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**State Environment Impact Assessment Authority**  
**West Bengal**  
**Minutes of SEIAA Meeting**  
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Subject: **95<sup>th</sup> meeting of SEIAA**  
Venue:- **Conference Room of Environment Department, Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB – Block, Sector – III, Salt Lake, Kolkata – 700106**  
From :- **20 April 2023**  
To :- **20 April 2023**

(1) Proposed residential building at Premises No. 7, Convent Road, Borough No. VI, KMC Ward No. 55, PS – Entally, Kolkata – 700014 by **M/s. Avikam Buildcon LLP.**

**Proposal No. :- SIA/WB/INFRA2/409183/2022, File No. : EN/T-II-1/089/2022, Type-EC**

**INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/INFRA2/409183/2022** dated **09 Dec 2022** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **8(a) Building / Construction** projects under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 65<sup>th</sup> meeting held on 08.02.2023.

The proposal was placed before SEIAA in its 91<sup>st</sup> meeting held on 21.03.2023 and it was observed that some documents required to be uploaded in the PARIVESH Portal. The project proponent (PP) uploaded documents on 13.04.2023.

**PROJECT DETAILS**

The project of **M/s. Avikam Buildcon LLP** located in as follows :

S. No.	State	District
(1.)	West Bengal	Kolkata

**DELIBERATION IN SEIAA**

SEIAA considered the submission by the project proponent vide letter no. NIL dated 13.04.2023 uploaded on 13.04.2023 and accepted the same.

**RECOMMENDATIONS OF SEIAA**

The application for EC is approved based on the KMC Building Permit vide Memo No. 2022060039 dated 18.10.2022.

**CONCLUSION**

**Approved for EC.**

## **Conditions**

### **I. Statutory compliance:**

- i. The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
- ii. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.
- iii. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- iv. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- v. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
- vi. The project proponent shall obtain the necessary permission for drawl of ground water /surface water required for the project from the competent authority.
- vii. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
- viii. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
- ix. The provisions of the Solid Waste (Management) Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste (Management) Rules, 2016 shall be followed.
- x. The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.
- xi. The project proponent should strictly comply with the guidelines for High Rise Buildings, issued by MoEF, GoI vide No. 21-270/2008-IA.III dated 07.02.2012.
- xii. The project proponent shall comply with the EMP as proposed in terms of Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020.

### **II. Air quality monitoring and preservation**

- i. Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
- ii. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii. The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM25) covering upwind and downwind directions during the construction period.
- iv. Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel is mandatory. The location of the DG sets may be decided in consultation with State Pollution Control Board.
- v. Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meters height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the

site.

- vi. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
- vii. Wet jet shall be provided for grinding and stone cutting.
- viii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- ix. All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.
- x. The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
- xi. The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
- xii. For indoor air quality the ventilation provisions as per National Building Code of India.

### **III. Water quality monitoring and preservation**

- i. The natural drainage system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.
- ii. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iii. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
- iv. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office of Ministry of Environment, Forest and Climate Change (MoEF&CC) along with State Level Environment Impact Assessment Authority (SEIAA) and West Bengal Pollution Control Board (WBPCB) along with six monthly Monitoring reports.
- v. A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- vi. At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
- vii. Installation of dual pipe plumbing for supply of recycled water and other for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. and for supplying fresh water for drinking, cooking and bathing etc. shall to be done.
- viii. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc.) for water conservation shall be incorporated in the building plan.
- ix. Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
- x. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- xi. The local bye-law provisions on rain water harvesting should be followed. If local byelaw provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. Rain water harvesting recharge pits/storage tanks shall be provided for ground water recharging as per the CGWB norms.
- xii. A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.

- xiii. All recharge should be limited to shallow aquifer.
- xiv. Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the State Water Investigation Directorate (SWID) in the matter. Formal approval shall be taken from the SWID for any ground water abstraction or dewatering.
- xv. Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening.
- xvi. No sewage or untreated effluent water would be discharged through storm water drains.
- xvii. Onsite sewage treatment of capacity of treating 100% wastewater to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Regional Office of MoEF&CC along with SEIAA and WBPCB before the project is commissioned for operation. Treated wastewater shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by MoEF&CC. Natural treatment systems shall be promoted.
- xviii. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
- xix. Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.
- xx. Water meter with totaliser should be provided at freshwater inlets, STP discharge and recycling lines.

#### **IV. Noise monitoring and prevention**

- i. Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
- ii. Noise level survey shall be carried out as per the prescribed guidelines and report in this regard shall be submitted to Regional Office of the MoEF&CC along with SEIAA and WBPCB as a part of six-monthly compliance report.
- iii. Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

#### **V. Energy Conservation measures**

- i. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
- ii. Outdoor and common area lighting shall be LED.
- iii. Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.
- iv. Energy conservation measures like installation of CFLs/ LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
- v. Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
- vi. Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.

#### **VI. Waste Management**

- i. A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.

- ii. Disposal of muck during construction phase shall not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- iii. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
- iv. Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.
- v. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- vii. Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
- viii. Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27<sup>th</sup> August, 2003 and 25<sup>th</sup> January, 2016. Ready mixed concrete must be used in building construction.
- ix. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.
- x. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.
- xi. **Construction and demolition activities should be equipped with adequate dust emission measures including installation of anti-smog guns.**

**VII. Water Body Conservation:-**

- i. Existing water body (if any) should not be lined and their embankments should not be cemented. The water body is to be kept in natural conditions without disturbing the ecological habitat.

**VIII. Green Cover**

- i. The unit should strictly abide by The West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006 and subsequent rules. The proponent should undertake plantation of trees over at least 20% of the total area.
- ii. No tree can be felled/transplanted unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
- iii. In addition to existing trees, **110** nos. trees are to be planted and maintained by the project proponent. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. The project proponent should follow plantation plan approved by DFO, Forest Utilisation Division vide Memo no. 2747/17T dated 25.11.2022.
- iv. Where the trees need to be cut with prior permission from the concerned Local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
- v. Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.

**IX. Transport**

- i. A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.

- a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
  - b. Traffic calming measures.
  - c. Proper design of entry and exit points.
  - d. Parking norms as per local regulation.
- ii. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and to be operated only during non-peak hours.
  - iii. A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

**X. Human health issues**

- i. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
- ii. For indoor air quality the ventilation provisions as per National Building Code of India.
- iii. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- iv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- v. Occupational health surveillance of the workers shall be done on a regular basis.
- vi. A First Aid Room shall be provided in the project both during construction and operations of the project.

**XI. Environment Management Plan (EMP)**

- i. The project proponent should submit the proposed EMP on a six monthly basis. The Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 should be strictly followed.
- ii. Need based activities for local people is part of the EMP. Details of such activities are submitted by the Project Proponent.
- iii. The project proponent shall install display board for display of all the environmental parameters including sensor-based air, water and noise quality monitoring stations within their premises.
- iv. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms /conditions. The company shall have defined system of reporting infringements /deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the Regional Office of MoEF&CC along with SEIAA and WBPCB as a part of six-monthly report.
- v. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of Senior Executive, who will directly report to the head of the organization.
- vi. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose.

- vii. Year wise progress of implementation of action plan shall be reported to the Regional Office of MoEF&CC along with SEIAA and WBPCB along with the Six-Monthly Compliance Report.

**XII. Miscellaneous**

- i. The environmental clearance accorded shall be valid for a period of 10 years for the proposed project.
- ii. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEFCC/SEIAA website where it is displayed.
- iii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iv. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the Ministry of Environment, Forest and Climate Change at environment clearance portal with a copy to SEIAA and WBPCB.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office of the MoEF&CC along with SEIAA and WBPCB, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- ix. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during their presentation to the State Expert Appraisal Committee (SEAC).
- x. No further expansion or modifications in the plant shall be carried out without prior approval of the SEIAA.
- xi. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xii. The SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiii. The SEIAA reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. The Regional Office of the MoEF&CC/SEIAA/WBPCB shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer(s) of the Regional Office of MoEF&CC / SEIAA/WBPCB by furnishing the requisite data / information/monitoring reports.
- xv. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvi. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

(2) Proposed expansion of Woodlands Multispeciality Hospital at Premises No. 8/5, Alipore Road, P.O. & P.S. – Alipore, under Ward No. – 74 & Borough - IX of Kolkata Municipal Corporation (K.M.C.), Kolkata – 700027, West Bengal by **M/s. Woodlands Multispeciality Hospital Limited.**

**Proposal No. :- SIA/WB/INFRA2/402657/2022, File No. : EN/T-II-1/054/2022, Type-EC**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/INFRA2/402657/2022** dated **10 Oct 2022** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **8(a) Building / Construction** projects under Category "**B2**" of EIA Notification 2006.

SEAC recommended the proposed project for Environmental Clearance during its 60<sup>th</sup> meeting held on 28.12.2022 with the additional conditions:

1. The exclusive tree plantation area should be done exactly as per the DFO approved plantation plan.
2. Sludge analysis should be done before any alternative use.

The proposal was placed before SEIAA in its 87<sup>th</sup> meeting held on 13.02.2023 and the proposal was deferred for additional information. The project proponent uploaded documents on 04.04.2023.

## **PROJECT DETAILS**

The project of **M/s Woodlands Multispeciality Hospital Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Kolkata

## **DELIBERATION IN SEIAA**

SEIAA considered the submission by the project proponent vide letter no. NIL dated 30.03.2023 uploaded on 04.04.2023 and observed that the reply submitted by the PP is not tenable. As there is no provision for undertaking exclusive tree plantation outside the project area, in a fresh application.

As per the section 9 (1) of The West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, 'Every person or development agency or the benevolent activist or the entrepreneur or the promoter (hereinafter in this section called 'developer') shall, as the case may be, intending to carry out development in the form of erection of highrise multi-unit building or otherwise construction for the purposes of residential or commercial or industrial or institutional uses, as the case may be, on any plot or plots of land, undertake plantation for trees, in the prescribed manner and to the prescribed extent having regard to the total area of such plot or plots of land, in the same plot or plots of land as subject to such development'.

The unit should strictly abide by the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006 and subsequent rules. **The sanction plan should include an exclusive tree plantation area comprising of tree cover at least 20% of the total project land area.** Exclusive tree plantation area should be clearly demarcated in the sanction plan. The total area for exclusive tree plantation and its percentage of the total project area should be mentioned in the sanctioned plan.

In the sanctioned plan the total green area within the premises is only 430.32 sqm., which is 6.67% of the plot area and there is a shortfall of 860.57 sqm., which 13.33% of the total plot area. Though the sanction plan mentioned about the proposed green area outside the project location, however, there is no such provision for a fresh application in the Act quoted above.



**The PP is therefore, required to appear for hearing before SEIAA on 27.04.2023.**

**RECOMMENDATIONS OF SEIAA**

**The project proponent is required to appear for a hearing before the SEIAA, WB before a final decision on EC application is taken.**

**CONCLUSION**

**Deferred for further consideration.**

(3) Proposed construction of Fortis Hospital at Premises No. – 730, Anandapur, Ward. No – 108 under Kolkata Municipal Corporation, South 24 Parganas, Kolkata- 700 107, West Bengal by **M/s. International Hospital Ltd.**

**Proposal No. :- SIA/WB/MIS/49651/2019, File No. : EN/T-II-1/029/2019, Type-EC**

**INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIS/49651/2019** dated **09 Jan 2020** along with copies of EIA/EMP seeking environment clearance under the provisions of the EIA Notification, 2006 for the above mentioned project. The proposed project activity is listed at SL.No. **8(b) Townships and Area Development** projects under Category "**B2**" of EIA Notification 2006.

The proposal was placed before SEIAA in its 42<sup>nd</sup> meeting held on 28.12.2021 and the proposal was deferred for additional information. The project proponent uploaded documents on 18.04.2023.

**PROJECT DETAILS**

The project of **M/s. International Hospital Ltd.** located in as follows :

S. No.	State	District
(1.)	West Bengal	Kolkata

**DELIBERATION IN SEIAA**

**SEIAA considered the submission by the project proponent vide letter no. NIL dated 18.04.2023 uploaded on 18.04.2023 and observed that in terms of the O.M. issued by MoEF & CC vide No. 22-21/2020 –IA.III [E-138949] dated 28.01.2022, the PP is required to submit the gross turnover of the project certified by a Chartered Accountant, in order to calculate the penalty amount.**

**The PP should also submit the copy of paid challan of EC processing fees.**

**RECOMMENDATIONS OF SEIAA**

**Therefore, the application for EC is deferred for additional information.**

**CONCLUSION**

**Deferred (Additional Information).**

(4) Proposed Residential, mercantile & MLCP project near Vega Circle Mall, Sevok Road, at Plot no. (LR) – 555, 611, Plot no. (RS) – 82, 82/298, 81/297, Khatian no. (LR) – 545, 2516, Khatian no. (RS) – 282/1, 282/3, 282/5, JL No.- 02, Mouza- Dabgram, ParganasBaikunthapur, P.S.- Bhaktinagar, District- Jalpaiguri, under Siliguri Municipal Corporation, West Bengal by **M/s. Shree Vinayak Constructions**.

**Proposal No. :- SIA/WB/MIS/257178/2022, File No. : EN/T-II-1/008/2022, Type-EC**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIS/257178/2022** dated **17 Feb 2022** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **8(a) Building and Construction** projects under Category "**B2**" of EIA Notification 2006.

The SEAC in its 55<sup>th</sup> meeting held on 09.11.2022 recommended that based on the letter vide No. 2945/WL/2W-682(Part-III)/2019 dated 28.09.2022 received from Principal Chief Conservator of Forest (Wildlife) and Chief Wildlife Warden wherein it was confirmed that the proposed project site is falling within the eco-sensitive zone of Mahananda Wildlife Sanctuary. Hon'ble Supreme Court of India in its order dated 03.06.2022 in its L.A No.1000 of 2003 in W.P.202 of 1995 ordered that no new structure shall be permitted to come up in ESZ, hence, permission for the above proposal (SIA/WB/MIS/257178/2022) cannot be granted.

The proposal was placed before SEIAA in its 81<sup>st</sup> meeting held on 06.12.2022 and it was decided to request the PP for a hearing before the final decision on the EC application is taken. Accordingly, the PP was requested to appear before SEIAA for hearing in the 88<sup>th</sup> meeting on 21.02.2023.

The PP attended the hearing before SEIAA and submitted copies of few documents from the Divisional Forest Officer, Darjeeling Wildlife Division along with enclosures wherein it is mentioned that the project site lies at a distance of about 6.35 km and 6.6 km respectively which is falling out of ESZ declared for Mahananda Wildlife Sanctuary. The PP was intimated to submit NOC / clearance from Chief Wildlife Warden, West Bengal in this regard. The PP uploaded documents on 13.04.2023.

## **PROJECT DETAILS**

The project of **M/s. Shree Vinayak Constructions** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Jalpaiguri

## **DELIBERATION IN SEIAA**

SEIAA considered the submission by the project proponent vide letter no. NIL dated 12.04.2023 uploaded on 13.04.2023 and observed that the Chief Wildlife Warden vide his Memo No. 822/WL/2W-682(Part-IV)/2022 dated 27.03.2023 has informed that the proposed project site is about 6 km. From the boundary of Mahananda Wildlife Sanctuary and hence the said project site is beyond the notified area of the eco sensitive zone of Mahananda Wildlife Sanctuary. The case is therefore referred back to SEAC for reappraisal.

## **RECOMMENDATIONS OF SEIAA**

**Referred back to SEAC.**

## **CONCLUSION**

**Referred back to SEAC.**

(5) Proposed Jorpatki Sand Mine (MIN\_CB\_14) over an area of 1.18 ha (2.91 Acres) on Dharla River at J. L. No. – 189, Plot No. 4906, Mouza – Jorpatki, Village – Jorpatki, Police Station – Mathabhanga, District – Cooch Behar, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/423315/2023, File No. : EN/T-II-1/343/2023, Type-EC**

### **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/423315/2023** dated **27 Mar 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

### **PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Cooch Behar

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_CB\_14 falling within the DSR potential code CB\_MTB1\_DL\_36 is accepted.**

### **RECOMMENDATIONS OF SEIAA**

**The application for EC is approved.**

### **CONCLUSION**

**Approved for EC.**

### **Conditions**

#### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before

commencement of any mining or allied activity at the lease hold area.

4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>1</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of

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<sup>1</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.

17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining }
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the ‘Enforcement and Monitoring Guidelines for Sand Mining’ (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.

30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or fumes during mining and processing phase are controlled and kept within permissible limits specified under environmental laws.
32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per hectare of lease area in areas near the mine.
35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>2</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used concurrently, it shall be stored properly for future use.
39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.

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<sup>2</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land<sup>3</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.

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<sup>3</sup> *the land that doesn't fall under the list of revenue records.*



60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIIH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>4</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F. No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social

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<sup>4</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/1022(i) dated 20.04.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.

71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and

Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.

79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.

80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.

81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.

**82. Additional conditions**

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

(6) Proposed Jaldhoa Sand Mine (MIN\_CB\_16) over an area of 2.86 ha (7.06 Acres) on Raidak - II River at J. L. No. – 23, Plot No. 76, Mouza – Jaldhoa, Village – Jaldhoa, Police Station – Tufanganj, District – Cooch Behar, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/423541/2023, File No. : EN/T-II-1/342/2023, Type-EC**

**INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/423541/2023** dated **27 Mar 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

**PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Cooch Behar

## DELIBERATION IN SEIAA

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_CB\_16 falling within the DSR potential code CB\_TG2\_RD2\_4 is accepted.**

## RECOMMENDATIONS OF SEIAA

**The application for EC is approved.**

## CONCLUSION

**Approved for EC.**

### **Conditions**

#### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.

11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>5</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.
17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining }
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced

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<sup>5</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

before officers of the Central Government and/ or the State Government for inspection.

23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the ‘Enforcement and Monitoring Guidelines for Sand Mining’ (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.
30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or fumes during mining and processing phase are controlled and kept within permissible limits specified under environmental laws.
32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per

hectare of lease area in areas near the mine.

35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>6</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used concurrently, it shall be stored properly for future use.
39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.
43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.

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<sup>6</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land<sup>7</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly

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<sup>7</sup> *the land that doesn't fall under the list of revenue records.*



drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.

64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>8</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F. No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/1022(ii) dated 20.04.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest

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<sup>8</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



and Climate change, Government of India;

- c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
- d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
- e. The West Bengal Sand Mining Policy, 2021; and,
- f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.

73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.

**82. Additional conditions**

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided

(7) Proposed MIN\_DJ\_2 Sand Mine over an area of 2.80 ha on Chenga River at J.L. No.- 38, Mouza: Dhambhita, P.S.: Phansidewa, District: Darjeeling, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/423220/2023, File No. : EN/T-II-1/341/2023, Type-EC**

### **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/423220/2023** dated **25 Mar 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

### **PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Darjeeling

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_DJ\_2 falling within the DSR potential code DR\_PD\_CG\_21 is accepted.**

### **RECOMMENDATIONS OF SEIAA**

**The application for EC is approved.**

### **CONCLUSION**

**Approved for EC.**

## Conditions

### General Conditions

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>9</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first

<sup>9</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

layer is excavated, the process will be repeated for the second layer and so on.

15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.
17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining }
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.

27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the 'Enforcement and Monitoring Guidelines for Sand Mining' (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.
30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or fumes during mining and processing phase are controlled and kept within permissible limits specified under environmental laws.
32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per hectare of lease area in areas near the mine.
35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>10</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used

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<sup>10</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

concurrently, it shall be stored properly for future use.

39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.
43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government paramboke land<sup>11</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.

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<sup>11</sup> *the land that doesn't fall under the list of revenue records.*

55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before



1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.

68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>12</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F.No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/305(xvii) dated 07.02.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any

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<sup>12</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



action initiated against her/ him under the Environment (Protection) Act, 1986.

75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.
82. **Additional conditions**
  - i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
  - ii. Basic amenities, safety and occupational health of the labours to be provided.

(8) Proposed River Bed Sand Mining (BLOCK ID – MIN\_BNK\_55C) over an area of 4.90 ha (12.11 Acres) on Dwarakeswar River at J.L. No.- 55 & 61, Plot No. – 62, 63, 81, 80, 83 & 84, Mouza – Bhagalpur, Hati, Behar, Malakarpota & Parikhwapara, P.S – Kotulpur, Block- Kotulpur, Indus, District- Bankura, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/422470/2023, File No. : EN/T-II-1/328/2023, Type-EC**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/422470/2023** dated **17 Mar 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

### **PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Bankura

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_BNK\_55C falling within the DSR potential code BNK\_DW\_KP\_29B is accepted.**

### **RECOMMENDATIONS OF SEIAA**

**The application for EC is approved.**

### **CONCLUSION**

**Approved for EC.**

### **Conditions**

#### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the

West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.

6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>13</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.
17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried

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<sup>13</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

out without permission at any other place.

19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. { non river bed sand mining }
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the ‘Enforcement and Monitoring Guidelines for Sand Mining’ (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.
30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or fumes during mining and processing phase are controlled and kept within permissible limits specified under

environmental laws.

32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per hectare of lease area in areas near the mine.
35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>14</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used concurrently, it shall be stored properly for future use.
39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.
43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.

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<sup>14</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land<sup>15</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of

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<sup>15</sup> *the land that doesn't fall under the list of revenue records.*

the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.

62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>16</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F. No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/003/Part-1/1037(v) dated 24.04.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in

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<sup>16</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



due consultation with the District Authorities.

71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied



with.

79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.

80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.

81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.

82. **Additional conditions**

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

(9) Proposed Radhakantapur Sand Mine (MIN\_BNK\_44\_A) over an area of 4.95 Hectare on Damodar River at Mouza: Pakhanna, Plot No. -897, J.L No. -58; Mouza: Gopalpur, Plot No. - 113, J.L No. -59, Mouza: Radhakantapur, Plot No. - 513, J.L No. - 60; P.S. Barjora, District: Bankura, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/418357/2023, File No. : EN/T-II-1/121/2023, Type-EC**

**INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/418357/2023** dated **17 Feb 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided

**PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

S. No.	State	District
(1.)	West Bengal	Bankura

**DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_BNK\_44\_A falling**

within the DSR potential code BNK\_DABJ\_20B is accepted.

RECOMMENDATIONS OF SEIAA

**The application for EC is approved.**

CONCLUSION

**Approved for EC.**

**Conditions**

**General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
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17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
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19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
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59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIIPH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State

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<sup>19</sup> *the land that doesn't fall under the list of revenue records.*

Government in this behalf.

66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>20</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F. No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/305(v) dated 07.02.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the

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<sup>20</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



environmental clearance granted.

74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.
82. **Additional conditions**
- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
  - ii. Basic amenities, safety and occupational health of the labours to be provided.

(10) Proposed WB\_BIR\_AJ\_A2\_A Sand Mine (4.69 Ha) on Ajay River at Plot No: 342/363, 431/855, J.L. No. - 91, 92, Mouza: Brajadihi & Jamalpur, P.S.: Khairasole, District: Birbhum, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/415621/2023, File No. : EN/T-II-1/122/2023, Type-EC**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/415621/2023** dated

**16 Feb 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided

### **PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Birbhum

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for WB\_BIR\_AJ\_A2\_A falling within the DSR potential code BH\_KR\_AJ\_04 is accepted.**

### **RECOMMENDATIONS OF SEIAA**

**The application for EC is approved.**

### **CONCLUSION**

**Approved for EC.**

#### **Conditions**

##### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.

5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>21</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.
17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.

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<sup>21</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining }
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the ‘Enforcement and Monitoring Guidelines for Sand Mining’ (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24x7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.
30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or

fumes during mining and processing phase are controlled and kept within permissible limits specified under environmental laws.

32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per hectare of lease area in areas near the mine.
35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>22</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used concurrently, it shall be stored properly for future use.
39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.
43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.

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<sup>22</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land<sup>23</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.

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<sup>23</sup> *the land that doesn't fall under the list of revenue records.*

61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>24</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F. No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/305(xii) dated 07.02.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due

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<sup>24</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher



consultation with the District Authorities.

71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.

79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.

80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.

81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.

**82. Additional conditions**

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided

(11) Proposed Mamudabad Sand Mine (MIN\_EMED\_2) (area-1.95 Ha) on Kangsabati River at Plot No: 17, J.L. No.-136, Mouza: Mamudabad, P.S. Debra, District: Paschim Medinipur, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited**.

**Proposal No. :- SIA/WB/MIN/417089/2023, File No. : EN/T-II-1/083/2023, Type-EC**

**INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/417089/2023** dated **13 Feb 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided

**PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

S. No.	State	District
(1.)	West Bengal	Paschim Medinipur

**DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_EMED\_2 falling within the DSR potential code PSM\_DB\_KS\_58 is accepted.**

## RECOMMENDATIONS OF SEIAA

**The application for EC is approved.**

## CONCLUSION

**Approved for EC.**

### **Conditions**

#### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.
3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is

limited to 1.0 metre below the riverbed level.

12. In case the lease area, or a part of it, falls in the river flood plain<sup>25</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.
17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining}
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.

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<sup>25</sup> A floodplain is a generally flat area of land next to a river or stream and it stretches from the banks of the river to the outer edges of the valley

23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the ‘Enforcement and Monitoring Guidelines for Sand Mining’ (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies.
29. The PP shall ensure that pollution due to transportation is effectively controlled. The PP shall also ensure regular sprinkling of water.
30. Only potable water may be collected from nearby locality with prior permission of the authority concerned. Water for other purposes shall be taken from the river.
31. It shall be the duty and responsibility of the PP to ensure that air pollution due to dust, exhaust emission or fumes during mining and processing phase are controlled and kept within permissible limits specified under environmental laws.
32. The mineral transportation shall be carried out through covered trucks/ tractors only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
33. The mining operations are to be done in a systematic manner so that the operations shall not create a major visual impact on the site.
34. Restoration of flora affected by mining must be done immediately. Five times the number of trees destroyed by mining shall be planted (preferably of indigenous species) and maintained over the entire lease period. Irrespective of the above the proponent shall plant and maintain, for the entire lease period, at least five trees per

hectare of lease area in areas near the mine.

35. The PP shall ensure that, there is no damage to any fauna and its habitats/ nestings located close to the sand mining site, if any. The PP should receive clearance from the local Biodiversity Management Committee (BMC)<sup>26</sup> of the district concerned in this regard.
36. No felling of trees in or within the precincts of the mine shall be allowed. If a mining lease area, or a part of it, falls within 10 km from the periphery of any National Park/ Sanctuary or an Eco-Sensitive Zone or a Protected Area, no mining or related activity shall be undertaken without first obtaining a no objection certificate from the Standing Committee of National Board of Wild Life (NBWL), in compliance to the Hon'ble Supreme Court's order in I.A. No. 460 of 2004.
37. The PP shall take all necessary protective measures to ensure that no spring sources are affected due to mining activities.
38. Removal, stacking and utilization of top soil in mining area shall be ensured. Where top soil cannot be used concurrently, it shall be stored properly for future use.
39. No overhangs shall be allowed to be formed due to mining and mining shall not be undertaken in areas where landslide is likely to occur due to unfavourable steep angle of slope.
40. No extraction of stone/ boulder/ sand shall be undertaken in landslide prone areas.
41. If clearance of riparian vegetation is to be undertaken it must be done under the supervision and control of an appropriate government authority. It shall be the responsibility of the project proponent to ensure absolute compliance with the relevant provisions of the West Bengal Trees (Protection and Conservation in Non Forest Areas) Act, 2006, and the Rules framed there under.
42. To reduce visual impact of mining the PP shall ensure tidiness.
43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.

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<sup>26</sup> For all local bodies Biodiversity Management Committees (BMCs) of the WB State Biodiversity Board are constituted under Sec. 41(1) of the Biological Diversity Act, 2002

49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04–06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land<sup>27</sup>.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.
59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly

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<sup>27</sup> *the land that doesn't fall under the list of revenue records.*



drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.

64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>28</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F.No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/305(ix) dated 07.02.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest

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<sup>28</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher

and Climate change, Government of India;

- c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
- d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
- e. The West Bengal Sand Mining Policy, 2021; and,
- f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.

73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.

**82. Additional conditions**

- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

(12) Proposed MIN\_BNK\_48 Sand Mine 4.53 Ha on Dwarakeswar River at Mouza: Ektarpur, J.L. No.: 208, Plot No.: 594, Mouza: Bahulara J.L. No.: 211, Plot No.: 1, Mouza: Vetiarra, J.L. No.: 212, Plot No.: 323/714, P.S: Onda, District: Bankura, West Bengal by **M/s. West Bengal Mineral Development and Trading Corporation Limited.**

**Proposal No. :- SIA/WB/MIN/417079/2023, File No. : EN/T-II-1/119/2023, Type-EC**

### **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/417079/2023** dated **13 Feb 2023** seeking environment clearance under the provisions of the EIA Notification, 2006 for the above-mentioned project. The proposed project activity is listed at SL. No. **1(a) Mining of minerals** under Category "**B2**" of EIA Notification 2006.

SEAC recommended that Environmental Clearance be granted for the proposed project during its 73<sup>rd</sup> meeting held on 29.03.2023. Standard EC conditions for the sand mines should be referred to. Following additional conditions may be imposed:

- i. Status of the need-based activities to be reported during 6 monthly progress report.
- ii. Basic amenities, safety and occupational health of the labours to be provided.

### **PROJECT DETAILS**

The project of **M/s. West Bengal Mineral Development and Trading Corporation Limited** located in as follows :

S. No.	State	District
(1.)	West Bengal	Bankura

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and decided that the application for MIN\_BNK\_48 falling within the DSR potential code BNK\_DW\_ON\_13 is accepted.**

### **RECOMMENDATIONS OF SEIAA**

**The application for EC is approved.**

### **CONCLUSION**

**Approved for EC.**

### **Conditions**

#### **General Conditions**

1. In case the mining area or a part thereof is private land not owned by the Project Proponent (PP), then a written permission should be obtained regarding consent of the land owner(s) concerned for carrying out the mining operation before commencement of any mining activity.
2. The PP shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing, if held.

3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain<sup>29</sup>, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months.
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the channel) will be left intact as no mining zone. Subject to above the PP shall identify the central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.

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68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance<sup>32</sup> shall be as laid down in the West Bengal Minor Mineral Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F.No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. The project proponent has given a commitment vide Memo No. MDTC/SAND/002(iii)/305(vi) dated 07.02.2023 that expenses upto 2% of the total project cost will be used towards need based activity and all such expenditure would be made in due consultation with the District Authorities.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
  - a. The West Bengal Minor Minerals Concession Rules, 2016;
  - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
  - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
  - e. The West Bengal Sand Mining Policy, 2021; and,
  - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.

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<sup>32</sup> Rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50)thousand, whichever is higher

75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance will be as provided in the Notification of MoEF&CC vide No. S.O.1807(E) dated 12.04.2022.
77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.
82. **Additional conditions**
- i. Ongoing status of the need-based activities to be reported during 6 monthly progress report.
  - ii. Basic amenities, safety and occupational health of the labours to be provided.

## II.

### CONSIDERATION/RECONSIDERATION OF TOR PROPOSALS

(1) Proposed Gopiballavpur –I Sand Block MGB -105 over an area of 5 ha (12.35 acres) on the Subarnarekha River at J.L. No. 375, Plot No. 519 (p), Village - Tikaitpur, Mouza – Tikaitpur, Block – Gopiballavpur - I, Police Station – Gopiballavpur, District – Jhargram, West Bengal by **Sk. Karim**.

**Proposal No. :- SIA/WB/MIN/74339/2022, File No. : EN/T-II-1/212/2023, Type-ToR**

### INTRODUCTION

The proponent made online application vide proposal no. **SIA/WB/MIN/74339/2022** dated **26 Mar 2022** seeking Terms of reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S. No. **1(a) Mining of minerals** projects under Category **B** of EIA Notification, 2006.

SEAC during its 70<sup>th</sup> meeting held on 15.03.2023 recommended issuance of Standard Terms of Reference for EIA

preparation for the project with the following additional conditions :-

1. Cluster certificate from the competent authority should be submitted.
2. Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
3. Taking into consideration the replenishment rates reported in the approved DSR for Jhargram, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
4. Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
5. A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
6. A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
7. A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
8. A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
9. Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/clarifications sought above.

All the documents should be duly signed both by the project proponent and environmental the consultant.

### **PROJECT DETAILS**

The project of **Sk. Karim** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Jhargram

The salient features of the project submitted by the project proponent is available at Report under online proposal no. **SIA/WB/MIN/74339/2022.**

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and accepted the same.**

### **RECOMMENDATIONS OF SEIAA**

**SEIAA approved the proposal for ToR.**

### **CONCLUSION**

**Approved ToR.**

<b>Conditions</b>
<b>1) STANDARD TERMS OF REFERENCE</b>
1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any

- one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
  3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
  4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
  5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
  6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
  7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
  8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
  9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
  10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
  11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
  12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
  13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
  14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
  15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
19. Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
20. Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
21. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectorial programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
22. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
24. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
26. Description of water conservation measures proposed to be adopted in the Project should be given. Details of

rainwater harvesting proposed in the Project, if any, should be provided.

27. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
28. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
29. Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
32. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
35. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
36. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against



the Project should be given.

41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
44. Besides the above, the below mentioned general points are also to be followed:-
  - a. Executive Summary of the EIA/EMP Report (enclosed as **Annexure – A**).
  - b. All documents to be properly referenced with index and continuous page numbering.
  - c. Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
  - d. Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
  - e. Where the documents provided are in a language other than English, an English translation should be provided.
  - f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
  - g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should be followed.
  - h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
  - i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
  - j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

## **2) Additional Terms of Reference**

- a) Cluster certificate from the competent authority should be submitted.
- b) Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
- c) Taking into consideration the replenishment rates reported in the approved DSR for Bankura, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- d) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.

- e) A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
- f) A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
- g) A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
- h) A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
- i) Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove.

The ToR is valid for a period of 3 (three) years from the date of issue.

## **Annexure - A**

### **Executive Summary**

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

- 1) Project name and location (Village, District, State, Industrial Estate (if applicable)).
- 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative).
- 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
- 5) Measures for mitigating the impact on the environment and mode of discharge or disposal.
- 6) Capital cost of the project, estimated time of completion.
- 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of is acquisition, nearby (in 2-3 km.) water body, population, with in 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary).
- 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population.
- 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.

- 10) Likely impact of the project on air, water, land, flora-fauna and nearby population.
- 11) Emergency preparedness plan in case of natural or in plant emergencies.
- 12) Issues raised during public hearing (if applicable) and response given.
- 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure.
- 14) Occupational Health Measures.
- 15) Post project monitoring plan.

(2) Proposed Desher Mohan Sand Mine over an area of 3.78 ha (9.33 Acres) on the Ajay River at Plot No. - 583(P), J.L. No.-14 Mouza –Desher Mohan, P.S.Jamuria, Dist – Paschim Bardhaman, West Bengal by **Ganesh Nandy**.

**Proposal No. :- SIA/WB/MIN/74355/2022, File No. : EN/T-II-1/195/2023, Type-ToR**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/74355/2022** dated **26 Mar 2022** seeking Terms of reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S. No. **1(a) Mining of minerals** projects under Category **B** of EIA Notification, 2006.

SEAC during its 70<sup>th</sup> meeting held on 15.03.2023 recommended issuance of Standard Terms of Reference for EIA preparation for the project with the following additional conditions :-

1. Cluster certificate from the competent authority should be submitted.
2. Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
3. Taking into consideration the replenishment rates reported in the approved DSR for Paschim Bardhaman, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
4. Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
5. A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
6. A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
7. A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
8. A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
9. Construction and management plan for the haul road to the public road 10. Safety and occupational health of the labours alongwith basic amenities.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/clarifications sought above.

All the documents should be duly signed both by the project proponent and environmental the consultant.

### **PROJECT DETAILS**

The project of **Ganesh Nandy** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Paschim Bardhaman

The salient features of the project submitted by the project proponent is available at Report under online proposal no. **SIA/WB/MIN/74355/2022.**

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and accepted the same.**

### **RECOMMENDATIONS OF SEIAA**

**SEIAA approved the proposal for ToR.**

### **CONCLUSION**

**Approved ToR.**

#### **Conditions**

##### **1) STANDARD TERMS OF REFERENCE**

1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.

8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
19. Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
20. Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL. HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
21. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the

R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectorial programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

22. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
24. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
26. Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
27. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
28. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
29. Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
32. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should

be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
35. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
36. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
44. Besides the above, the below mentioned general points are also to be followed:-
  - a. Executive Summary of the EIA/EMP Report (enclosed as **Annexure – B**).
  - b. All documents to be properly referenced with index and continuous page numbering.
  - c. Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
  - d. Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
  - e. Where the documents provided are in a language other than English, an English translation should be provided.
  - f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
  - g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should be followed.
  - h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for



securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

- i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

## **2) Additional Terms of Reference**

- a) Cluster certificate from the competent authority should be submitted.
- b) Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
- c) Taking into consideration the replenishment rates reported in the approved DSR for Bankura, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- d) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard topping or paving of any haulage route within the riverbed will be attempted.
- e) A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
- f) A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
- g) A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/intended beneficiaries (schools/ institutions etc) may also be uploaded.
- h) A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
- i) Construction and management plan for the haul road to the public road
- j) Safety and occupational health of the labours alongwith basic amenities.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove.

The ToR is valid for a period of 3 (three) years from the date of issue.

**Annexure - B**

### **Executive Summary**

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

- 1) Project name and location (Village, District, State, Industrial Estate (if applicable)).
- 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative).
- 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
- 5) Measures for mitigating the impact on the environment and mode of discharge or disposal.
- 6) Capital cost of the project, estimated time of completion.
- 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of is acquisition, nearby (in 2-3 km.) water body, population, with in 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary).
- 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population.
- 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- 10) Likely impact of the project on air, water, land, flora-fauna and nearby population.
- 11) Emergency preparedness plan in case of natural or in plant emergencies.
- 12) Issues raised during public hearing (if applicable) and response given.
- 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure.
- 14) Occupational Health Measures.
- 15) Post project monitoring plan.

(3) Proposed Purakonda Sand Mine over an area of 4.75 ha (11.74 Acres) on the Damodar River at Plot No: 445 (P), J.L. No.-55, Mouza: Purakonda, P.S. Barjora, District: Bankura, West Bengal by **M/s. ShoMuk Engineering & Consultancy Services.**

**Proposal No. :- SIA/WB/MIN/72923/2022, File No. : EN/T-II-1/209/2023, Type-ToR**

### **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/72923/2022** dated **25 Mar 2022** seeking Terms of

reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S. No. **1(a) Mining of minerals** projects under Category **B** of EIA Notification, 2006.

SEAC during its 70<sup>th</sup> meeting held on 15.03.2023 recommended issuance of Standard Terms of Reference for EIA preparation for the project with the following additional conditions :-

1. Cluster certificate from the competent authority should be submitted.
2. Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
3. Taking into consideration the replenishment rates reported in the approved DSR for Bankura, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
4. Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
5. A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
6. A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
7. A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
8. A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
9. Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/clarifications sought above.

All the documents should be duly signed both by the project proponent and environmental the consultant.

### **PROJECT DETAILS**

The project of **M/s. ShoMuk Engineering & Consultancy Services** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Bankura

The salient features of the project submitted by the project proponent is available at Report under online proposal no. **SIA/WB/MIN/72923/2022**

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and accepted the same.**

### **RECOMMENDATIONS OF SEIAA**

**SEIAA approved the proposal for ToR.**

### **CONCLUSION**

## Approved ToR.

### Conditions

#### 1) STANDARD TERMS OF REFERENCE

1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
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deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

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23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

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25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
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30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
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33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
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37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health

impacts besides other impacts specific to the proposed Project.

39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
44. Besides the above, the below mentioned general points are also to be followed:-
  - a. Executive Summary of the EIA/EMP Report (enclosed as **Annexure – C**).
  - b. All documents to be properly referenced with index and continuous page numbering.
  - c. Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
  - d. Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
  - e. Where the documents provided are in a language other than English, an English translation should be provided.
  - f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
  - g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should be followed.
  - h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
  - i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
  - j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

## 2) **Additional Terms of Reference**

- a) Cluster certificate from the competent authority should be submitted.
- b) Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.



- c) Taking into consideration the replenishment rates reported in the approved DSR for Bankura, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- d) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
- e) A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
- f) A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
- g) A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
- h) A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
- i) Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove.

The ToR is valid for a period of 3 (three) years from the date of issue.

**Annexure - C**

### **Executive Summary**

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

- 1) Project name and location (Village, District, State, Industrial Estate (if applicable)).
- 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative).
- 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
- 5) Measures for mitigating the impact on the environment and mode of discharge or disposal.

- 6) Capital cost of the project, estimated time of completion.
- 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of is acquisition, nearby (in 2-3 km.) water body, population, with in 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary).
- 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population.
- 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- 10) Likely impact of the project on air, water, land, flora-fauna and nearby population.
- 11) Emergency preparedness plan in case of natural or in plant emergencies.
- 12) Issues raised during public hearing (if applicable) and response given.
- 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure.
- 14) Occupational Health Measures.
- 15) Post project monitoring plan.

(4) Proposed Kumirkola Sand Mine over an area of 3.64 ha (9.00 Acres) on the Damodar River at Plot No: 1665(P), 1608(P) & Ors, J.L. No.-9, Mouza: Kumirkola, P.S. Khandaghosh, District: Purba Bardhaman, West Bengal by **Bikash Ghosh**

**Proposal No. :- SIA/WB/MIN/72940/2022, File No. : EN/T-II-1/201/2023, Type-ToR**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/72940/2022** dated **25 Mar 2022** seeking Terms of reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S. No. **1(a) Mining of minerals** projects under Category **B** of EIA Notification, 2006.

SEAC during its 70<sup>th</sup> meeting held on 15.03.2023 recommended issuance of Standard Terms of Reference for EIA preparation for the project with the following additional conditions :-

1. Cluster certificate from the competent authority should be submitted.
2. Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
3. Taking into consideration the replenishment rates reported in the approved DSR for Purba Barddhaman, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
4. Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
5. A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
6. A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.
7. A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries

(schools/ institutions etc) may also be uploaded.

8. A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.

9. Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/clarifications sought above.

All the documents should be duly signed both by the project proponent and environmental the consultant.

### **PROJECT DETAILS**

The project of **Bikash Ghosh** located in as follows :

S. No.	State	District
(1.)	West Bengal	Purba Bardhaman

The salient features of the project submitted by the project proponent is available at Report under online proposal no. **SIA/WB/MIN/72940/2022.**

### **DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and accepted the same.**

### **RECOMMENDATIONS OF SEIAA**

**SEIAA approved the proposal for ToR.**

### **CONCLUSION**

**Approved ToR.**

### **Conditions**

#### **1) STANDARD TERMS OF REFERENCE**

1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water

bodies, streams and rivers and soil characteristics.

6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with

State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19. Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
20. Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
21. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectorial programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
22. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
24. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
26. Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
27. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
28. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
29. Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl.

A schematic diagram may also be provided for the same.

31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
32. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
35. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
36. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
44. Besides the above, the below mentioned general points are also to be followed:-
  - a. Executive Summary of the EIA/EMP Report (enclosed as **Annexure – D**).
  - b. All documents to be properly referenced with index and continuous page numbering.
  - c. Where data are presented in the Report especially in Tables, the period in which the data were collected and

the sources should be indicated.

- d. Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e. Where the documents provided are in a language other than English, an English translation should be provided.
- f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should be followed.
- h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

## **2) Additional Terms of Reference**

- a) Cluster certificate from the competent authority should be submitted.
- b) Original LoI along with all subsequent letters of validity-extension from the competent authority should be submitted.
- c) Taking into consideration the replenishment rates reported in the approved DSR for Purba Bardhaman, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- d) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted.
- e) A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted.
- f) A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be self-sustaining in that particular region.

- g) A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
- h) A study report on base flow level measured at 5 points with date and supporting photographs may be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised.
- i) Management plan of haul road to the public road.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove.

The ToR is valid for a period of 3 (three) years from the date of issue.

## **Annexure - D**

### **Executive Summary**

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

- 1) Project name and location (Village, District, State, Industrial Estate (if applicable)).
- 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative).
- 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
- 5) Measures for mitigating the impact on the environment and mode of discharge or disposal.
- 6) Capital cost of the project, estimated time of completion.
- 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of its acquisition, nearby (in 2-3 km.) water body, population, within 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary).
- 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population.
- 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- 10) Likely impact of the project on air, water, land, flora-fauna and nearby population.
- 11) Emergency preparedness plan in case of natural or in plant emergencies.
- 12) Issues raised during public hearing (if applicable) and response given.
- 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure.
- 14) Occupational Health Measures.
- 15) Post project monitoring plan.

(5) Proposed Harinathpur Sand Mine over an area of 1.3 ha (3.21 Acres) on the River Ajay at Plot No.01(P), J.L. No.- 4,



Mouza –Harinathpur, P.S.- Ausgram, Dist – Purba Bardhaman, West Bengal by **Prasenjit Mahattom**.

**Proposal No. :- SIA/WB/MIN/60376/2021, File No. : EN/T-II-1/178/2023, Type-ToR**

## **INTRODUCTION**

The proponent made online application vide proposal no. **SIA/WB/MIN/60376/2021** dated **23 Feb 2023** seeking Terms of reference (TOR) under the provisions of the EIA Notification, 2006 for the above mentioned proposed project. The proposed project activity is listed at S. No. **1(a) Mining of minerals** projects under Category **B** of EIA Notification, 2006.

SEAC during its 69<sup>th</sup> meeting held on 11.03.2023 recommended issuance of Standard Terms of Reference for EIA preparation for the project with the following additional conditions :-

- 1) Cluster certificate from the competent authority should be submitted.
- 2) Original LoI along-with all subsequent letters of validity-extension from the competent authority should be submitted.
- 3) Taking into consideration the replenishment rates reported in the approved DSR for Purba Bardhaman, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- 4) A plan on management and handling of sand during the period of intermediate stock piling should be submitted.
- 5) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. Connectivity with the public road may also be shown. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted. 6) A Progressive Green-belt Plan may be prepared. The project being a riverbed project afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life.
- 7) Need-based EMP, prepared in accordance with the MoEFCC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded.
- 8) Study report on base flow level measured at 5 points with date and supporting photographs. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the proposal may also be revised.
- 9) Plan for management of the haul-road upto the river bed from the public road.
- 10) Proper plantation/survival plan and area demarcated for the plantation.
- 11) Management plan of the haul road, that is, road joining the public road and the river bank including plantation plan.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought above.

## **PROJECT DETAILS**

The project of **Prasenjit Mahattom** located in as follows :

<b>S. No.</b>	<b>State</b>	<b>District</b>
<b>(1.)</b>	West Bengal	Purba Bardhaman

The salient features of the project submitted by the project proponent is available at Report under online proposal no.

**SIA/WB/MIN/60376/2021.**

**DELIBERATION IN SEIAA**

**SEIAA considered the recommendation of SEAC and accepted the same.**

**RECOMMENDATIONS OF SEIAA**

**SEIAA approved the proposal for ToR.**

**CONCLUSION**

**Approved ToR.**

**Conditions**

**1) STANDARD TERMS OF REFERENCE**

1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
19. Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
20. Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
21. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectorial programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
22. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be

collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
24. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
26. Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
27. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
28. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
29. Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
32. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
35. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities

proposed in the mining area may be detailed.

36. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
44. Besides the above, the below mentioned general points are also to be followed:-
  - a. Executive Summary of the EIA/EMP Report (enclosed as **Annexure – E**).
  - b. All documents to be properly referenced with index and continuous page numbering.
  - c. Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
  - d. Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
  - e. Where the documents provided are in a language other than English, an English translation should be provided.
  - f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
  - g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should be followed.
  - h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
  - i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
  - j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic

features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

## 2) Additional Terms of Reference

- a) Cluster certificate from the competent authority should be submitted.
- b) Original LoI along-with all subsequent letters of validity-extension from the competent authority should be submitted.
- c) Taking into consideration the replenishment rates reported in the approved DSR for Purba Barddhaman, both geological and mining reserves for second year (of production) onwards may be re-estimated and the annual production levels may be modified accordingly.
- d) A plan on management and handling of sand during the period of intermediate stock piling should be submitted.
- e) Means of access and egress between the embankment and the sand quarry may be clearly earmarked. Connectivity with the public road may also be shown. The Project Proponent must commit that no hard topping or paving of any haulage route within the riverbed will be attempted.
- f) A Progressive Green-belt Plan may be prepared. The project being a riverbed project afforestation/vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be attempted during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life.
- g) Need-based EMP, prepared in accordance with the MoEFCC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard with the identified/intended beneficiaries (schools/ institutions etc) may also be uploaded.
- h) Study report on base flow level measured at 5 points with date and supporting photographs. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the proposal may also be revised.
- i) Plan for management of the haul-road upto the river bed from the public road.
- j) Proper plantation/survival plan and area demarcated for the plantation.
- k) Management plan of the haul road, that is, road joining the public road and the river bank including plantation plan.

The PP shall, – while applying for environmental clearance, upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove.

The ToR is valid for a period of 3 (three) years from the date of issue.

**Executive Summary**

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

- 1) Project name and location (Village, District, State, Industrial Estate (if applicable).
- 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative).
- 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
- 5) Measures for mitigating the impact on the environment and mode of discharge or disposal.
- 6) Capital cost of the project, estimated time of completion.
- 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of is acquisition, nearby (in 2-3 km.) water body, population, with in 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary).
- 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population.
- 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- 10) Likely impact of the project on air, water, land, flora-fauna and nearby population.
- 11) Emergency preparedness plan in case of natural or in plant emergencies.
- 12) Issues raised during public hearing (if applicable) and response given.
- 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure.
- 14) Occupational Health Measures.
- 15) Post project monitoring plan.