

# **Joint Committee Report**

**In**

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

**Order dated 29/10/2021 in O.A. 78/2021 (CZ)**

**In the matter of**

**Rajesh Kumar Singh**

**Vs**

**Union of India & Ors.**

## **Committee members**

- i. Shri P.K. Sengupta SDM Tehsil- Jabalpur Dist-Jabalpur
- ii. Shri Anurag Singh SDM Tehsil- Shapura Dist-Jabalpur
- iii. Shri Alok Kumar Jain, Regional Officer, M. P. Pollution Control Board,  
Jabalpur
- iv. Shri Devendra Patle, Mining Inspector District Mining Office Jabalpur Dist-  
Jabalpur

**Joint Committee Report in compliance of the Hon'ble National Green Tribunal Principal Bench order dated 29/10/2021 in Original Application No. 78/2021 (CZ) (Rajesh Kumar Singh Vs Union of India & others)**

Hon'ble National Green Tribunal, Principal Bench vide its order dated 29/10/2021 in O.A. 78 of 2021 (CZ) directed as:

*“ Issue raised in this application are illegal mining, loading and storage of sand by some private contractors and sand mafias by deploying heavy machines for sand mining from the sanctioned quarries in the river Narmada causing environmental and ecological imbalance in violation of Madhya Pradesh sand (Mining, Transportation, storage and trading) Rules 2019*

*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, Jabalpur*
- 2- Madhya Pradesh Pollution Control Board or its representative.”*

Copy of the Hon'ble Tribunal order dated 29/10/2021 is enclosed as **Annexure-I**.

In compliance of the Hon'ble Tribunal order, collector Jabalpur has constituted a committee of following officers to submit an independent report :-

- 1- Shri P.K. Sengupta SDM Tehsil- Jabalpur Dist-Jabalpur
- 2- Shri Anurag Singh SDM Tehsil- Shapura Dist-Jabalpur
- 3- Shri Alok Kumar Jain, Regional Officer MPPCB, Jabalpur
- 4- Shri Devendra Patle, Mining Inspector District Mining Office Jabalpur

Following officer also present during inspection:-

- 1- Shri Kartavya Agrawal, Nayab Tahsildar Chargaawa Jabalpur
- 2- Shri G.S. Chandel, Manager, State Mining Corporation Jabalpur
- 3- Shri Rajkumar Jain, Jr, Scientist MPPCB Jabalpur

As per claims made by applicant in the petition regarding the illegal Mining & use of heavy machineries along with photographs it is stated that all the photographs and claims made by applicant does not exist in Jabalpur district. However some Sand Mine located at Narmada River Inspected by committee in compliance of NGT order dated 29/10/2021.

M/s Aaradhya Logistic Solution Pvt. Ltd., 1967 Right Town Jabalpur Distirct- Jabalpur was awarded Jabalpur district contract for sand mining as per the Madhya Pradesh Sand Mining Policy, 2019 in the year 2020 as per the tendering process.

The Joint committee has visited the Sand Mines dated 30/11/2021 located at River Narmada. The committee first visit the sand mine at Village-Sagda Jhapni located at Khasra No. 1/1 Area 2.023 Hect & Village-Saliwada located at Khasra No. 464 Area 4.0 Hect to verify the claims made by the applicant in the petition regarding the illegal Mining & use of heavy machineries. The day of inspection mine was found closed and no heavy machineries such as poclain, or any other heavy machinery were being used.

**The Current Status of 09 Sand Mines located at River Narmada is as follows :-**

Sl. No.	Name of the mines	Quantity CTO (M <sup>3</sup> )	Quantity EC (M <sup>3</sup> )	Consent Validity	Status during field visit
1	<b>Dhartikachhar Sand Mine</b> Khasra No. 01 Area 4.0 Hect	40000	40000	25/10/2021	Not in operation
2	<b>Belkhedi Sand Mine</b> Khasra No. 339, Area 13.450 Hect	60000	60000	31/01/2022	Not in operation
3	<b>Dharampura Sand Mine</b> Khasra No. 415 , Area 3.0 Hect	45000	45000	31/08/2022	Not in operation
4	<b>Kushali Sand Mine</b> Khasra No. 481 Area- 10.890 Hect	42862	42862	31/05/2022	Not in operation
5	<b>Malkachar Sand Mine</b> Khasra No. 152 Area -2.0 Hect	57000	57000	31/05/2022	Not in operation
6	<b>Neemkheda Sand Mine</b> Khasra No. 326 Area- 22.070 Hect	60000	60000	30/04/2022	Not in operation
7	<b>New Chargawa Sand Mine</b> Khasra No. 414 Area 22.070 Hect	25000	25000	31/05/2022	Not in operation

8	<b>Sagda Jhapni Sand Mine</b> Khasra No. 1/1 Area 2.023 Hect	23000	23000	31/05/2022	Not in operation
9	<b>Saliwada Sand Mine</b> Khasra No. 464 Area 4.0 Hect	60000	60000	31/05/2022	Not in operation

### **A brief on the mining lease in River Narmada**

M/s Aaradhya Logistic Solution Pvt. Ltd., 1967 Right Town Jabalpur Distirct- Jabalpur was awarded Jabalpur 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 16 mining leases is allotted out of 16 sand mine 09 sand mine located at River Narmada, remanding sand mine is located at River Hiran.

### **Field observations of the committee**

- 1- M/s Aaradhya Logistic Solution Pvt. Ltd. has granted EC at river Narmada out of 16 Sand Mine for manual operation.
- 2- The Joint committee has visited the Sand Mines dated 30/11/2021 located at River Narmada. The committee first visit the sand mine at Village-Sagda Jhapni located at Khasra No. 1/1 Area 2.023 Hect & Village-Saliwada located at Khasra No. 464 Area 4.0 Hect to verify the claims made by the applicant in the petition regarding the illegal Mining & use of heavy machineries. The day of inspection mine was found closed and no heavy machineries such as poclain, or any other heavy machinery were being used.
- 3- The Joint committee has visited the Sand Mines dated 04/12/2021 located at River Narmada. The committee first visit the sand mine at Village-Dhartikachar located at Khasra No. 01 Area 4.0 Hect & Village-Neemkheda located at Khasra No. 326 Area 22.070 Hect to verify the



claims made by the applicant in the petition regarding the illegal Mining & use of heavy machineries. The day of inspection mine was found closed and no heavy machineries such as poclain, or any other heavy machinery were being used.

- 4- The committee has also visited the sand mine located at River Narmada Bhadpura Khasra No. Area 13.240. The mine has not granted EC and Consent for the same. During inspection mine was found not in operation.
- 5- On the day of field visit i.e. 06/12/2021, the sand mine Belkhedi located at Khasra No. 339 Area 13.450 Hect, Village-Kushli KhasraNo. 481 Area 10.890 Hect & Village-New chargawa Khasra No. 414 Area 13.730 Hect of Narmada river. The day of inspection mines was found closed and no heavy machineries such as poclain, or any other heavy machinery were being used.
- 6- No illegal pathway was found during the field visit in above sand mines.
- 7- The Plantation on the river bank was found poor for protection from soil erosion.
- 8- During inspection mining in two meter depth was observed in the village Sagda Jhapni and Saliwada Sand Mine. However it was not possible to committee to comments whether mine was done illegally are by the contractor.
- 9- The demarcation mining lease area was done in some places by the stone ports (Munare)
- 10-The photographs taken during the field visit are enclosed as **Annexure-II**

The Mining Department has filed 04 Cases for illegal mining, 20 Cases for illegal stock and 149 cases for illegal transportation from the river Narmada during 2020-21 against the accused. There is no case reported against M/s Aaradhya Logistic Solution Pvt. Ltd for illegal mining. The copy of Mining Department letter in this regards is 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
- vi. As per claims made by applicant in the petition regarding the illegal Mining & use of heavy machineries along with photographs it is clear that the photographs & claims made by applicant which is mainly involved other than Jabalpur district. However some Sand Mine located at Narmada River Inspected by committee in compliance of NGT order dated 29/10/2021



**(P.K Tiwari)**  
Mining Officer  
District Mining office  
Jabalpur



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



**(P.K.Sengupta)**  
Sub Divisional Magistrate  
Jabalpur Dist-Jabalpur



**(Anurag Singh)**  
Sub Divisional Magistrate  
Shapura Dist-Jabalpur

Item No. 01

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

**Original Application No. 78/2021(CZ)**

Rajesh Kumar Singh

Applicant (s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: **29.10.2021**

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

For Applicant(s):

Mr. Sanjay Upadhyay, Adv

Mr. Amit Sahni, Adv

Mr. Vibhav Mishra Adv

For Respondent(s):

None

**ORDER**

1. Issues raised in this application are illegal mining, loading and storage of sand by some private contractors and sand mafias by deploying heavy machines for sand mining from the sanctioned quarries in the river Narmada causing environmental and ecological imbalance in violation of Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rules, 2019.
2. Issue notice to the respondents. Returnable within six weeks.
3. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
4. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. 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) Collector, Jabalpur

(ii) One Representative of State Pollution Control Board, Bhopal  
(M.P.)

6. 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. The Committee is further directed that in case there are illegal mining or mining in violation of environment rules and conditions is found, the Committee has to take necessary legal and remedial action as per rules.
7. The report in the matter be filed by the Committee through 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. Applicant is directed to supply the required documents and copy of the application to the committee and respondents within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served on the committee and respondents.

**List it on 12<sup>th</sup> January, 2022.**

**Sheo Kumar Singh, JM**

**Arun Kumar Verma, EM**

October, 29<sup>th</sup> 2021  
O.A. No. 78/2021(CZ)  
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# Photographs Taken During Inspection Hon'ble NGT Order dated 29/10/2021 in O.A. 78/2021 (CZ)

## 1-Aaradhya Logistic Solution Pvt. Ltd. (Sagda Jhapni Sand Mine)



## 2-Aaradhya Logistic Solution Pvt. Ltd. (Saliwada Sand Mine)



### 3-Aaradhya Logistic Solution Pvt. Ltd. (Dhartikachar Sand Mine)



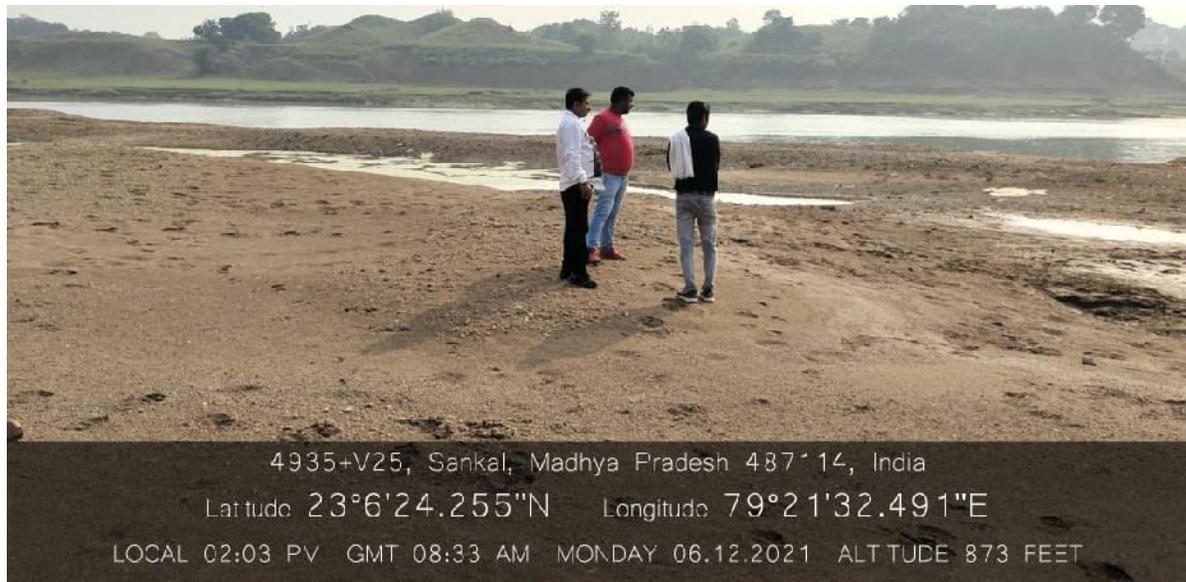
### 4-Aaradhya Logistic Solution Pvt. Ltd. (Neemkheda Sand Mine)



## 5-Aaradhya Logistic Solution Pvt. Ltd. (Bhadpura Sand Mine)



## 5-Aaradhya Logistic Solution Pvt. Ltd. (Belkhedi Sand Mine)



## कार्यालय कलेक्टर (खनिज शाखा) जबलपुर (म.प्र.)

क्रमांक 3412 / खनिज / 2021

जबलपुर, दिनांक 10/12/2021

प्रति,

क्षेत्रीय अधिकारी  
म.प्र. प्रदूषण नियंत्रण बोर्ड  
विजय नगर, जिला- जबलपुर (म.प्र.)

**विशय:-** जिला- जबलपुर में नर्मदा नदी एवं आसपास हुये अवैध उत्खनन/भण्डारण एवं परिवहन की जानकारी बावत्।

**संदर्भ-** माननीय राष्ट्रीय हरित अधिग्रहण में प्रचलित प्रकरण क्र. ओ-ए 78/2021 श्री राजेश कुमार सिंह विरुद्ध यूनियन ऑफ इण्डिया एवं अन्य।

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उपरोक्त विषयांतर्गत जिला जबलपुर में अवैध उत्खनन/भण्डारण एवं परिवहन के निम्नानुसार प्रकरण दर्ज किये गये हैं :-

अवैध उत्खनन	04
अवैध भण्डारण	20
अवैध परिवहन	149

अतः चाही गई जानकारी अग्रिम कार्यवाही हेतु प्रेषित है।

  
खनि अधिकारी  
जिला-जबलपुर (म.प्र.)