

Agenda for the 110th meeting of State Level Environment Impact Assessment Authority to be held on 28.06.2016 at 11.00 AM in Committee Room, Punjab Pollution Control Board, Regional Office, Mohali.

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Item No.110.01: Confirmation of the minutes of 109th meeting of SEIAA held on 15.06.2016.

The proceedings of 109th meeting of SEIAA held on 15.06.2016, were circulated to all concerned vide letter no. 2623-24 dated 23.6.2016. No observation has been received from any of the members. As such, SEIAA may confirm the said proceedings.

Item No.110.02: Action taken on the proceedings of 108th & 109th meeting of SEIAA held on 03.06.2016 & 15.06.2016, respectively.

Action taken on the proceedings of 108th & 109th meeting of SEIAA held on 03.06.2016 & 15.06.2016, respectively is being taken and the action taken report will be placed before the SEIAA in its next meeting.

Item no.110.03: Regarding court case i.e. CWP 7710 of 2016 titled as Pankaj Bansal & Others vs State of Punjab & Others filed before Hon'ble Punjab & Haryana High Court, Chandigarh for seeking action against sand mafia operating in the area of village Sundran, Kheri & Pandwala and carrying out illegal and unscientific mining of sand / gravel and earth clay / soil from the shamlat lands / river / nadi as well as from the individual / private lands from the respectable villages without any permit and licenses.

The facts of the case are as under:-

The subject cited CWP was filed by Pankaj Bansal & others V/s State of Punjab & others in Hon'ble Punjab & Haryana High Court seeking action against private respondent no. 12 to 18 of the petition for carrying out illegal and unscientific mining of sand / gravel and earth clay / soil from the shamlat lands / river / nadi as well as from the individual / private lands in the area of village Sundran, Kheri & Pandwala without any permit and licenses.

In the said CWP, the official respondents who have been made party are as under:-

1. The State of Punjab through its Chief Secretary, Punjab Civil Secretariat, Chandigarh.
2. The Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Joragh Road, New Delhi-110003.
3. The Chairman, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala, Distt. Patiala, Punjab.
4. State Level Environment Impact Assessment Authority, office of Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala, Distt. Patiala, Punjab.
5. The Chairperson State Level Environment Impact Assessment Authority Bays No. 55-58, Parytan Bhawan, 1ST Floor, Sector-2, Panchkula , Distt. Panchkula, Haryana.
6. The Deputy Commissioner, S.A.S. Nagar, Mohali, Distt. Mohali.
7. Sub. Divisional Magistrate, Dera- Bassi Distt. Mohall.
8. The Director, Department of Industries & Commerce, Punjab, Udyog Bhawan, 17- Himalaya Marg, Chandigarh.
9. The General" Manager-cum-Mining Officer, District Industries Centre, S:A.S. Nagar, Mohali Distt. Mohali, Punjab.
10. Senior Superintendent of Police, SAS Nagar Mohali, Punjab.
11. The Block Development and Panchayat Officer, Block Dera-Bassi, Distt. Mohali, Punjab.

The Hon'ble Court has disposed off the writ petition on 22/04/2016 with the direction to the official respondents to immediately take action for stopping the illegal mining if need be to pass any such direction. The orders are reproduced as under:-

"The petitioners allege that the private respondents i.e. respondents No. 12 to 18 are carrying out mining operations illegally. The petitioners are the owners of the lands adjoining those upon which illegal mining is allegedly being carried out. The petitioners further contend that the land upon which mining is being carried out is for the common purposes of the village and that, therefore, the private respondents are not entitled to carry out mining operations thereon.

2. The alleged illegal mining operations have been going on even according to the petitioners for the last about three to four years. The first complaint/representation was made on 08.08.2014. The last complaint/representation is dated 23.12.2015. According to the petitioners, the official respondents have taken no action or cognizance of the complaints.

3. The official respondents ought to have responded to the complaints/representations as if the petitioners' allegations are correct, the owners of the adjoining lands would be severely affected. Moreover, in the event of the land being for the common use of the village, the private respondents would not be entitled to carry out mining operations thereon without the permission from the bodies concerned.

4. The petition is, therefore, disposed of by directing the official respondents to consider and investigate the complaints made by the petitioners which are annexed to the petition. They shall also consider the allegations made in the petition itself as a further representation. They shall further issue interim orders and/or directions as may be necessary or warranted. For instance, if mining operations are being carried out without license, the same cannot be permitted even for a minute despite the fact that they have been carried out for the last three to four years. Needless to add that the official respondents shall take a decision only after hearing the parties concerned including the petitioners and the private respondents. Ad-interim directions shall be passed as expeditiously as possible. A final order/direction shall be passed within eight weeks from today.

In the event of this order not being complied with within the time frame stipulated for any reason, the official respondents shall make an application for extension of time in this petition itself.

The other challenges in the writ petition including to Annexure P-3 are kept open.

In the event of it being found by the official respondents that the Environmental Impact Assessment at Annexure P-3 is also accompanied by a license or in the event of it being held that on the basis of the Environmental Impact Assessment at Annexure P-3 alone mining operations can be carried out, the petitioners shall be entitled to challenge the same afresh.”

The material facts in the said CWP related to SEIAA are as under:-

- In the said writ petition, SEIAA, O/o Punjab Pollution Control Board, Patiala was imp-lead as respondent no. 4.
- As is evident from EIA report of Sundran Sand Mining Project (which was made part of petition as Annexure-P3), the site falls within the radius of 10 kms of interstate boundary of Punjab & Haryana, thus, the project was categorized as “A category” according to the schedule of EIA notification 2006 although mining area is less than 50 hectare. The TORs to the project were issued by MoEF, New Delhi.
- Further, as per page no. 24 of the petition, the applicant has sought the issuance of directions to the respondent no.2 i.e. The Secretary, MoEF, New Delhi to immediately cancel the approval of Sundra Sand mining project as well as its Environmental clearance letter dated 28/06/2013 (Environmental clearance granted by MoEF, Govt. of India, New Delhi) and letter dated 23/09/2014 vide which it was transferred in favor of lessee.
- The petitioners had made a complaint/representation to different officers like BDPO, DC, Secretary, MoEF, DGP, Punjab, Hon’ble CM, Punjab, Chairman, Punjab Pollution Control Board, Patiala and last one to SEIAA, Haryana (Annexure P-42 to 48). But no complaint in the said matter has ever been addressed to SEIAA, Punjab as per Annexures attached in the petition.
- The petitioner has made a representation/complaint to Chairperson, SEIAA, Haryana to take action against one private respondent at Sr. no. 15 i.e. Sh. Nitin Gulati, resident of Panchkula, Haryana stating that he was carrying out

illegal mining in Punjab region by showing the permit of Mining Deptt, Govt. of Haryana issued in respect of Haryana area bordering Punjab.

The matter was considered by the SEIAA in its 107th meeting held on 27.05.2016 and it was observed that the Hon'ble High Court of Punjab and Haryana, Chandigarh ordered on 27.04.2016 that respondents will consider and investigate the complaints made by the petitioners and shall further issue interim orders and/or directions as may be necessary or warranted. After detailed deliberations, it was decided as under:

1. Directions u/s 5 of the Environment Protection Act, 1986 be issued to the Deputy Commissioner, SAS Nagar and General Manager-cum-mining officer, SAS Nagar to stop any mining operation carried out for the mining of sand/ gravel/ earth clay/ soil illegally (without licence/ permission) in the revenue estate of Village Sundran Kheri & Pandwala, Tehsil Derabassi, Distt. SAS Nagar and ensure the compliance of the orders of the Hon'ble High Court in the CWP 7710 of 2016 issued in the matter.
2. A status report in the matter be asked from the Punjab Pollution Control Board and GM-cum-mining officer, Mohali within seven days, so that further action in the matter can be taken.

Accordingly, Directions u/s 5 of the Environment Protection Act, 1986 has been issued to the Deputy Commissioner, SAS Nagar and General Manager-cum-mining officer, SAS Nagar vide letter no. 2509 dated 03.06.2016 and vide letter no 2510 dated 03.06.2011 respectively. The decision of the SEIAA has also been conveyed vide letter no 2511 dated 03.06.2016 to the Punjab Pollution Control Board.

The matter was also considered in the 108th meeting held on 03.03.2016. While, reviewing the progress in the matter, the SEIAA observed that as per orders dated 22.04.2016 passed by the Hon'ble Punjab & Haryana High Court, final orders in the matter are to be passed by the official respondents within eight weeks.

After deliberations, the SEIAA decided that in order to pass any final orders in the matter, an opportunity of personal hearing be given to petitioners who were the complainants and private respondents against whom allegation of illegal mining have been labeled. The hearing be given on 15.06.2016 at 11.00 AM in the Committee Room, Punjab Pollution Control Board, Regional Office, Mohali.

Accordingly, petitioner/ private respondent in the in the matter of Civil Writ Petition no. 7710 of 2016 titled as Pankaj Bansal & Others vs State of Punjab & Others has been asked vide letter no. 2534-45 dated 10.06.2016 to appear before SEIAA (Punjab) on 15.06.2016 at 11:00AM in the Committee Room of Punjab Pollution Control Board, Regional Office, opposite of Bassi Cinema, Phase-II Mohali. The Environmental Engineer, Regional office, Mohali has also requested vide email 13.06.2016 to make the arrangement to deliver the said letter.

The case was considered by the SEIAA in its 109th meeting held on 15.06.2016. Following petitioners/ respondent in the said CWP, were appeared before SEIAA (Punjab).

1. Sh. Pankaj Bansal S/o Ram Rattan, Village Sundran, Tehsil Dera Bassi, Distt. MohaliPetitioner
2. Sh. Madan Gopal S/o Sant Ram, Village Sundran, Tehsil Dera Bassi, Distt. MohaliPetitioner
3. Sh. Ramesh Singh Numberdar S/o Sadhu Ram, Village Pandwala, Tehsil Dera Bassi, Distt. MohaliPetitioner
4. Sh.Labh Singh (husband of Smt. Sheela Devi Sarpanch Sundran), Vill. Sundran, Tehsil Dera Bassi, District Mohali.Private Respondent
5. Sh.Manjeet Singh S/o Mohinder Singh, Vill. Sundran Tehsil Dera Bassi, District Mohali.Private Respondent
6. Sh. Ram Pal Saini (Husband of Smt. Sunita Rani Sarpanch Pandwala), H.No. 722, Sector-21, Panchkula, District Panchkula,Haryana ..Private Respondent
7. Sh. Jagdeep Singh S/o Mann Singh, Village Karkor, Tehsil Dera Bassi, District Mohali, Punjab.Private Respondent
8. Sh. Raj Kumar S/o Niranjan Singh, Vill. Haripur hindua, Tehsil Dera Bassi, Distt. Mohali, Punjab.Private Respondent

Further, Sh. Vijay Aggarwal, a contractor also appeared before the SEIAA and requested to give permission to present facts on behalf of representative of Sh. Kamaljit Singh S/o Amrik Singh, (Lessee of Sundran Sand Mine), H.No. 11, Sector 3-A, Chandigarh. The SEIAA asked to submit the authority letter to present the case on behalf Sh. Kamaljit Singh. He replied that no authority letter is available with him. Therefore, the SEIAA did not to allow him to present the facts on behalf of Sh. Kamaljit Singh.

The SEIAA was apprised that General Manager- cum- mining officer, Mohali was asked to appear before SEIAA (Punjab) in the meeting along with detailed status report in the matter. Accordingly, Sh. Chaman Lal Garg, GMDIC, Mohali has attended the meeting. He submitted the status report vide memo no.

2849 dated 14.06.2016 in reference to letter no. SEIAA/2511 dated 03.06.2016, which was taken on record by the SEIAA.

The SEIAA observed that a team was constituted of by the Principal Industries & commerce to investigate the matter mentioned in the CWP. The GMDIC has sent a copy of the report prepared by the said team as status report in the matter. The team of the officers constituted to investigate the illegal mining mentioned in the CWP 7710 of 2016, visited the site on 17.05.2016 and briefly reported as under:

1. Sh. Madan Gopal, Sh. Harpreet Singh & Sandeep Singh, petitioners in the CWP 7710 of 2016 were contacted and they submitted self declaration to the effect that people are facing problem of air pollution due to the dust generated from the movements of Tractor- Trolleys.
2. Contractors were doing the mining of minor minerals as per the Govt. rules. However, the contractor was advised to sprinkle the water on the route of the transportation and properly maintain the same to redress the grievances of the local residents/petitioners.
3. GMDIC, Mohali will do regular inspections in the village to redress the problems of the village people.

The SEIAA asked the petitioners to bring forward the issues involved and circumstances that led to filing of the said petition before the Hon'ble Punjab & Haryana High Court. The petitioners submitted a joint representation before the SEIAA, which was taken on record. The SEIAA looked into the joint representation and it was briefed as under:

1. Mining operations are being carried out day and night with the help of bulldozers and JCB machines. Mining has been carried out upto the level of 30 feet which is threat to the village structures and roads.
2. Illegal and unscientific manner mining has been carried out in the area due to that large pits and holes become dangerous for the human and animals life. Fertile agriculture land has been lost due to the mining activities. The area has been excavated more than its capacity and practically exceeded to Shamlat land and private lands of other persons.
3. Increase in heavy traffic on Sundran-Mubarikpur road (continuous chain of about 500 AMW trucks loaded with mining material) results destroyed road, increased in nos. of accidents, air pollution, noise pollution and soil pollution. The increased

pollution causes persons residing in nearby areas suffering from the various diseases.

4. Contractors use to transport mining materials from mining sites on Sundran-Mubarkpur Road instead of using National Highway-73 through tippers/trucks and trollies as allowed in the Environmental Clearance conditions.
5. No mitigation measures have been taken for carrying out the mining in the area special in monsoon season. Water table has considerably fallen in the mining area.
6. Instant action to immediately stop all kind of mining activities, cancelation of Environmental Clearance of Sundran Sand mining project and Pandwala Sand mining project have been requested.

Thereafter, the SEIAA asked the private respondents to bring forward the issues involved related to them in the said petition. All Private Respondents, present in the hearing, submitted their self declarations, which were taken on record by the SEIAA. All private respondents in their self declaration submitted that they are not involved in any illegal mining/operations as mentioned in the said CWP. Sh. Manjit Singh S/o Mohinder Singh private respondent submitted that he transports the brick earth upto the brick kiln of M/s Anku Bricks Company. Sh. Raj Kumar S/o Naranjan Singh private respondent submitted that he transports the brick earth upto the brick kiln of M/s Jai Durga BKO. He also submitted the copy of environmental clearance issued vide letter No. 4053 dated 17.01.2014 by the SEIAA, Punjab to M/s Jai Durga BKO, Village Sundran, Dera Bassi, District SAS Nagar. Sh. Ram Pal Saini. (Husband of Smt. Sunita Rani Sarpanch Pandwala submitted that the ordinary earth has been taken out for filling in the Community Centre of Gram Panchayat Pandwala as per the resolution passed on 24.02.2016 by the Gram Panchayat Pandwala. His name has been impleaded as respondent in the CWP due to personal enmity. Jagdip Singh S/o Mann Singh submitted that mining of sand and gravels has been carried out from the river bed of Sundran for which auction has been carried out and transporting to nearby crushers after giving royalty. Sh. Labh Singh (husband of Smt. Sheela Devi Sarpanch Sundran) submitted that his name impleaded in the CWP due to personal enmity.

The SEIAA was further apprised that report from PPCB as requested vide SEIAA letter no. 2510 dated 03.06.2016 is still awaited. However, a copy of the proceedings of the personal hearing given to the petitioners and the private

respondents of the CWP No. 7710 of 2016 before the Chief Environmental Engineer, Patiala, Punjab Pollution Control Board, on 07/06/2016 has been procured as status report, which was taken on record by the SEIAA. The SEIAA observed that the site was visited by the officers of PPCB, RO, Mohali on 04.06.2016 and it was reported as under:

1. There were depressions on both sides of the Katcha rasta, along the Sundran Nadi. However, no activity was going on at the site. Further, no demarcation of the revenue villages was known to the visiting officers, so it could also not be ascertained, in the revenue estate of which village, the site fall where depressions were noticed.
2. Also, some significant depression was found on the left hand side of the Katch rasta and Sh. Rampal Saini, Sarpanch of the village Pandwala, informed that the said stretch falls in the revenue estate of Village Pandwala, Tehsil Dera Bassi Distt. SAS Nagar and he further informed that a community center was established in the village and the sand was excavated from this site to fill the land of the said community center. He also submitted a copy of the resolution passed by the village Panchayat in this regard.
3. After moving further along the Katcha rasta in village Sundran, it was observed that mining was earlier carried out in a huge area and mining was also in operation at two stretches.
4. The Board has granted consents under the Water (prevention & control of pollution) Act, 1981 on 01/10/2014 to Sh. Kamaljit Singh S/o Amrik Singh (Lessee of Sundran Sand Mine), respondent no. 12 of the said CWP for carrying out 50,000 TPA of mining of minor minerals in the revenue estate of village sundran, Tehsil Dera Bassi, Distt. SAS Nagar in an area of 29.72 hectares, which are valid upto 30/06/2016.

After hearing, GMDIC, SAS Nagar, petitioners, private respondents and the status report submitted by the Environmental Engineer, Regional office, SAS Nagar, it was observed that the report of Environmental Engineer, Regional officer Mohali & Statements of petitioners does not match with the status report submitted by the General Manager cum mining officer, SAS Nagar vide memo no. 2849 dated 14.06.2016. The SEIAA queried GMDIC, SAS Nagar to clarify the variation in status report submitted by his office from the ground realities reported in the visit report of PPCB officers as well as facts

stated by petitioners before SEIAA in his presence, to this query GMDIC, SAS Nagar replied that he has been recently transferred to SAS Nagar and has not visited the said area himself.

The SEIAA observed that as per orders dated 22.04.2016 passed by the Hon'ble Punjab & Haryana High Court, final orders in the matter are to be passed by the official respondents within eight weeks. Accordingly, Punjab Pollution Control Board vide letter No. 2510 dated 03.06.2016 requested to send the status report in the matter after visiting the site. But, no report has been received from the Punjab Pollution Control Board. However, a copy of the proceedings of the personal hearing given to the petitioners and the private respondents of the CWP No. 7710 of 2016 before the Chief Environmental Engineer, Patiala, Punjab Pollution Control Board, on 07/06/2016 has been procured as status report from the Environmental Engineer, Regional Office, Mohali with personal efferot, which was taken on record by the SEIAA. Due to non-receipt of status report from the Punjab Pollution Control Board, the matter could not be disposed off timely as given by the Hon'ble Punjab & Haryana High Court. In case of non-receipt of the status report, the matter might have to be deferred and extension may be sought from the Hon'ble Punjab & Haryana High Court.

After detailed deliberations, the SEIAA decided that:

- (1) GMDIC, SAS Nagar will send the complete detailed status report in the matter after visiting the site/ area, which includes:
 - a) Compliance of the Environmental Clearance conditions in annotated form where mining is being done in the area having valid Environmental Clearance.
 - b) Detailed status of the areas in case mining is being carried without valid Environmental Clearances.
 - c) Separate status of Sand Mining and Brick earth clay/ Ordinary earth mining areas.
 - d) The report must be submitted to SEIAA latest by 22.06.2016.
2. A DO letter be written to Member Secretary, Punjab Pollution Control Board, Patiala by the Member Secretary (SEIAA), Punjab intimating the above said facts.

Accordingly, the General Manager-cum-mining officer, SAS Nagar vide letter no. 2619 dated 17.06.2016 was requested to send the complete detailed status report in the matter after visiting the site/ area.

The General Manager- cum- mining officer, Mohali was asked through email dated 27.06.2016 to appear before SEIAA (Punjab) on 28.06.2016 at 11:00AM in the Committee Room of Punjab Pollution Control Board, Regional Office, opposite of Bassi Cinema, Phase-II Mohali along with detailed status report in the matter.

Now, the General Manager- cum- mining officer, Mohali has submitted the detailed status report vide memo no. 3154 dated 27.06.2016 in reference to letter no. 2619 dated 17.06.2016, which is annexed as **Annexure-A**.

The matter is placed before SEIAA for consideration.

Item No.110.04: Clarification regarding applicability of Notification no. S.O. 3252(E) dated 22/12/2014 issued by MoEF for educational institutions.

The facts of case are as under:-

The Member Secretary, Punjab Pollution Control Board, Patiala vide letter no. 3472 dated 16.6.2016 asked to clarify regarding applicability of notification no. S.O. 3252(E) dated 22/12/2014 issued by MoEF for educational institutions. The contents of the said letter is reproduced as under:-

"As per the notification no. S.O. 3252(E) dated 22/12/2014 issued by MoEF, the universities are exempted from obtaining environmental clearance under EIA notification dated 14/09/2006. As per this amendment, the college and hostel for educational institutions having built up area more than 20,000 sqm but less than 1,50,000 sqm are not covered under the ambit of the said notification. The MoEF and CC vide office Memorandum dated 09/06/2015 has clarified that the buildings of educational institutes including hostels are exempted from obtaining environmental clearance under EIA notification dated 09/06/2015. However, in case the built up area is more than 20,000 sqm, the project proponent is required to submit performa duly filled in, attached with office Memorandum dated 09/06/2015, at the time of obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

The Punjab Pollution Control Board has filed complaints before the issue of above said amendment in the EIA notification dated 14/09/2006, in the court of law, on the direction of SEIAA / Govt., against the educational institutions having built up area more than 20,000 sqm. but less than 1,50,000 sqm. These cases are at various stages of evidence / arguments.

In one such case of educational institution, having built up area less than 1,50,000 sqm, the SEIAA has allowed the institution to withdraw its application for Environmental Clearance submitted by the institute and the prosecution for non obtaining of Environmental Clearance has been filed and the case is at the evidence stage. But, it is not clear what stand is to be taken now, in view of the amendement in the notification regarding no requirement of Environmetnal clearance for educational institutions having built up area upto 1,50,000 sqm.

It is, therefore, requested to clarify the matter as to what stand is to be taken by the Board while pleading the case in the courts regarding non requirement of Environmental Clearance for such projects, but the prosecution was filed before the issue of amendment in the notification dated 14/09/2006."

The matter is placed before SEIAA for consideration.


SO 3252 dated
22-12-2014.pdf


OM 09-06-2015.pdf

Any other item with the approval of Chair.

ਵਲੋਂ

ਜਨਰਲ ਮੈਨੇਜਰ ਕਮ ਮਾਈਨਿੰਗ ਅਫਸਰ,
ਜ਼ਿਲਾ ਉਦਯੋਗ ਕੇਂਦਰ, ਐਸ.ਏ.ਐਸ.ਨਗਰ।

ਸੇਵਾ ਵਿਖੇ

ਸਟੇਟ ਲੈਵਲ ਇਨਵਾਇਰਮੈਂਟ ਇੰਮਪੈਕਟ ਅਸੈਸਮੈਂਟ ਅਥਾਰਟੀ ਪੰਜਾਬ,
ਮਨਿਸਟਰੀ ਆਫ ਇਨਵਾਇਰਮੈਂਟ ਐਂਡ ਫੋਰੈਸਟ,
ਗੋਰਮਿੰਟ ਆਫ ਇੰਡੀਆ।
ਦਫਤਰ ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ,
ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ।
ਮੀਮੋ ਨੰ. 3154 ਮਿਤੀ. 27.6.2016

ਵਿਸ਼ਾ

Regarding Court Case i.e. CWP 7710 of 2016 titled as Pankaj Bansal & others vs state of Punjab & other filed before Hon'ble Punjab & Haryana High Court, Chandigarh for seeking action against sand mafia operating in the area of Village Sundran, Kheri & Pandwala and carrying out illegal and unscientific mining of sand/gravel and earth clay/soil from the shamlat lands/river/nadi as well from the individual/ private from the respectable Villages without any permit and licence.

ਹਵਾਲਾ

ਆਪ ਜੀ ਦੇ ਪੱਤਰ ਨੰ. SEIAA/2619 ਮਿਤੀ. 17.06.2016 ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਰਾਹੀਂ ਆਪ ਜੀ ਵਲੋਂ ਉਕਤ ਕੇਸ ਦੇ ਸਬੰਧ ਵਿਚ ਸਟੇਟਸ ਰਿਪੋਰਟ ਮੰਗੀ ਗਈ ਸੀ, ਇਸ ਰਿਪੋਰਟ ਦਾ ਲੜੀਵਾਰ ਜਵਾਬ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-

1. ਇਸ ਸਬੰਧੀ ਆਪ ਜੀ ਨੂੰ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪਿੰਡ ਸੁੰਡਰਾਂ ਵਿਚ ਛੋਟੇ ਖਣਿਜ (ਰੇਤ/ਗਰੇਵਲ) ਦੀ ਨਿਕਾਸੀ ਦਾ ਕੰਮ ਠੇਕੇਦਾਰ ਵਲੋਂ ਇਨਵਾਇਰਮੈਂਟ ਕਲੀਅਰੈਂਸ ਦੀਆਂ ਸ਼ਰਤਾਂ ਅਨੁਸਾਰ ਹੀ ਕੀਤਾ ਜਾ ਰਿਹਾ ਹੈ। ਇਸ ਖਾਣ ਦਾ ਠੇਕਾ ਸ੍ਰੀ ਕਮਲਜੀਤ ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰੀ ਅਮਰੀਕ ਸਿੰਘ ਵਾਸੀ ਮ.ਨੰ. 11 ਸੈਕਟਰ-3 ਏ ਚੰਡੀਗੜ੍ਹ ਨੂੰ ਦੋ ਸਾਲ ਲਈ ਮਿਤੀ 07.10.2014 ਤੋਂ 06.10.2016 ਤੱਕ ਦਿੱਤਾ ਗਿਆ ਹੈ।

ਇਥੇ ਆਪਜੀ ਨੂੰ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਕੇਸ ਦੇ ਸਬੰਧ ਵਿਚ ਮਾਨਯੋਗ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਵਲੋਂ ਜਾਰੀ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਹਿੱਤ ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਉਦਯੋਗ ਤੇ ਕਮਰਸ ਵਿਭਾਗ ਜੀ ਵਲੋਂ ਉਨਾਂ ਦੇ ਪੱਤਰ ਨੰ. 5659-ਏ ਮਿਤੀ 11.5.2016 ਰਾਹੀਂ ਇਕ ਕਮੇਟੀ ਦਾ ਗਠਨ ਕੀਤਾ ਗਿਆ ਸੀ। ਜਿਸ ਵਿਚ ਮੈਂਬਰਾਨ ਸ੍ਰੀ ਜਸਪਾਲ ਸਿੰਘ ਸੰਯੁਕਤ ਡਾਇਰੈਕਟਰ, ਸ੍ਰੀ ਅਮਰਪ੍ਰੀਤ ਸਿੰਘ ਘੁੰਮਣ ਐਸ.ਪੀ.ਮਾਈਨਿੰਗ, ਸ੍ਰੀ ਸਲਿਲ ਮਹਾਜਨ ਸਹਾਇਕ ਭੂ ਵਿਗਿਆਨੀ ਅਤੇ ਸ੍ਰੀ ਭੋਲਾ ਸਿੰਘ ਬਰਾੜ ਜਨਰਲ ਮੈਨੇਜਰ ਕਮ ਮਾਈਨਿੰਗ ਅਫਸਰ, ਐਸ.ਏ.ਐਸ.ਨਗਰ ਨੂੰ ਨਿਯੁਕਤ ਕੀਤਾ ਗਿਆ। ਇਸ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਓ) ਨਾਲ ਨੱਥੀ ਹੈ।

ਉਕਤ ਕਮੇਟੀ ਵਲੋਂ ਮਿਤੀ 17.5.2016 ਨੂੰ ਕੇਸ ਵਿਚ ਦਰਸਾਏ ਪਿੰਡਾਂ ਦਾ ਦੌਰਾ ਕੀਤਾ ਗਿਆ, ਮੌਕੇ ਤੇ ਪਟੀਸ਼ਨਰ ਸ੍ਰੀ ਮਦਨ ਗੋਪਾਲ, ਹਰਪ੍ਰੀਤ ਸਿੰਘ ਅਤੇ ਸੰਦੀਪ ਸਿੰਘ ਹਾਜ਼ਰ ਹੋਏ ਸਨ। ਉਨਾਂ ਵਲੋਂ ਆਪਣੇ

ਬਿਆਨਾਂ ਵਿਚ ਇਹ ਇਤਰਾਜ਼ ਲਗਾਇਆ ਕਿ ਜੋ ਰੇਤ ਦੀਆਂ ਟਿੱਪਰ ਟਰਾਲੀਆਂ ਪਿੰਡ ਵਿਚ ਪੈਂਦੇ ਰਾਹ ਤੋਂ ਲੰਘਦੀਆਂ ਹਨ, ਉਨ੍ਹਾਂ ਨਾਲ ਮਿੱਟੀ ਉਤਨ ਕਾਰਨ ਆਮ ਲੋਕਾਂ ਨੂੰ ਕਾਫੀ ਪ੍ਰੇਸ਼ਾਨੀ ਹੁੰਦੀ ਹੈ। ਜੇਕਰ ਇਹ ਢੇਰਾ ਢੁਆਈ ਨਦੀ ਦੇ ਅੰਦਰਲੇ ਰਾਸਤੇ ਰਾਹੀਂ ਕੀਤੀ ਜਾਵੇ ਤਾਂ ਉਨ੍ਹਾਂ ਨੂੰ ਕੋਈ ਇਤਰਾਜ਼ ਨਹੀਂ ਹੋਵੇਗਾ। ਇਸ ਦੇ ਨਾਲ ਉਨ੍ਹਾਂ ਨੇ ਇਹ ਵੀ ਦੱਸਿਆ ਕਿ ਉਪਰੋਕਤ ਪਿੰਡਾਂ ਵਿਚ ਠੇਕੇਦਾਰ ਵਲੋਂ ਜੋ ਮਾਈਨਿੰਗ ਕੀਤੀ ਜਾਂਦੀ ਹੈ, ਉਹ ਸਰਕਾਰੀ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਹੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ। ਕਮੇਟੀ ਵਲੋਂ ਡਾਇਰੈਕਟਰ ਮਾਈਨਿੰਗ ਜੀ ਨੂੰ ਭੇਜੀ ਰਿਪੋਰਟ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਅ) ਨਾਲ ਨੱਥੀ ਹੈ।

ਇਸ ਤੋਂ ਇਲਾਵਾ ਉਕਤ ਕੇਸ ਵਿਚ ਮਾਨਯੋਗ ਡਾਇਰੈਕਟਰ ਮਾਈਨਿੰਗ ਜੀ ਵਲੋਂ ਕੇਸ ਨਾਲ ਸਬੰਧਤ ਪਟੀਸ਼ਨਰ ਅਤੇ ਰਿਸਪੌਂਡੈਂਟ ਨਾਲ ਮਿਤੀ 13.6.2016 ਨੂੰ ਮੀਟਿੰਗ ਕੀਤੀ ਗਈ। ਮੀਟਿੰਗ ਦੌਰਾਨ ਪਟੀਸ਼ਨਰ ਸ੍ਰੀ ਪੰਕਜ ਬਾਂਸਲ, ਮਦਨ ਗੋਪਾਲ ਹਾਜ਼ਰ ਹੋਏ। ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਇਹ ਬਿਆਨ ਦਿੱਤਾ ਗਿਆ ਕਿ ਉਕਤ ਕੇਸ ਦੇ ਸਬੰਧ ਵਿਚ ਮਾਈਨਿੰਗ ਵਿਭਾਗ ਵਲੋਂ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਤੋਂ ਉਹ ਸਹਿਮਤ ਹਨ ਅਤੇ ਇਸ ਸਬੰਧ ਵਿਚ ਉਨ੍ਹਾਂ ਨੂੰ ਕੋਈ ਹੋਰ ਸ਼ਿਕਾਇਤ ਨਹੀਂ ਹੈ। ਬਿਆਨਾਂ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਏ) ਨਾਲ ਨੱਥੀ ਹੈ।

2. ਇਸ ਸਬੰਧ ਵਿਚ ਪਿੰਡ ਖੇੜੀ ਅਤੇ ਪੰਡਵਾਲਾ ਦੀ ਚੈਕਿੰਗ ਦੌਰਾਨ ਮੌਕੇ ਤੇ ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੀ ਗੈਰ ਕਾਨੂੰਨੀ ਨਿਕਾਸੀ ਹੁੰਦੀ ਨਹੀਂ ਪਾਈ ਗਈ। ਪਰ ਕੁਝ ਥਾਵਾਂ ਤੇ ਪੁਰਾਣੀ ਗੈਰ ਕਾਨੂੰਨੀ ਨਿਕਾਸੀ ਦੇਖੀ ਗਈ। ਇਸ ਸਬੰਧ ਵਿਚ ਇਸ ਦਫਤਰ ਵਲੋਂ ਤਹਿਸੀਲਦਾਰ ਡੇਰਾਬਸੀ ਨੂੰ ਪੱਤਰ ਨੰ. 2260 ਮਿਤੀ 13.5.16 ਰਾਹੀਂ ਲਿਖਿਆ ਗਿਆ ਜਿਸ ਵਿਚ ਉਨ੍ਹਾਂ ਨੂੰ ਗੈਰ ਕਾਨੂੰਨੀ ਨਿਕਾਸੀ ਵਾਲੀ ਜਮੀਨ ਦੇ ਖਸਰਾ ਨੰਬਰ ਅਤੇ ਜਮੀਨ ਮਾਲਕਾਂ ਦੇ ਨਾਮ ਇਸ ਦਫਤਰ ਨੂੰ ਜਲਦ ਤੋਂ ਜਲਦ ਦੱਸਣ ਲਈ ਕਿਹਾ ਗਿਆ ਹੈ। ਮਾਲ ਵਿਭਾਗ ਤੋਂ ਨਾਮ ਅਤੇ ਖਸਰਾ ਨੰਬਰ ਪ੍ਰਾਪਤ ਹੋਣ ਉਪਰੰਤ ਗੈਰ ਕਾਨੂੰਨੀ ਨਿਕਾਸੀਕਾਰਾਂ ਵਿਰੁੱਧ ਬਣਦਾ ਜੁਰਮਾਨਾ ਜਮਾਂ ਕਰਵਾਇਆ ਜਾਵੇਗਾ। ਤਹਿਸੀਲਦਾਰ ਡੇਰਾਬਸੀ ਨੂੰ ਜਾਰੀ ਪੱਤਰ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਸ) ਨਾਲ ਨੱਥੀ ਹੈ।

3. ਇਸ ਸਬੰਧ ਵਿਚ ਬਰਿਕਸ ਅਰਥ/ਆਰਡਰਨੀ ਅਰਥ (ਮਿੱਟੀ) ਦੀ ਨਿਕਾਸੀ ਦਾ ਕੰਮ ਮੌਕੇ ਤੇ ਨਹੀਂ ਦੇਖਿਆ ਗਿਆ। ਇਥੇ ਆਪ ਜੀ ਨੂੰ ਇਹ ਦੱਸਣਾ ਯੋਗ ਹੋਵੇਗਾ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਉਦਯੋਗ ਤੇ ਕਮਰਸ ਵਿਭਾਗ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਵਲੋਂ ਮਿਤੀ 18-03-2015 ਨੂੰ ਜਾਰੀ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰਬਰ GRS/6/C.A67/1957/S.23-C/AMD(4) 2015 ਦੇ ਤਹਿਤ ਹੋਈ ਸੋਧ ਅਨੁਸਾਰ ਪੰਜਾਬ ਮਾਈਨਰ ਮਿਨਰਲਜ਼ ਰੂਲਜ਼ 2015 ਪਾਲਿਸੀ ਦੇ ਰੂਲਾਂ ਦੇ (ਰੂਲ 3 ਐਗਜ਼ਮਪਸ਼ਨ (ii)) ਅਨੁਸਾਰ ਜਿੰਮੀਦਾਰ ਵਲੋਂ ਆਪਣਾ ਉਚਾ ਨੀਵਾ ਖੇਤ ਪੱਧਰ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ ਅਤੇ ਪੱਧਰ ਕਰਨ ਦੌਰਾਨ ਵਾਧੂ ਬਚੇ ਮਟੀਰੀਅਲ ਨੂੰ ਡਿਸਪੋਜ਼ ਆਫ ਕਰ ਸਕਦਾ ਹੈ। ਨੋਟੀਫਿਕੇਸ਼ਨ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਹ) ਨਾਲ ਨੱਥੀ ਹੈ।

ਇਸ ਸਬੰਧ ਵਿਚ ਇਸ ਦਫਤਰ ਵਲੋਂ ਪਿੰਡ ਸੁੰਡਰਾਂ, ਖੇੜੀ ਅਤੇ ਪੰਡਵਾਲਾ ਵਿਚ ਰੂਲਾਂ ਅਨੁਸਾਰ ਜਿੰਮੀਦਾਰਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦਾ ਖੇਤ ਪੱਧਰ ਕਰਨ ਵਾਸਤੇ ਪ੍ਰਵਾਨਗੀ ਦਿੱਤੀਆਂ ਗਈਆਂ ਸਨ, ਜਿਸ ਦੇ ਤਹਿਤ ਉਹ ਆਪਣੇ ਉਚੇ ਨੀਵੇ ਖੇਤ ਨੂੰ ਪੱਧਰ ਕਰ ਸਕਦੇ ਹਨ ਅਤੇ ਵਾਧੂ ਬਚੀ ਮਿੱਟੀ ਨੂੰ ਡਿਸਪੋਜ਼ ਆਫ ਕਰ ਸਕਦੇ ਹਨ।

ਇਸ ਦੇ ਨਾਲ ਹੀ ਆਪ ਜੀ ਨੂੰ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਪਿੰਡਾਂ ਦੇ ਨਾਲ ਹਰਿਆਣਾ ਦਾ ਬਾਰਡਰ ਹੋਣ ਕਰਕੇ ਮਿੱਟੀ ਦੇ ਟਿੱਪਰ ਹਰਿਆਣੇ ਤੋਂ ਪੰਜਾਬ ਵੱਲ ਨੂੰ ਆਉਂਦੇ ਹਨ। ਵਿਭਾਗ ਵਲੋਂ ਜਦੋਂ ਇਨ੍ਹਾਂ ਟਿੱਪਰਾਂ ਦੀ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ ਤਾਂ ਉਨ੍ਹਾਂ ਵਲੋਂ ਮਾਈਨਰ ਐਂਡ ਜਿਆਲੋਜੀ ਵਿਭਾਗ ਹਰਿਆਣਾ ਵਲੋਂ

ਜਾਰੀ ਕੀਤੇ ਮਿੱਟੀ ਦੇ ਪਰਮਿਟ ਦਿਖਾਏ ਗਏ। ਪਰਮਿਟਾਂ ਨੂੰ ਵੈਰੀਫਿਕੇਸ਼ਨ ਕਰਵਾਉਣ ਉਪਰੰਤ ਸਹੀ ਪਾਏ ਗਏ।
ਪਰਮਿਟ ਦੀ ਕਾਪੀ (ਅਨੈਕਚਰ ਕ) ਨਾਲ ਨੱਥੀ ਹੈ।

ਉਕਤ ਰਿਪੋਰਟ ਆਪ ਜੀ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਸਹੀ/-

ਜਨਰਲ ਮੈਨੇਜਰ ਕਮ ਮਾਈਨਿੰਗ ਅਫਸਰ,
ਜ਼ਿਲਾ ਉਦਯੋਗ ਕੇਂਦਰ, ਐਸ.ਏ.ਐਸ.ਨਗਰ।