



सत्यमेव जयते

File No: OL/RE_EC/MIN/DURG/3494
Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment Authority(SEIAA),
CHHATTISGARH)



Date 13/05/2025



To,

JALESHWARI KUMBHKAR
Jaleshwari Padey Brick Earth Mine
jaleshwaripadey@gmail.com

Subject: Rejection of Environmental Clearance (EC) to the proposed Project under the EIA Notification 2006- and as amended thereof -regarding.

Sir/Madam,

This is in reference to your application submitted to Ministry vide proposal number SIA/CG/MIN/488430/2024 dated null for Rejection of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0108CG5432119N
(ii) File No.	OL/RE_EC/MIN/DURG/3494
(iii) Clearance Type	Fresh EC (Mining)
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a)
(vii) Name of Project	M/s Jaleshwari Padey Brick Earth Mine
(viii) Name of Company/Organization	JALESHWARI KUMBHKAR
(ix) Location of Project (District, State)	DURG, , CHHATTISGARH,
(x) Issuing Authority	SEIAA
(xi) Applicability of General Conditions as per EIA Notification, 2006	No

1. Deliberations of SEAC, Chhattisgarh : The Committee observed and found the following facts:- The project proponent has excavated 9,180 cubic in the year 2017-18. The project proponent has excavated more than the granted capacity (4,500 cubic per year) mentioned in the issued environmental clearance, which falls in the category of violation. Ministry of Environment, Forest and Climate Change issued Standard Operating Procedure vide Office Memorandum dated 07.07.2021 regarding identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020. In this Office Memorandum para 11 (B) (i) following

is mentioned:- "As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner." As per the above OM and the applied case is a violation, project proponent needs to apply in TOR, but project proponent applied directly for Environment Clearance. After discussion by the Committee, as per the above facts, it was unanimously decided to reject the applied case from the list and recommended to apply for TOR as per the Notification/Office Memorandum issued by the Ministry of Environment, Forest and Climate Change from time to time.

2. Deliberations of SEIAA : SEIAA, Chhattisgarh in its 187th Meeting held on 12/03/2025 perused the application submitted by the project proponent and minutes of the 558th meeting of SEAC-3, Chhattisgarh held on 30/01/2025. It is noted that the project proponent has excavated 9,180 cubic meter in the year 2017-18. The project proponent has excavated more than the permissible capacity (4,500 cubic meter per year) mentioned in the environmental clearance, which falls in the category of violation. Standard Operating Procedure was issued by Ministry of Environment, Forest and Climate Change vide Office Memorandum dated 07.07.2021 regarding identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020. In this Office Memorandum para 11 (B) (i) following is mentioned:" As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner." As per the above OM,the applied case is a violation case. Hence the project proponent needs to apply for ToR, but the project proponent applied directly for Environment Clearance. **SEIAA, Chhattisgarh unanimously accepted the recommendation of SEAC-3, Chhattisgarh and decided to delist/reject the applied case.**

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