



File No: SIA/GJ/MIN/404115/19206/2022

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA),
GUJARAT)



Dated 26/11/2024



To,

DHARMESH NANDA
DHARMESH NANDA

Shivdaya, Anjariya Faliya, Kalika Temple, Kansara Bazar, Bhuj City, Bhuj, Kachchh, Gujarat-370001,
Bhuj, KACHCHH, GUJARAT, 370001
Dharmeshnanda1986@gmail.com

Subject: Grant of EC under the provision of the EIA Notification 2006-regarding.

Sir/Madam,

This is in reference to your application for Grant of EC under the provision of the EIA Notification 2006-regarding in respect of project Devisar Ordinary Sand Block-C submitted to Ministry vide proposal number SIA/GJ/MIN/404115/2022 dated 12/03/2024.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC22C0107GJ5453746N
(ii) File No.	SIA/GJ/MIN/404115/19206/2022
(iii) Clearance Type	EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Devisar Ordinary Sand Block-C
(viii) Name of Company/Organization	DHARMESH NANDA
(ix) Location of Project (District, State)	KACHCHH, GUJARAT
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-1(Part A and B) were submitted to the Ministry for an appraisal by the State Environment Impact Assessment Authority(SEIAA) Appraisal Committee (SEIAA) in the Ministry under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by State Environment Impact Assessment Authority(SEIAA)

Appraisal Committee of SEIAA in the meeting held on 22/10/2024. The minutes of the meeting and all the Application and documents submitted [(viz. Form-1 Part A, Part B, Part C EIA, EMP)] are available on PARIVESH portal which can be accessed by scanning the QR Code above.

5. The brief about configuration of plant/equipment, products and byproducts and salient features of the project along with environment settings, as submitted by the Project proponent in Form-1 (Part A, B and C)/EIA & EMP Reports/presented during SEIAA are annexed to this EC as Annexure (1).
6. The SEIAA, in its meeting held on 22/10/2024, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of EC under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of specific and general conditions as detailed in Annexure (2).
7. The SEIAA has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the State Environment Impact Assessment Authority (SEIAA) Appraisal Committee hereby decided to grant EC for instant proposal of M/s. DHARMESH NANDA under the provisions of EIA Notification, 2006 and as amended thereof.
8. The Ministry reserves the right to stipulate additional conditions, if found necessary.
9. The EC to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. This issues with the approval of the Competent Authority.

Copy To

1. Commissioner of Geology and Mining, Office of the commissioner of Geology and Mining, Block no. 15, Jivraj Mehta Bhavan, Old Sachivalay, Gandhinagar..... for information and necessary action please.
2. Integrated Regional Office, Ministry of Environment and Forest, "Aranya Bhavan", Sector 10-A; Gandhinagar..... for monitoring of EC conditions and necessary action please.

Annexure 1

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project

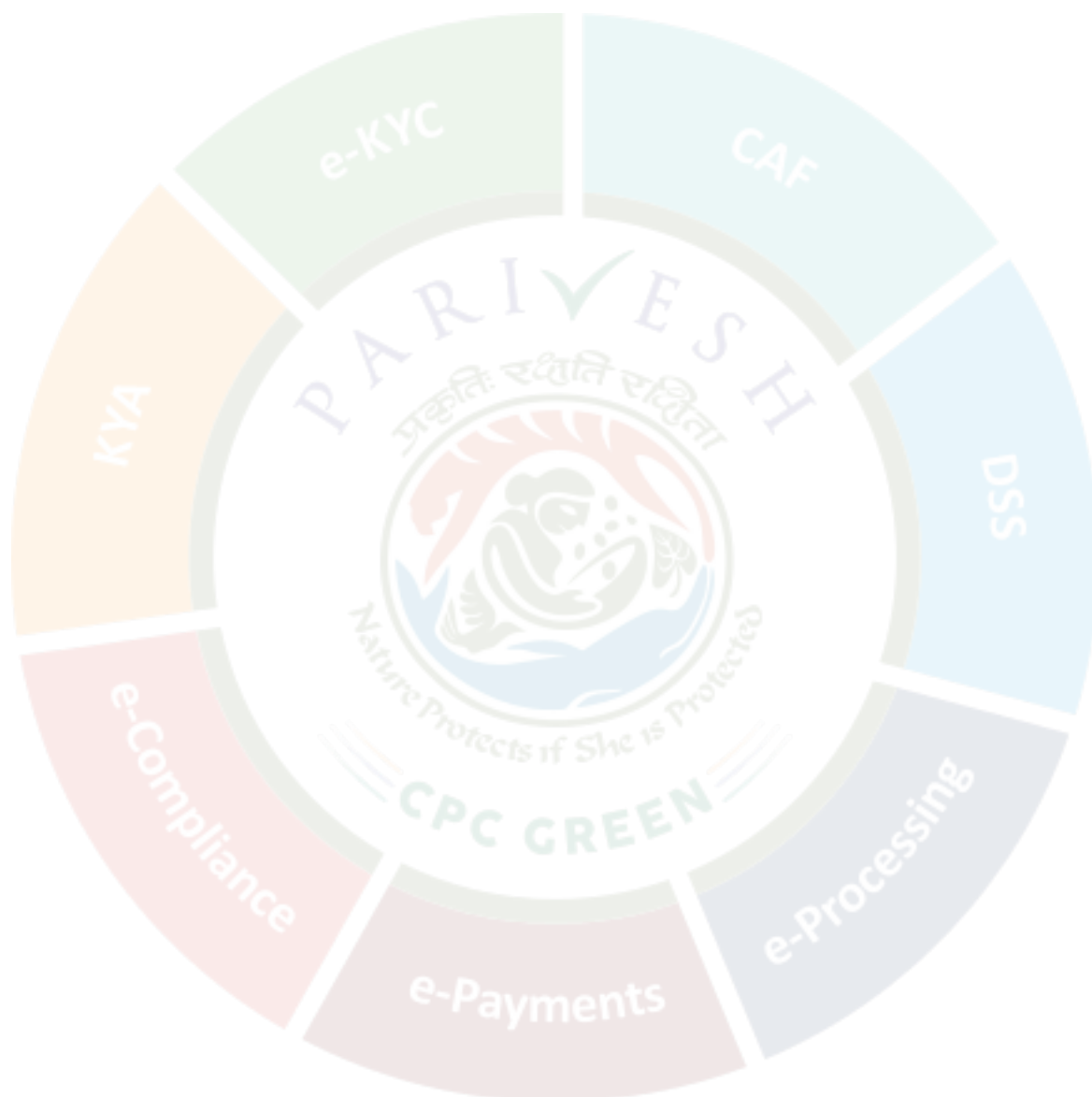
Additional EC Conditions

PP shall comply with the conditions mentioned in Annexure-1.

Annexure 2

Details of Products & By-products

Name of the product /By-product	Product / By-product	Quantity	Unit	Mode of Transport / Transmission	Remarks (eg. CAS number)
Ordinary Sand	Ordinary Sand	10197.8	Tons per Annum (TPA)	Road	



Annexure 1

This has reference to application seeking environmental clearance for mining of Ordinary Sand from the project proponent along with the information in specified performs endorsed by the Geologist of Kutch district.

The brief information submitted are as follows:

Sr. No.	Name of Applicant	Lease Area in Hectare& Type	Location	Survey No.	Village	Taluka	Rate of Mining
1	Dharmesh Narendrabhai Nanda (Devisar Ordinary Sand Block- C)	1.24.00 Ha	Bhukhi River	273 Paiki 34, Govt. Land	Devisar	Nakhatrana	10,197.76 TPA

The Environment Clearance (EC) proposal no. SIA/GJ/MIN/404115/2022 dated 12-03-2024 was discussed by the SEAC in its 858th VC Meeting dated 02-07-2024 and the MoM of the 858th SEAC VC Meeting dated 02-07-2024 with recommendation to grant EC under Category 01 (a) of the schedule of EIA Notification 2006 and amendment thereof is sent to SEIAA via Parivesh on 30-09-2024.

Being a mining project, the above proposal falls under project / activity no. 1(a) of the Schedule of the EIA Notification, 2006. The proposal falls under Category B. Since the project was categorized as 'B2', it does not require Public Consultation as per Para 7(i) III. Stage (3) (e) of EIA Notification, 2006.

SEAC has verified and noted that proposal under consideration is included in list of approved DSR (sand and gravel mineral) of Kutch district.

SEAC has unanimously decided to recommend the above proposal for grant of Environmental Clearance to SEIAA, subject to the strict implementation of conditions mentioned for **Sand Mining without Blasting** project approved by SEAC on 09/08/2017 and by SEIAA on 16/09/2017 with specific conditions.

The EC proposal was considered in the 69th SEIAA Meeting P-2 dated 22-10-2024. After detailed deliberation and careful consideration, the SEIAA, Gujarat hereby accord individual Environmental Clearance to above project under the provisions of the EIA Notification dated 14th September, 2006; subject to compliance of the following conditions.

SPECIFIC CONDITIONS:

1. This EC application is approved based on the inclusion of the lease area and name of the lease in District Survey Report (ordinary sand & gravel) of Kutch District approved by SEIAA.
2. In case, the area or proposal is found to ingress in to no-go area including ESZ, CRZ, submerged area etc., proponent shall have to submit revised map excluding the ingress area for approval.
3. District geologist shall ensure that mining is restricted upto the depth of 0.32 meter only (as mentioned in the approved mining plan) as mentioned in approved Mining Plan or water level reached whichever is early.
4. At the time of start of mining activity proponent shall ensure that it has credible and valid lease documents of Grant of LOI or lease.
5. PP shall obtain registration of workers under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and as beneficiaries with the Gujarat Building and Other Construction Workers Welfare Board before starting mining activity.
6. Overburden, waste rock, debris and non-saleable minerals generated during mining operation shall be stored and disposed of in environmentally sound manner.
7. PP shall adopt the dust mitigation measures due to mining, handling of minerals, loading, unloading, transportation and other allied activities similar to the applicable measures guided in the Notification issued by MoEF&CC dated 25.01.2018 vide GSR 94(E).
8. PP shall take all the measures after post closure/ working of mine, measures to be adopted as per the OM of MoEF&CC dated 16.01.2020.

9. In the event, District Survey Report (sand & gravel) is modified which affect the proposed mining project site, project proponent shall not be allowed to claim equity or plead legitimate expectation.
10. The final judgment/directives passed by any Hon. Court of law including Hon. National Green Tribunal, for DSR and related matters (if any) from time to time and that/those pending before Hon. Court (s) of law, shall be binding to the project proponent/lease holder.
11. District Geology shall verify and confirm the mining capacity before undertaking the mining operation.
12. If there is submergence partially or otherwise, it should be reported to Commissioner of Geology and Mining, SEAC and SEIAA.
13. Before starting the mining activity, the district geologist shall ensure that the area of operation is not under submergence.
14. Proponent shall ensure that he shall not extract the minerals more than the carrying capacity of the area as per the maximum available based on the geology prospecting.
15. PP shall ensure that the dust mitigation measures, removal of debris and human safety including transport of minerals in an environmentally sound manner.
16. PP shall allocate adequate funds for post Mine closure measures commensurate with the cost of reclamation & restoration and submit the details of post closure measures within 10 days of receipt of EC including disposal of debris and overburden in the environmentally sound manner.
17. Project proponent shall comply with all the guidelines and notifications issued by MOEFCC, New Delhi.
18. If lease area of project proponent falls in the cluster and total borrowed area of the cluster falls under category B1 or A, as per the prevailing guidelines of MoEFCC, New Delhi, all the concerned procedures shall be followed up accordingly for compliance of Environmental Laws/Notifications/Rules and under such circumstances project proponent shall extend all support including financial contribution or otherwise also for compliance of environmental Laws/Notifications/Rules such cluster.
19. If lease area of applicant falls in the cluster and total borrowed area of the cluster fall under category B1 or A, EIA study shall be carried out for the said cluster as decided by the competent authority and EMP for the cluster shall be prepared based on outcome of the EIA study. In such a case, all the suggestions/recommendations of EIA/EMP prepared for the cluster shall be complied within a letter and spirit by the project proponent(s) including lease holders who have already been accorded Environmental Clearance.
20. All the measures mentioned in approved mining plan shall be complied with in a letter and spirit.
21. No mining shall be undertaken outside the area specified in this Environmental Clearance.
22. Any change in lease area (Individual/cluster), survey number, entailing capacity addition with change in mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 as amended from time to time.
23. No sand mining shall be done before 6 am and after 6 pm.
24. No in-stream mining shall be carried out.
25. No mining shall be done within 10 m distance from the river bank in order to avoid chances of shore erosion
26. No sand mining shall be done within 200 m distance from bridges on State highways, district roads & taluka roads, bridges on railways, percolation wells and wells located near river banks.
27. The Licensee must use minimum number of poclains and it should not be more than two in the project site.
28. The District Administration should assess the site for Environmental impact at the end of first year to permit the continuation of the operation.
29. The Annual replenishment report certified by the authorized agency must be submitted to the prescribed authority. In case, the replenishment is low, the mining activity/production levels shall accordingly be restricted to that extent.
30. The ultimate working depth shall be 0.32 m from the present natural river bed level and the thickness of the sand be more than 0.32 m in the proposed quarry site.

31. Production shall be restricted upto the depth of 0.32 m or as per replenishment rate whichever is less.
32. The sand quarrying shall not be carried out below the ground water table under any circumstances. In case, the ground water table occurs within the permitted depth at 0.32 m, quarrying operation shall be stopped immediately.
33. The sand mining should not disturb in any way the turbidity, velocity and flow pattern of the river water.
34. The mining activity shall be monitored by the Taluka level Force once in a month by conducting physical verification.
35. After closure of the mining, the licensee shall immediately remove all the sheds put up in the quarry and all the equipments used for operation of sand quarry. The roads/pathways shall be leveled to let the river resume its normal course without any artificial obstruction to the extent possible.
36. The mined out pits to be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation.
37. PP shall implement all safety measures including protection of lighting in mine as per the guidance manual of DGMS vide circular No. DGMS(Tech) Circular No: 10 of 2020 dtd. 23 June 2020.
38. PP shall construct a pacca approach road connecting lease area to the main road with periodic regular maintenance to prevent fugitive dust emission.
39. To conduct study for health check-up of the mine workers through accredited agency including the respiratory/lungs related ailments and prepare a report for the impact of mining on the health of workers.
40. PP shall carry out plantation in first year and maintain the same in subsequent years of lease period.
41. PP shall carry out entire plantation as proposed in first year and maintain the same in subsequent years of lease period.
42. No ground water extraction shall be done from within the lease/permit area.
43. Pillars mentioning boundary of the lease area shall be provided as per the provision of mining rules/Acts to identify the lease area.
44. All measures proposed in sustainable sand mining guide line of MoEF&CC and EMP shall be complied with in letter and spirit.
45. Transportation route for vehicles carrying mineral shall have least minimum pass near human habitation.
46. PP shall pursue CER activities as proposed in declaration.
47. Validity of the EC shall be coterminous with validity of lease/Permit or thirty years whichever is early.
48. All working labors shall be given the PPE kits as approved by DGMS.
49. The proponent shall appoint a nodal officer for responsible compliance of conditions of Environment clearance.
50. The mining activity shall be monitor by the District officer of Geology and Mining Department.
51. The period of Environment Clearance shall be coterminous with the lease period and the quantity (rate of mining) as specified by SEAC.
52. Project proponent shall submit the undertaking that after completion of mining activity necessary reclamation and other requirements shall be complied as per the Environment Management Plan (EMP) failing which the cost of EMP shall be recovered as a means of land revenue under the Revenue Recovery Certificate (RRC) by the competent authority under the Land Revenue Code.
53. Project proponent shall comply with the Environment Management Plan & CER activities submitted with the application.
54. Project Proponent shall prominently display the copy of Environment Clearance at site.
55. Vide OM of MoEF&CC dated 16/01/2020, PP shall after ceasing mining operations, undertake re-grassing the mining area and any other area which have been disturbed due to their mining activities and restore the land to a condition which is fit for the growth of fodder, flora and fauna etc.

CONDITIONS:

A.1 WATER:

56. The depth of excavation / mining shall be restricted to 0.32 m or water level at site, whichever is less.
57. The project proponent shall obtain necessary prior permissions of the competent authorities for withdrawal of requisite quantity of water (surface water and/or ground water) required for the project.
58. Mining operation shall not intersect ground table and hence there shall not be any water / wastewater discharge from mining operations.
59. Garland Drains, setting tank and Catch drains of appropriate size, gradient and length shall be constructed around the excavated mine, mineral dumps, reject dumps to prevent silt and sediments flowing into any water body.
60. Domestic wastewater shall be disposed off through septic tank - soak pit.

A.2 AIR:

61. Effective safeguards, such as regular water sprinkling shall be out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points.
62. Drills shall either be operated with dust extractors or equipped with water injection system (wet drilling) to suppress air borne dust during drilling.
63. Internal roads shall be either paved properly or sprinkled with water at regular intervals for controlling fugitive emission during vehicular movement. Trees of native species shall be developed along both sides of internal road/s in order to contain dust.
64. Vehicles shall not be overloaded and mineral transportation shall be done only through covered trucks so that no spillage of mineral / dust take place.
65. Vehicles used in mining operations shall be maintained well so as to keep vehicular emissions in control.
66. Fugitive emission in work place ambient air shall be monitored. The emission shall conform to the standards prescribed by the concerned authorities.
67. Ambient air quality shall be monitored at site and the nearest human habitation and it shall conform to the norms prescribed by the MoEF&CC, Govt. of India.

A.3 OVER BURDEN / REJECTS / HAZARDOUS WASTE:

68. The project proponent shall strive to adopt zero waste mining concepts by reducing the quantum of reject through technological innovation or finding the use of fines through perspective buyers.
69. Top soil from the mining area shall be scrapped, stacked separately, preserved and utilized for the plantation work.
70. Overburden, waste rock and non-saleable mineral generated during prospecting or mining operations shall be stored separately in properly formed dumps on grounds earmarked. Slope and height of such dumps shall be restricted adequately to prevent any slippage of material. Such dumps should be properly terraced, stabilized and secured at toe to prevent the escape of material that may cause degradation of the surrounding land or silting of water courses.
71. Overburden or other rejects shall be backfilled into the worked out quarry so far as possible with a view to restore the land to its original use or desired alternate use. All measures/recommendations in approved mining plan shall be complied with in letter and spirit.
72. Used oil / waste oil, if any, generated shall be sold only to the registered recyclers. In case of generation of hazardous waste, the project proponent shall strictly comply with the provisions of Hazardous Waste (Management, Handling and Transboundary Movement) Rules 2008, as may be amended from time to time.

A.4 SAFETY:

73. Anti-vibration devices shall be provided to vibrating tools / equipments to be used by workers during mining. Vibrations shall be maintained within safe limit.
74. All the precautions are to be observed as per Reg. 106 of MMR, 1961 for safety and security. Face masks, helmets, safety shoes etc. shall be provided to all the workers working in the mining areas and its usage shall be ensured and supervised.
75. First Aid Box should be made readily available at the site.
76. Occupational health surveillance of workers shall be undertaken periodically by a doctor who is expert in occupational health and hygiene and its records shall be maintained.

77. Information regarding occupational mine diseases caused due to air pollution and its preventive measures shall be displayed at site in vernacular language for workers.

A.5 NOISE:

78. Noise level in and around the lease area shall be kept well within the standards by providing noise control measures including engineering control like acoustic insulation, hoods, silencers, enclosures etc. on all sources of noise generation. Ambient noise level shall conform to the standards prescribed under the Environment (Protection) Act & Rules, 1986.

A.6 GREEN BELT DEVELOPMENT:

79. Green belt shall be developed in periphery of the lease area as per the CPCB guidelines and strictly as per the time schedule. The green belt should comprise of rows of varying height native trees with thick foliage.
80. Drip irrigation system shall be used for the green belt development within the premises.

B. OTHER CONDITIONS:

81. The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimize the impact on environment.
82. The project proponent shall obtain the requisite permissions / clearance under the provisions of the Indian Forest Act 1927, Forest Conservation Act 1980 and Wildlife (Protection) Act 1972.
83. The project proponent shall allocate the separate fund for Corporate Environment Responsibility (CER) in accordance to the MoEF&CC's Office Memorandum No. F.No.22-65/2017-IA.III dated 01/05/2018 to carry out the activities under CER in affected area around the project. The entire activities proposed under CER shall be monitored and the monitoring report shall be submitted to the regional office of MoEFCC as a part of half-yearly compliance report and to district collector. The monitoring report shall be posted on the website of the project proponent.
84. This Environmental Clearance does not confer any right to the project proponent on the land proposed for lease and all necessary statutory clearances / permissions shall be obtained from respective department before start of mining operations.
85. Mining operation shall be restricted to above ground water table and it shall be ensured that it does not intersect ground water table.
86. The project proponent shall ensure that no natural water course gets obstructed due to mining operations.
87. The pits left unfilled in lease area shall be converted to water body. Higher benches of excavated void/mining pit shall be terraced and its slope shall be made gentler for easy accessibility to the water body.
88. No mining shall be carried out in the safety zone of any bridge / embankment and in the vicinity of natural / manmade archeological sites.
89. No wildlife habitat shall be infringed and in addition to that before issuing the mining lease, it has to be ensured that no wildlife movements shall be existing in the lease area proposed for mining.
90. A booklet containing the Dos and Don'ts shall be prepared in vernacular languages for the use of site in-charge and workers to ensure that all necessary environmental, safety and health measures are undertaken.
91. Funds earmarked for environmental protection measures shall be kept in a separate account and shall not be diverted for other purpose. Records of year wise expenditure shall be maintained.
92. The project proponent shall also comply with any additional condition that may be imposed by the SEAC or the SEIAA or any other competent authority for the purpose of environmental protection and management.
93. Half yearly compliance reports on the conditions stipulated hereinabove shall be submitted to the SEIAA, State Pollution Control Board and the Integrated Regional Office of the Ministry of Environment and Forests, Aranya Bhavan, Gandhinagar, Gujarat on 1st June and 1st December of each calendar year by individual project proponent.
94. The project proponent shall have to comply with the provisions of Gujarat Minor Mineral Concession Rules (GMMCR) as and when amended by the State Govt. with respect to the provisions for approval of mining plan, EMP for cluster, creation of separate corpus, etc. in view of the recommendations made by the MoEF in its report of March 2010 and the model guidelines framed by the Ministry of Mines.

95. Decisions/Directions of Hon'ble Court and Hon'ble National Green Tribunal given in the matter of minor minerals shall be binding on the project proponent.
96. The Individual project proponent shall inform the public that the project has been accorded environmental clearance by the SEIAA and that the copies of the clearance letter are available with the GPCB and may also be seen at the Website of SEIAA/ SEAC/ GPCB.
97. The project authorities shall inform the GPCB, Regional Office of MoEF&CC and SEIAA about the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
98. The SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not found satisfactory.
99. The project proponent in a time bound manner shall implement these conditions. The SEIAA reserves the right to stipulate additional conditions, if the same is found necessary. The above conditions will be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act 1986 and Hazardous Wastes (Management Handling and Transboundary) Rules, 2008 along with their amendments and rules.
100. The environmental clearance is being issued without prejudice to the action, if any, initiated under the E.P. Act or any court case, if any, pending in the court of law and it does not mean that the project proponent has not violated any environmental laws in the past. This clearance does not give immunity to the project proponent for the case, if any, filed against him in any court of law or action initiated under the E.P. Act.
101. Precise mining area shall be jointly demarcated at the site by officials of Mining / Revenue Department prior to mining operations. Records of such site plan, duly verified by competent authority shall be maintained.
102. The project proponent shall carry out activities under CSR in consultation with the District Development Officer / District Collector.
103. Geology and Mining Department will take all measures to comply with all the conditions stipulated in this Environmental Clearance and all the conditions stipulated in this clearance shall be incorporated while granting lease to individual lease holder.
104. This clearance is issued with respect to only environmental considerations and it does not imply that SEIAA approved the way by which lease is granted to the project. While granting lease, the concerned authority shall ensure compliance of relevant Rules, Regulations, Notifications, Government Resolutions, Circulars, Judgments / Orders of Hon'ble Courts and NGT, etc.
105. Submission of any false or misleading information or data which is material to screening or scoping or appraisal or decision on the application makes this environment clearance cancelled.

C. COMPLIANCE OF ENVIRONMENT CLEARANCE / REPORTING / ADMINISTRATION / APPEAL:

106. Project proponent shall inform, all the concerned authorities including municipal corporation and district collector and shall also give wide publicity through advertisement in minimum two local newspapers within seven days, about the environment clearance order accorded to Project proponent.
107. Project proponent shall appoint a key person in the organization who shall be responsible for compliance of above condition fully on behalf of the proponent. It will not mean that appointing a key person exempt the project proponent from any responsibility. Any change in key person shall immediately be informed to SEIAA and all concerned authorities.
108. Designated key person shall submit six monthly compliance report to SEIAA/SEAC, MOEF&CC, GPCB and Nodal Department of the Government.
109. The Nodal Department or any authority or officer authorized by MOEF&CC/SEIAA can inspect the site of the project and all the facilities, for verification of compliances of environment clearance conditions.
110. In case of violation reported upon, the project proponent shall be responsible for all the legal actions as per Environment Protection Act, 1986 including SEIAA may cancel, withdraw or keep in abeyance, the environment clearance accorded.

111. Any person including the project proponent affected by this environment clearance order may file appeal to Honorable National Green Tribunal West Zone branch, Pune, preferably within a period of thirty days from the date of issue of environment clearance as prescribe under section 16 of National Green Tribunal Act 2010.

112. All complains and public grievance or representations may be addressed to SEIAA/SEAC in the email addresses (a) msseiaagj2024@gmail.com & (b) seacgujarat@gmail.com.

