

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(IMPACT ASSESSMENT DIVISION)
NON-COAL MINING SECTOR**

**SUMMARY RECORD OF 16th MEETING (SECOND-DAY ON 6th MAY 2020)
OF THE COMMITTEE OF THE EXPERT APPRAISAL COMMITTEE FOR
ENVIRONMENTAL APPRAISAL OF NON-COAL MINING PROJECTS
CONSTITUTED UNDER THE EIA NOTIFICATION, 2006.**

The 16th meeting of the Expert Appraisal Committee for Environmental Appraisal of Mining Projects (Non-Coal) of the Ministry of Environment, Forest and Climate Change was held during **May, 5-6, 2020 through video conference**. The list of participants on 6th May, 2020 is annexed herewith. After login of the Committee Members through video conference link provided by NIC, discussion on each of the Agenda Items was taken up ad-seriatim.

Deliberation on the proposals as per the Agenda of 16th EAC scheduled on 6th May, 2020

2.8: River Bed Mining Project from River Banas with Production Capacity of 7.2 million TPA (ROM) of Bajri by M/s. S.R. Associates, located at near Villages: Amlı, Banthali, Jalseena, Jalerı, Jagatya, Nandpura, Rajmahal, Satwara, Santhali; Tehsil- Deoli; District: Tonk, Rajasthan (1667.78ha) [F. No. J-11015/208/2013- IA.II (M); Proposal No. IA/RJ/MIN/20312/2013; Consultant - Overseas Min-Tech Consultants] – Consideration of EC

The proposal of M/s S.R. Associates is for River Bed Mining Project from River Banas with Production Capacity of 7.2 million TPA (ROM) of Bajri. The mining lease area is located at Village(s) Amlı, Banthali, Jalseena, Jalerı, Jagatya, Nandpura, Rajmahal, Satwara, Santhali, Tehsil: Deoli, District: Tonk, Rajasthan.

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR Application:** The proposal of TORs was considered by the Expert Appraisal Committee (Non Coal Mining) in its Meeting held on 21st -23rd Aug,

2013 to determine the Terms of Reference (ToRs) for undertaking detailed EIA study. Terms of Reference (ToRs) were issued by the Ministry vide letter no. J-1015/208/2013-IA.II (M) dated 14th October, 2013.

4. PP applied vide Proposal No. IA/RJ/MIN/20312/2013 dated 31.10.2014 applied for Environmental Clearance with Production Capacity of 7.2 million TPA (ROM) of Bajri and the proposal was placed in EAC meeting held during December 10-11, 2014 wherein the Committee deferred the proposal for want of requisite information. The Ministry vide Lr dated 20.01.2015 asked the PP to submit the requisite information. PP submitted the desired information on 30.01.2015. The proposal was then placed in EAC meeting held during May 27-28, 2015 wherein the Committee **recommended** the proposal for grant of EC for 7.2 million TPA (ROM). However, the Ministry referred back to the EAC in view of the issuance of Sand Mining Guidelines, 2016 and requirement of replenishment study for grant of EC for riverbed sand mining. The proposals were reconsidered in the meeting of EAC held during 24-25 Oct 2016, January 8, 2018 and May 30, 2018 wherein the EAC deferred the proposal for want of requisite information from PP and State Government. The project proponent submitted the following information submitted on 3.03.2020:

SL. No.	INFORMATION/CLARIFICATION	COMPLIANCE
1)	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures, if not done earlier	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures has already submitted.
2)	Details of Scientific Replenishment Study report needs to be presented with other requisite information.	Details of Scientific Replenishment Study have already submitted.
3)	DMG, State Government to submit demarcated river stretch through latitudes and longitudes (out of the total lease) where river sand/bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes (out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section

	in consultation with State Irrigation Department	in consultation with irrigation department. PP has submitted the document.
4)	PP and Consultant to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
5)	PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota	PP has submitted that Affidavit will be submit during presentation.
6)	State Government of Rajasthan shall regulate the mining operations made by PP and submit report to MoEF&CC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season; and	State govt. of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus leveled of cross-section not made before the onset of rainfall season.
7)	State Department of Mines & Geology and PP are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.	District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016 is Enclosed by the PP.
8)	The Committee deliberated the issues and is of the view that	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as

	Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	“period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
9)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)
10)	The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chianages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable	A database is structured tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, Chainage and respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP

	CAD software.	(Section wise CSV)
11)	<p>Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be</p>	<p>Estimation of Proposed Quantum of excavation in Tonne with the help of specific gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. Annexure:6 (Specific Gravity Report) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report of lateral extents of excavation</p>

	submitted by the PP.	and no excavation zone within ML also given as Plate No.-1 of replenishment Report. report (Enclosed by PP)
12)	PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.	A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)
13)	It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.	A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations alongwith name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)
14)	In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.	PP has submitted that CD of the Soft Copy of excel or CSV file, DWG files of all Survey recordings area in proper order & sequence will be submitted during presentation.
15)	The Committee deliberated the issues w.r.t. erection of pillars	Project Proponent erected the pillars with the following

<p>and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual</p>	<p>specifications: i. The distance between two adjoining pillars is not more than 100 meters. ii. The pillars are of square pyramid frustum shaped above the surface & cuboid shaped below the surface. iii. Each Pillars are of Reinforced cement concrete. iv. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground. v. All Pillars are painted in yellow colour and top 10cm in red by enamel paint and grouted with cement concrete. vi. Distance backward & forward bearing with latitude & longitude marked on the pillar. vii. Each Pillar are numbered in clockwise direction and number engraved on the pillar. viii. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease. ix. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn (Enclosed by PP)</p>
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	boundary point shall be intersection of two diameters drawn at 90 degrees.	
16)	PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.	PP has submitted that affidavit will be submitted during presentation.

The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step by step procedure followed for conducting the replenishment study. The amount proposed for production is 4.22 million TPA (as against 7.2 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report.
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.

- 3) The Committee also observed that there is difference in the mining area as per LOI (1667.78 Ha) and demarcated by DMG (256.664 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 256.664 Ha based on the conditions prevailing at that time.
- 4) The Committee also observed that in the replenishment study report mineable mineral was calculated and impact on traffic density was covered. But it is not clear from the study report that area which comes under no mining zone (block area) and the reserves which is blocked in this area. Due to this it is difficult to ascertain that what would be safe extractable volume, depth and tonnage.
- 5) The Committee also observed that there is a difference in specific gravity as reported in two study reports viz. CMPDI & OMTC. The Committee also discussed this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan who confirmed that specific gravity may be considered as 2.54 tonne/m³.
- 6) The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing and informed the Committee there is sufficient material available for mining and requested for grant of EC.
- 7) The Committee considered the request of the Member of the Association at the same time is also of the view that the Hon'ble Supreme Court in its order dated 2.08.2018 mentioned that *"124. We are not in agreement with learned counsel for the mining lease holders. There is no doubt that the grant of an EC cannot be taken as a **mechanical exercise**. It can only be granted after due diligence and reasonable care since damage to the environment can have a long term impact."* Further, EAC is of the view that *"In another judgment in **Secretary, Kerala State Coastal Management Authority v. DLF Universal Ltd.**, the Apex Court*

discussed about the procedure of deemed environmental clearance and held that not to be followed in future, since obtaining of prior environmental clearance is mandatory, irrespective of wording in Para 8(2) of EIA 2006 Notification.” So, in the instant case the decision can be only be taken after examining the information & data submitted by the PP.

- 8) The Member Secretary also informed the Committee that Ministry also received a representation from Sr. Advocate of Hon'ble Supreme Court against the Sand Mining Proposals from the State of Rajasthan wherein inter-alia the issues raised is regarding illegal mining, violation of Common Cause Judgment dated 2.08.2017 and request for not considering these proposals. The Chairman is of the view that complaint may be forwarded to all the members so that issues mentioned therein may be addressed and at the same time asked the Member Secretary to sought desired information from PP/State Government for the same.
- 9) The Committee also felt that complete document is not available online and Ministry may ask PP to upload the same for further appraisal and public viewing. In case PP faces any issue regarding size restriction then same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.

5. Based on the discussion held on 6th May, 2020 and document submitted by the PP, the Committee **deferred** the proposals for want of following information from the PP& State Government. The Committee is of the view that the *Hon'ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report. The field book for pre & post monsoon needs to be provided as same was not included in the presentation.

- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided.
- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining ,2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area
- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.

- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.
- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.9: Bajri (Minor Mineral with capacity of 1.008 million TPA) Mining by M/s Chandak Associates located at near village Sureli (Khasra No. 1 and 1402) Tehsil Uniyara, District Tonk, Rajasthan (177.64ha)-Prescribing TORs regarding. [F. No. J-11015/179/2013-IA.II (M); Proposal No. IA/RJ/MIN/26462/2013] – Consideration of EC

The proposal of M/s Chandak Associates is for Bajri Mining with capacity of 1.008 million TPA from GairmumkinNadi, Nallah and Khasara areas (excluding prohibited areas) near village Sureli (Khasra No. 1 and 1402) Tehsil

Uniyara, District Tonk, Rajasthan (177.64ha). The Latitudes and Longitudes of the Mine Lease area are 26°06'04.29"N to 26°07'59.76"N and 76°01'05.66"E to 76°01'400.57"E respectively on Survey of India toposheet numbers 45 N/16 & 54 B/4. The Project is located in Seismic zone-II.

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR Application:**The proposal of TOR was considered by the Expert Appraisal Committee in its 9th Meeting held during 22nd - 24th July, 2013 to determine the Terms of Reference (TOR) for undertaking detailed EIA study. The TOR was issued by MoEF&CC vide letter No. J-11015/179/2013-IA.II (M), dated 13th September, 2013.

4. **EC Application:** PP vide Proposal No. IA/RJ/MIN/26462/2013 dated 10.01.2015 applied for Environmental Clearance and the proposal was placed in EAC meeting held during 29-30 April 2015 wherein the EAC recommended the proposal for grant of EC subject to submission of compliance of TOR 8 w.r.t. present land use details and name of local species proposed for green belt development as the information sought is not available online. However, in light of the issuance of Sand Mining Guidelines, 2006 and requirement of replenishment study for grant of EC for riverbed sand mining, the Ministry thereafter conducted a EAC meeting during 24-25 Oct 2016 wherein general recommendation was made by the EAC regarding requirement of replenishment study for sand mining proposals and considering the recommendation of EAC the ministry vide letter dated 27.12.2016 asked PP to submit the replenishment study report. Meanwhile another meeting of EAC was conducted during 8.01.2018 wherein the Phase-I report of CMPDI was deliberated and the Committee deferred the proposal for want of requisite information. The PP submitted the Replenishment Study Report (Phase-II) on 26.04.2018. Thereafter, another meeting of EAC was conducted on 30.05.2018 wherein the Phase-II report of CMPDI was deliberated and Committee deferred the proposal for want of requisite information from PP & State Govt. The Ministry vide letter dated 18.06.2018 asked the PP to submit the requisite information. The following information was submitted on 2.03.2020:

S. No.	INFORMATION/CLARIFICATION	COMPLIANCE
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1)	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures, if not done earlier	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures has already submitted.
2)	Details of Scientific Replenishment Study report needs to be presented wither other requisite information.	Details of Scientific Replenishment Study have already submitted.
3)	DMG, State Government to submit demarcated river stretch through latitudes and longitudes (out of the total lease) where river sand/bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section in consultation with State Irrigation Department	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes (out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section in consultation with irrigation department. PP has submitted the document.
4)	PP and Consultant to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
5)	PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota	PP has submitted that Affidavit will be submitted during presentation.
6)	State Government of Rajasthan shall regulate the mining operations made by PP and submit report to MoEF&CC on quarterly basis. It shall also be	State govt. of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus

	ensured that levelled cross section is made before the onset of next rainfall season; and	levelled of cross-section not made before the onset of rainfall season.
7)	State Department of Mines & Geology and PP are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.	District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016 is Enclosed by the PP.
8)	The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as "period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
9)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)
10)	The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chianages	A database is structured tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, Chainage and

	and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.	respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP (Section wise CSV)
11)	Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be	Estimation of Proposed Quantum of excavation in Tonne with the help of specific gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. (Specific Gravity Report submitted by PP) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report of lateral extents of excavation

	submitted by the PP.	and no excavation zone within ML also given as Plate No.-1 of replenishment Report. (Enclosed by PP)
12)	PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.	A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)
13)	It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.	A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations alongwith name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)
14)	In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.	PP has submitted that CD of the Soft Copy of excel or CSV file, DWG files of all Survey recordings area in proper order & sequence will be submitted during presentation.
15)	The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications	Project Proponent erected the pillars with the following specifications: i. The distance between two adjoining pillars is not more than 100 meters. ii. The pillars are of square pyramid frustum shaped

	<p>inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters drawn at 90 degrees.</p>	<p>above the surface & cuboid shaped below the surface.</p> <p>iii. Each Pillars are of Reinforced cement concrete.</p> <p>iv. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground.</p> <p>v. All Pillars are painted in yellow colour and top 10cm in red by enamel paint and grouted with cement concrete.</p> <p>vi. Distance backward & forward bearing with latitude & longitude marked on the pillar.</p> <p>vii. Each Pillar are numbered in clockwise direction and number engraved on the pillar.</p> <p>viii. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease.</p> <p>ix. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn.</p> <p>(Pillar Photograph Enclosed by PP)</p>
16)	<p>PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition</p>	<p>PP has submitted the affidavit vide No. AX 931539 dated 26.02.2020.</p>

	(Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2 nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.	
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The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step wise step procedure followed for conducting the replenishment study. The amount proposed for production is 1.08 million TPA (as against 1.08 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report.
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.
- 3) The Committee also observed that there is difference in the mining area as per LOI (177.64 Ha) and demarcated by DMG (172.096 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 172.096 Ha based on the conditions prevailing at that time.
- 4) The Committee also observed that in the replenishment study report mineable mineral was calculated and impact on traffic density was covered. But it is not clear from the study report that area which comes

under no mining zone (block area) and the reserves which is blocked in this area. Due to this it is difficult to ascertain that what would be safe extractable volume, depth and tonnage.

- 5) The Committee also observed that there is a difference in specific gravity as reported in two study reports viz. CMPDI & OMTTC. The Committee also discussed this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan who confirmed that specific gravity may be considered as 2.54 tonne/m³.
- 6) The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing the EAC and informed the Committee there is sufficient material available for mining and requested for grant of EC.
- 7) The Committee considered the request of the Member of the Association at the same time is also of the view that the Hon'ble Supreme Court in its order dated 2.08.2018 mentioned that *"124. We are not in agreement with learned counsel for the mining lease holders. There is no doubt that the grant of an EC cannot be taken as a **mechanical exercise**. It can only be granted after due diligence and reasonable care since damage to the environment can have a long term impact."* Further, EAC is of the view that *"In another judgment in **Secretary, Kerala State Coastal Management Authority v. DLF Universal Ltd.**, the Apex Court discussed about the procedure of deemed environmental clearance and held that not to be followed in future, since obtaining of prior environmental clearance is mandatory, irrespective of wording in Para 8(2) of EIA 2006 Notification."* So, in the instant case the decision can be only be taken after examining the information & data submitted by the PP.
- 8) The Member Secretary also informed the Committee that Ministry also received a representation from Sr. Advocate of Hon'ble Supreme Court against the Sand Mining Proposals from the State of Rajasthan wherein inter-alia the issues raised is regarding illegal mining, violation of Common Cause Judgment dated 2.08.2017 and request for not considering these proposals. The Chairman is of the view that complaint may be forwarded to all the members so that issues mentioned therein may be addressed and at the same time asked the Member Secretary to sought desired information from PP/State Government for the same.

- 9) The Committee also felt that complete document is not available online and Ministry may ask PP to upload the same for further appraisal and public viewing. In case PP faces any issue regarding size restriction then same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.

5. Based on the discussion held on 6th May, 2020 and document submitted the Committee **deferred** the proposals for want of following information from the PP & State Government. The Committee is of the view that the *Hon'ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report.
- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided.
- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining, 2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the

current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area

- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.
- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.

- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.10: Mining of Sand (Minor Mineral) with proposed production capacity of 2.80 Lakh TPA (ROM) by M/s Narrotham Singh Jadaun, located at Revenue Villages of Tehsil and District-Rajsamand, Rajasthan (489.39ha)(File No. J11015/227/2013- IA.II (M); Proposal no. IA/RJ/MIN/19141/2013)- Consideration of EC

The Proposal of M/s Narrotham Singh Jadaun is for Mining of Sand (Minor Mineral) with proposed production capacity of 2.80 Lakh TPA (ROM). The mine is located at Revenue Villages viz. Nogama, Emri, Bhatoli, Amloi, Mohi, Pipaliacharyan, Barliya, Chhaparkheri, Khatamala, Dhanyala, Ummedpura, Karera, Deviyokamerda and Arawara of Tehsil and District-Rajsamand, Rajasthan in the MLA of 489.39ha. The geographical extents of mining lease area are Latitude: 25°00'20.06" N to 25°13'33.7" N and Longitude: 73°49'26.6" E to 74°00'28.2" E. The project is located in seismic zone-II.

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR & EC Application:**The proposal was considered by the Expert Appraisal Committee (Non- Coal Mining) in its meeting held during 21st -23th August, 2013 to determine the terms of reference (TOR) for undertaking detailed EIA. TOR has been issued by MOEF&CC, vide letter no. J-11015/227/2013-IA.II (M) dated 15.10.2013.

4. **EC Application:** PP vide Proposal No. IA/RJ/MIN/19141/2013 dated 28.01.2015 applied for Environmental Clearance with proposed production capacity of 2.80 Lakh TPA (ROM). The proposal was placed in EAC meeting held during May 27-29, 2015 wherein the Committee deferred the proposal for want of requisite information. PP submitted the information on 24.12.2015. The proposal was placed in EAC meeting held during March 21-22, 2016 but PP did not attend the meeting. The proposal was again placed in EAC meeting held during June 22-23, 2016 wherein the Committee the Committee deliberated at length the information submitted by PP and **deferred the Proposal** and said that the proposal may be considered further after receipt of revised EIA/EMP report w.r.t. replenishment study. PP did not submit the revised EIA/EMP. Keeping in view of the issuance of Sand Mining Guidelines, 2016 and requirement of replenishment for grant of EC for riverbed sand mining, the Ministry thereafter conducted a EAC meeting during 24-25 Oct 2016 wherein general recommendation was made by the EAC regarding requirement of replenishment study for sand mining proposals and considering the recommendation of EAC. The PP submitted the Replenishment Report of CMPDI (Phase-1) on 29.12.2017 and the proposal was placed in EAC meeting held during 8.01.2018 wherein the Committee deferred the proposal again for want of requisite information from PP & State Government. PP submitted the information on 24.04.2018 and the proposal was placed in EAC meeting held during 30.05.2018 wherein the EAC recommended for 25% of production capacity subject to submission of certain information. PP submitted the following information along with replenishment study report (Pre & Post Monsoon) on 3.03.2020:

S. No.	INFORMATION/CLARIFICATION	COMPLIANCE
1)	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures, if not done earlier	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures has already submitted.
2)	Details of Scientific Replenishment Study report needs to be presented wither other requisite information.	Details of Scientific Replenishment Study have already submitted.
3)	DMG, State Government to submit demarcated river stretch through latitudes and longitudes	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes

	(out of the total lease) where river sand/bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section in consultation with State Irrigation Department	(out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section in consultation with irrigation department. PP has submitted the document.
4)	PP and Consultant to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
5)	PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the aquatic biota	An undertaking is attached here with regarding the use of scrapper for mining to ensure mining depth be maintained as 1.0 meter (max) from original ground level and other heavy machinery like bucket excavators, JCB machines etc. will not be used. This may adversely impact the aquatic bio data.PP has submitted that Affidavit dated 26.02.2020.
6)	State Government of Rajasthan shall regulate the mining operations made by PP and submit report to MoEF&CC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season; and	State govt. of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus leveled of cross-section not made before the onset of rainfall season.
7)	State Department of Mines & Geology and PP are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.	PP has submitted that DSR report will be submitted during the presentation.

8)	The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as “period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
9)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)
10)	The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chainages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.	A database is structured tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, Chainage and respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP (Section wise CSV)
11)	Thus with the help of existing ground profile and proposed extents of excavation considering	Estimation of Proposed Quantum of excavation in Tonne with the help of specific

	<p>the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be submitted by the PP.</p>	<p>gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. (Enclosed Specific Gravity Report) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report of lateral extents of excavation and no excavation zone within ML also given as Plate No.-1 of replenishment Report. report (Enclosed by PP)</p>
12)	<p>PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under</p>	<p>A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)</p>

	Rajasthan Minor Mineral Concession Rules and other competent authority.	
13)	It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.	A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations alongwith name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)
14)	In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.	PP has submitted that CD of the Soft Copy of excel or CSV file, DWG files of all Survey recordings area in proper order & sequence will be submitted during presentation.
15)	The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and	Project Proponent erected the pillars with the following specifications: i. The distance between two adjoining pillars is not more than 100 meters. ii. The pillars are of square pyramid frustum shaped above the surface & cuboid shaped below the surface. iii. Each Pillars are of Reinforced cement concrete. iv. iv. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground. v. All Pillars are painted in yellow colour and top 10cm

	<p>0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters drawn at 90 degrees.</p>	<p>in red by enamel paint and grouted with cement concrete.</p> <p>vi. Distance backward & forward bearing with latitude & longitude marked on the pillar. vii.</p> <p>vii. Each Pillar are numbered in clockwise direction and number engraved on the pillar.</p> <p>viii. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease.</p> <p>ix. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn.</p> <p>(PP has submitted that pillar photographs will be submitted during presentation)</p>
16)	<p>PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.</p>	<p>PP has submitted that affidavit dated 26.02.2020.</p>

The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step wise step procedure followed for conducting the replenishment study. The amount proposed for production is 2.76 million TPA (as against 0.28 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report. Further the production proposed is more than the capacity for which ToR & EIA Report was prepared. **The Committee also found that presentation is also prepared on the same line. The Committee warned the consultant and asked him to ensure that all the information and data presented before the Committee should be factually correct.**
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.
- 3) The Committee also observed that there is difference in the mining area as per LOI (489.39 Ha) and demarcated by DMG (199.9 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 199.90 Ha based on the conditions prevailing at that time.
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same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.

5. Based on the discussion held on 6thMay, 2020 and document submitted the Committee **deferred** the proposals for want of following information from the PP & State Government. The Committee is of the view that the *Hon'ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report.
- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided.
- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining ,2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area.

- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.
- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.

- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.11: Mining of Bajri (Minor Mineral) with proposed production capacity of 2.80 Lakh TPA (ROM) by Lessee Shri Himmat Singh Shekhawat, located at Revenue village(s) of Tehsil Nathdwara, District Rajsamand, Rajasthan (MLA-773.2797 ha) (File no. J-11015/211/2013-IA-II(M); Proposal No. IA/RJ/MIN/19136/2013; Consultant - Overseas Min-Tech Consultants] – Consideration of EC

The proposal of Shri Himmat Singh Shekhawat is for Mining of Bajri (Minor Mineral) with proposed capacity of 2.80 Lakh TPA (ROM). The Mine is located near village Namana, Khedana, KumariyaKheda, Ulpura, Kothariya, Kallakhedi, KarjiyaGhati, Gunjol, Kuncholi, Kunthwa, Bagol, Gudla, Dhanyla, Paneriyo Ki Madri, Joshiyo Ki Madri, Tantol, Sarsuniya, Khamnor, Molela, Khedi, Dabun, Saloda, Karai, Sema, ChotaBhanuja, BadaBhanuja of Tehsil: Nathdwara, District: Rajsamand, Rajasthan. The Coordinate of river (Berach&Lapli River) having Latitudes 24° 54' 49" N to 25° 01'13" N and Longitudes 73°37'19" E to 73° 56'10" E.

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR Application:** The proposal for determining the Terms of Reference (TORs) was considered by the Reconstituted Expert Appraisal Committee in its 10th meeting held during August 21st -23rd, 2013.TOR was granted to M/s

Narrotham Singh Jadaun vide Letter No. J-11015/211/2013-IA. II (M) dated 14.10.2013.

4. **EC Application:** PP vide Proposal No. IA/RJ/MIN/19136/2013 dated 03.02.2015 applied for Environmental Clearance) with proposed capacity of 2.80 Lakh TPA (ROM). The Proposal was appraised in EAC meeting held during April 29-30, 2015 wherein the Committee rejected the proposal and asked the PP to submit revised EIA/EMP. The Ministry vide its letter dated 25.05.2015 informed the PP that proposal has been rejected as the EIA/EMP report is not as per provision of EIA Notification, 2006 and asked the PP to submit the revised EIA/EMP report to the Ministry for further necessary action on the matter. PP vide its letter dated 06.08.2015 uploaded the Revised EIA/EMP Report and the proposal was again considered in EAC meeting held during September 22-24, 2015 wherein in the EAC after considering all the environmental and social issues **recommended** subject to submission of certain information pertaining to violation. PP submitted the desired information. However, keeping in view of the issuance of Sand Mining Guidelines, 2006 and requirement of replenishment study for grant of EC for the riverbed sand mining, all the recommended sand mining proposals were referred back to EAC in its meeting held during October 24-25, 2016 wherein the proposals were deferred for want of replenishment study report. Ministry vide letter dated 18.01.2017 asked PP to submit the replenishment study report. PP entrusted the task of replenishment study to CMPDI and submitted the same to MoEF&CC online on 29.12.2017. The Proposal was further placed in EAC meeting held during 8.01.2018. The Committee observed that CMPDI conducted a replenishment study of the entire mining lease area during 2017 which is based on the Meyer-Peter's equation. The Committee deferred the proposal for want of requisite information from PP & State Government. The Ministry, vide letter dated 05.02.2018 has requested Department of Mines and Geology, Government of Rajasthan/Project Proponent to submit the above mentioned information. In this context, the Department of Mines and Geology, Government of Rajasthan, vide letter dated 20.04.2018 has submitted the information for 18 LOIs and as the information was technical in nature the proposal was placed before EAC in its meeting held during 30-31 May, 2018 wherein the State Government submitted the details of identified the mineable block of 145.84 Ha for this mining lease. The Committee again deferred the proposal and sought information with respect to validity of LoI and other details. The following information was submitted on 2.03.2020:

1. Compliance of EAC Meeting held on 8th January, 2018

S. No.	Points /observation made by EAC	Compliance
1.	The DMG, Govt. of Rajasthan is required, to demarcate the stretch of land (lease) in consultation with State Irrigation Department on which it wants to permit river/ sand mining as the current practice of granting whole Tehsil as a lease is not viable from environmental point of view as it could impact the agricultural and groundwater profile over a large area;	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes (out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section in consultation with irrigation department. (PP has enclosed the copy).
2.	Based on such area identification, DMG, PPs and M/s CMPDI are required to identify the cross section on which the replenishment study shall be undertaken for calculation of replenishment amount/ rate, as the case may be;	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
3.	The areas for 'carrying out mining' and cross-sections for 'monitoring replenishment' are required to be demarcated through latitudes and longitudes along with the Original Ground Level (OGL) of the cross-section and shall be duly authenticated by DMG, Govt. of Rajasthan and State Irrigation Department respectively. The future replenishment assessment may be undertaken based on OGL duly authenticated by State Irrigation Department. No mining shall be carried outside the demarcated area;	An undertaking is attached here with regarding the use of scrapper for mining to ensure mining depth be maintained as 1.0 meter (max) from original ground level and other heavy machinery like bucket excavators, JCB machines etc. will not be used. Which may adversely impact the aquatic bio data . PP has enclosed Affidavit dated 26.02.2020.

4.	The maximum depth of mining shall be restricted to 1.0 meters from the OGL;	State Govt. Of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus leveled of cross-section not made before the onset of rainfall season.
5.	PP shall use only Scrapers for mining to ensure that the mining depth be maintained as 1.0 meters. No other heavy machinery like bucket excavators, JCB machines etc. shall not be used for excavation/digging which may adversely impact the aquatic biota. The PP shall have to ensure that during the course of mining, a leveled cross section is made (to the extent possible) so that replenishment studies in future are carried out with ease and transparency and depth of deposited material is measured. The DMG, Rajasthan shall ensure that leveled cross section is made by PPs before the onset of next rainfall season and the same be communicated to MoEF CC.	Only Scrapers will be used for mining to maintain the mining depth as 1 meters. No other heavy machinery like bucket excavators, JCB machines etc. will be deployed for excavation /digging which may adversely impact the aquatic biota. It is ensured that during the course of mining the levelled cross section will be made (to the possible extent) so that replenishment study in future will be carried out with the ease and transparency and depth of deposited material is measured. Levelled cross section prepared in consultation with the Department of Mines & Geology.
6.	State Government of Rajasthan shall regulate the mining operation by PPs and submit the report to MOEFCC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season.	Project Proponent will submit report to MOEF& CC on quarterly basis. The leveled cross section will be made before the onset of next rainfall season
7.	State Deptt. Of Mines & Geology & PPs are required to submit District Survey Report	District survey report (DSR) in line with the provisions made in mining notification date of 15-01-2016 is

	(DSR) in line with provision made in Ministry's notification dated 15.01.2016.	enclosed by the PP.
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Observation of EAC: The Committee observed that there is some mismatch in filling up the information and PP is requested to verify the same as per MoM dated 8.01.2018.

2. Compliance of EAC Meeting held on May 30-31, 2018

S. No.	INFORMATION/CLARIFICATION	COMPLIANCE
1)	The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as "period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
2)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)
3)	The PP needs to submit a	A database is structured

	<p>database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chainages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.</p>	<p>tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, Chainage and respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP (Section wise CSV)</p>
4)	<p>Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan</p>	<p>Estimation of Proposed Quantum of excavation in Tonne with the help of specific gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. (Enclosed Specific Gravity Report) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be</p>

	clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be submitted by the PP.	put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report of lateral extents of excavation and no excavation zone within ML also given as Plate No.-1 of replenishment Report. report (Enclosed by PP)
5)	PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.	A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)
6)	It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.	A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations alongwith name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)
7)	In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.	PP has submitted that Soft Copy of CSV file, DWG files will be submitted during presentation.
8)	The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that	Project Proponent erected the pillars with the following specifications:

	<p>the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters drawn at 90 degrees.</p>	<p>x. The distance between two adjoining pillars is not more than 100 meters. xi. The pillars are of square pyramid frustum shaped above the surface & cuboid shaped below the surface. xii. Each Pillars are of Reinforced cement concrete. iv. xiii. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground. xiv. All Pillars are painted in yellow colour and top 10cm in red by enamel paint and grouted with cement concrete. xv. Distance backward & forward bearing with latitude & longitude marked on the pillar. vii. xvi. Each Pillar are numbered in clockwise direction and number engraved on the pillar. xvii. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease. xviii. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn.</p> <p>(PP has submitted that pillar photographs will be submitted during presentation)</p>
9)	PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-	PP has submitted that affidavit dated 26.02.2020.

	<p>IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.</p>	
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The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step wise step procedure followed for conducting the replenishment study. The amount proposed for production is 2.79 million TPA (as against 0.28 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report. Further the production proposed is more than the capacity for which ToR & EIA Report was prepared. **The Committee also found that presentation is also prepared on the same line. The Committee warned the consultant and asked him to ensure that all the information and data presented before the Committee should be factually correct.**
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.
- 3) The Committee also observed that there is difference in the mining area as per LOI (773.28 Ha) and demarcated by DMG (145.84 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of

Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 145.84 Ha based on the conditions prevailing at that time.

- 4) The Committee also observed that in the replenishment study report mineable mineral was calculated and impact on traffic density was covered. But it is not clear from the study report that area which comes under no mining zone (block area) and the reserves which is blocked in this area. Due to this it is difficult to ascertain that what would be safe extractable volume, depth and tonnage.
- 5) The Committee also observed that there is a difference in specific gravity as reported in two study reports viz. CMPDI & OMTC. The Committee also discussed this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan who confirmed that specific gravity may be considered as 2.54 tonne/m³.
- 6) The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing the EAC and informed the Committee there is sufficient material available for mining and requested for grant of EC.
- 7) The Committee considered the request of the Member of the Association at the same time is also of the view that the Hon'ble Supreme Court in its order dated 2.08.2018 mentioned that *"124. We are not in agreement with learned counsel for the mining lease holders. There is no doubt that the grant of an EC cannot be taken as a **mechanical exercise**. It can only be granted after due diligence and reasonable care since damage to the environment can have a long term impact."* Further, EAC is of the view that *"In another judgment in **Secretary, Kerala State Coastal Management Authority v. DLF Universal Ltd.**, the Apex Court discussed about the procedure of deemed environmental clearance and held that not to be followed in future, since obtaining of prior environmental clearance is mandatory, irrespective of wording in Para 8(2)*

of EIA 2006 Notification.” So, in the instant case the decision can be only be taken after examining the information & data submitted by the PP.

- 8) The Member Secretary also informed the Committee that Ministry also received a representation from Sr. Advocate of Hon’ble Supreme Court against the Sand Mining Proposals from the State of Rajasthan wherein inter-alia the issues raised is regarding illegal mining, violation of Common Cause Judgment dated 2.08.2017 and request for not considering these proposals. The Chairman is of the view that complaint may be forwarded to all the members so that issues mentioned therein may be addressed and at the same time asked the Member Secretary to sought desired information from PP/State Government for the same.
- 9) The Committee also felt that complete document is not available online and Ministry may ask PP to upload the same for further appraisal and public viewing. In case PP faces any issue regarding size restriction then same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.

5. Based on the discussion held on 6th May, 2020 and document submitted the Committee **deferred** the proposals for want of following information from the PP & State Government. The Committee is of the view that the *Hon’ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report.
- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details

of any prohibited area within the LOI area or demarcated area needs to be provided.

- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining ,2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area.
- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.
- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.

- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.
- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.12: Bajri (Minor Mineral with production capacity of 3.64 million TPA ROM) Mining by M/s Chandak Associates located at Village (s) Kurasia, BanediaCharnan, Kawrawas, Chandpura, Saigyawas, Golahera, Ralawata, Thatha, Setiwas, Jethaliya, Jharkiya (Radhavallabhpora), MorBhatiyar, Morda, Modiyala, Chaan, Barwas and Chuli., Tehsil- Todaraisingh, District-Tonk, Rajasthan (1260.96ha). [F.No. J-11015/180/2013-IA. II (M); Proposal No. IA/RJ/MIN/19962/2013; Consultant - Overseas Min-Tech Consultants] – Consideration of EC

The proposal of M/s Chandak Associates is for Bajri (Minor Mineral with production capacity of 3.64 million TPA ROM) Mining located at Village (s) Kurasia, BanediaCharnan, Kawrawas, Chandpura, Saigyawas, Golahera, Ralawata, Thatha, Setiwas, Jethaliya, Jharkiya (Radhavallabhpora),

MorBhatiyar, Morda, Modiyala, Chaan, Barwas and Chuli., Tehsil-Todaraisingh, District- Tonk, Rajasthan (1260.96ha).

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR Application:** The proposal for determining the Terms of Reference (TORs) for undertaking detailed EIA study was considered by the Reconstituted Expert Appraisal Committee in its 9th Meeting held during July, 22nd – 24th, 2013. TOR was granted to M/s. S.R. Associates vide Letter No. J-11015/180/2013-IA.II (M) dated 27.09.2013

4. **EC Application:** PP applied vide Proposal No. IA/RJ/MIN/**19962**/2013 dated 26.02.2015 applied for Environmental Clearance with Production Capacity of 3.64 million TPA (ROM) of Bajri. But as the correct ToR letter was not uploaded EDS was raised on 16.06.2016 for uploading of correct ToR letter. PP submitted the same on 16.06.2016 and the proposal was placed in EAC meeting held during June 22-23, 2016 wherein the Committee observed that *the Project Proponent has made the replenishment study using **Dandy and Bolton formula** and accordingly **about 8% of excavated area will be replenished naturally** due to sediment inflow from catchment area. The Committee noted that the replenishment rate is less than the excavation of mineral accordingly; the Committee is of the view that Project Proponent shall revise the proposal for production of bajri as the replenishment is lower than the proposed rate of production.* The Committee deliberated at length the information submitted by PP and **deferred** till the receipt of revised EIA/EMP report w.r.t. replenishment study by the PP. PP did not submit the same. Keeping in view of issuance of the Sand Mining Guidelines, 2016 and requirement of replenishment study for grant of EC for the riverbed sand mining, the Ministry thereafter conducted a EAC meeting on 24-25 Oct 2016 wherein general recommendation was made by EAC regarding requirement of replenishment study for sand mining proposals and considering the recommendation of EAC the ministry vide letter dated 27.12.2016 asked PP to submit the replenishment study report. Meanwhile another meeting of EAC was conducted during 8.01.2018 wherein Committee deferred the proposal for want of requisite information. PP submitted the Replenishment Study Report prepared by CMPDI (Phase-II) to MoEF&CC online on 26.04.2018. Subsequently, another meeting of EAC was held during 30-May 2018 wherein Phase-II report of CMPDI was deliberated along with other issues wherein the

EAC deferred the proposal for want of requisite information from PP and State Government. The following information was submitted on 3.03.2020:

S. No.	INFORMATION/CLARIFICATION	COMPLIANCE
10)	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures, if not done earlier	Complete appraisal of the EIA/EMP report along with ToR compliance and other mitigation measures has already submitted.
11)	Details of Scientific Replenishment Study report needs to be presented wither other requisite information.	Details of Scientific Replenishment Study have already submitted.
12)	DMG, State Government to submit demarcated river stretch through latitudes and longitudes (out of the total lease) where river sand/bajri mining can be permitted based on available reserves and Original Ground Level (OGL) at each cross section in consultation with State Irrigation Department	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes (out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section in consultation with irrigation department. PP has submitted the document.
13)	PP and Consultant to submit latitudes and longitudes of the identified cross section, duly authenticated by State Government, which shall be used for replenishment study in future for calculation of replenishment amount/ rate	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
14)	PP to give undertaking that only Scrapers shall be used for mining to ensure that the mining depth be maintained as 1.0 meters (max.) from Original Ground Level and No other heavy machinery like bucket excavators, JCB machines etc. shall be used which may adversely impact the	An undertaking is attached here with regarding the use of scrapper for mining to ensure mining depth be maintained as 1.0 meter (max) from original ground level and other heavy machinery like bucket excavators, JCB machines etc. will not be used. This may

	aquatic biota	adversely impact the aquatic bio data. <u>PP has submitted that Undertaking will be submitted during presentation.</u>
15)	State Government of Rajasthan shall regulate the mining operations made by PP and submit report to MoEF&CC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season; and	State govt. of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus leveled of cross-section not made before the onset of rainfall season.
16)	State Department of Mines & Geology and PP are required to submit District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016.	District Survey Report (DSR) in line with provisions made in Ministry's notification dated 15.01.2016 is <u>Enclosed by the PP which is incomplete copy.</u>
17)	The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as "period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
18)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)

	verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	
19)	The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, chainages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.	A database is structured tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of section line, Chainage and respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP (Section wise CSV)
20)	Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning	Estimation of Proposed Quantum of excavation in Tonne with the help of specific gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. (Specific Gravity Report submitted by PP) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area

	<p>the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of excavation and no excavation zone within ML shall also be submitted by the PP.</p>	<p>also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report of lateral extents of excavation and no excavation zone within ML also given as Plate No.-1 of replenishment Report. (Enclosed by PP)</p>
21)	<p>PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.</p>	<p>A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)</p>
22)	<p>It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.</p>	<p>A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations alongwith name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)</p>
23)	<p>In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of</p>	<p>PP has submitted that CD of the Soft Copy of excel or CSV file, DWG files of all Survey recordings area in proper order & sequence will be submitted during presentation.</p>

	sections.	
24)	<p>The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters</p>	<p>Project Proponent erected the pillars with the following specifications:</p> <ul style="list-style-type: none"> x. The distance between two adjoining pillars is not more than 100 meters. xi. The pillars are of square pyramid frustum shaped above the surface & cuboid shaped below the surface. xii. Each Pillars are of Reinforced cement concrete. xiii. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground. xiv. All Pillars are painted in yellow colour and top 10cm in red by enamel paint and grouted with cement concrete. xv. Distance backward & forward bearing with latitude & longitude marked on the pillar. xvi. Each Pillar are numbered in clockwise direction and number engraved on the pillar. xvii. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease. xviii. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn. <p>(Pillar Photograph Enclosed by PP)</p>

	drawn at 90 degrees.	
25)	PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2 nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2 nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.	PP has submitted the affidavit vide No. AX 931542 dated 26.02.2020.

The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step wise step procedure followed for conducting the replenishment study. The amount proposed for production is 0.30 million TPA (as against 3.64 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report.
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.
- 3) The Committee also observed that there is difference in the mining area as per LOI (1260.96 Ha) and demarcated by DMG (25.22 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director

(Mines), Jaipur and Nodal Officer from the State Government of Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 25.22 Ha based on the conditions prevailing at that time.

- 4) The Committee also observed that in the replenishment study report mineable mineral was calculated and impact on traffic density was covered. But it is not clear from the study report that area which comes under no mining zone (blocked area) and the reserves which is blocked in this area. Due to this it is difficult to ascertain that what would be safe extractable volume, depth and tonnage.
- 5) The Committee also observed that there is a difference in specific gravity as reported in two study reports viz. CMPDI & OMTTC. The Committee also discussed this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan who confirmed that specific gravity may be considered as 2.54 tonne/m³.
- 6) The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing the EAC and informed the Committee there is sufficient material available for mining and requested for grant of EC.
- 7) The Committee considered the request of the Member of the Association at the same time is also of the view that the Hon'ble Supreme Court in its order dated 2.08.2018 mentioned that "124. We are not in agreement with learned counsel for the mining lease holders. There is no doubt that the grant of an EC cannot be taken as a **mechanical exercise**. It can only be granted after due diligence and reasonable care since damage to the environment can have a long term impact." Further, EAC is of the view that "In another judgment in **Secretary, Kerala State Coastal Management Authority v. DLF Universal Ltd.**, the Apex Court discussed about the procedure of deemed environmental clearance and held that not to be followed in future, since obtaining of prior environmental clearance is mandatory,

irrespective of wording in Para 8(2) of EIA 2006 Notification.” So, in the instant case the decision can be only be taken after examining the information & data submitted by the PP.

- 8) The Member Secretary also informed the Committee that Ministry also received a representation from Sr. Advocate of Hon’ble Supreme Court against the Sand Mining Proposals from the State of Rajasthan wherein inter-alia the issues raised is regarding illegal mining, violation of Common Cause Judgment dated 2.08.2017 and request for not considering these proposals. The Chairman is of the view that complaint may be forwarded to all the members so that issues mentioned therein may be addressed and at the same time asked the Member Secretary to sought desired information from PP/State Government for the same.
- 9) The Committee also felt that complete document is not available online and Ministry may ask PP to upload the same for further appraisal and public viewing. In case PP faces any issue regarding size restriction then same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.
- 10) The Committee observed that previous EAC in its meeting held during June 22-23, 2016 asked for revised EIA/EMP w.r.t to replenishment study report which was not submitted by PP. The Committee is of the view the production capacity now proposed by PP is less than capacity for which ToR was granted therefore, at this stage there is no need of revision of EIA/EMP Report.

5. Based on the discussion held on 6th May, 2020 and document submitted the Committee **deferred** the proposals for want of following information from the PP & State Government. The Committee is of the view that the *Hon’ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe

extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report.

- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided.
- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining ,2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and the current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area.
- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary

provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.

- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.
- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.13 Bajri Mine (Minor Mineral) Production Capacity 5.60 million TPA by M/s Pradeep Kumar Sethi located at Revenue Village(s) of Tehsil Tonk, District Tonk, Rajasthan (2389.36ha). [F.No. J-11015/235/2013-IA. II (M); Proposal No. IA/RJ/MIN/20305/2013] – Consideration of EC

The proposal of M/s Pradeep Kumar Sethi is for Bajri Mine (Minor Mineral) Production Capacity 5.60 million TPA located at Revenue Village(s) & Khasra No. – Bharni (1), Mahuwa (1), Chhan (1), Amirpurkhera (1), Arniyanil (1), Mahendwas (2055 & 2117), Aminpura (1 & 139) Talibpura (1), Mohhamad Nagar (1), Palda (1, 66, 296, 376 & 442), Borda (1, 2, 3, 10, 11, 12, 13, 20 & 36), Ahmedpura (1 & 2), Lahan (1 & 163), Vazirpura (1), Tonk (1358/1), Saidabad (28/ 1 & 72), Sarwadabad (395), Mehgaon (114/1), Shyopuri (453), Chironj (458 & 459), Thikariya (1/ 1), Devli (685/ 1), Hyatpura (1), Arniya Tiwari (1), Bhanchi (1027 & 1055/256), ArniyaKedar (1 & 668), Mandawar (77, 78, 3170 & 3468), Sawai (1), Kaririya (78), Churiya (61), Nawabpura (1 & 87) of Tehsil Tonk, District Tonk, Rajasthan (2389.36ha). The Latitudes and Longitudes of the mine lease area are 25°59'18.45" N to 26°06'46.46" N and 75°38'39.12" E to 76°00'05.57" E.

2. **Category of Project:** As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. **ToR Application:** The proposal for determining the Terms of Reference (TORs) for undertaking detailed EIA study was considered by the Reconstituted Expert Appraisal Committee in its 11th meeting held during 25th - 27th September, 2013. TOR was granted to M/s Pradeep Kumar Sethi vide Letter No. J-11015/235/2013-IA. II (M) dated 17.10.2013.

4. **EC Application:** PP applied vide Proposal No. IA/RJ/MIN/20305/2013 dated 26.02.2015 applied for Environmental Clearance with Production Capacity of 5.6 million TPA (ROM) of Bajri and the proposal was placed in EAC meeting held during April 29-30, 2015 wherein the Committee recommended the proposal for grant of EC for production of 5.6 MTPA (ROM) from 2389.36 Ha mining lease area. However, the Ministry referred back to the EAC in view of the notification of sand mining guidelines, 2006 and requirement of replenishment study for grant of EC for all mining of minor minerals including river bed sand mining. The proposals were reconsidered in the meeting of EAC held during 24-25 Oct 2016, January 8, 2018 and May 30, 2018 wherein the EAC deferred the proposal for want of requisite information from PP and State Government. The project proponent submitted the following information submitted on 2.03.2020:

1. Compliance of EAC Meeting held on 8th January, 2018

S. No.	Points /observation made by EAC	Compliance
1.	The DMG, Govt. of Rajasthan is required, to demarcate the stretch of land (lease) in consultation with State Irrigation Department on which it wants to permit river/ sand mining as the current practice of granting whole Tehsil as a lease is not viable from environmental point of view as it could impact the agricultural and groundwater profile over a large area;	DMG, State Govt. submitted demarcated river stretch through latitude and longitudes (out of total lease) where river sand / Bajri mining can be permitted based on available reserves and original ground level(OGL) at each cross-section in consultation with irrigation department. (PP has enclosed the copy).
2.	Based on such area identification, DMG, PPs and M/s CMPDI are required to identify the cross section on which the replenishment study shall be undertaken for calculation of replenishment amount/ rate, as the case may be;	Project proponent and consultant submitted the latitude and longitudes of the identified cross-section duly authenticated by state govt. which used for replenishment study in future for calculation of replenishment amount/rate.
3.	The areas for 'carrying out mining' and cross-sections for 'monitoring replenishment' are required to be demarcated through latitudes and longitudes along with the Original Ground Level (OGL) of the cross-section and shall be duly authenticated by DMG, Govt. of Rajasthan and State Irrigation Department respectively. The future replenishment assessment may be undertaken based on OGL duly authenticated by State Irrigation Department. No mining shall be carried outside the demarcated area;	An undertaking is attached here with regarding the use of scrapper for mining to ensure mining depth be maintained as 1.0 meter (max) from original ground level and other heavy machinery like bucket excavators, JCB machines etc. will not be used .Which may adversely impact the aquatic bio data . PP has submitted that Undertaking Regarding Scrapper will be submitted during Presentation.

4.	The maximum depth of mining shall be restricted to 1.0 meters from the OGL;	State Govt. Of Rajasthan not regulated the mine as mining operation not performed in compliance with the order of Honorable supreme court. Thus leveled of cross-section not made before the onset of rainfall season.
5.	PP shall use only Scrapers for mining to ensure that the mining depth be maintained as 1.0 meters. No other heavy machinery like bucket excavators, JCB machines etc. shall not be used for excavation/digging which may adversely impact the aquatic biota. The PP shall have to ensure that during the course of mining, a leveled cross section is made (to the extent possible) so that replenishment studies in future are carried out with ease and transparency and depth of deposited material is measured. The DMG, Rajasthan shall ensure that leveled cross section is made by PPs before the onset of next rainfall season and the same be communicated to MoEF CC.	Only Scrapers will be used for mining to maintain the mining depth as 1 meters. No other heavy machinery like bucket excavators, JCB machines etc. will be deployed for excavation /digging which may adversely impact the aquatic biota. It is ensured that during the course of mining the levelled cross section will be made (to the possible extent) so that replenishment study in future will be carried out with the ease and transparency and depth of deposited material is measured. Levelled cross section prepared in consultation with the Department of Mines & Geology.
6.	State Government of Rajasthan shall regulate the mining operation by PPs and submit the report to MOEFCC on quarterly basis. It shall also be ensured that levelled cross section is made before the onset of next rainfall season.	Project Proponent will submit report to MOEF& CC on quarterly basis. The leveled cross section will be made before the onset of next rainfall season
7.	State Deptt. Of Mines & Geology & PPs are required to submit District Survey Report	District survey report (DSR) in line with the provisions made in mining notification date of 15-01-2016 is

(DSR) in line with provision made in Ministry's notification dated 15.01.2016.	enclosed by the PP.
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2. Compliance of EAC Meeting held on May 30-31, 2018

S. No.	INFORMATION/CLARIFICATION	COMPLIANCE
1)	The Committee deliberated the issues and is of the view that Department of Mines and Geology, Government of Rajasthan shall first confirm whether the instant LOI/Lease is valid or not before consideration of the Proposal.	The lease is valid as per RMMCR 2017 Rule 9(4) is reproduced as "period of lease may be extended equal to the period for which Mines remained closed (Dies-non) due to any court order. The LOI issued by the state Govt. is valid as per the Honorable Supreme Court order dated 10/05.2019 & 6.12.2019 vide letter no. ADM/Jpr/Bajri/2020/68 dated 3.02.2020
2)	The Committee deliberated the sections submitted by PP and noted that it is not clear from the section that till what lateral and depth extents the material will be excavated. Thus, the PP is required to submit the sections clearly marking the lateral and depth extents of present ground profile as well as proposed excavation profile at individual sections. The same needs to be verified/approved by the State Mines and Geology Department, Govt. of Rajasthan	Plan & Section clearly marking the lateral and depth extents of present ground profile at individual sections the same is verified/Approved by State Mines & Geology Department, Govt. of Rajasthan. (Enclosed by PP)
3)	The PP needs to submit a database in structured tabulated form clearly mentioning the nomenclature of the section line, latitude and longitude of both the	A database is structured tabulated from clearly mentioning the nomenclature of the section line, latitude and longitude of both the extents of

	<p>extents of section line, chainages and respective levels (RL, AMSL) of all the points taken on that section line. That means with the help of this database profile of ground at that section line can be drawn with the help of suitable CAD software.</p>	<p>section line, Chainage and respective level RL of all the points taken on that section line with the help of this database profile of ground at that section line can be drawn with the help of CAD software. Enclosed by PP (Section wise CSV)</p>
4)	<p>Thus with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents of sustainable sand mining guidelines, as mentioned above, The PP shall estimate the proposed quantum of excavation in tonnages with the help of Specific Gravity verified by the State DMG between every two consecutive sections. Such estimation shall be furnished by the PP in tabular form which includes the nomenclature of section lines, area proposed for excavation, distance between two consecutive section lines, volume, specific gravity, tonnage of the mineral, maximum depth extent from existing ground profile. Respective plans shall also be submitted clearly marking the area to be excavated. The same needs to be verified by the State Mines and Geology Department, Govt. of Rajasthan. In addition to this a composite plan mentioning the above proposed excavation zones for the entire mine lease area also needs to be submitted. Thus PP needs to submit a plan clearly showing the area to be put in under excavation and no excavation zones. Respective KML files of such lateral extents of</p>	<p>Estimation of Proposed Quantum of excavation in Tonne with the help of specific gravity verified by State Department of Mines & Geology between every two consecutive sections done with the help of existing ground profile and proposed extents of excavation considering the stipulations of lateral extents & Sustainable Sand Mining Guidelines. (Enclosed Specific Gravity Report) Estimation of quantity furnishable in tabular form and includes the nomenclature of section lines, Volume, Specific gravity, tonnage of the mineral, Maximum depth extent from existing ground profile, Plans showing the area to be excavated is given in Plate No-5 in Replenishment Report. The same has been verified by State Department of Mines & Geology. A composite plan mentioning the above proposed excavation zone for the entire Mine Lease area also attached as DRG No.-5 of replenishment report (Enclosed by PP). A plan clearly showing the area to be put under excavation and no excavation zones is given at DRG No.-5 KML files (Google Image) of replenishment report</p>

	excavation and no excavation zone within ML shall also be submitted by the PP.	of lateral extents of excavation and no excavation zone within ML also given as Plate No.-1 of replenishment Report. report (Enclosed by PP)
5)	PP needs to submit a plan clearly mentioning the width of river, lease boundaries, area left under safety zones as prescribed as per Sustainable Sand Mining Management Guidelines, 2016, as per statutory requirements under Rajasthan Minor Mineral Concession Rules and other competent authority.	A plan clearly showing the width of river lease boundary area left under safety zone as prescribed as per Sustainable Sand Mining Management Guidelines 2016, (enclosed by PP)
6)	It was found that the plans and sections were not depicting the dates (period) of survey further in order to ensure the ground survey PP should submit the dates (period) of survey, the model no & details of the instrument used for such survey, field recordings and observations along with name, signatures and contact details of the Surveyor explicitly be mentioned and recorded in the field book as well as in Plan & Sections.	A field Book showing the date (period) of Survey, The model Number & detail of the instruments used. Field recordings and observations along with name, Signature and contacts details of the Survey mentioned and recorded in the field book (Enclosed by PP)
7)	In addition to this soft copy (Excel or CSV file, DWG file) of all such survey recordings should also be submitted in proper order & sequence in order to cross check & verification samples checks of sections.	PP has submitted that Soft Copy of CSV file, DWG files will be submitted during presentation.
8)	The Committee deliberated the issues w.r.t. erection of pillars and accordingly suggested that the PP needs to erect the pillars with the following specifications and submit the details (in table form) of the same along with	Project Proponent erected the pillars with the following specifications: xix. The distance between two adjoining pillars is not more than 100 meters. xx. The pillars are of square

	<p>photographs. The specifications inter-alia are as (a) the distance between two adjacent pillars shall not be more than 100 meters; (b) the pillars shall be of square pyramid frustum shaped above the surface and cuboid shaped below the surface; (c) each pillar shall be of reinforced cement concrete; (d) the pillars shall have a base of 0.30m X 0.30m and height of 1.30m of which 0.70m shall be above ground level and 0.60m below the ground; (e) all the pillars shall be painted in yellow colour and the top ten cm in red colour by enamel paint and shall be grouted with cement concrete; (f) on all the pillars, distance and bearing to the forward and backward pillars and latitude and longitude shall be marked; (g) each pillar shall have serial number in a clockwise direction and the number shall be engraved on the pillars; (h) the number of pillar shall be the number of the individual pillar upon the total number of pillars in the lease; and (i) the tip of all pillars shall be a square of 15 cm on which a permanent circle of 10 cm diameter shall be drawn by paint or engraved and the actual boundary point shall be intersection of two diameters drawn at 90 degrees.</p>	<p>pyramid frustum shaped above the surface & cuboid shaped below the surface. xxi. Each Pillars are of Reinforced cement concrete. iv. xxii. Each pillars having base of 0.3mtrs x0.3mtrs and height of 1.30mtrs of which 0.7mtrs are above ground & 0.6mtrs below ground. xxiii. All Pillars are painted in yellow colour and top 10cm in red by enamel paint and grouted with cement concrete. xxiv. Distance backward & forward bearing with latitude & longitude marked on the pillar. vii. xxv. Each Pillar are numbered in clockwise direction and number engraved on the pillar. xxvi. The Number of pillars is the number of individual pillars upon the total number of pillars in the lease. xxvii. The tip of the pillar is square of 15 cm on which a permanent Circle of 10cm diameter drawn. (PP has submitted pillar photographs)</p>
9)	<p>PP shall submit the compliances as per the Ministry's Office Memorandum No.350/2017-IA.III(Pt.), dated 30.05.2018 by an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the</p>	<p>PP has submitted that Affidavit will be Submitted during Presentation.</p>

	<p>2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. w.r.t. judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.</p>	
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The EAC deliberated on the submissions made by the project proponent and presentation made by the consultant during the meeting on 6th may, 2020 and made following observation:

- 1) The Committee deliberated on the replenishment study report submitted by PP. The Consultant made a presentation on step wise step procedure followed for conducting the replenishment study. The amount proposed for production is 2.87 million TPA (as against 5.6 MTPA). The Committee observed that Replenishment Study Report submitted with EIA/EMP does not give any insight of safe extractable quantity as the blocked reserves in the safety zone is not provided in the report .
- 2) On comparing the results of replenishment study conducted by CMPDI in 2017 which is based on the Meyer-Peter's equation and by OMTC which is based on pre & post monsoon dated, the Committee found that there is a huge variation in the quantity of material deposited.
- 3) The Committee also observed that there is difference in the mining area as per LOI (2389.36 Ha) and demarcated by DMG (151.64 Ha). The Committee discuss this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan. He informed that after Judgment dated 27.02.2012 of Hon'ble Supreme Court in the matter of Deepak Kumar vs State of Haryana & Ors, the State Govt. of Rajasthan has issued LoI for the mining leases of larger area. He also informed that based on the EAC meeting held during 8.01.2018 the State Govt. identified the area where mining can be permitted and which comes out to be 151.64 Ha based on the conditions prevailing at that time.
- 4) The Committee also observed that in the replenishment study report mineable mineral was calculated and impact on traffic density was

covered. But it is not clear from the study report that area which comes under no mining zone (blocked area) and the reserves which is blocked in this area. Due to this it is difficult to ascertain that what would be safe extractable volume, depth and tonnage.

- 5) The Committee also observed that there is a difference in specific gravity as reported in two study reports viz. CMPDI & OMTC. The Committee also discussed this issue with Shri B.S. Soda, Additional Director (Mines), Jaipur and Nodal Officer from the State Government of Rajasthan who confirmed that specific gravity may be considered as 2.54 tonne/m³.
- 6) The Member Secretary informed the Committee that Ministry has received a representation on 4.05.2020 from Bajri Mining Lease Holders Association wherein it was requested for mechanized mining, mining in night hours and considering the proposal based on the recommendation already made by EAC. One of the PP also reiterated the same by addressing the EAC and informed the Committee there is sufficient material available for mining and requested for grant of EC.
- 7) The Committee considered the request of the Member of the Association at the same time is also of the view that the Hon'ble Supreme Court in its order dated 2.08.2018 mentioned that *"124. We are not in agreement with learned counsel for the mining lease holders. There is no doubt that the grant of an EC cannot be taken as a **mechanical exercise**. It can only be granted after due diligence and reasonable care since damage to the environment can have a long term impact."* Further, EAC is of the view that *"In another judgment in **Secretary, Kerala State Coastal Management Authority v. DLF Universal Ltd.**, the Apex Court discussed about the procedure of deemed environmental clearance and held that not to be followed in future, since obtaining of prior environmental clearance is mandatory, irrespective of wording in Para 8(2) of EIA 2006 Notification."* So, in the instant case the decision can be only be taken after examining the information & data submitted by the PP.
- 8) The Member Secretary also informed the Committee that Ministry also received a representation from Sr. Advocate of Hon'ble Supreme Court against the Sand Mining Proposals from the State of Rajasthan wherein inter-alia the issues raised is regarding illegal mining, violation of Common Cause Judgment dated 2.08.2017 and request for not considering these proposals. The Chairman is of the view that complaint may be forwarded to all the members so that issues mentioned therein may be addressed and at the same time asked the Member Secretary to sought desired information from PP/State Government for the same.

- 9) The Committee also felt that complete document is not available online and Ministry may ask PP to upload the same for further appraisal and public viewing. In case PP faces any issue regarding size restriction then same may be informed to Director NIC, MoEF&CC and Member Secretary, so as to ensure that all the information made online.

5. Based on the discussion held on 6th May, 2020 and document submitted the Committee **deferred** the proposals for want of following information from the PP & State Government. The Committee is of the view that the *Hon'ble Supreme Court in its order dated 6.12.2019 asked for completing of the application and directed the Ministry to pass appropriate order*, therefore to expedite the process, a Special Meeting may be conducted for the Sand Mining proposal from the State of Rajasthan after receipt of information from PP.

- 1) In the replenishment study report details such as area under 7.5 meters statutory barrier, area under $\frac{1}{4}$ width of the river, area under $\frac{3}{4}$ width of the river for both lease area and area demarcated by DMG needs to be mentioned. In addition to these details of the reserve available and block therein needs to be provided along with plan and section for area demarcated by DMG. In the study report the safe extractable volume and tonnage needs to be defined after the deducting the block reserves. The slice plan for the mining in the safe extractable zone needs to be provided in the report.
- 2) The details of the area to be utilized & not to be utilized for mining, as approved mining plan at the end of 5 years needs to be provided. Whether area demarcated by DMG comes under the utilized zone or un-utilized zone. In addition to this, area required for mining in the next 5 years needs to be provided with proper justification. The details of any prohibited area within the LOI area or demarcated area needs to be provided.
- 3) Mining is proposed in the small area and still large area is left how PP will ensure to curb illegal mining in the demarcated area and rest of the area falling in the lease (provision of Enforcement and Monitoring Guidelines for Sand Mining ,2020 shall be referred for the same). In addition to this budget for installation surveillance equipment like CCTV, security guards weigh bridge etc., needs to be provided. The mining intensity of the original proposal considering larger area and

the current proposal shall be compared and explained, as there is significant difference in mining intensity per Ha area.

- 4) PP needs to submit the compliance of ToR points wherein certificate is required for involvement of no forest land, distance from the protected area, authenticated list of schedule-1 species, conservation plan for schedule-1 species and proof of its submission to Chief Wildlife Warden if not already submitted. PP shall ensure that all these documents along with Annexure to EIA Report and other documents submitted to the ministry should be uploaded online on PARIEVSH Portal for public viewing.
- 5) PP needs to submit a letter from the State Government that there is no violation of Common Cause Judgment dated 2.08.2017 in respect of this mining proposal and there is no production before the SC Order dated 25.11.2013 & after SC Order dated 16.11.2017. An undertaking in this may also be submitted.
- 6) The PP needs to submit time-bound, activity-wise action plan for EMP, Occupational Health, Planation, and CER along with the budgetary provision. In addition to details of Environmental Management Cell to be established for implementation of EMP needs to be submitted along with details of manpower and cost.
- 7) PP needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- 8) In case there any proposal for utilization of land outside the mining lease for transportation with a mutual agreement with villagers then details of the same needs to be provided along with proposed compensation details.
- 9) PP needs to re-estimate the requirement of water for plantation, dust suppression and domestic use. The source of water needs to be mentioned. The cost of water tanker etc. needs to be mentioned in EMP.

- 10) PP needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- 11) It has observed that PP has changed the consultant a letter in this regard needs to be submitted in pursuant to Ministry's O.M. No. J-11013/41/2006-IA. II(I) dated 17.03.2010.
- 12) PP has provided details of many court cases which are on various issues. Therefore, PP needs to provide status of the case wherein the case is pertaining to issue of grant of EC to present proposal, grant of LoI, illegal mining by PP etc. The Complete details and status of the same needs to be provided.

2.14 Aridongri Iron Ore Mine of M/s Godavari Power & Ispat Limited at Village Kachche, TehasilBhanupratappur, Dist. Uttar Bastar (Kanker) - Expansion of Iron ore production from 1.405 MTPA to 2.35 MTPA (INCL. 0.55 MTPA BMQ) alongwith BMQ Beneficiation Plant of 0.6 MTPA, Dolerite Crushing & Screening Plant of 2 MTPA AND Iron Ore Screening Plant of 250 TPH Capacity with magnetic separators within existing leasehold area - Consideration of ToR

[F.No. J-11015/384/2012-IA.II (M); Proposal No. IA/CG/MIN/130715/2019]

The proposal of M/s Godavari Power & Ispat Limited is for expansion of iron ore production capacity from existing 1.405 Million Tonnes per Annum to 2.35 MTPA (Incl. 0.55 MTPA BMQ) and installation of BMQ beneficiation plant with capacity of 0.60 MTPA along with 250 TPH Iron Ore Screening Plant with Magnetic Separator for processing of low grade ore and Dolerite Crushing and Screening Plant capacity of 2.00 MTPA in two modules each having 1.00 MTPA capacity within mine lease area of 138.96 ha. located at Village Kachche (Aridongri), TahsilBhanupratappur, District Uttar Bastar (Kanker), Chhattisgarh. The mining lease area is 138.96 ha. The site falls between Latitude 20°24'09.33642"N to 20°25'01.51454"N and longitudes 81°03'33.73692"E to 81°04'13.28954"E & is covered under the Survey of India toposheet no. 64H/3.

2. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category “A”, as the Mining lease area is more than 100 Ha. The PP applied online vide proposal No. **IA/CG/MIN/130715/2019 dated 11.12.2019** under schedule-1 (a) and submitted the Form-1, Pre-feasibility Report. The proposal was placed in EAC meeting held during 6.05.2018 wherein the Committee observed that PP has proposed for both mining of mineral and beneficiation but applied only under schedule 1(a) in addition to this PP also proposed for mining of dolerite. The Committee after detailed deliberation **returned the proposal in present form** and ask the PP to apply under schedule 1(a) & 2(b). In addition to this past production details duly authenticated by DMG for all the mineral and all the mining leases and amalgamated mining lease needs to be submitted. PP shall examine and confirm whether there is a violation of S.O. 804(E) dated 14.03.2017 & Common Cause Judgment dated 2.08.2017 or not.

2.15 Proposed Chopan limestone Mine, Mine Lease area: 247.38 Ha Limestone Mining: 1.0 MTPA, Waste/Reject:0.026 - Amendment in ToR dated 25th November 2019

[F.No. J-11015/20/2019-IA.II(M); IA/MH/MIN/150689/2020]

1 The proposal of M/s RCCPL Private Ltd is for amendment in TOR granted vide letter no. J-11015/20/2019-IA. II (M) dated 25th November, 2019 w.r.t. Change in Land Use Classification (Forest Land from 204.92 ha to 233.76 ha, Non-Forest land from 42.46 ha to 13.62 ha). The TOR was granted to M/s RCCPL Private Ltd (formerly Reliance Cement Company Pvt. Ltd), for total Excavation of 1.043 TPA [1.0 MTPA of Limestone (ROM), 0.026 Waste/Reject and 0.017 TPA of Top Soil] from Chopan Limestone Mine [ML Area 247.38 Ha], located at villages Chopan and ChanaiKhurd, Tehsil: Korpana, District: Chandrapur, State: Maharashtra. The mining lease falls between latitude 19043'03.26" to 19044'20.27" and longitude 78055'58.85" to 78057'09.44" and on Topo-Sheet No E44 A14 (old 56-I-14).

2. The project falls under Schedule 1(a) of mining and is a Category- “A” as the mining. lease area is greater than 100 Ha.

3. PP submitted that Letter of Intent (LoI) was issued by Govt. of Maharashtra vide No. MMN-1010/CR.3339/ind-9, dated 13.06.2018 over an area of 247.38 Ha in the name of M/s Reliance Cementation Private Limited. This letter of intent is valid for one year i.e. up to 12.06.2019. PP also submitted that extension in LOI has been provided by Govt. of Maharashtra vide No. MMN-1010/CR.3339/I-9, dated 24.07.2019 for a period of 1 year from the date of issue of letter. The PP submitted that name of Reliance Cementation

Private Limited was changed to Reliance Cement Company Private Limited on 8.8.2011. The name of Reliance Cement Company Private Limited was changed to RCCPL Private Limited on 1.08.2018. The PP also submitted a letter No. MMN- 1010/F.No./3338 /Industries-9 dated 4.01.2019 issued by Industry, Energy & Labour Dept., Govt. of Maharashtra addressed to Director, Directorate of Geology & Mining wherein it has mentioned that “as per section 62 of Mineral Concession Rules, 1960, with respect to their 247.38 Ha Prospecting License/Mining lease in village Chopan and ChanaiKhurd, Tehsil: Korpana, District: Chandrapur, company has informed regarding change of name of company within stipulated time. In case prospecting license/mining lease of the company, government hereby approves to take note of change of name of the company as M/s RCCPL Pvt. Limited instead of M/s Reliance Cementation Private Limited. Henceforth, correspondence with the company is to be made in the name of M/s RCCPL Pvt. Limited.”

4. PP earlier had applied online on 10.01.2019 vide proposal no IA/MH/MIN/90975/2019 for grant of ToR and submitted Form-1 & PFR. PP reported that the limestone will be used at captive cement plant (2.9. MTPA Clinker, 4.8 MTPA cement) located at Mukutaban village, Yavatamal District, Maharashtra. The above proposal was earlier placed in EAC meeting held on 20-21 February 2019 wherein EAC deferred the proposal for want of requisite information. The PP submitted the requisite information online on 28.09.2019 and the proposal was placed in EAC meeting held during 21-22 October, 2019 wherein the Committee recommended for prescribing following Additional & Standard Term of Reference (ToRs) to M /s RCCPL Private Ltd (formerly Reliance Cement Company Pvt. Ltd), for total Excavation of 1.043 TPA [1.0 MTPA of Limestone (ROM), 0.026 Waste/Reject and 0.017 TPA of Top Soil] from Chopan Limestone Mine [ML Area 247.38 Ha], located at villages Chopan and ChanaiKhurd, Tehsil: Korpana, District: Chandrapur, State: Maharashtra. The Ministry in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments there to accorded Additional & Standard Term of Reference (ToR) as recommended by EAC during its meeting held on 21- 22 October, 2019 for the proposal under the provision of Notification 1530 (E) dated 14.09.2006. The TOR is valid up to 24.11.2022.

5. **PP has now applied vide Proposal No. IA/MH/MIN/150689/2020 on 30.03.2020 seeking amendment in the above granted TOR w.r.t. change in Land Use Classification (Forest Land from 204.92 ha to 233.76 ha, Non-Forest land from 42.46 ha to 13.62 ha) as per the letter and map from Office of The Deputy Conservator of Forests, Central Chanda Division, Chandrapur, Maharashtra and as per the approved mining plan. The land use change is as follows:**

Land Use	Earlier Land Use in TOR (ha)	Current Land Use (Amendment Sought) (ha)
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Forest Land	204.92	233.76
Non-Forest Land	42.46	13.62
Total MLA	247.38	247.38

PP has submitted revised Form-I, Pre-feasibility Report and corresponding documents.

6. The PP initially submitted that the total mine lease area is 247.38 Ha, out of which 204,92 ha is falling under Pardi Reserve Forest and require clearance under Forest Conservation Act, 1980. PP submitted that forest area was reconciled and now out of 247.38 Ha ML area the Forest area is 211.02 Ha and Non-Forest area is 36.36 Ha. PP reported that there are no national parks, wild life sanctuaries and eco-sensitive zones in the proposed study area. However, one protected forest (PF) exist within 5km, and three RFs exist within 5-10 km distance from the boundary of proposed mining area. PP reported that Application for diversion of 233.76 ha. Forest land for mining purpose has been submitted online vide application no. FP/MH/MIN/40188/2019. The application is under process at DCF office, Central Chanda Division, Chandrapur District, Maharashtra.

7. The PP submitted that Mining Plan has been approved by Indian Bureau of Mines (IBM) vide letter no: CND/LST/MPLN1179/NGP-2019, dated: 28/02/2020. The method of mining is fully mechanized opencast method. All operations of mining will be done by deployment of heavy earth moving machinery for deep hole drilling, excavation, loading & transportation. Various mining activities such as drilling, blasting, loading and transportation will be undertaken so as to ensure maximum mineral conservation and minimum environmental degradation. PP submitted that mineable reserves is estimated to be 34.74 Million Tonne and based on the proposed rate of production the life of mine will be 38 years. PP submitted that the total project cost will be Rs 115 Crore and during development phase will give direct employment to 15 persons and indirect employment to 50 persons. During operational phase will give direct employment to 16 persons and indirect employment to 82 persons.

8. Total water requirement estimated for the project is 170 KLD for dust suppression, washing of mining machinery, plantation and domestic purpose, initially from ground water.

9. PP reported that the proposed project during development phase will provide employment opportunities for 15 direct & 50 indirect employees and during operational phase - 16 direct and 82 indirect employees.

10. PP in its previous application for TOR submitted vide its email dated 20.11.2019 an undertaking in the form of affidavit bearing No WB713783 dated 20.11.2019 [P.284-288/c] wherein it has mentioned that "I accept that this ToR as mentioned under file No J-11015/20/2019-IA.JI(M) and Proposal

No IA/MH/MIN/90975/2019 is subject to the compliance of the final outcome arising from the decision of Hon'ble Court in the matter of Mumbai High Court at Nagpur Bench (Case No 4045/2014).”

11. PP also submitted that there is a litigation pending against the project and/or land in which the project is propose to be set up in the Hon'ble High Court of Mumbai – Nagpur bench vide WP:4711/2012 and 4056/2014. PP reported that “High court issued direction to Central Govt. vide order dated 29.01.2014 to confirm whether Ambuja application has become infructuous or not? Moreover, our submission in the court has been recorded in the above order that even if lease agreement is executed by the State Govt., no mining activity shall be commenced without obtaining the leave of the court. In response, central Govt. has passed order on 09.05.2014 stating that Ambuja application has become infructuous. Court has recorded our statement in the order that our case of lease grant is protected under section 10A(2)(b) of the MMDR Act 2015. Final order of the court is yet to come.”

12. PP has further given undertaking on 30.03.2020 that the data and information given in the application and enclosures are true to be best of his knowledge and belief and he is aware that if any part of the data and information found to be false or misleading at any stage, The project will be rejected and clearance given, If any to the project will be revoked at their risk and cost. In addition to above, they hereby give undertaking that no activity / construction / expansion has since been taken up.

13. The committee after detailed deliberations, recommended for amendment in ToRs for the land use as given below:-

Land Use	In place of earlier extent in ha	Approved extent in ha
Forest Land	204.92	233.76
Non-Forest Land	42.46	13.62
Total MLA	247.38	247.38

14. All other terms and conditions of TOR issued vide letter no. J-11015/20/2019-IA. II (M) dated 25th November, 2019, shall remain unchanged.

List of member of Expert Appraisal Committee Participated through VC

S.No	Member Name	Member Address	Designation	6 th May
1	Dr. S.R. Wate	Add. 148/149, Nagar Vikas Society, Narendra Nagar, Nagpur-440015, Maharashtra	Chairman	Yes
2	Shri.Sharath Kumar Pallerla	3rd Floor, Vayu Block, Indira Paryawaran Bhawan, MoEF&CC, Jorbhag, New Delhi-11003	Member Secretary	Yes
3	Shri B Ramesh Kumar	H-No. 6-1-134/6, Balram Compound, Padmarao Nagar, Secundrabad-500025, Andhra Pradesh	Member	Yes
4	Prof. S. Ramakrishna Rao	50-120-9/1, Tulasi Mani Regency North Extension, Seethammadhara, Visakhapatnam - 530013 Andhra Pradesh.	Member	Yes
5	Shri Santosh Gupta	Flat No. 405, Block –B, Gaur Green Vista, Nyay Khand -1, Indrapuram, Ghaziabad-201014	Member	Yes
6	Dr. (Ms.) Asha Rajvanshi	Wildlife Institute of Inida, Chandrabani, Dehradun-248001	Member	Yes
7	Dr. Ajay Deshpande	Building A-26, Flat-403, Happy Valley Homes, Manpada, Ghodbunder Road, Thane (West) - 400610, Maharashtra	Member	Yes
8	Shri G.P. Kundargi	Plot No. 32, MOIL Vatika, Chicholi Road, Fetri, Nagpur 441501, Maharashtra	Member	Yes
9	Dr. A.K. Malhotra	C-6, SubhavnaNiketan, Road No. 41, Pitampura, Delhi-110034	Member	Yes
10	Dr. Gurdeep Singh	Centre of Mining Environment, Department of Environmental Science &Engg. Indian Institute of Technology (Indian School of Mines), Dhanbad-826004	Member	Yes
11	Dr. Parimal Chandra Bhattacharjee	A/3 Asiyana Housing Complex Maligaon, Guwahati-781011, Assam	Member	Yes
12	Prof.	Department of Civil Engineering, IIT,	Member	No

	MukeshKhare	Delhi		
13	Mr. V. K. Soni	Government of India, Ministry of Earth Sciences, India Meteorological Department, Mausam Bhawan, Lodi Road, New Delhi – 110003	Member	No
14	Shri Mantu Biswas	Controller of Mines, IBM Block D, Second Floor, Indira Bhavan, Civil Lines, Nagpur - 440001	Member	No
15	Representative of DGMS	Representative of DGMS Head Office, Sardar Patel Nagar, Dhanbad, Jharkhand 826001	Member	No
16	Sh. B.S Soda	ADM, Jaipur – represented on behalf of Rajasthan State Government	Special Invitee	Yes

18/05/2020

Email

Email

sharath.kr@gov.in

Re: Revised Draft Minutes of the meeting of the 16th EAC scheduled on 6th May, 2020

From : satishwate@gmail.com

Mon, May 18, 2020 10:53 AM

Subject : Re: Revised Draft Minutes of the meeting of the 16th
EAC scheduled on 6th May, 2020

To : Sharath Kumar Pallerla <sharath.kr@gov.in>

Minutes approved. You can upload it on website.

Regards.

Satish Wate

Chairman EAC Non Coal

Sent from my iPhone

On May 18, 2020, at 10:27 AM, Sharath Kumar Pallerla <sharath.kr@gov.in> wrote:

Dear Sir / Ma'am

Based on the inputs of the members, revised draft MoM of 16th EAC held on 6th May, 2020 has been made and attached herewith for kind perusal and approval to upload on the website

Regards