

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA.

O. NO. 47 DT 22/11 YEAR 2024



Original Application No. 154/2024/EZ

[Earlier O.A. No. 722/2024/PB]

In the matter of:

News item titled “Birbhum- a proposed Coal mine in West Bengal and the related health hazards” appearing in the Hindu dated 12.05.2024

...Applicant (s)

Versus

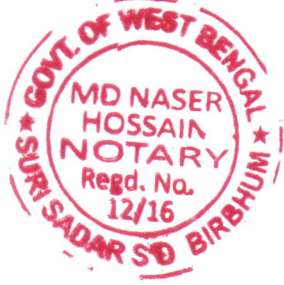
The Central Pollution Control Board &
Ors.

...Respondent (s)

REPLY ON BEHALF OF THE RESPONDENT NO.4/ THE
DISTRICT MAGISTRATE, BIRBHUM.

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Filed by,

Sudip Kumar Dutta
Advocate
Mobile No.9874782072

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA.

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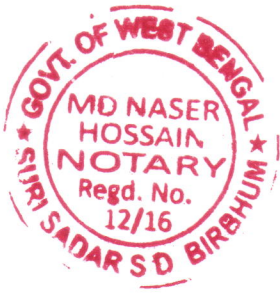
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The Central Pollution Control Board &
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REPLY FILED ON BEHALF OF THE RESPONDENT NO.4/THE
DISTRICT MAGISTRATE, BIRBHUM.

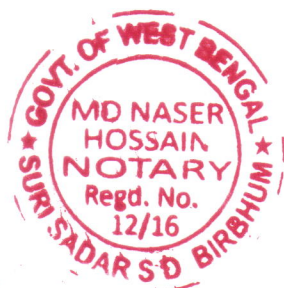
I, Shri. Bidhan Chandra Ray, Late Srish Chandra Ray, aged about 54 years, by faith Hindu working for gain as the District Magistrate and Collector, District- Birbhum, having my office at P.O. & P.S. Suri, District Birbhum, West Bengal , PIN 731101, do hereby solemnly affirm and say as under :-

1. That I am working as the District Magistrate and Collector, Birbhum District having my office at Suri, Post Office & Police Station- Suri, District- Birbhum, West Bengal. I am the

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Respondent No.4 and I have made myself acquainted with the facts and circumstances of the case and as such I am competent to swear sign and affirm this affidavit.

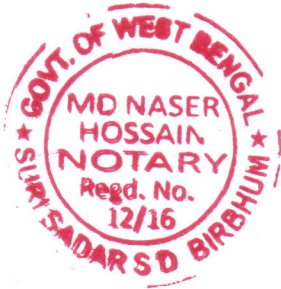
2. That, this Hon'ble Tribunal, by solemn order dated 11.09.2024, was pleased to constitute a Committee comprising of (i) Senior Scientist, WBPCB, (ii) the District Magistrate, Birbhum or his representative not below the rank of ADM and (iii) the District Mining Officer, Birbhum or his representative of senior rank, and directed the said Committee to visit the site in question and to submit a fact finding report with regard to the alleged violations of environmental norms, inter alia, ambient air quality viz. presence of silicosis in the area in question. The District Magistrate, Birbhum has been entrusted to be the Nodal Officer for all logistic purposes.
3. It is submitted that pursuant to the solemn order dated 11.09.2024, the deponent has nominated the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum to be the representative of the deponent in the said Committee constituted by this Hon'ble Tribunal.
4. It is further submitted that the Three Membered Committee comprising of (i) the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum being the representative of the District Magistrate, Birbhum, (ii) the Environmental Engineer, WBPCB, Durgapur Regional Office and (iii) the Mining Officer-in-Charge, Suri Zone, Birbhum, has visited the site of different stone crushers/quarries at Vill.- Kendrapara, P.S.-



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Md. Bazar in Birbhum and its adjoining area as well as the proposed site of Deucha Panchami Coal Block on 14.11.2024, interacted with the medical staffs of the Bharkata Primary Health and Wellness Centre and submitted their joint report dated 21.11.2024 (hereafter called the "Committee Report").

5. It appears from the said Committee Report, *inter alia*, that during their visit, the Committee has found existence of nearly about 100 stone crushing units at Village- Kendrapara and its surrounding villages and these stone crushing units do not adequately adhere to the CPCB guidelines. The Committee further noticed, *inter alia*, deposition of thick layer of dust on the tree-leaves in the concerned area and they visually inferred that the Ambient Air Quality Index (AQI) in the concerned area of these stone crushing units is poor.
6. That, from the Committee Report, it further appears, *inter alia*, that regular health camps/health check-up programmes are being conducted by the District Health Administration in the area; however during such health camps, a very few cases have been prima facie detected indicating silicosis affected, which are being further screened for their actual ascertainment.
7. That, it has been stated in the Committee report, *inter alia*, that nearly about 61 stone quarries were situated in different Mouzas under the P.S.- Md. Bazar in Birbhum as in the year 2016, out of which 7 stone mines were operating under valid mining lease; however, presently, only four of such stone mines have their subsisting mining lease period. However, after bringing in new



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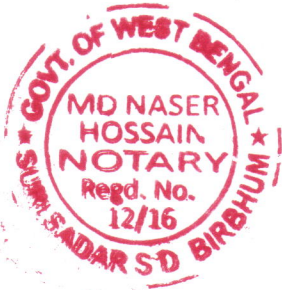


regime of grant of mining lease for minor minerals through competitive bidding in online auction platform by enactment of the new Rules namely West Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals Auction Rules, 2016, the District Administration issued Closure Notice to the stone quarries, who did not have valid mining lease, directing them to immediately close down their mining operations. Subsequently, further Closure Notice in the year 2023 was issued to these stone quarries by the District Administration. During visit to the site, the Committee noticed traces of recent stone mining operations in some of these quarries.

8. That, as per the Committee Report, the alleged site of Village-Kendrapara and the aforesaid Primary Health Centre is situated at an approximately 2 to 3 kilometers distance from the proposed Coal Block area and no coal mining has yet been started in the proposed coal block area.

Copy of the Committee Report dated 21.11.2024 is annexed hereto and marked as **Annexure-A**.

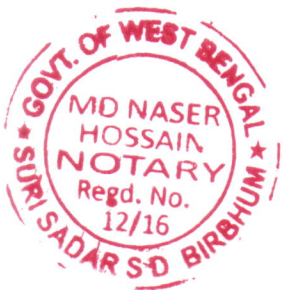
9. That, based on the records/documents are available to the deponent and save and except further modifications /addition/alteration to the said documents/records /agreements /orders as may be available to the competent authority, it is respectfully submitted by the answering deponent no.4 that one of India's largest coal mine is located in the South Western part of Birbhum coalfields in West Bengal, popularly known as "Deocha-Panchami Coal Block" spread over approximately 10



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square Kilometer. In place reserves of coal is estimated at 2,100 million tonnes. The Ministry of Coal, Government of India has provided the indicative reserve of coal based on the geological report prepared by Geological Survey of India during the period 1984 to 1989 through regional exploration. The coal, so extracted from the said coal block is to be utilised for generation of huge power. There cannot be any incertitude that power is among the most critical component of infrastructure, crucial for the economic growth and welfare of nations. The existence and development of adequate infrastructure is essential for sustained growth of the Indian Economy.

10. In this backdrop, the Ministry of Coal, Government of India floated Notice Inviting Applications on 31st December, 2012 for allocation of suitable coal blocks to the Government companies/undertakings (Central and State) that are authorised to undertake coal mining in terms of the provisions of their Memorandum and Articles of Association by way of auction in terms of Auction by Competitive Bidding of Coal Mine Rules, 2012.
11. That, as a sequel to the said Notice Inviting Applications, the Competent Authority under the Ministry of Coal, Govt. of India approved the allotment of Deocha-Panchami Coal Block located in the State of West Bengal to the West Bengal Power Development Corporation Limited (hereinafter referred to as 'WBPDCCL') vide Provisional Allotment order dated 6th June, 2018. In the said Provisional Allotment order it was stated that the successful allottee, that is, WBPDCCL, shall enter into an



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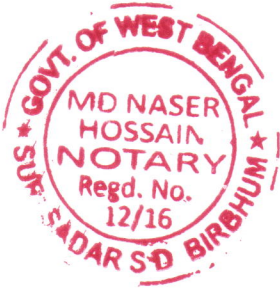


agreement with the Central Govt. under Rule 8(1) of the Coal Blocks Allocation Rules, 2017. After the said agreement is entered into and performance Bank Guarantee is provided, the successful allottee shall be entitled to receive a final allotment order in respect of Deocha Pachami Coal Block.

12. That, subsequent thereto, an agreement was entered into by the Ministry of Coal, Government of India and WBPDCCL on 16th September, 2019 after submission of Rs. 3.53 crore as Performance Bank Guarantee and subsequently the allotment/allocation order dated 17th December, 2019 under Rule 8(5) of the Coal Blocks Allocation Rules, 2017 read with Section 11A of the Mines and Minerals (Development and Regulation) Act, 1957 was issued in favour of WBPDCCL. The annexure to the said allocation order specify the detailed description of Coal Block including the co-ordinates.

Photocopy of the said Allotment Order dated 17th September, 2019 is annexed hereto and marked as **Annexure-B**.

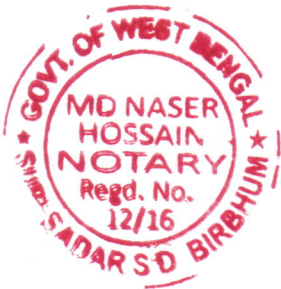
13. That, an amendment agreement was executed by the Ministry of Coal, Government of India and WBPDCCL on 28th March, 2022 thereby amending the terms of the Principal Agreement dated 16th December, 2019 specifically with regard to change in resources, coal block boundary and the revised performance security of Rs. 3.77 crore.
14. It is pertinent to mention at this juncture that clause 10.1 of the Allotment Agreement stipulates that the conduct of mining operations at the Coal Block shall be subject to the milestone




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listed in schedule D (the “Efficiency Parameters”). Now, Schedule D of the said Agreement, titled as “Efficiency Parameters” enumerates the different activities to be undertaken by the allottee and the completion time from the date of allocation (in months) of such activities. Apart from obtaining prospecting license or notification, drilling /exploration, preparation of Geological Report, Mining Lease application, submission and approval of Mining Plan, the Allottee is also under an obligation to obtain forest clearance, environment clearance, wild life clearance, approval under PESA, Environmental clearance, approval for Nallah /River diversion or diversion of power line/rail/road, consent to establish/operate, land acquisition, possession of land and relief and rehabilitation to reach rated capacity as per approved mining plan. After the execution of the Amending Agreement on 28th March, 2022 the WBPDCCL has requested the Coal Ministry by a letter dated 16th March, 2022 for issuance of fresh allocation order so that zero date can be counted from such date of fresh allocation order vis-a-vis the efficiency parameters, enumerated in Schedule ‘D’ to the initial Allotment Agreement.

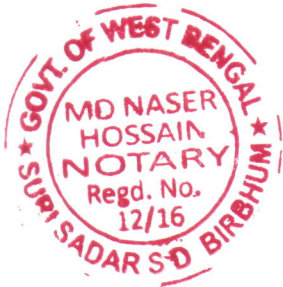


15. That, based on preliminary observation, it was estimated that the tentative land requirement for the purpose of Mining in the concerned Coal Block will comprise of an area of approximately 3370.57 acres comprising various categories of land – fresh land, govt. vested land, land belonging to other Departments of Government of West Bengal along with land required to be procured from the private owners/raiyats through direct purchase.

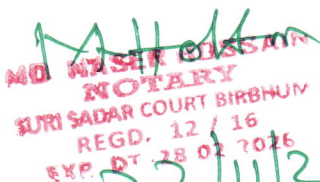

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Therefore for procurement of vast quantum of private land, the State Govt. vide order dated 16th November, 2021 came up with a Rehabilitation & Resettlement package (hereafter called "RR Package") for the land owners and other sufferers. The said policy covers all the villages of the local block area and specifies the number of households therein with separate figures of schedule caste and schedule tribe population. The said policy was framed after circulating leaflets in the concerned area outlining the steps to be taken by the State Government. Prior to distribution of such leaflets in vernacular and before conducting the social impact assessment study, meetings at Block and Gram Panchayat levels were held. While conducting such house to house social impact assessment study, leaflets in vernacular language were circulated by the district administration. The land purchase is being made in terms of the order dated 16th November, 2021 which is in line with and improves upon the Memorandum No. 756-LP/1A-03/14(Part II) dated 25th February, 2016.



16. That, the concerned land is being purchased and that too with the consent of the landowners. In any event the landowners are being paid much higher compensation and provided better rehabilitation and resettlement package. That apart the compensation being paid is after taking into consideration the true and best value of the land which have been ascertained from the comparative valuation assessed from the different conveyances executed in the recent past by the people of adjoining area.
17. That, 369.4748 acres of private land have already been purchased from the concerned owners/raiyyats though consent basis by



providing the RR package including employment assistance to the member of the affected families. Pertinently, 1378 number of appointments of member of the affected families have already been made by the State Government. The process of receiving more consent applications from other affected families is going on.

18. That, the Central Mine Planning and Design Institute (CMPDI) has been engaged for carrying out the exploratory drilling of the area and the Environment Impact Assessment (EIA) follows the geological report to be provided by CMPDI. The EIA, Environment Management Plan (EMP), Mining Plan will follow after the said Geological Report. The Forest Clearance and Environmental Clearance are intrinsically linked to such Geological Report, EIA, EMP and Mining Plan while acquisition and possession of land are independent milestones.



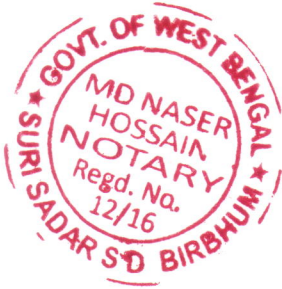
19. It is further respectfully submitted that as per the records/documents pertaining to the year 2016, 61 stone mines were situated in different locations under P.S.- Md. Bazar in Birbhum. However, seven of such stone mines were operating under valid mining lease granted by the State Government, out of which, only four of stone mines have their subsisting mining lease period as of now.

20. However, in view of enactment of the West Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016, vide which, new regime for grant of mining lease for minor minerals through competitive

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bidding process in online auction platform was introduced, the stone mines which did not have valid mining lease, were issued with Closure Notice dated 9th August, 2016 and 31st August, 2016 directing them to close down their mining operations immediately. The Superintendent of Police was requested, by a letter dated 30th August, 2016, to keep strict vigil so that any of these stone mines is not allowed to operate.

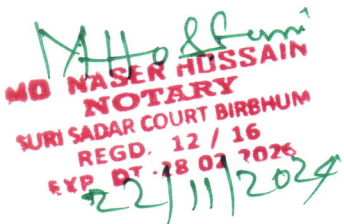


Specimen photocopies of the said closure notice issued by the district authority are collectively annexed hereto as **Annexure-C**.

21. That, in view of some allegations of illegal mining in some stone mines being reported, further Closure Notice was issued in the year 2023 to all the stone mines directing them to immediately stop their mining operations and the Superintendent of Police was also requested to keep strict vigil to ensure that mining operations are not resumed thereat.

Specimen photocopies of such closure notice issued in the year 2023 are collectively annexed hereto as **Annexure-D**.

22. It is further respectfully submitted that regular enforcement programmes are being conducted at both district as well as block levels to keep vigil on illegal stone mining activities. Pertinently, it is submitted that the Block Land & Land Reforms Officer, Md. Bazar Block have lodged five complaint with the concerned Police Station against illegal stone mining operations being conducted at different plots of land under the P.S.- Md. Bazar,





which have been registered as FIR Nos. 186/2024, 192/2024, 220/2024, 221/2024 and 222/2024 of Md. Bazar P.S.

Photocopies of the said FIRs are annexed hereto and marked as **Annexure-E**.

23. The answering respondent no.4 craves leave of this Hon'ble Tribunal to file supplementary affidavit in future, if so necessary.
24. The statements made in paragraphs 1 and 2 of the foregoing affidavit are true to my knowledge, those made in paragraphs 3 to 23 are information derived from the available records, which are maintained during ordinary course of business of the office of the deponent and the rest are my humble submission before this Hon'ble Tribunal.



Bidhan Chandra Ray,

Deponent. District Magistrate
Birbhum

Identified by me
Sk. Ajaharuddin
(Adv)

F/3513/3694/2022

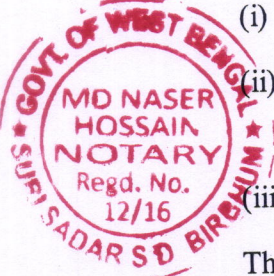
solemnly affirmed on
day of 22/11/2024
by deponent: *Bidhan Chandra Ray*
Sk. Ajaharuddin identified by
Advocate

M. Hossain
MD NASER HOSSAIN
NOTARY
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INSPECTION REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH, KOLKATA IN CONNECTION WITH O.A. NO. 154/2024/EZ IN THE MATTER OF NEWS ITEM TITLED "Birbhum- a proposed coal mine in West Bengal and the related health hazards" APPEARING IN THE HINDU DATED 12.05.2024:

A. BACKGROUND:

The Hon'ble National Green Tribunal, Eastern Zone Bench, by solemn order dated 11.09.2024 passed in Original Application No.154/2024/EZ (Earlier O.A. No.722/2024/PB), was pleased to constitute a Three Membered Committee with the following officers:

- 
- (i) Senior Scientist, WBPCB
 - (ii) The District Magistrate, Birbhum or his representative not below the rank of Additional District Magistrate and
 - (iii) District Mining Officer, Birbhum or his representative of senior rank.

The Committee was directed to visit the site in question and to submit a fact finding report with regard to the alleged violations of environmental norms, inter alia, ambient air quality viz. presence of silicosis in the area in question. The Hon'ble Tribunal further directed that the District Magistrate, Birbhum shall be the Nodal Office for all logistic support and the WBPCB has been directed to file the Committee Report.

In pursuance to the aforesaid solemn direction, the WBPCB, through its letter dated 20.09.2024 and the District Magistrate, Birbhum through his letter dated 11.11.2024, authorized Shri. Arup Kumar Dey, Environmental Engineer and In Charge of Durgapur Regional Office and Shri. Ashim Pal, the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum as their respective representatives.

B. THE COMMITTEE :

1. Shri. Ashim Pal, WBCS (Exe), the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum;
2. Shri. Arup Kumar Dey, Environmental Engineer, WBPCB, Durgapur Regional Office;
3. Shri. Jyotirmay Barman, Mining Officer-in-Charge, Suri Zone, Birbhum.

C. THE INSPECTION AND OBSERVATIONS :

In compliance with the solemn direction of the Hon'ble Tribunal, the Committee, on 14.11.2024 at 11 A.M. onwards, visited the alleged site of different stone crushers/quarries at

Vill.- Kendrapara, P.S.- Md. Bazar in Birbhum and its adjoining area as well as the proposed site of Deucha Panchami Dewangunj Harisingha Coal Block (for short "DPDH Coal Block"). The Committee firstly visited the Bharkata Primary Health and Wellness Centre and interacted with the Pharmacist and other medical staffs of the said Health Centre.

The Committee noticed existence of nearly about 100 stone crushing units at Village-Kendrapara and its surrounding villages. It was observed that none of these units installed dust suppression systems and the crushers and conveyor belts are not covered properly. The roads/pathways within premises are non-metallic and the area lacks development of sufficient greenery. It was further observed that these stone crushing units do not adequately adhere to the CPCB guidelines. Deposition of thick layer of dust on the tree-leaves in the concerned area is noticed. It was visually inferred that the Ambient Air Quality Index (AQI) in the concerned area of these stone crushing units is poor. However, ascertainment of the actual ambient air quality in the area requires monitoring by selecting appropriate location.

On interaction, the pharmacist and other medical staffs of the said Bharkata Primary Health Centre stated the stone crushing units situated in the nearby vicinity emit thick dust and during the winter season, the problem gets aggravated. They further informed that regular health camps/health check-up programmes are being conducted by the District Health Administration in the area. They further informed that during such health camps, a very few cases have been prima facie detected indicating silicosis affected and these cases are being further screened for their actual ascertainment.

Pertinently, the alleged site of Village- Kendrapara and the aforesaid Primary Health Centre is situated at an approximately two to three kilometers distance from the proposed DPDH Coal Block area. It is further pertinently mentioned that no coal mining has yet been started in the proposed coal block area.

As per the records as in the year 2016, nearly about 61 stone quarries were situated in different Mouzas under the P.S.- Md. Bazar in Birbhum. Seven (07) stone mines were operating under valid mining lease granted by the Govt. of West Bengal and at present, four such stone mines have subsisting mining lease and the rest three (03) stone mines have expired their mining lease period.

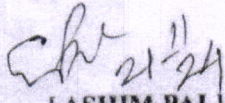
However, in the year 2016 when the West Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals Auction Rules, 2016 were enacted to bring in new auction regime for grant of mining lease for minor minerals, the District Administration issued Closure Notice to the stone quarries, who did not have valid mining lease, directing them to immediately close down their mining operations. Subsequently, since some

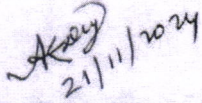
allegations were being reported about illegal stone mining operations being conducted by some of the stone quarries, further Closure Notice in the year 2023 was issued to these stone quarries by the District Administration. However, during visit to the site by this Committee, traces of recent stone mining operations have been noticed in some of these quarries. However, non-adherence to the extant guidelines by these stone quarries is noticed during the visit.

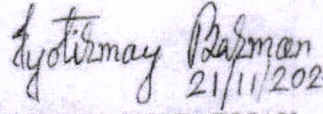
The Committee prima facie finds that operation of stone crusher and quarries are illegal as they do not possess CTE/CTO of the WBPCB and the CPCB environmental guidelines for stone crushing units should be strictly followed by the crushing units.

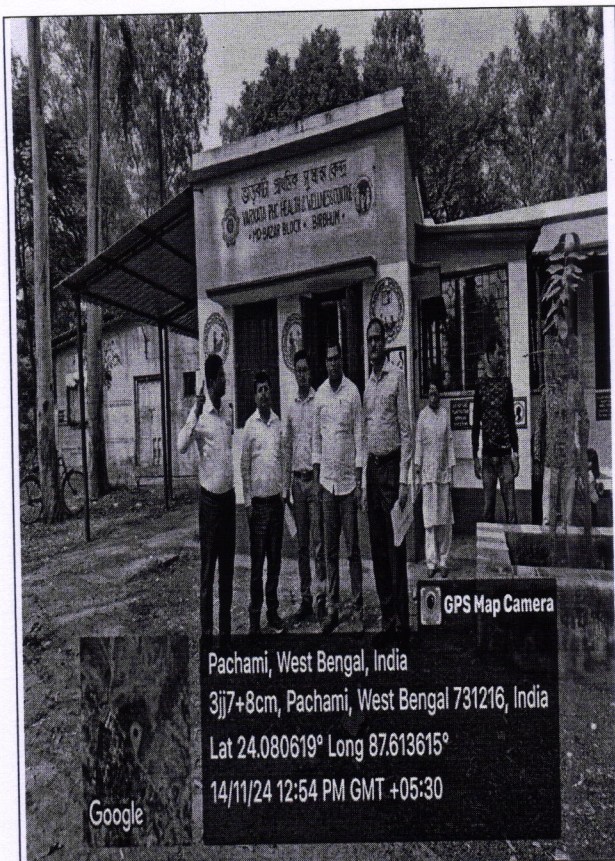
Following the Notice Inviting Applications dated 31.12.2012 for allocation of suitable coal blocks to the Government companies/undertakings (Central and State) by way of auction, the Ministry of Coal, Govt. of India has approved the allotment of Deocha-Panchami Coal Block in the State of West Bengal to the West Bengal Power Development Corporation Limited (WBPDC) vide the Provisional Allotment Order dated 6th June, 2018. Subsequently, the Ministry of Coal, Govt. of India, has issued the Allotment/Allocation Order dated 17.12.2019 under Rule 8(5) of the Coal Blocks Allocation Rules, 2017 read with Section 11A of the Mines and Minerals (Development and Regulation) Act, 1957 in favour of the WBPDC. The tentative land requirement for the purpose of mining in the said Coal Block is estimated to comprise of an area of approximately 3370 acres of various categories of land – fresh land, govt. vested land, land belonging to other Departments of Government of West Bengal along with land required to be procured from the private owners/raiyats through direct purchase.

Some photographs captured during visit of the Committee to the alleged site, are enclosed here-below.

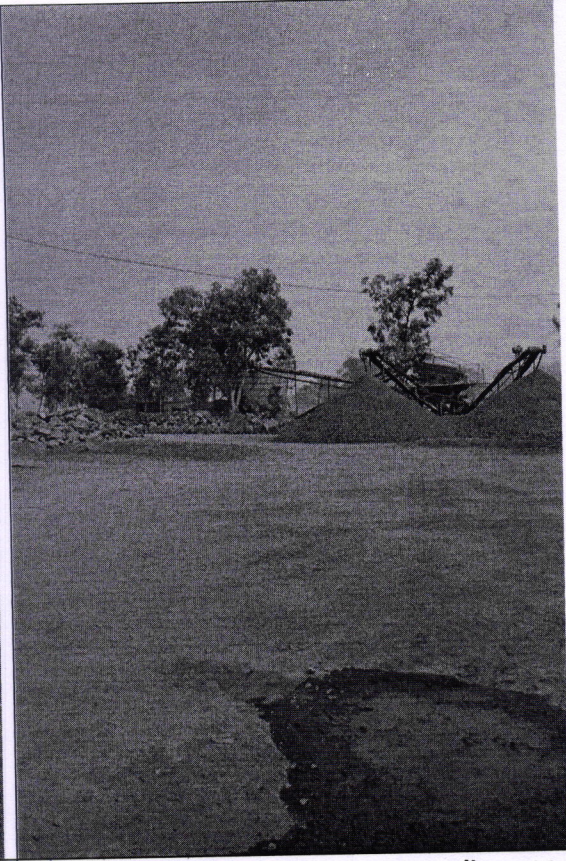

[ASHIM PAL]
Additional District Magistrate &
District Land & Land Reforms
Officer


ARUP KUMAR DEY
Environmental Engineer
WBPCB
Durgapur Regional Office


JYOTIRMAY BARMAN
Mining Officer-in-Charge
Suri Zone



Bharkata Primary Health & Wellness centre

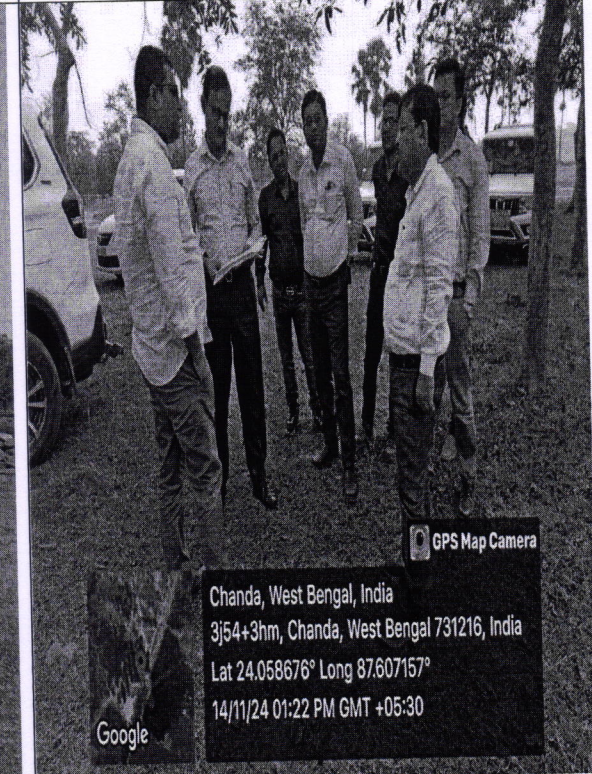


View of a stone crusher operating adjacent to the Health Centre & without any APC device

GOVT. OF WEST BENGAL
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 SURI SADAR S/D



Deposition of stone dust observed on the leaves of trees



Visit to part of proposed Coal Block Area

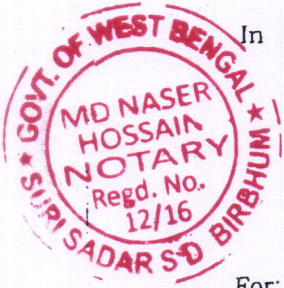
Allocation Order for Deocha-Pachami Dewanganj-Harinsingha Coal Block

भारत सरकार/GOVERNMENT OF INDIA
कोयला मंत्रालय/MINISTRY OF COAL
सीबीए-1 अनुभाग/CBA-I Section

दिनांक 17 दिसंबर, 2019
शास्त्री भवन, नई दिल्ली-110001

Allocation Order under sub-rule (5) of rule 8 of the Coal Blocks Allocation Rules, 2017 and section 11A of the Mines and Minerals (Development and Regulation) Act, 1957

In re: Deocha Pachami Dewanganj-Harinsingha Coal Block (the "coal block") particulars of which is specified in **Annexure**
Order no.: F. No. CBA1-38011/2/2017-CBA1 (FTS : 334295)
Date: December 17, 2019



In favour of: **The West Bengal Power Development Corporation Ltd.** incorporated in India under the Companies Act, 1956 with corporate identity number **U40104WB1985SGC039154**, whose registered office is at "Bidyut Unnayan Bhaban", 3/C, LA Block, Sector-III, Bidhannagar, Kolkata-700106, India (the "Successful Allottee").

For: Own consumption of coal in generation of electricity through generating station

WHEREAS, the Government of India in the Ministry of Coal has, in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (the "Act") and the Coal Blocks Allocation Rules, 2017 (the "Rules") conducted the allotment of the coal block;

AND WHEREAS the Successful Allottee was declared Successful Allottee in accordance with provision of rule 6 of the Rules vide letter dated 06.06.2018 issued by Ministry of Coal.

AND WHEREAS The West Bengal Power Development Corporation Ltd. has entered into an allotment agreement dated 16.09.2019 in accordance with the provisions of sub rule (1) of the rule 8 of the Rules.

M. N. Hossain

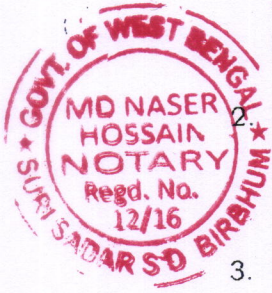
~~17~~

Allocation Order for Deocha-Pachami Dewanganj-Harinsingha Coal Block

AND WHEREAS the Successful Allottee has furnished a performance bank guarantee dated October 01, 2019 for an amount equal to INR 3,53,00,000 (Indian Rupees Three Crores Fifty Three Lakh only) issued by Allahabad Bank, Salt Lake LA Block Branch, Kolkata in accordance with the allotment agreement and in accordance with the provisions of sub-rule (4) of Rule 8 of the Rules;

NOW, THEREFORE, THE GOVERNMENT OF INDIA IN THE MINISTRY OF COAL DOES ORDER:

1. On and from December 17, 2019 ("allotment date"), the successful allottee shall be entitled to prospecting license and mining lease to be granted by the State Government with respect to the coal block, on making an application, with the terms and conditions of the Allotment Agreement forming a part of such mining lease.
2. In accordance with provisions of sub-section (3) of the section 11A of the Act, the State Government shall grant the prospecting license and the mining lease for the coal block to the successful allottee.
3. This allotment order is liable to be cancelled in accordance with the provisions of sub-rule (10) of rule 8 of the Rules.
4. This allocation order is issued with the approval of the competent authority.



(Signature)
(Mukesh)

Under Secretary to the Govt. of India
Tel. No. 011-23382148
e-mail : mukesh.61@nic.in

मुकेश / MUKESH
अवर सचिव / Under Secretary
भारत सरकार / Govt. of India
कोयला मंत्रालय / Ministry of Coal
शास्त्री भवन / Shastri Bhawan
नई दिल्ली / New Delhi

~~18~~

Allocation Order for Deocha-Pachami Dewanganj-Harinsingha Coal Block

Annexure

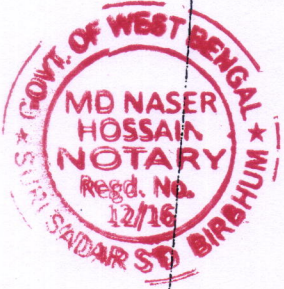
Particulars of the block

(Description of the block)

1. AREA OF BLOCK : 9.70 sq. km.

2. LOCATION DETAILS :

| | | |
|-------------------------|--|---|
| Name of Coal Mine | Deocha Pachami Dewanganj-Harinsingha Coal Block | |
| Latitude* | 24° 1' 45" N to 24° 5' 30" N | Survey of India Topo sheet No.72 P/12 (Coordinates are as per 'Final report on Regional Exploration for Coal in Pachami Sector, Birbhum Coalfield, 1992' by GSI) |
| Longitude* | 87° 34' 36" E to 87° 37' 39" E | |
| Coalfield | Birbhum | |
| Villages | Saldanga, Patharchal, Dhirauli, Khutepara, Gobarbathan, Baramasia, Mathurapahari, Saluka, Harmadanga and Dewanganj | |
| Tehsil | NA | |
| District | Birbhum | |
| State | West Bengal | |
| * Bounding Co-ordinates | | |





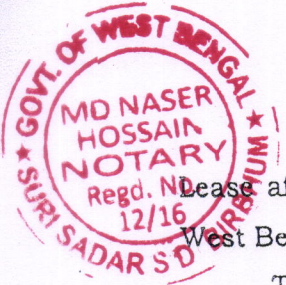
19. 57

GOVERNMENT OF WEST BENGAL
OFFICE OF THE ADDL. DISTRICT MAGISTRATE AND
DISTRICT LAND & LAND REFORMS OFFICER, BIRBHUM

Memo. No. M&M/ 3658 /D.L. & L.R.O., (B)/2016 Dated: 31/08/16

To,
Chakroborty Black Stone Mines
Prop: Shaktipada Chakroborty
S/O: Late kalipada Chakroborty
Vill: Amba , P.O: Mollarpur,
P.S: Mayureswar, Dist: Birbhum.

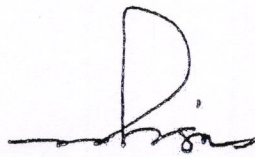
Sub.:- Notice to stop mining operation.
Ref:- His petition dated 24.08.2016.

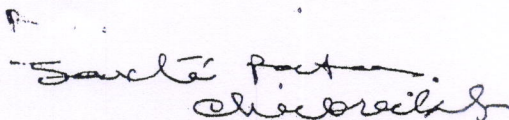


This is to inform him that he has not submitted the Grant order for Mining lease after obtaining the same from the Commerce & Industries Department, Govt. of West Bengal for his Stone Quarry.

This is to inform you that vide Gazette Notification No. 428-CI/O/MM/84/11 (Part-II) dated 29.07.2016 of the Commerce & Industries Department, Govt. Of West Bengal, the West Bengal Minor Mineral Rule, 2002 has been repealed and the West Bengal Minor Minerals Concession Rules, 2016 has been published. Also in terms of Rule 61 of the said West Bengal Minor Minerals Concession Rules, 2016, all the pending applications for mining lease of minor minerals including the reclassified minor minerals vide SO No.- 423(E) dated 12th February, 2015 received prior to the giving effect to the said Concession Rules irrespective of their duration of pendency has become ineligible, provided that if the applicant has been issued a grant order or Letter of Intent (LoI) or any other Government Order requiring the alteration of applicant's position then his mining lease application may be considered after due compliance of the all the necessary conditions.

So, his petition for Quarry Permit is hereby rejected and he is also directed to stop any mining operation in his Stone Quarry.


 31.8.16
 The Addl. District Magistrate and
 Dist. Land & Land Reforms Officer, Birbhum


 Shaktipada Chakroborty

GOVT. OF WEST BENGAL / 111700
OFFICE OF THE ADDL. DISTRICT MAGISTRATE AND
DISTRICT LAND & LAND REFORMS OFFICER
SURI : BIRBHUM

56 73

20

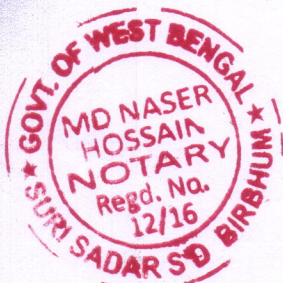
Memo No. M&M/ 3323(208) /DL&LRO(B)/2016

Date, Suri, the 09/08/2016.

CLOSURE NOTICE

From: The Addl. District Magistrate and
District Land & Land Reforms Officer, Birbhum.

To:



Sub: Notice for Closure of Mines without having grant order of mining lease.

This is to inform you that vide Gazette Notification No. 428-CI/O/MM/84/11 (Part-II) dated 29.07.2016 of the Commerce & Industries Department, Govt. Of West Bengal, the West Bengal Minor Mineral Rule, 2002 has been repealed and the West Bengal Minor Minerals Concession Rules, 2016 has been published. Also in terms of Rule 61 of the said West Bengal Minor Minerals Concession Rules, 2016, all the pending applications for mining lease of minor minerals including the reclassified minor minerals vide SO No.- 423(E) dated 12th February, 2015 received prior to the giving effect to the said Concession Rules irrespective of their duration of pendency has become ineligible, provided that if the applicant has been issued a grant order or Letter of Intent (LoI) or any other Government Order requiring the alteration of applicant's position then his mining lease application may be considered after due compliance of the all the necessary conditions.

Therefore, you cannot operate the above said Mining unit being issued any such valid grant order or Letter of Intent (LoI) or any other Government Order as required in this respect. Under such circumstances in view of the provisions made under the West Bengal Minor Minerals Concession Rules 2016, this closure notice is hereby served upon you with a direction to stop any type of mining operation therein with immediate effect from the receipt of this notice, failing which necessary action may be taken against you in accordance with law.

9/8/16

Addl. District Magistrate and
District Land & Land Reforms Officer
Birbhum, Suri.



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Government of West Bengal
Office of the District Magistrate, Birbhum
 Prashasan Bhavan, PO- Suri, District- Birbhum, W.B., 731101
 Email :: dm-bir@nic.in

Memo No. M&M/ 4007 (191) /DL&LRO(B)/2023

Date: 04 / 08 / 2023.

To,

M/S Taj Stone Quarry,

Name & address of owners : Abdur Rahaman,

Nischintapur, Md.Bazar, Birbhum

Name of Block : Md.Bazar Mouza/JL No. : Hatgacha/01,

Plot No(s)/Block No. 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3540, 3546, 3580, 3581, 3582, 3584

Sub : Closure of illegal stone mines.

Whereas, pursuant to enactment of West Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016 thereby bringing into auction regime for grant of mining lease for minor minerals and further in view of ineligibility of pending applications for mining lease in terms of the provisions of Rule 61 of the said Concession Rules, 2016, closure notice dated-09.08.2016 and dated-31.08.2016 have been served upon you directing immediate closure of your mines and to stop all sorts of mining operations thereto;

And whereas it has since been reported that mining operations are being continued by you in your mines without lawful authority and in violations of the said closure notice;

And whereas Section 4(1) of the MMDR Act, 1957 prohibits any person to undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting licence or, as the case may be, of a mining lease, granted under the said Act and the rules made thereunder;

In view of the above, you are hereby directed to stop all sorts of mining operations in your mines forthwith and to close it down completely, failing which appropriate legal action will be taken.

District Magistrate
Birbhum. *gh*

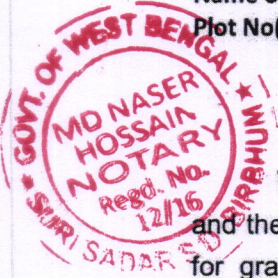
Memo No. M&M/ 4007 (191) /1(5) /DL&LRO(B)/2023

Date: 04 / 08 / 2023.

Copy forwarded to:

1. The Superintendent of Police, Birbhum for kind information and necessary action.
2. The Sub-Divisional Officer, Suri Sadar, Birbhum for information and necessary action.
3. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar, Birbhum for information and necessary action.
4. The Block Development Officer, Md.Bazar, Birbhum for information and necessary action.
5. The Block Land & Land Reforms Officer, Md.Bazar, Birbhum for information and necessary action.

District Magistrate
Birbhum. *gh*





Government of West Bengal
Office of the District Magistrate, Birbhum
 Prashasan Bhavan, PO- Suri, District- Birbhum, W.B., 731101
 Email :: dm-bir@nic.in

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Memo No. M&M/ 4007 (191) /DL&LRO(B)/2023

Date: 04 / 08 / 2023.

To,

M/S National Stone Quarry,
 Name & address of owners : Sk. Shamim Ahamed,
 Kapasdanga, Bharkata, Md.Bazar, Birbhum
 Name of Block : Md.Bazar Mouza/JL No. : Hatgacha/01,
 Plot No(s)/Block No. 930, 932, 935(P), 928, 929,933 & 885

Sub : Closure of illegal stone mines.

Whereas, pursuant to enactment of West Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016 thereby bringing into auction regime for grant of mining lease for minor minerals and further in view of ineligibility of pending applications for mining lease in terms of the provisions of Rule 61 of the said Concession Rules, 2016, closure notice dated-09.08.2016 and dated-31.08.2016 have been served upon you directing immediate closure of your mines and to stop all sorts of mining operations thereto;

And whereas it has since been reported that mining operations are being continued by you in your mines without lawful authority and in violations of the said closure notice;

And whereas Section 4(1) of the MMDR Act, 1957 prohibits any person to undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting licence or, as the case may be, of a mining lease, granted under the said Act and the rules made thereunder;

In view of the above, you are hereby directed to stop all sorts of mining operations in your mines forthwith and to close it down completely, failing which appropriate legal action will be taken.

District Magistrate
 Birbhum. *SN*

Memo No. M&M/ 4007 (191) /1(5) /DL&LRO(B)/2023

Date: 04 / 08 / 2023.

Copy forwarded to:

1. The Superintendent of Police, Birbhum for kind information and necessary action.
2. The Sub-Divisional Officer, Suri Sadar, Birbhum for information and necessary action.
3. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar, Birbhum for information and necessary action.
4. The Block Development Officer, Md.Bazar, Birbhum for information and necessary action.
5. The Block Land & Land Reforms Officer, Md.Bazar, Birbhum for information and necessary action.

District Magistrate
 Birbhum. *SN*

FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)
IN THE COURT OF ...

XB

08336

Dist. Birbhum P.S. Md. Bazar Year 2024 FIR No. 186/24 Date 15.06.24

(I) Act IPC Sections 447/379 (II) Act _____ Sections 21 The Mines &

(III) Act _____ Sections _____ (IV) Other Acts & Sections Minerals Act.

(a) Occurrence of offence: day _____ Date from not mentioned Date to _____

Time period _____ Time from _____ Time to not mentioned

b) Information Received at P.S. Date 15.06.24 Time 14.05h

c) General Diary Reference: Entry No(s) 1040 Time 14.05h

Type of Information: _____ Written / Oral

Place of Occurrence: (a) Direction and Distance from P.S. 1.5 km approx North-west Beat No. Anchal - Bharkata

b) Address Halgacha Mouza J.L. no. 01, Chanda Mouza J.L. no. 01 & 02, Hinglow

J.L. no. 02, Dewanganj mouza J.L. no. 36, plot no's 3842, J.L. no. 36

(c) In case outside limit of this Police Station, then the 3842/5389, 822, 286, 287,

name of the P.S. _____ District _____

Complainant / Informant:

(a) Name Sabyasachi Mondal

(b) Father's/Husband's Name _____

(c) Date/Year of Birth _____ (d) Nationality _____

(e) Passport No. _____ Date of Issue _____ Place of Issue _____

(f) Occupation Assistant Director and Block Land & Land Reform Officer

(g) Address Md. Bazar, Birbhum

Details of known / suspected / unknown accused with full particulars 1) Badan Marandi 2) Tarak Tudu

(Attach separate sheet, if necessary): 3) Anil Kisku 4) Sartaj Molla (bappa) 5) Sunil Soren

6) Sabudhan Tudu 7) Apple Martaja 8) Manoj Tudu 9) Sekh

Karbul

Reasons for delay in reporting by the Complainant / Informant _____

Particulars of properties stolen / involved (Attached separate sheet, if necessary) _____

0. Total value of properties stolen / involved _____

1. Inquest Report / U.D. Case No, if any _____

2. FIR Contents (Attach separate sheets, if required):

The original written complaint of the complainant which is

treated as FIR is attached herewith.

3. Action taken: Since the above report reveals commission of offence(s) as mentioned at Item No.2, registered the case and took

up the investigation / directed S.I. Indranil Sarker to take up investigation / refused

investigation / transferred to P.S. _____ on point of jurisdiction. FIR read over to the

Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

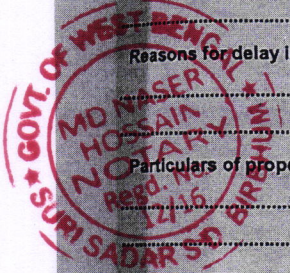
14. Signature of Thumb Impressed Sabyasachi Mondal

of the complainant Assistant Director & Block Land & Land Reform Officer, Md. Bazar, Birbhum

15. Date & time of despatch to the court: _____

Signature of the Officer in Charge, Police Station
Name: Dibakar Ch. Soren

Rank: S.I. of Police No. Md. Bazar P.S.





FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

IN THE COURT OF Ld. A. C. J. M. Sanyal, Birbhum **08342** **24**

P.S. Md. Bazar Year 2024 FIR No. 192/24 Date 19.06.24
Act IPC Sections 447/379 (II) Act Sections 21 Mines & Minerals Act
Act Sections (IV) Other Acts & Sections 4(1) of the M.M.R. Act 1957

Occurrence of offence: day Wednesday Date from 19.06.24 Date to 19.06.24
Time from 11.00 hrs Time to 18.15 hrs

Information Received at P.S. Date 19.06.24 Time 18.15 hrs
General Diary Reference: Entry No(s) 1908 Time 18.15 hrs

Mode of Information: Written / Oral
Place of Occurrence: (a) Direction and Distance from P.S. 15 km approx North-West Beat No. Archal - Hinglow
Address Dewanganj Mouza, J.L no. 36, Plot no. 290, 291, 292, 293, 294, 295, 296, 297, 298, 303, 274, 304, 1187, P.S-Md. Bazar, Dist-Birbhum.

In case outside limit of this Police Station, then the District Birbhum

Complainant / Informant: Name Sabyasachi Mondal

Father's/Husband's Name

Date/Year of Birth (d) Nationality Indian

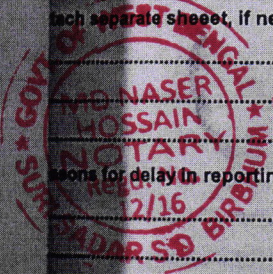
Passport No. Date of Issue. Place of Issue.

Occupation Assistant Director and Block Land & Land Reforms Officer

Address Md. Bazar, Birbhum

Names of known / suspected / unknown accused with full particulars ① Ravi Tudu ② Madhav Bittar

(Attach separate sheet, if necessary): and others.



Reasons for delay in reporting by the Complainant / Informant

Particulars of properties stolen / involved (Attached separate sheet, if necessary)

Value of properties stolen / involved

Report / U.D. Case No. if any

Contents (Attach separate sheets, if required):

The original written complaint of the complainant which is treated as FIR is, an overleaf.

Action taken: Since the above report reveals commission of offence(s) as mentioned at Item No.2, registered the case and took

Investigation / directed ASI Aban Kumar Mondal to take up investigation / refused

Location / transferred to P.S. on point of jurisdiction. FIR read over to the

Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Signature of Complainant / Informant Sabyasachi Mondal 19/06/2024

Signature of the Officer in Charge, Police Station Dibakar Ch. Soren
Name: Dibakar Ch. Soren
Rank: Sub. Police No. Md. Bazar P.

Time of despatch to the court:

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.) 173 BNSS
IN THE COURT OF ... Md. A. C. M. ... Suri, Birbhum

4522 26

Dist. Birbhum P.S. Md. Bazar Year 2024 FIR No. 221/24 Date 11.07.24

(I) Act BNS Sections 229(2)/303(2) (II) Act. Mines & Minerals Sections 21

(III) Act Sections (IV) Other Acts & Sections 4(1) of the M.M.P.R. Act

(a) Occurrence of offence : day Thursday Date from Date to 11.07.24

Time period Time from Time to not mentioned

(b) Information Received at P.S. Date 11.07.24 Time 2.10.5 hrs

(c) General Diary Reference : Entry No(s) 633 Time 2.10.5 hrs

Type of Information : Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. 2.0 km approx North Beat No. Amul ... JL: 37

(b) Address Nischintapur Mauza, Dist no 37, Plot no 65 (Pethar khadar)

P.S. Md. Bazar, Dist- Birbhum

(c) In case outside limit of this Police Station, then the name of the P.S. District

Complainant / Informant:

(a) Name Sehyasachi Mandal

(b) Father's/Husband's Name

(c) Date/Year of Birth (d) Nationality

(e) Passport No Date of Issue Place of Issue

(f) Occupation Assistant Director and Block Land & Land Return Officer

(g) Address Md. Bazar, Birbhum

Details of known / suspected / unknown accused with full particulars 1 Salauddin SK of Santshel

(Attach separate sheet, if necessary) : 2 Prasenjit Karmakar and others.

Reasons for delay in reporting by the Complainant / Informant

Particulars of properties stolen / Involved (Attached separate sheet, if necessary)

Total value of properties stolen / Involved

Inquest Report / U.D. Case No, if any

FIR Contents (Attach separate sheets, if required):

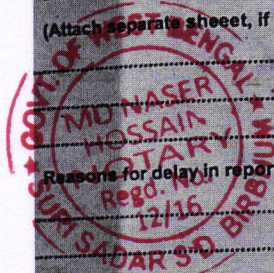
The original written complaint of the complainant which is treated as FIR is an over-leaf.

Action taken : Since the above report reveals commission of offence(s) as mentioned at Item No.2, registered the case and took the investigation / directed Asst. Saiful Islam to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the complainant / informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Signature of Thumb Impression of the complainant Sehyasachi Mandal

Date & time of deposit to the court:

Signature of the Officer in Charge, Police Station [Signature]
Name : Dibakar Ch. Samal
Rank : S.I. of Police No. ...



FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.) 173 BNSS
IN THE COURT OF ... Ld. A.C.J.M. Suri, Birbhum

27

4528

Dist. Birbhum P.S. Md Bazar Year 2024 FIR No. 222/24 Date 11.07.24

(I) Act. BNS Sections 329(3)/303(2) (II) Act. Minor & Mischief Sections 21

(iii) Act. Sections (iv) Other Acts & Sections 4(1) of the MMAR Act

(a) Occurrence of offence : day Thursday Date from Date to 11.07.24

Time period Time from Time to not mentioned

(b) Information Received at P.S. Date 11.07.24 Time 21:15 hrs

(c) General Diary Reference : Entry No(s) 634 Time 21:15 h

Type of Information : Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. 10km approx North Beat No. Archel-II JL-36

(b) Address Dewanganj Mouza, J.L no. 36, Plot no. 61 (Pattar Khadar)
P.S. - Md Bazar, Dist - Birbhum

(c) In case outside limit of this Police Station, then the Name of the P.S. District

Complainant / Informant: (a) Name Sabyasachi Mondal

(b) Father's/Husband's Name

(c) Date/Year of Birth (d) Nationality

(e) Passport No. Date of Issue. Place of Issue.

(f) Occupation Assistant Director and Block Land & Land Reform officer

(g) Address Md. Bazar, Birbhum

Details of known / suspected / unknown accused with full particulars 1 Dilip Khemka s/o Girdhorilal
(Attach separate sheet, if necessary): 2 Palash Sen and others.

Reasons for delay in reporting by the Complainant / Informant

Particulars of properties stolen / involved (Attached separate sheet, if necessary)

Total value of properties stolen / involved

Inquest Report / U.D. Case No, if any

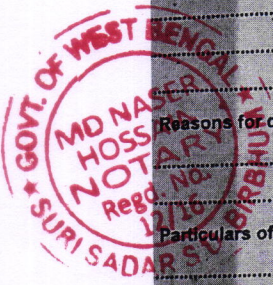
FIR Contents (Attach separate sheets, if required):

The original written complaint of the complainant which is filed on FIR is an overleaf.

Action taken : Since the above report reveals commission of offence(s) as mentioned at Item No.2, registered the case and took the investigation / directed 1st Tarak Nath Sengupta to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the complainant / informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Signature of Sabyasachi Mondal
Thumb Impression
of the complainant 11/7/24
Assistant Director & Block Land & Land Reform Officer
Md. Bazar, Birbhum
Date & time of despatch to the court:

Signature of the Officer in Charge, Police Station
Name: Dibakar Ch Soren
Rank: S.I of Police No. Md. Bazar



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA.

Original Application No. 154/2024/EZ
[Earlier O.A. No. 722/2024/PB]

In the matter of:

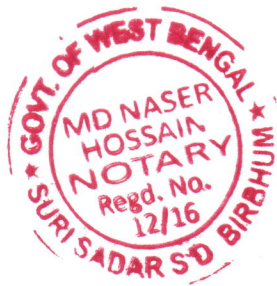
News item titled “Birbhum- a proposed
Coal mine in West Bengal and the related
health hazards” appearing in the Hindu
dated 12.05.2024

...Applicant (s)

Versus

The Central Pollution Control Board &
Ors.

...Respondent (s)



REPLY FILED ON BEHALF OF THE
RESPONDENT NO.4/THE DISTRICT
MAGISTRATE, BIRBHUM.

Sudip Kumar Dutta
Advocate
Mobile No.9874782072