

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003


Dated: 11th April, 2019

CIRCULAR

Sub.: Prohibition on grant of statutory clearances for mineral concessions of Beach Sand Minerals held by private person/company – reg.

It is to inform that the Ministry of Mines has requested this Ministry not to grant clearances of any type for mineral concessions of Beach Sand Minerals held by private person/company. In this regard, the Ministry of Mines has issued Office Memorandum vide No. 7/6/2019-M.IV dated 29th March, 2019. The copy of the OM is enclosed herewith for necessary compliance.

2. This issues with the approval of the competent authority.


(Sharath Kumar Pallerla)
Director / IA (Policy) Division

Encl: As above

To

1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman/Members of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary(EF&CC)
4. PPS to AS(AKJ)
5. PS to JS (RS)/ JS(GM)/JS(AKN)
6. Website, MoEF&CC and Guard file.

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F. No. 7/6/2019-M.IV
Government of India
Ministry of Mines

New Delhi, Dated 29th March, 2019

OFFICE MEMORANDUM

Subject: Prohibition on grant of statutory clearances for mineral concessions of Beach Sand Minerals held by private person / company -reg.

The undersigned is directed to refer to the representation (copy enclosed) of M/s Indian Garnet Sand Co (P) Ltd. regarding extension of validity of 3 Nos. of Terms of Reference (TOR) proposals for a period of 1 year and 6 months covering 6 mining leases of Beach Sand Minerals in Maharashtra and issuance of Environment Clearance for the said mining leases.

2. The application of these 6 mining leases were covered under Section 10A(2)(c) of the MMDR Amendment Act, 2015 and these were saved from being ineligible upto 11.01.2017 provided the leases was granted i.e. executed and registered by that date. However, the mining lease in these cases were executed on 10.04.2017 which is after the prescribed time limit of 2 years. Ministry of Mines vide letter no. 7/4/2018-M.IV dated 30.08.2018 (copy enclosed) requested the State Government of Maharashtra to cancel these mining leases immediately as these are, ab initio, void under Section 19 of the MMDR Act for being granted in contravention of the Act.

3. As these mining leases are null and void under the provisions of MMDR Act and rules made thereunder and the State Government has been advised to cancel these leases immediately, MoEF&CC is requested not to grant Environmental Clearance for these proposals.

4. Moreover, Ministry of Mines in consultation with stakeholder Departments and State Governments has exercised the powers conferred under Section 4A(1) of the MMDR Act in the interest of regulation of mines and minerals development and conservation of mineral resources to **prematurely terminate all the existing mineral concessions of Beach Sand Minerals held by private person / company**

JS (A) (R) /
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Encl. 4

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in the country. The necessary order in regard was issued on 01.03.2019 (copy enclosed).

5. In view of the above, in addition to rejection of Environment Clearance proposals for 6 mining leases of Beach Sand Minerals of M/s Indian Garnet Sand Co (P) Ltd., **MoEF&CC is requested not to grant any clearance of any type for mineral concessions of Beach Sand Minerals held by private person / company.**

Encl: 3


(Sanjeev Verma)

Director

Telephone No. 011-23070260

E-mail address: sanjeev.verma79@gov.in

To:

- i. Secretary, Ministry of Environment, Forest & Climate Change, Indira Paryavaran, Bhavan, Jorbagh Road, Delhi – 110003.
- ii. Director General (Forests), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, Delhi – 110003.
- iii. Joint Secretary (EC Division), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, Delhi – 110003.

Copy to:

- i. Additional Chief Secretary, Department of Industries, Energy and Labour, Govt of Maharashtra, Mantralaya Annexe Building, Mumbai – 400032.
- ii. Director, Department of Geology and Mining, Govt of Maharashtra, Khanij Bhawan, Plot No.27, Shivaji Nagar, Cement Road, Nagpur – 440010.