

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**ORIGINAL APPLICATION NO. 304 OF 2026**

**IN THE MATTER OF:**

JAN KALYAN BHOOMI MUKHTI FOUNDATION ... APPLICANT

VERSUS

VTPPL IHEPPL ARC CONSORTIUM ...RESPONDENT

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**FILED BY**



Ekansh Mishra  
Advocate for Respondent  
A-89, LGF, Defence Colony,  
New Delhi-24  
9999836766  
[adv.ekanshmishra@gmail.com](mailto:adv.ekanshmishra@gmail.com)

**Dated:** 21.05.2026

**Place:** New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 304 OF 2026**

**IN THE MATTER OF:**

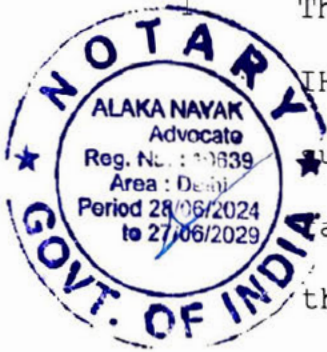
JAN KALYAN BHOOMI MUKHTI FOUNDATION ... APPLICANT  
VERSUS  
VTPPL IHEPPL ARC CONSORTIUM ...RESPONDENT

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT**

I, Mr. Pratosh Kumar, son of Shri Ashok Kumar Thakur, aged about 58 years, having office at 239, Hindustan Power, Okhla Industrial Estate, Phase III, Delhi, do hereby solemnly affirm and state as follows:-

1. That I am Authorized Representative of VTPPL IHEPPL ARC Consortium i.e. Respondent in the subject matter. As such I am well aware of the facts of the present case and competent to swear the present affidavit on behalf of Respondent.

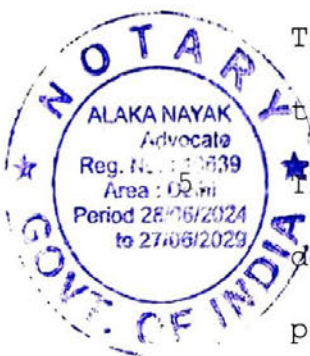
2. That I have myself gone through the contents of the subject Application and have understood the same.



3. That the subject Application is misconceived and based on incorrect facts. At the outset, the Respondent deny all the contentions and allegations in the subject Application, unless specifically admitted hereinafter. It is further submitted that a mere non-traverse of any fact in the present Reply ought not to be treated as admission on part of the Respondent.

4. It is respectfully submitted that although notice has not yet been issued in the present application, the Respondent, in order to assist this Hon'ble Tribunal, is filing the present short counter affidavit along with relevant documents, so as to save the valuable judicial time of this Hon'ble Tribunal and to facilitate proper adjudication of the subject application.

The submissions made herein, along with the documents relied upon, demonstrate that the present application is not maintainable, abuse of process of law and is liable to be rejected at the threshold itself. The Respondent, however, reserves its right to file a detailed counter



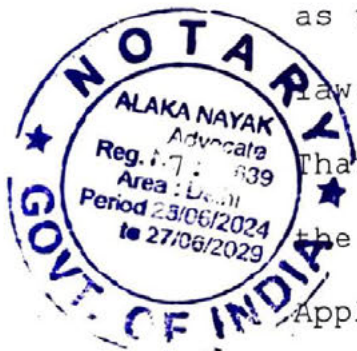
affidavit, if so required in future, with the leave of this Hon'ble Tribunal.

6. That the Respondent most humbly submits that it has always complied with all the environmental norms in respect of its mining operations in connection with Saunda-D mine and therefore, the present Application filed by the Applicant is frivolous and therefore, not maintainable. It is humbly submitted that accordingly, the present Application needs to be dismissed at the threshold as the same is nothing but an abuse of process of law.

That the Respondent hereby submits its reply to the various allegations and grounds raised by the Applicant in the present Application, as detailed hereunder:

**Reply to Ground No.1:**

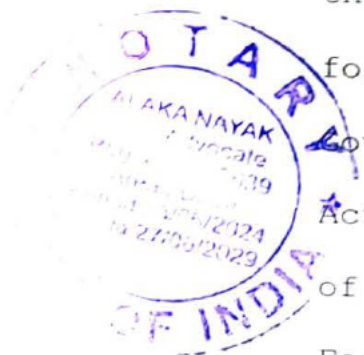
8. That the first ground of challenge is that Section 2 of the Forest (Conservation) Act, 1980 ("**Forest Act**") mandates prior approval of the Central Government, which the Respondent has failed to obtain in respect of the Saunda-D Mine.



9. That "broken land" is generally considered to be non-forestry land i.e. land which has been broken up, cleared, excavated, degraded, or otherwise diverted from its natural forest character for utilization towards non-forest purposes like mining activities, excavation, infrastructure development, or industrial operations etc., resulting in disturbance or removal of the original forest cover and ecological attributes. The term is commonly used in contradistinction to undisturbed forest land which has not been used for non-forest purposes.

10. In *State of Bihar vs. Banshi Ram Modi & Ors.*, (1985) 3 SCC 643, the Hon'ble Supreme Court held that if permission to mine or for breaking-up of forest land had been accorded by the Central Government prior to the enactment of the Forest Act, one could not allege violation of Section 2 of the Forest Act. It is pertinent to note that Forest Act was implemented w.e.f. 25.10.1980.

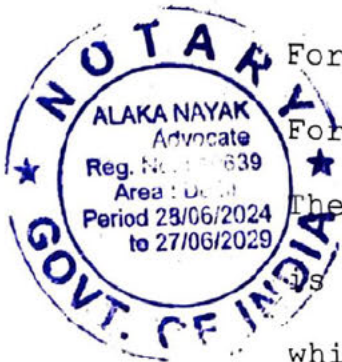
11. That project land of Saunda-D mine was broken up before 1980. The letter dated 06.01.2026 issued by



Divisional Forest Officer, Ramgarh confirms that the subject land was broken prior to 25.10.1980 i.e., the date on which the Forest Act was implemented. **True copy of letter dated 06.01.2026 issued by Divisional Forest Officer, Ramgarh is annexed herewith as Annexure-1.** Relevant extract from the aforesaid letter is reproduced hereunder:

**"In view of the above circumstances, this office authenticates the proposal of Central Coalfields Limited of broken land prior to 25.10.1980 of 399.79 Acre (161.77 Ha) (As per Table 1 & Table 2 given above) of Notified Forest and GMJJ land in respect of Saunda 'D' Colliery (OC/UG - 6.21 MTY Peak Production) for application for Environment Clearance, without any prejudice about Forest Diversion process which shall be pursued as per law and guidelines of the date"**

12. The consequence of the aforesaid is that the subject land having been broken since before the Forest Act came to be implemented, neither the Forest Act nor the Section 2 thereof even apply. The entire ownership history of the subject land as recorded in the recital clause of this letter which reads as follows:



whereas, you have submitted that Saunda D mine is pre-1980 Coal Mine having both open cast and underground mining components. As per records, the Saunda "D" property (with an area of 2466 Bighas) bearing Plot Nos. 5, 6, 7, 10, 11, 12, 13, 44, 65, 80, 86, 92, 316 and 324 were originally vested with Karanpura Development Company who got it on lease from Court of wards Ramgarh (02.08.1937) Maharaja Kamakhya Narayan Singh, Bahadur of Padma in 01.10.1945 and Karanpura Development Company in turn transferred the said Colliery to Barakar Coal Company (02.11.1945) and thereafter M/S. Barakar Coal Company was in possession of the aforesaid land for coal mining and related surface and other rights and the Barakar coal company transferred the said colliery along with coal mining and other rights to Karanpura Collieries Limited (Birds & Companies) on 24.11.1946 by indenture of lease, and, upon enactment of the Coal Mines (Nationalization) Act 1973 the entire area of 2466 bighas of Saunda D was transferred to CCL and other plots as per your submission is part of Central Saunda and as per your submission, both has existing valid lease, and,

whereas, from start of mining operations for extracting coal in different seams of Saunda 'D' a number of inclines, residential colonies, fan house, haulage, pit office, rest shelters, roads, railways etc, were built in lease hold area by M/s Karanpura Collieries Ltd, and

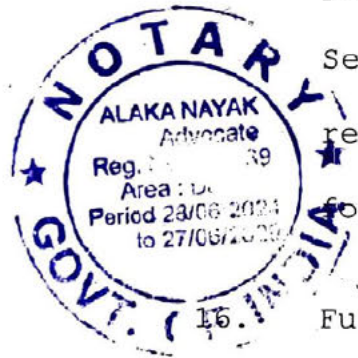
The aforesaid clearly shows that the subject land has been continuously mined since atleast 1945.

13. From a bare perusal of Central Coalfield Limited's Notice Inviting Tender dated 17.10.2022 ("NIT") (Annexure 2 (pg. 36) to the subject Application) makes it evident that CCL continued its mining operations in Saunda-D mine until 2017. True copy of relevant extract of NIT dated 17.10.2022 is annexed as Annexure-2.



14. Further, the letter dated 10.08.2004 (Annexure 1 (*0pg. 35*) to subject application) issued by the Ministry of Coal clearly records the permission granted by the Central Government in favour of all the coal companies for the extension of mining operations for an additional period of thirty years to ensure energy security of the country.

15. This meant that the lease term was extended for a period of 30 years i.e. until 2033. The mandate of Section 2 of the Forest Act is clear in that it requires prior approval from Central Government for any extension of lease after 25.10. 1980.



16. Further, the decision in **Banshi Ram Modi** (supra) was fully considered in **Nature Lovers Movement vs. State of Kerala & others** (2009) 5 Supreme Court Cases 373 wherein the Hon'ble Supreme Court held that compliance of Section 2 of the Forest Act was mandatory but in the facts of the said case, since the government of Kerala had not just taken a policy decision to regularize occupation of forest land, but had succeeded in persuading the Central

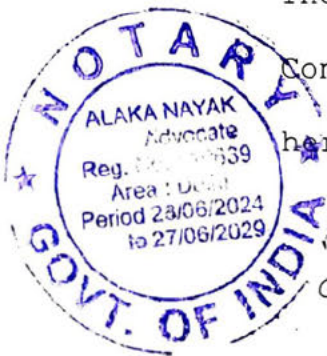


Government for grant of approval, the said decision did not violate Section 2 of the Forest Act.

17. That the present case is squarely covered by the ratio laid down in **Nature Lovers** (supra), inasmuch as, in the present case, the lease was not only extended for a further period of 30 years by the Central Government in August 2004, but the Central Government, in October 2021, also notified the Mineral Concession (Amendment) Rules, 2021, whereby Rule 24C was incorporated into the Mineral Concession Rules, 1960, providing for deemed extension of existing coal mining leases granted prior to the said notification up to 31.03.2030. The relevant extract of Rule 24C of the Mineral Concession (Amendment) Rules, 2021 is reproduced hereinbelow for ready reference:

"24C. Period of mining lease granted to Government companies or corporations.-

(1) All mining leases granted on or after the commencement of the Mineral Concession (Amendment) Rules, 2021 to a Government company or corporation for coal or lignite shall be for a period of fifty years.



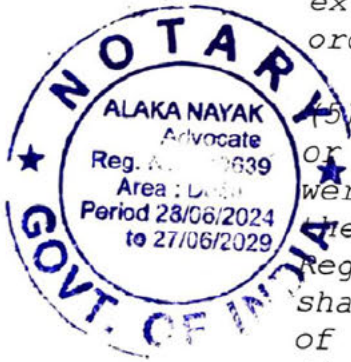
(2) All subsisting mining leases vested or granted to a Government company or corporation before commencement of the Mineral Concession (Amendment) Rules, 2021 for coal or lignite shall be deemed to have been granted for fifty years or till 31st March 2030, whichever is later.

(3) The State Government, upon an application made to it in this behalf by the Government company or corporation at least three months prior to the expiry of the mining lease, shall extend the period of the mining lease for a further period of twenty years at a time: Provided that the State Government may condone the delay in application for extension made after the prescribed time limit: Provided further that no extension of period of mining lease shall be granted to a Government company or corporation that has been selected through auction.

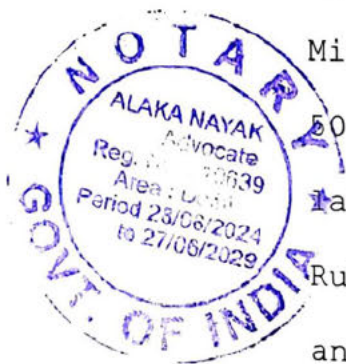
(4) If an application for extension of mining lease made within the time mentioned in sub-rule (3) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended till the State Government passes an order on the same.

(5) All applications made by a Government company or corporation for renewal of mining lease which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) shall be deemed to be applications for extension of the period of the mining lease and shall be disposed of in accordance with the provisions of sub rule (3)."

True copy of the Notification dated 1st October 2021 issued by the Ministry of Coal is annexed herewith as Annexure- 3.



18. It is clear that the aforesaid two acts, both by arms of the Central Government, are in effect approval by the Central Government and which fully satisfy that Respondent's acting in absolute compliance of requirements under Section 2 of the Forest Act.
19. That the contention of the Applicant with reliance upon **Nature Lovers** (supra) effectively overruling **Banshi Ram** (supra) is misplaced. **Nature Lovers** (Supra) only reinforced the requirement of Central Government's approval before any extension/renewal of a lease could take place and that such an extension could not be granted by the State Government.
20. In the present case, both the extension of 30 years by virtue of letter dated 10.08.2004 issued by the Ministry of Coal and extension of lease period for 20 years or till 31<sup>st</sup> March 2030, whichever is later, through amendment of the Mineral Concession Rules, 1960, are acts by the Central Government and therefore, clearly constitute sanction by the Central Government.



21. In these circumstances, there remained no further requirement to reobtain permission from the Central Government. Accordingly, there is no infirmity in the issuance of the NIT as Section 2 of the Forest Act is deemed to have been complied.

22. That the aforesaid proves that firstly, the forest Act in itself inapplicable and in the alternative even if found to be applicable, requiring central government's prior approval, the Central Government has not on one but two occasions done



23. It is most humbly submitted that there is no substance in the first ground of challenge and the same is liable to be rejected by this Hon'ble Tribunal.

**Reply to Ground No.2:**

24. That the second ground of challenge is that the Consolidated Guidelines on Compensatory Afforestation are applicable in respect of forest land diverted for non-forestry purposes; however, the Respondent has failed to comply with the same.



25. That a plain reading of Section 2 of the Compensatory Afforestation Fund Act, 2016, in particular, clause (d) which defines the term "Compensatory Afforestation" shows that it relates to afforestation done in lieu of the diversion of forest land for non-forestry use under the Forest Act.

26. As stated above, the letter dated 06.01.2026 issued by Divisional Forest Officer, Ramgarh confirms that the subject land was already broken prior to the enactment of the Forest Act.

27. Therefore, if the Forest Act itself does not apply and the land was already in "non-forestry use" the Compensatory Afforestation Fund Act, 2016, as also the Compensatory Afforestation Consolidated Guidelines simply do not apply.

Accordingly, second ground of challenge in the subject Application is also misplaced and liable to be rejected by this Hon'ble Tribunal.

**Reply to Ground No. 3:**

*Victor Thermal Power Pvt. Ltd.*  

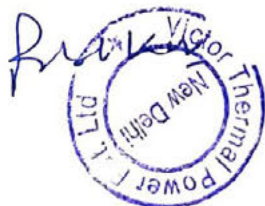
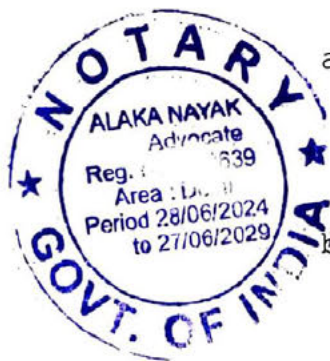



29. That the third ground of challenge is that the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as "**EIA Notification**") is also applicable and prescribes the procedure for grant of Environmental Clearance (hereinafter referred to as "**EC**"). The said notification mandates obtaining a fresh EC prior to commencement of mining operations, which the Respondent has failed to obtain.

30. That the Para 2 of the EIA Notification, 2006 contains the requirement of obtaining "*a prior Environmental Clearance*" in any of the three following scenarios:

a. All new projects or activities listed in the Schedule to this notification;

b. Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which



cross the threshold limits given in the Schedule, after expansion or modernization;  
 c. Any change in product- mix in an existing manufacturing unit included in Schedule beyond the specified range.

**True copy of the EIA Notification is annexed herewith and marked as Annexure-4.**

31. The Respondent's project is not a new project and Secondly, there is no expansion or modernization of the project and thirdly, there is no change in product, therefore, not covered under clause(a), (b) and (c).

32. It is most humbly submitted that the Respondent does not fall in any of the above categories. Therefore, a fresh "prior EC" is not required in the present case.

Without prejudice to the aforesaid, EC dated 23.12.1993 issued for the Saunda-D mine project remains valid. This is also confirmed with the fact that the Respondent has received Consent To Operate dated 24.03.2026 issued by Jharkhand State Pollution Control Board which implies that an EC



continues to remain valid in respect of pre-1980 broken land. **True copy of Consent to Operate dated 24.03.2026 and true copy of EC dated 23.12.1993 is annexed herewith as Annexure-5(Colly).**

34. Therefore, in the present case since the Respondent is not enhancing its production capacity, this is another reason why a fresh prior EC is not required. **True copy of certificate dated. 04.12.2025 issued by CCL is annexed herewith as Annexure-6**

35. Given the above, third ground of challenge in the subject Application is also misplaced and liable to be rejected by this Hon'ble Tribunal.

**Reply to Ground No.4:**

36. That the fourth ground of challenge is that the purported Consent to Operate granted in favour of the Respondent prescribes an annual limit on the production capacity of the mine. There exists a serious apprehension that the Respondent may exceed the prescribed annual production limit and indulge in over-mining.

37. That the said allegation is wholly speculative and premature, having been made without any material



or evidence in support thereof. The same is therefore liable to be rejected at the threshold.

38. Without prejudice to the above, it is submitted that the Consent to Operate dated 24.03.2026 issued to the Respondent by the Jharkhand State Pollution Control Board reflects that the Respondent has been granted Consent to Operate and Environmental Clearance for an annual production capacity of 1.43 MTY (Million Tonne per Year).

39. While the Respondent is entitled to adopt a method of mining of its choice, whether underground mining or opencast mining, the Respondent has no intention of exceeding the prescribed production limit without obtaining prior approval from the competent authority.

Given the above, fourth ground of challenge in the subject Application is also misplaced and liable to be rejected by this Hon'ble Tribunal.

41. In view of the submissions and the averments made in the preceding paragraphs, it is most humbly submitted that the Applicant is not entitled for



*Alakanayak*

 A circular notary seal for Victor Ines, located in New Delhi, India. The seal contains the text: "Victor Ines", "New Delhi", and "India".

any relief whatsoever and the instant Application being devoid of merit, is liable to be rejected.

42. That I have read the contents of this Counter Affidavit and have understood the same.

*Sanishka*  
I identified the deponent who has signed in my presence.

**VERIFICATION**

*Pratosh Kumar*  
 **DEPONENT**

I, Mr. Pratosh Kumar, Authorised Representative of the Respondent, having office at 239, Hindustan Power, Okhla Industrial Estate, Phase III, Delhi, do hereby verify that the contents of Paragraph No. 1 to 40 of this affidavit are true to my knowledge and derived from the records of the case and Paragraph No. 41 to 42 are believed to be true based on legal advice and I have not suppressed any material fact.

Verified at New Delhi on 20 day of May 2026.



21 MAY 2026

21 MAY 2026  
VERIFIED THAT THE DEPONENT  
Smt./Mr./M/s. *Pratosh Kumar*  
S/o, W/o R/o *Pratosh Kumar*  
Has solemnly affirmed before me at  
Delhi on *20* day of *May* 2026  
that the contents of the affidavit which  
have been read & explained to him/her  
are true & correct to his/her knowledge  
NOTARY

*Pratosh Kumar*  
 **DEPONENT**



**OFFICE OF THE DIVISIONAL FOREST OFFICER,  
RAMGARH FOREST DIVISION RAMGARH**

(Near BRL Gate, Ranchi Road, PO-Marar, District-Ramgarh, Pin-829117)

Email id -- [dfo-ramgarh@gov.in](mailto:dfo-ramgarh@gov.in) Mob-8987790306 Land Line No-06553-296061

Letter No- 38

Date:- 6-1-2026

To,

The Project Officer,  
Saunda-D Colliery,  
Barkasayal Area, Patratu,  
CCL

**Sub:** Authentication of broken Notified Forest and GMJJ land of additional area of 399.79 Acre (161.77 Ha), before 1980, in respect of Saunda 'D' Colliery (OC/UG)

**Ref:** 1: Your Request letter: PO / SND-D / Confirmation / Authentication of 161.77Ha / 2025 / 732 Date 31.12.2025

Sir,

Via letter referenced above, you have requested this office for authentication of broken Notified Forest and GMJJ land of additional area of 399.79 Acre (161.77 Ha) before 1980, in respect of Saunda 'D' Colliery (OC/UG), wherein 99.69 Ha has already been applied for Forest Diversion before and additional 161.77 Ha is under active consideration for different clearances, the plot wise details of which are summarized in table below; and;

TOTAL FOREST LAND FALLING UNDER SAUNDA D PROJECT AREA – 261.46 Ha						
Sl No	Plot No	Already Applied Notified Forest (99.69 Ha) File No-8-126/1990 FC	Claimed Broken Up Land of 399.79 Acre (161.77 Ha)			
			Notified Forest (As per Record In Acre)	Jungle Jhari (Certified Record - In Acre)	Total Broken up Notified Forest & Jungle Jhari Area (Acre)	Total Broken up Notified Forest & Jungle Jhari Area (Ha.)
1	5(P)	9.62	42.99	0.00	42.99	17.40
2	6(P)	1.01	40.33	30.78	71.11	28.77
3	7		4.50		4.50	1.82
4	10(P)	3.04	53.77	17.05	70.82	28.66
5	11(P)	23.08	17.15	5.80	22.95	9.29
6	12		7.12	0.00	7.12	2.88
7	13(P)	25.51	4.94	2.13	7.07	2.86
8	44(P)		0.52		0.52	0.21
9	65		16.43	7.02	23.45	9.49
10	316(P)	17.71	18.06		18.06	7.31
11	324(P)	15.49	57.75		57.75	23.37
12	400	4.25	30.29		30.29	12.26
13	394		0.00	7.36	7.36	2.98
14	80		0.00	6.55	6.55	2.65
15	86		0.00	10.15	10.15	4.10
16	92		0.00	19.10	19.10	7.72
<b>Total</b>		<b>99.69</b>	<b>293.85</b>	<b>105.94</b>	<b>399.79</b>	<b>161.77</b>

Table 4. Plotwise details of forest land inside Project Boundary

whereas, you have submitted that Saunda D mine is pre-1980 Coal Mine having both open cast and underground mining components. As per records, the Saunda "D" property (with an area of 2466 Bighas) bearing Plot Nos. 5, 6, 7, 10, 11, 12, 13, 44, 65, 80, 86, 92, 316 and 324 were originally vested with Karanpura Development Company who got it on lease from Court of wards Ramgarh (02.08.1937) Maharaja Kamakhya Narayan Singh, Bahadur of Padma in 01.10.1945 and Karanpura Development Company in turn transferred the said Colliery to Barakar Coal Company (02.11.1945) and thereafter M/S. Barakar Coal Company was in possession of the aforesaid land for coal mining and related surface and other rights and the Barakar coal company transferred the said colliery along with coal mining and other rights to Karanpura Collieries Limited (Birds & Companies) on 24.11.1946 by indenture of lease, and, upon enactment of the Coal Mines (*Nationalization*) Act 1973 the entire area of 2466 bighas of Saunda D was transferred to CCL and other plots as per your submission is part of Central Saunda and as per your submission, both has existing valid lease, and,

whereas, from start of mining operations for extracting coal in different seams of Saunda 'D' a number of inclines, *residential colonies*, fan house, haulage, pit office, rest shelters, roads, railways etc, were built in lease hold area by *M/s Karanpura Collieries Ltd.*, and

whereas, you have submitted that further mining in the said collieries, resulted in creation of quarries, overburdened stockyards, cutting and filling areas, haulage roads, subsidence with blanketing, OB dumping, and other permanent infrastructure, much prior to 25.10.1980, and have submitted circumstantial evidences related to it, summary of which is shown in below given table and attached map (*Annexure-1*), and,

Sl No	Plot No	Quarry	OB Blanketing	Dump	Colony/ Settlement	Inclines	Road	Subsidence with Blanketing Area	Surface Drain	Embankment	Cutting & Filling	Total Area in (Acr.)
1	5(P)	0.53	14.71	2.59	3.31	1.23	0.02	19.69	0.31		0.6	42.99
2	6(P)				20.03	48.65	0.90			0.92	0.61	71.11
3	7				4.28		0.22					4.50
4	10(P)				70.14		0.68					70.82
5	11(P)				22.62		0.33					22.95
6	12	4.20		2.57			0.35					7.12
7	13(P)	1.94	4.36	0.65			0.12					7.07
8	44(P)			0.52								0.52
9	65	0.00	21.54					1.91				23.45
10	316(P)			6.86				11.20				18.06
11	324(P)	18.63	12.78	13.99				12.35				57.75
12	400					11.52	0.38	18.39				30.29
13	394					7.36						7.36
14	80		1.44	0.00				5.11				6.55
15	86	10.15										10.15
16	92	19.10										19.10
	TOTAL	54.55	54.83	27.18	120.38	68.76	3.00	68.65	0.31	0.92	1.21	399.79

Table 5. Plotwise breaking reason summary

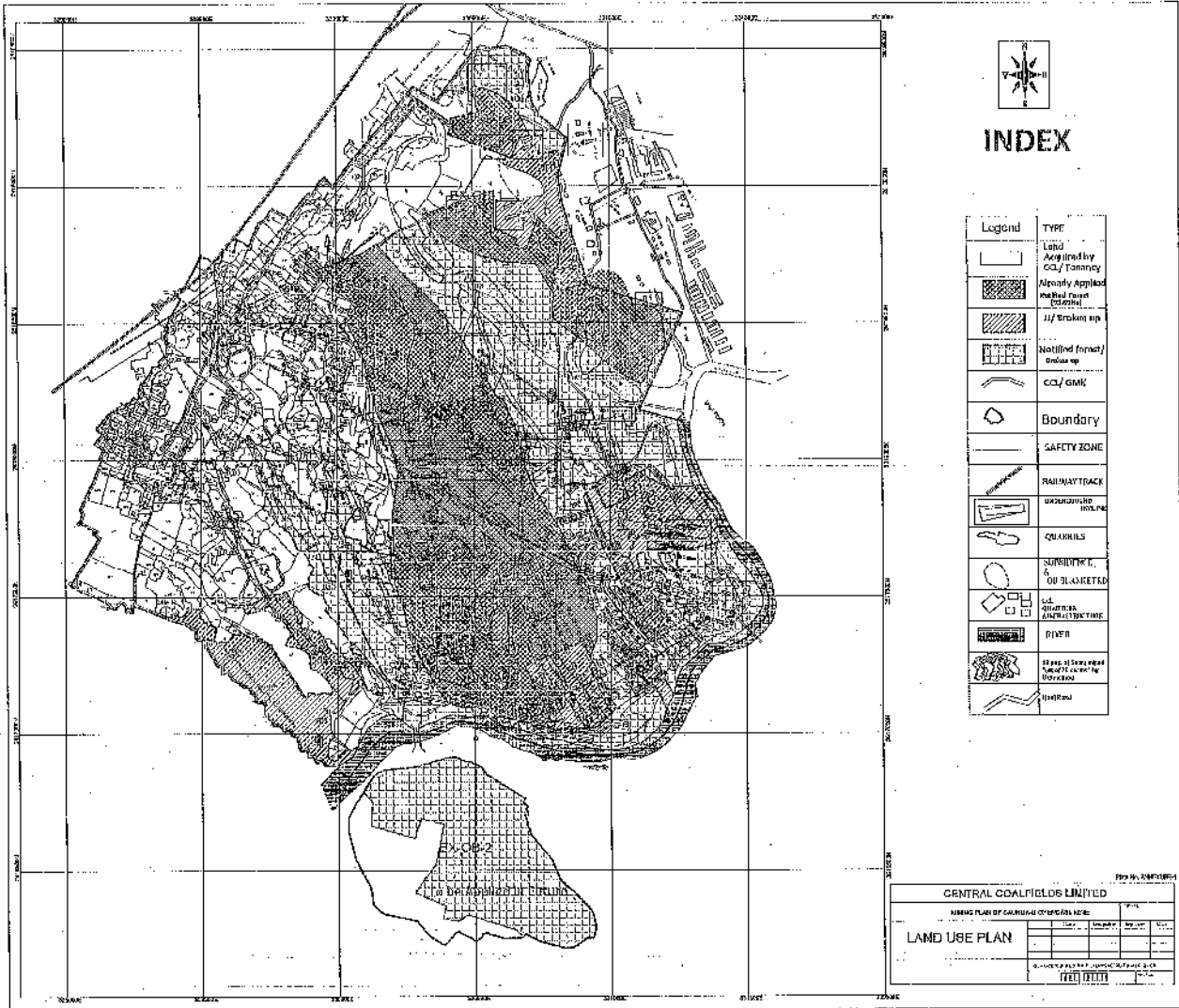
whereas, during the sample field inspection by the undersigned, it was observed that the claims of surface use are substantially correct, as remnants of inclines, quarries, OB dumps, subsided but blanketed areas, sand blanket areas, colonies and haul roads remain evident, though in the intervening period after suspension of mining some patches have witnessed natural regeneration and artificial plantations over OB dumps and blanketing areas and the circumstantial evidences submitted by you indicates that all these activities happened before 1980, though continued even after that leading to eventual stopping of mining operations in between which continues to be stopped,

in view of the above circumstances, this office authenticates the proposal of Central Coalfields Limited of broken land prior to 25.10.1980 of 399.79 Acre (161.77 Ha) (As per Table 1 & Table 2 given above) of Notified Forest and GMJJ land in respect of Saunda 'D' Colliery (OC/UG - 6.21 MTY Peak Production) for application for Environment Clearance, without any prejudice about Forest Diversion process which shall be pursued as per law and guidelines of the date.

Yours Sincerely,

*H. Kishor*  
06/11/26

Divisional Forest Officer,  
Ramgarh



**INDEX**

Legend	TYPE
[White box]	Land Acquired by Co./ Tenancy
[Diagonal hatching]	Already Applied for Road Power (Electricity)
[Cross-hatching]	1/1 Trading slip
[Grid pattern]	Notified forest/ Orland slip
[Dashed line]	Co./ GMK
[Solid line]	Boundary
[Dotted line]	SAFETY ZONE
[Line with cross-ticks]	RAILWAY TRACK
[Line with vertical ticks]	UNDEVELOPED HOLDING
[Irregular shape]	QUARRIES
[Irregular shape]	SUBSIDY PITS OR BLANKETED
[Small squares]	SUBSIDY PITS OR BLANKETED
[Dotted area]	PINE
[Wavy line]	20 yrs. of trees which have 75% canopy for 100% cover
[Wavy line]	100% cover

P/16, 2/16/2005

<b>CENTRAL COALFIELDS LIMITED</b>	
MINING PLAN OF SAHIBGALI COALFIELD AREA	
<b>LAND USE PLAN</b>	DATE: / /
SCALE OF PLAN: 1:50,000	
(SEE INDEX)	

**MINE PROFILE  
OF SAUNDA -D MINE  
Barka -Sayal Area  
CCL**

**1. DETAILS OF MINE:**

a) Name of the Mine/Project:	Saunda"D Mine
b) Lease hold area / Project Area (Offered area for MDO)	332 Ha
c) Location of the Mine / Project	Saunda"D" colliery is a mixed mine under Barka-Sayal Area of CCL, Situated in the district of Ramgarh Cantt of Jharkhand. The project area is covering latitude 23°39'10" to 23°40'20" and longitude 85°19'30" to 85°20'40"
d) Nearest Railway Station & its distance from project	Nearest railway station is Bhurkunda about 8KM, Patratu is about 10Km and Barkakana Jn. is about 15 KM.
e) Existing Approach to Project (Dist. in km from existing main road)	Bhurkunda-Patratu- Ranchi main road. Passing in the center of the property
f) Seams present within the Block	Saunda, Saunda-A, Upper Sayal, Lower Sayal, Upper Balkudra, Lower Balkudra, Kurse, Upper Nakari, Lower Nakari, Upper Semana, Lower Semana, Hathidari, Bansgarha, Bansgarha 'C', Upper Sirka, Lower Sirka, Argada, seams are present within the Mining area
g) UG Mining Area proposed for MDO & its status.	Saunda"D" Block is divided into three sectors namely sector-A, Sector-B & Sector-C of the block. Proposed area covers all the three sectors. In Sector-B & Sector-C, upper seams (Saunda to Upper Balkudra) worked by OC because these seams in crops within the OC area and remaining seams are standing on pillars up to lower Sirka. Argada seam is virgin.
h) Seams worked earlier within proposed UG mining area	From Saunda to Sirka are worked earlier except lower balkudra. Upper seams as stated above are worked or to be worked by OC. Other underlying seams up to Sirka seam have been

	worked by UG.
i) Mode of Operation (UG or OC)	OC Operation : Saunda to Upper Balkudra UG Operation : Kurse to Sirka
j) Degree of Gassiness of existing mine	Degree -II
k) RMR of the seams worked	41.1 (Bansgarha). Generally fair categories of roof are found while working the seams.
l) Average Grade of coal of seams worked earlier	G-4 to G-8 (Generally)
m) Reasons for Abandoned or Discontinuance	Due to waterlogged workings of upper seams and huge loss in operating the mine
n) Date of Abandonment or Discontinuance	16.08.2017
o) Details of mine entries (Length(m), Gradient, Depth(m) and x-section (m x m), Height (m))	Total Number of Inclines: 35 Average X-section : 4.5m x 3.0m Average Gradient : 1 in 5 Length : Varies from 50m to 110m ( Length & X-section of individual inclines may be different)
p) Details of Mine Parameters like Width of Gallery (m), Height of gallery (m), seam thickness (m) gradient of the seam, depth of workings, panel length, panel width etc.	Average width of Gallery is 4.0 to 5.0 m Average height of Gallery is 2.5 to 3.5 m Average Gradient of all Seams – 1 in 5
q) Nearest Railway siding with distance from project:	Saunda 'B' Railway siding & Central Saunda railway siding are near to the project. Distance is about 2.0 to 3.0 KM
r) Proposed Linkage for the project	Saunda 'B' Siding & Central Saunda Siding may be considered.
<i>N : B : The above information are as per data available with the project. There may be some variation while actual mining.</i>	

## 2. Earlier Mode of Operation:

Saunda to Upper Balkudra	:	By OC
Kurse to Sirka	:	By UG
Lower Balkudra & Argada	:	Virgin

## 3. Details of Seams within the coal block & their status:

Details of seams present within the block are as under:

Sl. No.	Seam	Thickness (m)	Parting (m)	Gradient	Grade	Remarks.
1.	Saunda	2.87-4.75	1.47-6.38	10-12° (1 in 4.8 to 1 in 5.7) On.updip portion and 14° (1 in 4) on down dip portion	F/D	Standing on Pillar & water logged & Sealed off & part area taken by OC
2.	Lower Saunda	0.99-1.65	2.45-13.19		F/C	Standing on Pillar & water logged & Sealed off & part area taken by OC
3.	Saunda A (top)	2.13-3.44	0.20-3.73		F/D	Standing on Pillar & water logged & Sealed off & part area taken by OC
4.	Saunda-A (Bottom)	1.01-4.30	4.25-20.23		G/D	Standing on Pillar & water logged & Sealed off & part area taken by OC
5.	Upper Sayal	5.59-7.90	1.95-5.46		G/E	Standing on Pillar & water logged & Sealed off & part area taken by OC
6.	Lower Sayal	1.61-3.58	16.51-43.52		G/E	Standing on Pillar & water logged & Sealed off & part area taken by OC
7.	Upper Balkudra	4.05-9.86	4.55-13.65		F/E	Standing on Pillar & water logged & Sealed off & part area taken by OC
8.	Lower Balkudra	1.20-2.82	0.42-10.30		F/D	Virgin
9.	Balkudra A	0.45-1.10	3.42-7.81		D	part area taken by OC
10.	Balkudra B	0.75-1.72	9.85-21.40		D/F	part area taken by OC
11.	Kurse	5.31-6.30	10.95-21.18		C/D	Developed in Sec A & partly in Sec B Depillared in 2 rise panels and caught fire. Presently filled with water. Sector C virgin.
12.	Up. Nakari	2.7-2.96	6.57-17.11		C	-do-
13.	Lr. Nakari	1.83-2.57	21.0-33.89		C/D	Developed partly in Sectors A&B. Presently filled with water. Water accumulated from the upper two seams pumped through this seam.
14.	Upper Semana	2.86-4.40	1.63-3.36		C	Developed in Sectors A&B Sectors virgin. Pumping in progress.
15.	Lower Semana	4.13-5.07	5.26-28.12		D/E	Developed Sector A, B and partly in Sector C. Sector C approached through level drifts from Sec. B of Upper Semana.
16.	Semana 'A'	1.65-2.36	7.12-22.31		C	Development is progress in Sectors A&B by manual B&P method. Approached through separate set of inclines as well as through drifts from Hathidari workings Sector C virgin Development in progress by manual B&P in Sector

					A&B Sector C virgin
17.	Semana 'B'	1.05-1.51	4.29-17.84	C	Virgin
18.	Hathidari	3.15 - 6.58	15.52-31.10	C/D/E	Development in progress in Sectors A&B by manual B&P. Sector-C Virgin.
19.	Bansgarha	4.28 - 4.93	81.58 - 95.02	C/D	Development in progress in Sec B by mechanized B&P with SDLs along Apparent dip. Sector C virgin
20.	Up. Sirka	4.44 - 5.79	29.01-37.43	B/C	Development in progress in Sector B by manual B&P Approached through pits Sector C virgin
21.	Lr. Sirka	2.95 - 4.13	29.01 - 37.43	B/C	Developed partly in Sector A by manual B&P. Workings discontinued due to bad roof condition Sectors B&C are virgin.
22.	Argada Seam	27.27-29.85	63.73 - 79.31	B	Virgin

Note: Other details are available in the enclosed GR.

### 3.1 Details of Reserve of the seams present within the block

The details of the balance reserve within the block are as under:

Sl. No.	Name of Seam	Geological Reserve	Balance Reserve
1.	Saunda Seam	6.772	4.448
2.	Lower Saunda seam	2.891	1.91
3.	Saunda 'A' Seam ( Top & Bot)	11.933	7.49
4.	Upper Sayal Seam	17.192	11.16
5.	Lower Sayal Seam	7.309	4.722
6.	Upper Balkudra Seam	21.769	15.766
7.	Lower Balkudra Seam	6.547	5.093
8.	Kurse Seam	15.19	14.543
9.	Upper Nakari Seam	7.672	8.77
10.	Lower Nakari Seam	5.766	6.306
11.	Upper Semana Seam	9.409	7.721

12.	Lower Semana Seam	11.552	12.254
13.	Semana 'A'	5.756	5.957
14.	Semana 'B'	3.245	3.604
15.	Hathidari	13.95	10.715
16.	Banshgara	12.64	17.456
17.	Upper Sirka	13.879	18.515
18.	Lower Sirka	9.628	12.412
19.	Argada Seam	76.59	80
	Total	259.69	248.842

Note : The above details of reserve are as per data available with the project and GR of the block.

#### B. AVERAGE GRADE OF COAL

Weighted avg grade of minimum extractable reserves is around G6. This may change while actual mining of the seams. However, the seam wise grade of coal has been given in para3.0 of this report.

#### 3.3 STATUS OF WORKINGS OF SEAMS -

From kurse to lower sirka seam is developed and standing on pillar & waterlogged in part of the area of the block. Overlying seams of kurse seam (except lower balkudra seam) is partly worked by opencast.

#### 3.4 HISTORY OF MINING / DATE OF CLOSING / REASONS OF CLOSING

##### 3.4.1 GENERAL HISTORY

Saunda "D" project is a nationalised mine. Previously owned by M/S Birds & Company. It has been divided in to two parts i.e saunda East mine and Saunda D west mine.

#### 4. Estimated Minimum Extractable Reserve:

Out of 248.482 M.Te of balance reserve comprises of around 28 M.Te in standing on pillar and around 220 M.Te in virgin area or left in roof of developed seam. The minimum extractable reserve has been estimated considering the seam thickness, gradient of the seam, statutory barriers and practical experience by underground mining methods. In case of opencast mining this minimum extractable reserve may be different. The estimated minimum extractable reserve may change while doing the actual mining depending upon the method of selection of mining method for extraction. **The estimated minimum extractable reserve of all workable seams within the block area comes around 52 M.Te.** This minimum extractable reserve includes reserve extracted from standing pillars as well as from virgin area / seams.

### 5.0 Information on geology

The soft copy of GR available is attached for the purpose (Text & plates both).

### 6.0 Land use in Mine area:

The details of land use within mining area / project area are as under:

Name of the village	Acquisition Reference	Tenancy Land (Acres)	Notified Forest land (Acres)	GMK Land (Acres)	Total Land (Acres)	All right including mining right (Acres)
SAUNDA	Nationalized Property	285.37	251.58	200.00	736.95	736.95
	LA Act case No.1/78-79	21.30				21.30
	LA Act case No.2/80-81	60.80				60.80
	LA Act case No.2/85-86	1.14				1.14
	Total Land					<b>820.19 (332 Ha)</b>
<i>Note</i>	<i>The above land details are as per available data with the project.</i>					

### 7.0 Possession status of land within mine area

The details of land possession status are as under:

Name of the village	Acquisition Reference	Total Land (Acres)	All right including mining right (Acres)
SAUNDA	Nationalized Property	736.95	736.95
	LA Act	83.24	83.24
	Total Land (Acres)	820.19	820.19
	<b>Total Land ( Ha)</b>	<b>332.00</b>	<b>332.00</b>

N: B: The all right (mining right & surface right is as per old records prior to 1978). This may require further possession as per new law.

### 8.0 Leasehold area

The total lease hold area of Saunda D is 332 Ha, out of which about 50 Ha are under OC area. The offered area for MDO will be around 332.00 Ha.

### 9.0 Data of previous gas Survey & any other scientific study

Gas analysis report of last worked Hathidari & Bangsarha seam and scientific study report conducted for the mine are enclosed as annexure

### 10.0 LIST OF P & M AND OTHER INFRASTRUCTURE WHICH CAN BE HANDED OVER TO MDO

#### 10.1 List of P & M

At present there is no P & M available with the project (based on physical verification of P & M). Hence no such P & M may be handed over to Mine operator.

#### 10.2 List of Existing Infrastructure which can be handed over to MDO:

At present there are following infrastructure like around 1400 company quarters, 500 hutments, substation-2, rest house-1, water filter plant-1, mobile tower-2, high school-1, middle school-1, panchayat bhawan-1, bank-1, post office-1, PWD road and Saunda Basti. The above mentioned company infrastructures may be handed over to the Mine Operator. Other infrastructure not belonging to company shall be acquired or possessed as per law.

#### 11.0 Any other relevant information:

#### 11.1 Estimated water accumulation at different seams

Estimated accumulated water in developed seams are around 124 million gallons. This is the tentative estimate of accumulated water. However, in actual it may change. Mine working is discontinued and sealed off since 2017. Notice of discontinuance is already given to DGMS as per statute.

#### 11.2 Existing Constraints

**UG Constraints** : Water Seepage, overlying seams water logged, parting generally less than 60m. Three major faults intersect the block and divide it into three sectors namely Sector-A, B & C. The gradient of the seam is steep (varies from  $10^0$  to  $14^0$ )

**Surface Constraints** The leasehold area of saunda"D" colliery is 332 Ha. About 20% area is OC and in the remaining company quarters and other infrastructure exist. Around 1400 company quarters, 500 hutments, substation-2, rest house-1, water filter plant-1, mobile tower-2, high school-1, middle school-1, panchayat bhawan-1, bank-1, post office-1, PWD road and Saunda Basti.

### 12.0 PLANS ATTACHED

The list of plan attached with this report are as under:

1. Surface Plan
2. Mouza Plan / Land Use Plan
3. Combined (Out Line) Plan with section
4. Working Plan of Saunda Seam

5. Working Plan of Saunda 'A' (Top) Seam
6. Working Plan of Upper Sayal Seam
7. Working Plan of Lower Sayal Seam
8. Working Plan of Upper Balkudra Seam
9. Working Plan of Kurse Seam
10. Working Plan of Upper Nakari Seam
11. Working Plan of Lower Nakari Seam
12. Working Plan of Upper Semana Seam
13. Working Plan of Lower Semana Seam
14. Working Plan of Semana 'A' Seam
15. Working Plan of Hathidari Seam
16. Working Plan of Bansgarha Seam
17. Working Plan of Upper Sirka Seam
18. Working Plan of Lower Sirka Seam

**Signature Not Verified**

Digitally signed by Prasenjit Maity  
Date: 2022.10.17 10:06:26 IST  
Location: Coal India Limited-CIL



# भारत का राजपत्र

## The Gazette of India

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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)  
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित  
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नई दिल्ली, सोमवार, अक्टूबर 4, 2021/आश्विन 12, 1943  
NEW DELHI, MONDAY, OCTOBER 4, 2021/ASVINA 12, 1943

कोयला मंत्रालय

अधिसूचना

नई दिल्ली, 1 अक्टूबर, 2021

सा.का.नि. 717(अ).—केन्द्रीय सरकार, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) की धारा 13 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए खनिज रियायत नियम, 1960 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

- संक्षिप्त नाम और प्रारंभ.**—(1) इन नियमों का संक्षिप्त नाम खनिज रियायत (संशोधन) नियम, 2021 है।  
(2) इन नियमों में अन्वया उपबंधित के सिवाय, ये उनके राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
- खनिज रियायत नियम, 1960 (जिसे इसमें इसके पश्चात् मूल नियम कहा गया है) के नियम 2 के उपनियम (1) के खंड (vii) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-  
'(vii)क) "खान का परिचालन" से पट्टा क्षेत्र के खनिजीकृत जोन से विस्फोटन, उत्खनन, कर्तन या खुरचन के पश्चात् प्राप्त अपनी प्राकृतिक अवस्था में कच्ची, अप्रसंस्कृत या असम्मिलित सामग्री अभिप्रेत है ;
- मूल नियमों में नियम 24ख के पश्चात् निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात्:-  
"24भ. सरकारी कंपनियों या निगमों को प्रदान किए गए खनन पट्टे की अवधि.—  
(1) खनिज रियायत (संशोधन) नियम, 2021 के प्रारंभ पर या उसके पश्चात् कोयले या लिग्नाइट के लिए सरकारी कंपनी या निगम को प्रदात किए गए सभी खनन पट्टे 50 वर्ष की अवधि के लिए होंगे।

(2) खनिज रियायत (संशोधन) नियम, 2021 के प्रारंभ से पूर्व कोयले या लिग्नाइट के लिए किसी सरकारी कंपनी या निगम में निहित या उसे प्रदत्त सभी विद्यमान खनन पट्टे 50 वर्ष के लिए या 31 मार्च, 2030 तक, इनमें से जो भी पश्चात्पूर्ती हो, प्रदत्त किए गए समझे जाएंगे।

(3) राज्य सरकार, इस संबंध में खनन पट्टे के अवसान से कम से कम तीन मास पूर्व किसी सरकारी कंपनी या निगम द्वारा किए गए आवेदन पर खनिज पट्टे को एक समय में बीस वर्ष की और अवधि के लिए बढ़ाएगी:

परंतु राज्य सरकार विहित समय सीमा के पश्चात् विस्तार के लिए आवेदन में देरी को माफ कर सकेगी:

परंतु यह और कि किसी सरकारी कंपनी या निगम को खनन पट्टे के अवधि का विस्तार नहीं प्रदान किया जाएगा जो निविदा के माध्यम से चयनित की गई है।

(4) यदि राज्य सरकार द्वारा उपनियम (3) में उल्लिखित समय के भीतर खनन पट्टे के विस्तार के लिए किया गया कोई आवेदन पट्टे के अवसान की तारीख से पूर्व निपटाया नहीं जाता है, तो उस पट्टे की अवधि उस पर राज्य सरकार द्वारा आदेश पारित किए जाने तक विस्तृत हुई समझी जाएगी।

(5) सरकारी कंपनी या निगम द्वारा खनन पट्टे के नवीकरण के लिए किए गए सभी आवेदन जो खान और खनिज (विकास और विनियमन) संशोधन अधिनियम, 2021(2021 का 16) के आरंभ की तारीख पर लंबित थे, खनन पट्टे की अवधि के विस्तार के लिए आवेदन समझे जाएंगे और उपनियम (3) के उपबंधों के अनुसार निपटाए जाएंगे।”।

4. मूल नियमों के नियम 27 के पश्चात् निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात्:-

“27क. आबद्ध खान के पट्टाधारी द्वारा कोयले या लिग्नाइट के विक्रय की रीति.—(1) कोई पट्टाधारी जहां आबद्ध प्रयोजन के लिए कोयले या लिग्नाइट का उपयोग किया जाता है, खान से संबद्ध एंड-यूज संयंत्र की अपेक्षाओं को पूरा करने के पश्चात् किसी वित्तीय वर्ष में उत्पादित कोयले या लिग्नाइट की धारा 8 की उपधारा (5) के अधीन यथा अनुज्ञात कुल मात्रा के ऐसे प्रतिशत तक कोयला या लिग्नाइट विक्रय कर सकेगा।

**स्पष्टीकरण 1.**—इस नियम के प्रयोजन के लिए यह स्पष्ट किया जाता है कि किसी वित्तीय वर्ष के लिए खान के संबद्ध एंड-यूज संयंत्र की अपेक्षा उस वित्तीय वर्ष या उसके किसी भाग में उक्त संयंत्र द्वारा उपभोग किए गए कोयले या लिग्नाइट की वास्तविक मात्रा होगी।

**स्पष्टीकरण 2.**—इस नियम के प्रयोजन के लिए उत्पादित, वितरित, एंड-यूज संयंत्र से संबद्ध उपयोग किए गए कोयले या लिग्नाइट की मात्रा और वितरित मात्रा पर अतिरिक्त रकम के संदाय का निर्धारण खान के परिचालन आधार पर किया जाएगा

**स्पष्टीकरण 3.**—अपशिष्ट, अग्राह्य या मिडलिंग का विक्रय इस नियम द्वारा निर्बंधित नहीं होगा।

(2) धारा 8 की उपधारा (5) के अनुसार विक्रीत कोयले या लिग्नाइट की मात्रा के लिए पट्टाधारी, राज्य सरकार को स्वामिस्व का संदाय करते समय अधिनियम की छठी अनुसूची में यथा विनिर्दिष्ट अतिरिक्त रकम का संदाय करेगा, जो जिला खनिज फाउंडेशन और राष्ट्रीय खनिज खोज न्यास को स्वामिस्व या संदाय अन्य कानूनी संदाय या निविदा दस्तावेज अथवा नीलामी प्रीमियम में विनिर्दिष्ट संदाय, जहां कहीं लागू हो, के अतिरिक्त होगा।

(3) पट्टाधारी पूर्व वित्तीय वर्ष में किए गए विक्रय के लिए किसी वित्तीय वर्ष की समाप्ति के एक माह के भीतर नामनिर्दिष्ट प्राधिकारी, कोयला मंत्रालय, कोयला नियंत्रण संगठन और राज्य सरकार को प्ररूप ढ में स्वघोषणा प्रस्तुत करेगा।

(4) किसी कंपनी या निगम को आबंटित कोयले की खानों से कोयले का विक्रय अनुज्ञात नहीं होगा, जिन्हें टैरिफ के लिए प्रतियोगिता बोली के आधार पर शक्ति परियोजना (जिसके अंतर्गत अल्ट्रा मेगा पावर प्रोजेक्ट भी है) प्रदान किए गए हैं।”

**स्पष्टीकरण.**—इस नियम के प्रयोजन के लिए यह स्पष्ट किया जाता है कि इस नियम में यथा विनिर्दिष्ट कोयले या लिग्नाइट के विक्रय के लिए उपबंध केन्द्रीय सरकार के साथ पट्टाधारी द्वारा किए गए संबंधित करार में विहित पात्रता शर्तों और कार्य कुशलता प्राचलों को प्रभावित नहीं करेंगे।

5. मूल नियमों के नियम 28 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात्:--

"28. पट्टों का व्यपगमन.—(1) जहां खनन पट्टे के निष्पादन की तारीख से दो वर्ष के भीतर उत्पादन और प्रेषण प्रारंभ नहीं हुआ हो या उत्पादन या प्रेषण प्रारंभ होने के पश्चात् दो वर्ष की सतत अवधि के लिए समाप्त हो गया हो, खनन पट्टा यथा स्थिति पट्टे के निष्पादन की तारीख से या उत्पादन और प्रेषण की समाप्ति से दो वर्ष की अवधि के अवसान पर व्यपगत हो जाएगा।

(2) खनन पट्टे का व्यपगमन राज्य सरकार द्वारा जारी किए गए आदेश के माध्यम से अभिलिखित किया जाएगा और पट्टाधारी को भी संसूचित किया जाएगा।

(3) जहां पट्टाधारी खनन अनुज्ञप्ति के निष्पादन की तारीख से दो वर्ष की अवधि के भीतर उत्पादन और प्रेषण प्रारंभ करने में असमर्थ है या उसके नियंत्रण से बाहर के कारणों से उत्पादन और प्रेषण समाप्त हो जाता है, वह राज्य सरकार को उक्त दो वर्ष की अवधि के अवसान से कम से कम तीन मास पहले उसका कारण दर्शित करते हुए ऐसी दो वर्ष की अवधि को एक वर्ष से अनधिक की अतिरिक्त अवधि तक बढ़ाने का अनुरोध करते हुए एक आवेदन प्रस्तुत कर सकेगा:

परंतु जहां पट्टाधारी उपरोक्त नियत समय के भीतर आवेदन करने में असफल रहता है वहां दो वर्ष की समाप्ति पर पट्टा व्यपगत हो जाएगा।

(4) उपनियम (3) के अधीन किए गए आवेदन में निम्नलिखित विनिर्दिष्ट किया जाएगा—

(क) वह कारण, जिनसे पट्टाधारी के लिए खनन संक्रियाएं करने या उत्पादन और प्रेषण को जारी रखना असंभव हो गया;

(ख) वह रीति जिसमें ऐसे कारण पट्टाधारी के नियंत्रण के बाहर है;

(ग) वह कदम जो पट्टाधारी द्वारा ऐसे कारणों के प्रभाव को कम करने के लिए उठाए गए हैं; और

(घ) चाहे गए विस्तार की अवधि।

(5) उपनियम (3) के अधीन किए गए प्रत्येक आवेदन के साथ दो सौ रुपए की फीस संलग्न होगी।

(6) राज्य सरकार, आवेदन की परीक्षा करने के पश्चात्, उपधारा (3) के अधीन किए गए आवेदन की प्राप्ति की तारीख से या उस तारीख से, जिसको खनिज पट्टा अन्यथा व्यपगत हो जाएगा, इनमें से जो भी पहले हो, से तीन मास की अवधि के भीतर ऐसा अनुरोध को स्वीकार करते हुए या खारिज करते हुए कोई आदेश पारित करेगी:

परंतु ऐसा खनिज पट्टा उत्पादन और प्रेषण करने में विफल होने पर या एक वर्ष के लिए बढाई गए अवधि के भीतर उत्पादन और प्रेषण जारी रखने में असक्षमता पर व्यपगत हो जाएगा:

परंतु यह और कि ऐसा विस्तार पूरी पट्टा अवधि के दौरान एक बार से अधिक नहीं प्रदान की जाएगी।

(7) राज्य सरकार ऐसा आदेश अभिलिखित करने या जारी करने के पंद्रह दिन के भीतर उपनियम (2) के अधीन अभिलिखित या उपनियम (6) के अधीन जारी आदेश कोयला नियंत्रण संगठन, नामनिर्दिष्ट प्राधिकारी और कोयला मंत्रालय को संसूचित करेगी। "।

6. मूल नियमों के नियम 28क का लोप किया जाएगा।

7. मूल नियमों के नियम 64ख के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात्:--

"64ख प्रसंस्करण के अधीन रहते हुए खनिजों के मामले में रायल्टी के संदाय भुगतान करना और भारित करना- पट्टा क्षेत्र के भीतर या बाहर इसके प्रसंस्करण को विचार में लाए बिना अप्रसाधित अयस्क खनिजकोयला या लिग्नाइट पर रायल्टी , भारित की जाएगी:

परंतु रायल्टी पट्टे पर दिए गए क्षेत्र के भीतर से प्रेषण या उपभोग के समय देय होगी।"

8. मूल नियमों में, नियम 64ग का लोप किया जाएगा।

9. मूल नियमों में, अनुसूची I में, प्ररूप थ के पश्चात् निम्नलिखित प्ररूप को अंतःस्थापित किया जाएगा, अर्थात् :-

335  
“प्ररूप द

33

## [नियम 27क, उपनियम (3) देखें]

स्वतः घोषणा

वित्तीय वर्ष 1 अप्रैल, 20..... से 31 मार्च, 20..... तक

वार्षिक विवरणी

सेवा में,

(i) नामनिर्दिष्ट प्राधिकारी  
कोयला मंत्रालय  
शास्त्री भवन, नई दिल्ली(ii) कोयला नियंत्रक  
कोयला नियंत्रक संगठन का कार्यालय  
1, काउंसिल हाउस स्ट्रीट,  
लाल दिगंही, बी बी डी बाघ  
कोलकाता, पश्चिमी बंगाल-700001.

(iii) राज्य सरकार

(कोयला लिग्नाइट का उत्पादन, प्रेषण और स्टाक)

(टन में परिमाण की इकाई)

1. खान के ब्यौरे:

(क)	भारतीय खान ब्यूरो द्वारा आबंटित रजिस्ट्रीकरण संख्या (पट्टेदार-स्वामी की रजिस्ट्रीकरण संख्या दें)	
(ख)	खान कोड (भारतीय खान ब्यूरो द्वारा आबंटित)	
(ग)	खनिज का नाम (कोयला या लिग्नाइट) :	
(घ)	खान का नाम	

2. खान की अवस्थिति :

गांव	
पोस्ट-आफिस	
तहसील-तालुक	
जिला	
राज्य	
पिन कोड	
फैक्स नं.	ई-मेल
फोन नं.	मोबाइल

## 3. पट्टेदार-स्वामी का नाम और पता (फैक्स नं. और ई-मेल के साथ) :

(क)	पट्टेदारस्वामी का नाम-	
(ख)	पता	
(ग)	जिला	
(घ)	राज्य	
(ङ.)	पिन कोड	
(च)	फैक्स नं.	ई-मेल
(छ)	फोन नं.	मोबाइल
(ज)	पट्टेदार का रजिस्ट्रीकृत कार्यालय	
(झ)	भार-साधक निदेशक	
(ण)	अभिकर्ता	
(ट)	प्रबंधक	

## 4. श्रेणीवार वार्षिक उत्पादन, ई यू पी अपेक्षा, ई यू पी उपयोग, विक्रय आदि ।

लिंग्राइट श्रेणी का कोयला	गर्तमुख पर स्टॉक खोलना (अग्रनीत किया गया)	उत्पादन	ई यू पी अपेक्षा	ई यू पी उपयोग	विक्रीत मात्रा	गर्तमुख पर स्टॉक बंद करना
कुल योग:						

## 5. घरेलू प्रयोजनों और निर्यात के लिए प्रभावित विक्रय-प्रेषण :

लिंग्राइट/ कोयले की श्रेणी	प्रेषण की प्रकृति (उपदर्शित करें कि क्या घरेलू विक्रय या घरेलू अंतरण या आबद्ध उपभोग या निर्यात हुआ है)	घरेलू प्रयोजनों के लिए				निर्यात के लिए		
		खरीददार/ पारेषिती का रजिस्ट्रीकरण संख्या जी एस टी एन ##	पारेषिती का नाम ##	मात्रा	विक्रय मूल्य (0रु)	देश	मात्रा	एफ ओबी मूल्य (0रु)
कुल योग:								

## यदि एक से अधिक खरीददार हैं तो अलग से उपदर्शित करें :

**टिप्पण :** खान स्वामी को घरेलू विक्रय मूल्य का सबूत देना आवश्यक है - बीजक की प्रतिलिपि के साथ ऊपर उल्कथित प्रत्येक श्रेणी के कोयले या लिंग्राइट की श्रेणी के लिए एफ ओ बी मूल्य (विवरणी के साथ प्रस्तुत नहीं किया जाएगा; जहां आवश्यक हो प्रस्तुत किया जाएगा )।

6. उत्पादन-शून्य उत्पादन में घटने बढ़ने का कारण दें, यदि कोई हो, वर्ष के दौरान पिछले वर्ष की तुलना में।

क) .....

ख).....

7. पूर्व खान मूल्य वार श्रेणी में घटने बढ़ने का कारण दें, यदि कोई हो, वर्ष के दौरान पिछले वर्ष की तुलना में।

क) .....

ख).....

स्थान .....

हस्ताक्षर .....

तारीख .....

पूरा नाम .....

पदनाम: स्वामी /अभिकर्ता /खान इंजीनियर/प्रबंधक।"

[फा. सं. 12012/2/2021-पी एस 1]

बी.पी. पति, संयुक्त सचिव

टिप्पणी : मूल नियम दिनांक 23 नवंबर, 1960 की संख्या जी.एस.आर. 1398 के माध्यम से भारत के राजपत्र, भाग II, खंड 3, उप-खंड (i) में प्रकाशित किए थे और दिनांक 29 मई, 2020 की संख्या जी.एस.आर. 331(अ) के जरिए अंतिम बार संशोधित किए गए थे।

स्पष्टीकारक ज्ञापन :

केन्द्रीय सरकार, खान और खनिज (विकास और विनियमन) संशोधन अधिनियम, 2021 (2021 का 16) के माध्यम से अंतःस्थापित खान और खनिज (विकास और विनियमन) अधिनियम, 1957 की धारा 8 की उपधारा (4) को तदनुसार विद्यमान खान के पट्टों की अवधि को विहित करने के लिए सरकारी कंपनी या निगम के मामलों में खान के पट्टों की अवधि को विस्तार करने के लिए सशक्त करती है, विद्यमान पट्टों की अवधि को नियम 24ग की उपधारा (2) में विहित किया गया है और खान के पट्टों के नवीकरण के लिए लंबित आवेदनों को नियम 24ग के उपनियम (5) में खान के पट्टों की अवधि के विस्तार के लिए किया गया आवेदन समझा जाएगा। यह प्रमाणित किया जाता है कि किसी भी व्यक्ति पर इन नियमों के माध्यम से भूतलक्षी प्रभाव देने से प्रतिकूल प्रभाव नहीं पड़ेगा।

## MINISTRY OF COAL

### NOTIFICATION

New Delhi, the 1st October, 2021

**G.S.R. 717(E).**—In exercise of powers conferred by Section 13 of the Mines and Minerals Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Concession Rules, 1960, namely:-

1. Short title and commencement.—(1) These rules may be called the Mineral Concession (Amendment) Rules, 2021.

(2) Save as otherwise provided in these rules they shall come into force on the date of their publication in Gazette of India.

2. In the Mineral Concession Rules, 1960, (hereinafter referred to as the principal rules), in rule 2, in sub-rule (1), after clause (vii), the following clause shall be inserted, namely:-

‘(viii) “run-of-mine” means the raw, unprocessed or uncrushed material in its natural state obtained after blasting, digging, cutting or scraping from the mineralised zone of a lease area;’.

3. In the principal rules, after rule 24B the following rule shall be inserted, namely:-

“24C. Period of mining lease granted to Government companies or corporations.—

- (1) All mining leases granted on or after the commencement of the Mineral Concession (Amendment) Rules, 2021 to a Government company or corporation for coal or lignite shall be for a period of fifty years.
- (2) All subsisting mining leases vested or granted to a Government company or corporation before commencement of the Mineral Concession (Amendment) Rules, 2021 for coal or lignite shall be deemed to have been granted for fifty years or till 31<sup>st</sup> March 2030, whichever is later.
- (3) The State Government, upon an application made to it in this behalf by the Government company or corporation at least three months prior to the expiry of the mining lease, shall extend the period of the mining lease for a further period of twenty years at a time:  
 Provided that the State Government may condone the delay in application for extension made after the prescribed time limit:  
 Provided further that no extension of period of mining lease shall be granted to a Government company or corporation that has been selected through auction.
- (4) If an application for extension of mining lease made within the time mentioned in sub-rule (3) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended till the State Government passes an order on the same.
- (5) All applications made by a Government company or corporation for renewal of mining lease which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) shall be deemed to be applications for extension of the period of the mining lease and shall be disposed of in accordance with the provisions of sub-rule (3).”

4. In the principal rules, after rule 27, the following rule shall be inserted, namely:-

“27A. Manner of sale of coal or lignite by the lessee of a captive mine.— (1) Any lessee may, where coal or lignite is used for captive purpose, sell coal or lignite up to such per cent. of the total coal or lignite produced in a financial year, as allowed under sub-section (5) of section 8, after meeting the requirement of the end use plant linked with the mine.

*Explanation 1.*- For the purpose of this rule it is clarified that the requirement of the end use plant linked with the mine for a financial year shall be the actual quantity of coal or lignite consumed in the said plant in that financial year or a part thereof.

*Explanation 2.*- For the purpose of this rule, quantity of coal or lignite produced, sold, utilised in linked end-use plant and the payment of additional amount on the quantity sold shall be assessed on run-of-mine basis.

*Explanation 3.*- Sale of any tailings, rejects or middlings shall not be restricted by this rule.

(2) For the quantity of coal or lignite sold in accordance with sub-section (5) of section 8, the lessee shall pay to the State Government, at the time of payment of royalty, an additional amount as specified in the Sixth Schedule of the Act, which shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment or payment specified in the tender document or the auction premium, wherever applicable.

(3) Within one month of the end of a financial year, for sale made in the previous financial year, the lessee shall submit to the Nominated Authority, Ministry of Coal, Coal Controller's Organisation and to the State Government, a self-declaration in Form R.

(4) Sale of coal shall not be allowed from the coal mines allotted to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects).”

*Explanation.*-For the purpose of this rule, it is clarified that the provision for sale of coal or lignite as prescribed in this rule shall not affect the eligibility conditions and efficiency parameters prescribed in the respective agreements entered into by the lessee with the Central Government.

5. In the principal rules, for rule 28, the following rule shall be substituted, namely:-

“28. Lapsing of Leases.— (1) Where production and dispatch has not commenced within a period of two years from the date of execution of the mining lease or is discontinued for a continuous period of two years after commencement of production or dispatch, the mining lease shall lapse on the expiry of the period of two years from the date of execution of the lease or as the case may be, discontinuance of the production and dispatch.

(2) The lapsing of the mining lease shall be recorded through an order issued by the State Government and shall also be communicated to the lessee.

(3) Where a lessee is unable to commence the production and dispatch within a period of two years from the date of execution of the mining lease or discontinuation of production and dispatch for reasons beyond his control, he may submit an application to the State Government, requesting for an extension of such period of two years by a further period not exceeding one year, explaining the reasons for the same, at least three months before the expiry of such period of two years:

Provided where the lessee has failed to make the application within the time stipulated above, the lease shall lapse on expiry of the period of two years.

(4) Application made under sub-rule (3) shall specify—

- (a) the reasons on account of which it will not be possible for the lessee to undertake mining operations or continue production and dispatch;
- (b) the manner in which such reasons are beyond the control of the lessee;
- (c) the steps that have been taken by the lessee to mitigate the impact of such reasons; and
- (d) the period of extension sought.

(5) Every application under sub-rule (3) shall be accompanied by a fee of two hundred rupees.

(6) The State Government shall, after examining the application, pass an order, within a period of three months from the date of receipt of the application made under sub-rule (3) or the date on which the mining lease would have otherwise lapsed, whichever is earlier, either granting or rejecting such request:

Provided that such mining lease shall lapse on failure to undertake production and dispatch or inability to continue production and dispatch within the extended period of one year:

Provided further that such extension shall not be granted for more than once during the entire period of lease.

(7) The State Government shall communicate to the Coal Controller's Organisation, Nominated Authority and Ministry of Coal the order recorded under sub-rule (2) or issued under sub-rule (6) within fifteen days of recording or issuing of such order.”

6. In the principal rules, rule 28A shall be omitted.

7. In the principal rules, for rule 64B, the following rule shall be substituted, namely:-

“64B. Charging and instance of payment of royalty in case of minerals subjected to processing.— The royalty shall be charged on run-of-mine coal or lignite irrespective of its processing within or outside the leased area:

Provided that the royalty shall be payable at the time of dispatch from or consumption within the leased area.”

8. In the principal rules, rule 64C shall be omitted.

9. In the principal rules, in Schedule I, after Form Q, the following Form shall be inserted, namely:-

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"Form R"

(Rule 27A (3))

## Self-declaration

For the financial year 1<sup>st</sup> April 20 \_\_\_\_\_ to 31<sup>st</sup> March 20 \_\_\_\_\_

## ANNUAL RETURN

To

- (i) The Nominated Authority  
Ministry of Coal  
Shastri Bhawan, New Delhi
- (ii) The Coal Controller  
Office of the Coal Controller's Organisation  
1, Council House Street,  
Lal Dighi, BBD Bagh  
Kolkata, West Bengal-700001
- (iii) State Government

(PRODUCTION, DISPATCHES AND STOCKS OF COAL/LIGNITE)

(Unit of Quantity in Tonnes)

## 1. Details of Mine:

(a)	Registration number allotted by Indian Bureau of Mines (to give registration number of the Lessee-Owner)	
(b)	Mine Code (allotted by Indian Bureau of Mines)	
(c)	Name of the Mineral (Coal OR Lignite):	
(d)	Name of Mine	

## 2. Location of the Mine:

Village	
Post Office	
Tahsil-Taluk	
District	
State	
PIN Code	
Fax No:	E-mail:
Phone No:	Mobile:

## 3. Name and address of Lessee-Owner (along with fax no. and e-mail):

(a)	Name of Lessee-Owner	
(b)	Address	
(c)	District	
(d)	State	
(e)	PIN Code	

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(f)	Fax No.:	E-mail:
(g)	Phone No:	Mobile:
(h)	Registered Office of the Lessee	
(i)	Director in-charge	
(j)	Agent:	
(k)	Manager:	

4. Yearly Grade-wise Production, EUP Requirement, EUP Utilisation, Sale etc.

Lignite/ Grades of coal	Opening stock at pit-head (Carried Forward)	Production	EUP Requirement	EUP Utilisation	Quantity Sold	Closing stock at pit-head
<b>Grand Total:</b>						

5. Sales- Dispatches effected for Domestic Purposes and for Exports:

Lignite/Grade of coal	Nature of Dispatch (Indicate whether Domestic Sale or Domestic Transfer or Captive consumption or Export)	For Domestic Purposes				For export		
		Registration number/ GSTN of the buyer/ consignee ##	Consignee name##	Quantity	Sale value (₹)	Country	Quantity	F.O.B Value (₹)
<b>Grand Total:</b>								

## To indicate separately if more than one buyer.

NOTE: - Mine owners are required to substantiate domestic sale value- FOB value for each grade of coal or lignite quoted above with copy of invoices (not to be submitted with the return; to be produced whenever required).

6. Give reasons for increase-decrease in production-nil production, if any, during the year compared to the previous year.

a) .....

b) .....

7. Give reasons for increase-decrease in grade wise ex-mine price, if any, during the year compared to the previous year.

a) .....

b) .....

Place:.....

Signature.....

Date:.....

Name in Full.....

Designation: Owner/Agent/Mining Engineer/Manager".

[F. No. 12012/2/2021-PS1]

BHABANI PRASAD PATI, Jt. Secy.

**Note :** The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 1398, dated the 23<sup>th</sup> November, 1960 and lastly amended vide number G.S.R 331(E) dated the 29<sup>th</sup> May, 2020..

### Explanatory Memorandum

Sub-section (4) of Section 8 of the Mines and Minerals (Development and Regulation) Act, 1957 inserted through the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) empowers the Central Government to prescribe the period of existing mining leases and to extend the period of mining leases in case of Government companies or corporations. Accordingly, the period of existing mining leases has been prescribed in sub-rule (2) of rule 24C and the pending applications for renewal of mining leases shall be deemed to be applications for extension of period of mining lease in sub-rule (5) of rule 24C. It is certified that no person is being adversely affected by granting retrospective effect through these rules.

(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)  
MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi 14<sup>th</sup> September, 2006

**Notification**

S.O. 1533 Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India<sup>1</sup>, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18<sup>th</sup> May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15<sup>th</sup> September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15<sup>th</sup> September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27<sup>th</sup> January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

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<sup>1</sup>Includes the territorial waters

**2. Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

**3. State Level Environment Impact Assessment Authority:-** (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

**4. Categorization of projects and activities:-**

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

#### **5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

#### **6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

## 7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

### I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

### II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of

Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

### III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five ) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period

directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

#### **IV. Stage (4) - Appraisal:**

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant

validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

**7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:**

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

**8. Grant or Rejection of Prior Environmental Clearance (EC):**

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

#### **9. Validity of Environmental Clearance (EC):**

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

#### **10. Post Environmental Clearance Monitoring:**

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.

(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

**11. Transferability of Environmental Clearance (EC):**

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

**12. Operation of EIA Notification, 1994, till disposal of pending cases:**

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27<sup>th</sup> January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)  
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

## SCHEDULE

(See paragraph 2 and 7)

## LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
<b>1</b>		<b>Mining, extraction of natural resources and power generation (for a specified production capacity)</b>		
(1)	(2)	(3)	(4)	(5)
<b>1(a)</b>	Mining of minerals	<p>≥ 50 ha. of mining lease area</p> <p>Asbestos mining irrespective of mining area</p>	<p>&lt;50 ha</p> <p>≥ 5 ha .of mining lease area.</p>	<p>General Condition shall apply</p> <p><u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
<b>1(b)</b>	Offshore and onshore oil and gas exploration, development & production	All projects		<p><u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
<b>1(c)</b>	River Valley projects	<p>(i) ≥ 50 MW hydroelectric power generation;</p> <p>(ii) ≥ 10,000 ha. of culturable command area</p>	<p>(i) &lt; 50 MW ≥ 25 MW hydroelectric power generation;</p> <p>(ii) &lt; 10,000 ha. of culturable command area</p>	General Condition shall apply
<b>1(d)</b>	Thermal Power Plants	<p>≥ 500 MW (coal/lignite/naptha &amp; gas based);</p> <p>≥ 50 MW (Pet coke diesel and all other fuels -)</p>	<p>&lt; 500 MW (coal/lignite/naptha &amp; gas based);</p> <p>&lt;50 MW</p> <p>≥ 5MW (Pet coke ,diesel and all other fuels )</p>	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		<b>Primary Processing</b>		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply  (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply  (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing <math>\geq 200</math>TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units <math>\geq 20,000</math> tonnes /annum</p>	<p>Sponge iron manufacturing <math>&lt;200</math>TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.) All toxic and heavy metal producing units <math>&lt;20,000</math> tonnes /annum</p> <p>ii.) All other non-toxic secondary metallurgical processing industries <math>&gt;5000</math> tonnes/annum</p>	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	$\geq 1.0$ million tonnes/annum production capacity	$<1.0$ million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply

<b>4</b>				
<b>Materials Processing</b>				
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>4(a)</b>	Petroleum refining industry	All projects	-	-
<b>4(b)</b>	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
<b>4(c)</b>	Asbestos milling and asbestos based products	All projects	-	-
<b>4(d)</b>	Chlor-alkali industry	≥300 TPD production capacity or a unit located out side the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply  No new Mercury Cell based plants will be permitted and existing units converting to membranc cell technology are exempted from this Notification
<b>4(e)</b>	Soda ash Industry	All projects	-	-
<b>4(f)</b>	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
<b>5</b>				
<b>Manufacturing/Fabrication</b>				
<b>5(a)</b>	Chemical fertilizers	All projects	-	-
<b>5(b)</b>	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate -	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries  (ii) All Cane juice/ non-molasses based distilleries $\geq 30$ KLD	All Cane juice/non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Paper manufacturing industry -	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	- -	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	- -	All projects	General Condition shall apply
6		<b>Service Sectors</b>		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects -		-

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		<b>Physical Infrastructure including Environmental Services</b>		
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area.  Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	-Industrial estates housing at least one Category B industry and area <500 ha.  Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply  Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDF's)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and  ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and  ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWML)		All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
<b>8</b>		<b>Building /Construction projects/Area Development projects and Townships</b>		
<b>8(a)</b>	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area )
<b>8(b)</b>	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

**Note:-****General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

**Specific Condition (SC):**

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

## APPENDIX I

(See paragraph – 6)

## FORM 1

**(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: \*

Expected cost of the project:

Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)*

**(II) Activity**

1. **Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		

1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		

1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

**3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

**4. Production of solid wastes during construction or operation or decommissioning (MT/month)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		

4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

**5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

**6. Generation of Noise and Vibration, and Emissions of Light and Heat:**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

**7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

**8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting, utilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> <li>• Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)</li> <li>• housing development</li> <li>• extractive industries</li> <li>• supply industries</li> <li>• other</li> </ul>		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

**(III) Environmental Sensitivity**

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses ( <i>hospitals, schools, places of worship, community facilities</i> )		
10	Areas containing important, high quality or scarce resources ( <i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i> )		
11	Areas already subjected to pollution or environmental damage. ( <i>those where existing legal environmental standards are exceeded</i> )		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems ( <i>earthquakes, subsidence, landslides, erosion, flooding</i> <i>or extreme or adverse climatic conditions</i> )		

**(IV). Proposed Terms of Reference for EIA studies**

**APPENDIX II****(See paragraph 6)****FORM-1 A (only for construction projects listed under item 8 of the Schedule)****CHECK LIST OF ENVIRONMENTAL IMPACTS**

**(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)**

**1. LAND ENVIRONMENT**

**(Attach panoramic view of the project site and the vicinity)**

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)
- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

**2. WATER ENVIRONMENT**

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

### **3. VEGETATION**

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

#### **4. FAUNA**

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

#### **5. AIR ENVIRONMENT**

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

#### **6. AESTHETICS**

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

#### **7. SOCIO-ECONOMIC ASPECTS**

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

## **8. BUILDING MATERIALS**

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

## **9. ENERGY CONSERVATION**

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

#### **10. Environment Management Plan**

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

## APPENDIX III

(See paragraph 7

**GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT**

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> <li>• Purpose of the report</li> <li>• Identification of project &amp; project proponent</li> <li>• Brief description of nature, size, location of the project and its importance to the country, region</li> <li>• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)</li> </ul>
2.	Project Description	<ul style="list-style-type: none"> <li>• Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> <li>• Type of project</li> <li>• Need for the project</li> <li>• Location (maps showing general location, specific location, project boundary &amp; project site layout)</li> <li>• Size or magnitude of operation (incl. Associated activities required by or for the project)</li> <li>• Proposed schedule for approval and implementation</li> <li>• Technology and process description</li> </ul> </li> <li>• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose</li> <li>• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)</li> <li>• Assessment of New &amp; untested technology for the risk of technological failure</li> </ul>

3.	Description of the Environment	<ul style="list-style-type: none"> <li>• Study area, period, components &amp; methodology</li> <li>• Establishment of baseline for valued environmental components, as identified in the scope</li> <li>• Base maps of all environmental components</li> </ul>
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> <li>• Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project</li> <li>• Measures for minimizing and / or offsetting adverse impacts identified</li> <li>• Irreversible and Irretrievable commitments of environmental components</li> <li>• Assessment of significance of impacts (Criteria for determining significance, Assigning significance)</li> <li>• Mitigation measures</li> </ul>
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> <li>• In case, the scoping exercise results in need for alternatives:</li> <li>• Description of each alternative</li> <li>• Summary of adverse impacts of each alternative</li> <li>• Mitigation measures proposed for each alternative and</li> <li>• Selection of alternative</li> </ul>
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> <li>• Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget &amp; procurement schedules)</li> </ul>
7.	Additional Studies	<ul style="list-style-type: none"> <li>• Public Consultation</li> <li>• Risk assessment</li> <li>• Social Impact Assessment. R&amp;R Action Plans</li> </ul>
8.	Project Benefits	<ul style="list-style-type: none"> <li>• Improvements in the physical infrastructure</li> <li>• Improvements in the social infrastructure</li> <li>• Employment potential –skilled; semi-skilled and unskilled</li> <li>• Other tangible benefits</li> </ul>

9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> <li>Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA</li> </ul>
11	Summary & Conclusion (This will constitute the summary of the EIA Report )	<ul style="list-style-type: none"> <li>Overall justification for implementation of the project</li> <li>Explanation of how, adverse effects have been mitigated</li> </ul>
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> <li>The names of the Consultants engaged with their brief resume and nature of Consultancy rendered</li> </ul>

**APPENDIX III A**  
**(See paragraph 7)**

**CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT**

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

**APPENDIX IV**  
**(See paragraph 7)**

**PROCEDURE FOR CONDUCT OF PUBLIC HEARING**

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

**2.0 The Process:**

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

### **3.0 Notice of Public Hearing:**

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member –Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

### **4.0 The Panel**

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

### **5.0 Videography**

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

### **6.0 Proceedings**

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

#### 7.0 **Time period for completion of public hearing**

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

**APPENDIX -V**  
**(See paragraph 7)**

**PROCEDURE PRESCRIBED FOR APPRAISAL**

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1 or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

## APPENDIX VI

(See paragraph 5)

**COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT**

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

**Professional:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy ),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

**Expert:** A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

**Age:** Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.
4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.
5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.
6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.
7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.
8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.



## JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004  
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

RefNo. JSPCB/HO/RNC/CTO-24934274/2026/324

Dated : 2026-03-24

### Consent to operate (CTO) under section 25 /26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (s) dated 2026-01-16 of Saunda D Colliery, Occupier Name :SAUNDA D COLLIERY for consent under section 25 (1)(b)/25 (1) (c)/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(1) of the Air (Prevention & Control of Pollution) Act,1981..

#### 2. Documents Relied Upon:

The Content of:

(I) Environmental Clearance issued by MoEF vide ref. no. J-11015/17/92-IA. II(M) dated 23/12/1993.

(II) Discharge consent order' issued by JSPCB vide ref. no. 524 dated 13/02/2007 for the period 01.01.2006 to 31.12.2006.

(III) The Minutes of Meeting (MoM) held on 22nd May 2019 under the chairmanship of Additional Secretary (Coal) issued by the Ministry of Coal, Government of India vide Office memorandum bearing file no. CPAM-43012/26/2018-CPAM dated 24th May, 2019 wherein the following is mentioned:

"..4. During the meeting it was clarified that the MoEF&CC communication no J-11013/14/2019-IA-II(M) dated 26th April 2019 addressed to Secretary, Ministry of Coal, enables the Jharkhand State Pollution Control Board (JSPCB) for grant of consent to operate at the capacities already approved as per the existing environmental clearances issued by MoEF&CC subject to compliances of terms and conditions stipulated there in and the MoEF&CC's Office Memorandum (OM) dated 30.05.2018."

(IV) Orders/Judgement of the Hon'ble Supreme Court in the matter of WP (Civil) No. 114/2014 in the matter of common cause Vs Union of India and Others for coal mines.

(V) Land document rectification made on dated 11/04/1977;

(VI) certificate issued by the Project officer, Saunda D colliery, CCL vide letter no. of PO/Saunda D/CTO/Application/2025/678 dated 05.12.2025 of Saunda D Colliery certifying that no expansion and modernization has taken place since the grant of EC in 1993 till date.

(VII) Environmental Statement of Saunda D Colliery in light of Ministry of Environment & Forest (MOEF), GOI gazette notification no. G.S.R. 329 (E) dated 13/03/1992.

(VIII) Inspection report vide memo No. 24 dated 07/01/2026 of Regional Officer, Regional Office-Cum-Laboratory, J.S.P.C. Board, Hazaribagh.

(ix) CTO accorded vide Board's RefNo. JSPCB/HO/RNC/CTO-24483838/2026/116 Dated : 2026-01-15.

(x) The unit's request letter regarding modification in CTO vide their letter no. PO/Saunda D/CTO/Application/2026/42 dated 16.01.2026.

3. The consent is granted under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate the project in Mauza - Saunda , P S -Bhurkunda , District -RAMGARH , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	As per EC and Mine Lease	332 Hectares	4404 Lakhs	Coal - 1.43 MTY (as per the production in previous EC)	31/12/2027

**(A) Specific Conditions:**

1. That, the occupier shall reclaim mined out areas with OB and shall plant trees on them.
2. That, the occupier shall construct catch drain, siltation pond retaining wall of appropriate size to arrest silt & sediment flows from soil, OB dump and mineral dump.
3. That, the occupier shall do Over Burden management properly as prescribed in environmental clearance and as per EIA plan.
4. That, the occupier shall operate crushers at CHP with high efficiency bag filters, water sprinkling system to check fugitive emission.
5. That, the occupier shall operate crushers at CHP with high efficiency bag filters, water sprinkling system to check fugitive emission.
6. That, the occupier shall inform to Regional Office-Cum- Lab, Hazaribagh and Head Office, JSPC Board, at Ranchi within 24 hrs from the time of closure or opening of the plant.
7. That, the occupier shall if be found violating the Consent to Operate at any point of time during inspection of the plant by the competent authority, the Consent to Operate shall be revoked as per provision of the acts.
8. That, the occupier shall not exceed the production capacity beyond the capacity as mentioned in CTO.
9. That, the occupier shall ensure the transportation of the ROM & OB through fully mechanically covered transport vehicles and in case of contractual transportation an agreement shall be made with the transporters mentioning contract of transport of materials shall be terminated with immediate effect if any vehicle at any point of time during the transportation of materials be found uncovered.

10. That, the occupier shall construct toe wall and garland drain around the OB dump.
11. That, the occupier shall install, operate and maintain the systems for online monitoring of ambient air quality and continuous mine water discharge quality with connectivity to Jharkhand State Pollution Control Board and CPCB server.
12. That, the occupier shall install, operate and maintain facilities to dispose of carbonaceous hazardous and non-hazardous solid wastes for co-processing in high temperature kilns/ furnaces and shall dispose of noncarbonaceous hazardous wastes to TSDF and shall use non-carbonaceous non-hazardous solid wastes or mine overburden as a substitute of live soil or as a land fill as and where applicable.
13. That, the occupier shall make arrangement of transportation of ROM to the railway siding or coal washery by pneumatic conveyer fully covered all along its way
14. That, the occupier shall shift/keep OB dump(s) to grey land and at least 100 mtr away from river / stream/ water body.
15. That, the occupier shall construct toe wall and garland drain around OB dump(s) with pucca sumps having pumping back arrangement of settled run off to prevent carryover of soil and dirt with runoff into nearby water body/ stream.
16. That, the occupier shall make separate arrangement for proper storage of live soil obtained during removal of OB from the mine and reclaim decoaled area with mine OB.
17. That, the occupier shall establish well equipped environmental laboratory with facilities to monitor at least all regulatory parameters.
18. That, the occupier shall ensure washing of wheels of the vehicles used for transportation of coal to mitigate fugitive emission.
19. That, the occupier shall submit the compliance of EC and this CTO conditions on six monthly basis alongwith the recent analysis reports successively.
20. That, the occupier shall operate and maintain the PM 10 analyzer having CPCB approved technology and USEPA certification and ensure data transmission to CPCB and JSPCB server uninterruptedly
21. That the occupier shall apply and obtain Environmental Clearance from MoEF&CC, GOI (as mandated )within the consent period.
22. That the occupier shall abide by the decision/orders of the Hon'ble Supreme Court in the matter of WP (Civil) No. 114/2014 in the matter of common cause Vs Union of India and Others for coal mines.

23. That, this CTO is subject to any further decision/direction/order issued by MoEF&CC in the matter of Environmental clearance or any other matter.

24. That, the occupier shall submit application for renewal of consent under section 25/26 of the Water (prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent with requisite fee and documents showing compliance of all of the above condition.

25. This consent is issued with the approval of the competent authority as per board's office order no B-43 dated 11/07/2023.

26. That, this CTO supersedes the CTO granted earlier vide Ref No. JSPCB/HO/RNC/CTO-24483838/2026/116 Dated: 2026-01-15 valid up to 31/12/2027

**(B) General Conditions :**

- (1) That, the occupier shall maintain the **National Ambient Air Quality Standard** given below:

S N	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO <sub>2</sub> ), µg/m <sup>3</sup>	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM <sub>10</sub> , µg/m <sup>3</sup>	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM <sub>2.5</sub> , µg/m <sup>3</sup>	Annual 24 hours	40 60	40 60
5.	Ozone(O <sub>3</sub> ), µg/m <sup>3</sup>	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m <sup>3</sup>	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m <sup>3</sup>	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>	Annual 24 hours	100 400	100 400
9.	Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m <sup>3</sup>	Annual	01	01
11.	Arsenic (As) ng/m <sup>3</sup>	Annual	06	06
12.	Nickel (Ni) ng/m <sup>3</sup>	Annual	20	20

**Note : Serial no. 1 to 4 – Mandatory  
Serial no. 5 to 12 As applicable for specific type of industry.**

- (2) That, the occupier shall maintain the emission quality within the standard and the quantity, as follows:

S N	Parameter	Standard
1	Particulate Matter	100 mg/ Nm <sup>3</sup>

- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

S N	Parameter	Standard
1	Total Suspended Solids	100 mg/L
2	COD	250 mg/L
3	Oil & Grease	10 mg/L
4	BOD	30 mg/L

- (4) That, the occupier shall dispose of solid wastes as follows:

S N	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	In co-processing in high temperature furnaces or kilns
2	Hazardous Non-Carbonaceous Wastes	In TSDF
3	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	As a substitute of Soil or Mineral

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.

- (10) That, this CTO is valid subjected to the validity of mining Lease/Mining Plan/Ecofriendly/Environmental Clearance, if applicable. In case of no renewal of Mining Lease/Mining Plan, this consent shall be treated as revoked automatically.
- (11) That, this CTO is issued from the environmental angle only and does not absolve the occupier from other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with these conditions laid down in all other laws for the time-being in force, rests with the industry/ unit/ occupier.
- (12) That, this CTO shall not in any way, adversely affect or jeopardize the legal proceeding , if any, instituted in the past or that could be , instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.
- (13) That, the occupier shall comply with all applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention & Control of Pollution) Cess Act, 1977; the Air (Prevention & Control of Pollution) Act, 1981; and the Environment (Protection) Act, 1986 and Rules made there under.
4. **That, this CTO shall not absolve the occupier from making compliance of other statutory prescribed under any law or direction of courts or any other instrument for the time being in force.**
5. **That, this CTO is being issued on the basis of information/ documents/ certificate submitted by the unit. This CTO will be revoked if any of the information/documents/certificates/undertaking given by the occupier is found false/fictitious/forged in future.**
6. **The Order shall be valid subject to compliance of all other legal requirements applicable to the unit.**
7. **The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alteration in conditions of this consent.**

**This is issued with the approval of the Competent authority**

**ASHUTOSH** Digitally signed by  
ASHUTOSH  
Date: 2026.03.24 08:51:20  
+05'30' **(Ashutosh)**  
Divisional Head,  
Hazaribagh Division.

Memo No. : JSPCB/HO/RNC/CTO-  
24934274/2026/324

Dated : 2026-03-24

**Copy to:** M/s Saunda D Colliery, Office of the Project Officer, At- Patratu, Dist- Ramgarh / Chief Inspector of Factories, Ranchi/ Director of Industry, Government of Jharkhand, Ranchi/ Director of Mines, Government of Jharkhand, Ranchi/ Deputy Commissioner, Ramgarh / DFO, Ramgarh / DMO, Ramgarh / R O, JSPCB, Hazaribagh for information & necessary action.

**ASHUTOSH** Digitally signed by ASHUTOSH  
Date: 2026.03.24 08:51:43  
+05'30' **(Ashutosh)**  
Divisional Head,  
Hazaribagh Division.

Ministry of Environment and Forests  
PARYAVARAN  
NEW DELHI

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT & FORESTS  
PARYAVARAN BHAVAN CGO COMPLEX  
1001 ROAD NEW DELHI 110001

Dated 23rd December 1992

OFFICE MEMORANDUM

Sub: Saunda 'D' Opencast and Underground project of CCL.

Reference is invited to Ministry of Coal's letter No. 43011/1978 CPA dated 16th April, 1992 regarding the above subject. The environmental aspect of the project have been examined and clearance is accorded subject to the effective implementation of the following conditions :-

- (i) The levels of SPM concentration should not exceed 500 ug/m<sup>3</sup> at any observation point within the mine leasehold. The emission of SO<sub>2</sub>, NO<sub>x</sub>, and CO should be maintained below the levels prescribed by the competent authority.
- (ii) No burning of coal at the project site as well near the project should be allowed for manufacturing soft coke for household purposes.
- (iii) The quality of effluent finally discharged into the main water-course should conform to the standards prescribed under GSA 422 (E) dated 19th May, 1993.
- (iv) All the slopes of external dump should be maintained at a maximum of 26 degrees.
- (v) The external dumped area and internal dump area should be biologically reclaimed.
- (vi) It is observed that major part of subsided area is under active fire. The blanketing of this subsided area using G.E. should be carried out and also the likely subsided area should be brought back to the original land use pattern. The reclamation of subsided area should be completed as provided in the EIA and supplementary note.
- (vii) Regular monitoring of air and water quality should be made in and around the core zone. Recorded data should be furnished to this Ministry every three months.

*GM/Em/14/88  
14-1-84*

*Copy to  
CCM(P&P) / GM(Em/L-2)  
CM(G&A)*

*[Signature]*  
Project Officer  
Ministry

*15/1/84*

- 1) A plan for developing the green belt as envisaged by the project proponent to improve the greenery should be provided. The plantation should include mixed culture with emphasis on local species.
- (ix) The drainage pattern envisaged after post-mining activity in the Environmental Management Plan should be strictly maintained.
- (x) The rehabilitation of the affected persons should be done as per the rehabilitation package approved by Government of India.
- (xi) The CHP, fan house, etc. should be designed to minimise noise levels and polymers including rubber and polyurethane must be used to reduce noise levels. The noise levels should not exceed 40 dBA at a distance of 100m from the source in all directions. Auditory measurements of employees working in high noise level area should be periodically taken and reported to the Ministry.
- (xii) No change in method of working (including Calendar Plan of excavation), land use etc. be made without prior approval of this Ministry.
- (xiii) A separate Environmental Management Cell with suitably qualified people to carry out various functions relating to environmental management should be set up under the control of senior technical officer, who will directly report to Chief Executive of the area. A laboratory facility should be set up for collection and analysis of samples etc.
- (xiv) Adequate fund provision (capital and recurring expenditure provided towards environmental control measures should not be diverted for any other purpose.
- (xv) The Ministry or any other competent authority may stipulate any further condition at any stage.
- (xvi) The Ministry may revoke the clearance if implementation stipulated conditions is not satisfactory.

The above conditions will be enforced inter-alia under the water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986.

The Secretary,  
Ministry of Coal,  
Government of India,  
Shastri Bhavan,  
NEW DELHI-110 001.

Dr. N.H. Hosabettu,  
Joint Director (S)



सेंट्रल कोलफील्ड्स लिमिटेड  
(भारत सरकार का एक उपक्रम)

**CENTRAL COALFIELDS LIMITED**

(Govt. of India Undertaking)

कॉर्पोरेट आइडेंटिटी नं./Corporate Identity

Number:U10200JH:958GO100581

वेबसाइट/वेबसाईट : <http://www.ccl.gov.in>

*A Maharatna Company*

Ref. No.-PO/Saunda D/CTO/Application/2025/ 680

Date: -04.12.2025  
25

**Production data of Saunda D Colliery, Barka-Soyal Area, Central Coalfields Limited.**

S. No.	Financial Year	Coal Production U/G	Coal Production O/C
1.	1993-94	302913	0
2.	1994-95	297867	52668
3.	1995-96	274247	233415
4.	1996-97	212406	285181
5.	1997-98	228054	282329
6.	1998-99	220004	370047
7.	1999-2000	212005	330322
8.	2000-01	195501	270506
9.	2001-02	161571	250010
10.	2002-03	161774	195227
11.	2003-04	185002	11033
12.	2004-05	186273	0
13.	2005-06	179243	0
14.	2006-07	137151	0
15.	2007-08	120330	0
16.	2008-09	88366	0
17.	2009-10	78926	0
18.	2010-11	78510	0
19.	2011-12	73085	0
20.	2012-13	59605	0
21.	2013-14	48150	0
22.	2014-15	49750	0
23.	2015-16	45006	0
24.	2016-17	28310	0
25.	2017-18	7970	0

Project Officer

Saunda D Colliery

Barka-Soyal Area, Central Coalfields Limited

**PROJECT OFFICER**  
Saunda 'D' Colliery

**IN THE NATIONAL GREEN TRIBUNAL NEW DELHI  
(ORIGINAL APPLICATION)**

OA No. 304 of 2026

**IN THE MATTER OF:  
JAN KALYAN BHOO MI MUKHTI FOUNDATION**

... APPLICANT

**VERSUS  
VTPPL IHEPPL ARC CONSORTIUM  
VAKALATNAMA**

... RESPONDENT

I, Pratosh Kumar, authorised representative of Respondent Company in the subject matter, do hereby appoint and retain:-

**EKANSH MISHRA, ADVOCATE**

**D/681/2011**

**A-89, LGF, Defence Colony, New Delhi**

**+91-9999836766**

**adv.ekanshmishra@gmail.com**

To act, appear and plead in the above case in this Court or in any other Court in which the same may be tried or heard subject to payment of fees separately for each Court by me/ us.

To sign, file, verify all pleadings including appeals, or petitions for execution, review, revision, withdrawal, compromise or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To withdraw or compromise or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to be expedient.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.

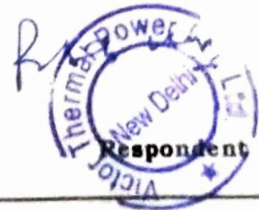
And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court.

And I/we agree to ratify all acts done by the aforesaid Advocate in pursuance of the authority.

Dated this the 20<sup>th</sup> day of May 2026.

*Ekanishna*

Accepted/Certified/Identified/Certified  
Advocate for Respondent



## VICTOR THERMAL POWER PRIVATE LIMITED

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF VICTOR THERMAL POWER PRIVATE LIMITED ON TUESDAY, THE 19<sup>TH</sup> DAY OF MAY, 2026.

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### AUTHORIZATION FOR LEGAL MATTERS

“RESOLVED THAT in supersession of all earlier resolutions passed by the Board in this regard, consent of the Board be and is hereby accorded to authorize Mr. Sandeep Kumar Tripathi, Mr. Rohit Kumar Mishra, Directors of the Company and Mr. Pratosh Kumar (hereinafter referred to as the “Authorised Person”) severally, to sign, execute & deliver any application(s), petition(s), claim(s), affidavit(s), deed(s), document(s), form(s), vakalatnama(s), caveat, written statement(s), undertaking(s), letter(s), representation(s) or such other documents, as may be required before any Courts, Arbitrator, Tribunal or other judicial bodies, or any other authority on behalf of the Company.

RESOLVED FURTHER THAT Mr. Sandeep Kumar Tripathi and Mr. Rohit Kumar Mishra, Directors of the Company, be and are hereby severally authorized to sub-delegate all or any of the aforesaid powers to any other legal counsel, advocates or any other person, if required, by executing a Authority Letter or Power of Attorney for the aforesaid purpose.

RESOLVED FURTHER THAT the Common Seal of the Company be affixed, wherever required as per the provisions contained in the Articles of Association of the Company in the presence of any of the Authorised Persons.

RESOLVED FURTHER THAT the above delegation of power shall be valid till any further order or amendment, as may be approved by the Board and/or till such time the above Authorised Person remains associated with the Company or are under employment of the Company or any of its group or parent company.

RESOLVED FURTHER THAT Mr. Sandeep Kumar Tripathi and Mr. Rohit Kumar Mishra, Directors of the Company, be and are hereby severally authorized to provide a certified copy of the above resolution as may be required.”

**Certified true copy  
For Victor Thermal Power Private**

ROHIT KUMAR MISHRA  
MISHRA

Digitally signed by  
ROHIT KUMAR MISHRA  
Date: 2026.05.20  
19:29:14 +05'30'

**Rohit Kumar Mishra  
Director  
DIN: 11061838**



397

95



nitin kumar &lt;nk281983@gmail.com&gt;

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**Service to Counter affidavit with annexures in O.A. No. 304 OF 2026 JAN KALYAN BHOOMI MUKHTI FOUNDATION VS. VTPPL IHEPPL ARC CONSORTIUM**

1 message

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**nitin kumar** <nk281983@gmail.com>  
To: ashish kandpal <kandpalashish2015@gmail.com>  
Cc: adv.ekanshmishra@gmail.com

Thu, May 21, 2026 at 12:21 PM

Respected Sir,

Please find attached herewith the for filing of Counter affidavit with annexures in O.A. No. 304 OF 2026 JAN KALYAN BHOOMI MUKHTI FOUNDATION VS. VTPPL IHEPPL ARC CONSORTIUM

This is for your records and information.

Regards,  
Nitin Kumar  
Clerk  
From Office of Ekansh Mishra, Advocate  
Mob No.9999836766

C-85, 3rd Floor East of Kailash, New Delhi - 110065



**COUNTER EFFIDAVIT -JAN KALYAN BHOOMI MUKHTI FOUNDATION.pdf**  
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