



Speed Post

PCI-SSI/Direction –DM/SSP, Haridwar/2016

December 6, 2016

To:

1. **Principal Secretary - Industrial Development**
Government of Uttarakhand
Secretariat, Dehradun
2. **District Magistrate, Haridwar**
3. **Senior Superintend^{ent} of Police, Haridwar**

Directions under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, representations were submitted to the Ministry of Environment, Forest and Climate Change, Government of India by Matri Sadan, Jagjeetpur, Kankhal, Haridwar about the proposed mining of minor minerals on river bed of river Ganga in villages Dhobighat, Misserpur, Ajeetpur, Bishanpur, Sajjanpur and Raigarh Aithal in Haridwar, Uttarakhand by M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand, which inter-alia raised the concern of pollution of river water due to movement of trucks and tractors; and

WHEREAS, in reference to the above mentioned representations, a team comprising of two senior officers from MoEF&CC's Regional Office (North Central), Dehradun inspected the proposed minor mineral mining sites of M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand in villages Dhobighat, Misserpur, Ajeetpur, Bishanpur, Sajjanpur Pilli, Raigarh Aithal and Raigarh Mustkam in Haridwar, Uttarakhand on 23.02.2015; and

WHEREAS, based on the inspections, the inspecting team made the following salient observations:

- i) The proposed minor minerals mining sites are located 2 to 7 km downstream from Bhimgoda Barrage.
- ii) Seven reserved forests are located close to the proposed minor minerals mining sites.
- iii) Possibility of rolling down of boulders (to downstream of Bhimgoda barrage) to replenish the mined boulders appears unlikely.
- iv) The EIA & EMP Report for the proposal of M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand mentions that "*of the quantum of minerals which will be excavated, only sand and bajri is replenishible. The extractable quantum beyond first year may depend on amount/rate of actual replenishment which is to be monitored by the expert agencies every year*".
- v) A study by a reputed national agency be carried out to assess the type and quantity of replenishable minor minerals on proposed mining sites of M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand
- vi) The impact of elimination/deterioration of river islands due to mining, which sometimes thrive rich biological diversity, wild animal corridors should be a part of the study before grant of any clearance for the mining.

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- vii) Large scale illegal mining of minor minerals was noticed along the river bed of Ganga in the proposed mining site of Bishanpur and its adjoining areas. Hundreds of tractors were found engaged in transport of the minor minerals (sand, bajri and boulders). At places, mining was being carried out close to the spurs constructed to avoid flooding; and

WHEREAS, in view of the above, and in exercise of the power conferred under Section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, Central Pollution Control Board, Delhi issued directions dated 9.4.2015 to Uttarakhand Environment Protection & Pollution Control Board to direct M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand and other concerned agencies:

1. *To stop illegal mining of minor minerals in the proposed mining site of village Bishanpur and its adjoining areas and not to carry out illegal mining of minor minerals in the proposed mining sites in villages Dhobighat, Misserpur, Ajeetpur, Sajjanpur Pilli, Raigarh Aithal and Raigarh Mustkam in Haridwar, Uttarakhand.*
2. *To get conducted a study by a reputed national agency to assess the type and quantity of replenishable minor minerals on the proposed mining sites in villages Dhobighat, Misserpur, Ajeetpur, Bishanpur, Sajjanpur Pilli, Raigarh Aithal and Raigarh Mustkam in Haridwar, Uttarakhand and assess the impact of elimination/deterioration of river islands due to mining, which sometimes thrive rich biological diversity, wild animal corridors and submit it to the authorities responsible for issuing clearances; and*

WHEREAS, in view of the above, and in exercise of the power conferred under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, Uttarakhand Environment Protection & Pollution Control Board issued directions dated 10.4.2015 to direct M/s Garhwal Mandal Vikas Nigam Limited, Uttarakhand and District Magistrate, Hardwar to comply as above; and

WHEREAS, another representation dated 7.11.2016 has been submitted by Matri Sadan, Jagjeetpur, Kankhal, Hardwar to District Magistrate, Hardwar and Senior Superintendent of Police, Hardwar with copy endorsed to various authorities including Central Government, in which inter-alia, request has been made **‘to take action against stone crushers in Shyampur-Katarpur-Bishanpur-Tandamagmal-Bhogpur and close stone crusher within 5 km distance from Ganga’** and **‘to strictly implement the restrictions on mining in Hardwar’**, and

WHEREAS, the representatives of Matri Sadan have informed the National Mission on Clean Ganga (NMCG), MoWR, RD&GR, Govt. of India that 35 stone crushers are functioning illegally within 5 km from the river, and they have submitted following important documents:

- i) State Government notification of 1951/52 regarding prohibition on removal of boulders and other bed material from course of the Ganga River 6 miles upstream and 6 miles downstream of Bhimgoda Weir in the specified width of the river, and also in two furlong length of each of the tributaries joining the river in this stretch.
- ii) Minutes of the Meeting held on 4.3.2016 taken by Chief Secretary, Uttarakhand wherein it is mentioned that mining is not being allowed in Raiwala-to-Bhogpur stretch of Ganga river and private mining lease are also being cancelled in this area.

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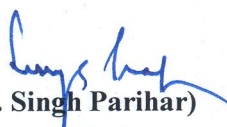
- iii) District Magistrate letter dated 16.2.2016 to Director, Mining and Minerals, Uttarakhand suggesting that if stone crushers within 5 km from bank of river are stopped it will help in stopping illegal mining; and


WHEREAS, The National Green Tribunal, Principal Bench, New Delhi vide order dated 15.4.2015 in the matter of OA 117 of 2015 has directed that the respondents - State of Uttarakhand and District Magistrate, "shall ensure that no illegal, unauthorised, unscientific mining is permitted to carry on in the area in question and without taking environmental clearance" (i.e. in villages Bishanpur, Goghpur and Mandabhagamal); and

WHEREAS, the copy of above representation received in MoEF&CC, Govt. of India was forwarded vide letter dated 15.11.2016 to NMCG, MoWR, RD&GR, Govt. of India and DG, NMCG vide letter dated 2.12.2016 has forwarded it to Central Pollution Control Board requesting for necessary action;

NOW THEREFORE, in view of the above and in exercise of powers delegated to the Chairman, CPCB under Section 5 of the Environment (Protection) Act, 1986, you are directed to comply with the following directions:

1. **District Magistrate, Hardwar** and **Senior Superintendent^{ent} of Police, Hardwar** shall ensure that the decision of Uttarakhand Government banning mining in Raiwala-to-Bhogpur stretch of Ganga River in Hardwar is strictly complied and no illegal mining takes place in this stretch of Ganga River.
2. In view of the required action needed to stop illegal mining communicated by District Magistrate, Hardwar in letter dated 16.2.2016, **Principal Secretary - Industrial Development, Government of Uttarakhand** shall issue necessary orders immediately for closure of operation of stone crushers / pulverisers as applicable along the banks of Ganga River in Raiwala-to-Bhogpur stretch in Haridwar.
3. On issuance of necessary orders from State Government, **District Magistrate, Hardwar** and **Senior Superintendent^{ent} of Police, Hardwar** shall immediately ensure closure of stone crushers / pulverisers as aforesaid in direction 2 above.


(S. P. Singh Parihar)
Chairman


06/12/16