

To
The Director (IA-II),
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi-110003

Sub:- Mining of 20,00,000 TPA of Boulder, Gravel and Sand Minor Minerals from Dangri River Bed Having mining lease area of 46.50 ha located at village Shamtoo and Rattewali, district Panchkula, Haryana by M/s Starex Minerals [Agenda Item No. 34.2.30; Proposal No. IA/HR/MIN/73803/2018; Consultant: Envitra Sustainable Solutions India Pvt.Ltd.]- Clarification Regarding.

Kindly refer to your letter dated 20.08.2018 on the subject cited above.

Please see the attached document regarding the reply submitted on 6th July 2018 wherein we have provided reply to all queries raised by The Expert Appraisal Committee (EAC). Further, as per the 34th Meeting of the Reconstituted Expert Appraisal Committee for Environmental Appraisal of Mining Projects (Non-Coal) of the Ministry of Environment, Forest and Climate Change held during 19-20 July 2018 (refer Page-53 of the MoM) with respect to the observations raised by committee, please find point wise reply below:-

1. Reply to observation (a) – As per the observation of the Committee, there is hardly any replenishment of mineral deposits after analyzing the Satellite Imagery over the period of time. However, we want to emphasize that The Director, Mines and Geology, Haryana has also confirmed in their letter (Pg. no. 2) that there are no issues with regard to replenishment of mineral deposits. Further in (Pg. no. 5), river bed area has been filled up with the sediments deposited in the current rainy season and hence can be utilized for mining purposes.
2. Reply to observation (b) – As per the observations of the committee, there is a discrepancy in the mining lease area. However, the Project Proponent has already submitted DGPS survey report and verified KML file with clear demarcation of all corner points and their latitude, longitude information for the Project Site Proposed for mining by the Project Proponent.

3. Reply to observation (c) - As per the observations of the committee, water is not visible in the month of August – September after analyzing the Google Earth Images over a period of time and so, in absence of water flow there is no possibility of any replenishment. However, The Director, Mines and Geology, Haryana clearly mentions in the letter Point-b (Pg-5), that the river bed has been replenished with sediments during the current Rainy Season, and the mining lease has been granted considering the availability of mineral deposits for mining as Google data is also not completely reliable for scientific analysis especially related with height/ and depth analysis.

4. Reply to observation (d) – As per the observations of the Committee, mining of the huge quantity (57 LTPA for entire cluster) and availability of crusher zones in the area will further worsen the air quality of the region. However, as per the letter of The Director, Mines and Geology, Haryana, it is clearly mentioned in (Point-3), that the data collected by the Project Proponent of Rattewali project, shows that the land is largely agricultural and thus there are no threads of Industrial Activities. Stubble burning by farmers despite all related restraint orders, deteriorates the Air Quality. Further, cumulative effect of mining in all blocks is also not likely to have any such alarming impact on the PM₁₀ and PM_{2.5} as the mining shall be over widespread areas and with due implementation of measures of adequate sprinkling of water, air quality of the region will not be allowed to deteriorate.

5. Reply to observation (c) – As per the observations of the Committee, the Project is located on non-perennial river bed and prior replenishment study report is required to be submitted to ascertain the annual excavation quantity. However, the Project Proponent has already submitted the replenishment report with the methodology already implemented for interim study, thus step by step method to be implemented for further study (in continuation to the report submitted) is given below:

- Volumetric Survey was done in the proposed mining blocks in pre monsoon season from where mining was done. By this method, R/L level was marked and mapped.
- After that for post- monsoon season again R/L level was marked and mapped on the same location and the sections were drawn.
- Both the sections (pre-monsoon and post-monsoon) are superimposed and volume has been calculated.

6. Reply to observation (d) – As per the observations of the Committee, major part of the route proposed by the Project Proponent is through nearby villages (Shamtoo and Ratewalli). According to the detailed Transportation Route Map, length of the road, through village Shamtoo, connecting the nearest State Highway is just 250 m. The distance from mining site to the nearest State Highway is just 2-3 km. Further, if the need arises, Project Proponent will obtain the land on lease/ purchase the land, passing through the village, for transportation purposes to avoid any inconvenience to the villagers and will also maintain the roads during the Project Activities, to cause least impact of Air Pollution.

As the Committee has sought clarification from the concerned department who has granted mining lease for the area, thus, all the clarifications have been submitted as desired as enclosed in the attached letter for the appraisal and verification of the Committee.

Yours Faithfully

Authorized Signatory

Starex Minerals

J.S Heights Block-A,

Opposite Shivnath Mahindra service Centre,

Dhamdha Road,Khapri

Speed Post/Registered

From

The Director,
Mines and Geology, Haryana,
30-Bays Building, 1st Floor, Sector-17, Chandigarh.

To

Ministry of Environment, Forests and Climate Change,
3rd Floor Vayu Block, Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj New Delhi.

Memo No. DMG/HY/Cont./Shamtoo-1Block/PKL B-11/2018/
Dated Chandigarh, the

Sub:-

Mining of 20,00,000 TPA of Boulder, Gravel and Sand Minor Minerals from Dangri River Bed having mining lease area of 46.50 ha located at village Shamtoo and Rattewali, district Panchkula, Haryana by **M/s Starex Minerals** [Agenda Item No. 34.2.30; Proposal No. IA/HR/MIN/73803/2018; Consultant: Envitra Sustainable Solutions India Pvt. Ltd.]-Clarification Regarding.

Kindly refer to your letter dated 20.08.2018 on the subject cited above .

2. The above said case relates to grant of EC to **M/s Starex Minerals** for mining of minor minerals from riverbed area of river Dangri/ Tangri and its Tributaries. The area for mining falls under the revenue estate of villages **Shamtoo and Rattewali district Panchkula**, Haryana. However, there are other mining contracts/ mineral concessions granted in the other parts of river situated on upstream and downstream also. The EAC considering that above mining areas are adjacent to each other took the overall view on the cluster situation.

In this regard, it is clarified that the above projects areas are otherwise category B-1 / category A projects and not of B2 projects. Hence, the cluster i.e B2 projects in nearby area (500 metre radius) having total area more than 25 ha is not relevant. However, the concern of the EAC is valid to address the related concerns on the basis of the EIA report submitted for **Rattewali Block-10** as per which air quality data even in the control scenario is more than prescribed limits. The **EAC** apprehended that the mining in other areas will add pollution and air quality may further deteriorate as the cumulative quantity of extraction of three mining leases.

3. In this regard, it is stated that the areas in question are situated in such region where there are minimum industrial activities. The data collected by PP of

Rattewali project was apparently for the period of crop harvesting and it is well known that at times stubble burning by the farmers despite all related restraint orders, deteriorates the air quality. Further, cumulative effect of mining in all blocks is also not likely to have any such alarming impact on the PM₁₀ and PM_{2.5} as the mining shall be over widespread areas and with required precautions of adequate sprinkling of water.

It may be considered that there are total 07 mining blocks in the nearby areas – the mining contracts in respect of 04 mining blocks namely Rattewali Block/PKL B-10, Shamtoo-1 Block/PKL B-11, Shamtoo-2 Block/PKL B-12, Sukhdarshanpur Block PKL B-13 have already been granted. The area of block namely 'Kot Block/PKL B 8 & 9' falls within another river namely "Krishna". No other area of river under consideration has been granted on contract.

4. The EAC in the MoEF & CC, GoI, with regards EC of the mining project/s of upstream side to downstream side of the river area has sought additional information.

Sr. No.	Project Proponent	Name mining block/ Project	Location of mining block - villages	Area (in ha)	Production capacity per annum (TPA)
1	M/s Tirupati Roadways	Rattewali Block/PKL B-10	Rattewali	45.00	19,00,000
2	M/s Starex Minerals	Shamtoo-1 Block/PKL B- 11	Shamtoo and Rattewali	46.50	20,00,000
3	M/s Ganesh Enterprises	Shamtoo-2 Block/PKL B- 12	Shamtoo	45.00	18,00,000
4	M/s Shiv Enterprises	Sukhdarshanpur Block/PKL B- 13	Sukhdarshanpur and Shamtoo	37.38	14,50,000

It is stated that related PPs while seeking EC and other approvals do ask for optimum level production which can only be achieved if all other mines comes to closure or demand goes on extremely high side. The details given in paras below may also be read as part of submissions/ clarification in this regard.

5. The EAC/ MoEF & CC, GoI, in view of above has sought clarification:-

a) As regard selection of area for mining following may be considered:

- I. The district, Panchkula is situated in the foothills of the Shivalik hills. The formation of the area is such that huge amount of mineral i.e boulder, gravel and sand -construction material are brought along with water during rainy season.
- II. The minerals deposited in the riverbed areas are being excavated from the riverbed areas since long/ decades from the various parts and in the past

- mineral concessions/mining contracts for very large area were being granted through open auctions. Initially the mineral concessions were being granted on revenue estate basis and subsequently for number of villages and unit block and lastly (till 2009) all mines of district as one unit.
- III. The mining was being permitted only in the area free from restrictions as applicable for riverbed mining.
- IV. It is also relevant to point out that due to a protracted litigation created by the vested interests the mining in the area remained closed from 01.03.2010. The State could auction its minor mineral mines in Dec, 2013 for grant of Mining contracts.
- V. In December, 2013 the mining areas of district Panchkula were auctioned by forming three different units which inter alia were having number of mining blocks. The contracts were awarded in January, 2014 and they were required to seek EC before mining. However, the mining contracts of these three units got cancelled in January, 2015 through Hon'ble High Court as the highest bidders created confusion regarding the mineable area created litigation.
- VI. The state government thereafter decided to grant smaller blocks so that even small entrepreneurs could also enter in the mining business and monopoly of few could be broken.
- VII. The areas available for mining in the riverbed (being free from all existing applicable restrictions) were selected and 18 mining blocks in district Panchkula were formed and in **April, 2015** were notified for auction to be held in May, 2015. The auctions were conducted subject to condition that actual mining will be allowed to be undertaken only after prior EC is obtained.
- VIII. Hence, the blocks including that of the mining blocks under consideration were selected/ formed much before the policy of **MoEF & CC GoI, 2016**.
- b) As regard replenishment of the mineral**, it would be relevant to state here that:
- i. The riverbed areas of this part are situated in the foothills of the Shivalik Hills and enormous quantity of sediments/ minerals in the form of Boulder, Gravel and Sand and/or sand deposits are brought every year during the rainy season.
 - ii. Further, though the river is not perennial and water comes mainly during rainy season. The mineral deposits of bigger size (boulder and gravel)

gets settled in the upstream side and finer and finer size of mineral in the form of sand gets deposited in the downstream side. The sand deposits so brought by the fluvial action are found much beyond the area in question on the downstream side.

- iii. It is important to state here that replenishment of mined out area and its study could be possible only after the mining area are used for mining. The area in question were not being used for mining since March, 2010.
- iv. It may be appreciated that each of the project proponent/s in all cases by and large suggests/ sought for clearances for excavation of mineral based on the **maximum mine-able reserves of the area**. However, the past practice/ records shows that actual mining remains much less than that of optimum capacity of a mine. The actual production of a mine depends on demand of mineral /constructions material in the area and also operation of other nearby mines.
- v. Notwithstanding the same, it is further clarified that on the basis of restriction of maximum permissible depth of 3 meters the mineral concession holder at any point of time cannot go beyond said limit- i.e. **can not undertake mining below 3 meter of the existing bed level**.
- vi. During every rainy season mineral / sediments are brought due to fluvial action and get deposited in the area and as a natural course the mineral so brought at the first instance gets deposited in the low lying mined out area (depression created due to excavation in the riverbed- in case mining had been undertaken). This process takes place in the upstream side mining areas / excavation and then in the pits/ depressions created in downstream side.
- vii. The sediments over and above the same get deposited in the other parts of the river bed – un-mined area also -depending upon the force in water stream.
- viii. The mining in the upstream side of the project in question in no way affects the replenishment of the project under consideration or other projects in the downstream side of the project as huge quantity of sediments are brought during rainy season.
- ix. It may further be explained that in case the mineral excavated during any season (pre-monsoon) in the river results in creation of depression of bed level say of 3 meters i.e in case the mineral is excavated for full

permissible depth of 3 meters and after monsoon season the mined out areas get replenishment.

- x. However, for argument sake if it is considered that it is partly replenished/ filled up [say 2 meters only] in that case in next season (post monsoon) the project proponent will not be able to excavate mineral beyond such replenished depth. The project proponent will be under obligation to take and maintain record of the river bed level after regular intervals to ensure that his mining operations at no point of time go beyond the level of 3 meter from the original/existing level of river bed.
- xi. It is worth pointing out that the process of making records of the riverbed levels by the project proponents may be considered to be stipulated as additional condition under EC as it will also act as regular replenishment study of the area during the contracted period.
- xii. At the cost of repetition, it is again stated that the actual production of any mine/ area depends on the demand of the mineral. The demand of the mineral depends on the development works in and around area. The production of any particular mine also depends on the other mines operating in and around the same.

c) **As regard selection of areas the details given under sub para a) may be considered.** However it may also be pointed out that areas selected for mining are free from other restrictions such as area near bridge/s or any other structures or Forest etc. The PP shall be undertaking excavation of mineral out of his lease hold area depending upon replenishment – which would be different in each rainy season- depending upon the fluvial action during said rains. It needs to be elaborated that actual area requires replenishment is the actual area from where mining is carried out in the leased area and not over whole riverbed. It is appealing to state here that in case of areas in question in the upstream side areas falling in the Shivalik Hills no mineral excavation is involved over several thousand square kilometers/ the catchment areas.

d) **As regard certain areas in the riverbed stated to be not filled up for want of sediments deposited during current rainy season** – it is clarified that all of the riverbed areas are filled up and it is not correct to state that old mining pits are still not filled up. It may be relevant to point out that the entire river stretch is leveled. The photographs of riverbed area taken in the month of September, 2018 right from **Rattewali** Block to **Sukhdarshanpur** Block falling in 'Dudgarh

Wali Nadi' have been taken recently are attached, the visual of same would make it is clear that no stretch of riverbed has remained un-replenished. Hence, the apprehension of the MoEF & CC, GoI with regard to non-replenishment of riverbed area is not correct.

- e) **As regard some areas of river already having depth of 3 meters it is clarified that the level difference between outside and inside land of riverbed** with reference to level of adjoining areas - in the case of existing areas the natural topography is such that at some places the river flows just on the edge of hilly area. However, the same does not mean that riverbed area has gone down due to any excavation.
- f) **With regard to difference in area of various blocks** it is submitted that there may be difference in taking DGPS readings. It is clarified that area granted by the department are calculated based on revenue records. The same is authenticated, dependable recorded, and survey undertaken with the help of DGPS by PP can be having small difference due to any human error.
- g) **With regard to mention of illegal mining in district Panchkula** as stated by the PP before EAC, it is not clear as to on what basis they stated so or made such general remark. However, the EAC may be informed that there is no illegal mining in the district Panchkula. It may also be noted that in general the private persons seeking approvals tries to convince the authorities to give them clearance raising such issues- and tries to impress upon as if clearance is not given quickly the illegal mining and/ or proposed operations may happen. The same needs to be taken on records only on the basis of facts and not surmises. It is submitted that District Level Task Forces under the Chairmanship of Deputy Commissioner concerned have been constituted in each district wherein senior functionaries of the departments of Police, Transport, Forest, Pollution Control Board and Sales Tax and Mines and Geology are members. The officials of the department of Mines and Geology jointly and severally inspect the areas round the clock to check illegal mining. Apart from some stray incidents of theft of mineral, there is no illegal mining in the area.

In district Panchkula, presently 53 ~~stone crushers~~ are in place (out of which only 36 are operational. All crushers in operation have valid approvals- **crusher License and CTO of the HSPCB**. The crushers are procuring mineral from the mines operating in district Panchkula and in the past were procuring material from adjoining operational mines in other parts of the state as well as from the Himachal Pradesh and Punjab. It is again stated that the crushers are

also operating at sub optimal capacity. As per information collected the total installed crushing capacity of these **36 operational stone crushers** is about 11,000 MT per day. However, these crushers do not operate at optimum capacity/ mainly for want of raw material as well as demand of construction material.

12. In view of above, the MoEF&CC, GoI is requested to consider deciding the applications for grant of EC in related cases on merit.

Sc/
State Mining Engineer,
for Director, Mines and Geology,
Haryana.

Endst. No. ~~DMG~~/HY/Cont./Shamtoo-1 Block/PKL B-11/2018/ *5294* Dated; *27.X.2018*
A copy is forwarded to M/s Starex Minerals, J.S. Heights, Block-A, Opp. Shivnath Mahindra Service Center, Dhamdha Road, Khapri, District Durg for information and necessary action.

Pw
State Mining Engineer,
for Director, Mines and Geology,
Haryana.