. Such studies for all Districts in UP will be completed by December 31, 2022 and for Banda by June 30, 2022. She has further stated that the allegation of instream mining will be verified and if found true, the same will be discontinued.

12. In view of above, let the Replenishment studies be completed by credible institutions, following due procedure, in accordance with para 5 of EMSG, 2020. Further, no mining be permitted till replenishment studies are completed beyond the schedule laid down above. The State may ensure that the Regulatory authorities are adequately equipped and capable to assess quantities of mined material. With regard to instream mining, it may be ensured that the machineries permitted or used otherwise comply with "Semi mechanised" mining operations in true sense. In all mining potential districts, environmental damage assessment be carried out and annual assessment reports placed in public domain on the websites of the Mining Department as well as the PCB. Compliance of SSMG, 2016 and EMGSM, 2020 and earlier directions of this Tribunal may be ensured by an effective monitoring mechanism.

The applications are disposed of accordingly.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

May 06, 2022  
Original Application No. 140/2021  
Original Application No. 141/2021  
DV

## ANNEXURE R-5

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR**

(Mining Department)

**Notice for E-Auction invitation with E-Tender**

Letter No. 1849/Khanij/E-Nivida Sah E-Nilami/2022-23 Dt. 13.2.23

Available for Replenishment Study of rivers located in Saharanpur District in compliance with the orders dated 6.04.2021 and orders passed in OA No. 403/2022 by Hon'ble National Green Tribunal, New Delhi in OA No. 90/2020 Pramod Kumar Vs. Uttar Pradesh Government and others. According to the UPDATED DSR, after completing the Pre Monsoon and Post monsoon report for the prescribed period in the month of December as per the norms and guidelines prescribed by NGT MOEF & CC/EIA notification for Replenishment Study of 22 areas of mineral, 14 mineral to inform the general public about the created areas of RBM (in mixed state of sand, gravel, boulder etc.) available in the river bed in Saharanpur district, U.P. Minor Mineral Concession Rules, 2021 and Government order. E-tender cum e-auction as per the instructions given in the Government Order No. 2168/86-2019-57 (General)/ 2017 dated 9.10.2019 issued in continuation of number 2168/2019-57 (General)/2017 dated 9.10.2019. Through the system, under Chapter 4 of Uttar Pradesh Minor Mineral (Concession) Rules, 2021, the following is declared:-

| S. No. | Name of Dup Mineral | Unique Code | Details of area |  |   |              | Royalty Rate as per List 1 of Rules 1963 | Area in cubic Mtr annually of sub mineral ready for mining | Total royalty calculated for 1st year | Earnest Money (25% of amount in col.10) |
|--------|---------------------|-------------|-----------------|--|---|--------------|--|--|---------------------------------------|---|
|        |                     |             | Tehsil          | Vill.  | Gata No. /Khand No./Zone No.  | Area (Hect.) |  |  |                                       |   |
| 1      | 2                   | 3           | 4               | 5  | 6   | 7            | 8  | 9  | 10                                    | 11                                      |
| 01     | RBM                 | 108896053   | Behat           | Sherpur Pelo                                   | 403<br>404/1<br>405<br>406/1<br>416/2<br>421/1<br>422/2<br>423/2<br>424/2<br>429 and<br>431 | 6.475        | 110.00                                   | 77,700   | 8547,000/-                            | 21,36,750/-                             |
| 02     | RBM                 | 1090650501  | Behat           | Kaluwala Pahadipur                             | 119/1<br>120/1<br>192/1<br>193/1<br>125/4   | 14.900       | 110.00                                   | 1,78,800   | 196,68,000/-                          | 49,17,000/-                             |
| 03     | RBM                 | 1089130501  | Behat           | Akbarpur Bans Ahatmal                          | 1   | 17.900       | 110.00                                   | 3,22,200   | 354,42,000/-                          | 86,60,500/-                             |
| 04     | RBM                 | 1089130501  | Behat           | Aaraji Jevri Ahatmal/ & Masoodpur Garh Ahatmal | 1 and 1   | 13.800       | 110.00                                   | 2,48,400   | 273,24,000/                           | 68,31,000/-                             |
| 05     | RBM                 | 1089130501  | Behat           | Shahjadpur Bans Ahat.                          | 1   | 13.000       | 110.00                                   | 234,000  | 257,40,000/                           | 64,35,000/                              |

|    |     |            |       |   |        |        |        |          |             |             |
|----|-----|------------|-------|---|--------|--------|--------|----------|-------------|-------------|
| 06 | RBM | 1089130501 | Behat | Alauddinpur Bans Ahat.                        | 1/1    | 9.580  | 110.00 | 172,440  | 189,68,000/ | 77,71,500/  |
| 07 | RBM | 1089130501 | Behat | Mahmoodpur Nagli Ahatmal                      | 1      | 15.700 | 110.00 | 282,600  | 310,86,000/ | 7771,500/-  |
| 08 | RBM | 1089130501 | Behat | Shahpur Bans Ahat.                            | 1/1    | 15.600 | 110.00 | 280,800  | 308,88,000/ | 7722,000/   |
| 09 | RBM | 1089130501 | Behat | Nityanandpur Ahat. & Said Mohd.pur Garh Ahat. | 1 & 1M | 17.70  | 110.00 | 318,600  | 350,46,000/ | 87,61,500/- |
| 10 | RBM | 1089130501 | Behat | Abutalibpur Garh Ahat.                        | 1      | 37.000 | 110.00 | 666,000  | 732,60,000/ | 183,15,000/ |
| 11 | RBM | 1089130502 | Behat | Nuniyari Ahat. Khand II                       | 1/1/1  | 19.000 | 110.00 | 342,000  | 376,20,200/ | 94,05,000/  |
| 12 | RBM | 1089130501 | Behat | Aslampur Bartha Khand 1                       | 1/1M   | 36.600 | 110.00 | 6568,800 | 724,68,000/ | 181,17,000/ |
| 13 | RBM | 1089130502 | Behat | Aslampur Bartha Khand 2                       | 1/1M   | 28.160 | 110.00 | 506,880  | 557,56,800/ | 139,39,200/ |
| 14 | RBM | 1089910501 | Behat | Rasoolpur alias Rasooli                       | 1/1    | 34.000 | 110.00 | 6,12,000 | 673,20,00/  | 168,30,00/- |

### GEO COORDINATES OF AREA

| S. No. | Village      | Geo Coordinate's |
|--------|--------------|------------------|
| 1      | Sherpur Pelo | A N 30°16'35.16" |
|        |              | E 77°39'44.44"   |
|        |              | B N 30°16'32.34" |
|        |              | E 77°39'51.41"   |
|        |              | C N 30°16'21.11" |
|        |              | E 77°39'36.26"   |
|        |              | D N 30°16'22.11" |
|        |              |                  |

|   |                          |     |               |
|---|--------------------------|-----|---------------|
|   |                          | E   | 77°39'34.41"  |
| 2 | Kaluwala Pahadipur       | A N | 30°12'08.76"  |
|   |                          | E   | 77°45'37.77"  |
|   |                          | B N | 30°12'06.033" |
|   |                          | E   | 77°45'42.25"  |
|   |                          | C N | 30°12'00.52"  |
|   |                          | E   | 77°45'38.93"  |
|   |                          | D N | 30°11'40.91"  |
|   |                          | E   | 77°45'32.39"  |
|   |                          | E N | 30°11'41.72"  |
|   |                          | E   | 77°45'25.51"  |
|   |                          | F N | 30°12'02.80"  |
|   |                          | E   | 77°45'33.06"  |
| 3 | Akbarpur Bans<br>Ahatmal | A N | 30°16'27.80"  |
|   |                          | E   | 77°32'46.96"  |
|   |                          | B N | 30°16'34.01"  |
|   |                          | E   | 77°32'47.53"  |
|   |                          | C N | 30°16'42.58"  |
|   |                          | E   | 77°32'53.94"  |
|   |                          | D N | 30°16'43.84"  |
|   |                          | E   | 77°32'58.19"  |
|   |                          | E N | 30°16'50.96"  |
|   |                          | E   | 77°32'47.76"  |

|   |   |   |
|---|---|---|
|   |   | F N 30°16'46.69"<br>E 77°32'43.28"<br>G N 30°16'39.98"<br>E 77°32'41.04"<br>H N 30°16'36.08"<br>E 77°32'33.91"  |
| 4 | Aaraji Jevdi Ahatmal<br>and Masoodpur Garh<br>Ahatmal | A N 30°15'51.33<br>E 77°32'21.84"<br>B N 30°15'58.45"<br>E 77°32'03.15"<br>C N 30°15'45.65"<br>E 77°32'03.15"<br>D N 30°15'41.84"<br>E 77°32'13.01"   |
| 5 | Shahzadpur Bans<br>Ahatmal                            | A N 30°15'21.84"<br>E 77°31'57.01"<br>B N 30°15'12.32"<br>E 77°31'47.88"<br>C N 30°15'.16.91"<br>E 77°31'36.94"<br>B N 30°15'28.43"<br>E 77°31'48.83" |
| 6 | Alauddinpur Bans                                      | A N 30°16'14.92"  |

|   |                             |   |
|---|-----------------------------|---|
|   | Ahatmal                     | <p>E 77° 32' 39.76"</p> <p>B N 30°16' 17.99"</p> <p>E 77° 32' 32.74"</p> <p>C N 30°16' . 08.09"</p> <p>E 77° 32' 23.84"</p> <p>D N 30°16' 02.92"</p> <p>E 77° 32' 31.72"</p>                        |
| 7 | Mahmoodpur Nagli<br>Ahatmal | <p>A N 30°16' 02.98"</p> <p>E 77° 32' 30.74"</p> <p>B N 30°16' 10.84"</p> <p>E 77° 32' 18.84"</p> <p>N 30°16' 00.40"</p> <p>C E 77°32' 11.56"</p> <p>D N 30°15' 51.70"</p> <p>E 77°32' 23.64"</p>   |
| 8 | Shahpur Bans Ahatmal        | <p>A N 30°16' 27.75"</p> <p>E 77° 32' 46.14"</p> <p>B N 30°16' 16.01"</p> <p>E 77° 32' 38.50"</p> <p>C N 30°16' 20.43"</p> <p>E 77° 32' 30.74"</p> <p>D N 30°16' 35.53"</p> <p>E 77° 32' 33.20"</p> |

|    |   |  |
|----|---|--|
| 9  | Nityanandpur<br>Ahmatmal & Said<br>Mohd.pur Garh<br>Ahatmal | A N 30°15' 25.77"<br>E 77° 31' 57.79"<br>B N 30°15' 41.32"<br>E 77° 32' 12.89"<br>C N 30°15' 46.16"<br>E 77° 32' 00.64"<br>D N 30°15' 28.87"<br><br>E 77° 31' 50.13" |
| 10 | Abutalibpur Garh<br>Ahatmal                                 | A N 30°14' 41.78"<br>E 77° 31' 38.30"<br>B N 30°14' 49.46"<br>E 77° 31' 21.34"<br>C N 30°15' 16.20"<br>E 77° 31' 36.25"<br>D N 30°15' 11.96"<br>E 77° 31' 46.05"     |
| 11 | Nuniyari Ahatmal<br>Khand II                                | A N 30°11' 06.47"<br>E 77° 29' 18.52"<br>B N 30°11' 04.27"<br>E 77° 29' 16.54"<br>C N 30°10' 59.70"<br>E 77° 29' 14.05"<br>D N 30°10' 55.77"                         |

|    |                       |        |  |
|----|-----------------------|--------|--|
|    |                       |        | <p>E 77° 29' 10.53"</p> <p>E N 30°10' 46.29"</p> <p>E 77° 29' 04.02"</p> <p>F N 30°10' 39.87"</p> <p>E 77° 29' 00.42"</p> <p>G N 30°10' 46.96"</p> <p>E 77° 28' 51.89"</p> <p>H N 30°10' 51.56"</p> <p>E 77° 28' 56.26"</p> <p>I N 30°10' 46.46"</p> <p>E 77° 28' 58.83"</p> <p>j N 30°11' 02.30"</p> <p>E 77° 29' 11.12"</p> <p>K N 30°11' 07.26"</p> <p>E 77° 29' 05.46"</p> <p>L N 30°11' 12.52"</p> <p>E 77°29' 11.64"</p> |
| 12 | Aslampur<br>Khand Ist | Bartha | <p>A N 30°13' 45.87"</p> <p>E 77° 31' 09.07"</p> <p>B N 30°13' 23.05"</p> <p>E 77°30' 53.85"</p> <p>C N 30°13' 13.45"</p> <p>E 77° 30' 42.33"</p>  |

|    |                             |   |
|----|-----------------------------|---|
|    |                             | D N 30°13' 16.67"<br>E 77° 30' 36.60<br>E N 30°13' 50.98"<br>E 77° 30' 57.80"   |
| 13 | Aslampur Bartha<br>Khand II | A N 30°13' 04.93"<br>E 77° 30' 44.59"<br>B N 30°12' 35.50"<br>E 77°30' 28.50"<br>C N 30°12' 38.19"<br>E 77° 30' 18.84"<br>D N 30°13' 09.39"<br>E 77° 30' 35.57"   |
| 14 | Rasoolpur alias Rasooli     | A N 30°12' 17.09"<br>E 77° 30' 18.81"<br>B N 30°12' 16.42"<br>E 77°30' 17.32"<br>C N 30°12' 05.34"<br>E 77° 30' 13.17"<br>D N 30°11' 59.82"<br>E 77° 30' 01.24"<br>E N 30°11' 46.33"<br>E 77° 29' 58.50"<br>F N 30°11' 59.32" |

|  |  |                   |
|--|--|-------------------|
|  |  | E 77° 29' 43.47"  |
|  |  | G N 30°12' 21.10" |
|  |  | E 77° 30' 16.04"  |

3. The duration of E mining lease will be approved for 05 years. The lease period will be calculated from the date of execution of the mining lease deed.

4. The bid of e-tender cum e-auction will be given per cubic meter of mineral, which will not be less than the rate of royalty prescribed in Schedule -1 of Uttar Pradesh Mineral (Avoidance) Rules 2021. If any bid other than this is given, the bid/bid will not be accepted and the pre-bid earnest money will be confiscated. The amount payable for the first year's auction will be calculated by multiplying the highest bid received (Rupees per cubic meter) by the estimated quantity (cubic meter) in the area, which will be paid every year in the subsequent years of the lease. There will be an increase of 10% on the amount. of last year auction amount.

5. E-tender cum e-auction will be held in two phases. In the first phase, e-tender will be conducted, during which all the vendors will be given the opportunity to submit e-tender once, which cannot be revised. Considering the highest tender received in the e-tender as the floor price , e-auction will be conducted in the second phase, during which bidders can give e-bid on the date and period prescribed for e-auction. During the e-auction, only the highest bid will be displayed, considering which bidders can revise and increase their bid.

6. For e-tender cum e-auction of any area, it will be mandatory for bidders to deposit pre-bid earnest money before participating in the bid, which will be calculated as 25% of the amount received by multiplying it by the annual estimated mineable rate in the area. Volume and mineral royalty will be done on [www.mstcecommerce.com](http://www.mstcecommerce.com).

7. MSTC Ltd. (A Govt. of India undertaking) has been selected as the Service provider through which e-tender cum e-auction proceedings will be conducted. The entire process of awarding Parihar through e-tender cum e-auction is online on MSTC e-auction portal, which will be done on [www.mstcecommerce.com](http://www.mstcecommerce.com).

8. Interested applicants are required to have Class III Signing type Digital Signature Certificate (DSC) for online bidding. Eligible applicants can register themselves by visiting the above portal of MSTC. MSTC Ltd. (a Govt. of India undertaking) has been selected as the Service provider, which the e-auction proceedings will be conducted by the State Government on behalf of the state Government, e-tender. The entire process of giving on avoidance by e-auction Online MSTC e-auction portal. You will be able to participate in e-tender cum e-auction only after completing the process. It will be responsible of the applicant to maintain the validity of the DSC during the entire process of e-tender cum e-auction.

9. The registered applicant will be able to participate in the bid online on the prescribed portal for a maximum of two areas or a total area of 50 hectares, but he will have to pay separate application fees for each area and the amount prescribed for each area will be displayed on the portal of Earnest Money MSTC Ltd. As per the procedure, the deposit will have to be made through the payment gateway of MSTC. Any

person/firm/company already holding mining lease of more than two areas or total area of 50 hectares will not be able to participate in the bid. Interested person/firm/company (applicant) will have to deposit an application fee of Rs. 15,000/- in favour of the Government to participate in the e-tender cum e-auction through MSTC Payment Gateway, which is non refundable.

10. To participate in e-tender cum e-auction, it will be mandatory for the person/firm/company to register with MSTC. For registration, the individual/firm/company will have to fill the online form available on the e-auction portal [www.mstcecommerce.com](http://www.mstcecommerce.com) during which the bidders will create their own self generated user ID and password. After this online registration, the bidders will receive the information e-mail sent by MSTC, after which it will be mandatory for the bidders to scan the necessary documents and send them online to MSTC. Also bidders have to pay annual registration fee of Rs. 2,360 including GST through MSTC payment gateway will be payable online. The bidder's login ID, password and account will be activated on the designated portal of MSTC only after receipt of mandatory records and annual registration fee, Previously registered bidders, whose registration period is valid, will not have to pay registration fee, but according to the new rules, it is mandatory for them to submit necessary documents like status certificate etc.

This will happen, only after which their registration will be activated.

11. For Registration, it will be mandatory for the bidders to scan and upload the following self-attested documents/ certificates on the MSTC portal:

(1) Copy of the Aadhar Card of the applicant, copy of Aadhar Card of the partners of the firm in case of a firm and in case of a company, the certificate of Director Identification Number (DIN) of the Managing Director of the Company issued by the Ministry of Corporate Affairs, Government of India, photo copy.

(2) Updated character certificate of the applicant and, in case of a firm, updated character certificate of the partners. Copy and in case of a company, an affidavit from the Managing Director to the effect that the Company has not been punished in any criminal case. The character certificate will be given by the District Magistrate of the district where the applicant resides permanently.

(3) Copy of the applicant's PAN card, in case of a firm or company, its PAN Card and GST number.

(4) Details of the Bank account from which all financial transfers relating to the e-tender cum e-auction were made. Name of Bank, Account Number, IFSC Code and a copy of a cancelled cheque.

(5) Certificate of no outstanding mining dues issued by the District Magistrate or authorized officer and a copy of the affidavit to this effect where the applicant does not hold any mineral deposits within the State.

(6) The applicant must submit his own status certificate or status certificate along with a back guarantee against the bid. The value should not be less than 25 percent of the amount.

12. After matching the recovery certificate and blacklist from the website of Geology and Mining Directorate by MSTC, only those persons/firms/companies will be registered who are eligible under the

provisions of Uttar Pradesh Mineral (Avoidance) Rules 2021. According to Rule 26, the following persons/firms/companies can not participate in the e-tender cum e-auction process.

1. Who is not an Indian National.
  2. Against whom mineral dues are outstanding.
  3. Who has not obtained a Character Certificate from the District Magistrate of District or an Officer authorized by the State Government where he permanently resides. The condition is that the said character certificate should be given on the basis of police verification.
  4. Who has not presented a copy of his Aadhar Card.
  5. Whose name is recorded in the black list.
  6. In case of firm/company which has not submitted PAN card and GST registration certificate.
  7. The applicant should submit his own status certificate or status certificate along with a bank guarantee not less than 25% of the bid amount.
13. Complete details of the method of submitting Online e-tender and bidding e-auction Service Provider Organization MSTC's web portal can be seen at [www.mstcecommerce.com](http://www.mstcecommerce.com).
14. Individuals/firms/companies willing to participate in e-tender cum e-auction should submit the following details for each area: A separate fee of Rs. 15000/- will be non refundable and earnest money as per the release. It will be mentioned against the name of the area and will have to be deposited.

15. Except the successful bidder/tender, the amount of earnest money deposited by the remaining bidders/tenders will be returned to the same bank account in the same manner. Change in the Bank account given by the applicant at the time of registration will not be accepted. In special circumstances, the Bank account can be changed after the approval of the Director Geology and Mining Directorate.

16. Where for any reason the process of e-tender cum e-auction is not completed, then e-tender cum e-auction can be conducted again after giving a short notice of at least 07 days.

17. Maximum two mining leases or area more than 50 hectare's will not be approved in favour of any person/firm/company of U.P. State. If, under any circumstances, a person/firm/company gets two mining leases or more than 50 hectares of mining lease approved on its favour, then the ultimately approved mining lease will be cancelled and the entire amount deposited under the Lease will be confiscated, and only mining leases of two areas or 50 hectares will be allowed. But if he himself gives information about two mining leases in his favour or letter of intent issued for mining lease of more than 50 hectares, then he will have the right to select any mining lease area within the said limit and the deposit amount for the remaining area will be confirmed back to normal after.

18. Process of E-tender cum e-auction:

;(1) E-tender cum e-auction will be conducted in two phases. In the first phase only the date prescribed in the e-tender advertisement which will not be less than the rate of royalty mentioned in Schedule-1 of Rules 2021 for the concerned mineral. According to the release, the e-tenders received area wise will not be opened together but will be

opened separately. The process of e-auction of the second phase will be stated immediately 02 hours after the opening of the e-tender of the first phase of each area.

(2) After the completion of the first phase, the following procedure will be adopted.

(A) Under the process of e-tender cum e-auction, G.O. dated 14.8.2017/ 9.10.2019 issued for approval on avoidance of areas of sand, morang gravel etc. and areas of building stones like Khanda, Gitti, Boulder etc. It is mentioned in the Government order dated 12.12.2017/ 9.10.2019 issued for approval on avoidance that if only one bid is received in the first phase, then 200 percent of the prescribed royalty rate in the case of building stone and 400 percent in case of sand/maurang. The Tender will be accepted if the rate is more than and if less amount is received then the District Magistrate will consider the geographical position of the area, availability of minerals, Quality of minerals, market price of minerals, demand for minerals in that area, possibility of illegal mining in the area, revenue potential. At one's own discretion considering receipts etc. Issuance of Letter of Intent in favour of a single bidder or will take a decision regarding not doing.

(b) If more than one bid is received in the first phase but less than five or less than five, then all the bidders will be eligible to participate in the second phase e-auction process and a letter will be issued by the District Magistrate in favour of the highest bidder in the second phase. and the Letter of Intent will be issued.

© If more than five bids/offers are received, then only the five highest bidders will be eligible to participate in the second phase e-

auction and letter of intent will be issued by the District Magistrate only in favour of the highest bidder of the second phase.

3. According to paragraph 17 (2) ©, (d) above, the eligible bidders of the first phase will participate in the e-auction of the second phase a can participate.

(4) E-auction process will be done in the second phase. The process of e-auction will be a forward process for the first phase, in which the highest bid/offer received in the first phase will automatically determine the floor price for the second phase of e-auction.

(5) In the process of e-auction which will start immediately after two hours of opening of e-tender, interested and eligible person/firm/company can participate in the bid multiple times. In the online process of e-auction, the maximum bid will be displayed on the screen and bids higher than the displayed bid can be placed online only.

(6) Bidding will be closed after the stipulated time and no bid can be given after that. If any other bid is received at the last time of bidding, the bidding time of the auction will automatically extend by 05 minutes. This process will continue until no more bids are received within an interval of 05 minutes.

(7) The time plan and duration of e-tender cum e-auction will be comprised as follows:

|   |  |
|---|--|
| Pre-bid E.M.D. and last date of fee deposited for | Before e-tender, the bidder has to deposit the required pre-bid EMD and application fee in MSTC as per the guidelines mentioned on the |
|---|--|

|                                 |  |
|---------------------------------|--|
| application                     | MSTC website.  |
| Date of Press release           | 17.2.2023  |
| Period of e-tender in 1st phase | <p>Dt 20.3.23 -10 AM for serial 1 and 2 advertised area. and 1.00 PM to Sl. no. 3 and 4 advertised area.</p> <p>Dt. 27.3.2023 -10 AM for serial 5 and 6 advertised area. and 1.00 PM to Sl. no. 7 and 8 advertised area.</p> <p>Dt. 28.3.2023 10 AM for serial 9 and 10 advertised area. and 1.00 PM to Sl. no. 11 and 12 advertised area.</p> <p>Dt. 29.3.2023 10.00 AM for Serial 14 and 14 advertised area.</p> |
| E-tender period of second phase | <p>On dated 24.3.2023 –</p> <p>12 PM to 2.00 PM for Sl. No. 1 advt.area</p> <p>3 PM to 5 PM for Sl. 2 advt. area</p> <p>Dated 27.3.2023</p> <p>12 PM to 2.00 PM for Sl. No. 3 advt.area</p> <p>3 PM to 5 PM for Sl. 4 advt. area</p> <p>On dated 238.3.2023</p> <p>12 PM to 2.00 PM for Sl. No. 5 advt.area</p> <p>3 PM to 5 PM for Sl. 6 advt. area</p>   |

|  |  |
|--|--|
|  | <p>On dated 29.3.2023</p> <p>12 PM to 2.00 PM for Sl. No. 7 advt.area</p> <p>3 PM to 5 PM for Sl. 8 advt. area</p> <p>On dated 31.3.2023</p> <p>12 PM to 2.00 PM for Sl. No. 9 advt.area</p> <p>3 PM to 5 PM for Sl. 10 advt. area</p> <p>On dated 3.4.23</p> <p>12 PM to 2.00 PM for Sl. No. 11 advt.area</p> <p>3 PM to 5 PM for Sl. 12 advt. area</p> <p>On 5.4.23after noon</p> <p>12 PM to 2.00 PM for Sl. No. 13 advt.area</p> <p>3 PM to 5 PM for Sl. 14 advt. area</p> |
|--|--|

(8) Declaration of Result and display:

(A) The result of the first phase e-tender process will be displayed on the login of the tenderer. Maximum bidding amount displayed after completion of first phase e-tender process will be done. All the tenderers can also know by logging in whether they are eligible for the second phase contract or not.

(B) Except in the cases of single tender, in the remaining cases, after the end of the second phase of e-auction, the details of the bidder of the maximum bid received will be displayed on the prescribed portal of MSTC will go.

19. Grant of Lease: According to the provisions of Rule 28 of the Regulations, in case of e-tender cum -e-auction, the District Magistrate will accept that bid or proposal as per the procedure given in paragraph 17(2) above, which is the high. As per the rules of successful and successful verification of the original documents submitted by the District Magistrate, a Letter of Intent will be issued by him to the qualified bidder/tenderer within a week.

20. after the end of the e-auction, within 03 working days, the successful bidder will have to get his original records verified by the District Magistrate of the district where the area is located or by the Director, geology and Mining, Directorate. In case of verification of the original records by the Director, the report of record verification will be sent to the concerned District Magistrate through e-mail . Letter of intent will be issued by the District Magistrate only after record verification. If any record or certificate is found to be forged, false or incorrect during verification, the Letter of Intent will not be issued and the earnest money will be confiscated.

21. The Letter of Intent will contain the following details:

1. The auction amount payable for the first year will be calculated by multiplying the quantity cubic meter estimated in the release for the lease area by the Tender/actioner rate of rupees per cubic meter. In the subsequent years of the mining lease, every year there will be an increase of 10% on the amount payable from the previous year's auction.

2. The successful bidder/tender shall deposit 25% of the gross amount of the bid/tender for the first year as security for due observance of the terms and conditions of the lease and as the first instalment of the

bid/ tender for the first year, 20% of the total tender amount must be deposited within two working days. The earnest money will be adjusted in the first instalment.

3. For the remaining instalment of the first year of lease and the first year on the basis of bid/tender in the subsequent years. The fixed gross amount will be deposited every year with 10 percent increase from the previous year as per the fifth schedule of Rules 2021.

4. The lessee will get the area demarcated as per the provisions of Rule 17 (in which the GO ordinates of the boundary points will also be indicated) and will install boundary pillars and maintain it as per Rule 36.

5. The selected applicant, within the prescribed period under the provisions of Rule 35, Mining Plan, Mines Closure Plan and Nidificated dated 14.9.2006 read by the Ministry of Forest and Environment, Govt. of India, Nidificated dated 15.1.2016 (Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) and Enforcement and Monitoring Guidelines for Sand Mining – 2020 published by MoEF & CC Environmental clearance is obtained and submitted under the instructions and provisions as amended from time to time.

6. Every lease holder will deposit the amount of financial assurance for land reclamation and rehabilitation measures of the area in the prescribed manner as per Rule 35.

7, Within one month of the issuance of the Letter of Intent, the mining plan along with the security payable and proof of deposit of the first instalment will be presented to the Director of Geology and Mining for approval and within one month of receipt of the approved mining

plan. It will be mandatory to submit the proposal for environmental cleanliness certificate before the competent authority, otherwise a penalty of Rs. 10000/- per day will be imposed on the proponent under the provisions of Rule 60(1).

8, Mining operations will have to be started immediately after getting the lease deed executed within one month of receiving the environmental no-objection certificate.

9, Within the required time period during the process of environmental clearance under Rule 35(4), the competent authority, it will be mandatory for the project proponent to resolve the objections raised by the project proponent, Rule 35(4). In case of violation, the letter of intent issued by the District Magistrate under Rule 60(7) can be cancelled.

10. Under Rule 35(5), it will be mandatory to execute the lease deed within one month after the issue of Environmental no objection certificate. In case of violation of Rule 35(5), the letter of intent issued by the proponent surrendering the first instalment and earnest money deposited will be cancelled.

21. Way of deposition of amount by the successful Bidder/Tenderer.

(1) The period of the approved lease will be 05 years, but the bid/tender amount will be considered for the first year. In each subsequent year, the lease amount payable will be increased by 10% from the previous year. The lease amount for the 1st year and subsequent years will be deposited by the Leaseholder as per the 5<sup>th</sup> Schedule of Rule 2021.

(2) After receiving the letter of intent, the successful bidder/tender has to pay 25% security deposit and 20% instalment i.e. 45% of the fixed lease amount for the first year of the lease. Amount equivalent to percentage (in which pre bid earnest money is adjusted) in the concerned district it will have to be submitted to the Mining Department within two working days of the letter of intent being issued. The pre-bid earnest money amount should be cheque/draft by MSTC Ltd. to the District Magistrate of the concerned district will be transferred through/online. If the successful bidder/tender fails to deposit the said amount then the earnest money deposited by him will be confiscated and he will not be liable to pay any penalty in this regard. No complaint or representation will be entertained.

(3) The remaining 40% of the lease amount for the first year and the lease amount for the subsequent years will be given to the lease holder as per the procedure prescribed from time to time by the State Government as per the Fifth schedule prescribed in the rules will be deposited. In case of not depositing the due amount as per the due date in the said schedule, the due amount will be recovered along with interest as per Rule 59.

(4) The lessee will deposit the taxes and fees prescribed from time to time by the State Government or the Central Govt., such as TCS of the Income Tax Department, District Mineral Foundation (DMF) etc. as per the rules.

(22) Terms:

1. Before participating in the e-tender cum e-auction, the bidder should ensure himself by inspecting the spot regarding the estimated amount of minerals in the area and the access road to the mining site etc.

After participating in e-tender cum e-auction, no claim of any kind will be accepted in this regard.

2. Lease on the demarcated map at the time of Survey and Demarcation of the area given under the lease, the mining lease will mark the coordinates of the area and before executing the lease deed, the lease holder, at his own expense, will install such boundary marks and poles as will be necessary to indicate the demarcation shown in the map attached to the lease deed.

3. The lease holder shall immediately commence mining operations on the date of execution of the lease record and shall thereafter conduct such mining operations in a proper and efficient manner without any deliberate postponement and will do it like a skilled artisan.

4. The lease holder will construct a check post/gate including installation of four CCTV cameras capable of recording visibility at 360 degree angle at his own expense to monitor the entry and exist of vehicles as per Rule 36. The lease holder will also keep an RFID scanner at the said check post/gate, which will facilitate reading and safe keeping of the bar code data printed on the e-form MM-11 issued in respect of each vehicle used for transportation of minerals from the concerned mining lease area and will maintain it properly and will always keep it in working order. The lessee will preserve all the recordings made by the said CCTV cameras and RFID scanners for at least 30 days and will make the said recordings available on demand by the authorized officer under the provisions of Rule 67.

(5) The lessee shall issue EMM 11 to each vehicle with correct details. Every vehicle will be fitted with an RFID scanner to read the bar code generated on the e-MM-11 at the check gate and save the recorded

data and will always maintain it and will keep it in good and working condition. In case of non-compliance of the above rules, will be liable to penalty under rule 60 of 2021.

(6) In compliance with the order dated 15.09.2018 of the Hon'ble National green Tribunal, the weighting machine will be installed by the lease holder at the extraction site of the mine and will be integrated into the artificial intelligence based software used in the command center established in the directorate. The weighing machine located in integrates must have the following eaters:

1. The weight bride device should use the MQTT protocol to transmit data.
2. The weigh bridge device should transmit data over the intermits data over the internet to IOT infrastructure in cloud.

(7) The lessee shall not carry out mining operations at a depth greater than 03 meters on the water level, whichever is less.

(8) Mining will not be done in the safe area identified by the District Magistrate.

(9) Mining work will not be done in the river water stream by machines like suction machine, lifter etc.

(10) The selling price of minerals in the approved area where the transport form will be issued will display.

(11) If the lease holder villitis the rules and conditions of the mining lease, environmental sanitation certificate, Mining plan etc., then the lease can be terminated by the District Magistrate or the State Govt. after giving the lessee a reasonable opportunity to explain his case.

(12) Loading of minerals will be done by the lessee as per the standards prescribed by the Government of India.

(13) If any suit or criminal process is filed as a result of violation of terms and conditions, the entire responsibility for the same will be on the lessee and if any expense is incurred in this regard, it will be borne by the lessee.

(14) If there is any amendment in the rules/act's by the State Govt. or the Central Govt. or any, if a condition or law is promulgated then it will be acceptable to the lease holders.

(15) After the lease holder submits the environmental cleanliness certificate to the office, mining work will be started after obtaining permission.

(16) The orders passed by the Hon'ble National Green Tribunal or the Hon'ble Supreme Court will be followed.

(17) As per the rules, the lessee will have to obtain consent from the UP Pollution Control Board under the Water (Prevention and Control of Pollution) act, 1974 as amended and Air Pollution Prevention and Control act, 1981 as amended.

Signed Akhilesh Singh

**District Magistrate Saharanpur**

Copy forwarded to the following for information and necessary action please.

1. Secretary, Geology and Minerals, UP Lucknow.
2. Director, Geology and Minerals A department, UP Lucknow
3. Commissioner, Saharanpur Mandal, Saharanpur

4. In charge officer, Regional Office Geology and Minerals Deptt., Ghaziabad.
5. Branch Manager, MSTC Ltd. 2nd floor, Centre Court Building 3/C, 5 Park Road Opp. Civil Hospital, Hazrat Ganj, LKO
6. Director, Information UP Lucknow with the request for proper publicity in daily newspapers (Dainik Jagran and Amar Ujala) on dated 17.2.23 or before it.
7. District Information Officer Saharanpur for uploading the said on website.

**DISTRICT**

**MAGISTRATE**

**SAHARANPUR**

## ई-निविदा सह ई नीलामी आमन्त्रण हेतु सूचना

पत्रांक 1849/खनिज/ई-निविदा सह ई-नीलामी/2022-23

दिनांक:- 13/02/2023

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0 ए0 संख्या 90 वर्ष 2020 प्रमोद कुमार बनाम उत्तर प्रदेश सरकार व अन्य में पारित आदेश दिनांक 06.04.2021 एवं ओ0 ए0 संख्या 403/2022 में पारित आदेशों के अनुपालन जनपद सहारनपुर स्थित नदियों के Replenishment Study हेतु उपलब्ध उपखनिज के 22 क्षेत्रों पूनः पूर्ति अध्ययन (Replenishment Study) हेतु NGT/MoEF&CC/EIA अधिसूचना द्वारा निर्धारित मानदण्डों और दिशा निर्देशा के अनुसार निर्धारित अवधि तक Pre-Monsoon and Post monsoon की रिपोर्ट माह दिसम्बर में पूर्ण करने के उपरान्त UPDATED DSR के अनुसार 14 उपखनिज के सृजित क्षेत्रों को सर्वसाधारण को सूचित किये जाने हेतु जनपद सहारनपुर में नदी तल मे उपलब्ध RBM (बालू, बजरी, बोल्टर आदि मिश्रित अवस्था में) के उपलब्ध क्षेत्रों को उत्तर प्रदेश उपखनिज परिहार नियमावली, 2021 एवं शासनादेश संख्या 2168/86-2019-57(सामा0)/2017 दिनांक 09.10.2019 के अनुक्रम में निर्गत शासनादेश संख्या 2168/86-2019-57(सामा0)/2017 दिनांक 09.10.2019 में दिये गये निर्देशानुसार ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से उ0प्र0 उपखनिज (परिहार) नियमावली, 2021 के अध्याय-4 के अन्तर्गत खनन पट्टा पर स्वीकृत किये जाने हेतु निम्नवत् घोषित किया जाता है:-

## 1.क्षेत्रों का विवरण :-

| क्र<br>0<br>सं<br>0 | डप<br>खनिज<br>का<br>नाम | यूनीक कोड  | क्षेत्र का विवरण |                           |  |                        | नियमावली-<br>1963 के<br>अनुसूची 1<br>के अनुसार<br>रायल्टी दर<br>(रु0 प्रति<br>घनमीटर) | खनन<br>योग्य<br>आकलित<br>उपखनिज<br>का भण्डार<br>(घन मी0<br>प्रतिवर्ष) | प्रथम वर्ष में<br>आंकलित<br>भण्डार की कुल<br>रायल्टी रूपयों<br>में। (कालम 9<br>में अंकित घन<br>मी0 प्रतिवर्ष को<br>कालम 8 में<br>अंकित रायल्टी<br>की दर से गुणा<br>करने पर<br>उपलब्ध सकल<br>घनराशि) | अर्नेस्ट मनी<br>(कालम 10 में<br>अंकित सकल<br>घनराशि का 25<br>प्रतिशत) |
|---------------------|-------------------------|------------|------------------|---------------------------|--|------------------------|---|---|---|---|
|                     |                         |            | तहसील            | ग्राम                     | गाटा<br>सं0/<br>खण्ड<br>सं0/जोन<br>सं0   | क्षेत्रफल<br>(हे0 में) |   |   |   |   |
| 01                  | RBM                     | 1088960503 | बेहट             | शेरपुर पेलों              | 403,<br>404/1,<br>405,<br>406/1,<br>416/2,<br>421/1,<br>422/2,<br>423/2,<br>424/2,<br>429 व<br>431 | 6.475                  | 110.00  | 77,700  | 85,47,000/-   | 21,36,750/-   |
| 02                  | RBM                     | 1090650501 | बेहट             | कालूवाला<br>पहाडीपुर      | 119/1,<br>120/1,<br>192/1,<br>193/1,<br>125/4  | 14.900                 | 110.00  | 1,78,800  | 1,96,68,000/-   | 49,17,000/-   |
| 03                  | RBM                     | 1089130501 | बेहट             | अकबरपुर<br>बांस<br>अहतमाल | 1  | 17.900                 | 110.00  | 3,22,200  | 3,54,42,000/-   | 88,60,500/-   |

|    |     |            |      |   |           |        |        |          |                 |                 |
|----|-----|------------|------|---|-----------|--------|--------|----------|-----------------|-----------------|
| 04 | RBM | 1089190501 | बेहट | आराजी जेवडी अहतमाल व मसूदपुर गढ अहतमाल          | 1 व 1     | 13.800 | 110.00 | 2,48,400 | 2,73,24,000 / - | 68,31,000 / -   |
| 05 | RBM | 1089820501 | बेहट | शहजादपुर बांस अहतमाल                            | 1         | 13.000 | 110.00 | 2,34,000 | 2,57,40,000 / - | 64,35,000 / -   |
| 06 | RBM | 1089170501 | बेहट | अलाउद्दीनपुर बांस अहतामाल                       | 1 / 1     | 9.580  | 110.00 | 1,72,440 | 1,89,68,400 / - | 47,42,100 / -   |
| 07 | RBM | 1089180501 | बेहट | महमूदपुर नगली अहतमाल                            | 1         | 15.700 | 110.00 | 2,82,600 | 3,10,86,000 / - | 77,71,500 / -   |
| 08 | RBM | 1089160501 | बेहट | शाहपुर बांस अहतमाल                              | 1 / 1     | 15.600 | 110.00 | 2,80,800 | 3,08,88,000 / - | 77,22,000 / -   |
| 09 | RBM | 1089240501 | बेहट | नित्यानन्दपुर अहतमाल व सैद मौहम्मदपुर गढ अहतमाल | 1 व 1म    | 17.700 | 110.00 | 3,18,600 | 3,50,46,000 / - | 87,61,500 / -   |
| 10 | RBM | 1089860501 | बेहट | अबुतालिबपुर गढ अहतमाल                           | 1         | 37.000 | 110.00 | 6,66,000 | 7,32,60,000 / - | 1,83,15,000 / - |
| 11 | RBM | 1090290502 | बेहट | नूनियारी अहतमाल खण्ड द्वितीय                    | 1 / 1 / 1 | 19.000 | 110.00 | 3,42,000 | 3,76,20,000 / - | 94,05,000 / -   |
| 12 | RBM | 1089880501 | बेहट | असलमपुर बरथा खण्ड-1                             | 1 / 1म    | 36.600 | 110.00 | 6,58,800 | 7,24,68,000 / - | 1,81,17,000 / - |
| 13 | RBM | 1089880502 | बेहट | असलमपुर बरथा खण्ड-2                             | 1 / 1म    | 28.160 | 110.00 | 5,06,880 | 5,57,56,800 / - | 1,39,39,200 / - |
| 14 | RBM | 1089910501 | बेहट | रसूलपुर उर्फ रसूली                              | 1 / 1     | 34.000 | 110.00 | 6,12,000 | 6,73,20,000 / - | 1,68,30,000 / - |

## क्षेत्र का जियो-कॉर्डिनेट्स

| क्र०सं० | ग्राम       | जियो-कॉर्डिनेट्स |                  |
|---------|-------------|------------------|------------------|
| 1       | 3           | 6                |                  |
| 1       | शेरपुर पेलो | A                | N 30° 16' 35.16" |
|         |             |                  | E 77° 39' 44.44" |
|         |             | B                | N 30° 16' 32.34" |
|         |             |                  | E 77° 39' 51.41" |
|         |             | C                | N 30° 16' 21.11" |
|         |             |                  | E 77° 39' 36.26" |
|         |             | D                | N 30° 16' 22.11" |
|         |             |                  | E 77° 39' 34.41" |

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|---|---|---|----------------|----------------|
| 2 | कालूवाला पहाडीपुर                         | A | N              | 30° 12' 08.76" |
|   |   |   | E              | 77° 45' 37.77" |
|   |   | B | N              | 30° 12' 06.03" |
|   |   |   | E              | 77° 45' 42.25" |
|   |   | C | N              | 30° 12' 00.52" |
|   |   |   | E              | 77° 45' 38.93" |
|   |   | D | N              | 30° 11' 40.91" |
|   |   |   | E              | 77° 45' 32.39" |
|   |   | E | N              | 30° 11' 41.72" |
|   |   |   | E              | 77° 45' 25.51" |
|   |   | F | N              | 30° 12' 02.80" |
|   |   |   | E              | 77° 45' 33.06" |
| 3 | अकरबपुर बांस अहतमाल                       | A | N              | 30° 16' 27.80" |
|   |   |   | E              | 77° 32' 46.96" |
|   |   | B | N              | 30° 16' 34.01" |
|   |   |   | E              | 77° 32' 47.53" |
|   |   | C | N              | 30° 16' 42.58" |
|   |   |   | E              | 77° 32' 53.94" |
|   |   | D | N              | 30° 16' 43.84" |
|   |   |   | E              | 77° 32' 58.19" |
|   |   | E | N              | 30° 16' 50.96" |
|   |   |   | E              | 77° 32' 47.76" |
|   |   | F | N              | 30° 16' 46.69" |
|   |   |   | E              | 77° 32' 43.28" |
|   |   | G | N              | 30° 16' 39.98" |
|   |   |   | E              | 77° 32' 41.04" |
|   |   | H | N              | 30° 16' 36.08" |
|   |   |   | E              | 77° 32' 33.91" |
| 4 | आराजी जेवडी अहतमाल व<br>मसूदपुर गढ अहतमाल | A | N              | 30° 15' 51.33" |
|   |   |   | E              | 77° 32' 21.84" |
|   |   | B | N              | 30° 15' 58.45" |
|   |   |   | E              | 77° 32' 08.63" |
|   |   | C | N              | 30° 15' 45.65" |
|   |   |   | E              | 77° 32' 03.15" |
|   |   | D | N              | 30° 15' 41.84" |
|   |   |   | E              | 77° 32' 13.01" |
| 5 | शहजादपुर बांस अहतमाल                      | A | N              | 30° 15' 24.84" |
|   |   |   | E              | 77° 31' 57.01" |
|   |   | B | N              | 30° 15' 12.32" |
|   |   |   | E              | 77° 31' 47.88" |
|   |   | C | N              | 30° 15' 16.91" |
|   |   |   | E              | 77° 31' 36.94" |
|   |   | D | N              | 30° 15' 28.43" |
|   |   |   | E              | 77° 31' 48.83" |
| 6 | अलाउद्दीनपुर बांस अहतमाल                  | A | N              | 30° 16' 14.92" |
|   |   |   | E              | 77° 32' 39.76" |
|   |   | B | N              | 30° 16' 17.99" |
|   |   |   | E              | 77° 32' 32.74" |
|   |   | C | N              | 30° 16' 08.09" |
|   |   |   | E              | 77° 32' 23.84" |
|   |   | D | N              | 30° 16' 02.92" |
|   |   |   | E              | 77° 32' 31.72" |
| 7 | महमूदपुर नगली अहतमाल                      | A | N              | 30° 16' 02.98" |
|   |   |   | E              | 77° 32' 30.74" |
|   |   | B | N              | 30° 16' 10.84" |
|   |   |   | E              | 77° 32' 18.84" |
|   |   | N | 30° 16' 00.40" |                |

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|-----|--|----------------|---|----------------|
| 8   | शाहपुर बांस अहतमाल                                 | C              | E | 77° 32' 11.56" |
|     |  |                | N | 30° 15' 51.70" |
|     |  | D              | E | 77° 32' 23.64" |
|     |  |                | N | 30° 16' 27.75" |
|     |  | A              | E | 77° 32' 46.14" |
|     |  |                | N | 30° 16' 16.01" |
|     |  | B              | E | 77° 32' 38.50" |
|     |  |                | N | 30° 16' 20.43" |
| C   | E  | 77° 32' 28.70" |   |                |
|     | N  | 30° 16' 35.53" |   |                |
| D   | E  | 77° 32' 33.20" |   |                |
|     | N  | 30° 15' 25.77" |   |                |
| 9   | नित्यानन्दपुर अहतमाल व सैद<br>मौहम्मदपुर गढ अहतमाल | A              | E | 77° 31' 57.79" |
|     |  |                | N | 30° 15' 41.32" |
|     |  | B              | E | 77° 32' 12.89" |
|     |  |                | N | 30° 15' 46.16" |
|     |  | C              | E | 77° 32' 00.64" |
|     |  |                | N | 30° 15' 28.87" |
|     |  | D              | E | 77° 31' 50.13" |
|     |  |                | N | 30° 14' 41.78" |
| 10  | अबुतालिबपुर गढ अहतमाल                              | A              | E | 77° 31' 38.30" |
|     |  |                | N | 30° 14' 49.46" |
|     |  | B              | E | 77° 31' 21.34" |
|     |  |                | N | 30° 15' 16.20" |
|     |  | C              | E | 77° 31' 36.25" |
|     |  |                | N | 30° 15' 11.96" |
|     |  | D              | E | 77° 31' 46.05" |
|     |  |                | N | 30° 11' 06.47" |
| 11. | नूनियारी अहतमाल खण्ड द्वितीय                       | A              | E | 77° 29' 18.52" |
|     |  |                | N | 30° 11' 04.27" |
|     |  | B              | E | 77° 29' 16.54" |
|     |  |                | N | 30° 10' 59.70" |
|     |  | C              | E | 77° 29' 14.05" |
|     |  |                | N | 30° 10' 55.77" |
|     |  | D              | E | 77° 29' 10.53" |
|     |  |                | N | 30° 10' 46.29" |
|     |  | E              | E | 77° 29' 04.02" |
|     |  |                | N | 30° 10' 39.87" |
|     |  | F              | E | 77° 29' 00.42" |
|     |  |                | N | 30° 10' 46.96" |
|     |  | G              | E | 77° 28' 51.89" |
|     |  |                | N | 30° 10' 51.56" |
|     |  | H              | E | 77° 28' 56.26" |
|     |  |                | N | 30° 10' 49.46" |
|     |  | I              | E | 77° 28' 58.83" |
|     |  |                | N | 30° 11' 02.30" |
|     |  | J              | E | 77° 29' 11.12" |
|     |  |                | N | 30° 11' 07.26" |
|     |  | K              | E | 77° 29' 05.46" |
|     |  |                | N | 30° 11' 12.52" |
|     |  | L              | E | 77° 29' 11.64" |
|     |  |                | N | 30° 13' 45.87" |
| 12. | असलमपुर बरथा खण्ड- प्रथम                           | A              | E | 77° 31' 09.07" |
|     |  |                | N | 30° 13' 23.05" |
|     |  | B              | E | 77° 30' 53.85" |
|     |  |                | N | 30° 13' 13.45" |
|     |  | C              | E | 77° 30' 42.33" |
|     |  |                | N |                |

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| 13. | असलमपुर बरथा खण्ड- द्वितीय | D              | N | 30° 13' 16.67" |
|     |                            |                | E | 77° 30' 36.60" |
|     |                            | E              | N | 30° 13' 50.98" |
|     |                            |                | E | 77° 30' 57.80" |
|     |                            | A              | N | 30° 13' 04.93" |
|     |                            |                | E | 77° 30' 44.59" |
|     |                            | B              | N | 30° 12' 35.50" |
|     |                            |                | E | 77° 30' 28.50" |
|     |                            | C              | N | 30° 12' 38.19" |
|     |                            |                | E | 77° 30' 18.84" |
| D   | N                          | 30° 13' 09.39" |   |                |
|     | E                          | 77° 30' 35.57" |   |                |
| 14. | रसूलपुर उर्फ रसूली         | A              | N | 30° 12' 17.09" |
|     |                            |                | E | 77° 30' 18.81" |
|     |                            | B              | N | 30° 12' 16.42" |
|     |                            |                | E | 77° 30' 17.32" |
|     |                            | C              | N | 30° 12' 05.34" |
|     |                            |                | E | 77° 30' 13.17" |
|     |                            | D              | N | 30° 11' 59.82" |
|     |                            |                | E | 77° 30' 01.24" |
|     |                            | E              | N | 30° 11' 46.33" |
|     |                            |                | E | 77° 29' 58.50" |
|     |                            | F              | N | 30° 11' 59.32" |
|     |                            |                | E | 77° 29' 43.47" |
|     |                            | G              | N | 30° 12' 21.10" |
|     |                            |                | E | 77° 30' 16.04" |

- खनन पट्टा की अवधि 05 वर्ष के लिये स्वीकृत किये जायेंगे। पट्टे की अवधि की गणना खनन पट्टा विलेख निष्पादन की तिथि से की जायेगी।
- ई निविदा सह ई नीलामी की बिड/बोली उपखनिज की प्रति घन मीटर के लिए दी जायेगी, जो उ०प्र० उपखनिज (परिहार) नियमावली-2021 के अनुसूची-1 में निर्धारित रायल्टी की दर से कम नहीं होगी। इससे भिन्न बिड/बोली दिये जाने पर बिड/बोली स्वीकार नहीं की जायेगी तथा प्री बिड अर्नेस्ट मनी जब्त कर ली जायेगी। प्राप्त उच्चतम बिड/बोली की दर (रुपया प्रति घन मी०) को क्षेत्र में आंकलित मात्रा (घन मी०) से गुणा कर प्रथम वर्ष की नीलामी की देय धनराशि आगणित की जायेगी, जिसे पट्टा के अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि की जायेगी।
- ई निविदा सह ई नीलामी दो चरणों में होगी। प्रथम चरण में ई निविदा सम्पन्न की जायेगी जिसके दौरान सभी बिडर्स को एक बार ई-निविदा (e-tender) देने का मौका प्रदत्त होगा जो पुनरीक्षित (Revise) नहीं किया जा सकेगा। ई निविदा में प्राप्त उच्चतम निविदा को आधार मूल्य (Floor Price) मानते हुए द्वितीय चरण में ई-नीलामी कराया जायेगा, जिसके दौरान बिडर्स ई-नीलामी हेतु निर्धारित तिथि एवं अवधि में ई-बिड दे सकता है। ई-नीलामी के दौरान केवल उच्चतम बोली को ही प्रदर्शित किया जायेगा जिसको देखते हुए बिडर अपना बिड पुनरीक्षित कर बढ़ा सकते है।
- किसी क्षेत्र के ई निविदा सह ई नीलामी हेतु बिडर्स को बिड में भाग लेने से पूर्व प्री बिड अर्नेस्ट मनी जमा करना अनिवार्य होगा, जिसकी गणना क्षेत्र में वार्षिक आंकलित खनन योग्य मात्रा एवं उपखनिज की रायल्टी दर से गुणा कर प्राप्त धनराशि का 25 प्रतिशत होगा।
- एम०एस० टी०सी० लि० (भारत सरकार का उपक्रम) को सेवा प्रदाता के रूप में चयनित किया गया है, जिसके द्वारा राज्य सरकार की ओर से ई-नीलामी की कार्यवाही सम्पादित की जायेगी। ई-निविदा सह ई-नीलामी द्वारा परिहार पर देने की सम्पूर्ण प्रक्रिया ऑनलाईन एम०एस०टी०सी० के ई-आक्सन पोर्टल [www.mstcecommerce.com](http://www.mstcecommerce.com) पर की जायेगी।
- इच्छुक आवेदकों के लिए ऑनलाईन बिड/बोली हेतु Class III Signing type डिजिटल सिग्नेचर सर्टिफिकेट (DSC) होना आवश्यक है। एम एस टी सी के उपरोक्त पोर्टल पर जाकर अर्ह आवेदक अपने पंजीकरण की

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- कार्यवाही पूर्ण करने के पश्चात ही ई-निविदा सह ई-नीलामी में भाग ले सकेंगे। ई-निविदा सह ई-नीलामी की सम्पूर्ण प्रक्रिया के दौरान डी0एस0सी0 की वैधता बनाये रखने की जिम्मेदारी आवेदक की होगी।
9. पंजीकृत आवेदक निर्धारित पोर्टल पर ऑनलाईन अधिकतम 02 (दो) क्षेत्र या कुल 50 हेक्टेयर क्षेत्रफल के लिए बिड में भाग ले सकेगा परन्तु उसे प्रत्येक क्षेत्र के लिए अलग-अलग आवेदन शुल्क एवं प्रत्येक क्षेत्र हेतु निर्धारित अर्नेस्ट मनी एम0एस0टी0सी0 लि0 के पोर्टल पर प्रदर्शित प्रक्रिया के अनुसार एम0एस0टी0सी0 के पेमेन्ट गेटवे के माध्यम से जमा करना होगा। किसी व्यक्ति/फर्म/कम्पनी के पक्ष में पूर्व से 02 (दो) क्षेत्र या कुल 50 हेक्टेयर क्षेत्रफल से अधिक के खनन पट्टे धारित होने पर वह बिड में भाग नहीं ले सकेगा। इच्छुक व्यक्ति/फर्म/कम्पनी (आवेदक) को ई-निविदा सह ई-नीलामी में भाग लेने के लिए सरकार के पक्ष में रू0 15,000/- (रू0 पंद्रह हजार) का आवेदन शुल्क एम0एस0टी0सी0 पेमेन्ट गेटवे के माध्यम से जमा करना होगा, जो अप्रतिदेय (Non refundable) होगा।
10. ई-निविदा सह ई-नीलामी में भाग लेने हेतु इच्छुक व्यक्ति / फर्म/ कम्पनी को एम0 एस0 टी0 सी0 में पंजीकरण करना अनिवार्य होगा। पंजीकरण हेतु व्यक्ति/फर्म/कम्पनी को ई-ऑक्शन पोर्टल [www.mstcecommerce.com](http://www.mstcecommerce.com) पर उपलब्ध आनलाईन फार्म भरना पड़ेगा जिसके दौरान बिडर्स अपने लिए स्वयं जनित यूजर आई0डी0 एवं पासवर्ड बनायेंगे। इस आनलाईन पंजीयन के उपरान्त बिडर्स को एम0एस0टी0सी0 द्वारा भेजा गया सूचना ई मेल प्राप्त होगा, जिसके पश्चात बिडर्स को आवश्यक अभिलेख स्कैन कर एम0एस0टी0सी0 को आनलाईन भेजना अनिवार्य होगा। साथ ही बिडर्स को वार्षिक पंजीकरण शुल्क जी.एस.टी सहित रू0-2,360 (रू0 दो हजार तीन सौ साठ मात्र) एम0एस0टी0सी0 पेमेन्ट गेटवे के माध्यम से आनलाईन देय होगा। अनिवार्य अभिलेख एवं वार्षिक पंजीकरण शुल्क की प्राप्ति के पश्चात् ही बिडर्स का लॉगिन आई0डी0, पासवर्ड एवं एकाउन्ट एम0एस0टी0सी0 के निर्धारित पोर्टल पर चालू (Activate) होगा। पूर्व में पंजीकृत बिडर्स, जिनके पंजीकरण की अवधि वैध है, उन्हें पंजीकरण शुल्क देना नहीं होगा, परन्तु नये नियमों के अनुसार उनके द्वारा आवश्यक अभिलेख यथा हैसियत प्रमाण पत्र आदि प्रस्तुत किया जाना अनिवार्य होगा, जिसके पश्चात् ही उनका पंजीकरण चालू (Activate) हो पायेगा।
11. पंजीकरण हेतु बिडर्स द्वारा स्वप्रमाणित निम्न अभिलेख/प्रमाण पत्र स्कैन कर एम0एस0टी0सी0 के पोर्टल पर अपलोड करना अनिवार्य होगा:-
- (1) आवेदक के आधार कार्ड की प्रति, फर्म की दशा में फर्म के भागीदारों के आधार कार्ड की प्रति तथा कम्पनी के मामले में कारपोरेट अफेयर्स मंत्रालय भारत सरकार द्वारा निर्गत कम्पनी के प्रबन्ध निदेशक का Director Identification Number (DIN) के प्रमाण-पत्र की प्रति।
  - (2) आवेदक का अद्यावधिक चरित्र प्रमाण पत्र, फर्म के मामले में भागीदारों के अद्यावधिक चरित्र प्रमाण पत्र की प्रति तथा कम्पनी के मामले में प्रबन्ध निदेशक का इस आशय का शपथ पत्र कि कम्पनी को किसी अपराधिक वाद में दण्डित नहीं किया गया है। चरित्र प्रमाण पत्र उस जिले के जिलाधिकारी द्वारा प्रदत्त होगा, जहाँ आवेदक स्थायी रूप से निवास करता हों।
  - (3) आवेदक का पैन कार्ड की प्रति, फर्म या कम्पनी के मामले में उसका पैन कार्ड एवं जी0एस0टी0 नं0 की प्रति।
  - (4) बैंक खाते का विवरण, जिससे ई निविदा सह ई नीलामी से सम्बन्धित समस्त वित्तीय हस्तान्तरण किया जायेगा, तथा बैंक का नाम, खाता संख्या आई0एफ0एस0सी0 कोड, तथा एक निरस्त चेक की प्रति।
  - (5) जिलाधिकारी अथवा प्राधिकृत अधिकारी द्वारा जारी किया गया खनन देय बकाया न होने का प्रमाण पत्र जहाँ आवेदक राज्य के भीतर कोई खनिज परिहार धारित नहीं करता है वहाँ इस आशय का शपथ पत्र की प्रति।
  - (6) आवेदक को स्वयं का हैसियत प्रमाण पत्र अथवा हैसियत प्रमाण पत्र के साथ बैंक गारन्टी जो बोली की धनराशि के 25 प्रतिशत की कीमत से कम न हो, प्रस्तुत किया जाये।
12. एम0एस0टी0सी0 द्वारा भूत्व एवं खनिकर्म निदेशालय की वेबसाईट से वसूली प्रमाण पत्र एवं ब्लैक लिस्ट की सूची से मिलान करने के उपरान्त केवल उन्ही व्यक्ति/फर्म/कम्पनी का पंजीकरण किया जायेगा जो उत्तर प्रदेश उपखनिज (परिहार) नियमावली-2021 के प्रावधानों के अर्न्तगत अर्ह हो। नियम-26 के अनुसार निम्नलिखित व्यक्ति/फर्म/कम्पनी ई-निविदा सह ई-नीलामी प्रक्रिया में भाग नहीं ले सकते हैं:-

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- (1) जो भारतीय राष्ट्रिक नहीं है।
  - (2) जिसके विरुद्ध खनिज देय बकाया है।
  - (3) जिसने उस जिले के जिलाधिकारी अथवा राज्य सरकार द्वारा प्राधिकृत अधिकारी जहां वह स्थायी रूप से निवास करता है से चरित्र प्रमाण पत्र प्राप्त नहीं कर लिया है। शर्त यह है कि उक्त चरित्र प्रमाण पत्र पुलिस सत्यापन के आधार पर दिया गया हो।
  - (4) जिसने अपने आधार कार्ड की प्रति प्रस्तुत न की हो।
  - (5) जिसका नाम काली सूची में दर्ज हो।
  - (6) फर्म/कम्पनी के मामलों में जिसने पैनकार्ड तथा जी0एस0टी0 पंजीकरण प्रमाण पत्र प्रस्तुत न किया हो।
  - (7) आवेदक को स्वयं का हैसियत प्रमाण पत्र अथवा हैसियत प्रमाण पत्र के साथ बैंक गारन्टी जो बोली की धनराशि के 25 प्रतिशत की कीमत से कम न हो, प्रस्तुत किया जाये।
13. ऑनलाईन ई-निविदा डालने तथा ई-नीलामी बोलने की विधि का पूर्ण विवरण सेवा प्रदाता संस्था एम0एस0टी0सी0 के वेब पोर्टल [www.mstcecommerce.com](http://www.mstcecommerce.com) पर देखा जा सकता है।
14. ई-निविदा सह ई-नीलामी में भाग लेने के लिए इच्छुक व्यक्ति/फर्म/कम्पनी को प्रत्येक क्षेत्र के लिए पृथक-पृथक रू0-15000 (रू0 पन्द्रह हजार मात्र) का शुल्क और अप्रतिदेय होगा तथा अर्नेस्ट मनी जो विज्ञप्ति में क्षेत्र के नाम सम्मुख अंकित हो, जमा किया जाना होगा।
15. सफल बोलीदाता/ निविदादाता को छोड़कर शेष बोलीदाता/निविदादाता द्वारा जमा बयानों की धनराशि (अर्नेस्ट मनी) यथावत उसी बैंक खाते में वापस कर दी जायेगी। आवेदक द्वारा पंजीकरण के समय दिए गए बैंक खाते में बदलाव मान्य नहीं किया जाएगा। विशेष परिस्थितियों में निदेशक भूतत्व एवं खनिकर्म निदेशालय के अनुमोदन उपरान्त बैंक खाते का बदलाव किया जा सकता है।
16. जहां किसी भी कारण से ई-निविदा सह ई-नीलामी की प्रक्रिया पूरी न हो वहां कम से कम 07 दिन की अल्प अवधि की नोटिस देने के पश्चात् पुनः ई-निविदा सह ई-नीलामी की जा सकती है।
17. अधिकतम दो खनन पट्टे या 50 हे0 से अधिक क्षेत्र को उ0प्र0 राज्य की किसी व्यक्ति/फर्म/कम्पनी के पक्ष में स्वीकृत नहीं किया जाएगा। यदि किन्हीं परिस्थितियों में एक व्यक्ति/फर्म/कम्पनी द्वारा अपने पक्ष में दो खनन पट्टा या 50 हे0 से अधिक खनन पट्टे स्वीकृत करा लिया जाता है तो अन्त में स्वीकृत खनन पट्टा निरस्त कर पट्टा अन्तर्गत जमा सम्पूर्ण धनराशि जब्त कर ली जाएगी, तथा केवल प्रारम्भ के दो क्षेत्र अथवा 50 हे0 के खनन पट्टे ही अनुमन्य होंगे। परन्तु यदि स्वयं अपने पक्ष में दो खनन पट्टे या 50 हे0 से अधिक के खनन पट्टे हेतु जारी लेटर ऑफ इन्टेण्ट की सूचना देता है तो उक्त सीमा के अन्तर्गत कोई भी खनन पट्टा क्षेत्र के चयन का उसे अधिकार होगा तथा शेष क्षेत्र की जमा धनराशि पुष्टि के उपरान्त यथावत वापस कर दी जाएगी।
18. ई-निविदा सह ई-नीलामी की प्रक्रिया :-
- (1) ई-निविदा सह ई-नीलामी दो चरणों में की जायेगी। प्रथम चरण में केवल ई-निविदा विज्ञापन में निर्धारित तिथि एवं समय के अन्तर्गत डाली जायेगी। बिड/रायल्टी की दर प्रत्येक उपखनिज के लिए प्रति घनमीटर के लिए दी जायेगी जो सम्बन्धित उपखनिज के लिए नियमावली-2021 के अनुसूची-1 में उल्लिखित रायल्टी की दर से कम नहीं होगा। विज्ञप्ति के अनुसार क्षेत्रवार प्राप्त ई-निविदा को एक साथ न खोलकर पृथक-पृथक खोला जाएगा। प्रत्येक क्षेत्र के प्रथम चरण की ई-निविदा खोलने के तत्काल 02 घण्टे बाद द्वितीय चरण की ई-नीलामी की कार्यवाही प्रारम्भ की जाएगी।
  - (2) प्रथम चरण की समाप्ति के उपरान्त निम्नानुसार प्रक्रिया अपनायी जायेगी:-
    - (क) ई-निविदा सह ई-नीलामी की प्रक्रिया अन्तर्गत बालू, मोरम बजरी आदि के क्षेत्रों के परिहार पर स्वीकृति हेतु निर्गत शासनादेश दिनांक 14.08.2017/09.10.2019 एवं ईमारती पत्थर यथा खण्डा, गिटटी, बोल्डर आदि के क्षेत्रों को परिहार पर स्वीकृति हेतु निर्गत शासनादेश दिनांक 12.12.2017/09.10.2019 में उल्लिखित है कि यदि प्रथम चरण में एक ही बिड प्राप्त होती है तो ईमारती पत्थर के मामलों में निर्धारित रायल्टी दर से 200 प्रतिशत यथा बालू/मौरम के मामले में 400 प्रतिशत से अधिक दर प्राप्त होने पर निविदा स्वीकृत की जायेगी तथा यदि उक्त से कम धनराशि प्राप्त होती है तो जिलाधिकारी क्षेत्र की भौगोलिक स्थिति, खनिज की उपलब्धता, खनिज की

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गुणवत्ता, उपखनिज का बाजार मूल्य, उस क्षेत्र में खनिज की मांग, क्षेत्र में अवैध खनन की सम्भावना, राजस्व की प्राप्ति आदि पर विचार करते हुये स्वविवेक से एकल निविदादाता के पक्ष में लेटर ऑफ इण्टेंट जारी करने अथवा न करने के सम्बन्ध में निर्णय लेंगे।

(ख) यदि प्रथम चरण में एक से अधिक परन्तु पाँच या पाँच से कम बिड प्राप्त होता है तो सभी बिड कर्ता द्वितीय चरण की ई-नीलामी की प्रक्रिया में भाग लेने हेतु अर्ह होंगे तथा द्वितीय चरण के अधिकतम बोलीदाता के पक्ष में जिलाधिकारी द्वारा लेटर आफ इण्टेंट जारी किया जायेगा।

(ग) यदि पाँच से अधिक बिड/आफर प्राप्त होते हैं तब केवल पाँच सर्वाधिक निविदाकार ही द्वितीय चरण की ई-नीलामी में भाग लेने हेतु अर्ह होंगे तथा द्वितीय चरण के अधिकतम बोलीदाता के पक्ष में ही जिलाधिकारी द्वारा लेटर आफ इण्टेंट जारी किया जायेगा।

(3) उपरोक्त प्रस्तर-17 (2)(ग), (घ) के अनुसार प्रथम चरण के योग्य बोलीदाता द्वितीय चरण की ई-नीलामी में भाग ले सकते हैं।

(4) द्वितीय चरण में ई-नीलामी की प्रक्रिया की जायेगी। ई-नीलामी की प्रक्रिया प्रथम चरण की अग्रसारित प्रक्रिया होगी, जिसमें प्रथम चरण में प्राप्त उच्चतम बिड/आफर द्वितीय चरण की ई-नीलामी के लिए न्यूनतम बोली (Floor price) स्वतः निर्धारित हो जायेगी।

(5) ई-नीलामी की प्रक्रिया जो ई-निविदा खोलने के तत्काल दो घण्टे बाद प्रारम्भ होगी, में इच्छुक एवं अर्ह व्यक्ति/फर्म/कम्पनी बोली में कई बार भाग ले सकता है। ई-नीलामी की ऑनलाइन प्रक्रिया में स्क्रीन पर अधिकतम बोली प्रदर्शित होती रहेगी और प्रदर्शित बोली से अधिक बोली ऑनलाईन ही दिया जा सकता है।

(6) निर्धारित समय के पश्चात् बोली बन्द हो जायेगी और उसके उपरान्त कोई बोली नहीं दिया जा सकता है। बोली के अन्तिम समय में यदि कोई और बोली प्राप्त होती है तो नीलामी की बोली का समय स्वतः 05 मिनट के लिए बढ़ जायेगा। यह प्रक्रिया तब तक जारी रहेगी जब तक 05 मिनट के अन्तराल में कोई और बोली प्राप्त नहीं होती है।

(7) ई-निविदा सह ई-नीलामी की कालयोजना एवं अवधि निम्नानुसार सम्पादित की जायेगी :-

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| प्री-बिड ई0एम0डी0 एवं आवेदन शुल्क जमा करने की अन्तिम तिथि            | ई-निविदा से पूर्व एम0एस0टी0सी0 में अपेक्षित प्री-बिड ई0एम0डी0 एवं आवेदन शुल्क, एम0एस0टी0सी0 की वेबसाईट पर दर्णित दिशा निर्देशों के अनुसार बोलीदाता द्वारा जमा करना अनिवार्य होगा।  |
| प्रेस विज्ञप्ति का दिनांक  | 17.02.2023   |
| प्रथम चरण में ई-निविदा (ई-टेण्डर) की अवधि                            | दिनांक 20.03.2023 पूर्वाह्न 10:00 बजे से 23.03.2023 साँय 5:00 बजे तक   |
| प्रथम चरण में प्राप्त ई-निविदा (बिड) का खोला जाना एवं उसका मूल्यांकन | दिनांक 24.03.2023 को पूर्वाह्न 10:00 बजे से कमांक 01 व 02 पर विज्ञापित क्षेत्र अपरान्ह 01:00 बजे से कमांक 03 व 04 पर विज्ञापित क्षेत्र<br>दिनांक 27.03.2023 को पूर्वाह्न 10:00 बजे से कमांक 05 व 06 पर विज्ञापित क्षेत्र अपरान्ह 01:00 बजे से कमांक 07 व 08 पर विज्ञापित क्षेत्र<br>दिनांक 28.03.2023 को पूर्वाह्न 10:00 बजे से कमांक 09 व 10 पर विज्ञापित क्षेत्र अपरान्ह 01:00 बजे से कमांक 11 व 12 पर विज्ञापित क्षेत्र<br>दिनांक 29.03.2023 को पूर्वाह्न 10:00 बजे से कमांक 13 व 14 पर विज्ञापित क्षेत्र   |
| द्वितीय चरण की ई-नीलामी की अवधि                                      | दिनांक 24.03.2023 को अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक कमांक 01 पर विज्ञापित क्षेत्र अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक कमांक 02 पर विज्ञापित क्षेत्र<br>दिनांक 27.03.2023 को अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक कमांक 03 पर विज्ञापित क्षेत्र अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक कमांक 04 पर विज्ञापित क्षेत्र<br>दिनांक 28.03.2023 को अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक कमांक 05 पर विज्ञापित क्षेत्र अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक कमांक 06 पर विज्ञापित क्षेत्र<br>दिनांक 29.03.2023 को अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक कमांक 07 पर विज्ञापित क्षेत्र अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक कमांक 08 पर विज्ञापित क्षेत्र |

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| दिनांक 31.03.2023 को<br>अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक क्रमांक 09 पर विज्ञापित क्षेत्र<br>अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक क्रमांक 10 पर विज्ञापित क्षेत्र         |
| दिनांक 03.04.2023 को<br>अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक क्रमांक 11 पर विज्ञापित क्षेत्र<br>अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक क्रमांक 12 पर विज्ञापित क्षेत्र         |
| दिनांक 05.04.2023 को अपरान्ह<br>अपरान्ह 12:00 बजे से अपरान्ह 02:00 बजे तक क्रमांक 13 पर विज्ञापित क्षेत्र<br>अपरान्ह 03:00 बजे से अपरान्ह 05:00 बजे तक क्रमांक 14 पर विज्ञापित क्षेत्र |

(8) परिणाम की घोषणा एवं उसका प्रदर्शन :

क. प्रथम चरण की ई-निविदा प्रक्रिया का परिणाम निविदाकार (Tenderer) के लॉगिन पर प्रदर्शित होगा। प्रथम चरण के ई-निविदा प्रक्रिया के समापन के पश्चात् अधिकतम निविदा धनराशि (बिडिंग एमाउन्ट) प्रदर्शित की जायेगी। सभी निविदाकार द्वितीय चरण की बोली हेतु वे योग्य है अथवा नहीं को भी लॉगिन कर जान सकते है।

ख. एकल निविदा के मामले को छोड़कर शेष मामलों में द्वितीय चरण की ई-नीलामी समाप्त होने के उपरान्त प्राप्त अधिकतम बोली उसके बोलीदाता का विवरण एम0एस0टी0सी0 के निर्धारित पोर्टल पर प्रदर्शित किया जायेगा।

19. पट्टे का दिया जाना:- नियमावली के नियम-28 के प्रावधानों के अनुसार ई-निविदा सह ई-नीलामी के मामले में उस बोली या प्रस्ताव को उपरोक्त प्रस्तर-17(2) में दिये गये प्रक्रिया के अनुसार जिलाधिकारी स्वीकार करेंगे जो उच्चतम हों। जिलाधिकारी द्वारा सफल एवं नियमानुसार अर्ह बोलीदाता/निविदादाता को उनके द्वारा प्रस्तुत मूल अभिलेख के सत्यापन के एक सप्ताह के अन्दर लेटर आफ इन्टेंट निर्गत किया जायेगा।

20. ई-नीलामी समाप्त होने के पश्चात 03 कार्य दिवस के अन्दर सफल बोलीदाता को अपने मूल अभिलेख का सत्यापन उस जनपद के जिलाधिकारी जहाँ क्षेत्र स्थित है के द्वारा अथवा निदेशक, भूतत्व एवं खनिकर्म, निदेशालय के द्वारा कराना होगा। निदेशक द्वारा मूल अभिलेख के सत्यापन की स्थिति में अभिलेख-सत्यापन की आख्या ई-मेल के माध्यम से संबंधित जिलाधिकारी को प्रेषित की जायेगी। अभिलेख-सत्यापन के पश्चात ही जिलाधिकारी द्वारा लेटर आफ इन्टेंट जारी किया जायेगा। सत्यापन में यदि कोई अभिलेख अथवा प्रमाण पत्र कूटरचित, असत्य अथवा गलत पाया जाता है तो लेटर आफ इन्टेंट जारी नहीं किया जायेगा तथा बयाने की धनराशि (अर्नेस्ट मनी) जब्त कर ली जायेगी।

21. लेटर आफ इन्टेंट में निम्न विवरण होंगे :-

(1) प्रथम वर्ष के लिए देय नीलामी धनराशि की गणना पट्टा क्षेत्र के लिए विज्ञप्ति में आकलित मात्रा घन मी0 के निविदा/नीलामी की दर रूपया घन प्रति मी0 से गुणा कर निकाली जायेगी। खनन पट्टा के अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि की जायेगी।

(2) सफल बोलीदाता/निविदादाता, पट्टे की निर्बंधनों और शर्तों का यथोचित पालन करने के लिए प्रतिभूति के रूप में प्रथम वर्ष के लिए बोली/निविदा की सकल धनराशि का 25 प्रतिशत और स्वामित्व की पहली किश्त के रूप में प्रथम वर्ष के लिए बोली/निविदा की सकल धनराशि का 20 प्रतिशत दो कार्यदिवसों के अन्दर जमा करेगा। बयाने की धनराशि (अर्नेस्ट मनी) प्रथम किश्त में समायोजित कर ली जायेगी।

(3) पट्टे के प्रथम वर्ष की शेष किश्ते एवं अनुवर्ती वर्षों में बोली/निविदा के आधार पर प्रथम वर्ष के लिए निर्धारित सकल धनराशि पर प्रत्येक वर्ष विगत वर्ष से 10 प्रतिशत वृद्धि के साथ नियमावली-2021 के पंचम अनुसूची के अनुसार जमा की जायेगी।

(4) पट्टाधारक नियम-17 के प्राविधानों के अनुसार क्षेत्र का सीमांकन करायेगा (जिसमें सीमा बिन्दुओं का जीओ को आर्डिनेट्स भी इंगित किया जायेगा) तथा नियम-36 के अनुसार सीमा-स्तम्भ लगायेगा एवं इसका अनुरक्षण करेगा।

(5) चयनित आवेदक नियम-35 के प्राविधानों के अर्न्तगत निर्धारित अवधि के अन्दर खनन योजना, माइन्स क्लोजर प्लान एवं भारत सरकार के वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक-14.09.2006 सपटित अधिसूचना दिनांक 15.01.2016 (Sustainable Sand Mining Management Guideline-2016 (SSMG-2016) and Enforcement & Monitoring Guidelines for Sand Mining-2020 published by MoEF&CC) के दिशा

*Signature*

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निर्देशा तथा समय-समय पर यथा संशोधित उपबन्धों के अधीन पर्यावरण अनापत्ति प्राप्त कर उसे प्रस्तुत करेगा।

- (6) प्रत्येक पट्टाधारक द्वारा नियम-35 के अनुसार क्षेत्र के भूमि-उद्धार और पुर्नवासन उपाय हेतु वित्तीय आश्वासन की धनराशि निर्धारित रीति से जमा करेगा।
- (7) लेटर आफ इन्टेंट जारी होने के एक माह के अन्दर अनुमोदन हेतु देय प्रतिभूति एवं प्रथम किस्त की धनराशि जमा होने के प्रमाण सहित खनन योजना निदेशक, भूतत्व एवं खनिकर्म के समक्ष प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के 1 माह के अन्दर सक्षम प्राधिकरण के समक्ष पर्यावरण स्वच्छता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा अन्यथा नियम 60(1) के प्राविधानों के अर्न्तगत प्रस्तावक पर रूपये 10,000.00 प्रति दिन की शास्ति आरोपित की जायेगी।
- (8) पर्यावरण अनापत्ति प्रमाण पत्र प्राप्ति के एक माह के भीतर पट्टा विलेख का निष्पादन कराकर खनन संक्रिया तत्काल प्रारम्भ की जानी होगी।
- (9) नियम 35(4) के अर्न्तगत पर्यावरण की स्वीकृति की प्रक्रिया के दौरान अपेक्षित समयावधि में, सक्षम प्राधिकारी द्वारा लगायी गयी आपत्तियों का परियोजना प्रस्तावक द्वारा समाधान करना अनिवार्य होगा। नियम 35(4) के उलघन की दशा में जिला मजिस्ट्रेट नियम 60(7) के अर्न्तगत जारी लेटर ऑफ इन्टेन्ट निरस्त किया जा सकता है।
- (10) नियम 35(5) के अर्न्तगत पर्यावरण अनापत्ति प्रमाणपत्र निर्गत होने के उपरान्त एक माह के भीतर पट्टा विलेख का निष्पादन करना अनिवार्य होगा। नियम 35(5) के उलघन की दशा में प्रस्तावक द्वारा जमा प्रथम किस्त एवं प्रतिभूति धनराशि समपूहृत करते हुये जारी लेटर ऑफ इन्टेन्ट निरस्त किया जायेगा।

## 21. सफल बोलीदाता/निविदादाता द्वारा धनराशि जमा करने की रीति

- (1) स्वीकृत पट्टे की अवधि 05 वर्ष होगी, परन्तु बोली/निविदा की धनराशि प्रथम वर्ष के लिए मानी जायेगी। प्रत्येक अनुवर्ती वर्ष में पिछले वर्ष से 10 प्रतिशत वृद्धि के साथ आगामी वर्ष में पट्टा धनराशि देय होगी। प्रथम वर्ष एवं अनुवर्ती वर्षों के लिए पट्टा-धनराशि-नियमावली-2021 के पंचम अनुसूची के अनुसार पट्टाधारक द्वारा जमा की जायेगी।
- (2) आशय पत्र (लेटर आफ इन्टेंट) प्राप्त होने के उपरान्त सफल बोलीदाता/निविदादाता द्वारा 25 प्रतिशत प्रतिभूति जमा एवं 20 प्रतिशत प्रथम किस्त अर्थात् पट्टे के प्रथम वर्ष के लिए निर्धारित पट्टा धनराशि के 45 प्रतिशत के सतुल्य धनराशि (जिसमें प्री बिड अर्नेस्ट मनी समायोजित हो) सम्बन्धित जनपद में भूतत्व एवं खनिकर्म विभाग में लेटर ऑफ इन्टेन्ट जारी होने के दो कार्य दिवसों के अन्दर जमा किया जाना होगा। प्री बिड अर्नेस्ट मनी की धनराशि एम0एस0टी0सी0 लि0 द्वारा सम्बन्धित जनपद के जिलाधिकारी को चेक/ड्राफ्ट के माध्यम से/आनलाईन हस्तान्तरित की जायेगी। यदि सफल बोलीदाता/निविदादाता उक्त धनराशि जमा करने में असफल होता है तो उसके द्वारा जमा अर्नेस्ट मनी जब्त कर ली जायेगी और उसके द्वारा इस सम्बन्ध में कोई शिकायत अथवा प्रत्यावेदन विचार योग्य नहीं होगा।
- (3) प्रथम वर्ष के लिए शेष 80 प्रतिशत पट्टा धनराशि एवं आगामी वर्षों के लिए पट्टा धनराशि नियमावली में निर्धारित पंचम अनुसूची के अनुसार राज्य सरकार द्वारा समय पर निर्धारित प्रक्रिया के अनुसार पट्टाधारक द्वारा जमा की जायेगी। उक्त अनुसूची में नियत तिथि के अनुसार देय धनराशि जमा न करने की दशा में नियम-59 अनुसार देय धनराशि ब्याज सहित वसूल की जायेगी।
- (4) पट्टाधारक द्वारा राज्य सरकार अथवा केन्द्र सरकार द्वारा समय समय पर निर्धारित कर एवं शुल्क यथा आयकर विभाग का टी0सी0एस0, जिला खनिज फाउण्डेशन(डी0एम0एफ0) आदि नियमानुसार जमा किया जायेगा।

## 22. शर्त:-

- (1) ई निविदा सह ई निलामी में भाग लेने से पूर्व क्षेत्र में आंकलित उपखनिज की मात्रा एवं खनन स्थल के लिए पहुँच मार्ग आदि के सम्बन्ध में मौके का निरीक्षण कर बिडर स्वयं आश्वस्त हो ले। ई निविदा सह ई निलामी में भाग लेने के पश्चात् इस सम्बन्ध में किसी भी प्रकार का दावा स्वीकार नहीं किया जायेगा।

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- (2) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व पट्टाधारक अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिए आवश्यक होगा।
- (3) पट्टा अभिलेख के निष्पादन के दिनांक पट्टाधारक तत्काल खनन संक्रियायें प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भांति करेगा।
- (4) पट्टा धारक नियम-36 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिए स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे संबन्धित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई-प्रपत्र एम0एम0-11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख-रखाव करेगा एवं सदैव उसे चालू रूप में अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।
- (5) पट्टाधारक प्रत्येक वाहन को ई-एम0एम0-11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-एम0एम0-11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिए आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हे सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली-2021के नियम-60 के अन्तर्गत शास्ति का भागीदार होगा।
- (6) माननीय राष्ट्रीय हरित अधिकरण के आदेश दिनांक 05.09.2018 के अनुपालन में पट्टा धारक द्वारा खदान के निकासी स्थल पर तौल मशीन लगवाकर निदेशालय में स्थापित कमाण्ड सेन्टर में प्रयुक्त आर्टिफिशियल इन्टेलीजेन्स युक्त साफ्टवेयर में इन्टीग्रेट किया जायेगा। इन्टीग्रेटस में स्थित तौल मशीन में निम्न Features का होना आवश्यक है:-
- 1- The weigh bridge device should use the MQTT protocol to transmit data.
  - 2- The weigh bridge device should transmit data over the internet to IOT infrastructure in cloud.
- (7) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो कम हो, से अधिक गहराई में खनन संक्रियाये नहीं करेगा।
- (8) जिलाधिकारी द्वारा चिन्हित सुरक्ष क्षेत्र में खनन नहीं किया जायेगा।
- (9) नदी की जल धारा में सक्शन मशीन लिफ्टर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।
- (10) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य प्रदर्शित करेगा।
- (11) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्ति अवसर प्रदान करने के पश्चात् जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- (12) भारत सरकार द्वारा निर्धारित मानकों के अनुसार पट्टेधारक द्वारा खनिजों की लोडिंग की जायेगी।
- (13) नियमों एवं शर्तों के उल्लंघन के परिणामस्वरूप यदि कोई वाद अथवा अपराधिक प्रक्रिया योजित होती है तो इसकी सम्पूर्ण जिम्मेदारी पट्टाधारक की होगी एवं यदि इस सम्बन्ध में कोई व्यय होता है तो उसका वहन पट्टाधारक द्वारा किया जायेगा।
- (14) राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टाधारकों को मान्य होगा।
- (15) पट्टाधारक द्वारा पर्यावरण स्वच्छता प्रमाण पत्र कार्यालय में जमा कराने के उपरान्त अनुमति प्राप्त कर खनन कार्य आरम्भ किया जायेगा।
- (16) मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित अधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।

(17) पट्टाधारक द्वारा नियमानुसार जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम-1974 यथासंशोधित एवं वायु प्रदूषण निवारण तथा नियन्त्रण) अधिनियम-1981 यथासंशोधित के अर्न्तगत उ0 प्र0 प्रदूषण नियन्त्रण बोर्ड से सहमति प्राप्त किया जाना होगा।

(अखिलेश सिंह)  
जिलाधिकारी,  
सहारनपुर।

पत्र संख्या एवं दिनांक उपरोक्तानुसार

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव भूतत्व एवं खनिकर्म, उ0प्र0 शासन लखनऊ।
2. निदेशक भूतत्व एवं खनिकर्म निदेशालय उ0प्र0 लखनऊ।
3. आयुक्त सहारनपुर मण्डल, सहारनपुर।
4. प्रभारी अधिकारी, क्षेत्रीय कार्यालय भूतत्व एवं खनिकर्म विभाग, गाजियाबाद।
5. शाखा प्रबन्धक, एम0एस0टी0सी0 लि0 सेकेण्ट फ्लोर, सेण्टर कोर्ट बिल्डिंग, 3/सी, 5 पार्क रोड ऑपोजिट सिविल हॉस्पिटल, हजरतगंज, लखनऊ 226001।
6. निदेशक, सूचना उ0प्र0 लखनऊ को इस अनुरोध के साथ प्रेषित कि व्यापक प्रचार प्रसार हेतु उक्त विज्ञप्ति 02 दैनिक समाचार पत्रों (दैनिक जागरण एवं अमर उजाला) में दिनांक 17/02/2023 को अथवा उससे पूर्व विज्ञापित करने का कष्ट करें।
7. जिला सूचना अधिकारी, सहारनपुर इस आशय से प्रेषित की जनपद की वेबसाईट पर अपलोड करना सुनिश्चित करें।

जिलाधिकारी,  
सहारनपुर।

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## ANNEXURE R-6

Item No. 03

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**Original Application No. 188/2023  
(I.A. No. 76/2023)

Gaurav Kumar

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 13.03.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Advocate

**ORDER**

1. Heard learned Counsel for the applicant. This Original Application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010'), stating that auction notices dated 13.02.2022 and 26.07.2022 (Annexure A-8 to the Original Application) have been published proposing mining of sand, bajari and boulder in mixed condition from 14 places without preparing final District Survey Report (DSR) and without undertaken any replenishment study.

2. Our attention is drawn to Enforcement & Monitoring Guidelines for Sand Mining published in January, 2020, at page 86 wherein para 4.1.1(a) reads as under:-

*“a) District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent*

*(LoI) by Mining department or department dealing the mining activity in respective states.”*

3. It is said that there is restriction even in respect to auction or e-auction or mining activities without preparing DSR for sand mining.

4. In our view, a substantial question relating to environment for implementation of Scheduled enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter, we find it appropriate to obtain a factual report, for the purpose whereof, we constitute a Joint Committee comprising CPCB, State PCB and District Magistrate, Saharanpur who shall visit the site, collect relevant information and submit a factual report within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR supported PDF and not in the form of Image PDF.

5. State PCB will be the nodal agency for coordination and compliance.

6. List for further consideration on 17.05.2023.

7. A copy of this order along with a copy of complaint be forwarded to CPCB, State PCB and District Magistrate, Saharanpur by email for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 13, 2023  
O.A. No. 188/2013 (I.A. No. 76/2023)  
AVT

## ANNEXURE R-7

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR**  
**(Mining Section)**  
**LETTER OF INTENT FOR MINING LEASE**

Ref: LOI/2023/7/13-07-2023 00:00:00/159183

Dated: 13.07.2023

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                               |  |
|-------------------------------|--|
| <b>Name of Tenderer</b>       | KRISHNA CONSTELLATION PRIVATE LIMITED<br>(mstc/KRISHNA CONSTELLATION PRIVATE LIMITED/390060) |
| <b>Address of Tenderer</b>    | B 901 NINTH FLOOR GREEN WOOD CITY GOLDEN HEIGHTS SUBHARTI, MEERUT 250002                     |
| <b>Mobile No. of Tenderer</b> | 8077107922   |
| <b>Lease Period</b>           | 60 months or quantity which will completed earlier   |

**DETAILS OF LAND**

| <b>Area Code</b> | <b>District</b> | <b>Tehsil</b> | <b>Village/<br/>Mohalla</b>  | <b>Gata<br/>(Plot)<br/>No.</b> | <b>Area/Quantity</b>            |
|------------------|-----------------|---------------|------------------------------|--------------------------------|---------------------------------|
| 1090290502       | Saharanpur      | Behat         | Nooniyari<br>Aht –<br>109029 | 1/1/1                          | 19.00 Hectare/<br>342000.00 CuM |

**AMOUNT PAYABLE**

| <b>Allowed Sub Mineral</b>          | <b>Allowed Qty.</b>  | <b>Maximum Bid Rate (Rs.)</b> | <b>Amt. payable Ist year (Rs.)</b> | <b>Earnest Money (25% of Ist year payable amt.)</b> | <b>Ist instalment of First year (20% of Ist year payable amt.)</b> | <b>Balance amount after Pre-Bid adjusted</b> | <b>DMF Payable</b> | <b>TCS Payable</b> | <b>Others</b>  |
|-------------------------------------|----------------------|-------------------------------|------------------------------------|---|--|--|--------------------|--------------------|----------------|
| Sand/<br>Bajri/<br>Boulder<br>(RBM) | 3420<br>00.00<br>CuM | 549.0<br>0                    | 187758<br>000.00                   | 46939<br>500.00                                     | 37551<br>600.00  | 75086<br>100.00                              | 18775<br>800.00    | 37551<br>60.00     | 37551<br>60.00 |
| <b>TOTAL</b>                        |                      |                               | 187758<br>000.00                   | 46939<br>500.00                                     | 37551<br>600.00  | 75086<br>100.00                              | 18775<br>800.00    | 37551<br>60.00     | 37551<br>60.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challen must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

**ANNEXURE – 1**

The terms of the Letter of Intent are as under:

1. To comply with the terms and conditions, 25% of the security amount of Rs. 4,69,39,500/- and 20% of the security amount of Rs. 3,75,51,600/- will be deposited as First instalment within two working days for the first year of security. It will have to be deposited in the Mining Office through Bank Draft or Online portal UPPRAJKOSH. The remaining amount of Rs. 7,50,86,100/- will have to be deposited by the bidder after adjusting the pre-earnest money of Rs. 94,05,000/- deposited earlier. If you fail to deposit the remaining amount within two working days of issuing the Letter of Intent, then the earnest money deposited by you will be confiscated in favour of the State Government and no complaint or representation submitted by the offeror in this regard will be considered.
2. Within one month of the issue of Letter of Intent, the mining plan along with the proof of deposit of security and first instalment will be presented to the Director of Geology and Mining for approval and within one month of receipt of the approved selection plan, the competent authority, it will be mandatory to submit the proposal for environmental clearance certificate before the authority, otherwise under the provisions of Rule 60 (1), a penalty of Rs. 10,000.00 per day will be imposed on the proponent.
3. The period of consolidated lease will be 05 years, but the bid/tender amount will be considered for the first year, in each subsequent year, the lease amount payable in the next year will be increased by 10% from the previous year. The lease amount for the first year and subsequent years will be deposited by the leaseholder as per the fifth schedule of the Rules, 2021.
4. In case the lessee does not deposit the remaining 80% of the lease amount for the first year and the lease amount for the subsequent years as per the procedure prescribed from time to time by the State Govt. In case of non-deposition of payable amount as per the fixed date in the above list, the recovery shall be done as per Rule 59 along with interest.

5. The lease holder will demarcate the area as per the provisions of Rule 17 (in which the GO ordinates of the boundary points will also be indicated) and will install boundary pillars as per Rule 36 and maintain it.
6. Mining operations will have to be started immediately after getting the lease deed executed within one month of receiving the environmental No Objection Certificate.
7. Under Rule 35(4), during the process of environmental clearance, it will be mandatory for the project proponent to resolve the objections raised by the Competent Authority within the required time period. In case of violation of Rule 35(4), the Letter of Intent issued by District Magister under Rule 60(7) will be cancelled.
8. Under Rule 35(5) it will be mandatory to execute the Lease deed within one month after the environmental No Objection Certificate is issued. In case of violation of Rule 35(5) the First Instalment deposited by the proposer and the Letter of Intent issued after paying the security amount will be cancelled.
9. Selected applicants within the prescribed period as per the provisions of Rule 35, Mining Plan, Mines Closure Plan and Notification dated 14.09.2006 of the Ministry of Forest and Environment, Govt. of India, read with Notificated dated 15.01.2016 Sustainable Sand Mining Management Guideline 2016 (SSMG 2016) and Enforcement and Monitoring Guidelines for Sand Mining – 2020 will obtain environmental clearance and submit it under the guidelines published by MoEF&CC and the provisions as amended from time to time.
10. Every Lease holder will deposit the amount of financial assurance for land reclamation and rehabilitation measures of the area in the prescribed manner as per Rule 35.
11. The Lessee will deposit the tax determined from time to time by the State Government or the Central Government and dry taxes like 2% Income Tax Department, TCM, District Mineral Foundation (DMF) etc. as per rules.
12. At the time of survey and demarcation of the area given under the lease, the lessee will mark the coordinates of the mining lease area on the demarcated map and before executing the lease deed, the lessee, at his own expense, will install such boundary marks and pillars as are mentioned in the lease deed. It will be necessary to indicate the measurement shown in the attached map.

13. The lease holder shall immediately commence mining operations on the date of execution of the lease record and thereafter shall conduct such mining operations in a proper and efficient manner like a skilled artisan without any deliberate postponement.
14. As per Rule 36, the lease holder will construct a check post/gate at his own expenses along with installation of four CCTV cameras capable of recording visibility at 360-degree angle to monitor the entry and exit of vehicles. The lease holder will also keep an RFID scanner at the said check post/gate, which will facilitate reading and safe reading of the data of four codes mentioned on the e-form MM-11 issued in respect of each vehicle used for transportation of minerals from the concerned mining lease area and will maintain it properly and will always keep it in working order. The lessee will preserve all the recordings made by the said CCTV cameras and RFID scanners for at least 30 days and will make the said recordings available on demand by the authorized officer under the provisions of Rule 67.
15. The lessee will issue E-MM-11 to each vehicle with correct details. Each vehicle will be fitted with an RFID scanner to save the data recorded when the bar code generated on the e-MM-11 falls on the check gate and will always maintain them and keep them in correct and working condition. In case of non-compliance of the above, there will be penalty under Rule 60 of Rules-2021.
16. In compliance with the order dated 5.9.2018 of the Hon'ble National Green Tribunal, the weighing machine will be installed by the Lease holder at the extraction site of the mine and will be integrated in the artificial intelligence-based software used in the command center established in the directorate. The weighing machine located in Intgratus must have the following features.
  17. (1) The weigh bridge device should use the MQTT protocol to transmit data.
  18. (2) The weigh bridge device should transmit data over the internet to IOT infrastructure in cloud.
19. The Lease will not carry out mining operations at a depth greater than 3 meters or the water level, whichever is less.
20. The Mining will not be done in the enchanted area identified by the District Magistrate.
21. Mining work will not be done by machines like suction machine, lifter etc. in the river water stream.

22. Where the transport form is issued within the approved area, it will display the selling price of the minerals.
23. If the lessee violates the rules and conditions of the mining lease, environmental sanitation certificate, mining plan etc., then after providing the lessee an opportunity to explain his case, the lease can be terminated by the District Magistrate or the State Government.
24. Loading of minerals will be done by the lessee as per the standards prescribed by the Government of India.
25. If any suit or criminal process is filed as a result of violation of the terms and conditions, it will be the entire responsibility of the lease holder and if there is any expense done in this regard, it will have to be borne by the lessee himself.
26. If there is any amendment in the rules/acts or any condition or law is promulgated by the State Government or the Central Government, then it will be acceptable to the lease holder.
27. After the lease holder submits the environmental cleanliness certificate to the Office, Mining work will be started after obtaining permission.
28. The orders passed by the Hon'ble High Court, Hon'ble National green Tribunal or Hon'ble Supreme Court will be followed.
29. As per rules, the lessee will have to obtain consent from Uttar Pradesh Pollution Control Board under Water (Prevention and Control of Pollution) Act, 1974 as amended and Air Pollution Prevention and Control Act 1981 as amended.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT**

**Ref: LOI/2023/5/21-05-2023 OO:OO:OO/216637**

**Dated: 21.5.2023**

LOI ISSUED UNDER RULE 23 OF U.P. MINOR MINERAL (CONCESSION) RULES, 2021

| <b>DETAILS OF BIDDER</b>    |  |
|-----------------------------|--|
| <b>NAME OF BIDDER</b>       | NUTRESSAORGANICS INDIA PRIVATE LIMITED<br>(mstc/NUTRESSAORGANICS INDIA PRIVATE LIMITED/397018) |
| <b>ADDRESS</b>              | E 17 GREEN PARK MAIN SOUTH DELHI, SOUTH DELHI  |
| <b>MOBILE NO.</b>           | 9837114000   |
| <b>PERIOD OF LEASE DEED</b> | 60 months or Quantity which earlier  |

| <b>DETAILS OF LAND</b> |                 |               |                            |                            |  |
|------------------------|-----------------|---------------|----------------------------|----------------------------|--|
| <b>Area Code</b>       | <b>District</b> | <b>Tehsil</b> | <b>Gram/<br/>Mohalla</b>   | <b>Gata (Plot<br/>No.)</b> | <b>Area/Quantity</b>                   |
| 1089190501             | Saharanpur      | Behat         | Arazi Zevari<br>Aht 108919 | 1 & 1                      | 13.8000 Hect/<br>248400.00 Cubic Meter |

| <b>AMOUNT TO BE PAID</b>                                      |                          |
|---|--------------------------|
| <b>License Mineral</b>  | Sand/Bajri/Boulder (RBM) |
| <b>Quantity</b>   | 248400.00 Cubic Meter    |
| <b>Highest Bid rate Rs.</b>                                   | 522.00                   |
| <b>Amt. payment Ist year</b>                                  | 129664800.0000           |
| <b>Earnest money (25% of Ist year amount payable)</b>         | 32416200.0000            |
| <b>Ist instalment of Ist year (20% of 1st year amt. paid)</b> | 25932960.0000            |
| <b>After adjustment balance amount</b>                        | 51518160.00              |
| <b>Due DMF (Rs.)</b>  | 12966480.00              |
| <b>TCS payable Rs.</b>  | 2593296.00               |
| <b>Others</b>   | 2593296.00               |

You are therefore advised to paid the above due amount within 03 working days and upload the original copy of challan at upminemitra.in portal from your login so that the proceedings can be done for issuance Mineral Lease Deed as per rules.

It is necessary to comply with the terms and conditions of Enclosure-1 positively.

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR**  
**(Mining Section)**  
**LETTER OF INTENT FOR MINING LEASE**

Ref: LOI/2023/5//21-05-2023 00:00:00/216671

**Dated: 21.05.2023**

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                        |  |
|------------------------|--|
| Name of Tenderer       | M/S MANNU ENTERPRISES (mstc/MS MANNU ENTERPRISES/395471) |
| Address of Tenderer    | O ROSHNABAD, UTTRAKHAND                                  |
| Mobile No. of Tenderer | 9758130351   |
| Lease Period           | 60 months or quantity which will completed earlier       |

**DETAILS OF LAND**

| Area Code  | District   | Tehsil | Village/<br>Mohalla              | Gata<br>(Plot) No. | Area/Quantity                    |
|------------|------------|--------|----------------------------------|--------------------|----------------------------------|
| 1089130501 | Saharanpur | Behat  | Akbarpur<br>Bans Aht –<br>108913 | 1                  | 17.9000 Hect./<br>322200.00 CuM. |

**AMOUNT PAYABLE**

| Allowed Sub Mineral                 | Allowed Qty.         | Maximum Bid Rate (Rs.) | Amt. payable Ist year (Rs.) | Earnest Money (25% of Ist year payable amt.) | Ist instalment of First year (20% of Ist year payable amt.) | Balance amount after Pre-Bid adjusted | DMF Payable     | TCS Payable    | Others         |
|-------------------------------------|----------------------|------------------------|-----------------------------|--|---|---------------------------------------|-----------------|----------------|----------------|
| Sand/<br>Bajri/<br>Boulder(<br>RBM) | 32220<br>0.00<br>CuM | 620.<br>00             | 1997640<br>00.00            | 499410<br>00.00                              | 399528<br>00.00   | 810333<br>00.00                       | 199764<br>00.00 | 399528<br>0.00 | 399528<br>0.00 |
| TOTAL                               |                      |                        | 1997640<br>00.00            | 499410<br>00.00                              | 399528<br>00.00   | 810333<br>00.00                       | 199764<br>00.00 | 399528<br>0.00 | 399528<br>0.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challan must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT**

Ref. LOI/2023/5/21-05-2023 00;00;00/217413

DT: 21.05.2023

LOI ISSUED UNDER RULE 23 OF THE UP MINOR MINERALS  
(CONCESSION) RULES 2021

| <b>DETAILS OF LEASE HOLDER</b> |   |
|--------------------------------|---|
| <b>Name</b>                    | DOON MINES AND MINERALS (MSTC/DOON MINES AND MINERALS/396113) |
| <b>Address</b>                 | F1 502 USHA COLONY PACIFIC GOLF ESTATE,<br>DEHRADUN           |
| <b>Mobile No.</b>              | 9634700492  |
| <b>Period</b>                  | 60 months OR quantity completed earlier                       |

| <b>DETAILS OF LAND</b> |                 |               |   |                |   |
|------------------------|-----------------|---------------|---|----------------|---|
| <b>Area Code</b>       | <b>District</b> | <b>Tehsil</b> | <b>Village</b>                          | <b>Gata No</b> | <b>Area/Qty</b>                               |
| 1089910501             | Saharanpur      | Behat         | Rasoolpur<br>alias<br>Rasooli<br>108991 | 1/1            | 34.0000<br>Ha/<br>612000.00<br>Cubic<br>Meter |

| <b>AMOUNT PAYABLE</b>    |                          |                     |                                |   |   |                               |             |            |               |
|--------------------------|--------------------------|---------------------|--------------------------------|---|---|-------------------------------|-------------|------------|---------------|
| <b>Minerals</b>          | <b>License d Qty.</b>    | <b>Highest Rate</b> | <b>Amount payable Ist year</b> | <b>Earnest Money (Ist year 25% of amount payable)</b> | <b>Ist instalment (Ist year amount 20%)</b> | <b>Previous adjusted amt.</b> | <b>DMF</b>  | <b>TCS</b> | <b>Others</b> |
| Sand/Bajri/Boulder (RBM) | 612000.00<br>Cubic Meter | 478.00              | 292536000.0000                 | 73134000.0000   | 58507200.00                                 | 11481120.00                   | 29253600.00 | 5850720.00 | 5850720.00    |
| <b>TOTAL</b>             |                          |                     | 292536000.0000                 | 73134000.0000   | 58507200.00                                 | 11481120.00                   | 29253600.00 | 5850720.00 | 5850720.00    |

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR****(Mining Section)****LETTER OF INTENT FOR MINING LEASE**

Ref: LOI/2023/5//21-05-2023 00:00:00/217449

**Dated: 21.05.2023**

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                        |   |
|------------------------|---|
| Name of Tenderer       | VEDANTA ASSOCIATES (mstc/VEDANTA ASSOCIATES/395585) |
| Address of Tenderer    | 86A, CHANDRALOK COLONY BEHAT ROAD, SAHARANPUR       |
| Mobile No. of Tenderer | 7417720000  |
| Lease Period           | 60 MONTHS OR QUANTITY which will completed earlier  |

**DETAILS OF LAND**

| Area Code  | District   | Tehsil | Village/<br>Mohalla            | Gata (Plot)<br>No. | Area/Quantity                    |
|------------|------------|--------|--------------------------------|--------------------|----------------------------------|
| 1089160501 | Saharanpur | Behat  | Shahpur<br>Bans Aht-<br>108916 | 1/1                | 15.600 Hectare/<br>280800.00 CuM |

**AMOUNT PAYABLE**

| Allowed Sub Mineral                 | Allowed Qty.         | Maximum Bid Rate (Rs.) | Amt. payable Ist year (Rs.) | Earnest Money (25% of Ist year payable amt.) | Ist instalment of First year (20% of Ist year payable amt.) | Balance amount after Pre-Bid adjusted | DMF Payable     | TCS Payable    | Others         |
|-------------------------------------|----------------------|------------------------|-----------------------------|--|---|---------------------------------------|-----------------|----------------|----------------|
| Sand/<br>Bajri/<br>Boulder<br>(RBM) | 2808<br>00.00<br>CuM | 505.0<br>0             | 141804<br>000.00            | 354510<br>00.00                              | 283608<br>00.00   | 560898<br>00.00                       | 141804<br>00.00 | 28360<br>80.00 | 28360<br>80.00 |
| TOTAL                               |                      |                        | 141804<br>000.00            | 354510<br>00.00                              | 283608<br>00.00   | 560898<br>00.00                       | 141804<br>00.00 | 28360<br>80.00 | 28360<br>80.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challen must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT**

**Ref: LOI/2023/5/21-05-2023 OO:OO:OO/217481**

**Dated: 21.5.2023**

LOI ISSUED UNDER RULE 23 OF U.P. MINOR MINERAL (CONCESSION) RULES, 2021

| <b>DETAILS OF BIDDER</b>    |   |
|-----------------------------|---|
| <b>NAME OF BIDDER</b>       | YAMUNA MINES (mstc/YAMUNA MINES/396096)                                       |
| <b>ADDRESS</b>              | OPP POST OFF JARODA JATT PO JADAUDA JATT VILL JARODA JATT, DEOBAND SAHARANPUR |
| <b>MOBILE NO.</b>           | 7226026260  |
| <b>PERIOD OF LEASE DEED</b> | 60 months or Quantity which earlier   |

| <b>DETAILS OF LAND</b> |            |        |                                    |                    |                                   |
|------------------------|------------|--------|------------------------------------|--------------------|-----------------------------------|
| Area Code              | District   | Tehsil | Gram/<br>Mohalla                   | Gata (Plot<br>No.) | Area/Quantity                     |
| 1089170501             | Saharanpur | Behat  | Alauddinpur<br>Bans Aht-<br>108917 | 1/1                | 9.5800 Hect/<br>172440.00 Cub.Mtr |

| <b>AMOUNT TO BE PAID</b>  |                          |
|---|--------------------------|
| <b>License Mineral</b>  | Sand/Bajri/Boulder (RBM) |
| <b>Quantity</b>   | 172440.00 Cubic meter    |
| <b>Highest Bid Rate (Rs.)</b>                                     | 378.00                   |
| <b>Amt. payment Ist year</b>                                      | 65182320.0000            |
| <b>Earnest Money (25% of Ist year amount)</b>                     | 16295580.0000            |
| <b>Ist instalment of Ist year<br/>(20% of Ist year amt. paid)</b> | 13036464.0000            |
| <b>After adjustment balance amount</b>                            | 24589944.00              |
| <b>Due DMF (Rs.)</b>  | 6518232.00               |
| <b>TCS payable Rs.</b>  | 1303646.00               |
| <b>Others</b>   | 1303646.00               |

You are therefore advised to paid the above due amount within 03 working days and upload the original copy of challan at upminemitra.in portal from your login so that the proceedings can be done for issuance Mineral Lease Deed as per rules.

It is necessary to comply with the terms and conditions of Enclosure-1 positively.

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR**  
**(Mining Section)**  
**LETTER OF INTENT FOR MINING LEASE**

**Ref: LOI/2023/5//21-05-2023 00:00:00/217496**

**Dated: 21.05.2023**

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                               |  |
|-------------------------------|--|
| <b>Name of Tenderer</b>       | CHOUDHARY MINES (mstc/CHOUDHARY MINES/395712)                  |
| <b>Address of Tenderer</b>    | NEAR GOVERNMENT SCHOOL BARTHA KAYASTHA ALAHPUR AHT, SAHARANPUR |
| <b>Mobile No. of Tenderer</b> | 9355517411   |
| <b>Lease Period</b>           | 60 months or quantity which will completed earlier             |

**DETAILS OF LAND**

| <b>Area Code</b> | <b>District</b> | <b>Tehsil</b> | <b>Village/<br/>Mohalla</b> | <b>Gata<br/>(Plot)<br/>No.</b> | <b>Area/Quantity</b>          |
|------------------|-----------------|---------------|-----------------------------|--------------------------------|-------------------------------|
| 108924501        | Saharanpur      | Behat         | Niyanandpur<br>Aht – 108924 | 1 & 1m                         | 17.700 Hect/<br>318600.00 CuM |

**AMOUNT PAYABLE**

| Allowed Sub Mineral                 | Allowed Qty.         | Maximum Bid Rate (Rs.) | Amt. payable Ist year (Rs.) | Earnest Money (25% of Ist year payable amt.) | Ist instalment of First year (20% of Ist year payable amt.) | Balance amount after Pre-Bid adjusted | DMF Payable     | TCS Payable    | Others         |
|-------------------------------------|----------------------|------------------------|-----------------------------|--|---|---------------------------------------|-----------------|----------------|----------------|
| Sand/<br>Bajri/<br>Boulder(<br>RBM) | 31860<br>0.00<br>CuM | 330.<br>00             | 1051380<br>00.00            | 262845<br>00.00                              | 210276<br>00.00   | 385506<br>00.00                       | 105138<br>00.00 | 210276<br>0.00 | 210276<br>0.00 |
| <b>TOTAL</b>                        |                      |                        | 1051380<br>00.00            | 262845<br>00.00                              | 210276<br>00.00   | 385506<br>00.00                       | 105138<br>00.00 | 210276<br>0.00 | 210276<br>0.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challen must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT**

**Ref: LOI/2023/5/21-05-2023 OO:OO:OO/217507**

**Dated: 21.5.2023**

LOI ISSUED UNDER RULE 23 OF U.P. MINOR MINERAL (CONCESSION) RULES, 2021

| <b>DETAILS OF BIDDER</b>    |  |
|-----------------------------|--|
| <b>NAME OF BIDDER</b>       | MANISH JAISWAL (mstc/MANISH JAISWAL/99092)                           |
| <b>ADDRESS</b>              | GROUND FLOOR HOTEL SUYASH PALACE<br>STATION ROAD PURANI BASTI, BASTI |
| <b>MOBILE NO.</b>           | 9415037137   |
| <b>PERIOD OF LEASE DEED</b> | 60 months or Quantity which earlier                                  |

| <b>DETAILS OF LAND</b> |                 |               |                                  |   |                                       |
|------------------------|-----------------|---------------|----------------------------------|---|---------------------------------------|
| <b>Area Code</b>       | <b>District</b> | <b>Tehsil</b> | <b>Gram/<br/>Mohalla</b>         | <b>Gata (Plot<br/>No.)</b>              | <b>Area/Quantity</b>                  |
| 1090650501             | Saharanpur      | Behat         | Kalu Wala<br>Pahadipur<br>109065 | 119/1, 120/1,<br>192/1, 193/1,<br>125/4 | 14.9000 Hect./<br>178800.00 Cubic Mtr |

| <b>AMOUNT TO BE PAID</b>  |                          |
|---|--------------------------|
| <b>License Mineral</b>  | Sand/Bajri/Boulder (RBM) |
| <b>Quantity</b>   | 178800.00 Cubic meter    |
| <b>Highest Bid rate Rs.</b>                                       | 351.00                   |
| <b>Amt. payment Ist year</b>                                      | 62758800.0000            |
| <b>Earnest Money (25% of Ist year amount)</b>                     | 15689700.0000            |
| <b>Ist instalment of Ist year<br/>(20% of 1st year amt. paid)</b> | 12551760.000             |
| <b>After adjustment balance amount</b>                            | 23324460.00              |
| <b>Due DMF (Rs.)</b>  | 6275880.00               |
| <b>TCS payable Rs.</b>  | 1255176.00               |
| <b>Others</b>   | 1255176.00               |

**You are therefore advised to paid the above due amount within 03 working days and upload the original copy of challan at upminemitra.in portal from your login so that the proceedings can be done for issuance Mineral Lease Deed as per rules.**

It is necessary to comply with the terms and conditions of Enclosure-1 positively.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT**

**Ref: LOI/2023/5/21-05-2023 OO:OO:OO/217512**

**Dated: 21.5.2023**

LOI ISSUED UNDER RULE 23 OF U.P. MINOR MINERAL (CONCESSION) RULES, 2021

| <b>DETAILS OF BIDDER</b>    |  |
|-----------------------------|--|
| <b>NAME OF BIDDER</b>       | RANA ROYALTY (mstc/RANA ROYALTY/396108)                    |
| <b>ADDRESS</b>              | BLOCK NO. 1 NORTH 102 KARANPUR ROAD,<br>DEHRADUN, DEHRADUN |
| <b>MOBILE NO.</b>           | 9997429999   |
| <b>PERIOD OF LEASE DEED</b> | 60 months or Quantity which earlier                        |

| <b>DETAILS OF LAND</b> |                 |               |                                  |                            |   |
|------------------------|-----------------|---------------|----------------------------------|----------------------------|---|
| <b>Area Code</b>       | <b>District</b> | <b>Tehsil</b> | <b>Gram/<br/>Mohalla</b>         | <b>Gata (Plot<br/>No.)</b> | <b>Area/Quantity</b>                      |
| 1089860501             | Saharanpur      | Behat         | Abboo<br>Talabpur Garh<br>108986 | 1                          | 37.0000 Hectare/<br>666000.00 Cubic Meter |

| <b>AMOUNT TO BE PAID</b>  |                              |
|---|------------------------------|
| <b>License Mineral</b>  | Sand/Bajri/Boulder (RBM)     |
| <b>Quantity</b>   | <b>666000.00</b> Cubic meter |
| <b>Highest Bid rate Rs.</b>                                       | 359.00                       |
| <b>Amt. payment Ist year</b>                                      | 239094000.0000               |
| <b>Earnest Money (25% of Ist year amount)</b>                     | 59773500.0000                |
| <b>Ist instalment of Ist year<br/>(20% of 1st year amt. paid)</b> | 47818800.0000                |
| <b>After adjustment balance amount</b>                            | 89277300.00                  |
| <b>23909400.00</b>  | 23909400.00                  |
| <b>TCS payable Rs.</b>  | 4781880.00                   |
| <b>Others</b>   | 4781880.00                   |

You are therefore advised to paid the above due amount within 03 working days and upload the original copy of challan at upminemitra.in portal from your login so that the proceedings can be done for issuance Mineral Lease Deed as per rules.

It is necessary to comply with the terms and conditions of Enclosure-1 positively.

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR****(Mining Section)****LETTER OF INTENT FOR MINING LEASE****Ref: LOI/2023/5//21-05-2023 00:00:00/217519****Dated: 21.05.2023**

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                               |  |
|-------------------------------|--|
| <b>Name of Tenderer</b>       | MANISH AWANA (MSTC/ MANISH AWANA/373335)           |
| <b>Address of Tenderer</b>    | HAROLA AJAB CABLE NETWORK SECTOR 5 NOIDA,<br>NOIDA |
| <b>Mobile No. of Tenderer</b> | 9620217976   |
| <b>Lease Period</b>           | 60 months or quantity which will completed earlier |

**DETAILS OF LAND**

| <b>Area Code</b> | <b>District</b> | <b>Tehsil</b> | <b>Village/<br/>Mohalla</b>           | <b>Gata<br/>(Plot) No.</b>   | <b>Area/Quantity</b>              |
|------------------|-----------------|---------------|---------------------------------------|--|-----------------------------------|
| 1088960503       | Saharanpur      | Behat         | Sherpur<br>Pelo<br>108896<br>(108896) | 403, 404/1,<br>405, 406/1,<br>416/2,<br>421/1,<br>422/2,<br>423/2....<br>Etc | 6.4700 Hectare/<br>77700.00 Cu M. |

**AMOUNT PAYABLE**

| <b>Allowed Sub Mineral</b>          | <b>Allowed Qty.</b> | <b>Maximum Bid Rate (Rs.)</b> | <b>Amt. payable Ist year (Rs.)</b> | <b>Earnest Money (25% of Ist year payable amt.)</b> | <b>Ist instalment of First year (20% of Ist year payable amt.)</b> | <b>Balance amount after Pre-Bid adjusted</b> | <b>DMF Payable</b> | <b>TCS Payable</b> | <b>Others</b> |
|-------------------------------------|---------------------|-------------------------------|------------------------------------|---|--|--|--------------------|--------------------|---------------|
| Sand/<br>Bajri/<br>Boulder<br>(RBM) | 7770<br>0.00<br>CuM | 361.0<br>0                    | 280497<br>00.00                    | 70124<br>25.00                                      | 56099<br>40.00   | 104856<br>15.00                              | 28049<br>70.00     | 5609<br>94.00      | 5609<br>94.00 |
| <b>TOTAL</b>                        |                     |                               | 280497<br>00.00                    | 70124<br>25.00                                      | 56099<br>40.00   | 104856<br>15.00                              | 28049<br>70.00     | 5609<br>94.00      | 5609<br>94.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challan must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

**OFFICE OF DISTRICT MAGISTRATE SAHARANPUR  
LETTER OF INTENT****Ref: LOI/2023/5/21-05-2023 OO:OO:OO/217528****Dated: 21.5.2023**LOI ISSUED UNDER RULE 23 OF U.P. MINOR MINERAL (CONCESSION) RULES,  
2021

| <b>DETAILS OF BIDDER</b>    |   |
|-----------------------------|---|
| <b>NAME OF BIDDER</b>       | BLUE STAR MINES (mstc/BLUE STAR MINES/396130)     |
| <b>ADDRESS</b>              | 3_2204 KHAN ALAMPURA DEHRADUN ROAD,<br>SAHARANPUR |
| <b>MOBILE NO.</b>           | 800622206   |
| <b>PERIOD OF LEASE DEED</b> | 60 months or Quantity which earlier               |

| <b>DETAILS OF LAND</b> |                 |               |                                   |                            |  |
|------------------------|-----------------|---------------|-----------------------------------|----------------------------|--|
| <b>Area Code</b>       | <b>District</b> | <b>Tehsil</b> | <b>Gram/<br/>Mohalla</b>          | <b>Gata (Plot<br/>No.)</b> | <b>Area/Quantity</b>                   |
| 1089180501             | Saharanpur      | Behat         | Mahmoodpur<br>Nagli Aht<br>108919 | 1                          | 15.7000 Hect/ 282600.00<br>Cubic Meter |
|                        |                 |               |                                   |                            |  |

| <b>AMOUNT TO BE PAID</b>  |                          |
|---|--------------------------|
| <b>License Mineral</b>  | Sand/Bajri/Boulder (RBM) |
| <b>Quantity</b>   | 282600.00 cubic meter    |
| <b>Highest Bid rate Rs.</b>                                       | 385.00                   |
| <b>Amt. payment 1st year</b>                                      | 108801000.0000           |
| <b>Earnest Money (25% of 1st year amount)</b>                     | 27200250.0000            |
| <b>Ist instalment of 1st year<br/>(20% of 1st year amt. paid)</b> | 21760200.0000            |
| <b>After adjustment balance amount</b>                            | 41188950.00              |
| <b>Due DMF (Rs.)</b>  | 10880100.00              |
| <b>TCS payable Rs.</b>  | 2176020.00               |
| <b>Others</b>   | 2176020.00               |

You are therefore advised to paid the above due amount within 03 working days and upload the original copy of challan at upminemitra.in portal from your login so that the proceedings can be done for issuance Mineral Lease Deed as per rules.

It is necessary to comply with the terms and conditions of Enclosure-1 positively.

**OFFICE OF DISTRICT MAGISTRATE, SAHARANPUR****(Mining Section)****LETTER OF INTENT FOR MINING LEASE****Ref: LOI/2023/8/22-08-2023 00:00:00/239703****Dated: 22.08.2023**

Related to Rule 23 of the U.P. Minor Minerals (Concession) Rules, 2021 Letter of Intent for Mining Lease:

|                               |   |
|-------------------------------|---|
| <b>Name of Tenderer</b>       | MAA SHAKUMBHARI TRADERS<br>(mstc/MAA/SHAKUMBHARI TRADERS/395596)          |
| <b>Address of Tenderer</b>    | NEAR MAHARANA PRATAP PARK 2B 1311 RAJENDRA NAGAR NAVEEN NAGAR, SAHARANPUR |
| <b>Mobile No. of Tenderer</b> | 9837067237  |
| <b>Lease Period</b>           | 60 MONTHS OR QUANTITY which will completed earlier                        |

**DETAILS OF LAND**

| <b>Area Code</b> | <b>District</b> | <b>Tehsil</b> | <b>Village/<br/>Mohalla</b> | <b>Gata<br/>(Plot) No.</b> | <b>Area/Quantity</b>            |
|------------------|-----------------|---------------|-----------------------------|----------------------------|---------------------------------|
| 1089880502       | Saharanpur      | Behat         | 108988                      | 1/1M                       | 28.1600 Hect/<br>506880.00 Cum. |

## AMOUNT PAYABLE

| Allowed Sub Mineral        | Allowed Qty.         | Maximum Bid Rate (Rs.) | Amt. payable Ist year (Rs.) | Earnes t Money (25% of Ist year payabl e amt.) | Ist instal ment of First year (20% of Ist year payabl e amt. | Balanc e amount after Pre-Bid adjuste d | DMF Payabl e    | TCS Payabl e   | Other s        |
|----------------------------|----------------------|------------------------|-----------------------------|--|--|---|-----------------|----------------|----------------|
| Sand/ Bajri/ Boulder( RBM) | 5068<br>80.00<br>cum | 552.0<br>0             | 279797<br>760.00            | 699494<br>40.00                                | 559595<br>52.00  | 111969<br>792.00                        | 279797<br>76.00 | 55959<br>56.00 | 55959<br>56.00 |
| TOTAL                      |                      |                        | 279797<br>760.00            | 699494<br>40.00                                | 559595<br>52.00  | 111969<br>792.00                        | 279797<br>76.00 | 55959<br>56.00 | 55959<br>56.00 |

It is requested that the original copy of the challan should be submitted within 3 working days and the original copy of the challan must be upload on upminemitra.in portal through your login so that the process of issuing the Mining lease as per rules.

It is necessary for applicant to comply with the terms and conditions of Annexure – 1.

*Va Di*

\\TRUE COPY\\

प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0,  
खनिज भवन, लखनऊ।

ANNEXURE R-8

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274394

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री **Krishna Constellation Private Limited Director- Subhash Tyagi** के पक्ष में स्वीकृत जनपद **Saharanpur** में तहसील **Behat** ग्राम-**Nooniyari Aht** गाटा सं0-1/1/1 क्षेत्रफल **19.0000** हे0 में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री **Krishna Constellation Private Limited Director- Subhash Tyagi** द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक **2023-10-18** को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी **60** (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से **342000.00** घन मी0 प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी0 एवं चौड़ाई न्यूनतम 10 मी0 होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रूट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

149

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274394 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:25:06

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Krishna Constellation Private Limited Director- Subhash Tyagi नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:25:07



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274349

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री NUTRESSAORGANICS INDIA PRIVATE LIMITED Authorized Partner-Neelam Pundir के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम- Arazi Zevari Aht गाटा सं०-1 व 1 क्षेत्रफल 13.8000 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री NUTRESSAORGANICS INDIA PRIVATE LIMITED Authorized Partner-Neelam Pundir द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 248400.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रूट एड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

151

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274349 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:28:53

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री NUTRESSAORGANICS INDIA PRIVATE LIMITED Authorized Partner-  
Neelam Pundir नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

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Date: 2023.10.18 17:28:53



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/9/23/272590

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री **M/s Mannu Enterprises Authorized Person-Rajendra Kumar** के पक्ष में स्वीकृत जनपद **Saharanpur** में तहसील **Behat** ग्राम-**Akbarpur Bans Aht** गाटा सं०-1 क्षेत्रफल **17.9000** हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री **M/s Mannu Enterprises Authorized Person-Rajendra Kumar** द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक **2023-10-18** को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी **60** (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से **322200.00** घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रूट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

153

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/9/23/272590 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:37:40

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री M/s Mannu Enterprises Authorized Person-Rajendra Kumar नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

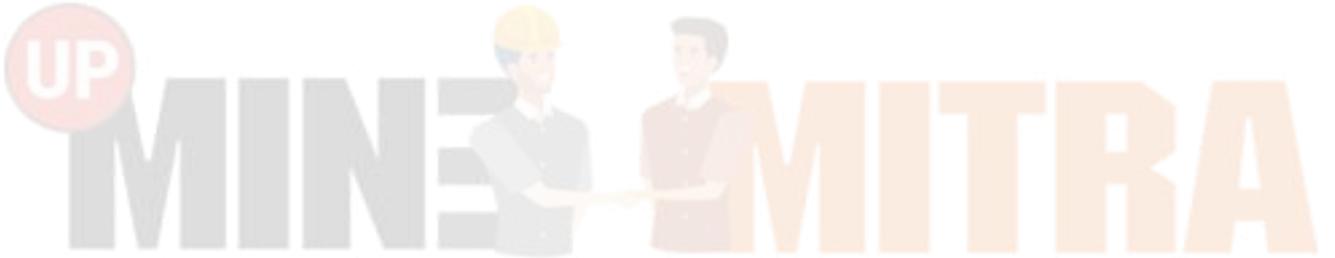
भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:37:40



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274339

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री Doon Mines And Minerals Authorized Partner-Priya Jaiswal के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Rasoolpur Urf Rasooli गाटा सं०-1/1 क्षेत्रफल 34.0000 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री Doon Mines And Minerals Authorized Partner-Priya Jaiswal द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 612000.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रूट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

155

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274339 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:32:02

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Doon Mines And Minerals Authorized Partner-Priya Jaiswal नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:32:02



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/9/24/272591

दिनांक :- 2023-10-19

विषय :-

पट्टाधारक श्री M/s Vedanta Associates Authorized Person -Pradeep Kumar के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Shahpur Bans Aht गाटा सं०-1/1 क्षेत्रफल 15.6000 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री M/s Vedanta Associates Authorized Person -Pradeep Kumar द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-19 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 280800.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रूट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

157

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/9/24/272591 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.19 17:37:24

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री M/s Vedanta Associates Authorized Person -Pradeep Kumar नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.19 17:37:25



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274354

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री Yamuna Mines Kamaldeep B Pundir(Partner) के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Allauddinpur Bans Aht गाटा सं०-1/1 क्षेत्रफल 9.5800 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री Yamuna Mines Kamaldeep B Pundir(Partner) द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 172440.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रंट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

159

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274354 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:27:11

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Yamuna Mines Kamaldeep B Pundir(Partner) नि0 तहसील **Behat** जनपद **Saharanpur**
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

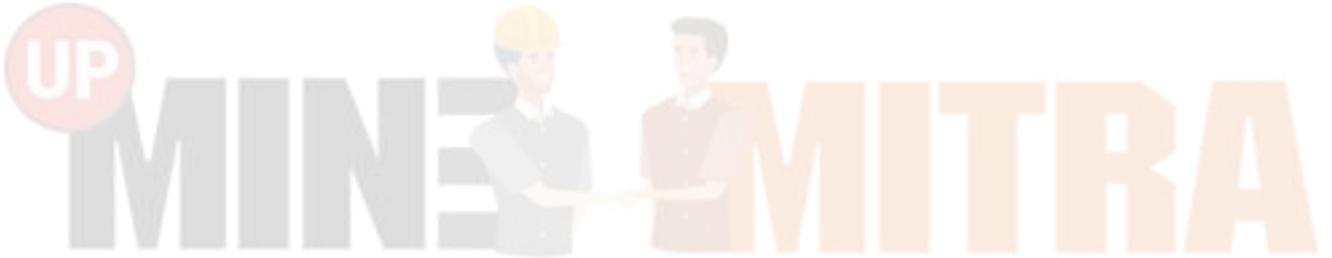
भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:27:12



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/9/24/272595

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री M/s Choudhary Mines Bilinder Kumar के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Nityanandpur Aehatmal गाटा सं०-1 , 1 M क्षेत्रफल 17.7000 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०) , के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में ।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री M/s Choudhary Mines Bilinder Kumar द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 318600.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा ।
2. खनन पट्टा स्थल पर फ्रूट एंड बॉक्स व स्ट्रेचर रखे जायें।
3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।
4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।
5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

161

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/9/24/272595 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:36:28

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री M/s Choudhary Mines Bilinder Kumar नि0 तहसील **Behat** जनपद **Saharanpur**
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

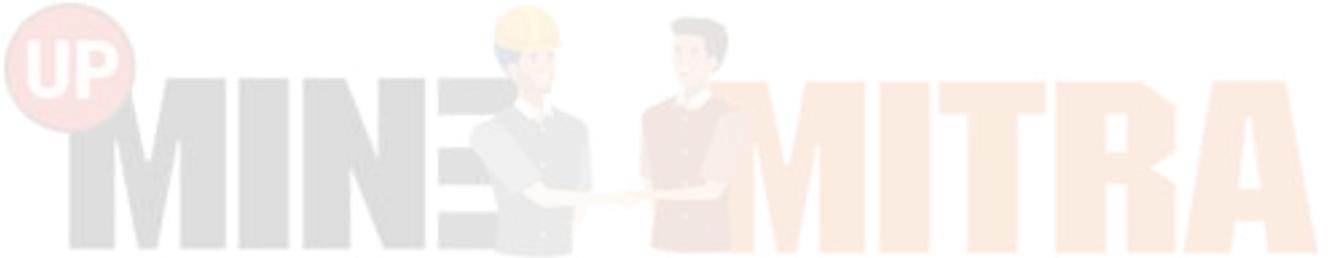
भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:36:29



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/10/277115

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री **Manish Jaiswal** के पक्ष में स्वीकृत जनपद **Saharanpur** में तहसील **Behat** ग्राम-**Kaluwala** गाटा सं०-119/1 , 120/1 , 192/1 , 193/1 , 225/1 क्षेत्रफल **14.9000** हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०) , के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में ।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री **Manish Jaiswal** द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक **2023-10-18** को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी **60** (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से **178800.00** घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा ।

2. खनन पट्टा स्थल पर फ्रंट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

163

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/10/277115 (1)/मा0 प्लान , तद् दिनांक

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:18:19

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Manish Jaiswal नि0 तहसील **Behat** जनपद **Saharanpur**
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

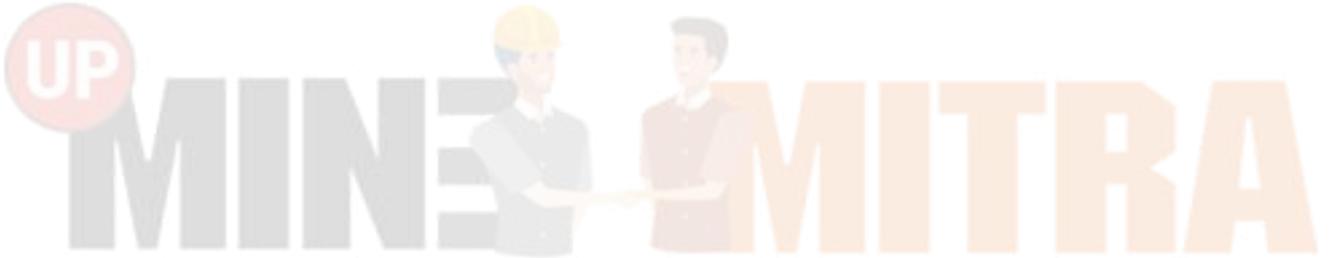
भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:18:20



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274342

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री Rana Royalty Authorized Partner-Pradeep Singh के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Abboo Talabpur Garh गाटा सं०-1 क्षेत्रफल 37.0000 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री Rana Royalty Authorized Partner-Pradeep Singh द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 666000.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रंट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

165

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274342 (1)/मा0 प्लान ,तद् दिनांक

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Date: 2023.10.18 17:30:41

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Rana Royalty Authorized Partner-Pradeep Singh नि0 तहसील **Behat** जनपद **Saharanpur**
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:30:42



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/10/277114

दिनांक :- 2023-12-28

विषय :-

पट्टाधारक श्री Manish Awana के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम-Sherpur Pelo गाटा सं०-403 , 404/1 , 405 , 406/1 , 416/2 , 421/1 , 422/2 , 423/2 , 424/2 , 429 and 431 क्षेत्रफल 6.4750 हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०) , के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में ।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री Manish Awana द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-12-28 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 77700.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा। खनन कार्य अधिकतम 03 मी० क गहराई तक या पानी केतलए जो भी कम हो तक कया जायेगा।
2. खनन पट्टा स्थल पर फ्रूट एड बॉक्स व स्ट्रेचर रखे जायें।
3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।
4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।
5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन किया जायेगा।

167

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/10/277114 (1)/मा0 प्लान , तद् दिनांक

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Date: 2023.12.28 16:02:04

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Manish Awana नि0 तहसील **Behat** जनपद **Saharanpur**
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.12.28 16:02:05



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/10/1/274333

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री Blue Star Mines(Geo Developers Private Limited) Authorized Partner-Mohd Azhar Javed के पक्ष में स्वीकृत जनपद Saharanpur में तहसील Behat ग्राम- Mahmoodpur Nagli Aehatmal गाटा सं०-1 क्षेत्रफल 15.7000 हे० में उपखनिज सैण्ड/बजरी/ बोल्टर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में ।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री Blue Star Mines(Geo Developers Private Limited) Authorized Partner-Mohd Azhar Javed द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 2023-10-18 को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 60 (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से 282600.00 घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा ।

2. खनन पट्टा स्थल पर फ्रूट एड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

169

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/10/1/274333 (1)/मा0 प्लान ,तद् दिनांक

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:33:28

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Blue Star Mines(Geo Developers Private Limited) Authorized Partner- Mohd Azhar Javed नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:33:29



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Saharanpur

संख्या :-

2023/9/25/272934

दिनांक :- 2023-10-18

विषय :-

पट्टाधारक श्री **Maa Shakumbhari Traders Authorized Person-J K Singhal** के पक्ष में स्वीकृत जनपद **Saharanpur** में तहसील **Behat** ग्राम-**Aslampur bartha** गाटा सं०-1/1M क्षेत्रफल **28.1600** हे० में उपखनिज सैण्ड/बजरी/बोल्डर मिला हुआ (आर० बी० एम०), के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री **Maa Shakumbhari Traders Authorized Person-J K Singhal** द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 2021 के नियम-35 के उपनियम (2) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक **2023-10-18** को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी **60** (माह में) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से **506880.00** घन मी० प्रतिवर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स)

आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(छ)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम 01 मी० एवं चौड़ाई न्यूनतम 10 मी० होनी चाहिए। खनन कार्य जीरो लेवल से ऊपर की ओर किया जायेगा।

2. खनन पट्टा स्थल पर फ्रंट एंड बॉक्स व स्ट्रेचर रखे जायें।

3. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

4. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।

5. भारी मशीन एवं विस्फोटक का प्रयोग सक्षम विभाग द्वारा प्रदत्त अनुमोदन के सापेक्ष नियमानुसार किया जायेगा।

6. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

171

2-

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

संख्या : - 2023/9/25/272934 (1)/मा0 प्लान ,तद् दिनांक

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:34:56

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- **Saharanpur**
- 2- पट्टाधारक श्री Maa Shakumbhari Traders Authorized Person-J K Singhal नि0 तहसील **Behat** जनपद Saharanpur
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

भवदीय

(कमलेश कुमार राय)

जेष्ठ खान अधिकारी  
कृते निदेशक।

रत्नगर्भा वसुन्धरा

Digitally signed by Kamlesh Kumar Roy  
Date: 2023.10.18 17:34:57



Na Xi

\\TRUE COPY\\



उत्तर प्रदेश 409 दूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD

172

संदर्भ संख्या: H 97226 / सी-3 / NGT . 32 3 / 2023

दिनांक: 10/07/2023

To,  
The Registrar,  
The National Green Tribunal,  
Principal Bench,  
New Delhi  
E-mail- judicial-ngt@gov.in

ANNEXURE R-9

Sub: Report of The Joint Committee and Action Taken Report (ATR) in compliance of the order dated-13.03.2023 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 188 of 2023 Gaurav Kumar Versus State of Uttar Pradesh & Ors.

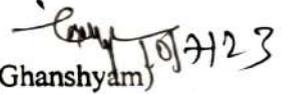
Sir,

That in compliance of the order dated- 13.03.2023 passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 188 of 2023 Gaurav Kumar Versus State of Uttar Pradesh & Ors. In compliance of the above order a Joint Committee constituted by CPCB, Delhi dated 11.04.2023. The inspection of Joint Committee conduct on dated-23.05.2023. The status report of the same is annexed.

The Action Taken Report is annexed herewith and forwarded to you with the request that the same may be placed before the Hon'ble Tribunal.

Enclosure- As above

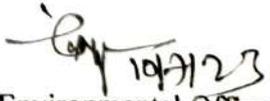
Yours Sincerely

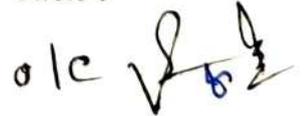
  
(Ghanshyam)

Chief Environmental Officer,  
Circle-3

Copy to:

1. Shri Pradeep Mishra, Advocate on Record, Hon'ble Supreme Court/ NGT, New Delhi for necessary action please.
2. Law Officer-I, U.P. Pollution Control Board, Lucknow for information and necessary action please.
3. Regional Officer, U.P. Pollution Control Board, Saharanpur for information and necessary action.

  
Chief Environmental Officer,  
Circle-3



टी.सी. - 12 वी. विभूति खण्ड, गोमती नगर,  
लखनऊ - 226 010  
दूरभाष : 0522-2720828, 2720831  
ई-मेल : info@uppcb.com  
वेबसाइट : www.uppcb.com

T.C.-12 V, Vibhuti Khand, Gomti Nagar,  
Lucknow - 226 010  
Phone : 0522-2720828, 2720831  
E-mail : info@uppcb.com  
Website : www.uppcb.com

**REPORT**  
**PLACED BEFORE HON'BLE NATIONAL GREEN TRIBUNAL**  
**(NGT), NEW DELHI**  
**O.A. NO. 188 of 2023**  
  
**IN THE MATTER OF**

**GAURAV KUMAR APPLICANT**

**VESUS**

**STATE OF UTTAR PRADESH & ORS.**

**RESPONDENT**

**Joint Committee**

**(CPCB, UPPCB & District Magistrate, Saharanpur, U.P.)**

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| 2.     | ANNEXURE-1 : HON'BLE NGT ORDER DATED 13.03.2023.   | 08, 09   |
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**FACTUAL REPORT OF MINING IN SAHARANPUR**  
**IN THE MATTER OF**  
**GAURAV KUMAR VS STATE OF UTTAR PRADESH & ORS.**  
**(O. A. No. 188 of 2023)**

**A. Background:**

Hon'ble NGT, Principal Bench, New Delhi has passed order on dated 13.03.2023 in the matter of Gaurav Kumar Vs State of UP & Ors. (O. A. No. 188 of 2023) for factual report on auction for published proposing mining of sand, bajari and boulder in mixed condition from 14 places without preparing final District Survey Report (DSR) and without undertaken any replenishment study. The relevant portion of the order is as below: -

".....4. In our view, a substantial question relating to environment for implementation of Scheduled enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter, we find it appropriate to obtain a factual report, for the purpose whereof, we constitute a Joint Committee comprising CPCB, State PCB and District Magistrate, Saharanpur who shall visit the site, collect relevant information and submit a factual report within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR supported PDF and not in the form of Image PDF.

5. State PCB will be the nodal agency for coordination and compliance.

6. List for further consideration on 17.05.2023."

Copy of reference NGT order is annexed as **Annexure-1**.

**B. Constitution of Committee:**

In compliance of referred NGT order, following member were nominated by the concern department:

1. Shri Rajneesh Kumar Mishr, ADM (F/R), Saharanpur (Representative of District Magistrate, Saharanpur)
2. Shri Runa Oraon, Sc.'D', CPCB, Regional Directorate, Lucknow (Representative of CPCB)

*dy.*      *Run*      *→*

3. Dr. D.C. Pandey, Regional Officer, U.P. Pollution Control Board, Saharanpur  
(Representative of UPPCB)

In compliance of Hon'ble NGT order, meeting of committee is carried out on May 09, 2023 through Video Conferencing (VC). Following officials were present during meeting:

1. Sh. Rajnish Kumar Mishr, ADM (F/R), Saharanpur
2. Sh. Runa Oraon, Sc.'D', CPCB, Regional Directorate, Lucknow
3. Sh. D.C. Pandey, Regional Officer, UPPCB, Saharanpur
4. Sh. Naveen Kumar Das, Joint Director/Mining Officer, Saharanpur

Minutes of the meeting is annexed as **annexure-2**. During meeting, it is informed by the mining officer, no mining activity has been started. However, it is decided to visit all proposed sites by the committee by end of May, 2023. It is also informed that updated DSR has been prepared and Replenishment study has been completed. Committee ask to provide all details of proposed mining activity published through auction.

#### C. Observation:

As per details provided and information provided by mining officer, the observation of the committee is summarized as below:

1. District Magistrate, Saharanpur has published e-auction notice on 13.02.2023 for inviting bids/Tenders of vacate mining lease of 14 places in Saharanpur Through MSTC (Under the administrative Control of Ministry of Steel, Government of India). Letter of Intent (LOI) has been issued to 11 (eleven) bidders.
2. Hon'ble NGT vide its order dated 06.05.2022 in the matter of Raj Kumar Vs State of UP and Ors.(140 of 2021) passed following order for mining activity in UP:  
*"11. Accordingly, the ACS, Mining, UP has fairly stated that replenishment study will be conducted prior to auctions in future and with regard to the current leases, ongoing replenishment study will be expedited. In the light thereof, the leases will be renewed, if necessary. Such studies for all Districts in UP will be completed by December 31, 2022 and for Banda by June 30, 2022. She has*

*further stated that the allegation of instream mining will be verified and if found true, the same will be discontinued.*

*12. In view of above, let the Replenishment studies be completed by credible institutions, following due procedure, in accordance with para 5 of EMSG, 2020. Further, no mining be permitted till replenishment studies are completed beyond the schedule laid down above. The State may ensure that the Regulatory authorities are adequately equipped and capable to assess quantities of mined material. With regard to instream mining, it may be ensured that the machineries permitted or used otherwise comply with "Semi mechanised" mining operations in true sense. In all mining potential districts, environmental damage assessment be carried out and annual assessment reports placed in public domain on the websites of the Mining Department as well as the PCB. Compliance of SSMG, 2016 and EMGSM, 2020 and earlier directions of this Tribunal may be ensured by an effective monitoring mechanism."*

Copy of reference NGT order is annexed as **Annexure-3**.

3. Further, Hon'ble NGT vide its order dated 30.05.2022 in the matter of Daljeet Singh Vs State of UP and Ors.(OA No. 403 of 2022) passed following order for mining activity in Saharanpur:

*"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."*

Copy of reference NGT order is annexed as **Annexure-4**.

4. District Magistrate, Saharanpur has constituted Seven (07) members Sub Divisional Committee for carrying out replenishment study of Saharanpur District for pre and post monsoon. The committee with the help of M/s Greens India Consulting Pvt. Ltd., Vaishali, Ghaziabad (UP). Replenishment study was conducted during June and July, 2022 for pre-monsoon and December, 2022 for

post-monsoon. Copy of report of Sub Divisional Committee regarding replenishment study is annexed as **annexure no. 5**.

5. Further, Hon'ble NGT vide its order dated 25-01-2023 in the matter of Daljeet Singh Vs State of UP and Ors.(403 of 2022):-

*"Reply has been filed by the Mining Department, U.P to the effect that replenishment study had been conducted prior to the Draft Survey Report for Saharanpur River Bed Mining 2022. The DSR is at draft stage and is yet to be finalized. In view of above, no further order is necessary. The application is disposed of. All IAs also stand disposed of."*

Copy of reference NGT order is annexed as **Annexure-6**.

6. It is also informed by Mining Officer, Saharanpur that updated District Survey Report (DSR) has been prepared and forwarded to Spl. Secretary, Geology and Mining Department, Uttar Pradesh Govt. and Director, Geology and Mining Department, Uttar Pradesh on 18.01.2023 and 01.02.2023 for approval. Copy of letter is annexed as **Annexure no. 7 & 8** respectively.
7. It is also informed that Updated DSR report was uploaded on Saharanpur District administration website (NIC) on 13.01.2023. Updated DSR was also E-mailed /Speed post to District Administration Yamuna Nagar for public comments. Objection received from Gaurav Kumar, Daljeet Singh and Sumit Rana is replied by mining department. Copy of objections and reply by mining department is annexed as **Annexure no. 9 & 10** respectively.
8. Govt. of Uttar Pradesh has constituted a committee for review of DSR report vide order dated 01.06.2022(copy of order is annexed as **annexure-11**). The committee comprises of following members:

|   |   |        |
|---|---|--------|
| 1 | Chief Mines Officer, Directorate of Geology & Mining U.P. | Head   |
| 2 | Joint Director, Directorate of Geology & Mining U.P.      | Member |
| 3 | Nominee of the department of Revenue                      | Member |
| 4 | Nominee By the Directorate of Environment U.P.            | Member |
| 5 | Nominee By Forest Department, U.P.                        | Member |

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*✓*

|   |  |        |
|---|--|--------|
| 6 | Nominee By Irrigation and Water Resource Department, U.P.                      | Member |
| 7 | Mr. Moinuddin, Geologist, Directorate of Geology & Mining U.P.                 | Member |
| 8 | Mr. Shashank Sharma, Assistant Geologist, Directorate of Geology & Mining U.P. | Member |

9. Director, Geology and Mining Department, Uttar Pradesh vide its letter dated 27.03.2023 approved Updated DSR report with revision and inclusion. Copy of approval letter is annexed as **annexure no. 12.**

**D. Visit of the committee:**

Visit of committee of 14 (fourteen) mining sites were carried out on 23.05. 2023. During visit, mining officer, Saharanpur was also present. Observation based on visit is as below:

1. All proposed mining sites has been auctioned for RBM (River Bed Mineral). Eleven sites are located on River Yamuna and remaining three sites are located on perineal rivers.
2. River Yamuna passing through Saharanpur is state boundary of Uttar Pradesh and Haryana.
3. Details of each mining sites are as below:

| S. No. | Tehsil | Village                                       | Gata No. | Area (in Hectare) | Name of Mineral RBM (Sand, Gravel, Boulder in mixed state) | Updated Status |
|--------|--------|---|----------|-------------------|--|----------------|
| 1.     | Behat  | Akrabpur Baans Aa.                            | 1        | 17.90             | RBM  | LOI issue      |
| 2.     | Behat  | Arraji Jevdi Ahtmal and Massodpur Garh Ahtmal | 1 and 1  | 13.80             | RBM  | LOI issue      |
| 3.     | Behat  | Shahzadpur Baans                              | 1        | 13.00             | RBM  | LOI issue      |
| 4.     | Behat  | Allaudinpur Baans Ahtmal                      | 1/1      | 9.580             | RBM  | LOI issue      |

*[Handwritten signatures and marks]*

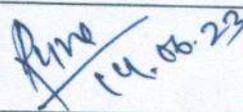
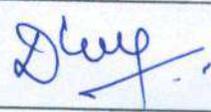
|     |       |   |   |       |     |                |
|-----|-------|---|---|-------|-----|----------------|
| 5.  | Behat | Mahmoodpur Nagli Ahtmal                         | 1   | 15.70 | RBM | LOI issue      |
| 6.  | Behat | Shahpur Baans Ahtmal                            | 1/1   | 15.60 | RBM | LOI issue      |
| 7.  | Behat | Abutalibpur Garh Ahtmal                         | 1   | 37.00 | RBM | LOI issue      |
| 8.  | Behat | Nityanandpur Ahtmal and Said Mohammadpur Ahtmal | 1 and 1 Ma  | 17.70 | RBM | LOI issue      |
| 9.  | Behat | Sherpur Pelo                                    | 403, 404/1, 405, 406/1, 416/2, 421/1, 422/2, 423/2, 424/2, 429, 431 | 6.475 | RBM | LOI issue      |
| 10. | Behat | Kaluvala Paharipur                              | 119/1, 120/1, 192/1, 193/1, 125/4                                   | 14.90 | RBM | LOI issue      |
| 11. | Behat | Nunyari Ahtmal Khand- II                        | 1/1/1   | 23.20 | RBM | LOI not issued |
| 12. | Behat | Aslampur Bartha                                 | 1/1 Ma  | 36.60 | RBM | LOI not issued |
| 13. | Behat | Rasoolpur urf Rasuli                            | 1/1   | 34.00 | RBM | LOI issue      |
| 14. | Behat | Aslampur Bartha Khand-2                         | 1/1 Ma  | 28.16 | RBM | LOI not issued |

4. During visit, no mining activity was observed in all proposed sites.
5. It is also observed that eight proposed mining sites are in cluster.

*dy* *Pen* 

**E. Conclusion/Recommendation:**

It is evident from above, Updated DSR report and replenishment Study report of Saharanpur has been prepared and approved by Govt. of UP. Mining permission is yet to granted for all proposed places. It is also recommended that Mining activity should not be started till obtaining necessary approval from all concern departments such as Environmental Clearance (EC), NOC from Ground Water Department, CTE & CTO from SPCB etc..

| S. No | Member   | Signature  |
|-------|--|--|
| 1.    | Shri Rajneesh Kumar Mishr, ADM (F/R), Saharanpur.                            |               |
| 2.    | Shri Runa Oraon, Sc. 'D', CPCB, Regional Directorate, Lucknow.               | <br>14.06.23 |
| 3.    | Dr. D.C. Pandey, Regional Officer, U.P. Pollution Control Board, Saharanpur. |              |

Item No. 03

Court No. 2

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

Original Application No. 188/2023  
(I.A. No. 76/2023)

Gaurav Kumar

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 13.03.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Advocate

**ORDER**

1. Heard learned Counsel for the applicant. This Original Application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010'), stating that auction notices dated 13.02.2022 and 26.07.2022 (Annexure A-8 to the Original Application) have been published proposing mining of sand, bajari and boulder in mixed condition from 14 places without preparing final District Survey Report (DSR) and without undertaken any replenishment study.

2. Our attention is drawn to Enforcement & Monitoring Guidelines for Sand Mining published in January, 2020, at page 86 wherein para 4.1.1(a) reads as under:-

*"a) District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent*

*(LoI) by Mining department or department dealing the mining activity in respective states."*

3. It is said that there is restriction even in respect to auction or e-auction or mining activities without preparing DSR for sand mining.
4. In our view, a substantial question relating to environment for implementation of Scheduled enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter, we find it appropriate to obtain a factual report, for the purpose whereof, we constitute a Joint Committee comprising CPCB, State PCB and District Magistrate, Saharanpur who shall visit the site, collect relevant information and submit a factual report within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR supported PDF and not in the form of Image PDF.
5. State PCB will be the nodal agency for coordination and compliance.
6. List for further consideration on 17.05.2023.
7. A copy of this order along with a copy of complaint be forwarded to CPCB, State PCB and District Magistrate, Saharanpur by email for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 13, 2023  
O.A. No. 188/2013 (I.A. No. 76/2023)  
AVT

**Minutes of Meeting held on dated 09.05.2023 , 12:00 PM onwards through Video Conferencing regarding Hon'ble NGT OA No 188/2023 Gaurav Kumar Vs State of U.P. & Others**

Hon'ble NGT has passed order dated 13.03.2023 in the matter of NGT OA No 188 /2023 Gaurav Kumar Vs State of U.P. & Others. The relevant para is quoted as below :-

*".....4. In our view, a substantial question relating to environment for implementation of Scheduled enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter, we find it appropriate to obtain a factual report, for the purpose whereof, we constitute a Joint Committee comprising CPCB, State PCB and District Magistrate, Saharanpur who shall visit the site, collect relevant information and submit a factual report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR supported PDF and not in the form of Image PDF.*

A meeting of the members of Joint Committee was held on 09.05.2023 through Video Conferencing. The meeting is attended by following Members/Officers :-

1. Shri Rajneesh Kumar Mishr, ADM (F/R) , Saharanpur.
2. Shri Runa Oraon, Sc.'D', CPCB, Regional Directorate, Lucknow.
3. Shri N.K. Das, Joint Director, Mining Department, Saharanpur, Uttar Pradesh.
4. Dr. D.C. Pandey, Regional Officer, U.P. Pollution Control Board, Saharanpur.

Following is the record of discussion:-

1. Dr. D.C. Pandey, Regional Officer, U.P. Pollution Control Board, Saharanpur has welcomed to the participants and placed the order of Hon'ble NGT OA No 188 /2023 before the Members/Officers and invited their views.
2. Shri Runa Oraon, Sc.'D', CPCB, Regional Directorate, Lucknow has enquired the background and present status of the Mining Auctions of 14 sites questioned in the OA No 188/2023 .
3. Shri N.K. Das, Joint Director, Mining Department, Saharanpur has informed that all the procedures followed as per guidelines the details of the Mining Auctions from the publications of auction to the present status is in record. He informed that DSR and replenishment study of the mining sites has been completed and is on record. The objection raised by complainant has been resolved. The mining activities is not started yet as the process of allotment is under progress.
4. Shri Rajneesh Kumar Mishr ADM (F/R) , Saharanpur has ensured that all the details of the mining allotment will be provided by the Mining Department.

The committee asked to provide all the details of proposed mining activities published through auctions by mining department. The Committee is in the view that as the mining activities has not started and allotment process of auction is yet to be completed, hence the site visit is to be proposed later on.

Meeting ended with the votes of thanks to all the participants.

*Dup*  
*11/21/82*  
Dr. D. C. Pandey  
Regional Officer  
U.P. Pollution Control Board  
Saharanpur

Item No. 03 &amp; 04

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 140/2021

(With report dated 31.03.2022)

Raj Kumar

Applicant

Versus

State of U.P. &amp; Ors.

Respondent(s)

**WITH**

Original Application No. 141/2021

Ramkaran Karn

Applicant

Versus

State of U.P. &amp; Ors.

Respondent(s)

Date of hearing: 06.05.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Vanshdeep Dalmia, Advocate

Respondent: Dr. Roshan Jacob, Secretary, Geology & Mining with Mr. Pradeep Misra,  
Advocate for the State of Uttar Pradesh & UPPCB**ORDER**

1. Grievance in these two identical applications is against illegal mining. In O.A. No. 140/2021, mining is in the submerged water area at Gata No. 28 (Part) and 29, Khand No. 1, village Kanwara, District Banda, UP by M/s Durge Trading Company and in O.A. No. 141/2021 it is in the submerged water area at Gata No. 2/4, 2/23, 2/24 and 2/28, Khand No. -4, village-Bendakhadar, District Banda, UP by Ashish Kumar Gautam,

S/o Suresh Kumar Gautam. Common stand in both the matters is that the mining is in violation of Sustainable Sand Mining Management Guidelines (SSMMG), 2016 and Enforcement and Monitoring Guidelines for Sand Mining (EMGSM), 2020 and binding orders of this Tribunal, including order dated 30.05.2017 in O.A. No. 78/2015 (CZ) reported in 2017 SCC OnLine NGT 1097, holding as follows: -

***"In the light of the above, we answer the question that has been referred to us that no river sand mining is permitted in the submerged area in accordance with the Sustainable Sand Mining Guidelines 2016 alternatively in so far as the issue whether it can be permitted in the submergence areas is concerned our answer to the same is that in submergence area which may be a wider area than the one actually submerged as a submergence area would encompass the full reservoir level of the river or the high flood level of the river recorded by in any case where the mineral is exposed and not in stream such sand mining in accordance with the Sand Mining Guidelines 2016 and the conditions imposed in the environmental clearance may be carried out."***

2. Further order of this Tribunal relied upon by the applicants is order dated 26.02.2021 in O.A. No. 360/2015, NGT Bar Association v. Virender Singh (State of Gujarat) and other connected matters. Therein, on exhaustive review of the issues relating to sand mining, this Tribunal has issued directions, including the mechanism for enforcement of environmental norms, inter-alia as follows:-

"1to26..xxx.....xxx.....xxx

**27. We direct all the States/UTs to strictly follow the SSMG-2016 read with EMGSM-2020 reinforced by mechanism for preparation of DSRs (in terms of directions of this Tribunal dated 14.10.2020 in Pawan Kumar, supra and 04.11.2020 in Rupesh Pethe, supra), Environment Management Plans, replenishment studies, mine closure plans, grant of EC (in terms of direction dated 13.09.2018 in Satendra Pandey, supra), assessment and recovery of compensation (as per discussion in Para 25), seizure and release of vehicles involved in illegal mining (in terms of order dated 19.02.2020 in Mushtakeem, supra), other safeguards against violations, grievance redressal, accountability of the designated officers and periodical review at higher levels. As already noted,**

*EMGSM-2020 contemplates extensive use of digital technology, including remote sensing.*

*28. We further direct that periodic inspection be conducted by a five-members Committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Where CPCB regional office is not available, if MoEF&CC regional office is available, its Regional Officer will be included in the Committee. Where neither CPCB nor MoEF&CC regional office exists, Chairman, SEIAA will tie up with the nearest institution of repute such as IIT to nominate an expert for being included in the Committee. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any. The reports of such inspections be acted upon and placed on website of the SEIAA. Every lessee, undertaking mining, must have an environment professional to facilitate sustainable mining in terms of the mining plan and environmental norms. This be overseen by the SEIAA. Environment Departments may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers. Recommendations of the Oversight Committee for the State of UP quoted earlier may be duly taken into account.*

*The mechanism must provide for review at the level of the Chief Secretary at least once in every quarter, in a meeting with all concerned Departments in the State. The Chief Secretary UP may ensure further action in the light of the report of the Oversight Committee.*

*Similarly, at National level, such review needs to be conducted atleast once in a year by the Secretary, Environment in coordination with the Secretaries Mining and Jalshakti Ministries the CPCB."*

3. It is submitted that no steps are being taken by the State of UP for compliance of directions of this Tribunal.

4. Vide order dated 02.07.2021 on consideration of the matter, the Tribunal directed Additional Chief Secretary, Mining, UP to furnish a report about the compliance status including the status of DSR and replenishment studies for Banda District and also in-stream mining in submerged water and monitoring mechanism.

5. The matter was last considered on 08.03.2022 and finding that no response was being filed by the Additional Chief Secretary, Mining, Uttar Pradesh, the Tribunal directed personal appearance of the ACS, Mining by V.C. and also directed the District Magistrate and State PCB to file a factual report. If anything, adverse was noticed, the PP was to be put to notice of these proceedings.

6. In pursuance of above, the ACS, Mining, UP is present in person by V.C. and report has been filed by the District Officer, Banda on 31.03.2022 as follows:

“xxx .....xxx.....xxx  
 10. That for Environmental impact assessment (E.I.A.) study ministry of environment and forest and climate change (MoEF&CC) has propounded Sustainable sand mining management guidelines 2016 and enforcement and monitoring guidelines for sand mining 2020. In compliance of this Guidelines Government of Uttar Pradesh has issued a Government order no 790(1)/86-2020 dated 01.06.2020. As per this Government order, Government of Uttar Pradesh has constituted a team of officials of Department of Geology and Mining, Revenue Department, Forest Department and Irrigation Department, who give recommendation for any new area to be included or any change in D.S.R.(District survey report). Till November 2022 a total of 296 areas has been added in District survey report (D.S.R.) in different districts of Uttar Pradesh.

That in district Banda after proper study of replacement of Sand/Morrum on the areas the District Survey Report' (herein after referred as DSR) was prepared and loaded on District Administration Portal and objection of the public domain were also invited and after considering the objection the DSR finalised by the committee constituted by the Government of Uttar Pradesh on 23.11.2017.

11. That in Compliance of Hon'ble NGT order dated 02.07.2021 OA no. 140/2021 Raj Kumar Versus State of UP and OA no. 141/2021 Ram Karan karn Versus State of UP, D.M Banda has authorised C.M.P.D.I (Central mine planing and Design Institute limited), a public sector enterprise of Government of India to do the replenishment study of rivers flowing in district Banda on dated 28.10.2021 C.M.P.D.I has started the replenishment study of rivers of banda district and the work is on progress. Its report will be soon provided to the hon'ble NGT.

The copy of the order of D.M Banda dated 11.10.2021 and consent letter of C.M.P.D.I dated 19.10.2021 being annexed herewith as Annexure No.1, to this compliance report.

12. That if the bid found to be highest and satisfactory per cubic metre then a letter of intent is issued in favour of such bidder and thereafter, the applicant should obtain approval on its mining plan and environmental clearance from the competent authority and thereafter the mining lease is executed in his favour.
13. That in the lease deed, the following terms are specifically mentioned:-
  - i. The mining operations are to be carried only up to the depth of 3 metres, or up to the water level, whichever is less;
  - ii. The safety zone should be worked out;
  - iii. The mining operations will be done in accordance with the scheme mentioned in the Mining Plan;
  - iv. The lessee will be bound to obey the terms and conditions of the environmental clearance;
  - v. The mining will be done after sun-rise till sun-set;
  - vi. In the monsoon season, no mining will be done;
  - vii. Heavy machinery and Suction Machines will not be used for excavation of the mineral;
  - viii. No temporary bridge or hinderance will be created in the flow of river water during the lease period;
  - ix. That the Central Government framed Sustainable Sand Mining Management Guidelines 2016 with object of managing un-controlled sand mining in India.
14. That the Ministry of Environment, Forests & Climate Change, Government of India also framed Enforcement and monitoring Guidelines for Sand Mining in January 2020.
15. That list of mining leases, granted in District Banda for excavation of sand & morrum, at present, is being annexed herewith as Annexure No.2, to this compliance report.
16. That at the time, total 17 mining leases are in operation in Banda district and they have proper environmental clearances, as well as the consent issued by UPPB Lucknow under the provisions of "Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention Control of Pollution) Act, 1981."
17. That in compliance of the order dated 26.02.2021, passed by this Hon'ble Tribunal in O.A. No.360 of 2015 (National Green Tribunal Bar Associations. Veerendra Singh (State of Gujarat & others), 5 members Committee has been constituted by the District Officer, Banda, vide office order No.2892/Khanij-30 Banda, dated 14.12.2021. In the said Monitoring Committee, the members as under:

1. Divisional Forest Officer, Banda Chairman
2. Mines Officer/Mines Inspector/ Surveyor, Mines Department, Banda Member
3. Executive Engineer, Irrigation & Water Resources department, Banda- Member
4. Concerned Tehsildar Member
5. Regional Officer, Pollution Control Board, Banda Member Secretary.

A copy of the said office order dated 14.12.2021 issued by the District Officer, Banda, is being annexed herewith as Annexure No.3, to this compliance report.

18. That the said Enforcement Committee is regularly watching the mining activities of 17 areas and if any lessee is found to violate the above mentioned terms and conditions, then after issuing the notice, necessary proceedings are initiated against him.
19. That in the Headquarters, Lucknow, as well as in the districts, Surveillance Systems have also been installed for prevention of over-loading of minerals, as well as without transit passes, and due to this so many electronic challans are automatically created and served on the lessees for recovery of Government dues of such mineral.
20. That this Hon'ble Tribunal has also directed for submission of the status report of the following sand, morrum areas

| S. No. | Area   | Status   |
|--------|--|--|
| a)     | Khand No.1<br>Village Kanwara, Banda<br>M/s Durga Trading Co.  | mining activities are not being done by the lessee due to preparation of approach road   |
| b)     | Khand No.4<br>Village Banda Khadar,<br>District Banda<br>Ashish Kumar Gautam,<br>S/o Shri Suresh Kumar<br>Gautam | matter is pending before the Hon'ble Supreme court. (Ravi kumar vs State of U.P. Dairy No. 3177/2022) No mining activities are being done. |

7. A report has also been filed on 06.04.2022 by the Geology and Mining Department, UP which is by and large similar to the report of the District Officer, Banda referred to above.

8. We have heard learned Counsel for the Applicants and interacted with the ACS present in person by VC.

9. We find that replenishment study as required under the SSMG-2016 and EMGSM-2020 has not been undertaken prior to the auction in terms of para 5.1 of the EMGSM, 2020 which is reproduced below:

#### **"5.0 REPLENISHMENT STUDY**

*The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excessing sand extraction. Mining within or near riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, in-stream roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of the above attributes may cause an impact on the ecological equilibrium of the riverine regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on instream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.*

#### **5.1 Generic Structure of Replenishment Study**

*Initially replenishment study requires four surveys. The first survey needs to be carried out in the month of April for recording the level of mining lease before the monsoon. The second survey is at the time of closing of mines for monsoon season. This survey will provide the quantity of the material excavated before the offset of monsoon. The third survey needs to be carried out after the monsoon to know the quantum of material deposited/replenished in the mining lease. The fourth survey at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river.*

***Based on the replenishment rate future auction may be planned.***

*The replenishment period may vary on nature of the channel and season of deposition arising due to variation in the flow. Such period and season may vary on the geographical and precipitation characteristic of the region and requires to be defined by the local agencies preferable with the help of the Central Water Commission and Indian Meteorological Department. The excavation will, therefore, be limited to estimated replenishment estimated with consideration of other regulatory provisions."*

10. With regard to the allegation of instream mining in submerged water, it has been orally stated by the ACS that no such instream mining is permitted. However, in the reports filed before this Tribunal, no such statement has been made on behalf of the State.

11. Accordingly, the ACS, Mining, UP has fairly stated that replenishment study will be conducted prior to auctions in future and with regard to the current leases, ongoing replenishment study will be expedited. In the light thereof, the leases will be renewed, if necessary. Such studies for all Districts in UP will be completed by December 31, 2022 and for Banda by June 30, 2022. She has further stated that the allegation of instream mining will be verified and if found true, the same will be discontinued.

12. In view of above, let the Replenishment studies be completed by credible institutions, following due procedure, in accordance with para 5 of EMSG, 2020. Further, no mining be permitted till replenishment studies are completed beyond the schedule laid down above. The State may ensure that the Regulatory authorities are adequately equipped and capable to assess quantities of mined material. With regard to instream mining, it may be ensured that the machineries permitted or used otherwise comply with "Semi mechanised" mining operations in true sense. In all mining potential districts, environmental damage assessment be carried out and annual assessment reports placed in public domain on the websites of the Mining Department as well as the PCB. Compliance of SSMG, 2016 and EMGSM, 2020 and earlier directions of this Tribunal may be ensured by an effective monitoring mechanism.

The applications are disposed of accordingly.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

May 06, 2022  
Original Application No. 140/2021  
Original Application No. 141/2021  
DV

Item No.1

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

Original Application No. 403/2022  
(I.A. No.133/2022)  
(By Video Conferencing)

Daljeet Singh

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondents

Date of hearing: 30.05.2022

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

Applicant: Mr. Ajit Sharma & Mr. Mayank Aggarwal, Advocates

**ORDER**

1. The applicant has filed present applicant under Section 14 read with Section 18 of the National Green Tribunal Act, 2010 seeking following reliefs:

- a. Issue directions to the State of Uttar Pradesh to conduct a replenishment Study of all rivers in District Saharanpur, U.P. and prepare a fresh District Survey Report in compliance with the EMGSM 2020 after duly considering the results of the Replenishment Study;*
- b. Quash and set-aside the District Survey Report for District Saharanpur prepared in 2017 in violation of the MoEF Notification dt.15.01.2016, the SSMG 2016 and other applicable laws;*
- c. Issue directions quashing and declaring the amended District Survey Report, 2021 dt. 03.12.2021 and all consequent actions for auction and/or grant of mining leases in District Saharanpur, U.P. as illegal, arbitrary, null and void being issued in violation of EMGSM 2020, MoEF Notification dt 15.01.2016, SSMG 2016 and other applicable laws and mandatory guidelines; and/or*
- d. Issue an ex-parte ad-interim stay on the amended District Survey Report, 2021 dt. 03.12.2021;*

*e. Direct and restrain the State of Uttar Pradesh from auction and/or grant of mining leases in District Saharanpur, U.P. and further restrain the Respondents from granting mining leases in pursuance of the impugned District Survey Report during the pendency of the present Original Application; and/or*

*f. Direct Respondents to pay the costs of the present Application to the Applicant; and*

*g. Pass any other order that this Hon'ble Tribunal may deem fit."*

2. The applicant has submitted that DSR 2021 has been issued by District Magistrate, Saharanpur on 03.12.2021 for mining of minor mineral RBM in District Saharanpur, Uttar Pradesh. Hon'ble Supreme Court vide order dated 10.11.2021 passed in Civil Appeal No. 3661-3662 titled as State of Bihar Vs. Pawan Kumar reiterated the need and importance of DSR and directed strict adherence to the procedure and parameters laid down in EMGSM, 2020 for preparation of the DSR. The impugned DSR 2021 has been issued without complying with mandatory requirement of conducting replenishment study by the State Government. The respondent has issued tender for conducting of replenishment study in District Saharanpur on 01.01.2022. The impugned DSR is liable to be set aside also because the mining area is inter-district Yamuna Nagar and Saharanpur and inter-state Haryana and Uttar Pradesh and DSR 2021 has been prepared without complying with the procedure provided under point no. 9.03 of EMGSM, 2020. No mining lease can be granted in District Saharanpur, Uttar Pradesh in pursuance of impugned DSR 2021 before completion of replenishment study and updation of DSR.

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

4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and illegality of the proposed action of the respondents.

5. Let notices be issued to respondents requiring them to file replies specifically responding to all material averments made in the application within two months.

6. The applicant is directed to take requisite steps for service of notices on the respondents and file affidavit regarding the same by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) within seven days.

7. List for further consideration on 26.08.2022.

8. In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020.

9. A copy of this order along with copy of application and documents sent therewith be sent to respondents no. 3, 4, 6, 8, 9 and 10.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

May 30, 2022  
O.A. No. 403/2022  
AG

**SUB-DIVISIONAL COMMITTEE - SAHARANPUR**  
**SUMMARY OF PRE-MONSOON REPLENISHMENT STUDY REPORT**  
**- YEAR - 2022 -**

1435

PRE-MONSOON - 2022 BASELINE DATA SUMMARY

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| Sl. No. | Operative / Nonoperative | Teshil | Minor Mineral | River            | Village   | Gata/Khand/Zone  | Area (in Ha.) | DRONE DSM Record |                            |                      |                        | WORKING<br>Life of Mine As per DRONE Reserve | DGPS Survey Record |                        |                      | DRONE / DGPS Variation |
|---------|--------------------------|--------|---------------|------------------|---|--|---------------|------------------|----------------------------|----------------------|------------------------|--|--------------------|------------------------|----------------------|------------------------|
|         |                          |        |               |                  |   |  |               | Max Elevation    | Min Elevation / Zero Level | Elevation Difference | DRONE REPORT - Reserve |  | Max. MrL           | Min - MrL / Zero Level | Elevation Difference |                        |
| 1       | Operative                | Behat  | R.B.M.        | Balshahibagh Rao | Mayapur Rooppur                                     | Gata No. 147   | 3.100         | 394.662          | 388.980                    | 5.682                | 92993                  | 2.50   | 394.659            | 388.981                | 5.678                | 0.004                  |
| 2       | Operative                | Behat  | R.B.M.        | Yamuna           | Bartha Kosi   | Gata No. - 1   | 36.900        | 302.492          | 292.200                    | 10.292               | 173732                 | 0.27   | 302.505            | 292.122                | 10.383               | -0.091                 |
| 3       | Operative                | Behat  | R.B.M.        | Hadkala Ra       | Haidapur Hindwala                                   | Khand No. Gata No. 81, 19 & 22   | 4.200         | 327.000          | 368.000                    | 9.000                | 143893                 | 2.86   | 327.000            | 368.020                | 8.989                | 0.011                  |
| 4       | Operative                | Behat  | R.B.M.        | Khurwari Ra.     | Sherpur Peton                                       | Gata No. - 178.2 & 179.2   | 7.000         | 355.000          | 349.000                    | 6.000                | 206037                 | 2.45   | 355.100            | 349.130                | 5.970                | 0.030                  |
| 5       | Operative                | Behat  | R.B.M.        | Yamuna           | Sonyari Achatmal                                    | Gata No. - 1, 11, 12, 13, 18   | 24.200        | 294.000          | 284.000                    | 10.000               | 607311                 | 1.39   | 294.001            | 284.001                | 10.000               | 0.000                  |
| 6       | Operative                | Behat  | R.B.M.        | Yamuna           | Rehna   | Khand No. Gata No. - 03, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100   | 8.050         | 356.665          | 345.100                    | 11.565               | 195089                 | 2.02   | 356.665            | 345.100                | 11.565               | 0.000                  |
| 7       | Operative                | Behat  | R.B.M.        | Gajjara Rao      | Raheta  | Gata No. 179.2   | 3.750         | 357.739          | 351.120                    | 6.619                | 111795                 | 2.48   | 357.739            | 351.120                | 6.619                | 0.000                  |
| 8       | Operative                | Nukur  | Sand          | Yamuna           | Dhikan Kalan  | Gata No. - 839, 841 to 856, 858, 859, 860, 861, 863, 864, 865, 866, 867, 871, 872, 888, 889, 406, 407  | 52.630        | 276.669          | 261.100                    | 15.569               | 26767                  | 0.03   | 275.918            | 261.233                | 14.685               | 0.884                  |
| 9       | Nonoperative             | Behat  | R.B.M.        | Khurwari Ra      | Sherpur Peton                                       | 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 | 6.475         | 375.859          | 360.100                    | 15.759               | 229913                 | 2.96   | 375.859            | 360.100                | 15.759               | 0.000                  |
| 10      | Nonoperative             | Behat  | R.B.M.        | Kaluwala         | Kaluwala Panadpur                                   | 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200   | 14.900        | 385.520          | 358.830                    | 26.690               | 359485                 | 2.01   | 385.520            | 358.830                | 26.690               | 0.000                  |
| 11      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Akbarpur Bans Achatmal                              | 1  | 17.900        | 319.090          | 307.100                    | 11.990               | 248729                 | 0.77   | 318.393            | 306.423                | 11.970               | 0.020                  |
| 12      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Arazi Jevadi Achatmal and Masoodpur Garh Achatmal   | 1  | 13.800        | 310.546          | 302.000                    | 8.546                | 412595                 | -4.66  | 313.262            | 302.082                | 11.181               | 0.365                  |
| 13      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Shehjadpur Bans Achatmal                            | 1  | 13.000        | 310.605          | 301.990                    | 8.615                | 383852                 | 1.64   | 310.021            | 302.021                | 7.998                | 0.617                  |
| 14      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Alaoudipur Bans Achatmal                            | 1  | 9.580         | 311.562          | 303.990                    | 7.572                | 145022                 | 0.84   | 311.866            | 304.255                | 7.611                | -0.039                 |
| 15      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Mehmoodpur Nangh Achatmal                           | 1  | 45.700        | 319.060          | 303.100                    | 15.960               | 528439                 | 1.87   | 318.878            | 303.341                | 15.537               | 0.423                  |
| 16      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Shahpur Bans Achatmal                               | 1  | 15.600        | 320.461          | 306.980                    | 13.481               | 351410                 | 1.25   | 320.279            | 306.999                | 13.280               | 0.201                  |
| 17      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Nityanandpur, Achatmal and Said-mohamadpur Achatmal | 1  | 17.700        | 311.392          | 296.859                    | 14.533               | 593005                 | 1.86   | 310.985            | 297.011                | 13.974               | 0.599                  |
| 18      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Abutahpur Garh Achatmal                             | 1  | 37.000        | 307.806          | 298.200                    | 9.606                | 1217817                | 1.83   | 307.227            | 298.123                | 9.104                | 0.302                  |
| 19      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Nangiyar Achatmal - Khand Second                    | 1  | 23.200        | 288.593          | 281.874                    | 6.719                | 519716                 | 1.24   | 288.322            | 282.002                | 6.320                | 0.399                  |
| 20      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Aslampur Bartha - First                             | 1  | 36.600        | 306.747          | 292.100                    | 14.647               | 1250795                | 1.90   | 306.999            | 292.025                | 14.974               | -0.327                 |
| 21      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Rasoolpur Ur Rasool                                 | 1  | 14.000        | 295.824          | 286.830                    | 8.994                | 897564                 | 1.47   | 295.351            | 287.005                | 8.346                | 0.639                  |
| 22      | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Aslampur Bartha - Second                            | 1  | 28.100        | 300.106          | 288.120                    | 11.986               | 726618                 | 1.43   | 300.201            | 288.009                | 12.192               | -0.206                 |

Total Study Area (in ha.) 422.635

\* all outcrop/elevated contours offset upto 1 meter above the Min recorded elevation to record Net Reserves

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जिलाधिकारी, सहारनपुर

**POST-MONSOON REPLENISHMENT STUDY RESULTS**  
**TABLE No. - PM/001**

PRE-MONSOON - 2022 RESULT

POST MONSOON RESULT

| Sl. | Operative / Nonoperative | Teshil | Minor Mineral | River            | Village   | Gata/Khand/Zone   | Area (in Ha.) | Max Elevation | Min Elevation / Zero Level | Elevation Difference | DRONE REPORT - Reserve | POST MONSOON RESULT |                            |                      |                        | Replenished Quantity |                 | Expected Life of Mine (in Years) |  |  |
|-----|--------------------------|--------|---------------|------------------|---|---|---------------|---------------|----------------------------|----------------------|------------------------|---------------------|----------------------------|----------------------|------------------------|----------------------|-----------------|----------------------------------|--|--|
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | Max Elevation       | Min Elevation / Zero Level | Elevation Difference | DRONE REPORT - Reserve | Replenishment        | Avg. New Height |                                  |  |  |
| 1   | Nonoperative             | Behat  | R.B.M.        | Khurwalli Ra     | Sherpur Peon                                      | 403 / 404/1, 405, 406/1, 416/2, 421/1, 422/2, 423/2, 424/2, 429 and 431                               | 6.475         | 375.859       | 360.100                    | 15.759               | 229913                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 377.840             | 360.100                    | 17.731               | 296339                 | 66426                | 1.03            |                                  |  |  |
| 2   | Nonoperative             | Behat  | R.B.M.        | Kakwala          | Kakwala Pahadipur                                 | 119/1, 120/1, 192/1, 193/1, 125/4   | 14.900        | 385.520       | 358.833                    | 26.687               | 359485                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 385.730             | 359.12                     | 26.610               | 489924                 | 130439               | 0.88            |                                  |  |  |
| 3   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Akbarpur Bans Achatmal                            | 1   | 17.900        | 319.090       | 307.100                    | 11.990               | 248739                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 319.057             | 308.100                    | 10.957               | 734189                 | 485450               | 2.71            |                                  |  |  |
| 4   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Arazi Jevadi Ahatmal and Masoodpur Garh Achatmal  | 1 and 1   | 13.800        | 313.546       | 302.000                    | 11.546               | 412595                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 319.036             | 302.818                    | 16.218               | 532136                 | 119541               | 0.87            |                                  |  |  |
| 5   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Shehadpur Bans Achatmal                           | 1   | 13.000        | 310.605       | 301.990                    | 8.615                | 383857                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 312.585             | 302.563                    | 10.022               | 572385                 | 188528               | 1.43            |                                  |  |  |
| 6   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Alaoudpur Bans Achatmal                           | 1/1   | 9.580         | 311.562       | 303.990                    | 7.572                | 145022                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 312.715             | 303.99                     | 8.725                | 480573                 | 335551               | 3.50            |                                  |  |  |
| 7   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Mehnoodpur Nangli Achatmal                        | 1   | 15.700        | 319.060       | 303.100                    | 15.960               | 528459                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 319.259             | 303.237                    | 16.022               | 709508                 | 181049               | 1.15            |                                  |  |  |
| 8   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Shahpur Bans Achatmal                             | 1/1   | 15.600        | 320.461       | 306.980                    | 13.481               | 351410                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 324.442             | 306.286                    | 15.156               | 495837                 | 144427               | 0.93            |                                  |  |  |
| 9   | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Nityanodpur Achatmal and Said-mohamadpur Achatmal | 1 and 1ma   | 17.700        | 311.392       | 296.859                    | 14.533               | 593005                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 311.403             | 297.159                    | 14.244               | 921464                 | 328459               | 1.86            |                                  |  |  |
| 10  | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Abutahpur Garh Achatmal                           | 1   | 37.000        | 307.806       | 298.200                    | 9.606                | 1217817                |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 308.291             | 297.116                    | 11.175               | 2201614                | 983797               | 2.66            |                                  |  |  |
| 11  | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Nuniyari Athmal - Khand Second                    | 1/1/1   | 23.200        | 288.593       | 281.874                    | 6.719                | 519716                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 290.173             | 281.874                    | 8.299                | 745130                 | 225414               | 0.97            |                                  |  |  |
| 12  | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Aslampur Bartha - First                           | 1/1 M   | 36.600        | 306.747       | 292.100                    | 14.647               | 1250795                |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 309.568             | 292.056                    | 17.512               | 1665116                | 414321               | 1.13            |                                  |  |  |
| 13  | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Rasoolpur Urf Rasooli                             | 1   | 34.000        | 295.824       | 286.839                    | 8.985                | 897564                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 298.059             | 286.839                    | 11.220               | 1262495                | 364931               | 1.07            |                                  |  |  |
| 14  | Nonoperative             | Behat  | R.B.M.        | Yamuna           | Aslampur Bartha - Second                          | 1/1 M   | 28.160        | 300.106       | 288.120                    | 11.986               | 726618                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 300.668             | 289.023                    | 11.645               | 952019                 | 225401               | 0.80            |                                  |  |  |
| 1   | Operative                | Behat  | R.B.M.        | Budshahibagh Rao | Miyapur Rooopur                                   | Gata No. 14/1   | 3.100         | 394.662       | 388.980                    | 5.682                | 92993                  |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 195.331             | 389.971                    | 5.360                | 99888                  | 6895                 | 0.22            |                                  |  |  |
| 2   | Operative                | Behat  | R.B.M.        | Yamuna           | Bartha Korsi                                      | Gata No. - 1  | 36.000        | 302.492       | 292.200                    | 10.292               | 173732                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 303.601             | 292.200                    | 11.401               | 874358                 | 700626               | 1.95            |                                  |  |  |
| 3   | Operative                | Behat  | R.B.M.        | Badkala Ra       | Haidarpur Hindwala                                | Khand No / Gata No - 8/1, 19 & 22   | 4.200         | 377.000       | 368.000                    | 9.000                | 143893                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 379.180             | 367.496                    | 9.884                | 158576                 | 14683                | 0.35            |                                  |  |  |
| 4   | Operative                | Behat  | R.B.M.        | Khurwalli Ra     | Sherpur Peon                                      | Gata No. - 378/2 & 379/2  | 7.000         | 355.000       | 349.000                    | 6.000                | 206037                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 355.444             | 349.38                     | 6.064                | 218664                 | 12627                | 0.18            |                                  |  |  |
| 5   | Operative                | Behat  | R.B.M.        | Yamuna           | Nuniyari Achatmal                                 | Gata No. - 1/1/1 Lot 38   | 24.290        | 294.000       | 284.000                    | 10.000               | 607313                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 296.203             | 284.652                    | 11.551               | 966952                 | 359639               | 1.48            |                                  |  |  |
| 6   | Operative                | Behat  | R.B.M.        | Yamuna           | Rehra   | Khand No / Gata no - 03, Lot No - 03  | 8.050         | 356.665       | 345.100                    | 11.565               | 195089                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 358.505             | 345.816                    | 12.749               | 266664                 | 71575                | 0.89            |                                  |  |  |
| 7   | Operative                | Behat  | R.B.M.        | Gaisara Rao      | Rahera  | Gata No. 179/2  | 3.750         | 357.739       | 351.120                    | 6.619                | 111795                 |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 357.441             | 351.681                    | 5.750                | 119047                 | 7252                 | 0.19            |                                  |  |  |
| 8   | Operative                | Nukur  | Sand          | Yamuna           | Dhakkan Kahan                                     | Gata No. - 839, 841 to 856, 858, 859, 860, 861, 863, 864, 865, 866, 867, 871, 872, 888, 889, 406, 407 | 52.630        | 276.669       | 261.100                    | 15.569               | 26767                  |                     |                            |                      |                        |                      |                 |                                  |  |  |
|     |                          |        |               |                  |   |   |               |               |                            |                      |                        | 278.005             | 261.100                    | 16.905               | 782116                 | 755349               | 1.44            |                                  |  |  |

Total Study Area (in ha.) 422.635

\* all outcrop/elevated contours of set upto 1 meter above the Min recorded elevation to record Net Reserves

परामर्शक विभाग  
सामाजिक-विकासी प्रयोग, सहायनगर  
(सदरगा)

भूमिगत अभियंता  
सिंचाई विभाग, सहायनगर  
(सदरगा)

भूमिगत अभियंता  
जिला, सिंचाई विभाग, सहायनगर  
(सदरगा)

श्री गणेशाय नमः  
सहायनगर निगम बोर्ड  
सहायनगर  
(सदरगा)

सहायनगर  
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जिलाधिकारी, सहायनगर

25

Item No. 07

Court No. 1

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

**(By Hybrid Mode)**

Original Application No. 403/2022  
(I.A. No. 133/2022, I.A. No. 13/2023 &  
I.A. No. 19/2023)

Daljeet Singh

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 25.01.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Advocate for Applicant

Respondent(s): Mr. Mukesh Verma, Advocate for the Mining Department, State of  
UP  
Ms. Priyanka Swami, Advocate for SEIAA, UP

**ORDER**

1. Grievance in this application is against submission of District Survey Report dated 03.12.2021 by the District Magistrate, Saharanpur to the Director, Geology and Mines, U.P. Main ground against the said report is that it has been submitted without replenishment study of the river in terms of Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMSGM, 2020).

2. Vide order dated 30.05.2022, notice was issued and interim injunction was granted against grant of any mining lease before completing replenishment study.

3. Reply has been filed by the Mining Department, U.P to the effect that replenishment study had been conducted prior to the Draft Survey Report for Saharanpur River Bed Mining 2022. The DSR is at draft stage and is yet to be finalized.

4. In view of above, no further order is necessary.

The application is disposed of. All IAs also stand disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 25, 2023  
Original Application No. 403/2022  
(I.A. No. 133/2022, I.A. No. 13/2023 &  
I.A. No. 19/2023)  
AB

प्रेषक,

जिलाधिकारी,  
सहारनपुर।

सेवा में,

विशेष सचिव,  
भूतत्व एवं खनिकर्म विभाग,  
उत्तर प्रदेश शासन,  
लखनऊ।

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०  
खनिज भवन,  
लखनऊ।

पत्रांक: 1689 ख०अनु० / Replenishment Study / Updated DSR / 2022-23

दिनांक: 18/01/2023

विषय: जनपद सहारनपुर में बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM के उपलब्ध खनन क्षेत्रों हेतु पुनः पूर्ति अध्ययन (Replenishment Study Report) पूर्ण कराये जाने के उपरान्त UPDATED DSR SEIAA, U.P से कार्यान्वयन सुनिश्चित कराये जाने के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अवगत कराना है कि मा० राष्ट्रीय न्याय हरितकरण नई दिल्ली में योजित ओ० ए० संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में दिनांक 30.05.2022 पारित आदेश जिसमें निम्न आदेश पारित किये गये हैं:-

"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."

मा० राष्ट्रीय न्याय हरितकरण नई दिल्ली में योजित ओ० ए० संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में पारित आदेश के अनुपालन में जनपद सहारनपुर में स्थित नदियों के पुनः पूर्ति अध्ययन (Replenishment Study) के प्री मानसून (Pre-Monsoon) एवं (Post Monsoon) माह दिसम्बर में सब-डिविजनल कमेटी (Sub Divisional Committee) द्वारा मैसर्स ग्रीनसिडिंडिया कन्सल्टिंग प्रा० लि० पता-608-611, लेवल 5 शोपरिक्स मॉल, सैक्टर-5 वैशाली गजियाबाद को क्षेत्र में कार्य करने हेतु उपकरण एवं स्टाफ की सहायता से Enforcement & Monitoring Guidelines for Sand Mining- 2020 के दिशा-निर्देशों के अनुसार विभिन्न कारकों को ध्यान में रखते हुये ऑकड़ों को एकत्र कर पुनः पूर्ति अध्ययन रिपोर्ट पूर्ण कर ली गई है।

उपरोक्त आदेश के अनुक्रम में श्री प्रदीप मिश्रा, एडवोकेट आन रिकार्ड, मा० सर्वोच्च न्यायालय, के पत्र दिनांक 12.01.2023 द्वारा निर्देशित किया गया है कि (UPDATED DSR) जिला सर्वेक्षण की सूचना आम जनमानस से आपत्ति/सुझाव प्राप्त किये जाने हेतु नियमानुसार पब्लिक डोमेन हेतु जिले की वेबसाईट पर (NIC) पर 21 दिनों के लिये अपलोड किया जाना आवश्यक है। साथ ही मा० सर्वोच्च न्यायालय में योजित अपील संख्या 3881-62/2020 स्टेट ऑफ बिहार बनाम प्रवचन कुमार में दिनांक 10.11.2021 पारित आदेश निम्न प्रकार है-

"After the draft DSRs are prepared, the District Magistrate of the concerned District shall forward the same for examination and evaluation by the SEAC.

The same shall be examined by the SEAC within a period of 6 weeks and its report shall be forwarded to the SEIAA within the aforesaid period of 6 weeks from the receipt of it. The SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereon;

(ii) Needless to state that while preparing DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that a strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed."

अतः अनुरोध है कि जनपद सहारनपुर में बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM के उपलब्ध खनन क्षेत्रों हेतु पुनः पूर्ति अध्ययन आख्या (Replenishment Study Report) तथा (UPDATED DSR) का अवलोकन तथा निरीक्षण करवाने के उपरान्त SEIAA, UP द्वारा इसका कार्यान्वयन सुनिश्चित कराने का कष्ट करे।

संलग्नक: उपरोक्तानुसार।

भवदीय,

(अखिलेश सिंह)  
जिलाधिकारी,  
सहारनपुर।

प्रेषक,

जिलाधिकारी,  
सहारनपुर।

सेवा में,

निदेशक,  
भूतत्व एवं खनिकर्म विभाग,  
उत्तर प्रदेश शासन,  
लखनऊ।

पत्रांक: 1770 ख0अनु0/ Replenishment Study/Updated DSR/2022-23

दिनांक: 01/02/2023

विषय: जनपद सहारनपुर में बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM के उपलब्ध खनन क्षेत्रों हेतु पुनः पूर्ति अध्ययन (Replenishment Study Report) पूर्ण कराये जाने के उपरान्त UPDATED DSR की अग्रिम कार्यवाही करने के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अवगत कराना है कि मा0 राष्ट्रीय न्याय हरितकरण नई दिल्ली में योजित ओ0 ए0 संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में दिनांक 30.05.2022 पारित आदेश जिसमें निम्न आदेश पारित किये गये हैं:-

"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."

मा0 राष्ट्रीय न्याय हरितकरण नई दिल्ली में योजित ओ0 ए0 संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में पारित आदेश के अनुपालन में जनपद सहारनपुर में स्थित नदियों के पुनः पूर्ति अध्ययन (Replenishment Study) के श्री मानसून (Pre-Monsoon) एवं (Post Monsoon) माह दिसम्बर में सब- डिविजनल कमेटी (Sub Divisional Committee) द्वारा मैसर्स ग्रीनसडिपिडिया कन्सल्टिंग प्रा0 लि0 पता- 608-611, लेवल 5 शोपरिक्स मॉल, सैक्टर-5 वैशाली गाजियाबाद को क्षेत्र में कार्य करने हेतु उपकरण एवं स्टाफ की सहायता से Enforcement & Monitoring Guidelines for Sand Mining- 2020 के दिशा-निर्देशों के अनुसार विभिन्न कारकों को ध्यान में रखते हुये ऑकड़ों को एकत्र कर पुनः पूर्ति अध्ययन रिपोर्ट पूर्ण कर ली गई है।

उपरोक्त आदेश के अनुक्रम में श्री प्रदीप मिश्रा, एडवोकेट आन रिकार्ड, मा0 सर्वोच्च न्यायालय, के पत्र दिनांक 12.01.2023 द्वारा निर्देशित किया गया है कि (UPDATED DSR) जिला सर्वेक्षण की सूचना आम जनमानस से आपत्ति/सुझाव प्राप्त किये जाने हेतु नियमानुसार पब्लिक खोमेन हेतु जिले की वेबसाइट पर (NIC) पर 21 दिनों के लिये अपलोड किया जाना आवश्यक है। साथ ही मा0 सर्वोच्च न्यायालय में योजित अपील संख्या 3661-82/2020 स्टेट आफ बिहार बनाम प्रवन कुमार में दिनांक 10.11.2021 पारित आदेश निम्न प्रकार है:-

"After the draft DSRs are prepared, the District Magistrate of the concerned District shall forward the same for examination and evaluation by the SEAC.

The same shall be examined by the SEAC within a period of 6 weeks and its report shall be forwarded to the SEIAA within the aforesaid period of 6 weeks from the receipt of it. The SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereof;

(ii) Needless to state that while preparing DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that a strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed."

अतः अनुरोध है कि जनपद सहारनपुर में बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM के उपलब्ध खनन क्षेत्रों हेतु पुनः पूर्ति अध्ययन आख्या (Replenishment Study Report) तथा (UPDATED DSR) का अवलोकन तथा निरीक्षण करने के उपरान्त आवश्यक कार्यवाही करने का कष्ट करें।  
संलग्नक: उपरोक्तानुसार।

भवदीय,

(अखिलेश सिंह)  
जिलाधिकारी,  
सहारनपुर।

प्रतिलिपि:

- विशेष सचिव, भूतत्व एवं खनिकर्म विभाग, उत्तर प्रदेश शासन, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

जिलाधिकारी,  
सहारनपुर।

**कार्यालय जिलाधिकारी, सहारनपुर**  
(खनन अनुभाग)

पत्रांक: 1667/ख0अनु0/जिला0 सर्वे0 रिपोर्ट/2022-23

दिनांक: 13 जनवरी, 2023

जिला सूचना विज्ञान अधिकारी,  
सहारनपुर।

जनपद सहारनपुर में नदी तल में उपलब्ध उपखनिज RBM (वालू, बजरी, बोल्टर आदि मिश्रित अवस्था में) के 22 उपलब्ध क्षेत्रों को मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0 ए0 संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में दिनांक 30.05.2022 को निम्न आदेश पारित हुये हैं:-

"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."

उक्त आदेश के अनुपालन जनपद सहारनपुर स्थित नदियों के Replenishment Study हेतु उपलब्ध उपखनिज के 22 क्षेत्रों पूनः पूर्ति अध्ययन (Replenishment Study) हेतु NGT/MoEF&CC/EIA अधिसूचना द्वारा निर्धारित मानदण्डों और दिशा निर्देशा के अनुसार निर्धारित अवधि तक Pre-Monsoon and Post monsoon की रिपोर्ट माह दिसम्बर में पूर्ण कर ली गई है।

इस संबंध में श्री ब्रदीप मिश्रा, एडवोकेट आन रिकार्ड, मा0 सर्वोच्च न्यायालय के पत्र दिनांक 12.01.2023 द्वारा निर्देशित किया गया है कि (UPDATE D S R) जिला सर्वेक्षण की सूचना आम जनमानस से आपत्ति/सूझाव प्राप्त किये जाने हेतु नियमानुसार पब्लिक डोमेन हेतु जिले की वेबसाईट पर (NIC) पर भी अपलोड किया जाना आवश्यक है।

अतः (UPDATE D S R) जिला सर्वेक्षण रिपोर्ट की सूचना को आम सूचना को आम जन मानस से आपत्ति/सूझाव प्राप्त किये जाने हेतु नियमानुसार पब्लिक डोमेन हेतु जिले की वेबसाईट पर 21 दिन के लिये (NIC) पर अपलोड करना सुनिश्चित करें।

अपर जिलाधिकारी (वि0/रा0)  
सहारनपुर।

प्रतिलिपि:

1. निदेशक, भूतत्व एवं खनिकर्म निदेशालय खनिज भवन लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. प्रभारी अधिकारी, क्षेत्रीय कार्यालय भूतत्व एवं खनिकर्म विभाग, गाजियाबाद।
3. जिलाधिकारी सहारनपुर को सादर सूचनार्थ।

अपर जिलाधिकारी (वि0/रा0)  
सहारनपुर।

प्रेषक,

जिलाधिकारी,  
सहारनपुर।

सेवा में,

उपायुक्त / जिलाधिकारी  
यमुना नगर हरियाणा।

पत्रांक: 1769ख0अनु0 / Replenishment Study / Updated DSR / 2022-23

दिनांक: 01/02/2023

विषय: जनपद सहारनपुर में बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM के उपलब्ध खनन क्षेत्रों हेतु पुनः पूर्ति अध्ययन (Replenishment Study Report) पूर्ण कराये जाने के उपरान्त UPDATED DSR को अपने डिस्ट्रिक्ट पोर्टल पर आम जन मानस से आपत्ति/सुझाव प्राप्त किये जाने के संबंध में।

महोदय,

कृपया उपरोक्त विषयक मा0 राष्ट्रीय न्याय हरितकरण नई दिल्ली में योजित ओ0 ए0 संख्या 403/2022 दलजीत सिंह बनाम उत्तर प्रदेश राज्य व अन्य में दिनांक 30.05.2022 पारित आदेश जिसमें निम्न आदेश पारित किये गये हैं:-

"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."

उक्त आदेश के अनुपालन में जनपद सहारनपुर में स्थित नदियों के Replenishment Study हेतु उपलब्ध उपखनिज बालू, बजरी, बोल्टर (मिश्रित अवस्था में), RBM की निकासी हेतु रेत खनन प्रबंधन दिशा निर्देश-2016 और एमओईएफएंडसीसी द्वारा प्रकाशित रेत खनन-2020 के लिए प्रवर्तन और निगरानी दिशा निर्देशों के अन्तर्गत क्षेत्रों की पुनः पूर्ति अध्ययन (Replenishment Study) किये जाने के निर्देशों के अनुपालन में दिनांक 26.12.2022 को पूर्ण कर ली गई जिसके उपरान्त (UPDATED D S R) जिला सर्वेक्षण की सूचना आम जन मानस के अवलोकन हेतु पब्लिक डोमेन हेतु जिले की वेबसाइट पर भी अपलोड किया जाना आवश्यक है।

अतः अनुरोध है कि (UPDATED D S R) जिला सर्वेक्षण की सूचना आम जन मानस हेतु जिले की वेबसाइट पर भी अपलोड करने का कष्ट करें।

संलग्नक: उपरोक्तानुसार।

भवदीय,

अपर जिलाधिकारी (वि0/रा0)  
सहारनपुर।

उत्तर प्रदेश शासन,  
भूतत्व एवं खनिकर्म अनुभाग,  
संख्या- /86-2020-01(सा0)/2020  
लखनऊ दिनांक 01 जून, 2020

कार्यालय ज्ञाप

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू के सुव्यवस्थित खनन सम्बन्धी प्रक्रिया के सम्बन्ध में जनवरी 2020, में "Enforcement & Monitoring guidelines for Sand Mining" गाईडलाइन्स निर्गत की गई है। उक्त गाईडलाइन्स के प्रस्तर 4.1.1(a) के अनुसार खनन क्षेत्रों की नीलामी/ई-नीलामी/खनन पट्टे की स्वीकृति/आशय पत्र निर्गत करने से पूर्व राज्य सरकार द्वारा जिला सर्वेक्षण रिपोर्ट (DSR) तैयार किया जाना है। अतः उक्त व्यवस्था के अन्तर्गत भारत सरकार द्वारा पर्यावरण प्रभाव आकलन (Environmental Impact Assessment) अधिसूचना/आदेश जारी होने तक जनपदों से प्राप्त जिला सर्वेक्षण रिपोर्ट में क्षेत्रों के प्रस्तावित संशोधन/संयोजन के लम्बित प्रस्तावों तथा नये प्रस्तावों के परीक्षण हेतु एतद्वारा निम्नवत् तकनीकी समिति गठित की जाती है :-

|   |   |            |
|---|---|------------|
| 1 | मुख्य खान अधिकारी, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०                                    | अध्यक्ष    |
| 2 | संयुक्त निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०                                       | सदस्य      |
| 3 | अध्यक्ष, राजस्व परिषद, उ०प्र० द्वारा नामित अधिकारी  | सदस्य      |
| 4 | निदेशक, पर्यावरण निदेशालय, उ०प्र० द्वारा नामित अधिकारी                                    | सदस्य      |
| 5 | प्रधान मुख्य वन संरक्षक, वन विभाग उ०प्र० द्वारा नामित अधिकारी                             | सदस्य      |
| 6 | प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ०प्र० द्वारा नामित अधिकारी | सदस्य      |
| 7 | श्री मोईनुद्दीन, भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०                         | सदस्य सचिव |
| 8 | श्री शशाक शर्मा, सहायक भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०                   | सदस्य      |

2. उक्त गाईडलाइन्स के अन्तर्गत जनपदों से प्राप्त प्रस्तावों का तकनीकी आधार पर परीक्षण कर समिति द्वारा संस्तुति सहित शासन को सन्दर्भित किया जायेगा।

डॉ० रोशन जैकब  
सचिव।

संख्या- 790 (1)/86-2020-तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. अपर मुख्य सचिव, राजस्व विभाग/प्रमुख सचिव, वन पर्यावरण एवं जलवायु परिवर्तन विभाग/प्रमुख सचिव, सिंचाई एवं जल संसाधन विभाग उ०प्र० शासन।
2. अध्यक्ष राजस्व परिषद/निदेशक, पर्यावरण निदेशालय/प्रधान मुख्य वन संरक्षक, वन विभाग/प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ०प्र० को इस आशय से प्रेषित कि उक्त समिति में प्रकरण से अभिज्ञ अधिकारी को प्राथमिकता के

- आधार पर नामित करते हुये निदेशक, भूतत्व एवं खनिकर्म को अवगत कराने का  
करें, ताकि समिति की बैठक यथाशीघ्र आहूत की जा सके।
3. निदेशक, भूतत्व एवं खनिकर्म, उत्तर प्रदेश, लखनऊ को उनके पत्र सं0-1883/228/2017(खनन नीति)(IV) दिनांक 20.02.2020 के सन्दर्भ में।
  4. समिति के समस्त सदस्यगण (द्वारा निदेशक, भूतत्व एवं खनिकर्म, उ0प्र0 लखनऊ)।
  5. गार्ड फाईल।

आज्ञा से,

  
(हृदय नारायण सिंह यादव)  
अनु सचिव।

प्रेषक,

निदेशक

भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
"खनिज भवन", लखनऊ।

सेवा में,

जिलाधिकारी  
सहारनपुर।

पत्र सं० 1935/एम०228/2017 (खनन नीति)-डी०एस०आर० दिनांक: 27 मार्च, 2023

विषय:-जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन के सम्बन्ध में।

महोदय,

कृपया अवगत कराना है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू/मौरम के सुव्यवस्थित खनन सम्बन्धी प्रक्रिया के सम्बन्ध में जनवरी, 2020 में "Enforcement & Monitoring guidelines for sand Mining" की गाइडलाइन्स निर्गत की गयी है। उक्त गाइड लाइन के प्रस्तर-4.1.1(a) के अनुसार खनन क्षेत्रों की नीलामी/ ई-नीलामी/खनन पट्टे की स्वीकृति/आशय पत्र निर्गत करने के पूर्व राज्य सरकार द्वारा जिला सर्वेक्षण रिपोर्ट तैयार किया जाना है। उक्त व्यवस्था के अन्तर्गत भारत सरकार द्वारा पर्यावरण प्रभाव आंकलन अधिसूचना/आदेश निर्गत होने तक जनपदों से प्राप्त जिला सर्वेक्षण रिपोर्ट में क्षेत्रों के प्रस्तावित संशोधन/संयोजन के लम्बित प्रस्तावों तथा नये प्रस्तावों का परीक्षण किये जाने हेतु भूतत्व एवं खनिकर्म विभाग, उत्तर प्रदेश शासन, लखनऊ के कार्यालय ज्ञाप सं० 790(1)/86-2020, दिनांक 01 जून, 2020 यथासंशोधित दिनांक 09 सितम्बर, 2021 के द्वारा अपर निदेशक, भूतत्व एवं खनिकर्म विभाग की अध्यक्षता में तकनीकी विशेषज्ञ समिति का गठन किया गया।

- मा० राष्ट्रीय न्याय हरितकरण, नई दिल्ली में योजित ओ०ए० सं०-403/2022 दलजीत सिंह बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 30.05.2022 के क्रम में जिलाधिकारी सहारनपुर के पत्र सं०-1770, दिनांक 01.02.2023 के साथ जनपद स्तर पर Replenishment Study के आधार पर तैयार की गयी आख्या के क्रम में जनपद में उपलब्ध 22 खनन क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संयोजित/संशोधित किये जाने की अपेक्षा की गयी है।
- तकनीकी समिति की बैठक दिनांक 10.03.2023 में जनपद सहारनपुर, से 22 प्राप्त प्रस्तावों का परीक्षण किया गया। समिति के समक्ष प्रस्तुत प्रस्तावों का विवरण निम्न तालिकानुसार है:-

| क्रम सं० | तहसील | ग्राम का नाम          | खण्ड सं०/<br>गाटा सं० | क्षेत्रफल<br>(हेक्टेयर में) |
|----------|-------|-----------------------|-----------------------|-----------------------------|
| 1.       | बेहट  | अकबरपुरबांस<br>अहतमाल | 1                     | 17.900                      |

|     |      |  |  |  |
|-----|------|--|--|--|
| 2.  | बेहट | आराजीजेवड़ी<br>अहतमाल व<br>मसूदपुरगढ़<br>अहतमाल          | 1 व 1  | 13.800   |
| 3.  | बेहट | शहजादपुरबांस   | 1  | 13.000   |
| 4.  | बेहट | अलाउद्दीनपुर<br>बांस अहतमाल                              | 1/1  | 9.580  |
| 5.  | बेहट | महमूदपुरनगली<br>अहतमाल                                   | 1  | 15.700   |
| 6.  | बेहट | शाहपुरबांस<br>अहतमाल                                     | 1/1  | 15.600   |
| 7.  | बेहट | अबुतालिबपुर<br>गढ़<br>अहतमाल                             | 1  | 37.000   |
| 8.  | बेहट | नित्यानन्दपुर<br>अहतमाल व<br>सैदमोहम्मदपुर<br>गढ़ अहतमाल | 1 व 1 म  | 17.700   |
| 9.  | बेहट | शेरपुरपेलो   | 403, 404/1, 405,<br>406/1, 416/2, 421/1,<br>422/2, 423/2, 424/2,<br>429, 431 | 6.475  |
| 10. | बेहट | कालूवाला<br>पहाड़ीपुर                                    | 119/1, 120/1, 192/1,<br>193/1, 125/4   | 14.900   |
| 11. | बेहट | रसूलपुर उर्फ<br>रसूली                                    | 1/1  | 34.000   |
| 12. | बेहट | असलमपुर बरथा<br>खण्ड-1                                   | 1/1म   | 36.600   |
| 13. | बेहट | असलमपुर बरथा<br>खण्ड-II                                  | 1/1म   | 28.160   |
| 14. | बेहट | नुनियारी<br>अहतमाल                                       | 1/1/1  | पूर्व में<br>23.00 हे०<br>संसोधित 19.<br>000 हे० |
| 15. | बेहट | मायापुर रूपपुर   | 14/1   | 3.100  |
| 16. | बेहट | बरथा कोसी  | 1  | 36.000   |
| 17. | बेहट | हैदरपुर<br>हिन्दवाला                                     | खण्ड नं०/<br>गाटा सं०-<br>8/1, 19 एवं 22                                     | 4.200  |
| 18. | बेहट | शेखपुर पिलोन   | 378/2 एवं 379/2  | 7.000  |
| 19. | बेहट | नुनियारी<br>अहतमाल                                       | 1/1/1<br>लाट-38  | 24.290   |
| 20. | बेहट | रेहना  | खण्ड नं०/<br>गाटा नं०-   | 8.050  |

|     |       |            |   |       |
|-----|-------|------------|---|-------|
|     |       |            | 03,<br>लाट-03   |       |
| 21. | बेहट  | राहेना     | 179/2   | 3.750 |
| 22. | नुकुर | दिवकन कलां | 839, 841 से 856, 858,<br>859, 860, 861, 863, 864,<br>865, 866, 867, 871, 872,<br>888, 889, 406, 407 | 52.63 |

4. जिलाधिकारी सहारनपुर द्वारा प्रेषित संयुक्त निरीक्षण आख्या (राजस्व आख्या), वन अनापत्ति, सिंचाई विभाग की आख्या एवं Replenishment Study को राज्य स्तर पर गठित विशेष तकनीकी समिति की बैठक दिनांक 10.03.2023 में परीक्षण किया गया और पाया गया कि तालिका के क्रमांक-1 से 10 पर अंकित खनन 10 क्षेत्रों के सम्बन्ध में जिलाधिकारी सहारनपुर के पत्र सं0-715/खनन अनुभाग/2021-2022, दिनांक 20.12.2021 के द्वारा प्रेषित प्रस्ताव के क्रम में राज्य स्तर पर गठित तकनीकी समिति की बैठक दिनांक 27.12.2021 की संस्तुति के क्रम में शासकीय पत्र सं0-1676/86-2021-01(सा0)/2020 दिनांक 03.01.2022 के द्वारा अनुमोदन प्रदान किया जा चुका है। (छायाप्रति संलग्न)
5. उक्त तालिका के क्रम सं0-11 से 13 पर अंकित खनन 03 क्षेत्रों हेतु जिलाधिकारी सहारनपुर के पत्र सं0-421/खनन अनुभाग/2022-2023 दिनांक 15.07.2022 सपठित पत्र सं0 641/खनन अनुभाग/2022-2023, दिनांक 30.08.2022 के द्वारा प्रेषित प्रस्ताव पर तकनीकी समिति की बैठक दिनांक 01.11.2022 की संस्तुतियों के क्रम में शासकीय पत्र सं0-1347/86-2022-01(सा0)/2020 दिनांक 18.11.2022 के द्वारा अनुमोदन प्रदान किया गया। (छायाप्रति संलग्न)
6. जनपद सहारनपुर से प्राप्त 22 प्रस्तावों के साथ अधिशासी अभियन्ता सिंचाई खण्ड सहारनपुर के पत्र सं0-309, दिनांक 25.02.2023 के साथ खनन क्षेत्रों से सम्बन्धित संलग्न सूची के अनुसार उपरोक्त तालिका के क्रम सं0-17 पर अंकित क्षेत्र हैदरपुर हिन्दवाला की तटबन्ध से दूरी मानक अनुरूप नहीं पाये जाने, तालिका के क्रम सं0-19 पर अंकित क्षेत्र नुनियारी अहतमाल, तहसील बेहट गाटा सं0-1/1/1 लाट सं0-38 एवं क्रम सं0-20 पर अंकित क्षेत्र रेहना, तहसील बेहट गाटा नं0-3, लाट नं0-3 पर अंकित क्षेत्रों के अक्षांश-देशान्तर Replenishment Study में उल्लिखित अक्षांश-देशान्तर से भिन्नता होने के कारण इन्हें जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने हेतु निदेशालय स्तर पर अपर निदेशक, भूतत्व एवं खनिकर्म की अध्यक्षता में गठित तकनीकी विशेष समिति की बैठक दिनांक 10.03.2023 में संस्तुति नहीं की गई।
7. अपर निदेशक, भूतत्व एवं खनिकर्म की अध्यक्षता में गठित तकनीकी विशेष समिति की बैठक दिनांक 10.03.2023 में की गई संस्तुति के क्रम में भूतत्व एवं खनिकर्म विभाग, उ0प्र0 शासन के शासकीय पत्र सं0-1026/86-2023-01(सा0)/2020 दिनांक 27.03.2023 के द्वारा उपरोक्त तालिका के क्रम सं0-1 व 9 पर अंकित 02 क्षेत्र में आंशिक संशोधन तथा क्रम सं0-14, 15, 16, 18, 21 व 22 पर अंकित 06 क्षेत्रों को जनपद

सहारनपुर के जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने की सहमति प्रदान की गई है।

अतः जिलाधिकारी, सहारनपुर द्वारा replenishment study के आधार पर 22 क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संशोधित/संयोजित किये जाने सम्बन्धी प्रेषित प्रस्ताव में से क्रम सं०-01 से 13 पर अंकित क्षेत्र पूर्व से ही जिला सर्वेक्षण रिपोर्ट में संयोजित हैं, जिसमें क्रम सं०-1 व 9 पर अंकित क्षेत्र में आंशिक संशोधन के साथ ही क्रम सं०-17, 19 व 20 को छोड़कर शेष 06 क्षेत्र क्रमशः 14, 15, 16, 18, 21 व 22 को सम्मिलित करते हुये 19 क्षेत्र एक साथ जिला सर्वेक्षण रिपोर्ट में संयोजित हो जायेंगे।  
संलग्नक-यथोपरि।

भवदीय,

(डा० रौशन जैकब)  
निदेशक।

पत्र सं० /एम०२२८/२०१७ (खनन नीति)-डी०एस०आर० तददिनांक  
प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. प्रमुख सचिव, राजस्व परिषद, उ०प्र० शासन लखनऊ।
2. सचिव, भूतत्व एवं खनिकर्म, उ०प्र० शासन।
3. निदेशक, पर्यावरण निदेशालय, उ०प्र०, गोमती नगर, लखनऊ।
4. प्रधान मुख्य वन संरक्षक, वन विभाग, उ०प्र०, लखनऊ।
5. प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ०प्र०, लखनऊ।
6. तकनीकी समिति के सदस्यगण।

(डा० रौशन जैकब)  
निदेशक।

प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
"खनिज भवन", लखनऊ।

सेवा में,

1. श्री अजय कुमार श्रीवास्तव, विशेष कार्याधिकारी, राजस्व परिषद, उ०प्र०, लखनऊ।
2. श्री एम०के० वर्मा, अधिशासी अभियन्ता, अनुसन्धान एवं नियोजन यूनिट-8, सिंचाई विभाग, उ०प्र०, लखनऊ।
3. श्री हरिलाल चौरसिया उप प्रभागीय वनाधिकारी, लखनऊ, अवध वन प्रभाग लखनऊ, 21/475 इन्दिरा नगर, लखनऊ।
4. श्रीमती श्रुति शुक्ला, उप निदेशक, पर्यावरण निदेशालय, गोमती नगर, उ०प्र०, लखनऊ।
5. श्री जय प्रकाश, संयुक्त निदेशक, भूतत्व एवं खनिकर्म निदेशालय, सदस्य,
6. श्री सत्यनारायण पटेल, भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, सदस्य
7. श्री राम प्रवेश सिंह, भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, सदस्य सचिव,

पत्र सं०: —/एम०-228/2017-खनन नीति (v)

दिनांक 08/11/2023

विषय-जिला सर्वेक्षण रिपोर्ट के संशोधन/संयोजन के सम्बन्ध में।

महोदय,

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा उपखनिज के सुव्यवस्थित खनन सम्बन्धी प्रक्रिया के सम्बन्ध में जनवरी 2020, में "Enforcement & Monitoring guidelines for Sand Mining" निर्गत किया गया है। उक्त गाइडलाइन्स के प्रस्तर 4.1.1 (a) के अनुसार भारत सरकार से पर्यावरण प्रभाव आंकलन (Environment Impact Assessment) अधिसूचना/आदेश जारी होने तक खनन क्षेत्रों के सम्बन्ध में राज्य सरकार स्तर से जिला सर्वेक्षण रिपोर्ट तैयार किया जाना अपेक्षित है। तदनुसार जनपदों से जिला सर्वेक्षण रिपोर्ट में क्षेत्रों के संशोधन/संयोजन सम्बन्धी प्राप्त प्रस्तावों का परीक्षण करने हेतु शासन के भूतत्व एवं खनिकर्म अनुभाग के कार्यालय ज्ञाप संख्या-1153(1)86-2021 दिनांक 09 सितम्बर, 2021 के द्वारा जिला सर्वेक्षण तकनीकी समिति का गठन किया गया है, जिसमें आप सदस्य के रूप में नामित हैं।

जनपद सहारनपुर (संशोधन/संयोजन हेतु) से उपखनिज साधारण बालू/मोरम व आर०बी०एम० के प्राप्त प्रस्तावों का परीक्षण कर अपनी संस्तुति प्रदान किये जाने के सम्बन्ध में तकनीकी समिति की बैठक दिनांक 10 मार्च, 2023 को भूतत्व एवं खनिकर्म निदेशालय, लखनऊ में अपराह्न 12.00 बजे आहूत की गयी है।

अतः पत्र इस आशय के साथ प्रेषित है कि नियत दिनांक एवं समय पर बैठक में प्रतिभाग करने का कष्ट करें।

भवदीय

(विपिन कुमार जैन)  
अपर निदेशक

पत्र सं० 1829/एम०-228/2017-खनन नीति (v) तददिनांक

प्रतिलिपि- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. आयुक्त एवं सचिव, राजस्व परिषद, उ० प्र०, अनुभाग-5, लखनऊ।
2. सचिव, भूतत्व एवं खनिकर्म, उत्तर प्रदेश शासन, लखनऊ।
3. प्रभागीय वनाधिकारी, अवध वन प्रभाग, प्रभागीय भवन, 21/475 इन्दिरा नगर, लखनऊ।
4. तकनीकी समिति के समस्त सदस्यों को अनुपालनार्थ।
5. खान अधिकारी, सहारनपुर को इस निर्देश के साथ कि नियत तिथि एवं समय पर समस्त मूल अभिलेखों के साथ उपस्थित होना सुनिश्चित करें अन्यथा सम्बन्धित जनपद के क्षेत्र का डी०एस०आर० बैठक में सम्मिलित नहीं किया जायेगा।

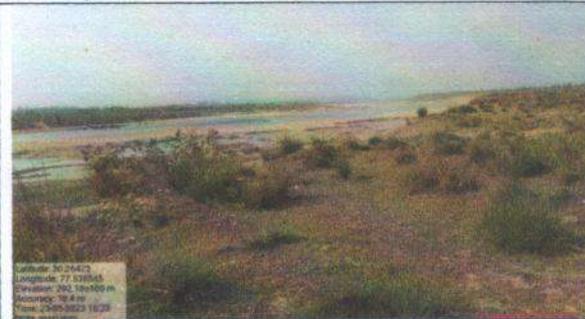
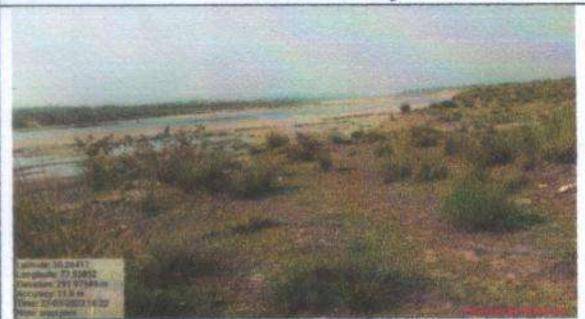
(विपिन कुमार जैन)  
अपर निदेशक

Photographs of Mines

AkrabpurBaans



ArrajivevdiAhtmal and MassodpurGarhAhtmal



ShahzadpurBaans



AlludinpurBaansAhtmal



MahmoodpurNagliAhtmal



Shahpur BaansAhtmal



AbutalibpurGarhAhtmal



NityanandpurAhtmal and Said Mohammadpur Ahtmal



SherpurPelo



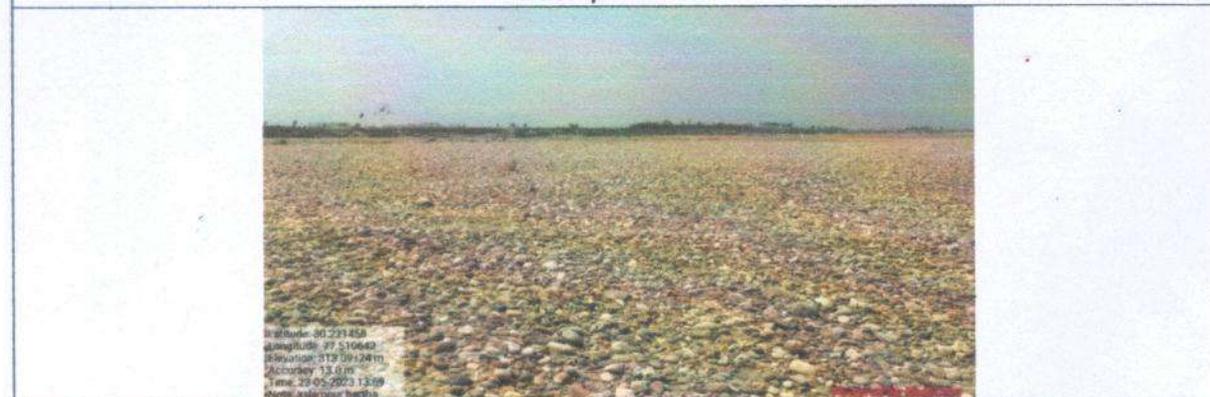
KaluvalaPaharipur



NunyarAhtmal Khand- II



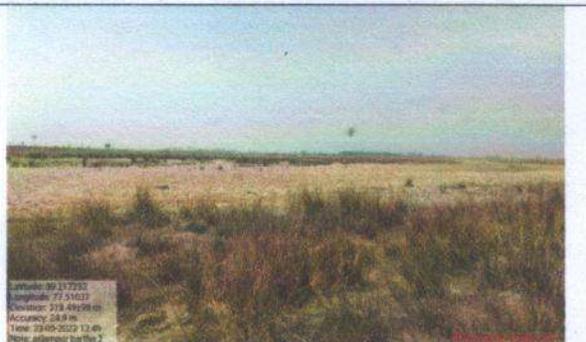
Aslampur Bartha



RasoolpurufRasuli



Aslampur Bartha Khand-2



## ANNEXURE R-10

Item No.09

Court No. 1

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

Original Application No. 188/2023  
(I.A. No. 76/2023, I.A. No. 91/2023 & I.A. No. 92/2023)

Gaurav Kumar

Applicant

Versus

State of Uttar Pradesh &amp; Ors

Respondent(s)

Date of hearing: 08.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Mr. Kanchan Kumar & Mr. A. Renganath, Advs.

Respondent: Mr. Mukesh Verma, Adv. for the Mining Department, UP  
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)

**ORDER**

1. In this original application, the applicant has questioned the auction notice dated 13.02.2023 for mining of sand, bajri and boulder in mix condition from 14 places.

2. Submission of Counsel for the applicant is that the auction notice has been issued before finalization of DSR, which is not permissible. He has also submitted that the DSR has not been finalized till now by the SEIAA and that in public consultation, applicant had raised the objection which has not been considered and Clause 4.1.1 of the Enforcement and Monitoring Guidelines for Sand Mining issued by the Ministry of Environment, Forest and Climate Changes, January 2020 has not been followed.

3. On perusal of the record, we find that in pursuance to the impugned auction notice, further action has been taken and LOIs have been issued to the 12 intending lease holders, the details of which are as under:-

| <b>Sl. No.</b> | <b>Name and address of lease holder</b>   | <b>Date</b> |
|----------------|---|-------------|
| 1.             | KRISHNA CONSTELLATION PRIVATE LIMITED (mstc/KRISHNA CONSTELLATION PRIVATE LIMITED/390060)<br><br>B 901 NINTH FLOOR GREEN WOOD CITY GOLDEN HEIGHTS SUBHARTI, MEERUT 250002 | 13.07.2023  |
| 2.             | NUTRESSAORGANICS INDIA PRIVATE LIMITED (mstc/NUTRESSAORGANICS INDIA PRIVATE LIMITED/397018)<br><br>E17 GREEN PARK MAIN SOUTH DELHI, SOUTH DELHI                           | 21.05.2023  |
| 3.             | MS MANNU ENTERPRISES (mstc/MS MANNU ENTERPRISES/395471)<br><br>0 ROSHNABAD , UTTRAKHAND   | 20.05.2023  |
| 4.             | DOON MINES AND MINERALS (mstc/DOON MINES AND MINERALS/396113)<br><br>F1 502 USHA COLONY PACIFIC GOLF ESTATE, DEHRADUN   | 21.05.2023  |
| 5.             | VEDANTA ASSOCIATES (mstc/VEDANTA ASSOCIATES/395585)<br><br>86A CHANDRALOK COLONY BEHAT ROAD , SAHARANPUR  | 21.05.2023  |
| 6.             | YAMUNA MINES (mstc/YAMUNA MINES/396096)<br><br>OPP POST OFF JARAODA JATT PO JADAUDA JATT VILL. JARODA JATT, DEOBAND SAHARANPUR  | 21.05.2023  |
| 7.             | CHOUDHARY MINES (mstc/CHOUDHARY MINES/395712 )<br><br>NEAR GOVERNMENT SCHOOL BARTHA KAYASTHA AL AHPUR AHT , SAHARANPUR  | 21.05.2023  |
| 8.             | MANISH JAISWAL (mstc/MANISH JAISWAL/99092)<br><br>GROUND FLOOR HOTEL SUYASH PALACE STATION ROAD PURANI BASTI, BASTI   | 21.05.2023  |
| 9.             | RANA ROYALTY (mstc/RANA ROYALTY/396108)<br><br>BLOCK NO 1 NORTH 102 KARANPUR ROAD DEHRADUN, DEHRADUN  | 21.05.2023  |
| 10.            | MANISH AWANA (mstc/MANISH AWANA/373335)<br><br>HAROLA AJAB CABLE NETWORK SECTOR 5 NOIDA, NOIDA  | 21.05.2023  |
| 11.            | BLUE STAR MINES (mstc/BLUE STAR MINES/396130)<br><br>3_2204 KHAN ALAM PURA DEHRADUN ROAD , SAHARANPUR   | 21.05.2023  |
| 12.            | MAA SHAKUMBHARI TRADERS (mstc/MAA SHAKUMBHARE TRADERS/395596)<br><br>NEAR MAHARANA PRATAP PARK 2B 1311 RAJENDRA NAGAR NAVEEN NAGAR, SAHARANPUR                            | 22.08.2023  |

4. In the circumstances of the case, before deciding the issue finally on merit, the above intending lease holders to whom the LOIs have been issued, needs to be noticed.

5. Hence, we implead the above 12 parties as respondents in this OA and direct the applicant to serve these newly added respondents and file affidavit of service on the next date of hearing.

6. At this stage, Counsel for the applicant has made a prayer for interim relief by submitting that, if in the meanwhile, ECs are issued and leases are executed in favour of the above 12 respondents, then the matter will be complicated. The prayer has not been seriously opposed by any of the respondents.

7. Having regard to the plea raised and argument advanced by the Counsel for the applicant, we are of the view that a case is made out by the applicant for grant of interim relief. Accordingly, we direct that the ECs will not be issued to the above newly added respondents by the competent authority without the leave of the Tribunal.

8. List this matter on 22.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 08, 2023

Original Application No. 188/2023

(I.A. No. 76/2023, I.A. No. 91/2023 & I.A. No. 92/2023)

JG

F.No. L-11011/13/2021-IA-II (M) **ANNEXURE R-11**  
Government of India  
Ministry of Environment, Forest and Climate Change  
Impact Assessment Division  
2nd Floor, Prithvi Wing,

Indira Paryavaran Bhawan,  
Jorbagh Road, Aliganj,  
New Delhi-110 003  
Dated: 4th December, 2023

To,  
The Member Secretary  
State Level Environment Impact Assessment Authority  
Directorate of Environment  
Vineet Khand 1, Gomti Nagar,  
Lucknow, Uttar Pradesh 226010  
Email: doeuplko@yahoo.com

Sub: Clarification regarding District Survey Report-reg.

Sir,

This is with reference to the letter no. 656/Civil Appeal no. 6463/2021 dated 16.11.2023 regarding seeking clarification on District Survey Report (DSR).

2. The matter has been examined in the Ministry. In this context, it is informed that, as per Ministry's notification dated 25.07.2018, the DSR is prepared by the District Authorities and it should be in sync with Sustainable Sand Management Guidelines 2016 & Enforcement and Monitoring Guidelines for sand mining 2020.

3. Further, the Hon'ble NGT vide its order dated 29/9/2022 in OA No. 34 of 2022 titled Subhash Bhai Ishwar Bhai Parmar vs State of Gujarat & Ors. Observed that they would like to follow the principle laid down by the Hon'ble Supreme Court in order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 titled State of Bihar v/s Pawan Kumar. The above-referred order of Hon'ble SC mandates submission of DSR to State Expert Appraisal Committee (SEAC) for examination and evaluation and State Environment Impact Assessment Authority (SEIAA) for approval.

4. This is issued with the approval of the Competent Authority.

Yours faithfully,  
(Dr. Saurabh Upadhyay)  
Scientist C  
E-mail: saurabh.upadhyay85@gov.in

Copy to:

- Scientist E(PV)/ Guard File

## ANNEXURE R-12

From: District Magistrate  
SAHARANPUR

To

Member Secretary,  
State Level Expert Appraisal Committee (SEAC)  
Environment Directorate, U.P.  
Lucknow.

Ref. No. 2613/Khanan Deptt/DSR/2023-24 Dated: 18.12.2023

Subject: Regarding Testing and approval of District Survey Report (DSR) of 22 mining areas available in Sand, Gravel, Boulder in mixed State) in Saharanpur District.

Sir,

Kindly take reference of the letter No. 1665/M-228/Mining Policy-2017 DSR dated 15.12.2023 of the Director, Geology and Mining Directorate, U.P. Khanij Bhawan, Lucknow on the above subject, by which the Ministry of Environment and Climate change, Impact Assessment Division New Delhi's letter dated 4.12.2023 and Civil Appeal No. 3661-3662 of 2020 titled State of Bihar V/s Pawan Kumar. In accordance with the order dated 10.11.2021 passed by the Hon'ble Supreme Court, instructions have been given to conduct the proceedings of the District Survey Report (DSR)

In connection with the above, it is respectfully informed that a total of 21 mining areas of sand, boulders (in mixed state) available in the river bed and 01 area of ordinary sand, a total of 22 areas, have been developed. Under Uttar Pradesh Mineral Avoidance Rules, 2021, suitability of the area for approval on mining lease and assessment of minerable quantity in view of environment and ecology, report of Revenue Department, Joint report of Mining Department and report of Irrigation Department and Divisional Director, Social Forestry. The process of district survey report has been completed only after receiving the report along with the recommendation.

Therefore, a copy of the District Survey Report (DSR) and enclosures (1-7) in respect of the above 22 areas are attached with this letter with this letter with the intention that the District Survey Report (DSR) prepared for the above 22 mining lease areas will be examined and please try to get approval.

Enclosures:

1. Photocopy of Updated DSR.
2. Photocopy of the No Objection Certificate obtained from the Forest Deptt.
3. Photocopy of the No Objection Certificate received from the Irrigation Deptt.

Yours faithfully,  
District Magistrate,  
Saharanpur

**Copy to the following for information and necessary action, please.**

1. President, SEAC Lucknow.
2. President, SEAC Lucknow.
3. Directorate of Geology and Mining Deptt. UP Lucknow.
4. Chief Secretary, do
5. Member Secretary, SEAC Lucknow.

*Na Di*  
\\TRUE COPY\\

## ANNEXURE R-13

## Minutes of the Joint meeting of SEIAA and SEAC, U.P. held on 02.02.2024

The Joint Meeting of State Environment Impact Assessment Authority (SEIAA) & State Expert Appraisal Committee (SEAC-1&2) was held in Directorate of Environment, U.P. on 02.02.2024, following members were present in the meeting:

|                                |  |
|--------------------------------|--|
| 1. Smt. Mamta Sanjeev Dubey    | Chairman, SEIAA, U.P                   |
| 2. Shri Rajive Kumar           | Chairman, SEAC-1                       |
| 3. Dr. Harikesh Bahadur Singh  | Chairman, SEAC-2                       |
| 4. Shri Ashish Tiwari          | Member Secretary, SEAC-1&2             |
| 5. Shri Sanjeev Kumar Singh    | Member Secretary, SEIAA, U.P           |
| 6. Shri Paras Nath             | Member, SEIAA, U.P                     |
| 7. Dr. Brij Bihari Awasthi     | Member, SEAC-1                         |
| 8. Shri Umesh Chandra Sharma   | Member, SEAC-1                         |
| 9. Dr. Ratan Kar               | Member, SEAC-1                         |
| 10. Shri Om Prakash Srivastava | Member, SEAC-1                         |
| 11. Dr. Amrit Lal Halдар       | Member, SEAC-2                         |
| 12. Dr. Dineshwar Prasad Singh | Member, SEAC-2                         |
| 13. Shri Tansar Ullah Khan     | Member, SEAC-2                         |
| 14. Prof. Jaswant Singh        | Member, SEAC-2                         |
| 15. Dr. Shiv Om Singh          | Member, SEAC-2                         |
| 16. Shri Amit Kaushik          | Joint Director, Mining Directorate, UP |
| 17. Dr. Ajai Mishra            | MEMBER SEAC-1                          |

In the joint committee following agenda were discussed and resolved:-

**Agenda-1 - Regarding procedure for approval of D.S.R. (District Survey Report)**

1. The detailed Standard Operating Procedure (S.O.P.) regarding preparation and modification of D.S.R. for Sand Mining or R.B.M. and for in-situ rocks were discussed and formulated.
2. It was resolved that the Secretariat shall forward the approved SOP for preparation and modification of D.S.R. for Sand Mining or R.B.M. and for in-situ rocks to Director – Geology & Mining for its effective implementation by respective Districts. (SOP attached as Annexure1 &2)
3. It was further resolved that all DSR received by SEIAA/SEAC shall be forwarded to D.G.M. by Member Secretary/Nodal officer SEAC for comments and suggestions.

**Agenda-2 - Regarding grant of Standard-TOR as per MoEF&CC O.M. dated 6-May-2022**

1. It was deliberated that Standard-TOR issued by MoEF&CC can be issued by MS-SEAC adding some additional conditions approved by SEIAA/SEAC, on the basis of experience gained in past 1 to 2 years.
2. In case of Mining of Minor Mineral Projects, the Standard-TOR can be granted on case to case basis, as per MoEFCC circular F. No. IA3-22/15/2022-IA-3 dated 06.05.2022 Mining Department, UP will certify whether the case under consideration is a green field project or a brown field project. If the case under consideration is a brown field project then details of previous E.C. should also be submitted by Mining Department.



(Shri Sanjeev Kumar Singh)  
Member Secretary, SEIAA



(Shri Ashish Tiwari)  
Member Secretary, SEAC-1&2

# **STANDARD OPERATING PROCEDURE**

**Preparation/Modification of D.S.R. for Sand Mining or R.B.M. by**

**District Level Sub-Divisional Committee and**

**its Appraisal/Approval by SEAC/SEIAA, U.P.**

**Issued by – Joint Committee of SEAC, SEIAA and DGM, U.P.**

**Background and Scope of Work:** - The SOP has been prepared as per MoEF&CC, GoI, Notification No. S.O. 141(E), dated 15-Jan-2016, S.O. 3611 (E), dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining 2020 & Hon'ble Supreme Court Judgement passed in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar and MoEF&CC, GoI letter dated 04/12/2023 regarding DSR.

**Short Titles:-**

| <b>Detailed Title</b>  | <b>Short Title to be read hereafter</b> |
|--|---|
| Sustainable Sand Mining Management Guidelines 2016   | SSMMG-2016                              |
| Enforcement & Monitoring Guidelines for Sand Mining -2020  | EMGSM-2020                              |
| District Level Sub-Divisional Committee  | SDC                                     |
| Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc. | Pawan Kumar                             |
| State Level Expert Appraisal Committee   | SEAC                                    |
| State Level Environment Impact Assessment Authority  | SEIAA                                   |
| District Survey Report   | DSR                                     |

• **Procedure for Preparation of DSR by respective District of Uttar Pradesh**

| Sl. No / Step | Details  | Action Required   |
|---------------|--|---|
| 1             | <p>Formation of Sub-Divisional Committee (SDC) in the district by District Magistrate comprising Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer.</p> <p><i>Reference – Para 14(i) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.</i></p>   | <ul style="list-style-type: none"> <li>• D.M. shall issue an Office Memorandum regarding nomination and formation of Sub-Divisional committee in the district.</li> </ul>   |
| 2             | <p><b>Preparation of DSR</b> – DSR which is a technical document shall be prepared in line with the MoEF&amp;CC Notification, dated 15/01/20216, dated 25-July-2018 and ESMMG 2020. The contents of DRAFT DSR shall be as under:-</p> <ul style="list-style-type: none"> <li>• <b><u>Contents of Report</u></b> <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Overview of Mining Activity in the District (brief history of old working, pre-existing and proposed mining activities).</li> <li>3. List of Mining Leases in the District with location, area and period of validity.</li> <li>4. Details of Royalty or Revenue received in last three years.</li> <li>5. Detail of Production of Sand/Morrum/RBM or other minor mineral in last three years.</li> </ol> </li> </ul> | <ul style="list-style-type: none"> <li>• The sub-divisional committee (SDC) will prepare the draft DSR. If required the SDC may take help/assistance of QCI/NABET Consultants, DGM Approved Exploration Agencies as per Government Order ref. no 1659/86-2023 dated 17-May-2023 issued by Secretary Geology &amp; Mining.</li> <li>• Additionally, the SDC may also take help/assistance of renowned academic institutions/ Universities</li> </ul> |

|  |  |
|--|--|
| <p>6. Process of deposition of sediments in the Rivers of the District (River Geometry).</p> <p>7. General Profile of the District.</p> <p>8. Land utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.</p> <p>9. Physiography of the District.</p> <p>10. Rainfall: month-wise.</p> <p>11. Geology and Mineral Wealth.</p> <p>12. The report shall also contain:-</p> <p>a) District wise detail of river or stream and other sand source;</p> <p>b) District wise availability of sand or gravel or aggregate resources;</p> <p>c) District wise detail of existing mining leases of sand and aggregates.</p> <p>13. Drainage system with description of main rivers</p> <p>a) Name of the river.</p> <p>b) Area drained (sq. km)</p> <p>c) Percentage area drained in the District.</p> <p>14. Salient Features of Important Rivers and Streams:-</p> <p>a) Name of the river or stream.</p> <p>b) Total length in the district.(in Km.)</p> <p>c) Place of origin.</p> <p>d) Altitude at origin.</p> <p>e) Portion of the river or stream recommended for mineral concession.</p> | <p>having domain expertise in Environment/ Geology and Mining.</p> <ul style="list-style-type: none"> <li>• It will be the responsibility of SDC/hired agency to collect primary and secondary data, DSR drafting with Annexure-I to Annexure-VII and conduct presentation before SEAC/SEIAA and DGM.</li> <li>• Whenever a new lease is identified for adding in the DSR, the SDC/hired agency will follow the entire procedure every time on the basis of existing DSR. The validity of amended or modified DSR will be upto the validity of the original DSR.</li> <li>• The SDC/hired agency will update the data in the revised DSR with reference to the primary DSR. Special focus on collection of latest data will be done w.r.t. landuse pattern,</li> </ul> |
|--|--|

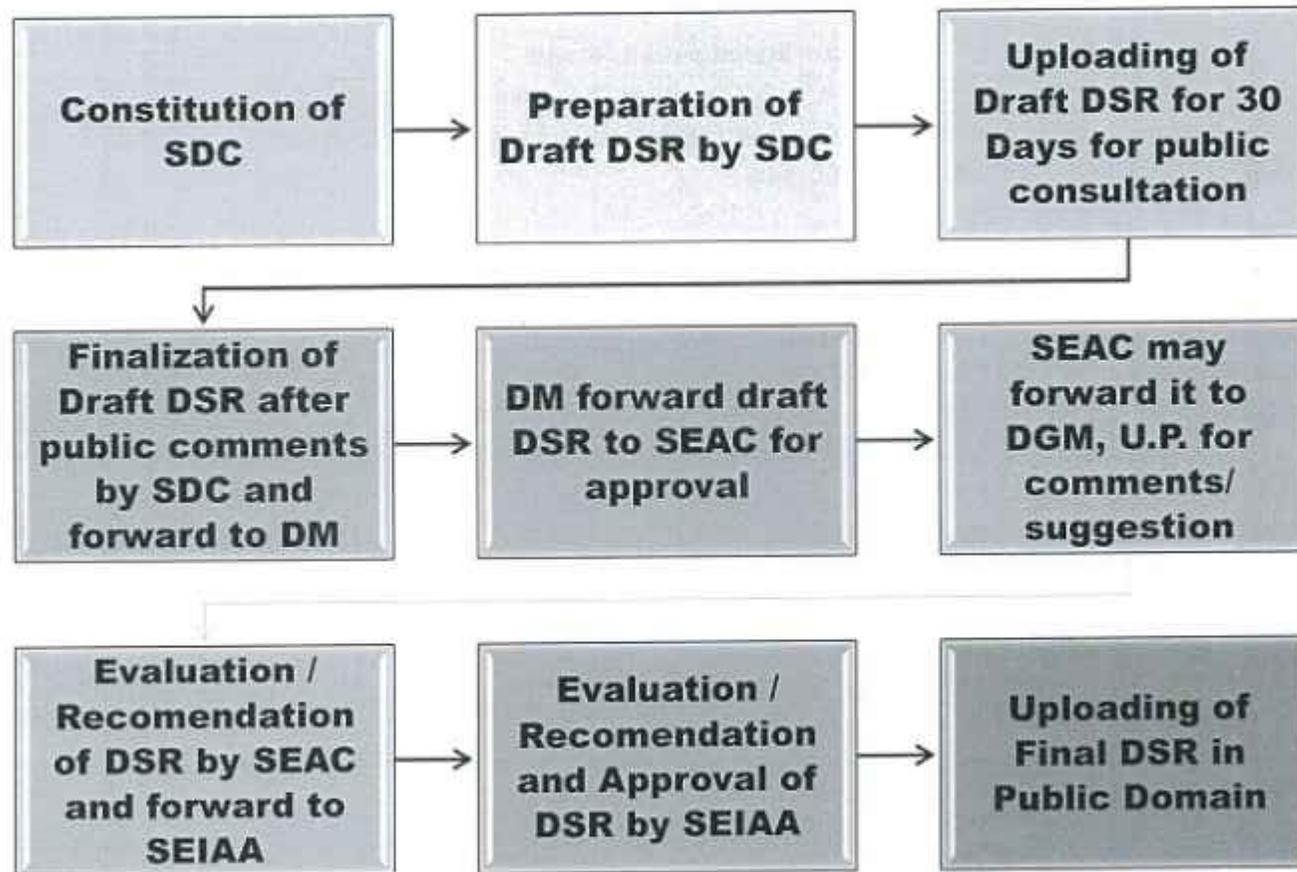
|  |   |
|--|---|
| <p>f) Length of area recommended for mineral concession.(in Kms)<br/> g) Average width of area recommended for mineral concession (in meters)<br/> h) Area recommended for mineral concession (in square meter)<br/> i) Mineable mineral potential (in metric tonne) (60% of total mineral potential)</p> <p>15. Mineral Potential:-<br/> a) Boulder (MT)<br/> b) Bajari (MT)<br/> c) Sand (MT)<br/> d) Total Mineable Mineral Potential (MT)</p> <p>16. Annual Deposition:-<br/> a) River or Stream.<br/> b) Portion of the river or stream recommended for mineral concession.<br/> c) Length of area recommended for mineral concession.(in Kms)<br/> d) Average width of area recommended for mineral concession (in meters)<br/> e) Area recommended for mineral concession (in square meter)<br/> f) Mineable mineral potential (in metric tonne) (60% of total mineral potential)<br/> g) Total for the District</p> <ul style="list-style-type: none"> <li>• After this <b>Annexure-I to Annexure-IV</b> shall also be prepared as per the format provided in Enforcement &amp; Monitoring Guidelines for Sand Mining-2020, which will be enclosed as annexure to the Draft DSR</li> </ul> | <p>rainfall, IMD data, river geometry, updated geology (if any), water table, population data etc. as such parameters generally change in every 5 years.</p> <ul style="list-style-type: none"> <li>• The source of secondary data used in DSR should have proper citation reference and in case primary data has been collected, then the name and details of experts involved in collection and synthesis and interpretation of data will be mentioned in the DSR.</li> <li>• It should be specifically ensured that DSR is the district specific environmental document in which all the environmental and safety parameters as per the guidelines and notifications should be covered and reflected in the DSR document.</li> <li>• For this a district specific mineral resource map shall be prepared in</li> </ul> |
|--|---|

|   |  |   |
|---|--|---|
|   | <p><i>(Reference – Page- 64 to 67 of EMGSM-2020)</i></p> <ul style="list-style-type: none"> <li>• Lease wise NOC will be taken from Irrigation and Forest Department and Deposit Verification/Estimation reports shall also be prepared by SDC.</li> <li>• The proposed lease should clearly identify and mark the mineable deposit on satellite image/drone image.</li> <li>• The mineable resource is to be calculated based on field investigation, geology of the catchment area, site conditions locations, depth of mineral availability and other geomorphic features. The mineable resource should be 50 to 60 % of the total resource available.</li> </ul> | <p>which the drainage patterns of rivers along with explored mineral resources shall be reflected.</p>                                  |
| 3 | <p>Once the Draft DSR and Annexure 1 to IV is prepared, then all the SDC members evaluate and approve it, which will be uploaded in the District Website for 30 days for public comments/objections as well as DM/ADM/MO office.</p> <p><i>For this the notification should be issued by District Authority about draft DSR for suggestions/comments /objections from public in minimum two newspapers having wide circulation. Date of uploading and last date of receiving suggestions/comments/objections should be clearly mentioned in the notification.</i></p> <p><i>(Reference - EMGSM- -2020, Para 4.1.1 (clause – O &amp; P; Page-19)</i></p>              | <p>For this a letter to the District Information Office will be issued for uploading the draft DSR in District Website for 30 days.</p> |
| 4 | <p>The Draft DSR shall be withdrawn from District Website after 30 days and SDC Members shall conduct a joint meeting to mitigate/resolve the public comments/objections received, if any. <i>(Reference - EMGSM- -2020, Para 4.1.1 (clause – p; Page-19)</i></p>  | <p>For this a joint meeting of SDC Members is required for final draft DSR examination/evaluation.</p>                                  |

|   |  |   |
|---|--|---|
|   | <i>In case no objection/comments are received then Mining Officer will issue a Certificate that no comments/objections have been received in the period of uploading.</i>  |   |
| 5 | Thereafter, the draft DSR shall be finalized including Annexure-I to Annexure-VII which will be signed by all SDC Members and then forwarded to D.M. for perusal and approval.   | For this a recommendation of SDC Members is required who will finalize the draft DSR and forward it to the D.M.   |
| 6 | <ul style="list-style-type: none"> <li>• The DM shall forward the proposed DSR to SEAC for examination and approval.</li> <li>• The Member Secretary/Nodal Officer will forward it to DGM, U.P. for comments and suggestions. The SEAC will evaluate after getting the comments and suggestions of DGM, U.P.</li> <li>• The SEAC may invite a representative of DGM, U.P. to assist SEAC in appraisal of the draft DSR.</li> <li>• The SEAC will evaluate and recommend for approval of the draft DSR on the basis of SDC recommendations as well as DGM, U.P. comments/suggestions.</li> <li>• The SEIAA may approve the draft DSR on the basis of recommendations of SEAC.</li> </ul> <p><i>Reference – (Para 14(I &amp; ii) of the Hon’ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar and Others Etc.)</i></p> | <ul style="list-style-type: none"> <li>• The DM of respective district shall send the draft DSR, along with following documents</li> </ul> <p><u>Following shall be the Annexures of the DM letter:-</u></p> <ol style="list-style-type: none"> <li>1. Primary DSR which requires addition/modification.</li> <li>2. Draft Modified/ Revised DSR Document.</li> <li>3. Annexure-1 to VII.</li> <li>4. Lease wise NOC from Irrigation and Forest Department.</li> <li>5. Revenue report and resource evaluation/ reserve estimation.</li> <li>6. Notification regarding the constitution of the SDC.</li> <li>7. Minutes of the SDC about draft</li> </ol> |

|   |  |  |
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|   |  | <p>DSR.</p> <p>8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification.</p> <p>9. Minutes of the SDC recommending draft DSR.</p>                 |
| 7 | <ul style="list-style-type: none"> <li>• The SEAC shall examine the draft DSR within a period of 6 weeks and its report shall be forwarded to SEIAA.</li> <li>• The SEIAA on receipt of SEAC recommendation report shall consider the grant of approval of DSR within a period of 6 weeks.</li> </ul> <p><i>Reference – (Para 14(I &amp; ii) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar and Others Etc.)</i></p> | <p>The DSR being a public document after approval shall be signed with seal (<i>in each page of DSR</i>) by the competent authority of SEIAA and will be uploaded in the respective district portal within a week.</p> |

## Process Flow Chart



### Checklist for examination / approval of DSR by SEAC/SEIAA of Uttar Pradesh

| Sl. No | Checklist/ Examination Details   | Yes / No |
|--------|--|----------|
| 1      | Office Order of DM/ADM regarding formation of Sub-Divisional Committee in District   |          |
| 2      | DSR technical document signed by all the Sub-Divisional Members having following annexure:<br>1. Primary DSR which requires addition/modification.<br>2. Draft Modified/ Revised DSR Document.<br>3. Annexure-1 to VII.<br>4. Lease wise NOC from Irrigation and Forest Department.<br>5. Revenue report and resource evaluation/ reserve estimation.<br>6. Notification regarding the constitution of the SDC.<br>7. Minutes of the SDC about draft DSR.<br>8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification.<br>9. Minutes of the SDC recommending draft DSR. |          |
| 4      | Office Order of DM/ADM/Competent Authority regarding uploading of Draft DSR in District Website for 30 days for public comments/objections.  |          |
| 5      | Period/Dates of DSR uploaded in District Website.  |          |
| 6      | Minutes of joint meeting of Sub-Divisional Members to mitigate/resolve the public comments/objections received, if any. After 30 days.   |          |
| 7      | Lease wise NOC from Irrigation and Forest Department.  |          |
| 8      | Deposit verification/estimation Report, Revenue report   |          |

**Minutes of the Joint Meeting of SEAC -1 and SEAC-2, U.P. held on 03/05/2024**

The Joint Meeting of State Expert Appraisal Committee (SEAC – 1 & 2) was held in Directorate of Environment, U.P. on 03/05/2024, following members were in the meeting:

|                                |   |
|--------------------------------|---|
| 1. Shri Rajive Kumar,          | Chairman, SEAC-1                            |
| 2. Dr. Harikesh Bahadur Singh, | Chairman, SEAC-2                            |
| 3. Shri Ashish Tiwari,         | Member-Secretary, SEAC - 1 & 2              |
| 4. Dr. Ajai Mishra,            | Member, SEAC-1                              |
| 5. Shri Om Prakash Srivastava, | Member, SEAC-1                              |
| 6. Shri Umesh Chand Sharma,    | Member, SEAC-1                              |
| 7. Dr. Ratan Kar,              | Member, SEAC-1                              |
| 8. Dr. Brij Bihari Awasthi,    | Member, SEAC-1                              |
| 9. Dr. Amrit Lal Haldar,       | Member, SEAC-2                              |
| 10. Shri Tanzar Ullah Khan,    | Member, SEAC-2                              |
| 11. Prof. Jaswant Singh,       | Member, SEAC-2                              |
| 12. Dr. Shiv Om Singh,         | Member, SEAC-2                              |
| 13. Shri Subhash Singh,        | Mining Officer, Saharanpur                  |
| 14. Shri Deveshwar Kain        | Senior Assistant, Mining Office, Saharanpur |
| 15. Shri Vimlesh Jaiswal,      | DGM, Lucknow                                |
| 16. Dr. Anju Verma,            | DGM, Lucknow                                |

The Nodal Officers welcomed the Chairman's, Members and Officers of Mining Department in the meeting which was conducted via dual-mode (virtually/physically).

In the Joint committee meeting of SEAC-1 and SEAC-2 following agenda were discussed and resolved:-

**Agenda: - Evaluation/Appraisal of District Survey Report (DSR) of District Saharanpur.****Background:**

In the joint meeting of SEIAA, SEAC-1 & SEAC-2 the detailed Standard Operating Procedure was formulated for the preparation and modification of D.S.R. for Sand Mining or R.B.M., as well as in-situ rocks, which was send to Director, Geology and Mining by SEIAA. This SoP was prepared in accordance with various guidelines such as MoEF&CC, GoI, Notification No. S.O. 141(E) dated 15-Jan-2016, S.O. 3611 (E) dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016, Enforcement & Monitoring Guidelines for Sand Mining 2020, and the Hon'ble Supreme Court Judgement passed in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar, along with MoEF&CC, GoI letter dated 04/12/2023.

The District Magistrate, Saharanpur submitted the draft DSR vide its letter no. 2613/kha anu/DSR/2023-24, dated 18/12/2023 for evaluation /appraisal/approval before SEIAA/SEAC. The draft DSR was forwarded to the Director – Geology & Mining by Secretariat for comments and suggestions. The Director, Geology & Mining has provided his comments and suggestions vide letter no. 85/DSR, dated 19/04/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद सहारनपुर द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-4-2018 Enforcement

and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 in dated 03/05/2024. During the meeting a presentation was given by Shri Subhash Singh, Mining Officer along with other senior officers of DGM.

**Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/05/2024**

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/05/2024 for evaluation/appraisal of DSR of District-Saharanpur. Based on the documents submitted, a presentation on DSR Saharanpur for minor mineral River Bed Material - RBM (Sand/Bajri/Boulder) / Sand Mining-2022 was made by Shri Subhash Singh, District Mining Officer- Saharanpur along with Senior Officials of D.G.M. –UP.

Para wise response and compliance as per the “Standard Operating Procedure” formulated by the Joint committee of SEAC/SEIAA was presented before the SEAC-1&2. On the basis of documents and presentation the following facts have emerged:-

1. The initial District Survey Report of District-Saharanpur having 37 areas was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016.
2. Thereafter the updated DSR of District-Saharanpur was prepared by Sub-Divisional Committee of District-Saharanpur in Year-2022 and total 22 areas have been proposed.
3. It was informed that out of 22 areas in the updated DSR, NOC for 01 area (Village – Rahena, Lot No-3, area 8.050 ha.) has not been provided by Forest Department. Accordingly, the revised DSR Saharanpur now has total 21 Areas. Lease wise area, gata/khand no., proposed minable quantity, geo-coordinates are proposed in Annexure-1 to Annexure-7 of proposed DSR.
4. As per the information provided vide District Magistrate, Saharanpur letter no. 3154/kha anu/DSR/2023-24, dated 28/03/2024 the DSR was uploaded in public domain for more than 30 days and 03 complaints were received in this period and 01 PIL was filed by the complainant. The details of complaint and its disposal is narrated as under:-

| SL.NO | Complaint/PIL details  | Details of reply/disposal  |
|-------|--|--|
| 1     | Shri Daljeet Singh of Yamunanagar Haryana vide letter dated 18.01.2022 submitted 20 points complaint letter on issues related to revision of DSR in 5 years, wrong process of e-tender, non compliance of Hon’ble Supreme Court order in Deepak Kumars Vs State of Haryana, separate DSR for each minor mineral required, non-compliance of formats, non-compliance of Hon’ble Supreme Court order in The State of Bihar Vs Pawan Kumar, Cluster Analysis, requirement of replenishment studies and stake holding of DSR with adjoining district in case of inter-state/inter-district boundaries. | The District Magistrate vide letter no. 2016/Kha Anu/Shikayat-DSR2022-2023 dated 27/02/2023 responded point wise reply and compliances to Shri Daljeet Singh of Yamunanagar Haryana as per the comments provided by Sub-Divisional Committee and disposed the complaint. |
| 2     | Shri Gaurav Kumar of Yamunanagar Haryana vide letter dated 25.01.2022 submitted 19 points complaint letter and   | The District Magistrate vide letter no. 2017/Kha Anu/Shikayat-DSR2022-2023 dated 27/02/2023  |

|   |   |  |
|---|---|--|
|   | the issues were identical as mentioned in Sl. No.1  | responded point wise reply and compliances to Shri Gaurav Kumar of Yamunanagar Haryana as per the comments provided by Sub-Divisional Committee and disposed the complaint.  |
| 3 | Shri Sumit Singh Rana of Yamunanagar Haryana submitted 14 points complaint letter and the issues were identical as mentioned in Sl. No.1.<br>Apart from this various NGT orders specific to DSR and Sand Mining were cited in the complaint letter. | The District Magistrate vide letter no. 2064/Kha Anu/Shikayat-DSR2022-2023 dated 03/03/2023 responded point wise reply and compliances to Shri Gaurav Kumar of Yamunanagar Haryana and disposed the complaint.   |
| 4 | Civil Writ PIL no. 595/2023 Sumit Singh Rana Vs State of U.P and Ors.   | The Hon'ble High Court vide order date 28/03/2023 dismissed the petition of Shri Sumit Singh Rana.<br>The operative para of the same is as under:- <i>"At this stage, in this circumstances , interference claimed under Article 226 of the Constitution of India is declined. Present petition is accordingly dismissed, leaving it open to the petitioner to approach National Green Tribunal"</i> |

5. The Updated DSR of District-Saharanpur has been also examined by the Director, Directorate of Geology & Mining, U.P.
6. Lease wise NOC from Forest and Irrigation Department for 21 areas has been obtained for existing and proposed leases.

#### **SEAC Deliberation:**

1. **SEAC asked about the current scenario/status of the leases as DSR was updated in year-2022?**
  - District Mining Officer, Saharanpur vide letter dated 03/05/2024 informed the DSR of district Saharanpur was prepared in year-2022 after conducting replenishment studies in which the reserves were calculated on the basis of replenishment in the post-monsoon – 2022 scenario. Lease wise replenishment studies were also conducted in year – 2023 which depicts that the rate of replenishment is good in the area. Geologically the area is part of shivalik region and there is no significant change in the formation of leases. The leases are getting over replenished and requires removal of deposits to maintain channel of river. The maximum leases are fresh for which LoI has been issued to project proponents who are in the process of securing E.C.
2. **SEAC asked about the status of utilization of DMF Funds?**
  - District Mining Officer Saharanpur informed that funds amounting to Rs. 9.32 Crores approx. have been allotted and phase wise utilized since 2017 from DMF funds which were used as per the objectives of DMF Rules.

3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**
  - District Mining Officer Saharanpur informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that composite digital mapping of all the leases should be done and displayed in the district website.**
  - District Mining Officer Saharanpur informed that mapping of lease has been done in SOI toposheet, Drainage pattern sheet, Google satellite images and cadastral revenue maps. It was informed that the concept of uploading composite digital mapping of all the leases shall be implemented and uploaded in district web site along with approval of DSR of SEIAA/SEAC.
5. **SEAC asked on the method adopted for verification of mineral deposits which are recommended in DSR?**
  - District Mining Officer Saharanpur informed that pre and post monsoon replenishment studies were conducted by Sub-Divisional committee prior preparing DSR. The studies included physical survey, DGPS survey and Drone based survey in pre and post monsoon periods. Accordingly lease wise recommendation reports were made as compliances.
6. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
  - District Mining Officer Saharanpur informed that as per the Rule of UPMOCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone is presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
7. **SEAC asked about the further mineral development in district Saharanpur?**
  - Shri Deveshwar Kain, Senior Assistant, Mining Office, Saharanpur informed that three new areas has been identified in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.

**The joint committee after detailed deliberation recommended to approve the District Survey Report (DSR) of District-Saharanpur along with following conditions:**

1. The period of validity of Revised DSR Saharanpur-2022 shall be for the remaining balance period of 03 years from the date of its approval.
2. The submitted DSR has 22 areas. NOC for 01 area (Village – Rahena, Lot No-3, area 8.050 ha.) has not been provided by Forest Department. Accordingly, approval of only 21 areas (except Village – Rahena, Lot No-3, area 8.050 ha.) is recommended in the revised DSR Saharanpur.
3. If any new lease is identified, its validity will be co-terminous with the validity period of current DSR and Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.

4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. The District Administration shall periodically conduct audits of operative mine leases using drone based survey and take corrective measures in case of adverse observations and a quarterly report on this shall be send to SEIAA as compliance.

The meeting ended with a vote of thanks of Chairman.

**(Ashish Tiwari)**  
Member Secretary, SEAC-1 & 2

**(Dr. Ajai Mishra)**  
Member, SEAC-1

**(Dr. Brij Bihari Awasthi)**  
Member, SEAC-1

**(Dr. Ratan Kar)**  
Member, SEAC-1

**(Umesh Chandra Sharma)**  
Member, SEAC-1

**(Om Prakash Srivastava)**  
Member, SEAC-1

**(Dr. Amrit Lal Haldar)**  
Member, SEAC-2

**(Tanzar Ullah Khan)**  
Member, SEAC-2

**Prof. Jaswant Singh)**  
Member, SEAC-2

**(Dr. Shiv Om Singh)**  
Member, SEAC-2

**(Rajive Kumar)**  
Chairman, SEAC-1

**(Dr. Harikesh Bahadur Singh)**  
Chairman, SEAC-2

**Nodal, SEAC-1 & Nodal, SEAC-2**

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by joint committee during the meeting.

*Na Di*

**\\TRUE COPY\\**

**Directorate of Environment, U.P.**

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**Minutes of the 814<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 24-05-2024**

The meeting of 814<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 24.05.2024 the Directorate of Environment. The following were present in the meeting:-

1. Smt. Mamta Sanjeev Dubey
2. Shri Paras Nath
3. Shri Sanjeev Kumar Singh

Chairman, SEIAA, U.P  
Member, SEIAA, U.P  
Member Secretary, SEIAA, U.P

**Agenda-A****1. District Survey Report of Saharanpur.**

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Saharanpur along with following conditions:-

1. Mining Department, UP is advised to develop a mechanism for issuing online Lol.
2. As per MoEFCC notification S. O. 141(E) dated 15.01.2016- The District Survey Report shall be prepared for each minor mineral in the district separately. Hence, DSR for each minor mineral should be submitted separately.
3. The study for mineral availability and its finding should be uploaded on District website.
4. SEIAA noted that in draft DSR unit of quantity is not similar, like under list of potential mining lease (existing and proposed) rivers and cluster and contiguous detail, total excavation is given in MT/Year whereas in final list of cluster geological reserve is given in cubic meter, hence a clarification must be submitted and it should be same as given in Lol.

**Nodal Officer****SEIAA, UP**

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by SEIAA during the meeting.

(Smt. Mamta Sanjeev Dubey)  
Chairman  
SEIAA

(Sanjeev Kumar Singh)  
Member-Secretary  
SEIAA

(Paras Nath)  
Member  
SEIAA

ANNEXURE R-16



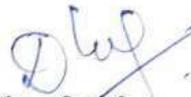
**UPDATED**  
**DISTRICT SURVEY REPORT (D.S.R.) – SAHARANPUR**  
**(River Bed Mining) – YEAR-2022**

As per MoEF&CC Notification No. S.O. 141(E) Dated 15-Jan-2016, S.O. 3611 (E) dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining -2020.

  
 प्रभागीय निदेशक,  
 सामाजिक वानिकी प्रभाग, सहारनपुर

  
 अधिशाषी अभियंता,  
 सिंचाई निर्माण खण्ड, सहारनपुर

  
 अधिशाषी अभियंता,  
 लोक निर्माण विभाग, सहारनपुर

  
 क्षेत्रीय अधिकारी,  
 उ० प्र० प्रदूषण नियंत्रण बोर्ड,  
 सहारनपुर

  
 खान अधिकारी / संयुक्त  
 निदेशक खनन,  
 सहारनपुर

  
 उपजिलाधिकारी  
 बेहट/ नुकड़  
 सहारनपुर

  
 अपर जिलाधिकारी  
 (वि०/रा०), सहारनपुर

  
 जिलाधिकारी, सहारनपुर



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## 1. Introduction

On January 15th 2016, Ministry of Environment, Forest and Climate Change, Government of India issued a notification and in which Para 7(iii) (a) and Annexure X purpose and structure of District Survey Report has been discussed. District Survey report (DSR) will be prepared in every district for each minor mineral. The District Survey Report will guide systematic and scientific utilization of natural resources, so that present and future generation may be benefitted at large. The purpose of District Survey report (DSR) "Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area". The District Survey report (DSR) will contain mainly data published



and endorsed by various departments and websites about Geology of the area, Mineral wealth details of rivers, Details of Lease and Mining activity in the District along with Sand mining and revenue of minerals. This report also contains details of Forest, Rivers, Soil, Agriculture, Road, Transportation and climate etc.

Further MoEF&CC has issued two Guidelines Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining - 2020 and guided that "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM-2020) and SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provision of both these document arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining-2020 "shall prevail.

Further the Hon'ble National Green Tribunal Principal Bench vide its order dated 30.05.2022 in O.A. No. 403/2022 (I.A. No. 133/2022) has directed District



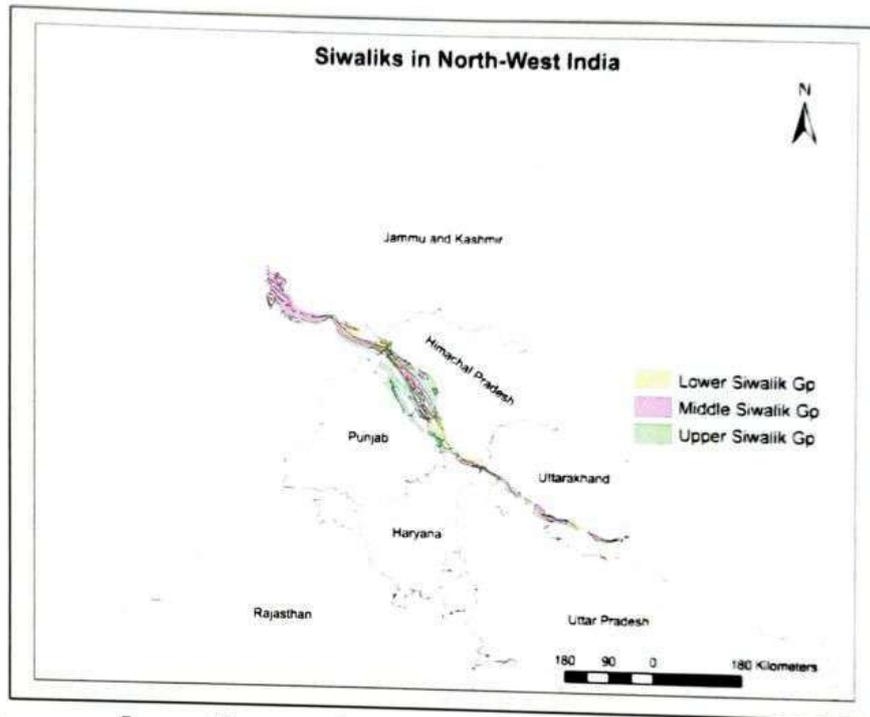
**Administration to complete replenishment study and update D.S.R.**



## 2. Overview of Mining Activity in the District

The Himalayas is the younger most mountain system of the world

which can be divided into the greater Himalayas, the lesser Himalayas and the outer Himalayas depending



on the average elevations (*Burrard & Hayden, 1907; Wadia, 1944*).

The outer Himalayas or the southernmost foothills of the Himalayas, ranging from elevations of 600-1200 m are also referred as the 'Siwaliks' (*Bose, 1972; Burrard & Hayden, 1907; Wadia, 1944*).

These hills are distributed parallel to the Himalayan hills from the Brahmaputra valley to the Potwar Plateau of Pakistan (*Krishnan, 1943*) and cover the Indian states



of Jammu and Kashmir, Punjab, Himachal Pradesh, Haryana, Uttarakhand, Uttar Pradesh and Assam (Yadav, Panwar, Arya, & Mishra, 2015).

Total of 22 leases have been identified in the District out of which 16 are located on the bank of Yamuna River which is a perennial river and has source of origin from catchment area of Shivaliks. The region has limited potential except river bed materials as Sand / Bajri / Boulders are only main exposed minerals.

Mineral potential has been observed in six rivers namely Yamuna , Badkala Ra, Badshahibagh Rao, Gaisara Rao, Kaluwala and Khairawali Ra .

Depending on the market availability the minor mineral mainly R.B.M. is sourced by local crushers and screening plants and supplied to local and nearby markets.



### 3. List of Mining Leases in the District with location, area and period of validity

| Sl. No | Tehsil          | River            | Village            | Gata No. / Khand No. / Zone No.   | Area (ha.) | Pillar | Latitude         | Longitude        | Annual Production (cum) | Period of Validity (lease deed period) |
|--------|-----------------|------------------|--------------------|---|------------|--------|------------------|------------------|-------------------------|--|
| 1      | Behat           | Badshahibagh Rao | Mayapur Rooppur    | Gata No. 14/1   | 3.100      | A      | 30° 19' 21.41" N | 77° 38' 26.35" E | 69750.00                | 15/06/2020 to 14/06/2025               |
|        |                 |                  |                    |   |            | B      | 30° 19' 17.62" N | 77° 38' 30.56" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 19' 13.68" N | 77° 38' 25.07" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 19' 17.44" N | 77° 38' 20.78" E |                         |  |
| 2      | Behat           | Yamuna           | Bartha Korsi       | Gata No. - 1  | 36.000     | A      | 30° 14' 00.94" N | 77° 31' 13.91" E | 756000.00               | 01/04/2021 to 31/03/2026               |
|        |                 |                  |                    |   |            | B      | 30° 14' 16.50" N | 77° 31' 24.43" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 14' 13.69" N | 77° 31' 31.19" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 14' 19.59" N | 77° 31' 37.85" E |                         |  |
|        |                 |                  |                    |   |            | E      | 30° 14' 37.10" N | 77° 31' 40.80" E |                         |  |
|        |                 |                  |                    |   |            | F      | 30° 14' 39.19" N | 77° 31' 36.25" E |                         |  |
|        |                 |                  |                    |   |            | G      | 30° 14' 26.08" N | 77° 31' 29.05" E |                         |  |
|        |                 |                  |                    |   |            | H      | 30° 14' 09.19" N | 77° 31' 02.18" E |                         |  |
| 3      | Behat           | Badkala Ra       | Haidarpur Hindwala | Khand No / Gata No. - 8/1, 19 & 22  | 4.200      | A      | 30° 15' 20.64" N | 77° 40' 42.10" E | 94500.00                | 06/10/2020 to 05/10/2025               |
|        |                 |                  |                    |   |            | B      | 30° 15' 20.54" N | 77° 41' 00.42" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 15' 17.98" N | 77° 41' 01.84" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 15' 17.71" N | 77° 40' 42.89" E |                         |  |
| 4      | Behat           | Khurwali Ra      | Sherpur Pelon      | Gata No. - 378/2 & 379/2  | 7.000      | A      | 30° 15' 52.04" N | 77° 39' 22.56" E | 197500.00               | 09/02/2021 to 08/02/2026               |
|        |                 |                  |                    |   |            | B      | 30° 15' 51.84" N | 77° 39' 27.43" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 16' 06.24" N | 77° 39' 31.26" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 16' 07.18" N | 77° 39' 25.07" E |                         |  |
| 5      | Behat           | Yamuna           | Nuniyari Aehatmal  | Gata No. - 1/1/1 Laar 38  | 24.290     | A      | 30° 11' 00.90" N | 77° 29' 25.83" E | 437247.00               | 03/01/2022 to 02/01/2027               |
|        |                 |                  |                    |   |            | B      | 30° 11' 12.98" N | 77° 29' 12.21" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 11' 24.95" N | 77° 29' 26.28" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 11' 21.79" N | 77° 29' 29.68" E |                         |  |
|        |                 |                  |                    |   |            | E      | 30° 11' 20.39" N | 77° 29' 33.03" E |                         |  |
|        |                 |                  |                    |   |            | F      | 30° 11' 18.64" N | 77° 29' 33.83" E |                         |  |
|        |                 |                  |                    |   |            | G      | 30° 11' 17.01" N | 77° 29' 34.70" E |                         |  |
|        |                 |                  |                    |   |            | H      | 30° 11' 14.93" N | 77° 29' 32.91" E |                         |  |
|        |                 |                  |                    |   |            | I      | 30° 11' 09.54" N | 77° 29' 31.35" E |                         |  |
|        |                 |                  |                    |   |            | J      | 30° 11' 03.46" N | 77° 29' 29.55" E |                         |  |
| 6      | Behat           | Yamuna           | Rehna              | Khand No. / Gata no. - 03, Lot No - 03  | 8.050      | A      | 30° 21' 36.45" N | 77° 36' 05.61" E | 138462.00               | 20/06/2020 to 19/06/2025               |
|        |                 |                  |                    |   |            | B      | 30° 21' 29.62" N | 77° 36' 00.26" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 21' 37.95" N | 77° 35' 50.38" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 21' 41.71" N | 77° 36' 02.50" E |                         |  |
| 7      | Behat           | Gaisara Rao      | Rahena             | Gata No. 179/2  | 3.750      | A      | 30° 19' 56.17" N | 77° 36' 33.21" E | 67500.00                | 06/06/2020 to 05/06/2025               |
|        |                 |                  |                    |   |            | B      | 30° 19' 52.90" N | 77° 36' 33.93" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 19' 50.54" N | 77° 36' 20.87" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 19' 53.90" N | 77° 36' 20.01" E |                         |  |
| 8      | Nukur           | Yamuna           | Dhikkan Kalan      | Gata No. - 839, 841 to 856, 858, 859, 860, 861, 863, 864, 865, 866, 867, 871, 872, 888, 889, 406, 407 | 52.63      | A      | 30° 1' 20.61" N  | 77° 17' 23.68" E | 947368.00               | 16/11/2019 to 15/11/2024               |
|        |                 |                  |                    |   |            | B      | 30° 1' 24.58" N  | 77° 17' 15.45" E |                         |  |
|        |                 |                  |                    |   |            | C      | 30° 1' 32.77" N  | 77° 17' 19.87" E |                         |  |
|        |                 |                  |                    |   |            | D      | 30° 1' 42.25" N  | 77° 17' 24.49" E |                         |  |
|        |                 |                  |                    |   |            | E      | 30° 1' 41.34" N  | 77° 17' 31.04" E |                         |  |
|        |                 |                  |                    |   |            | F      | 30° 1' 52.02" N  | 77° 17' 39.09" E |                         |  |
|        |                 |                  |                    |   |            | G      | 30° 1' 54.80" N  | 77° 17' 51.61" E |                         |  |
|        |                 |                  |                    |   |            | H      | 30° 1' 56.88" N  | 77° 17' 52.96" E |                         |  |
|        |                 |                  |                    |   |            | I      | 30° 2' 22.71" N  | 77° 18' 5.82" E  |                         |  |
|        |                 |                  |                    |   |            | J      | 30° 1' 59.86" N  | 77° 18' 8.25" E  |                         |  |
|        |                 |                  |                    |   |            | K      | 30° 1' 57.85" N  | 77° 18' 7.25" E  |                         |  |
|        |                 |                  |                    |   |            | L      | 30° 1' 58.76" N  | 77° 18' 5.82" E  |                         |  |
|        |                 |                  |                    |   |            | M      | 30° 1' 57.46" N  | 77° 18' 4.89" E  |                         |  |
|        |                 |                  |                    |   |            | N      | 30° 1' 57.00" N  | 77° 18' 1.96" E  |                         |  |
| O      | 30° 1' 53.50" N | 77° 18' 0.53" E  |                    |   |            |        |                  |                  |                         |  |
| P      | 30° 1' 47.64" N | 77° 17' 52.53" E |                    |   |            |        |                  |                  |                         |  |



|    |       |               |  |  |        |   |               |               |           |        |  |
|----|-------|---------------|--|--|--------|---|---------------|---------------|-----------|--------|--|
|    |       |               |  |  |        | Q | 30° 1'42 10"N | 77°17'46 53"E |           |        |  |
|    |       |               |  |  |        | R | 30° 1'32 38"N | 77°17'39 44"E |           |        |  |
|    |       |               |  |  |        | S | 30° 1'27 11"N | 77°17'31 55"E |           |        |  |
| 9  | Behat | Khairawali Ra | Sherpur Pelon                                      | 403,<br>404/1,<br>405,<br>406/1,<br>416/2,<br>421/1,<br>422/2,<br>423/2,<br>424/2,<br>429 and<br>431 | 6.475  | A | 30°16'35 16"N | 77°39'44 44"E | 77700.00  | Vacant |  |
|    |       |               |  |  |        | B | 30°16'32 34"N | 77°39'51 41"E |           |        |  |
|    |       |               |  |  |        | C | 30°16'21 11"N | 77°39'36 26"E |           |        |  |
|    |       |               |  |  |        | D | 30°16'22 11"N | 77°39'34 41"E |           |        |  |
| 10 | Behat | Kaluwala      | Kaluwala Pahadipur                                 | 119/1,<br>120/1,<br>192/1,<br>193/1,<br>125/4  | 14.900 | A | 30°12'08 76"N | 77°45'37 77"E | 178800.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°12'06 03"N | 77°45'42 25"E |           |        |  |
|    |       |               |  |  |        | C | 30°12'00 52"N | 77°45'38 93"E |           |        |  |
|    |       |               |  |  |        | D | 30°11'40 91"N | 77°45'32 39"E |           |        |  |
|    |       |               |  |  |        | E | 30°11'41 72"N | 77°45'25 51"E |           |        |  |
|    |       |               |  |  |        | F | 30°12'02 80"N | 77°45'33 06"E |           |        |  |
| 11 | Behat | Yamuna        | Akbarpur Bans Achatmal                             | 1  | 17.900 | A | 30°16'27 80"N | 77°32'46 96"E | 322200.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°16'34 01"N | 77°32'47 53"E |           |        |  |
|    |       |               |  |  |        | C | 30°16'42 58"N | 77°32'53 94"E |           |        |  |
|    |       |               |  |  |        | D | 30°16'43 84"N | 77°32'58 19"E |           |        |  |
|    |       |               |  |  |        | E | 30°16'50 96"N | 77°32'47 76"E |           |        |  |
|    |       |               |  |  |        | F | 30°16'46 69"N | 77°32'43 28"E |           |        |  |
|    |       |               |  |  |        | G | 30°16'39 98"N | 77°32'41 04"E |           |        |  |
|    |       |               |  |  |        | H | 30°16'36 08"N | 77°32'33 91"E |           |        |  |
| 12 | Behat | Yamuna        | Arazi Jevadi Ahatmal and Masoodpur Garh Achatmal   | 1 and 1  | 13.800 | A | 30°15'51 33"N | 77°32'21 84"E | 248400.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°15'58 45"N | 77°32'08 63"E |           |        |  |
|    |       |               |  |  |        | C | 30°15'45 65"N | 77°32'03 15"E |           |        |  |
|    |       |               |  |  |        | D | 30°15'41 84"N | 77°32'13 01"E |           |        |  |
| 13 | Behat | Yamuna        | Shehjadpur Bans Achatmal                           | 1  | 13.000 | A | 30°15'24 84"N | 77°31'57 01"E | 234000.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°15'12 32"N | 77°31'47 88"E |           |        |  |
|    |       |               |  |  |        | C | 30°15'16 91"N | 77°31'36 94"E |           |        |  |
|    |       |               |  |  |        | D | 30°15'28 43"N | 77°31'48 83"E |           |        |  |
| 14 | Behat | Yamuna        | Alauddinpur Bans Achatmal                          | 1/1  | 9.580  | A | 30°16'14 92"N | 77°32'39 76"E | 172440.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°16'17 99"N | 77°32'32 74"E |           |        |  |
|    |       |               |  |  |        | C | 30°16'08 09"N | 77°32'23 84"E |           |        |  |
|    |       |               |  |  |        | D | 30°16'02 92"N | 77°32'31 72"E |           |        |  |
| 15 | Behat | Yamuna        | Mehmoodpur Nangli Achatmal                         | 1  | 15.700 | A | 30°16'02 98"N | 77°32'30 74"E | 282600.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°16'10 84"N | 77°32'18 84"E |           |        |  |
|    |       |               |  |  |        | C | 30°16'00 40"N | 77°32'11 56"E |           |        |  |
|    |       |               |  |  |        | D | 30°15'51 70"N | 77°32'23 64"E |           |        |  |
| 16 | Behat | Yamuna        | Shahpur Bans Achatmal                              | 1/1  | 15.600 | A | 30°16'27 75"N | 77°32'46 14"E | 280800.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°16'16 01"N | 77°32'38 50"E |           |        |  |
|    |       |               |  |  |        | C | 30°16'20 43"N | 77°32'28 70"E |           |        |  |
|    |       |               |  |  |        | D | 30°16'35 53"N | 77°32'33 20"E |           |        |  |
| 17 | Behat | Yamuna        | Nityanandpur Achatmal and Said-mohamadpur Achatmal | 1 and 1ma  | 17.700 | A | 30°15'25 77"N | 77°31'57 79"E | 318600.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°15'41 32"N | 77°32'12 89"E |           |        |  |
|    |       |               |  |  |        | C | 30°15'46 16"N | 77°32'00 64"E |           |        |  |
|    |       |               |  |  |        | D | 30°15'28 87"N | 77°31'50 13"E |           |        |  |
| 18 | Behat | Yamuna        | Abutalibpur Garh Achatmal                          | 1  | 37.000 | A | 30°14'41 78"N | 77°31'38 30"E | 666000.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°14'49 46"N | 77°31'21 34"E |           |        |  |
|    |       |               |  |  |        | C | 30°15'16 20"N | 77°31'36 25"E |           |        |  |
|    |       |               |  |  |        | D | 30°15'11 96"N | 77°31'46 05"E |           |        |  |
| 19 | Behat | Yamuna        | Nuniyari Athmal - Khand Second                     | 1/1/1  | 19.000 | A | 30°11'6 47"N  | 77°29'18 52"E | 342000.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°11'4 27"N  | 77°29'16 54"E |           |        |  |
|    |       |               |  |  |        | C | 30°10'59 70"N | 77°29'14 05"E |           |        |  |
|    |       |               |  |  |        | D | 30°10'55 77"N | 77°29'10 53"E |           |        |  |
|    |       |               |  |  |        | E | 30°10'46 29"N | 77°29'4 02"E  |           |        |  |
|    |       |               |  |  |        | F | 30°10'39 87"N | 77°29'0 42"E  |           |        |  |
|    |       |               |  |  |        | G | 30°10'46 96"N | 77°28'51 89"E |           |        |  |
|    |       |               |  |  |        | H | 30°10'51 56"N | 77°28'56 26"E |           |        |  |
|    |       |               |  |  |        | I | 30°10'49 46"N | 77°28'58 83"E |           |        |  |
|    |       |               |  |  |        | J | 30°11'2 30"N  | 77°29'11 12"E |           |        |  |
|    |       |               |  |  |        | K | 30°11'7 26"N  | 77°29'5 46"E  |           |        |  |
|    |       |               |  |  |        | L | 30°11'12 52"N | 77°29'11 64"E |           |        |  |
| 20 | Behat | Yamuna        | Aslampur Bartha - First                            | 1/1M   | 36.600 | A | 30°13'45 87"N | 77°31'09 07"E | 658800.00 | Vacant |  |
|    |       |               |  |  |        | B | 30°13'23 05"N | 77°30'53 85"E |           |        |  |
|    |       |               |  |  |        | C | 30°13'13 45"N | 77°30'42 33"E |           |        |  |
|    |       |               |  |  |        | D | 30°13'16 67"N | 77°30'36 60"E |           |        |  |
|    |       |               |  |  |        | E | 30°13'50 98"N | 77°30'57 80"E |           |        |  |



|    |       |        |                          |       |        |   |               |               |           |        |
|----|-------|--------|--------------------------|-------|--------|---|---------------|---------------|-----------|--------|
| 21 | Behat | Yamuna | Rasoolpur Urf Rasooli    | I/I   | 34.000 | A | 30°12'17.09"N | 77°30'18.81"E | 612000.00 | Vacant |
|    |       |        |                          |       |        | B | 30°12'16.42"N | 77°30'17.32"E |           |        |
|    |       |        |                          |       |        | C | 30°12'05.34"N | 77°30'13.17"E |           |        |
|    |       |        |                          |       |        | D | 30°11'59.82"N | 77°30'01.24"E |           |        |
|    |       |        |                          |       |        | E | 30°11'46.33"N | 77°29'58.50"E |           |        |
|    |       |        |                          |       |        | F | 30°11'59.32"N | 77°30'43.47"E |           |        |
|    |       |        |                          |       |        | G | 30°12'21.10"N | 77°30'16.04"E |           |        |
| 22 | Behat | Yamuna | Aslampur Bartha - Second | I/I M | 28.160 | A | 30°13'04.93"N | 77°30'44.59"E | 506880.00 | Vacant |
|    |       |        |                          |       |        | B | 30°12'38.50"N | 77°30'28.50"E |           |        |
|    |       |        |                          |       |        | C | 30°12'38.19"N | 77°30'18.84"E |           |        |
|    |       |        |                          |       |        | D | 30°13'09.30"N | 77°30'35.57"E |           |        |



#### **4. Details of Royalty or Revenue received in last three years.**

**R.B.M. is a naturally occurring minor mineral in the district and has potential for serving the requirement of raw material for Government development projects, commercial and real estate as well as for individual needs and provides large scape direct and indirect employments.**

**Time to time identification of mineral exposure areas is required to control illegal mining and its safe extraction / removal is required to maintain the natural channel of rivers. Further the activity provides Royalty / Revenue to State Government.**

**Minerals- Minor mineral Sand, Bajri & Boulder in mixed state (also known is River Bed Material – R.B.M.) and some sand deposit areas are available in various river beds in district Saharanpur. The details of such areas has been provided in Chapter-2.**

#### **Mineral Based industries.**

- (i) Stone Crushers**
- (ij) Screening Plants**



**Details of Royalty or Revenue received in last three years.**

| <b>Financial Year</b> | <b>Revenue (In Laks)</b> |
|-----------------------|--------------------------|
| <b>2019-2020</b>      | <b>3611.00</b>           |
| <b>2020-2021</b>      | <b>7488.00</b>           |
| <b>2021-2022</b>      | <b>6322.00</b>           |



## 5. Detail of Production of Sand or Bajri or minor mineral in last three years

- **SAND**

| <b>Financial Year</b> | <b>Production (in Cubic Meters)</b> |
|-----------------------|-------------------------------------|
| 2019-2020             | 1,99,136                            |
| 2020-2021             | 5,17,270                            |
| 2021-2022             | 7,17,625                            |

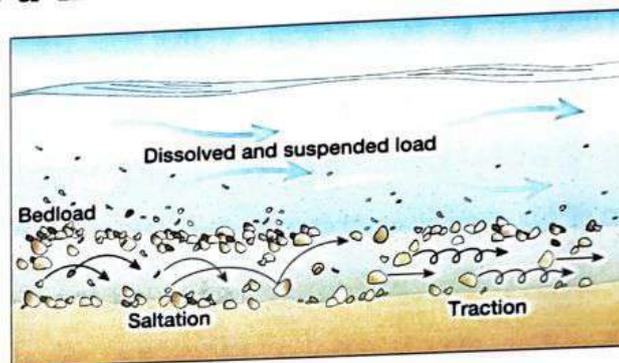
- **Sand, Bajri & Boulder in mixed state (also known is River Bed Material – R.B.M.)**

| <b>Financial Year</b> | <b>Production (in Cubic Meters)</b> |
|-----------------------|-------------------------------------|
| 2019-2020             | 2,46,950                            |
| 2020-2021             | 4,94,796                            |
| 2021-2022             | 9,07,789                            |

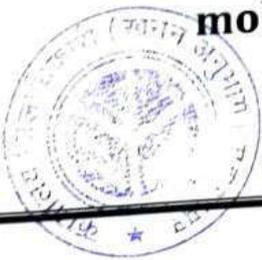


## 6. Process of Deposition of Sediments in the rivers of the District

The sediment of a river is commonly considered to be aesthetically displeasing and environmentally degrading. Conversely, part of the sediment (sand and gravel) may represent a natural resource for use by society. The potential usefulness of the sediment is enhanced when it is composed of particle sizes found in deposits on the river-bed that would be replenished by newly transported sediment after mining. As such, river deposits become renewable resources, periodically replaced by sediment transport in the river.



- **Bed-load Material:** The mixture of sediment that composes a streambed. Bed material is stationary, but particle size is important to sediment transport because as energy level of a stream increases, some bed-material particles are mobilized and become part of the bed-load or



suspended load.

- **Bed-load discharge:** A measure of the quantity (weight) of bed-load per unit time also referred to as bed-load-transport rate.
- **Bed Material:** The mixture of sediment that composes a streambed. Bed material is stationary, but particle size is important to sediment transport because as energy level of a stream increases, some bed-material particles are mobilized and become part of the bed-load or suspended load. In this report, composition of bed material is defined by particle-size distribution.
- **Suspended Sediment Material:** Usually small particles, suspended by turbulence of the flow or existing as colloids, and transported at about the same downstream velocity as the flowing water. Suspended sediment is distributed at all depths in flowing water.
- **Suspended-sediment load:** A general term referring to the quantity (weight) of suspended sediment in transport.
- **Suspended-sediment discharge:** A computed value of the quantity (weight) of suspended sediment per unit time, also referred to as suspended-



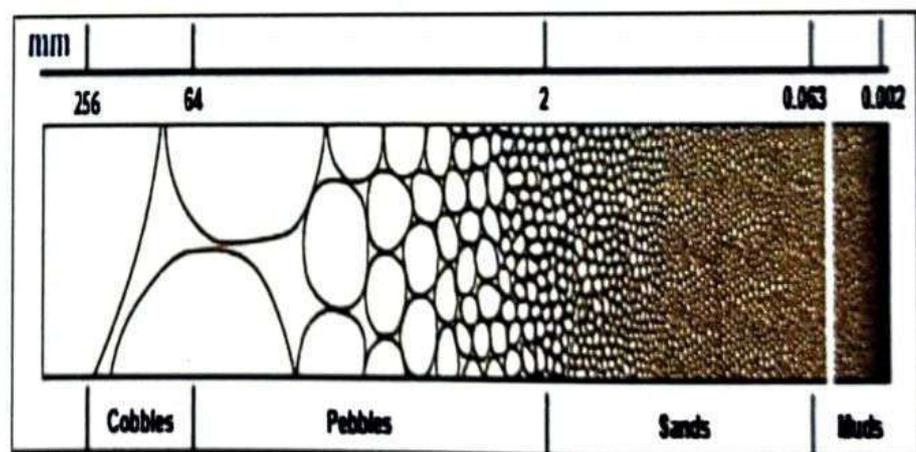
sediment transport rate.

- **Total sediment load:** The sum of bed load and suspended sediment load.
- **Total sediment discharge:** The sum of bed load discharge and suspended-sediment discharge.

District Saharanpur can be divided into three physiographic divisions, the structural hills, the upper piedmont plains or the Bhabar, and the Terai or the lower piedmont plains.

### Structural Hills:

The entire northern part of the district is formed structural



hills named Siwaliks. In this area the relief is high with steep and sharp hill slopes. The rugged topography of the area affords well for high run off. In the area the

upper and middle Siwaliks are encountered but the lower Siwaliks are missing. Lithologically the Siwaliks here are composed of sand stones, conglomerates, sand, clays and silts. There are several major and minor faults.

### **The Bhabhar:**

The second units lying just below the foothills of Siwalik locally called as Bhabhar, is characterized by boulders, pebbles, cobbles etc. with relatively dry terrains fringing. The Siwalik foot hills with gradient around 5 m/km. which is much higher than the southern plains.

Geologically the term Bhabhar is used to deposits formed along the foothill zone by coalescence of series of alluvial and talus cones, composed of heterogeneous materials ranging in texture from boulder, gravel to sand and silt. These Bhabhars in Saharanpur district are known as 'Dhar' covering mostly the 'Muzaffarabad' and 'SadauliQuadim' blocks.



### **The Tarai:**

Just south of Bhabar zone lies the 'Tarai' or the plains of piedmont plain. The plains sloping gradually by southward have around 1.5m/km. gradient. Lithologically, the area is characterized by coarse sand & gravel.

These plains are further divided into lower piedmont plains the older alluvial plains and the younger alluvial plains. The lower piedmont plains show flat to undulating plains with gradient towards southwest.

The older alluvial plains also show flat to undulating topography characterized by sediments brought by rivers Yamuna and Ganga.

The younger alluvial plains lie along river Yamuna exhibiting gently sloping and slightly undulating terrains. It comprises younger unconsolidated alluvial material of varying lithology consisting of fluvial land formed as paleo-channels, meanness scar and point bars. The younger alluvial plains also consist of sand



**bars flood plains and ravines along river Yamuna.**

*(source - CGWB NR, Lucknow Report on Aquifer Mapping & Management of Ground Water Resources, Saharanpur , Uttar Pradesh; J.P Gautam Scientist 'D')*



## 7. General Profile of the District

District Saharanpur is north-western part of Uttar Pradesh, lying between 29034' and 30024' N latitude and 77007' and 77058' E longitude falling within the survey of India toposheet nos. 53F and 53G. River Yamuna marks the western boundary of the district separating U.P. from adjoining state of Haryana. The extreme north-western part like beak structure touches with Sirmaur district of Himanchal Pradesh. In north lies Dehradun (Uttarakhand) and in the east it faces Haridwar district also being the part of Uttarakhand State. Muzaffar Nagar and Shamli districts marks southern boundary.

### Salient Features of the District -

|                                |   |
|--------------------------------|---|
| <b>Geographical Area</b>       | <b>3689 Sq/Km</b>   |
| <b>Total Population (2011)</b> | <b>34,64,228</b>  |
| <b>Tehsils</b>                 | <b>5 Tehsils<br/>(Behat, Saharanpur,<br/>Nakud, Rampur Maniharan<br/>&amp; Deo Band.)</b> |



|  |   |
|--|---|
| <b>Blocks</b>                          | <b>11 Blocks</b><br>(Sadauli qadeem,<br>Muzaffarabad, Puwarika,<br>Ballia Kheri, Deoband,<br>Sarsawan, Nagal, Nanuta,<br>Nakud, Gangoh & Rampur<br>Maniharan. |
| <b>Panchayat</b>                       | <b>113</b>  |
| <b>Revenue Villages<br/>(201-2011)</b> | <b>1235</b>   |

Saharanpur is primarily an agricultural district. Roughly 70% of the land is under agricultural use still the region is of little importance from the point of view of pastures. Agriculture plays an important role in the economy of the district. One significant feature is that even though the agricultural land for food crops has reduced in recent years the food production has increased considerably. The significance of commercial



**crops have increased manifold as a consequence of sugarcane production.**

**The important food crops of the region are Wheat, Rice, Maize, Jawar, Bajara, sugarcane; oilseeds, cotton and jute are the main commercial crops**





## **9. Physiography of the District**

**Saharanpur forms the most northerly position of the Doab land which stretches between the holy rivers of the Ganges and the Yamuna, The Shivalik hills rise above it on the northern frontier.**

**The portion of Doab in which Saharanpur is situated was probably one of the first region of upper India occupied by the Aryans colonisers as they spread eastward from the Punjab.**

**Saharanpur district attained the status as Saharanpur division in 1997 of Uttar Pradesh. As regards its physical features the north and the north east of the district is surrounded by Shivalik hills and separates it from the Dehradun district in the recently created state of Uttranchal.**

**The river Yamuna forms its boundary in the west which separates it from Karnal and Yamunanagar districts of Haryana. In the East lies the district of Haridwar which was the part of district Saharanpur before 1989 and in the south lies the district Muzafarnagar.**

**At the time of the British Rule District Muzafarnagar was also a part of district Saharanpur. The district is in a rectangular shape and it lies between 29 degrees 34 minutes 45 seconds and 30 degrees 21 minutes 30 seconds north latitude and 77 degrees 9 minutes and 78 degrees 14 minutes 45 seconds east longitude. Its total area is 3860 square Kilometers.**



The district presents many varieties of features and differs in general appearance than any other portion of the Doab and Gangetic plain as a whole. It is true that most of the area belongs to the upland Bangar which stretches in a continuous line up to Allahabad i.e. Junction of the two great rivers and on the either side is the broad and low lying valley full of swamps and back waters with wide open grass plains and Tamarisk jungle but in the north, There are the steep hills of Shivalik chain which appear in a far more marked form in Saharanpur than any other district of Uttar Pradesh while below the hills are to be seen in a modified form the prevailing characteristics of the Bhabar and Tarai region.

The main characteristics of the district can be divided into four parts.

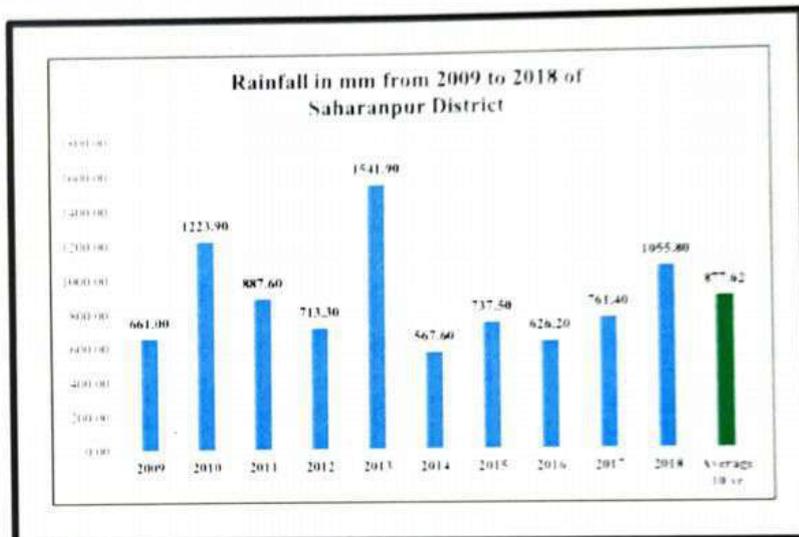
1. Shivalik Hill Tract
2. The Bhabar Land
3. Bangar Land
4. Khadar Land (Yamuna, Hindon)

Yamuna is the important river of the district. Apart from this Solani, Hindon, Ratmau, Nagdev have also played an important role in the physical reconstruction of the district. All the rivers of the district submerge either in Yamuna or in the Ganges.

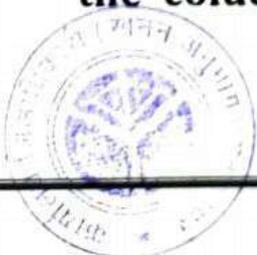


## 10. Rainfall: Month Wise

The average annual rainfall (Year 1951-2000) in the district is 963.9 mm. About 80% of rainfall takes places from June to September. During monsoon surplus water is available for deep percolation to ground water. The climate is sub humid and it is characterized by general



dryness except in the brief period during the monsoon season. Summer is hot and winter is pleasant cold season. There is a meteorological observatory at Meerut, which may be taken as representative of meteorological condition. May is the hottest month. The mean daily maximum temperature is about 40°C, mean daily minimum temperature is about 24°C and maximum temperature some time rises to 44°C. With the onset of southern monsoon by the end of June, there is appreciable drop in temperature. January is the coldest month with mean daily temperature at



about 200C and mean daily minimum at 70C. The air is dry during the major parts of the year. In south-west monsoon season, the air is very humid and April and May are usually driest months. The mean monthly relative humidity is 67%. The mean wind velocity is 6.70 Km/h. The potential evapo- transpiration is 1545.90 mm.

#### Rainfall Data (mm) of Saharanpur District, U.P. (2009-2018)

| YEAR    | JAN  | FEB   | MAR  | APR  | MAY  | JUN   | JUL   | AUG   | SEP   | OCT  | NOV | DEC  | TOTAL  |
|---------|------|-------|------|------|------|-------|-------|-------|-------|------|-----|------|--------|
| 2009    | 0.0  | 30.6  | 0.0  | 0.0  | 0.0  | 0.0   | 128.0 | 243.0 | 254.5 | 0.0  | 0.0 | 4.9  | 661.0  |
| 2010    | 8.3  | 20.0  | 0.0  | 0.0  | 19.3 | 28.3  | 462.0 | 285.3 | 399.7 | 0.0  | 0.0 | 1.0  | 1223.9 |
| 2011    | 0.0  | 32.7  | 13.3 | 9.0  | 64.0 | 295.7 | 191.7 | 154.9 | 126.3 | 0.0  | 0.0 | 0.0  | 887.6  |
| 2012    | 10.3 | 1.7   | 3.3  | 18.3 | 2.0  | 4.0   | 153.0 | 349.6 | 162.3 | 0.0  | 0.0 | 8.8  | 713.3  |
| 2013    | 93.4 | 163.1 | 0.0  | 0.0  | 0.0  | 311.0 | 376.0 | 434.7 | 67.0  | 72.0 | 0.0 | 24.7 | 1541.9 |
| 2014    | 65.0 | 52.2  | 32.3 | 9.4  | 12.7 | 20.0  | 147.0 | 67.3  | 107.0 | 32.7 | 0.0 | 22.0 | 567.6  |
| 2015    | 17   | 18    | 108  | 18.6 | 8.7  | 51.7  | 233.9 | 189.7 | 75.3  | 7.3  | 9.3 | 0    | 737.5  |
| 2016    | 0    | 5     | 18.3 | 5    | 58.7 | 46.9  | 275.7 | 204.3 | 8.3   | 4    | 0   | 0    | 626.2  |
| 2017    | 48.3 | 3.3   | 6.7  | 9.0  | 1.0  | 184.1 | 132.3 | 182.0 | 192.0 | 0.0  | 0.0 | 2.7  | 761.4  |
| 2018    | 2.0  | 10.3  | 3.7  | 15.3 | 11.3 | 113.9 | 449.7 | 262.5 | 151.1 | 34.3 | 0.7 | 1.0  | 1055.8 |
| AVERAGE | 24.4 | 33.7  | 18.6 | 8.5  | 17.8 | 105.6 | 254.9 | 237.3 | 154.4 | 15.0 | 1.0 | 6.5  | 877.6  |

#### Summary of Rainfall Data:-

| Year / Duration             | Average Annual Rainfall (mm) |
|-----------------------------|------------------------------|
| (Year 1951-2000) - 50 years | 963.90                       |
| (Year 2009-2018) - 10 years | 877.62                       |
| (Year (2020))               | 973.10                       |

(Source CGWB - Ground Water Year Book, Uttar Pradesh 2020-2021 released on December - 2021 and its past editions)



## 11. Geology and Mineral Wealth

Geologically, the area consists of sandstone, claystone and conglomerate of Siwalik Group of Pliocene to Early Pleistocene in age and unconsolidated sand, silt and clay represented by Older and Newer Alluvium of Middle Pleistocene to Holocene in age. Siwalik Group in this area is divisible into two formations i.e. Middle Siwalik consisting mainly of sandstone and Upper Siwalik consisting of conglomerate. The rocks of the Siwalik Group are folded and faulted and override the Alluvium along the Foot Hill Thrust (concealed). The Siwalik rocks have been recorded up to a depth 4170m. The Alluvium may be differentiated into Older Alluvium, consisting of oxidized (brown, yellow and khaki color) sediments, and Newer Alluvium comprising unoxidised (grey and khaki color) sediments. In Saharanpur district Varanasi Alluvium of Pleistocene age represents Older Alluvium. The Varanasi



Alluvium contains polycyclic sequence of micaceous sand, silt, and clay with occasional kankar layers. The Newer Alluvium of Holocene age is divisible into Fan Alluvium, Terrace Alluvium and Channel Alluvium. Fan Alluvium overlies the Varanasi Alluvium and comprises gravel beds and coarse sand with minor silt and clay. Sequence of gravel, sand and silt occupying Terrace along Ganga and Yamuna rivers, comprises constitute Channel Alluvium. Loose gravel, sand of point- and-channel-bars and sand-silt offlood plain, of rivers, constitute Channel Alluvium.

Geomorphologically, the terrain of Saharanpur lying between Ganga and Yamuna rivers is differentiated into Low Structural Hills, to the north, and Ganga plain, to the south. Low Structural Hills (sub-Himalaya), constituting a narrow zone with elevations of 500m to 1000m above mean sea level trend NW -SE, has high drainage density and ruggedness index. The Ganga plain lying to the south contains Upland and Lowland. The Upland with elevations of 200m to 500m above



mean sea level slopes southward, occupies interfluves and is divisible into Varanasi Plain and Alluvial Fan. Alluvial Fan can be distinguished into a northern rugged, gravelly ground with straight incised streams, commonly known as Bhabhar, and a southern undulating, silty ground with shallow sluggish streams, generally known as Tarai. The Tarai merges with Varanasi Plain.

The ground of Varanasi Plain is silty to sandy with relict fluvial features. The Lowland, separated from Upland by 5 to 25 m bluffs, contains one to two levels of Terrace Plain and Channel Plain. Riverbed and its flood plain make Channel Plain.

In Saharanpur resources of land and water are in Ganga and Yamuna drainage basins. Ganga and Yamuna originate from Himalaya and are gravelly to sandy, braided, snow fed and perennial rivers. Spring and groundwater fed streams/rivers originating from foothills are Solani, Hindon, Sahansra Rao, Ratmau Rao, Budhi, Yamuna, Kali and Krishnai.



Surface water -streams, Tals and canals (Ganga and Yamuna channel systems)- and groundwater found in sand layers (aquifers) sustain domestic and irrigation needs. Groundwater occurs in a four-tier aquifer system under water table and confined conditions.

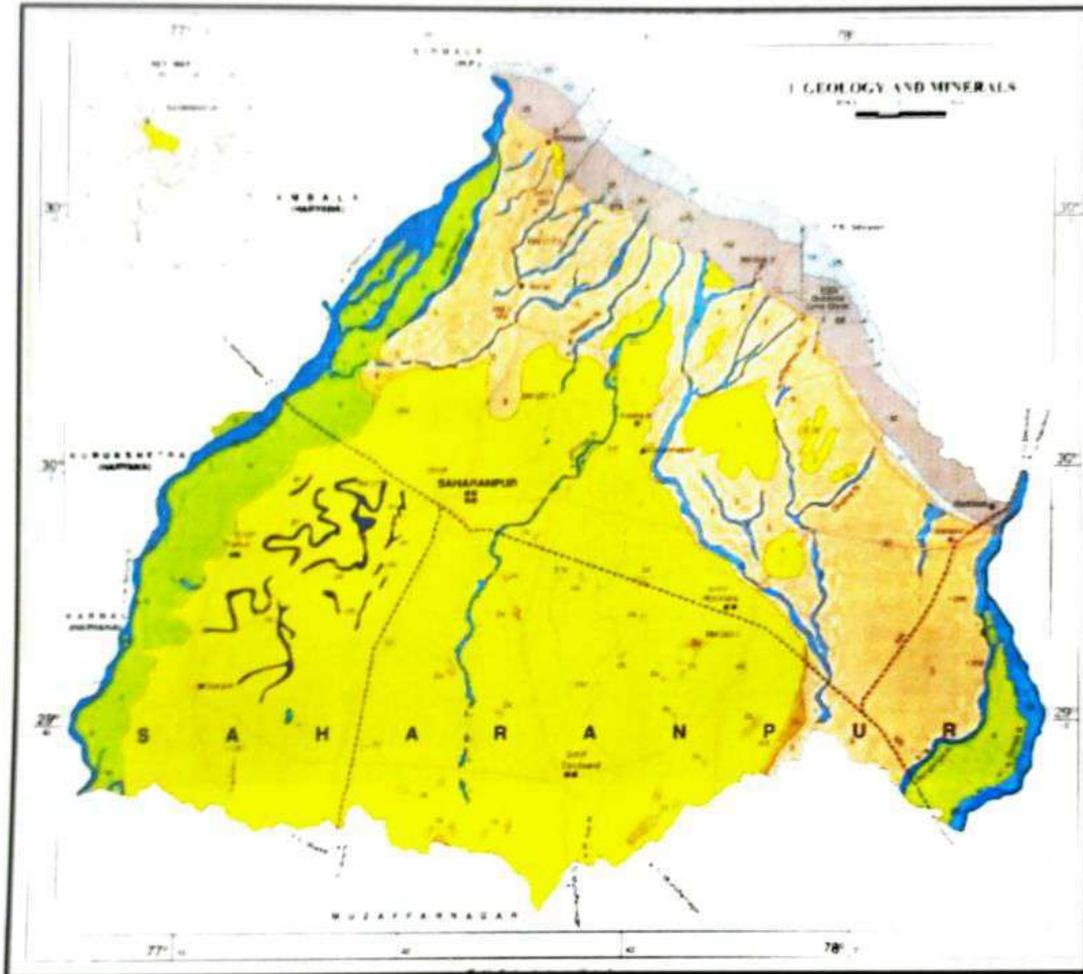
Aggregate/construction material is excavated from Channel Alluvium, Fan Alluvium deposit and upper Siwaliks. River water of major rivers is tamed and utilized for human sustenance.

Alluvium, Alluvial Fan and sub-Himalaya belt of soft to moderately hard sedimentaries constitute geotechnical provinces of Saharanpur. Bhabhar part of the Fan is not suitable for settlement. Landslides in hills, gully erosion in Bhabhar, bank erosion by Ganga and Yamuna in Floods affecting terraces are hazards of Saharanpur district.

## **DISTRICT RESOURCE MAP – GEOLOGY AND MINERALS**



(SOURCE G.S.I.)



| EXPLANATION<br>I GEOLOGY AND MINERALS |  |       |     |   |                                       |                       |
|---------------------------------------|--|-------|-----|---|---------------------------------------|-----------------------|
| GEOLOGY<br>GEOLOGICAL UNIT            | LITHOLOGY  | GROUP | AGE | MINERALS                                | INFRASTRUCTURE AND OTHER FEATURES     | ADMINISTRATIVE        |
| Channel Alluvium                      | Grey micaceous sand, gravel lenses and silt  |       |     |   | Railway                               | State boundary        |
| Terrace Alluvium                      | Fine sand, silt and clay and gravel lenses   |       |     | Construction material (Gravel and sand) | Road                                  | District boundary     |
| Fan Alluvium                          | Gravel, sand, gravel, silt and clay  |       |     |   | State highway                         | Taluk boundary        |
| Alluvium Alluvium                     | Brownish silt and clay with cement (G) and sand (G).<br>Fossiliferous, Aluminous sediments (Chert, in places) and iron ore |       |     |   | Educational institution               | District headquarters |
| Upper Gault                           | Conglomerate, sandstone and claystone sequence   |       |     |   | Hospital                              | Taluk headquarters    |
| Middle Gault                          | Grey micaceous sandstone, shales with conglomerate lenses  |       |     |   | Road (highway)                        | Other locations       |
|                                       |  |       |     |   | Power (Electricity)                   |                       |
|                                       |  |       |     |   | Bore hole location and test           |                       |
|                                       |  |       |     |   | Fruit                                 |                       |
|                                       |  |       |     |   | Boiling                               |                       |
|                                       |  |       |     |   | Height Triangulation post             |                       |
|                                       |  |       |     |   | Bench mark                            |                       |
|                                       |  |       |     |   | River                                 |                       |
|                                       |  |       |     |   | Puccachanne                           |                       |
|                                       |  |       |     |   | Municipal channel                     |                       |
|                                       |  |       |     |   | Ga                                    |                       |
|                                       |  |       |     |   | Fault                                 |                       |
|                                       |  |       |     |   | Geological contact                    |                       |
|                                       |  |       |     |   | Formation boundary (Fault - inferred) |                       |
|                                       |  |       |     |   | Face boundary                         |                       |



|     |  |
|-----|--|
| 12. | (a) District wise detail of river or stream and other sand source;<br>(b) District wise availability of sand or gravel or aggregate resources;<br>(c) District wise detail of existing mining leases of sand and aggregates. |
| 13. | Drainage system with description of main rivers<br>Salient Features of Important Rivers and Streams  |
| 14. | Mineral Potential  |
| 15. | Annual Deposition  |

*In compliance to Serial Number 12, 13, 14 & 15 the pre-monsoon and Post-Monsoon-2022 replenishment study report of District Saharanpur has been prepared in con conformity to Enforcement & Monitoring Guidelines for Sand Mining -2020.*

*The summarized results of replenishment study for the period of Pre and Post- Monsoon, 2022 is as under:-*



| POST-MONSOON REPLENISHMENT STUDY RESULTS |              |                   |  |   |               |                           |                                  |  |                                  |                     |                                  |                            |                                  |        |       |      |
|--|--------------|-------------------|--|---|---------------|---------------------------|----------------------------------|--|----------------------------------|---------------------|----------------------------------|----------------------------|----------------------------------|--------|-------|------|
| TABLE No. - PM/001                       |              |                   |  |   |               |                           |                                  |  |                                  |                     |                                  |                            |                                  |        |       |      |
| Sl. Serial                               | Minor Canal  | River             | Village  | Gata Niband Zone  | Area (in Ha.) | PRE-MONSOON - 2022 RESULT |                                  |  |                                  |                     | POST-MONSOON RESULT              |                            |                                  |        |       |      |
|  |              |                   |  |   |               | Max Elevation (Mtr)       | Min Elevation / Zero Level (Mtr) | Elevation Difference (Mtr)             | DRONE REPORT - Reserve (cum) - A | Max Elevation (Mtr) | Min Elevation / Zero Level (Mtr) | Elevation Difference (Mtr) | DRONE REPORT - Reserve (cum) - B |        |       |      |
|  |              |                   |  |   |               | Replenishment (cum) [B-A] | Avg. New Height (mtr)            | Expected Life of Mine (in Years) (B/C) |                                  |                     |                                  |                            |                                  |        |       |      |
| 1  | Bechar R.E.M | Kharwak Ra        | Sheepur Pahan                                    | 405, 404, 405, 406, 410, 421, 422, 423, 424, 429 and 431  | 6.475         | 175.859                   | 360.100                          | 15.759                                 | 229913                           | 377.840             | 360.109                          | 17.731                     | 296330                           | 66426  | 1.107 | 1.81 |
| 2  | Bechar R.E.M | Kharwak Ra        | Kharwak Pahalpur                                 | 1191, 1201, 1297, 1298, 1254  | 14.900        | 385.520                   | 338.833                          | 36.687                                 | 59485                            | 385.730             | 339.132                          | 36.610                     | 489924                           | 130470 | 0.386 | 2.74 |
| 3  | Bechar R.E.M | Yamuna            | Ashrafpur Bans Acharnal                          | 1951, 1254  | 17.900        | 319.090                   | 307.100                          | 11.990                                 | 248739                           | 319.057             | 308.100                          | 10.957                     | 714107                           | 483456 | 2.71  | 2.28 |
| 4  | Bechar R.E.M | Yamuna            | Atar Levad Acharnal and Mansoodpur Gath Acharnal | 1 and 1   | 13.800        | 313.546                   | 303.600                          | 10.546                                 | 412595                           | 319.036             | 302.818                          | 16.218                     | 531146                           | 119741 | 0.87  | 2.14 |
| 5  | Bechar R.E.M | Yamuna            | Sheepur Bans Acharnal                            | 1   | 15.000        | 310.665                   | 303.990                          | 8.675                                  | 383857                           | 312.885             | 302.563                          | 10.022                     | 572385                           | 188728 | 1.45  | 2.45 |
| 6  | Bechar R.E.M | Yamuna            | Alaundpur Bans Acharnal                          | 1, 1  | 9.580         | 311.562                   | 303.990                          | 7.572                                  | 145922                           | 312.715             | 303.999                          | 8.715                      | 480573                           | 338554 | 3.6   | 2.70 |
| 7  | Bechar R.E.M | Yamuna            | Mahmoodpur Nargh Acharnal                        | 1   | 15.700        | 319.660                   | 303.100                          | 15.960                                 | 538459                           | 319.259             | 303.237                          | 16.022                     | 769508                           | 181040 | 1.15  | 4.51 |
| 8  | Bechar R.E.M | Yamuna            | Sheepur Bans Acharnal                            | 1/1   | 15.680        | 320.461                   | 306.980                          | 13.481                                 | 351410                           | 321.442             | 306.286                          | 15.156                     | 493837                           | 144427 | 0.93  | 1.77 |
| 9  | Bechar R.E.M | Yamuna            | Neyanandpur Acharnal and Sad-mahmoodpur Acharnal | 1 and 1 no  | 17.700        | 311.392                   | 296.859                          | 14.533                                 | 593045                           | 311.403             | 297.159                          | 14.244                     | 621464                           | 328436 | 1.86  | 2.89 |
| 10                                       | Bechar R.E.M | Yamuna            | Ashrafpur Gath Acharnal                          | 1   | 37.000        | 307.866                   | 298.200                          | 9.666                                  | 1212813                          | 308.291             | 297.116                          | 11.175                     | 3201614                          | 883707 | 2.60  | 3.21 |
| 11                                       | Bechar R.E.M | Yamuna            | Nayan Acharnal - Kharwak Sheepur                 | 1/1/1   | 23.200        | 298.593                   | 291.874                          | 6.719                                  | 519716                           | 298.173             | 291.874                          | 6.299                      | 243130                           | 252414 | 0.97  | 1.58 |
| 12                                       | Bechar R.E.M | Yamuna            | Ashrafpur Bartha - First                         | 1   | 36.600        | 306.747                   | 292.100                          | 14.647                                 | 1250795                          | 307.508             | 292.036                          | 15.472                     | 1665110                          | 414321 | 1.17  | 2.53 |
| 13                                       | Bechar R.E.M | Yamuna            | Parsoodpur Urf Parsook                           | 1   | 31.000        | 295.824                   | 296.839                          | 8.985                                  | 897564                           | 298.059             | 296.839                          | 11.220                     | 1302495                          | 349311 | 1.07  | 2.66 |
| 14                                       | Bechar R.E.M | Yamuna            | Ashrafpur Bartha - Second                        | 1   | 28.160        | 300.106                   | 288.420                          | 11.686                                 | 726418                           | 300.668             | 289.023                          | 11.645                     | 952019                           | 255401 | 0.81  | 1.86 |
| 1  | Bechar R.E.M | Budhaindighi Kano | Mayapur Pasopur                                  | Gata No. 141  | 3.100         | 194.662                   | 188.980                          | 5.682                                  | 92991                            | 195.331             | 189.971                          | 5.360                      | 99888                            | 6895   | 0.22  | 2.08 |
| 2  | Bechar R.E.M | Yamuna            | Bartha Korta                                     | Gata No. - 1  | 30.000        | 302.492                   | 292.200                          | 10.292                                 | 132732                           | 303.601             | 292.200                          | 11.401                     | 874358                           | 700626 | 1.957 | 3.35 |
| 3  | Bechar R.E.M | Budhala Ra        | Hadaspur Handwala                                | Khand No / Gata No - 81, 19 & 22  | 4.200         | 377.060                   | 368.000                          | 9.060                                  | 143003                           | 377.800             | 367.496                          | 10.304                     | 158576                           | 14683  | 0.15  | 3.18 |
| 4  | Bechar R.E.M | Kharwak Ra        | Sheepur Pahan                                    | Gata No. - 378, 2 & 379, 22   | 7.000         | 355.660                   | 349.000                          | 6.660                                  | 206417                           | 355.444             | 349.38                           | 6.064                      | 218664                           | 15427  | 0.18  | 2.60 |
| 5  | Bechar R.E.M | Yamuna            | Nayan Acharnal                                   | Gata No. - 11/11, 1 and 78  | 21.290        | 294.000                   | 284.000                          | 10.000                                 | 607111                           | 296.201             | 284.652                          | 11.549                     | 969282                           | 356039 | 1.48  | 2.21 |
| 6  | Bechar R.E.M | Yamuna            | Bechara  | Khand No / Gata no - 101, 1 and No. - 04  | 8.050         | 356.665                   | 345.100                          | 11.565                                 | 199089                           | 358.565             | 345.816                          | 12.749                     | 266664                           | 71555  | 0.89  | 2.36 |
| 7  | Bechar R.E.M | Ganara Kano       | Radana   | Gata No. 179, 7   | 3.750         | 357.739                   | 351.130                          | 6.609                                  | 111795                           | 357.131             | 351.081                          | 6.050                      | 119427                           | 7252   | 0.19  | 2.58 |
| 8  | Nakur Sand   | Yamuna            | Dhakkan Kadan                                    | Gata No. - 839, 841 to 856, 858, 859, 860, 861, 864, 864, 865, 866, 867, 871, 872, 868, 889, 896, 897 | 52.630        | 270.669                   | 261.100                          | 15.569                                 | 26767                            | 278.805             | 261.100                          | 16.805                     | 782110                           | 755149 | 1.44  | 0.81 |



  
 प्रभागीय निदेशक,  
 सामाजिक वानिकी प्रभाग, सहारनपुर

  
 अधिशाषी अभियंता,  
 सिंचाई निर्माण खण्ड, सहारनपुर

  
 अधिशाषी अभियंता,  
 लोक निर्माण विभाग, सहारनपुर

  
 क्षेत्रीय अधिकारी,  
 उ० प्र० प्रदूषण नियंत्रण बोर्ड,  
 सहारनपुर

   
 खान अधिकारी / संयुक्त  
 निदेशक खनन  
 सहारनपुर

  
 उपजिलाधिकारी  
 बेहट/ नुकड  
 सहारनपुर

  
 अपर जिलाधिकारी  
 (वि०/रा०), सहारनपुर

  
 जिलाधिकारी, सहारनपुर



## Details of Sand/M-Sand Sources

## a) Rivers:

| River Name/M-Sand Plant | Total Stretch of River(in KM) | Type of River (Perennial or Non-Perennial) |
|-------------------------|-------------------------------|--|
| Yamuna                  | 70                            | Perennial                                  |
| Kaluwala                |                               | Non-Perennial                              |
| Badshahi Bagh Rao       |                               | Non-Perennial                              |
| Badkala Rao             |                               | Non-Perennial                              |
| Khurwali Rao            |                               | Non-Perennial                              |
| Gaisara Rao             |                               | Non-Perennial                              |

## b) De-Siltation Location: (Lakes/Ponds/Dams etc.)

| Name of Reservoir/Dams | Maintain/Controlled by Govt./PSU etc. | State | Location | District | Tehsil | Village | Size(ha) |
|------------------------|---------------------------------------|-------|----------|----------|--------|---------|----------|
| -                      | -                                     | -     | -        | -        | -      | -       | -        |

## c) Patta Lands/Khatedari Land:

| Owner | Sl. No. | Area (ha) | District | Tehsil | Village | Agricultural Land (Yes/No) |
|-------|---------|-----------|----------|--------|---------|----------------------------|
| -     | -       | -         | -        | -      | -       | -                          |

## d) M-Sand Plants::

| SL.No. | Plant Name | Owner | District | Tehsil | Village | Geo-Location | Quantity Tonnes/Annum |
|--------|------------|-------|----------|--------|---------|--------------|-----------------------|
| -      | -          | -     | -        | -      | -       | -            | -                     |



## List of Potential Mining Lease (existing &amp; proposed) Rivers.

| Lease No. | River Details     | Lease Detail   | Area (in ha) | Distance (in KM) from PA/BR/WC/ | Distance from Forest Area (in KM) | Mining leases within 500 meters (if yes cluster area)   | Total excavation in (MT/Yr.) (Mine depth max as 3 m) | Mineral to be mined (Sand/Bajri/RBM etc.) | Existing/Proposed |
|-----------|-------------------|--|--------------|---------------------------------|-----------------------------------|---|--|---|-------------------|
| 1         | Badshahi Bagh Rao | Tehsil - Behat Village - Mayapur Rooppur Gata No. 14/1                         | 3.100        | -                               | > 0.10 KM                         | No Cluster Mine   | 167400   | (R.B.M.)                                  | Existing          |
| 2         | Yamuna            | Tehsil - Behat Village - Bartha Korsi Gata No. - 1                             | 36.000       | -                               | > 0.10 KM                         | Yes Cluster Mine (Sl. No 2+11+12+13+14+15+16+17+18+20+22)<br>Total Cluster Area = 241.040 ha. | 1944000  | (R.B.M.)                                  | Existing          |
| 3         | Badkala Ra        | Tehsil - Behat Village - Haidarpur Hindwala Khand No / Gata No. - 8/1, 19 & 22 | 4.200        | -                               | > 0.10 KM                         | No Cluster Mine   | 226800   | (R.B.M.)                                  | Existing          |
| 4         | Khurwali Ra       | Tehsil - Behat Village - Sherpur Pelon Gata No. - 378/2 & 379/2                | 7.000        | -                               | > 0.10 KM                         | Yes Cluster Mine (Sl. No 4 + 9)<br>Total Cluster Area = 13.475 ha.                            | 378000   | (R.B.M.)                                  | Existing          |
| 5         | Yamuna            | Tehsil - Behat Village - Nuniyari Achatmal Gata No. - 1/1/1 Laot 38            | 24.290       | -                               | > 0.10 KM                         | Yes Cluster Mine (Sl. No 5 + 19)<br>Total Cluster Area = 43.290 ha.                           | 1311660  | (R.B.M.)                                  | Existing          |
| 6         | Yamuna            | Tehsil - Behat, Village - Rahena Khand No. / Gata no. - 03. Lot No - 03        | 8.050        | -                               | > 0.10 KM                         | No Cluster Mine   | 434700   | (R.B.M.)                                  | Existing          |





|    |        |   |        |   |           |   |         |          |          |
|----|--------|---|--------|---|-----------|---|---------|----------|----------|
| 14 | Yamuna | Tehsil – Behat<br>Village – Alaudinpur Bans<br>Aehatmal<br>Gata No. - 1/1                                   | 9.580  | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 517320  | (R.B.M.) | Proposed |
| 15 | Yamuna | Tehsil – Behat<br>Village – Mehmoodpur Nangli<br>Aehatmal<br>Gata No. - 1                                   | 15.700 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 847800  | (R.B.M.) | Proposed |
| 16 | Yamuna | Tehsil – Behat<br>Village – Shahpur Bans<br>Aehatmal<br>Gata No. - 1/1                                      | 15.600 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 842400  | (R.B.M.) | Proposed |
| 17 | Yamuna | Tehsil – Behat<br>Village – Niryandpur<br>Aehatmal and Said-<br>mohamadpur Aehatmal<br>Gata No. – 1 and 1ma | 17.700 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 955800  | (R.B.M.) | Proposed |
| 18 | Yamuna | Tehsil – Behat<br>Village – Abutalibpur Garh<br>Aehatmal<br>Gata No. - 1                                    | 37.000 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 1998000 | (R.B.M.) | Proposed |
| 19 | Yamuna | Tehsil – Behat<br>Village – Nuniyari Athmal –<br>Khand Second<br>Gata No. - 1/1/1                           | 19.000 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No 5 + 19)<br>Total Cluster Area = 43.290 ha.                                  | 1026000 | (R.B.M.) | Proposed |
| 20 | Yamuna | Tehsil – Behat<br>Village – Aslampur Bartha –<br>First<br>Gata No. - 1                                      | 36.600 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 1976400 | (R.B.M.) | Proposed |
| 21 | Yamuna | Tehsil – Behat<br>Village – Rasoolpur Urf Rasooli<br>Gata No. - 1   | 34.000 | - | > 0.10 KM | No Cluster Mine   | 1836000 | (R.B.M.) | Proposed |



|    |        |   |        |   |           |   |         |            |          |
|----|--------|---|--------|---|-----------|---|---------|------------|----------|
| 22 | Yamuna | Tehsil - Behat<br>Village - Aslampur Bartha -<br>Second<br>Gata No. - 1 | 28,160 | - | > 0.10 KM | Yes Cluster Mine<br>(Sl. No<br>2+11+12+13+14+15+16+17+18+<br>20+22)<br>Total Cluster Area = 241.040 ha. | 1520640 | (R.B.N.I.) | Proposed |
|----|--------|---|--------|---|-----------|---|---------|------------|----------|

MT density factor - 1.8

\* Total excavation in (MT/Yr.) (Mine depth considered max as 3 m)

**Patta Lands/Khatedari Land: (Exiting & Proposed)**

| Owner | Sy. No | Area | District | Tehsil | Village | Total Reserve<br>(MT) * | Total Mineral to be<br>mined (MT) | Exiting/<br>Proposed |
|-------|--------|------|----------|--------|---------|-------------------------|-----------------------------------|----------------------|
| -     | -      | -    | -        | -      | -       | -                       | -                                 | -                    |

**De-Siltation Location: (Lakes/ponds/Dams etc.) (Exiting & Proposed)**

| Name of Reservoir/Dams | Maintain/Controlled by State<br>Govt./PSU etc. | Location | District | Tehsil | Village | Size<br>(ha) | Quantity<br>MT/Year | Exiting/<br>Proposed |
|------------------------|--|----------|----------|--------|---------|--------------|---------------------|----------------------|
| -                      | -  | -        | -        | -      | -       | -            | -                   | -                    |

**M-Sand Plants: (Exiting & proposed)**

| SL.No. | Plant Name | Owner | District | Tehsil | Village | Geo-<br>Location | Quantity<br>Tonnes/Annum | Exiting/<br>Proposed |
|--------|------------|-------|----------|--------|---------|------------------|--------------------------|----------------------|
| -      | -          | -     | -        | -      | -       | -                | -                        | -                    |



## Cluster &amp; Contiguous Cluster details Clusters:

| River Details | Cluster No. | Lease No.                                 | Location (Riverbed / Patta Land) | Village  | Area (in ha.) | Total Excavation (Ton) | Total Mineral Excavation (Ton) |
|---------------|-------------|---|----------------------------------|--|---------------|------------------------|--------------------------------|
| Khurwali Ra   | 1           | 4 & 9                                     | Riverbed                         | Sherpur Pelon  | 13.475        | 727650                 | 495360                         |
| Yamuna        | 2           | 5 & 19                                    | Riverbed                         | Nuniyari Aehatmal  | 43.290        | 2337660                | 1402644                        |
| Yamuna        | 3           | 2, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22 | Riverbed                         | 1. Bartha Korsi<br>2. Akbarpur Bans Aehatmal<br>3. Arazi Jevadi Ahatmal and Masoodpur Garh Aehatmal<br>4. Shehjadpur Bans Aehatmal<br>5. Alauddinpur Bans Aehatmal<br>6. Mehmoondpur Nangli Aehatmal<br>7. Shahpur Bans Aehatmal<br>8. Nityanandpur Aehatmal and Said-mohamadpur Aehatmal<br>9. Abutalibpur Garh Aehatmal<br>10. Aslampur Bartha – First<br>11. Aslampur Bartha – Second | 241.040       | 13016160               | 8004096                        |

## Contiguous Clusters:

| River Name | Contiguous Cluster No. | Cluster No. | No. of Leases in the Cluster | Location (Riverbed/Patta Land) | Distance between clusters | Village | Area of Cluster (ha.) | Total Mineral Excavation (ton) |
|------------|------------------------|-------------|------------------------------|--------------------------------|---------------------------|---------|-----------------------|--------------------------------|
| -          | -                      | -           | -                            | -                              | -                         | -       | -                     | -                              |

• There is no other contiguous cluster within the periphery of 2.50 Kms of Cluster-1.

• There is no other contiguous cluster within the periphery of 2.50 Kms of Cluster Number 2 and 3. However there is existence of one Non Cluster individual lease No. 21 which is more than 500 meters away from both the Cluster Number 2 and 3.



## Annexure-IV

## Transportation Routes for individual leases and leases in cluster

| Lease No. and Details  | Transportation Route No. | Number of Trippers / day of lease (Average) | Number of Trippers / day of all the leases on route (Average) | Length of route in KM (#) | Type of Road (Black Topped / unpaved) | Recommendation for road (Black Topped / unpaved) | The Road will be Constructed by Govt. / Lease Owner | Route Map & Location                                    |
|--|--------------------------|---|---|---------------------------|---------------------------------------|--|---|---|
| 1 Tehsil - Behat Village - Mayapur Rooppur Gata No. 14/1   | IL-TR-1                  | 10  | 10  | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |
| 3 Tehsil - Behat Village - Haidarpur Hindwala Khand No / Gata No. - 8/1, 19 & 22   | IL-TR-2                  | 13  | 13  | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |
| 6 Tehsil - Behat, Village - Rahena Khand No. / Gata no. - 03, Lot No - 03  | IL-TR-3                  | 37  | 37  | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |
| 7 Tehsil - Behat Village - Rahena Gata No. 179/2   | IL-TR-4                  | 12  | 12  | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |
| 8 Tehsil - Nukur Village - Dhikkan Kalan Gata No. - 839, 841 to 856, 858, 859, 860, 861, 863, 864, 865, 866, 867, 871, 872, 888, 889, 406, 407 | IL-TR-5                  | 237   | 237   | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |
| 10 Tehsil - Behat Village - Kaluwala Pahadipur Gata No. - 119/1, 120/1, 192/1, 193/1, 123/4  | IL-TR-6                  | 45  | 45  | -                         | unpaved                               | unpaved  | Lease Owner   | Stone Crushers located nearby lease and nearby villages |





From,

**Member Secretary,**  
State Level Environment  
Impact Assessment Authority,  
Uttar Pradesh Vineet Khand-1,  
Gomti Nagar, Lucknow.

To,

**Director, Directorate of Geology and Mining,**  
Uttar Pradesh Khanij Bhawan,  
Lucknow.

Letter No.159/Environment/DSR/Saharanpur/2024

Date: 07 June 2024

**Subject:** Regarding approval of District Survey Report  
(DSR).

Madam,

Please refer to your letter No. 85/DSR dated 19-04-2024 regarding the above subject, along with which the draft DSR of District-Saharanpur was attached in original form and sent for necessary action.

The draft DSR of Saharanpur district was listed for appraisal in the joint meeting of the State Level Environmental Assessment Committee (SEAC-182) dated 03-05-2024 and was recommended for approval by the

State Level Assessment Committee with certain conditions. Thereafter, in the 814th meeting of the State Level Environmental Impact Assessment Authority (SEIAA) dated 24-05-2024, the DSR of Saharanpur was approved with the condition that, in addition to other conditions-

SEIAA noted that in draft DSR unit of quantity is not similar, like under list of potential mining lease (existing and proposed) rivers and cluster and contiguous detail, total excavation is given in MT/Year whereas in final list of cluster geological reserve is given in cubic meter, hence a clarification must be submitted and it should be same as given in Lol.

It is requested that the units sent by the Mining Officer, Saharanpur by e-mail dated 03-06-2024 be replaced in DSR.

Yours sincerely,  
(Sanjeev Kumar Singh)

**Member Secretary, SEIAA**

//TRUE TRANSLATED COPY//

*Sanjeev*  
\\TRUE COPY//

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)  
Original Application No.403/2022  
(I.A.No.133/2022)

Daljeet Singh ...Applicant

Versus

State of Uttar Pradesh & ors. ...Respondents

Date of hearing: 26.08.2022

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

Applicant: Mr. Ajit Sharma, Advocate.

Respondent: Mr. Daleep Dhyani, Advocate for respondent no. 4.

**Application has been filed under Section 14 read with Section 18 of the  
National Green Tribunal Act, 2010.**

**ORDER**

1. The applicant has filed present applicant under Section 14 read with Section 18 of the National Green Tribunal Act, 2010 seeking following reliefs:

*“ a. Issue directions to the State of Uttar Pradesh to conduct a replenishment Study of all rivers in District Saharanpur, U.P. and prepare a fresh District Survey Report in compliance with vc the EMGSM 2020 after duly considering the results of the Replenishment Study;*

*b. Quash and set-aside the District Survey Report for District Saharanpur prepared in 2017 in violation of the MoEF Notification dt.15.01.2016, the SSMG 2016 and other applicable laws;*

*c. Issue directions quashing and declaring the amended District Survey Report, 2021 dt. 03.12.2021 and all consequent actions for auction and/or grant of mining leases in District Saharanpur, U.P. as illegal, arbitrary, null and void being issued in violation of EMGSM 2020, MoEF Notification dt 15.01.2016, SSMG 2016 and other applicable laws and mandatory guidelines; and/or*

*d. Issue an ex-parte ad-interim stay on the amended District Survey Report, 2021 dt. 03.12.2021;*

*e. Direct and restrain the State of Uttar Pradesh from auction and/or grant of mining leases in District Saharanpur, U.P. and further restrain the Respondents from granting mining leases in pursuance of the impugned District Survey Report during the pendency of the present Original Application; and/or*

*f. Direct Respondents to pay the costs of the present Application to the Applicant; and*

*g. Pass any other order that this Hon'ble Tribunal may deem fit."*

2. The applicant has submitted that DSR 2021 has been issued by District Magistrate, Saharanpur on 03.12.2021 for mining of minor mineral RBM in District Saharanpur, Uttar Pradesh. Hon'ble Supreme Court vide order dated 10.11.2021 passed in Civil Appeal No. 3661-3662 titled as State of Bihar Vs. Pawan Kumar reiterated the need and importance of DSR and directed strict adherence to the procedure and parameters laid down in EMGSM, 2020 for preparation of the DSR. The impugned DSR 2021 has been issued without complying with mandatory requirement of conducting replenishment study by the State Government. The respondent has issued tender for conducting of replenishment study in District Saharanpur on 01.01.2022. The impugned DSR is liable to be set aside also because the mining area is inter-district Yamuna Nagar and Saharanpur and inter-state Haryana and Uttar Pradesh and DSR 2021 has been prepared without complying with the procedure provided under point no. 9.03 of EMGSM, 2020. No mining lease can be granted in District Saharanpur, Uttar Pradesh in pursuance of impugned DSR 2021 before completion of replenishment study and updation of DSR.

3. Vide order dated 30.05.2022, notices were issued to the respondents for 26.08.2022 and interim injunctive direction was also issued in the following terms:-

*"In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."*

4. It may be observed here that this Tribunal permitted mining till conducting of replenishment studies with timelines as specified in its order dated 06.05.2022 passed in O.A No. 140/2021 titled as *Raj Kumar vs. State of U.P. & Ors.* and the relevant part of the order is reproduced as under:-

*“11. Accordingly, the ACS, Mining, UP has fairly stated that replenishment study will be conducted prior to auctions in future and with regard to the current leases, ongoing replenishment study will be expedited. In the light thereof, the leases will be renewed, if necessary. Such studies for all Districts in UP will be completed by December 31, 2022 and for Banda by June 30, 2022. She has further stated that the allegation of instream mining will be verified and if found true, the same will be discontinued.*

*12. In view of above, let the Replenishment studies be completed by credible institutions, following due procedure, in accordance with para 5 of EMSG, 2020. **Further, no mining be permitted till replenishment studies are completed beyond the schedule laid down above.** The State may ensure that the Regulatory authorities are adequately equipped and capable to assess quantities of mined material. With regard to instream mining, it may be ensured that the machineries permitted or used otherwise comply with "Semi mechanised" mining operations in true sense. In all mining potential districts, environmental damage assessment be carried out and annual assessment reports placed in public domain on the websites of the Mining Department as well as the PCB. Compliance of SSMG, 2016 and EMGSM, 2020 and earlier directions of this Tribunal may be ensured by an effective monitoring mechanism.”*

*(Emphasis supplied)*

5. Since interim stay order dated 30.05.2022 conflicts with the above referred order dated 06.05.2022 passed in O.A No. 140/2021, which was not brought to our notice at the time of passing of order dated 30.05.2022, the interim stay order dated 30.05.2022 is vacated.

6. As per office report notices were served on all the respondents by E-mail. None has appeared on behalf of respondents no. 1 to 3 and 5 to 12 who are proceeded against ex-parte.

O. A. No. 403/2022

Daljeet Singh Vs. State of Uttar Pradesh & Ors.

-4-

7. Reply on behalf of respondent no. 4 be filed within three weeks by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. List for further consideration on 29.09.2022.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 26, 2022

AG

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI****(By Hybrid Mode)**

Original Application No. 403/2022  
(I.A. No. 133/2022, I.A. No. 13/2023 &  
I.A. No. 19/2023)

Daljeet Singh

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 25.01.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ajit Sharma, Advocate for Applicant

Respondent(s):

Mr. Mukesh Verma, Advocate for the Mining Department, State of  
UP  
Ms. Priyanka Swami, Advocate for SEIAA, UP

**ORDER**

1. Grievance in this application is against submission of District Survey Report dated 03.12.2021 by the District Magistrate, Saharanpur to the Director, Geology and Mines, U.P. Main ground against the said report is that it has been submitted without replenishment study of the river in terms of Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMSGM, 2020).

2. Vide order dated 30.05.2022, notice was issued and interim injunction was granted against grant of any mining lease before completing replenishment study.

3. Reply has been filed by the Mining Department, U.P to the effect that replenishment study had been conducted prior to the Draft Survey Report for Saharanpur River Bed Mining 2022. The DSR is at draft stage and is yet to be finalized.

4. In view of above, no further order is necessary.

The application is disposed of. All IAs also stand disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 25, 2023  
Original Application No. 403/2022  
(I.A. No. 133/2022, I.A. No. 13/2023 &  
I.A. No. 19/2023)  
AB

## ANNEXURE R-19

Item No.14

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**Original Application No. 389/2024  
(IA No. 210/2024)

Raj Kumar

Applicant

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 07.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Sadapurna Mukherjee, Adv. for Applicant

Respondent: Ms. Priyanka Swami, Adv. for SEIAA, UP  
Mr. Amit Shukla, Adv. for UPPCB  
Mr. Thakur Sumit, Adv. for MoEF & CC  
Mr. Mukesh Verma, Adv. for Mining Department, State of UP**ORDER**

1. In this Original Application, the grievance of the applicant is against the steps taken by respondent no. 1 to 5 in respect of the mining lease without there being any District Survey Report in the State of UP. The plea is that the DSR was prepared in the year 2017 which expired in the year 2022 and thereafter, no replenishment study has been done, no fresh DSR has been prepared yet respondent authorities are proceeding with the auction of the mines.

2. When the matter was taken up on 23.04.2024, it was brought to the notice of the Counsel for the applicant that applicant had challenged 156 old tender notices which were already acted upon and the Counsel for the applicant had fairly submitted that she was not pressing the prayer clause 2 challenging those notices.

3. Now, I.A. No. 210/2024 has been filed by the applicant seeking clarification/modification of the order dated 23.04.2024 taking the plea that on 23.04.2024, Counsel for the applicant had given up the challenge to 44 e-auction/tender notices issued before 10.11.2021 and had not given up the challenge to remaining 112 e-auctions/tender notices issued after 10.11.2021. The breakup has been done on the basis of the date of judgment of the Hon'ble Supreme Court dated 10.11.2021 in the case of *State of Bihar & Ors. vs. Pawan Kumar & Ors., Civil Appeal No. 3661-3662 of 2020*.

4. On consideration of above submission, we find that statement made by the Counsel for the applicant on 23.04.2024, recorded in paragraph 2 of that order was very clear that she was not pressing the prayer clause 2 of the OA. That apart, we also notice that the challenge to the notices which were issued long back in the year 2020, 2021, 2022, 2023 has become time barred. In addition we also note that if the auction notices have already been acted upon and successful bidder has been selected/lease deed is issued to the successful bidder/LOI then the challenge to the auction notice itself may not survive without challenging the subsequent action. Hence, we are of the view that no case is made out for clarification/modification of the order dated 23.04.2024. I.A. No. 210/2024 is accordingly rejected.

5. The Tribunal by order dated 23.04.2024 had issued notice to the respondents and directed the applicant to serve the respondents and file affidavit of service. The affidavit of service filed by the applicant does not contain the proof of service.

6. From the perusal of the cause title, we find that none of the concerned District Magistrates have been impleaded. The grievance is in

respect of non-preparation of the DSR which is the responsibility of the District Magistrate of the concerned District. When it was pointed out to Learned Counsel for the applicant, she has submitted that she will implead the concerned District Magistrates. Hence, we permit Counsel for the applicant to implead the concerned District Magistrates in the OA within one week and serve them and file affidavit of service at least one week before the next date of hearing.

7. Learned Counsel for the respondents seeks four week's time to file the reply.

8. List on 20.08.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 07, 2024  
Original Application No. 389/2024  
(IA No. 210/2024)  
SN

ITEM NO.10

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).4593/2022

MANGAL SINGH BUNDELA

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH &amp; ORS.

Respondent(s)

(WITH IA No.87567/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.87569/2022-EX-PARTE STAY and IA No.87568/2022-EXEMPTION FROM FILING O.T.)

Date : 20-07-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE A.S. BOPANNA

For Appellant(s) Mr. Devadatt Kamat, Sr Adv.  
Mr. Pai Amit, AOR  
Mr. Rajesh Inamdar, Adv.  
Mr. Shoeb Khan, Adv.  
Ms. Ranu Purohit, Adv.  
Mr. Harsh Pandey, Adv.  
Mr. Abhyudaya Vats, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

- 1 Mr Devadatt Kamat, senior counsel appearing on behalf of the appellant, submits that in the present case, (i) the e-auction for sand mining was conducted on 16 November 2021; and (ii) a draft District Survey Report was published only on 4 March 2022. Senior counsel submits that this is in breach of the Sustainable Sand Mining Management Guidelines 2016 as well as the principles which have been laid down in the judgment of a three-Judge Bench of this Court in **State of Bihar v Pawan Kumar**<sup>1</sup>.

1 (2022) 2 SCC 348, paragraph 12

- 2 Issue notice, returnable in four weeks.
- 3 Liberty to serve the Standing Counsel for the State of Madhya Pradesh, in addition.
- 4 Pending further orders, there shall be a direction that no mining shall be carried out in terms of the e-auction dated 16 November 2021 without finalizing the District Survey Report.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**

| Sl. No       | District         | Total Number of 5 Year E-Tender Floated Tender Period – Year 2020 till 2024 |
|--------------|------------------|---|
| 1.           | Aligarh          | 2   |
| 2.           | Ambedkar Nagar   | 2   |
| 3.           | Ayodhya          | 5   |
| 4.           | Baghpat          | 3   |
| 5.           | Ballia           | 8   |
| 6.           | Balrampur        | 1   |
| 7.           | Banda            | 18  |
| 8.           | Bareilly         | 1   |
| 9.           | Basti            | 6   |
| 10.          | Budohi           | 3   |
| 11.          | Bijnor           | 6   |
| 12.          | Bulandshaher     | 4   |
| 13.          | Chandauli        | 2   |
| 14.          | Chitrakoot       | 7   |
| 15.          | Deoria           | 2   |
| 16.          | Etawah           | 3   |
| 17.          | Farrukhabad      | 2   |
| 18.          | Fatehpur         | 8   |
| 19.          | GBN              | 1   |
| 20.          | Gazipur          | 4   |
| 21.          | Gorakhpur        | 9   |
| 22.          | Hamirpur         | 9   |
| 23.          | Hardol           | 3   |
| 24.          | Jalaun           | 15  |
| 25.          | Jhansi           | 3   |
| 26.          | Kannauj          | 2   |
| 27.          | Kanpur Dehat     | 5   |
| 28.          | Kanpur Nagar     | 5   |
| 29.          | Kasganj          | 1   |
| 30.          | Kaushambhi       | 11  |
| 31.          | Kheri            | 1   |
| 32.          | Kushinagar       | 1   |
| 33.          | Lakhimpur Kheri  | 2   |
| 34.          | Lalitpur         | 5   |
| 35.          | Mirzapur         | 5   |
| 36.          | Moradabad        | 2   |
| 37.          | Pilibhit         | 2   |
| 38.          | Prayagraj        | 18  |
| 39.          | Rampur           | 2   |
| 40.          | Saharanpur       | 3   |
| 41.          | Sant Kabir Nagar | 4   |
| 42.          | Shravasti        | 2   |
| 43.          | Siddharth Nagar  | 5   |
| 44.          | Sonbhadra        | 11  |
| <b>Total</b> |                  | 214   |

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Dalmia Law Office <dalmialawoffices@gmail.com>

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**Service of Reply on behalf of Respondent No. 6-17 in OA No. 188 of 2023 titled 'Gaurav Kumar v State of UP'**

1 message

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**Dalmia Law Office** <dalmialawoffices@gmail.com>

Thu, Aug 15, 2024 at 4:02 PM

To: Ajit Sharma <sharma.ajit@gmail.com>, dgmupexp@gmail.com, chairman@uppcb.in, msseiaaup@gmail.com, dmsah@nic.in, secy-moef@nic.in



GAURAV KUMAR REPLY.pdf

Sir

Kindly find the Reply on behalf of Respondents No. 6-17 in the above captioned matter.

Regards

Chambers of Vanshdeep Dalmia  
Advocate on Record  
O: 206, Jor Bagh, New Delhi-110003  
M: +91-9810077085