

NITESH

No - J-11015/307/2009-IA-II(M)

**MINERALS PVT. LTD.**

TIN No. : 08432558788

MFGR. & SUPPLIER OF SUPER HIGH GRADE CHEMICAL LIME AND LIME STONE

NO. GLSC/ENV/01

DATE -

TO,

Dr. Surendra kumar, Director, IA-Division (non coal mining),
Member secretary, expert Appraisal committee (mining- non coal mining),
Vayu- 305, Indira paryavaran Bhawan,
Ministry of environment, forest & CC,
Jorbagh Road , Lodhi Road,
New Delhi - 110003,

Sub.- Request for grant of E.C. for our Lime Stone (minor mineral) mine near village -
Hariyadhana, Tehsil - Bilara, District - Jodhpur, Area - 100 ha.M. L. NO - 122/91.

Respected Sir,

We hereby are submitting the detail / documents in chronological order
and make the humblest request for grant of E.C. :-

1. Lime Stone mine near village - Hariyadhana, Tehsil - Bilara, District - Jodhpur, Area - 100 ha. M.L. - 122/91.
2. As per the authenticated production figures (Annexure I, one page) , Maximum production of 93080 TPA Was obtained in 1986-1987 . Letter no. ME/JODH/2017/453 Dated 17/01/2017.
3. Department of mines & geology, government of Rajasthan granted the mining lease vide its order no - Dir./f.2(A)(51)/JODH/Sa.kha./80/1690 Dated- 21/11/1980 (Annexure II, one page) in favour of Shri Surendra Singh S/O Shri Kalayan Singh kachhwaha, kalyan Bhawan, mandor Road, Jodhpur. Mining lease agreement was executed and registered on 17/11/1981 (Annexure - II, one page) Making it effective w.e.f 17/11/1981 up to 16/11/1991 (Annexure - II, one page). M.L. was first renewed from 17/11/1991 up to 16/11/2001 vide DMG order no. Dir/F-2(A-2) jodh/minor/91/390 Dated 16/03/1992 (Annexure II, one page). This renewal was done for 20 years instead of 10 years vide DMG order no- 88 Dated 30/01/1999

Reg. Office : 14-A, Old Public Park Road, Near K.N. College, Rai Ka Bagh, Jodhpur-342006 (Raj.)
Telefax : 0291-2980273, Mob. : 9414135822, E-mail : niteshminerals_07@yahoo.com

Works : Near Joshi Farm, P.O. **BORUNDA** - 342604, Tehsil : Bilara, Dist. : Jodhpur (Raj.) Telefax : 02930-244766

(Annexure II, one page) . Then M.L was transferred in the name of M/S NITESH MINERALS P. LTD. Vide ADMG order no. 2596 Dated 24/08/2007 (Annexure II, one page). First renewal for 30 years instead of 20 years w.e.f. 17/11/1991 (Annexure II, one page) was sanctioned vide DMG order no – 1417 Dated 10/12/2012 (Annexure – II, one page).(Rider agreement). Now M.L is valid up to 16/11/2021 in the name of M/S NITESH MINERALS P. LTD.

4. APPLICABILITY OF EIA NOTIFICATION OF - 1994

As per EIA 1994 notified on 27/01/1994, schedule – I, item no – 20 following projects are required to obtain E.C (A copy is enclosed- Annexure –III, four pages).
“ 20 Mining projects (major minerals) with leases more than 5 ha.”

Whereas our mine lease is of minor mineral and thus is exempted from purview of EIA, 1994 and no E.C was required.

5. **As per OM of February, 2002 this is not a case of past violation because this, being a mine of minor mineral, was not covered EIA,1994.**

6. Circular dated 28/10/2004 of MOEF (Annexure- IV, four pages), Cites Hon'ble Supreme Court judgment dated 18/03/2004 in W.P 4677/1985- M.C. Mehta vs UOI & Other conveys that.

“ALL MINING PROJECT OF MAJOR MINERALS OF MORE THAN 5 HA. LEASE AREA WHICH HAVE SO FAR NOT OBTAINED AN ENVIRONMENT CLEARENCE UNDER THE EIA NOTIFICATION, 1994 SHALL DO SO AT THE TIME OF RENEWAL OF THEIR LEASE”

The above verdict of the court makes it mandatory for all mining projects of major mineral of area ≥ 5 ha to obtain E.C AT the time of M.L. renewal if no E.C had been obtained under EIA, 1994.

Our mine being of minor mineral, and our case not being of renewal of M.L (only extension of M.L) was not covered EIA,1994. And hence MOEF circular dated 28/10/2004 is not applicable to us. (Annexure- V, one page),

7. As per EIA,2006, notified on 14/09/2006 appended schedule to this notification covers mine of all minerals (including minor minerals) having area ≥ 5 ha (Annexure-VI, four pages). Hence even minor mineral mines having area ≥ 5 ha. Have come under its purview. Accordingly all having area ≥ 5 ha. Are required to obtain E.C For

- i) An increase in area
- ii) An increase in production
- iii) Mining lease renewal

8. According to item no 7, E.C becomes required at the time of renewal of mining lease. But in our case, Rajasthan govt. vide its order dated 10/12/2012(Annexure- V, One page) extended the first M.L renewal for 30 years instead of 20 years as per its policy for all minor mineral mines.

8.1 this shall be pertinent to clarify that extension of mining lease is not a renewal of mining lease.

8.2 Hence E.C was not required because there had been neither production increase nor area increase nor M.L renewal.

9. As per circular dated 02/07/2007 of MOEF, GOI (Annexure- VI, One page), E.C. is required when M.L renewal falls due/ increase in lease area/ enhancement of production.

But in our case there had been only extension of mining lease and not any renewal of mining lease with no change in lease area or production capacity, hence prior E.C was not required.

10. As per notification dated 13/03/2013 of MOEF, GOI (copy enclosed- annexure VII, One page).

“ Provided that no fresh environment Clearance shall be required for a mining project for activity at the time of renewal of mining lease, which has already obtained environment clearance under EIA, 2006 Notification.

In our case no E.C. has been obtained under EIA- 2006 notification. And no mining lease renewal has become due and hence as per this notification, no E.C. is required for operating the mine at the same production capacity and same area. Hence no violation has taken place.

11. TOR for increase in production up to 4 lac TPA was granted on 18/07/2008 and then again granted on 17/12/2009 for prod. Cap. Of 15 lac TPA.
12. Public hearing was held on 09/12/2010 and public hearing documents were sent to MOEF on 24/03/2011 (Annexure- VIII, one page)
13. Matter was presented before the EAC(mining) on 25/05/2012- agenda no- 2.29 EAC recommended for E.C.
14. In the meantime E.C. Was not issued. But instead MOEF wrote a letter to DOE, GOR On 30/10/2012 for action against the P.P. for past violation of E.P Act, and reminded too (Annexure- IX, Two pages).
15. Approved eco friendly mining plan has been submitted as desired.

Please kindly issue as E.C. as soon as possible

Your Faithfully
For M/S NITESH MINERALS P. LTD.



(Authorized signatory)

राजस्थान सरकार

कार्यालय खनि अभियन्ता जोधपुर

क्रमांक :- खअ/खोप/2017/453

दिनांक 17.11.17

खानधारी का नाम- नितेश मिनरल्स प्रा. लिमिटेड,

एम एल संख्या 122/1991 निकट ग्राम हरियाढाणा बोरुन्दा तहसील पिपाड़ सिटी, जोधपुर राजस्थान

Year wise Production Details

Sr No	Year	Production (M.T.)	Sr No	Year	Production (M.T.)
1	1986-1987	93080.00 ✓	16	2002-2003	5656.000 ✓
2	1988-1989	4706.000 ✓	17	2003-2004	4704.000 ✓
3	1989-1990	4164.610 ✓	18	2004-2005	4432.900 ✓
4	1990-1991	4189.910 ✓	19	2005-2006	2853.000 ✓
5	1991-1992	3916.300 ✓	20	2006-2007	4200.850 ✓
6	1992-1993	7131.240 ✓	21	2007-2008	13427.950 ✓
7	1993-1994	11344.610 ✓	22	2008-2009	11100.000 ✓
8	1994-1995	14605.785 ✓	23	2009-2010	60284.760 ✓
9	1995-1996	7780.275 ✓	24	2010-2011	10270.745 ✓
10	1996-1997	8438.735 ✓	25	2011-2012	0.000 ✓
11	1997-1998	5525.840 ✓	26	2012-2013	0.000 ✓
12	1998-1999	2801.060 ✓	27	2013-2014	0.000 ✓
13	1999-2000	1711.680 ✓	28	2014-2015	0.000 ✓
14	2000-2001	1973.250 ✓	29	2015-2016	0.000 ✓
15	2001-2002	3891.940 ✓			

नोट :- 01.04.2011 से आज तक N.G.T. के आदेश अनुसार पर्यावरण स्वीकृति (E.C.) नहीं होने के कारण खनन कार्य बंद है ।

खनि अभियन्ता
खान एवं भू-विज्ञान विभाग
जोधपुर



भारत सरकार, जोधपुर, राजस्थान 342001
दिनांक 01/11/13

Order given by Mr. Arjun

21/11/13

Arjun

Arjun

Arjun

Arjun

खअ/जोध/सीसी 11/अप्र/एम.एल./122/91
स्टाम्प रुपये 100 = कुल रुपये 100/-

राईडर एग्रीमेन्ट

यह राईडर एग्रीमेन्ट आज दिनांक 11.01.2013 को जोधपुर शहर में राजस्थान के राज्य सरकार की ओर से खनि अभियन्ता, जोधपुर एवं मैसर्स नितेश मिनरल्स प्रा.लि., 14 ए. पुराना रोड, के.एन. कॉलेज के पास, राईकाबाग जोधपुर के बीच निष्पादित हुआ कि:-
श्री सुरेन्द्र सिंह पुत्र श्री कल्याण सिंह कच्छवाह निवासी कल्याण भवन मण्डोर रोड जोधपुर के पक्ष में 100.00 हैक्टर का खनन पट्टा एम.एल. संख्या 49/80 वास्ते खनिज लाईमस्टोन निकट ग्राम बोरुन्दा, हरियाढाणा (विभागीय प्लॉट संख्या 44) तहसील बिलाड़ा जिला जोधपुर में निदेशालय के आदेश क्रमांक निदे/प-2(ए)/51/जोध/साख/80/1609 दिनांक 21.11.80 द्वारा संविदा पंजीयन की तिथि 17.11.81 से 10 वर्ष के लिए वार्षिक स्थिर भाटक रुपये 25,000/- पर स्वीकृत किया गया जिसका प्रथम नवीनीकरण एम.एल. 122/91 निदेशालय के आदेश क्रमांक निदे/प-2(ए-2)/जोध/अप्र/91/390 दिनांक 16.3.92 द्वारा दिनांक 17.11.91 से 10 वर्ष की अवधि के लिए वार्षिक स्थिर भाटक रुपये 80,001/- पर स्वीकृत किया गया। शासन के आदेश की पालना में इस कार्यालय के आदेश क्रमांक 86 दिनांक 30.01.99 द्वारा उक्त खनन पट्टे की अवधि 10 वर्ष से बढ़ाकर दिनांक 17.11.91 से 20 वर्ष की गई। पट्टेधारी श्री सुरेन्द्र सिंह के चाहने पर उक्त खनन पट्टे का हस्तान्तरण अतिरिक्त निदेशक (खान) जोधपुर के आदेश क्रमांक 2596 दिनांक 24.8.07 के द्वारा मैसर्स नितेश मिनरल्स प्रा.लि. के पक्ष में स्वीकृत किया गया। वर्तमान में उक्त खनन पट्टे का वार्षिक स्थिर भाटक रुपये 3,07,335/- है।

इस कार्यालय के आदेश क्रमांक 1417 दिनांक 10.12.2012 द्वारा राजस्थान अप्रधान खनिज रियायती नियमावली 1986 के नियम 16(2) के तहत खनन पट्टे की अवधि दिनांक 17.11.91 से 20 वर्ष के स्थान पर 30 वर्ष की गई।

अतः राजस्थान अप्रधान खनिज रियायती नियमावली 1986 के नियम 16 व (अमेन्डेड 2011) संशोधन नियम 16(2) के तहत यह राईडर एग्रीमेन्ट जिस प्रकार दिनांक 30.5.92 को निष्पादित प्रथम नवीनीकरण की मूल संविदा, जो कि दिनांक 17.11.91 से 20 वर्ष की अवधि के लिए प्रभावी था में वर्णित रॉयल्टी भुगतान की शर्त सहित समस्त शर्तों व प्रतिबन्धों के तहत प्रभावी था उसी प्रकार बढ़ी हुई अवधि तक के लिए प्रभावी रहेगा। तथा वार्षिक स्थिर भाटक का पुनः निर्धारण प्रत्येक 5 वर्ष पश्चात् स्वतः निर्धारित होगा।

यह राईडर एग्रीमेन्ट निम्न गवाहों की उपस्थिति में नॉन ज्यूडिशियल स्टाम्प पेपर रुपये 100/- (एक सौ मात्र) पर उपर प्रथम पंक्ति में वर्णित दिनांक माह व वर्ष को निष्पादित हुआ।

Nitesh Minerals Pvt. Ltd. For Nitesh Minerals Pvt. Ltd.

Director

प्रमोदना

पट्टाधारी के हस्ताक्षर

Director

खनि अभियन्ता

राजस्थान खनिज एवं खनिज संसाधन विभाग
जोधपुर

गवाह : 1. Sareek 10/01/13

Sanyu Sareek S/o Arjun Ram

Shakili Nagar 9th Road Pochan Road
Jodhpur

2. Kalyan

HARJOM S/O DUNGER RAM

VILLAGE DHENAR KOTWALI, OSIAN

JODHPUR RAJASTHAN



MINISTRY OF ENVIRONMENT AND FORESTS

**ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION S.O.60(E), dated
27/01/1994**

SCHEDULE-I

(See paras 1 and 2)

**LIST OF PROJECTS REQUIRING ENVIRONMENTAL CLEARANCE FROM THE
CENTRAL GOVERNMENT**

1. Nuclear Power and related projects such as Heavy Water Plants, nuclear fuel complex, Rare Earths.
2. River Valley projects including hydel power, major Irrigation and their combination including flood control.
3. Ports, Harbours, Airports (except minor ports and harbours).
4. Petroleum Refineries including crude and product pipelines.
5. Chemical Fertilizers (Nitrogenous and Phosphatic other than single superphosphate).
6. Pesticides (Technical).
7. Petrochemical complexes (Both Olefinic and Aromatic) and Petro-chemical intermediates such as DMT, Caprolactam, LAB etc. and production of basic plastics such as LLDPE, HDPE, PP, PVC.
8. Bulk drugs and pharmaceuticals.
9. Exploration for oil and gas and their production, transportation and storage.
10. Synthetic Rubber.
11. Asbestos and Asbestos products.
12. Hydrocyanic acid and its derivatives.
- 13 (a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, Lead and Ferro Alloys).
(b) Electric arc furnaces (Mini Steel Plants).
14. Chlor alkali industry.
15. Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
16. Viscose Staple fibre and filament yarn.
17. Storage batteries integrated with manufacture of oxides of lead and lead antimony alloys.
18. All tourism projects between 200m—500 metres of High Water Line and at locations with an elevation of more than 1000 metres with investment of more than Rs.5 crores.
19. Thermal Power Plants.
20. Mining projects (major minerals) with leases more than 5 hectares.
21. Highway Projects except projects relating to improvement work including widening and strengthening of roads with marginal land acquisition along the existing alignments provided it does not pass through ecologically sensitive areas such as National Parks, Sanctuaries, Tiger Reserves, Reserve Forests
22. Tarred Roads in the Himalayas and or Forest areas.
23. Distilleries.
24. Raw Skins and Hides
25. Pulp, paper and newsprint.

No.J-20012/11/98-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-110003.

Dated: 28th October 2004

CIRCULAR

In modification to the Circular dated 12.02.2004 in regard to the procedure for obtaining environmental clearance in the case of mining projects under the Environmental Impact Assessment (EIA) Notification, 1994 and amendments thereto, the following are to be followed with immediate effect:

I APPLICABILITY OF EIA NOTIFICATION 1994

The EIA Notification, 1994 as amended from time to time shall include:

- (i) Mining projects of major mineral with more than 5ha lease area, which have started production or increased their production and/or lease area on or after 27.01.994.
- (ii) In addition, all mining projects of major minerals of more than 5 ha lease area which have so far not obtained an environmental clearance under the EIA Notification, 1994 shall do so at the time of renewal of their lease in the context of the SC Judgement dated 18.03.2004 in W.P. 4677/1985 – M.C.Mehta vs UOI & Ors.

II ISSUES PERTAINING TO ROUTING/FORWARDING OF PROPOSAL.

- (i) Routing of proposal through the concerned Central Government/State Government Department is a must with reference to the following:
 - (a) The projects in respect of which an application is being made to the Ministry of Environment & Forests for Site/Environmental clearance for the first time either for new lease area/expansion in lease area and/or production or both or for renewal of lease area.
- (ii) Nodal Department for routing of applications:
 - (a) The nodal Department in the State Government for routing of proposals of private sector companies is the State Mines and Geology Department or the Department that controls the Mines & Geology/ Mineral Resources Dept./Division.

- (b) Public Sector Projects should be routed through their respective Ministries in the Central Government.
- (iii) **The forwarding letter of the Central Govt. Dept./State Govt. must clearly indicate the following:**
 - (a) Name of the proposal.
 - (b) Name of the Company.
 - (c) Location: village, Taluk/Mandal, District and State.
 - (d) Details of lease area and production.
 - (e) Details of expansion from ha/tpa toha/tpa (if expansion in area and/or in production).
- (iv) If the application involves different leases of the same company from the same area/region, then a separate application for each lease has to be made and the forwarding letter should also preferably be for each separate application. In case, the State Government forwards the proposals in one composite letter, then the letter must clearly specify the names of all the leases, their location (village, Taluk, and District), lease area and production capacity for each of the applications.
- (v) **Routing of proposal is not required for the following:**
 - (a) If the project has already been accorded environmental clearance once from MOEF (after 27.01.1994) and is now again applying for expansion (in lease area and/or production) **for the same project.**
 - (b) IBM/Ministry of Coal's approval of the Mining Plan for the total lease area/project area as the case may be has been obtained even if the application is being made for the first time.

III Expansion in Production

The term 'expansion' would include increase in production or lease area or both.

- (a) If the rated capacity given in the Environmental Clearance letter is being exceeded it would constitute expansion.
- (b) The projects cannot increase production even if they have the IBM/Min. of Coal's approval for the enhanced production until environmental clearance is obtained for the enhanced rated capacity.
- (c) If the annual production of any year from 1994-95 onwards exceeds the annual production of 1993-94 or its preceding years (even if approved by IBM), it would constitute expansion.
- (d) Expansion in production beyond the approved capacity however small would constitute a violation and attract the penal provisions of the Environment (Protection) Act. Therefore, the proponent should make a suitable calendar plan for obtaining clearance for the maximum annual

production levels achievable from the project. The EIA-EMP Study should also be prepared keeping this in view. If the production increases/is proposed to increase beyond what was submitted in the EIA-EMP report for which an environmental clearance was obtained/applied for, then it would constitute expansion.

IV ISSUES PERTAINING TO PUBLIC HEARING

Public Hearing for all mining projects, which attract the provisions of the EIA Notification, 1994 as amended from time to time. However, in view of the various queries received from time to time, it is clarified that Public Hearing is a pre-requisite for the following projects:

- (i) If the proposal is a new one.
- (ii) If a pre-1994 project is being submitted for environmental clearance to MOEF for the first time for proposed expansion in production and or lease area.
- (iii) If a project had obtained an environmental clearance between 1994-1997 (prior to introduction of Public Hearing), and is now applying for environmental clearance for expansion in lease area and/or production.
- (vi) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has had Public Hearing already for the original lease area, but is now applying for environmental clearance for expansion in lease area.
- (v) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has already had Public Hearing on the proposal and is now applying for expansion in production only.

V ISSUES PERTAINING TO EIA-EMP REPORT

- (a) EIA-EMP Report based on data that is more than 3 years old shall not be accepted by the MOEF.
- (b) The EIA-EMP Report in the cover as well as in the Introduction para must clearly state the rated capacity and the period for which the study has been made.
- (c) Environmental clearance will be valid only for the rated capacity for which the EIA-EMP Report has been prepared even if the project has IBM approval for a higher rated capacity/production.
- (d) If the proponent has already obtained an environmental clearance after 27.01.1994 and has applied again for increase in production and/or lease area within 5 years from date of obtaining environmental clearance, then a Supplementary EIA-EMP Report incorporating the essential issues should be

No. J-20012/11/98-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-110003.

Dated: 28th October 2004

C I R C U L A R

In modification to the Circular dated 12.02.2004 in regard to the procedure for obtaining environmental clearance in the case of mining projects under the Environmental Impact Assessment (EIA) Notification, 1994 and amendments thereto, the following are to be followed with immediate effect:

I APPLICABILITY OF EIA NOTIFICATION 1994

The EIA Notification, 1994 as amended from time to time shall include:

- (i) Mining projects of major mineral with more than 5ha lease area, which have started production or increased their production and/or lease area on or after 27.01.994.
- (ii) In addition, all mining projects of major minerals of more than 5 ha lease area which have so far not obtained an environmental clearance under the EIA Notification, 1994 shall do so at the time of renewal of their lease in the context of the SC Judgement dated 18.03.2004 in W.P. 4677/1985 - M.C.Mehta vs UOI & Ors.

II ISSUES PERTAINING TO ROUTING/FORWARDING OF PROPOSAL.

- (i) Routing of proposal through the concerned Central Government/State Government Department is a must with reference to the following:
 - (a) The projects in respect of which an application is being made to the Ministry of Environment & Forests for Site/Environmental clearance for the first time either for new lease area/expansion in lease area and/or production or both or for renewal of lease area.
- (ii) Nodal Department for routing of applications:
 - (a) The nodal Department in the State Government for routing of proposals of private sector companies is the State Mines and Geology Department or the Department that controls the Mines & Geology/ Mineral Resources Dept./Division.

- (b) Public Sector Projects should be routed through their respective Ministries in the Central Government.
- (iii) **The forwarding letter of the Central Govt. Dept./State Govt. must clearly indicate the following:**
 - (a) Name of the proposal.
 - (b) Name of the Company.
 - (c) Location: village, Taluk/Mandal, District and State.
 - (d) Details of lease area and production.
 - (e) Details of expansion from ha/tpa toha/tpa (if expansion in area and/or in production).
- (iv) If the application involves different leases of the same company from the same area/region, then a separate application for each lease has to be made and the forwarding letter should also preferably be for each separate application. In case, the State Government forwards the proposals in one composite letter, then the letter must clearly specify the names of all the leases, their location (village, Taluk, and District), lease area and production capacity for each of the applications.
- (v) **Routing of proposal is not required for the following:**
 - (a) If the project has already been accorded environmental clearance once from MOEF (after 27.01.1994) and is now again applying for expansion (in lease area and/or production) **for the same project.**
 - (b) IBM/Ministry of Coal's approval of the Mining Plan for the total lease area/project area as the case may be has been obtained even if the application is being made for the first time.

III Expansion in Production

The term 'expansion' would include increase in production or lease area or both.

- (a) If the rated capacity given in the Environmental Clearance letter is being exceeded it would constitute expansion.
- (b) The projects cannot increase production even if they have the IBM/Min. of Coal's approval for the enhanced production until environmental clearance is obtained for the enhanced rated capacity.
- (c) If the annual production of any year from 1994-95 onwards exceeds the annual production of 1993-94 or its preceding years (even if approved by IBM), it would constitute expansion.
- (d) Expansion in production beyond the approved capacity however small, would constitute a violation and attract the penal provisions of the Environment (Protection) Act. Therefore, the proponent should make a suitable calendar plan for obtaining clearance for the maximum annual

production levels achievable from the project. The EIA-EMP Study should also be prepared keeping this in view. If the production increases/is proposed to increase beyond what was submitted in the EIA-EMP report for which an environmental clearance was obtained/applied for, then it would constitute expansion.

IV ISSUES PERTAINING TO PUBLIC HEARING

Public Hearing for all mining projects, which attract the provisions of the EIA Notification, 1994 as amended from time to time. However, in view of the various queries received from time to time, it is clarified that Public Hearing is a pre-requisite for the following projects:

- (i) If the proposal is a new one.
- (ii) If a pre-1994 project is being submitted for environmental clearance to MOEF for the first time for proposed expansion in production and or lease area.
- (iii) If a project had obtained an environmental clearance between 1994-1997 (prior to introduction of Public Hearing), and is now applying for environmental clearance for expansion in lease area and/or production.
- (vi) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has had Public Hearing already for the original lease area, but is now applying for environmental clearance for expansion in lease area.
- (v) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has already had Public Hearing on the proposal and is now applying for expansion in production only.

V ISSUES PERTAINING TO EIA-EMP REPORT

- (a) EIA-EMP Report based on data that is more than 3 years old shall not be accepted by the MOEF.
- (b) The EIA-EMP Report in the cover as well as in the Introduction para must clearly state the rated capacity and the period for which the study has been made.
- (c) Environmental clearance will be valid only for the rated capacity for which the EIA-EMP Report has been prepared even if the project has IBM approval for a higher rated capacity/production.
- (d) If the proponent has already obtained an environmental clearance after 27.01.1994 and has applied again for increase in production and/or lease area within 5 years from date of obtaining environmental clearance, then a Supplementary EIA-EMP Report incorporating the essential issues should be

submitted to MOEF while making the application in the relevant form and questionnaire along with NOC and Public Hearing and IBM approval for the proposed expansion. A copy of the original EIA-EMP Report would be required to be submitted for the appraisal.

- (e) If there are several mining leases in the same area located contiguous or adjacent to each other or at a distance from each other, the EIA-EMP Report should be prepared for the baseline data of the lease area (core zone) and 10km study area (buffer zone) around each mine separately for each mine.

VI (a) All Mining Plans/Renewal of Mining Schemes close to the last year of the Plan/Scheme period would require to submit the IBM Approval of their renewal for the next 5-year Period while submitting their application for environmental clearance. As Ministry of Coal is approving Mine Plan for the entire life of the mine, the approved calendar plan for annual production for the life of the mine should be submitted.

- (b) If the project after grant of environmental clearance, obtains approval for Mining Plan/renewal of Mining Scheme for a rated capacity higher than that for which the Environmental clearance was granted, a fresh application in accordance with the procedure specified in the EIA Notification should be submitted for obtaining environmental clearance for the higher rated capacity.

(R.CHANDRAMOHAN)

Joint Secretary to the Government of India

To

1. All State Governments (Department of Mines & Geology, Dept. of Environment & Forests)
2. All State Pollution Control Boards
3. FIMI and other Mine Associations
4. Ministry of Coal & Mines: Department of Coal, Department of Mines
5. Indian Bureau of Mines and Coal India Limited
6. MOEF Regional Offices

OFFICE OF MINING ENGINEER

Department of Mines & Geology, Government of Rajasthan

6-West Patel Nagar, Circuit House Road, Jodhpur-Rajasthan

Ref No: - M.E./Jod/KC-II/M.L./MINOR/122/91/48 Date: 08/2/2017

To,

Nitesh Minerals Pvt Ltd

14A, Old Public Park near K.N. College

Rai-ka Bagh Jodhpur Rajasthan-342010

Lime Stone (Minor Minerals) Mine Near Village-Borunda, Tehsil-Pipar City,
District-Jodhpur, Area= 100 hectare, M.L. No.-122/1991 of M/s. Nitesh
Minerals Pvt Ltd.

This to certify that this mining lease was initially sanctioned from 17.11.1981 to 16.11.1991. Mining lease was renewed from 10 years w.e.f. 16.11.1991 to 15.11.2001 vide DMG order dated 16.03.1992. This period of 10 years was changed to 20 years as per the policy of State Government vide M.E. Jodhpur order dated 30.01.1999. The renewal period of Mining lease w.e.f. 16.11.1991 was made 30 years instead of 20 years as per rule 16 (2) of Rajasthan Minor Mineral Concession Rules, 1986, vide M.E. Jodhpur dated 10.12.2012. Consequently the Mining Lease is valid up to 15.11.2021.

This is to clarify that in this case, Mining lease renewal was done only once for 10 years w.e.f. 16.11.1991 to 15.11.2001 vide DMG order dated 16.03.1992. Thereafter no further renewal of Mining lease has been done but only its period has been extended first from 10 years to 20 years and then from 20 years to 30 years as per the policy of State Government.

Mining Engineer

साव एवं सू-विज्ञान विभाग
जोधपुर

Annex - VI

No. J-15012/35/2007-IA.II(M)-Part
Government of India
Ministry of Environment & Forests
(IA Division)

By Speed Post

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 2nd July, 2007

CIRCULAR

Sub: Clarification regarding applicability of EIA Notification, 2006 on mining leases of 5 hectare (major minerals) and mining leases of minor minerals which have been operating before 14.9.2006 – Regarding.

Federation of Mining Associations of Rajasthan and others have raised concerns regarding applicability of EIA Notification dated 14th September, 2006 to mining leases of 5 ha for major minerals and mining leases of minor minerals which have been in operation before the said Notification coming into force. The matter has been examined in the Ministry.

It is clarified that all such mining projects which did not require environmental clearance under the EIA Notification, 1994 would continue to operate without obtaining environmental clearance till the mining lease falls due for renewal, if there is no increase in lease area and / or there is no enhancement of production. In the event of any increase in lease area and or production, such projects would need to obtain prior environmental clearance. Further, all such projects which have been operating without any environmental clearance would obtain environmental clearance at the time of their lease renewal even if there is no increase either in terms of lease area or production.

(S.K. Aggarwal)
Director

To

1. Secretary (Environment) of all State / UT Governments
Member Secretary of State / UT Pollution Control Boards / Committees
3. PS to MOS (E), PPS to Secretary (E&F), PPS to SS, PS to JS(JM)
4. All Officers of IA Division.

Annex - VII

2.

THE GAZETTE OF INDIA: EXTRAORDINARY

(PART II--SEC. 3(ii))

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 13th March, 2013

S.O. 674(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section 2 of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

In the said notification, in the Schedule, under the heading 'Project or Activity' in item 1(a) in column (5), under note (i) the following proviso shall be inserted, namely:—"provided that no fresh environment clearance shall be required for a mining project or activity at the time of renewal of mining lease, which has already obtained environment clearance, under this notification."

[No. L-11911/15/2012-IA-II(M)]

AJAY TYAGI, Jt. Secy.

Note:—The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:

1. S.O. 1737(E), dated the 11th October, 2007;
2. S.O. 3067(E), dated the 1st December, 2009;
3. S.O. 695(E), dated the 4th April, 2011; and
4. S.O. 2896(E), dated the 13th December, 2012.



MINERALS PVT. LTD.

MFGR. & SUPPLIER OF SUPER HIGH GRADE CHEMICAL LIME AND LIME STONE



TIN No. : 08432558788

February 06, 2010

To,

The Director (IA Division)
Ministry of Environment & Forests
Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi - 110 003

Sub: Limestone Mine Project (Minor Mineral) (ML No: 122/91 & ML Area: 100 Ha.) For Enhancement of Production Capacity from 14,600 TPA to 15,00,000 TPA Near Village-Hariyadhana, Tehsil-Bilara, District-Jodhpur (Rajasthan) by M/s. Nitesh Minerals Pvt. Ltd.

Ref: MoEF File No. J-11015/307/2009-IA. II (M) dated 17th Dec. 2009

Dear Sir,

This has reference to the aforesaid subject, we hereby request you that the application for the above said proposed production expansion project has been submitted to MoEF, New Delhi on **13th October, 2009**, First Technical presentation (ToR) in MoEF was held on **24th November 2009** and the TORs were prescribed on **17th Dec. 2009**. The Public Hearing of our project was conducted on **10th December 2010**.

With respect to the EIA Notification dated 14th September 2006, **we hereby submit Final EIA/ EMP report after incorporating ToR points and Public Hearing details** for obtaining Environmental Clearance from Ministry of Environment & Forests, New Delhi. The documents to be submitted are as under:

1. Final EIA/ EMP Report along with ToR Reply (Soft and Hard Copy)
2. Public Hearing proceedings with videography CD.

Kindly consider our case and grant us the Environmental Clearance at the earliest.

Thanking you & with regards,

Yours faithfully,

For M/s. Nitesh Minerals Pvt. Ltd.
For Nitesh Minerals Pvt. Ltd.

Authorized Signatory **Director**
Encl: as above

Office : 14-A, Old Public Park Road, Near K.N. College, Rai Ka Bagh, Jodhpur-342001 (Raj.)
Tel. : 0291-2517082 P.P., Fax : 02930-244212 P.P., Ph. : 02930-244766 P.P., (M) 9414135822

Works : Near Joshi Farm, P.O. **BORUNDA** - 342604, Tehsil : Bilara, Dist. : Jodhpur (Raj.)

Annex - D

By Speed Post

No. J-11015/307/2009-IA.II(M)
Government of India
Ministry of Environment & Forests
IA Division

534, Paryavaran Bhawan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003.

Dated the 30th October, 2012

To

M/s Nitesh Minerals Pvt. Ltd.
14-A, Old Public Park Road,
Near K.N. College, Rai Ka Bagh
Jodhpur-342001
Rajasthan

Subject: Limestone Mining Project (Minor Mineral) M.L. No.122/91 of M/s Nitesh Minerals Pvt. Ltd., Village Hariyadhana, Tehsil Bilara & District Jodhpur, Rajasthan - environmental clearance - regarding.

Sir,

Reference is invited to your proposal for in respect of the above mentioned project (for renewal of mine lease and enhancement of production of Limestone). While appraising the project, it was observed that the production from the said mine was enhanced after the EIA Notification, 2006 coming into force without obtaining requisite prior environmental clearance as was required under the EIA Notification, 2006 thereby violating the provisions of Environment (Protection) Act, 1986.

2. It has been decided that the environmental clearance to the said project will be issued only after (i) the matter relating to violation has been put to the Board of Directors of the Company or to the Managing Committee, for consideration of your environment related policy / plan of action and a written commitment in the form of a formal resolution is submitted to MoEF to ensure that violations of the Environment (Protection) Act will not be repeated and (ii) the State Government has

For Nitesh Minerals Pvt. Ltd.

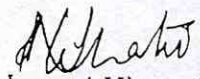
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3. In view of the above, appropriate action may be taken for placing the matter before the Board of Directors / Managing Committee as per Circular No. J-11013/41/2006-IA.II(I) dated 16th November, 2010 issued by MoEF and which is available on the website of the Ministry at envfor@nic.in and response submitted to this Ministry within prescribed time limit. As regards taking action for the violation, we have written to State Government in this regard.

4. Further necessary action on the proposal will be taken after getting response from you as well as the State Government. In the meantime, Ministry has decided to delist the project from the pending list.

5. This issues with the approval of the Competent Authority.


(Neeraj Khatri)
Dy. Director

For Nitesh Minerals Pvt. Ltd.


Director