

**NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA**

ORIGINAL APPLICATION No. 169/2023/EZ

Jinti Deka and Another

-Versus-

The State of Assam and Others

I N D E X

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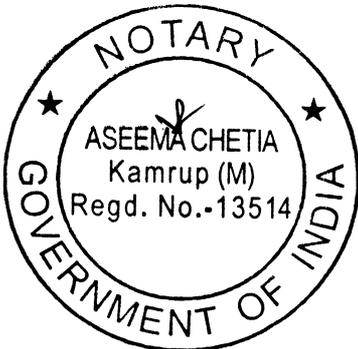
Filed by:

Pankaj Kumar Deka
(Pankaj Kumar Deka)

Advocate

E mail:advpankajghc5@gmail.com

Ph. No. 9864276707



**NATIONAL GREEN TRIBUNAL EASTERN ZONE
BENCH, KOLKATA**

ORIGINAL APPLICATION No. 169/2023/EZ

IN THE MATTER OF :

Jinti Deka and Another

..... Applicants

-Versus-

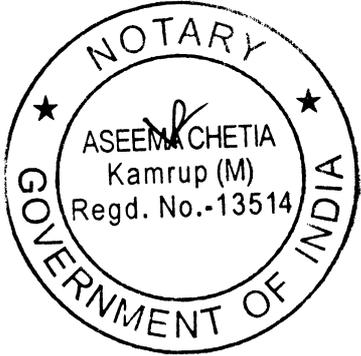
State of Assam and Others

..... Respondents

-AND-

IN THE MATTER OF :

An affidavit in opposition on behalf of Jugal Bharali (Respondent No. 7).



I, Sri Jugal Bharali, son of Sri Hem Chandra Bharaji, aged about 43 years, resident of Barjari, Jagiroad, in the district of Morigaon, Assam, do hereby solemnly affirm and state as follows:

1. That been arrayed as respondent No. 7 in the instant Original Application and being well

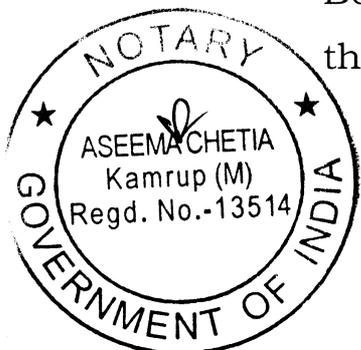
Jugal Bharali

conversant with the facts and circumstances of the case, I am competent to swear this affidavit. A copy of the Original Application filed by the applicants was served upon the answering respondent and after going through the same and having understood the contents thereof, I swear this instant affidavit.

2. That saves and except the statements, which are matters of records and specifically admitted by the answering deponent, all other averments and statements in the Original Application be treated as denied and disputed by the answering deponent.

3. That the answering deponent begs to state that respondent No. 7 as lessee of Nakhula Beat Sand Area No. 3 under village Bhakatgaon / Barjari in Morigaon district categorically denies all the unsubstantiated and baseless allegations of violating any Act, guidelines etc. The answering deponent is carrying out extraction of sand as per Mining Plan under Rule 52 (1) of the Assam Minor Mineral Concession Rule, 2013 approved by the Directorate of Geology and Mining, Assam prepared by Recognized Qualified Person (RQP) namely Dr. Mloi Bora covering the mining area of 4.1 hector within the GPS location mentioned herein below:

Jugal Bhanal



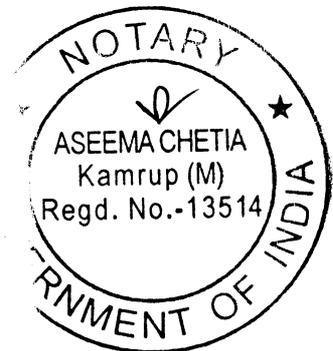
- (1) 26° 10' - 33.74 N - 92° 12' 49.2 E
- (2) 26° 10' 35.12 N - 29° 12' 48.32 E
- (3) 26° 10' 31.32 N - 29° 12' 34.57 E
- (4) 26° 10' 35.11 N - 29° 12' 34.79 E
- (5) 26° 10' 42.36 N - 29° 12' 22.60 E
- (6) 26° 10' 42.12 N - 29° 12' 24.06 E

Jugal Bhavali

A copy of the Mining Plan is annexed and marked as **ANNEXURE - A**

4. That the answering deponent begs to state that, the authorities under the Directorate of Geology and Mining, Assam and the Forest Department only after following all required formalities under the law, the site of the sand mahal was handed over to answering deponent by the Divisional Forest Officer (DFO) (Nagaon Division) on 28.08.23. That answering deponent further states that mining of sand is strictly undertaken as per Mining Plan over the specified area only.

5. That the answering deponent begs to state that, Mining Plan was approved by the Directorate of Geology and Mining, Assam for Nakhula Beat Sand Mining Permit Area No. 3, Bhakatgaon covering an



area of 4.1 hector in Morigaon district, Assam for a total amount of 27, 000 cm sand for a period of 2 years. The river bed mining shall be restricted within the central 3/4th width of the river / rivulet or 7.5 meters (inward) from river bank but up to 10 % of the width of the river, as the case may be and decided by the regulatory authority while granting environmental clearance in consultation with the irrigation department, which clearly speaks about sand mining activity would be done inside the river and away from the active banks keeping a distance of 7.5 meters or 10% of the total width of the river in compliance of the Enforcement and Monitoring Guidelines for Sand Mining, 2020. That answering deponent further states that the State Environment Impact Assessment Authority (SEIAA), Assam has also issued its certificate dated 23.06.23 in favour of the answering deponent.



A copy of the certificate dated 23.06.23 is annexed and marked as **ANNEXURE - B**

6. That answering deponent begs to state that, answering deponent is extracting sand as per Mining Plan approved by the Directorate of Geology and Mining, Assam prepared by Recognized Qualified

Jugal Bhavali

Person (RQP) covering an area of 4.1 hector within the GPS location mention in paragraph 3 of the affidavit. The answering deponent further denies any violation of Mining Plan as reported by the Committee constituted by the State Pollution Control Board, reported a different location not allotted to answering deponent i.e Nakhula Beat Sand Mining Permit Area No. 3. That the photographs enclosed in the Inspection Report before the Hon'ble National Green Tribunal is of Dimoruguri village and Chatabari village of different GPS locations, whereas the answering deponent is allotted Nakhula Beat sand Mining Permit Area No. 3 at a different location.

7. That the answering deponent state that that, is required to mine sand as per Mining Plan approved by the Directorate of Geology and Mining, Assam within the allotted area of 4.1 hector strictly in compliance with law and guidelines within the GPS area mentioned in paragraph 3 of the affidavit and in strict compliance of the Mining Plan the sand extraction is being undertaken by the answering deponent.

8. That the statements made in paragraph 1,2,3,4,5 and 6 of this affidavit are true to my knowledge and belief, those made in paragraph

Jugal Chandra



x x x being matters of records which I believe to be true and rest are my humble submission before this Hon'ble Court.

That the declarations made in the above paragraphs are true and it conceals nothing and that no part of it is false, so help me God.

And I sign this affidavit on this the 9th day of ~~March~~ ^{April} 2024 at Guwahati.

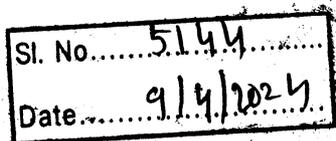
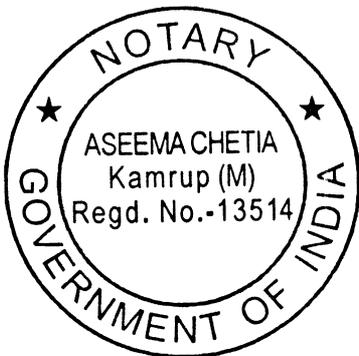
Jugal Bharali

DEPONENT

Identified by me:

Pankaj Daimay
Advocate

Solemnly affirmed before me this day, I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.



Aseema
NOTARY
ASEEMA CHETIA
Kamrup & Metro Guwahati
Regd. No.- 13514
GOVT OF INDIA

- 7 -

4049

ANNEXURE - A

MINING PLAN

NAKHULA BEAT SAND PERMIT AREA No. 3,

(Mining Contract Area, Govt. land),

Village- Bhakatgaon/Barjari, P.O- Bhakatgaon, P.S- Jagiroad,

District of Morigaon, Assam

Area allotted: 4.1 hectares (area calculated as per GPS Coordinates)

Mining Plan is approved



Joint Director
Directorate of Geology & Mining, Assam
Gyabati-19

Submitted under Rule 52 (1) of the Assam ~~Minor Mineral~~

Concession Rules, 2013

(Approval from Directorate of Geology & Mining, Assam)



Submitted By:

Jugal Bharali,

Vill- Barjari, P.O- Barpak, P.S- Jagiroad,

District- Morigaon (Assam)

Certified to be true copy


Advocate

11/11/2023

DECLARATION BY THE APPLICANT

This Mining Plan is prepared under the provision of Rule 52 (1) of the Assam Minor Mineral Concession Rules, 2013 in respect of **Sri Jugal Bharali**, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam) for "Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", under Morigaon Range, Morigaon, District- Morigaon (Assam), for the extraction and transportation from Kapili Riverbed Mining Contract Area. The land area is a Govt. Land, for the mining permit period of two (2) years. Total land area for the proposed mining Permit area is 4.10 hectares, and the total proposed quantity is 27,000 Cum (Mining Contract Quantity 20,000 Cum and Govt. Permit Quantity 7,000 Cum). The reserve is located under the jurisdiction of Morigaon Range, Morigaon, District- Morigaon (Assam), of Nagaon Forest Division, Nagaon, District- Nagaon, Assam.

I understand its content and hereby agree to implement the collection work of the Sand in accordance with the prevailing provisions of law.

If any other permission is needed, I shall approach the appropriate authority, before commencement of the extraction work.

Jugal Bharali

Place: Morigaon,
Date: 19/12/2022,

Sri Jugal Bharali,
Vill- Barjari, P.O- Barpak, P.S- Jagiroad,
District- Morigaon (Assam)
Contact No.- 8638114576

Certified to be true copy

Ranjay Diner
Advocate

CONSENT LETTER FROM THE APPLICANT

This Mining Plan is prepared under the provision of Rule 52 (1) of the Assam Minor Mineral Concession Rules, 2013 in respect of **Sri Jugal Bharali**, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam) for "Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", under Morigaon Range, Morigaon, District- Morigaon (Assam), for the extraction and transportation from Kapili Riverbed Mining Contract Area. The land area is a Govt. Land, for the mining permit period of two (2) years. Total land area for the proposed mining Permit area is 4.10 hectares, and the total proposed quantity is 27,000 Cum (Mining Contract Quantity 20,000 Cum and Govt. Permit Quantity 7,000 Cum). The reserve is located under the jurisdiction of Morigaon Range, Morigaon, District- Morigaon (Assam), of Nagaon Forest Division, Nagaon, District- Nagaon, Assam, of Nagaon Forest Division, Nagaon, District- Nagaon, Assam, has been prepared by Dr. Moloi Bora, Santi Dan Path, House no.12, District of Kamrup (M), P.O. Gauhati University, under P.S.- Jalukbari, Lankeswar, Guwahati-781014, Assam, and a RQP with Registration no. DGM/RQP/18/2017 from Directorate of Geology and Mining, Government of Assam, Kahilipara, Guwahati-781019, Assam with validity up to 10-12-2027, on behalf of the undersigned.

I hereby undertake that the Mining Plan so prepared by the said RQP has been made with my knowledge and consent and shall be acceptable and binding on me in all respect.

Jugal Bharali

Place: Morigaon,
Date: 19/12/2022,

Sri Jugal Bharali,

Vill- Barjari, P.O- Barpak, P.S- Jagiroad,
District- Morigaon (Assam)

Contact No.- 8638114576

Certified to be true copy

Ranajit Daimary
Advocate

CERTIFICATE

This Mining Plan is prepared under the provision of Rule 52 (1) of the Assam Minor Mineral Concession Rules, 2013 in respect of Jugal Bharali, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam) for "Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", Mining Contract Area (Govt. Land), under Nagaon Forest Division, Nagaon, District Nagaon, Assam, for the extraction and transportation to various construction sites. Total land for the proposed Mining Contract Area is 4.10 hectares (area calculated as per GPS Coordinates), and the total proposed quantity of Sand is 27,000 m³ (Mining Contract Quantity 20,000 m³, and Govt. Permit Quantity 7,000 m³) for two (2) years. The reserve is located under the jurisdiction of Mayong Revenue Circle and Morigaon Range, Morigaon, of Nagaon Forest Division, Nagaon, Nagaon District, Assam. The project proposal is duly forwarded from Divisional Forest Officer (DFO), Nagaon Forest Division, Nagaon, District of Nagaon, Assam (Letter No. FNGT/B/74 (Part I)/Nakhula Beat SPA No. 3/2022/9453-55, Dated, 17/12/2022) to the Director, Department of Geology and Mining, Dakhingaon, Kahilipara, Guwahati-781019, Assam.

The Applicant/Mining Contract holder shall approach authorities concerned for any other permission, if required, during the process of the Mining Operation.

It is further certified that the information furnished in the Mining Plan is true and correct to the best of my knowledge.

Place: Guwahati,

Date: 25/12/2022,


Dr. Moloi Bora, PhD
(Dr. Moloi Bora)

Recognized Qualified Person (RQP),

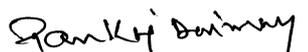
Regd. no. - DGM/RQP/18/2017

Directorate of Geology and Mining,
Valid up to: 10-12-2027

Government of Assam, Kahilipara,
Guwahati-781019

Addresses: House No. 12, Santi Dan Path,
Rupalim Nagar, Lankeswar, Jalukbari,
Guwahati- 781014, Assam

Certified to be true copy


Advocate

Particulars of the RQP preparing the Mining Plan:

1.	Name of the RQP	Dr. MOLOI BORA
2.	Address	House Number 12, Santi Dan Path, Rupalim Nagar, Lankeswar, Jalukbari, Guwahati- 781014, Assam
3.	Registration Number and office address	DGM/RQP/18/2017 Directorate of Geology and Mining, Government of Assam, Dakhingaon, Kahilipara, Guwahati-781019
4.	Validity of registration	Up to 10th December 2027
5.	Contact number	9864358767
6.	Email ID	<u>moloibora2006@yahoo.co.in</u>



Mining Plan is approved

Joint Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

Certified to be true copy
Pankaj Dainary
Advocate

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Annexure 6	E-challan 5000/- (Approval of Mining Plan Fees)

Mining Plan is Approved

Joint Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-78

Certified to be true copy

Ranjit Dainy

Advocate

INTRODUCTION:

This Mining Plan is prepared under the provision of Rule 52 (1) of the Assam Minor Mineral Concession Rules, 2013 in respect of **Jugal Bharali**, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam) for "**Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)**", **Mining Contract Area (Govt. Land)**, under Nagaon Forest Division, Nagaon, District Nagaon, Assam, for the extraction and transportation to various construction sites. Total land for the proposed Mining Contract Area is 4.10 hectares (area calculated as per GPS Coordinates), and the total proposed quantity of Sand is 27,000 m³ (Mining Contract Quantity 20,000 m³, and Govt. Permit Quantity 7,000 m³) for two (2) years. The reserve is located under the jurisdiction of Mayong Revenue Circle and Morigaon Range, Morigaon, of Nagaon Forest Division, Nagaon, Nagaon District, Assam. The project proposal is duly forwarded from Divisional Forest Officer (DFO), Nagaon Forest Division, Nagaon, District of Nagaon, Assam (**Letter No. FNGT/B/74 (Part I)/Nakhula Beat SPA No. 3/2022/9453-55, Dated, 17/12/2022**) to the Director, Department of Geology and Mining, Dakhingaon, Kahilipara, Guwahati-781019, Assam.

This is a Mining Contract is awarded to **Jugal Bharali**, for extraction of Sand against their contract for a period of two (2) years, as recommended by the Department of Environment & Forest, Government of Assam. The Sand Mahal "**Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)**", Mining Contract area, has been proposing to extract Sand from Kopili Riverbed, located at Morigaon District, Assam, measuring Mining Contract area allotted is 4.10 hectares laying in Village- Morigaon under Morigaon Range, Morigaon of the Nagaon Forest Division, District of Nagaon, Assam.

This Sand quarry will surely meet the partial requirement of the River Sand. The proposed quarry site is under the jurisdiction of Mayong Revenue Circle, Morigaon District, and under Morigaon Range, Morigaon of the Nagaon Forest Division, Nagaon, District of Nagaon, Assam. The proposed site is not within any protected area under Archaeological, Religious, Cultural heritage or Defence establishments. By opening a Sand quarry as proposed, this area will be benefited by generation of employment opportunities to the local people as well as growth of economic activities.



Certified to be true copy

Ranajit Daimary
Advocate

Mining Plan for approval

Joint Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

THE STUDY AREA AND FIELD WORK:

I have visited the proposed site of jointly with the official group of **Jugal Bharali**, as mentioned above for field work and details Geo-scientific ground investigation on the dated 21st December 2022. Based on the fieldwork done, Sketch map, Location Map and Base Map has been prepared from Google Earth Image.

The study area is covered by the **Survey of India Toposheet No. 84 B/4 and 84 B/8** and in 1:50,000 scale (Fig-Base Map and Google Earth Image). The total mining area 4.10 hectare in single block within four (1, 2, 3, 4, 5 & 6) GPS coordinates and are as follows-

1. N=26°10'33.74" E=92°12' 49.02"
2. N=26°10'35.12" E=92°12' 48.32"
3. N=26°10'31.32" E=92°12' 34.57"
4. N=26°10'33.11" E=92°12'34.79"
5. N=26°10'42.38" E=92°12' 22.60"
6. N=26°10'42.12" E=92°12' 24.06"



Joint Director
Directorate of Geology & Mining, Assam
Kahilpara, Guwahati-78

The present Morigaon district of Assam lies in the Central part of Assam on the southern bank of the Brahmaputra River. The district is bounded by the mighty Brahmaputra on the North, Karbi Anglong district on the South, Nagaon District on the East, and Kamrup District on the West. The district occupies part of the Brahmaputra valley and the mighty river Brahmaputra flows on westerly direction along its northern boundary. The district is drained by several perennial rivers flowing from south to north. Rivers Kalong and Kopili are two most important rivers. The total population as per 2011 Census is 957853, out of which 1,28,075 are farmer families. The density of population is 618/sq. km. The district has total geographical area of 1551 sq. km. out of which 3174.87 hectares occupied by forest. Gross cropped area is 1516.42 hectares and net area sown 92011 hectares.

Physiographically the study area is a Riverbed of Kopili River. The study area of Morigaon district is located on the south bank of the Brahmaputra River. The greater part of the district is an alluvial plain, criss-crossed with numerous rivers and water ways and dotted with many beels and marshes. The mighty Brahmaputra flows along with the northern boundary of the district. Kopili, Kollong and Kapili rivers flow through the southern part of of the district. The Kopili meets the Kapili at the Matiparbat where from Kapili moves westward.

Certified to be true copy

Ranjit Barua
Advocate

Mining Plan

Jugal Bharali

The Kollong joins Kapili at the Jagi Dui Khuti Mukh and from here they jointly fall into the Brahmaputra.

The general appearance of the district is extremely picturesque. On a clear day in the winter the view to the north is bounded by the blue ranges of the outer Himalayas, behind which snowy peaks glisten brightly in the sun, while to the west and the south of the district lie range upon range of lower hills, whose sides are covered with luxuriant vegetation of the tropical forest. There are three Reserved Forest constituted under Assam Forest Regulation Act, 1891. These are Sunaikuchi, Khulahat, and Bura Mayong. There is also one wildlife Sanctuary, named Pabitora, which is famous for the Indian one horned Rhinoceros.

The Kopili River flow (South to North) through the south-eastern part of the district and fall into the Kopilli River. The Kopili River has a variation of its width, the average width in proposed Mining Contract area is 80 m. So, minable width of the river is central $80\text{ m} \times \frac{3}{4} = 60\text{ m}$ (Fig- Sketch Map).

Geologically, the district comprises two distinct Geological formations. The oldest Archaean rocks comprising Biotite-Hornblende gneisses and schist are intruded by granite with pegmatite veins. The rocks mass forms remnant hills highly weathered and isolated hills among the alluvial sediments as inselbergs. The unconsolidated alluvial sediments occupy a major part of the district. On northern part along the river Brahmaputra, the sediments comprise fine grained nature with occasional gravel beds with pebbles and represent its silty nature. It represents younger alluvial sediments. They comprise sands of various grades with bands of silt and clay along the river Kalong and Kopili representing older alluvial sediments.

The distinct hydro geological set-ups prevail in the Morigaon district – the older alluvium and younger alluvium. The first set up is older alluvium surrounding inselbergs and along the foot hill part on south. It comprises clay silt, and various grades of sand. The second set up is younger alluvium with freshness in colour and grain size covers major part of the district on north. It consists of sand, fine to coarse grained in texture with intermixed gravels and pebbles along with clay and silt. The depth to ground water level is less than 1 m in the valley portion of Gerua, Lalijan, pakaria and Sonai River in the north-eastern part of the district. This area is chronically waterlogged. In 53 per cent valley side area, the depth to ground water level is 1 – 2 metres. In and around the inselbergs and the upland areas comprising 26 per cent of the district area, the water level is around 2 meters and more. Central Ground Water Board has

Mining Plan
Joint Director
Directorate of Geology & Mining, Assam
Kamrupahati-19

Certified to be true copy

Ranjit Dainyong
Advocate

Mining Plan

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Jugal Bharali

established 13 numbers of National Hydrographic Network Stations to monitor the rise and fall of the water level in the district throughout the year.

The soil of the district is very suitable for production of all seasonal paddy and other Rabi and Horticultural crops. Production of summer paddy, autumn paddy and winter paddy are extremely high. Among the crops, various food crops, fibre crops, pulse, oil seeds, spices, horticultural crops and almost all types of vegetables are produced in the adjoining areas. The soil of the district has been classified based on chemical composition as follows: - 1. Strongly acidic to alkaline, 2. Low to medium content of total soluble salts, 3. Medium to high phosphate, 4. Low to medium inorganic carbon percentage, and 5. Medium to high in Potash content.

The investigated area is accessible only by motorable road (from NH-27), just after crossing Jagiroad Town travelling traveling from Guwahati, Mining Contract area exist and is near to Morigaon Range, Morigaon, District- Morigaon, Assam; and approximate motorable distance is 7.0 Kms from National Highway 27 (new NH-27/Old NH-37).

Mining Plan Approved



Joint Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

Certified to be true copy

Rankey Borimay
Advocate

GENERAL INFORMATION:

THE APPLICANT:

1.	Name	Jugal Bharali,
2.	Office Address	Jugal Bharali, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam)
3.	Site Address	"Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", Village- Bhakatgaon/Barjari, P.O- Bhakatgaon, P.S- Jagiroad, District- Morigaon, Assam.
4.	Status of Applicant	Proprietorship,
5.	Mineral occurring in the area and its use	Sand to be mined, for extraction and transportation from Nakhula Beat Sand Permit Area No. 3 (Rev. Portion) of Kopili Riverbed to various construction sites.
6.	Name of the quarry	Nakhula Beat Sand Permit Area No. 3 (Rev. Portion),
7.	Quantity recommended for extraction	27,000 Cubic meters Sand m³ for two (2) years (maximum).
8.	Permit period	Two (2) years,
9.	Forest Range & Division	Morigaon Range, Morigaon & Nagaon Forest Division, Nagaon, District Nagaon, Assam
10.	Survey of India Toposheet number involved	84 B/4 & 84 B/8
11.	Latitude/ Longitude	The GPS Coordinates are as follows- 1. N=26°10'33.74" E=92°12'49.02" 2. N=26°10'35.12" E=92°12'48.32" 3. N=26°10'31.32" E=92°12'34.57" 4. N=26°10'33.11" E=92°12'34.79" 5. N=26°10'42.38" E=92°12'22.60" 6. N=26°10'42.12" E=92°12'24.06"
12.	Nearest Railway station	Jagiroad Railway station, Jagiroad, Morigaon District, Assam
13.	Nearest Airport	LGBI Airport, Borjhar, Guwahati, Assam
14.	Nearest Highway	NH 27 (Old NH-37),

Certified to be true copy
Ranjit Doring
Advocate

Mining Plan No. 17/2019


Joint Director
Directorate of Geology & Mining, Assam
Kahilpara, Guwahati-19

SECTION-A**LOCATION OF THE PROPOSED CONTRACT AREA:**

The location of the proposed quarry site is close to NH-27 (Old NH-37), which is about 7 Km away from National Highway-27 (Jagiroad Township) by PWD Road (715A). The road connected with National Highway is a seasonal road. The location map of the proposed mining area has shown in the photographs and Google Earth Image. The proposed site is a Riverbed, under the jurisdiction of Morigaon Range, Morigaon of the Nagaon Forest Division, Nagaon, District of Nagaon, Assam.

1.	Site Address: Village- P.O.- Police Station- District- State-	Nakhula Beat Sand Permit Area No. 3 (Rev. Portion), Bhakatgaon/Barjari, Bhakatgaon, Jagiroad, Morigaon, Assam
2.	Term of the Mining Contract	2 (two) years,
3.	Validity of Mining Contract	2 (two) years,
4.	Total area	4.10 hectares,
5.	Minable area	4.10 hectares, area calculated as per GPS Coordinates,
6.	Ownership/Occupancy	Divisional Forest Officer (DFO), Nagaon Forest Division, P.O- Nagaon, P.S- Nagaon, District- Nagaon, Assam.
7.	Land use pattern	The core zone consists of Sand and Clayey Riverbed mainly covered with Sand, Silt, Clay, Earth, Organic materials, etc.




Joint Director
Directorate of Geology & Mining, Assam
Kahilipera, Guwahati-19

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Parkoj Deminny
Advocate

GEOLOGY OF THE ALLOTTED AREA:**A. REGIONAL GEOLOGY:**

The Assam Plateau lies along the continuation of the Archean's of Bihar and comprises Garo, Khasi, Jayantia Hills and to its North-East is the detached areas of Mikir Hills. The Tertiary rocks are well developed in the North-Eastern and South-Eastern part where they exhibit a complete geological succession of Assam is as follows (Table-1).

Table-1: Regional Geology is based on Miscellaneous Publication No.1 of Directorate of Geology & Mining, Government of Assam

Age	Group	Formation	Description	
Quaternary	Recent	Khadir-newer alluvium	Clay, Sand, Silt, etc	
	Unconformity			
Tertiary	Pleistocene	Bhanger- Older alluvium	Clay, coarse Sand, Gravel & Boulder	
	Pliocene	Dihing	Dihing	Pebble bed, Sand y Clay, Clay, Conglomerate, and Sandstone
			Dupitila (Surma Vally) & Namsang (Upper Assam)	Sandstone, Mottled clay, Grit, Conglomerate Bed.
	Miocene	Tipam	Girujan	Mottled clay, Sand y Shale & Sandstone
			Tipam	Bluish Grey to Greenish Sandstone, Clay, Shale, Conglomerate, etc.
		Surma	Bokabil	Shale, Sand y Shale, Sandstone, etc.
			Bhuban	Alternation of Sandstone, Sand y Shale & Conglomerate
	Unconformity			
	Oligocene	Barail	Tikak Parbat	Banded Sandstone with thick coal seams
			Bogolai	Sandstone with numerous thin coal seams, Carbonaceous Shale, Sandstone, etc.
Karbi Anglong			Thin bedded hard Sandstone with shale	
Eocene	Disang Jayantia		Dark grey Shale and Sandstone	
		Kopili	Shale and Sandstone, etc.	
		Sylhet Sandstone	Sandstone, Coal, Clay, and Shale	
		Sylhet Limestone	Fossiliferous Limestone	
Unconformity				
Mesozoic	Jurassic	Volcanic	Trap, Basaltic & Doleritic rock	
Unconformity				
Paleozoic	Permian	Gondwana Singimari	Buff colored fine-grained Sandstone, Shale, Carbonaceous Shale with Coal & Conglomerate, etc.	
Unconformity				
Proterozoic	Precambrian	Shillong	Granite, Pegmatite, alternating beds of clay, Quartzite, Phyllite, Basalt, Conglomerate, etc.	
Unconformity				
Azoic	Archean	Gneissic	Granite, Pegmatite, Metadolarite, Amphibolite, Biotite, Hornblende, Gneiss, Calc-granulite, Pyroxenite, etc.	

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 Advocate

Jugal Bharali
 Joint Director
 Directorate of Geology & Mining, Assam
 Kachinara, Guwahati-781019

B. GENERAL GEOLOGY OF THE AREA:

The proposed mining area allotted to Government of Assam, Department of Environment & Forest, Divisional Forest Officer, Nagaon Forest Division, District of Nagaon, Assam. The geology of the proposed mining area is mainly medium to coarse grained Sand, pebbly, in nature (Fig- Field Photographs, Google Earth Image, and Base Map).

THE ALLOTTED LAND AND THE TYPE OF SAND:

The total area proposed for grant of Mining Permit to **Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)**, for collection of Sand from Mineable area is 4.10 hectares, it is a Sand Mahal of Kopili River Mining Contract Area. The available mineral of the Mining Contract area i.e., 'SAND' must be extracted following the simple open cast quarrying practice as explained in subsequent chapters.

PROPERTIES OF THE SAND:

The Sand available is grey to greyish-brown colour, medium to coarse grained, mixed with medium to coarse Sand cobble, Pebble, and Gravel, clay, soil, and organic materials.

USES OF THE SAND:

The minerals so available are useable for filling and construction purposes.

MINEABLE RESERVE OF THE MINERAL (SAND):

The Mining Permit proposed to be granted to the applicant, Nakhula Beat Sand Permit Area No. 3 (Rev. Portion), in the Sand Mahal for extraction of Sand manually. As per the **Letter No. FNGT/B/74 (Part I)/Nakhula Beat SPA No. 3/2022/9453-55, Dated, 17/12/2022**, from the Office of the Divisional Forest Officer, Nagaon Forest Division, Nagaon, Nagaon District, Assam to the Director, DGM, Kahilipara, Guwahati-19, Assam. As stated in the chapter at on Mineable Reserve of mineral, the total proposed quantity of Sand is 27,000 m³ for two (2) years. Considering a maximum depth of three (3) meters allowed for extraction. The proposed area is 4.10 ha in the Kopili Riverbed, Mineable area is 4.10 ha. The reserve calculation of Sand available for extraction can be estimated as stated below-

The calculated mineral reserves of the Mining Contract area to be available for extraction are as stated below. The area of the allotted site = 4.10 hectares (Area calculated as per GPS Coordinates) = 41,000 m² (1 hectare area = 10,000 m²). The maximum depth allowed for extraction of the mineral is 3 m. So the total reserve of the minerals available would be-

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$$= 41,000 \text{ m}^2 \times 3 \text{ m} = 123,000 \text{ m}^3$$

The above quantity may be termed as '**Inferred Reserve**' of the mineral and the actual mineral reserve will be less than the inferred reserve as a considerable volume of the minerals will have to be left unmined for preparation of the benches (B1 & B2) as per **Manual opencast mining practice**. This has been explained separately in the later chapters.

The void occurring due to removal of Sand from the riverbed is gradually filled up with sand, silt and earth carried by the river current. This replenishment process is rapid during rainy season because of high gradient, and hence river sediments replenishment factor is roughly 2 of the estimated quantity of the reserve of the mineral (Sand). As there will be accumulation of sand and silt and clay to a considerable extent during the rainy season, can be roughly be assess those 2 times of the estimated quantity of the minerals, i.e., $123,000 \text{ m}^3 \times 2 = 2,46,000 \text{ m}^3$

For extraction and transportation of the Sand under the opencast mining method, three numbers of benches each of 1 meter depth and 1.5 meter width may be maintained as indicated in cross section of Mining block along A-B (Fig-Model Scheme of Sand Mining Contract area). Since the total period of the Mining Contract would be for two (2) years, the reserve of Sand available for extraction per year would be $= (2,46,000 \text{ m}^3 / 2) = 123,000 \text{ m}^3$

Mining Loss being assumed as 10% during the extraction operation would be $(123,000 \times 10\%) \text{ m}^3 = 12,300 \text{ m}^3$, The mineable reserve of Sand per year = $(123,000 - 12,300) \text{ m}^3 = 110,700 \text{ m}^3$ So, **mineable reserve** of Sand during the awarded Mining Contract period of two (2) years = $110,700 \text{ m}^3 \times 2 = 2,21,400 \text{ m}^3$.

Extraction/collection work of Sand is normally carried out for Eight (8) months in a year. The work remains suspended for the rest four (4) months in a year due to seasonal monsoon rainfall and other related problems. Considering the number of working days, in a month to be 25 days, the total working days in a year would be $= (25 \times 8) = 200$ days.

So, the extraction of Sand in a year (i.e., for 200 days) would be about $= (110,700 / 365) \times 200 = 60,657 \text{ m}^3$

Therefore, maximum allowable quantity under the mining contract of Sand in two (2) years is $60,657 \text{ m}^3 \times 2 = 1,21,314 \text{ m}^3$

The aforesaid quantity of $60,657 \text{ m}^3$ of Sand per year has been estimated considering extraction up to the maximum permissible depth of 3 metres in the form the ground level/top surface. The mineable reserve of Sand available for extraction per year up to different depth is assessed as shown below-

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Pranay D. D. D.
Advocate

Joint Director
Director of Sand, & Mining, Ass
Kahilpara, Guwahati-781

Mining Plan

Jugal Bharali

<u>Depth</u>	<u>Mineable reserve of Sand available per year (approx.)</u>
3 metres	60,657 m ³
2 metres	40,438 m ³
1 metre	20,219 m ³

However, the Competent Authority may prescribe the quantity of Sand to be extracted by the Mining Contract holder as per the terms and conditions of the Contract considering the impact on the ecology and environment of the surrounding areas.

However, the quantity of Sand allotted for extraction under the Mining Contract will be within the mineable reserve of Sand available per year as depicted above.

CLIMATE AND RAINFALL:

The average annual rainfall of the district is 1770 mm out of which monsoon contribution is 83%. The maximum temperature is 29.5°C (average) while minimum temperature is 17.5°C (average). The numbers of rainy days are 24 from May to September. Like the climate of other districts of Assam, the climate of Morigaon district is characterized by a highly humid atmosphere with abundant rains and general coolness. The cold season is from December to February of each year. This follows by the season of thunderstorms from April to June. The southwest monsoon season begins from the month of October. October and November comprise the post monsoon season.

The cold season starts in the district by about the end of November like other districts of Assam. In this period both day and night temperature begin to fall rapidly. January is the coldest month of the year with the mean daily maximum temperature at about 24° c and the mean daily minimum temperature at about 10° c. Temperature begins to rise from about the beginning of March. The atmosphere over the district is highly humid throughout the year. In the period of February to April relative humidity is comparatively low, especially in the afternoon. Skies remain cloudy and over-cast during monsoon season but with the withdrawal of the southwest monsoon, the cloudiness however decreases. Winds are generally light throughout the year. Cyclonic storm and depression move into Assam during May and June from Bay of Bengal. Thus, it affects this district also. Morigaon district has sub-tropical and humid type of climate. The humidity data reveal that the air is humid throughout the year. It has the value of 67 to 79 % during dry period (Table-3, Fig2 & Fig3).

Highest Temperature
Lowest Temperature

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: 38 °C
: 6 °C
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Directorate of Geology & Mining, Assam
Kabilipara, Guwahati.

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Advocate

Average Annual Relative Humidity : 70% to 80%
Average Annual Rainfall : 1770 mm

Table 3: Climate Table/Historical weather Data of Morigaon District, Assam

Temperature/Rainfall	January	February	March	April	May	June	July	August	September	October	November	December
Avg. Temperature (°C)	17.3	19.5	23.3	26.1	26.7	28.0	28.7	29.2	28.5	26.1	22.4	18.8
Min. Temperature (°C)	11.2	13.1	16.6	20.2	22.7	24.7	25.8	25.8	25.2	22	17.3	12.5
Max. Temperature (°C)	24.2	26.5	30.1	31.6	32	31.5	32.1	32.2	32	30.5	27.8	24.10
Avg. Temperature (°F)	63.6	67.1	73.9	78.8	80.2	82.6	84.0	84.2	83.5	79.2	72.5	65.7
Min. Temperature (°F)	51.8	55.0	61.9	68.7	72.9	76.5	78.4	78.4	77.4	71.6	63.1	54.5
Max. Temperature (°F)	75.2	79.3	86.2	88.9	87.8	88.7	89.8	90.0	89.6	86.9	82.0	76.8
Precipitation / Rainfall (mm)	12	16	60	141	278	315	313	261	181	100	15	6
Avg. Temperature (°C)	17.5	19.5	23.3	26	26.8	28.1	28.9	29	28.6	26.2	22.5	18.7

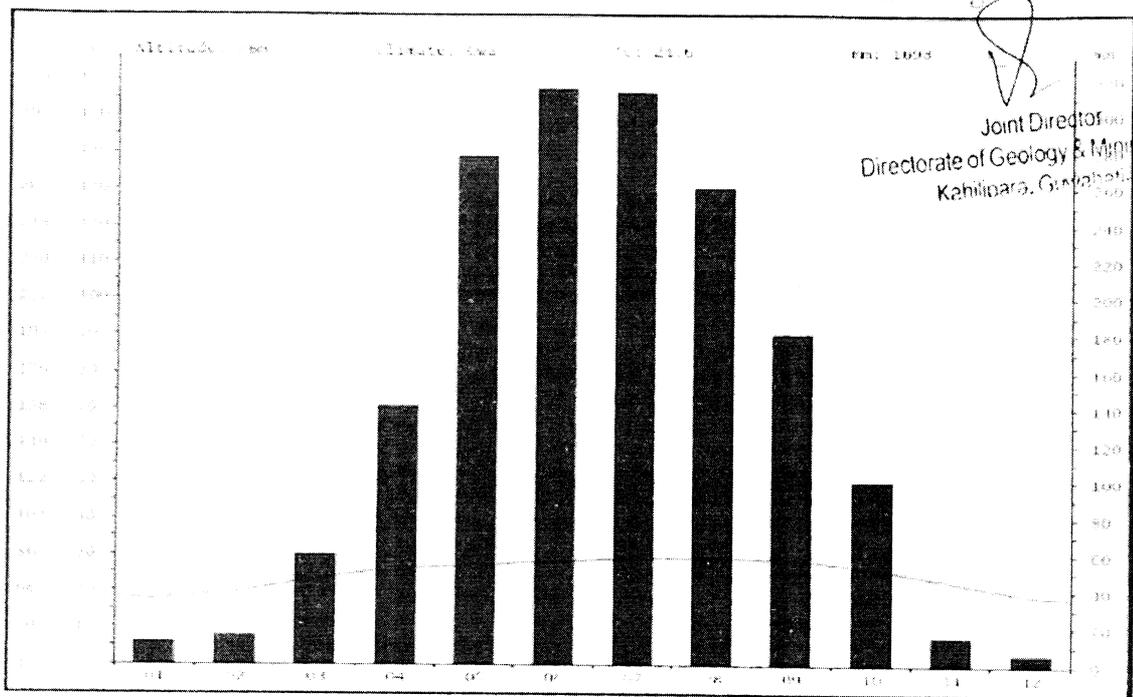


Fig-1: Climate Graph of Morigaon District, Assam

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Ranjit Daimary
Advocate

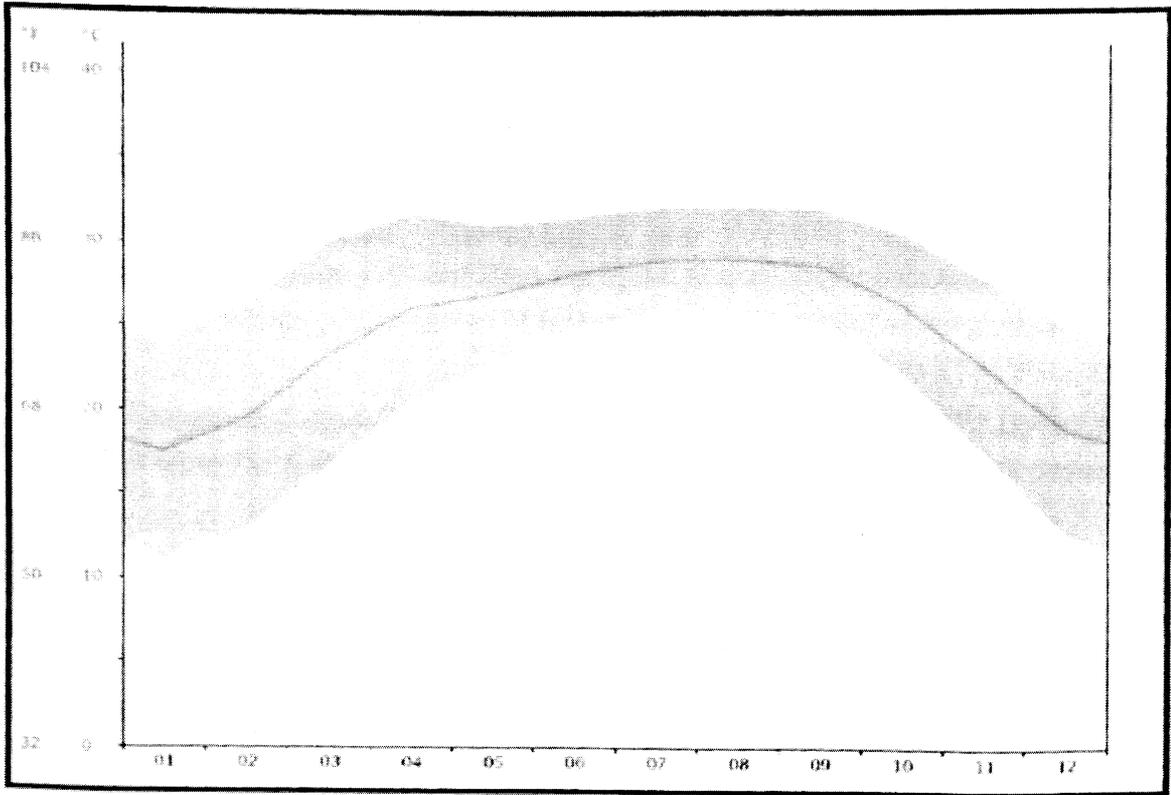


Fig-2: Temperature Graph of Morigaon District, Assam

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Kahilora, Guwahati-781001

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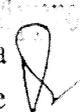
Pankaj Das
Advocate

SECTION- B
MINING:

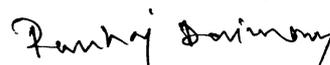
In order to ensure mineral conservation, systematic mining and protection of environment, the Assam Minor Mineral Concession Rules (AMMCR), 1994 has been replaced by AMMCR, 2013 and it has been made mandatory to prepare Mining Plan and progressive Mine Closure Plan for grant of any mineral concessions like "Mining Lease", "Mining Contract" or "Mining Permit" in respect of minor minerals for systematic and scientific development of all mines, quarries as well as riverbed mining. In the present case, it is proposed to allow the Mining Permit holder to extract Sand from the Kopili Riverbed. The Mining Contract area being a compact deposit of Sand and to extract the same from this deposit, **manual open cast method of mining is suggested**. The holder will adopt the following-

1. The entire boundary of the Mining Contract area will be marked with boundary lines and pillars in all the corner points. The boundary pillars are to be numbered and marked with GPS coordinate there on. Extraction of Sand is to be carried out with a bench height of one (1) meter for the whole area.
2. No mining shall be permissible in an area up to a width specified by the competent authority from the active edges of embankments; as per rule 39 (v) of AMMCR, 2013.
3. There is no cutting of trees, and no blasting is carried out under this Mining Contract.
4. Use of explosives for mining is not advisable, and not related to Riverbed Sand Mining.
5. The Sand extracted and stacked by the Mining Contract holder will not exceed twice the average monthly production.
6. The Kopili River has a variation of its width, the Average width is 80 m, so the Movable width of the river is central $80 \text{ m} \times \frac{3}{4} = 60 \text{ m}$ (Fig- Sketch Map).
7. A minimum of 500 meters mining restriction on the downstream side from the Bhakatgaon RCC Bridge, near Bhakatgaon village over Kopilli River must be maintain as described in the special conditions for riverbed mining, AMMCR, 2013.
8. The depth of the mining will not any ways exceed three (3) meters at any point, in the Contract area from the top of the unmined surface of riverbed as per rule 39(iii) of AMMCR 2013 (as showing in the Cross Section of Mining Contract area along A-B)
9. After completion of the Bench 1 (B1), minerals are to be extracted up to a depth of 1.0 m and 1.5 m width, similarly Bench 2 (B2) will mined. This will be the final and last bench (B2) because a maximum depth of three (3) metres is allowed from the top level/riverbed as per rule.

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Jugal Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

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Advocate

PRODUCTION OF SAND:

The Mining Permit proposed to be granted to the applicant, Jugal Bharali, in the Sand Mahal for extraction and transportation manually. as per the **Letter No. FNGT/B/74 (Part I)/Nakhula Beat SPA No. 3/2022/9453-55, Dated, 17/12/2022** from the Office of the Divisional Forest Officer, Nagaon Forest Division, Nagaon District, Assam to the Director, DGM, Kahilipara, Guwahati-19, Assam. As has been estimated and stated in the chapter at on Mineable Reserve of mineral, the total quantity of the Sand available for extraction in a year up to a depth of 3 metres would be 60,657 m³, But the proposed quantity is 27,000 m³ Sand for two (2) years at the rate of 13,500 m³ per year. Considering total working days in a year for transportation of the Sand as 200 days, maximum daily transportation of the minerals would be = $13,500 \text{ m}^3 / 200 = 67.5 \text{ m}^3$, Considering the carrying capacity of the Trucks/Dumpers to be deployed is of 5m³ average, the total trips to be made by the Trucks/Dumpers would be about = $67.5 / 5 = 13.5$ **(thirteen to fourteen) trips per day**. The quantity of Sand stated above is an estimated quantity that may be available for extraction considering the extent of the area of the Mining Contract Site. **However, the competent authority shall decide and fix the quantity (daily limit) of Sand to be lifted by the Mining Permit holder as per terms and conditions of the Mining Permit with due emphasis on the impact on environment and ecology of the surrounding areas.**

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PROGRESSIVE MINE CLOSURE PLAN:

The "Assam Minor Mineral Concession Rules 2013" published in March 2013, has made it mandatory to incorporate "Progressive Mine Closure Plan" in the Mining Plan vide Rule 52(5)(VIII) of the said rules. Such a Mine Closure Plan is useful in case of opencast mines or quarries only wherein the question of phased restoration, reclamation and rehabilitation of land affected by mining operation is involved. Here in the present case, mining is to be done for production of Sand from Riverbed. As described earlier, mining of minerals must be carried out by maintaining three numbers of benches up to a maximum depth of 3 metres. Under the provision of Mine Closure Plan, it is essential to undertake phased restoration and reclamation of the void created in the mined-out area. But, in this case, restoration and reclamation of the voids by Sand is not suggested which is not economically viable. The boundary of the area shall have to be planted by suitable plantation for control of erosion as well as will be economically beneficial.

Joint Director

Directorate of Geology & Mining, Assam
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Pankaj Daimary
Advocate

CONCLUSION:

The proposed Mining Permit for Sand covering a minable area is 4.10 ha. to **Jugal Bharali**, Village- Barjari, P.O- Barpak, P.S- Jagiroad, District- Morigaon (Assam), is meant for extraction/collection of Sand from the "Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", Mining Contract area, within a period of two (2) years. The area is a riverbed and will have mined for Sand in a **manual opencast method of mining** as explained in the previous chapters. The following conclusions are drawn below-

1. The Mining Permit involves collection of Sand from Nakhula Beat Sand Permit Area No. 3 (Rev. Portion), Mining Contract areas, has covers Kopili Riverbed, under Morigaon Range, Morigaon of Nagaon Forest Division, Nagaon, District Nagaon, Assam, **within a period of two (2) years at the rate of $(27,000 \text{ m}^3/2) = 13,500 \text{ m}^3$ per year for Sand.**
2. There is not any rare, endangered species of flora and fauna found in this area as per record of Forest Department.
3. There is no cutting of trees, and no blasting is carried out under this Mining Permit.
4. Use of any kind of explosives for this Mining Permit is not advisable under this Mining Permit.
5. Adverse impact on the surrounding environment due to mining, extraction and Transportation operation of the Mining Permit will be negligible.
6. A detailed programme for reclamation of the area has been described in the "Progressive Mine Closure Plan" to combat the ecology of the area.
7. The Sand collection from the Sand Mahal would be utilized for Sand manufacturing works only.
8. The operation of the Mining Permit would help in the development of socio-economic scenario of the locality.

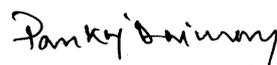
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Field Photographs:

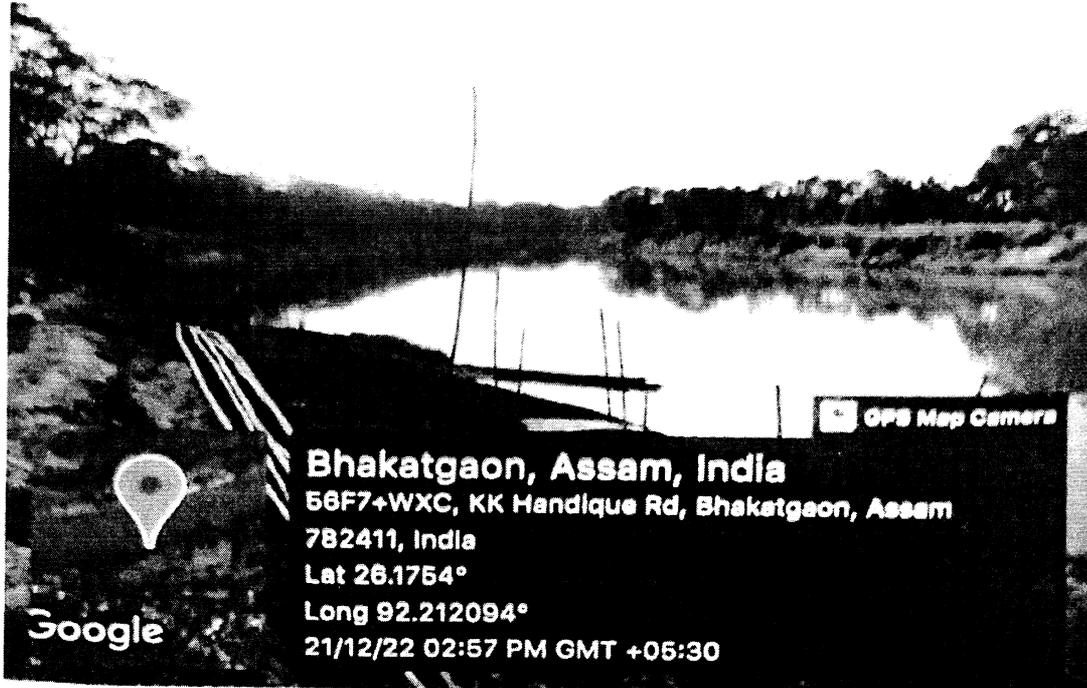
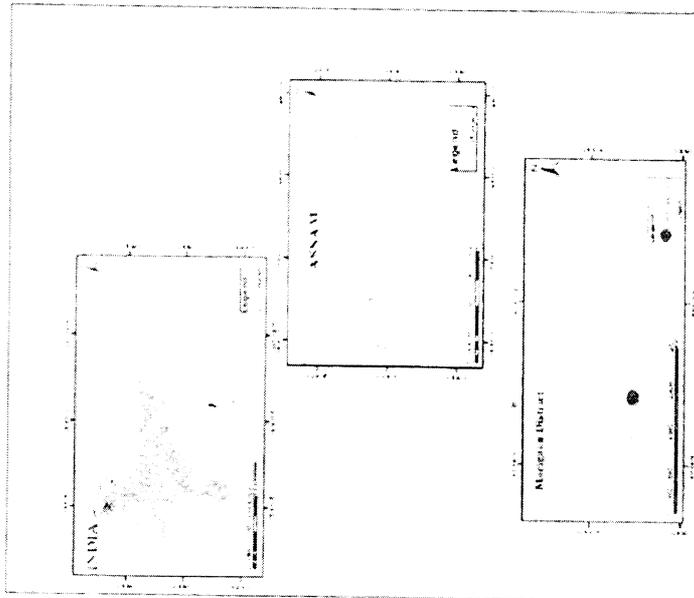
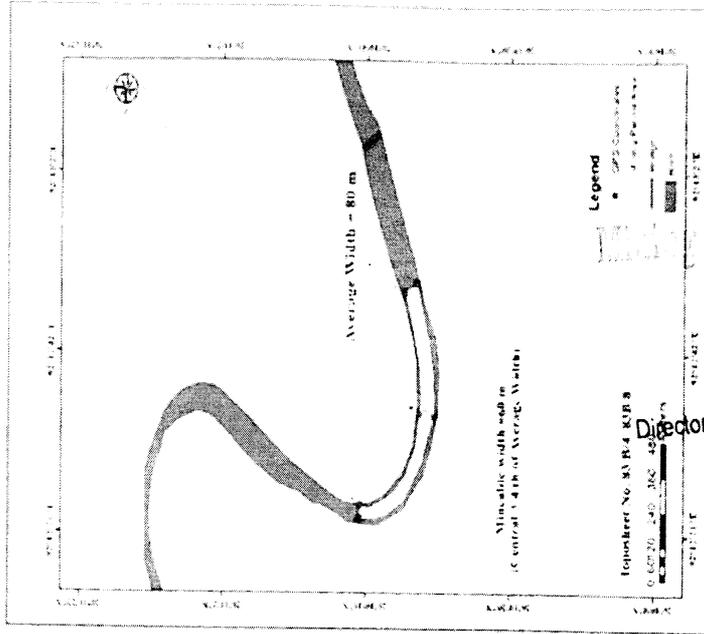


Fig 3: Photographs taken during our field verification, showing a portion of Mining Contract area in the Kopili River during our field visit on 21st December 2022, Nakhula Beat Sand Permit Area No. 3 (Rev. Portion), land leased by **Jugal Bharali**, Barjari Village, under the jurisdiction of Morigaon Range, Morigaon of the Nagaon Forest Division, Nagaon, District- Nagaon (Assam).

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Pankaj Barmay
Advocat.

Location Map showing Nakhula Beat Sand Permit Area No.3, Morigaon District, Assam

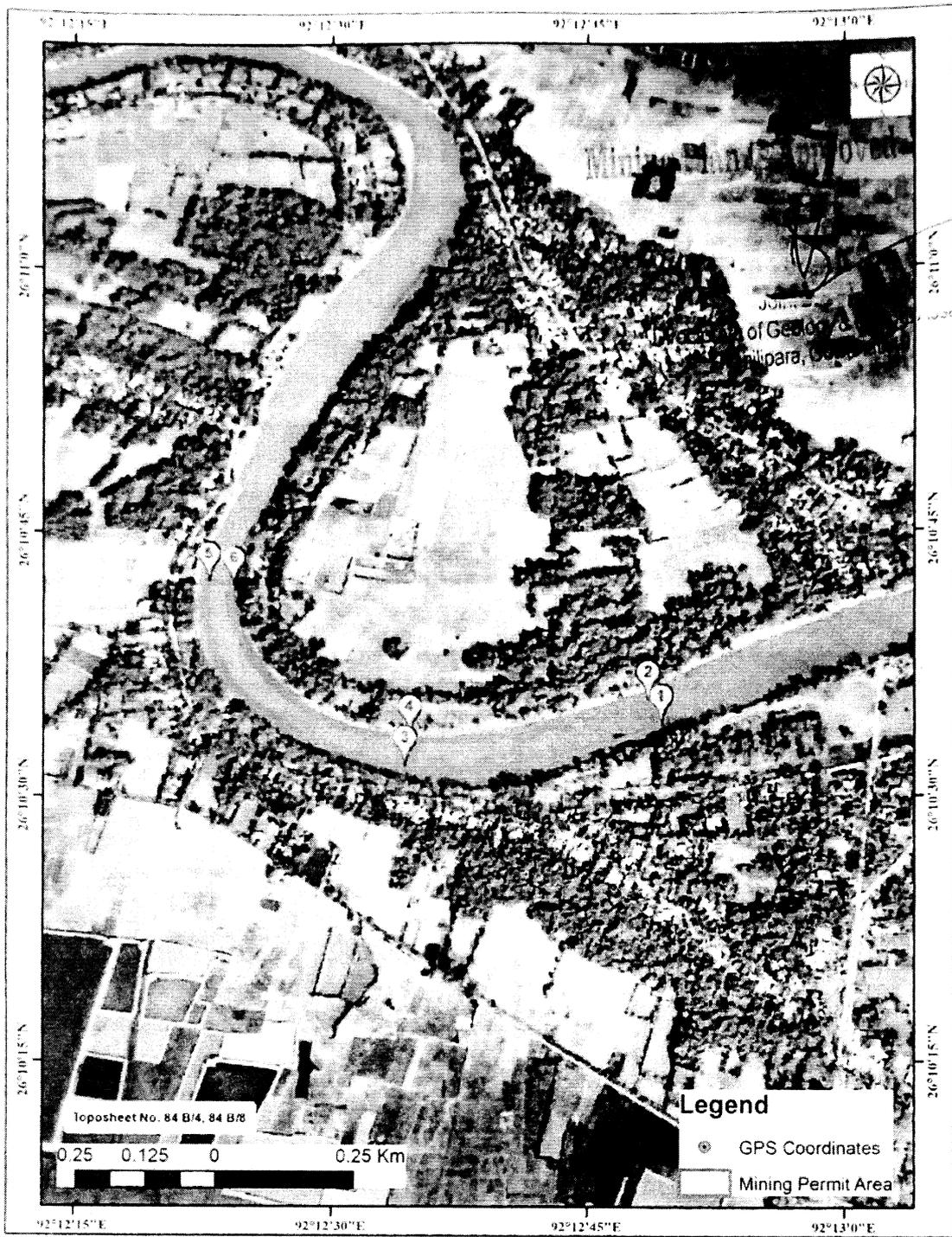


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Advocate

Google Earth Map showing Mining Permit area at Nakhula Beat Sand Permit Area No. 3, Morigaon district,, Assam

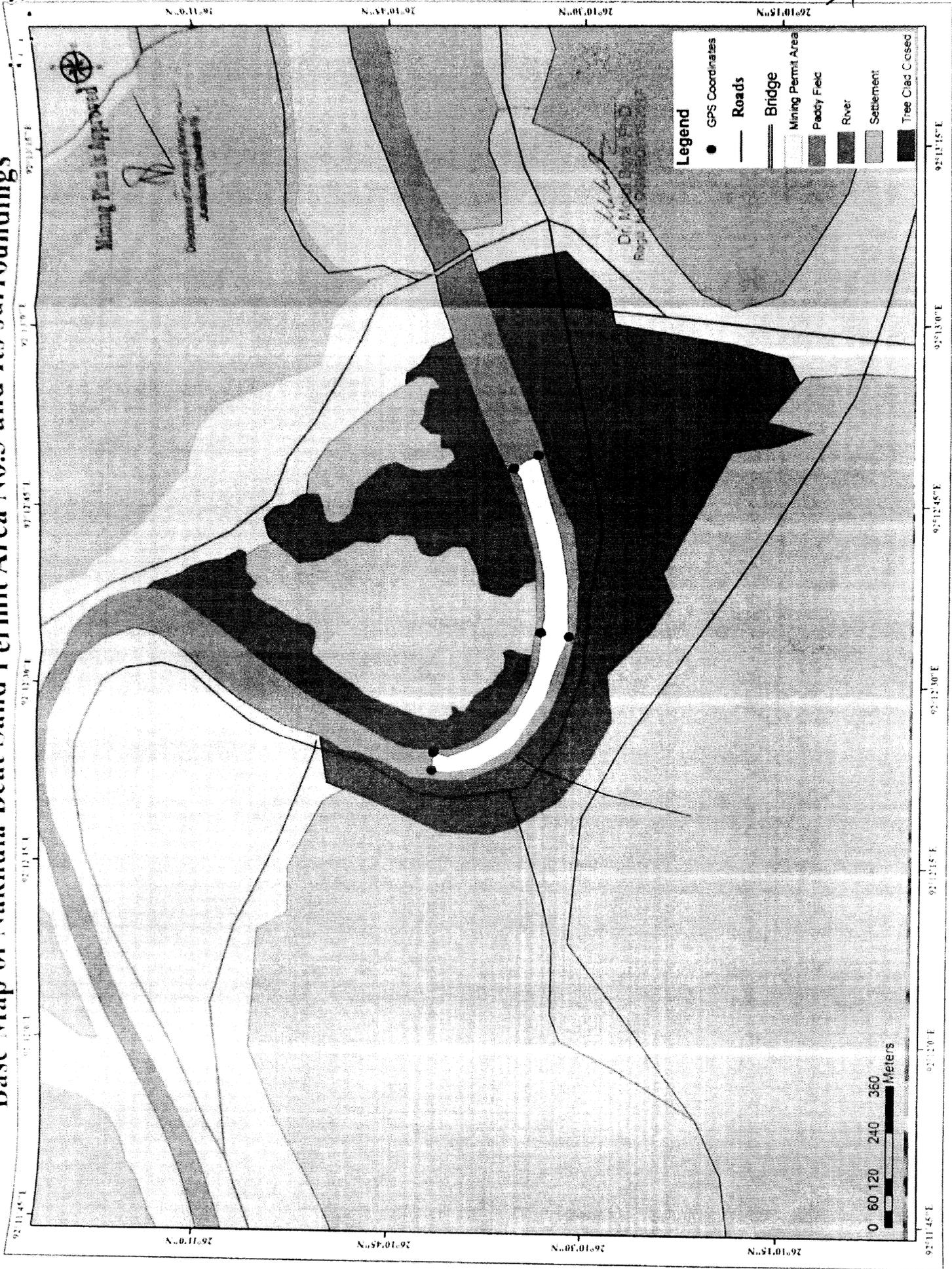


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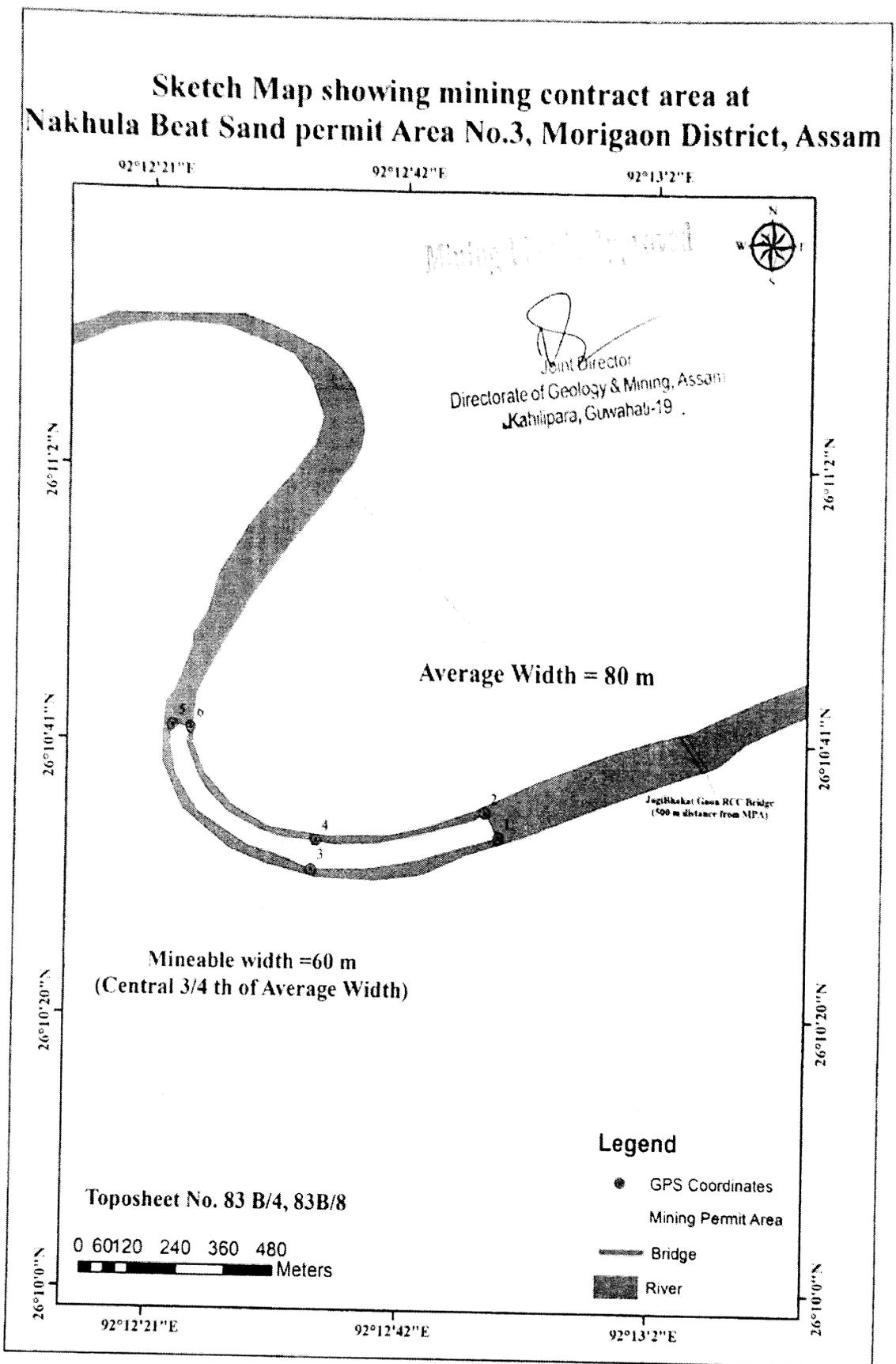
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Base Map of Nakhula Beat Sand Permit Area No.5 and its surroundings

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Advocate

Toposheet Index Map of Assam

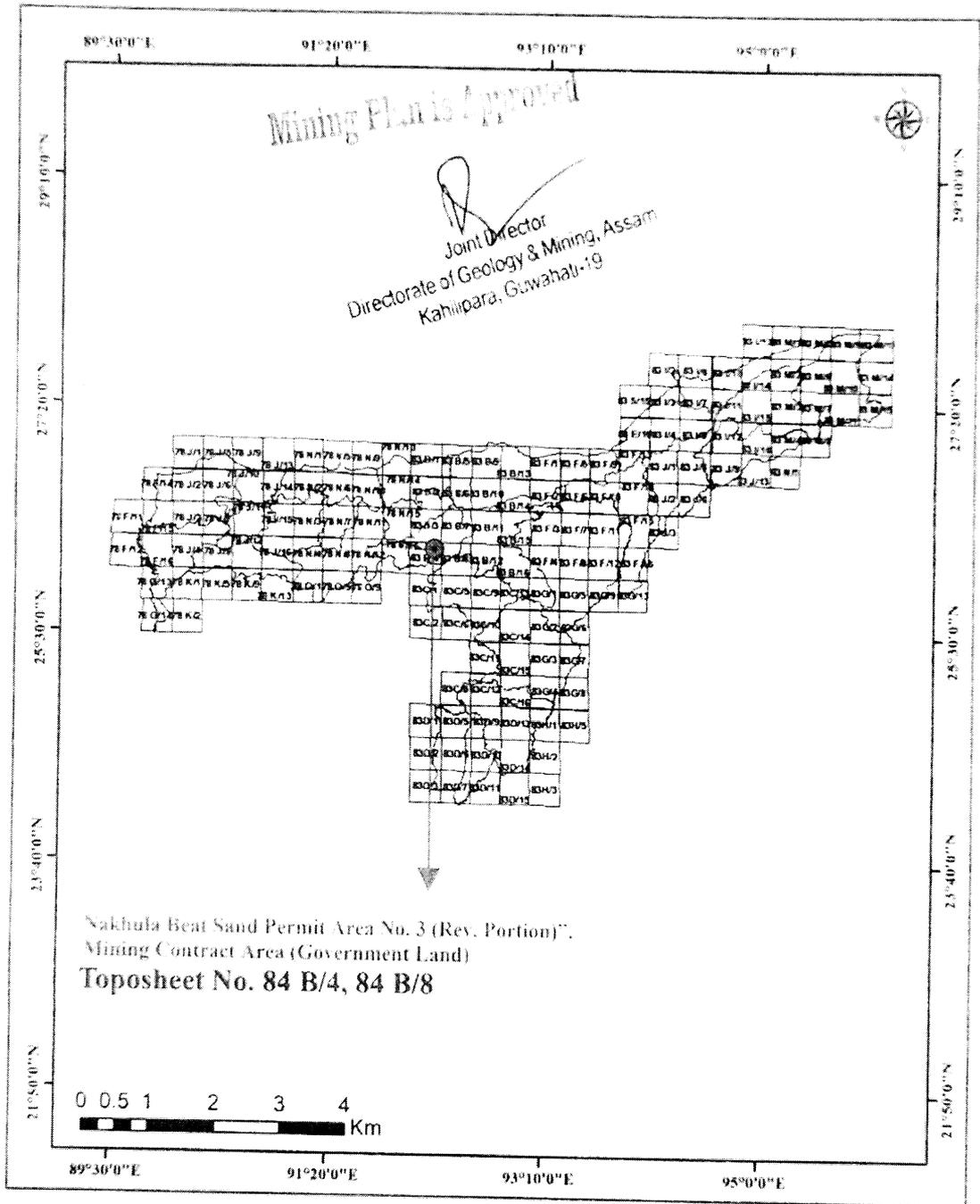


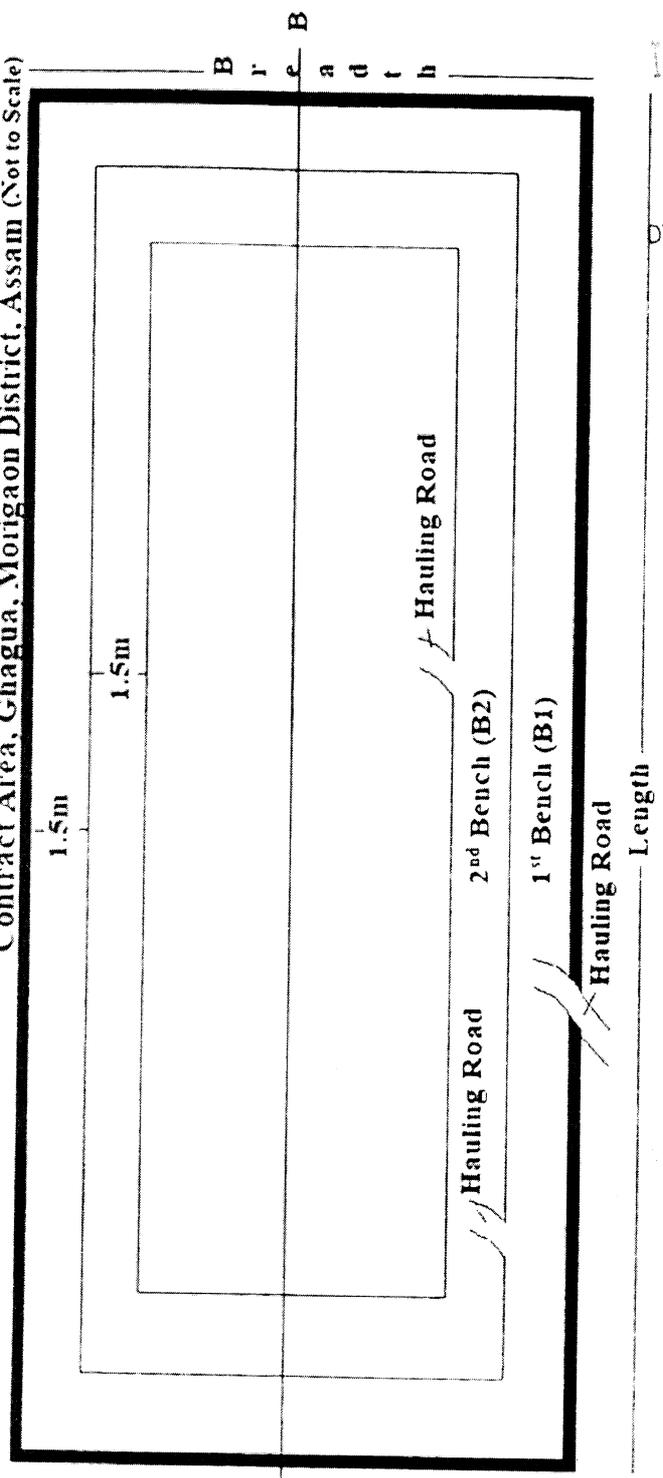
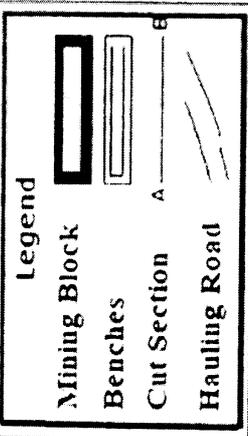
Fig: Toposheet Index Map of Assam Showing Nakhula Beat Sand Permit Area No. 3 (Rev. Portion) of 2022-24", Mining Contract Area (Government Land), Morigaon District, Assam

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Pankaj Barman
Advocate

Model scheme of extraction of Sand from Nakhula Beat Sand Permit area No.2 of 2022-24 (Rev. Portion), Mining Contract Area, Ghagua, Morigaon District, Assam (Not to Scale)

This Mining Plan is prepared in respect of Sri Bidya Ram Bordoloi, V.II, Ghagua, P.O. Mongaon (Ghagua), P.S. Mongaon, District, Nongaoon (Assam) for "Nakhula Beat Sand Permit Area No. 2 of 2022-24 (Rev. Portion) of 2022-24 (Rev. Portion)", Mining Contract Area (Government Land) under Nagaon Forest Division, Nagaon District, Assam, for the extraction and transportation to various construction sites. Total land for the proposed Mining Contracts is 4.20 hectares (area calculated as per GPS Coordinates) and the total proposed quantity of Sand is 20,000 Cubic meters (m³) for two (2) years



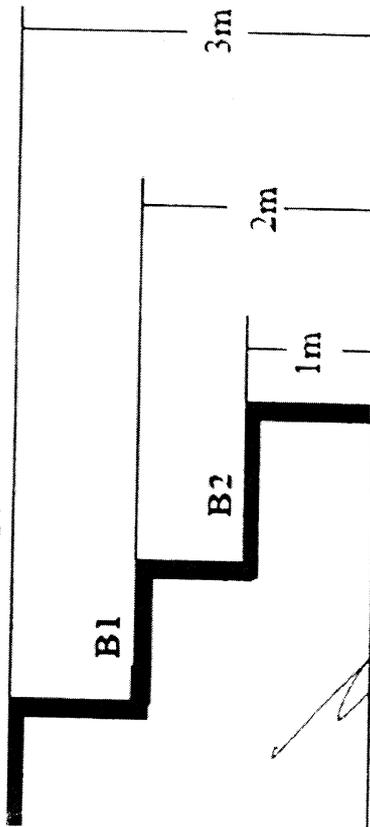
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 Advocate

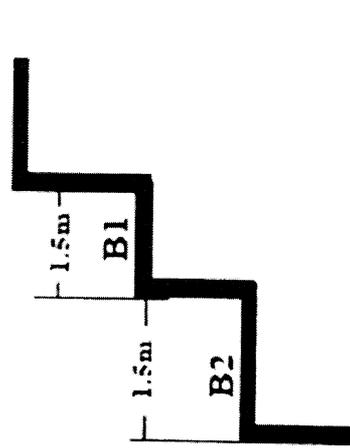
This Mining Plan is prepared in respect of Sri Bidya Ram Bordoloi, Vill- Ghagua, P.O- Morigaon (Ghagua), P.S- Morigaon, District- Morigaon (Assam) for "Nakhula Beat Sand Permit Area No. 2 of 2022-24 (Rev. Portion) of 2022-24 (Rev. Portion)", Mining Contract Area (Government Land), under Nagaon Forest Division, Nagaon, District Nagaon, Assam, for the extraction and transportation to various construction sites. Total land for the proposed Mining Contract is 4.20 ha.

CROSS-SECTION OF MINING BLOCK ALONG A-B (NOT TO SCALE)

Unmined Bed (Top)



Unmined Bed (Top)



Maximum limit (depth)

Bench Height	1.0 m
Bench Width	1.5 m
Cut Section	A ——— B

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Kahilipara, Guwahati-781009

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Advocate

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GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT & FORESTS, ASSAM
OFFICE OF THE DIVISIONAL FOREST OFFICER: NAGAON DIVISION NAGAON
Phone & Fax No. 03672-233610 Email ID- dfonagaon@gmail.com
Letter No. ENGI/B/74(Part-I)/Nakhula Beat SPA No.3/2022/9453-55 dt. 17/12/2022

To
The Director,
Geology & Mining Assam
Govt. of Assam, Kahilipara, Guwahati-19.

Subject: Preparation and approval of Mining Plan against Nakhula Beat Sand Permit Area No.3 In (Rev. Portion)

Reff: Addl PCCF (T) UAZ letter No.FGT.24/Nakhula Beat Sand Permit Area No.3 (Rev. Portion) of 2022-24 dt.17/12/2022. And This office Letter No. ENGI/B/74(Part-I)/Nakhula Beat SPA No.3/2022 dt. 17/12/2022.

Sir,

With reference to the subject cited above, I am to request you to kindly prepare a Mining Plan against Nakhula Beat Sand Permit Area No.3 (Rev. Portion) in favour of Jugal Bharali Contract holder of Mining Contract Area for two years. The relevant GPS coordinates, maps and Schedule A of the proposed area are enclosed for favour of you needful action.

It is to be mentioned here that, as per our field assessment, the quantity of minor mineral found is Total = 27,000m³ (Mining contract quantity 20,000m³ and Govt. permit quantity 7,000m³) But I would like to request your honour at the preparation of mining plan, the actual field verification quantity may be given as per rule. So that actual quantity of minor mineral could be extracted.

This is for favour of your kind information and necessary action.

Enclose:- As stated above.

Yours Faithfully

[Signature]
17/12/2022

(B.Deka, AFS)
Divisional Forest Officer,
Nagaon Division, Nagaon

Copy forwarded for information and necessary action to:-

1. The Range Officer, Morigaon Range, Morigaon for information.
2. Sri Jugal Bharali, Vill- Barjari, P.O- Barpak, P.S- Jagiroad, Dist.- Morigaon (Assam) for information and necessary action. He is requested to pursued on the matter and arrange for submission of Mining Plan at the earliest.

(B.Deka, AFS)
Divisional Forest Officer,
Nagaon Division, Nagaon

Contd....2

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Pankaj Daimary
Advocate

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-2-

Memo No. ENGL/A 74(Part-I) Nakhula Beat SPA No.3/2022/ 4163-65

Date. 17/12/2022

Copy to:-

1. The Principal Chief Conservator of Forests and Head of Forest Force, Assam, Assam, Panjabari, Guwahati-37 for his kind information and necessary action.
2. The Addl. Principal Chief Conservator of Forests (T) Upper Assam Zone, Jorhat-1 for his kind information and necessary action.
3. The Conservator of Forests, Northern Assam Circle, Tezpur for information for his kind information and necessary action.

/

(B Deka, AFS)
Divisional Forest Officer,
Nagaon Division, Nagaon

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Pankaj Daimary
Advocate

SCHEDULE- A.

**Details information of the Nakhula Beat Sand Permit Area No.3
in (Rev. Portion). under Morigaon Range, Morigaon of the
Nagaon Forest Division, Nagaon.**

- 1. Name of Mineral Concession Area : **Nakhula Beat Sand Permit Area No.3.
(Rev. Portion)**
- 2. Name of User agency : **Jugal Bharali, Vill- Barjari, P.O- Barpak,
P.S- Jagiroad, Dist.- Morigaon.**
- 3. Area in Hect Bigha : **4.10 hect.**
- 4. Stipulated Quantity of
Minor Minerals in contract
Area : **270000 m3 of Sand. (Our Field assessment
Only)**
- 5. Mining Contract quantity : **20,000m3**
- 6. Gov. Permit quantity : **7,000m3**

Boundary Description	Sl. No	GPS Co- ordinates
North- NH-37. South-Killing River & Nakhula Beat Sand Permit Area No.1. East- Palahguri Village. West- Debarghat Village.	1	N = 26°10'33.74" E = 092°12'49.02"
	2	N = 26°10'35.12" E = 092°12'48.32"
	3	N = 26°10'31.32" E = 092°12'34.57"
	4	
		N = 26°10'33.11" E = 092°12'34.79"
	5	N = 26°10'42.38" E = 092°12'22.60"
6	N = 26°10'42.12" E = 092°12'24.06"	

Submitted.

17/12/2022

(B. Deka. AFS)
Divisional Forest Officer,
Nagaon Division, Nagaon

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Ranjit Daimary
Advocate

Schedule A
"Information Memorandum"

1. Name of the Mineral Concession Area: **Nakhula Beat Sand Permit Area No.3(Revenue Portion) of 2022-24.**
2. Status of Land: **Non-Forest**
3. Grant of Mining Contract for collection of Sand in the mining area.
 - (a) Area and Estimated Reserves = **4.10 Ha with 27000 cu.m sand.**
 - (b) Mahal quantity = **20,000m³**
 - (c) Stipulated quantity in Govt. Permit= **7,000 m³ of Stone.**
 - (d) Total Quantity= **27,000m³.**
 - (e) Period of Lease Contract = **2 years from date of possession.**
 - (f) Reserve Price: **Rs. 37,40,000.00 (Rs. Thirty seven Lakhs forty thousand) only.**
 - (g) Earnest Money
10% on reserve price, i.e., **Rs 3,74,000.00(Rs. Three lakhs seventy four thousand only).** However, 50% of this amount if bidder is an individual and belongs to S.T/S.C/OBC, i.e., **Rs. 1,87,000.00(Rupee One lakh eighty seven thousand only).**
 - (h) G.P.S Coordinates of the corners of mine area: The boundary pillars shall be installed on site by the successful bidder at these and other intermediate locations, as per the directions of competent authority, before start of mining operation.

North- NH-37.

South-Killing River &Nakhula Beat Sand Permit Area No.1.

East- Palahguri Village.

West- Debarghat Village.

SL. No	Ha	LAT/LONG
1	4.10	N = 26°10'33.74" E = 092°12'49.02"
2		N = 26°10'35.12" E = 092°12'48.32"
3		N = 26°10'31.32" E = 092°12'34.57"
4		N = 26°10'33.11" E = 092°12'34.79"
5		N = 26°10'42.38" E = 092°12'22.60"
6		N = 26°10'42.12" E = 092°12'24.06"

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Rankey Dairmy
Advocate

(i) Google Earth image of the Mineral Concession Area-



(j) Representative photograph of the mineral concession area-



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Pankaj Dainny
Advocate

(k) Applicable Clearances:

- No Objection Certificate from Deputy Commissioner in case of Mineral concession Area is Revenue land (non-forest land): Existing Mining Area
- Mining will be prepared by successful bidder after LoI.
- The successful highest bidder shall have to obtain Environment Clearance from the SEIAA, Govt. of Assam after prepared Mining Plan. Terms and condition as per AMMC Rules 2013.
- In case of Mineral concession Area is a Forest land, the Forest Clearance to be obtained under Forest Conservation Act, 1980 from the Ministry of Env., Forests & Climate Change, Govt. of India by Successful Bidder shall be transferred to him on payment of Net Present Value-Rs..... Cost of Compensatory Afforestation -Rs..... Overhead cost-Rs..... etc.(Total Rs.....)

(l) Quota for Govt. permits: Excess of Mining Plan Quantity over the bid quantity in case of Contract and Permit. However, for lease, maximum quota for govt. works as specified by the competent authority.

17/12/2022

DIVISIONAL FOREST OFFICER,
NAGAON DIVISION, NAGAON *[Signature]*

Certified to be true copy
Dankoj Borimay
Advoca.



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GOVERNMENT OF ASSAM

DEPARTMENT OF ENVIRONMENT & FORESTS, ASSAM

OFFICE OF THE DIVISIONAL FOREST OFFICER: NAGAON DIVISION NAGAON

Phone & Fax No. 03672-233610

Email ID- dfonagaont@gmail.com.

Letter No. FNGT B 74 (Part- I) Nakhula Beat SPA No. 3 2022

9493-49

Dated- 17/12/2022

To,

Sri Jugal Bharali,
Vill - Barjan,
P.O.- Barpak, P. S.- Jagiroad,
Dist - Morigaon (Assam).

Subject: Provisional letter of Intent (LoI) Granting Mining Permit to allow Minor Mineral in respect of the Mining Area- Nakhula Beat Sand Permit Area No. 3 of 2022-24 (Rev. Portion).

Reference: The Addl. P. C. C. F (T), UAZ, Assam vide Memo No. FGT. 24/Nakhula Beat Sand Permit Area No. 3 (Rev. portion) of 2022-24, dt. 17/12/2022.

Subject to the appeal provision and other provisions of the Assam Minor Mineral concession Rules, 2013 and other applicable laws, and on approval received from the Addl. Principal Chief Conservator of Forests (T), Upper Assam Zone, Jorhat- I, of your bid amount of Rs. 41,10,000/- (Rupees Forty one lakhs ten thousand) only, for Mining of 20,000 m³ of Sand for a period of 2 (Two) years from "Nakhula Beat Sand Permit Area No. 3" of 2022-24 (Rev. Portion) under Morigaon Range, Morigaon of the Nagaon Forest Division, you are requested to deposit the following amount within 15 (Fifteen) days from the date of issue of this provisional letter of Intent (LoI) and obtain an approved Mining Plan/Pre-feasibility report and Form 1 M along with EIA Clearance from the competent authority within 45 (Forty Five) days for signing of Permit Agreement in FORM- MPS- I, as per provisions of AMMC Rule's 2013. An additional amount 10% on bid value has to be deposited towards "Mines-Minerals, Rehabilitation Dev. & Restoration Fund" & 10% District Mineral Foundation (DMF), Nagaon on the actual royalty at the time of depositing the kist money. Failing to comply with the above directions within the stipulated period, the provisional letter of Intent (LoI) will be cancelled without assigning any reason.

Details of Deposit:-

(a) 25% of annual dead rent as security deposit on bid value	= Rs.	5,13,750/-
(b) An additional amount equal 1 month's dead rent on bid value	= Rs.	1,71,250/-
	Total = Rs.	6,85,000/-

(Rupees Six Lakhs eighty five thousand) only.

(The amount to be deposited through Online Revenue Collection System.

17/12/2022

Divisional Forest Officer,
Nagaon Division, Nagaon

Contd...2

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Pankaj Brinmay
Advocate

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Copy along with the required documents i.e. GPS Co-ordinates, Google Map (Schedule- A) forwarded to:-

1. The Director, Directorate of Geology & Mining Assam, Kahilipara, Guwahati- 19, for favour of kind information and necessary action, with a request to accord necessary approval of the Mining Plan, along with Pre-feasibility report & Form 1 M at an early date.

17/12/2022

Divisional Forest Officer,
Nagaon Division, Nagaon

Memo No. FNGT A 74 (Part- I) Nakhula Beat SPA No. 3/2022 4148-50

Dated- 17/12/2022

Copy forwarded for favour of kind information and necessary action to:-

1. The Principal Chief Conservator of Forests & Head of Forest Force, Assam, Panjabari, Guwahati- 37
2. The Addl. Principal Chief Conservator of Forests (I), Upper Assam Zone, Panjabari, Jorhat- 1.
3. The Conservator of Forests, Northern Assam Circle, Tezpur, Assam.

17/12/2022

Divisional Forest Officer,
Nagaon Division, Nagaon

Certified to be true copy
Dhanraj Dainy
Advocate

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भारत सरकार
Government of India

Download Date: 10/11/2020



Jugal Bharali
Date of Birth/DOB: 28/12/1981
Male: MALE

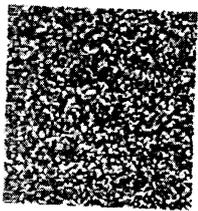
Issue Date: 09/10/2020

9421 2612 8426
VID : 9144 5217 9249 6599

मेरा आधार, मेरी पहचान

भारतीय विभिन्न पहचान प्राधिकरण
Unique Identification Authority of India

Address:
C/O: Hem Chandra Bharali, KHANAJAN,
Bojani No.1, Marigaon,
Assam - 782411



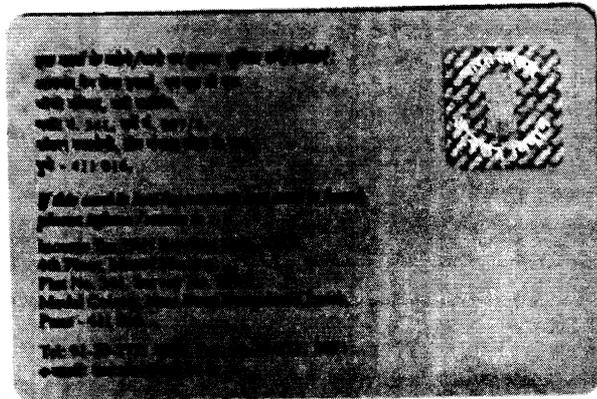
9421 2612 8426
VID : 9144 5217 9249 6599

1947 | help@uidai.gov.in | www.uidai.gov.in

Jugal Bharali

Certified to be true copy
Ranjoy Dwinay
Advocate

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Jugal Bharali

Certified to be true copy
Ranjit Dhinraj
Advocate

FORM-A

INFORMATION REQUIRED FOR THE MINING PLAN

1. **Name of the Applicant:** Sri Jugal Bharali,
2. **Address:** Village- Barjari,
P.O.- Barpak,
P.S- Jagiroad,
District: Morigaon, Assam
PIN:782411
Phone Number: 8638114576
3. **Site Address:** "Nakhula Beat Sand Permit Area No. 3 (Rev. Portion)", Mining Contract Areas,
Village: Bhakatgaon to Barjari,
PO: Bhakatgaon,
PS: Jagiroad,
District: Morigaon (Assam)
4. **Class of Land:** R.F./U.S.F./Rev. Land: Govt. Land,
Name of the Revenue Circle: Mayong,
Name of the Forest Range: Morigaon Range,
Name of the Forest Division: Nagaon Division, Nagaon,
District: Morigaon (Assam)
5. **Mineral to be Mined:** Sand,
6. **Recommended Quantity:** 27,000 Cum (m³) for two (2) years.
7. **Total area:** 4.10 Ha,
8. **Nature of Settlement:** Contract,
9. **Location:** Sketch map showing main roads, approach roads and description of nearby areas with the names of villages and other features etc.

Date: 19/12/2022

Jugal Bharali

Signature of the Applicant

Certified to be true copy

Pankaj Dainy
Advocate

ANNEXURE - B

-49-

ENVIRONMENTAL
CLEARANCE



Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), ASSAM)

To,

The -1
JUGAL BHARALI
Vill. Barjari, P. O. Barpak, P.S. Jagiroad -782411

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/AS/MIN/425258/2023 dated 07 Apr 2023. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC23B001AS131863
2. File No.	SEIAA. 3443/2023
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Nakhula Beat Sand Permit Area No. 3
7. Name of Company/Organization	JUGAL BHARALI
8. Location of Project	ASSAM
9. TOR Date	N/A

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 23/06/2023

(e-signed)
Indreswar Kalita
Member Secretary
SEIAA - (ASSAM)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

This is a computer generated cover page.

Certified to be true copy
Dankoj Daimary
Advocate.

-50-

This has reference to your application for Prior Environmental Clearance **proposal no. SIA/AS/MIN/425258/2023 dated 07/04/2023** along with Form-1, Mining Plan, D.F.O. letter, Google map with G.P.S. Co-ordinates and other relevant documents for Collection of Sand from "Nakhula Beat Sand Permit Area No. 3" under Nagaon Forest Division, Dist. Nagaon, Assam.

The quantity Sand to be collected is:

Sand: 27,000cu.m. (Twenty Seven Thousand) within a period of 2 (Two) years @ 13,500c.m. (Thirteen Thousand Five Hundred) only for per year.

Allotted Area: 4.1 Ha.

The Sand and Gravel shall be extracted from the area of the GPS Co-ordinates mentioned below as per mining plan:

<u>Longitude (East)</u>	<u>Latitude (North)</u>
1. E- 92 ⁰ 12'49.02"	N- 26 ⁰ 10'33.74"
2. E- 92 ⁰ 12'48.32"	N- 26 ⁰ 10'35.12"
3. E- 92 ⁰ 12'34.57"	N- 26 ⁰ 10'31.32"
4. E- 92 ⁰ 12'34.79"	N- 26 ⁰ 10'33.11"
5. E- 92 ⁰ 12'22.60"	N- 26 ⁰ 10'42.38"
6. E- 92 ⁰ 12'24.06"	N- 26 ⁰ 10'42.12"

The Sand and Gravel shall be extracted manual (as per Mining Plan) from "Nakhula Beat Sand Permit Area No. 3" under Nagaon Forest Division, Dist. Nagaon, Assam.

The proposal was examined and processed in accordance with EIA Notification 2006 and its amendment thereof. The State Level Expert Appraisal Committee (SEAC), Assam examined the documents of the proposal for Collection of Sand and Gravel at its meeting held on 03/06/2023. Accordingly the application was discussed and thoroughly scrutinized by the SEAC and found that the project falls under 1(a) and considered as B₂Category of EIA Notification 2006 and subsequent amendments. The Committee recommended the project to the SEIAA, Assam for issuance of Environmental Clearance.

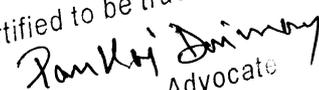
Based on the recommendation of the SEAC, the State Environment Impact Assessment Authority, Assam (SEIAA) considered the proposal in its meeting held on 16/06/2023 and accords Prior Environmental Clearance to the project as mentioned above under the provision of EIA notification 2006 and its subsequent amendments issued under Environment Protection Act 1986 subject to compliance of following specific and general conditions.

The operational area must be confined to the given 4.1 Ha proposed area bound by the coordinates mentioned above and there shall not be any other area of extraction contiguous to this. The project proponent is to submit a declaration in writing to this effect before commencement of the work.

I. Specific Conditions

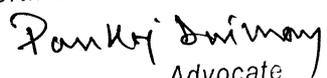
1. The legal status of the mining area remains unchanged.


Member Secretary
SEIAA, Assam

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Advocate

2. The lease holder shall undertake adequate safeguard during extraction of Sand and Gravel and ensure that due to this activity, the hydro geological and ecological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area during the mining operation. If at any stage, it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.
3. Manual (*as per Mining Plan*) low impact extraction of Sand and Gravel shall be undertaken.
4. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter as at loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard. The status of implementation of measures taken shall be reported to SEIAA and work shall be completed before the start of mining.
5. Quarrying shall be restricted within the area as per GPS Co-ordinates mentioned above.
6. There shall be stockyard to stock mining material outside the quarry site. Parking shall not be made on public road.
7. The following measures are to be further implemented to reduce air pollution during transportation of mineral:
 - i. Roads shall be graded to mitigate the dust emission.
 - ii. Over filling of tippers and consequent spillage on the roads shall be avoided.
8. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, Govt. of India.
9. Mining shall be limited to day time only.
10. No mining shall be carried out in the safety zone of any bridge and / or embankment.
11. No mining shall be carried out in the vicinity of natural / manmade archaeological sites.
12. No wildlife habitat will be disturbed and also aquatic Flora & Fauna of the river.
13. Green belt development shall be carried out in 20% of total mine area either on river bank or along road side considering CPCB guidelines with native tree species in the mining area.
14. User agency shall not make any fresh approach road over any part of the forest land but may use existing forest road only.
15. Transport of materials shall be done by covering the trucks/tractors with tarpaulin or other suitable mechanism so that no spillage of mineral/dust takes place.
16. Appropriate mitigation measures shall be taken to prevent any kind of pollution. It shall be ensured that there is no leakage of oil and grease from the vehicles used for transportation.
17. Special Measures shall be adopted to prevent the nearby settlement from the impacts of mining activities.
18. Dispensary facilities for first-aid shall be provided at site.
19. Occupational health surveillance program of the workers should be undertaken periodically.
20. Conservation measures shall be taken for protection of Flora & Fauna in the core and buffer zone.


Member Secretary
SEIAA, Assam

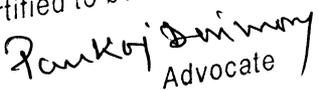
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Advocate

21. It shall be ensured that collection of mining materials does not disturb or change the underlying soil characteristic of river bed/basin, where mining is carried out.
22. It shall be ensured that mining does not in any way disturb the turbidity, velocity and flow pattern of the river water.
23. Conservation measures shall be taken for protection of flora & fauna in the core and buffer zone.
24. The fauna nesting area shall not be used for mining.
25. This Environmental Clearance is applicable only subject to receipt of mining permit by the project proponent from the Competent Authority as per AMMC Rule, 2013 and subsequent amendment.
26. Measures for prevention & control of Soil erosion & management of site shall be undertaken.
27. No river/Stream should be diverted for the purpose of Sand and Gravel mining. No natural water course and/or water resources are obstructed due to mining operation.
28. No extraction of Sand and Gravel in landside prone area.
29. **The proposed mining area approved subject to the condition that**
 - a. **The maximum mining depth is recommended up to 2 (two) meters from the unmined ground surface.**
 - b. **5 (five) meters gap between the left bank of the river and the proposed mining boundary shall have to be kept to guard against probable river bank erosion.**
 - c. **Active bank of the river should not suffer damaged due to proposed mining activities and transportation of mining materials thereon.**
 - d. **The proponent shall have to strictly follow all other terms and condition laid down in the approved mining plan during the mining period.**
30. Controlled clearance of riparian vegetation to be undertaken.
31. Vehicles used for transportation of Sand and Gravel are to be permitted only with of fitness & PUC certificates.
32. Health & safety of workers should be taken care of spring sources should not be affected due to mining activities necessary protection measures are to be submitted.
33. The critical parameters such as PM_{10} , NO_x , SO_4 in ambient air within the impact Zone shall be monitors periodically and analysis report shall be submitted to SEIAA, Assam.

II. General Conditions

1. All necessary statutory clearance shall be obtained from competent authority in connection with mining operation and copies of the same shall be submitted to SEIAA, Assam.
2. Special measures shall be adopted to prevent nearby settlements from the impacts of mining activities, maintenance of roads through which transportation of minor mineral is to be undertaken shall be carried out regularly.
3. User agency shall comply with the provisions framed under Assam Minor Mineral concession Rule 2013 and subsequent amendment.
4. The SEIAA Assam may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.


Member Secretary
SEIAA, Assam

Certified to be true copy

Advocate

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5. Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawals of this clearance and attract action under the provisions of Environment Protection Act. 1986.
6. The SEIAA, Assam may revoke or suspend the order, if implementation of any of the above conditions is not found satisfactory. SEIAA, Assam will monitor the operation area from time to time and the project proponent shall extend full cooperation for the same.
7. The above conditions will be enforced inter-alia under the provision of water (Prevention & Control of Pollution) Act 1974, the air (Prevention & Control of Pollution) Act 1981, the Environment Protection Act 1986 and the public liability Insurance Act 1991 along with their amendments & rules.
8. The Environmental Clearance is valid for **a period of 2 (Two) years** from the date of issue of this order.
9. Under Corporate Environment responsibility (CER), appropriate budgetary provision shall be made as per MoEFCC OM F. No. 22-65/2017-IA.III dated 01/05/2018 and 19/06/2018 commensurate with the total value of the work and to be spent for health improvement, education, drinking water facilities, and other socio-economic upliftment in and around the project area (radius of 10 KM from the project site) in consultation with a Committee having representatives from all sections of the population in the nearby villages and with information to the SEIAA on biannual basis.
10. **The project proponent shall submit half yearly compliance reports in respect of the terms & conditions stipulated in this order to the SEIAA, Assam in PARIVESH PORTAL through individual User Id to the SEIAA. The Compliance Report should also include the work done under CER as in 9 above and also under Green Belt development in the project area (to be supported with photographs and other documentary evidences in both cases).**
11. The Divisional Forest Officer, Nagaon Forest Division, Dist. Nagaon, Assam shall realize the Royalty as per existing rate & ensure due surveillances against occurrence of irregularities during the period of mining operation. He will further ensure demarcation of mining area with pillars and Geo referencing prior to start actual mining operation as mining is not permitted beyond the limit of the same. The DFO is also requested to ensure necessary compliance of all the terms and condition laid down in the EC be duly complied by the proponent in course of mining operation.

24.06.2023
Member Secretary
SEIAA, Assam

PRD
Bamunimaidam, Guwahati-21.

Certified to be true copy
Pankaj Bui
Advocate

- 54 -

Memo No. SEIAA.3440/2023/EC/ 2146

- A

Dated: 19/6/2023

Copy to:

1. The Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, MoEF, Indira Paryavaran Bhawan, Jorbagh Rd, New Delhi-110003.
2. The Secretary to the Govt. of Assam, Environment & Forest Department, Dispur, Guwahati-6 Cum Member Secretary, SEIAA, Assam for favour of kind information.
3. The P.C.C.F, HoFF, Govt. of Assam, Panjabari, Guwahati-37 for favour of kind information.
4. The Divisional Forest Officer, Nagaon Forest Division, Dist. Nagaon Assam for information & necessary action to ensure that all **Specific Conditions & General Condition** are complied with.
5. The Chief Engineer, Water Resource Department, Guwahati, Assam for favour of kind information.
6. The Integrated Regional Office, Ministry of Environment, Forest & Climate Change, 4th Floor, Housefed Building, G.S. Road, Rukminigaon, Guwahati-22 for information.
7. Office Copy.

19.06.2023

Member Secretary
SEIAA, Assam

Ramunimaidam, Guwahati-21.

Certified to be true copy
Ranjay Swain
Advocate

Validity unknown

Digitally signed by Shri Indreswar Kalita
Member Secretary

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Page 6 of 6