

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.04/2025/EZ

In the matter of:

BudhanMaji and others

..... Petitioner.

-Versus-

The Union of India &Ors.

.... Respondents.

AFFIDAVIT-IN-OPPOSITION ON BEHALF OF RESPONDENT NO.7 THE
DIRGAPUR LIMITED

INDEX

Sl. No.	Description of the documents relied upon.	Annexures	Pages
1.	Affidavit in Opposition		1 to 9
2.	Xerox copies of permission from the office of Coal controller, Ministry of Coal along with no objection certificate from West Bengal Mineral Development & Trading Corporation Ltd dated 28 th February 2019.	“R-1” Collectively	10 to 12
3.	Copies of both the certificates issued by West Bengal pollution Control Board	“R-2”	13 to 25
4.	Copy of the permission of deep hole blasting dated 22 nd June, 2022	“R-3”	26 to 29
5.	Copies of two orders dated 16.10.2023 and 16.01.2025 passed by the Hon’ble High court in WPA(P) 82/2023 and WPA(P) 482/2024 respectively	“R-4” Collectively	30 to 34
6.	Copy of the report of enquiry dated 20 th December, 2023	“R-5”	35 to 37
7.	Copy of the report of the fact-finding committee in compliance with the order dated 10.01.2025 passed by this Hon’ble Court	“R-6”	38 to 41

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO 04/2025/EZ**

In the matter of:

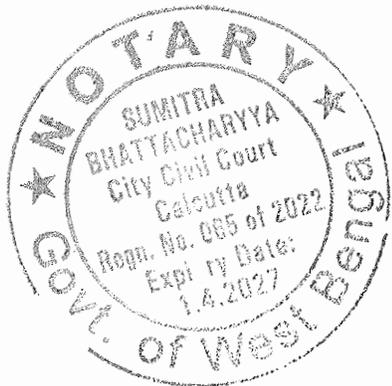
Budhan Maji and others

..... Applicant

Versus

The Union of India & Ors

...Respondents



AFFIDAVIT IN OPPOSITION ON BEHALF OF RESPONDENT NO 7
THE DURGAPUR PROJECTS LIMITED.

I Anango Bhattacharya, son of Naba Kumar Bhattacharya aged about 44 Years, by occupation - Service, working for gain at The Durgapur Projects Limited, having it office at Administrative Building, Durgapur, District - Paschim Burdwan, Pin - 713201 and 1593, Rajdanga Main Road, Kolkata - 700107, do, hereby solemnly affirm and say as follows: -

1. I am the Senior Manager (Legal) of the respondent The Durgapur Projects Limited and I am and/or have made myself well acquainted with the facts and circumstances involved in the instant case in course of my official duties. I have been duly authorized to make and affirm this affidavit for and on behalf of Respondents By virtue of my competency as aforesaid I am making and affirming this affidavit for and on behalf of The Durgapur Projects Limited.

21 MAR 2025

X

2. I have read a copy of the instant Application (hereinafter refer to as the 'said application') purported to have been affirmed by the petitioner no -1 in this Ld Tribunal on 5th day of December, 2024 in course of my official duties and have understood the contents and purport thereof. I have been advised to deal with and traverse only those portions of the application which are material and relevant for disposal of the petition.

3. Save and except what are matters of record and what have been specifically admitted herein, each and every allegation contained in the several paragraphs of the said petition are denied and disputed, the same are set out hereunder ad-seriatim and dealt with specifically.

4. Before dealing with the said petition in seriatim, I set out the following fact proper and effective adjudications of the issues involved in this petition.

(a) The Trans Damodar Coal Mine (TDCM) is located at Barjora Block, Dist: Bankura, West Bengal under Raniganj Coal Field the same was previously operated by West Bengal Mineral Development and Trading Corporation Limited (A Government of West Bengal Company) till March 2015. Thereafter in the year the Hon'ble Supreme Court of India by an Order / Judgment dated 25th September, 2014 de-allocated 214 coal blocks including TDCM effective on 31st March 2015.

(b) That thereafter to ascertain coal availability, Ministry of Coal, Government of India decided to re-allocate the coal blocks through allocation as well as auction mode. Re-



21 MAR 2025

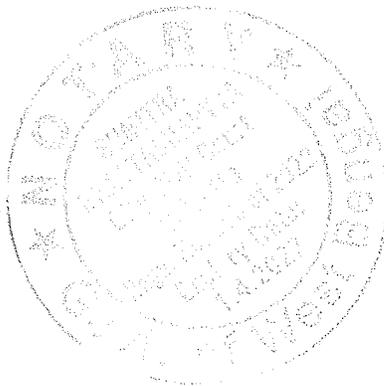
✕

allotment of Trans Damodar Coal Mine (TDCM) was undertaken through auction mode for power sector.

(c) The respondent number 7 i.e. The Durgapur Projects Limited (DPL) decided to take part in auction process for Trans Damodar Coal Mine (TDCM). Accordingly, the respondent No-7, DPL participated in the e-auction process conducted through reverse bidding and ultimately selected as Successful Bidder.

(d) DPL executed Coal Mine Development and Production Agreement with MOC, GOI on 02.03.2015 and the allotment / Vesting order was issued by the MOC, GOI on 23.03.2015 in favour of DPL with effect from 01.04.2015 . Immediately thereafter the DPL took all the initiative for appointment of Mine Operator & Developer (MDO) through auction process and M/s Trans Damodar Mining Pvt Ltd had been selected as Successful Bidder and appointed as MDO and executed Coal Mining Services Agreement on and from 14.12.2018.

(e) The respondent no-7, DPL obtained all the clearances including "Consent to Establish" and "Consent to Operate" clearances from West Bengal Pollution Control Board and Environment Clearance from Ministry of Environment, Forest and Climate Change, Government of India for mining operation and arranged 367-acre land from WBMDTCL for starting mining process and obtain Mine Opening Permission from CCO, MOC on 4th March 2019 and the M.D.O after completion of all the pre-mining operation, started mining of coal w.e.f 10th Dec 2020.



12 : 11:58 2025

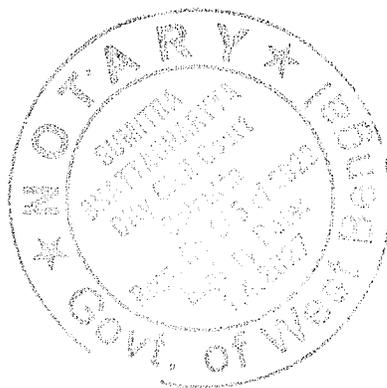
X

Copies of such permission from the office of coalcontroller, Ministry of coal along with No objection certificate from West Bengal Mineral Development & trading Corporation LTD dated 28th February, 2019 are annexed herewith and marked with the **letter "R-1"** collectively.

(f) The respondent Durgapur projects Limited was initially obtained No Objection certificate from the competent authority of West Bengal Pollution Control Board on 4th June, 2015 and thereafter obtained Consent to operate was obtained on 30th June, 2023.

Copies of both the certificates were annexed herewith and marked with the **letter "R-2"**, collectively.

(g) The respondent the Durgapur Projects Limited submit that on the basis of application for deep hole blasting of Trans Damodar Coal Mine (TDM) Barjora, of the respondent dated 22nd June , 2022, the Director-general of Mines safety, Govt of India, vide Memo no. 010963/EZ/Sitarampur Region no.II/Perm/2022/237807 dated 22nd June, 2022 permission has been granted to do the same.



Copy of the said permission dated 22nd June, 2022 is annexed herewith and marked with the **letter "R-3"**.

(h) Simultaneously, DPL applied to District Authority, Bankura for settlement of R&R issues of existing villagers within the mining area and District Authority approved and published R&R package for TDCM on 4th Sept 2019. Accordingly, at the first stage, rehabilitated 12 P.A.F to

21 MAR 2025

X

existing R&R Colony for TDCM at Rongalejora, BarjoraAlso, DPL has taken different steps (Demographic Study of existing villages Chunpora&Virkasol, Finalisation of PAFs, Valuation of existing structures of villagers, Town Plan of R&R colony etc) for rehabilitation of villagers from Chunpora and Virkasol villages.

(i) he existing R & R package was 5-6 years back accordingly, the respondent no-7, DPL has approached the District Authority to revisethe R&R package and after holding meeting with the representative of localities and other dignitaries the R&R package is under process of revised.



5. The petitioners /applicants during the process and execution of rehabilitation filed Two numbers of public interest litigation and the Hon'ble High court by entertaining the said petitioners, ultimately passed an order Inter alia” Therefore, we dispose of these writ petitions by directing the officials of the Durgapur Projects Limited to forward the demographic study report relating to rehabilitation and resettlement work of Chunpora village to the District Magistrate, Bankura within a period of three weeks from the date of receipt of the server copy of this order and upon receipt of the said report, the District Magistrate shall take steps that have been recommended pursuant to the inspection which was made and ensure that the rehabilitation and resettlement work of the dwellers of Chunpora village is expedited preferably within a period of six months from the date on which the order is communicated to the District Magistrate...”.

21 MAR 2025

✕

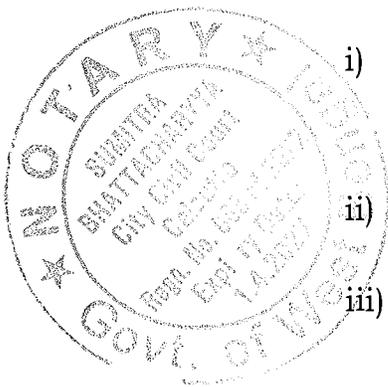
Copies of those two orders dated 16.10.2023 and 16.01.2025 for WPA(P) 81/2023 and WPA(P)/482/2024 respectively are enclosed herewith and marked with the **letter "R-4"** collectively.

6. The respondent The Durgapur Projects Limited submits that pursuant to the order passed by the Hon'ble High court in WPA (P) 81 OF 2023 an enquiry committee was formed and the said committee was investigated the matter in dispute and submit a report.

Copy of the said report dated 20th December, 2023 is annexed herewith and marked with the **letter "R-5"**.

7. The respondent the Durgapur Projects Limited states and submits that in compliance with the order of the Hon'ble National green Tribunal Eastern Zone Bench, Kolkata, a committee has been formed by the District Magistrate, Bankura on 28/01/2025, for investigate the matter in dispute, wherein the following members were there in the said committee as reported: -

- i) Additional district Magistrate & district Land & Land Reforms Officer, Bankura.
- ii) Scientist-D, Central Pollution Control Board.
- iii) Assistant Environmental Engineer, Durgapur Regional Office, West Bengal Pollution Control Board.



Copy of such report of the fact-finding committee is annexed herewith and marked with the **letter "R-6"**.

8. In the report of the said fact Findings Committee, it appears that the said fact findings committee suggested/ recommend for

21 MAR 2025

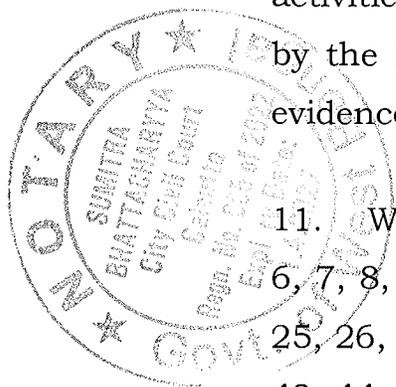
X

taking some precautionary measures which is being followed by the answering respondent being DPL herein.

9. It is therefore submitted that from the enquiry report dated 20th December, 2023 pursuant to the order of the Hon'ble High court and subsequent fact findings committee's report, pursuant the order of this Hon'ble Tribunal no where is has been mentioned that the petitioner's village are being affected and thereby question of illegal mining as alleged, does not arise at all. The mining activities are going on far away from the village as alleged. Both the reports are mentioned the distance of mining activities from the village in question.

10. That the respondent the Durgapur projects Limited submits that as per order of the Hon'ble High Court, Calcutta the answering respondent herein will have to take necessary steps for compliance meaning thereby the instant application become infructuous that too question of any violation for the purpose of conducting mining activities does not arise which has been subsequently substantiated by the Reports annexed herein above including other documentary evidences.

11. With regard to the allegations made in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108 and 109 are denied and disputed. Save, what may be substantiated by the records of the answering respondent being DPL herein. It is



21 MAR 2025

X

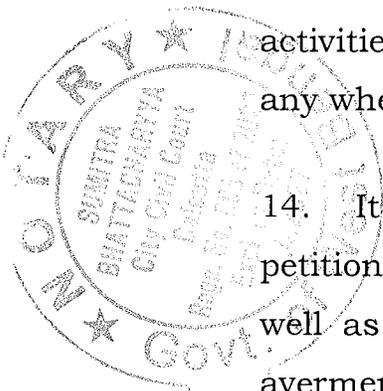
submitted that mining activities are going on taking all precautionary measures with all valid permission from all concerned involved with mining activities. There is no violation as alleged at all. All the allegations made herein are not at all tenable in law. The Respondent Durgapur Projects Limited conducted mining activities through his agent in accordance with law. There is no complain from any body save and except the petitioners herein which has got no legs to stands.

12. It is submitted that Rehabilitation package and thereby acquisition of land are being followed, already the Durgapur projects limited started purchasing land from the adjacent land owner and in facts everything is going on smoothly and the petitioners herein are no way affected with the mining activities. All the allegations are baseless, motivated, and afterthought in order to harass the answering respondent and nothing else.

13. This instant application is afterthought and frivolous in the eye of law. Not only frivolous but also bad by limitation. The mining activities are going on since 2020 that too without any objection from any where save and accept the petitioners.

14. It is submitted that the case made out by the petitioners/applicants are in the result of abuse of process of law as well as malafide intention with ill-motive. The statements and or averments made in the application is/are misleading and contrary to real facts of the case. I crave leave to reserve appropriate submission at the time of hearing, if any.

15. Save as aforesaid and save what may be substantiated by records I deny and dispute the allegations or contentions contrary



21 MAR 2025

X

thereto or inconsistent therewith. The prayer made in this petition is not at all applicable and no relief can be granted in view of the statements made herein above.

16. All grounds made in paragraphs 111 (I to XLIX) of the instant application are denied and disputed, as if, the same are set out hereunder ad-seriatim and dealt-with specifically. I say that no cogent grounds were made out and the grounds made out are no leg to stand in the facts and circumstances of the case. Actually, not a single ground has been made out in the instant application.

17. Save as aforesaid, all other allegations and/or insinuations which are not dealt with in the instant affidavit- in-opposition shall be deemed to have been strictly denied by me.

18. I respectfully submit that the instant application is totally misconceived and not at all maintainable in law as well as in facts and that the applicants /petitioners is/are not entitled to any relief as prayed for herein and the writ petition is liable to be dismissed.

19. The statements made in paragraphs 1, 2, 3, 4, 5, 6, 7, 11, —, are true to my knowledge and those made in paragraph 8, 9, 10, 12, 13, 14 are information's derived from records which I verily believe to be true and correct and the rest are my humble submissions before this Hon'ble Court.

Identified by me,



Advocate

Solemnly Affirmed and
Declared before me
U/S 139 CPC (C)

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary Public, U.S.
Registration No. 1082
City Civil Court, Calcutta

Anango Bhattacharya

DEPONENT

Authorised Signatory
ANANGO BHATTACHARYA
Senior Manager (Legal)
The Durgapur Projects Ltd.

R-1

भारत सरकार
कोयला मंत्रालय

कोयला नियंत्रक का कार्यालय

1, काउंसिल हाउस स्ट्रीट, कोलकाता - 1



CC/Tech/Re-op-perm/Trans Damodar Coal Mine(OC)/DPL/18-19

Government of India

Ministry of Coal

Office of the Coal Controller

1, Council House Street, Kolkata - 700 001

टेलीफोन /Ph: 033 22489612-16; Fax: 22482459;

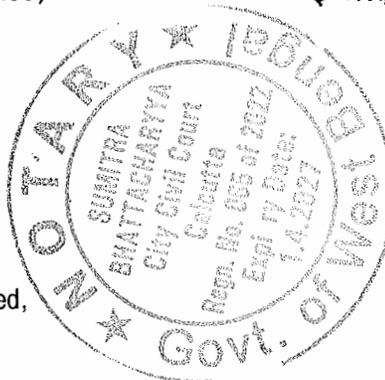
ई-मेल/ E-mail: coalcont-wb@nic.in

Dated the 4th March, 2019.

सेवा में,

नामित मालिक/ तकनीकी निदेशक,

Trans Damodar Coal Mine,
The Durgapur Projects Limited,
Administrative Building, Durgapur Projects Limited,
Durgapur – 713201 (West Bengal).



Sub: Re-opening permission of seams III-Top, III-Bot, II comb and I of Trans Damodar Coal Mine of the Durgapur Projects Limited.

Ref: i) Your online application ID No. THOCTR0001054 dated 08.02.2019 and e-mail dated 01.03.2019.

ii) OSD, Asansol Inspection letter No. OSD(ASANSOL)/CCO/OP/2019/04 dated 19.02.2019.

Sir,

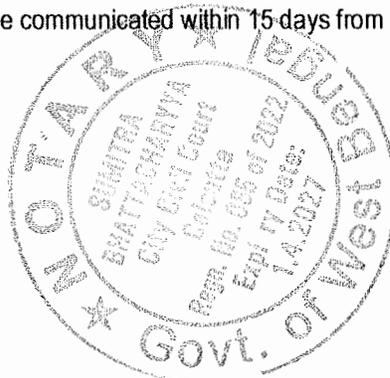
With reference to the above, this is to inform that you have applied online for permission to re-open III-Top, III-Bot, II comb and I of Trans Damodar Coal Mine of the Durgapur Projects Limited uploading and enclosing following documents:

1.

- i) Vesting Order No. 104/7/2015/NA dated 23.03.2015 of Trans Damodar Coal Mine for Specified End Use Plant; 1. Unit VI – Durgapur Project Limited (Power Plant); 110 MW, 2. Unit VII – Durgapur Project Limited (Power Plant); 300 MW and 3. Unit VIII – Durgapur Project Limited (Power Plant); 250 MW.
- ii) Approval of Mining Plan vide No. 13016/5/2002-CA-I dated 21.12.2006.
- iii) Transfer of MOEF Clearance no. J-11015/127/2007-IA-II (M) dated 22/27.05.2015.
- iv) DGMS Notice with Safety Management Plan vide No. MD/DPL/F-181/2019/27 dated 06.02.2019 .
- v) Mining Lease Form K dated 05.08.2015 and Revenue plan.
- vi) Working plan (1st year stage plan).
- vii) Consent to Operate granted under section 25/26 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 vide No. C0107895 Memo No. 2359/dr-CO-S/11/1484 dated 29.06.2018.
- viii) Previous opening permission No. CC/MCBA/OP/303/1/2008/WBMDTCL dated 20.11.2008.
- ix) Water clearance from SWID, Bankura, permit no. P010305000169000000ITSE dated 14.07.2016.
- x) Borehole analysis report.
- xi) Letter of Govt. of WB, Dept. of Power & Non-Conventional Energy Sources vide No. 28-PO/O/C-1/5M-01/08(Part-II) dated 13.02.2019 requesting M/s WBMDTCL to accord permission for 'temporary permissive possession' by DPL of 282.46 acres acquired land of WBMDTCL (along with OSD report).

3/4/3/2019

- X -
- xii) No Objection Certificate (NOC) from WBMDTCL to use the land of WBMDTCL in Trans Damodar Coal Mine vide No. MDTC/PM-5/96 (Part-VI)/256 dated 28th February, 2019 sent through e-mail dated 01.03.2019 by M/s DPL vide letter No. 50/DPL/MD/2B/1-127/2015 dated 01.03.2019.
- xiii) Letter from MD/DPL vide No. MD/DPL/F-181/2019/33 dated 19.02.2019 (along with OSD report).
- xiv) Form I of Agent dated 14.10.2015 submitted to DGMS.
- xv) Form I of Manager dated 06.02.2019 submitted to DGMS.
2. The coal mine was inspected by OSD/CCO, Asansol on 19.02.2019 and report submitted online vide reference (ii) above.
3. Under Rule 9 (2) of the Colliery Control Rules, 2004 and in exercise of powers conferred by Gazette notification G.S.R. 816(E), dated 15th November, 2011, this mine re-opening permission is being given with the following conditions:
- Un-interrupted mining in the proposed region keeping conservation of all underlying & overlying virgin /developed seams in view must be ensured.
 - Before starting mining operation, surface right on the proposed area of working must be ensured and OB dumping should be done as per approved working plan.
 - The mining company shall take all necessary precautions regarding safety of mine workings, persons deployed therein and also guard against dangers from inundation, fire, gas, roof/side fall etc.
 - All mining operations must be restricted within the limits bounded on the working plan. In due course, if any permission / relaxation is required under the Mines Act, 1952 and the Coal Mines Regulation, 2017, the same shall be obtained by the project proponent from the DGMS.
 - The date of production from the above seams shall be communicated forthwith. Periodical information on production, dispatch, stock etc. as the case may be, should be submitted by the owner of the mine to the office of Coal Controller as and when required. Daily production and despatch report in the proforma sent vide letter No. CC/S-1/EDM/Daily-PDR/Coal/18-19 dated 18.07.2018, should be sent to CCO.
 - All the conditions of Escrow A/c agreement as per the approved Mine Closure Plan (progressive and final) submitted to Coal Controller should be strictly complied.
4. This permission to re-open seams III-Top, III-Bot, II comb and I of Trans Damodar Coal Mine of the Durgapur Projects Limited is issued without prejudice to any relevant rules/ regulations etc.
5. A line of confirmation shall be communicated within 15 days from the date of receipt of this letter.



भवदीय,

[Handwritten Signature]
04/03/2019

(अंजनी कुमार)
(Anjani Kumar)
कोयला नियंत्रक
Coal Controller

Copy forwarded for information to:

- Joint Secretary (Coal), Ministry of Coal, Shastri Bhawan, New Delhi.
- The Advisor (Projects), Ministry of Coal, Shastri Bhawan, New Delhi.
- The D.M.S., DGMS, Eastern Zone, Sitarampur- 713359.
- OSD, CCO, Asansol.



ANNEXURE - R-1

WEST BENGAL MINERAL DEVELOPMENT & TRADING CORPORATION LTD

(A Govt. of West Bengal Undertaking)

CIN : U14219WB1973SGC028707

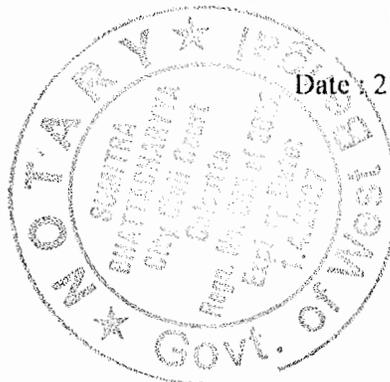
Regd. Office : 13, Nellie Sengupta Sarani
(Lindsay Street), 2nd Floor, Kolkata-700 087
Phone : 033-2252-0644/0645, Fax : 033-2252-1653
E-mail : wbmdtcltd@gmail.com

MDTC/PM-5/96 (Part-VI)/256

Date : 28th February, 2019

To

1. The Chairman-cum-Managing Director, WBPDC
&
Nodal Officer for DPL Restructuring,
2. The Managing Director,
Durgapur Projects Limited (DPL).



Sub: No Objection Certificate (NOC) to use the land of WBMDTCL in Trans Damodar Coal Mine.

- Ref: i) No. 41(2)-PO/O/C-I/5M-01/08(Part-I) dt. 25.02.2019 of Power & NES Dept.
ii) Our Letter No. MDTC/PM-5/96 (Part-VI)/249 dt. 27.02.2019.

Sir,

In continuation to our letter, issued on last date (mentioned under reference), **No Objection** is issued to use the land of West Bengal Mineral Development and Trading Corporation Ltd. (WBMDTCL) in Trans Damodar Coal Mine in respect of 282.46 acre of Land within leasehold area and 85.2384 acre of Land outside the Leasehold area of the Trans Damodar Coal Mine by DPL.

The WBMDTCL, the prior allottee of the Trans Damodar Coal Mine is hereby issuing NOC for 'Temporary Permissive Possession' in respect of the above mentioned quantum of land in favour of DPL, as was proposed vide No. 28-PO/O/C-I/5M-01/08(Part-II) dt. 13.02.2019 read with No. 25-PO/O/C-I/5M-01/08(Part-II) dt. 08.02.2019 of Power & NES Department, Govt. of West Bengal.

However, the procurement cost of Rs. 39,18,92,659/- and Rs. 11,93,37,760/- for 282.46 acre of Land within and 85.2384 acre of Land outside the Leasehold area respectively of the Trans Damodar Coal Mine along with Simple Interest @8% (eight percent) per annum payable to WBMDTCL as approved by Finance Dept. GoWB may be released in favour of this Corporation, at the earliest, as most of the procurement cost is to be passed on to M/S: TDCMPL (erstwhile MDO), who gave the procurement cost of land to WBMDTCL as advance.

An early response in confirmation of above, is awaited.

Yours faithfully,

Managing Director

MDTC/PM-5/96 (Part-VI)/256/1(3)

Date : 28th February, 2019

Copy forwarded for kind information and perusal to:

1. The Additional Chief Secretary, Govt. of West Bengal, Industry, Commerce & Enterprises Department.

NOC NO124908

WEST BENGAL POLLUTION CONTROL BOARD

Paribosh Bhawan
10A, Block-LA, Sector-III
Bichannagar, Kolkata-700 098

ANNEXURE-B-12
collecting my

Memo No. 478-2N-190/2006(E)

Dated 04.06.2015

18

From:
Member Secretary,
West Bengal Pollution Control Board



To: M/s. The ~~Administrative Building, Durgapur-713201~~
West Bengal

WEST BENGAL

Sub: Consent to Establish (CSE) from Environmental Dept of Govt

- Ref: i) ~~Y. No. DM/MD/714~~ 27.25.2015
- ii) ~~Consent to Establish (CSE) issued by the State Board vide No. 307-2N-190/2006(E) dated 20.08.2007~~

Dear Sirs,

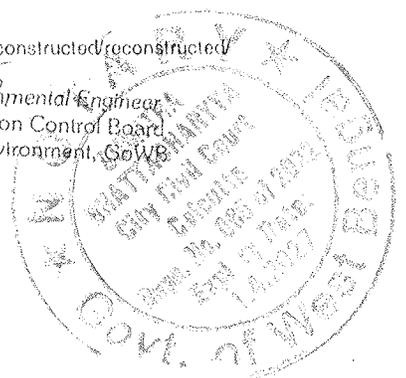
In re: ~~Application for CSE~~ Application for CSE to Es: ~~for the purpose of~~ for the purpose of This ~~is~~ is
 Durgapur ~~for the purpose of~~ for the purpose of
 for manufacturing ~~of~~ of ~~the~~ the ~~said~~ said ~~name~~ name from
 M/s. West Bengal Mineral Development & Trading Corporation Limited
 to M/s. The ~~Administrative Building, Durgapur-713201~~ Administrative Building, Durgapur-713201 for ~~the~~ the ~~purpose~~ purpose of ~~coal~~ coal mining*

this is to inform you that this Board has granted Consent to Establish (CSE) from the environmental point of the above subject to the following conditions and special conditions annexed.

*project (Trans Damodar Coal Mining Project) at Vill- Sitarampur, Shaigara, Kishoripur, Joysingpur, Ronaljora, Bhabanpur, Raghunathpur, Paharpur and Krishnanagar, PO & PS-Barjora, Dist - Bankura

1. The quality of sewage and trade effluent to be discharged from your factory shall satisfy the permissible limits as prescribed in IS : 2480 (Pt. I) of 1974, and/or its subsequent amendment and Environment (Protection) Rules 1986.
2. Suitable measures to treat your effluent shall be adopted by you in order to reduce the pollutional load so that the quality of the effluent satisfies the standards mentioned above.
3. You shall have to apply to this Board for its consent to operate and discharge of sewage and trade effluent according to the provisions of the water (Prevention & Control of Pollution) Act, 1974. No sewage or trade effluent shall be discharged by you without prior consent of this Board.
4. All emission from your factory shall conform to the standards as laid down by this Board.
5. No emission shall be permitted without prior approval of this Board and you shall apply to this Board for its consent to operate and atmospheric emission as per provision of the Air (Prevention & Control Pollution) act. 1981
6. No industrial plant, furnace, flues, chimneys, control equipment, etc. shall be constructed/reconstructed/erected/re-erected without prior approval of this Board

M. J. Ghosh
Sr. Environmental Engineer
W B Pollution Control Board
Dept. of Environment, Govt of West Bengal



NOC NO124908

7. You shall comply with
- (i) Water (Prevention and Control of Pollution) Cess Act, 1977, if applicable.
 - (ii) Water (Prevention and Control of Pollution) Cess Act, 1978, if applicable.
 - (iii) Environment (Protection) Act, 1986
 - (iv) Environment (Protection) Rules, 1986
 - (v) Hazardous Wastes (Management and Handling) Rules, 1989 and Amended Rules, 2000
 - (vi) Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and Amended Rules, 2000
 - (vii) Manufacture, Use, Import and Storage and Hazardous Micro-Organisms, Genetically Engineered Organisms or Cell Rules, 1989
 - (viii) The Public Liability Insurance Act, 1991 and Amended Act, 1992
 - (ix) The Public Liability Insurance Rules, 1991 and Amended Rules 1993
 - (x) Biomedical Wastes (Management & Handling) Rules, 1998 and Amended Rules 2000 if applicable.
 - (xi) Recycled Plastics Manufacture and Usage Rules 1999, if applicable and
 - (xii) Ozone Depleting Substances (Regulation & Control) Rules, 2000, if applicable
8. You will have to abide by any other stipulations as may be prescribed by any authority/local bodies/Government Departments etc.

SPECIAL CONDITION:

- 1) All other conditions given in the above referred 'NOC' will remain unchanged.
- 2) All other necessary clearances to be obtained for change of ownership and name.

Any violation of the aforesaid conditions shall entail cancellation of this Consent to Establish (NOC)

Yours faithfully,

Sr. Env. Engineer (EIM Cell)

West Bengal Pollution Control Board
 Sr. Environmental Engineer
 W.B. Pollution Control Board
 Dept. of Environment, GoWB

479(1-6)
 Memo No. 2N-1290/2006(E) Dtd. 04.08.2015
 Copy forwarded for information to :

- 1. Chief Inspector of Factorles, Government of West Bengal, N. S. Building, Kolkata-700 001
- 2. Director of Industries/Director of Cottage & Small Scale Industries, Government of West Bengal, N. S. Building, Kolkata-700 001
- 3. Guard file, West Bengal Pollution Control Board.
- 4. Environmental Engineer, I/II/Alipur R.O./Howrah R.O./Hooghly R.O./B.R.O./D.R.O./Haldia R.O./S.R.O./Asansol/ Sub-R.O./WBPC Board

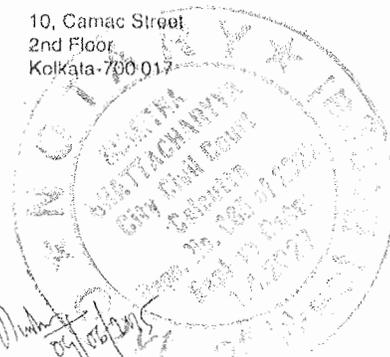
Himalaya Bhawan Doloi Road, Dankuni Dist. Hooghly	Vili, Panpur Kalyani Expressway P.O. Narayanpur Dist. 24 Pgs. (N)	Sahid Khudiram Sarani City Centre, Durgapur-16 Dist. Burdwan	10, Camac Street 2nd Floor Kolkata-700 017
Paribesh Bhawan 10A, LA-Block, Sector-III Salt Lake City, Kolkata - 700 098	Block-05 at 40 Flats Complex Adjacent to Priyambada Housing Estate P.O. : Khanjanchak, P.S. Durgachak Haldia-721602 Dist. : Purba Medinipur	Paribahan Nagar Matigara, Siliguri Dist.-Darjeeling	

Satya Chowdhury
 Indoor Stadium
 Balurchar Bandh Road
 Malda-732101

Asansol Sub-Regional Office
 ADDA Commercial Market (2nd floor)
 Opposite Asansol Fire Station
 G.T. Road, Asansol-713 301

Sr. Env. Engineer (EIM Cell)
 West Bengal Pollution Control Board
 W B Pollution Control Board
 Dept. of Environment, GoWB

- 5. Chief Engineer (O&E) cell.
- 6. S.E.E.-Kankainara C.O.



IX

NOC NO124908

7. You shall comply with
- Water (Prevention and Control of Pollution) Cess Act, 1977, if applicable.
 - Water (Prevention and Control of Pollution) Cess Act, 1978, if applicable.
 - Environment (Protection) Act, 1986
 - Environment (Protection) Rules, 1986
 - Hazardous Wastes (Management and Handling) Rules, 1989 and Amended Rules, 2000
 - Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and Amended Rules, 2000
 - Manufacture, Use, Import and Storage and Hazardous Micro-Organisms, Genetically Engineered Organisms or Cell Rules, 1989
 - The Public Liability Insurance Act, 1991 and Amended Act, 1992
 - The Public Liability Insurance Rules, 1991 and Amended Rules 1993
 - Biomedical Wastes (Management & Handling) Rules, 1998 and Amended Rules 2000 if applicable.
 - Recycled Plastics Manufacture and Usage Rules 1999, if applicable and
 - Ozone Depleting Substances (Regulation & Control) Rules, 2000, if applicable
8. You will have to abide by any other stipulations as may be prescribed by any authority/local bodies/Government Departments etc.

SPECIAL CONDITION :

- 1) All other conditions given in the above referred 'NOC' will remain unchanged.
- 2) All other necessary clearances to be obtained for change of ownership and name.

Any violation of the aforesaid conditions shall entail cancellation of this Consent to Establish (NOC)

Yours faithfully,

Mukherjee 04/06/2015
Sr. Env. Engineer (EIM Cell)

Member Secretary
West Bengal Pollution Control Board
Sr. Environmental Engineer
West Bengal Pollution Control Board
Dept. of Environment, GoWB

Memo No. *473* *2N-1290/2006(E) dt. 04.06.2015*
Copy forwarded for information to :

1. Chief Inspector of Factories, Government of West Bengal, N. S. Building, Kolkata-700 001
 2. Director of Industries/Director of Cottage & Small Scale Industries, Government of West Bengal, N. S. Building, Kolkata-700 001
 3. Guard file, West Bengal Pollution Control Board.
 4. Environmental Engineer, I/II/Alipur R.O./Howrah R.O./Hooghly R.O./B.R.O./D.R.O./Haldia R.O./S.R.O./Asansol/ Sub-R.O./WBPC Board

Himalaya Bhawan Delhi Road, Dankuni Dist. Hooghly	Vill, Panpur Kalyani Expressway P.O. Narayanpur Dist. 24 Pgs. (N)	Sahit Khudiram Sarani City Centre, Durgapur-16 Dist. Burdwan	10, Camac Street 2nd Floor Kolkata-700 017
Paribesh Bhawan 10A, LA-Block, Sector-III Salt Lake City, Kolkata - 700 098	Block-05 at 40 Flats Complex Adjacent to Priyambada Housing Estate P.O. : Khanjanchak, P.S. Durgachak Haldia-721602 Dist. Purba Medinipur	Paribahan Nagar Matigara, Siliguri Dist.-Darjeeling	
- Satya Chowdhury
Indoor Stadium
Balurchar Bandh Road
Malda-732101
- Asansol Sub-Regional Office
ADDA Commercial Market (2nd Floor)
Opposite Asansol Fire Station
G. I. Road, Asansol-713 301

Mukherjee 04/06/2015
Sr. Env. Engineer (EIM Cell)
West Bengal Pollution Control Board
Dept. of Environment, GoWB



WEST BENGAL POLLUTION CONTROL BOARD

353

'Paribesh Bhawan'
Bldg. No. - 10A, Block - LA, Sector-III
Salt Lake City, Kolkata-700 098

ANNEXURE - A-2



Consent Letter Number : CO132081

X

Memo Number : 2153-7/WPBD-Cont(4636)/10.

Date : 30/06/2023.

Consent to Operate

under

Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 and
Section 21 of the Air (Prevention and Control of Pollution) Act, 1981

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended and Rules and Orders made thereunder, hereby grants its consent to :

M/s. TRANS DAMODAR COAL MINE

(Address of Regd. office/Head/Office/City Office)

(hereinafter referred to as Applicant) for its unit located at P.O. & P.S. Barjora, Dist. Bankura,
PIN - 722 202.

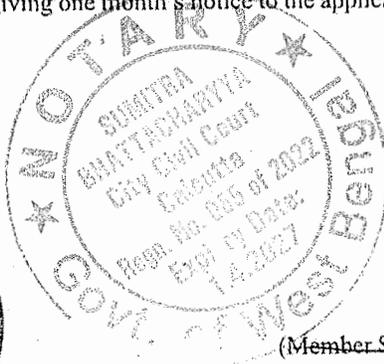
(Detailed address of the manufacturing unit)

for a period from 01-07-2023 to 30-06-2028

to operate the industrial unit and to discharge liquid effluent and to emit gaseous effluent from the premises/land of the industrial unit, in accordance with the conditions as mentioned in the Annexure to this consent letter provided on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in the Table I & II of this consent letter and in the Environmental (Protection) Act, 1986.

Breach of the conditions and / or failure to comply with the directions as set out in the Annexure shall render the applicant liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alter the conditions of this consent letter giving one month's notice to the applicant.



For and on behalf of the State Board

(Member Secretary/Chief-Engr./ Sr. Env. Engr. / Env. Engr. / Environmental Engineer)
K. Roy
Durgapur Regional Office
West Bengal Pollution Control Board



ANNEXURE

18

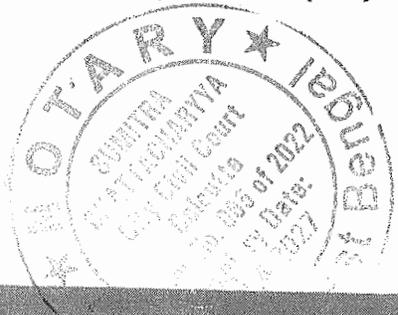
Consent to M/s. Trans Samodra Coal Mine
for its unit at P.O. & P.S. Barjora, Dist. Bankura, PIN- 722 202

Conditions :

01. This Consent is valid for the manufacture of :-

Sl. No.	Name of major products and by-products	Quantity manufactured per month-
01	<u>Coal</u>	<u>10,00,000 MT/year.</u>
02		
03		
04		
05		
06		
07		
08		
09		
10		
11		
12		

- 02. The Applicant shall remain responsible for quantity and quality of liquid effluent and air emissions.
- 03. Daily discharge of industrial liquid effluent shall not exceed 1000 KL.
- 04. Daily discharge of domestic liquid effluent shall not exceed 12 KL.
- 05. Daily discharge of mixed (industrial & domestic) liquid effluent shall not exceed - KL.
- 06. The Applicant shall discharge liquid effluent to Drain after treatment as per environmental (place of discharge) norms through 01 (one) for Domestic & 01 (one) for industrial nos. outlets / outfalls.
- 07. To bring into any altered or new outlet/outfall or to change the place of discharge, the Applicant shall have to inform the Board and obtain prior permission of the Board in this effect.
- 08. The Applicant shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given in Table-I in page 03.



(Signature)
(Member Secretary/Chief Engr./ Sr. Env. Engr. / Env. Engr. / Asst. Env. Engr.)

Continued.....

+8

X8

Consent to M/s. Trans Samodan Coal Mine
 for its unit at P.O. & P.S. Barjora, Dist. Bankura, PIN- 722 202

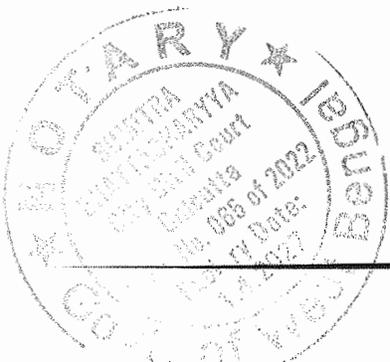
Table-I

Outlet No.	Nature of effluent	Parameters	Standard in mg/lit except pH	Frequency of effluent sampling
01.	Domestic	pH	Between : 5.5-9	Annually.
		Total Suspended Solids	Not to exceed : 100 mg/l.	
		Biochemical Oxygen Demand (3day at 27°C)	Not to exceed : 30 mg/l.	
		Chemical Oxygen Demand	Not to exceed : 250 mg/l.	
		Oil & Grease	Not to exceed : 10 mg/l.	
02.	Industrial	pH	5.5-9	Once in a fortnight.
		COD	250	
		TSS	100	
		O&G	10	
		(Please refer to Annexure I - enclosed herewith)		
<p>[All other parameters indicated in the general standards for discharge of environment pollutants under Schedule - VI (enclosed in Annexure - I) shall be in addition to the effluent standards specified above. Monitoring frequency shall be once in a year for the optional parameters.]</p>				

09. The Applicant falls in the not applicable Category of the Water (Prevention and Control of Pollution) Cess Act, 1977 and Rules made thereunder and the Applicant shall comply with the provisions of the said Act and Rules made thereunder.
10. Daily water consumption for the following purposes should not exceed :-

- Industrial cooling, spraying in mine pits and boiler feed water → 2300KL
(Water used for gardening should be included in this category of use)
- Domestic purpose → 20KL
- Processing whereby water gets polluted and the pollutants are easily biodegradable → —KL
- Processing whereby water gets polluted and the pollutants are not easily biodegradable → —KL

The Applicant shall regularly submit to the Board the Returns of Water Consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.




 (Member Secretary/Chief Engr./ Sr. Env. Engr. / Env. Engineer)
 Environmental Engineer
 Durgapur Regional Office
 West Bengal Pollution Control Board
 Continued.....

(4)

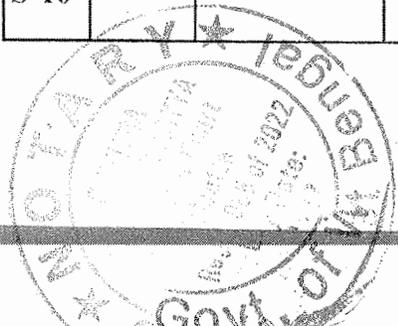
X9

Consent to M/s. Trans Samodar Coal Mine
 for its unit at P.O. & P.S. Barjora, Dist. Bankura, PIN-722 202

11. The Applicant shall install suitable device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board.
12. All the stacks connected to various sources of emissions must be designated by numbers such as S-1, S-2, S-3, etc., and this must be painted/displayed to facilitate identification.
13. The Applicant shall install comprehensive control system consisting of pollution control equipment as is warranted with reference to generation of air emissions and operate and maintain the same continuously so as to achieve the level of pollutants of the Standard as given in Table-II below :

Table-II

Stack No.	Stack height from G.I., (in mts.)	Stack attached to (sources and control system, if any).	Volume Nm ³ /hr.	Velocity of gas emission m/sec	Concentrations of parameters not to exceed				Frequency of emission sampling
					SPM (mg/Nm ³)	CO (%v/v)			
S-1									
S-2									
S-3									
S-4									
S-5									
S-6									
S-7									
S-8									
S-9									
S-10									



Key

(Member Secretary/Chief Engr./ Sr. Env. Engr. / Env. Engr. / Asst. Env. Engr.)

Continued.....

(5)

XO

Consent to M/s. Trans Samodar Coal Mine
 for its unit at P.O. & P.S. Bajora, Dist. Bankura, PIN- 722 202

14. The *Applicant* shall provide ports in the stack(s) and other necessary permanent facilities such as ladder, platform, etc. for monitoring/sampling the air emissions and the same shall be made available for inspection and use by the *State Board's* staff as well as *State Board's* authorised agencies.
15. The *Applicant* shall observe the following fuel consumption pattern :-

Sl. No	Type of fuel	Quantity consumed per day	Fuel burning operation where the fuel is used
01			
02			
03			
04			
05			

16. The *Applicant* shall maintain the generation and treatment/disposal of non-hazardous solid waste as specified below :-

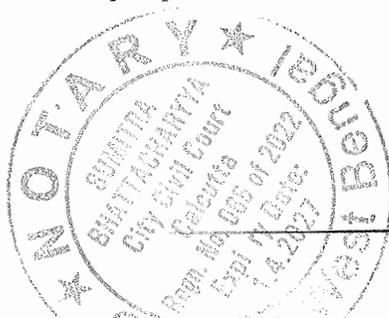
Type of waste	Quantity	Treatment	Disposal
<u>Over burden</u>	<u>20,000 m³/month</u>	<u>—</u>	<u>Dumped.</u>

17. The *Applicant* shall take adequate measures for control of noise levels from its own sources within the premises within the limit given below :-

Time	Limit in dB(A) L _{eq}
Day Time (06 a.m. to 10 p.m.)	<u>65</u>
Night Time (10 p.m. to 06 a.m.)	<u>55</u>

18. The *Applicant* shall at all times maintain good house-keeping, proper working order, and operate efficiently for control of pollution from all sources so as not to cause nuisance to surrounding areas/inhabitants and to achieve compliance with the terms and conditions of the consent.
19. The *Applicant* shall bring about at least 33% of the available open land under the green coverage / plantation.
20. The *Applicant* shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the *Applicant* to maintain compliance with the terms and conditions of the consent. In absence of such an alternate electric power source, the *Applicant* shall stop, reduce or otherwise control production to abide by the terms and conditions of the Consent regarding pollution level.
21. The *Applicant* shall install a separate energy meter showing the consumption of energy for operation of pollution control devices.
22. The *Applicant* shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
23. The *Applicant* shall provide drainage system for conveying industrial and domestic liquid waste. Storm-water drain shall be kept separate from the drainage system meant for industrial and domestic liquid waste

(Member Secretary/Chief Engr./ Sr. Env. Engr. / Env. Engr. / Asst. Engineer
 Environmental (Env. Engr.)
 Durgapur Regional Office
 West Bengal Pollution Control Board



Continued.....

(6)

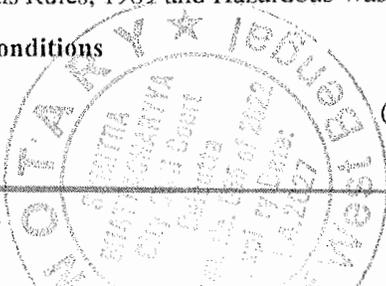
X1

Consent to M/s. Trans Samadar Coal Mine
 for its unit at P.O. & P.S. Barjora, Dist. Bankura, PIN- 722 202

24. The *Applicant* shall maintain a separate register showing consumption of chemicals used in pollution control systems.
25. The *Applicant* shall get the samples of hazardous wastes/leachates analysed at least once in from the laboratory recognised of the West Bengal Pollution Control Board and ensure that they conform to the limits stipulated. Test reports shall be sent to the Board.
26. The *Applicant* shall provide adequate and safe facility for collection of air, waste water and solid waste samples by the *State Board's* staff as well as *State Board's* authorised agencies.
27. The *Applicant* shall submit to the *State Board* by the 30th September of every year the Environmental Statement Report for the financial year ending 31st March of the current year in the prescribed form (Form -V) as required under the provisions of rule 14 of the Environment (Protection) [Second Amendment] rules, 1992.
28. The *Applicant* shall allow the Officers of the *State Board* to enter into the applicant's premises at any reasonable time to inspect the pollution control systems as well as monitoring and measuring devices in connection with prevention & control of pollution.
29. The *Applicant* shall maintain an Inspection Book in the factory premises which shall be made available to Officers & employees of the *State Board* for inspection, review and to write down any direction or observation as is deemed necessary during the inspection from time to time.
30. The *Application* shall furnish to the *State Board* all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emissions.
31. The *Applicant* shall maintain adequate number of qualified and trained personnel among his staff for proper maintenance and operation of the effluent treatment and / or emission control devices and for overall environment management of the industry.
32. The *Applicant* shall have to make registration for the use of groundwater if any, with Central Ground Water Authority.
33. The *Applicant* shall intimate to the *State Board* immediately of any occurrence or apprehension of occurrence of discharge of any poisonous, noxious or pollutants in excess of quality as well as quality as mentioned earlier to any receiving water body/receiving system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster. The *Applicant* Shall (i) take all steps adequate to prevent such accident discharge/release of poisonous, noxious or pollutants and to limit their consequences to persons and the environment, (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety and mitigate the accidental release of poisonous noxious or pollutants to the environment.
34. The *Applicant* shall make an application to the *State Board* in the prescribed form for renewal of the consent at least 60 (sixty) days before the date of expiry of this Consent.
35. The *Applicant* shall not make any alternation/modification/expansion in the existing manufacturing process and equipment as well as the pollution control system without prior approval of the Board.
36. The *Applicant* shall comply with the conditions as laid down in the Manufacture, Storage and Import of hazardous Chemicals Rules, 1989 and Hazardous Wastes (Management & Handling) Rules, 1989.

Additional Conditions

(Member Secretary/Chief-Engr./ Sr-Env-Engr. / Env. Engr. / Asst-Env-Engr.)



ANNEXURE TO CONSENT CO132081.

[SCHEDULE - VI]

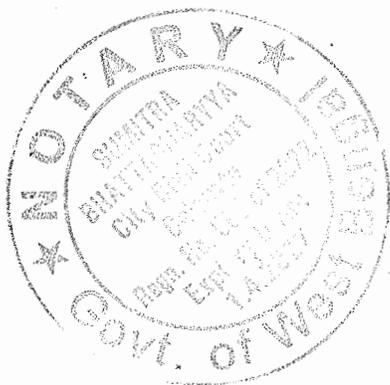
(See rule 3A)

GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENTAL
POLLUTANTS PART-A : EFFLUENTS

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1.	2			3	
		(a)	(b)	(c)	(d)
1.	Colour and odour	See 6 of Annexure-I	—	See 6 of Annexure -I	See 6 of Annexure-I
2.	Suspended solids mg/l, Max.	100	600	200	(a) For process waste water-100 (b) For cooling water effluent 10 percent above total suspended matter of influent.
3.	Particulate size of suspended solids	Shall pass 850 micron IS Sieve	—	—	(a) Floatable solids, max. 3 mm. (b) Settleable solids, max. 850 microns.
² 4.	***	*	—	***	—
5.	pH Value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	shall not exceed 5°C above the receiving water temperature	—	—	shall not exceed 5°C above the receiving water temperature

¹ Schedule VI inserted by Rule 2(d) of the Environment (Protection) Second Amendment Rules, 1993 notified vide G.S.R. 422(B) dated 19.05.1993, published in the Gazette No. 174 dated 19.05.1993.

² Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No.G.S.R.801(E), dated 31.12.1993.



23

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
7.	Oil and grease mg/l Max.	10	20	10	20
8.	Total residual chlorine mg/l Max.	1.0	--	--	1.0
9.	Ammonical nitrogen (as N), mg/l Max.	50	50	--	50
10.	Total Kjeldahl Nitrogen (as NH ₃) mg/l, Max.	100	--	--	100
11.	Free ammonia (as NH ₃) mg/l, Max.	5.0	--	--	5.0
12.	Biochemical Oxygen demand ¹ [3 days at 27°C] mg/l max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/l, max.	250	--	--	250
14.	Arsenic (as As), mg/l, max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg), mg/l, Max.	0.01	0.01	--	0.01
16.	Lead (as Pb) mg/l, Max.	0.1	1.0	--	2.0
17.	Cadmium (as Cd) mg/l, Max.	2.0	1.0	--	2.0
18.	Hexavalent Chromium (as Cr+6), mg/l max.	0.1	2.0	--	1.0

¹ Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176, dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.



251

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
19.	Total chromium (as Cr.) mg/l, Max.	2.0	2.0	--	2.0
20.	Copper (as Cu) mg/l, Max.	3.0	3.0	--	3.0
21.	Zinc (As Zn.) mg/l, Max.	5.0	15	--	15
22.	Selenium (as Se.) mg/l, Max.	0.05	0.05	--	0.05
23.	Nickel (as Ni) mg/l, Max.	3.0	3.0	--	5.0
¹ 24.	***	*	*	*	*
¹ 25.	***	*	*	*	*
¹ 26.	***	*	*	*	*
27.	Cyanide (as CN) mg/l Max.	0.2	2.0	0.2	0.2
¹ 28.	***	*	*	*	*
29.	Fluoride (as F) mg/l Max.	2.0	15	--	15
30.	Dissolved Phosphates (as P), mg/l Max.	5.0	--	--	--
² 31.	***	*	*	*	*
32.	Sulphide (as S) mg/l Max.	2.0	--	--	5.0
33.	Phenolic compounds (as C ₆ H ₅ OH) mg/l, Max.	1.0	5.0	--	5.0

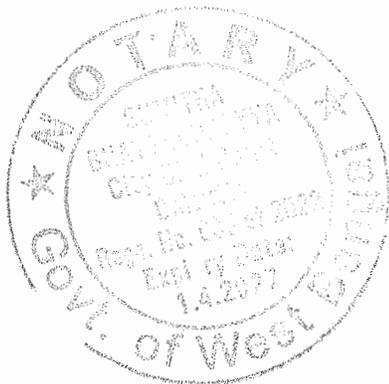
¹ Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No.G.S.R.501(E), dated 31.12.1993.



DS

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
34.	Radioactive materials :				
	(a) Alpha emitter micro curie/ml.	10^{-7}	10^{-7}	10^{-8}	10^{-7}
	(b) Beta emitter micro curie/ml.	10^{-6}	10^{-6}	10^{-7}	10^{-6}
35.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
36.	Manganese (as Mn)	2 mg/l	2 mg/l	--	2 mg/l
37.	Iron (as Fe)	3 mg/l	3 mg/l	--	3 mg/l
38.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	--	0.2 mg/l
39.	Nitrate Nitrogen	10 mg/l	--	--	20 mg/l
40.	***	*	*	*	*

¹ Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No. G.S.R. 801(E) dated 31.12.1993





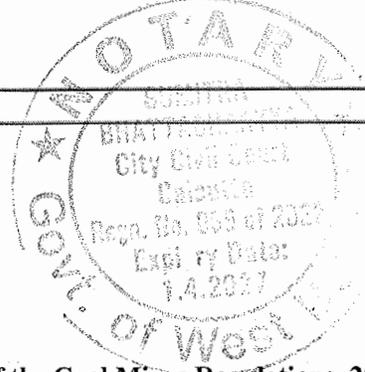
भारत सरकार
Govt. of India
श्रम एवं रोजगार मंत्रालय
Ministry of Labour & Employment
खान सुरक्षा महाविद्यालय
Directorate-General of Mines Safety



NO: 010963|EZ|Sitarampur Region No.II|Perm|2022|237807

Date: 22/06/2022

To,
Agent,
Trans Damador Coal Mine,
M/s Durgapur Projects Limited,
Near tarasingh Bridge, P.O.-Krishnanagar,
P.S. Barjora, Dist-Bankura, Pin-722202.



Subject: Permission/relaxation under Regulation 196(3) of the Coal Mines Regulations, 2017 to conduct controlled deep hole blasting within 500 m and but beyond 50 m of respective boundary wall of Quality Chemical Factories of M/s Sonic Thermal/Quality Chemical and M/s Extrusions at the south-western side of Trans Damodar Coal Mine (TDCM), Barjora.

Please refer to your online application Id: 237807, dated 22.03.2022 and offline application reference No. DPL/TDCM/2022/43, dated 24.03.2022 (Z.O. Dy. No. 1419 dated 29.03.2022) and the Surface Plan No. TDCM/WP/2022/04 dated 01.03.2022, enclosed therewith on the above subject.

Dear Sir,

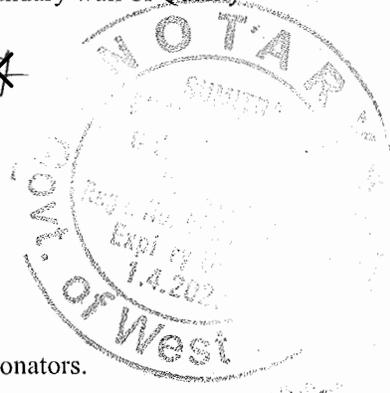
The matter has since been examined in the light of the information submitted by you along with the application.

By virtue of powers conferred on Chief Inspector of Mines under the provisions of Regulation 196(3) of the Coal Mines Regulations, 2017, and by virtue of the authorization granted to me by the Chief Inspector of Mines under Section 6(1) of the Mines Act, 1952, I, hereby permit you to conduct controlled deep hole blasting in overburden and coal at the opencast workings of Trans Damodar Coal Mine of M/s The Durgapur Projects Limited within 500 m but beyond 50 m of respective boundary wall of closed Quality Chemical Factories of M/s Sonic Thermal/Quality Chemical and M/s Extrusions at the south-western side of Trans Damodar Coal Mine (TDCM), Barjora as shown on the enclosed Surface Plan No. TDCM/WP/2022/04 dated 01.03.2022 in the area bounded as A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S and A lying within the mine subject to the strict compliance of the following conditions:-

1. No blasting shall be done within 50 m of Quality Chemical Factories of M/s Sonic Thermal/Quality Chemical and M/s Extrusions and other surface structures not belonging to the owner at Trans Damodar Coal Mine of M/s The Durgapur Projects Limited.
2. No working shall be extended within 45 m of Bankura- Durgapur D.B Road or other roads not belonging to the owner at Trans Damodar Coal Mine of M/s The Durgapur Projects Limited.
3. Restricted zone of 50 m from the Quality Chemical Factories of M/s Sonic Thermal/Quality Chemical and M/s Extrusions and other surface features shall be clearly demarcated on the ground by actual survey.
4. Workings shall not be extended within 50 m of Maa- Bhalkapuri temple and within 60 m of the water reservoir exist in the south-eastern side of the proposed deep hole controlled blasting area.
5. Barricades/ drop gates on either end of public road within 500 m radius from the blasting site shall be maintained and two persons shall be posted on either direction at the two extreme points so that the vehicle(s) or passer(s) by are warned and stopped while passing within 500 m (Danger Zone) during blasting period in the quarry.
6. Burden, spacing, depth of hole and diameter of hole shall be maintained as recommended by CSIR-CIMFR, Dhanbad and shall be strictly followed. The Manager shall satisfy himself, that all the recommendations made by CSIR-CIMFR, Dhanbad vide Project Report No. CNP/3835/2013-14 August, 2014 are being strictly complied with.
7. The following blast parameters (Location of Blast holes, burden, spacing, length of stemming column, depth and diameter of the each shot hole, maximum number of blast holes per round, number of rows in each round, maximum charge per hole, maximum charge per delay and maximum charge per round) as recommended by CSIR-CIMFR,

Dhanbad from the trials under the prevailing geo mining conditions for overburden and coal shall be strictly complied with while conducting controlled deep hole blasting using Site Mixed Emulsion explosives with Nonel initiation system in overburden and coal benches located within 500 m and beyond 50 m from the respective boundary wall of Quality Chemical Factories of M/s Sonic Thermal/Quality Chemical and M/s Extrusions:

2X



Distance of structures (in m)	Dia. of hole(mm)	Maximum explosive per delay (in kg)	Maximum Explosive per round(kg)
50-100m	100-115mm	20kg	300kg
100-200m	160mm	30kg	600kg
200-300m	160mm	40 kg	1200kg
Beyond 300m	160mm	50kg	2500kg

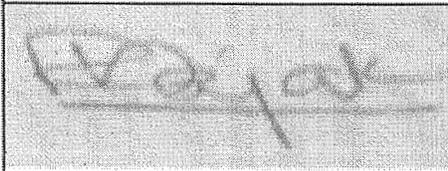
Note: Maximum Charge per delay is the explosive weight fired within 8 milli second delay detonators.

8. The Peak Particle Velocity (PPV) of blast induced ground vibrations measured at a distance of 50 m from the place of shot holes (firing area) shall not exceed 10 mm/sec to limit the PPV to the threshold limit and to obviate damage to structures due to blast induced ground vibrations.
9. Monitoring of the Peak Particle Velocity (PPV) of blast induced ground vibrations and the dominant frequency shall be done for each round of deep hole shots fired.
10. Blasting shall be done only during day light hours. The Manager shall fix the time of blasting and the same shall be circulated to all concerned, including to the authorities of structures and dwellings, not belonging to M/s The Durgapur Projects Limited. The timings shall also be conspicuously fixed on the Notice Board of the mine.
11. A Code of Practice for blasting shall be framed by the Manager for the purpose, which shall strictly be followed.
12. Pattern of holes as recommended by CSIR-CIMFR, Dhanbad shall be followed. The size depth, spacing, burden of shot holes and sequence of delays etc. shall also be strictly adhered to recommended design by CSIR-CIMFR, Dhanbad for every round of blasting operation, both in coal and in overburden.
13. Drilling, charging, stemming and blasting operations connected with this permission shall be placed under the direct personal supervision of an Assistant Manager holding First Class Mine Manager's Certificate of Competency, who shall comply with all the conditions of the Mines Act, 1952 and rules, regulations and orders made thereunder related to drilling, charging, stemming and firing of shot holes and the conditions stipulated in the this permission.
14. Only the Overmen who are fully trained in controlled blasting techniques shall be appointed for shot firing operations. Only the persons fully trained in Controlled Blasting Operations shall be engaged in handling, stemming, charging and blasting of explosives in the mine.
15. Two-way communication by wireless or walkie-talkie sets shall be provided to the Assistant Manager, In-charge of Blasting, Shot-Firers and to the assistant of the shot-firer. Walkie- Talkie sets and mobile phones in possession of blasting personnel, if any, shall remain switched off during handling, charging, stemming and blasting of explosives.
16. Before shots are charged, stemmed and fired, sufficient warning by siren or other suitable means shall be given to warn persons within a radius of 500 m, including to the habitants of structures and dwellings, not belonging to M/s The West Bengal Power Development Corporation Limited.
17. Before a shot is charged, stemmed or fired, it shall be ensured that all persons within a radius of 500 m from the place of firing have taken proper shelter, apart from giving sufficient warning from efficient signals or other means approved by the Manager over the entire Danger Zone. Guards shall be posted to ensure that no person inadvertently enters the Danger Zone and to ensure that all persons within the Danger Zone, have taken proper shelter.
18. A proper record of blast parameters like burden, spacing, length of stemming column, depth, diameter of the each shot hole, number of shot holes fired in a round, number of rows fired in each round, maximum charge per shot hole, maximum charge per delay, maximum charge per round, initiation pattern (with proper sketch), manner of muffling, results of ground vibration observed (PPV), dominant frequency and air over pressure, distance of shot holes from the dwellings/hutments/private houses, distance between the location of PPV monitoring instrument to the place of shot holes and distance up to which the flying fragments resulting out of blasting projected shall be kept maintained regularly in a bound paged book with each round of deep hole shots fired, the records shall be signed by the Shot Firer and Blasting Officer and countersigned by the Manager of the Mine.
19. To control flying fragments resulting out of blasting from projecting beyond a distance of 10 m from the place of firing/blast area, the following precautions shall be taken:

- (a) No shot hole shall be fired in crushed, broken or fractured ground strata. 28
- (b) Blasting shall be done against a free face only. Blasted material shall be cleared off before commencement of drilling operations for succeeding round.
- (c) Top stemming column shall not be less than the burden.
- (d) Only such stemming material that is free from pebbles and stone chips shall be used. Moist sand shall be used for stemming of deep holes.
- (e) Variation in inclination of holes shall be within 5 degree to avoid variation in crest and toe burden.
- (f) All the blasting operations shall be conducted with muffling arrangement strictly. Muffling of shot holes should be done with wire netting pieces 1.8 m x 1.2 m in size overlain by 3 to 4 sand bags each around 40 kg by weight at the collar of each shot hole so that no flying fragment is projected beyond 10 m in any blast.
- (g) Moist sand shall be used for stemming of deep holes. This shall be done to ensure that the flying fragments do not project beyond a distance of 10 m from the place of blasting.
- (h) In case water is encountered in any shot-hole, either the shot hole shall be dewatered by blowing compressed air into the hole or the explosive column shall be gently pushed down by wooden rod and sufficient time given for the explosive column to sink to the desired depth before the round is fired.
- (i) During storm and lightning, no charging and blasting shall be done.
- (j) Initiation of charge shall be done in a manner that detonation waves progress away from private houses, dwellings/hutments of Bisunpur village and other surface features not belonging to the owner.
- (k) Only non-electrical type shock tube of detonators shall be used in the holes and surface trunk lines.
- (l) Provisions of clause (b) and (c) of Regulation 196(2) of the Coal Mines Regulations, 2017, shall be complied with within 500 m of the place of blasting.
20. (a) Explosives shall be used in opencast mines in the order of their date of manufacture.
- (b) Explosives manufactured earlier than six months shall not be used. In case the shelf life of the explosive is less than 6 months, it shall not be used after expiry of the shelf life.
- (c) Explosives, when transported in vehicles, shall be carried in an Explosive Van approved by the Chief Controller of Explosives.
- (d) Explosive Vans used for the transport of explosives shall be in safe operating condition and should be driven by competent licensed drivers.
- (e) The vans shall be kept in isolated locations while loaded.
- (f) The vans shall be well locked except during times of placement and removal of stocks of slurry explosives.
- (g) No smoking and no open flames shall be permitted in or near the vans containing slurry explosives.
21. All detonators and primed cartridges shall be kept in secure receptacles at a safe distance from the detonating fuse and the explosive, until actually required for use.
22. The loading of slurry explosives in holes shall not be commenced unless the holes are ready for charging in every respect.
23. The holes shall be charged and fired as soon as possible after the explosive is transported to the site of blasting. All normal precautions for charging and firing, as laid down in the Coal Mines Regulations 2017, shall be strictly observed.
24. Charging of explosives shall be such as to ensure continuity of the explosive column. Where deck charging is done, continuity shall be ensured for each deck of explosive charge.
25. Primer explosive cartridge shall not be slit or deformed.
26. Adequate amount of cap sensitive explosive shall be used with non-cap-sensitive explosive charge to ensure complete detonation of the explosive charge.
27. Before entering the place after blasting, the Shot Firer and other personnel shall ensure that it is clear of dust and fumes and is safe in every respect.
28. In case of misfires, precautions as laid down in the Regulation 204 of the Coal Mines Regulations, 2017 shall be taken.
29. When cartridges of slurry explosive are required to be slit or cut, following precautions shall be observed:

- (a) Explosive cartridge shall be cut or slit at the hole loading site, just before charging. 2X
- (b) Knife made of copper or brass shall be used for cutting or slitting. The knife shall be kept clean and free from grit or dust.
- (c) Care shall be taken to avoid spillage or flow of explosives while cutting or slitting.
- (d) Persons engaged in cutting/slitting operations shall be provided with rubber gloves and they shall use the same.
30. The entire operations of transport of the explosive to the site of its use, cutting and slitting of cartridges and charging and blasting shall be placed under the overall charge of a competent person holding Manager/Overman's certificate and appointed in writing by the Manager for the purpose.
31. The explosive charges shall not be allowed to sleep over in bore-holes unless express permission in writing to that effect has been obtained from this Directorate.
32. In case, in any of the deep hole rounds fired, the Peak Particle Velocity (PPV) of ground vibrations resulting out of blasting is observed to be more than 5 mm/sec at a distance of 100 m from the site of blast or the flying fragments project to a distance beyond 10 m from the place of firing/blast area, operations shall be discontinued and this Directorate shall be informed immediately and blasting operations connected with this permission shall not be resumed unless express permission in writing is granted by this Directorate.
33. Owners of surface features, not belonging to M/s The Durgapur Projects Limited shall be indemnified against damage to property/injury to persons, if any, arising out of mining operations.
34. No working of the shall be extended within 100m of the toe of the Overburden.
35. Please note that this permission is subject to the following other conditions:
- (a) In the event of any change in the circumstances, likely to affect the safety of persons or damage to structures not belonging to the M/s The West Bengal Power Development Corporation Limited, this permission shall be deemed to have been withdrawn.
- (b) The permission shall be deemed to have been revoked with immediate effect if at any time, any one of the conditions, subject to which this permission has been granted, is violated or not complied with.
- (c) The permission may be amended, modified or withdrawn at any time, should it be considered necessary in the interest of safety.
- (d) The permission is being granted without prejudice to any of the statutory requirements, which may be or may become applicable at any time.
- (e) This permission shall remain valid for a period of five (05) years from the date of issue of this letter.

Your Faithfully



VINOD RAJAK (DIRECTOR (SUB ADMIN ACTING) - SITARAMPUR REGION NO.II)

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



ANNEXURE - P-4
Collective

30

16.10.2023
Item Nos.27
RP/AN
Ct. No.1

WPA (P) 81 of 2023

**Budhan Maji & Ors.
Vs.
Union of India & Ors.**

Mr. Uttiya Ray
Mr. Arnab Mandal
.....for the Petitioners

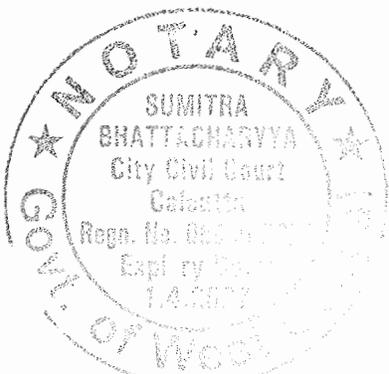
Mr. Bilwadal Bhattacharya, Ld. DSG
Mr. Ayanava Raha
.....for UOI

Mr. Sanjay Saha
Mr. Subhasish Bhattacharya
..... for Respondent No.4

Mr. Tapan Kumar Mukherjee
Mr. Somnath Naskar
..... For State

Mr. Sujit Sankar Koley
..... For respondent no.5

1. This public interest litigation concerns the people of Chunpora village, who alleged that on account of illegal and unscientific way of mining activity done by the respondents, the entire population of that village are affected, houses are cracked and the entire area is inundated by water etc. In this regard, representations was submitted on 28.12.2015 to the District Magistrate, Bankura and we are surprised to find that the District Magistrate by a cryptic one line reply dated 13.01.2016 directed to the petitioner to address the authority of WBMDTCL and DPL for redressal of their grievance.



81

We do not appreciate the manner in which the then District Magistrate of Bankura dealt with the report while issuing the reply dated 13.01.2016. In any event, by efflux of time several other changes would have taken place. Therefore, we direct the District Magistrate, Bankura to immediately send a team of his officers to the area in question and conduct a thorough inspection and such inspection shall be conducted in the presence of the authorities of DPL. Based on the inspection appropriate action would be initiated by the District Magistrate or in the event he has made any recommendation to any other authority, shall recommend the same within eight weeks from the date of conclusion of the inspection.

2. With the above observation and direction, this writ petition is disposed of.

(T. S. SIVAGNAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)



16.01.2025
Item Nos.11-12
gd/ssd

WPA(P)/482/2024
RAHUL BHUI AND ORS.
VS
UNION OF INDIA AND ORS.
with
WPA(P)/483/2024
BUDHAN MAJI AND ORS.
VS
THE UNION OF INDIA AND ORS.

Mr. Sagarmay Ghosh
..for the Petitioners.

Mr. Sujit Sankar Koley
..for DPL.

Mr. Sanjay Saha.
MrRaju Mondal
..for the Respondent No.4.

1. In both the public interest writ petitions the petitioners seek for implementation of the resettlement and rehabilitation package for the inhabitants and secure adequate support to civic communities etc.

2. According to the petitioners, the residents are entitled to these measures on account of the fact that they are being affected by illegal mining activities within 100 ft. from the structures and buildings in the village in question.

3. More or less an identical prayer was made by way of another public interest writ petition in WPA(P) 81 of 2023 in the matter of Budhan Maji and Others v. Union of India & Others, who, in fact, is the petitioner in WPA(P) 483 of 2024. The writ petition was disposed

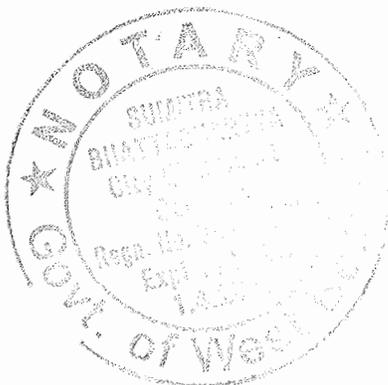


of by order dated 16.10.2023 by passing the following order:

"1. This public interest litigation concerns the people of Chunpora village, who alleged that on account of illegal and unscientific way of mining activity done by the respondents, the entire population of that village are affected, houses are cracked and the entire area is inundated by water etc. In this regard, representations was submitted on 28.12.20215 to the District Magistrate, Bankura and we are surprised to find that the District Magistrate by a cryptic one line reply dated 13.01.2016 directed to the petitioner to address the authority of WBMDTCL and DPL for redressal of their grievance. We do not appreciate the manner in which the then District Magistrate, Bankura dealt with the report while issuing the reply dated 13.01.2016. In any event, by efflux of time several other changes would have taken place. Therefore, we direct the District Magistrate, Bankura to immediately send a team of his officers to the area in question and conduct a thorough inspection and such inspection shall be conducted in the presence of the authorities of DPL. Based on the inspection appropriate action would be initiated by the District Magistrate or in the event he has made any recommendation to any other authority, shall recommend the same within eight weeks from the date of conclusion of the inspection.

2. With the above observation and direction, this writ petition is disposed of."

4. The learned advocate for the Durgapur Projects Limited has submitted that a copy of a report which has been drawn wherein certain suggestions have also been put forth, namely, rehabilitation and resettlement work of the dwellers of Chunpora village should be expedited; detailed progress of the demographic study related to rehabilitation and resettlement work of Chunpora village will be communicated to the District



34

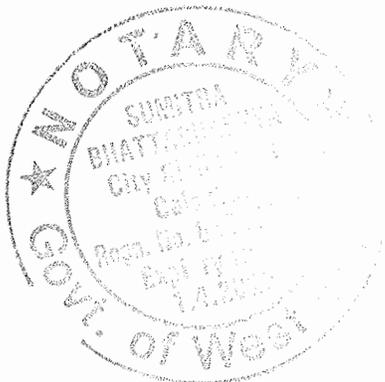
Authority by the mine management, department of Durgapur Projects Limited.

5. Thus, it appears that certain action has been taken pursuant to the orders passed in the earlier writ petition which was filed by the petitioner in WPA(P) 483 of 2024.

6. Therefore, we dispose of these writ petitions by directing the officials of the Durgapur Projects Limited to forward the demographic study report relating to rehabilitation and resettlement work of Chunpora village to the District Magistrate, Bankura within a period of three weeks from the date of receipt of the server copy of this order and upon receipt of the said report, the District Magistrate shall take steps that have been recommended pursuant to the inspection which was made and ensure that the rehabilitation and resettlement work of the dwellers of Chunpora village is expedited preferably within a period of six months from the date on which the order is communicated to the District Magistrate.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)



ANNEXURE-R'S

38

REPORT OF ENQUIRY IN CONNECTION WITH THE WPA (P) 81 OF 2023 AND IN THE MATTER OF
 BUDHAN MAJI & ORS VS. UNION OF INDIA & ORS OF TRANS-DAMODAR COAL MINE OF M/S
 DURGAPUR PROJECTS LIMITED (DPL).

As per the directive received from the Office of the District Magistrate and Collector, Bankura, the undersigned, along with other district and block officials, jointly inspected the damaged houses of Chunpora Village, Raghunathpur, Mouza-Salgara, P.S.-Barjara and concerned coal mining project site and its adjoining areas on 20th December 2023 in presence of mine officials of M/s DPL.

This report will address concerns raised by nearby villagers regarding structural damages to their houses attributed to ground vibrations induced by blasting activities at the Trans Damodar Coal Mine.

Findings of the site visit:

a) Monitoring of Ground Vibration:

The main purpose of the enquiry was to observe the structural response to blast-induced ground vibration in the adjoining area of Chunpora village. Particle velocity in the ground is globally used in practice for the assessment of blast-induced damage to structures since it is the best criterion for evaluating blast vibration in terms of its potential to cause damage. The magnitude of vibration in terms of "Peak Particle Velocity (PPV)" was recorded at about 100m distance from the blasting zone in respect of every blasting operation under taken in the project by the Blasting Officer of M/s DPL. PPV was recorded by using a Vibrometer during inspection. The value of recorded PPV was 1.585 mm/s at a dominant excitation frequency of 6.6 Hz; whereas the threshold limit is 5mm/s as per clause no. 9 of DGMS permission issued by Director of Mines Safety, Sitarampur Region II, Eastern Zone Sitampur, West Bengal vide letter no. 010963/EZ/Sitarampur Region No. II/Permrelax/2021/193930, dated 27/08/2021 and valid for 5 years. Recorded PPV data of the last two months was studied and all are within permissible limits.

From the foregoing, it transpires that as available records the ground vibration at the adjoining area of the project i.e. Chunpora village as induced by blasting did not exceed the safe vibration limit as standardized by DGMS.



56 -

~~36~~

b) Structural Inspection at Chunpora village & site visit to mine water discharge point:

We visited some houses in Chunpora village including the houses of the petitioners and found cracks developed in the walls, roofs & floors of the houses. Villagers reported disturbances due to vibrations during blasting activities and also expressed concerns about the long-term impact on their well-being and properties. No discharge point of mined-out water to the marshy land adjacent to the Chunpora village was found.

- i) Distance from the blasting zone to the nearest house of Chunpora village is more than 100m as stipulated in clause no. 3 of DGMS permission & conditions.
- ii) Blasting operation was carried out as per the design enumerated in DGMS blasting permission & conditions.

General Observation:

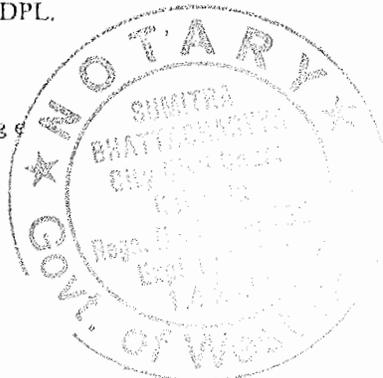
While doing the enquiry relevant documents were examined, and the matter was discussed with statutory mine personnel of M/s DPL. Technical parameters related to ground vibration with respect to current statutory norms are found to be within permissible limits; hence, there isn't enough evidence to support the argument that blast-induced ground vibration caused structural damages at Chunpora Village.

During the visit to the affected structures of Chunpora village, it was also found that the minor cracks in the majority houses, which are not very old and most of the significant cracks were noticed in the older and abandoned structures. Thus, there is no sufficient reason to believe that the claimed structural damages were caused by blast-induced ground vibration.

To channel the water from the marshy area next to Chunpora village, Hume pipes were installed beneath the culvert of the proposed transportation route.

Suggestions put forward:

- a) Rehabilitation and resettlement work of the dwellers of Chunpora village should be expedited.
- b) Detailed progress of the demographic study related to rehabilitation and resettlement work of Chunpora village will be communicated to the District Authority by the mine management of M/s DPL.



37

38

Sanatan Mahato 20/12/2023

SANATAN MAHATO
MINING OFFICER
IN-CHARGE OF PURULIA ZONE
DIRECTORATE OF MINES & MINERALS
GOVT. OF WEST BENGAL

Dipankar
20/12/23

MINE MANAGER
Trans Damodar Coal Mine
The Durgapur Projects Limited

Subkomal Choudhary
S.I. of Police
Barjora P.O.
20/12/2023

[Signature]
20/12/23

WELFARE OFFICER
TRANS DAMODAR COAL MINE
THE DURGAPUR PROJECTS LIMITED

WELFARE OFFICER
TRANS DAMODAR COAL MINE
THE DURGAPUR PROJECTS LIMITED

[Signature]
CAMITAVA DAS
20/12/23.

SAFETY OFFICER
Trans Damodar Coal Mine
The Durgapur Projects Limited

Jaydeb Kar 20/12/2023
Assistant Land Acquisition Officer
Bankura.

Assti. Land Acquisition Officer
BANKURA

Chayan Kundu
20.12.23

Industrial Dev. Officer
Barjora Dev. Block

[Signature]
08/01/2024
AGENT
Trans Damodar Coal Mine
The Durgapur Projects Limited

[Signature]
20/12/23
Officer-in-Charge
(Mines & Minerals)
D.L.&L.R. Office

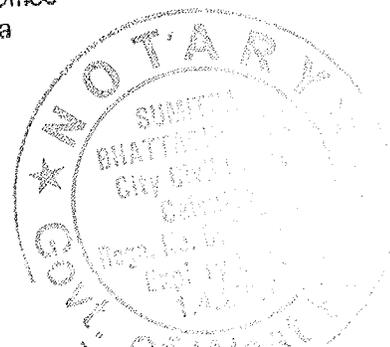
3 | Page Bankura

[Signature]
20/12/2023
AMIN

B.L & L.R.O
Block Barjora, Dist.-Bankura

[Signature]
20/12/23
Revenue Inspector

[Signature]
B.L & L.R.O.
Block-Barjora, Dist.-Bankura



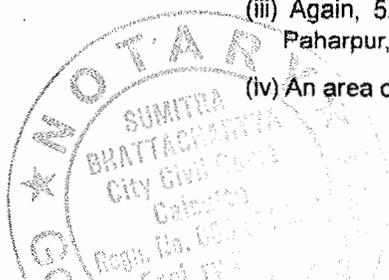
38
ANNEXURE P-6

Report of Fact Finding Committee in compliance with the order of Hon'ble NGT in connection with O.A. No. 04/25/EZ, Budhan Maji vs The State of West Bengal and others

- The Hon'ble NGT, Eastern Zone bench passed an order date 10.01.2025 in the matter of Budhan Maji vs The State of West Bengal and others against O.A. No. 04/25/EZ where the Hon'ble Tribunal has constituted a three-member Fact Finding Committee for a detail enquiry on the allegations made in the O.A. and proposal of remedial measures in case the allegations are found substantiated.
- In compliance with the order of Hon'ble NGT, a committee has been formed vide memo no. 63/MM dated 28.01.2025 with the following members
 - (i) Additional District Magistrate & District Land & Land Reforms Officer, Bankura
 - (ii) Scientist-D, Central Pollution Control Board
 - (iii) Assistant Environmental Engineer, Durgapur Regional Office, West Bengal Pollution Control Board
- The said committee members visited the site in question on 06.02.2025 for enquiry on the allegations made in the O.A. In this regard, the allegations as mentioned in the O.A. is mentioned below in brief :
 - (i) No mining activities and infrastructural development prior to initiation of direct purchase of alternative lands for the resettlement of the residents of Chunpora & Bhikrasol village.
 - (ii) Not to extend opencast working prior to acquisition of land by Durgapur Projects Ltd.
 - (iii) No blasting within 100 mtrs. of structure and/ or building not belonging to DPL or any public road, in this case SH-9
 - (iv) Owners of dwelling house/ land not belonging to DPL should be indemnified against damage of property and/ or injury to persons if arises due to mining operations
 - (v) Each displaced families are required to be provided 550 sqft built up houses on 2 Kathas of developed lands
 - (vi) Opportunity of employment needs to be provided to the land losers
 - (vii) Compensation are required to be paid to the affected agricultural labourers
 - (viii) Necessary steps need to be taken by the District Administration to mitigate the environmental issue arisen due to mining activities
- On perusal of the above noted allegations, the observations/ findings of the committee are mentioned hereunder :

Observations/ Findings of the Committee :

1. A letter was sent to DPL from ADM(LR), Bankura vide memo no. 109/MM/LR/2025 dated 12.02.2025 for providing the information on status of acquisition and/ or purchase of land. In this matter, a report has been sent from the Agent, Trans Damodar Coal Mine, DPL vide memo no. DPL/GM/TDCM/2024/14 dated 17.02.2025 mentioning the details of procurement of land. It may be noted that, in the report, the DPL has mentioned that,
 - (i) Out of the total mining lease area of 694.60 acres, 282.46 acres in mouza Paharpur, Raghunathpur and Rongalejora mouza was acquired in favour of WBMDTCL (previous MDO) in the period from 2008-2011. Later, the said land was transferred to DPL by Ministry of Coal and currently under the possession of DPL.
 - (ii) Further, 275.39 acres of land was purchased by the previous MDO, i.e. WBMDTCL in mouzas Paharpur, Kishoripur, Joysinghapur, Bhagabanpur, Sitarampur, Shalgara and Krishnanagar in 2013-14 and later the said land was transferred to DPL.
 - (iii) Again, 5.01 acres of land has been purchased from the balance land owners in mouzas Paharpur, Joysinghapur, Bhagabanpur, Sitarampur, Shalgara and Krishnanagar.
 - (iv) An area of 8.41 acres of vested land is under process of LTS.



39

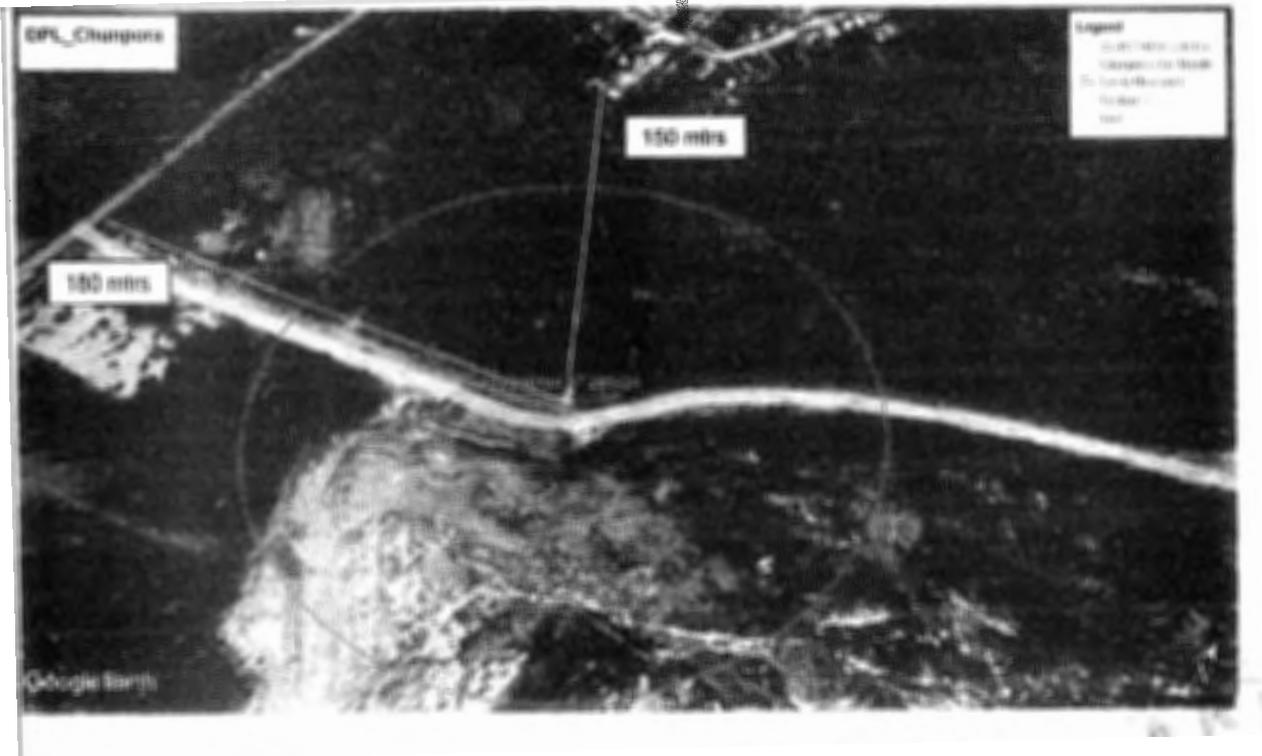
Type text here

39

(v) In this regard, an area of 562.86 acres out of 694.60 has already been procured either through acquisition or through direct purchase. Now, the balance area of land which are yet to be purchased is 107.78 acres in Paharpur, Kishoripur, Joysinghapur, Bhagabanpur, Sitarampur, Shalgara and Krishnanagar mouzas and in Chunpura village under Shalgara mouza 12.05 acres of land and in Bhikrasole village under Kishoripur mouza 3.58 acres of land are yet to be purchased by DPL as the R&R package has not yet been finalized.

The detail report as received from DPL is enclosed herewith this report of the Fact Finding Committee.

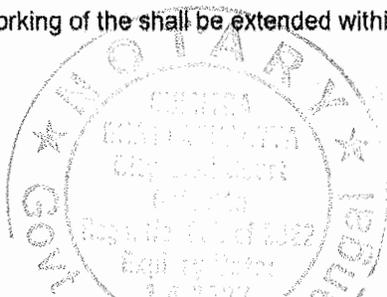
2. Now, the question as raised in the allegation regarding blasting for removal of overburden or for extraction of coal within 100 mtrs of Chunpura village or public road by DPL, the committee has visited the site and it is found that, the distance between current mining site and the Chunpura village is approximately 150 mtrs and the distance between the current mining site and SH-9 is approximately 180 mtrs. The google image map showing the area within the radius of 100 mtrs from the mining site (shown as red boundary line) is given below :



- 40
3. The alleged Coal Mine is captive mine of M/s Durgapur Projects Ltd (DPL), Durgapur. This is open cast coal mines. 40
4. M/s DPL has engaged M/s Transdamodar Mining Pvt Ltd as the Mine Developer and Operator (MDO) for mine development, coal excavation, and delivery of coal to the designated Delivery Point en route to the DPL Plant.
5. M/s Transdamodar Mining Pvt Ltd has engaged Local vendors for transportation of coal from pit head to Railway yard and directly to M/s DPL via road route subject to the compliance of following terms & conditions:
- a. Only authorized and well-maintained vehicles should be used for coal transportation.
 - b. All transporting trucks must possess a valid Pollution Under Control (PUC) certificate to ensure compliance with environmental regulations and minimize emissions.
 - c. Tyre washing facility for Dumpers/ trucks is available in mines before entering the public roads.
 - d. Water sprinkling to moisten the coal, effectively controlling dust generation during transportation, loading, and unloading activities.
 - e. To control dust pollution in the surrounding areas, roads used for coal transportation are regularly sprinkled with water using a dedicated sprinkling system.
 - f. The raw coal is covered with tarpaulin during transportation to reduce fugitive emission.
 - g. Transporters must take necessary precautions to prevent coal spillage along the transportation route.

During site visit, the Dumpers/ Trucks transporting coal, were found complying with the said conditions.

6. The mine water is sent for treatment purpose at Primary settling tank. Further the treated water is used for gardening and road sprinkling. Approximately 10% treated wastewater is discharged into local stream finally meeting to river Damodar.
7. The copy of the permission of Deep Hole Blasting issued by Director General of Mines & Safety, Gol, Sitarampur Region No. II dated 22.06.2022 having a validity of 5 years in favour of the MDO, i.e. Trans Damodar Coal Mine, M/s Durgapur Projects Ltd. in which some major conditions are pointed below w.r.t. the contention of the allegations made in the O.A. :
- (a) No working shall be extended within 45 mtrs of Bankura Durgapur D.B. Road or other roads not belonging to the owner of Trans Damodar Coal Mine (Sl. No. 2).
 - (b) Blasting shall be done only during day light hours. The Manager shall fix the time of blasting and the same shall be circulated to all concerned including to the authorities of structures and dwellings, not belonging to M/s Durgapur Projects Ltd. (Sl. No. 10)
 - (c) No working of the shall be extended within 100 mtrs of the toe of the Overburden (Sl. No. 34)



During the visit of the Committee, it has been found that, the statutory distances from the mining site as mentioned in the terms and conditions are duly maintained and the blasting activity is carried out between 10 am - 12 noon as per the requirements. X/

8. Now regarding the Rehabilitation and Resettlement packages of the villagers/ land donors of Chunpora village, the committee has asked the DPL authority and they have told that, the R&R package is being prepared and will be completed shortly.
9. In this context, the Committee would like mention that, two PILs with same contention vide no. WPA(P) 482 & 483 of 2024 have been filed by Budhan Maji & Ors vs The Union of India & Ors in Hon'ble High Court, Calcutta where the Hon'ble Court has passed a direction to the officials of DPL dated 16.01.2025 to forward a demographic study report relating to rehabilitation and resettlement work of Chunpora village to the District Magistrate, Bankura within a period of three weeks and upon receipt of the said report District Magistrate, Bankura shall take steps that have been recommended pursuant to the inspection which was made and ensure that the rehabilitation and resettlement work of the dwellers of Chunpora village is expedited preferably within a period of six months. The copy of the order is attached herewith.

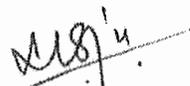
● **Recommendations of the Committee :**

After conducting the enquiry and perusal of the documents, the Fact Finding Committee has recommended the following measures to be taken from the end of DPL :

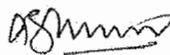
1. Transporters must take necessary precautions to prevent coal spillage along the transportation route.
2. Any accidental spillage must be promptly cleared to avoid environmental hazards
3. Mining activity within the vicinity of the Chunpora village should be started following due mining safety guidelines only after purchase of balance raiyati land of the Chunpora village.
4. No inconvenience should be caused to the villagers due to the ongoing mining activities.



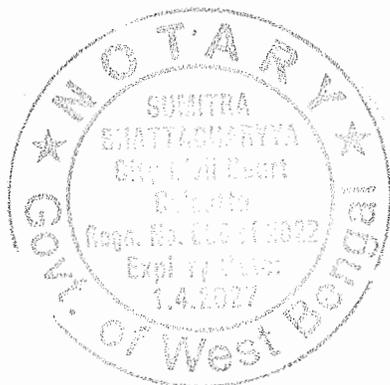
Scientist-D
Central Pollution Control Board



Assistant Environment Engineer, Durgapur
West Bengal Pollution Control Board



Additional District Magistrate
&
District Land & Land Reforms Officer



BEFORE THE HONBLE NATIONAL
GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO 04/2025/EZ

In the matter of :

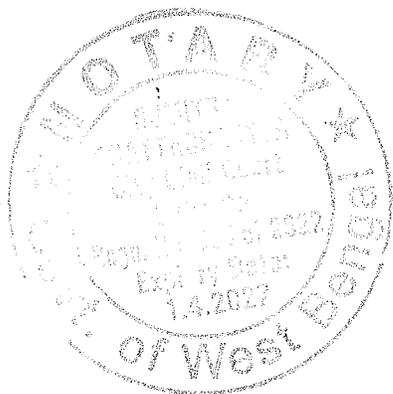
Budhan Maji and others

..... Applicant

Versus

The Union of India & Ors

...Respondents



AFFIDAVIT IN OPPOSITION

Advocate-on-Record:-

Sujit Sankar Koley

Advocate

High Court, Calcutta

Bar Association, Room No -6

WB 1828/1995

(M): 9836959152.

Email:-ksujitsankar@gmail.com