
Ref.: 1) DCF, Ajmer letter no. F-14 (khanan/uvasa/2017-18/ 9854-56 dated 01.09.2017

1. Whereas the Environmental Impact Assessment Notification dated 14.9.2006 issued by the Central Government in exercise of the powers conferred under the provisions of the Environment (Protection) Act, 1986 has come into force from the date of publication in the official Gazette.

2. And whereas you, vide letter dated 1.6.2015 under EIA Notification made an application to the State Level Environment Impact Assessment Authority (SEIAA) for obtaining Prior Environmental Clearance for Sanod Quartz, Feldspar & Mica Mining Project of M.L. No. 05/96, Area 4.9414 Ha, Near Village- Sanod, Tehsil- Nasirabad, District- Ajmer, (Rajasthan)

3. And whereas the application seeking EC was accompanied with Form-1, Prefeasibility Report, and approved mining plan etc.

4. And whereas you, at the end of form 1, had given the following undertaking:

“I hereby give undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be revoked at our risk and cost”

5. And whereas you, in your affidavit, had stated that the data submitted in the EC application Form1 and PFR and EC presentation is factually correct.

6. And whereas the State Level Expert Appraisal Committee (SEAC) relying upon the information submitted by you in your application form, as also in the documents and additional clarifications/documents, submitted by you appraised the project and made
recommendations to the State Level Environment Impact Assessment Authority (SEIIAA) for grant of EC.

7. And whereas the SEIIAA on the basis of recommendations of the SEAC, vide letter dated 07.04.16 accorded EC to your project.

8. And whereas the SEIIAA had received a complaint from DCF Ajmer stating that your mine area falls within breeding area of Godawan and Kharomor (Lesser Florican) which falls under Critically endangered and Endangered category respectively.

9. And whereas in the Form 1 under the Environment Sensitivity point no (2)" Areas which are important or sensitive for ecological reason-Wetlands, water course or other water bodies, coastal zone, biospheres, mountains, forest" you had mentioned as under" - "Not exist".

Similarly under the point no (3) of the Environment Sensitivity portion of the application “Areas used by Protected, important, or sensitive species of flora and fauna for breeding, nesting, foraging, overwintering, migration” you had mentioned as under - "Not exist"

10. And whereas, under Flora or Fauna in Environment Management Plan(Chapter 11.1.3) it has been mentioned that “Snakes, Neelgai, are the wild animals that could be seen around the area, Dogs, Cow, Goat, Buffalo, Donkey, Camel etc are the main domestic animals”. The report is silent about the breeding of Kharomor and sighting of Godawan.

11. Whereas as per the letter of DCF, Ajmer dated 01.09.2017 the project site falls within Sokhli area, it is mentioned in the letter of DCF, Ajmer dated 01.09.2017 that “उपरोक्त विषयार्थी हिस्से जिला क्र. कार्यालय क्र. 4040 एवं 2190 पर अंकित प्रकाश के साथ से Environment Clearance घोषित किया गया है। उल्लेखनीय है कि शोधित क्षेत्र गोदवान एवं अन्य क्षेत्रों में खरमा द्वारा का जीवाणु क्षेत्र है। शोधित Critically Endangered एवं खरमा Endangered category में आते है। खरमा क्षेत्र दक्शिण भारत से अलग दक्षिण क्षेत्र में प्रजनन करते है।”

12. Whereas you have not brought the fact of mine area falling within breeding area of Godawan and Kharomor (Lesser Florican) which falls under Critically endangered and Endangered category respectively.

13. Whereas you were under a legal Obligation to bring to the notice of SEIIAA that the mine area falls within breeding area of Godawan and Kharomor (Lesser Florican) which falls under Critically endangered and Endangered category respectively.

14. Whereas the provisions of the Environmental Impact Assessment Notification dated 14.09.2006, made under the Environment (Protection) Act 1986, provide that any “deliberate concealment and/or submission of false or misleading information or data which is material to screening of scoping or appraisal or decision on the application shall make the application liable for rejection and cancellation of prior environmental clearance granted on that basis.

15. Whereas you were given an opportunity to be heard on 20.12.17 and on the date of hearing you had informed that doctor had advised rest to you and so you requested for next date of hearing and so vide letter dated 20/26.12.2017 you were asked to appear before the Authority on 28.12.17, no one appeared but you vide letter dated 27.12.17 you had sought four weeks time from the preceding SEIIAA. The term of preceding SEIIAA, however came to an end on 29.12.2017 and now SEIIAA came into existence
on 12.9.2018. The new SEIAA, therefore, took up the matter for reconsideration and decided to afford further opportunity of personal for intended cancellation of EC granted by SEIAA vide letter dated 07.4.16.

19. And whereas in pursuance of opportunity of hearing, you appeared before the Authority on 26.11.18 at Aravalli Bhawan, Jalalana Dongri, Jaipur in person in response to the show cause notice issued by the Authority and explained your case and also filed written submission vide letter dated 26.11.2018. The reply submitted by you does not explain as to why material information regarding existence of areas which are important or sensitive for ecological reason-Wetlands, watercourse or other water bodies, biospheres, mountains, forest, as also the areas which are used by protected, important, or sensitive species of flora and fauna for breeding, nesting, foraging, overwintering, migration was not gathered and provided. Under the provisions of the EIA notification, it is the responsibility of the Project Proponent to conduct survey of the area within 10 Kms from the project site and submit factual report to the Authority. The SEIAA however, upon considering your reply regarding non existence of Godawon and Lesser Florican in the area, asked the District Forest Officer to appear before the Authority on 29.11.2018 along with record for providing factual status regarding presence of the birds in question in the area. Sh. Ajay Chittora, District Forest Officer, Ajmer, informed the Authority that lesser Florican is regularly found in the Sokhaliya Protected Area that amongst other villages include village Sanod. He further informed that the Wild Life Institute of India has confirmed the presence of Lesser Florican in the said region. Sh. Ajay Chittora informed the Authority that Additional Chief Conservator Forest and Chief Wild Warden, Rajasthan, Jaipur has recommended closure of mining in the area with immediate effect. Sh. Chittora pointed out that the Ministry of Environment and Forests in its guidelines for Lesser Florican recovery Programme has stated that the bird has been given the highest degree of protection under Schedule 1 of the Wild Life Protection Act, 1972 and its numbers has gone down drastically necessitating its declaration as an endangered species in IUCN Red list 2011. The report also states that the bird is also included as a priority species for recovery in the Integrated Development of Wild Life Habitats.

20. And whereas, the Authority, in view of the provisions of para 8(vi) of the Environment Impact Assessment Notification providing for rejection and cancellation of prior EC, obtained on the basis of deliberate concealment and or submission of false or misleading information, taking into consideration the complete record of the case, oral and written submissions made by you and the information provided by District Forest Officer, Ajmer regarding existence of Lesser Florican in the area, the Authority is of the considered opinion that mining activity in the area will interfere in the life activities of the Lesser Florican and may thus endanger its existence. These facts therefore, warrant rejection of Environmental Clearance granted to you vide letter dated 07.4.16.

The Authority therefore cancels the Environmental Clearance granted to M/s Jai Shree Minerals Prop Shri Sunil Kumar Jain s/o Late shri Shanti Lal Jain for mining of Sanod
Quartz, Feldspar & Mica Mining Project of M.L. No. 05/96, Area 4.9414 Ha, Near Village- Santod, Tehsil- Nasirabad, District- Ajmer, (Raj)

Any appeal against this letter shall lie with the National Green Tribunal as prescribed under section 16 of National Green Tribunal Act 2010.

(Shekha Mehra)
Member Secretary, SEIIA

No.F1(4)/SEIIA/SEAC-Raj/Sectt/Project/Cat.1(a)B2 (4046)14-15 Jaipur, dated 05.11.2018

Copy to following for information and necessary action:
1. Secretary, Ministry of Environment, Forest & Climate Change, Govt. of India Paryavaran Bhawan, Jor Bagh Road, Aligunj, New Delhi-10003
2. Pr. Secretary, Environment Department, Rajasthan, Jaipur.
3. Shri R.K. Meena, Chairperson, SEIIA, Rajasthan, B-75, Shankar Vihar, 50 Feet Gaitore Road, Sawai Gaitor, Jaipur-302017.
4. Dr. Anil Kumar Goel, I.F.S. (Retd.) F2/1, Forest Colony, Sector 4, Jawahar Nagar, Jaipur
5. Member Secretary, Rajasthan State Pollution Control Board, Jaipur for information & necessary action and to display this sanction on the website of the Rajasthan Pollution Control Board, Jaipur
6. Member Secretary, SEAC Rajasthan.
7. APCCF&CWLW,Forest Department, Rajasthan
8. The CCF, Regional Office, Ministry of Environment & Forests RO(CZ), Kendriya Bhawan, 5th Floor, Sector ‘H’, Aliganj, Lucknow-226020
9. Director, Department Mines and Geology, Court Choraha, Udaipur
10. District forest officer Ajmer with ref to his letter no9854-56 dated 1.9.2017
11. Mining Engineer Ajmer for necessary action.
12. Environment Management Plan-Division, Monitoring Cell, MoEF, Paryavarn Bhavan, CGO Complex, Lodhi Road, New Delhi-110003.
13. ACP, Department of Environment, Government of Rajasthan, Jaipur with the direction to upload the Copy of this E.C. on the website.

M.S. SEIIA (Rajasthan)