

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH AT KOLKATA

Original Application No. 05/2025/EZ

IN THE MATTER OF:

Atanu Borthakur

----- Applicant

Versus

Union of India & Ors.

----- Respondents

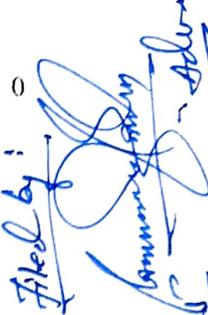
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30/06/2025

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH AT KOLKATA

Original Application No.05/2025/EZ

IN THE MATTER OF:

Atanu Borthakur

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**Compliance Affidavit of the Respondent no. 4, Pollution Control Board,
Assam, pursuant to the order dated 04.04.2025 passed by this Hon'ble
Tribunal**

I, Smti. Mousumi Bardalai, aged about 55 years working as Additional Chief Environment Engineer and Nodal Officer (legal), having its office at Bamunimaidam, Guwahati-781021, Assam do hereby as deponent solemnly affirm and state as under:

That, I in the capacity of Addl. Chief Environment Engineer and Nodal Officer (legal) of Pollution Control Board, Assam (hereinafter referred to as the Board), and conversant with the facts and circumstances of the present case and is duly authorized to swear and affirm this instant affidavit.

1. That, vide Order dated 04.04.2025, the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, directed PCBA to file affidavit *to the short question explaining as to how the Consent to Operate and Consent to Establish were granted to the Project Proponent to carry on sand mining*
2. That in compliance with the aforesaid order, Respondent no. 4 i.e. PCBA humbly submits as under:
 - a. *As per the meeting held in hybrid mode in the matter on O.A. no. 86/2024/EZ (I.A. No. 32/2024/EZ) (Pradeep Singh Shekhawat -Vs- Union of India & Ors.) held on 10.07.2024, Chaired by Special Chief Secretary (Forest), Environment & Forest Department, Assam, where it was discussed that all the new Project Proponents (PP) who were already given*



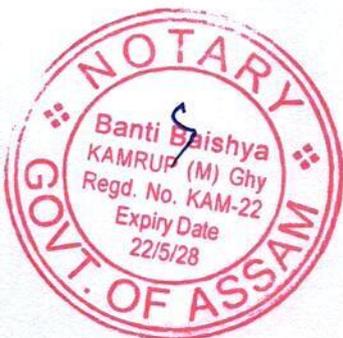
EC, to obtain CTE/CTO from the Board. The statement made in Resolution Sl. no. 2 as follows: -

2. That the Project proponents who were earlier given permits for mining activities in Assam for short durations of 2 years and contracts for 5-7 years have been operating their mines based on the Mining plan and EC. The Mining plans are duly approved by the Directorate of Geology and Mining, Assam and Environmental Clearance is granted by SEIAA, Assam. However, the new project proponents who are given EC to do mining must also obtain Consent to Establish (CTE) and Consent to Operate (CTO) as made mandatory as per new guidelines. Action: All DFOs from all the 8 districts shall immediately provide Pollution Control Board of Assam with the list of all the project proponents who have been mining in the respective districts and PCBA shall issue show cause notices to all those Project proponents who do not have CTE and/ or CTO permissions. In case of failure on their part to apply for CTO and / or CTE permissions which are mandatory as per the new guidelines, their permits/ contracts shall be cancelled. The entire exercise shall be monitored by SEIAA & SEAC, Assam.

Copy of the minutes of the meeting held 10.07.2024 annexed as **Annexure A**

- b. As per the decision made during the review meeting regarding the preparation of DSR for minor minerals, chaired by the Chief Secretary, Assam held on 05-08-2024, the Board was instructed to coordinate with District Commissioner and Divisional Forest Officer to bring the Minor Mineral mining units under Consent management. The resolution made in the meeting are as follows: -

1. *Pollution Control Board (PCBA), Assam with the help of the District Commissioners and Divisional Forest Officers shall identify and check the mineral mining units which are yet to apply for CTE/CTO and the units which have already attained the CTE/CTO permissions and to submit a report. Environment & Forest Department shall instruct all the District Commissioners*



and the DFOs to coordinate with the Units which are yet to apply for the CTE/CTO.

2. *All Units in the State shall complete the DSR and comply with all relevant regulations in the next 2-3 months and it shall be constantly monitored by DCS and DFOs with the operators of the Units and under the guidance of PCBA and SEIA, Assam.*
3. *For better coordination, PCBA shall circulate the names and contact details/jurisdiction of officials from its 11 (eleven) Regional Offices to all District Commissioners and Divisional Forest officers. By doing this, PCBA shall target to bring all the Mining Units under the consent mechanism and to comply with the CPCB guidelines / Court directives.*
4. *PCBA under the Environment & Forest Department shall coordinate with all the District Commissioners and Divisional Forest Officers to issue CTE/CTOs by August 31, 2024 wherever required.*
5. *Separate Committee for each of the 6th Schedule areas comprising of officers from Forest, Irrigation, PCBA, Geologist, PWD etc. for each district shall be formed and oversee the preparation of the DSR headed by the Seniormost Secretary of the Autonomous /Territorial Councils for coherence.*
6. *A set of subsequent review meetings for monitoring DSR preparation shall be held in the months of August and September 2024 chaired by the Chief Secretary, Assam.*
7. *An Internal Committee consisting of officers of Environment & Forest Department, Assam, Pollution Control Board Assam and Geology & Mining Department shall be notified. The committee shall monitor the progress of DSR preparation for all districts on a weekly basis.*
8. *For compliance of the latest NGT Order dated 23.07.2024, all District Commissioners and Divisional Forest Officers shall ensure that the DSRs are completed by November, 2024. As per the NGT order, all mining operations in the Units that did not comply with the relevant regulations in the State shall be stalled till further order of the Hon'ble Tribunal or appropriate Court.*
9. *State Government shall take up with the Learned Additional Advocate General, Assam in the Apex Court to vacate the stay*





order of Hon'ble NGT so that the States' demand and supply in operations can be continued in the interim period till approved DSRs are available as continued stay on mining of minor minerals shall adversely impact and seriously hinder developmental works and may lead to illegal mining at the cost of state exchequer.

10. *Further opinion is also proposed to be sought to move the Hon'ble High Court regarding issuance of mining permits as per Assam Minor Mineral Concession Rules, 2013 (AMMCR 2013) as an interim measure to meet the bonafide needs of the Govt. Departments*
11. *Chief Secretary, Assam requested all the concerned District Commissioners, Divisional Forest Officers to consult the concerned departmental officers/departmental counsels before submission of sensitive information/ parawise comments in the court. Any such information which can weaken the stand of the department in the court may not in any way be transmitted to the opposite parties or their legal counsels.*
12. *All District Commissioners, the Department of Environment & Forest shall have proper coordination with their standing counsels*

Copy of the minutes of the meeting held 05.08.2024 annexed as **Annexure B**

- c. As per the review meeting for preparation of District Survey Report (DSR chaired by Special Chief Secretary (Forests), Environment & Forest Department, Assam held on **22-08-2024**, where in resolution no. 12 of the minutes of the meeting, all DFOs were instructed to ensure that CTE/CTO for all mining units are completed by 7th September 2024. The statement made in resolution sl. no. 12 is as follows: -

12. All DFOs were instructed to ensure the CTE/CTO for all mining units is completed by 7th September, 2024. They shall provide the list of project proponents which are yet to apply for CTO/CTE to Pollution Control Board and sensitize the proponents to apply immediately. The Member Secretary, Pollution Control Board, Assam was requested to share the contact details with name of District Pollution Control Board Officer with the DCF (M&E) of O/o the PCCF & HoFF, Assam for coordination.



Copy of the minutes of the meeting held 22.08.2024 annexed as
Annexure C

d. As per the decisions made during the review meeting Chaired by the Chief Secretary, Assam on 12.09.2024 to review the status of DSR preparation in various districts of Assam in the matter OA No. 86/2024/EZ (Pradeep Singh Shekhawat –Vs- UoI & Ors.), the Minor Mineral mining units to bring them under consent mechanism. The resolution that was made in the meeting are as follows: -

1. *All the District Commissioners and the DFOs (T) were urged to coordinate with the Minor Mineral Mining Units which are yet to apply for the CTE/CTO. It was decided that all operational Mining Mahals to apply for CTE/CTO latest by 20th September, 2024.*
2. *Wherever necessary, DFOs were asked to call for meetings and to sensitize the left out Minor Mineral Mining Units to immediately bring them under the consent mechanism of CTE/CTO.*
3. *The Principal Chief Conservator of Forests & HoFF was requested to take a review meeting with the Divisional Forest officers (T) on 18th September, 2024 to analyses the progress on CTE/CTO approval for the mining units.*
4. *Regarding preparation of DSR, Chief Secretary instructed all the Districts Commissioner and Divisional Forest Officers (T) to work in close coordination to complete the preparation of the DSR latest by 20th September, 2024 and to see that there are no gaps in the preparation and submission of the DSRs. The completed DSRs be made available in the public domain of the respective districts for 21 days for viewing and comments. If no objection is received within the time period, the DSR shall be finalized by the district level Committee and shall be submitted by the District Commissioner to SEAC for further process of approval.*
5. *Sri Jatindra Sarma (IFS, Retd.) Chairman, SEAC apprised that analysis of each DSR usually takes a time of 6 weeks. However, he agreed that he and his team shall review ENF-22011/6/2024-ENV. /FOREST-Environment & Forest Department I/729430/2024 DSRs on a regular basis on war footing and if the DSRs are found in*





order, DSRs of respective districts shall be recommended to SIEAA.

6. Chief Secretary, Assam requested all the District Commissioners and the DFOs (T) to comply with the timelines and deadlines. And also, urged them to have a close coordination with SEAC and SIEAA so that there are no loopholes in the DSRs.
7. It was suggested that another meeting in between 20th to 23rd September will be held to review the status of DSR.

Copy of the minutes of the meeting held 12.09.2024 annexed as **Annexure D**

- e. In light of the above, the Board has granted necessary consents (CTE/CTO) to eligible units, **subject to the condition that operations shall begin only upon obtaining Environmental Clearance (EC) from the State Environment Impact Assessment Authority (SEIAA).** Additionally, **no mining activities shall commence unless the District Survey Report (DSR) is duly approved.**

The copy of the **Consent terms and condition** is annexed as **Annexure E**

3. That the deponent further states that upon observing that certain mining units within the State of Assam were operating in contravention of the terms and conditions stipulated in the Consent Orders issued by the Board, particularly by commencing mining operations without the approval of the District Survey Report (DSR) as mandated under the guidelines of the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India, the Board took the following actions:-

- a. The deponent begs to state that, vide No. **TECH-13/5/2025-CCA-PCBA/02 dated 21.05.2025**, has issued public Notification directing all mining unit operating within the State of Assam to immediately cease operations if the DSR for their district has not been approved.

The Copy of the Paper cutting of the “The Assam Tribune” & “Amar Axom” are annexed as **Annexure F**

- b. Vide the letter dated 09-05-2025 signed dated 14-05-2025 has directed Regional Head, RLO-Tezpur, PCBA to carry out inspection of the units in



X

question and submit the action taken report. Thereby, the Regional Office, carried out inspection on 21/05/2025 and found following observation

- i. No activity was found to be ongoing in any of the units inspected.
- ii. Of the units, only M/s Tarajuli Sand Gravel Mahal has obtained CTO from the Board vide Order No. PCBA/T-423/2024-25/CCA/RBM/32 dtd 22/07/2024 valid upto 31/03/2025.
- iii. Site photographs of the inspected units are annexed.

The copy of Inspection Report dated 21/05/2025 along with the photographic evident is annexed as **Annexure G**

4. That as regards the averments made in the prayer of the application, the Pollution Control Board, Assam is duty bound to abide by any directives passed by the Hon'ble Tribunal in the present facts and circumstances of the case.
5. That the answering craves the leave of this Hon'ble Tribunal to file additional affidavit, if required.

Mousumi Sardalari
DEPONENT

VERIFICATION:

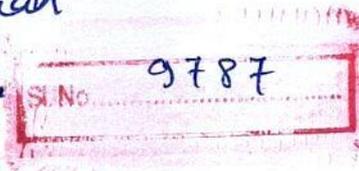
I, the deponent herein above, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief, that no part of it is false and nothing material has been concealed therefrom.

Verified at Guwahati on this 27th day of June, 2025.

Mousumi Sardalari
DEPONENT

Identified by: -

Siddhartha Baruah
(Advocate) 495/99.



M. Baishya
27/6/25
Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22

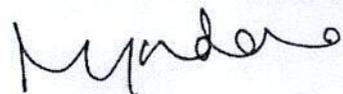
MINUTES OF THE MEETING HELD IN HYBRID MODE IN THE MATTER ON OA No.86/2024/EZ (I.A. No. 32/2024/EZ) (Pradeep Singh Shekhawat -Vs- Union of India & Ors.) held on 10.07.2024.

Members present in the VC : Annexed

A Virtual meeting was held under the Chairmanship of Shri MK Yadava, IFS, Special Chief Secretary, (Forests), Government of Assam to discuss about the directions of the Hon'ble NGT, Eastern Zone Bench, Kolkata, in the matter OA No.86/2024/EZ (I.A. No. 32/2024/EZ) (Pradeep Singh Shekhawat -Vs- Union of India & Ors.) whereby all respondents were asked to file affidavits by the next date of hearing i.e. 12.7.2024. The meeting was held with all stakeholders including Principal Chief Conservator of Forests & HoFF (PCCF & HoFF), Assam, concerned DCs and DFOs from the 8 districts, PCBA, Directorate of Geology and Mines, Govt. of Assam aided by the learned counsels.

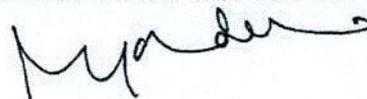
The key action points that emerged in the meeting are as below:

1. That the forest dept regulates the mining of minor minerals pertaining to Schedule Y as per the provision of AMMC Rule-2013. Further that there are no mining leases granted by the forest department. Further that so far only mining permits of short term duration not exceeding two years and contract nor exceeding seven years are being issued currently. All the minerals concession areas under Schedule Y in operation are legal. However there may be instances of thefts in the mining areas. Special Chief Secretary, (Forests), Environment & Forest Department, Assam said that the Government is committed to stop any theft of minor minerals in the State and offenders are to be duly penalized as per the existing provision of AMMC Rule- 2013. **Action: PCCF & HoFF, Assam shall direct all the DFOs of the 8 districts to prepare the list of offenses related to minor minerals, royalty collected, vehicle seized, penalty imposed etc in the last 2 years for the kind appraisal of the Hon'ble NGT.**
2. That the Project proponents who were earlier given permits for mining activities in Assam for short durations of 2 years and contracts for 5-7 years have been operating their mines based on the Mining plan and EC. The Mining plans are duly approved by the Directorate of Geology and Mining, Assam and Environmental Clearance is granted by SEIAA, Assam. However the new project proponents who are given EC to do mining must also obtain **Consent to Establish (CTE) and Consent to Operate (CTO) as made mandatory as per new guidelines. Action: All DFOs from all the 8 districts shall immediately provide Pollution Control Board of Assam with the list of all the project proponents who have been mining in the respective districts and PCBA shall issue show cause notices to all**

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those Project proponents who do not have CTE and/ or CTO permissions. In case of failure on their part to apply for CTO and / or CTE permissions which are mandatory as per the new guidelines, their permits/ contracts shall be cancelled. The entire exercise shall be monitored by SEIAA & SEAC, Assam.

3. The DFOs has already initiated the process of preparing the District Survey Report (DSR) in consultation with the Directorate of Geology & Mines, Govt of Assam. However as the rivers of Assam have behavioral patterns which are totally different from the behavior of rivers from the mainland states of India and rivers in Assam often do not carry pure sand but also carry Silt, Clay, Boulder, Gravel in mixed state. Therefore the DSR for the State of Assam should be River specific. Special Chief Secretary, (Forests), Environment & Forest Department, Assam, suggested that the while the DSR preparation shall go on in full swing but at the same time the morphology and behaviour of rivers should be studied at regular intervals. He proposed that the Assam Science Technology and Environment Council (ASTECC) which is the scientific arm of Government of Assam and shall study the river behaviors in a two year cycle. **Action: The DFOs shall prepare the DSR under the guidance of PCCF & HoFF, Assam and Directorate of Geology and Mining and the fund for its preparation will be met from the MMDRR fund.**
4. Reference was made to the Budget Speech of 2024-25 by the Hon'ble Minister Finance, Assam regarding penal provision in respect of Forest Revenue violations and evasions. It was announced that the penal provisions shall be incorporated in the Assam Minor Mineral Concession Rules 2013 (AMMCR) by bringing an amendment in the Rules. Accordingly AMMCR is in the process of being amended and is being drafted.
5. The meeting further referred about the Budget Speech that included **the provision of geofencing of mines, GPS to track the trucks and other electronic controls that shall be introduced in selected mines and that the designated vehicles only shall carry minor minerals on the fixed routes.**
6. The learned Counsels were requested to apprise Hon'ble NGT that all the District Commissioners were busy in Elections till the month of June, 2024 followed by mitigating serious consequences of floods and rain in the State. The DSR cannot be prepared without studying the river behavior first and due to the ongoing floods it will be difficult for the State authorities to undertake inspection of mining sites, analyzing river depths and other action to be taken. The DFOs started collecting the data on mineable rivers such as river bank height,



depth, width, type of minor minerals etc but had to be halted due to ongoing flood situation in Assam Hence in view of all these hurdles that the state is facing right now, **it was requested to the legal counsel to apprise the Hon'ble NGT about the current flood scenario in Assam and to seek at least 6 (six) months time to complete the entire exercise including conducting survey studies, preparation of DSR, eradicating all discontinuities related to mining and for filing a comprehensive affidavit covering all the action points.**

With this the meeting ended with a vote of thanks from the Chair.

Special Chief Secretary (Forest)
Environment & Forest Department, Assam.

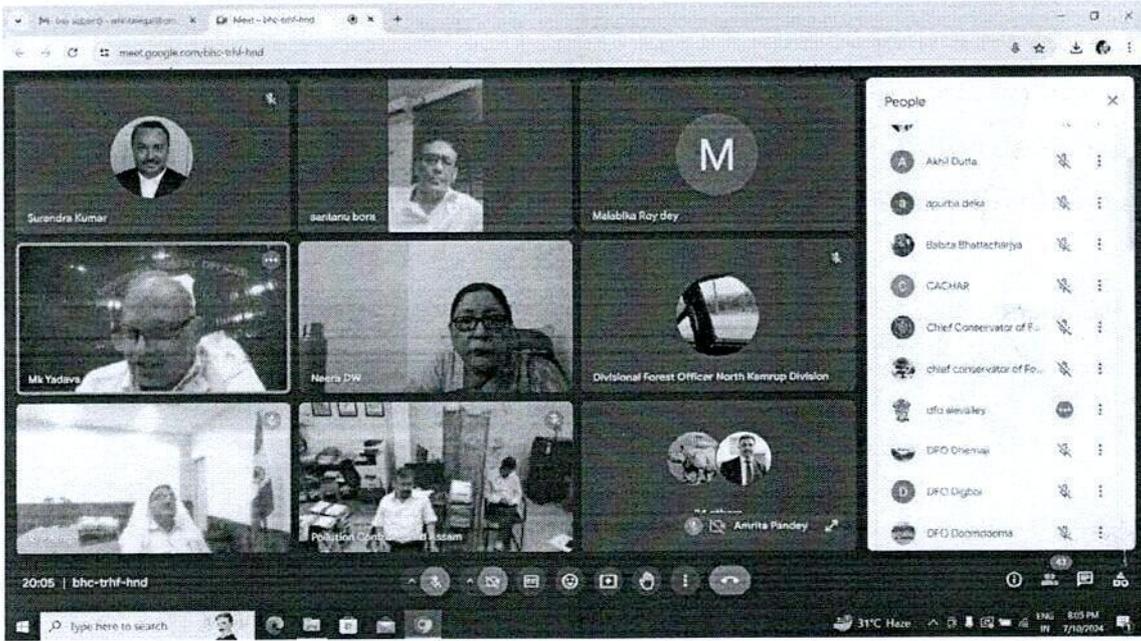
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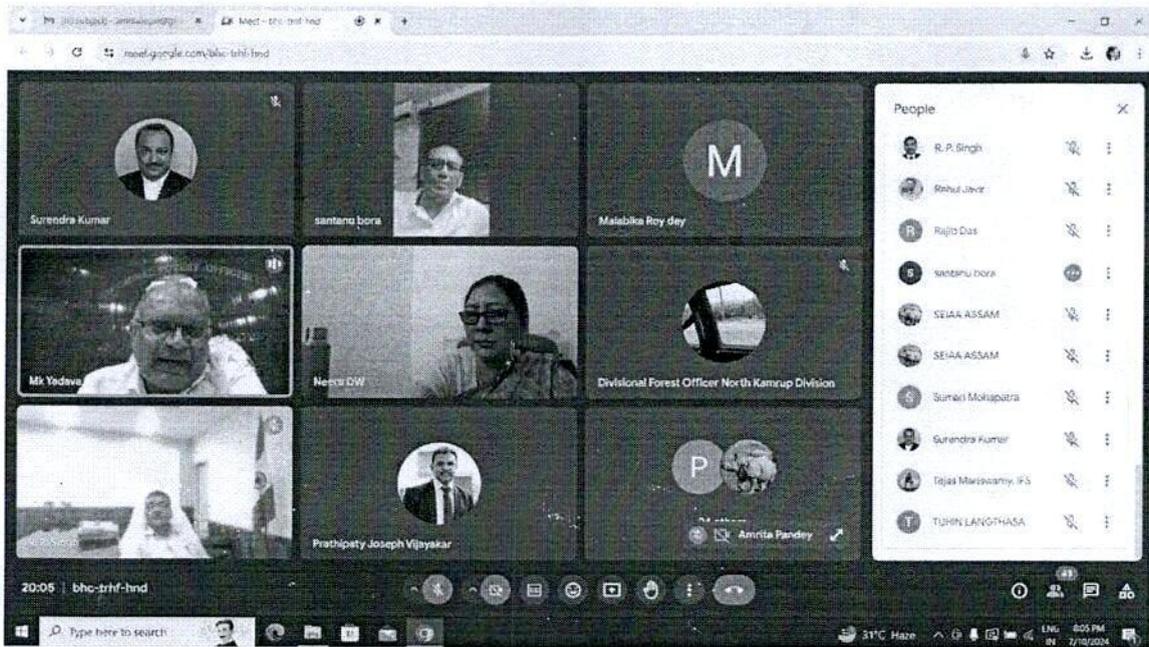
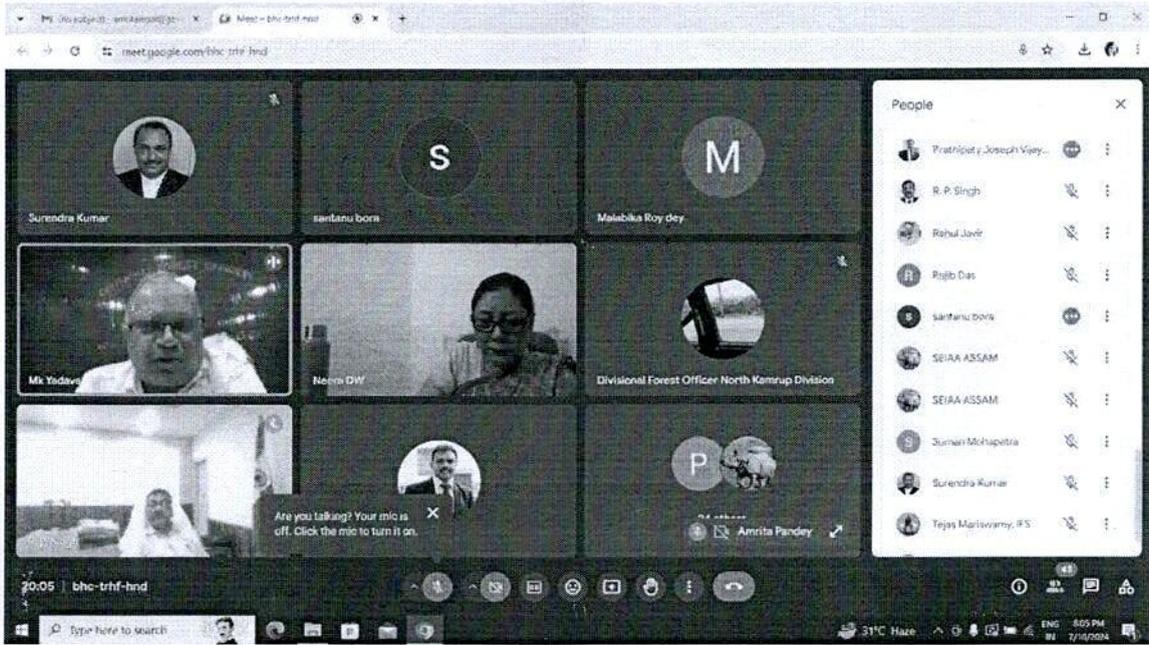
Copy for information:

1. All members present.
2. P.S. to the Special Chief Secretary, Environment & Forest Department, Assam.
3. P.S. to the Secretary, Co-ordination to Chief Secretary, Assam, for kind appraisal of Chief Secretary.

By Orders etc.,

Special Chief Secretary (Forest)
Environment & Forest Department, Assam.





Minutes of the meeting regarding preparation of District Survey Reports for Minor Minerals and filing of counter Affidavit in the matter O.A No.86/2024/EZ (Pradeep Singh Shekhawat –Vs- UoI&Ors.) chaired by the Chief Secretary, Assam, on 5th August, 2024 at 12 PM

Attendance- At Annexure-A

Dr. Ravi Kota, IAS, Chief Secretary, Assam chaired the meeting with the concerned District Commissioners, Divisional Forest Officers in presence of the Special Chief Secretary (Forest), PCCF & HoFF, Assam and all other stakeholders to review the status of the preparation of the District Survey Reports (DSR) for mining of Minor Minerals in different districts and filing of counter Affidavit for the State of Assam in the O.A No.86/2024/EZ (Pradeep Singh Shekhawat –Vs- UoI & Ors.)

A power point presentation was given by Shri Jatindra Sarma, Chairman, SEAC, Assam on ‘Requirement of DSRs for Mining of Minor Minerals’ and ‘Requirement of DSRs for Mining of Minor Minerals-A condition precedent for grant of EC’ involving the procedures and parameters to be adhered to in the preparation of the DSRs and the legal requirements out of the orders of NGT and Hon’ble Supreme Court.

Dr Shantanu Kr Dutta, Member Secretary, PCBA also gave presentation on “Status of CTE/CTO of different units listed under various districts”

After threadbare discussions the following decisions were taken and proposed:

1. Pollution Control Board (PCBA), Assam with the help of the District Commissioners and Divisional Forest Officers shall identify and check the mineral mining units which are yet to apply for CTE/CTO and the units which have already attained the CTE/CTO permissions and to submit a report. Environment & Forest Department shall instruct all the District Commissioners and the DFOs to coordinate with the Units which are yet to apply for the CTE/CTO.
2. All Units in the State shall complete the DSR and comply with all relevant regulations in the next 2-3 months and it shall be constantly monitored by DCS and DFOs with the operators of the Units and under the guidance of PCBA and SEIA, Assam.
3. For better coordination, PCBA shall circulate the names and contact details/jurisdiction of officials from its 11 (eleven) Regional Offices to all District Commissioners and Divisional Forest officers. By doing this, PCBA shall target to bring all the Mining Units under the consent mechanism and to comply with the CPCB guidelines / Court directives.

4. PCBA under the Environment & Forest Department shall coordinate with all the District Commissioners and Divisional Forest Officers to issue CTE/CTOs by August 31st, 2024 wherever required.
5. Separate Committee for each of the 6th Schedule areas comprising of officers from Forest, Irrigation, PCBA, Geologist, PWD etc. for each district shall be formed and oversee the preparation of the DSR headed by the Seniormost Secretary of the Autonomous /Territorial Councils for coherence.
6. A set of subsequent review meetings for monitoring DSR preparation shall be held in the months of August and September 2024 chaired by the Chief Secretary, Assam.
7. An Internal Committee consisting of officers of Environment & Forest Department, Assam, Pollution Control Board Assam and Geology & Mining Department shall be notified. The committee shall monitor the progress of DSR preparation for all districts on a weekly basis.
8. For compliance of the latest NGT Order dated 23.07.2024, all District Commissioners and Divisional Forest Officers shall ensure that the DSRs are completed by November, 2024. As per the NGT order, all mining operations in the Units that did not comply with the relevant regulations in the State shall be stalled till further order of the Hon'ble Tribunal or appropriate Court.
9. State Government shall take up with the Learned Additional Advocate General, Assam in the Apex Court to vacate the stay order of Hon'ble NGT so that the States' demand and supply in operations can be continued in the interim period till approved DSRs are available as continued stay on mining of minor minerals shall adversely impact and seriously hinder developmental works and may lead to illegal mining at the cost of state exchequer.
10. Further opinion is also proposed to be sought to move the Hon'ble High Court regarding issuance of mining permits as per Assam Minor Mineral Concession Rules, 2013 (AMMCR 2013) as an interim measure to meet the *bonafide* needs of the Govt. Departments.
11. Chief Secretary, Assam requested all the concerned District Commissioners, Divisional Forest Officers to consult the concerned departmental officers/departmental counsels before submission of sensitive information/ para-wise comments in the court. Any such information which can weaken the stand of the department in the court may not in any way be transmitted to the opposite parties or their legal counsels.
12. All District Commissioners, the Department of Environment & Forest shall have proper coordination with their standing counsels.

The meeting ended with a vote of thanks from the chair.

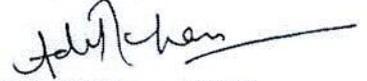
Signed by
Ravi Kota
Date: 08-08-2024 14:35:17
(Dr. Ravi Kota)
Chief Secretary, Assam

Memo ECF. No. 535050 /1-A dated 08.08.2024

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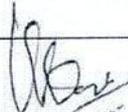
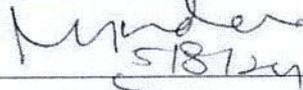
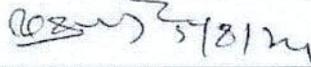
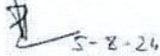
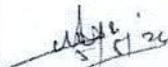
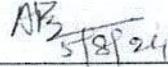
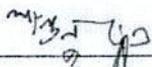
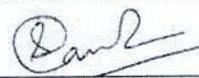
1. All concerned.
2. Principal Secretary to HCM for kind appraisal.
3. PS to Hon'ble Minister of E&F for kind appraisal.

By orders, etc..



(Shri Adil Khan, IAS)
Secretary, E&F Department, Assam

MEMBERS PRESENT IN THE VC TO DISCUSS THE DRAFT AFFIDAVIT IN THE NGT CASE O.A NO.86/2024/EZ (PRADEEP SINGH SHEKHAWAT -VS- UOI & ORS.) UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, ASSAM ON .05.08.2024 AT 12.00 P.M. IN THE MANAS CONFERENCE HALL, 3RD FLOOR, J BLOCK, JANATA BHAWAN, ASSAM.

Sl. No.	Name & Designation	Signature
1	Chief Secretary, Assam	
2	Special Chief Secretary (Forest), Environment and Forest Department	
3	R. P. Singh PCCF & H.O.F.F	
4	Hirdesh Mishra APCCF T Uaz	
5	Rajesh Khemraj, Chairman FRAD	
6	Dipul Boroman DCF, O/Th. APCCF, LAZ	
7	Mr. S. K. Datta Member Secretary, PCB	
8	Jatindra Sarma, Chairman SEAC	
9	Dr. Jaideep Baruah Director, AS TEC	
10	Swapneel Paul, DC, Teke	
11	Ac Rajith Ram, DFO Dighai	
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name of the participants, virtually joined the meeting

17

1	Akhil Dutta, DFO, Hailakandi
2	Amrita Pandey Advocate SEIAA Assam
3	CCF NAC
4	CCF, SAC, Silchar
5	CF, EAC, Jorhat
6	Chairman ,PCBA
7	DC GOLAGHAT
8	DC Kamrup
9	DC Nagaon
10	DFO (WEST) DIMA HASAO
11	DFO Dhemaji
12	Dfo doomdooma
13	DFO Jorhat
14	DFO Kamrup East
15	DFO KARIMGANJ
16	DFO NK Division, Rangia
17	dfo west
18	DFO, Dibrugarh Forest Division
19	DFO, Nagaon South division, Hojai
20	DFO, Sonitpur East Division
21	Gokul Bhuyan
22	Jayanta
23	Kalyan Basumatary
24	KAMRUP
25	Malabika RoyDey
26	Moni nath
27	O/o CCF, SAC, Silchar
28	PCBA RLO SILCHAR
29	RLO Sivasagar PCBA
30	RLO Tezpur
31	RO Golaghat
32	RO Guwahati
33	RO south bank
34	RO, Nagaon, PCBA
35	RO-DIBRUGARH PCBA

Minutes of the meeting to review the progress of the preparation District Survey Reports (DSR) for Minor Minerals and filing counter affidavit in the matter O.A No.86/2024/EZ (Pradeep Singh Shekhawat -Vs- UoI&Ors.) chaired by the Special Chief Secretary(Forests), Environment & Forest Department, Assam, on 22nd August, 2024 at 9.30 AM

Attendance- Annexed

A Virtual meeting under the chairmanship of Shri M.K.Yadav (IFS, Retd), Special Chief Secretary (Forest), Environment & Forest Department, Assam was held with all stakeholders to review the status of the preparation of the District Survey Reports (DSR) for Minor Minerals and filing counter affidavit. The Hon'ble National Green Tribunal (NGT) Eastern Zone Bench, Kolkata has directed for stay on mining activities in respect of the e-auction/auction of the minor minerals in the District of Goalpara and Lakhimpur and such other districts which do not have duly approved District Survey Report vide order in its hearing dated 23.07.2024.

At the outset the chairperson welcomed all the participants in the meeting. The primary focal point of discussion in the meeting was to prepare an approach paper to the Advocate General (AG), Assam for submission of affidavit before the Hon'ble Gauhati High Court for issuance of mining permits in respect of Govt. works by Central and State Govt. Agencies as per Assam Minor Mineral Concession Rules, 2013 seeking an interim measure to meet the bonafide needs of the Government departments till the DSR for all districts are finalized and approved by the State Authorities. The chairperson also emphasized upon preparation of DSR in a time bound manner. The completion time for preparation and submission of draft DSR by the Divisional Forest Officers to the respective District Level Committees is fixed before 25.09.2024.

Sri Jatindra Sarma (IFS, Retd) Chairman, SEAC, as requested by the Special Chief Secretary (Forests), deliberated over the matter of State of Bihar & Ors. V/S Pawan Kumar & Ors. (Civil Appeals Nos. 3661-3662 of 2020) and the relevant Hon'ble Supreme Court order, so that a clearer picture of the State's approach can be drawn with respect to the process of DSR preparation for all the districts.

After threadbare discussions the following decisions were taken:

1. The status for preparation of draft DSR by the DFOs (Territorial) was reviewed and all the DFOs informed the status in the meeting. The DFOs were informed that the

completion time for preparation of draft DSR would not get extended beyond 25th September, 2024.

2. All DFOs (Territorial) were instructed to chalk out the various government developmental works along with their details like their project value, quantum of minor minerals required and the importance of these projects with supporting documents to the PCCF & HoFF, Assam within 3 (three) days for preparation of approach paper to be submitted to the AG Assam for his kind needful action and decision. The details shall be compiled by the O/o PCCF & HoFF and be submitted to this department **within a week** for appraisal of the AG Assam.
3. All DFOs shall prepare draft DSRs in collaboration/consultation with the departments of Water Resources, Geology and Mining, Officers of Pollution Control Board, Revenue, etc or knowledge partner and shall place their DSRs before the District Level Committee. While preparing DSRs, DFOs may utilize data from approved mining plan, data collected in the last 4-5 years and carry out drone survey as and where required. The DFOs may also utilize satellite imagery & data procured so for the purpose. In respect of other data like Meteorological Data, Hydrological data required for preparation of DSR may also be collected from the portal of other authorized agencies.
4. All previous potential mines which have been mined and new potential mines are to be identified for sand, stone, gravel, silt; earth cutting from forest & non-forest lands including patta land areas may all be included in the DSR by the DFOs. The mining, that is to be carried out in certain forest reserves are also to be mentioned in the DSR. In case of Eco-sensitive zones, dredging operation in rivers for the maintenance of riverbeds and to prevent it from becoming swampy/ marshy shall also be proposed to be carried out. Minor Minerals obtained from dredging of rivers shall be used for Government permits only and not for any commercial purposes.
5. Their DSR reports should also include records of revenue collection, illegal mining by machines, vehicles, pumps etc. and seized so. To keep illegal mining on a check the regulatory regime followed by the Forest officials should also be mentioned.
6. A Standard outline for draft DSR shall be prepared by SEAC as per MoEF & CC guidelines 2016, 2018, 2020 and relevant Hon'ble Supreme Court and NGT orders. The same shall be shared with all DFOs (Territorial) by the O/o of the PCCF & HoFF of Assam, *within a period of 7 days.*
7. The District Level Committees headed by District Commissioners of respective Districts shall be constituted instead of Sub-Divisional Committees to oversee the DSR preparation in each district. A notification to this effect shall be published soon.

8. A District Committee comprising of officers from District Water Resources, Pollution Control Board, Land Revenue, Forest Department and Geological or Mining Officer shall be constituted. **This District Committee headed by the District Commissioner shall examine the draft District Survey Reports of each district** and shall visit all the identified mining areas included in the DSR. **The Senior most Secretary shall chair the Committee in areas governed by autonomous councils.**
9. The District Committees shall visit all the mining areas indicated in the DSR and give geo-tagged photographs of the same.
10. The chairperson also emphasized upon preparation and approval of DSR in a time bound manner. The draft DSR prepared by the Divisional Forest Officers shall be submitted to the District Level Committees latest by **25th September, 2024**. Each DFO assured to complete preparation and submission of draft DSRs within specific dates before 25.09.2024.
11. Each draft DSR shall be made available in Public Domain by the District Commissioner for 21 days in the District portal. If no objection is received within the time period, the DSR shall be finalized by the District level Committee and shall be submitted by the District Commission to SEAC and which shall further be submitted to SEIAA by SEAC for final approval **within 6 (six) weeks**.
12. All DFOs were instructed to ensure the CTE/CTO for all mining units is completed by **7th September, 2024**. They shall provide the list of project proponents which are yet to apply for CTO/CTE to Pollution Control Board and sensitize the proponents to apply immediately. The Member Secretary, Pollution Control Board, Assam was requested to share the contact details with name of District Pollution Control Board Officer with the DCF (M&E) of O/o the PCCF & HoFF, Assam for coordination.
13. Shri Rajpal Singh, IFS, Principal Chief Conservator of Forests & HoFF, Assam instructed all DFOs to expedite the preparation of DSR and to stick to the scheduled timelines. He impressed on the ardent need of the minor minerals for various developmental works. With the advent of the dry season demand for minor minerals will be very high owing to various construction activities and if the supply is not met with, the Forest department shall not be able to meet up with huge revenue targets. In the meantime he also instructed that all necessary checks against illegal mining should be looked into with stern interventions from forest officials and imposing heavy fines on the offenders.
14. The Special Chief Secretary (Forests), Assam instructed all the DFOs to adhere to the rules under the Assam Minor Mineral Concession Rules, 2013 for installation of weigh-bridge and fitting of GPS in all vehicles carrying minor minerals which are to be treated as violation and breach of agreement. No mining activities shall be allowed without

ENF/80/2024-ENV./FOREST-Environment & Forest Department

installation of weigh-bridge by the mineral concession holders and without fitting of GPS in the vehicles by the vehicle owners involved in transportation of minor minerals in future.

With the above decision points the meeting ended with a vote of thanks from the chair.

Signed by

Mahendra Kumar Yadava

Date: 28-08-2024 13:25:36

(M.K. Yadava, IFS, Retd.)

Special Chief Secretary (Forests) to the Govt. of Assam
Environment & Forest Department

Memo ECF. No. 535050 /14-A

Copy to :-

All concerned.

(e-signed)

Special Chief Secretary (Forests) to the Govt. of Assam
Environment & Forest Department

Minutes of the meeting to review the status of DSR preparation in various districts of Assam in the matter OA No. 86/2024/EZ (Pradeep Singh Shekhawat –Vs- UoI & Ors.) chaired by the Chief Secretary, Assam, on 12th September, 2024 at 10.30 PM

Attendance- At Annexure-I &II

Dr. Ravi Kota, IAS, Chief Secretary, Assam chaired a review meeting with all the District Commissioners, Divisional Forest Officers, SIEAA, SEAC and PCBA in the presence of the Special Chief Secretary (Forest), PCCF & HoFF, Assam and all other stakeholders to review the status of the preparation of the District Survey Reports (DSR) which is compulsory for mining of Minor Minerals in the different districts of Assam as per NGT's order in the matter O.A No.86/2024/EZ (Pradeep Singh Shekhawat –Vs- UoI & Ors.)

At the outset Special Chief Secretary (Forest), Environment & Forest Department, Assam presented a power point presentation where the status of the DSR for the various districts was detailed. Out of the 35 districts in Assam, 10 (ten) draft DSRs have been completed and uploaded in the public domain of the respective districts for viewing and comments. The rest of the draft DSRs were expected very soon and their status were apprised in the meeting.

The district wise status of CTE/CTO permission for various mining units was also reviewed and it was apprised that CTE/CTO for 74 (Seventy-four) units have already being issued by Pollution Control Board, Assam.

After threadbare discussions the following decisions were taken and proposed:

1. All the District Commissioners and the DFOs (T) were urged to coordinate with the Minor Mineral Mining Units which are yet to apply for the CTE/CTO. It was decided that all operational Mining Mahals to apply for CTE/CTO latest by **20th September, 2024**
2. Wherever necessary, DFOs were asked to call for meetings and to sensitize the left out Minor Mineral Mining Units to immediately bring them under the consent mechanism of CTE/CTO.
3. The Principal Chief Conservator of Forests & HoFF was requested to take a review meeting with the Divisional Forest officers (T) on **18th September, 2024** to analyse the progress on CTE/CTO approval for the mining units.
4. Regarding preparation of DSR, Chief Secretary instructed all the Districts Commissioner and Divisional Forest Officers (T) to work in close coordination to complete the preparation of the DSR latest by **20th September, 2024** and to see that there are no gaps in the preparation and submission of the DSRs. The completed DSRs be made available in the public domain of the respective districts **for 21 days for viewing and comments**. If no objection is received within the time period, the DSR shall be finalized by the District level Committee and shall be submitted by the District Commissioner to SEAC for further process of approval.
5. Sri Jatindra Sarma (IFS, Retd.) Chairman, SEAC apprised that analysis of each DSR usually takes a time of 6 weeks. However he agreed that he and his team shall review

DSRs on a regular basis on war footing and if the DSRs are found in order, DSRs of respective districts shall be recommended to SIEAA.

6. Chief Secretary, Assam requested all the District Commissioners and the DFOs (T) to comply with the timelines and deadlines. And also, urged them to have a close coordination with SEAC and SIEAA so that there are no loopholes in the DSRs.
7. It was suggested that another meeting in between 20th to 23rd September will be held to review the status of DSR.

With the above decision points, the meeting ended with a vote of thanks from the chair.

Signed by
Ravi Kota
Date: 12-09-2024 22:04:39
(Dr. Ravi Kota)
Chief Secretary, Assam

Memo ECF. No. 491770 /920-A

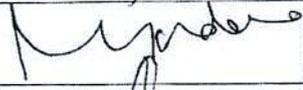
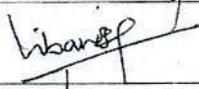
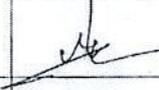
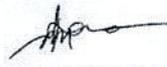
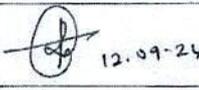
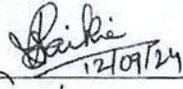
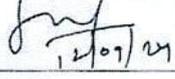
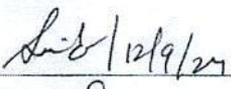
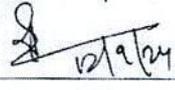
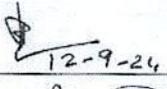
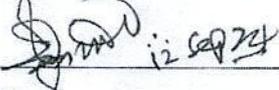
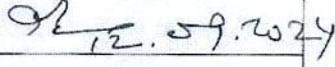
Copy to :-

1. All concerned.

By Orders etc.

Signed by
Mahendra Kumar Yadava
Date: 12-09-2024 23:41:14
(M.K. Yadava, IFS, Retd.)
Special Chief Secretary (Forests) to the Govt. of Assam
Environment & Forest Department

MEMBERS PRESENT IN THE VC TO REVIEW OF THE STATUS OF DSR PREPARATION IN VARIOUS DISTRICTS OF ASSAM IN THE MATTER OF I.A. 32/2024 IN OA NO. 86/2024/EZ (PRADEEP SINGH SHEKHAWAT -VS- UOI & ORS.) AT 10:30 AM ON 12.09.2024 UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, ASSAM IN THE MANAS CONFERENCE HALL, LOK SEWA BHAWAN, J-BLOCK, 3RD FLOOR, DISPUR.

Sl. No.	Name & Designation	Email Id.	Signature
1	Chief Secretary, Assam		
2	Special Chief Secretary (Forest), Environment and Forest Department		
3	Jatinchandra Sarma, Chairman SEAC		
4	SHANTANU DUTTA, Member Secretary PCBIA		
5	VIPIN KR. BANISAL, Addl. PCCF, (Legal) O/o. PCCF & HOFF		
6	Rajendra Kumar Chairman Kamrup		
7	Manchunni Barua Secy E&F Department		
8	RAJENDRA. G. GARAWAD CCF. NODAL OFFICER (FC ACT)		
9	Rohini Ballava Saikia DFO, Kamrup East Division	dfo.t.kamrupeast@gmail.com	
10	Sunnydeo Choudhary, IFS DFO, North Kamrup Division	dfo.t.kamrup@gmail.com	
11	Sumit Sathawan, DL Kamrup (M)		
12	Aravindh Saikia, SO to CS		
13	Hirdesh Mishra APCCF T UAZ	ccft.uaz@gmail.com	
14	P. J. VIJAYAKAR APCCF T LAZ		
15	Abdel Salam Ankaf DCF D&E F	ankaf@profmail.com	
16			
17			
18			
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SL. NO.	Participants
1	DC Charaideo
2	DC Bajali
3	Nalbari
4	DC Karimganj
5	DC Majuli
6	Bikram Rongpi
7	DC Hojai
8	Suman Mohapatra
9	SMD Assam
10	Barnalee Nath, Jt. Director, DGM, Assam
11	AS-West Karbi Anglong
12	DC Jorhat
13	Rajib Kumar Das, IFS, CCF, SAC
14	Principal Secretary, NCHAC
15	R. P. Singh
16	DFO Hamren
17	DFO KARIMGANJ
18	DC UDALGURI
19	CCF, SAC, Silchar
20	DC DARRANG
21	KP
22	J Bora
23	DFO Sonitpur East
24	Dfo Doomdooma
25	Vinay Gupta
26	DFO Digboi
27	DFO, Parbatjhora Division
28	DFO Kamrup West
29	Bibison Tokbi, DFO Karbi Anglong West
30	Forest Utilisation Office, Assam
31	Anand DGM Assam and Nodal office
32	Bornalee Choudhury, Joint Director

ANNEXURE-E

**True copy of the Terms and Conditions
Consent to Establish/Consent to Operate**

LAND STONE QUARRY:

1. The Ambient Air Quality within the Plant premises shall be maintained within the National Ambient Air Quality Standards, notified by the MoEF & CC, GOI, vide GSR 826(E) dtd.16.11.2009,
2. **DRILLING:**
 - i. Drilling machine shall be fitted with dust suppression, collection and disposal arrangement.
 - ii. Deep wetting of drilling zones shall be done by water sprinkling before starting drilling.
 - iii. During the drilling operations the efforts shall be made to reduce dust generation by taking appropriate measures.
3. **BLASTING**
 - i. Proper blasting hole geometry shall be designed
 - ii. Blast site shall be wetted before and after blasting operations are completed.
 - iii. Only optimum quantity of permissible explosives shall be used so that the vibrations do not damage the structures/houses if the quarrying operations are close to human habitation.
 - iv. Blasting shall be conducted only during favorable weather conditions and only during the daytime and permissible hours.
 - v. The blasting operations shall be given publicity in the local area through local Newspaper and other available media so that local people become aware of the blasting activities being undertaken in the area.
 - vi. The vibrations should be monitored periodically in consultation with the local Mining authorities.
 - vii. The storage of the explosives and its transfer to and from the quarry area shall be strictly in accordance with the conditions listed in the permission granted by & Mining authority and Explosives Department
4. **Heavy Earth moving Machinery (HEMM):**
 - i. The operator/ transporter shall carry out regular maintenance of the machinery and vehicles.
 - ii. The speed limit shall be adhered to.
 - iii. Operator's cabin of the HEMMs should preferably be air conditioned at least airtight.
 - iv. The smoke emission should conform to the standards notified in Motor Vehicle Act.
 - v. The trucks carrying the mined products shall be covered with tarpaulin so that there are no fugitive emissions during transportation.
 - vi. The transportation should not through the busy roads in the city/towns/ villages if bypass roads are available
5. **HAUL ROADS:**
 - i. All the haul and service roads shall be metaled and well maintained.
 - ii. Un- metaled haul roads shall be free of dust and potholes.
 - iii. All haul roads and surface roads shall be regularly sprayed with water to control dust emission.
 - iv. Plantation alongside haul roads (avenue plantation) shall be carried out done.
 - v. Mined material receiving pits are shall be located close to the quarry to reduce the haul length of the dumper
6. **OVERBURDEN:**
 - i. Non-operative dumps shall be subjected to technical and biological reclamation.
 - ii. Plantation over and around over burden dumps shall be carried out to ensure stability of slopes, prevention of dust by wind action and soil erosion during the runoff.
 - iii. Wetting of surface of O. B. dump shall be regularly practiced.

7. Effluent coming out of workshop shall be treated before discharge. The treated water shall be stored and reused in the workshop itself as far as possible. The treated wastewater shall not find its way to the streams, lakes or any other water bodies.
8. The PP shall comply with the provisions of the Noise pollution (Regulation and Control) Rule 2000 and as amended thereof to control Noise Pollution in the mining area.
9. The unit shall comply with noise level standard, notified by the MoEF & CC, Govt. of India vide, GSR 7 dated Dec.22, 1998
10. The remediation and restoration measure shall be taken by the project proponent in case of any environmental pollution in the surrounding area due to emission/effluent in excess of the standards being emitted /discharged into the environment and violation of consent conditions and thereby causing environmental pollution.
11. Statutory Regulations and guidelines of the Director General of Mines Safety and Department of Explosives shall be strictly followed.
12. The project proponent shall comply Assam Minor Mineral Concession rules 2013 and as amended thereof.
13. The mining activity shall be continued only after District Survey Report (DSR) for the district of is approved by State Environment Impact Assessment Authority (SEIAA).
14. The Unit shall not commence any activities mining before obtaining Environmental Clearance (EC) from State Environment Impact Assessment Authority (SEIAA).
15. The unit shall comply with all conditions specified in the Environmental Clearance issued by SEIAA, Govt. of Assam vide EC Identification no. dated (if EC Granted)

RIVER BED OR FLOOD PLAIN EARTH CUTTING/MINING

A. SUSTAINABLE MINING PRACTICES: -

1. The depth of mining in Riverbed shall not exceed the limit mentioned in the Approved mining plan.
2. No mining activity be allowed in rainy season.
3. The Project Proponent shall submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
4. Ultimate working depth shall be up to 3.0 m from Riverbed level and not less than one meter from the water level of the river channel whichever is reached earlier. In hilly terrain this depth, be preferably restricted to one meter.
5. In River flood plain mining a buffer of 3 meter to be left from the river bank for mining
6. In mining from agricultural field, a buffer zone of 3 meter to be left from the adjacent field.
7. Mining shall be done in layers of 1 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
8. To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the river whichever is more will be left intact as no mining zone.
9. No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations
10. No blasting shall be resorted to in River mining and without permission at any other place
11. Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method

B. AIR POLLUTION AND DUST MANAGEMENT:

1. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
2. All vehicles involved in transporting mineral must have a valid Pollution Under Control (PUC) certificate from State Transport Department.

3. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
4. Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.

C. NOISE POLLUTION:

1. The PP shall comply with the provisions of the Noise pollution (Regulation and Control) Rule 2000 and as amended thereof to control Noise Pollution.
2. The unit shall comply with noise level standard, notified by the MoEF & CC, Govt. of India vide, GSR 7 dated Dec.22, 1998

D. HEAVY EARTH MOVING MACHINERY (HEMM):

1. The operator/ transporter shall carry out regular maintenance of the machinery and vehicles.
2. The speed limit shall be adhered to.
3. Operator's cabin of the HEMMs should preferably be air conditioned at least airtight.
4. The smoke emission should conform to the standards notified in Motor Vehicle Act.
5. The trucks carrying the mined products shall be covered with tarpaulin so that there are no fugitive emissions during transportation.
6. The transportation should not through the busy roads in the city/towns/ villages if bypass roads are available

E. WASTE MANAGEMENT:

Used oil and other Hazardous Waste generated from the vehicle dumpers and other machineries used for mining and transportation of river bed minerals shall disposed of as per the provisions as the Hazardous Waste Management Rules, 2016.

F. OTHER CONDITIONS:

1. The remediation and restoration measure shall be taken by the project proponent in case of any environmental pollution in the surrounding area due to emission/effluent in excess of the standards being emitted /discharged into the environment and violation of consent conditions and thereby causing environmental pollution.
2. The project proponent shall comply Assam Minor Mineral Concession rules 2013 and as amended thereof.
3. The mining activity shall be continued only after District Survey Report (DSR) for the district of is approved by State Environment Impact Assessment Authority (SEIAA).
4. The Unit shall not commence any mining activity before obtaining Environmental Clearance (EC) from State Environment Impact Assessment Authority (SEIAA).
5. The unit shall comply with all conditions specified in the Environmental Clearance issued by SEIAA, Govt. of Assam vide EC Identification no. dated..... (If granted)

Ordinary Earth Cutting (PP Land):

1. The remediation and restoration measures shall be taken by the project proponent in case of any environmental pollution in the surrounding area due to emission/effluent in excess of the standards being emitted/discharged into the environment and violation of consent conditions, thereby causing environmental pollution.
2. The project proponent shall comply with the provisions of the Assam Minor Mineral Concession Rules, 2013, and amendments made thereto.
3. Mining activity shall only continue after the District Survey Report (DSR) for the district ofis approved by the State Environment Impact Assessment Authority (SEIAA).

4. The unit shall not commence any mining activity before obtaining Environmental Clearance (EC) from the State Environment Impact Assessment Authority (SEIAA).
5. Mineral transportation shall be carried out through covered trucks only, and the vehicles carrying the mineral shall not be overloaded.
6. All vehicles involved in transporting minerals must have a valid Pollution Under Control (PUC) certificate from the State Transport Department.
7. Pollution due to transportation load on the environment shall be effectively controlled, and water sprinkling shall be done regularly.
8. Air pollution due to dust, exhaust emissions, or fumes during the mining phase should be controlled and kept within the permissible limits specified under environmental laws.
9. The project proponent shall comply with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000, and amendments thereof, to control noise pollution.
10. The unit shall comply with the noise level standards notified by the MoEF & CC, Government of India, under GSR 7, dated December 22, 1998.
11. The operator/transporters shall carry out regular maintenance of the machinery and vehicles.
12. The operator's cabin of the HEMMs should preferably be air-conditioned or at least airtight.
13. The smoke emissions should conform to the standards notified under the Motor Vehicle Act.
14. Trucks carrying mined products shall be covered with tarpaulin to prevent fugitive emissions during transportation.
15. Transportation should not occur through busy roads in cities, towns, or villages if bypass roads are available.
16. Used oil and other hazardous waste generated from vehicles, dumpers, and other machinery used for mining and transportation of riverbed minerals shall be disposed of as per the provisions of the Hazardous Waste Management Rules, 2016.

Minor mineral material mineral
(*River Bed Material Mining*)

A. SUSTAINABLE MINING PRACTICES: -

1. The depth of mining in Riverbed shall not exceed the limit mentioned in the approved Mining Plan.
2. **The mining activity shall be continued only after District Survey Report (DSR) for the district of is approved by State Environment Impact Assessment Authority (SEIAA).**
3. No mining activity be allowed in rainy season.
4. The Project Proponent shall submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
5. Ultimate working depth shall be up to 3.0 m from Riverbed level and not less than one meter from the water level of the river channel whichever is reached earlier. In hilly terrain this depth, be preferably restricted to one meter.
6. In River flood plain mining a buffer of 3 meter to be left from the river bank for mining
7. In mining from agricultural field, a buffer of 3 meter to be left from the adjacent field.

8. Mining shall be done in layers of 1 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
9. To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the river whichever is more will be left intact as no mining zone.
10. No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations
11. No blasting shall be resorted to in River mining and without permission at any other place
12. Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method

B. AIR POLLUTION AND DUST MANAGEMENT:

1. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
2. Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
3. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and use.
4. All vehicles involved in transporting sand must have a valid Pollution Under Control (PUC) certificate from State Transport Department.
5. Restricted working hours. Sand mining operation has to be carried out between 6 am to 7 pm

C. NOISE POLLUTION:

1. During mine of mineral, the PP shall comply with the provisions of the Noise pollution (Regulation and Control) Rule 2000 and as amended thereof to control Noise Pollution.
2. The unit shall comply with noise level standard, notified by the MoEF & CC, Govt. of India vide, GSR 7 dated Dec.22, 1998

D. HEAVY EARTH MOVING MACHINERY (HEMM):

1. The operator/ transporter shall carry out regular maintenance of the machinery and vehicles.
2. Operator's cabin of the HEMMs should preferably be air conditioned at least airtight.
3. The smoke emission should conform to the standards notified in Motor Vehicle Act.
4. The trucks carrying the mined products shall be covered with tarpaulin so that there are no fugitive emissions during transportation.
5. The transportation should not through the busy roads in the city/towns/ villages if bypass roads are available

E. WASTE MANAGEMENT:

Used oil and other Hazardous Waste generated from the vehicle dumpers and other machineries used for mining and transportation of river bed minerals shall disposed of as per the provisions as the Hazardous Waste Management Rules, 2016.

F. OTHER MISCELLANEOUS CONDITIONS:

1. The remediation and restoration measure shall be taken by the project proponent in case of any environmental pollution in the surrounding area due to emission/effluent in excess of the standards being emitted /discharged into the environment and violation of consent conditions and thereby causing environmental pollution.
2. Statutory Regulations and guidelines of the Director General of Mines Safety shall be strictly followed.
3. The project proponent shall comply Assam Minor Mineral Concession rules 2013 and as amended thereof.
4. Permanent Bounding Pillars shall be installed to at least to the 4 (four) Corner of the mining Lease areas. In the Bounding Pillars, the depth of river bed before mining shall be inscribed as MSL.
5. **The unit shall comply with all conditions specified in the Environmental Clearance issued by SEIAA, Govt. of Assam vide EC Identification no. dated**
6. The Unit shall not commence any mining activity before obtaining Environmental Clearance (EC) from State Environment Impact Assessment Authority (SEIAA).



Pollution Control Board: Assam
Bamunimaidam; Guwahati-21

No. TECH-13/5/2025-CCA-PCBA/02

Date: May 21, 2025

NOTIFICATION

It has come to the notice of the Pollution Control Board, Assam, that certain mining units in the State have been operating in violation of the terms and conditions stipulated in the Consent order granted by the Board. Specifically, these units have commenced mining activities without having approved **District Survey Report (DSR)** of the respective districts, as required under the guidelines of the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India.

The Pollution Control Board, Assam, had issued CTE/CTO stipulating a condition that no mining activity shall be undertaken unless the District Survey Report (DSR) has been duly approved and finalized by the competent authority of that particular district. Any activity initiated prior to such approval constitutes a breach of the conditions of consent and is liable for legal action including suspension or revocation of Consent to Operate, imposition of environmental compensation, and prosecution under applicable environmental laws.

Therefore, all such mining units operating within the State of Assam are hereby directed to immediately cease operations if the DSR for their district has not been approved.

By order,
Digitally signed by
Gokul Bhuyan
Date: 21-05-2025
12:14:31

Member Secretary

Copy for favour of information to:

1. The Chairman, SEIAA, Government of Assam
2. The Secretary to Govt of Assam, Env't. & Forest Department.
3. The EITO, PCBA, to upload this Notification in the Board's Website.
4. All Regional Heads, PCBA, for information and compliance of the notification.
5. Exclusive advt. Pvt. Ltd to publish the '**NOTIFICATION**' in the "**The Assam Tribune**", & "**Amar Axom**" in all editions (in minimum font size) on **22.05.2025**

(e-signed)
Member Secretary

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POLLUTION CONTROL BOARD, ASSAM



BAMUNIM Aidam, GUWAHATI - 781021

No. TECH-13/5/2025-CCA-PCBA/02

Date: May 21, 2025

NOTIFICATION

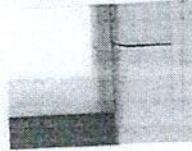
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Sd/- (Gokul Bhuyan)
Member Secretary

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সত্যনিষ্ঠ সাংবাদিকতাত উৎসর্গিত

গুৱাহাটী আৰু যোৰহাটৰ পৰা প্রকাশিত

আমাৰ অসম

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POLLUTION CONTROL BOARD, ASSAM
BAMUNIMAIDAM, GUWAHATI - 781021


No. TECH-13/5/2025-CCA-PCBA/02

Date: May 21, 2025

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ANNEXURE-G



Inspection Report

With regards to the direction received from the Legal Section, PCBA an Inspection was conducted on 21/05/2025 at the sand/silt/boulder/gravel mining units mentioned below by the undersigned officials and the findings of the Inspection are enumerated below:

Respondent No 08: M/s Tarajuli Sand Gravel Mahal (Dhansiri River)

1. Name of the Unit : M/s Tarajuli Sand Gravel Mahal (Dhansiri River)
2. Name of the Occupier/Applicant and Designation : Gillard Basumatary, Mahaldar
3. Address of the Unit : Vill.- Tarajuli, PO – Majkhuti, PS- Rowta, Dist. - Udalguri, Assam – 784513.
4. Area of the Unit : 4.8 ha.
5. Cost of the Project : 111.62 lakhs.
6. Consent Status : **CTO valid upto 31/03/2025**
7. Details of the Products :

Sl. No.	Products	Quantity (cubic meters/year)
1.	Sand	33288
2.	Gravel	17654
3.	Earth	32870

Respondent No 09: Lower Dhansiri SS Mahal-B

(Based on the Documents received from the Dhansiri Forest Division, Udalguri)

1. Name of the Unit : Lower Dhansiri SS Mahal-B
2. Name of the Occupier/ Applicant and Designation : Apurba Kr. Saharia, Mahaldar/Proprietor
3. Address of the Unit : Vill.- Dalakhati (Gargaon), PO – Kopati, PS- Rowta, Dist. - Udalguri, Assam.
4. Area of the Unit : 4.88 ha.
5. Cost of the Project : Not Available
6. Consent Status : **Not Obtained**
7. Details of the Products : Not Available

Respondent No 10: Bhorla GSB (Gravel/Sand/Boulder) Mahal No 2

(Based on the Documents received from the Dhansiri Forest Division, Udalguri)

1. Name of the Unit : Bhorala Boulder GSB Mahal No 2
2. Name of the Occupier/ Applicant and Designation : Hiraz Narzary, Mahaldar/Proprietor
3. Address of the Unit : Vill.- Amlaiguri, PO – Ajoydhyapur, PS – Harisinga, Dist. - Udalguri, Assam.
4. Area of the Unit : 4.60 ha.

5. Cost of the Project	:	Not Available
6. Consent Status	:	Not Obtained
7. Details of the Products	:	Not Available

Respondent No 11: Samrang Newly Gravel & Earth Mahal

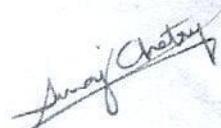
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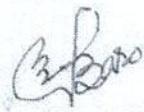
1. Name of the Unit	:	Samrang Newly Gravel & Earth Mahal
2. Name of the Occupier/ Applicant and Designation	:	Gopinath Basumatary, Mahaldar/Proprietor
3. Address of the Unit	:	Vill.- Samrang, PO – Kalikhola, PS- Dimakuchi, Dist. - Udalguri, Assam.
4. Area of the Unit	:	4.85 ha.
5. Cost of the Project	:	Not Available
6. Consent Status	:	Not Obtained
7. Details of the Products	:	Not Available

Observation:

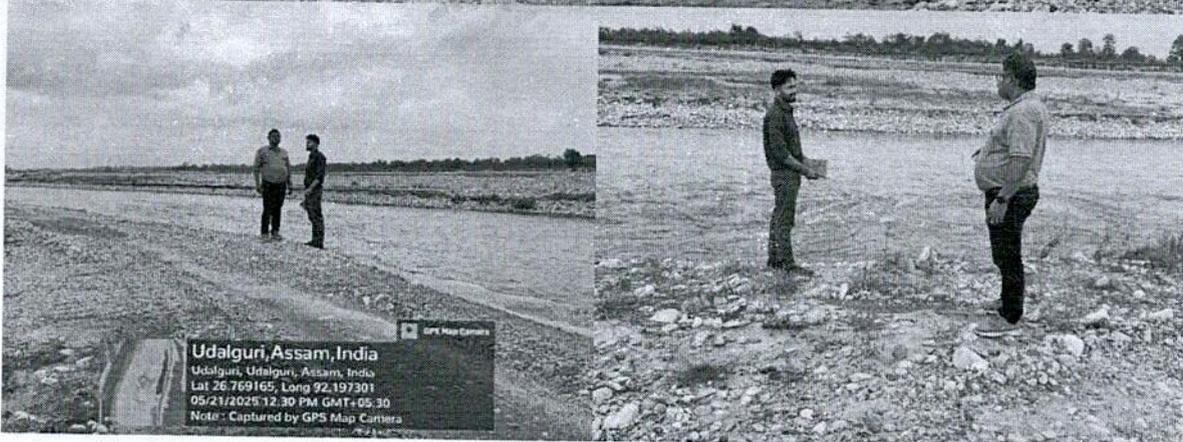
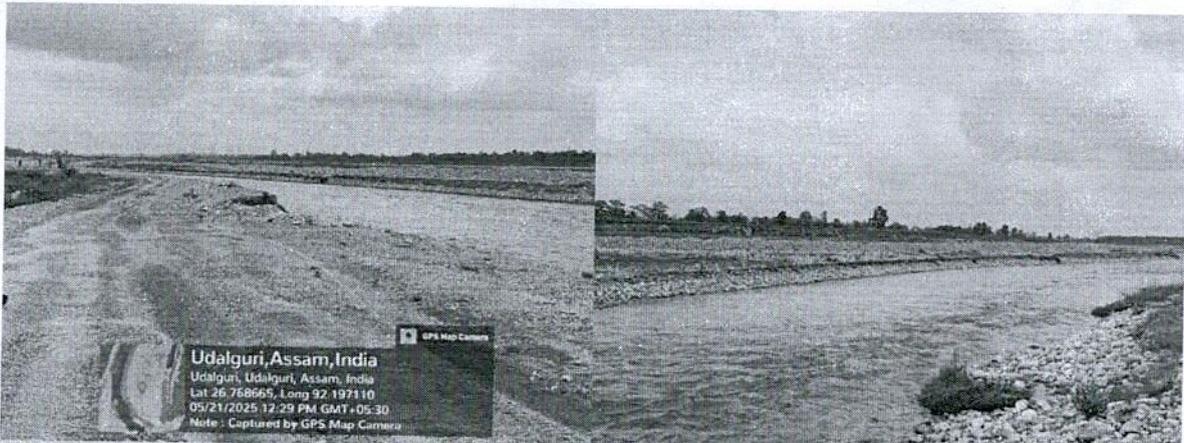
- i. During inspection it was found that no activity of any kind was going on within any of the units mentioned above.
- ii. Among the units, only M/s Tarajuli Sand Gravel Mahal has obtained CTO from the Board vide Order No, PCBA/T-423/2024-25/CCA/RBM/32 dtd 22/07/2025 valid upto 31/03/2025
- iii. Respective photos of the unit sites have been attached herewith.

Inspected and prepared by,


(Suraj Chetry), AE


(Pathak Chandra Boro), AEE

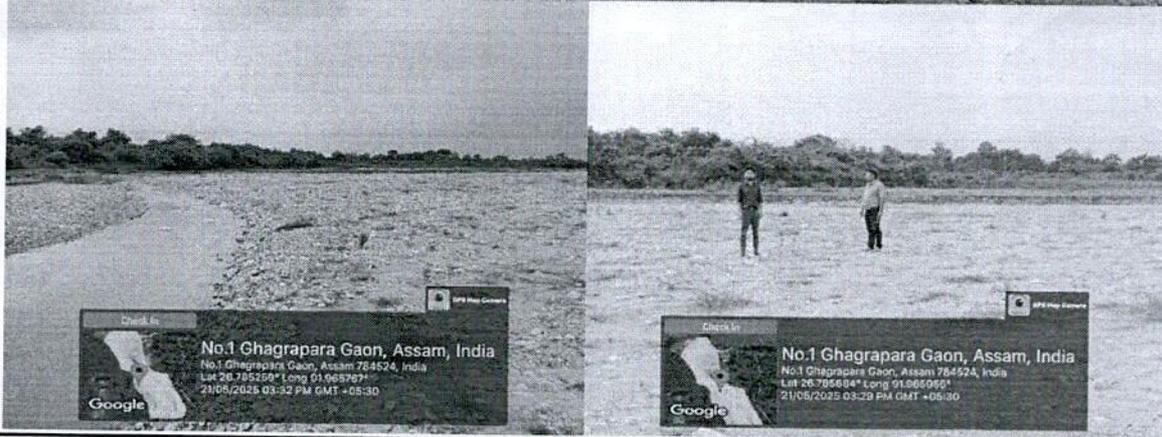
(A) Respondent No 08: M/s Tarajuli Sand Gravel Mahal (Dhansiri River)

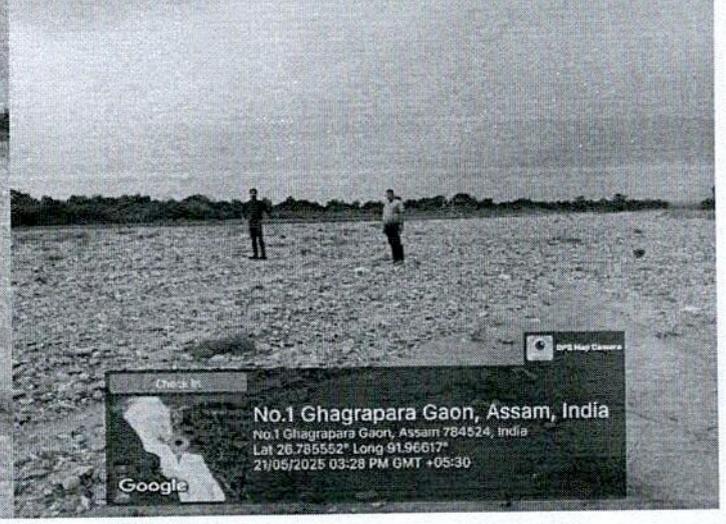
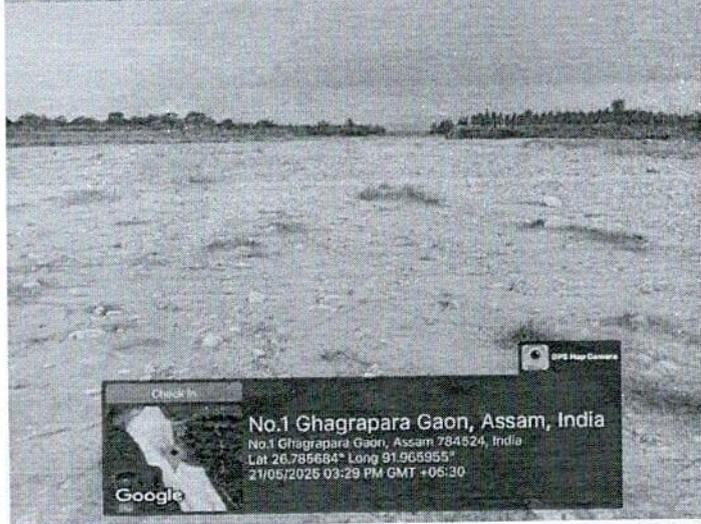
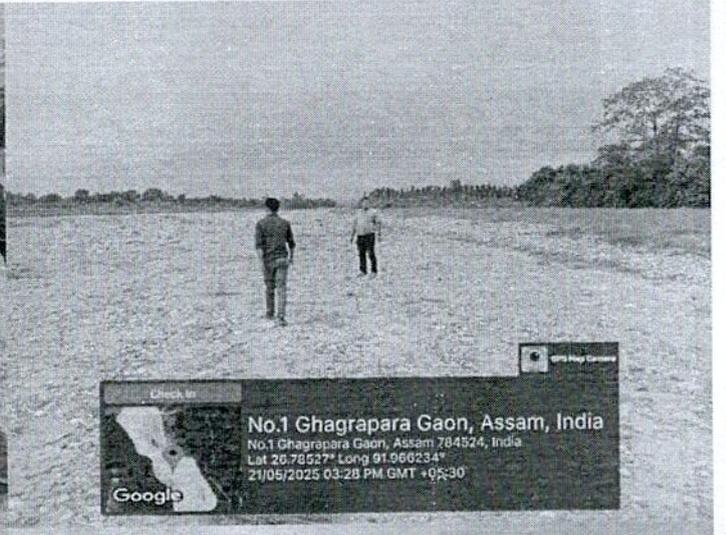
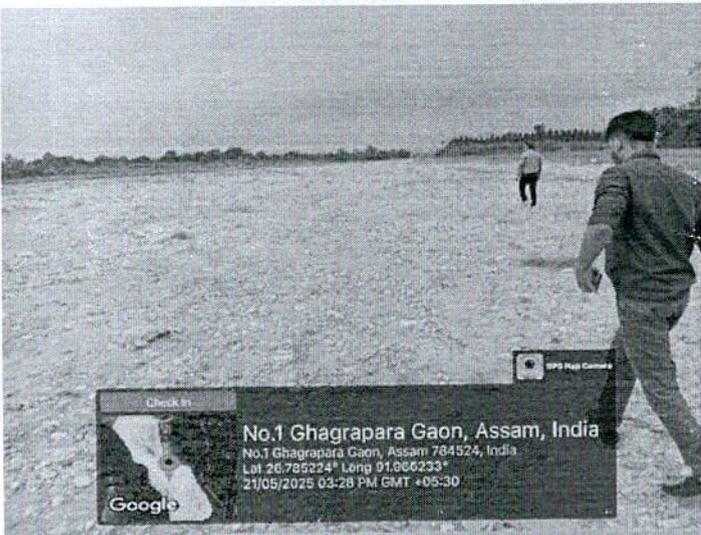


(B) Respondent No 09: Lower Dhansiri SS Mahal-B



(C) Respondent No 10: Bhorla GSB (Gravel/Sand/Boulder) Mahal No 2





(D) Respondent No 11: Samrang Newly Gravel & Earth Mahal

