

In the National Green Tribunal  
Eastern Zone Bench  
Kolkata

O.A. No. 04/2025/EZ of 2024

In the matter of  
Budhan Maji and Others  
.... Petitioners  
Versus

The Union of India and Others

..... Respondents

Index

Sl No.	Particulars	Annexure	Pages
1.	Synopsis of facts	-	1-4
2.	List of Dates	-	5-6
3.	Application with affidavit	-	7-59
4.	Copy of the Memorandum dated 29 <sup>th</sup> October, 2003 and the decision dated 8 <sup>th</sup> November, 2005 and Memo dated 23.03.2015	A-1	60-68
5.	Copy minutes of the proceedings dated 2 <sup>nd</sup> December, 2010 and the relevant Memo dated 27 <sup>th</sup> August, 2021	A-2	69-80
6.	Photographs corroborating the issue	A-3	81-88
7.	Photocopy of Memo being Memo No. 06/IND dated 13/01/2016	A-4	89-
8.	Photocopies of Representations	A-5	90-102
9.	Vakalatnama	-	



05 DEC 2024

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Synopsis of Facts

On 29<sup>th</sup> October, 2003 The Joint Secretary to the Government of West Bengal, commerce and Industries Department, vide Memo No. 304-CI-0-/Coal/023/03/MI dated 29.10.2003 intimated the Joint Secretary to the Land and Land Reforms Department, Government of West Bengal for identification of some lands in the Districts of Bankura as well as Birbhum for mining of coal and thereby directed restriction and settlement and/or transfer of such lands for the time being.

Pursuant thereto, on 8<sup>th</sup> November, 2005 vide Notification No. 370-CI/o/Coal/01/04/MI dated 8<sup>th</sup> November, 2005 the Joint Secretary to the Commerce and Industries Department, the Government of West Bengal intimated the Managing Director West Bengal Mineral Development and Trading Corporation Limited of such decision taken



05 DEC 2024

by the Ministry of Commerce and Industry and requested them to start the Land Acquisition proceedings.

On 5<sup>th</sup> October, 2010 The State of West Bengal, acquired the required land of about 697 acres of land lying and situated at Seven Mouzas namely Sitarampur, Shalgara, Kishoripur, Jaysinghapur, Ronalejora, Bhagabanpur, Raghunathpur, Paharpur and Krishnananagar in the District of Bankura for mining Coal at Trans Damodar Sector Coal Block under Ranigunj Coal Fields.

On 2<sup>nd</sup> December, 2010 meeting was held between the land losers and the Authorities of the Trans Damodar Coal Project in presence of District Magistrate Bankura, whereby and where under a final shape was given to the said rehabilitation and resettlement package.

But unfortunately, on 13<sup>th</sup> January, 2016 by issuing Memo the District Administration though under an obligation to take steps to mitigate and eliminate such grievances and inconveniences of the local people, however, to the utter dismay, communicated that such grievances are to be addressed to the Authority of the WBMDTCL and DPL for their redress and on 27<sup>th</sup> August, 2021 Relevant Memo in respect of the above has been issued.

On 3<sup>rd</sup> August, 2022 the Applicants made representation to the Block Development Officer, Barjora Development Block, Bankura, but no positive response thereto has come out as yet.

The inhabitants of Chunpora village are the most affected, though their lands have not been lawfully acquired for the said projects, they could not use, utilize or even enjoy the same for their own way moreover the Air, Water, Land and the Environment of the area polluted day by



day due to such illegal mining and mining activities and transportation of the said mines.

The lands as well as agricultural lands of the said village are getting waterlogged with waste water coming out of the mines for which it has become impossible to utilise such lands for the purpose of cultivation and/or any other purposes also. Such types of indiscriminate illegal mining throughout the area is a major factor of pollution of land and its degradation. Despoliation of natural landscape through spoil heaps and excavation, reduction in forest and agricultural areas, air and water pollution are the natural and obvious consequences of such type of large scale illegal mining operation in the area in question.

The blasting in the mines are regularly being carried out without following the norms and as close as within 200 feet of the residential areas of Chunpora village and also without maintaining any distance as agreed from the roads including state high way leading to its damage and destruction. The consequence of such blasting causing noise in high scale beyond the tolerance level of any human being and such indiscriminate and illegal blasting causing noise pollution with Air Pollution.

That as a consequences of such unplanned and haphazard mining and blasting, most of the residential houses have developed cracks and some of them collapsed as well. The situation is so grim that the residents of the village are living under constant fear of losing their lives as well as their properties. Their access to the public roadways has also been seriously affected and the entire locality has virtually become a quagmire.



That no damage compensation have been paid or even thought of to be paid by the Respondent Authorities in spite of being otherwise well aware of the entire situation, the villagers of Chunpora have neither got any benefit of the Rehabilitation and Resettlement packages as has been promised to them nor were they given any employment in the Respondent organisations and/or under their control and management as envisaged in the scheme since their lands have not been formally acquired under the law as yet, though indiscreet mining is otherwise going on all around their vicinity, and moreover they are the worst suffer of the various types of pollution and health hazards causing thereby making their lives hell.

The Applicants whenever put efforts to protest against such deprivation and unplanned mining activities, they are being threatened of dire consequences and intimidated by implicating them in false criminal cases. Ventilating all these grievances, the Petitioners have caused to make series of representations before the Respondent Authorities stating all the facts and problems which the people of the Chunpora village are facing, but all were in vain.

Hence this Application



## List of Dates

29<sup>th</sup> October, 2003

The Joint Secretary to the Government of West Bengal, commerce and Industries Department, vide Memo No. 304-CI-0-/Coal/023/03/MI dated 29.10.2003 intimated the Joint Secretary to the Land and Land Reforms Department, Government of West Bengal for identification of some lands in the Districts of Bankura as well as Birbhum for mining of coal and thereby directed restriction and settlement and/or transfer of such lands for the time being.

8<sup>th</sup> November, 2005

Vide Notification No. 370-CI/o/Coal/01/04/MI dated 8<sup>th</sup> November, 2005 the Joint Secretary to the Commerce and Industries Department, the Government of West Bengal intimated the Managing Director West Bengal Mineral Development and Trading Corporation Limited of such decision taken by the Ministry of Commerce and Industry and requested them to start the Land Acquisition proceedings.

5<sup>th</sup> October, 2010

State acquired the required land of about 697 acres of land lying and situated at Seven Mouzas namely Sitarampur, Shalgara, Kishoripur, Jaysinghapur, Ronalejora, Bhagabanpur, Raghunathpur, Paharpur and Krishnananagar in the District of Bankura for mining Coal at Trans Damodar Sector Coal Block under Ranigunj Coal Fields.



- 2<sup>nd</sup> December, 2010 Meeting was held between the land losers and the Authorities of the Trans Damodar Coal Project in presence of District Magistrate Bankura, whereby and where under a final shape was given to the said rehabilitation and resettlement package.
- 13<sup>th</sup> January, 2016 Issuing Memo the District Administration though under an obligation to take steps to mitigate and eliminate such grievances and inconveniences of the local people, however, to the utter dismay, communicated that such grievances are to be addressed to the Authority of the WBMDTCL and DPL for their redress.
- 27<sup>th</sup> August, 2021 Relevant Memo dated 27<sup>th</sup> August, 2021 in respect of the above issued.
- 3<sup>rd</sup> August, 2022 Applicants made representation to the Block Development Officer, Barjora Development Block, Bankura, but no positive response thereto has come out as yet.



In the National Green Tribunal  
Eastern Zone Bench  
Kolkata

O.A. No.                      of 2024 (EZ)

In the matter of  
An Application under Sections 14,  
15, 18, and 20 of the National  
Green Tribunal Act, 2010

And

In the matter of  
Air,        Water,        Land        and  
Environmental Pollution

And

In the matter of  
The Environment (Protection) Act,  
1986

And

In the matter of  
The Air (Prevention and Control of  
Pollution) Act, 1981

And



In the matter of  
The Water (Prevention and Control  
of Pollution Act, 1974

And

In the matter of  
The Land Pollution

And

In the matter of

1. Budhan Maji, son of Late Amulya Maji, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura - 722202,
2. Prasanta Maji, son of Late Amulya Maji, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura - 722202,
3. Dukhamay Maji, son of Late Amulya Maji, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura - 722202,



4. Rahul Bhui, son of Fatik Chandra Bhui, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura - 722202,
5. Sanjoy Kumar Roy, son of Late Kalipada Roy, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura - 722202,

All the above named applicants are represented by -

Sagarmay Ghosh,

Advocate,

Bar Association, Room No. 6,  
The High Court at Calcutta,  
Kolkata - 700001,

Email - sagarmayadv@gmail.com

.... Applicants

Versus

1. The Union of India, service through the Special Secretary, to the Ministry of Environment, Forests and Climate Change, Government of India, having Office at Jor Bagh

Road, Lodi Colony, New Delhi,  
Delhi, Pin - 110003.

Email - secy-moef@nic.in

2. The Ministry of Environment, Forests and Climate Change, Government of India, Eastern Zone Office, service through the Additional Principal Chief Conservator of Forests (c), Regional Office (EZ), having Office at A/3, Chandersekharpur, Bhubaneswar, Pin - 751023, Odisha,  
Email - roez.bsr-mef@nic.in
3. The Secretary, Ministry of Coal, Government of India, having Office at A - Wing, Shastri Bhawan, Dr. Rajendra Prasad Marg, New Delhi - 110001,  
Email - secy.moc@nic.in
4. The Director General of Mines Safety, Ministry of Labour and Employment, Government of India, Sitarampur Region No. II, Eastern Zone, Post Office - Sitarampur, District - Paschim Bardhaman, Pin - 713359,  
Email - ezsitarampur.r2@gmail.com

5. The Principal Secretary, The Department of Environment, Government of West Bengal, having Office at Pranisampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector - III, Salt Lake, Kolkata - 700098, Email - psecy.env-wb@gov.in
6. The West Bengal Mineral Development and Trading Corporation Limited, service through the Chairmen - Cum - Managing Director, having Office at 3<sup>rd</sup> Floor, DJ - 10, WBIIDC Building, DJ Block, Sector - II Salt Lake City, Kolkata - 700091, Email - wbmdtcltd@gmail.com  
mdwbmdtcl@gmail.com
7. The Durgapur Projects Limited, service through the Chairman, having Office at Dr. B.C. Roy Avenue, Durgapur, District - Paschim Bardhman, Pin - 713201, Email - admin@dpl.net.in
8. The District Magistrate, Bankura, having Office at Administrative Building, Bankura Collectorate, Post Office and Police Station - Bankura, District - Bankura, Pin - 722101,

Email – dm-bank@nic.in

9. The Block Development officer, Barjora Development Block, Post and Police Station – Borjora, District – Bankura, Pin – 722202, Email – bdo.barjora2018@gmail.com
10. The Superintendent of Police, Bankura, Post Office and Police Station – Bankura, District – Bankura, Pin – 722101, Email – spbankura@gmail.com
11. The Inspector In Charge, Barjora Police Station, Post Office – Bankura, District – Bankure, Pin 722202, Email – psbarjora@policewb.gov.in
12. The Sub Divisional Officer, Bankura Sadar Sub Division, having Office at Bankura, West Bengal, Pin – 722101, Email – sdosadarbankura@gmail.com
13. The Central Pollution Control Board, represented by its Member Secretary, having Office at Parivesh Bhawan, East Arjun Nagar, Delhi, Pin – 110032,

Email – mscb.cpcb@nic.in

14. The West Bengal Pollution Control Board, represented by its Member Secretary, having Office at Paribesh Bhavan, 10A, Block – LA, Sector – III, Bidhannagar, Kolkata – 700106, West Bengal,  
Email – net.wbpcb-wb@bangla.gov.in

..... Respondents

To,

The Hon'ble Chairperson, National Green Tribunal, Eastern Zone Bench at Kolkata and His Companion Members of the said Hon'ble Tribunal

The humble petition of the Applicants above named

Most Respectfully Showeth

1. The respective address of the Applicants given herein above are for service of Notices of the instant Application.
2. The respective address of the Respondents are given herein above for the service of Notices of the instant Application.

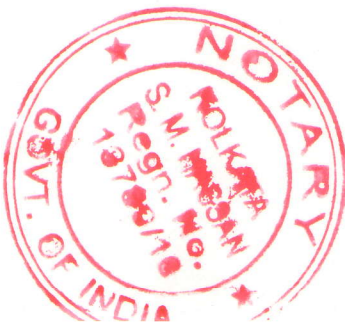


vide Memo No. 304-CI-0-/Coal/023/03/MI dated 29.10.2003 intimated the Joint Secretary to the Land and Land Reforms Department, Government of West Bengal and vide Memo No. 303(3)-CI-O[/Coal/023/03/MI dated 29.10.2003 intimated the District Magistrates of Bankura, Birbhum and Purulia for identification of some lands in the Districts of Bankura as well as Birbhum for mining for mining of coal and thereby directed restriction and settlement and/or transfer of such lands for the time being.

8. The Applicants state that pursuant to the said decision dated 5<sup>th</sup> October, 2010 by the Ministry of Commerce and Industry, Government of West Bengal the State acquired the required land of about 697 acres of land lying and situated at Seven Mouzas namely Sitarampur, Shalgara, Kishoripur, Jaysinghapur, Ronalejora, Bhagabanpur, Raghunathpur, Paharpur and Krishnananagar in the District of Bankura for mining Coal at Trans Damodar Sector Coal Block under Ranigunj Coal Fields.

9. The Applicants state that subsequently, vide another Notification No. 370-CI/o/Coal/01/04/MI dated 8<sup>th</sup> November, 2005 the Joint Secretary to the Commerce and Industries Department, the Government of West Bengal intimated the Managing Director West Bengal Mineral Development and Trading Corporation Limited (hereinafter referred to as WBMDTCL) of such decision taken by the Ministry of Commerce and Industry and requested them to start the Land Acquisition proceedings. The issues went up to the Hon'ble Supreme Court of India regarding such allotment of Coal Block amongst others.

10. The Applicants state that thereafter, certain development cropped up and subsequently, the said WBMDTCL was appointed as the advisor-cum-mining agents of said Durgapur Projects Limited



(hereinafter referred to as DPL) in respect of operation of the said Trans Damodar Coal Block, which was obtained by DPL through auction from the nominated Authority, Ministry of Coal, Government of India.

Copies of the said Memorandum dated 29<sup>th</sup> October, 2003 and the decision taken by the Ministry of Commerce and Industry, Government of West Bengal the notification dated 8<sup>th</sup> November, 2005 and Memo dated 23.03.2015 are annexed hereto and collectively marked with the letter "A-1".

11. The Applicants state that amidst acquisition proceedings having been initiated, talks went on for rehabilitation of the affected persons in respect of the said project and the rehabilitation and resettlement package was revised a couple of times and ultimately on 2<sup>nd</sup> December, 2010 a meeting was held between the land losers and the Authorities of the Trans Damodar Coal Project in presence of District Magistrate Bankura, whereby and where under a final shape was given to the said rehabilitation and resettlement package.

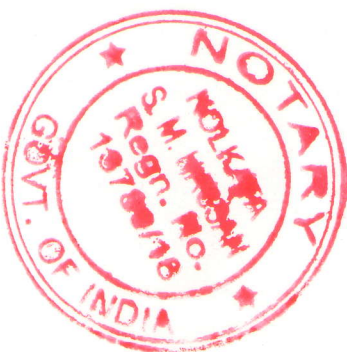
12. The Applicants state that in the said rehabilitation and resettlement packages, various terms and conditions were discussed and agreed upon by the concerned interested persons and/or stakeholders regarding acquisition of lands upon giving due, adequate and just compensation and employment to the land losers and even providing for resettlement of them prior to the starting of any mining activities, however, nothing significant was done thereafter, and substantial portion of the proposed land acquisition was also held up.

13. The Applicants state that the entire area of land comprising the village Chunapara has not at all been acquired as yet.



14. The Applicants state that as per the schemes of the Coal mines project various terms and conditions as well as safety measures have been postulated by the Respondent Authorities which were/are to be followed and/or undertaken by the competent Authorities before initiation and during the process of mining in the said area, some of those are –

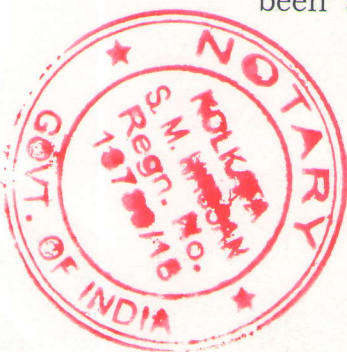
- i) Not to initiate and/or undertake any mining activities or infrastructural development pertaining thereto prior to initiation of direct purchase of alternative lands for resettlement of the residents of Chunpora and Bhirkasol village.
- ii) The opencast working shall not be extended in areas unless the land in question has been acquired by the M/S Durgapur Projects Limited.
- iii) No blasting for removal of overburden or for extraction of coal is permitted within 100 meters of any structure and/or building not belonging to the Authorities of M/S Durgapur Projects Limited (hereinafter called and referred to as the DPL) or any public road, unless permission as required under the Law is obtained.
- iv) Owners of structures, dwelling houses and lands not belonging to the DPL and habitants and/or occupants of such dwelling and/or building shall be indemnified against damage of property and/or injury to persons if arises, due to mining operations.



- v) No blasting shall be done within 100 meters distance from the State Highway No. 9 until the same is shifted beyond the danger zone of blasting.
- vi) No blasting shall be done within 100 meters distance from the structure of Bhikrasol and Chunpora village until the same is shifted beyond the danger zone of blasting.
- vii) Any displaced families shall each be provided with 550 square feet of built up houses on 2 kathas of developed lands.
- viii) Opportunity of employment to be provided to the land losers.
- ix) Compensation to be paid to the affected agricultural labourers.
- x) Owing to such mining activities if any environmental pollution or inconvenience is caused to the people of the locality, District Administration shall take immediate steps to mitigate or eliminate the same.

Copy of the relevant extracts of the minutes of the proceedings dated 2<sup>nd</sup> December, 2010 are the relevant Memo dated 27<sup>th</sup> August, 2021 in respect of the above are annexed hereto and collectively marked as Annexure "A-2"

15. The Applicants state that out of 697 acres of land which was proposed to be acquired only about 282.45 acres of land has admittedly been acquired till date, the process of acquisition in respect of the



balance amount of land is being held up for an indefinite period of time but the mining process is going on rampantly in a haphazard manner affecting the whole area and causing environmental hazards.

16. The Applicants state that the Chunpora village constitute of land under Mauza- Shalgara, and no portion of land of such Mauza has yet been acquired. However, such irresponsible and haphazard mining de-hors the relevant scheme and agreed terms and conditions has posed a serious threat to the lives, properties and environment of the inhabitants of the Chunpora Village and its vicinity at large.

17. The Applicants state that owing to indiscreet blasting and mining, deep creaks and crevasses are regularly coming up in the existing houses and building constructions of the area damaging them at their foundations.

18. The Applicants state that apart from the above the Public roads of the area have also been made to suffer serious damages and landslides owing to such unplanned, unmethodical indiscriminate mining. Basic civic infrastructures, amenities and facilities of the locale are also largely affected as a consequences of such irregular and uncontrolled mining, resulting thereby almost complete blockage of drainage and sewerage system of the said locality.

19. The Applicants state that perennial water logging has become a common phenomenon in the said locality.

20. The Applicants state that due to lack of resettlement and rehabilitation, the people of the said locality are also being seriously subjected to the wrath of pollution owing to such inexpedient mining activities.



21. The Applicants state that agricultural lands are going damaged or otherwise encroached upon by mining activities in unauthorized manner.

Photographs corroborating the issued stated herein above are attached herewith and collectively marked as Annexure "A-3".

22. The Applicants raised objections and made several representations in respect of such illegal and unauthorized activities, but such illegal and unauthorized mining operations of the said project have been going on affecting the entire earmarked area notwithstanding only few acres of land having been actually an officially acquired out of their total 697 acres of proposed land acquisition, thereby gravely affecting the people, their lives and environment of the vast area.

23. The Applicants state that the inhabitants of Chunpora village are the most affected, though their lands have not been lawfully acquired for the said projects, they could not use, utilize or even enjoy the same for their own way moreover the Air, Water, Land and the Environment of the area polluted day by day due to such illegal mining and mining activities and transportation of the said mines.

24. The Applicants state that the lands as well as agricultural lands of the said village are getting waterlogged with waste water coming out of the mines for which it has become impossible to utilise such lands for the purpose of cultivation and/or any other purposes also. Such types of indiscriminate illegal mining throughout the area is a major factor of pollution of land and its degradation. Despoliation of natural landscape through spoil heaps and excavation, reduction in forest and agricultural areas, air and water pollution are the natural and obvious consequences

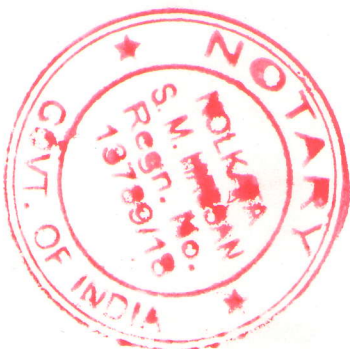


of such type of large scale illegal mining operation in the area in question.

25. The Applicants state that the blasting in the mines are regularly being carried out without following the norms and as close as within 200 feet of the residential areas of Chunpora village and also without maintaining any distance as agreed from the roads including state high way leading to its damage and destruction. The consequence of such blasting causing noise in high scale beyond the tolerance level of any human being and such indiscriminate and illegal blasting causing noise pollution with Air Pollution.

26. The Applicants state that as a consequences of such unplanned and haphazard mining and blasting, most of the residential houses have developed cracks and some of them collapsed as well. The situation is so grim that the residents of the village are living under constant fear of losing their lives as well as their properties. Their access to the public roadways has also been seriously affected and the entire locality has virtually become a quagmire.

27. The Applicants state and reiterate that no damage compensation have been paid or even thought of to be paid by the Respondent Authorities in spite of being otherwise well aware of the entire situation, the villagers of Chunpora have neither got any benefit of the Rehabilitation and Resettlement packages as has been promised to them nor were they given any employment in the Respondent organisations and/or under their control and management as envisaged in the scheme since their lands have not been formally acquired under the law as yet, though indiscreet mining is otherwise going on all around their vicinity, and moreover they are the worst suffer of the



various types of pollution and health hazards causing thereby making their lives hell.

28. The Applicants state that whenever they unitedly put efforts to protest against such deprivation and unplanned mining activities, they are being threatened of dire consequences and intimidated by implicating them in false criminal cases. Ventilating all these grievances, the Petitioners have caused to make series of representations before the Respondent Authorities stating all the facts and problems which the people of the Chunpora village are facing, but all were in vain.

29. The Applicants state that in terms of the said Agreement dated 2<sup>nd</sup> December, 2010 the District Administration is under an obligation to take steps to mitigate and eliminate such grievances and inconveniences of the local people, however, to the utter dismay, by Memo dated 13<sup>th</sup> January, 2016 it was communicated from the Office of the District Magistrate, Bankura that such grievances are to be addressed to the Authority of the WBMDTCL and DPL for their redress.

Photocopy of the said Memo being Memo No. 06/IND dated 13/01/2016 is annexed hereto and marked with the letter "A-4".

30. The Applicants state that series of Representations were subsequently made before the WBMDTCL and DPL as well, but no fruitful result did bear. The predicament is aggravating day by day. In the circumstances, the Applicants made another representation to the Block Development Officer, Barjora Development Block, Bankura on 3<sup>rd</sup> August, 2022 regarding the matter in hand, but no positive response thereto has come out as yet.



31. The Applicants state that the Respondent WBMDTCL and DPL above are continuing with their rampant haphazard mining forcefully under the active indulgence of the local and District Administrative Authorities without paying any heed to the bonafide objections and grievances of the Public at large particularly of Chunpora village and thereby showing a thumb to the Rule of Law making the lives of inhabitants of the said village disastrous and polluting the wholesome environment of the area at large.

Photocopies of some of the Representations and/or objections are annexed hereto and collectively marked with the letter "A-5".

32. The Applicants state that despite such apparent unplanned and unauthorized mining operations and activities depriving the local residents of their lives and properties and despite violating the safety measures and the agreed package for rehabilitation essential for the purpose of implementation of such projects and subsistence of the repeated objections and representations made by the Applicants in respect thereof the Respondents Authorities have not taken any efficacious steps in respect thereof.

33. The Applicants state that the Respondent Authorities unable and/or failed to redress the problem in question sympathetically rather sat tight over the issue in question, the Respondent Authority completely ignored the rehabilitation and resettlement issue of the affected persons rather encourage the wrongdoers to escalate the pain and agony of the thousands sufferers of such illegal and unauthorized mining activities perpetrated by some of the Respondent Authority and thereby encourage to perpetrate the causes of environmental degradation whatsoever.



34. The Applicants state that as the instant original Application is being filed under Sections 14, 15, 18, 19 and 20 of the National Green Tribunal Act, 2010 to challenge the significant issue of unwarranted Air pollution due to dust caused by coal residue accumulated along roadside as well as the rampant plying of thousands of Trucks, Dumper, Tipper and over the village non-metal roads apart from that pollution caused due to leakage of industrial dust effluents into nearby farm lands and water bodies. The Pollution primarily stems from the unregulated transportation of coal via Trucks, Dumper, Tipper leading to adverse environmental impacts and suffocating the nearby areas with such Air Pollution beyond tolerable level.

35. The Applicants are mainly hailing from the local areas which are worst affected by such acts of indiscriminate use and plying of vehicles thousand in numbers, if not more and those inhabitants of the said area and adjoining area are suffering from such pollution, and as those people of the locality are basically farmers, their farmlands has been indirectly affected by the said Pollution.

36. The Applicants state that it is worthwhile to mention herein that on daily basis around 7,000 to 12,000 coal loaded trucks plying of from and to the coal mines to different places within the State of West Bengal and/or other States the passage of those trucks mostly happens within the village and/or by using the village roads and adjacent roads as well as connecting roads to and including State High way which is also a congested and narrow one and causing the lives of the inhabitants of the locality and adjacent locality miserable and they apart from other diseases suffering from respiratory problems leading to cancer.

37. The Applicants state that most of the trucks do not take any preventive and precautionary measures so that the dust particularly the



coal dust from the trucks leaks outside and contaminate the entire environment and pollutes the vicinity leading to sufferings and pains to the inhabitants at large, including children and aged persons and due to such reasons the said area now becomes most polluted area in the State as well.

38. The Applicants state that it is noteworthy to mention here that because of leakage of coal dust from those trucks a large quantity of coal dust lies on both sides of the roads and subsequently, such accumulated coal dust becomes major cause of pollution of the area concerned specifically causing Air and Land Pollution, not only it contaminated the Air quality but it is a cause of damaging the fertility of the Land and the Agricultural activities become mostly affected thereby.

39. The Applicants state that not only the house holds many school, both primary and upper primary level, collages and other educational institutions hospitals, health centers fall within the said route wherefrom the innumerable number of trucks are plying and because of such high amount of dust pollution most of the people including children and aged persons residing in the vicinity have started developing air borne disease and pulmonary diseases, and the conditioning is worsening day by day.

40. The Applicants state that the State Respondents virtually did nothing to reduce the pollution and has not brought any changes in the ground therefore, the scenario on the ground and the pollution is still very high. Moreover, it is also a matter of concern that most of trucks plying with the such coal, fly ash and other minerals did not use proper cover rather they did not use any sorts of cover at all and due to this most of the dust easily accumulated in the air.



41. The Applicants state that as per National Clean Air Programme (NACP) an air quality management cell have to be formed for monitoring and/or controlling the air quality of the concerned area with an aim to keep check in the pollution in the area in question, but in practical sense nothing in that score is visible to the Applicants and no such activities of such cell is existing in the said area.

42. The Applicants state that taking into consideration the dire pollution condition in the said area the Central Pollution Control Board and the West Bengal Pollution Control Board being the Respondent Nos. (13) and (14) have neither conducted any study not prepared any report with an aim to take any immediate preventive steps to stop such pollution and/or to reduce the pollution level when conditions becomes dire and uncontrollable. There is no such pollution Emergency plan is existing in and for the area in question.

43. The Applicants state that despite all such requirements nothing has been done in practical sense to reduce and/or to curve the menace of pollution, the condition of Air, Land, Soil and Environment of the area in question is extremely critical even nearby waterbodies and firm lands has also been suffering because of such pollution.

44. The Applicants state that the above actions of the Respondents Authorities is nothing but colourable exercise of their power and the said Respondents are remaining silent which will take toll on ecosystem and cause irreparable loss to the environment as well as local people of the said area, negatively affects their lives who are mostly dependent on the natural resources of the said area.



45. The Applicants state that the aforesaid action and non-action of the Respondents give rise to substantial questions relating to environment as there is direct violation of specific statutory environmental obligations, the community at large along with the individuals, group of individuals like the Applicants are highly affected by environmental consequences, the gravity of damage to the environment and property is highly substantial, the damage to the public health and hygiene, community health and hygiene is broadly miserable, the environmental consequences relates to specific and point source of pollution as has been enumerated in Section 2(m) of the National Green Tribunal Act, 2010.

46. The Applicants submits that the instant Application has been filed under Sections 14, 15, 18, and 20 of the National Green Tribunal Act, 2010 to challenge the significant issue of unwarranted Air Pollution, Water Pollution, Land Pollution and Environmental Pollution causing by illegal and unauthorized mining and mining activities by the Respondent No. (7) in association and connivance with other Respondents.

47. The Applicants submit that they are espousing the cause of local thousands of inhabitants of the Chunpora Village, Post Office and Police Station - Barjora, District - Bankura - 722202, who are like the Applicants seriously affected by the Environment, Air and Land Pollutions due to illegal, unauthorized, haphazard and unplanned mining the of in the said area, being members of a group and/or large number of such concerned and affected people.

48. The Applicants submit that in the year 2003, the Joint Secretary to the Government of West Bengal, commerce and Industries Department, vide Memo No. 304-CI-0-/Coal/023/03/MI dated



29.10.2003 intimated the Joint Secretary to the Land and Land Reforms Department, Government of West Bengal and vide Memo No. 303(3)-CI-O[/Coal/023/03/MI dated 29.10.2003 intimated the District Magistrates of Bankura, Birbhum and Purulia for identification of some lands in the Districts of Bankura as well as Birbhum for mining for mining of coal and thereby directed restriction and settlement and/or transfer of such lands for the time being.

49. The Applicants submit that pursuant to the said decision dated 5<sup>th</sup> October, 2010 by the Ministry of Commerce and Industry, Government of West Bengal the State acquired the required land of about 697 acres of land lying and situated at Seven Mouzas namely Sitarampur, Shalgara, Kishoripur, Jaysinghapur, Ronalejora, Bhagabanpur, Raghunathpur, Paharpur and Krishnananagar in the District of Bankura for mining Coal at Trans Damodar Sector Coal Block under Ranigunj Coal Fields.

50. The Applicants submit that subsequently, vide another Notification No. 370-CI/o/Coal/01/04/MI dated 8<sup>th</sup> November, 2005 the Joint Secretary to the Commerce and Industries Department, the Government of West Bengal intimated the Managing Director West Bengal Mineral Development and Trading Corporation Limited (hereinafter referred to as WBMDTCL) of such decision taken by the Ministry of Commerce and Industry and requested them to start the Land Acquisition proceedings.

51. The Applicants submit that the issues went up to the Hon'ble Supreme Court of India regarding such allotment of Coal Block amongst others.



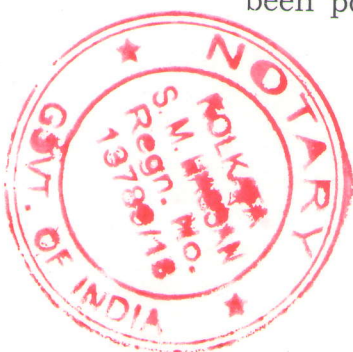
52. The Applicants submit that thereafter, certain development cropped up and subsequently, the said WBMDTCL was appointed as the advisor-cum-mining agents of said Durgapur Projects Limited (hereinafter referred to as DPL) in respect of operation of the said Trans Damodar Coal Block, which was obtained by DPL through auction from the nominated Authority, Ministry of Coal, Government of India.

53. The Applicants submit that amidst acquisition proceedings having been initiated, talks went on for rehabilitation of the affected persons in respect of the said project and the rehabilitation and resettlement package was revised a couple of times and ultimately on 2<sup>nd</sup> December, 2010 a meeting was held between the land losers and the Authorities of the Trans Damodar Coal Project in presence of District Magistrate Bankura, whereby and where under a final shape was given to the said rehabilitation and resettlement package.

54. The Applicants submit that in the said rehabilitation and resettlement packages, various terms and conditions were discussed and agreed upon by the concerned interested persons and/or stakeholders regarding acquisition of lands upon giving due, adequate and just compensation and employment to the land losers and even providing for resettlement of them prior to the starting of any mining activities, however, nothing significant was done thereafter, and substantial portion of the proposed land acquisition was also held up.

55. The Applicants submit that the entire area of land comprising the village Chunapara has not at all been acquired as yet.

56. The Applicants submit that as per the schemes of the Coal mines project various terms and conditions as well as safety measures have been postulated by the Respondent Authorities which were/are to be



followed and/or undertaken by the competent Authorities before initiation and during the process of mining in the said area.

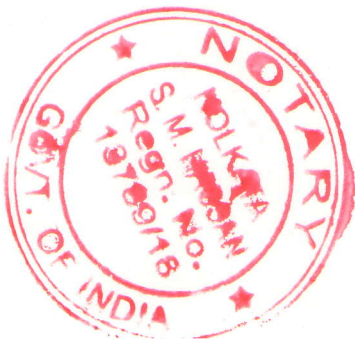
57. The Applicants submit that it was suggested by the Authority not to initiate and/or undertake any mining activities or infrastructural development pertaining thereto prior to initiation of direct purchase of alternative lands for resettlement of the residents of Chunpora and Bhirkasol village.

58. The Applicants submit that it was agreed by the Authority that opencast working shall not be extended in areas unless the land in question has been acquired by the M/S Durgapur Projects Limited.

59. The Applicants submit that it was suggested by the Authority that no blasting for removal of overburden or for extraction of coal is permitted within 100 meters of any structure and/or building not belonging to the Authorities of M/S Durgapur Projects Limited (hereinafter called and referred to as the DPL) or any public road, unless permission as required under the Law is obtained.

60. The Applicants submit that it was also suggested by the Authority that the owners of structures, dwelling houses and lands not belonging to the DPL and habitants and/or occupants of such dwelling and/or building shall be indemnified against damage of property and/or injury to persons if arises, due to mining operations.

61. The Applicants submit that it was proposed by the Authority that no blasting shall be done within 100 meters distance from the State Highway No. 9 until the same is shifted beyond the danger zone of blasting.



62. The Applicants submit that it was also suggested by the Authority that no blasting shall be done within 100 meters distance from the structure of Bhikrasol and Chunpora village untill the same is shifted beyond the danger zone of blasting.

63. The Applicants submit that it was suggested by the Authority that owing to such mining activities if any environmental pollution or inconvenience is caused to the people of the locality, District Administration shall take immediate steps to mitigate or eliminate the same.

64. The Applicants submit that out of 697 acres of land which was proposed to be acquired only about 282.45 acres of land has admittedly been acquired till date, the process of acquisition in respect of the balance amount of land is being held up for an indefinite period of time but the mining process is going on rampantly in a haphazard manner affecting the whole area and causing environmental hazards.

65. The Applicants submit that the Chunpora village constitute of land under Mauza- Shalgara, and no portion of land of such Mauza has yet been acquired. However, such irresponsible and haphazard mining de-hors the relevant scheme and agreed terms and conditions has posed a serious threat to the lives, properties and environment of the inhabitants of the Chunpora Village and its vicinity at large.

66. The Applicants submit that owing to indiscreet blasting and mining, deep creaks and crevasses are regularly coming up in the existing houses and building constructions of the area damaging them at their foundations.



67. The Applicants submit that apart from the above the Public roads of the area have also been made to suffer serious damages and landslides owing to such unplanned, unmethodical indiscriminate mining.

68. The Applicants submit that basic civic infrastructures, amenities and facilities of the locale are also largely affected as a consequences of such irregular and uncontrolled mining, resulting thereby almost complete blockage of drainage and sewerage system of the said locality.

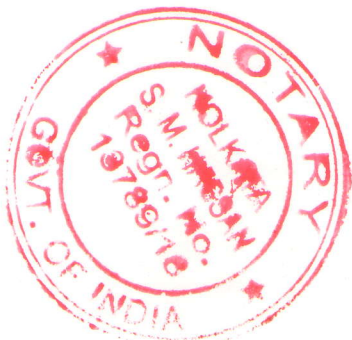
69. The Applicants submit that perennial water logging has become a common phenomenon in the said locality.

70. The Applicants submit that due to lack of resettlement and rehabilitation, the people of the said locality are also being seriously subjected to the wrath of pollution owing to such inexpedient mining activities.

71. The Applicants submit that agricultural lands are going damaged or otherwise encroached upon by mining activities in unauthorized manner.

72. The Applicants submit that such illegal and unauthorized mining operations of the said project have been going on affecting the entire earmarked area notwithstanding only few acres of land having been actually an officially acquired out of their total 697 acres of proposed land acquisition, thereby gravely affecting the people, theirs lives and environment of the vast area.

73. The Applicants submit that the inhabitants of Chunpora village are the most affected, though their lands have not been lawfully



acquired for the said projects, they could not use, utilize or even enjoy the same for their own way moreover the Air, Water, Land and the Environment of the area polluted day by day due to such illegal mining and mining activities and transportation of the said mines.

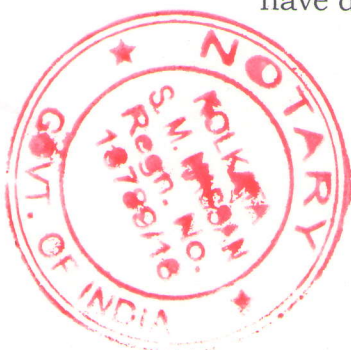
74. The Applicants submit that the lands as well as agricultural lands of the said village are getting waterlogged with waste water coming out of the mines for which it has become impossible to utilise such lands for the purpose of cultivation and/or any other purposes also.

75. The Applicants submit that such types of indiscriminate illegal mining throughout the area is a major factor of pollution of land and its degradation. Despoliation of natural landscape through spoil heaps and excavation, reduction in forest and agricultural areas, air and water pollution are the natural and obvious consequences of such type of large scale illegal mining operation in the area in in question.

76. The Applicants submit that the blasting in the mines are regularly being carried out without following the norms and as close as within 200 feet of the residential areas of Chunpora village and also without maintaining any distance as agreed from the roads including state high way leading to its damage and destruction.

77. The Applicants submit that the consequence of such blasting causing noise in high scale beyond the tolerance level of any human being and such indiscriminate and illegal blasting causing noise pollution with Air Pollution.

78. The Applicants submit that as a consequences of such unplanned and haphazard mining and blasting, most of the residential houses have developed cracks and some of them collapsed as well.



79. The Applicants submit that the situation is so grim that the residents of the village are living under constant fear of losing their lives as well as their properties.

80. The Applicants submit that their access to the public roadways has also been seriously affected and the entire locality has virtually become a quagmire.

81. The Applicants submit that the villagers of Chunpora have neither got any benefit of the Rehabilitation and Resettlement packages as has been promised to them nor were they given any employment in the Respondent organisations and/or under their control and management as envisaged in the scheme since their lands have not been formally acquired under the law as yet, though indiscreet mining is otherwise going on all around their vicinity, and moreover they are the worst suffer of the various types of pollution and health hazards causing thereby making their lives hell.

82. The Applicants submit that whenever they unitedly put efforts to protest against such deprivation and unplanned mining activities, they are being threatened of dire consequences and intimidated by implicating them in false criminal cases. Ventilating all these grievances, the Petitioners have caused to make series of representations before the Respondent Authorities stating all the facts and problems which the people of the Chunpora village are facing, but all were in vain.

83. The Applicants submit that the District Administration is under an obligation to take steps to mitigate and eliminate such grievances and inconveniences of the local people, however, to the utter dismay, it was communicated from the Office of the District Magistrate, Bankura



that such grievances are to be addressed to the Authority of the WBMDTCL and DPL for their redress.

84. The Applicants submit that series of Representations were subsequently made before the WBMDTCL and DPL as well, but no fruitful result did bear. The predicament is aggravating day by day.

85. The Applicants submit that the Respondent WBMDTCL and DPL above are continuing with their rampant haphazard mining forcefully under the active indulgence of the local and District Administrative Authorities without paying any heed to the bonafide objections and grievances of the Public at large particularly of Chunpora village and thereby showing a thumb to the Rule of Law making the lives of inhabitants of the said village disastrous and polluting the wholesome environment of the area at large.

86. The Applicants submit that despite such apparent unplanned and unauthorized mining operations and activities depriving the local residents of their lives and properties and despite violating the safety measures and the agreed package for rehabilitation essential for the purpose of implementation of such projects and subsistence of the repeated objections and representations made by the Applicants in respect thereof the Respondents Authorities have not taken any efficacious steps in respect thereof.

87. The Applicants submit that the Respondent Authorities unable and/or failed to redress the problem in question sympathetically rather sat tight over the issue in question, the Respondent Authority completely ignored the rehabilitation and resettlement issue of the affected persons rather encourage the wrongdoers to escalate the pain and agony of the thousands sufferers of such illegal and unauthorized



mining activities perpetrated by some of the Respondent Authority and thereby encourage to perpetrate the causes of environmental degradation whatsoever.

88. The Applicants submit that as the instant original Application is being filed to challenge the significant issue of unwarranted Air pollution due to dust caused by coal residue accumulated along roadside as well as the rampant plying of thousands of Trucks, Dumper, Tipper and over the village non-metal roads apart from that pollution caused due to leakage of industrial dust effluents into nearby farm lands and water bodies.

89. The Applicants submit that the Pollution primarily stems from the unregulated transportation of coal via Trucks, Dumper, Tipper leading to adverse environmental impacts and suffocating the nearby areas with such Air Pollution beyond tolerable level.

90. The Applicants submit that they are mainly hailing from the local areas which are worst affected by such acts of indiscriminate use and plying of vehicles thousand in numbers, if not more and those inhabitants of the said area and adjoining area are suffering from such pollution, and as those people of the locality are basically farmers, their farmlands has been indirectly affected by the said Pollution.

91. The Applicants submit that it is worthwhile to mention herein that on daily basis around 7,000 to 12,000 coal loaded trucks plying of from and to the coal mines to different places within the State of West Bengal and/or other States the passage of those trucks mostly happens within the village and/or by using the village roads and adjacent roads as well as connecting roads to and including State High way which is also a congested and narrow one and causing the lives of the



inhabitants of the locality and adjacent locality miserable and they apart from other diseases suffering from respiratory problems leading to cancer.

92. The Applicants submit that most of the trucks do not take any preventive and precautionary measures so that the dust particularly the coal dust from the trucks leaks outside and contaminate the entire environment and pollutes the vicinity leading to sufferings and pains to the inhabitants at large, including children and aged persons and due to such reasons the said area now becomes most polluted area in the State as well.

93. The Applicants submit that because of leakage of coal dust from those trucks a large quantity of coal dust lies on both sides of the roars and subsequently, such accumulated coal dust becomes major cause of pollution of the area concerned specifically causing Air and Land Pollution, not only it contaminated the Air quality but it is a cause of damaging the fertility of the Land and the Agricultural activities become mostly affected thereby.

94. The Applicants submit that the house holds many school, both primary and upper primary level, collages and other educational institutions hospitals, health centers fall within the said route wherefrom the innumerable number of trucks are plying and because of such high amount of dust pollution most of the people including children and aged persons residing in the vicinity have started developing air borne disease and pulmonary diseases, and the conditioning is worsening day by day.

95. The Applicants submit that the State Respondents virtually did nothing to reduce the pollution and has not brought any changes in the



ground therefore, the scenario on the ground and the pollution is still very high. Moreover, it is also a matter of concern that most of trucks plying with the such coal, fly ash and other minerals did not use proper cover rather they did not use any sorts of cover at all and due to this most of the dust easily accumulated in the air.

96. The Applicants submit that as per National Clean Air Programme (NACP) an air quality management cell have to be formed for monitoring and/or controlling the air quality of the concerned area with an aim to keep check in the pollution in the area in question, but in practical sense nothing in that score is visible to the Applicants and no such activities of such cell is existing in the said area.

97. The Applicants submit that taking into consideration the dire pollution condition in the said area the Central Pollution Control Board and the West Bengal Pollution Control Board being the Respondent Nos. (13) and (14) have neither conducted any study not prepared any report with an aim to take any immediate preventive steps to stop such pollution and/or to reduce the pollution level when conditions becomes dire and uncontrollable. There is no such pollution Emergency plan is existing in and for the area in question.

98. The Applicants submit that despite all such requirements nothing has been done in practical sense to reduce and/or to curve the menace of pollution, the condition of Air, Land, Soil and Environment of the area in question is extremely critical even nearby waterbodies and firm lands has also been suffering because of such pollution.

99. The Applicants submit that the above actions of the Respondents Authorities is nothing but colourable exercise of their power and the said Respondents are remaining silent which will take toll on ecosystem



and cause irreparable loss to the environment as well as local people of the said area, negatively affects their lives who are mostly dependent on the natural resources of the said area.

100. The Applicants submit that the aforesaid action and non-action of the Respondents give rise to substantial questions relating to environment as there is direct violation of specific statutory environmental obligations, the community at large along with the individuals, group of individuals like the Applicants are highly affected by environmental consequences, the gravity of damage to the environment and property is highly substantial, the damage to the public health and hygiene, community health and hygiene is broadly miserable, the environmental consequences relates to specific and point source of pollution.

101. The Applicants submit that the Respondent Authorities refused and/or rejected to act in accordance with law.

102. The Applicants submit that the Respondent Authorities failed and/or unable to act in accordance with the Law rather acted arbitrarily and thereby violated the Fundamental Rights of the Applicants as Guaranteed by the Constitution of India.

103. The Applicants submit that being common people and unfortunate inhabitants of the said village they may be feel cheated when finds that they are not getting justice due to the acts and approach of some the instrumentalities of the state actually who are entrusted with the duty to do the justice.

104. The Applicants submit that that the Respondent Authorities refused and/or rejected to act in accordance with law.



105. The Applicants submit that the Respondent Authorities failed and/or unable to act in accordance with the Law rather acted arbitrarily and thereby violated the Fundamental Rights of the Applicants as Guaranteed by the Constitution of India.

106. The Applicants submit that the acts and actions of the Respondent Authorities are neither bonafide nor lawful.

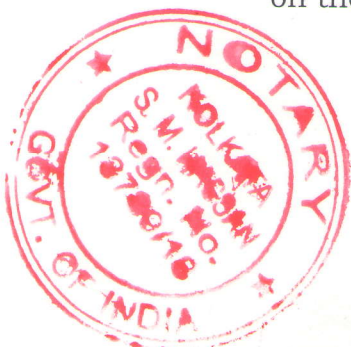
107. The Applicants submit that the actions of the Respondent Authorities are ex-facie bad on facts as well as in law.

108. The Applicants submit that the said action and/or non-action of the Respondent Authorities is otherwise bad, illegal, perverse and cannot be countenanced both in law as well on facts.

109. The Applicants submit that the actions and/or non-actions of the Respondents complained of herein suffer from the vice of illegality, irrationality and/or procedural impropriety warranting interdiction by this Hon'ble Tribunal in exercise of jurisdiction vested upon it by the Constitution of India.

110. The Applicants submits that the acts and/or actions including non- actions of the Respondent Authorities are in flagrant violation of law, the principles of natural justice and as such is depictive of highhandedness and mechanical action and as such amount to sheer miscarriage of justice.

111. Being aggrieved by and dissatisfied with the acts of discrimination meted out to the Applicants, by the Respondents the Applicants beg to move this Hon'ble Court under Article 226 of the Constitution of India on the following amongst other

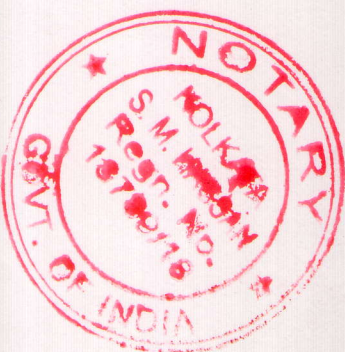


## Grounds

- I. For that the instant Application has been filed under Sections 14, 15, 18, 19 and 20 of the National Green Tribunal Act, 2010 to challenge the significant issue of unwarranted Air Pollution, Water Pollution, Land Pollution and Environmental Pollution causing by illegal and unauthorized mining and mining activities by the Respondent No. (7) in association and connivance with other Respondents.
- II. For that as per the schemes of the Coal mines project various terms and conditions as well as safety measures have been postulated by the Respondent Authorities which were/are to be followed and/or undertaken by the competent Authorities before initiation and during the process of mining in the said area.
- III. For that it was suggested by the Authority not to initiate and/or undertake any mining activities or infrastructural development pertaining thereto prior to initiation of direct purchase of alternative lands for resettlement of the residents of Chunpora and Bhirkasol village.
- IV. For that it was agreed by the Authority that opencast working shall not be extended in areas unless the land in question has been acquired by the M/S Durgapur Projects Limited.



- V. For that it was further suggested by the Authority that no blasting for removal of overburden or for extraction of coal is permitted within 100 meters of any structure and/or building not belonging to the Authorities of M/S Durgapur Projects Limited (hereinafter called and referred to as the DPL) or any public road, unless permission as required under the Law is obtained.
- VI. For that it was also suggested by the Authority that the owners of structures, dwelling houses and lands not belonging to the DPL and habitants and/or occupants of such dwelling and/or building shall be indemnified against damage of property and/or injury to persons if arises, due to mining operations.
- VII. For that it was proposed by the Authority that no blasting shall be done within 100 meters distance from the State Highway No. 9 until the same is shifted beyond the danger zone of blasting.
- VIII. For that it was also suggested by the Authority that no blasting shall be done within 100 meters distance from the structure of Bhikrasol and Chunpora village untill the same is shifted beyond the danger zone of blasting.
- IX. For that it was suggested by the Authority that owing to such mining activities if any environmental pollution or inconvenience is caused to the people of



the locality, District Administration shall take immediate steps to mitigate or eliminate the same.

- X. For that out of 697 acres of land which was proposed to be acquired only about 282.45 acres of land has admittedly been acquired till date, the process of acquisition in respect of the balance amount of land is being held up for an indefinite period of time but the mining process is going on rampantly in a haphazard manner affecting the whole area and causing environmental hazards.
- XI. For that the Chunpora village constitute of land under Mauza- Shalgara, and no portion of land of such Mauza has yet been acquired. However, such irresponsible and haphazard mining de-hors the relevant scheme and agreed terms and conditions has posed a serious threat to the lives, properties and environment of the inhabitants of the Chunpora Village and its vicinity at large.
- XII. For that owing to indiscreet blasting and mining, deep creaks and crevasses are regularly coming up in the existing houses and building constructions of the area damaging them at their foundations.
- XIII. For that apart from the above the Public roads of the area have also been made to suffer serious damages and landslides owing to such unplanned, unmethodical indiscriminate mining.



- XIV. For that basic civic infrastructures, amenities and facilities of the locale are also largely affected as a consequences of such irregular and uncontrolled mining, resulting thereby almost complete blockage of drainage and sewerage system of the said locality.
- XV. For that perennial water logging has become a common phenomenon in the said locality.
- XVI. For that due to lack of resettlement and rehabilitation, the people of the said locality are also being seriously subjected to the wrath of pollution owing to such inexpedient mining activities.
- XVII. For that agricultural lands are going damaged or otherwise encroached upon by mining activities in unauthorized manner.
- XVIII. For that such illegal and unauthorized mining operations of the said project have been going on affecting the entire earmarked area notwithstanding only few acres of land having been actually an officially acquired out of their total 697 acres of proposed land acquisition, thereby gravely affecting the people, theirs lives and environment of the vast area.
- XIX. For that the inhabitants of Chunpora village are the most affected, though their lands have not been lawfully acquired for the said projects, they could not use, utilize or even enjoy the same for their own way



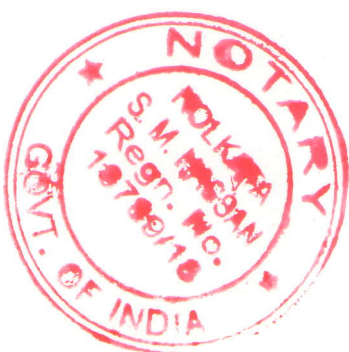
moreover the Air, Water, Land and the Environment of the area polluted day by day due to such illegal mining and mining activities and transportation of the said mines.

XX. For that the lands as well as agricultural lands of the said village are getting waterlogged with waste water coming out of the mines for which it has become impossible to utilise such lands for the purpose of cultivation and/or any other purposes also.

XXI. For that such types of indiscriminate illegal mining throughout the area is a major factor of pollution of land and its degradation. Despoliation of natural landscape through spoil heaps and excavation, reduction in forest and agricultural areas, air and water pollution are the natural and obvious consequences of such type of large scale illegal mining operation in the area in in question.

XXII. For that the consequence of such blasting causing noise in high scale beyond the tolerance level of any human being and such indiscriminate and illegal blasting causing noise pollution with Air Pollution.

XXIII. For that as a consequences of such unplanned and haphazard mining and blasting, most of the residential houses have developed cracks and some of them collapsed as well.



- XXIV. For that the access to the public roadways of the People at large also been seriously affected and the entire locality has virtually become a quagmire.
- XXV. For that the villagers of Chunpora have neither got any benefit of the Rehabilitation and Resettlement packages and moreover they are the worst sufferer of the various types of pollution and health hazards causing thereby making their lives hell.
- XXVI. For that whenever there is any efforts to protest against such deprivation and unplanned mining activities, the protestors are being threatened of dire consequences and intimidated by implicating them in false criminal cases.
- XXVII. For that the District Administration is under an obligation to take steps to mitigate and eliminate such grievances and inconveniences of the local people but it was communicated from the Office of the District Magistrate, Bankura that such grievances are to be addressed to the Authority of the WBMDTCL and DPL for their redress.
- XXVIII. The Applicants submit that the Respondent WBMDTCL and DPL above are continuing with their rampant haphazard mining forcefully under the active indulgence of the local and District Administrative Authorities without paying any heed to the bonafide objections and grievances of the Public at large particularly of Chunpora village and



thereby showing a thumb to the Rule of Law making the lives of inhabitants of the said village disastrous and polluting the wholesome environment of the area at large.

XXIX. For that the Respondent Authorities completely ignored the rehabilitation and resettlement issue of the affected persons rather encourage the wrongdoers to escalate the pain and agony of the thousands sufferers of such illegal and unauthorized mining activities perpetrated by some of the Respondent Authority and thereby encourage to perpetrate the causes of environmental degradation whatsoever.

XXX. For that as the instant original Application is being filed to challenge the significant issue of unwarranted Air pollution due to dust caused by coal residue accumulated along roadside as well as the rampant plying of thousands of Trucks, Dumper, Tipper and over the village non-metal roads apart from that pollution caused due to leakage of industrial dust effluents into nearby farm lands and water bodies.

XXXI. For that the Pollution primarily stems from the unregulated transportation of coal via Trucks, Dumper, Tipper leading to adverse environmental impacts and suffocating the nearby areas with such Air Pollution beyond tolerable level.

XXXII. For that the People are mainly hailing from the local areas which are worst affected by such acts of



indiscriminate use and plying of vehicles thousand in numbers, if not more and those inhabitants of the said area and adjoining area are suffering from such pollution, and as those people of the locality are basically farmers, their farmlands has been indirectly affected by the said Pollution.

XXXIII. For that on daily basis around 7,000 to 12,000 coal loaded trucks plying of from and to the coal mines to different places within the State of West Bengal and/or other States the passage of those trucks mostly happens within the village and/or by using the village roads and adjacent roads as well as connecting roads to and including State High way which is also a congested and narrow one and causing the lives of the inhabitants of the locality and adjacent locality miserable and they apart from other diseases suffering from respiratory problems leading to cancer.

XXXIV. For that most of the trucks do not take any preventive and precautionary measures so that the dust particularly the coal dust from the trucks leaks outside and contaminate the entire environment and pollutes the vicinity leading to sufferings and pains to the inhabitants at large, including children and aged persons and due to such reasons the said area now becomes most polluted area in the State as well.

XXXIV. For that due to leakage of coal dust from those trucks a large quantity of coal dust lies on both sides of the roars and subsequently, such accumulated coal dust



becomes major cause of pollution of the area concerned specifically causing Air and Land Pollution, not only it contaminated the Air quality but it is a cause of damaging the fertility of the Land and the Agricultural activities become mostly affected thereby.

XXXV. For that the house holds many school, both primary and upper primary level, collages and other educational institutions hospitals, health centers fall within the said route wherefrom the innumerable number of trucks are plying and because of such high amount of dust pollution most of the people including children and aged persons residing in the vicinity have started developing air borne disease and pulmonary diseases, and the conditioning is worsening day by day.

XXXVI. For that the State Respondents virtually did nothing to reduce the pollution and has not brought any changes in the ground therefore, the scenario on the ground and the pollution is still very high. Moreover, it is also a matter of concern that most of trucks plying with the such coal, fly ash and other minerals did not use proper cover rather they did not use any sorts of cover at all and due to this most of the dust easily accumulated in the air.

XXXVII. For that as per National Clean Air Programme (NACP) an air quality management cell have to be formed for monitoring and/or controlling the air quality of the



concerned area with an aim to keep check in the pollution in the area in question, but in practical sense nothing in that score is visible to the Applicants and no such activities of such cell is existing in the said area.

XXXVIII. For that the Central Pollution Control Board and the West Bengal Pollution Control Board being the Respondent Nos. (13) and (14) have neither conducted any study nor prepared any report with an aim to take any immediate preventive steps to stop such pollution and/or to reduce the pollution level when conditions become dire and uncontrollable.

XXXIX For that there is no such pollution Emergency plan existing in and for the area in question.

XL. For that nothing has been done in practical sense to reduce and/or to curb the menace of pollution, the condition of Air, Land, Soil and Environment of the area in question is extremely critical even nearby waterbodies and firm lands has also been suffering because of such pollution.

XLI.. For that the actions of the Respondents Authorities is colourable exercise of their power and the said Respondents are remaining silent which will take toll on ecosystem and cause irreparable loss to the environment as well as local people of the said area,



negatively affects their lives who are mostly dependent on the natural resources of the said area.

XLII. For that the aforesaid action and non-action of the Respondents give rise to substantial questions relating to environment as there is direct violation of specific statutory environmental obligations, the community at large along with the individuals, group of individuals like the Applicants are highly affected by environmental consequences, the gravity of damage to the environment and property is highly substantial, the damage to the public health and hygiene, community health and hygiene is broadly miserable, the environmental consequences relates to specific and point source of pollution.

XLIII. For that the Respondent Authorities refused and/or rejected to act in accordance with law.

XLIV. For that the Respondent Authorities failed and/or unable to act in accordance with the Law rather acted arbitrarily and thereby violated the Fundamental Rights of the Applicants as Guaranteed by the Constitution of India.

XLV. For that the acts and actions of the Respondent Authorities are neither bonafide nor lawful.

XLVI. For that the actions of the Respondent Authorities are ex-facie bad on facts as well as in law.



- XLVII. For that the said action and/or non-action of the Respondent Authorities is otherwise bad, illegal, perverse and cannot be countenanced both in law as well on facts.
- XLVIII. For that the actions and/or non-actions of the Respondents complained of herein suffer from the vice of illegality, irrationality and/or procedural impropriety warranting interdiction by this Hon'ble Tribunal in exercise of jurisdiction vested upon it by the Constitution of India.
- XLIX. For that the acts and/or actions including non-actions of the Respondent Authorities are in flagrant violation of law, the principles of natural justice and as such is depictive of highhandedness and mechanical action and as such amount to sheer miscarriage of justice.

112. The Applicants submit that in view of the facts that the Respondents started and/or allowed to start the mining activities illegally without following any law, Rules framed for this purpose, and delay in restraining them may cause irreparable loss and injury to the Applicants lives, property and environment, and as such, under such grave urgency in moving the instant application the service to the Respondents may be dispensed with.

113. The Applicants have no other effective remedy for redressal of their grievances and the reliefs as prayed for if granted will be full and complete.



114. The records of this case are laying within the jurisdiction of this Hon'ble Tribunal and as such this Hon'ble Tribunal is empowered to try and entertain it.

115. The instant application is bonafide and made for ends of justice.

116. Limitation :

The Applicants state that as the matter involved herein is arising out with the illegal mining and mining activities and pollution in Air, Water, Land and Environment in the said Village – chunpora, Post Office and Police Station – Barjora, District – Bankura, West Bangal, India without following any law and/or violating all the existing law and directions of the Authorities concerned and the problem is still continuing hence, therefore, the cause of action is continuing since the inception of such activities till date and/or no question of limitation is existing thereon.

117. Prayers:

Under the Circumstances the Applicants most humbly pray that Your Lordship may be graciously pleased to

- a) Grant leave for moving the instant Application as extreme urgent one by dispensing with Rule relating to service of copies upon the Respondents , and
- b) Pass a mandatory order or orders and/or direction or directions commanding the Respondent authorities, their men, agents, assigns, employees and/or



subordinates whereby and wherein the said Respondent Authorities be directed to stop all the illegal mining and mining activities in the vicinity of the Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India, being the area in question and to ensure the pollution free Air, Water, Land and Environment in the said vicinity of the Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India forthwith, and

- c) Pass a Prohibitory order in the nature of permanent Prohibition prohibiting the Respondents their men, agents, assigns, employees and/or subordinates from using the said vicinity of the Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India for using the site for illegal mining and mining activities and not to pollute the Air, Water, Land and Environment in the said vicinity of area lying and existing in the vicinity of Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India and not to use the Public



roads, village roads including the State High Way in and around of Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India for carrying the coal, coal residue, and/ or other materials of the said mine and causing pollution whatsoever thereby, and

- d) Pass a mandatory order or orders and/or direction or directions commanding the Respondent authority Nos. (13) and (14) their men, agents, assigns, employees and/or subordinates whereby and wherein the said Respondent Authorities be directed to conduct extensive study and to prepare and submit a comprehensive report with an aim to take any immediate preventive steps to stop such pollution and/or to reduce the pollution level when conditions becomes dire and uncontrollable and also order and/or direct the Respondent Nos. (13) and (14) to frame and finalise a pollution Emergency plan for the area in question in a time bound manner and further to direct them to furnish the Report in this Hon'ble Tribunal in a time bound manner, and as per guidelines and norms framed by National Clean Air



Programme (NACP) also an Air quality management cell to be formed for monitoring and/or controlling the air quality of the concerned area with an aim to keep check in the pollution in the area in question in future, and

- e) Pass and order or orders and/or direction or directions directing the Respondents to certify and transmit the records of this case to this Hon'ble Tribunal, so that conscionable justice may be administered thereby, and
- f) Issue a Rule NISI in terms of prayers (b) (c) (d) and (e) above, and
- g) Make the said Rule absolute on hearing the causes shown or if no cause is shown and/or to pass such other or further order or orders as to Your Lordship may seem fit and proper, and

#### 118. Interim Relief

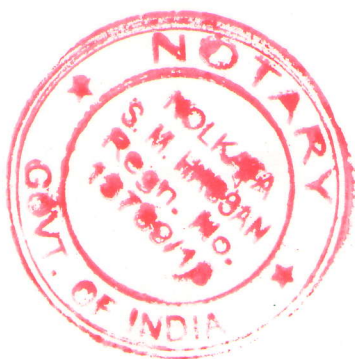
- i) Grant an interim order directing the Respondents their men, agents, assigns, employees and/or subordinates from using the said vicinity of the Chunpora Village, Post Office and Police Station - Barjora, District - Bankura - 722202, in the state of West Bangal, India for using

the site for illegal mining and mining activities and not to pollute the Air, Water, Land and Environment in the said vicinity of area lying and existing in the vicinity of Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India and not to use the Public roads, village roads including the State High Way in and around of Chunpora Village, Post Office and Police Station – Barjora, District – Bankura – 722202, in the state of West Bengal, India for carrying the coal, coal residue, and/ or other materials of the said mine and causing pollution whatsoever forthwith till disposal of the instant Application, and

ii) Grant costs.

And the Applicants, as in duty bound, shall ever pray.

*Baganmay Ghosh*  
Advocate  
for the Applicant.



## Verification

I Budhan Maji, aged about 49 years, son of Late Amulya Maji, by Nationality - Indian, by faith - Hindu, by occupation - Business, residing at Village - Chunpora, Post Office and Police Station - Barjora, District - Bankura, Pin - 722202 being the Applicant No. (1)

88) duly verify that the statements made in paragraph Nos. 1, 4, 6, 11, 12, 13, 14, 16 to 28,  
 88) 20 to 39, 43 and 44 of the foregoing application are true to my  
 88) knowledge and those made in paragraph Nos. 2, 3, 5, 7, 8 to 10, 15, 29, 40 to 42  
 88) and 45 are derived from my information which I verily believe to be true and the rests are my humble submission before this Hon'ble Tribunal and I sign this verification today the 5<sup>th</sup> day of December 2024.

Budhan Maji



## Affidavit

I Budhan Maji, aged about 49 years, son of Late Amulya Maji, by Nationality – Indian, by faith – Hindu, by occupation – Business, residing at Village – Chunpora, Post Office and Police Station – Barjora, District – Bankura, Pin – 722202 do hereby solemnly affirm and declare as follows –

1. That I am the Applicant No. (1) to this Application and as such well conversant with the facts and circumstances out of which this petition arises and sui juris to affirm this affidavit for myself and also for and on behalf of the Other Petitioners having been duly authorized and empowered by them to do so.

2. That the statements made in paragraph Nos. 1, 4, 6, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33 to 39, 42 and 44 of the foregoing application are true to my knowledge and those made in paragraph Nos. 2, 3, 5, 7, 8, 9, 10, 15, 29, 40, 41, 42 and 45 are derived from my information which I verily believe to be true and the rests are my humble submission before this Hon'ble Tribunal.

Budhan Maji

Prepared in my office

*Sagar mayadv*

Advocate

Enrolment No. WB/921/2009

Mob : 9433746410 / 9051010095

Email ID : sagarmayadv@gmail.com

Deponent is known to me

Solemnly affirmed before me

This the 5<sup>th</sup> day of December, 2024

I certify that all

Annexures are legible.

*Sagar mayadv*

Advocate



SOLEMNLY AFFIRMED AND DECLARED  
BEFORE ME ON IDENTIFICATION

*S. M. Hassan*  
S. M. HASSAN  
NOTARY

05 DEC 2024

Government of West Bengal  
Commerce and Industries Department  
Call - MI

Final File

No. 304-CI/O/Coal/023/03/MI

Date : 29.10.03.

From : The Joint Secy. to the Govt. of W.B.

To : Shri S. P. Banerjee  
Joint Secretary  
L & L.R. Department,  
Writers' Bldgs.,  
Kolkata - 1.

Sub : Restriction on transfer of roystl lands in identified  
Coal blocks proposed for Coal mining by W.B.M.D.T.C.

The undersigned is directed to state that the following Seven Coal blocks have been identified by West Bengal Mineral Development & Trading Corporation Limited for mining of Coal for feeding the industries in West Bengal. Govt. of India has been approached by this Deptt. for necessary allotment of the said blocks for exploitation and the matter is under consideration of the Ministry of Coal, Govt. of India.

1. Khagra - Joydev Block, P.S. Dubrajpur, Dist. Birbhum, Mouza : Loba (155-Sheet No. 1), Palsadanga (154), Jhiral (153), Barari (156).
2. Dewaganj - Harisingha Block, P.S. Md. Bazar, Dist. Birbhum, Mouza : Harisingha (38 - Sheet No. 1).
3. Trans - Damadar Sector, P.S. Barjora, Dist. Bankura, Mouza : Salgara (17), Gokul Mathura (18), Kishoripur (19), Sitarampur (16), Palampur (51).
4. Archigram Block, P.S. Mejia, District - Bankura, Mouza - Archgram (7), Gopalpur (8), Khiraitore (12).
5. Barjora - North Block, P.S. Barjora, Dist. Bankura, Mouza : Jhanjora, Monohar, Ghutgoria.
6. Bakulia Block, P.S. Saltora, Dist. Bankura, Mouza : Bakulia.
7. Nutandih (295), Paheribera (321), Digha (321), Parbatpur, P.S. Neturia, Dist. Purulia.

Mining plans & Selection of beneficiary industries are under process. Mining is being planned to be started immediately after the Coal blocks are allotted by Ministry of Coal, Govt. of India.

It is therefore necessary to immediately restrict settlement of vested land in these mouzas for which appropriate instruction should be issued by L & L.R. Deptt.

Similarly it is also suggested that in the interest of mining in these mouzas transfer of roystl land, their registration, mutation and conversion also should be restricted for which appropriate direction may please be issued from Land & Land Reforms Deptt. in the manner such restrictions were imposed in respect of land along National Highways recently.

Sd/-  
Joint Secretary  
Date : 29.10.03.

No. 304/1(4)-CI/O/Coal/023/03/MI

Copy forwarded for information & necessary action to :-

1. The District Magistrate, Bankura.
2. The District Magistrate, Birbhum.
3. The District Magistrate, Purulia.
4. M.D., W.B.M.D.T.C. Ltd.

Joint Secretary



61  
Typed Copy of Page 60.

TYPE COPY

Government of West Bengal  
Commerce and Industries Department  
Cell—MI

No.304-CI-O/Coal/023/03/MI

Date 29.10.03

From : The Joint Secy. to the Govt. of W.B.

To: Shri S.P.Banerjee  
Joint Secretary  
L & LR Department,  
Writers' Bldgs,  
Kolkata-1.

Sub: Restriction on transfer of rayati lands in identified Coal blocks  
proposed for Coal mining by W.B.M.D.T.C.

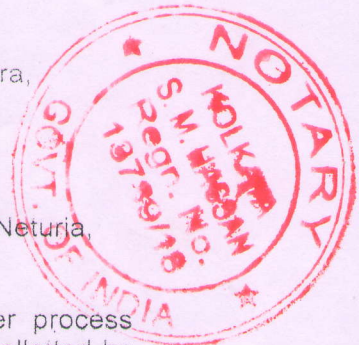
The undersigned is directed to state that the following Seven Coal blocks have been identified by West Bengal Mineral Development & Trading Corporation Limited for mining of Coal for feeding the industries in West Bengal. Govt. of India has been approached by this Deptt. for necessary allotment of the said blocks for exploitation and the matter is under consideration of the Ministry of Coal, Govt. of India.

1. Khagra-Joydev Block, P.S.Dubrajpur, Dist. Birbhum, Mouza:Loba (155-Sheet No.1), Palsadanga (154), Jhiral (153), Darari (156),
2. Dewaganj- Harimsingha Block, P.S. Md. Bazar, Dist. Birbhum, Mouza: Harisingha (38-Sheet No.1).
3. Trans-Damadar Sector, P.S. Barjora, Dist. Bankura, Mouza: Salgara (17), Gokul Mathura (18), Kishoripur (19), Sitarampur (16), Palaspur (51).
4. Ardhamgram Block, P.S. Mejia, District- Bankura, Mouza- Ardhamgram (7), Gopalpur (8), Khiraitore (12).
5. Barjora-North Block, P.S. Barjora, Dist. Bankura, Mouza- Jhanjora, Manohar, Ghutagoria,
6. Bakulia Block, P.S. Saltora, Dist. Bankura Mouza: Dakulia.
7. Nutandih (295), Paharibera (320), Digha (321), Parbatpur, P.S. Neturja, Dist. Purulia.

Mining Plans & Selection of beneficiary industries are under process. Mining is being planned to be started immediately after the Coal Blocks are allotted by Ministry of Coal, Govt. of India.

It is therefore necessary to immediately restrict settlement of vested land in these mouzas for which appropriate instruction should be issued by L & L.R Deptt.

Similarly it is also supported that in the interest of mining in those mouzas transfer of rayati land, their registration, mutation and conversion also should be





42

restricted for which appropriate direction may please be issued from Land & Land Reforms Deptt. in the manner such restriction were imposed in respect of land along National Highways recently.

Sdf/-  
Joint Secretary,

No. No.304/1(4)-CI-O/Coal/023/03/MI

Date 29.10.03

Copy forwarded for information & necessary action to:-

1. The District Magistrate, Bankura
2. The District Magistrate, Birbhum,
3. The District Magistrate, Purulia
4. M.D. W.B.M.D.T.C. Ltd.

Sd/-

Joint Secretary.



Government of West Bengal  
Commerce and Industries Department  
Cell - MI

No. 303(3)-CI/O/Coal/023/03/MI

Date : 29.10.03.

From : The Joint Secy. to the Govt. of W.B.

To : 1. The District Magistrate, Bankura.  
2. The District Magistrate, Birbhum.  
3. The District Magistrate, Purulia.

Sub : Restriction of settlement of vested lands (and transfer of Private lands) in identified Coal blocks proposed for Coal mining by W.B.M. D.T.C. Ltd.

Sir,

I am directed to state that the following seven Coal blocks have been identified by West Bengal Mineral Development & Trading Corporation limited for mining of Coal for feeding the industries in West Bengal. Govt. of India has been approached by this Deptt. for necessary allotment of the said blocks for exploitation and the matter is under consideration of the Ministry of Coal, Govt. of India.

1. Khagre - Joydev Block, P.S. Dubrajpur, Dist. Birbhum, Mouza : Loba (155 - Sheet No. 1), Palsadanga (154), Jhirul (153), Barari (156).
2. Dewaganj - Harinsingha Block, P.S. - Md. Bazar, Dist. Birbhum, Mouza : Harinsingha (38, Sheet No. 1).
3. Trans - Damodar Sector, P.S. Barjora, Dist. Bankura, Mouza : Salgara (17), Gokul Mathura (18), Kishoripur (19), Sitarampur (16), Palaspur (31).
4. Ardhaagram Block, P.S. Mejia, Dist. Bankura, Mouza : Ardhaagram (7), Gopalpur (8), Khiraitore (12).
5. Barjora - North Block, P.S. Barjora, Dist. Bankura, Mouza : Bhanjora, Manohar, Ghutgoria.
6. Bekulia Block, P.S. Saltora, Dist. Bankura, Mouza : Bekulia.
7. Mojas Nutandih (295), Paharibera (322), Digha (321), Parbatpur, P.S. Neturia, Dist. Purulia.

You are, therefore, requested not to propose settlement of vested lands in the mouzas mentioned above for the aforesaid identified Coal blocks for any purpose without taking clearance from this Department.

Yours faithfully,  
Sd/-

Joint Secretary

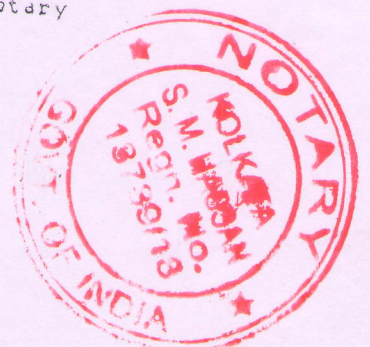
Date : 29.10.03.

No. 303(3)/1(2)-CI/O/Coal/023/03/MI

Copy forwarded for information to the :

1. Joint Secy., L & L.R. Department,
2. Managing Director, W.B.M. D.T.C. Ltd.,  
13, Nellie Sengupta Sarani (Lindsay Street), 2nd floor,  
Kolkata - 87 w.r. to his letter no. MDTC/648 dt. 14.10.03.

Joint Secretary





19

২৭/০৯/২০০৫ তারিখে অনুষ্ঠিত

মন্ত্রিসভার সিদ্ধান্ত

Decision in Cabinet  
held on September 27, 200511.2.21  
17.10.0531515  
17.10.05

সিদ্ধান্ত

সিদ্ধান্ত

বিভাগ : শিল্প ও বাণিজ্য

বিষয় : ভারত সরকারের কয়লামন্ত্রক কর্তৃক ওয়েস্ট বেঙ্গল মিনারেল ডেভেলপমেন্ট অ্যান্ড ট্রেডিং কর্পোরেশন লিমিটেডকে বন্ডিত রানীগঞ্জ কয়লা ক্ষেত্রের অন্তর্গত ট্রান্স দামোদর সেক্টর কোল ব্লকে কয়লা খননের উদ্দেশ্যে বাঁকুড়া জেলার বড়জোড়া থানার অন্তর্গত সাতটি মৌজার ৬৯৭ একর জমির অধিগ্রহণের প্রস্তাব।

সিদ্ধান্ত : স্মারকলিপিতে বর্ণিত প্রস্তাবটি অনুমোদিত হল।

7

Department: Commerce & Industries

Subject: Acquisition of Land of 697 acres in 7 (seven) Mouzas under Barjora Police Station in the District of Bankura for mining of coal at Trans Damodar Sector Coal block under Ranigunj Coal Fields allotted to West Bengal Mineral Development and Trading Corporation Limited by the Ministry of Coal, Government of India.

Decision: The proposal contained in the Cabinet Memo was approved.

কলকাতা, ০৫-১০-২০০৫

Kolkata,  
October 05, 2005

মুখ্যমন্ত্রী / Chief Minister



SS

20

GOVT. OF WEST BENGAL  
 KALKATA  
 10/11/2005  
 2668  
 To be dealt with by

Government of West Bengal  
 Commerce and Industries Department  
 Cell - MI

No. 370-CI/O/Coal/01/04/MI

Date: 08.11.2005

From : The Assistant Secretary to the Govt. of W. B.

To : The Managing Director,  
 West Bengal Mineral Development & Trading Corpn. Ltd,  
 13, Nellie Sengupta Sarani, 2nd floor,  
 Kolkata-87.

Sub : Proposal for acquisition of land of 697 acres in  
 7 (seven) mouzas under Barjora P. S. in the Dist.  
 of Bankura for mining of Coal at Trans Damodar  
 Sector Coal Block under Raniganj Coal Fields,  
 allotted to W.B.M.D.T.C. Ltd. by the Ministry of  
 Coal, Govt. of India.

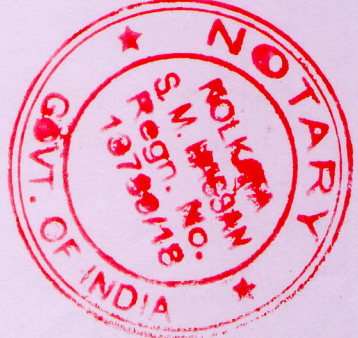
Sir,

I am directed to inform you that the above mentioned acquisition  
 proposal was approved by the Cabinet held on 27th September, 2005. A  
 copy of the Cabinet decision is sent herewith for your information. You  
 are also requested to start the land acquisition proceedings as early  
 as possible.

Yours faithfully,

*[Signature]*

Assistant Secretary





# THE DURGAPUR PROJECTS LIMITED

(A Government of West Bengal Enterprise)

Regd. & Head Office : Dr. B. C. Roy Avenue, Durgapur - 713201

Dist. - Burdwan, W. B., India

Tele Fax : + 91 (343) 2556786 / 2556251 / 2555052

CIN U40102WB1961SQC025250

No. MD/DPL/F-5/2015/30

Dated : 23.03.2015

To  
The Managing Director,  
The West Bengal Mineral Development & Trading Co. Ltd.  
12 L. Lindsay Street, 3<sup>rd</sup> Floor.  
Kolkata - 700 087

Sub: Engagement of M/s WBMDTCL as Advisor-cum-Mining Agent of DPL in respect of operation of the Trans - Damodar Coal Block obtained by DPL through Auction from the Nominated Authority, Ministry of Coal, Govt. of India

Dear Sir,

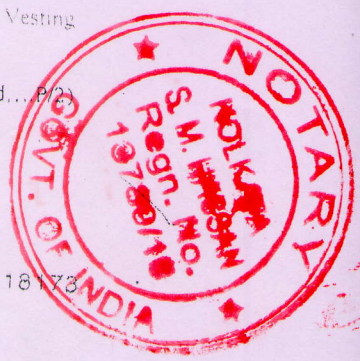
Kindly refer to your letter No MDTC/PM-5/128/262 dated 27.02.2015 wherein you expressed your intention to become Business Associates in respect of operation of Coal Block which were expected to be available to WBPDC and DPL. It may please be noted that DPL participated in the bidding process of Trans-Damodar Coal Block and had executed agreement with the Nominated Authority, Ministry of Coal, Govt. of India and the Vesting Order would be handed over to DPL's representative on 23.03.2015 at New Delhi.

In this connection you may also please refer to the discussion held on 30<sup>th</sup> January, 2015 and 24<sup>th</sup> February, 2015 in presence of CMD and other Directors and other seniors officials of WBPDC and The Managing Director, Executive Director (Finance) and others of DPL. The issue was also discussed at the level of Addl. Chief Secretary, Department of Power & NES, Govt. of West Bengal. The detailed and modified proposal dated 27<sup>th</sup> February, 2015 noted above was submitted based on the discussions referred to above.

The matter was subsequently placed before the Board of Directors in its 595<sup>th</sup> meeting held on 12.3.2015. The Board decided 'in principle' that WBMDTCL would be appointed as "Advisor-cum-Mining Agent" in respect of the Trans-Damodar Coal Block received through the relevant provisions of the Coal Mines (Special Provisions) Second Ordinance, 2014.

The detailed modalities of taking over of the Trans-Damodar Coal Mine to be obtained by DPL are still not known to us. As per the Schedule announced by the Govt, final agreement in respect of those coal blocks was signed on 2<sup>nd</sup> March, 2015 followed by an Amendment on 16.3.2015. The Vesting Order will be received on 23.3.2015 at New Delhi.

(Contd... P/2)



No. MD/DPL/F-5/2015/30

Dated 23.03.2015

To,  
The Managing Director,  
The West Bengal Minerals Development and Trading Co. Ltd.,  
12/1 (Illegible) Lindsay Street,  
Kolkata - 700082.

Sub : Engagement of M/S WBMDTCL as Advisor - Cum- Mining Agent of DPL in respect of operation of the Trans- Damodar Coal Block obtained by DPL through Auction from the nominated Authority Ministry of Coal, Government of India.

Dear Sir,

Kindly refer to your letter No. MDTC/PM-5/128/262 dated 27/02/2015 wherein you expressed your intention to become business associates in respect of operation of coal blocks which were expected to be available to WBPDC and DPL. It may be please be noted that DPL participate in the bidding process of Trans Damodar coal block and had executed agreement with the Nominated Authority, Ministry of Coal, Govt. of India and the vesting order would be handed over to DPL's representatives on 23.03.2015 at New Delhi.

In this connection you may also please refer to the discussion held on 30<sup>th</sup> January, 2015 and 24<sup>th</sup> February, 2015 in presence of CMD and other Directors and other senior officials of WBPDC and the Managing Director, Executive Director,(Finance) and others of DPL. The issue was also discussed at the level of Additional Chief Secretary, Department of Power & NES Govt. of West Bengal. The detailed and modified proposal dated 27<sup>th</sup> February, 2015 noted above was submitted based on the discussions referred to above.

The matter was subsequently placed before the Board of Directors in the 595<sup>th</sup> meeting held on 12.03.2015. The Board decided on principle that WBMDTCL would be appointed as "Advisor Cum Mining Agent" in respect of the Trans Damodar Coal block received through the relevant provisions of the Coal Mines (Special Provisions) Second Ordinance, 2014.

The detailed modalities of taking over of the Trans Damodar Coal Mine to be obtained by DPL are still not known to us. As per the schedule announced by the Govt., final agreement in respect of those coal blocks was signed on 2<sup>nd</sup> March, 2015 followed by an amendment on 16.03.2015. The vesting order will be received on 23.03.2015 at New Delhi.

(Contd..... P/2)

**THE DURGAPUR PROJECTS LIMITED.**

Continuation Sheet.....

(Page No.2)

In order to tackle the unforeseen eventualities in the transition phase, certain minimum issues on emergency basis are to be undertaken by WBMDTCL as delineated below :

- a) Measures to be taken for security of mine and the coal reserve at least from 24.03.15 in phases.
- b) Undertake minimum operation and maintenance job (like pumping out water etc.) to prevent the mine from getting damaged.
- c) Keep the minimum CSR activities continuing in the area inhabited by Project Affected People (PAP) lest problems crop up when the mining operation re-starts and PAP do not suffer due to non-availability of such facilities.
- d) Any such other measures that would be considered indispensable for keeping the mine safe and secure including proper illumination.

Once the broad guidelines are received from the Ministry of Coal, Govt. of India, a Mine Developer and Operator (MDO) need to be selected as fast as it can be done through a transparent and competitive bidding process as set out in the MMDR Act, 1957 and rules framed there under and for that purpose the bid document and evaluation of the bid document may be done by appointing a competent consultant. Before floating bid document, at the time of evaluation of bid document and before appointment of MDO, WBMDTCL shall have to obtain the approval of the DPL, which in turn would take approval of the State Government.

The other most important items in the scope of works are :


- a) Supervision of mining operation, post appointment of MDO.
- b) Dispatch of quality coal as per approved mining plan.
- c) Monitoring of extraction and dispatch of optimum quantity of coal as per the approved mining plan.
- d) Perform the statutory functions of the mining agent as per statute

Although, the broad frameworks of jobs are spelt out above, the detailed issues need to be discussed further and would be taken care of at the time of signing formal agreement. This apart, it is to be mentioned that the commercial terms & conditions have to be settled in consultation with the respective departments of the Government of West Bengal, W.B. Electricity Regulatory Commission before signing final agreement.

We would request you kindly to send your acceptance on this issue at an early date.

Thanking you,

Yours faithfully,

 23/03/15

Managing Director  
The Durgapur Projects Limited



THE DURGAPUR PROJECTS LIMITED

Continuation Sheet.....

(Page No. 2)

In order to tackle the unforeseen eventualities in the transition phase, certain minimum issue on emergency basis are to be undertaken by WBMDTCL as delineated below.

- a) Measures to be taken for security of mine and the coal reserves at least from 24.03.2015 in phases.
- b) Undertake minimum operation and maintenance job (like pumping out water etc.) to prevent the mines from getting damaged.
- c) Keep the minimum CSR activities continuing in the area inhabited by the project affected people(PAP) least problems crop up when the mining operation restarts and PAP do not suffer due to non availability of such facilities.
- d) Any such other measures that would be considered indispensable for keeping the mine safe and secure including proper illumination.

Once the broad guidelines are received from the Ministry of Coal, Govt. of India an mine developer and operator (MDO) need to be selected as fast as it can be through a transparent and competitive bidding process as set out in the MMDR Act, 1957 and rules framed thereunder and for that purpose, the bid documents and evaluation of the bid documents may be done by appointing a competent consultant. Before floating bid document, at the time of evaluation of bid document and before appointment of MDO, WBMTDCL shall have to obtain the approval of the DPL which in turn would take approval of the State Government.

The other most important terms in the scope of works are –

- a) Supervision of mining operation, post appointment of MDO.
- b) Dispatch of the quality of coal
- c) Monitoring of extraction and dispatch of optimum quantity of coal as per the approved mining plan,
- d) Perform the statutory functions of the mining agents as per statute.

Although a broad frameworks of jobs are spelt out above, the detailed issues are need to be discussed further and would be taken care of at the time of signing formal agreement. This apart, it is to be mentioned that the commercial terms and conditions have to be settled in consultation with respective departments of the Government of West Bengal, W.B. Electricity Regulatory Commission before signing final agreement.

We would request you kindly to send your acceptance on the issue at an early date.

Thanking you

Yours faithfully  
S/D (Illegible)  
Managing Director.  
The Durgapur Projects Limited

69

Annexure - "A-2"

~~Annexure - 68~~

49

Minute of the proceedings of the meeting held in between land losers and the authorities of Trans Damodar Coal Project in connection with land acquisition and commencement of work of Trans Damodar Project.

Members present : Enclosed.


The meeting started with District Magistrate, Bankura on the chair. The members of the Trans Damodar Coal Project presented the proposed agreement arrived at after consultation with the representatives of the land losers and requested District Magistrate for taking necessary steps for early implementation of same.

The terms of the agreement were read out in the meeting in detail. The members of the land losers expressed their unanimous consent to the agreement but pointed to the value of homestead land and requested Chairman to enhance it from Rs.17.60 lakhs to Rs. 18.00 lakhs per acre. After discussion Chairman & District Magistrate opined to look into the request at a later stage.

Other terms and conditions were unanimously agreed upon and were made part of the proceedings. The copy of agreement between the members of the Trans Damodar Coal Project and members on behalf of land losers is enclosed herewith.

It was decided that the terms of agreement so resolved will be circulated to all concerned.

The meeting ended with the request from District Magistrate to all for commencement of the work of the project immediately.

  
District Magistrate. 02/12/10  
Bankura.



ইং ০২/১২/২০১০ তারিখে সময় বৈকাল ৩.০০ ঘটিকায় ডি. এম., বাঁকুড়ার উপস্থিতিতে ট্রান্স - দামোদর কোল প্রজেক্ট -এর অন্তর্গত জমির মালিক / চাষীদের সহিত ট্রান্স - দামোদর কোল প্রজেক্ট কর্তৃপক্ষের জমি অধিগ্রহণ সংক্রান্ত আলোচনা এবং গৃহীত সিদ্ধান্তের সংক্ষিপ্তসার:

১.১) জমির মূল্য:

ক্র:নং	শ্রেণী	নির্ধারিত মূল্য (লক্ষ প্রতি একর)
১	কৃষি জমি (শুনা, শোল, কানালি, বাইদ, তোড়া, ডাঙ্গা, গড় লায়েক পতিত, বানিজ্যিক ইত্যাদি)	১১.০০
২	জলজ জমি (পুকুর, নালা, খাল, বিল ইত্যাদি)	৬.০০
৩	বাকু জমি	১৭.৬০

উপরোক্ত নির্ধারিত মূল্য জমি অধিগ্রহণ দপ্তর, বাঁকুড়া কর্তৃক নির্দিষ্ট ক্ষতিপূরণ (Basic Price + Solatium+Interest), পুনর্বাসন ও পুনঃপ্রতিষ্ঠা পরিকল্পনার অন্তর্গত ক্ষতিপূরণ, অতিরিক্ত অনুদান ইত্যাদির সমষ্টিগত (Consolidated) মূল্য। উপরোক্ত নির্ধারিত মূল্য ১৭৮.২৮ একর জমির মূল্য প্রদান শেষ হইবার পর হইতে ১৮ মাস পর্যন্ত অপরিবর্তিত থাকিবে। এই মূল্য সরাসরি ক্রয় করা জমির ক্ষেত্রেও প্রযোজ্য হইবে।

১.২) ইতিমধ্যে অধিগৃহীত ১০৪.১৮ একর এবং সরাসরি ক্রীত ১৩.৫৬ একর জমির ক্ষেত্রে বর্ধিত মূল্য ১৭৮.২৮ একরের মূল্য প্রদানের সহিত প্রদান করা হইবে। কেন্দ্রীয় / রাজ্য সরকারের নতুন জমি অধিগ্রহণ নীতি প্রযোজ্য হইবে। উপরে উল্লেখিত ১৮ মাসের মধ্যে অবশিষ্ট ৪১০ একর জমি অধিগ্রহণ প্রক্রিয়া শেষ না হইলে জমির সামগ্রিক মূল্যের উপর ১৮% জমির মূল্য বৃদ্ধি করা হইবে। গত ৩০/১২/২০০৭ তারিখে জেলাশাসক, বাঁকুড়া উপস্থিতিতে আলোচনার পরিপ্রেক্ষিতে বর্ধিত মূল্য সমস্ত জমির উপর প্রযোজ্য হইবে।

১.৩) নথিভুক্ত বর্গাদারদের নিয়ম অনুসারে কৃষি জমির নতুন নির্ধারিত মূল্য অনুযায়ী অতিরিক্ত মূল্য প্রদান করা হইবে।

চুনপোড়া ও ডিডকামোল গ্রাম এবং OB DUMP এলাকায় বসবাসকারী ৯ টি পরিবারের জন্য পুনর্গঠিত পুনর্বাসন ও পুনঃপ্রতিষ্ঠা পরিকল্পনা:

২.১) খনন কার্য আরম্ভ হইবার পূর্বে চুনপোড়া ও ডিডকামোল গ্রামের পুনর্বাসন ও পুনঃপ্রতিষ্ঠার জন্য নির্ধারিত জমি ক্রয় করা শুরু হইবে। এই জমি সংলগ্ন একটি পুকুর রাখা হইবে। উক্ত গ্রামের অধিবাসীবৃন্দের স্থানান্তরের পূর্বে বর্তমানে অবস্থিত গৃহগুলির রাজ্য সরকার দপ্তর কর্তৃক নির্ধারিত মূল্য এবং জমির মূল্য প্রদান করা হইবে।

২.২) প্রত্যেক বাঁকুড়ার পরিবারকে ৩ কাঠা করিয়া developed জমি প্রদান করা হইবে এবং ওই ৩ কাঠা জমির উপর ৫৫০ বর্গ ফুটের নির্মিত গৃহ (২ টি ঘর, ১ টি রান্নাঘর, ১টি স্নানঘর ও সিঁড়ি) প্রদান করা হইবে। ২১ বছরের উর্ধ্বের অবিবাহিত / বিবাহিত পুরুষ সদস্য ও ১৮বছরের উর্ধ্বের বিবাহিত মহিলা (যিনি পিতা /



মাতার উপর নির্ভরশীল) সদস্যদের পৃথক পরিবার হিসেবে গণ্য করা হইবে। সেই ক্ষেত্রে জমির মূল্য অথবা গৃহের মূল্যের উপর তাহাদের কোনরূপ দাবী / অধিকার থাকিবে না। নির্মিত গৃহের পরিবর্তে ২.৫ লক্ষ টাকা, অথবা, ৩ কাঠা জমি ও ৫৫০ বর্গফুটের নির্মিত গৃহের পরিবর্তে ৩.৫ লক্ষ টাকা প্রদান করা হইবে।

- ২.৩) অস্থায়ী গৃহ ও গৃহ সামগ্রী স্থানান্তরনের জন্য পরিবার প্রতি ১০,০০০ টাকা প্রদান করা হইবে ও টিউবওয়েল থাকিলে অতিরিক্ত ৫,০০০ টাকা দেওয়া হইবে।
- ২.৪) প্রাথমিক পরিকাঠামোগত সুযোগ সুবিধা যথা: বিদ্যালয়, স্বাস্থ্যকেন্দ্র, জলসরবরাহ ব্যবস্থা, বৈদ্যুতিকরণ, রাস্তাঘাট, জলনিকাশী ব্যবস্থা, খেলাধুলার মাঠ, সমাজকেন্দ্র ইত্যাদি উন্নয়নমূলক পরিকল্পনা বাস্তবায়িত করা হইবে।

৩) কর্মসংস্থান:

- ৩.১) সমগ্র ৬৯৪ একর জমির মধ্যে একক মালিকানার অন্তর্গত ২ একর অথবা তাহার অধিক জমিহারা, অথবা তাহার মনোনীত ব্যক্তিকে শর্ত সাপেক্ষে ট্রান্স-নামোদর কোল মাইনিং প্রাইভেট লিমিটেড সংস্থায় নিয়োগ করা হইবে।

ওই ব্যক্তিদের জমি সংক্রান্ত ও অন্যান্য প্রয়োজনীয় নথিপত্র এবং বড়জোড়া থানা কর্তৃক প্রদত্ত চারিত্রিক শংসাপত্র ইত্যাদি যথার্থ নিরীক্ষণের জন্য প্রকল্প কর্তৃপক্ষের নিকট অবিলম্বে জমা করিতে হইবে।

নথিপত্র যথার্থ নিরীক্ষণের পর, নির্বাচিত কর্মহারাাদের প্রশিক্ষণের জন্য প্রকল্পের শুভারম্ভের সাথে প্রকল্পের কার্যে নিযুক্ত করা হইবে। প্রকল্পে শূন্যপদ সাপেক্ষে এবং প্রয়োজন অনুযায়ী জমির পরিমাণের অধঃক্রমানুসারে (higher loser to lower loser) পরবর্তী নিযুক্তিকরণ করা হইবে।

- ৩.২) ১৮ হইতে ৩৫ বছরের যোগ্য প্রার্থীদের ৯ মাসের প্রশিক্ষণের জন্য নিয়োগ করা হইবে। ঐ সময় তাহাদের মাসিক ৪,০০০ টাকা (Consolidated) সান্মানিক বৃত্তি প্রদান করা হইবে।
- ৪) নথিভুক্ত বর্গাদারদের কৃষি জমির নির্ধারিত মূল্যের ২৫ শতাংশ হারে মূল্য প্রদান করা হইবে এবং ক্ষেত্র মজুরদের ৫০,০০০ টাকা এককালীন আর্থিক ক্ষতিপূরণ প্রদান করা হইবে।
- ৫) কয়লা উত্তোলন শেষ হইবার পর জমি পুনরায় চাষযোগ্য করিয়া ফেরত দেওয়া হইবে।

১০৪.১৮ একর অধিগৃহীত জমিতে খনন কার্য শুরু হইবার শর্তাবলী:

- ১) খনি সংক্রান্ত কার্যকলাপ, যথা পরিকাঠামোগত নির্মাণকার্য, HEMM এর রক্ষণাবেক্ষণ ইত্যাদি জমি অধিগ্রহণ দপ্তর, বাঁকুড়া কর্তৃক ১৭৮.২৮ একর জমির পেমেন্ট নোটিশ বিতরণের সহিত আরম্ভ করা হইবে। খনন কার্য শুরু হইবার পূর্বে চুনপোড়া ও ডিডকেশাল গ্রামের পুনর্বাসনের নির্ধারিত জমি ক্রয় করা শুরু হইবে। যে ৯টি LA Case এর U/S 4 notification হইয়া গিয়াছে, সেই LA Case গুলির U/S 6 notification জমি অধিগ্রহণ দপ্তর, বাঁকুড়া দ্বারা করা হইবে এবং অবশিষ্ট ২০০ একরের সত্ত্ব u/s 4 notification করা হইবে।

OB DUMP এলাকায় বসবাসকারী ৯টি পরিবারের জন্য ক্ষতিপূরণ পুনঃনির্ধারণ, ক্ষতিপূরণ প্রদান প্রক্রিয়া সংক্রান্ত নীতি নির্ধারণ ইত্যাদি খনন কার্যের পূর্বে স্থির করা হইবে।



- ২) খনন কার্য শুরু হইবার পূর্বে - ১৭৮.২৮ একরের কমপক্ষে ২টি LA কেসের ক্ষতিপূরণ প্রদান শেষ করা হইবে। ১০৪.১৮ একরের কমপক্ষে ১টি LA কেসের বাড়তি ক্ষতিপূরণ প্রদান করা হইবে। ১৩.৫৬ একরের বাড়তি ক্ষতিপূরণ প্রদান করা হইবে।
- ৩) বর্গাদারদের বাড়তি ক্ষতিপূরণ প্রদান করা হইবে।
- ৪) সমগ্র ৬৯৪ একর জমির মধ্যে একক মালিকানার অন্তর্গত ২ একর বা তার অধিক জমিহারা ব্যক্তিদের কর্মস্থানের জন্য যোগ্য প্রার্থী, অথবা তার মনোনীত ব্যক্তির তালিকা প্রকাশ করা হইবে।
- ৫) ১০৪.১৮ একর জমিতে খনন কার্য চলাকালীন সরকারী কাজে বাধা দান করিলে প্রশাসনের তরফ হইতে আইনানুগ ব্যবস্থা গ্রহণ করা হইবে। পরবর্তীকালে যে জমি অধিগৃহীত হইবে সেইখানেও খনন কার্যে বাধাদান অবাস্থিত / আইন-বিরুদ্ধ বলিয়া বিবেচিত হইবে।
- ৬) খনন কার্য ও কয়লা উত্তোলনের কারণে পরিবেশ দূষিত হইলে বা চারিপার্শ্ব অধিবাসীদের কোনরকম অসুবিধা সৃষ্টি হইলে জেলা প্রশাসন তৎক্ষণাত্ হস্তক্ষেপ করিবে এবং অধিবাসীদের অসুবিধা দূরীকরণের যথাযথ ব্যবস্থা লওয়া হইবে।

০৭/১২/১০


১৩/১২/১০

Government of West Bengal  
Office of the District Magistrate & Collector, Bankura  
(Land Acquisition)

Memo No. 1243-LA Dated 09.12.2010

Copy to:

- 1) Superintendent of Police, Bankura
- 2) Deputy Superintendent of Police (Administration), Bankura
- 3) Sub-Divisional Officer, Bankura (Sadar)
- 4) Sabhapati, Barjora Panchayat Samiti
- 5) Block Development Officer, Barjora
- 6) Pradhan, Barjora G.P.
- 7) Pradhan, Ghutgoria G.P.
- 8) C.I. of Police, Gangajalghati
- 9) O.C., Barjora Police Station
- 10) Chairman-cum-Managing Director, WBMDTCL
- 11) Secretary, Maa Bhalkoburi Land Losers' Association,
- 12) Secretary, Barjora Ghutgoria Ganatantrik Kishi & Shramajibi Samity
- 13) Secretary, Trans-Damodar Land Losers' Association

Seen  
  
District Magist  
BANKURA



Addl. District Magistrate  
Bankura

73  
(Typed Copy of Page 70-72)

-1-

Gist of the resolution regarding land acquisition adopted jointly by the affected Land Owners/farmers and the authorities of the Trans Damodar Coal Project, in the presence of District Magistrate, Bankura, on 02/12/2010 at 3 P.M. :-

1.1. Price of Land

Sl. No.:	Class of land	Price (in Lakh per acre)
1.	Agricultural Land(Suna, Shol, kanali, tora, danga, garh, garh layek, patit, commercial etc.)	11.00
2.	Wet Land (pond, drain,khaal, beel etc.)	6.00
3.	Bastu Land	17.60

The above menioned amount is the consolidated rate fixed by the Land Acquisition department, Bankura as compensation ( Basic Price + Solatium + Interest), compensation regarding rehabilitation, reinstatement, extra allowances. The aforesaid amount will remain unchanged in respect of 178.28 acres, till 18 months from the date of completion of disbursement. This will be applicable in case of direct sale of Land.

1.2. The increased rate of compensatory amount of already acquired 104.18 acres of land and directly purchased 13.56 acres of land will be granted with the acquired 178.28 acres of land. The new rules of acquisition of land of the Central Govt. as well as State Govt. will be applicable. If the acquisition process of the remaining 410 acres are not completed within 18 months as stated above then the value of land will be increased by 18% over the gross value of the land. On the basis of the



discussion with the DM, Bankura on 30/12/2007, the increased amount of valuation will be applicable on all the lands.

1.3. As per the rules, the recorded Bargadars will get the newly settled amount on the agricultural land in excess.

2. Plans have already been made for Re-establishment, rehabilitation, and re-instatement of Chunpora, and Bhirkasole village and of 9 families in the OB DUMP area.

2.1. The lands already selected for the purpose of re-instatement and re-establishment of Chunpora and Bhirkasole village, will be purchased before the excavation/digging process starts. There will be a pond attached to this land. Before shifting the inhabitants, State Govt. will give the settled amount in lieu of the land and houses.

2.2 Each refugee family will be given 3 kathas of developed land and house with an area of 550 sq.feet ( 2 rooms, 1 kitchen, 1 bathroom, and staircase) on the said land. Married/ unmarried man, who are of above 21 years of age and females of 18 years Married/ unmarried ( who are dependant on parents, will be considered as members of seperate family. In that case they wont have any right /claim over the price of land or price of house said. Instead, they will get 2.5 lakhs in exchange of the houses and 3.5 lakhs in place of 3 cottahs of land and houses of 550 sq.feet.

2.3. Each family will be given Rs.10,000/- for shifting to temporary houses and carrying the household materials. Houses having tube-wells will be given Rs. 5000/- extra.

2.4. The plans for primary infra structure, such as schools, health centres, arrangement of water supply, electric connection, roads, drainage system, playground, centre fr social gathering(samajkendra) will be fulfilled and completed.



3. Scope of employment :

3.1 In respect of the total 694 acres of land acquisition persons having minimum of 2 acres of land in their individual ownership shall be provided with an employment, or to any of their nominated persons, at Trans Damodar Coal Mining Private Limited, subject to terms and conditions.

Those persons should immediately submit the relevant papers relating to lands and character certificate from Borjora P.S., before the concerned authorities. After proper scrutiny of the said documents, those selected land losers will be trained and will be engaged/appointed to work in the project with the starting of the project. Later on, in the next phase more appointments will be made subject to vacancy and as per requirements, and said appointments will be given to the land losers in descending order (higher loser to lower loser).

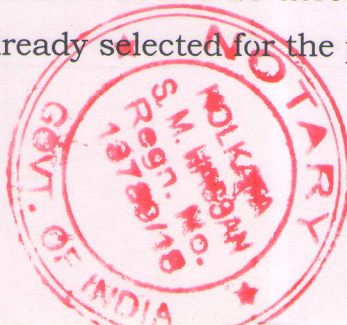
3.2. Eligible candidates from 18 to 35 years will be trained for 9 months. During that time they will be given a remuneration of Rs. 4000/- (consolidated).

4. Recorded bargadars will be given an amount of 25% of the value of the land and the land labours will be given one time amount Rs. 50,000/- as compensation.

5. Ater the excavation of the coal, the land will be restored in its original form which is capable of cultivation.

Conditions for Excavation on the acquired Land of 104.18 acres

1. All the works relating to mines, viz., building of infrastructure, preservation of HEMM etc. will be started after the distribution of the notice of payment of acquired land of 178.28 acres by the Land Acquisition Dept., Bankura. The lands already selected for the purpose of resettlement of



Chunpora and Bhirkasole village, will be purchased before the excavation/digging process starts.

All those 9 LA cases which are initiated under section 4 notification, will be dealt with by the Land Acquisition Dept., Bankura, under s.6 notification. Immediately after that notification under section 4 will be issued, for the rest 200 acres of land.

Rules and Regulations regarding re-settlement and grant of compensation etc. for the 9 families living in the OB DUMP area, will be decided prior to the excavation.

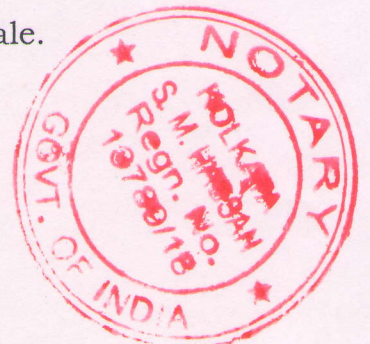
2. Before the initiation of the excavation work atleast compensation of 2 LA cases of 178.28 acres of land will be given. Atleast excess compensation of 1 LA case of 104.18 acres will be given /granted and compensation of 13.56 acres of land will be granted.

3. Bargadars will be given excess compensation.

4. List of eligible/ nominated candidates will be published out of the persons who lost 2 acres or more lands from the solely owned 694 acres of land.

5. Administration shall take steps in accordance with law, if anybody tries to cause any hindrance/ obstacle to the Govt. work of excavation in the 104.18 acres of land. Later on if such acts of restraints are caused in the subsequently acquired land, that will also be considered illegal.

6. If any pollution of environment is caused due to excavation and extraction of coal or the nearby residents of the locale get affected otherwise for such mining, district administration shall interfere immediately and take appropriate steps to give relief to the residents of such locale.





भारत सरकार  
Govt. of India  
श्रम एवं रोजगार मंत्रालय  
Ministry of Labour & Employment  
सामान्य सुरक्षा महाविद्यालय  
Directorate-General of Mines Safety



NO: 010963|EZ|Sitarampur Region No.II|Permrelax|2021|193930

Date: 27/08/2021

From  
Director of Mines Safety, SITARAMPUR REGION NO.II Region, EASTERN ZONE SITARAMPUR WEST BENGAL

To  
SHRI KANCHAN CHAKRABORTY  
The Durgapur Projects Limited , Administrative Building, Durgapur , Paschim Bardhaman , West Bengal - 713201  
The Durgapur Projects Limited , Administrative Building, Durgapur , Paschim Bardhaman , West Bengal - 713201

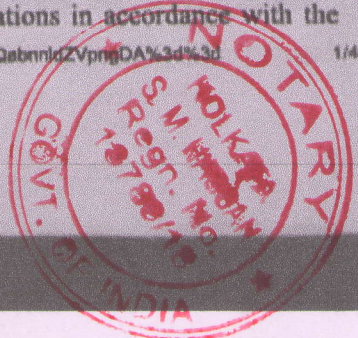
**Sub: Permission under Regulation 196(3) of the Coal Mines Regulations, 2017 to conduct deep hole blasting on regular basis within 500m but beyond 100m of surface structures not belonging to the owner at Transdamodar Coal Mine of M/s Durgapur Projects Limited - renewal thereof.**

Sir,

Please refer to your online application Ref. No.193930 and offline letter No. DPL/TDCM/2021/142, dated 07.08.2020 on the above subject, scientific study report vide Ref. No. CNP/3835/2013-14, dated August, 2014 conducted by CIMFR, Dhanbad, Plan No. TDCM/WP(Blasting)/2020/01, dated 07.08.2020 and document(s) enclosed therewith.

The matter has since been considered on the basis of the information furnished by you & shown on the accompanying plans. In exercise of the powers conferred on the Chief Inspector of Mines (also designated as Director-General of Mines Safety) under Regulation 196(3) of the Coal Mines Regulations, 2017 and by virtue of the authorization granted to the undersigned by the Chief Inspector of mines (also designated as Director-General of Mines Safety) under Section 6(1) of the Mines Act, 1952, I, hereby, permit you to conduct controlled deep hole blasting on regular basis within 500m but beyond 100m of surface structures not belonging to the owner in the area as shown along the points A-B-C....Z-A1-B1.....Z1-A2-B2-C2-A, on the above plan at Transdamodar Coal Mine of M/s. Durgapur Projects Limited, subject to strict compliance of following conditions:

- 1.0 The opencast workings shall not be extended in areas unless the land in question has been acquired by M/s. Durgapur Projects Limited and is under the possession of the management.
- 2.0 No working shall be extended within 45m of structures/buildings not belonging to M/s. Durgapur Projects Limited, or any public road, unless permission, as required under the provisions of Regulation 119(1) of the Coal Mines Regulations, 2017, has been obtained from this Directorate.
- 3.0 No blasting for removal of overburden or for extraction of coal shall be done within 100 metres of any surface structures/buildings not belonging to M/s Durgapur Projects Limited. The restricted zone from the nearest dwelling/structure, not belonging to management, shall be clearly demarcated on the plans as well as on the ground by conducting actual surveys.
- 4.0 No working shall be extended within 15m of any river/jore/nalla/water-courses and the entire ground lying within 15m of such river, nallah or jore shall be filled up and consolidated and raised to a R.L., which is at least 3.0m above the known highest flood level of the river/ nallah/ jore.
- 5.0 (a) Operations connected with Drilling, Charging, Stemming and Blasting of deep holes shall be placed under overall charge of an Assistant Manager, holding at least first Class Manager's Certificate of Competency granted under Coal Mines Regulations, 2017, who shall supervise the said operations in accordance with the



guidelines and directives issued by the Manager.

(b) Notwithstanding anything contained in the Coal Mines Regulations, 2017, preparation of charging and stemming of deep-holes shall be carried out under the personal supervision of an Overman in controlled blasting techniques, who shall fire the shots himself.

6.0 The manager shall follow the blast design for charging pattern of holes in overburden benches, keep in view the recommendations made by CIMFR, Dhanbad vide project No. CNP/3835/2013-14, dated Aug 13 2014.

7.0 Blast design, explosive charge per hole, per round shall be followed as below:

Distance of Holes from surface structures (m)	Bench Height (m)	Dia of Holes (mm)	Hole Depth (m)	Burden (m)	Spacing (m)	Top stemming Column (m)	Max. Explosive charge per hole (kg)	Max. Explosive charge per round (kg)
100-200	5.0-6.0	160	5.0-6.0	3.5-4.0	4.5-5.5	2.5 to 2.8	35	1050
200-300	5.0-6.0	160	5.0-6.0	3.5-4.0	4.5-5.5	2.5 to 2.8	45	2250
300-500	5.0-6.0	160	5.0-6.0	3.5-4.0	4.5-5.5	2.5 to 2.8	60	4200

8.0 The blasting personnel shall be entrusted in controlled-blasting techniques, and shall also monitor the blast-induced ground vibrations, at dwellings/structures not belonging to M/s Durgapur Projects Limited, with every blast. For the purpose, required instrument, triggered by geo-phone and capable of giving digital output, shall solely be made & kept available at the mine. Monitoring of peak particle velocity, noise level and of the dominant frequency shall be done with each round of deep-hole shots fired.

9.0 (a) Peak particle velocity of blast-induced ground vibrations, at dwellings/structures not belonging to M/s Durgapur Projects Limited measured with every blast as per guidelines of DGMS Circular (Tech) No. 07 of 1997, shall not exceed 5mm/sec.

(b) Prior of blasting, each hole shall be muffled by old wire rope screen of 1.28m x 1.2m and 25mm Mesh, each overlapping by 0.3m and loaded with atleast 4 sand bags each containing not less than 30 kgs of sand so as to ensure that flying rock does not come beyond 10m of the place of blast.

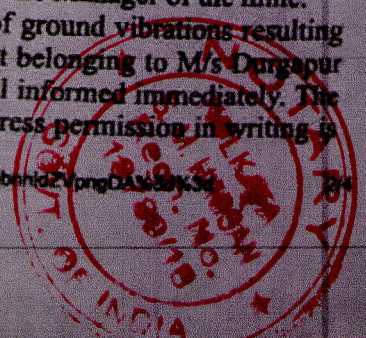
(c) The cartridge density of explosives shall be in the range of 1.05 to 1.25 g/cm<sup>3</sup>. The velocity of detonation of prime cartridges shall be less than 3700m/s. The velocity of detonation of column cartridges shall be more than 3300 m/s.

(d) Electronic detonators or equilent initiation device shall be used for each blast.

(e) The sub-grade drilling shall be 0.50m for a blast hole depth of 6.0m and shall be blasted with bottom initiation.

10.0 A proper record of blast parameters like spacing & burden of holes, hole depth, number of holes fired in the round, charge/hole, charge/delay, and charge/round, length of explosive column(s) & stemming column length(s), initiation pattern (with proper sketches wherever called for), manner of muffling, results of ground vibration observed (ppv, frequency & air over pressure) and distance upto which flying fragments resulting out of blasting projected, shall also be kept maintained in a bound paged book with each round of deep-hole shots fired. The records shall be duly signed by the Blasting Officer and countersigned by the Manager of the mine.

11.0 In case, with any of the deep-hole rounds fired, the peak particle velocity of ground vibrations resulting out of blasting is observed to be more than 5mm/second at dwellings/structures not belonging to M/s Durgapur Projects Limited, blasting operations shall be discontinued and this Directorate shall informed immediately. The blasting operations connected with this permission shall not be resumed unless express permission in writing is

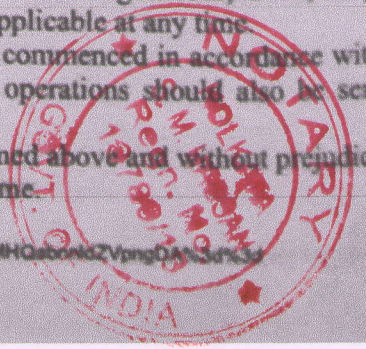


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Recorded by this Directorate afresh.

- 12.0 The manager shall fix the time of blasting, and the same shall be circulated to all concerned, including to mine officials/supervisors in control/supervising operations and to habitants of structures and dwellings, not belonging to M/s Durgapur Projects Limited. The timings shall also be conspicuously posted on the notice board.
- 13.0 Code of practice for blasting shall be framed by the Manager, which shall strictly be followed.
- 14.0 Blasting shall be done during daylight hours only.
- 15.0 Two-way communication by wireless or walkie-talkie sets shall be provided to the Assistant Manager in-charge of blasting, shot-firer, and to the assistants of the shot-firer. The sets, including mobile phones in possession of blasting personnel, if any, shall remain switched-off during handling and charging of explosives.
- 16.0 Before shots are charged, stemmed and fired, sufficient warning by siren or other suitable means shall be given to warn persons within a radius of 500m, including to the habitants of structures and dwellings, not belonging to M/s Durgapur Projects Limited.
- 17.0 Guards shall be posted to ensure that no person inadvertently enters the danger zone, and to ensure that all persons within the danger zone have taken proper shelter.
- 18.0 All precautions under Regulation 196(2) shall be observed during blasting within 500m from the any road.
- 19.0 No blasting shall be done within 100m distance from the State Highway No.9, until the same is shifted beyond danger zone of blasting.
- 20.0 No blasting shall be done within 100m distance from the structures of Bhirkasol & Chunpara Village and private factories not belonging to M/s Durgapur Projects Limited, until the same are shifted beyond danger zone of blasting.
- 21.0 One or more substantially built shelters shall be provided into the mine and the shot-firer, along with his assistants, if any, shall take adequate shelter, before firing the shots.
- 22.0 Incase of fire in benches, precautions laid down in Gazette Notification No.G.S.R.986(E) dated 01.10.2018, published in the Gazette of India dated 04.10.2018, Part II, Section 3(i) issued under Regulation 202 of the Coal Mines Regulations, 2017 for conducting blasting in fire areas in an opencast coal mine, which shall be strictly adhere to.
- 23.0 Owners of structures and dwellings and land, not belonging to M/s Durgapur Projects Limited, and habitants/ occupants of such dwellings/buildings shall be indemnified against damage to property/injury to persons, if any, arising out of mining operations.
- 24.0 Except where otherwise provided for in this permission, all provisions of the Coal Mines Regulations, 2017, relating to opencast workings, use of explosives and machineries, etc., and shall be strictly complied with.
- 25.0 Please note that, this permission is subject to the following additional conditions –
- 25.1 In the event of any change in the circumstances connected with this permission / exemption which is likely to endanger the life of persons employed in the mine or the mine, the mining operations for which this permission has been granted shall be stopped forthwith and intimation thereof shall be sent to this Directorate. The said mining operation shall not be resumed without express and fresh permission in writing from this Directorate.
- 25.2 If at any time any one of the conditions, subject to which this permission/exemption has been granted, is violated or not complied with, this permission/exemption shall be deemed to have been revoked with immediate effect.
- 25.3 This permission/exemption may be amended or withdrawn at any time if con-sidered necessary in the interest of safety and is being issued under Regulation 196(3) of the Coal Mines Regulations, 2017, only, without prejudice to any other provisions of law which may be or may become applicable at any time.
- 25.4 This Directorate shall be informed as soon as the mining operations are commenced in accordance with the above permission/exemption. Intimation about completion of the mining operations should also be sent promptly and in any case not later than one month thereof.
- 25.5 This permission is being issued specifically under the Regulations mentioned above and without prejudice to any other provisions of law, which may be or may become applicable at any time.



8/27/2021

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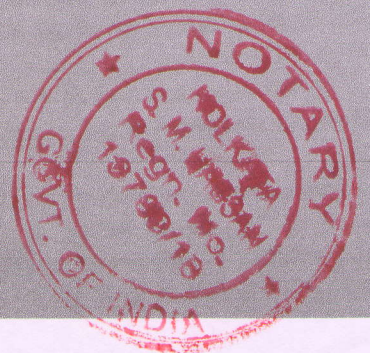
26.0 Unless renewed, this permission shall be valid for a period of 05 (Five) years from the date of issue of this letter.

Your Sincerely,



VIR . PRATAP (DIRECTOR - SITARAMPUR REGION NO.II)

THIS IS A SYSTEM GENERATED DOCUMENT, DOES NOT REQUIRE ANY SIGNATURE.





NOTARY  
S. M. FROSTIN  
Regd. No. 10780/19  
GOVT. OF INDIA



NOTARY  
S. M. BHANU  
Secy. No. 10/10/18  
GOVT. OF INDIA



NOTARY  
GOVT. OF INDIA  
S. M. HANUMAN  
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NOTARY  
GOVT. OF INDIA  
S. M. KHAN  
REGISTRATION  
1978/1118



NOTARY  
S. M. ESHWARAN  
S. No. 107/2014  
GOVT. OF INDIA





NOTARY  
KOLKATA  
S. M. BANERJEE  
SPECIAL AGENT  
437 891/16  
GOVT. OF INDIA

- 89

Annexure - "A-4"

Government of West Bengal  
Office of the District Magistrate, Bankura  
Industry Cell

Memo No.....<sup>ol</sup>...../IND

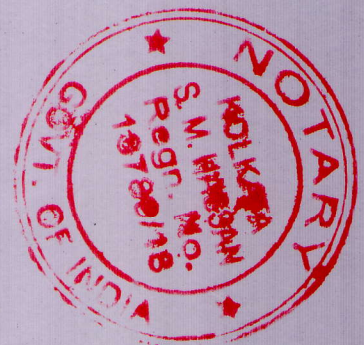
Dated...13.../01/2016

To  
Sri Budhan Maji,  
Vill-Chunpora,  
PO-Barjora,  
Dist.-Bankura

With reference to your letter dated 28.12.2015, I am directed to inform you, to write letter to the authority of WBMDTCL and DPL for redressal of your grievance.

*11-1-2016*  
For District Magistrate,  
Bankura

*11-1-2016*



প্রতি  
জেলাশাসক মহাশয়/মহাশয়া সমীপেষু,  
বাঁকুড়া

তারিখ- ১০/০৬/২০১৫

বিষয়ঃ চুনপোড়া গ্রামের পুনঃবাসন, বাস্তুহারা চাকরী ও ক্ষেতমজুরগণের এককালীন ভাতা।

মাননীয় মহাশয়/মহাশয়া,

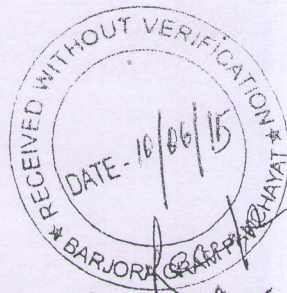
আপনার কাছে চুনপোড়া গ্রামবাসীগণের বিনীত নিবেদন এই যে, ২০০৫-০৬ সালে কোলিয়ারীর জমি অধিগ্রহণ ঘোষণার পর থেকে আমরা পুনঃবাসন, বাস্তুহারা পরিবার পিছু চাকরী ও ক্ষেতমজুরগণের ৫০০ দিনের এককালীন ভাতার দাবী করতে থাকি। কিন্তু আজ পর্যন্ত আমরা এর কোন সদুত্তর পায়নি। তাই বিরূপায় হয়ে গত ইং- ২৫/০১/২০১৫ তারিখ থেকে আমরা গ্রামবাসীগণ কোলিয়ারীর গেট অবরোধ করি এবং তা ইং- ৩০/০১/২০১৫ তারিখ অবধি চলে। ইং- ৩০/০১/২০১৫ তারিখে মাননীয় M.L.A. (বড়জোড়া) মহাশয়ের সভাপতিত্বে কোলিয়ারী কর্তৃপক্ষের তরফ থেকে Trans Damodar Coal Mining (Pvt) Ltd.-উপস্থিত থেকে একটি আলোচনা সভা করা হয় (উক্ত সভার প্রতিলিপি দেওয়া হল) ও কিছু পদক্ষেপের ঘোষণা করা হয়। কিন্তু সেই পদক্ষেপ আজও নেওয়া হয়নি। গত ইং- ২৬/০৫/২০১৫ তারিখে আপনার ডাকা সভায় আমাদের গ্রামের প্রতিনিধিগণ উপস্থিতি থেকে আমরা পুনঃবাসন সংক্রান্ত যাবতীয় বিষয় আপনার সামনে উপস্থাপন করি এবং সভা চলাকালীন আপনিও আমাদের ভরসা দেন। কিন্তু কোলিয়ারী কর্তৃপক্ষের তরফ থেকে কোন ভরসা না পাওয়ায়, আপনি আপনার সেই দিনের আলোচনা সভায় কোন সিদ্ধান্তে উপনীত হতে পারেন নি; তারফলে আমরা ভীষণভাবে মর্মান্বিত হই। তাই আমাদের পুনঃবাসন, বাস্তুহারাগণের পরিবার পিছু চাকরী ও ক্ষেতমজুরগণের ৫০০ দিনের এককালীন ভাতার যে দাবী আমরা বারবার করে আসছি, সেই দাবী আমরা আপনার উপর পূর্ণভরসা রেখে পুনরায় আগামী ১৫ দিনের মধ্যে আবার আলোচনা সভা ডেকে তাতে শুধু D.P.L.-কর্তৃপক্ষ, আপনি ও আমরা এই তিনপক্ষ থেকে আমাদের দাবীগুলি একল শতাংশ সিদ্ধান্তে উপনীত হবার আবেদন জানাই। যদি কোনভাবে সভা না হয় বা সভা হলেও যদি কোন সিদ্ধান্ত না হয়, তাহলে আমরা গণ-আন্দোলনের মাধ্যমে কোলিয়ারী গেট অনির্দিষ্টকালের জন্য বন্ধ করে কোলিয়ারীর কাজ বন্ধ করতে সক্ষম হব এবং এরফলে এলাকায় যে কোন অঘটনের জন্য কোলিয়ারী কর্তৃপক্ষ দায়ী থাকবেন।

মহাশয়/মহাশয়া, আপনাকে আমাদের জেলার শেষ কথা বলে আমরা মনে করি এবং সেই ভরসাকে সন্মান জানিয়ে আমাদের অস্তিত্বের যাবতীয় সমস্যার সমাধানের উদ্যোগী হয়ে উপকৃত করুন।

স্থানঃ- চুনপোড়া,  
বড়জোড়া, বাঁকুড়া

প্রতিলিপিঃ

১. S.P./ বাঁকুড়া
২. I.C./ বড়জোড়া থানা
৩. B.D.O./ বড়জোড়া
৪. M.D., The D.P.L.
৫. M.L.A./ বড়জোড়া
৬. প্রধান/ঘুটগড়িয়া গ্রাম পঞ্চায়েত
৭. প্রধান/বড়জোড়া গ্রাম পঞ্চায়েত

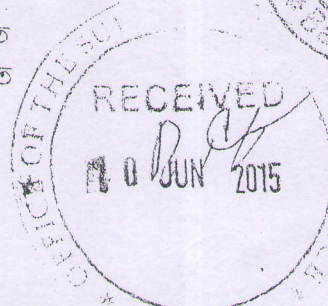


ইতি- বিনীত  
চুনপোড়া গ্রামবাসীগণ  
স্বাক্ষর

Receipt No. 11/06/15  
Date: 10/06/15  
Central Received & Registered

10/06/15

Receiving Officer  
Central Receiving Section  
Bankura Collectorate  
Contents not verified!



Hari Sanxar Blm  
Rabi lochan Kar  
Kecuranta maji  
Budhan Maji  
Karak

To  
The DM , Bankura

91  
5  
Date : 10/06/2015.

Sub.: Prayer for rehabilitation of Chunpora villagers and jobs for the  
Landless people and one time allowances for Land labourers

Respected Sir/Madam,

We the people of Chunpora village humbly state that, after the acquisition of land in the year 2005-06 by the colliery/ coalmines, we demanded jobs for the landless families, and one time allowances for the land labourers /peasants for 500 days. But till today we have not received any response. So by being helpless we the villagers have demonstrated in front of the Colliery gate on 25/01/2015 and it continued till 30/01/2015. On 30/01/2015, under the President ship of Hon'ble MLA(Borjora) on 30/01/2015 , a meeting was conducted with the representatives of the of the Trans Damodar Coal Mining (pvt.) Ltd. (minutes of the meeting is attached) and also declared about some steps which are to be taken. But such steps are not taken till date. Again on 26/05/2015, the representatives of the villagers attended the meeting organised by you and demanded the rehabilitation and you also assured the same. But no assurance was received from the colliery owners and as such no decision was not taken by you on the said meeting, as result we were shocked. So our demand for rehabilitation, job for the landless people and one time allowances of 500 days of the peasants is continuous. Having full faith in you again a meeting is to be organised within 15 days, where only we, DPL authorities and you will discuss about our demands and request you to reach to a conclusion. If for any reason meeting will not be arranged or if the meeting will be arranged but no conclusion is reached into, we will continue with the mass agitation in front of the gate of the Colliery/mine and they will be compelled to stop heir work and the authorities will be responsible for resulting any untoward incidents in the locality.

Sir/Madam, we consider you to be ultimate authority of our district and as such with due respect beg to oblige us to save our identity.

Thanking you.

Sincerely,

Place: Chunpora  
Borjora, Bankura.



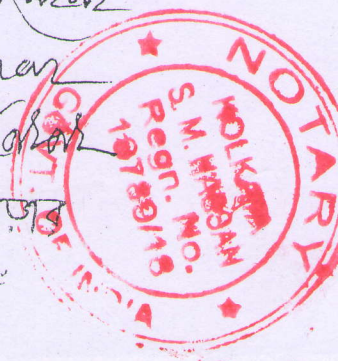
পুনঃবাসন ও বাসুহাৰা চাকুৰীৰ ও স্বেচ্ছামুদগৰণেৰ এককাল

ভেটাৰ দাবীৰ অকাল চুনপোড়া প্ৰামবাসীৰ স্বাক্ষৰ।

35

6. Ashoke Karar
7. Kartick Bhu
8. Bipad Tavan Karar
9. দীৰ্ঘা কাড়ার
10. Asthis K. Karar
11. সুব্রত চক্ৰ ৫২
12. Anuraj Kumar
13. সুভাষ ৫২
14. প্ৰদীপ কান্ত
15. নিৰ্মল ৫২
16. Ranjit Karar
17. সুভাষ কাড়ার
18. নীতাম কাড়ার
19. Bapi Karar
20. Damodar Karar
21. Milan Karar
22. Toan dhara
23. Srikanta Karar
24. Prasanta Karar
25. Prasanta Bhu
26. Lakshmi-chona
27. ভাস্কৰ ৫২
28. Madhu sudan Karar
29. বাবন কাড়ার
30. Tarak Nath Karar
31. Rupamoy Maji
32. Hriday Karar
33. Jitendra Nath Karar

34. Papumondal
35. Srikanta Bhu
36. Apurba Karar
37. Rahul Maji
38. কাৰ্বী ৫২
39. Suelan Bhu
40. Rumpa maji
41. Romat Bhu
42. Bappa Bhu
43. Dimp Karar
44. বিব চক্ৰ ৫২
45. বৰ্ণা কাড়ার
46. বাৰা বসুকাড়ী
47. Kabita Maji
48. Jitika Bhu
49. বাৰা কাড়ার
50. নবজ কাড়ার
51. চুভাৰা কাড়ার
52. Manoj Karar
53. Nidhuram Karar
54. Amal Mondal
55. Biswajit Karar
56. Tapas Karar
57. Gopam Karar
58. সত্যজিৎ কাড়ার
59. Santa Bhu
- 60.



To  
The D. G. M.  
Orans Damodar Coal Mine  
Site office - Barjora - Bankura

বিষয়: - জোলিয়ারিৰ পৰিভুক্ত জমা জমি কৃষিকৃষিৰ ক্ষতি পূৰণ ও আইন স্বাস্থ্যৰ অৰ্থে  
বাৰী ভেঙে পড়িবৰ ক্ষতি পূৰণৰ আবেদন।

মাননীয় মহাশয়,

আপনাৰ নিৰ্দ্ধ জমাৰ বিনীত আবেদন এইমতে জমাৰ ১) বৃষন মাৰ্জী  
২) দুঃখমাৰ্জী ৩) প্ৰশান্ত মাৰ্জী ৪) অক্ষয় মাৰ্জী ৫) সুনিৰ্মা কঁড়ার চুনপোতা  
আমেৰে পুৰী বসিষ্কা, জমাৰে মানসাত্তা মেৰুৰে কৃষিকৃষিৰ ক্ষতি  
এখনেৰে পৰিভুক্ত Coal Mines Company লিঃ অফিঃ কৰেণনী, বা কিলেননী,  
এই কৃষিকৃষিৰ ক্ষতি জোলিয়ারিৰ পৰিভুক্ত জমা জমি ভেৰে জাছে, ৬-৭ বছৰ  
কোন বৰুমা চামৰাম কৰা যায়নী, তাহাৰ ক্ষতি পূৰণেৰে আবেদন জামাই।  
সেই অৰ্থে জমাৰে এ অৰি চামীৰ বাৰী ভেঙে পড়ে জামেছে আইন স্বাস্থ্যৰ  
জমা এ বন ক্ষতি মাৰ্জীৰ দেওয়া ও চাঁদ চাৰিটিক মেৰে জামেছে,  
জমাৰে কছে বন কৰ আবেদন কৰা হযেছে, কিন্তু কোনবনে কন হযনী,  
এৰ জাৰে কৃষিকৃষিৰ ক্ষতি পূৰণেৰে আবেদন কৰিছিলাম তাহাৰে কোন ক্ষতি পূৰণ পায়নী,

অতঃপৰে মহাশয়েৰ নিৰ্দ্ধ জমাৰে বিনীত আবেদন মে জমাৰে  
সামন্ত ক্ষতি পূৰণপুলি দেওয়া হন তাহাৰ সত্ত্বৰ যথাযথা জাৰে দানে বাৰিঃ কিলেননী,

- ১) পেশিল বসিঃ জমাৰে সাগত সখে দেওয়া হইল।
- ২) জমাৰে কৃষিকৃষি ক্ষতি পূৰণেৰে জামি দেওয়া হইল,  
যা জাৰে দেওয়া হযনী।
- ৩) বাৰী ভেঙে পড়িবৰ ক্ষতি পূৰণেৰে দেওয়া হইল।

স্বীকৃত হৈছে

ছলো জৰ - মানসাত্তা, জে এল দিঃ - ১৭

নং	পৰিমাণ	মন্তব্য
১৬২৫	০.২৫	মন্তব্য
১৬২৬	০.২৫	"
১৪৬২	০.০২	"
১৪২৬	০.০২	"
১৫০২	০.০২	"
১৫০৪	০.৪০	"
১৫২১	০.৪০	"
১৫২২	০.২৫	"
১৫৪৬	০.৭২	"
১৫৬৫	০.৩৬	"
১৬৬৫	০.০৬	"
১৬৬৫	০.৬০	"
১৬২৭	০.০৬	"
১৫৭৫	০.২২	"
১৬০৬	০.০২	"

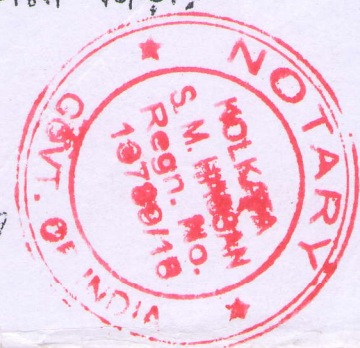
- ১) বৃষন মাৰ্জী
- ২) প্ৰশান্ত মাৰ্জী
- ৩) দুঃখমাৰ্জী
- ৪) অক্ষয় মাৰ্জী

বাকি - বৃষন মাৰ্জী

৫) সুনিৰ্মা কঁড়ার



S. Ghosh  
30/04/19



To  
The DGM  
Trans-Damodar Coal Mine  
Site Office- Borjora-Bankura

Date: 30/04/2019

Sub.: Prayer demanding/claiming compensation for the damages caused to the residential buildings due to mine blasts and to the agricultural lands owing to the waste water of the colliery.

Respected Sir,

With due respect, we humbly pray that , we (1) Budhan Majhi, (2) Dukhomoy Maji (3) Prasanta maji, (4) Sondhya Maji, (5) Purnima Karar – are the permanent residents of village – Chunpora. The coal mines company have not yet acquired our agricultural lands in the Salgara Mouza, neither they have purchased it. These lands are filled with waste waters of the colliery and could not cultivate them for the last 6/7 years. So, we are praying for the compensation of the said lands. At the same time we state that due to mine blasting, our hut with tile roof has been destroyed and many cracks are also caused in the concrete buildings. We prayed before you for compensation many times, but to no effect. Prior to this we also prayed for compensation our agricultural lands, still no compensation have been received till date.

So we are requesting you to disburse the compensation as early as possible.



1. Documents related to scheduled lands are attached herewith.
2. Copy of last compensation received for other agricultural lands, which were not given before.
3. 3 copies (of photos) of damage house.

Mouza- Salgara, JL No - 17

Daag no.	Area
1695	.25
1693	.25
1482	0.02
1496	0.09
1501	0.09
1504	0.40
1521	0.40
1522	0.98
1546	0.71
1564	0.33
1665	0.06
1685	0.80
1627	0.06
1578	0.22
1606	0.01



To  
The District Magistrate,  
Bankura

Date - 30/12/2021

বিষয় :- ট্রান্স দামোদর কোল প্রোজেক্টে অবৈধ ভাবে কয়লা উত্তোলন ।

মাননীয় মহাশয়,

আপনার নিকট চুনপোড়া গ্রাম বাসীর বিনীত আবেদন, যে আমাদের গ্রামের পাশেই ট্রান্স দামোদর কোল প্রোজেক্টের কয়লা উত্তোলন করে নিয়ে যাচ্ছেন দুর্গাপুর প্রোজেক্ট লিমিটেড । চুনপোড়ার কৃষক ও ক্ষেত মজুরদের পূর্ণবাসন, কর্ম সংস্থান ও অন্যান্য সুযোগ সুবিধা দেওয়ার কথা সরকারী ভাবে লিপিবদ্ধ থাকলেও কোন কিছু না দিয়ে, জোর করে কোলিয়ারি কর্তৃপক্ষ কয়লা উত্তোলন করে নিয়ে যাচ্ছেন । আমাদের কৃষি জমি কোলিয়ারীর পরিতক্ত জলে বছরের পর বছর ডুবে রয়েছে । তাহার কোন রূপ ক্ষতি পূরণ দেওয়া হয়নি । এই জল জমে থাকার ফলে অধিকাংশ বাড়ীতে বিভিন্ন ধরনের বৃক্ষের সাপ, পোকা - মাকড়, মশা মাছি ঢুকে যাচ্ছে, ফলে বিভিন্ন রোগ জীবানু ছড়াচ্ছে । এমতাবস্থায় বাড়ীতে বসবাস করা যাচ্ছে না । বর্ষার সময় অনেক বাড়ী জলে ডুবে গিয়েছিল, সেই অবস্থা কোলিয়ারী কর্তৃপক্ষ দেখে গিয়েছেন । মাইনিং ব্লাসটিং এর ফলে গ্রামের অধিকাংশ বাড়ীর দেওয়াল এবং ছাদ ফেটে গিয়ে ভেঙ্গে পড়ে যাচ্ছে, কয়েকটি বাড়ী ভেঙ্গে পড়ে গিয়েছে । কোন রূপ কোন ক্ষতি পূরণ দেওয়া হয়নি । ক্ষেত মজুরদের এক কালীন ৫০০ দিনের ভাতা দেওয়ার কথা থাকলেও তা দেওয়া হয়নি । বর্তমানে সারা বিশ্বে করোনা অতি মারির প্রভাব, সেই সঙ্গে চুনপোড়া গ্রামের অধিকাংশই মানুষ বেকার অবস্থায় দিন কাটাচ্ছেন । এমতাবস্থায় এলাকায় বিশাল অশান্তি সৃষ্টি হচ্ছে ও শান্তি শৃঙ্খলা বিঘ্নিত হচ্ছে । আপনার কাছে অনুরোধ যে ১৫ দিনের মধ্যে এই সমস্যার সমাধান করতে হবে, নচেৎ আমরা কোর্টে যেতে বাধ্য হইব ।

অতএব মহাশয়ের নিকট চুনপোড়া গ্রামবাসীর বিশেষ অনুরোধ যে ট্রান্স দামোদর কোল প্রোজেক্টের কাজ শুরু হোক সকল সমস্যার সমাধান করে, দেশের সর্বোচ্চ আদালতের নির্দেশ মানিয়া, তাহার সত্বর যথাযথ আদেশ দানে বাধিত করিবেন ।

বিনীত -

চুনপোড়া গ্রাম বাসীর স্বাক্ষর

১) শ্রী ব্রজেন মজুমদার

২) ব্রজেন মজুমদার

৩) বিক্রমজি মজুমদার

৪) সুনীল কুমার

৫) সুদান ধন

৬) হারি দাশ কারার

৭) D. KARAR

৮) ফারুক আলি ধন

৯) সুদন মজুমদার

১০) কার্তিক ধন

১১) রত্নেশ্বর কারার

EW414100795IN TUP:4987414100  
SP BANKURA SO (777202)  
Counter No: 2, 31/12/2021, 11:40  
To: D. BANKURA  
PIN: 727101, Bankura HO  
From: MISHAN HATI, CHIMPURA  
Wt: 10.00  
Amt: 41.30(Cash)Tax: 6.30  
<Track on www.indiaonepost.gov.in>



Date: 30/12/2021

To  
The District Magistrate,  
Bankura

Date: 30.12.21

Sub.: Illegal excavation/mining of coal in the  
Trans-Damodar Coal Project.

Respected Sir,

We the villagers of the Chunpora Village, do hereby state that, just adjacent to our village Durgapur Project Ltd. Is excavating coal for Trans-damodar coal project. Although Govt orders are there for providing rehabilitation of farmers and agricultural labourers of the Chunpora Village as well as the job opportunities and other facilities. Without providing anything the colliery authorities are forcefully excavating coal. Our agricultural lands are submerged in the waste water of the coallery. No compensation have been given for that. For such water logging, snakes , harmful insects, mosquitoes, flies etc are entering into the residential houses and spreading diseases. This makes difficult to reside in the house. Coal mine authorities witnessed the submerged houses in the rainy season. Due to mine blasting most of the houses are damaged and are in dilapidated condition. Some are already dilapidated. No compensation have been received till date. Though the agricultural labourers were supposed to have an one time allowance of 500 days, which they have not yet received. Presently the whole world is facing the pandemic and most of the people of Chunpora village are jobless. As a result, a chaotic situation has been created and peace and discipline is disturbed in the area. So, we request you to solve this problem within 15 days or else we will be compelled to move to court.

So Sir, we the villagers of Chunpora request you to oblige us by initiating the Trans-damodar project work and resolve all the problems in compliance with the order of the highest court of the country.

Sincerely,  
Villagers of Chunpora village.



To  
The B.D.O.,  
Barjora, Bankura

Date - 30/12/2021

বিষয় :- ট্রান্স দামোদর কোল প্রোজেক্টে অবৈধ ভাবে কয়লা উত্তোলন ।

মাননীয় মহাশয়,

আপনার নিকট চুনপোড়া গ্রাম বাসীর বিনীত আবেদন, যে আমাদের গ্রামের পাশেই ট্রান্স দামোদর কোল প্রোজেক্টের কয়লা উত্তোলন করে নিয়ে যাচ্ছেন দুর্গাপুর প্রোজেক্ট লিমিটেড । চুনপোড়ার কৃষক ও ক্ষেত মজুরদের পূর্নবাসন, কর্ম সংস্থান ও অন্যান্য সুযোগ সুবিধা দেওয়ার কথা সরকারী ভাবে লিপিবদ্ধ থাকলেও কোন কিছু না দিয়ে, জোর করে কোলিয়ারী কর্তৃপক্ষ কয়লা উত্তোলন করে নিয়ে যাচ্ছেন । আমাদের কৃষি জমি কোলিয়ারীর পরিতক্ত জলে বছরের পর বছর ডুবে রয়েছে । তাহার কোন রূপ ক্ষতি পূরন দেওয়া হয়নি । এই জল জমে থাকার ফলে অধিকাংশ বাড়ীতে বিভিন্ন ধরনের বৃষধর সাপ, পোকা - মাকড়, মশা মাছি ঢুকে যাচ্ছে, ফলে বিভিন্ন রোগ জীবানু ছড়াচ্ছে । এমতাবস্থায় বাড়ীতে বসবাস করা যাচ্ছে না । বর্ষার সময় অনেক বাড়ী জলে ডুবে গিয়েছিল, সেই অবস্থা কোলিয়ারী কর্তৃপক্ষ দেখে গিয়েছেন । মাইনিং ব্লাসটিং এর ফলে গ্রামের অধিকাংশ বাড়ীর দেওয়াল এবং ছাদ ফেটে গিয়ে ভেঙ্গে পড়ে যাচ্ছে, কয়েকটি বাড়ী ভেঙ্গে পড়ে গিয়েছে । কোন রূপ কোন ক্ষতি পূরন দেওয়া হয়নি । ক্ষেত মজুরদের এক কালীন ৫০০ দিনের ভাতা দেওয়ার কথা থাকলেও তা দেওয়া হয়নি । বর্তমানে সারা বিশ্বে করোনা অতি মারির প্রভাব, সেই সঙ্গে চুনপোড়া গ্রামের অধিকাংশই মানুষ বেকার অবস্থায় দিন কাটাচ্ছেন । এমতাবস্থায় এলাকায় বিশাল অশান্তি সৃষ্টি হচ্ছে ও শান্তি শৃঙ্খলা বিঘ্নিত হচ্ছে । আপনার কাছে অনুরোধ যে ১৫ দিনের মধ্যে এই সমস্যার সমাধান করতে হবে, নচেৎ আমরা কোর্টে যেতে বাধ্য হইব ।

অতএব মহাশয়ের নিকট চুনপোড়া গ্রামবাসীর বিশেষ অনুরোধ যে ট্রান্স দামোদর কোল প্রোজেক্টের কাজ শুরু হোক সকল সমস্যার সমাধান করে, দেশের সর্বোচ্চ আদালতের নির্দেশ মানিয়া, তাহার সত্বর যথাযথ আদেশ দানে বাধিত করিবেন ।

বিনীত -

চুনপোড়া গ্রাম বাসীর স্বাক্ষর

১) শ্রী বৃষ্টি মাস্তী

২) উম্ম জুন্ন

৩) হিরানাসী মাস্তী

৪) সত্যেন্দ্র

৫) Sudan Bhu

৬) Hari Pudu Kue

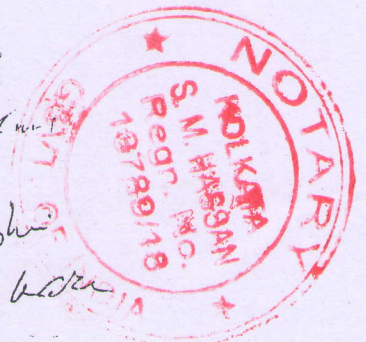
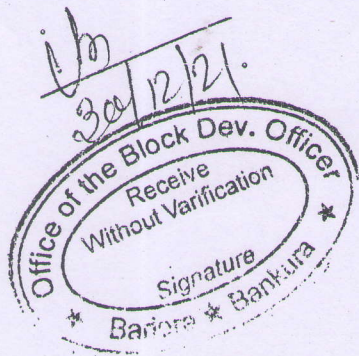
৭) D. KARAR

৮) বিক্রম চন্দ্র

৯) সুনন্দ মাস্তী

১০) Kartick Bhu

১১) Palitochan Bhu



Date: 30/12/2021

To  
The B.D.O., Borjora  
Bankura

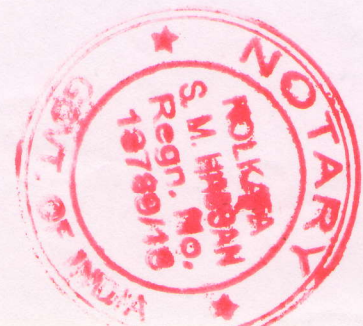
Sub.: Illegal excavation/mining of coal in the  
Trans-Damodar Coal Project.

Respected Sir,

We the villagers of the Chunpora Village, do hereby state that, just adjacent to our village Durgapur Project Ltd. is excavating coal for Trans-damodar coal project. Although Govt orders are there for providing rehabilitation of farmers and agricultural labourers of the Chunpora Village as well as the job opportunities and other facilities. Without providing anything the colliery authorities are forcefully excavating coal. Our agricultural lands are submerged in the waste water of the coalliery. No compensation have been given for that. For such water logging, snakes, harmful insects, mosquitoes, flies etc are entering into the residential houses and spreading diseases. This makes difficult to reside in the house. Coal mine authorities witnessed the submerged houses in the rainy season. Due to mine blasting most of the houses are damaged and are in dilapidated condition. Some are already dilapidated. No compensation have been received till date. Though the agricultural labourers were supposed to have an one time allowance of 500 days, which they have not yet received. Presently the whole world is facing the pandemic and most of the people of Chunpora village are jobless. As a result, a chaotic situation has been created and peace and discipline is disturbed in the area. So, we request you to solve this problem within 15 days or else we will be compelled to move to court.

So Sir, we the villagers of Chunpora request you to oblige us by initiating the Trans-damodar project work and resolve all the problems in compliance with the order of the highest court of the country.

Sincerely,  
Villagers of Chunpora village.



Date - 03/08/2022

Date: 3.8.22

To  
The B.D.O., Borjora  
Bankura

Sub.: Rehabilitation and job opportunities for the  
inhabitants of Chunpora village.

Respected Sir,

We humbly state that we are the permanent residents of the Village Chunpora, of Borjora Block, Bankura. Just adjacent to our village Durgapur Project Ltd. Is excavating coal for Trans-damodar coal project. Although Govt orders are there for providing rehabilitation of farmers and agricultural labourers of the Chunpora Village as well as the job opportunities and other facilities. Without providing anything the colliery authorities are forcefully excavating coal. Our agricultural lands are submerged in the waste water of the Colliery since 2010. Due to mine blasting all the houses of the villages are damaged in the roofs walls floors etc. Some houses are destroyed completely. Under this situation it is difficult to reside in the house. No compensation for this have been received till date. Though the agricultural labourers were supposed to have an one time allowance of 500 days, they have not yet received. Thus the Colliery authorities are trying to kill us day by day. They are threatening us about Police when we are trying to protest. They already filed cases against some of us. Under this circumstances we are having a tough time. But the highest judiciary has directed to start the colliery by resolving all the issues. We made several representation but to no effect.

So, we the villagers of Chunpora village earnestly request you to make arrangements for providing rehabilitation, job opportunities, allowances of 500 days and other facilities at the earliest.

Sincerely,  
Villagers of Chunpora village.



40

- 10/ Tarak Nath Karan
- 11/ নবীন কলিতা
- 12/ Sude Mondul
- 13/ Kalingra Nath Karan
- 14/ কলিতা কলিতা
- 15) Biraj Kumar Roy
- 16) বিজয় কুমার
- 17) বিজয় কুমার
- 18) Chittaranjan Maji
- 19) Bipad Torun Karan
- 20) Soulen Bha
- 21) Ashok Karan
- 22) Jyoti Karan
- 23) Jyoti Karan
- 24) Jyoti Karan
- 25) Jyoti Karan
- 26) Jyoti Karan
- 27) Jyoti Karan
- 28) Jyoti Karan
- 29) Jyoti Karan
- 30) Sudean Bha
- 31) Sudean Bha
- 32) Sudean Bha
- 33) Sudean Bha
- 34) Sudean Bha
- 35) Sudean Bha





Budhan Maji

Prasanta Maji

Sankhany Maji

Rahul Dhin

Sanjay Kumar Roy

# VAKALATNAMA

In the National Green Tribunal  
Eastern Zone Bench  
Kolkata

**District : Bankura**

O.A. No. \_\_\_\_\_ of 2024 (EZ)

Budhan Maji and Others

....Petitioners

Versus

The State of West Bengal and Ors.

.... Respondents

**VAKALATNAMA** on behalf of Petitioners

**KNOW ALL MEN** by these presents that by VAKALATNAMA, WE appoint the Advocates noted below or any of them our lawful Advocate or Advocates for filling the memorandum or appeal or petition /of entering appearance in the above matter for appearing conducting or arguing the same for deposing or withdrawing any money in connection therewith for moving the Court or Tribunal in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc., on my behalf for filing taking back any documents for withdrawing suits or appeals or petitions to institute fresh suit etc., for signing and filling petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I further say that any act done by our said Advocate or Advocates or by any one of them after accepting this VAKALATNAMA shall be considered as our own true and lawful act.

**AND WE** further hereby agree and undertake to pay the said Advocate or Advocates his or their fees as settled and all other sums that may be necessary to carry out the requisition of the Court or Tribunal and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me will be at liberty to withdraw from further conducting the case.

**IN WITNESS WHEREOF** WE sign and execute this VAKALATNAMA on this the 5<sup>th</sup> day of December, in the year 2024.

## NAME OF THE ADVOCATE

Sagarmay Ghosh  
Enrolment No. WB/921/2009

Bar Association Room No. 6, (M) 9433746410  
The High Court at Calcutta 9051010095  
Kolkata - 700001 email - sagarmayadv@gmail.com

VAKALATNAMA

In the Court of the District Judge  
at the District Court  
Kolar

District: Kolar

O.A. No. 13054/13

Budhan M. ...

...

...

The State of West Bengal and Or.

...

Received Vakalatnama  
from the executant  
after being satisfied  
Accepted the same.

*Sagar nay Jha*  
Advocate.

Accepted as above.

*Koustav Biswas*  
Advocate.

NAME OF THE ADVOCATE

Association Room No. 1  
High Court Building  
Kolkata - 700011

**Declaration**

**BY THIS LETTER OF DECLARATION** WE, (1)Prasanta Maji, son of Late Amulya Maji, (2) Dukhamay Maji, son of Late Amulya Maji, (3) Rahul Bhui, son of Fatik Chandra Bhui, and (4) Sanjoy Kumar Roy, son of Late Kalipada Roy, all are residing at Village – Chunpora, Post Office and Police Station – Barjora, District – Bankura – 722202, do hereby nominate, constitute and appoint Budhan Maji, son of Late Amulya Maji, residing at Village – Chunpora, Post Office and Police Station – Barjora, District – Bankura – 722202, as our attorney, for us, in our name and on our behalf

1. To appear for and prosecute and defend all actions and proceedings, to sign and verify all Applications, written statements and/or other pleadings or documents and to represent us before the Hon'ble National Green Tribunal (Eastern Zone) to all intents and purposes and/or in any other matter relating to the instant matter and/or proceedings.
2. To engage and appoint any solicitor, advocate or advocates or counsel to act and plead and otherwise conduct the said case, if required and whenever our said attorney thinks proper to do so.

**A N D**

WE do hereby agree to ratify, confirm authorize whatever all acts, deeds and things lawfully and bona fide done by said Budhan Maji, son of Late Amulya Maji which shall be construed as acts, deeds and things done by us to all intents and purposes as if WE were personally present and WE duly empower and authorize him to swear the AFFIDAVIT on our behalf and for us.

**IN WITNESS WHEREOF** the parties herein have executed these presents on this the 5<sup>th</sup> day of December, in the year 2024

Signed, sealed and delivered by

Rasankha Maji

Dukhamay Maji

Rahul Bhui

Sanjoy, Kumar Roy

Signature of Executants

