

BRIEF NOTE

***[RIZWAN v STATE OF JHARKHAND, OA NO. 177/2025, EZ]
[Prayers @41]***

RELEVANT DATES

DATE	PARTICULARS
13.10.2022	Work Order dt 13.10.2022 issued by Director, Mining & Geology, Godda for engaging M/s Sathi Planners Pvt. Ltd for preparation of DSR <i>[@, 665-667]</i>
21.11.2022	DSR prepared by the Consultant was sent for publication on District Website <i>[@610, 669]</i> . DSR also sent to Member Secretary, SEIAA by Deputy Commissioner. <i>[@670]</i>
21.11.2022	Deputy Commissioner, Godda formed Sub-Divisional Committee for District Godda. <i>[@609,668]</i>
03.02.2023	Deputy Commissioner, Godda forwarded final DSR prepared by SDC to SEIAA. <i>[@617, 680]</i>
04.02.2023	DSR approved by SDC after physical verification <i>[@617]</i>
20.02.2023	Shortcomings highlighted in by SEAC. <i>[@618]</i>
17.03.2025	DSR again sent to SEIAA by Deputy Commissioner <i>[@619, 683]</i>
21.03.2025	SEAC recommended DSR for approval after the presentation by the consultant along with 12 other DSRs. <i>[@619]</i>
01.04.2025	SEIAA approved the DSR for Dist Godda along with 12 other DSRs. <i>[@620]</i>
29.08.2025	SEIAA vide letter dt 29.08.2025 to Sec Mines & Geology highlighting the importance and need of conducting Replenishment Study before future auctions/ <i>[@625, 694]</i>
02.09.2025	Impugned NIT issued for auctioning the entire mineable quantity mentioned in the DSR, without conducting a Replenishment study.
15.09.2025	The present OA was filed
03.10.2025	Work Order issued to conduct Replenishment Study <i>[@625, 701]</i>

I. CHALLENGE TO DSR, GODDA**A. DSR PREPARED BY A NABET ACCREDITED CONSULTANT AND NOT BY THE SUB-DIVISIONAL COMMITTEE IN VIOLATION OF STATE OF BIHAR V. PAWAN KUMAR**

- Impugned DSR *[@333-541]* is prepared by NABET accredited consultant i.e. Sathi Planners Private Limited, and not by a Sub-Divisional Committee [SDC], and the same is Evident from the Certificate of the said Consultant *[@342]*, and the proceedings before the SEAC/SEIAA. *[@283]*.
- SC in *Pawan Kumar, (2022) 2 SCC 348* *[@230-236]* directed that a DSR has to be prepared by a Sub-Divisional Committee by strictly adhering to the Sand Mining Guidelines 2020 *[Para 16.2 @236]*.
Note: The Hon'ble SC in Para 15 *[@235]* consciously modified the direction passed by NGT permitting the DSR to be prepared by a NABET appointed consultant, and specifically directed that the same be prepared by the Sub-Divisional Committee.
- The Director, Geology & Mining, Jharkhand issued a Word Order dated 13.10.2022 *[@665]* in favour of M/s Sathi Planner Pvt. Ltd for preparation of the DSR. The draft DSR prepared by the Consultant was put up for Public Objection/ hearing on 21.11.2022. On the same date i.e. 21.11.2022, the Sub-Divisional Committee was formed. Thus, Public hearing was held on the DSR prepared and submitted by the Consultant only, without the SDC reviewing the same. *[@ 610]*
- SC in *LIC v. Escorts, 1986 (1) SCC 264* held that an Authority who is directed to perform certain functions and obligations cannot divest itself and delegate such functions to some other authority/ persons. Ergo, the subsequent vetting of the DSR prepared initially by the Consultant would not cure such substantive defect wherein the DSR has to be 'Prepared' by the SDC.
- Impugned DSR violates two cardinal and established principles of law (a) 'where a power is given to do a certain thing in a certain way the thing must be done in that way or not at all' and (b) 'what cannot be done directly can also not be done indirectly'.

REPLY BY DM

- Reference to Jharkhand Sand Mining Rules, 2025 whereby S. 2(o) stated that the DSR shall be '*prepared by the committee constituted as per the judgment of the Hon'ble Supreme Court*' [687]
- Admitted that the DSR has been prepared by the NABET accredited agency, whereinafter the DSR was verified by the Sub-Divisional Committee. [620].
- The SEIAA, Jharkhand had raised 24 objections regarding the DSR which were rectified by the consultant M/s Sathi Planners Pvt. Ltd. [letter dt. 2.02.2023 @ 681]

B. IMPUGNED DSR IS IN VIOLATION OF SSMG, 2016 AND EMGSM, 2020

- SEAC/SEIAA failed to even refer to the SSMG, 2016 [70-133] and EMGSM, 2020 [147-229] which are mandatorily required to be followed while preparing a DSR as per the decision of the SC in *Pawan Kumar and Gaurav Kumar*. SC in *Pawan Kumar* directed "*strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed.*" [236]

S NO.	EMGSM, 2020	VIOLATION	REPLY OF DM
1.	4.1.1(b) requires a detailed River survey/ audit to identify the source of River bed material. [162]	No such River survey/ Audit has been done determining inventory of <u>all</u> the mineral available in the District. Only Mining lease areas have been identified and total stretch of the River has been mentioned. [462]	For compliance Annexure- 1 has been recorded in approved DSR for Godda District (page 126 of approved DSR.) [633] [Refer: Pg 461 (i.e. Pg.126 of DSR)]
2.	4.1.1 (e), 4.3 (r) & (m) requires a survey of entire river bed identifying 3/4 th of the River or 7.5 m which is to be identified on a map and the remaining 1/4 th to be kept as 'No Mining Zone'. [163, 170-171]	The entire River bed has been included in the DSR for mining without leaving the 1/4 th area/ 7.5 m. (Refer to Satellite images enclosed with the DSR @474-485)	Detailed Survey for capturing OGL has been done using UAV/DGPS. Area of deposition has been identified accordingly. All Sand ghat boundaries has been fixed after leaving the 1/4 th of the River width for bank's safety (It is evident from interpretation of any map enclosed in DR using legend in bottom left side that Tonnage factor of sand has been calculated by analyzing sand samples from NABL accredited laboratory [633-634])
3.	4.1.1 (f) requires erection of permanent boundary pillars after identification of an area of aggradation and deposition. [164]	Admittedly no such boundary pillars have been erected as is evident from DSR itself. [346]	It is mention in the approved DSR page 12 that Boundary pillars <u>will be</u> fixed while fixation of the mining lease boundary subsequent to district level verification. [635]
4.	4.3 (f) states that Sand and gravel shall not be allowed to be extracted where erosion may occur, such as at the concave bank. [169]	Concave bank have been included with the Mining leases areas in the DSR.	This objection was also raised by SEAC, Jharkhand in its 99 th meeting proceeding and the same has been complied with. [635] [Refer: Pg 671-675- 99 th MOM]
5.	4.3 (r) requires that the area for removal of minerals shall not exceed 60% of the mine lease area. [171]	The Entire Volume of Sand Deposit as recorded in the DSR [401] calculated for the entire Mining lease Area has been Auctioned vide the NIT dt. 2.09.2025 without restricting the same to 60% as mandated under Clause 4.3 (r). Note: The DSR [352] itself notes the requirement under Cl 4.3 (r) regarding the 60% rule, but fails to	The SEAC vide MOM dt. 21.03.2023 @ SEIAA vide letter dt. 2.04.23 [Cl. 14 @284/333] while approving the DSR directed that ' <i>mining is restricted to 3/4th of the River width and 60% of the Mineable reserve</i> '

		follow the same.	
7.	4.0, 4.1, 5.0, 5.1 requires the excavation to be restricted to the Replenishment rate of the river.	The approved Mineable quantities under the DSR are more than the Replenished rate of mineral as per the DSR/Replenishment Study, 2022. <i>(Comparative Table @17-18)</i> Note: The DSR [<i>@350-351</i>] itself notes that the removal of sand would depend on the width and Replenishment rate of the River. The Reliance placed on Cl. 21 (iv) of the NIT is misplaced, in as much as, it refers to the Quantity permitted in the EC, whereas the Replenished Rate is determined by the actual surveys and Study conducted each year.	No actual mining permission has been granted. Rule 6(V) of Jharkhand Sand Mining Rules 2025 [<i>@689</i>] mentions annual mining sand quantity of District Survey Report is for auction purpose and no actual mining will be undertaken as per Initially Annual Mineral Concessional Value. As further clarified in Clause 21(iv) [<i>@549</i>] of the NIT, the permissible mining quantity shall be limited to whichever is lesser among the quantities approved under the Mining Plan, Environmental Clearance, and NOC under the Air and Water Act. [<i>@636</i>]
8.	9.3 requires Districts/ States where the River is the District/State boundary, the draft DSR to be put up for public consultation in both districts and a combined Task force is to be constituted. [<i>@196-197</i>]	The Gerua River comprises of the State boundary between District Godda, Jharkhand and District Banka, Bihar. Thus, the Impugned DSR ought to have put up for Public comments in District Banka, however the same is not complied with. The Reply of the DM in Para 15(l) states that ‘the question of conducting public hearing in the adjoining district of Banka, Bihar does not arise, as jurisdiction lies exclusively within Jharkhand’. [<i>@655</i>]	As per point no 17 of DSR approval letter of SEIAA, Jharkhand it mentions – “An undertaking with reference to Point No 9.3 of the EMGSM Guidelines 2020 regarding monitoring of mining near inter-district or inter-state boundary has been provided.” Further the DSR has been kept in public domain for one month after publication of advertisement in local newspaper. (Page 125 of the DSR) [<i>@637</i>]

14/16 MINING LEASES BELOW 5 HA – ENDEAVOUR TO EVADE EIA/EMP/PH

- The Hon’ble SC in **Deepak Kumar** [*@45-57*] approved the recommendations of the MOEF Committee stating that the minimum size of a Mining lease for a Sand Ghat ought to be more than 5Ha [*@57*]. This was duly incorporated in the SSMG, 2016. 14 out of 16 Mining leases proposed in the DSR are for Areas less than 5ha - done with the sole endeavour to evade an EIA study/ EMP plan and Public consultation.

C. DSRs APPROVED BY THE SEAC/SEIAA, JHARKHAND IN A HURRIED, CASUAL, ARBITRARY & PERFUNCTORY MANNER

- Refer to **BDA v Sudhakar**, (2020) 15 SCC 63 – Scope of powers of EAC/SEAC – decision must be based on reasons and the authority must behave as an Expert. [*Extracted @36-37*]
- Impugned DSR approved vide SEAC MOM dt. 21.03.2025 [*@283-284*] & SEIAA MOM dt. 01.04.2025 [*@321*] along with 11 and 11 other DSRs respectively on the same day.
- Same conditions imposed while recommending/approving all other DSR’s by adopting a ‘cut copy paste’ exercise:

AUTHORITY	DATE OF MEETING	NO. OF DSR’S APPROVED	AUTHORITY	DATE OF MEETING	NO. OF DSR’S APPROVED
SEAC	21March 2023 [<i>@283-301</i>]	12	SEIAA	1-2 nd April 2023 [<i>@321-325</i>]	12

D. MINING LEASE AREAS APPROVED IN THE DSR INCLUDE THE ENTIRE RIVER CHANNEL/ RIVER AREA (WHOLLY/ PARTLY SUBMERGED) – PER SE ILLEGAL

- i. This Hon'ble Tribunal in *Medha Patkar v. State of MP* vide Judg dt. 30.05.2017 held that - '*no river sand mining can be carried out in any area notwithstanding the same being part of the leased area in case it is 'submerged', or lies within the submerged area*'. [Para 18 @144]
- ii. The Hon'ble Apex Court in *Deepak Kumar v. State of Haryana*, 2012 (4) SCC 629 [Para 9,10,25 @ 48 & 56] has reflected on the serious environmental impact of instream mining which *interalia* leads to (a) Direct impact on the stream's physical characteristic including bed elevation, velocity, turbidity, stability etc... (b) Degradation of rivers (c) Bank erosion (d) Destruction of Aquatic and riparian Environment.
- iii. A perusal of the Images enclosed with the DSR itself reveals that most of the Mining lease Areas are wholly or substantially submerged under water and includes the entire River channel/ River Area which is *per se* illegal and impermissible. [Refer @ 479,483,484]
- iv. The Applicant submits that the principal reason that Submerged Water Areas (including entire River bed) is taken within the total Mining area is to maximize revenue and to circumvent Clause 4.3(r) of the EMGSM, 2020 [171] whereby only 60% of the minerals in the Mining lease area is permitted to be extracted. Ergo, by including the submerged water areas, the total mining area is being artificially increased to thereby permit more than 60% of the total minable reserves which is other-wise prohibited.

Further, by permitting Mining within the River channel/ submerged water area, the DSR is violative of Clause 4.3 (m) of the EMGSM, 2020 which states that the '*distance form the Bank should be 1/4th or river width and should not be less than 7.5 meters*'.

REPLY BY DM

Sand Ghats are located in dry river beds and are not submerged. No mining will be carried out in any submerged area. No submerged or prohibited area has been demarcated for extraction [653]

II. CHALLENGE TO THE E-AUCTION NOTICE DATED 2.09.2025

A. 8 OUT OF 16 MINING LEASE SOUGHT TO BE AUCTIONED HAVE NOT BEEN GRANTED NOC BY THE FOREST DEPARTMENT

- All the Mining leases in the DSR and the Impugned Auction Notice [559] have not been granted NOC from the Forest Department (Divisional Forest Officer, Godda Forest Division) which is evident from the letter dated 7.01.2023 whereby 13 Mining areas in total, which include 8 out of the 16 Mining lease Areas mentioned in the NIT have been given the Forest NOC. [456]. [Details - Table @14-15]
- The DM in Reply states that Mining will commence only after forest NOC [658]. Thus, the fact that forest NOC has not been obtained in respect of 8 out of the 16 Mining lease areas included in the DSR and sought to be Auctioned is not denied.

B. AUCTION NOTICE ISSUED WITHOUT CONDUCTING REPLENISHMENT STUDY IN 2024

- The Impugned NIT [542-560] issued without conducting any Replenishment Study in the year 2024 or 2025 as required under the MOEF Sand Mining Guidelines, 2016 & 2020, and the quantities Auctioned are ostensibly on the basis of the Impugned DSR which was admittedly based on Replenishment studies conducted in the year 2022 i.e. three years ago [422]. The Estimated quantities are not based on any latest Replenishment study.
- This Hon'ble Tribunal in *Raj Kumar v. State of UP*, OA No. 140 of 2021 held that replenishment studies ought to be conducted prior to auctions in future and no mining will be permitted till replenishment studies are completed. [244].
- The Impugned DSR [402] along with the letter dt. 29.08.2025 by the SEIAA, Jharkhand require that future auctions ought to be conducted based on the Replenishment study.
- In absence of Replenishment Studies, the Mining Department has no basis to calculate the quantity of sand available in the Mining lease area. Furthermore, without knowing the actual mineable reserves, it would be impossible to check illegal, excessive mining, if any or Auction the Mining lease areas.

REPLY OF DM

The Replenishment study was initiated on 13.10.2025 and is underway and Mining operations will be in terms of the Replenishment study. [645,647].

C. IMPUGNED AUCTION NOTICE CONTRARY TO THE REPLENISHMENT STUDY, 2022 – PERMITS MINING ABOVE THE REPLENISHED RATE & OF THE TOTAL AVAILABLE QUANTITY

• Mining only permitted upto the Replenished Rate

- Under the SSMG, 2016 & EMGSM, 2020 only the replenished quantity is permitted to be excavated - serious and direct adverse impact on the River. *[extracted@16-17]*
- Deepak Kumar (SC) *[Para 9,11 & 26]* – ill effect of excessive River bed mining. *[@48-49, 57]*
- Anuj Singh *[Para 26 (IV)]* – Auction to be in terms of the Replenishment study/ Replenished Rate. *[@282]*
- Balbir Sandhu – quantity to be mined should not exceed the quantity under replenishment study. *[extracted@18]*
- Gaurav Kumar (SC) – Mining to be as per Replenished Rate
- Raja Muzaffar Bhat (SC) - Replenishment studies are mandatory before conducting River mining operations, and absence of such study is detrimental to the Environment.

TABLE – MINEABLE QUANTITY AS PER DSR/ AUCTION NOTICE V. REPLENISHED RATE

S. No.	SAND GHATS(S)	AREA (HA)	MINEABLE QUANTITY AS PER THE NIT (M ³)	REPLENISHED QUANTITY AS PER DSR (M ³)	S. No.	SAND GHATS(S)	AREA (HA)	MINEABLE QUANTITY AS PER THE NIT (M ³)	REPLENISHED QUANTITY AS PER DSR (M ³)
1.	Raha	1.97	19,700	13,790	9.	Asarimadhuri Teliyatikar	11.29	90,355	33,883
2.	Deshbarang	0.93	9,261	7,409	10.	Dhodhari	2.39	19,146	9,573
3.	Chakwa	3.52	17,592	7,037	11.	Dalpatpur	2.1	16,833	10,520
4.	Jasmata	3.03	60,681	33,375	12.	Amjora Surapaprw Machkhar	3.55	70,924	39,008
5.	Haripur	2.71	13,566	2,713	13.	Taratikar Pakariya Badgawn	1.06	5,309	2,123
6.	Ghat Jhiluwala	1.82	14,592	5,472	14.	Sanatan	3.98	31,837	15,937
7.	Lauamba Pasai	5.51	66,138	16,535	15.	Jasmata 2	1.82	12,726	5,454
8.	Pasai Gari	2.59	44,066	31,106	16.	Bade	2.37	23,652	16,556

**The Quantity Auctioned under the Impugned NIT is the entire Mineral Quantity available as per the DSR, without adherence to the direction of the SEAC/SEIAA and the DSR itself, whereby only 60% of the Mineral is permitted to be mined.*

REPLY OF DM

The DM accepts that the Mineable quantity ought to be restricted to the Replenished limit/ Rate as per the Judgment passed by the Hon'ble Supreme Court in *State of UP v. Gaurav Kumar*. No Mining has yet begun and the Replenishment study is underway. *[@660]*

The DM stated that the SEIAA, Jharkhand vide letter dated 29.08.2025 *[@694]* directed that Mining be restricted to 60% of the Replenished quantity and that future auctions be planned on the basis of the Replenishment rate of the River. *[@695]*

MINUTES OF THE 129TH MEETING OF STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, JHARKHAND HELD ON 10TH AND 11TH FEBRUARY, 2026.

The Member Secretary, SEIAA has convened 129th meeting of the State Level Environment Impact Assessment Authority (SEIAA) held on 10th & 11th February, 2026 in the office of SEIAA, Ranchi, Jharkhand. The attendance in the meeting is as follows:

1. Shri Kamlesh Pandey, Chairman, SEIAA, Jharkhand, Ranchi.
2. Smt. Smitha Pankaj, Member Secretary, SEIAA, Jharkhand, Ranchi.
3. Dr. Kirti Avishek, Member, SEIAA, Jharkhand, Ranchi.

The decisions taken in the 129th SEIAA meeting are as follows:-

1. The Assistant Registrar Hon'ble High Court of Jharkhand has communicated the order dated 16.01.2026 passed in W.P. (PIL) No. 3950 of 2024, Anand Kumar Vs The State of Jharkhand and Ors. to SEIAA vide letter no. 417 writ (P), dated 22.01.2026 for necessary compliance. After considering the order 16.01.2026 passed in W.P. (PIL) No. 3950 of 2024 of Hon'ble High Court of Jharkhand, SEIAA unanimously decided that order 16.01.2026 passed in W.P. (PIL) No. 3950 of 2024 Hon'ble High Court of Jharkhand be sent to SEAC, Jharkhand for necessary action and compliance.
2. In the light of order dated 16.01.2026 passed in W.P. (PIL) No. 3950 of 2024 passed by Hon'ble High Court of Jharkhand, SEIAA is of view that all new minor mineral proposals which are sent by SEAC, Jharkhand for grant of EC and ToR are returned back to SEAC for reconsideration of the proposals. SEIAA also decided that Member Secretary, SEIAA should seek clarification on order dated 16.01.2026 passed in W.P. (PIL) No. 3950 of 2024 passed by Hon'ble High Court of Jharkhand for disposal of pending cases of minor minerals appraised and recommended by SEAC, Jharkhand.
3. SEIAA considered the recommendations made by SEAC in its 129th meeting held on 17th, 18th, 19th, 20th and 21st January, 2026 for grant of Environmental Clearance to the following Building projects:
 1. Group Housing Project "Oak Aditya" of M/s Nisith Keshari Construction Pvt. Ltd. (Director : Shri Nisith Kumar Keshari), Village : Pandra, Thana no. : 149, Distt. : Ranchi, Jharkhand (Proposal no.: SIA/JH/INFRA2/565269 /2026).

SEAC has appraised the above project and made unanimous recommendations for grant of Environmental Clearance to above mentioned project proposal. The SEIAA, based on the recommendations of SEAC, unanimously decided to grant Environmental Clearance to the above mentioned project proposal with the conditions recommended by SEAC and alongwith the following specific conditions:





- XIX. **Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan), Village : Jasmata, Circle : Pathargama, Distt. : Godda, Jharkhand (1.82 Ha) (Proposal no.: SIA/JH/MIN/ 567110 /2026).**

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by SEIAA, Jharkhand vide letter no. : EC/SEIAA/2024-25/3156/2024/166, dated : 16.07.2024 in the favor of " Jasmata Sand Ghat - 2 of M/s Jharkhand State Mineral Development Corporation Limited (JSMDC Ltd.) at Village : Jasmata, Circle : Pathargama, Distt. : Godda, Jharkhand (1.82 Ha)" (Proposal No. : SIA/JH/MIN/483168/2024)".

The applicant vide online application no. SIA/JH/MIN/ 567110 /2026 has submitted that "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" has been selected successful bidders of "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)* at Khata No. : 02, Plot No. : 13 at Village : Jasmata, Circle : Pathargama, Distt. : Godda, Jharkhand (1.82 Ha)" under The Jharkhand Sand Mining Rules, 2025 and requested to transfer (transfer of ownership) of Environmental Clearance in favour of "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" for which he has submitted "No Objection Certificate" of M/s Jharkhand State Mineral Development Corporation Limited affirming that the Environmental Clearance will be transferred in favor of "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated 16.07.2024 shall be complied by "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" also undertaken that all the stipulated terms and conditions of EC letter no. : EC/SEIAA/2024-25/3156/2024/166, dated : 16.07.2024 shall be complied by him.

Jharkhand State Mineral Development Corporation Limited (JSMDC), Ranchi has also issued No Objection Certificate (NOC) vide Letter Number : 40, dated : 15.01.2026 in the favor of "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)* and further informed that the said Sand Ghat has been transferred to "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and LOI has been issued by District Mining Officer, Godda vide Letter No. : 795/M, Dated : 06.11.2025 in favor of "*Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*".

The District Mining Officer, Godda issued a production certificate vide Letter No. : 33/M, Dated : 20.01.2026 stating that only production and dispatch of 33000 cft sand has been done in year 2025-26 which is under permissible limit of Environmental Clearance.

The District Survey Report of Sand or River Bed Mining of Godda District has been prepared by Sub-Divisional Committee and submitted by Deputy Commissioner,

Godda and same has been Appraised and Approved by SEIAA and SEAC, Jharkhand in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of Bihar & Hon'ble NGT Order in OA No. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors. This project is also a part of Approved District Survey Report.

The PAs has also undertaken through affidavit that Sand Mining will be commenced as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020 regarding Replenishment study.

After the full deliberations, it was unanimously decided that Environmental Clearance issued vide letter no. : **EC/SEIAA/2024-25/3156/2024/166**, dated : **16.07.2024** is being transferred to **"Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** with the same terms and conditions under which prior Environmental Clearance was granted by SEIAA, Jharkhand for the same validity period subject to satisfactory compliance to all stipulated terms and conditions.

"Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)" is directed to obtain **Consent to Operate** from the State Pollution Control Board in the name of **"Jasmata Sand Ghat - II of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** In case any change is proposed in the Scope of the project, the Project Authority (PAs) shall obtain fresh **Environmental Clearance**. The other specific condition of this transfer of Environment Clearance is as follows:-

- i. Deputy Commissioner, Godda through District Mining Officer, Godda will ensure that **"Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA / SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less"** as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020.
- ii. Deputy Commissioner, Godda shall ensure that lease will be executed only after obtaining all approvals applicable at the time of operation including compliance with the **Jharkhand Panchayats (Extension to Scheduled Areas) Rules, 2025** and **Gram Sabha Consent**, wherever applicable.

XX. **Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)**, Village : Raha, Thana : Basantrai, Distt. : Godda, Jharkhand (1.97 Ha) (Proposal no.: SIA/JH/MIN/ 567107 /2026).

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by SEIAA, Jharkhand vide letter no. : **EC/SEIAA/2024-25/3232/2024/248**, dated : **07.09.2024** in the favor of **"Raha Sand Ghat of M/s Jharkhand State Mineral Development**



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Corporation Limited (JSMDC Ltd.) at Village : Raha, Circle : Godda, District : Godda, Jharkhand (1.97 Ha)" (Proposal No. : SIA/JH/MIN/486933/2024)".

The applicant vide online application no. SIA/JH/MIN/ 567107 /2026 has submitted that "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" has been selected successful bidders of "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)* at Khata No. : 129, Plot No. : 188, 187 & 468 at Village : Raha, Thana : Basantra, Distt. : Godda, Jharkhand (1.97 Ha)" under The Jharkhand Sand Mining Rules, 2025 and requested to transfer (transfer of ownership) of Environmental Clearance in favour of "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" for which he has submitted "No Objection Certificate" of M/s Jharkhand State Mineral Development Corporation Limited affirming that the Environmental Clearance will be transferred in favor of "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated 07.09.2024 shall be complied by "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" also undertaken that all the stipulated terms and conditions of EC letter no. : EC/SEIAA/2024-25/3232/2024/248, dated : 07.09.2024 shall be complied by him.

Jharkhand State Mineral Development Corporation Limited (JSMDC), Ranchi has also issued No Objection Certificate (NOC) vide Letter Number : 40, dated : 15.01.2026 in the favor of "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and further informed that the said Sand Ghat has been transferred to "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and LOI has been issued by District Mining Officer, Godda vide Letter No. : 795/M, Dated : 06.11.2025 in favor of "*Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*".

The District Mining Officer, Godda issued a production certificate vide Memo No. : 74/M, Dated : 07.02.2026 stating that no mining operation has been commenced of proposed sand ghat till date.

The District Survey Report of Sand or River Bed Mining of Godda District has been prepared by Sub-Divisional Committee and submitted by Deputy Commissioner, Godda and same has been Appraised and Approved by SEIAA and SEAC, Jharkhand in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of Bihar & Hon'ble NGT Order in OA No. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors. This project is also a part of Approved District Survey Report.

The PAs has also undertaken through affidavit that Sand Mining will be commenced as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020 regarding Replenishment study.



After the full deliberations, it was unanimously decided that Environmental Clearance issued vide letter no. : **EC/SEIAA/2024-25/3232/2024/248**, dated : **07.09.2024** is being transferred to **"Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** with the same terms and conditions under which prior Environmental Clearance was granted by SEIAA, Jharkhand for the same validity period subject to satisfactory compliance to all stipulated terms and conditions.

"Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)" is directed to obtain **Consent to Operate** from the State Pollution Control Board in the name of **"Raha Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** In case any change is proposed in the Scope of the project, the Project Authority (PAs) shall obtain fresh **Environmental Clearance**. The other specific condition of this transfer of Environment Clearance is as follows:-

- i. Deputy Commissioner, Godda through District Mining Officer, Godda will ensure that **"Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA / SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less"** as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020.
- ii. Deputy Commissioner, Godda shall ensure that lease will be executed only after obtaining all approvals applicable at the time of operation including compliance with the **Jharkhand Panchayats (Extension to Scheduled Areas) Rules, 2025** and **Gram Sabha Consent**, wherever applicable.

XXI. **Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)**, Village : Ghat Jhilua, Circle : Godda, District: Godda, Jharkhand (1.82 Ha)" (Proposal No. : SIA/JH/MIN/567109/2026).

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by SEIAA, Jharkhand vide letter no. : **EC/SEIAA/2024-25/3188/2024/214**, dated : **13.08.2024** in the favor of **" Ghat Jhilua Sand Ghat of M/s Jharkhand State Mineral Development Corporation Ltd. (JSMDC Ltd.)**, Village : Ghat Jhilua, Circle : Godda, District: Godda, Jharkhand (1.82 Ha)" (Proposal No. : SIA/JH/MIN/485643/2024)".

The applicant vide online application no. SIA/JH/MIN/ 567109 /2026 has submitted that **"Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** has been selected successful bidders of **"Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)** at Khata No. : 21, Plot No. : 300 & 192 at Village : Ghat Jhilua, Circle : Godda, District: Godda, Jharkhand (1.82 Ha)" under The Jharkhand Sand Mining Rules, 2025 and requested to transfer (transfer of ownership) of Environmental Clearance in favour of **"Ghat**





Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)” for which he has submitted “No Objection Certificate” of M/s Jharkhand State Mineral Development Corporation Limited affirming that the Environmental Clearance will be transferred in favor of “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated 13.08.2024 shall be complied by “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” also undertaken that all the stipulated terms and conditions of EC letter no. : EC/SEIAA/2024-25/3188/2024/214, dated : 13.08.2024 shall be complied by him.

Jharkhand State Mineral Development Corporation Limited (JSMDC), Ranchi has also issued No Objection Certificate (NOC) vide Letter Number : 53, dated : 16.01.2026 in the favor of “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” and further informed that the said Sand Ghat has been transferred to “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” and LOI has been issued by District Mining Officer, Godda vide Letter No. : 795/M, Dated : 06.11.2025 in favor of “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*”.

The District Mining Officer, Godda issued a production certificate vide Letter No. : 33/M, Dated : 20.01.2026 stating that only production and dispatch of 23500 cft sand has been done in year 2025-26 which is under permissible limit of Environmental Clearance.

The District Survey Report of Sand or River Bed Mining of Godda District has been prepared by Sub-Divisional Committee and submitted by Deputy Commissioner, Godda and same has been Appraised and Approved by SEIAA and SEAC, Jharkhand in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon’ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of Bihar & Hon’ble NGT Order in OA No. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors. This project is also a part of Approved District Survey Report.

The PAs has also undertaken through affidavit that Sand Mining will be commenced as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020 regarding Replenishment study.

After the full deliberations, it was unanimously decided that Environmental Clearance issued vide letter no. : EC/SEIAA/2024-25/3188/2024/214, dated : 13.08.2024 is being transferred to “*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” with the same terms and conditions under which prior Environmental Clearance was granted by SEIAA, Jharkhand for the same validity period subject to satisfactory compliance to all stipulated terms and conditions.

“*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*” is directed to obtain Consent to Operate from the State Pollution



Control Board in the name of "*Ghat Jhilua Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" In case any change is proposed in the Scope of the project, the Project Authority (PAs) shall obtain fresh Environmental Clearance. The other specific condition of this transfer of Environment Clearance is as follows:-

- i. Deputy Commissioner, Godda through District Mining Officer, Godda will ensure that "*Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA / SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less*" as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020.
- ii. Deputy Commissioner, Godda shall ensure that lease will be executed only after obtaining all approvals applicable at the time of operation including compliance with the Jharkhand Panchayats (Extension to Scheduled Areas) Rules, 2025 and Gram Sabha Consent, wherever applicable.

XXII. Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan), Village : Sanatan, Circle : Pathargama, District: Godda, Jharkhand (3.98 Ha)" (Proposal No. : SIA/JH/MIN/567114/2026).

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by SEIAA, Jharkhand vide letter no. : EC/SEIAA/2024-25/3189/2024/215, dated : 13.08.2024 in the favor of "Sanatan Sand Ghat of M/s Jharkhand State Mineral Development Corporation Ltd. (JSMDC Ltd.), Village : Sanatan, Circle : Pathargama, District: Godda, Jharkhand (3.98 Ha)" (Proposal No. : SIA/JH/MIN/485688/2024)".

The applicant vide online application no. SIA/JH/MIN/ 567114 /2026 has submitted that "*Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" has been selected successful bidders of "*Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)* at Khata No. : 75, Plot No. : 184 at Village : Sanatan, Circle : Pathargama, District: Godda, Jharkhand (3.98 Ha)" under The Jharkhand Sand Mining Rules, 2025 and requested to transfer (transfer of ownership) of Environmental Clearance in favour of "*Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" for which he has submitted "No Objection Certificate" of M/s Jharkhand State Mineral Development Corporation Limited affirming that the Environmental Clearance will be transferred in favor of "*Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated 13.08.2024 shall be complied by "*Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)*" also undertaken that all the



stipulated terms and conditions of EC letter no. : **EC/SEIAA/2024-25/3189/2024/215**, dated : **13.08.2024** shall be complied by him.

Jharkhand State Mineral Development Corporation Limited (JSMDC), Ranchi has also issued No Objection Certificate (NOC) vide **Letter Number : 40**, dated : **15.01.2026** in the favor of **"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** and further informed that the said Sand Ghat has been transferred to **"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** and LOI has been issued by District Mining Officer, Godda vide Letter No. : **795/M**, Dated : **06.11.2025** in favor of **"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"**.

The District Mining Officer, Godda issued a production certificate vide Letter No. : **33/M**, Dated : **20.01.2026** stating that only production and dispatch of 50000 cft sand has been done in year 2025-26 which is under permissible limit of Environmental Clearance.

The District Survey Report of Sand or River Bed Mining of Godda District has been prepared by Sub-Divisional Committee and submitted by Deputy Commissioner, Godda and same has been Appraised and Approved by SEIAA and SEAC, Jharkhand in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020, Pawan Kumar Vs State of Bihar & Hon'ble NGT Order in OA No. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors. This project is also a part of Approved District Survey Report.

The PAs has also undertaken through affidavit that Sand Mining will be commenced as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020 regarding Replenishment study.

After the full deliberations, it was unanimously decided that Environmental Clearance issued vide letter no. : **EC/SEIAA/2024-25/3189/2024/215**, dated : **13.08.2024** is being transferred to **"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** with the same terms and conditions under which prior Environmental Clearance was granted by SEIAA, Jharkhand for the same validity period subject to satisfactory compliance to all stipulated terms and conditions.

"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)" is directed to obtain **Consent to Operate** from the State Pollution Control Board in the name of **"Sanatan Sand Ghat of M/s S.G. Projects Private Limited (Prop. : Shri Izhar Khan)"** In case any change is proposed in the Scope of the project, the Project Authority (PAs) shall obtain fresh **Environmental Clearance**. The other specific condition of this transfer of Environment Clearance is as follows:-

- i. Deputy Commissioner, Godda through District Mining Officer, Godda will ensure that **"Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA"**





/ SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less” as per para 5.0 of Enforcement & Monitoring Guidelines for Sand Mining, 2020.

- ii. Deputy Commissioner, Godda shall ensure that lease will be executed only after obtaining all approvals applicable at the time of operation including compliance with the Jharkhand Panchayats (Extension to Scheduled Areas) Rules, 2025 and Gram Sabha Consent, wherever applicable.

XXIII. **Bankata Sand Deposit (In the River bed of Subarnarekha) of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh), Village : Bankata, Tehsil : Bahargora, District : East Singhbhum, Jharkhand (4.40 Ha)."** (Proposal No. : SIA/JH/MIN/567246/2026).

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by SEIAA, Jharkhand vide letter no. : EC/SEIAA/2024-25/3113/2024/68, dated : 24.05.2024 in the favor of " Bankata Sand Deposit (In the River bed of Subarnarekha) of M/s Jharkhand State Mineral Development Corporation Limited (JSMDC Ltd.), Village : Bankata, Tehsil : Bahargora, District : East Singhbhum, Jharkhand (4.40 Ha)." (Proposal No. : SIA/JH/MIN/472833/2024)".

The applicant vide online application no. SIA/JH/MIN/ 567246 /2026 has submitted that "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)*" has been selected successful bidders of "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)* at Khata No. : 573, Plot No. : 3161 (P) & 3162 (P) at Village : Bankata, Tehsil : Bahargora, District : East Singhbhum, Jharkhand (4.40 Ha)" under The Jharkhand Sand Mining Rules, 2025 and requested to transfer (transfer of ownership) of Environmental Clearance in favour of "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)*" for which he has submitted "No Objection Certificate" of M/s Jharkhand State Mineral Development Corporation Limited affirming that the Environmental Clearance will be transferred in favor of "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)*" and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated 24.05.2024 shall be complied by "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)*" also undertaken that all the stipulated terms and conditions of EC letter no. : EC/SEIAA/2024-25/3113/2024/68, dated : 24.05.2024 shall be complied by him.

Jharkhand State Mineral Development Corporation Limited (JSMDC), Ranchi has also issued No Objection Certificate (NOC) vide Letter Number : 92, dated : 29.01.2026 in the favor of "*Bankata Sand Deposit of M/s S.G. Projects Private Limited (Director : Shri Ajay Singh)* and further informed that the said Sand Ghat has



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