

## **Joint Committee Report**

**In**

**Hon'ble National Green Tribunal Principal Bench**

**Order dated 28.05.2021 in O.A. 24/2021 (CZ)**

**In the matter of**

**Ramakant Kaurav**

**Vs**

**State of M.P. & Ors.**

### **Committee members**

- i. Shri Manoj Thakur, Additional District Magistrate, Narsinghpur. Dist. Narsinghpur
- ii. Shri Alok Kumar Jain, Regional Officer, M. P. Pollution Control Board, Jabalpur
- iii. Shri O.P. Baghel, District Mining Officer, Narsinghpur Dist. Narsinghpur

**Joint Committee Report in Hon'ble National Green Tribunal  
Principal Bench Order dated 28.05.2021 in O.A. 24/2021 (CZ) in  
the matter of Ramakant Kaurav  
Vs State of M.P. & Ors.**

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**Joint Committee Report in compliance of the Hon'ble National Green Tribunal Principal Bench order dated 28/05/2021 in Original Application No. 24/2021 (CZ) (Ramakant Vs State of M.P. & others)**

Hon'ble National Green Tribunal, Principal Bench vide its order dated 28.05.2021 in O.A. 24 of 2021 (CZ) directed as:

*"We deem it just and proper to call a report in the matter in issue, through present application, from joint committee consisting of*

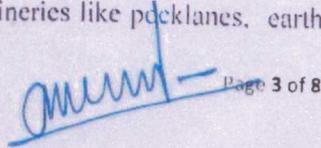
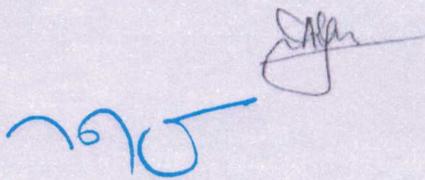
- 1- The collector District, Narsinghpur
- 2- District Mining officer, Mining office, Narsinghpur
- 3- Madhya Pradesh Pollution Control Board or its representative." Copy of the Hon'ble Tribunal order dated 28.05.2021 is enclosed as **Annexure-II**.

In compliance of the Hon'ble Tribunal order, a committee of following officers was constituted to submit an independent report

- 1- Shri Manoj Thakur, Additional District Magistrate, Narsinghpur, Dist. Narsinghpur
- 2- Shri Alok Kumar Jain, Regional Officer, M. P. Pollution Control Board, Jabalpur
- 3- Shri O.P. Baghel, District Mining Officer, Narsinghpur Dist. Narsinghpur

The joint committee first held its meeting on 18.06.2021 at Government Guest house Gadarwada, to discuss the matter related to the sand mining in the area alleged by applicant. Later on, the committee decided to visit all 08 sand mines as mentioned in writ petition. Field visit of 05 sand mines dated 18.06.2021 & 03 Sand Mines dated 21.06.2021 which is allotted to M/s Dhanlakshmi Merchandize Pvt Ltd, Narsinghpur were conducted.

The committee, first visited the mining lease of Sansaar Kheda (Khasra No. 208/1 & 208/2) followed by Ajanda Sand Mine (Khasra No. 39/1) & Dhigsara Sand Mine (Khasra No. 29/1) of Dudhi river (a tributary of river Narmada) & Dighori Sand Mine (Khasra No. 195) and Gangai Sand Mine (Khasra No 400/1) of Sita Reva River to verify the claims made by the applicant in the petition regarding the illegal Mining & use of heavy machineries like pccklanes, earth



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movers and other heavy machineries in sand mines of District-Narsinghpur (MP) .On the day of field visit i.e. 21.6.2021, the inspection of Reva Nagar sand mine (Khasra No. 20/1), Murgakheda Sand Mine (Khasra No. 206/2 ) & Ghatpipariya Sand Mine (Khasra No. 1/1) of Narmada river were conducted. On the day of inspection, no heavy machineries,such as poclain, carth mover or any other heavy machineries were being used. On the day of inspection, Gangai Sand Mine & Dighori Sand mine were filled with water. Dhigsara Sand mine, Murgakheda Sand Mine, Ajanda Sand mine & Revanagar Sand mine were found non-operational due to monsoon. Remaining 02 mines, Sansarkheda (Dudhi River) & Ghatpipariya (Narmada River) Sand Mine were found operational. The Plantation on the river bank was found poor for protection from soil erosion.

**Current Status of 08 Sand Mine is as follows :-**

Sl. No.	Name of the mines	Quantity CTO (M <sup>3</sup> )	Quantity EC (M <sup>3</sup> )	Status during field visit
1	Murgakheda Sand Mine Khasra No. 206/2 & Others Area 5.0 Hect	147000	147000	Not in operation
2	Ghatpipariya Sand Mine Khasra No. 1/1. Area 7.0 Hect	79932	206000	Operational
3	Revangar Sand Mine Khasra No. 20/1 . Area 3.46 Hect	44685	44685	Not in operation
4	Sansar kheda Sand Mine Khasra No. 208/1 & 208/2, Area- 13Ha	382200	382200	Operational
5	Dhigsara Sand Mine Khasra No. 29/1, Area -5.775Ha	160000	160000	Not in operation
6	Ajanda Sand Mine Khasra No. 39/1 Area- 4Ha	103974	103974	Not in operation
7	Dighouri Sand Mine Khasra No. 195 Area 4.0 Hect	101887	101887	Not in operation (Filled with water)
8	Gangai Sand Mine Khasra No. 400/1 Area 4.0 Hect	54000	54000	Not in operation (Filled with water)

### A brief on the mining lease in River Dudhi

M/s Dhanlakshmi Merchandize Pvt Ltd, Ward No. 16, Civil Line, Kalika Nagar, Babai Rd, Hoshangabad (M.P.), was awarded Narsinghpur district contract for sand mining as per the Madhya Pradesh Sand Mining Policy, 2019 in the year 2020 as per the tendering process. There are 03 mining leases i.e. Ajanda, Sansar kheda & Dhingsara, for river Dudhi. 02 mining leases i.e Dighori Sand Mine & Gangai Sand Mine, which are located on the Sita Reva River. 03 mining leases, i.e Reva Nagar sand mine, Murgakheda Sand Mine & Ghatpipariya Sand Mine of Narmada river, for which Environmental clearance & CTO was obtained. The details of the 08 mine leases is tabulated with respect to Khasra no., mine lease Area, Environmental Clearance, Consent to Operate & date of statutory permissions :-

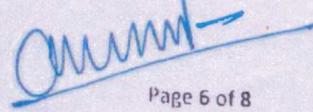
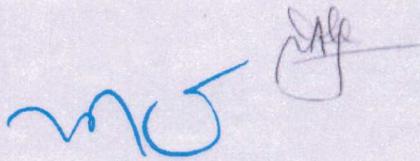
Sl. No.	Name of the mines	Quantity CTO (M <sup>3</sup> )	CTO Issue Date	Quantity EC (M <sup>3</sup> )	EC Issue Date
1	Murgakheda Sand Mine Khasra No. 206/2 & Others Area 5.0 Hect	147000	12.11.2020	147000	14.10.2020
2	Ghatpipariya Sand Mine Khasra No. 1/1 Area 7.0 Hect	79932	01.06.2021	206000	12.03.2020
3	Revangar Sand Mine Khasra No. 20/1 Area 3.46 Hect	44685	19.03.2020	44685	09.03.2020
4	Sansar kheda Sand Mine Khasra No. 208/1 & 208/2, Area- 13Ha	382200	04.06.2020	382200	14.09.2020
5	Dhingsara Sand Mine Khasra No. 29/1, Area -5.775Ha	160000	12.11.2020	160000	14.10.2020
6	Ajanda Sand Mine Khasra No. 39/1 Area- 4Ha	103974	19.03.2020	103974	09.03.2020
7	Dighouri Sand Mine Khasra No. 195 Area 4.0 Hect	101887	19.03.2020	101887	09.03.2020
8	Gangai Sand Mine Khasra No. 400/1 Area 4.0 Hect	54000	19.03.2020	54000	09.03.2020

  
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M/s Dhanlakshmi Merchandize Pvt Ltd has obtained Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 from Madhya Pradesh Pollution Control Board.

**Field observations of the committee**

- 1- The committee conducted an extensive field visit of 05 sand mines located at River Dudhi & Sitareva dated 18.06.2021 & 03 Sand Mine on River Narmada dated 21.06.2021 which is allotted to M/s Dhanlakshmi Merchandize Pvt Ltd, Narsinghpur. On the day of inspection, mining was being done manually at village-Sansarkheda & Ghatpipariya and sand was being transported by tractor/trolley.
- 2- The committee, first visited the mining site of Sansaar Kheda (Khasra No. 208/1 & 208/2) followed by Ajanda Sand Mine (Khasra No. 39/1), Dhigsara Sand Mine (Khasra No. 29/1) of Dudhi river (a tributary of river Narmada), Dighori Sand Mine (Khasra No. 195) and Gangai Sand Mine (Khasra No 400/1) of Sita Reva River to verify the claims and allegations, made by the applicant in the petition regarding the illegal mining & use of heavy machineries like poclain, earth mover and other heavy machineries in sand mines of District-Narsinghpur (MP).
- 3- On the day of field visit i.e. 21.6.3021, the sand mine Reva Nagar sand mine (Khasra No. 20/1), Murgakheda Sand Mine (Khasra No. 206/2) & Ghatpipariya Sand Mine (Khasra No. 1/1) of Narmada river, no heavy machineries were found.
- 4- During the inspection, Gangai Sand Mine & Dighori Sand mine were filled with water. Whereas, Dhigsara Sand mine, Murgakheda Sand Mine, Ajanda Sand mine & Revanagar Sand mine were found to be closed.

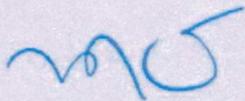
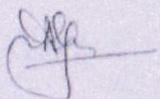
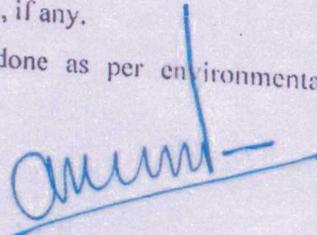


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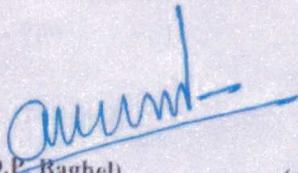
- Remaining 02 mines, Sansarkheda & Ghatpipariya Sand Mine were found operational.
- 5- No illegal pathway was found during the field visit in above sand mines.
  - 6- Regarding the air pollution, due to the transportation of heavy vehicles, such as, dumpers, trucks, tractors etc; the committee observed that road was damaged in few patches.
  - 7- The demarcation of the lease area was done by the red flag in operational mines.
  - 8- The Plantation on the river bank was found poor for protection from soil erosion.
  - 9- The photographs taken during the field visit are enclosed as **Annexure-III**

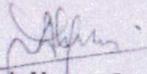
### Recommendations

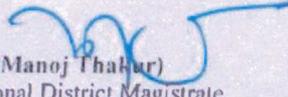
- i. District administration needs to ensure the effective vigilance on sand mining with respect to the mid-stream mining, use of heavy machineries by installing CCTV cameras at strategic location.
- ii. To suppress the dust pollution during summer, and heavy vehicle transportation, contractor shall arrange regular water sprinkling, and ensure that the vehicle engaged in sand transportation and mining has valid PUC certificate. Contractor may also ensure that the transportation of the sand be done in covered vehicles.
- iii. District administration has to initiate strict action as stipulated in O.A. 360/2015 against illegal mining & transportation, if any.
- iv. The plantation on the river bank is to be done as per environmental management plan.

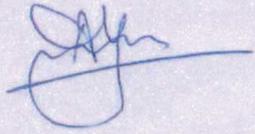
  

v. The demarcation of lease area should be visible from distance. Mining department should ensure Stone post with Red flag, to make the lease area visible from distance.

  
(O.P. Baghel)  
Mining Officer  
District Mining office  
Narsinghpur

  
(Alok Kumar Jain)  
Regional Officer  
M.P. Pollution Control Board  
Jabalpur

  
(Manoj Thakur)  
Additional District Magistrate  
Narsinghpur Dist-Narsinghpur



**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL  
(Through Video Conferencing)**

Original Application No. 24/2021 (CZ)

Ramakant Kaurav

Applicant(s)

Versus

State of Madhya Pradesh

Respondent(s)

Date of hearing: 28.05.2021

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Prabhat Yadav, Advocate

For Respondent(s):

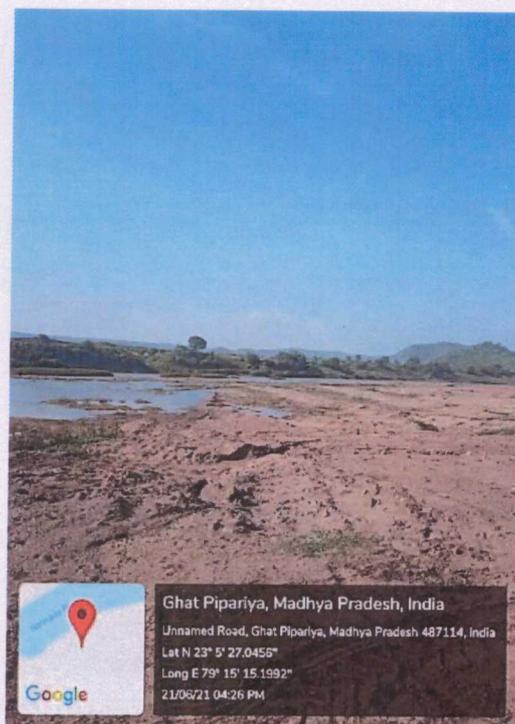
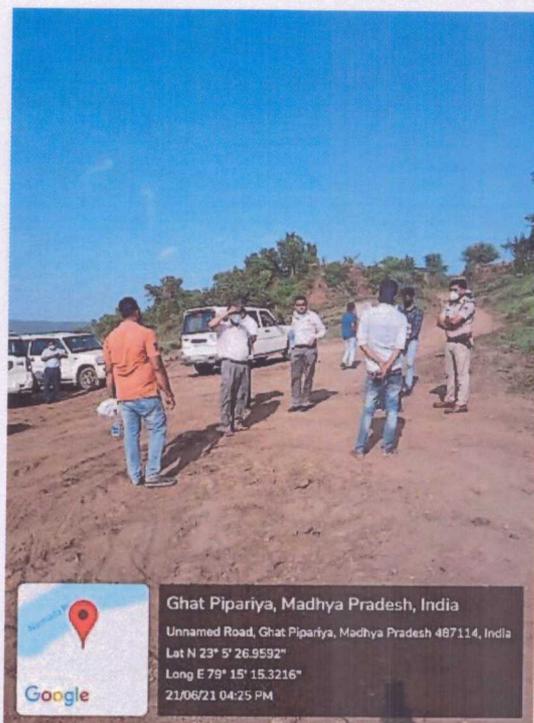
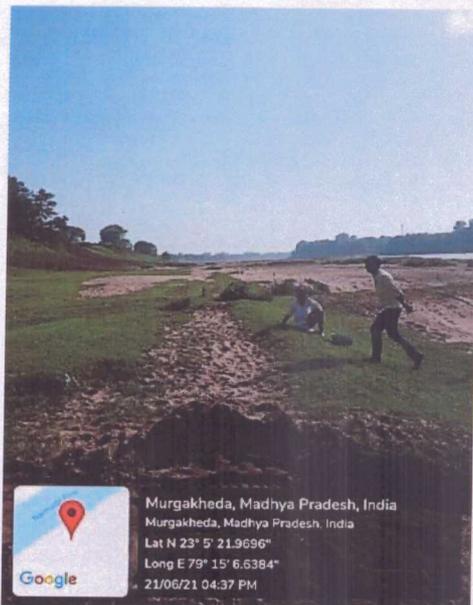
**ORDER**

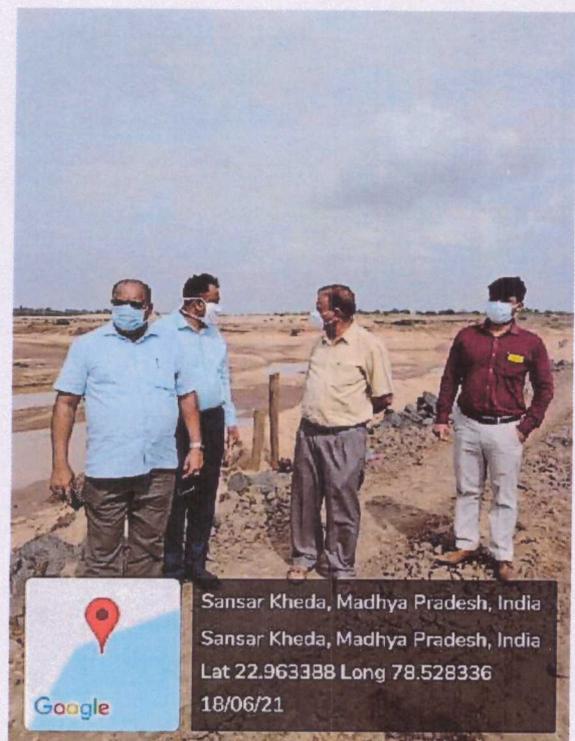
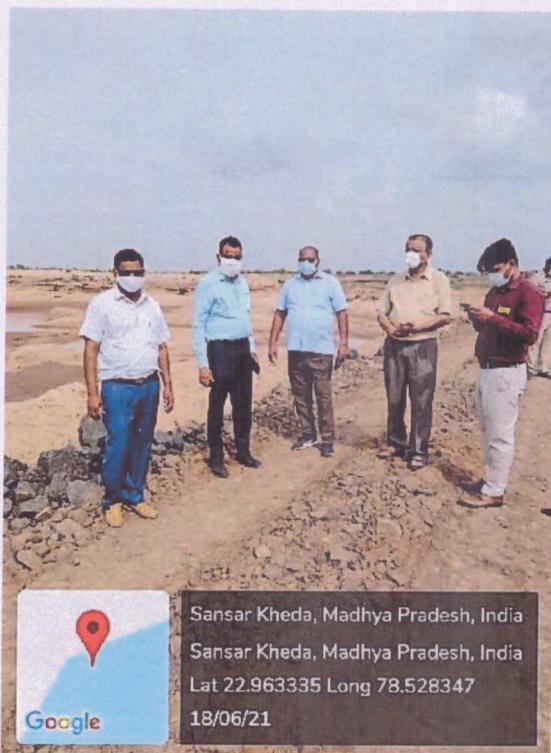
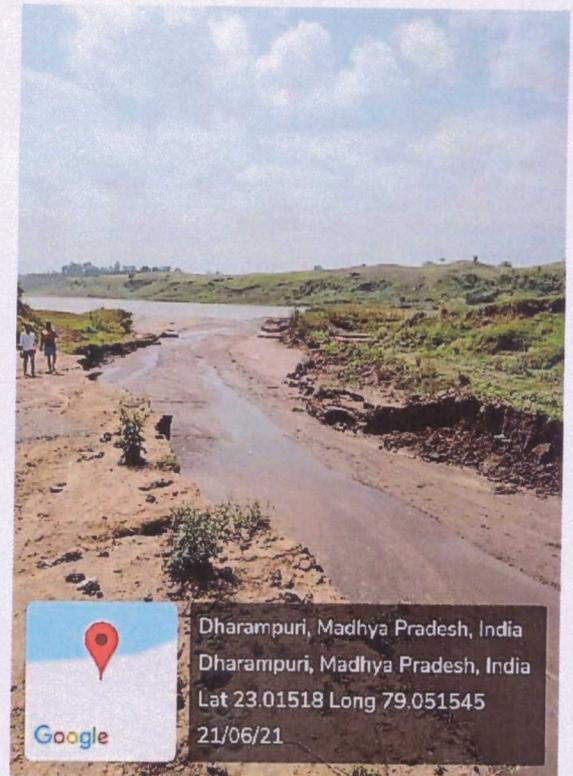
1. The issue raised in this Original Application is illegal sand mining in the basin of holy river Narmada, Dudhi & Sitareva in District Narsinghpur MP, as a result, indiscriminate and rampant illegal sand mining is going on by Respondent no. 7 with uses of heavy machineries like pochain machine, earth mover machine and other heavy machineries in sand mines in District Narsinghpur MP.
2. A substantial issue of environment has been raised.
3. Issue notice to the respondents. Returnable within four weeks.
4. Service of notices, summons and pleadings etc. have not been possible during the period of COVID because this involves visits to post offices, courier companies or physical delivery of notices, summons and pleadings. We, therefore, consider it appropriate to direct that such services of all the above may be effected by e-mail, FAX, commonly used instant messaging services, such as WhatsApp, Telegram, Signal etc. However, if a party intends to effect service by means of said instant messaging services, we direct that in addition thereto, the party must

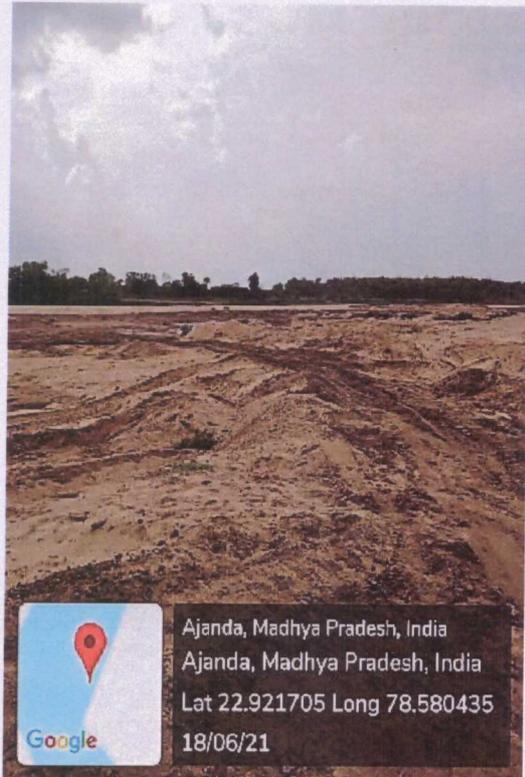
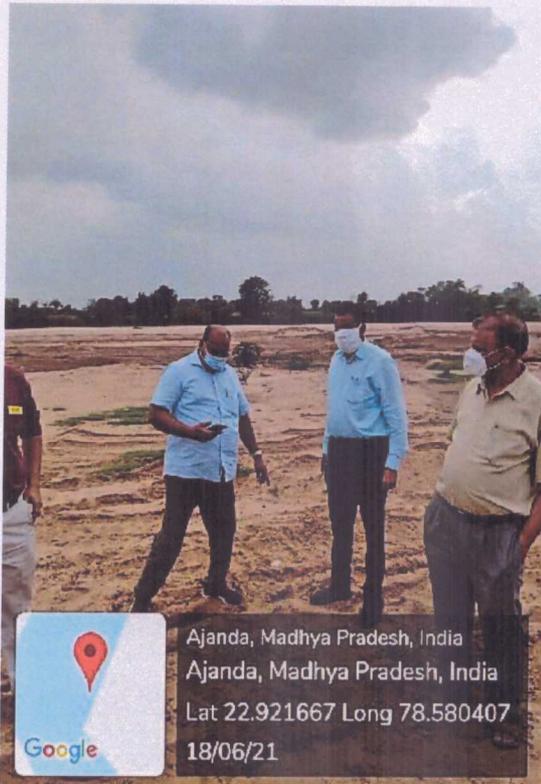
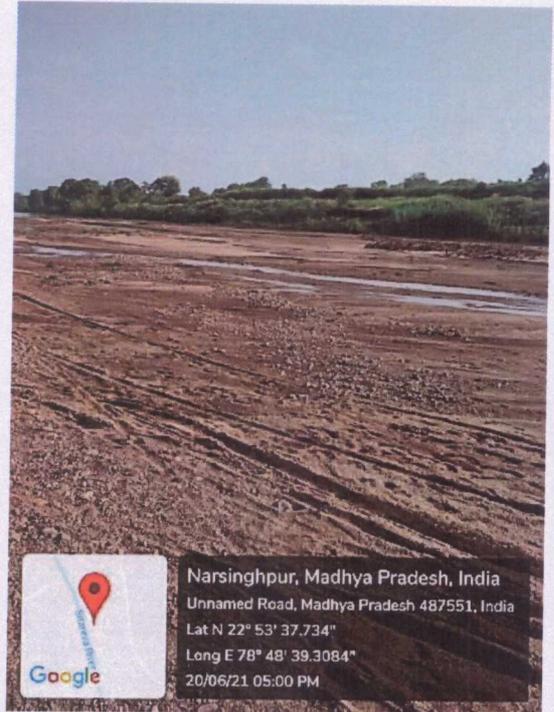
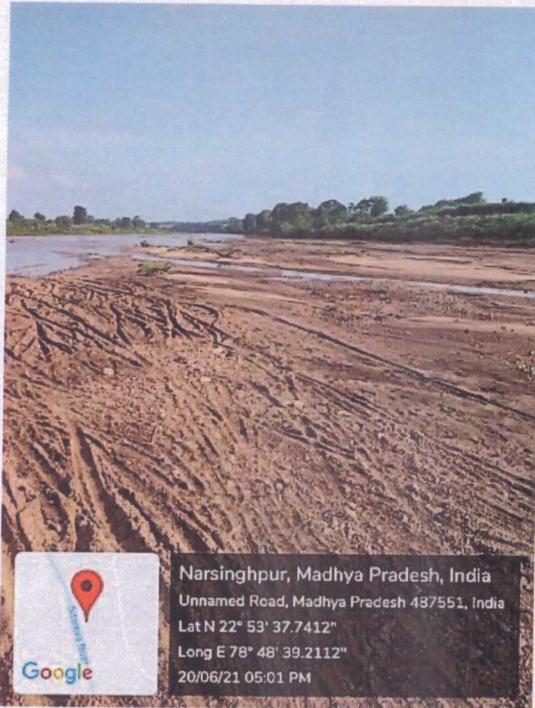
- also affect service of the same document/documents by e-mail, simultaneously on the same date".
5. The applicant is directed to provide the mobile Whats App no. and email address of all the respondents, if possible and applicants and respondents are directed that at the time of filing the application or reply, the party concerned has to provide Whats App no. and email I.D. so that the summons and notices may be served immediately for compliance and for further disposal and proceeding of the case.
  6. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
  7. Respondents are directed to submit their reply within six weeks by email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
  8. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-
    - (i) The Collector, District Narsinghpur.
    - (ii) District Mining Officer , Mining Office, Narsinghpur.
    - (iii) Madhya Pradesh Pollution Control Board or its representative.
  9. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support
  10. The report in the matter be filed by the Committee by email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
  11. Applicant is directed to supply the required documents and copy of the application to the Committee within a week.
  12. List it on **31<sup>st</sup> August, 2021.**

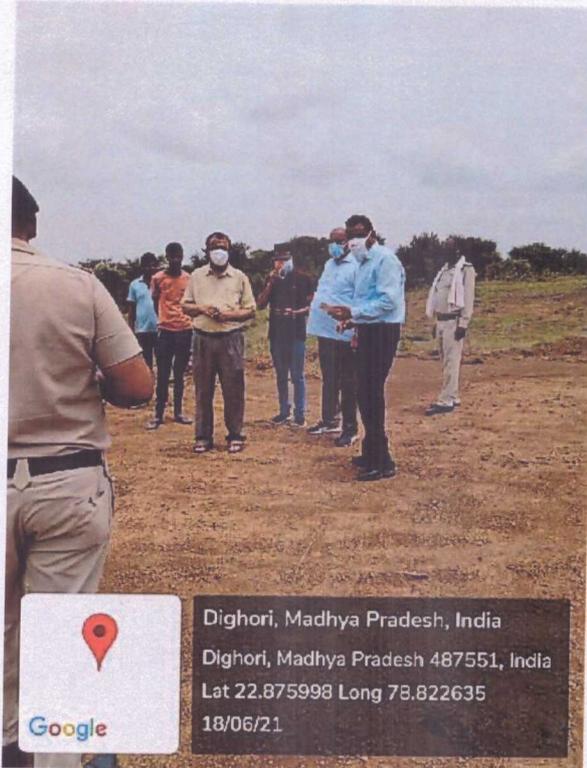
Sheo Kumar Singh, JM

Arun Kumar Verma, EM





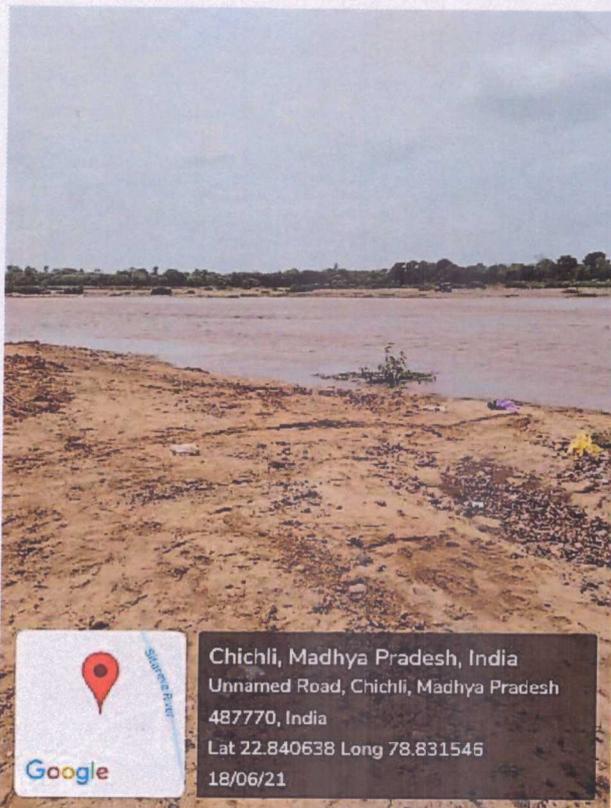





 Dighori, Madhya Pradesh, India  
 Dighori, Madhya Pradesh 487551, India  
 Lat 22.875998 Long 78.822635  
 18/06/21




 Dighori, Madhya Pradesh, India  
 Unnamed Road, Dighori, Madhya Pradesh  
 487551, India  
 Lat 22.870384 Long 78.822834  
 18/06/21




 Chichli, Madhya Pradesh, India  
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 18/06/21




 Chichli, Madhya Pradesh, India  
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