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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 241/2024/EZ



In the matter of:

Sayed Sarafat Ali & Anr.
.... Applicants.

Versus

The Union of India & Ors.

.... Respondents.

SI No. 446 dt. 19 FEB 2025

Affidavit on behalf of the Respondent Nos. 5 and 6 i.e. the District Magistrate, Purba Bardhaman and the Additional District Magistrate and District Land & Land Reforms Officer, Rajbati, Purba Bardhaman.

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Filed by:

Mr. Rajib Ray,
Advocate,

Bar Association Room No. 13,
High Court, Calcutta
Mob-9830132729/7980422764
Email: rajib.ray23@gmail.com

[Signature]
Additional District Magistrate
and
District Land & Land Reforms Office
Purba Bardhaman

Identified by me

[Signature]
Advocate

19 FEB 2025

X

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 241/2024/EZ



In the matter of:

Sayed Sarafat Ali & Anr.

.... Applicants.

Versus


The Union of India & Ors.

.... Respondents.

Affidavit on behalf of the Respondent Nos. 5 and 6 i.e. the District Magistrate, Purba Bardhaman and the Additional District Magistrate and District Land & Land Reforms Officer, Rajbati, Purba Bardhaman.

I, Shri Bishwa Ranjan Mukherjee son of Late D.R. Mukherjee aged about 50 years, by faith Hindu by occupation Service, now posted as the Additional District Magistrate and District Land and Land Reforms Officer, Purba Bardhaman, having office at Additional District Magistrate and District Land and Land Reforms Officer, Rajbati, Post Office - Rajbati P.S.- Burdwan, District - Purba Bardhaman, Pin - 713104, do hereby solemnly affirm and state as follows:-

1. I am the respondent no. 6 in the instant case and am duly authorized by the District Magistrate, Purba Bardhaman, being the respondent no. 5, to swear this affidavit for and on his behalf and I have made myself acquainted with the facts and the circumstances of the case.
2. That this affidavit is being affirmed in pursuant to the solemn order dated 02.01.2025 passed by the Hon'ble Tribunal, whereby the Hon'ble Tribunal was pleased to direct all the respondents to file counter affidavit within four weeks.


Additional District Magistrate
and
District Land & Land Reforms Officer
Purba Bardhaman

Identified by me

Advocate

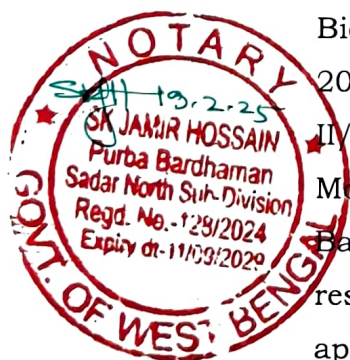
19 FEB 2025

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3. That I have read a copy of the Original application purported to have affirmed by Sayed Sarafat Ali, one of the applicants in this Original Application (hereinafter mentioned as the "said application") and on perusal of the same, I have understood the purports and contents thereof. I have been advised to deal with and/or traverse only those allegations of the said application which are material for proper adjudication of the case, which I hereby do, save and except what are specifically admitted herein all the statements made in paragraphs of the said applications are denied and as if they have been traversed in seriatim.

4. That before dealing with the statements and allegations contained in various paragraphs as well as sub-paragraphs of the said application, I submit the following matter in brief before this Hon'ble Tribunal which is germane for the purpose of this adjudication of this matter :-

- i) That the private respondent nos. 9 and 10 were declared as the successful bidder by the District Committee for Competitive Bidding for Minor Minerals by e-auction vide auction ID No. 2016_DMBUW_64 in respect of the sand block Galsi-II/Gohogram/6002/D appertaining to plot Nos. 6002(P) under Mouza - Gohogram, J.L.No.70, Police Station: Galsi, Dist-Purba Bardhaman and vide auction ID No. 2016_DMBUW_63 in respect of the sand block Galsi-II/Gohogram/6001/C appertaining to plot Nos. 6001(P) under Mouza - Gohogram, J.L.No.70, Police Station: Galsi, Dist-Purba Bardhaman respectively.
- ii) That the private respondent no.9 had deposited EMD amount of Rs. 43,000/- and paid first instalment amounting to Rs.2997375/- and respondent no.10 had deposited EMD amount of Rs. 42,000/- and paid first instalment amounting to Rs.2569791/-.



[Signature]
Additional District Magistrate
and
District Land & Land Refor...

Identified by me
[Signature]
Advocate

19 FEB 2025

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- iii) That the Letter of Intent (LOI) were issued to the private respondent no. 9 and 10 from the office of the District Land and Land Reforms Officer, Purba Bardhaman vide Memo No. Auction/29/MM/Auction/2017 dated 10.01.2017 and Auction/34/MM/Auction/2017 dated 10.01.2017 respectively.

Photocopies of the said Letters of Intent are annexed herewith and marked collectively as letter - "A".

- iv) That a demand notice for deposition of the rest of the bid money was sent to the private respondent no. 9 vide Memo No. 99/440/MM/2020 dated 10.06.2020.

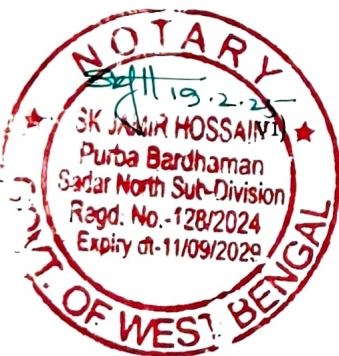
- v) That a demand notice for deposition of the rest of the bid money was sent to the private respondent no. 10 vide Memo No. 98/402/MM/2020 dated 05.06.2020

That a notice regarding the requirement of fresh application on PARIVESH Portal for the Environment Clearance (EC) was sent to the private respondent no. 9 and 10 vide Memo No. 565/MM/20 dated 16.07.2020 and Memo No. 560/MM/20 dated 16.07.2020 respectively.

- vii) That a further demand cum hearing notice was issued vide Memo No. 98/720/MM/2020 dated 30.09.2020 to the private respondent no. 10 for deposition of the rest of the bid money and a further demand cum hearing notice was also issued vide Memo No. 98/782/MM/2020 dated 11.11.2020.

- viii) That a further demand cum hearing notice was issued vide Memo No. 99/787/MM/2020 dated 11.11.2020 to the private respondent no. 9 for deposition of the rest of the bid money.

- ix) That the Letter of Intent (LOI) was extended to the private respondent no.9 upon his application dated 04.03.2022 vide Memo No. 185/MM/2022 dated 08.03.2022 and further



[Signature]
Additional District Magistrate
and
District Land & Land Reforms Officer

Identified by me
[Signature]
Advocate

19 FEB 2025

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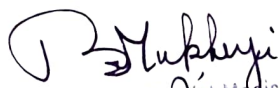
extended upon his application dated 16.09.2022 vide Memo No. 893/30/MM/2022 dated 14.11.2022.

- x) That the Letter of Intent (LOI) was extended to the private respondent no.10 upon his application dated 11.03.2022 vide Memo No. 98/259/MM/2022 dated 16.03.2022 and further extended upon his application dated 16.09.2022 vide Memo No. 893/31/MM/2022 dated 14.11.2022
- xi) That the private respondent no. 9 has submitted a revised mine plan vide his letter dated 09.09.2024 and the same was forwarded after due procedure to the Chief Mining Officer, Mining Estate Branch, Asansol vide Memo No. PBD-54015(99)/182/2024/MM/016 dated 16.12.2024 for approval.
- xii) That the private respondent no. 10 has submitted a revised mine plan vide his letter dated 09.09.2024 and the same was forwarded after due procedure to the Chief Mining Officer, Mining Estate Branch, Asansol vide Memo No. PBD-54015(99)/181/2024/MM/016 dated 23.12.2024 for approval.
- xiii) That the private respondent no. 9 has received the Environment Clearance Certificate (EC) from the State Environment Impact Assessment Authority (SEIAA) vide EC Identification No: EC24B001WB185149 dated 28.02.2024.

Photocopy of the said Environment Clearance Certificate (EC) is annexed herewith and marked as letter - "B".

- xiv) That the private respondent no. 10 has received the Environment Clearance Certificate (EC) from the State Environment Impact Assessment Authority (SEIAA) vide EC Identification No: EC Identification No: EC24B001WB120087 dated 01.03.2024.

Photocopy of the said Environment Clearance Certificate (EC) is annexed herewith and marked as letter - "C".


Additional District Magistrate
and
Land Referral Officer

Identified by me

Advocate

19 FEB 2025

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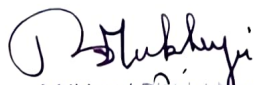
- xiv) That the private respondent no. 9 has received the CTO and CTE from the West Bengal Pollution Control Board vide CTO No: WBPCB/5947452/2024 dated 29.11.2024 and CTE No: WBPCB/5778991/2024 dated 29.10.2024.
- xv) That the private respondent no. 10 has received the CTO and CTE from the West Bengal Pollution Control Board vide CTO No: WBPCB/5963836/2024 dated 20.01.2025 and CTE No: WBPCB/5783244/2024 dated 06.11.2024.
- xvi) That the answering respondent has not given any permission for excavation of sand from the said sand mining blocks due to pendency of the execution and registration of the sand mining lease deed.

5. That by order dated 02.01.2025, the Hon'ble Tribunal was pleased constitute a Committee comprising of the following members and the committee has been directed to visit the site in question and submit its report on affidavit within four weeks with regard to the allegations made in the Original Application:-

- i) District Magistrate, Purba Bardhaman or his representative not below the rank of Additional District Magistrate (ADM);
- ii) Senior Scientist, West Bengal Pollution Control Board; and
- iii) Senior Scientist, State Environment Impact Assessment Authority (SEIAA), West Bengal

6. That pursuant to the order of the Hon'ble NGT, the Committee comprising of the following members was constituted as per nominations received from the participating departments/ offices:

- i) The Additional District Magistrate and District Land and Land Reforms Officer, Purba Bardhaman,
- ii) Environmental Engineer, Durgapur Regional Office, West Bengal Pollution Control Board,


Additional District Magistrate
and

Identified by me

Advocate

19 FEB 2025





iii) Environment Officer, Environment Department.

- 7. That in compliance with the said Order dated 02.01.2025, a spot enquiry/inspection of the area in question has been done on 30.01.2025 by the said committee but during the said field visit, no mining activity could be found at the vicinity of the project site and no machinery and vehicles to carry sand was found near sand mining block and the project sites were observed to covered with patches of will grass which specifically indicates that no mining activities taken place in the instant sites for substantial amount of time.
- 8. That the said Committee after physical verification of the area in question as per the direction of the Hon'ble Tribunal duly prepared its report.

Photocopy of the said report is annexed herewith and marked with Annexure - "D".

It is therefore respectfully prayed that Hon'ble Tribunal may pass such other order or orders as it deem fit and proper in the interest of justice.

- 10. That the statements made in paragraph 1 to 8 are based on information derived from the record which are usually kept and maintained by the answering respondent in the ordinary course of business and which I belief to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office

[Handwritten Signature]
Advocate

[Handwritten Signature]
Sk. Md. Samiullah
B.A. LL.B Advocate
En. No.- WB/794/2010

[Handwritten Signature]

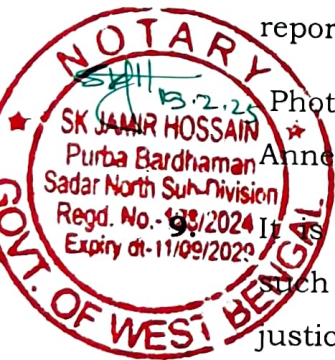
Deponent

**Additional District Magistrate
and
District Land & Land Reforms Office
Purba Bardhaman**

Solemnly affirmed before me
Identified by me *[Signature]* **Mr. B. Ranjan Mukherjee**
Identity **Sk. Md. Samiullah** Advocate.
Advocate the **19th Feb** day of **2025**

[Handwritten Signature] 19.2.25
SK JAMIR HOSSAIN
NOTARY
Regd. No.-128/2024
Bardhaman Sadar North Sub-Division
Purba Bardhaman District

19 FEB 2025





GOVERNMENT OF WEST BENGAL

OFFICE OF THE DISTRICT LAND AND LAND REFORMS OFFICER
BURDWAN

P.O. RAJBATI, BURDWAN. PIN CODE: 713104

Phone no.0342-2530641 / Fax no.0342-2533348/e-mail: dlroburdwan@gmail.com

Memo No. Auction/ 29 / MM/Auction/2017

Date: 10 /01/2017

To

SRI YOGENDRA KUMAR SINGH,
DARVESH PUR, WAYAPUR, MANER
CITY-PATNA, Pin-801503

Sub:- Letter of Intent with reference to e-auction conducted on **27/10/2016** for grant of mining lease for sand in sand block **GALSI-II/Gohogram/6002/D** located in plot No.s **6002(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.81** acres (3.97 hectares).

Background

1. The District Committee for Competitive Bidding of Minor Minerals. (henceforth the District Committee) Burdwan, pursuant to rules 38 and 41 of the west Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016 (hereinafter auction rules) issued notice inviting tender dated **05/10/2016** to commence the e-auction process for grant of mining lease for sand in respect of sand block **GALSI-II/Gohogram/6002/D** located in plot No.s **6002(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.81** acres (3.97 hectares). The e-auction process was conducted in accordance with the said Rules and also the tender document for the said sand block which was duly published in Government's e-procurement portal as per extant rules and **YOGENDRA KUMAR SINGH** has been declared as successful bidder under Rule 9 (8) of the said Auction Rules.
2. As required under Rule 10(1) of the said Auction Rules, **YOGENDRA KUMAR SINGH** has made payment of the first instalment of the Bid Amount, being one-third of the bid amount, amounting to Rs. **2997375.00 (Rupees Twenty Nine Lakh Ninety Seven Thousand Three Hundred Seventy Five only)** through Demand Draft No. 002833 (AXIS BANK) dated 02/01/2017.

Received

One Copy
Yogendra Kumar Singh

Dr. Prabudhar Kumar Singh

11/11/2017

-X-

Letter of Intent

Accordingly, pursuant to Rule 10 (3) of the said auction Rules, this letter of intent is hereby issued for grant of mining lease for sand in respect of sand block **GALSI-II/Gohogram/6002/D** located in plot No.s **6002(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.81** acres (3.97 hectares) in favour of **YOGENDRA KUMAR SINGH** for a period of **05 (five)** years subject to the following terms and conditions:

Terms and Conditions

1. This letter of intent and subsequent grant of aforementioned mining lease shall be subject to the provisions of the MMDR Act, 1957, West Bengal Minor Minerals Concession Rules, 2016 and West Bengal Minor Minerals (Auction) Rules, 2016 as amended from time to time and **YOGENDRA KUMAR SINGH** shall be granted the mining lease only upon satisfactory completion of the requirements stipulated in the said Rules.
2. The rest of the bid amount, being two-third of the total amount shall be paid in two equal instalments prior to execution of the deed of lease [sub-rule (2) of rule 10 of auction rules].
3. **YOGENDRA KUMAR SINGH** (henceforth the successful bidder) shall furnish a Mining Plan along with Mine Closure Plan as per model format issued by the Commerce and Industries Department under letter No. 420-CI/O/MIN/GEN-MIS/16/2016(PT.) dated 28/07/2016, duly approved by the competent authority within two months from the date of issue of the Letter of Intent (LoI).
4. The successful bidder shall furnish Financial Assurance amounting **Rs. 59550.00 (Rupees Fifty Nine Thousand Five Hundred Fifty)** in any of the forms mentioned under Rule 18(2) of the West Bengal Minor Minerals Concession Rules, 2016 before execution of the deed of lease.
5. The successful bidder shall furnish performance security, being 10% of the bid amount in the form of bank guarantee before execution of the deed of

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lease mentioned under Rule 11 of the West Bengal Minor Minerals Auction Rules, 2016.

6. The successful bidder shall submit Environmental Clearance (E.C.) in respect of the above mentioned sand block duly issued by District Level Environment Impact Assessment Authority (DEIAA) or State Level Environment Impact Assessment Authority (SEIAA) or Ministry of Environment, Forests & Climate Change (MoEF&CC) as the case may be as per Environment Impact Assessment Notification 2006, as amended.
7. The successful bidder shall also obtain all other consents, approval, no-objections and the like as required under applicable laws for execution of deed of lease.
8. The successful bidder shall be bound to follow the guidelines stipulated in the Sustainable Sand Mining Management Guidelines, 2016 issued by the Ministry of Environment, Forest and Climate Change, Government of India for undertaking mining operation in the concerned sand block after registration of the duly executed mining lease.
9. The successful bidder have to furnish a Draft Mining Lease Deed in the format as specified in Form - D of the West Bengal Minor Minerals Concession Rules, 2016.
10. The Draft Mining Lease Deed should be prepared in durable papers neatly and sufficient space should be kept in between two lines in order to permit, if necessary, correction therein.
11. The Deed of Lease, after execution, shall be registered by the successful bidder at his own cost and no mining operation should be started before registration of the Deed.
12. The successful bidder shall have to incorporate all the conditions as mentioned in the West Bengal Minor Minerals Concession Rules, 2016 in the Draft Lease Deed.

- X -
13. The successful bidder shall have to comply with all the statutory requirements before presenting the Deed of Lease for execution before the appropriate authority.

This Letter of Intent (LoI) shall remain valid for a period of two months from the date of its issuance and if the successful bidder is unable to fulfil all the above conditions within this period he may submit an application addressed to the District Magistrate for extension of time. Such application may be submitted to this end for due processing. The District Magistrate being the Chairperson of the District Committee, reserves the right to extend the validity of Letter of Intent (LoI) for such reasonable period as it deemed fit.


 Addl. District Magistrate
 &
 District Land & Land Reforms Officer
 Burdwan

Memo No. Auction / 29(4) / MM/Auction/2017

Date: 10 /01/2017

Copy forwarded for information to:

1. The District Magistrate & Collector, Burdwan, West Bengal
2. The Jt. Secretary to the Govt. of W.B. , C&I Deptt. Mines Branch.
3. The Chief Mining Officer, Court Road, Asansol, Burdwan.

✓ 4. The B.L. & L.R.O. Galsi II .


 Addl. District Magistrate
 &
 District Land & Land Reforms Officer
 Burdwan



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT LAND AND LAND REFORMS OFFICER
BURDWAN

P.O. RAJBATI, BURDWAN. PIN CODE: 713104

Phone no.0342-2530641 / Fax no.0342-2533348/e-mail: dlroburdwan@gmail.com

Memo No. Auction/ 34 / MM/Auction/2017

Date: 10 /01/2017

To

SRI SATYA NAND ROY,
NEAR BISCUIT FACTORY MORE,
NEAR CIVIL COURT, NASRIGANJ, DANAPUR
CITY-PATNA, Pin-800012

Sub:- Letter of Intent with reference to e-auction conducted on **27/10/2016** for grant of mining lease for sand in sand block **GALSI-II/Gohogram/6001/C** located in plot No.s **6001(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.49** acres (3.84 hectares).

Background

1. The District Committee for Competitive Bidding of Minor Minerals, (henceforth the District Committee) Burdwan, pursuant to rules 38 and 41 of the west Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016 (hereinafter auction rules) issued notice inviting tender dated **05/10/2016** to commence the e-auction process for grant of mining lease for sand in respect of sand block **GALSI-II/Gohogram/6001/C** located in plot No.s **6001(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.49** acres (3.84 hectares). The e-auction process was conducted in accordance with the said Rules and also the tender document for the said sand block which was duly published in Government's e-procurement portal as per extant rules and **SRI SATYA NAND ROY** has been declared as successful bidder under Rule 9 (8) of the said Auction Rules.
2. As required under Rule 10(1) of the said Auction Rules, **SRI SATYA NAND ROY** has made payment of the first instalment of the Bid Amount, being one-third of the bid amount, amounting to Rs. **2569791.00 (Rupees Twenty Five Lakh Sixty Nine Thousand Seven Hundred Ninety Six only)** through Demand Draft No. 002835 (AXIS BANK) dated 02/01/2017.

Received

One Copy

Satya Nand Roy

For Prabudhar Kumar Roy

11/1/17

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Letter of Intent

Accordingly, pursuant to Rule 10 (3) of the said auction Rules, this letter of intent is hereby issued for grant of mining lease for sand in respect of sand block **GALSI-II/Gohogram/6001/C** located in plot No.s **6001(P)** in Mouza Gohogram, J.L. No. 070, P.S. Galsi, District Burdwan over an area of **9.49** acres (3.84 hectares) in favour of **SRI SATYA NAND ROY** for a period of **05 (five)** years subject to the following terms and conditions:

Terms and Conditions

1. This letter of intent and subsequent grant of aforementioned mining lease shall be subject to the provisions of the MMDR Act, 1957, West Bengal Minor Minerals Concession Rules, 2016 and West Bengal Minor Minerals (Auction) Rules, 2016 as amended from time to time and **SRI SATYA NAND ROY** shall be granted the mining lease only upon satisfactory completion of the requirements stipulated in the said Rules.
2. The rest of the bid amount, being two-third of the total amount shall be paid in two equal instalments prior to execution of the deed of lease [sub-rule (2) of rule 10 of auction rules].
3. **SRI SATYA NAND ROY** (henceforth the successful bidder) shall furnish a Mining Plan along with Mine Closure Plan as per model format issued by the Commerce and Industries Department under letter No. 420-CI/O/MIN/GEN-MIS/16/2016(PT.) dated 28/07/2016, duly approved by the competent authority within two months from the date of issue of the Letter of Intent (LoI).
4. The successful bidder shall furnish Financial Assurance amounting **Rs. 57600.00 (Rupees Fifty Seven Thousand Six Hundred)** in any of the forms mentioned under Rule 18(2) of the West Bengal Minor Minerals Concession Rules, 2016 before execution of the deed of lease.
5. The successful bidder shall furnish performance security, being 10% of the bid amount in the form of bank guarantee before execution of the deed of

- X -

lease mentioned under Rule 11 of the West Bengal Minor Minerals Auction Rules, 2016.

6. The successful bidder shall submit Environmental Clearance (E.C.) in respect of the above mentioned sand block duly issued by District Level Environment Impact Assessment Authority (DEIAA) or State Level Environment Impact Assessment Authority (SEIAA) or Ministry of Environment, Forests & Climate Change (MoEF&CC) as the case may be as per Environment Impact Assessment Notification 2006, as amended.
7. The successful bidder shall also obtain all other consents, approval, no-objections and the like as required under applicable laws for execution of deed of lease.
8. The successful bidder shall be bound to follow the guidelines stipulated in the Sustainable Sand Mining Management Guidelines, 2016 issued by the Ministry of Environment, Forest and Climate Change, Government of India for undertaking mining operation in the concerned sand block after registration of the duly executed mining lease.
9. The successful bidder have to furnish a Draft Mining Lease Deed in the format as specified in Form - D of the West Bengal Minor Minerals Concession Rules, 2016.
10. The Draft Mining Lease Deed should be prepared in durable papers neatly and sufficient space should be kept in between two lines in order to permit, if necessary, correction therein.
11. The Deed of Lease, after execution, shall be registered by the successful bidder at his own cost and no mining operation should be started before registration of the Deed.
12. The successful bidder shall have to incorporate all the conditions as mentioned in the West Bengal Minor Minerals Concession Rules, 2016 in the Draft Lease Deed.

13. The successful bidder shall have to comply with all the statutory requirements before presenting the Deed of Lease for execution before the appropriate authority.

This Letter of Intent (LoI) shall remain valid for a period of two months from the date of its issuance and if the successful bidder is unable to fulfil all the above conditions within this period he may submit an application addressed to the District Magistrate for extension of time. Such application may be submitted to this end for due processing. The District Magistrate being the Chairperson of the District Committee, reserves the right to extend the validity of Letter of Intent (LoI) for such reasonable period as it deemed fit.


 Addl. District Magistrate
 &
 District Land & Land Reforms Officer
 Burdwan

Memo No. Auction/ 34(4) / MM/Auction/2017

Date: 10 /01/2017

Copy forwarded for information to:

1. The District Magistrate & Collector, Burdwan, West Bengal
2. The Jt. Secretary to the Govt. of W.B. , C&I Deptt. Mines Branch.
3. The Chief Mining Officer, Court Road, Asansol, Burdwan.
4. The B.L. & L.R.O. Asansol .


 Addl. District Magistrate
 &
 District Land & Land Reforms Officer
 Burdwan

ENVIRONMENTAL
CLEARANCE

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

To,

The
YOGENDRA SINGH
Darveshpur, Wayapur, Maner -801503

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/WB/MIN/456989/2023 dated 29-Dec 2023. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|-------------------------------------|
| 1. EC Identification No. | EC24B001WB185149 |
| 2. File No. | EN/T-II-1/281/2023 |
| 3. Project Type | New |
| 4. Category | B |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | Gohogram sand-mine on Damodar river |
| 7. Name of Company/Organization | YOGENDRA SINGH |
| 8. Location of Project | WEST BENGAL |
| 9. TOR Date | N/A |

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

Date: 28/02/2024

(e-signed)
DHARMDEO RAI, I.F.S.
Member Secretary
SEIAA - (WEST BENGAL)

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

This is a computer generated cover page.



Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist – Purba Bardhaman, West Bengal by Yogendra Singh.

Background of the project

The proponent made online application vide proposal no. SIA/WB/MIN/456989/2023 dated 29 December 2023 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist – Purba Bardhaman, West Bengal by Yogendra Singh.

This is a proposal for riverbed sand mining of GALSI-II/GOHOGRAM/6002/D Sand Block over an area of 3.97 ha (9.81 Acres) on the River Damodar at Plot No. - 6002(P), J.L. No.-070, Mouza - Gohogram, P.S.-Galsi, Dist – Purba Bardhaman, West Bengal.

The project proponent (PP) obtained Terms of Reference (ToR) vide No. 806/EN/T-II-1/281/2023 dated 26.04.2023 issued by SEIAA, WB against proposal no. SIA/WB/MIN/74545/2022.

As required under the West Bengal Minor Mineral Concession Rules, 2016, the PP got a composite 'Mining Plan with Progressive Mine Closure Plan' prepared for riverbed sand mining at the site by an RQP. The revised Mining Plan has been approved by the State Government on 29.03.2017 and the approved plan has been uploaded at the PARIVESH portal by the PP.

The PP has uploaded pre-feasibility report for the proposed project, copy of valid LoI and cluster certificate from the competent authority. The sand block is forming a cluster with adjacent 2 numbers of sand blocks of Shri Ashok Kumar and Satyanand Ray.

The PP has submitted need based EMP.

The PP has informed that there is no court case pending against the project.

As per the Mining Plan including Mine Closure Plan, the cardinal points of the mining lease area are given below :-

Point	Latitude	Longitude
A	23°14' 40.14" N	87°37' 54.49" E
B	23°14' 40.69" N	87°37' 59.42" E
C	23°14' 31.78" N	87°38' 00.57" E
D	23°14' 31.36" N	87°37' 55.35" E

The project site falls within the DSR potential zone code PBBD_GL2_DA_03_04.

State Level Environment Impact Assessment Authority (SEIAA), West Bengal examined the proposal and also perused recommendations of the State Level Expert Appraisal Committee (SEAC). After due consideration of the project proposal, and after considering the recommendations of the State Level Expert Appraisal Committee (SEAC), the State Level Environment Impact Assessment Authority accords Environmental Clearance to the project as per provisions of the EIA notification no. S.O. 1533 (E) dt. 14th September, 2006 of Ministry of Environment & Forests, GOI and the subsequent amendments, on the basis of above mentioned features along with other details submitted to SEIAA subject to strict compliance of the terms and conditions mentioned below.

General Conditions:

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain¹, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months. Same shall be submitted with six monthly compliance report.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist – Purba Bardhaman, West Bengal by Yogendra Singh.

central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.

17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining}
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, – from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the 'Enforcement and Monitoring Guidelines for Sand Mining' (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24×7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies (Photographic evidence to be included in 6 monthly compliance report).

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

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

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04-06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government paramboke land³.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.

³ the land that doesn't fall under the list of revenue records.

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers (Photographic evidence to be included in 6 monthly compliance report).
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIIH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance⁴ shall be as laid down in the West Bengal Minor Mineral

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

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.

69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F.No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. Need based activities for local people is part of the EMP. Details of such activities submitted by the project proponent is given in Annexure-1. The PP shall submit geo-tagged photographs regarding the implementation of CER with actual expenses incurred. The CER and plantation will have to be implemented within first two years of starting of mining operation. Photographic evidence of the activities and relevant bills/vouchers are to be given in 6 monthly compliance report.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
 - a. The West Bengal Minor Minerals Concession Rules, 2016;
 - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
 - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
 - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
 - e. The West Bengal Sand Mining Policy, 2021; and,
 - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance would be 5 years as per the scheme of mining mentioned in the approved mining plan. However, the PP may apply for extension of EC with revised scheme of mining plan before expiry of 5 years.

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.
82. The contact details of the proponent and the name of the consultant are given below -

Name of the Contact person with Designation	Shri Yogendra Singh, Owner
Address	Darveshpur, Wayapur, Maner, Patna, Bihar - 801503, West Bengal.
Email	yogendramine@gmail.com
Telephone Number	9800458789
Name of the Environmental Consultant	M/s. Chaitanya Projects Consultancy Private Limited

83. Additional conditions

Following should be submitted along with the six monthly compliance report :-

- 1) The revised reserves as per approved DSR should be incorporated in the approved Mine Plan before starting of mining operations. The revised mine plan incorporating the reserves as mentioned above should be submitted to the WBPCB before applying for the Consent to Operate.
- 2) Monthly monitoring of base flow level at four points of the project should be conducted by installing piezometer and to be reported in the six monthly compliance report.
- 3) Stipulated plantation should preferably be done adjacent to the project. If not possible due to unavailability of suitable land, plantation may be done at other location in the same block. The particular plantation area should be dedicated and marked for the particular project and to be certified by the respective BDO.
- 4) Sieve analysis report for grain size distribution should be provided along with six monthly compliance report.

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

- 5) Status of the need-based activities to be reported during six monthly progress report.
- 6) Basic amenities, safety and occupational health examinations for labourers to be provided along with six monthly compliance reports.
- 7) To enhance success/ survival rate the plantation shall be done during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be local species and self-sustaining in that particular region. Geotagged photographs of actual plantation done to be submitted along with six monthly compliance reports.
- 8) Studies on the biotic components of the river and the impact of sand mining on these components should be submitted. The study should be done by some reputed institute.
- 9) Bank line monitoring report should be submitted along with the six monthly progress reports.



Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No. - 6002(P), J.L. No. - 70, Mouza - Gohogram, P.S.- Galsi, Dist - Purba Bardhaman, West Bengal by Yogendra Singh.

Annexure-1

NEED BASED ACTIVITIES FOR LOCAL PEOPLE

Sl. No.	Considerations	CER Cost in Rs.
1.	Health camp and free medicine	75,000/-
2.	Educational support to poor student especially girls	82,000/-
3.	Provide drinking water facility at Gohogram Primary School	81,000/-
Total in Rs.		2,38,000/-



Signature Not Verified

Digitally signed by: SHRI DHARMDEO
RAI, I.F.S.
Designation: Member Secretary
Date and Time: 2/28/2024 3:41:15 PM

ENVIRONMENTAL
CLEARANCE

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

To,

The
SATYANAND RAI
At-Near Biscuit Factory more, Near Civil Court Nasriganj, Danapur -
800012

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/WB/MIN/456842/2023 dated 29 Dec 2023. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC24B001WB120087
2. File No.	EN/T-II-1/265/2023
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Gohogram Sand Mine
7. Name of Company/Organization	SATYANAND RAI
8. Location of Project	WEST BENGAL
9. TOR Date	N/A

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

Date: 01/03/2024

(e-signed)
DHARMDEO RAI, I.F.S.
Member Secretary
SEIAA - (WEST BENGAL)

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

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PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza – Gohogram, P.S. - Galsi, Dist. – Purba Bardhaman, West Bengal by Satyanand Roy.

Background of the project

The proponent made online application vide proposal no. SIA/WB/MIN/456842/2023 dated 29 December 2023 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza – Gohogram, P.S. - Galsi, Dist. – Purba Bardhaman, West Bengal by Satyanand Roy.

This is a proposal for riverbed sand mining of GALSI-II/GOHOGRAM/6001/C Sand Block over an area of 3.84 ha (9.49 Acres) on the River Damodar at Plot No.6001(P), J.L. No.-070, Mouza – Gohogram, P.S.-Galsi, Dist –Purba Bardhaman, West Bengal.

The project proponent (PP) obtained Terms of Reference (ToR) vide No. 805/EN/T-II-1/265/2023 dated 26.04.2023 issued by SEIAA, WB against proposal no. SIA/WB/MIN/74566/2022.

As required under the West Bengal Minor Mineral Concession Rules, 2016, the PP got a composite 'Mining Plan with Progressive Mine Closure Plan' prepared for riverbed sand mining at the site by an RQP. The revised Mining Plan has been approved by the State Government on 29.03.2017 and the approved plan has been uploaded at the PARIVESH portal by the PP.

The PP has uploaded pre-feasibility report for the proposed project, copy of valid LoI and cluster certificate from the competent authority. The sand block is forming a cluster with adjacent 2 numbers of sand blocks of Ashok Kumar and Yogendra Kr. Singh.

The PP has submitted need based EMP.

The PP has informed that there is no court case pending against the project.

As per the Mining Plan including Mine Closure Plan, the cardinal points of the mining lease area are given below :-

Point	Latitude	Longitude
A	23°14' 40.07" N	87°37' 53.73" E
B	23°14' 30.82" N	87°37' 54.68" E
C	23°14' 31.04" N	87°37' 49.63" E
D	23°14' 39.80" N	87°37' 49.04" E

The project site falls within the DSR potential zone code PBBD_GL2_DA_03_04.

State Level Environment Impact Assessment Authority (SEIAA), West Bengal examined the proposal and also perused recommendations of the State Level Expert Appraisal Committee (SEAC). After due consideration of the project proposal, and after considering the recommendations of the State Level Expert Appraisal Committee (SEAC), the State Level Environment Impact Assessment Authority accords Environmental Clearance to the project as per provisions of the EIA notification no. S.O. 1533 (E) dt. 14th September, 2006 of Ministry of Environment & Forests, GOI and the subsequent amendments, on the basis of above mentioned features along with other details submitted to SEIAA subject to strict compliance of the terms and conditions mentioned below.

General Conditions:

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza – Gohogram, P.S. - Galsi, Dist. – Purba Bardhaman, West Bengal by Satyanand Roy.

3. Apart from possessing a valid lease the proponent shall obtain all other necessary permissions before commencement of any mining or allied activity at the lease hold area.
4. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 must be followed strictly.
5. It shall be the responsibility of the PP to abide by and to comply with all the provisions made and restrictions imposed, — particularly those regarding environment management practices, by and under the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021 and the West Bengal Minor Minerals Concession Rules, 2016, failing which the EC shall be liable to be cancelled.
6. The EC is granted on the condition that the lease area falls under the potential sand mining area earmarked in the District Level Survey Report (DSR). Mining shall be done only in an area/ stretch which has been identified in the DSR as well as in the approved Mining Plan.
7. No river bed mining shall be allowed beneath 3 meters of the river bed.
8. The depth of mining in riverbed shall also not exceed one meter above groundwater (base flow) level.
9. No River sand mining shall be carried out in monsoon season, as declared by the concerned District Authority.
10. The PP shall submit Annual Replenishment Report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased accordingly.
11. If the lease hold area is located in hilly terrain, it is to be ensured by the PP that the mine working depth is limited to 1.0 metre below the riverbed level.
12. In case the lease area, or a part of it, falls in the river flood plain¹, a buffer of three metre to be left from the river bank for mining. (non river-bed sand mining)
13. In case the lease area, or a part of it, is an agricultural field, a buffer of three metre land shall be left between the mine boundary and the adjacent field. (non river-bed sand mining)
14. Mining shall be done in layers of not more than 1 metre depth to avoid ponding effect and only after the first layer is excavated, the process will be repeated for the second layer and so on.
15. The PP shall get the baseflow and groundwater level (water table) monitored on monthly basis. The water level should be referenced to both the 'mean sea level' and the 'local ground level'. During sand mining operations, a network of existing wells shall be established around the sand mining area and piezometers shall be installed at all sand quarry sites. A minimum of four piezometers shall be installed in the no-mining zone around the sand quarrying area. Monitoring of groundwater quality in the vicinity (one km radius from the sand quarrying site) shall be carried out once in every two months. Same shall be submitted with six monthly compliance report.
16. Any area falling within 7.5 metre or 12.5% of the river width, whichever is more, from the river bank (towards the channel) will be left intact as no mining zone. Subject to above the PP shall identify the

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

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

central 3/4 part of river on map where there is a deposition of sand and remaining 1/4 part shall be left intact as no mining zone for the protection of the bank.

17. No stream shall be diverted for the purpose of sand mining. No natural water course and/ or water resources shall be obstructed due to mining operations.
18. No blasting shall be resorted to in river bed sand/ gravel mining and no blasting operation shall be carried out without permission at any other place.
19. Irrespective of the location, thickness of sand deposition, agricultural land/ riverbed, the method of mining shall conform to the orders / directions passed by any Court of Law / Tribunal time to time and in compliance with the Sustainable Sand Mining Guidelines 2016 and the Enforcement & Monitoring Guidelines for Sand Mining, 2020.
20. Mining shall begin only after pucca pillars marking the boundary of lease area are erected at the cost of the lease holder at every corner of the lease-hold area. Only after certification in this regard with the geo coordinates of the corner pillars is issued by the district mining officials, mining can commence. The geo coordinates of the corner pillars shall be made available to the District Level Committee.
21. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and shall be, as far as practicable, concurrently used for land reclamation. {non river bed sand mining}
22. The EC holder shall keep a correct account of quantity of sand mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This shall be produced before officers of the Central Government and/ or the State Government for inspection.
23. Noise arising out of mining and processing unit(s) shall be abated and controlled at source to keep noise level within permissible limit.
24. No sand mining activity shall be carried out between dusk to dawn, or as permitted by the local authority.
25. Infrastructure and facilities erected for the mine shall conform to the provisions made for the purpose at the sand ghat designated and demarcated (with geo referencing) and laid out for the purpose by the District administration.
26. In particular the PP shall ensure that the approach road, - from the proposed sand ghat to the sand storage depot, is planned and maintained with prior consent of the local Administration.
27. There shall be a single point of entry and exit point for all vehicles. In case it is necessary to have more than one entry/exit, all such points shall have check points with all digital monitoring facilities as mentioned in the 'Enforcement and Monitoring Guidelines for Sand Mining' (January, 2020) issued by the Ministry of Environment, Forest and Climate Change. All other possible ways of entry /exit shall be closed using barriers. All provisions shall be made to make it impossible for any vehicle to enter or exit without an entry into the computerized system.
28. All such points shall have 24x7 CCTV coverage; the footage of the CCTV coverage shall be submitted to the District Collector by the PP at mutually agreed frequencies (Photographic evidence to be included in 6 monthly compliance report).

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza – Gohogram, P.S. - Galsi, Dist. – Purba Bardhaman, West Bengal by Satyanand Roy.

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

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

43. Dumping of waste, if any, shall be done only in earmarked places as approved in the mining plan.
44. No rubbish shall be disposed in the river bed.
45. The PP shall take all possible precautions for the protection of environment and control of pollution.
46. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
47. No mining shall be undertaken in a mining lease located within 1 km from bridges, highways and railway lines on both upstream and downstream sides, or five times (5x) of the span (x) of bridge, public civil structure (including water intake point) on upstream side and ten times (10 x) the span of such bridge on downstream side, subjected to a minimum of 250 metres on the upstream and 500 metres on the downstream side.
48. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
49. Only such vehicles as are having valid fitness and PUC Certificates, shall be used for transportation of sand.
50. The PP shall develop proper junction at takeoff points of approach road with main road, with proper width and geometry required for safe movement of traffic, at his own cost.
51. The PP shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
52. No stacking shall be allowed on road side along State/ National Highways.
53. Suitable sand depots will be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 04-06 ha (10-15 acres) with parking facility and proper entry and exit for smooth movement of the vehicles. The depot site shall preferably be a Government poramboke land³.
54. The PP shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and shall complete this work before abandonment of mine.
55. Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
56. The site specific plan for eco-restoration submitted by the proponent along with the EC application shall be properly implemented.
57. Transport of mineral shall not be done through villages/ habitations.
58. The route of mineral transportation vehicle from source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and GPS tracking.

³ the land that doesn't fall under the list of revenue records.

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

59. The PP shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers (Photographic evidence to be included in 6 monthly compliance report).
60. The PP shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. The Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
61. The PP shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project. Personal Health data like BP ECG, chest X-ray, PFT, smoking habits, blood and urine test etc. shall be undertaken once in six months to take necessary remedial/preventive measures. In this regard recommendations of National Institute of Occupational Health (NIOH) / Central Labour Institute (CLI) / All India Institute of Hygiene and Public Health (AIHH&PH) shall be adopted for ensuring good work-environment for mine workers.
62. The PP shall report monitoring data on replenishment, traffic management, levels of production, river-bank erosion, maintenance of roads etc.
63. A year-wise excavation schedule showing the breakup of pay-mineral (sand) and waste (if any) may be clearly drawn up and areas may be demarcated for waste dumping. Site for intermediate stockpiling of the mineral may also be clearly demarcated and shown in the surface plan.
64. The PP shall review the Progressive Mine Closure Plan every two years from the date of opening of the mine and shall submit the same to the officer authorised by the State Government in this behalf, for its approval under the West Bengal Minor Mineral Concession Rules, 2016. In the event of the progressive mine closure being not approved, or not deemed to be approved, the mining activities shall be discontinued.
65. One year prior to the proposed closure of the mine the proponent shall submit a Final Mine Closure Plan for approval under the West Bengal Minor Mineral Concession Rules, 2016, to the officer authorised by the State Government in this behalf.
66. The PP shall ensure that the protective measures contained in the Mine Closure Plan referred to hereinabove including the reclamation and rehabilitation work are carried out in accordance with the approved Mine Closure Plan or with such modifications as are approved by the officer authorised by the State Government in this behalf under the West Bengal Minor Mineral Concession Rules, 2016.
67. In addition to regular submission of environmental compliance reports as required under the EIA Notification, 2006, the PP shall submit to the Officer authorised by the State Government in this behalf, a yearly report before 1st of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.
68. For the purpose of carrying out mining operation in the area, the PP shall furnish financial assurance. The amount of financial assurance⁴ shall be as laid down in the West Bengal Minor Mineral

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

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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

- Concession Rules, 2016. The financial assurance may be in any of the forms referred to in the said Rules.
69. The PP shall prepare a dust and noise minimization plan with adequate details and shall implement the same.
70. Needs of the locality shall be assessed and the social part of the EMP shall be undertaken as stipulated by MoEF&CC Office Memorandum F.No. 22-65/2017.IA.III dated 30.09.2020. Beneficiary of the social component of EMP should be identified and to be displayed at site. Need based activities for local people is part of the EMP. Details of such activities submitted by the project proponent is given in Annexure-1. The PP shall submit geo-tagged photographs regarding the implementation of CER with actual expenses incurred. The CER and plantation will have to be implemented within first two years of starting of mining operation. Photographic evidence of the activities and relevant bills/vouchers are to be given in 6 monthly compliance report.
71. The PP shall ensure that the provisions every relevant Acts, Rules Guidelines etc. shall be complied in both letter and spirit.
72. In particular, the PP shall ensure compliance with the provisions laid down in the following Acts/ Rules/ Guidelines.
- a. The West Bengal Minor Minerals Concession Rules, 2016;
 - b. Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate change, Government of India;
 - c. Sand Mining Framework, 2018, issued by the Ministry of Mines, Government of India;
 - d. Enforcement & Monitoring Guidelines for Sand Mining, 2020, issued by the Ministry of Environment, Forest and Climate change, Government of India;
 - e. The West Bengal Sand Mining Policy, 2021; and,
 - f. The West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.
73. Non-compliance of any of the terms and conditions mentioned hereinabove may lead to cancellation of the environmental clearance granted.
74. The Environmental Clearance is being issued without prejudice to any action initiated under the Environment (Protection) Act, 1986 or any court case pending in any court of law, and it does not mean that the project proponent has not violated any environmental law in the past, and all future decisions made or directives/ orders/ notifications/ circulars issued under the Environment (Protection) Act, 1986 shall be binding on the Project Proponent. Similarly, all verdicts/ orders of the Hon'ble Court will be binding on the project proponent. Hence, this clearance does not give immunity to the project proponent in the case(s) filed against her/ him, if any, or any action initiated against her/ him under the Environment (Protection) Act, 1986.
75. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under the Environment (Protection) Act, 1986.
76. The validity of this Environmental Clearance would be 5 years as per the scheme of mining mentioned in the approved mining plan. However, the PP may apply for extension of EC with revised scheme of mining plan before expiry of 5 years.

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

77. The EC is granted for the project as proposed. In case any deviation or alteration in the project is contemplated the proponent will apply afresh for Environmental Clearance for the proposed modifications and/ or expansion of the project.
78. The stipulations made under other relevant Acts, - in particular the Wild Life (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991, and the rules and regulations made there under, shall be strictly complied with.
79. The State Government may, in its own discretion, impose such further conditions as it may deem fit, necessary or expedient. All such conditions will have to be complied with.
80. Non-compliance to any of the stipulated terms and conditions may lead to cancellation of the EC.
81. If you are aggrieved by the grant of this Environmental Clearance or by any of the terms and conditions imposed herein, you may, in your own discretion, within a period of thirty days from today, prefer an appeal before the National Green Tribunal (Eastern Zonal Bench, Kolkata), HFXC+VR5, Kadampukur Village, Newtown, New Town, West Bengal 700156, under Section 16 of the National Green Tribunal Act, 2010.
82. The contact details of the proponent and the name of the consultant are given below -

Name of the Contact person with Designation	Shri Satyanand Rai, Owner
Address	At-Near Biscuit Factory more, Near Civil Court Nasriganj, Danapur, Patna - 800012, Bihar.
Email	roymine4@gmail.com
Telephone Number	9800458789
Name of the Environmental Consultant	M/s. Chaitanya Projects Consultancy Private Limited

83. Additional conditions

Following should be submitted along with the six monthly compliance report :-

- 1) The revised reserves as per approved DSR should be incorporated in the approved Mine Plan before starting of mining operations. The revised mine plan incorporating the reserves as mentioned above should be submitted to the WBPCB before applying for the Consent to Operate.
- 2) Monthly monitoring of base flow level at four points of the project should be conducted by installing piezometer and to be reported in the six monthly compliance report.
- 3) Stipulated plantation should preferably be done adjacent to the project. If not possible due to unavailability of suitable land, plantation may be done at other location in the same block. The particular plantation area should be dedicated and marked for the particular project and to be certified by the respective BDO.
- 4) Sieve analysis report for grain size distribution should be provided along with six monthly compliance report.

Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

- 5) Status of the need-based activities to be reported during six monthly progress report.
- 6) Basic amenities, safety and occupational health examinations for labourers to be provided along with six monthly compliance reports.
- 7) To enhance success/ survival rate the plantation shall be done during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be local species and self-sustaining in that particular region. Geotagged photographs of actual plantation done to be submitted along with six monthly compliance reports.
- 8) Studies on the biotic components of the river and the impact of sand mining on these components should be submitted. The study should be done by some reputed institute.
- 9) Bank line monitoring report should be submitted along with the six monthly progress reports.



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Environmental Clearance for the proposed Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No. - 6001(P), J.L. No. - 070, Mouza - Gohogram, P.S. - Galsi, Dist. - Purba Bardhaman, West Bengal by Satyanand Roy.

Annexure-1

NEED BASED ACTIVITIES FOR LOCAL PEOPLE

Sl. No.	Considerations	CER Cost in Rs.
1.	Health camp and free medicine	75,000/-
2.	Educational support to poor student especially girls	67,000/-
3.	Provide drinking water facility at Gohogram Primary School	88,000/-
Total in Rs.		2,30,000/-



Signature Not Verified

Digitally signed by: SMRI
DHARMDEO RAI, I.F.S.
Designation: Member Secretary
Date and Time: 3/4/2024 3:18:24 PM

ANNEXURE - D

3402/2025/O/o ADM(PRBDN)

**Report of the Fact Finding Committee Constituted by Hon'ble National Green Tribunal (Eastern Zone Bench),
Kolkata by the order passed on 02.01.2025 in connection with OA No 241/2024/EZ**

Name & Address of the unit:	1. Sand mining site at Plot No: 6001(P), Mouza- Gohogram, JL No: 70, P.S.- Galsi,Block: Galsi-II District-Purba Bardhaman over an area of 9.49 acres (3.84 Ha) on the river bed of Damodar with auction Id: 2016_DMBUW_63. 2. Sand mining site at Plot No: 6002(P), Mouza- Gohogram, JL No: 70, P.S.- Galsi,Block: Galsi-II District-Purba Bardhaman over an area of 9.81 acres (3.97 Ha) on the river bed of Damodar with auction Id: 2016_DMBUW_64.
Name of the committee members	1. Sri Bishwa Ranjan Mukherjee, WBCS (Exe.), Additional District Magistrate and District Land and Land Reforms Officer, Purba Bardhaman. 2. Sri Arup Kumar Dey, Environmental Engineer, Durgapur Regional Office, West Bengal Pollution Control Board (Representative of WBPCB) 3. Dr. Rajarshi Chakraborty, Environment Officer, Environment Department (representative of SEIAA, West Bengal) (Copies of nomination letter are attached as Annexure-1, Annexure-2 and Annexure-3)
Date of site visit:	30/01/2025
Time of Visit:	12.00 Noon to 02:00 p.m.
Person met during inspection:	None from Project Proponent side was present at the project site at the time of the field inspection.
Nature of the area	River bed sand block
Reference of inspection	Order passed by Hon'ble National Green Tribunal (Eastern Zone Bench) on 02.01.2025 in connection to OA No 241/2024/EZ

Background:**A. Basic Information about the Units**

1 Sand mining site at Plot No: 6001(P), Mouza- Gohogram, JL No: 70, P.S.-Galsi,Block: Galsi-II District-Purba Bardhaman over an area of 9.49 acres (3.84 Ha) on the river bed of Damodar with auction Id: 2016_DMBUW_63.

Name of the Sand Block	Galsi-II/Gohogram/6001/C		
Auction Id:	2016_DMBUW_63		
Auction held on	28.10.2016 to 29.10.2016		
H1 Bidder	Satyanand Roy		
LoI issued	Vide Memo No: Auction/34/MM/Auction/2017 dated 10.01.2017 (Annexure-4)		
Land Schedule of the Sand Block	PS: Galsi Block: Galsi-II Mouza: Gohogram, JI No: 70 Plot No: 6001(P) Area: 3.84Hectare(9.49 Acre)		
Geo Location of the Sand Block	Point Id	Latitude	Longitude
	1	23° 14' 40.07" N	87° 37' 53.73" N
	2	23° 14' 30.82" N	87° 37' 54.68" N
	3	23° 14' 31.04" N	87° 37' 49.63" N
	4	23° 14' 39.80" N	87° 37' 49.04" N
EC issued by SEIAA	EC Identification No: EC24B001WB120087 dated 01.03.2024 (Annexure-5)		
CTE issued by WBPCB	CTE No: WBPCB/5783244/2024 dated 06.11.2024 (Annexure-6)		
Revised Mine Plan	Approved by the Mining Officer on 09.01.2025 (Annexure-7)		
CTO issued by WBPCB	CTO No: WBPCB/5963836/2024 dated 20.01.2025 (Annexure-8)		

46402/2025/O/o ADM(PRBDN)

2. Sand mining site at Plot No: 6002(P), Mouza- Gohogram, JL No: 70, P.S.-Galsi, Block: Galsi-II District-Purba Bardhaman over an area of 9.81 acres (3.97 Ha) on the river bed of Damodar with auction Id: 2016_DMBUW_64.

Name of the Sand Block	Galsi-II/Gohogram/6002/D		
Auction Id:	2016_DMBUW_64		
Auction held on	28.10.2016 to 29.10.2016		
III Bidder	Yogendra Kumar Singh		
LoI issued	Vide Memo No: Auction/29/MM/Auction/2017 dated 10.01.2017 (Annexure-9)		
Land Schedule of the Sand Block	PS: Galsi Block: Galsi-II Mouza: Gohogram, JL No: 70 Plot No: 6002(P) Area: 3.97 Hectare(9.81 Acre)		
Geo Location of the Sand Block	Point Id	Latitude	Longitude
	1	23° 14' 40.14" N	87° 37' 54.49" N
	2	23° 14' 40.69" N	87° 37' 59.42" N
	3	23° 14' 31.78" N	87° 38' 00.57" N
	4	23° 14' 31.36" N	87° 37' 55.35" N
EC issued by SEIAA	EC Identification No: EC24B001WB185149dated 28.02.2024 (Annexure-10)		
CTE issued by WBPCB	CTE No: WBPCB/5778991/2024 dated 29.10.2024 (Annexure-11)		
CTO issued by WBPCB	CTO No: WBPCB/5947452/2024 dated 29.11.2024 (Annexure-12)		
Revised Mine Plan	Approved by the Mining Officer on 09.01.2025 (Annexure-13)		

B. Timeline of EC Processing for the two Units:

Sl No	Project proposal	DSR (2024) Potential zone code	Proposal no. for ToR and EC	ToR issued on	Public hearing held on	EC application along with EIA report submitted on	EC issued on
1.	Gohogram Sand Mine over an area of 3.84 ha (9.49 Acres) on the Damodar River at Plot No - 6001(P) by Satyannand Roy	PBBD_GL2_DA_03_04	SIA/WB/MIN/74566/2022 (ToR) SIA/WB/MIN/456842/2023 (EC)	26.04.2023	02.11.2023	29.12.2023	01.03.2024
2	Gohogram Sand Mine over an area of 3.97 ha (9.81 Acres) on the Damodar River at Plot No - 6002(P), by Yogendra Kumar Singh	PBBD_GL2_DA_03_04	SIA/WB/MIN/74545/2022 (ToR) SIA/WB/MIN/456989/2023 (EC)	26.04.2023	02.11.2023	29.12.2023	28.02.2024

C. Lease Execution

Lease Deed for the above mentioned two units have not been executed till date.

Observation:

- The Fact Finding Committee physically verified the above two plots *in situ* and observed that there was no trace of any mining activity whatsoever at the project site or in the vicinity of the project site. (Figure-1)
- No machinery for extraction of sand was found at or near the project site and neither any vehicles used for transportation of sand were observed at or near the project site during the site visit. No tracks generally formed by such machinery or vehicles could also be found at or in the vicinity of the project site.
- No office or any personnel or display board or any other resource used for sand mining was found at the site during the visit and the river bed containing the plots was found to be undisturbed and untouched by any mining activity whatsoever.
- The project sites were observed to be covered with patches of wild grass indicating that no mining has taken place in the area for a substantial amount of time if at all. (Figure-2)

6402/2025/O/o ADM(PRBDN)

Remarks:

Sl No	Allegations made by the Petitioner	Observation by the Committee
1	Illegally excavating sand from the river bed in violation of the Terms of Reference dated 26.04.2023 and the standard conditions stipulated by the respondent authorities in the CTE and EC certificate causing damage to environmental balance and increasing possibility of flood which may wash out the agriculture land as well as the residences belonging to the villagers	The allegation is wholly unfounded as no trace of any mining activity whatsoever in the project site or in the vicinity could be observed during field visit of the fact finding committee.
2	The respondent authority without causing any field enquiry, granted permission to the private respondents to excavate sand from the river bed of Damodar river	Lease Deed of sand mining for two sand blocks has not been executed. Hence the question of granting permission for extracting sand does not arise.
3	Sand mining is being conducted by using heavy machinery at the project site causing severe damage to the environment at the bank of river Damodar	The allegation is wholly unsubstantiated as no machinery for extraction of sand was found at or near the project site whatsoever and neither could any tracks formed by such machinery be found.
4	Illegal excavation of sand from the mentioned sand block area at Damodar river causing serious breach of environmental balance	No sand mining is being carried out by the project proponents as observed by the committee during field visit and hence breach of environmental balance does not arise.
5	Due to illegal excavation of sand the river dam is gradually becoming weak and there is high possibility of breaking the dam during rainy season which may cause flood in the area	The two sand blocks are situated far away from the existing river bank. The two project sites are within Potential Zone (PBBD_GL2_DA_03_04) of District Survey Report. Therefore it is very unlikely any mining will have adverse impact on the river banks. Further no mining has been started in any of the two blocks as alleged by the petitioners.
6	Illegal excavation work at the project site is being carried out throughout the entire day for about 20 hours causing immense noise pollution and disturbance in the region	Since no sand mining is being carried out by the project, the issue of noise pollution does not arise.
7	Sand mining from the project site is being done at a depth of 1 meter resulting in depletion of aquatic life of the river and ponding effect this is effecting the livelihood of the petitioners who are heavily depending upon river Damodar for fishing and cultivation	Since no sand mining is being carried out by the project proponents the issue of adverse affect on fishing and agriculture does not arise.
8	The Private respondents failed to install a network of Wells and piezometers which were required to be installed as per the terms and conditions stipulated in the EC	Since lease deed has not been executed and no sand mining has been started by the private respondents, the question of installation of network of wells and piezometers presently does not arise.
9	Mining has resulted in massive depletion of ground water level	Since no sand mining has been started by the private respondents, the issue of massive depletion of ground water does not arise.

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10	Mining excavation is carried out by the private respondents completely in violation and contravention of the general terms and conditions of the ToR, EC and CTE certificate issued by the respondents and further in transgression of the Mines and Minerals Act, 1957 and the Rules made there under.	The private respondents being the Project Proponents (as they are HI Bidders) of the two projects have duly applied for and obtained EC as well as CTE & CTO form SEIAA and WBPCB respectively. However, the sand mining lease deed for the two project sites have not been executed till date between the District administration and the private respondents and the sites have not been demarcated and handed over for mining purposes. Further, during field visit of the fact finding committee it is established that no sand mining is being carried out by the project proponents whatsoever and the allegations of the petitioner are unfounded.
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Therefore the Fact Finding Committee after *in situ* visit of the alleged sites and after careful examination concludes that no mining activities whatsoever and neither any machineries or transport vehicles or any other paraphernalia associated with mining activity were observed at or near the project site mentioned in the petition and that the allegations made by the petitioners were found to be completely false, unfounded and unsubstantiated.

The report of the Fact Finding Committee above is submitted before the Hon'ble National Green Tribunal (Eastern Zone Bench), Kolkata in compliance of the order passed on 02.01.2025 in connection with OA No 241/2024/EZ.



Bishwa Ranjan Mukherjee, WBCS (Exe.)
Additional District Magistrate and
District Land and Land Reforms Officer,
Purba Bardhaman
Additional District Magistrate
And
District Land and Land Reforms Officer
Purba Bardhaman



Arup Kumar Dey,
Environmental Engineer,
Durgapur Regional Office,
West Bengal Pollution
Environmental Engineer
Durgapur Regional Office
West Bengal Pollution Control Board



Dr. Rajarshi Chakraborty,
Environment Officer, Environment
Department

Dr. Rajarshi Chakraborty
Environment Officer
Department of Environment
Government of West Bengal

Figure:1



Figure: 2





BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O. A. NO. 241/2024/EZ

In the matter of:

Sayed Sarafat Ali & Anr.

.... Applicants.

Versus

State of West Bengal & Ors.

.... Respondents.

Affidavit on behalf of the
Respondent Nos. 5 and 6 i.e. the
District Magistrate, Purba
Bardhaman and the Additional
District Magistrate and District
Land & Land Reforms Officer,
Rajbati, Purba Bardhaman.

RAJIB RAY

Advocate

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