



सत्यमेव जयते

ONE MAN COMMISSION OF INQUIRY

Appointed under the provisions of the Commissions of Inquiry Act, 1952, vide notification dated 18.07.2020 (published in Assam Gazette on 20.07.2020) by the Government of Assam, to inquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki Proposed Reserve Forest and in Tikok Open Cast Project area, as well as in other Reserve Forests etc. under Digboi Forest Division, by different persons and organizations.

R E P O R T

(In Two Volumes)

BY

Justice Brojendra Prasad Katakey

**Former Judge
Gauhati High Court**

17/04/2021

VOLUME-II

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TYPED COPY

The Gazette of India

EXTRAORDINARY

PART-II- Section 3- Sub-section (i)

PUBLISHED BY AUTHORITY

NEW DELHI, MONDAY, JULY 9, 1973/ASADHA 18, 1895

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF STEEL AND MINES

(Department of Mines)

ORDER

New Delhi, the 9th July, 1973

C.S.R. 345 (E)- In exercise of the powers conferred by sub-section (1) of Section 5 of the Coal Mines (Notification) Act, 1973 (25 of 1973), the Central Government hereby directs that the right, title and interest of the owners in relation to all the coal mines referred to in section 3 of the said Act, except the mines specified against serial numbers 45 to 219 (both inclusive), 227, 235, 260, 265, 275, 441, 483 and 583 of the Schedule to the said Act, shall with effect from the 9th July, 1973 vest in the Coal Mines Authority Limited, Calcutta, a Government Company incorporated under the Companies Act, 1956 (1 of 1956), having its registered office at Calcutta, in the State of West Bengal.

[No. 101 (18)/73-CII]

S.B. Lal, Jt Sect

REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उपखण्ड (1)
PART II—Section 3—Sub-section (1)
प्रतिष्ठा से प्रकाशित
PUBLISHED BY AUTHORITY

नई दिल्ली, सोमवार, जुलाई 9, 1973/भाषा 18, 1895
NEW DELHI, MONDAY, JULY 9, 1973/ASADHA 18, 1895

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF STEEL AND MINES
(Department of Mines)
ORDER

New Delhi, the 8th July, 1973

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S.R. 343(E).—In exercise of the powers conferred by sub-section (1) of section 3 of the Coal Mines (Notification) Act, 1973 (25 of 1973), the Central Government hereby directs that the right, title and interest of the owners in relation to all the coal mines referred to in section 3 of the said Act, except the mines specified against serial numbers 45 to 210 (both inclusive), 227, 235, 240, 265, 275, 441, 483 and 583 of the Schedule to the said Act, shall, with effect from the 8th July, 1973, vest in the Coal Mines Authority Limited, Calcutta, a company incorporated under the Companies Act, 1956 (1 of 1956), having its registered office at Calcutta, in the State of West Bengal.

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S. H. LAL, Jt. Secy.



Annexure- 2

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 300 দিশপুৰ, সোমবাৰ, 20 জুলাই, 2020, 29 আষাঢ়, 1942 (শক)

No. 300 Dispur, Monday, 20th July, 2020, 29th Asadha, 1942 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ENVIRONMENT AND FOREST DEPARTMENT

NOTIFICATION

The 18th July 2020

No. FRS-171/2018/272.- Whereas there have been widespread electronic and print media reports in recent times, alleging illegal coal mining activities in Saleki Proposed Reserved Forest under Digboi Forest Division including in Tikok Open Cast Project (OCP) area by organizations such as Coal India Limited and its subsidiaries and by some unscrupulous individuals and its adverse environmental impact on the flora and fauna of the aforesaid area;

-AND-

Whereas, there are also allegations of violation of the Forest (Conservation) Act, 1980, the Assam Forest Regulation, 1891, the Wildlife (Protection) Act, 1972, in the process of coal mining activities carried out by Coal India Limited or its subsidiaries in Saleki Proposed Reserved forest and also in Tikok Open Cast Project area,

-AND-

Whereas, wide powers have been vested in the State Government by the Mines and Minerals (Development & Regulation) Act, 1957 and the Rules framed thereunder, regulating mining lease, period of lease, collection of different royalties, preservation of area for conservation, penalty and recovery for unauthorized mining, restoration and rehabilitation of mined area, prevention of illegal mining, transportation and storage, besides powers conferred under the Assam Forest Regulation, 1891, the Environment (Protection) Act, 1986 & the Air (Prevention and Control of Pollution) Act, 1981 and other related laws;

-AND-

Whereas, it has now become expedient and necessary, in public interest and also in the interest of protection of Environment, Forests and Wildlife in and around Saleki Proposed Reserved Forest and Tikok Open Cast Project Area, to enquire into any violation of the aforesaid laws related to Forests, Wildlife, Mining and Environment, during the last 20 years, while carrying out any mining or any other activities by any corporation, organization or individual in the aforesaid forest areas;

As such, in exercise of powers conferred under section 3 of the Commissions of Inquiry Act, 1952, the Governor of Assam is pleased to constitute a "One-Man Enquiry Commission" headed by Justice (Retd.) B. P. Katakey, retired Judge of the Hon'ble Gauhati High Court to cause an enquiry into the aforesaid allegations with the following Terms of Reference for the Commission:-

1. To enquire as to whether since the year 2003 till date, any illegal activities have been undertaken by any organization or individual in and around Saleki Proposed Reserved Forest (PRF) under Digboi Forest Division, including the Tikok Open Cast Project of Coal India Limited (North Eastern Coalfields).
2. To enquire and identify organization(s) and individual(s) responsible for undertaking such illegal mining activities, if any, in and around the aforesaid forest area.
3. To enquire into the manner of processing of any application, if made, by any organization or individual for grant of mining lease in the aforesaid forest area during the period from 2003 onwards, and also to enquire as to whether grant of any mining lease during the said period was in compliance and in conformity with the provisions of applicable laws i.e. the Mines and Minerals (Development & Regulation) Act, 1957, the Assam Forest Regulation, 1891, the Forest (Conservation) Act, 1980, the Environment (Protection) Act 1986, the Wildlife (Protection) Act, 1972 and other applicable Laws and Rules.
4. To enquire and assess, the extent of illegal mining activities, if any, in and around the aforesaid forest areas and also the impact of such activities, if any, on the flora and fauna generally found in and around the aforesaid forest area.
5. To enquire into and fix responsibility upon government officials of any department found involved in commission of any illegal mining or any other illegal activity in commission or abetment of the aforesaid forest area.
6. To enquire into and suggest measures for recovery of loss, if any, caused due to unlawful coal mining activity under the jurisdiction of Digboi Forest Division, either in the form of rent, royalty, penalty, land arrears or tax in terms of Section 21 (5) of the Mines and Minerals (Development & Regulation) Act, 1957 or under any other law in force during commission of offence of illegal mining or commission of any other illegal activity.
7. To enquire into and suggest measures to be taken for restoration, rehabilitation and reclamation of areas damaged due to illegal coal mining and ancillary activities, if any, and approximate amount of costs to be incurred for such purpose.
8. To enquire into any other prohibited regulated activities inside all forests (RF/PRF) and wildlife sanctuary under Digboi Forest Division and to suggest remedial measures to be taken to check such activities.

The Commission is also hereby vested with the additional powers as mentioned in Section 5 (2) to 5 (5) of the Commissions of Inquiry Act, 1952. For the purpose of conducting any investigation pertaining to enquiry, the Commission is vested with the powers conferred under Section 5 (A) of the Commissions of Inquiry Act, 1952. Sri P. N. Goswami, Advocate & Standing Counsel, Environment & Forest Department shall represent the Government of Assam before the Commission. The Commission shall submit its report within a period of 6 (Six) months from the date of issuance of this notification.

KUMAR SANJAY KRISHNA,
Chief Secretary,
Government of Assam,
Dispur, Guwahati.

Dtd. - 22/02/2021



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GOVERNMENT OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR, GUWAHATI-6.

Annexure - 3

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 20th February, 2021

No.FRS.171/2018/Pt-I/715: In continuation to this Department's earlier Notification issued vide letter No.FRS.171/2018/272 dated 18.07.2020 and in pursuant to the Order No.25 dated 06.01.2021 passed by the Commission of Inquiry, the Governor of Assam is pleased to extend the tenure of the "One Man Inquiry Commission" for a period of 3 (three) months headed by Justice (Retd.) B. P. Katakey, retired Judge of the Hon'ble Gauhati High Court.

Sd/- I. Kalita, ACS

Addl. Secretary to the Govt. of Assam,
Environment and Forest Department

Dated Dispur, the 20th February, 2021

Memo No.FRS.171/2018/Pt-I/715-A.

Copy to :-

1. ✓ Justice B. P. Katakey (Retired Judge, Hon'ble Gauhati High Court), Commission of Inquiry, Assam State Zoo & Botanical Garden Campus, R.G.Baruah Road, Guwahati-78100.
2. Shri Shantanu Bharali, Hon'ble Legal Advisor to Chief Minister, Dispur, Guwahati-6.
3. The Principal Chief Conservator of Forests & HoFF, Assam, Panjabari, Guwahati-37
4. Shri P.N. Goswami, Advocate & Standing Council, Environment and Forest Department.
5. The P.S. to the Hon'ble Minister, Environment and Forest Department, Dispur, Guwahati-6.
6. The P.S. to the Chief Secretary, Assam, Dispur, Guwahati-6.
7. The P.S. to the Principal Secretary, Hon'ble Chief Minister, Assam, Dispur, Guwahati-6.
8. The P.S. to the Principal Secretary, Environment and Forest Department, Dispur, Guwahati-6.
9. The P.S. Commissioner & Secretary, Environment and Forest Department, Dispur, Ghy-6.
10. The Deputy Commissioner, Dibrugarh, Assam.
11. The Deputy Director, Printing & Stationery, Assam Govt. Press, Bamunimaidan, Guwahati-21 for favour of publication of the above notification in the next issue of the Assam Gazette.

By order etc.,

Addl. Secretary to the Govt. of Assam
Environment and Forest Department

Justice B. P. Katakey Commission of Inquiry, constituted under the provision of Commissions of Inquiry Act, 1952, to enquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc by different persons and organizations.

Dated Guwahati, the 10th August, 2020

Whereas, an One Man Commission of Inquiry headed by Justice B. P. Katakey, former Judge Gauhati High Court, Guwahati has been constituted under Section 3 of the Commissions of Inquiry Act 1952, to enquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc by different persons and organizations, with the following terms of reference:

1. To enquire as to whether since the year 2003 till date, any illegal activities have been undertaken by any organization or individual in and around Saleki Proposed Reserved Forest (PRF) under Digboi Forest Division, including the Tikok Open Cast Project of Coal India limited (North Eastern Coalfields).
2. To enquire and identify organization(s) and individual(s) responsible for undertaking such illegal mining activities, if any, in and around the aforesaid forest area.
3. To enquire into the manner of processing of any application, if made, by any organization or individual for grant of mining lease in the aforesaid forest area during the period from 2003 onwards, and also to enquire as to whether grant of any mining lease during the said period was in compliance and in conformity with the provisions of applicable laws i.e. the Mines and Minerals (Development & Regulation) Act, 1957, the Assam Forest Regulation, 1891, the Forest (Conservation) Act, 1980, the Environment (Protection) Act 1986, the Wildlife (Protection) Act, 1972 and other applicable Laws and Rules.
4. To enquire and assess, the extent of illegal mining activities, if any, in and around the aforesaid forest areas and also the impact of such activities, if any, on the flora and fauna generally found in and around the aforesaid forest area.
5. To enquire into and fix responsibility upon government officials of any department found involved in commission of any illegal mining or any other illegal activity in commission or abetment of the aforesaid forest area.
6. To enquire into and suggest measures for recovery of loss, if any, caused due to unlawful coal mining activity under the jurisdiction of Digboi Forest Division, either in the form of rent, royalty, penalty, land arrears or tax in terms of Section 21 (5) of the Mines and Minerals (Development & Regulation) Act, 1957 or under any other law in force during commission of offence of illegal mining or commission of any other illegal activity.
7. To enquire into and suggest measures to be taken for restoration, rehabilitation and reclamation of areas damaged due to illegal coal mining and ancillary activities, if any, and approximate amount of costs to be incurred for such purpose.
8. To enquire into any other prohibited regulated activities inside all forests (RF/PRF) and wildlife sanctuary under Digboi Forest Division and to suggest remedial measures to be taken to check such activities.

The Commission has also been vested with the additional powers as mentioned in Section 5(2) to 5 (5) of the Commissions of Inquiry Act, 1952, apart from the powers conferred under Section 5 (A) of the said Act.

Now, therefore, the Commission hereby invites written statements of facts relating to the matter mentioned above from the Government of Assam, Commissioner & Secretary to the Government of Assam, Environment & Forest department, Director General of Police, Assam, Tinsukia District Administration, Tinsukia District Police, Pollution Control Board Assam, aggrieved and/or interested persons, parties, organizations and members of public acquainted with the subject matter of the inquiry.

Such written statements may be filed either individually or collectively by a group of persons. Every person filing written statement shall furnish full name, postal address, mobile number and e-mail address, if any and enclose therewith:

- (i) A list of witness with addresses,
- (ii) A list of supporting documents with original or true copies thereof as are in his possession or power and in case of any document (s) not in his possession or power, the name(s) and address(s) of the person(s) in whose possession or power those are and from whom such documents may be obtained.
- (iii) An affidavit supporting the statements of facts in the written statement should preferably be filed.

Written statements may either be sent in the Commission's e-mail ID i.e. justicekatakeycomocotofenquiry@gmail.com or submitted to the undersigned, in the registered A/D post, to reach the Office on or before 5th September, 2020. In case the written statement is sent in Commission's e-mail ID, original hard copy of the same shall either to be filed personally or through his authorized representative or sent by registered post with A/D in the address given below, so as to reach the Commission's office within 15 (fifteen) days thereof.

The Commission in due course shall fix and notify the place(s), date(s) and time of its sitting for hearing/recording of evidences.

Sd/- Sri Hiranya Pathak, AFS
Deputy Conservator of Forest,
Commission's Office: Justice B. P. Katakey Commission of Inquiry,
Assam State Zoo cum Botanical Garden, RG Baruah Road, Ambikagiri Nagar
Guwahati-781006

Annexure - 4

BN-1127/57TECHGH-103/2016-2020, VOL. 82, NO. 218

PUBLISHED SIMULTANEOUSLY FROM GUWAHATI & DIBRUGARH

Pages 12 Price ₹ 5.00

GUWAHATI, TUESDAY, AUGUST 11, 2020



Assam Tribune

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LATE CITY



CORRIGENDUM

Justice B. P. Katakey Commission of Inquiry, constituted under the provision of Commissions of Inquiry Act, 1952, to enquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc by different persons and organizations.

Dated Guwahati, the 02nd September, 2020

Whereas, an One Man Commission of Inquiry headed by Justice B.P. Katakey, former Judge Gauhati High Court, Guwahati has been constituted vide notification dated 18.07.2020 under Section 3 of the Commissions of Inquiry Act, 1952, to enquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc by different persons and organizations, with the terms of references mentioned therein.

Whereas on 10.08.2020 a public notice was issued by the Secretary to the Commission in an English daily namely "The Assam Tribune" in their publication dated 11.08.2020 inviting written statement of facts from all concerned, including aggrieved and/or interested persons, parties, organizations and members of public acquainted with the subject matter of inquiry either to be sent in the Commission's email-id or submitted to the Secretary of the Commission in the address given in such notice.

Now, it has come to the notice of the Commission that the email-id of the Commission has been wrongly typed as justicekatakeycomocomofenquiry@gmail.com instead of justicekatakeycomofenquiry@gmail.com in the aforesaid newspaper.

As such, by this corrigendum, all concerned are requested to send their written statement of facts in the following email address "justicekatakeycomofenquiry@gmail.com" time for which stands extended till 15.09.2020. Anyone who has already sent their written statement in the email-id wrongly shown in the aforesaid news paper may resubmit the same in the correct email-id mentioned in this corrigendum.

Sd/- Sri Hiranya Pathak, AFS

Deputy Conservator of Forest,

Secretary to Justice B.P. Katakey Commission of Inquiry

Commission's Office: Justice B. P. Katakey Commission of Enquiry,

Assam State Zoo cum Botanical Garden, RG Baruah Road, Ambikagiri Nagar

Guwahati-781005

Janasanyog/D/3585/20



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THURSDAY, SEPTEMBER 3, 2020

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THURSDAY, SEPTEMBER 3, 2020

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ॐ नमो भगवते वासुदेवाय

জীৱন সিন্ধু

Sd/-
Sri Hiranya Pathak, AFS
Deputy Conservator of Forest,
Secretary to Justice B.P. Katakey Commission of Inquiry
Commission's Office, Justice B. P. Katakey Commission of Enquiry,
Assam State Zoo cum Botanical Garden, RG Baruah Road, Ambikagiri Nagar
Guwahati-781005

Janaianyog/D/3591/20

JUSTICE B.P. KATAKEY COMMISSION OF INQUIRY, APPOINTED UNDER THE PROVISIONS OF COMMISSIONS OF INQUIRY ACT, 1952 TO INQUIRE INTO ALLEGATIONS OF ILLEGAL COAL MINING ACTIVITIES VIOLATION OF DIFFERENT PROVISIONS OF LAW IN THE PROCESS OF COAL MINING ACTIVITIES IN SALEKI PROPOSED RESERVE FOREST AND IN TIKOK OPEN CAST PROJECT AREA ETC. BY DIFFERENT PERSONS AND ORGANIZATIONS

Date: 03.12.2020

PUBLIC NOTICE

Whereas under Section 3 of the Commissions of Inquiry Act, 1952, the Governor of Assam has constituted an "One-Man Inquiry Commission" headed by Justice B. P. Katakey, Former Judge, Gauhati High Court, to cause an inquiry with the following terms of reference:

1. To enquire as to whether since the year 2003 till date, any illegal activities have been undertaken by an organization or individual in and around Saleki Proposed Reserved Forest (PRF) under Digboi Forest Division including the Tikok Open Cast Project of Coal India Limited (North Eastern Coalfields).
2. To enquire and identify organization (s) and individual (s) responsible for undertaking such illegal mining activities, if any, in and around the aforesaid forest area.
3. To enquire into the manner of processing of any application, if made by any organization or individual for grant of mining lease in the aforesaid forest area during the period from 2003 onwards, and also to enquire as to whether grant of any mining lease during the said period was in compliance and in conformity with the provisions of applicable laws i.e. the Mines and Minerals (Development & Regulation) Act, 1957, the Assam Forest Regulation, 1891, the Forest (Conservation) Act, 1980, the Environment (Protection) Act 1986, the Wildlife (Protection) Act, 1972 and other applicable laws and Rules.
4. To enquire and assess, the extent of illegal mining activities, if any, in and around the aforesaid forest areas and also the impact of such activities, if any, on the flora and fauna generally found in and around the aforesaid forest area.
5. To enquire into and fix responsibility upon government officials of any department found involved in commission of any illegal mining or any other illegal activity in commission or abetment of the aforesaid forest area.
6. To enquire into and suggest measures for recovery of loss, if any, caused due to unlawful coal mining activity under the jurisdiction of Digboi Forest Division, either in the form of rent, royalty, penalty, land areas or tax in terms of Section 21 (5) of the Mines and Minerals (Development & Regulation) Act, 1957 or under any other law in force during commission of offence of illegal mining or commission of any other illegal activity.
7. To enquire into and suggest measures to be taken for restoration, rehabilitation and reclamation of the areas damaged due to illegal coal mining and ancillary activities, if any, and approximate amount of costs to be incurred for such purpose.
8. To enquire into any other prohibited regulated activities inside all forests (RF/PRF) and wildlife sanctuary under Digboi Forest Division and to suggest remedial measures to be taken to check such activities.

Based on the public notice issued by the Commission, Written Statements have been filed by various individuals, organizations and Government Departments as well as by Coal India Ltd.

The Commission having regard to the aforementioned Terms of Reference decides to have site visit of Saleki Proposed Reserve Forest and Tikok OCP areas on 25.12.2020 from 10:30 AM onwards.

The Commission also decides to conduct the Public Hearing at Margherita Development Block Conference Hall, Margherita on 26.12.2020 and 27.12.2020 from 10.30 AM onwards on both days. On those days the Commission shall receive Written Statements and documents, if any, desired to be submitted by any individuals/organization, other than those who have already submitted their Written Statements/Documents.

The Commission will also record the statement of anyone interested to do so, who has so far not filed the Written Statement.

Any person or organization, interested in the matter under inquiry may be present during the site visit and also during the public hearing to be held on the aforesaid dates in the place and time mentioned here in above.

Sd/- (Sri Hiranya Pathak, AFS)

Deputy Conservator of Forest

Secretary to Justice B.P. Katakey Commission of Inquiry

Commission's Office:

Justice B.P. Katakey Commission of Inquiry

Assam State Zoo Cum Botanical Garden, R.G. Baruah Road,

Ambikagiri Nagar, Guwahati-781006

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(10)
Annexure-5

PH: 127/57 TECH-CH - 103/2018-2020, VOL. 82, NO. 310
PUBLISHED SIMULTANEOUSLY FROM GUWAHATI & DIBRUGARH



The Assam Tribune

82 years of service to the nation
PUBLISHED SIMULTANEOUSLY FROM GUWAHATI & DIBRUGARH

Pages 12 Price: ₹ 6.00
GUWAHATI, TUESDAY, DECEMBER 15, 2020

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কমিছন অব ইনকুইৰী আইন ১৯৫২ৰ অধীনত বে-আইনী কয়লা খনন কাৰ্য আৰু বিভিন্ন
প্ৰযোজ্য আইন ভংগ কৰি ছালেকি প্ৰস্তাৱিত সংৰক্ষিত বনাঞ্চল আৰু টিকক মুক্ত নিক্ষেপণ
প্ৰকল্প এলেকাৰ বিভিন্নজনে আৰু অনুষ্ঠানে কৰা কয়লা খনন কাৰ্য আদি অভিযোগসমূহৰ
সংক্ৰান্তত তদন্ত কৰিবলৈ গঠন কৰি দিয়া ন্যায়াধীশ বি. পি. কটকী তদন্ত আয়োগ।

: অধিসূচনা :

দিনাংক ০৩/১২/২০২০

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৩-ত প্ৰদত্ত ক্ষমতাসমূহ প্ৰয়োগ কৰি অসমৰ ৰাজ্যপালে
উক্ত অভিযোগসমূহৰ সংক্ৰান্তত অনুসন্ধান কৰিবলৈ নিম্ন লিখিত প্ৰসংগত ওয়াহাটী উচ্চ ন্যায়ালয়ৰ অতঃপ্ৰাপ্ত
ন্যায়াধীশ শ্ৰী বি পি কটকীৰ নেতৃত্বত এখন একনীয় অনুসন্ধান সমিতি গঠন কৰে :

১) কোল ইণ্ডিয়া লিমিটেডৰ (উত্তৰ-পূৰ্বাঞ্চল কয়লা খননসমূহৰ) টিকক মুক্ত নিক্ষেপণ প্ৰকল্প এলেকাকৈ
ধৰি ডিগবৈ বন সংমণ্ডলৰ অধীনত ছালেকি প্ৰস্তাৱিত সংৰক্ষিত বনাঞ্চলত ২০০৩ চনৰ পৰা আজিলৈকে
কোনো সংস্থা, প্ৰতিষ্ঠান বা ব্যক্তিৰ দ্বাৰা কোনো অবৈধ কাৰ্য সম্পাদন কৰা হৈছে নেকি, তাৰ অনুসন্ধান কৰা।

২) উক্ত এলেকাসমূহত যদি কোনো অবৈধ খনন কাৰ্য সম্পাদন কৰা হৈছে, তেনে অবৈধ কাৰ্যৰ বাবে
দায়ী সংস্থা, প্ৰতিষ্ঠান বা ব্যক্তি সম্পৰ্কে অনুসন্ধান কৰা আৰু চিনাক্ত কৰা।

৩) ২০০৩ চনৰ পিছৰে পৰা যদি কোনো সংস্থা বা ব্যক্তিয়ে খনন আৰণ্টনৰ বাবে দৰ্খাস্ত দাখিল কৰিছে,
সেয়া নিষ্পত্তিৰ পদ্ধতি সম্পৰ্কে অনুসন্ধান কৰা আৰু সেই সময়ছোৱাত প্ৰদান কৰা বনন আৰণ্টনৰ মন্তব্য
প্ৰযোজ্য আইনসমূহ যেনে বনি আৰু বনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭, অসম বন অধিনিয়ম,
১৮৯১, বন (সংৰক্ষণ) আইন, ১৯৮০, পৰিবেশ (সংৰক্ষণ) আইন, ১৯৮৬ কন্যাপ্ৰাণী (সংৰক্ষণ) আইন,
১৯৭২ আৰু আন প্ৰযোজ্য আইন অনুসাবে হৈছে নে নাই তাৰ অনুসন্ধান কৰা।

৪) উক্ত বনাঞ্চলসমূহত আৰু তাৰ চাৰিওফালে যদি কোনো অবৈধ খনন কাৰ্য (খনিত) সম্পাদন কৰা
হৈছে, সেই সম্পৰ্কে অনুসন্ধান কৰা, তাৰ ব্যাপকতা নিৰ্ধাৰণ কৰা উক্ত বনাঞ্চলৰ প্ৰাণী আৰু উদ্ভিদৰ ওপৰত
তেনে কাৰ্যৰ কু প্ৰভাৱ সম্পৰ্কে অনুসন্ধান কৰা।

৫) উক্ত বনাঞ্চলসমূহত অবৈধ খনন বা আন তেনে কাৰ্যত জড়িত বা তেনে কাৰ্যত উদগনি দিয়া যিকোনো
বিভাগৰ চৰকাৰী বিষয়া সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে বিষয়াৰ দায়বদ্ধতা নিৰ্ধাৰণ কৰা।

৬) ডিগবৈ বন সংমণ্ডলৰ অধীনত বে-আইনী কয়লা খনন কাৰ্যৰ বাবে যদি কোনোখননৰ ক্ষতি হৈছে,
সেই সম্পৰ্কত অনুসন্ধান কৰা আৰু খনি আৰু বনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭ৰ ধাৰা
২১(৫)ত থকা ভাড়া, ৰাজহ, জৰিমনা, বকেয়া, ৰাজহ বা কৰ প্ৰকাৰে আৰু উক্ত বে-আইনী খনন বা কাৰ্যৰ
সময়ত বলৱৎ থকা আইন মতে ক্ষতিপূৰণ আদায় কৰাৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

৭) যদি বে-আইনী খনন আৰু আনুষংগিক কাৰ্যত কোনো অঞ্চল ক্ষতিগ্ৰস্ত হৈছে, তাৰ উদ্ধাৰ, পুনৰীক্ষন
আৰু পুনঃপ্ৰতিষ্ঠা সম্পৰ্কত অনুসন্ধান কৰা, তাৰ বাবে ল'বলগীয়া পদক্ষেপ সম্পৰ্কে পৰামৰ্শ আগবঢ়োৱা আৰু
তাৰ বাবে হ'বলগীয়া খৰচৰ অনুমান কৰা।

৮) ডিগবৈ বন সংমণ্ডলৰ অধীনত সকলো বনাঞ্চলত (সংৰক্ষিত বনাঞ্চল আৰু প্ৰস্তাৱিত বনাঞ্চল) আৰু
বন্যপ্ৰাণী অভয়াৰণ্যত অন্য যিকোনো নিষিদ্ধ আৰু নিষিদ্ধ কাৰ্য সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে কাৰ্যক
প্ৰতিৰোধ কৰিবলৈ ল'বলগীয়া প্ৰতিকাৰমূলক ব্যৱস্থাৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৫(২), ৫(৫) আৰু ৫(ক)ত থকা অতিৰিক্ত ক্ষমতা সমূহে
এই একনীয় তদন্ত আয়োগক প্ৰদান কৰা হৈছে।

তদন্ত আয়োগৰ দ্বাৰা প্ৰকাশিত ৰাজহুৱা জাননীৰ পৰিপ্ৰেক্ষিতত বিভিন্ন ব্যক্তি, সংগঠন আৰু চৰকাৰী
বিভাগ ও ক'ল ইণ্ডিয়া লিমিটেডে লিখিত বিবৃতি দাখিল কৰিছে।

তদন্ত আয়োগে ওপৰত উল্লেখ কৰা বিচাৰ বিষয়সমূহৰ পৰিপ্ৰেক্ষিতত প্ৰস্তাৱিত সংৰক্ষিত ছালেকি
বনাঞ্চল আৰু টিকক মুক্ত নিক্ষেপণ প্ৰকল্প এলেকা অহা ২৫.১২.২০২০ তাৰিখে ১০.৩০ বজাৰ পৰা পৰিদৰ্শন
কৰাৰ সিদ্ধান্ত গ্ৰহণ কৰিছে।

তদুপৰি তদন্ত আয়োগে অহা ইং ২৬.১২.২০২০ আৰু ১৭.১২.২০২০ তাৰিখে পূৰ্বা ১০.৩০ বজাৰ পৰা
মাৰ্গেৰিটা ডেভেলপমেণ্ট কনফাৰেন্স হলত (Margherita Development Conference Hall) ৰাজহুৱা
শুনানি গ্ৰহণ কৰিবৰ বাবেও সিদ্ধান্ত গ্ৰহণ কৰিছে। গতিকে উক্ত দিনত যিকোনো ইচ্ছুক ব্যক্তি বা অনুষ্ঠানে
লিখিত বৰ্ণনা ও কাগজ-পত্ৰ জমা দিব পাৰিব। লিখিত বৰ্ণনা দাখিল নকৰা কোনো ব্যক্তি বা অনুষ্ঠানে জবানবন্দি
দিব বিচাৰিলে তদন্ত আয়োগে উক্ত দিনকেইটাত সেয়াও লিপিবদ্ধ কৰিব।

কোনো ব্যক্তি বা অনুষ্ঠানে ইচ্ছা কৰিলে উক্ত পৰিদৰ্শনৰ সময়ত আৰু ৰাজহুৱা শুনানিত উপস্থিত থাকিব
পাৰিব।

স্বাক্ষৰ/-

শ্ৰীহৰণা পাঠিক, এ.এফ.এছ

উপ-বন সৰেক্ষক

সচিব, ন্যায়াধীশ, বি. পি. কটকী তদন্ত আয়োগ

আয়োগৰ কাৰ্যালয়

ন্যায়াধীশ বি. পি. কটকী তদন্ত আয়োগ

অসম ৰাজ্যিক চিৰিয়াখনা ও বটানিকেল গাৱঁদে,

ৰাধাগোবিন্দ বৰুৱা পথ, অধিকাৰনগৰ,

ওয়াহাটী-৭৮১০০৫

বিশ্বকোষ

কমিছন অব ইনকুইৰী আইন ১৯৫২ৰ অধীনত বে-আইনী কয়লা খনন কাৰ্য আৰু বিভিন্ন
প্রযোজ্য আইন তথ্য কৰি ছালেকি প্রস্তাবিত সংৰক্ষিত বনাঞ্চল আৰু চিকক মুক্ত নিষ্ক্ষেপণ
প্রকল্প এলেকাৰ বিভিন্নজনে আৰু অনুষ্ঠানে কৰা কয়লা খনন কাৰ্য আদি অভিযোগসমূহৰ
সংক্রান্ত তদন্ত কৰিবলৈ গঠন কৰি দিয়া ন্যায়াধীশ বি. পি. কটকী তদন্ত আয়োগ।

: অধিসূচনা :

দিনাংক ০৩/১২/২০২০

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৩-ত প্রদত্ত ক্ষমতাসমূহ প্রয়োগ কৰি অসমৰ ৰাজ্যপালে
উক্ত অভিযোগসমূহৰ সংক্রান্ত অনুসন্ধান কৰিবলৈ নিম্ন লিখিত প্রসংগত গুৱাহাটী উচ্চ ন্যায়ালয়ৰ অধসৰাশ্রিত
ন্যায়াধীশ শ্রী বি পি কটকীৰ নেতৃত্বত এখন এজনীয়া অনুসন্ধান সমিতি গঠন কৰে :

১) কোল ইণ্ডিয়া লিমিটেডৰ (উদ্ভব-পূৰ্বাঞ্চল কয়লা খননসমূহৰ) চিকক মুক্ত নিষ্ক্ষেপণ প্রকল্প এলেকাকৈ
যদি ডিগবৈ বন সংমণ্ডলৰ অধীনত ছালেকি প্রস্তাবিত সংৰক্ষিত বনাঞ্চলত ২০০৩ চনৰ পৰা আজিলৈকে
কোনো সংস্থা, প্রতিষ্ঠান বা ব্যক্তিৰ দ্বাৰা কোনো অবৈধ কাৰ্য সম্পাদন কৰা হৈছে নেকি, তাৰ অনুসন্ধান কৰা।

২) উক্ত এলেকাসমূহত যদি কোনো অবৈধ খনন কাৰ্য সম্পাদন কৰা হৈছে, তেনে অবৈধ কাৰ্যৰ বাবে
দায়ী সংস্থা, প্রতিষ্ঠান বা ব্যক্তি সম্পৰ্কে অনুসন্ধান কৰা আৰু চিনাক্ত কৰা।

৩) ২০০৩ চনৰ পিছৰে পৰা যদি কোনো সংস্থা বা ব্যক্তিয়ে খনন আৰম্ভণিৰ বাবে সৰ্বস্বত্ব দাখিল কৰিছে,
সেয়া নিষ্পত্তিৰ পদ্ধতি সম্পৰ্কে অনুসন্ধান কৰা আৰু সেই সময়ছোৱাত প্রদান কৰা বনন আৰম্ভণিৰ মঞ্জুৰি
প্রযোজ্য আইনসমূহ যেনে খনি আৰু খনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭, অসম বন অধিনিয়ম,
১৮৯১, বন (সংৰক্ষণ) আইন, ১৯৮০, পৰিৱেশ (সংৰক্ষণ) আইন, ১৯৮৬ বন্যপ্রাণী (সংৰক্ষণ) আইন,
১৯৭২ আৰু আন প্রযোজ্য আইন অনুসারে হৈছে নে নাই তাৰ অনুসন্ধান কৰা।

৪) উক্ত বনাঞ্চলসমূহত আৰু তাৰ চাৰিওফালে যদি কোনো অবৈধ খনন কাৰ্য (খনিত) সম্পাদন কৰা
হৈছে, সেই সম্পৰ্কে অনুসন্ধান কৰা, তাৰ ব্যাপকতা নিৰ্ধাৰণ কৰা উক্ত বনাঞ্চলৰ প্রাণী আৰু উদ্ভিদৰ ওপৰত
তেনে কাৰ্যৰ কু-প্রভাৱ সম্পৰ্কে অনুসন্ধান কৰা।

৫) উক্ত বনাঞ্চলসমূহত অবৈধ খনন বা আন তেনে কাৰ্যত জড়িত বা তেনে কাৰ্যত উদগনি দিয়া যিকোনো
বিভাগৰ চৰকাৰী বিষয়া সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে বিষয়াৰ দায়বদ্ধতা নিৰ্ধাৰণ কৰা।

৬) ডিগবৈ বন সংমণ্ডলৰ অধীনত বে-আইনী কয়লা খনন কাৰ্যৰ বাবে যদি কোনো ধৰণৰ ক্ষতি হৈছে,
সেই সম্পৰ্কত অনুসন্ধান কৰা আৰু খনি আৰু খনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭ৰ ধাৰা
২১(৫)ত থকা ভাড়া, ৰাজহ, জৰিমনা, বাকিয়া, ৰাজহ বা কৰ প্রকাৰে আৰু উক্ত বে-আইনী খনন বা কাৰ্যৰ
সময়ত বলৱৎ থকা আইন মতে ক্ষতিপূৰণ আদায় কৰাৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

৭) যদি বে-আইনী খনন আৰু আনুষংগিক কাৰ্যত কোনো অঞ্চল ক্ষতিগ্ৰস্ত হৈছে, তাৰ উদ্ধাৰ, পুনৰীক্ষণ
আৰু পুনঃপ্রতিষ্ঠা সম্পৰ্কত অনুসন্ধান কৰা, তাৰ বাবে ল'বলগীয়া পদক্ষেপ সম্পৰ্কে পৰামৰ্শ আগবঢ়োৱা আৰু
তাৰ বাবে হ'বলগীয়া খৰচৰ অনুমান কৰা।

৮) ডিগবৈ বন সংমণ্ডলৰ অধীনত সকলো বনাঞ্চলত (সংৰক্ষিত বনাঞ্চল আৰু প্রস্তাবিত বনাঞ্চল) আৰু
বন্যপ্রাণী অভয়াৰণ্যত আন যিকোনো নিষিদ্ধ আৰু নিয়ন্ত্ৰিত কাৰ্য সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে কাৰ্যক
প্রতিৰোধ কৰিবলৈ ল'বলগীয়া প্ৰতিকৰমূলক ব্যৱস্থাৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৫(২), ৫(৫) আৰু ৫(ক)ত থকা অতিৰিক্ত ক্ষমতা সমূহে
এই এজনীয়া তদন্ত আয়োগক প্রদান কৰা হৈছে।

তদন্ত আয়োগৰ দ্বাৰা প্রকাশিত ৰাজহুৱা জ্ঞানবীৰ পৰিপ্ৰেক্ষিতত বিভিন্ন ব্যক্তি, সংগঠন আৰু চৰকাৰী
বিভাগ ও তথ্য ইণ্ডিয়া লিমিটেডে লিখিত বিবৃতি দাখিল কৰিছে।

তদন্ত আয়োগে ওপৰত উল্লেখ কৰা বিচাৰ বিষয়সমূহৰ পৰিপ্ৰেক্ষিতত প্রস্তাবিত সংৰক্ষিত ছালেকি
বনাঞ্চল আৰু চিকক মুক্ত নিষ্ক্ষেপণ প্রকল্প এলেকা অহা ২৫.১২.২০২০ তাৰিখে ১০.৩০ বজাৰ পৰা পৰিদৰ্শন
কৰাৰ সিদ্ধান্ত গ্ৰহণ কৰিছে।

তদুপৰি তদন্ত আয়োগে অহা ইং ২৬.১২.২০২০ আৰু ১৭.১২.২০২০ তাৰিখে পুৱা ১০.৩০ বজাৰ পৰা
মাৰ্ঘেৰিটা ডেভেলপমেণ্ট কনফাৰেন্স হলত (Margherita Development Conference Hall) ৰাজহুৱা
শুনানি গ্ৰহণ কৰিবৰ বাবেও সিদ্ধান্ত গ্ৰহণ কৰিছে। গতিকে উক্ত দিনত যিকোনো ইচ্ছুক ব্যক্তি বা অনুষ্ঠানে
লিখিত বৰ্ণনা ও কাগজ-পত্ৰ জমা দিব পাৰিব। লিখিত বৰ্ণনা দাখিল নকৰা কোনো ব্যক্তি বা অনুষ্ঠানে জ্ঞানবৰ্ণি
দিব বিচাৰিলে তদন্ত আয়োগে উক্ত দিনকেইটাত সেয়াও লিপিবদ্ধ কৰিব।

কোনো ব্যক্তি বা অনুষ্ঠানে ইচ্ছা কৰিলে উক্ত পৰিদৰ্শনৰ সময়ত আৰু ৰাজহুৱা শুনানিত উপস্থিত থাকিব
পাৰিব।

স্বাক্ষৰ/-

শ্রীহৰ্ষা পাঠক, এ.এফ.এছ

উপ-বন সংৰক্ষক

সচিব, ন্যায়াধীশ, বি.পি. কটকী তদন্ত আয়োগ

আয়োগৰ কাৰ্যালয়

ন্যায়াধীশ বি.পি. কটকী তদন্ত আয়োগ

অসম ৰাজ্যিক চিৰিয়াখনা ও বটানিকেল গাৰ্ডেন,

ৰাধাগোবিন্দ বৰুৱা পথ, অধিকাৰগৰ,

গুৱাহাটী-৭৮১০০৫

নিৰ্দেশনা
সকলো
সংগঠন
ব্যক্তি
অনুষ্ঠান
কমিছন
অব
ইনকুইৰী
আইন
১৯৫২
ৰ
অধীনত
বে-আইনী
কয়লা
খনন
কাৰ্য
আৰু
বিভিন্ন
প্রযোজ্য
আইন
তথ্য
কৰি
ছালেকি
প্রস্তাবিত
সংৰক্ষিত
বনাঞ্চল
আৰু
চিকক
মুক্ত
নিষ্ক্ষেপণ
প্রকল্প
এলেকা
অহা
২৫.১২.২০২০
তাৰিখে
১০.৩০
বজাৰ
পৰা
পৰিদৰ্শন
কৰাৰ
সিদ্ধান্ত
গ্ৰহণ
কৰিছে।

ভাস্কৰীয়া



কমিছন অব ইনকুইৰী আইন ১৯৫২ৰ অধীনত বে-আইনী কয়লা খনন কাৰ্য আৰু বিভিন্ন
প্ৰযোজা আইন ভংগ কৰি ছালেৰি প্ৰস্তাৱিত সংৰক্ষিত বনাঞ্চল আৰু টিকক মুক্ত নিষ্ক্ষেপণ
প্ৰকল্প এলেকাৰ বিভিন্নজনে আৰু অনুষ্ঠানে কৰা কয়লা খনন কাৰ্য আদি অভিযোগসমূহৰ
সংক্ৰান্তত তদন্ত কৰিবলৈ গঠন কৰি দিয়া ন্যায়াধীশ বি. পি. কটকী তদন্ত আয়োগ।

ঃ অধিসূচনা :ঃ

দিনাংক ০৩/১২/২০২০

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৩-ত প্ৰদত্ত ক্ষমতাসমূহ প্ৰয়োগ কৰি অসমৰ ৰাজ্যপালে
উক্ত অভিযোগসমূহৰ সংক্ৰান্তত অনুসন্ধান কৰিবলৈ নিম্ন লিখিত প্ৰসংগত গুৱাহাটী উচ্চ ন্যায়ালয়ৰ অৱসৰপ্ৰাপ্ত
ন্যায়াধীশ শ্ৰী বি. পি. কটকীৰ নেতৃত্বত এখন একজনীয়া অনুসন্ধান সমিতি গঠন কৰে :

১) কোল ইণ্ডিয়া লিমিটেডৰ (উত্তৰ-পূৰ্বাঞ্চল কয়লা খনিসমূহৰ) টিকক মুক্ত নিষ্ক্ষেপণ প্ৰকল্প এলেকাকৈ
ধৰি ডিগবৈ বন সংমণ্ডলৰ অধীনত ছালেৰি প্ৰস্তাৱিত সংৰক্ষিত বনাঞ্চলত ২০০৩ চনৰ পৰা আজিলৈকে
কোনো সংস্থা, প্ৰতিষ্ঠান বা ব্যক্তিৰ দ্বাৰা কোনো অবৈধ কাৰ্য সম্পাদন কৰা হৈছে নেকি, তাৰ অনুসন্ধান কৰা।

২) উক্ত এলেকাসমূহত যদি কোনো অবৈধ খনন কাৰ্য সম্পাদন কৰা হৈছে, তেনে অবৈধ কাৰ্যৰ বাবে
দায়ী সংস্থা, প্ৰতিষ্ঠান বা ব্যক্তি সম্পৰ্কে অনুসন্ধান কৰা আৰু চিনাক্ত কৰা।

৩) ২০০৩ চনৰ পিছৰে পৰা যদি কোনো সংস্থা বা ব্যক্তিয়ে খনন আৰম্ভণিৰ বাবে দৰ্শন দাখিল কৰিছে,
সেয়া নিষ্পত্তিৰ পদ্ধতি সম্পৰ্কে অনুসন্ধান কৰা আৰু সেই সময়ছোৱাত প্ৰদান কৰা খনন আৰম্ভণিৰ মঞ্জুৰি
প্ৰযোজ্য আইনসমূহ যেনে খনি আৰু খনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭, অসম বন অধিনিয়ম,
১৮৯১, বন (সংৰক্ষণ) আইন, ১৯৮০, পৰিৱেশ (সংৰক্ষণ) আইন, ১৯৮৬ কন্যাপ্ৰাণী (সংৰক্ষণ) আইন,
১৯৭২ আৰু আন প্ৰযোজ্য আইন অনুসৰে হৈছে নে নাই তাৰ অনুসন্ধান কৰা।

৪) উক্ত বনাঞ্চলসমূহত আৰু তাৰ চাৰিওফালে যদি কোনো অবৈধ খনন কাৰ্য (খনিজ) সম্পাদন কৰা
হৈছে, সেই সম্পৰ্কে অনুসন্ধান কৰা, তাৰ ব্যাপকতা নিৰ্ধাৰণ কৰা উক্ত বনাঞ্চলৰ প্ৰাণী আৰু উদ্ভিদৰ ওপৰত
তেনে কাৰ্যৰ কু প্ৰভাৱ সম্পৰ্কে অনুসন্ধান কৰা।

৫) উক্ত বনাঞ্চলসমূহত অবৈধ খনন বা আন তেনে কাৰ্যত জড়িত বা তেনে কাৰ্যত উদগনি দিয়া যিকোনো
বিভাগৰ চৰকাৰী বিষয়া সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে বিষয়ৰ দায়বদ্ধতা নিৰ্ধাৰণ কৰা।

৬) ডিগবৈ বন সংমণ্ডলৰ অধীনত বে-আইনী কয়লা খনন কাৰ্যৰ বাবে যদি কোনোোধৰণৰ ক্ষতি হৈছে,
সেই সম্পৰ্কত অনুসন্ধান কৰা আৰু খনি আৰু খনিজ পদাৰ্থ (উন্নয়ন আৰু নিয়ন্ত্ৰণ) আইন, ১৯৫৭ৰ ধাৰা
২১(৫)ত থকা ভাড়া, ৰাজহ, জৰিয়না, বকেয়া, ৰাজহ বা কৰ প্ৰকাৰে আৰু উক্ত বে-আইনী খনন বা কাৰ্যৰ
সময়ত বলৱৎ থকা আইন মতে ক্ষতিপূৰণ আদায় কৰাৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

৭) যদি বে-আইনী খনন আৰু আনুষংগিক কাৰ্যত কোনো অঞ্চল ক্ষতিগ্ৰস্ত হৈছে, তাৰ উদ্ধাৰ, পুনৰীক্ষন
আৰু পুনঃপ্ৰতিষ্ঠা সম্পৰ্কত অনুসন্ধান কৰা, তাৰ বাবে ল'বলগীয়া পদক্ষেপ সম্পৰ্কে পৰামৰ্শ আগবঢ়োৱা আৰু
তাৰ বাবে হ'বলগীয়া খৰচৰ অনুমান কৰা।

৮) ডিগবৈ বন সংমণ্ডলৰ অধীনত সকলো বনাঞ্চলত (সংৰক্ষিত বনাঞ্চল আৰু প্ৰস্তাৱিত বনাঞ্চল) আৰু
বন্যপ্ৰাণী অভয়াৰণ্যত অন্য যিকোনো নিষিদ্ধ আৰু নিষিদ্ধ কাৰ্য সম্পৰ্কত অনুসন্ধান কৰা আৰু তেনে কাৰ্য
প্ৰতিৰোধ কৰিবলৈ ল'বলগীয়া প্ৰতিকৰমূলক কাৰ্যৰ বাবে পৰামৰ্শ আগবঢ়োৱা।

কমিছন অব ইনকুইৰী আইন, ১৯৫২ৰ ধাৰা ৫(২), ৫(৫) আৰু ৫(ক)ত থকা অতিৰিক্ত ক্ষমতা সমূহে
এই একজনীয়া তদন্ত আয়োগক প্ৰদান কৰা হৈছে।

তদন্ত আয়োগৰ দ্বাৰা প্ৰকাশিত ৰাজহুৱা জাননীৰ পৰিপ্ৰেক্ষিতত বিভিন্ন ব্যক্তি, সংগঠন আৰু চৰকাৰী
বিভাগ ও ক'ল ইণ্ডিয়া লিমিটেডে লিখিত বিবৃতি দাখিল কৰিছে।

তদন্ত আয়োগে ওপৰত উল্লেখ কৰা বিচাৰ্য বিষয়সমূহৰ পৰিপ্ৰেক্ষিতত প্ৰস্তাৱিত সংৰক্ষিত ছালেৰি
বনাঞ্চল আৰু টিকক মুক্ত নিষ্ক্ষেপণ প্ৰকল্প এলেকা অহা ২৫.১২.২০২০ তাৰিখে ১০.৩০ বজাৰ পৰা পৰিদৰ্শন
কৰাৰ সিদ্ধান্ত গ্ৰহণ কৰিছে।

তদুপৰি তদন্ত আয়োগে অহা ইং ২৬.১২.২০২০ আৰু ১৭.১২.২০২০ তাৰিখে পূৰ্বা ১০.৩০ বজাৰ পৰা
মাৰ্গেটা ডেভেলপমেণ্ট কনফাৰেন্স হলত (Marghetira Development Conference Hall) ৰাজহুৱা
গুননি গ্ৰহণ কৰিবৰ বাবেও সিদ্ধান্ত গ্ৰহণ কৰিছে। গতিকে উক্ত দিনত যিকোনো ইচ্ছুক ব্যক্তি বা অনুষ্ঠানে
লিখিত বৰ্ণনা ও কাগজ-পত্ৰ জমা দিব পাৰিব। লিখিত বৰ্ণনা দাখিল নকৰা কোনো ব্যক্তি বা অনুষ্ঠানে জ্ঞানবন্দি
দিব বিচাৰিলে তদন্ত আয়োগে উক্ত দিনকেইটাত সেয়াও লিপিবদ্ধ কৰিব।

কোনো ব্যক্তি বা অনুষ্ঠানে ইচ্ছা কৰিলে উক্ত পৰিদৰ্শনৰ সময়ত আৰু ৰাজহুৱা গুননিত উপস্থিত থাকিব
পাৰিব।

স্বাক্ষৰ/

শ্ৰীহৰি পাঠক, এ.এফ.এছ.

উপ-বন সংৰক্ষক

সচিব, ন্যায়াধীশ, বি. পি. কটকী তদন্ত আয়োগ

আয়োগৰ কাৰ্যালয়

ন্যায়াধীশ বি. পি. কটকী তদন্ত আয়োগ

অসম ৰাজ্যিক চিৰিয়াহা ও ৰটনিকেল গাৰ্ডেন,

ৰাধাগোবিন্দ বৰুৱা পথ, অধিকাৰগৰ,

গুৱাহাটী-৭৮১০০৫



নিৰ্জীৱ সাংবাদিকতাৰ তাত্ত্বিক
জগদীশ চন্দ্ৰ



Annexure - 6

Justice B.P. Katakey Commission of Inquiry, appointed under the provisions of Commissions of Inquiry Act, 1952, to inquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc. by different persons and organizations.

ORDER SHEET

DATE	ORDER NO. 25
06.01.2021	<p>Heard Mr. Gautam Rahul and Mr. Dusmanta Madhab Nath, the learned Advocates for the Commission.</p> <p>The Government of Assam, in exercise of the powers conferred under Section 3 of the Commissions of Inquiry Act, 1952, vide Notification dated 18.07.2020 constituted this Commission, to cause an inquiry into the allegations of illegal coal mining activities in Saleki Proposed Reserve Forest under Digboi Forest Division including Tikok Open Cast Project, done in violation of the various provisions of various Acts and the Rules framed thereunder, setting out the Terms of Reference contained therein. By the said Notification the Commission has also been vested with the additional powers as mentioned in Section 5 [2] to 5 [5] of the said Act, apart from the powers conferred under Section 5 [A]. The Commission was required to submit its Report within a period of 6 (six) months from the date of the issuance of the Notification, which period is going to be over on 17.01.2021. The said Notification was published in the Assam gazette [Extra- Ordinary] on 20.07.2020.</p> <p>The Chairman of the Commission, on receipt of the said Notification has assumed charge of the Inquiry on 21.07.2020 forenoon. The Secretary to the Commission having not appointed and also required accommodation for functioning having not made available, the Chief Secretary to the Government of Assam was, vide Order dated 21.07.2020, requested to do the needful in that regard.</p>

Sri Hiranya Pathak, AFS, Deputy Conservator of Forest, Assam was thereafter appointed as the Secretary of the Commission vide Office Order No. 115 dated 06.08.2020 issued by the Additional PCCF [Wildlife] and Chief Wildlife Warden, Assam. The Commission in its sitting dated 10.08.2020 directed issuance of Public Notice in the daily newspapers, both in Assamese and English languages, having wide circulations in the State of Assam in general and in the district of Tinsukia in particular, inviting Written Statements of facts relating to the Terms of Reference from all the interested and/ aggrieved persons, parties, organizations and members of the public acquainted with the subject matter of the inquiry including the Government of Assam, Forest and Environment Department, DGP, Assam, Tinsukia District and Police Administration and the Pollution Control Board, Assam, and to produce all the relevant records on or before 5th September, 2020. Accordingly, Public Notices were issued in English and Assamese daily newspapers.

The Commission in its proceedings held on 17.08.2020, having taken notice of pendency of three Writ Proceedings being PIL [Suo Moto] No. 3/2020, PIL No. 29/2020 and PIL No. 30 / 2020 in the Hon'ble Gauhati High Court relating to the alleged illegal coal mining activities in the areas covered by the Government's aforesaid Notification dated 18.07.2020, also decided to issue communications to all the parties in the aforesaid PILs and accordingly Notices were issued.

The Commission also vide Order dated 17.08.2020 engaged two learned Counsels to assist it.

The Commission has received written responses from 28 persons/ organizations, which has been recorded in the proceeding Dated 29.09.2020. By the said Order, the Commission also directed issuance of Communications to the following persons / authorities to give their inputs in the matter, who are also parties in the aforesaid PILs:



(1) Union of India, represented by the Secretary, Ministry of Mines, Shastri Bhawan, Room No. 320, A-Wing, Dr. Rajendra Prasad Road, New Delhi-110001;

(2) The Commissioner & Secretary, Home & Political Department, Govt. of Assam, Assam Sachivalaya, Dispur, Guwahati-781006;

(3) The Principal Chief Conservator & Head of Forest Force, Govt of Assam, Aranya Bhawan, Panjabari, Guwahati-781037;

(4) The Director, Geology & Mining Department, Govt of Assam, Kahilipara, Guwahati-781019;

(5) The Deputy Commissioner, District Tinsukia, Assam, PIN-786125;

(6) The Union of India, represented by the Secretary, Ministry of Environment, Forest & Climate Change, Govt of India, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003;

(7) The Principal Chief Conservator of Forest (Wild Life), Govt. of Assam, Aranya Bhawan, Panjabari, Guwahati-781037;

(8) The National Board for Wildlife, represented by the Chairperson, Ministry of Environment, Forest & Climate Change (Wildlife Division), Govt of India, 6th Floor, Vayu Bhawan, Jorbagh Road, New Delhi-110003;

(9) The Assam State Board for Wildlife, represented by its Member Secretary, the Chief Wildlife Warden, Aranya Bhawan, Panjabari, Guwahati-781037;

(10) The National Bio-Diversity Authority, represented by its Chairperson, 5th Floor, Akash Block, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003;

(11) The Assam State Bio-Diversity Board, represented by its Member Secretary, 2nd Floor, Aranya Bhawan, Panjabari, Guwahati-781037;

(12) The Forest Advisory Committee, represented by the Chairperson, Ministry of Environment, Forest & Climate Change,

Govt of India, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003;

(13) The Divisional Forest Officer, Digboi Division, Digboi, District Tinsukia, Assam, PIN-786153;

(14) The Principal Secretary, Govt. of Assam, Mines & Minerals Department, Assam Sachivalaya, Dispur, Guwahati-781006;

(15) The Superintendent of Police, District Tinsukia, Assam.

The Commission also issued Notices to the Principal Secretary, Environment and Forest Department, Government of Assam, for filing the Statement of Facts with documents and also to answer the questionnaires. Reminders though were issued, Statement of Facts with documents and the answer to the Questionnaires are yet to be submitted by the Environment and Forest Department, Government of Assam.

The Commission in its proceedings dated 03.11.2020 has recorded non submission of the response by the following persons and also issuance of the Reminders:

1. Union of India, Represented by the Secretary, Ministry of Mines.
2. Commissioner & Secretary, Home & Political department, Govt. of Assam.
- ✓ 3. Director, Geology & Mining Department, Govt. of Assam.
4. DC Tinsukia.
- ✓ 5. Secretary, Ministry of Environment, Forest & Climate Change, Govt. of India.
6. PCCF (Wildlife), Govt. of Assam.
7. National Board of Wildlife, Represented by The Chairperson.
8. Assam State Board for Wildlife, Represented by Member Secretary.
- ✓ 9. National Bio-Diversity Authority, Represented by Chairperson.

- ✓ 10. Assam State Bio-Diversity Board, represented by Member Secretary.
11. Forest Advisory Committee, Represented by Chairperson, Govt. of India.
- ✓ 12. Principal Secretary, Govt. of Assam, Mines & Minerals Department.
- ✓ 13. S.P., Tinsukia.
- ✓ 14. Principal Secretary, Environment & Forest Department, Govt. of Assam.
- ✓ 15. DGP, Assam.
- ✓ 16. ~~Chairman, Pollution Control Board, Assam.~~
17. Govt. of Assam, Represented by Chief Secretary.

Written responses thereafter have been received from the Directorate of Geology and Mining, Government of Assam; Secretary, National Bio-Diversity Authority; Member Secretary, Assam Bio-Diversity Board; Deputy Secretary to the Government of Assam, Mines and Minerals Department; DFO, Digboi; Assistant Inspector General of Police [R], Assam; the Superintendent of Police Tinsukia; Ministry of Coal [CA Section], Government of India; Ministry of Environment, Forest and Climate Change [Forest Conservation Division]; Chairman, SEIAA, Assam and Member Secretary [I/C] PCB, Assam.

The Commission in the mean time, vide its Proceedings dated 06.11.2020 also issued Notices to the Additional PCCF [Wildlife] and the Chief Wildlife Warden, Environment and Forest Department, Government of Assam to submit written responses to the Terms of Reference and also to produce all available records within 30 days, which is yet to be done.

The Commission having not been provided with all the required informations by the Assistant Inspector General of Police [R], Assam in its Memo dated 13.11.2020, directed the DGP, Assam

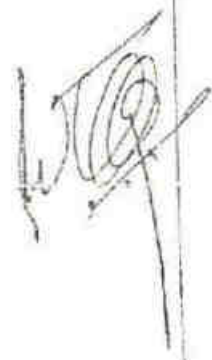
and also the DFO, Digboi to provide the following information, which is recorded in the Commission's Proceeding dated 17.11.2020:

(A) Further information from DGP Assam

- (i) Required information in terms of the Notice No. BPKJ/COM/Notice/2020-2021/25 dated 8.10.2020, in the prescribed format, in respect of all the Districts of the State of Assam.
- (ii) Information in respect of FIRs/ Police Station Cases lodged/registered in Margherita Police Station, Lekhapani Police Station and Ledo Police Outpost, as informed by the Directorate of Geology and Mining, Government of Assam vide their Written Submission dated 05.11.2020, copy of which is also to be enclosed for information.
- (iii) Whether any other FIRs, other than mentioned in the respective reports of the Superintendents of Police, Dibrugarh and Tinsukia districts, were lodged in any Police Station or Outpost, from the year 2003 till date, if so, the details of the same.

(B) Further information from DFO Digboi

- (i) The lease agreement by which NEC, CIL was allowed to carry out Coal Mining in Tikok OCP in the year 1973.
- (ii) Application filed by CIL under Forest (Conservation) Act 1980, for renewal of lease in 2003.
- (iii) ~~Non-approval of the application for the aforesaid renewal.~~
- (iv) All records / documents by which the DFO, Digboi stopped the NEC CIL to operate the Coal Mine.
- (v) Application for renewal of Mining Lease in 98.59 hectare of Tikok OCP in Saleki PRF filed by the NEC CIL in 2012.
- (vi) Records of the recommendation, if any, made by the DFO, Digboi Division or any other authority of the Forest Department of the Government of Assam, for approval of the renewal of Mining Lease in 98.59 hectare of Tikok OCP.
- (vii) Records of the action taken against NEC CIL for breaking 73.20 hectare of Forest in violation of the applicable forest laws.
- (viii) All records supporting your statement in point no. (5) of the Written Submission.



The Commission also vide Order dated 01.12.2020 directed the Principal Secretary, Government of Assam, Mines and Minerals Department and the Director, Geology and Mining, Government of Assam to furnish further informations, in response to which the Director Geology & Mining, sent information to the Secretary Mines and Minerals Department, Govt. of Assam on 05.01.2021, copy of which is marked to this Commission.

Sri P.N. Goswami the learned advocate for the Environment and Forest Department, Govt. of Assam, has submitted the response of the department on 02.01.2021, supported by an affidavit dated 29.12.2020 of the Addl. Secretary of the Department, in response to the queries sent vide notice dated 05.11.2020. In the said response nothing however has been stated about the direction issued by the Commission for satellite mapping of the affected areas through high resolution satellite imageries.

Mean while, the Secretary to the Commission, Sri Hiranya Pathak, AFS, has been transferred for which the Commission requested the Government of Assam, Environment and Forest Department to appoint a Secretary in replacement of the earlier Secretary, accordingly Sri Rajib Baruah, AFS, Deputy Conservator of Forest has been appointed as the Secretary of the Commission vide order dated 15.12.2020 passed by the PCCF, Wildlife.

Despite having the handicaps, as mentioned above, the Commission decided to have a Field Visit and also Public Hearing in Margherita in the district of Tinsukia, for which public notices in the newspapers, both in English and Assamese languages, were issued. All persons / organizations who have submitted their written responses were also notified about the Field Visit and the Public Hearing.

The Commission conducted the Field Visit of Saleki PRF including Tikok OCP and the adjoining areas on 25.12.2020, wherein apart from the officials of the Coal India Limited, representatives of PCB, Assam, representatives of the District Administration, Police

Administration and representatives of few memorialist were present. Public Hearing, as notified, was held on 26th and 27th December, 2020 in the Conference Hall of Margherita Development Block, during which Statements of 18 (Eighteen) nos. of persons were recorded. Few written responses were also filed.

As noticed above, Mines and Minerals Department, Government of Assam and the DGP, Assam are yet to submit further written responses or reply to the queries or further queries.

The Commission with a view to have an assessment of the extent of illegal mining in and around Saleki PRF, since the year 2003, directed the Principal Secretary, Environment and Forest Department and also the Mines and Minerals Department, Govt. of Assam to commission a study through NESAC, Umium, Meghalaya or NRSA, Hyderabad or SAC, Ahmedabad to assess and map the areas under mining in and around (10 kms from its boundary) the Saleki PRF in the years 2003, 2010, 2015, 2018 and 2020 by using high resolution satellite imageries and to submit a report of such study to the Commission within 3 months.

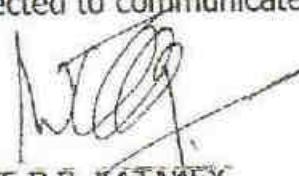
The Commission is yet to be informed about conduct of such study by the aforesaid departments of Govt. of Assam.

The Commission, in view of the above, is unable to complete the Inquiry and submit the report within 6 months from the date of Notification. i.e. by 17th January, 2021.

The Commission, therefore, request the Government of Assam to take a decision in this regard at the earliest.

Let a copy of this Order be sent to the Chief Secretary to the Government of Assam for doing the needful.

The Secretary of the Commission is directed to communicate this order accordingly.


JUSTICE B.P. KATAKEY
Former Judge Gauhati High Court
CHAIRMAN
One Man Commission of Inquiry

JUSTICE B.P. KATAKEY COMMISSION OF INQUIRY, APPOINTED UNDER THE PROVISIONS OF COMMISSIONS OF INQUIRY ACT, 1952, TO INQUIRE INTO ALLEGATIONS OF ILLEGAL COAL MINING ACTIVITIES, VIOLATION OF DIFFERENT PROVISIONS OF LAW IN THE PROCESS OF COAL MINING ACTIVITIES IN SALEKI PROPOSED RESERVE FOREST AND IN TIKOK OPEN CAST PROJECT AREA ETC. BY DIFFERENT PERSONS AND ORGANIZATIONS

Date: 11.02.2021

PUBLIC NOTICE

Whereas under Section 3 of the Commissions of Inquiry Act, 1952, the Governor of Assam has constituted an "One-Man Inquiry Commission" headed by Justice B.P. Katakey, Former Judge, Gauhati High Court, to cause an inquiry with the terms of reference as notified.

The Commission having regard to the Terms of Reference decides to have a site visit of following areas on 06.03.2021 and 07.03.2021 from 10:30 AM onwards

- i. Tipong Reserve Forest and Colliery
- ii. Ledo Colliery
- iii. Borgotar Colliery
(All within Lekhapani Forest Range)
- iv. Diring Patkai Wildlife Sanctuary/ National Park
- v. All other nearby areas.

The Commission also decides to conduct the Public Hearing at Margherita Development Block Conference Hall, Margherita on 08.03.2021 and 09.03.2021 from 10:30 AM onwards on both days for recording the Oral Statements of the Memorialists who have submitted their Written Responses and who hail from Upper Assam Districts, namely Tinsukia, Jorhat and Lakhimpur, as well as their witnesses, if any.

The Commission on 08.03.2021, from 10:30 AM onwards, shall record the oral statements of the following Memorialists along with their witnesses mentioned herein below:

- i. Sri Surya Kanta Dutta (Memorialist) — Tinsukia District
- ii. Sri Mahorai Bania (Memorialist) — Tinsukia District
- iii. Sri Rituraj Bordoloi (Witness)
- iv. Sri Jhuta Upadhaya (Witness)
- v. Sri Ganesh Debnath (Witness)
- vi. Md. Mainul Hoque (Witness)
- vii. Sri Jawkham Khantri (Witness)
- viii. Md. Nashim Khan (Witness)
- ix. Sri Nandeswar Gogoi (Witness)
- x. Sri Makar Bhumij (Witness)
- xi. Md. Tahiruddin Ahmed (Witness)

The Commission on 09.03.2021, from 10:30 AM onwards, shall record the oral statements of the following Memorialists and their witnesses, if any, names of whom shall be supplied to the office of the Commission within one week.

- i. Sri Badri Chetry — Tinsukia District
- ii. Sri Devajit Moran — Tinsukia District (Green Bud Society)
- iii. Sri Mrinal Jyoti Bordoloi — Jorhat District
- iv. Milonjyoti Sengha — Lakhimpur District

The Memorialist shall produce themselves and their respective witnesses for recording their statements on the dates, time and place mentioned above.

Sd/- Deputy Conservator of Forest.

Secretary to Justice B.P. Katakey Commission of Inquiry

Commission's Office:

Justice B.P. Katakey Commission of Inquiry
Assam State Zoo cum Botanical Garden, RG Baruah
Road, Ambikagiri Nagar
Guwahati-781005

Janasanyog/D/11065/20

Annexure - 7

22

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কমিছন অব ইনকুইৰী আইন, ১৯৫২ ৰ অধীনত বেআইনী কয়লা খনন কাৰ্য আৰু বিভিন্ন প্ৰযোজ্য আইন ভংগ কৰি ছালেকি প্ৰস্তুত কৰা সংৰক্ষিত বনাঞ্চল আৰু টিকক মুক্ত নিষ্ক্ষেপণ প্ৰকল্প এলেকাৰ বিভিন্ন ক্ষেত্ৰত আৰু অনুষ্ঠানে কৰা কয়লা খনন কাৰ্য আদি অভিযোগসমূহৰ সংক্ৰান্তত তদন্ত কৰিবলৈ গঠন কৰি দিয়া ন্যায়ামণীৰ বি পি কটকী তদন্ত আয়োগ।

बाह्यद्वारा आननी

কমিছন অব ইনকুইরী আইন, ১৯৫২-র ধারা ৩ ত প্রদত্ত ক্ষমতাসমূহ প্রয়োগ করি অসমব রাজ্যপালে উক্ত অভিযোগসমূহের সংক্রান্ত অনুসন্ধান কবিলে প্রবাহিত উক্ত ন্যায়াধীন অসমপ্রাপ্ত ন্যায়াধীন শ্রী বি পি কটকীর নেতৃত্বত এখন একজনীয়া অনুসন্ধান সমিতি গঠন কবে।

- ১) টিপং সংরক্ষিত বনাঞ্চল আক কমলাখনি
- ২) লিডো কমলাখনি
- ৩) বরগোলাই কমলাখনি (লেখাপানী বনাঞ্চল অধুগত)
- ৪) দ্বিহিং পাটকাই বনাঞ্চল সংরক্ষিত অভয়াবনা/বাগ্গী উদ্যান
- ৫) নিকটবর্তী সকলো এলেকা।

আয়োগে ইং ০৮/০৩/২০২১ তারিখে বাতিপুড়া ১০:৩০ বজার পরা
নিম্নোক্ত ব্যক্তিসকলর মৌখিক সাক্ষী লিপিবদ্ধ করিবঃ

ইয়াৰোপৰি আয়োগে অহা ইং ০৯/০৩/২০২১ তাৰিখে ৰাতি পুৱা ১০-৩০ বজাৰ পৰা উক্ত স্থানত নিম্নোক্ত লিখিত বৰ্ণনা দাখিল কৰা ব্যক্তিসকলৰ আৰু তেওঁহিসকলৰ সাক্ষীৰ মৌখিক জৱানবন্দি লিখিবদ্ধ কৰিব। নিম্নলিখিত ব্যক্তিসকলৰ যদি কোনোবা সাক্ষী আছে, তেওঁলোকৰ নামসমূহ আয়োগৰ কাৰ্যালয়ত এসম্প্ৰদৰ ভিতৰত দাখিল কৰিব :

উক্ত লিখিত বর্ণনা দাখিল কৰা ব্যক্তিসকলক তেওঁলোকৰ সাক্ষী সমাজত ওপৰত উল্লেখিত তাৰিখ, সময় আৰু ঠাইত তেওঁলোকৰ জবানবন্দী লিপিবদ্ধ কৰাৰ নিমিত্তে হাজিৰ হ'বলৈ কোৱা হ'ল।

শ্রী বাজী দত্ত, এ.এস.এছ

मछिन्, ग्यासाशीन वि नि कटकी उमलु आह्वाग

न्यायाधीन नि पि कटकी तदस्त आद्याग

ବାସାଟଗାବିନ୍ଧ ଚକ୍ରବା ମଧ୍ୟ, ଅଧିକାନଗର, ଓଡ଼ିଶା-୭୫୧୦୦୫

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অসমীয়া অভিনেতা

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Justice B.P. Katakey Commission of Inquiry, appointed under the provisions of Commissions of Inquiry Act, 1952, to inquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc. by different persons and organizations.

MEMORANDUM OF SITE VISIT CONDUCTED ON
25.12.2020

As per the Order No. 18, dated 01.12.2020, the Commission conducted the Site Visit of Tikok OCP (located within Saleki Proposed Reserve Forest), Tirap OCP and visited the areas, wherein the Namdang Coal Mines are located. The Commission also visited the Ledo Katcha Nala and Samukjaan Nala, as well as a Coke Manufacturing Unit.

During the site visit, the Commission was accompanied by Sri Gautam Rahul and Dusmanta Madhab Nath, Advocates for the Commission.

The following officials of the District Administration, Police Officials, Officials of the Forest Department, Government of Assam, Officials of Coal India Limited were present during the site visit :

- I. Sri Puna Gogoi, SDPO, Margherita
- II. Mr. Ranjith Ram, IFS, DFO, Digboi
- III. Miss Monsum Borkakoti, Executive Magistrate, Margherita
- IV. Smti Kasturi P. Sule, IFS (P), I/C Lekhapani Forest Range

- V. Sri Hiren Pegu, Executive Engineer, Regional Office, Pollution Control Board of Assam, Dibrugarh.
- VI. S.I. Sri Uttam Tamang, I/C Ledo
- VII. Sri Rameswar Kurmi, Police Reserve, Tinsukia
- VIII. Sri S.P. Dutta, General Manager, NEC, CIL
- IX. Sri Shibdas Bhattacharjee, Chief Manager, NEC, CIL.
- X. Sri Susmay Chatterjee, Chief Manager, NEC, CIL
- XI. Sri Rupjyoti Baruah, Senior Manager, NEC, CIL (Project Officer, Tikok Tirup Colliery)
- XII. Sri Shankar Prasad Yadav, Assistant Manager, NEC, CIL
- XIII. Sri Anand Kumar Singh, Senior Surveyor (Tikok Colliery), NEC, CIL
- XIV. Sri Sarat Chandra Mukherjee, Manager, NEC, CIL (Tikok Colliery)

No officials from the Department of Mines and Minerals, Government of Assam was present during the site visit.

The following persons were also present during the site visit, some of whom have already submitted their Written Statement to the Commission on the Terms of Reference:

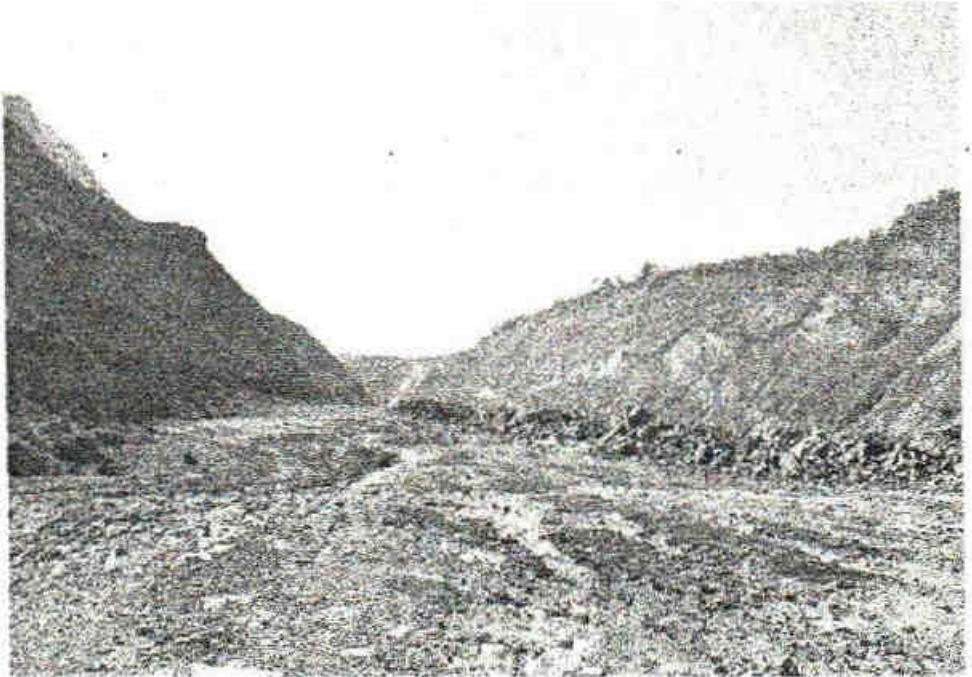
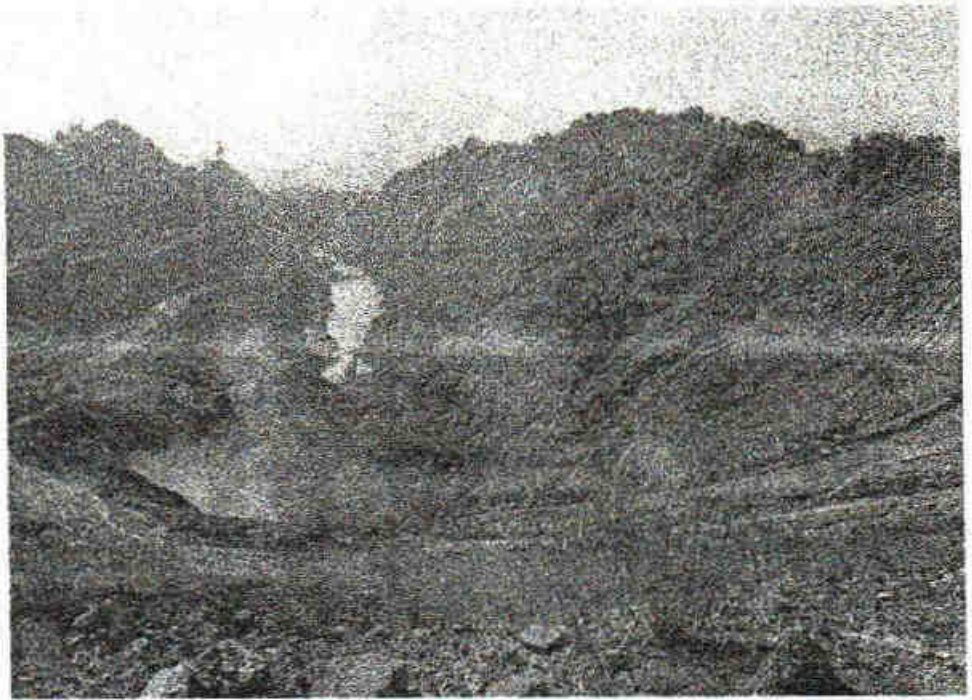
- I. Sri Ganesh Debnath
- II. Sri Nandeswar Gogoi,

- III. Sri Moharlal Bonia
- IV. Sri Nasib Khan
- V. Sri Babul Rai
- VI. Smti A Dutta, Advocate for Debi Goenka

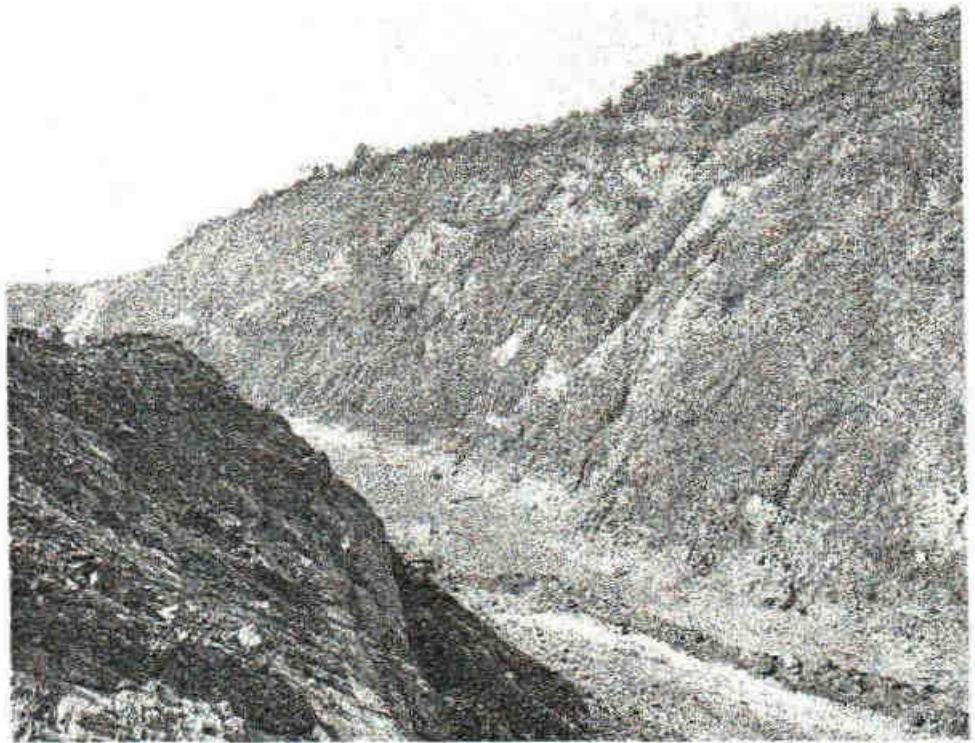
Still photographs and videography were taken / recorded through Photographers arranged by the Tinsukia District Administration.

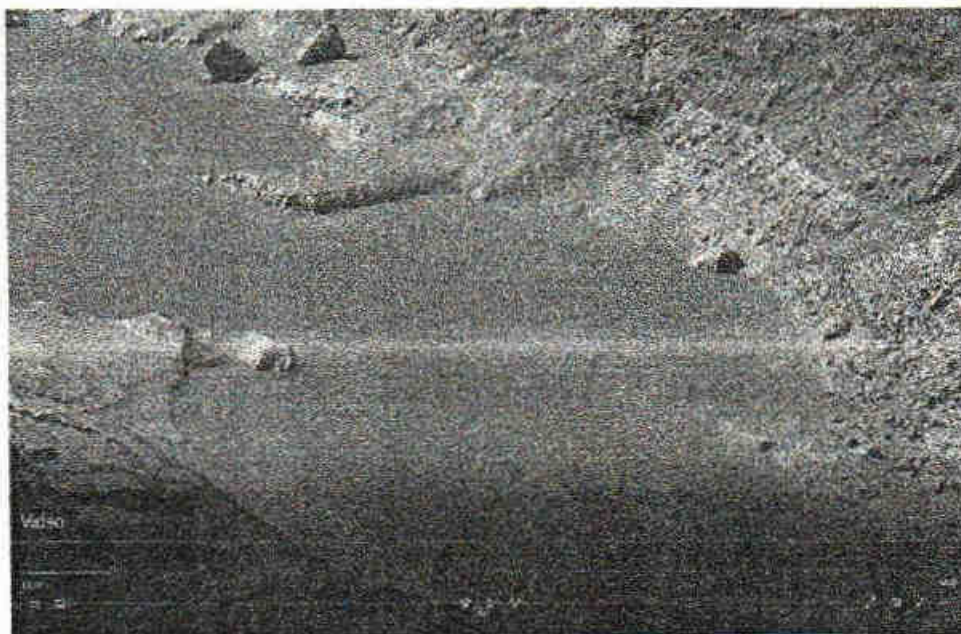
Tikok OCP





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Following relevant facts were noticed by the Commission, during the site visit of **Tikok OCP Area** :

- I. Natural combustion of gaseous substance releasing very strong odour of chemicals.
- II. The water collected within the Mine, appeared to be greenish yellow in colour.
- III. A Rat Hole Mine was found within the Open Cast Mine.
- IV. On the way leading to the bottom of the mine, small humps of freshly collected coal was also observed.
- V. The representative of the Pollution Control Board was directed by the Commission to collect and test the

samples of water, which has accumulated within the mine.

- VI. The Commission was informed by the representative of the CIL that the Tikok Open Cast Mine is 800 meters in length, 300 meters in breath and 80 meters in depth.
- VII. It was observed that on both sides of the Mining Pit, huge dumps of Over Burden were raising to the size of hills. Although some small vegetation have grown over them, no large sized trees were observed to have been grown thereupon.
- VIII. At the entry point of the project area some stocking of coal was also observed.

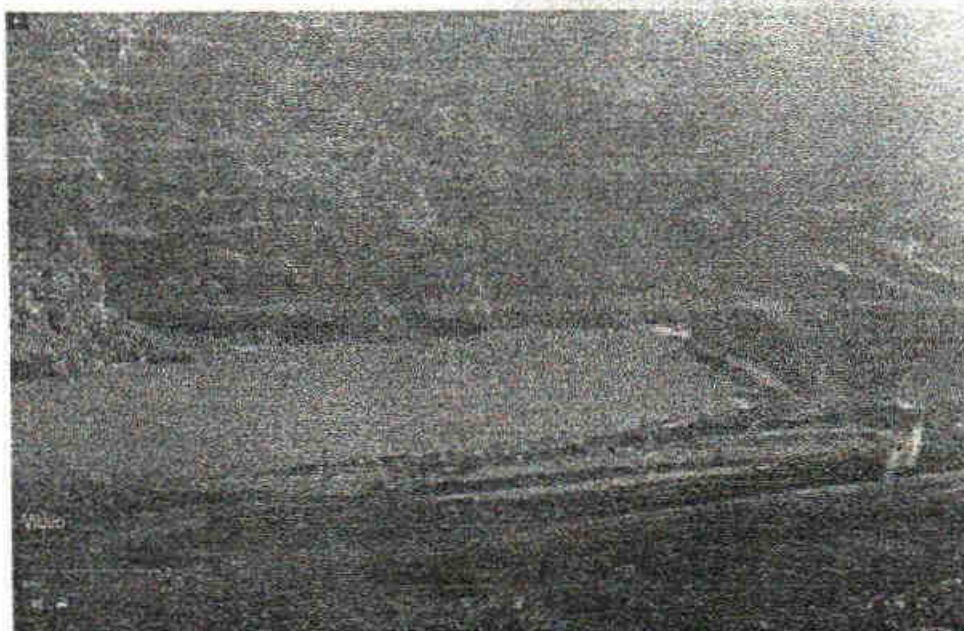
The Commission was informed by the representative of the CIL that Tikok OCP was closed in October, 2019.

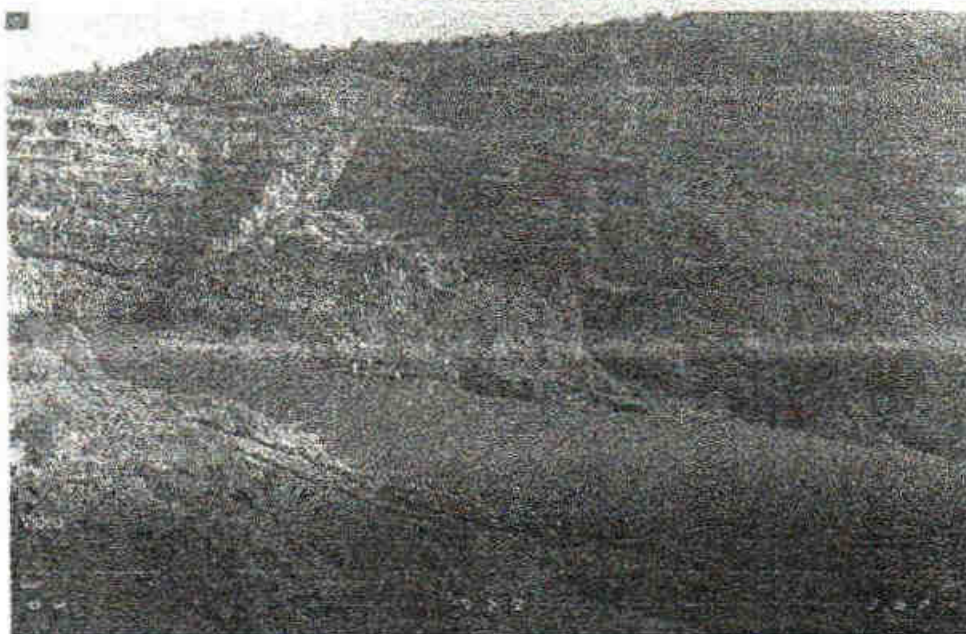
On the way from Tikok to Tirap, the Commission stopped at two naturally flowing streams and observed that the beds of the streams were yellowish in colour indicting deposition of chemical substances washed down from the mines. The representative of the Pollution Control Board was directed to take samples and test the water.



During the site visit of **Tirap Open Cast Areas**, the Commission was informed by the officials of the Coal India Limited that the said

Mine has stopped operation since March, 2020 for not having clearance from the Forest and other concerned Departments of the Government of Assam. The mine is 300 meters in breadth, 1.4 km in length and 160 meters in depth. Huge dumps of Over Burden was present by the side of the project area without any vegetation. The water collected at the bottom of the mine is greenish yellowish in colour and the representative of the Pollution Control Board was directed to take samples and test.





After visiting the Tirap OCP, the representatives of Sonali Gaon Porichalona Samitee requested the Commission to visit a paddy field in the area, i.e. in the Samukjan Pathar through which a natural stream was flowing, alleging that the water in the stream since is flowing from the coal Mine Area, contains chemicals which has diminished the fertility of the soil and thereby affecting the cultivation. The Commission accordingly visited the said paddy fields and directed the representative of the Pollution Control Board to collect the sample and conduct the test.

The Commission also directed the Regional Executive Engineer, PCBA of Dibrugarh Region to conduct the following tests :-

- (i) Stagnated water of Tikok OCP and Tirap OCP, samples of which to be collected with the assistance of Coal India Limited.

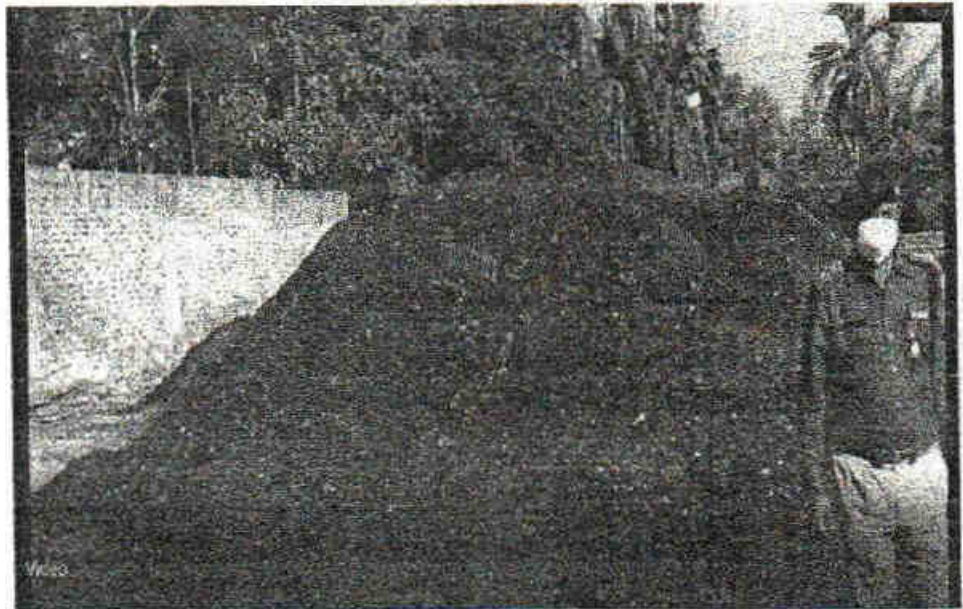
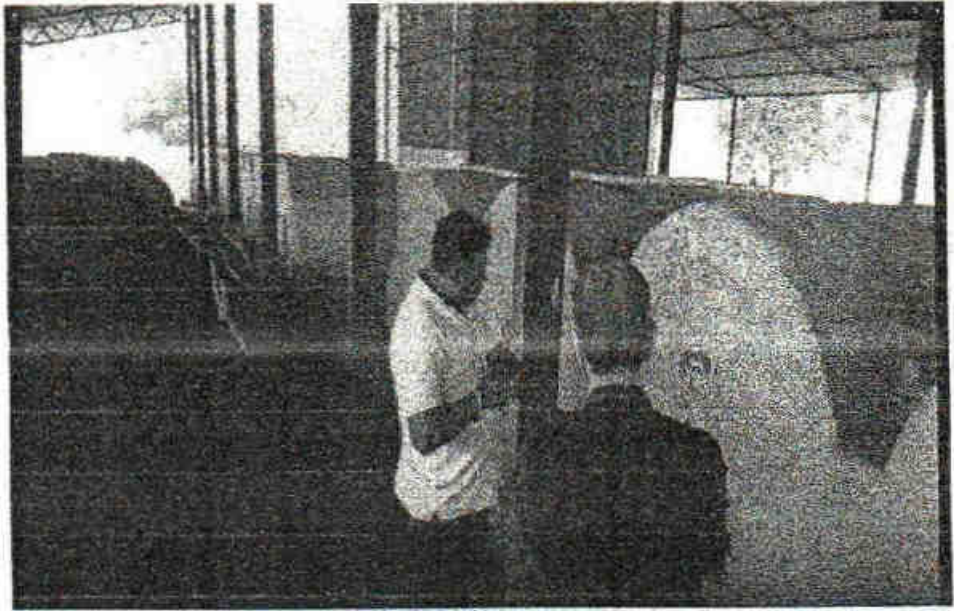
- (ii) Water in Ledo Katcha Nala and Samukjan Nala.
- (iii) Aquatic Study of Buri dihing River to find out the affect, if any, on the aquatic life because of the coal mining activities.

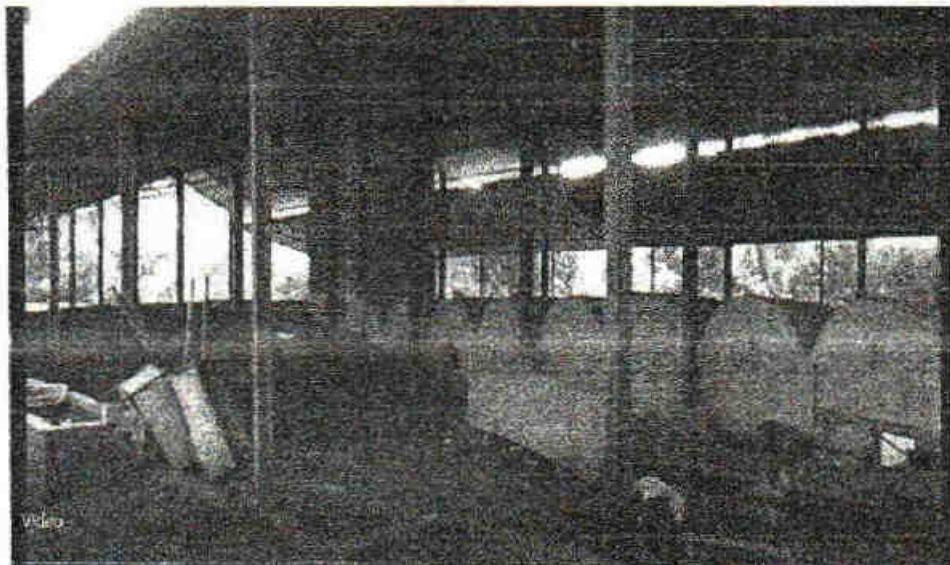
The Commission thereafter visited the Forest Area adjacent to the Namdung Colliery. The said area is connected by the road leading to Changlang and is at the outer limit of the Saleki PRF. Presence of huge dumps of coal in that area and collected by some unauthorised persons were noticed, the photographs of which have been taken. The Forest Officials have informed the Commission that the coal was collected from Rat Hole Mines within the Saleki PRF Area. In fact photographs of two numbers of active illegal Rat Hole Mines existing in the area were also taken by the photographer.





The Commission also noticed a **Coke Manufacturing Unit** at Ledo, situated by the side of the main road. The Commission went inside the said manufacturing unit and observed existence of huge dumps of coal. On a query raised, the police officials informed that there are 50 nos. of such manufacturing Units, existing in the area. The Regional Executive Engineer, PCBA was accordingly directed to furnish a list of Coke Coal Industries within his jurisdiction, with the date of obtaining the Consent to Establish and Consent to Operate. All the reports of inspection of such industries were also directed to be submitted.






(Justice B.P. Katakey)
Chairman
One Man Commission of Inquiry

JUSTICE B P KATAKEY COMMISSION OF INQUIRY, APPOINTED UNDER THE PROVISIONS OF COMMISSION OF INQUIRY ACT, 1952, TO INQUIRE INTO ALLEGATIONS OF ILLEGAL COAL MINING ACTIVITIES, VIOLATION OF DIFFERENT PROVISIONS OF LAW IN THE PROCESS OF COAL MINING ACTIVITIES IN SALEKI PROPOSED RESERVE FOREST AND IN TIKOK OPEN CAST PROJECT AREA ETC. BY DIFFERENT PERSONS AND ORGANISATIONS.

(39)

A COMPOSITE MEMORANDUM OF SITE VISIT

SITE VISIT ON 06.03.2021

The Commission in terms of the Order No.26, dated 05.02.2021 conducted the site visit from 10 am onwards, Public Notice for which was also published.

During the site visit, the Commission was accompanied by Sri Gautam Rahul and Sri Dusmanta Madhab Nath, Advocates for Commission.

During the site visit, none of memorialist, despite the publication of the Public Notice in the newspapers and individual intimation given to them, except Sri S K Dutta, Margherita and Sri Mohar Lal Bania and other villagers, were present. The following officials were also present during the site visit:

1. Sri S P Dutta, General Manager, CIL, NEC
2. Sri Hiren Pegu, Executive Engineer, Regional Office, Pollution Control Board of Assam, Dibrugarh.
3. Mr. Ranjith Ram, IFS, DFO, Digboi
4. Range Officer, Lekhapani
5. Sri Pranjal Kumar Gogoi, Senior Geologist, Mines and Minerals Department, Dibrugarh

6. Sri Puna Gogoi, SDPO, Mergherita
7. Miss Moonsoon Barkakati, Circle Officer, Margherita
8. Ms. Lily Gogoi, CIL

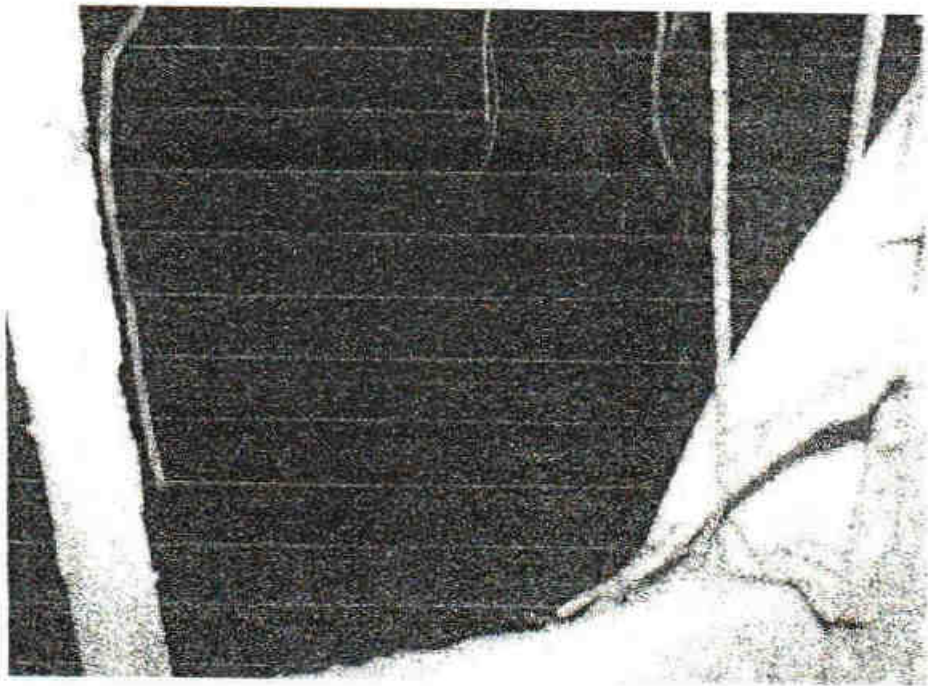
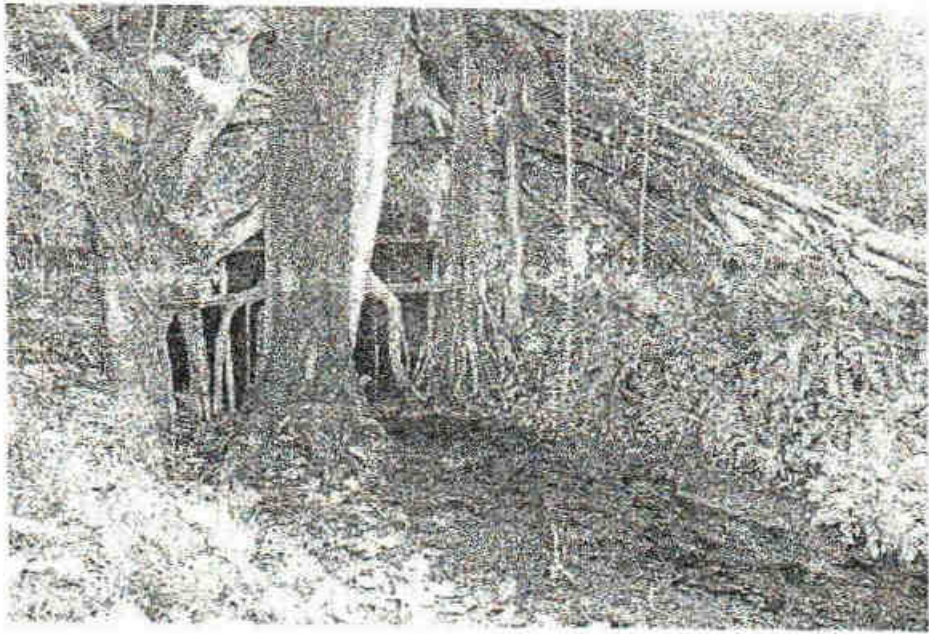
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Still photographs and videography were taken / recorded through Photographers arranged by the Tinsukia District Administration.

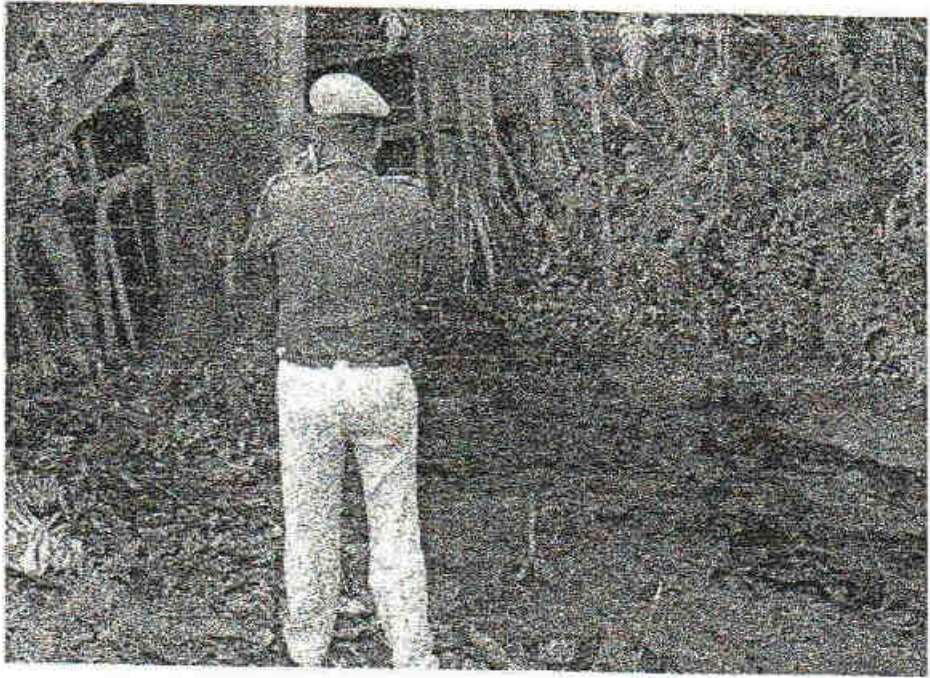
The Commission visited the **Borgolai Coal Mine**, which was an Under Ground mine of Coal India Limited. The Commission has been informed by the General Manager, Coal India Limited, NEC that the said Borgolai Mine, also known as "Stone Drift Mine", was closed in the month of June, 2010.

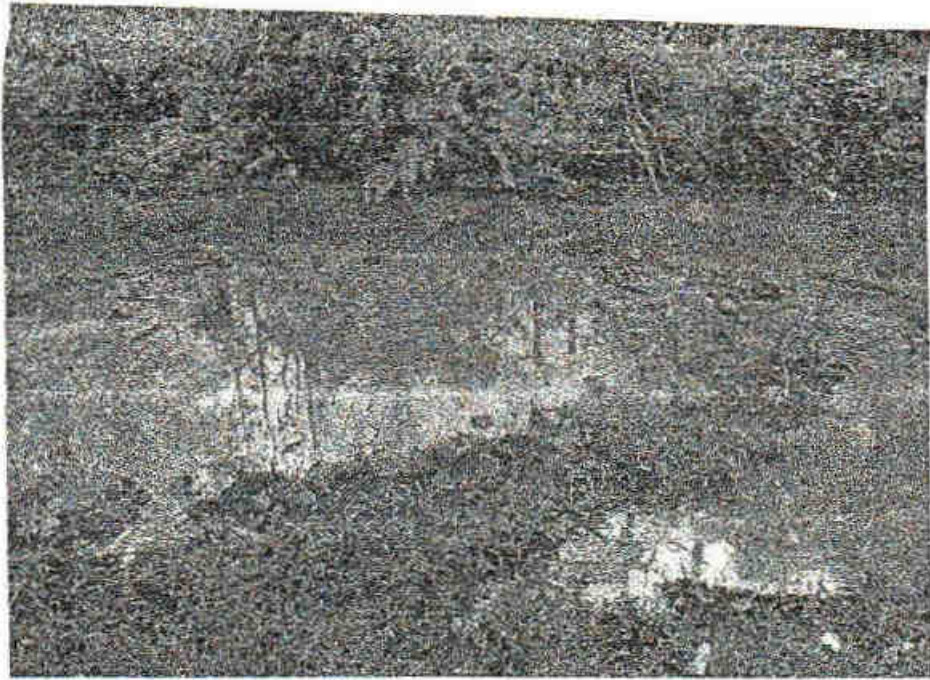
The Commission could notice that Borgolai Mine has not been properly closed and the opening of the Mine is still exposed, as a result of which, the water flowing from the said Mine appears to be highly polluted, which ultimately mixed with the water in the nearby drains/ natural streams. The General Manager, Coal India Limited, NEC informed that when the said Mine was leased out, there was no requirement of making any Mine Closure Plan and implementation thereof. The General Manager, Coal India Limited, NEC has also informed the Commission that the mine has been closed from inside and in natural course of event, the entire void created because of Coal Mining, must have in the meantime been filled up.

Borgolai Coal Mine

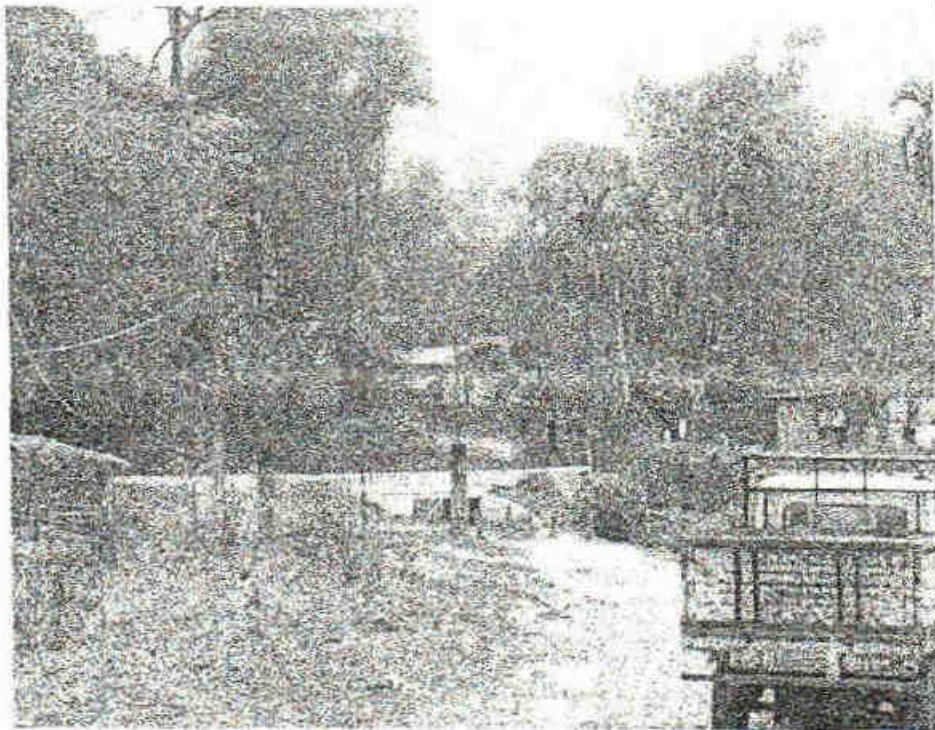


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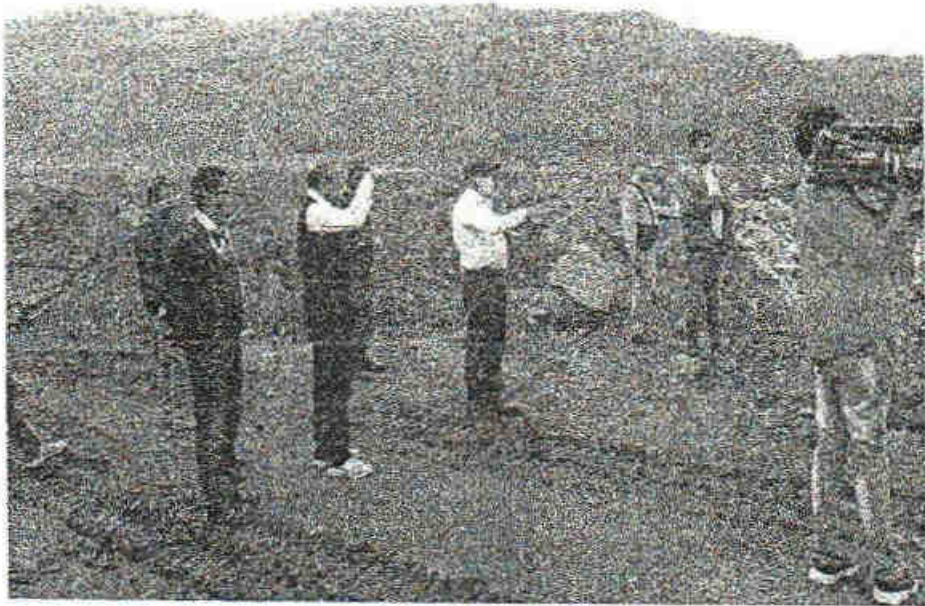


The Commission during the visit of **Borgolai area** also noticed coal dumps in the houses of private individuals. In the said area operational **coke industries** have also been noticed.



The Commission also visited the **Ledo OCP**, which is by the side of State Highway No.38 (Stilwell Road), which leads to Jayrampore. The Commission noticed filling up of the pit of the Ledo OCP, process of which was stated to have been started in the month of April, 2018. The Commission however could see the 55 meter depth of the OCP has not been properly closed. The General Manager, Coal India Limited, NEC present during the site visit has informed the Commission that the said mine is in the process of proper closure as per the Mine Closure Plan, implementation of which is required to be monitored by the Coal Controller, Govt. of India. The Commission has also been apprised by the General Manager, Coal India Limited, NEC that amount of Rs. 6 Cr. is in deposit with the Govt. of India, Ministry of Coal as a Security for due implementation of Mine Closure Plan.

Ledo OCP



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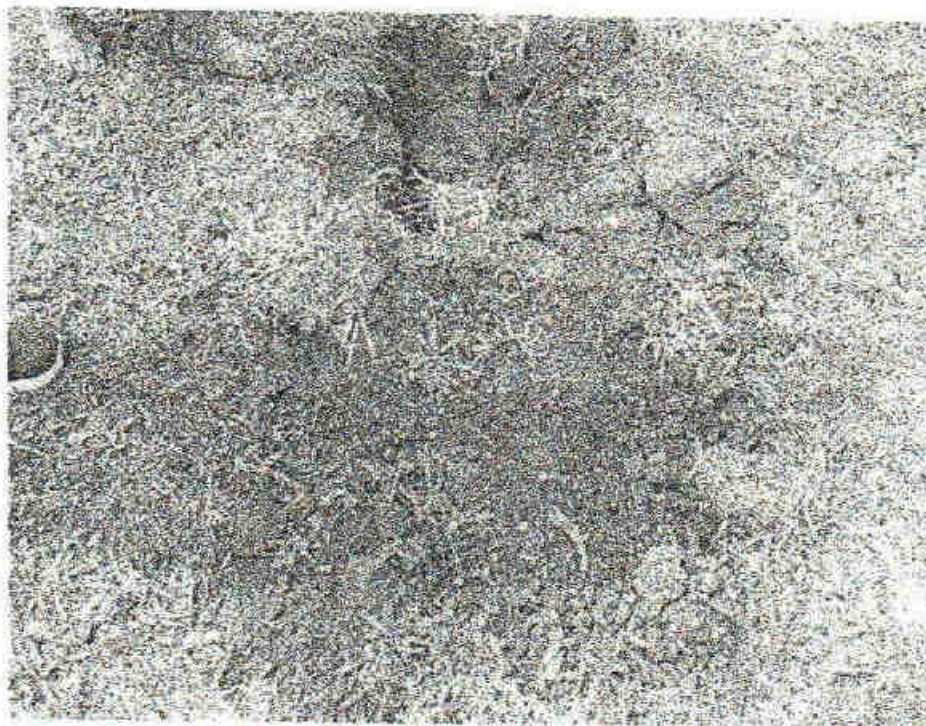
Although Ledo OCP ceased to be operated in 2018 and back land filling activities have commenced, despite expiry of about three years the Mine Closure Plan has not been implemented fully. Even the over-burden of the said pit dumped in the nearby area formed a small hill. The top soil which was required to be removed initially and after back filling required to be brought back to the original area of mining, is admittedly not available, for which the NEC, CIL ultimately has to bring the top soil from other areas

The Commission requested the General Manager, Coal India Limited, NEC to furnish the Mine Closure Plans of each of the Mines, which the General Manager, Coal India Limited, NEC assured to provide within a day or two.

The Commission also visited the **Chipe Gaon Pathar** (paddy field), as requested by Sri S K Dutta, Advocate, Margherita and Sri

Mohar Lal Bania, the memorialists who were present during the site visit. The villagers have complained about either having no cultivation or drastic reduction of cultivation, in the said paddy field due to the presence of coal particles as well as flowing of contaminated and acidic water from the coal mines to the paddy field. The villagers claim compensation for loss of cultivation.

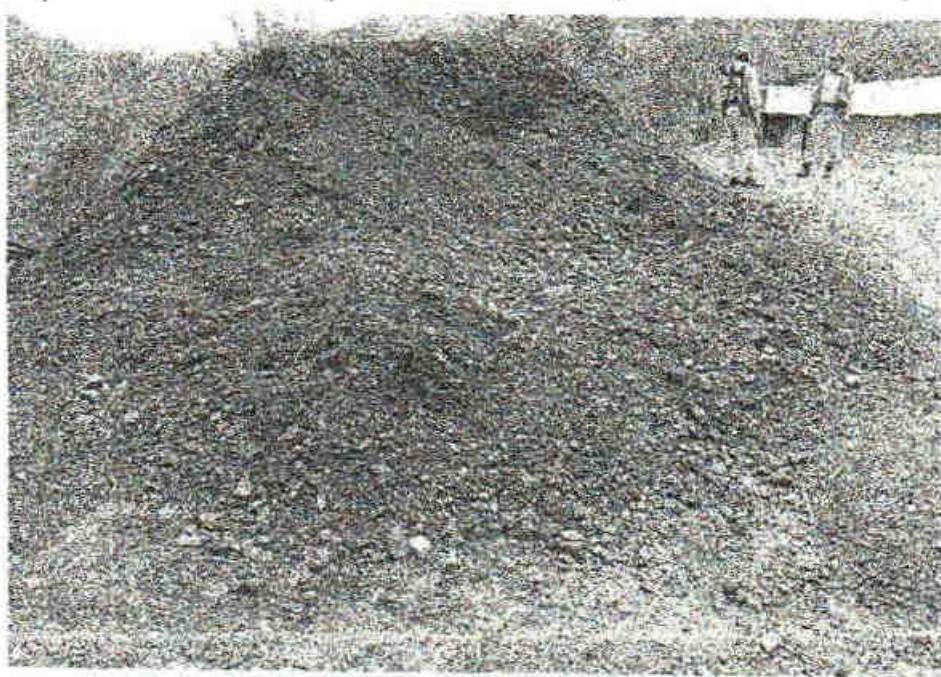
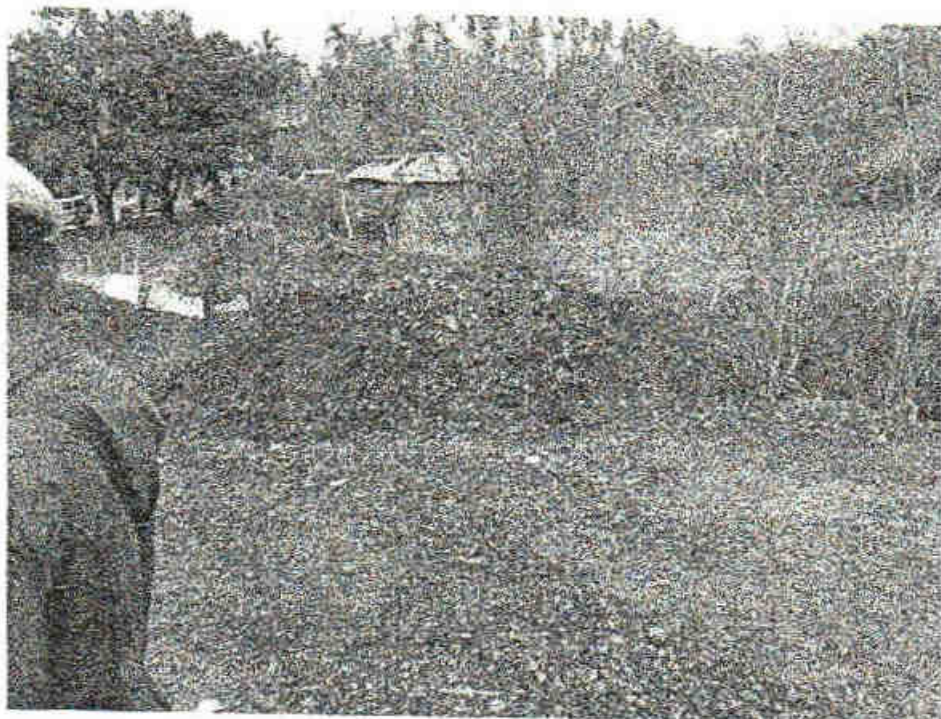
Chipe Gaon Pathar

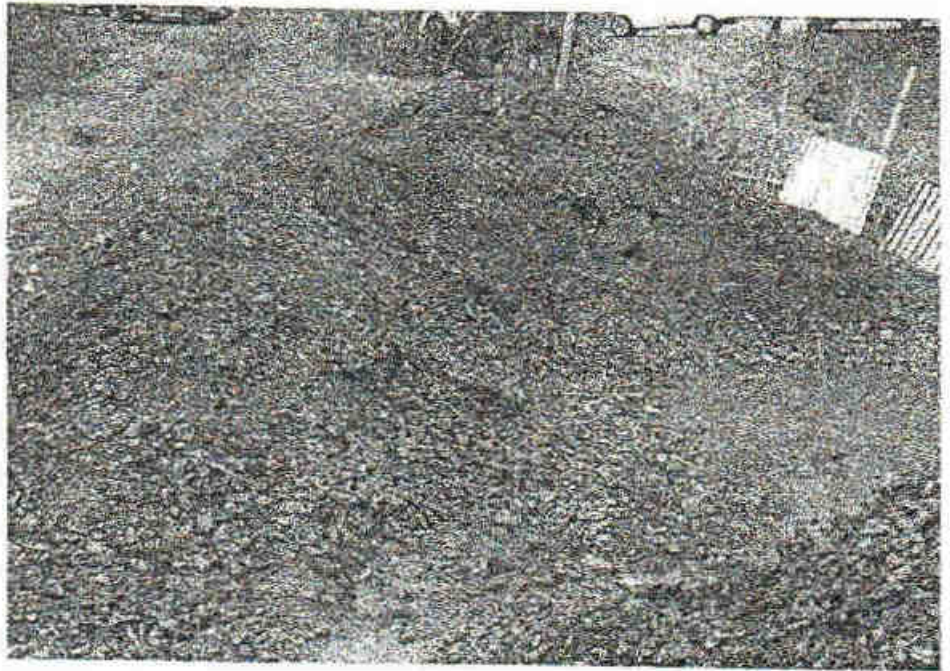
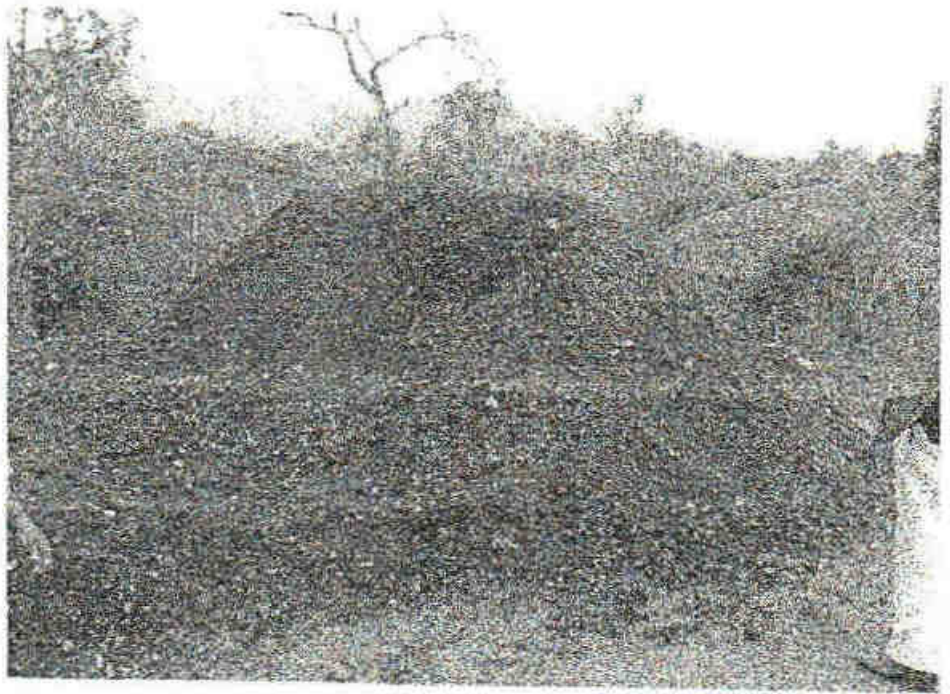




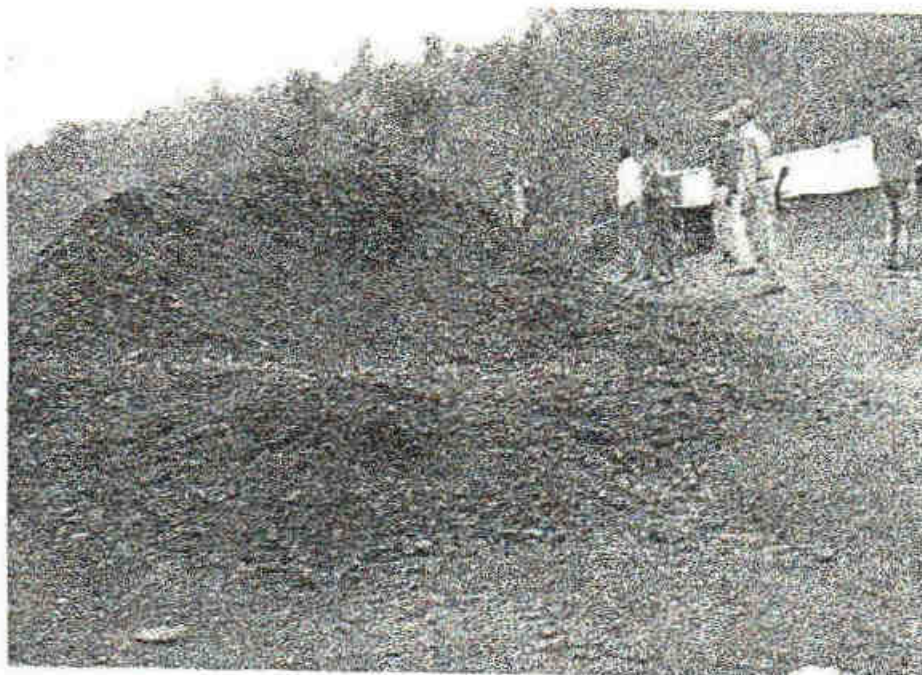
The Commission also visited **Bomgora Area**, wherein also Coal Dumps of freshly mined Coal have been noticed in certain areas. Such coal dumps are found in almost all the houses of the inhabitant of that locality. The Commission has been informed that mining activities in Phemru - I and Phemru- II areas near the border of Arunachal Pradesh are also on. The said area is also, as informed by the DFO, Digboi, is under Saleki PRF. The Commission also noticed tea gardens in the area and inside Saleki PRF.

Bomgora

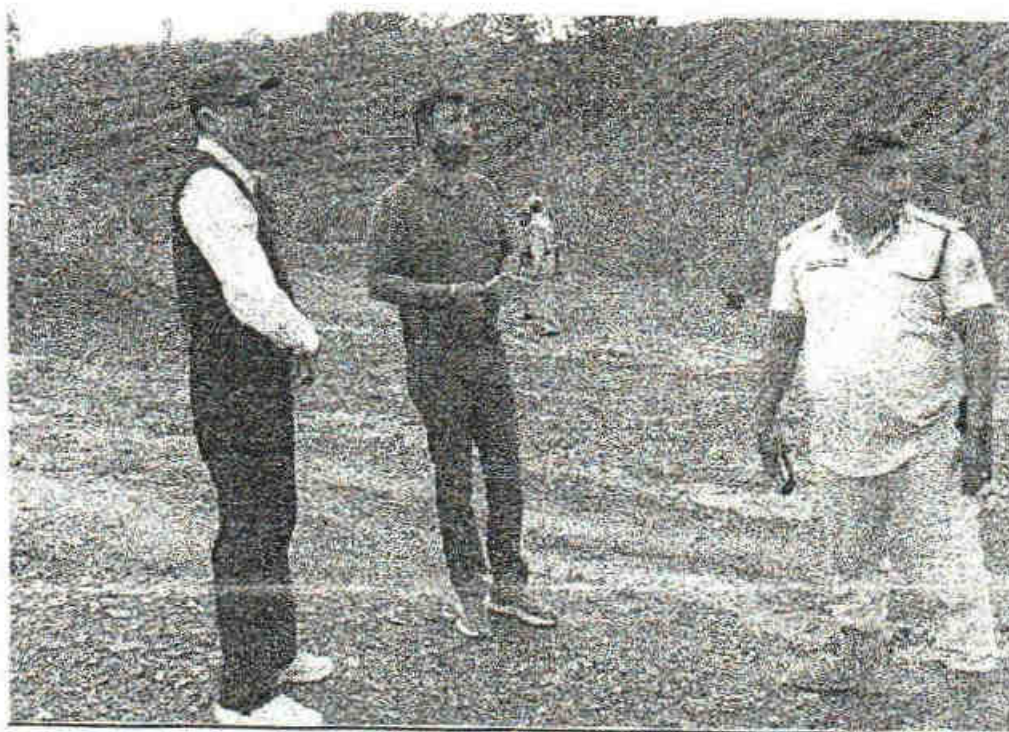




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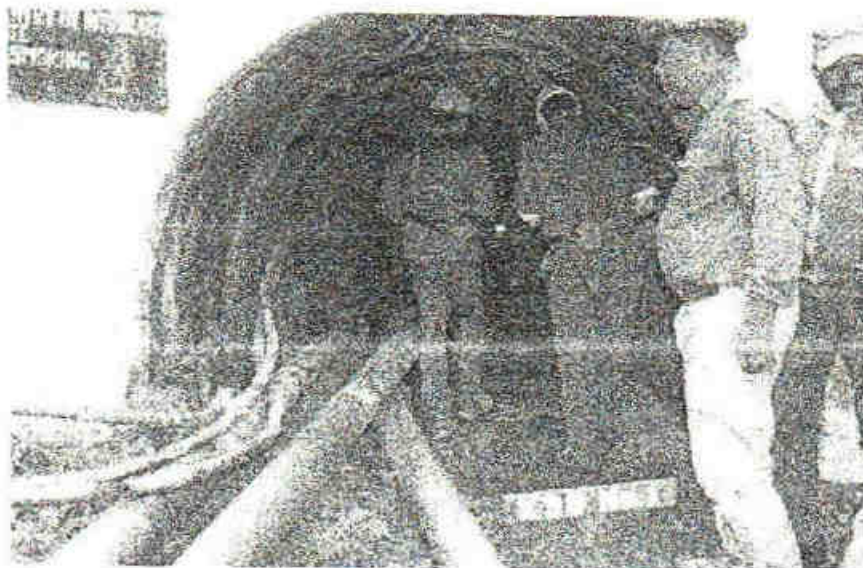


Encroachment by tea garden in Bomgora



The Commission also visited the **Tipong Under Ground Mine** of CIL, which is presently non-operational. The Chairman of the Commission along with the learned Advocates; the General Manager, CIL; DFO Digboi and few officials of CIL went inside the Underground Mine operated by the CIL, to some depth, by observing all required formalities.

Tipong Under Ground Mine



SITE VISIT ON 07.03.2021

The Commission on 07.03.2021 visited proposed **Dihing Patkai National Park**, more particularly Soraipung and Lakhipathar area and discussed about the elephant corridors with the DFO, Digboi Division. The Commission has been informed by the DFO, Digboi Division that there is no encroachment in the said Proposed National Park. The DFO highlighted the need for clearing the Golai Elephant Corridors, which has been permanently blocked by the Indian Oil Corporation, AOD by constructing Oil Terminal.

Still photographs and videography were taken / recorded through Photographers arranged by the Tinsukia District Administration.

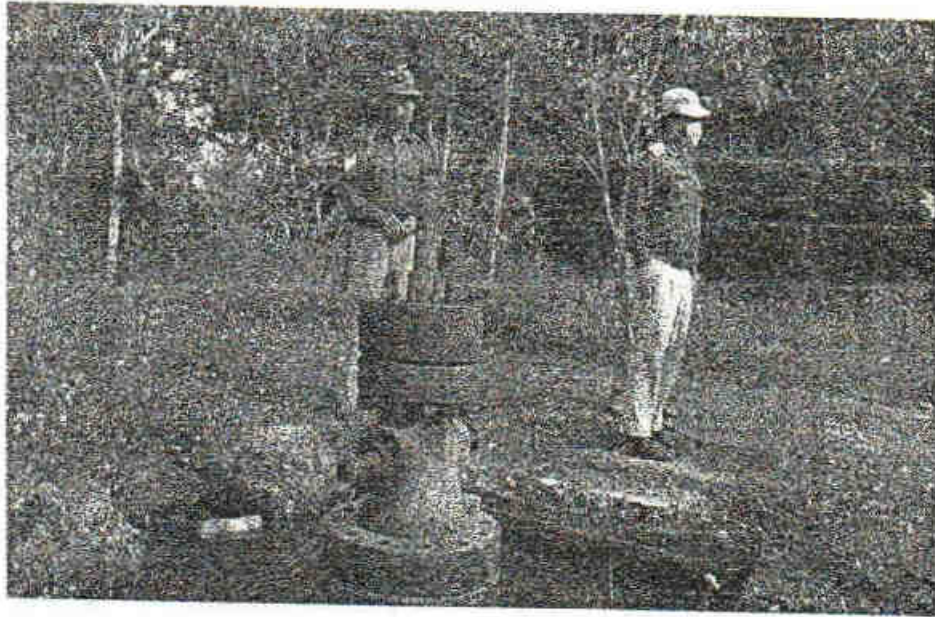
During the site visit, the Commission was accompanied by Sri Gautam Rahul and Sri Dushmantha Madhab Nath, Advocates for Commission.

The Commission has also been informed by the DFO, Digboi that Bogapani Elephant Corridor is still open except the encroachment by one Dhaba, namely, Kaziranga Dhaba.

It has also been informed that Jorajaan OCS (Oil Collection Station), belonging to the Oil India Limited which exists within Upper Dihing Reserved Forest, West Block causes pollution to the adjutant areas to the park.

Inside the said proposed Dihing Patkai National Park/Upper Dihing Reserve Forest, the Commission noticed some abandoned

drilling sites of Oil India Limited and few non-operating wells. One abandoned drilled site was found within 100 meters of the habitat of White Winged Wood Duck, the State Bird of Assam.



None of the memorialist or their representatives, despite publication of public notice in the newspaper and individual intimations given, present during the field visit today.

FIELD VISIT ON 08.03.2021

The Commission, after conduct of the Public Hearing, have conducted the site visit to Namphai Reserve Forest and Joyarampore Area in Tinkopani Reserve Forest and Namphai Reserve Forest. During the site visit, the DFO, Digboi Division was also present. He informed the Commission that there were illegal coal mining activities inside the Reserve Forest, but due to security reasons as well as lack of proper road, the Commission was advised against visiting that area. The Commission however directed the DFO, Digboi to take photographs of the said area and send the same.

During the site visit, the Commission was accompanied by Sri Gautam Rahul and Sri Dusmanta Madhab Nath, Advocates for Commission.

The Commission during the said field visit, noticed encroachment in Namphai RF and setting up of a village by cutting trees and clearing the jungles.

Photographs of such encroachment in **Namphai Reserve Forest :**

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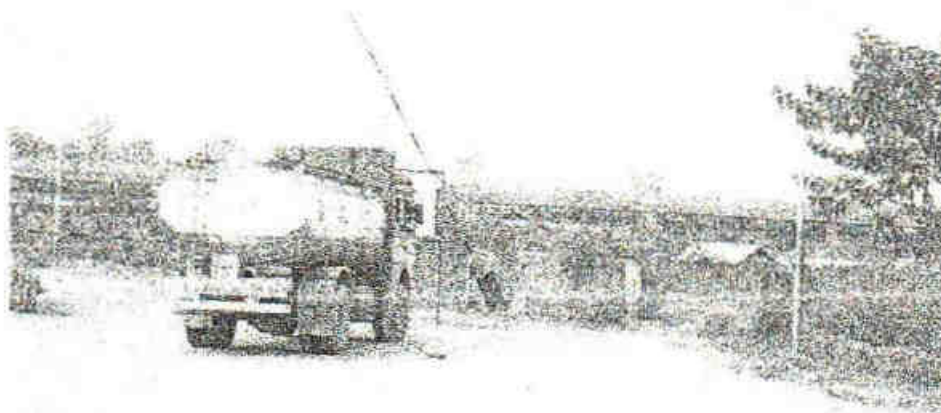
FIELD VISIT ON 09.03.2021

The Commission, after the public hearing was over, conducted site visit to see the elephant corridors. The Commission could notice that while the **Golai elephant corridor** has completely been blocked by Indian Oil Corporation (Assam Oil Division) by constructing oil terminal, the **Bogapani Elephant corridor** has no obstruction except by a Dhaba.

Still photographs and videography were taken / recorded through Photographers arranged by the Tinsukia District Administration.

During the site visit, the Commission was accompanied by Sri Gautam Rahul and Sri Dusmanta Madhab Nath, Advocates for Commission.

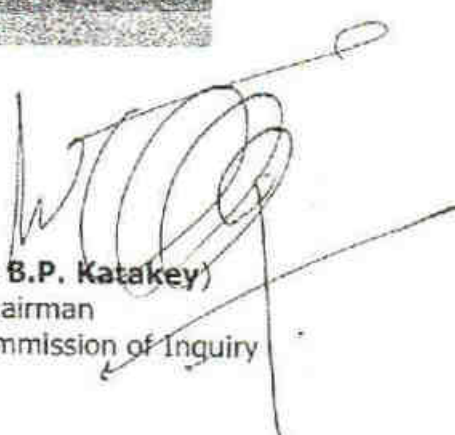
Golai Elephant Corridor





Bogapani Elephant Corridor




(Justice B.P. Katakey)
Chairman
One Man Commission of Inquiry



Annexure - 10
Sub div - Margherita Dist. - Tinsuk
Assam - 786181
E-mail - cgmlnec@vsnl.com
Fax: 03751 220354
Tel: 03751-220329/220283

63

August 27, 2012

Subject: Submission of Proposal in Form A for Tikak Opencast Project under section 2 of Forest Conservation Act, 1980 and rule 6 of Forest Conservation Rules, 2003, for prior approval of Central Govt.

North Eastern Coalfields, Coal India Ltd. Margherita, Assam hereby submits proposal seeking diversion of Forest Land, for prior approval of Central Govt. under section 2 of Forest Conservation Act, 1980, for mining of coal by opencast method at Tikak Opencast Project, in Form A, under rule 6 of Forest Conservation Rules, 2003. Enclosed with the form is a Map in scale 1:50,000, Mining plan prepared by CMPDI, details of purpose wise break up of land for broken up and fresh area, and detail of lease areas, and other relevant documents and plans required under the Act.

North Eastern Coalfields supplies coal to important users like NTPC, NPC, ECI and other small scale industries which are vital for Assam and for the Nation as a whole, with regard to energy security. From 2013-14 onwards nearly all of the coal produced will cater to the need of Bongaigaon Thermal power plant as per the MoU inked by Ministry of Coal and NTPC. The proposal if approved will increase the life of the mine by another 20 years. We would like to request your good office for an expedient perusal and recommendation of the proposal to Central Govt. for approval.

Thanking you,
धन्यवाद.

Yours truly,
भवदीय

CHIEF GENERAL MANAGER
मुख्य-महाप्रबंधक

Enclosed: Form A and 19 number of annexure containing related documents and plans.

D/1
DIGBOI DIVISION
64

SUBMISSION OF PROPOSAL SEEKING APPROVAL OF THE CENTRAL GOVERNMENT UNDER SECTION 2 OF THE FOREST (CONSERVATION) ACT, 1980.

FORM A

(Form for seeking prior approval under section 2 of the proposal by the State Government and other authorities)

PART - 1

(To be filled up by user agency)

1. Project Details:

i. Short narrative of the proposal and project/scheme for which the forest land is required -

- a. Name of the Project: Tikak Opencast Project.
- b. User Agency: North Eastern Coalfields. Coal India Ltd. (a Public Sector Undertaking under Govt. of India A. Maharatna Company), District - Tinsukia, Sub-Div. Margherita, Assam - 786181. A plan showing the mining leases are enclosed in *Annexure 1*. Major coal is supplied to NTPC Farakka, Hindustan Paper Corporation, Jagirroad, Cement Corporation of India Bokajan, among others. From 2013-14 onwards, NTPC Bongaigaon, Assam, has an annual linkage of 1.25 Mill. Tn.
- c. Brief narration of the proposal - North Eastern Coalfields had applied for renewal of the mining leases under Forest Conservation Act in the year 2003, to the Divisional Forest Officer, Digboi Division (*Application is enclosed in Annexure 2*). The proposals were recommended by DCF and CF. As the said renewal has not received till date, we are submitting a fresh proposal for prior approval of Central Govt. under section 2 of the Forest Conservation Act, 1980, for Tikak Opencast Project, for the period between 2003 to 2023 for a period of 20 years including ex-post facto approval for the period between 2003 to 2012.
- d. Location of the project:
The Tikak Open Cast Project is situated on the northern slope of Tikak Parbat (Tikak Hill) which lies between the latitude from 27°17'25" to 27°43'40" N and between longitude from 95°43'00" to 95°45'00" E.
- e. Brief narration of the project -

Office of the Principal Secy.
Government of Assam
Env. & Forest Deptt.
Dispur, Guwahati-6

Dy No. 385

Date 28/11/2012



Tikak Opencast Project had identified an area of 98.59 Ha. Proposed Reserve forest for mining of coal for the period of 2003 to 2023, @0.2 Mill. Te. per year. The Project is based on and in continuation of the project started in the year 1982. Environment clearance for the same quantity, has been provided by MoEF in the year 1996 (Enclosed in Annexure 3).

The Project Report prepared by CMPDIL, a subsidiary of Coal India Ltd. and authorized by Govt. of India to prepare PR/Mining Plan estimated a total mineable reserve of 8.165 Million Tonne, with a targeted output of 0.2 Mill. Te. per year. Two major coal seams namely 60ft and 20ft is generally worked. Earlier deeper reserve had been already worked from drainage level till 288m vertically upwards towards the hill top, by underground mine from Baragolai and Namdang end (Baragolai & Namdang underground mine has been closed in the year 2008) since long before Coal Mines Nationalization.

Tikak OCP falls within partly within 4 sq. mile mining lease and partly within Namdang Coal Grant (mining lease plans enclosed in Annexure 4) that was vested with Central Govt. and transferred to Coal India Ltd. by virtue of Coal Mines Nationalization act, 1973 (enclosed in Annexure 5) for lease period of 30 years i.e. up to 2003. The Forest Conservation act, 1980, did not apply to these mining leases since it was under a continuing lease prior to the act.

- ii. Map showing the required forest land, boundary of adjoining forest on a 1:50,000 scale map:

The proposed Tikak Opencast Project is covered under Toposheet no. 83 M/11 and falls within Saleki Proposed Forest land. A map in Toposheet is being enclosed in Annexure 6, showing the boundary of forest and the required forest land.

- iii. Cost of the project:

- a) Capital Investment. Total Capital invested in Tikak Opencast Project till date is Rs 10.24 Crores. In further 10 years i.e. upto 2023, for which prior approval is being sought, an approx. amount of Rs 20.00 Crores will be invested. Total capital investment will be thus 30.24 Crores till the life of the mine.

b) **Cost of Production:** Average cost of production per tonne of coal raised is Rs. 1000.00 for the last ten years, though in 2011-12 it has been Rs.552.00 per tonne. This includes the cost of – salary & wages, Admin. Expenses, Stores, Power, Purchase & Repairs, contractual expenses, Interest & Depreciation, Welfare expenses, etc.

iv. **Justification of locating the project in forest area:**

Occurrence of coal in the Tikak Parbat hills is known from the early days of British Occupation, as early as 1828. Working on the coal outcrop begun in 1882. Ledo colliery started in 1882, Namdang in 1896, Tikak in 1904. Mining leases were awarded as early as 1897. The whole belt of coal seams from Margherita in Assam to Arunachal Pradesh has been termed as Makum Coalfield occurring in the foothills of the Sub-Himalayan terrain. Tikak Open Cast Project is extracting coal of Baragolai and Tikak Parbat Formation of Makum Coalfield. Assam coal is known for its high calorific value and low ash content. Coal from this project is linked with NTPC power plants, paper mills of Assam (HPC), Cement plants of Assam (CCU), Tea garden, Brick factories etc. Since, mining of coal can only be done at the places of occurrence of coal, therefore, Tikak OCP is site specific. A total mineable reserve of 8.156 Million Tonnes had been estimated for Tikak OCP site, which is located on the southern slope of Tikak Parbat hills at the altitude of 355 m within Saleki Proposed Reserve Forest. 70% of power generated in India is from coal based Thermal Power Plants. To maintain the energy security of the country, this project is justified though it is located in forest area. Geological Report containing the location of coal and quality of coal of the project is enclosed in Annexure 7.

v. **Cost Benefit analysis (to be enclosed):** we are producing below the operating profitability of the project, for viability projection:

- a) **Sale value:** The sales turnover value of 2011-12 has been Rs.180.90 Crores, though the average of last ten years has been Rs.90.21 Crores.
- b) **Profitability:** In 2011-12 Tikak generated a profit of Rs.165.66 Crores, though the average value for last ten years comes to 58.31 Crores. The Profitability per tonne of coal raised in 2011-12 has been Rs.6004.00 whereas for the last ten years it has been Rs.1568.00.

vi. **Employment likely to be generated:**

The project directly employs a total manpower of 652 persons. Out of which 237 persons are directly employed with North Eastern Coalfields, CIL and 425 persons are employed with outsourcing contractor. Further, the project also generates lot of indirect employment in and around the project related to despatch of coal, infrastructure development, regular repairing of machineries and other contractual jobs.

2. **Purpose-wise break-up of the total land required:**

- i. *The total area required for mining and OB dumps that falls within the forest area (in Ha.):*

Uses	Area already broken up to 2003	Area broken from 2003 to 2012	Area to be broken from 2012 to 2022	Total
Mining	-	24.24	29.02	53.26
OB dump	-	18.68	10.67	29.35
Total	-	42.92	39.69	82.61

- ii. *Area required for roads and mine periphery: (in Ha.)*

Uses	Area already broken up to 2003	Area broken from 2003 to 2012	Area to be broken from 2012 to 2022	Total
Approach road	4.50	0.70	0.90	6.10
Haul Road	0.50	0.60	0.80	1.60
Mine Periphery	Nil	Nil	Nil	Nil
Total	5.00	1.30	1.70	7.70

- iii. *Area required for infrastructures: (in Ha)*

Uses	Area already broken up to 2003	Area broken from 2003 to 2012	Area to be broken from 2012 to 2022	Total
Workshop, Power House, Garage, etc	0.47	Nil	Nil	0.47
Explosive Magazine	0.82	0.05	Nil	0.87



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Office, store etc	0.36	Nil	Nil	0.36
Hospital, School etc	0.03	Nil	Nil	0.03
Colony	6.25	Nil	Nil	6.25
Total	7.93	0.05	NIL	7.98

Grand total of Area required which requires prior approval under FC act, 1980: (in Ha).

Area already broken up to 2003	Area broken from 2003 to 2012	Area to be broken from 2012 to 2022	Total
12.93	44.27	41.39	98.59

Plan showing the purpose wise break up of land is enclosed in Annexure 8

3. Details of displacement of people due to the project, if any:

- Number of Families: Nil
- Number of Scheduled Casts/Scheduled Tribe families: Nil
- Rehabilitation Plan: Does not arise as no families will be displaced.

4. Whether clearance under Environment (Protection) Act, 1986 required? Yes/NO

Yes. Environment Clearance for production of 2.0 lakh tonnes under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 vide No Z-11011/3/88-II(M) dt.15.09.1995 was issued by MoEF. Copy of EC is enclosed in Annexure 3.

5. Undertaking to bear the cost of raising and maintenance of compensatory afforestation and/or penal compensatory afforestation as well as cost for protection and regeneration of Safety Zone etc. as per scheme prepared by the State Government (undertaking to be enclosed):

Enclosed in Annexure 9

6. Details of Certificates/documents enclosed as required under the instruction.

- Mining lease plan.
- Application for mining lease renewal in 2003.
- Environment Clearance issued by MOEF.
- Mining lease plan authenticated by Joint Director, Directorate of Geology & Mining, Assam.
- Coal Mines Nationalization Act, 1973.
- Topo Sheet map showing proposed area.
- Geological Report prepared by CMPDIL in 1979.
- Plan showing the purpose wise break up of land.

9. Undertaking to bear the cost of compensatory afforestation.
Additional Annexure;
10. Project Report
11. Summary EIA-EMP report



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H/27/8/W
(A.K. BORA)

CHIEF GENERAL MANAGER
NORTH EASTERN COALFIELDS
COAL INDIA LIMITED
P.O. MARGHERITA, DISTRICT - TINSUKIA
ASSAM - 786181

PHONE : 03751 - 220329 FAX : 03751-220354
Email : cpm.nec@coalindia.in

Date : 27.08.2012
Place : Margherita



State serial No. of proposal 373, dt 17/10/2012
(To be filled up by the Model Officer with date of receipt)



PART - II

(To be filled by the concerned Deputy Conservator of Forests)
State serial No. of proposal 323, Dt 17/10/2012

Location of the project/scheme	
i) State/union territory	Assam
ii) District	Tinsukia
iii) Forest Division	Digboi Forest Division
iv) Area of forest land proposed for diversion (in hect)	98.59 hect.
v) Legal status of forest	Proposed Reserve Forest
vi) Density of vegetation	0.7 (Dense Forest)
vii) Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation/ hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.	Enclosed
viii) Brief note on vulnerability of the forest area to erosion	Records of erosion in last few decades were not found. But possibility of moderate erosion during OCP may occurred.
ix) Approximate distance of proposed site for diversion from boundary of forest	It is well inside the Saleki P.R.F.
x) Whether forms part of National park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (if so, the details of the area and comments of the Chief wildlife warden to be annexed)	It is a part of Dehing Patkai Elephant Reserve. Comments from Chief Wildlife Warden, Assam are requested and the reply is awaited.
xi) Whether any rare / endangered / unique species of flora and fauna found in the area if so details thereof.	Presence of any rare and endangered species are not noticed.
xii) Whether any protected archeological/ heritage site/defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
8. Whether the requirement of forest land as proposed by the user agency in col.2 of part-I is unavailable and barest minimum for the project. If no, recommended area item-wise with details of alternative examined.	Yes, the requirement of land is minimum and specific work of exploration of coal
9. Whether any work in violation of the act has been carried out (yes/no). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress	The Forest Conservation Act 1980 did not apply to mining lease of North Eastern Coal Filed till the year 2003, as it was under continuing lease before the enactment of the Act. After 2003 North Eastern Coal Filed applied for renewal of mining lease under FC Act duly and the same was being processed, however approval is yet to be given by the competent authority. Now North Eastern Coal Filed has applied afresh in 2012 for



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		<p>renewal in respect to areas broken from 2003 to 2012 i.e. 44.27 ha without renewal and area to be broken from 2012 to 2023 i.e. 41.39 ha. Also some area broken before 2003 i.e. 12.93 ha which is in use are also to be renewed.</p> <p>The North Eastern Coal Field is a Govt. of India undertaking company under the Ministry of Coal and only coal producing unit catering numerous small and large scale industry like power, tea, cement, paper etc. and is working in the interest of the public and growth of the nation. So no action, though violation has taken has been initiated upon anybody. Presently no work in violation is in progress.</p>
10	Details of compensatory of afforestation scheme	
	i) Details of non-forest area/degraded forest area identified for compensatory afforestation its distance from adjoining forest, number of patches, size of each patch	<p>Area required for Compensatory Afforestation is 197.18 ha.</p> <p>3 patches are identified for raising Compensatory Afforestation in 3 Ranges under this Division. The breakup of the patches are:-</p> <ol style="list-style-type: none"> 1. Margherita West Range (Upper Dehing Reserve Forest, West Block) = 50 ha at 2. Jagun Range (Kotha Reserve Forest) = 50 ha 3. Lekhapani Range (Tirap Reserve Forest) = 97.18 ha
	ii) Map showing non-forest/degraded forest area identified for compensatory afforestation and adjoining boundaries	Enclosed
	iii) Details compensatory afforestation scheme including species to be planted, implementing agency time, schedule, cost structure etc.	Enclosed
	iv) Total financial outlay for compensatory afforestation scheme	<p>a. Cost of afforestation = Rs. 83,43,122/-</p> <p>b. Over head (@50%) = Rs. 41,71,561/-</p> <p>Total = Rs. 1,25,14,683/-</p>
	v) Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view (to be signed by concerned Deputy Conservator of Forest)	Enclosed
11	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col 7(xi, xii) 8 & 9 above	Enclosed
12	Division/District profile	
	i) Geographical area of the district	5,79,100 hect
	ii) Forest area of the division	64,219 hect
		(RF=5571164 : PRI = 850415 ha)

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iii) Total forest area diverted since 1980 with number of cases	160 041 hect in 57 nos. cases
iv) Total compensatory afforestation stipulated in the district / division since 1980 on (a) forest land including penal compensatory afforestation, (b) non-forest land.	a) 437.30 hect. in Forest area b) 19,431 hect. in non Forest area.
v) Progress of compensatory afforestation as on (date) 03-10-2012 on	
(a) Forest land : (i) (ii) (iii)	437.30 hect.
(b) Non-Forest land (i) (ii)	19,431 hect.
13. Specific recommendation of the DCF for acceptance or otherwise of the proposal with reason	Proposal may be accepted after obtaining clearance from the PCCF (WL) as area proposed is falling under Dehing Patkai Elephant Reserve.




Divisional Forest Officer
Digboi Division

Signature

Name

G. Das AFS

Office Seal

Divisional Forest Officer
Digboi Division, Digboi
Tingukla, Assam

Date

10/10/2012

Place

Digboi

PART III

(TO BE FILLED UP BY THE CONCERNED CONSERVATOR OF FORESTS)

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- 14 Whether site, where the forest land involved is located has been inspected by concerned Conservator of Forests, (Yes/No) If yes, the date of inspection and observation made in form of inspection note to be enclosed. : Yes, the site was inspected by me on 12.10.2012. The area under Forest land involved for diversion is located 92.59 ha in Balaki Proposed Reserve Forest which is a part of Dehing Patkai Elephant Reserve. The proposed project area is located in hilly with vegetation falling under Dehing Patkai Elephant Reserve Block No.3. Observation made in the form of Inspection Note is enclosed as Annexure to Part III
- 15 Whether the concerned Conservator of Forest agree with the information given in Part-B and the recommendations of Deputy Conservator of Forests. : Yes, agreed the recommendation made by Divisional Forest Officer, Dighoi Division.
- 16 Specific recommendation of concerned Conservator of Forest for acceptance or otherwise of the proposal with detailed reasons : Recommended for acceptance

Signature

Name : S. Nayak, IFS
Conservator of Forests
Eastern Assam Circle, Jorhat

Date : 12/10/2012


Place : JORHAT

Office Seal

INSPECTION NOTE (TIKAK OCP)

The area proposed Forest location was inspected by me on 12.10.2012 jointly with Divisional Forest Officer, Digboi Division. The Forest land involved for diversion is 98.59 Ha and located in Saleki Proposed Reserve Forest. The area proposed diversion is part of Dehing Patkai Elephant Reserve, Block No.3. The proposed project area is located in hilly area with vegetation. North Eastern Coalfields, Coal India Limited is a public sector undertaking leading to exploration and production of coal. As the production of coal is of primary importance for both the State and as well as Central Govt. contributing substantial amount of Govt. royalty as well as revenue to State Exchequer in terms of royalty, CESS etc. inclusive of generating large local employment and as well as establishment of future coal based industries. As such, for growth of the state economy as well production of coal and coal based production, the proposal can be accepted only after obtaining necessary clearance from Principal Chief Conservator of Forest (WL) on the proposed area for diversion which is falling under the Dehing Patkai Elephant Reserve.

Date : 12/10/2012


S. Nayak, IFS
Conservator of Forests
Eastern Assam Circle
Jorhat
Conservator of Forests
Eastern Assam Circle
Jorhat

PART-IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest department)

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.
(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

The proposal for diversion of 98.59 Ha. of forest land under Saleki Reserve Forest proposed by North Eastern Coalfields Coal India Ltd. has been recommended by the Conservator of Forests, Eastern Assam Circle, Jorhat, Divisional Forest Officer, Digboi Division, Digboi. The proposal is recommended subject to the clearance of Wildlife Board as the area falls under Dehing Patkai Elephant Reserve.

Date:- 26/11/12
Place:-

Signature
Name & Designation
(Official Seal)

PART- V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

18. Recommendation of the State Government:
(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Recommended

Date:- 05/02/2013
Place:- Dispur

Issued by
05/02/2013
Signature
Name of Secretary
Department of Forest
Environment & Forest
Government of Assam

NORTH EASTERN COALFIELDS
COAL INDIA LIMITED
NEAR OLD POST OFFICE. G.S ROAD
GUWAHATI (ASSAM)-781005

Ph (0361)-529340, 529410, 529609, Fax: (0361)-529341

E: Mail: neccoal@styam.net.in

Date:- 17.07.2002

NEC/TS/38/11

To,

The Director,
Directorate of Geology & Mining,
Govt of Assam,
Kahilipara, Guwahati-781010

Sub: Renewal of 9 (nine) nos. of Mining Leases

Dear Sir,

Enclosed please find herewith the applications for removal of the following Mining Leases in Form-J under the Mineral Concession Rules, 1960 alongwith the requisite fee by way of Treasury Challans for Rs. 22,500/- (Rupees Twenty Two Thousand and Five Hundred only).

Sl No.	Name of Mining Lease	Area
1.	4 sq. mile Mining Lease (Ledo, Baragolai M.L.)	1034.34 Hectares
2.	4.48 sq. mile Mining Lease (Lekhapani, Tipongpani M.L.)	1158.46 Hectares
3.	Jeypore (3.35 sq.mile)	866.26 Hectares
4.	Dill Lease I & II	1036.40 Hectares
5.	Tirap Coal Grant (588 Acres)	238.00 Hectares
6.	Namdang Coal Grant (387 Acres)	156.36 Hectares
7.	Bimalapore Lease I & II	750.00 Hectares
8.	Sheelvata Lease (624 Acres)	253.00 Hectares
9.	Koilajan Lease (1684.29 Acres)	681.00 Hectares

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We have submitted the Mining Plans in respect of the aforesaid leasehold areas to Coal India hqrs. for onward transmission to Ministry of coal through CMPDIL, Ranchi for approval. These plans will be submitted to you as soon as we receive after necessary approval.

Yours faithfully,

(A.D Nath)

Tech Secy, to CGM

Sd/-

Encl: Nine applications, each in triplicate

C.C.: 1 Chief General Manager, NEC

2. General Manager, Margherita

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**NORTH EASTERN COALFIELDS
COAL INDIA LIMITED**
NEAR OLD POST OFFICE, G. T. R. ROAD,
GUWAHATI ASSAM - 781 005.

Tel: (0361)- 525340, 525410, 525562 Fax: (0361) - 523341

E-Mail: neccoal@stream.net.in

Date: 17.07.2002

REC-119/0711

The Director,
Directorate of Geology & Mining,
Govt. of Assam,
Kahilpara, Guwahati - 781 016.

Sub: Renewal of 9(nine) nos. of Mining Leases.

Dear Sir,

Enclosed please find herewith the applications for renewal of the following Mining Leases in Form-I under the Mineral concession Rules, 1960 alongwith the requisite fee by way of Treasury Challans for Rs.22,500/- (Rupees twenty two thousand five hundred only).

Sl. No.	Name of Mining Lease	Area
1	4 sq. mile Mining Lease (Ledo, Baragolai M.L.)	1034.34 Hectares.
2	4.48 sq. mile Mining Lease (Lekhapani, Tipongpani M.L.)	1158.46 Hectares.
3	Jeypore (3.35 sq. mile)	866.26 Hectares.
4	Dill Lease I & II	1036.40 Hectares.
5	Tirap Coal Grant (508 Acres).	238.00 Hectares.
6	Namdang Coal Grant (387 Acres).	156.36 Hectares.
7	Bimalapore Lease I & II	750.00 Hectares.
8	Sheelvata Lease (624 Acres)	253.00 Hectares.
9	Kuilajan Lease (1684.29 Acres)	681.00 Hectares.

We have submitted the Mining Plans in respect of the aforesaid leasehold areas to Coal India Hqs. for onward transmission to Ministry of coal through CMPDIL, Ranchi for approval. These plans will be submitted to you as soon as we receive after necessary approval.

Yours faithfully,

(A. D. Nath)
Tech. Secy. to CGM

Enclosed Nine applications, each in duplicate.

Joint General Manager, NEC,
General Manager, Margherita.

GOVERNMENT OF ASSAM
POWER (ELECT.), MINES & MINERALS DEPARTMENT

PEM.2/2007/227

Dtd. Dispur, the 23rd Sept., 2008.

From :- Sri D. Choudhury,
Under Secretary to the Govt. of Assam,
Power (Elect.), Mines & Minerals Department.

To ✓ :- The Chief General Manager,
North Eastern Coalfields,
Coal India Ltd.,
P.O. : Margherita - 786181,
Dist. : Tinsukia. (Assam).

Sub :- Grant of mining lease for coal to North Eastern
Coalfields of Coal India Ltd. for Ledo Opencast
Project covering a total area of 101.00 hectares
in Tinsukia District of Assam.

Ref :- Your mining lease applications (i) dated 01.12.05
for 38.00 hectares and (ii) dated 15.3.07 for
63.00 hectares

Sir,

I am directed to say that in accordance with the provisions of the Mines & Minerals (Development & Regulation) Act, 1957, the Mineral Concession Rules, 1960 and in pursuance of the approval conveyed by Govt. of India vide memo No. 13016/6/2005-CA-II dated 28.7.08 the Governor of Assam is pleased to grant a mining lease for coal for Ledo Opencast Project covering a total area of 101.00 hectares in Ledo area of Tinsukia District in Assam to North Eastern Coalfields of Coal India Ltd. for a period of 20 (twenty) years to be effective from the date of execution of the mining lease deed with the State Government.

- (a) The mining lease deed is to be executed within 6 (six) months of issue of this order.
- (b) The lease is granted for systematic & scientific mining and extraction of coal in the area of 101.00 hectares thus granted without prejudice to the requirements of approvals, clearances from competent/prescribed authority under the relevant Act/Rules/Regulations in force.
- (c) The mining shall be done by the lessee personally or by his agent who may however be engaged only with the prior approval of the Government.
- (d) The lessee shall take all necessary precautions regarding safety of mine workings and persons employed therein.

Contd.p.2.

(2)

- (a) The lessee shall take all necessary measures for protection of environment in and around the mining lease area and the surroundings.
- (f) The lessee shall deposit a sum of Rs.10,000/- (Rupees ten thousand) only through treasury challan as security for due observance of the terms & conditions of the mining lease to be executed.

You are required to communicate to the Government, your acceptance of the mining lease thus granted within 15(fifteen) days of issue of this order

Yours faithfully,

(D. Choudhury).

Under Secretary to the Govt. of Assam,
Power (Elect.) Mines & Minerals Department.

Memo No. PEM 2/2007/237-1

Dated Dispur the 22nd Sept. 2006

Copy to

- 1) The Under Secretary to the Govt. of India,
Ministry of Coal, Shastri Bhawan,
Dr. Rajendra Prasad Road, New Delhi

- for information with
reference to his memo
No. 13016/5/2007-CA-II
dated 28.7.08

- 2) The Director of Geology & Mining, Assam
Kahilipara, Guwahati-19.

He is requested to
execute the mining
lease deed with
NECF/CIL within
the stipulated period

- 3) The Deputy Commissioner
Tinsukia District Tinsukia

- for information

By order etc.

(D. Choudhury).

Under Secretary to the Govt. of Assam
Power(Elect.) Mines & Minerals Department

GOVERNMENT OF ASSAM
MINES AND MINERALS DEPARTMENT
DISPUR, GUWAHATI-6

Annexure - 13

Aug-10

No. PM 69/2018/22

Dated Dispur, the 22nd July, 2019

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From: Commissioner & Secretary to the Government of Assam,
Mines and Minerals Department,
Dispur, Guwahati-6

To: The General Manager,
North Eastern Coalfields
Coal India Limited
P.O. - Marbha, Dist. Tinsukia, Assam
Pin-786181

Subject: Renewal of 400 Sq. Miles Coal Block comprising 15.4, 100.00 Hectar in Coal
Tinsukia Dist.

In another reference in the above, I am directed to say that the Government of Assam is pleased to renew the mining lease measuring an area of 400 Sq. Miles (1540 Hectar) (15400 Hectar) for production of Coal to Coal India Ltd. falling within the Tinsukia Dist. for a period of 20 years commencing on 01/07/2003 to 01/07/2023 under Bore Stamp & Minerals (Lease) Ordinance and Regulation No. 1937.

The renewal of mining lease is subject to the on-erance and condition laid down in the mining lease deed to be executed between the Govt. of Assam and Coal India Ltd. The renewal of mining lease is also subject to the terms and conditions as earlier set.

You are therefore requested to fulfill all the conditions as required including Forest Clearance and Environmental Clearance before the execution of the mining lease.

The receipt of the letter may please be acknowledged.

Yours faithfully,

Sd/ (A. S. Choudhury)
Commissioner & Secretary to the Government of Assam,
Mines and Minerals Department,
Dispur, Guwahati-6.

Dated Dispur, the 22nd July, 2019

Memo No. PM 69/2018/22

Copy forwarded for information & necessary action to

1. The Joint Secretary to the Govt. of India, Ministry of Coal, Shri B. Bhawan, Dr. Rajendra Prasad Road, New Delhi.
2. The Director, Geology & Mining, Assam, Kohilpara, Guwahati-19. He is requested to prepare the draft mining lease deed and execute the same with Coal India Ltd. in corporation and updating the relevant clauses of terms and condition as necessitated with recent development with intimation to this Department at an early date. This has the reference to his letter No. GM/MV/181 T.P. A 228, dated 22/07/2018.
3. The Deputy Commissioner, Tinsukia Dist., Assam for information and necessary action.
4. The Superintendent of Police, Tinsukia Dist., Assam for information and necessary action.

By order etc.

Joint Secretary to the Government of Assam,
Mines & Minerals Department,
Dispur, Guwahati-6.

Kalinda Shree

GOVERNMENT OF ASSAM
MINES & MINERALS DEPARTMENT
DISPUR, GUWAHATI-6

Annexure-14

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2018/24

Dated Dispur, the 22nd July, 2019.

Commissioner & Secretary to the Government of Assam
Mines and Minerals Department
Dispur, Guwahati-6

The General Manager
North Eastern Coalfields
Coal India Limited
P.O. Maracherra, Dist. Tinsukia (Assam)
Pin-786185

Sir, Removal of 4.48 sq. Km (138.46 Hect.) of Pechharkan Imouepan mining lease for Coal in Jaisukia District

In my letter a reference to the above, I am directed to say that the Government of Assam is pleased to renew the mining lease measuring in area 4.48 sq. Km (138.46 Hect.) of Imouepan Imouepan for production of Coal to Coal India Ltd. falling within the Jaisukia Dist. for a period of 20 (twenty) years with effect from 18/07/2019 under Rule 5 of Mines & Minerals (Development and Regulation) Act, 1957.

The renewal of mining lease is subject to the observance and fulfilment laid down in the mining lease deed to be executed between the Govt. of Assam and Coal India Ltd. The renewal of mining lease is also subject to the terms and conditions as earlier before.

You are therefore, requested to fulfill all the conditions as required including Forest Clearance and Environmental Clearance before the execution of work without delay.

The receipt of the letter may please be acknowledged.

Yours faithfully,

Sd/- A. L. Choudhary
Commissioner & Secretary to the Government of Assam
Mines and Minerals Department
Dispur, Guwahati-6

Dated Dispur, the 22nd July, 2019.

Memorandum No. FM-71/2018/24-A

Copies forwarded for information & necessary action to:

1. The Joint Secretary to the Govt. of India, Ministry of Civil Supplies, Bhawan, 40, Rajendra Prasad Road, New Delhi.
2. The Director, Geology & Mining, Assam, Katibpara, Guwahati-6. He is requested to prepare the final mining lease deed and execute the same with Coal India Ltd. in corporation and updating the relevant changes in terms and condition as necessitated with recent development with information to the Department at an early date. This has the reference to his letter No. GM/MM/181/D/2279 dated 27/07/2018.
3. The Deputy Commissioner, Tinsukia Dist., Assam for information and necessary action.
4. The Superintendent of Police, Jaisukia Dist., Assam for information and necessary action.

B. order etc.

Joint Secretary to the Government of Assam
Mines & Minerals Department
Dispur, Guwahati-6

Kalish Shua

DISPUTE GRANTING

Dated Disput. No. 22 July 2019

84

From: Commissioner & Secretary to the Government of Assam
Mines and Minerals Department
Disput. Granting-6

To: Chief Agent Manager
South Eastern Coalfields
Coal India Limited
P.O. Marheta, Dist. Dibrugarh, Assam
Pin-786151

Subject: Renewal of 28 Sq. Km (2800 Hect.) of Uranium lease for South Eastern Coalfields

In my reference to the above, I am directed to say that the Government of Assam is pleased to renew the mining lease measure an area of 28 Sq. Km (2800 Hect.) of Uranium for production of Coal to Coal India Ltd. falling within the Dibrugarh Dist. for a period of 20 years from 01/07/2019 to 01/07/2039 under Rule 815 of Mines & Minerals Development and Regulation Act 1957.

The renewal of mining lease is subject to the observance and conditions laid down in the mining lease deed to be executed between the Government of Assam and Coal India Ltd. The renewal of mining lease is also subject to the terms and conditions as notified before.

You are therefore requested to fulfil all the conditions as required including Forest Clearance and Environmental Clearance before the execution of work without delay.

The receipt of the letter may please be acknowledged.

Yours faithfully,

Sd/- P. Choudhary
Commissioner & Secretary to the Government of Assam
Mines and Minerals Department
Disput. Granting-6

Dated Disput. No. 22 July 2019

Memo No. PEM/70/2018/23-A

Copy forwarded for information & necessary action:-

1. The Joint Secretary to the Govt. of India, Ministry of Coal, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
2. The Director, Geology & Mining, Assam, Kohilpara, Guwahati-78. He is requested to prepare the draft mining lease deed and execute the same with Coal India Ltd. in conformity and updating the relevant clauses of terms and condition as necessitated with recent development with intimation to this Department at an early date of his for the reference to his letter No. GM/MDP/481/P/2018 dated 27/07/2018.
3. The Deputy Commissioner, Dibrugarh Dist., Assam for information and necessary action.
4. The Superintendent of Police, Dibrugarh Dist., Assam for information and necessary action.

By order of

Joint Secretary to the Government of Assam
Mines & Minerals Department
Disput. Granting-6

Sharma

GOVERNMENT OF ASSAM
MINES AND MINERALS DEPARTMENT
DISPUR, GUWAHATI-781 001

NO. M & M 72/2018-21

Dated Dispur, the 26th December, 2018

From: Shri D.C. Das, IAS,
Secretary to the Government of Assam,
Mines and Minerals Department,
Dispur, Guwahati-781 001

To: The Chief General Manager,
North Eastern Coalfields,
Coal India Limited,
P.O. Maibek, Dibrugarh, Assam-786 001
Dibrugarh

Subject: Renewal of Mining Lease measuring No. 26 Hectars for Coal in
Borsuk District

In view of a reference to the subject, I am directed to say that the Government of Assam is pleased to renew the lease measuring the following area of 26 Hectars for production of lignite coal situated in the Borsuk District for a period of 20 years from 9th 10th 2018 to 8th 10th 2038 under rule 83(1) of Mines & Minerals Development and Regulation Act, 1957.

The renewal of Mining Lease is subject to the observance and compliance laid down in the Mining Lease and to be executed by the Government of Assam and Coal India Ltd. The renewal of Mining Lease is also subject to the terms and conditions as set forth.

You are also requested to fulfill all the conditions laid down in the Mining Lease and to ensure that the work is carried out without delay.

Yours faithfully,

Secretary to the Govt. of Assam
Mines and Minerals Department,
Dispur, Guwahati-781 001

Mines & M 72/2018-21

Dated Dispur, the 26th December, 2018

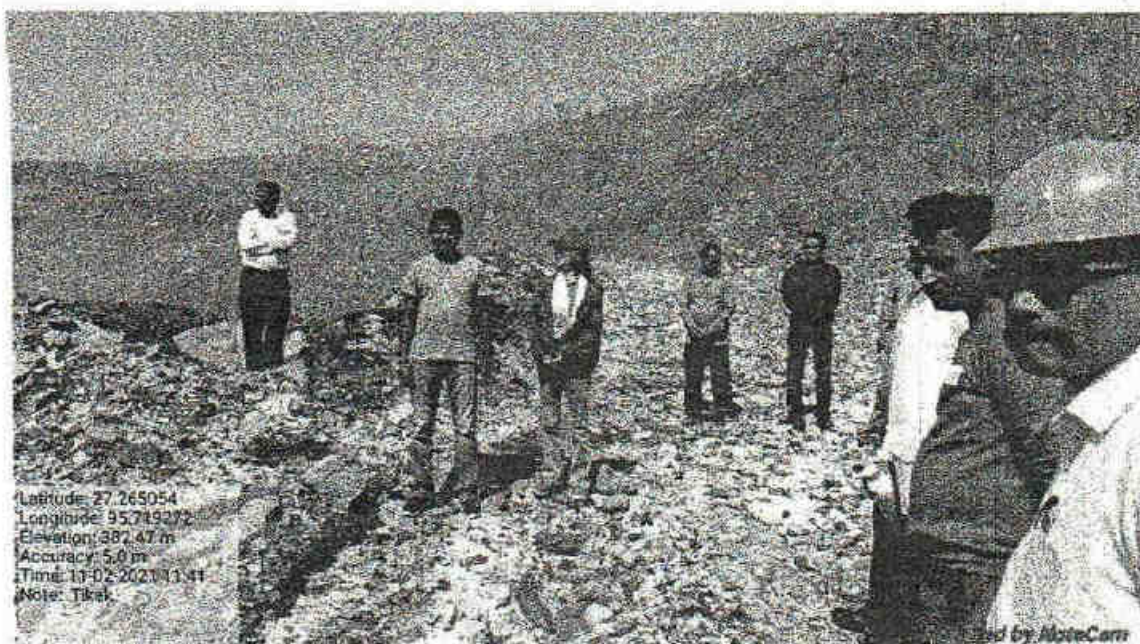
1. The Joint Secretary to the Govt. of India, Mines and Coal, Shri Dr. Rakesh Prasad Bhandari, New Delhi.
2. The Director, Geology & Mining, Assam, Kamrup, Guwahati-781 001. He is requested to prepare the draft Mining Lease deed and execute the same with Coal India Ltd. in conformity and updating the relevant clauses of terms and conditions as per situated with recent development with information to this Department at an early date. This has the reference to his letter No. GM/Min/18/12/2018 dated 27.09.2018.
3. The Deputy Commissioner, Borsuk District, Assam for information and necessary action.
4. The Superintendent of Police, Borsuk District, Assam for information and necessary action.

By order of

Deputy Secretary to the Government of Assam,
Mines & Minerals Department,
Dispur, Guwahati-781 001

**Report of the Fact Finding Team w.r.t to Proposal for use of 98.59 ha of Saleki
Proposed Reserved Forest Under Digboi Division for Tikak Open Cast Project
by North Eastern Coal Field, Coal India Limited**

The Fact finding team comprising of the Dy. Director General of Forest (Central) , IRO, Shillong, MoEF & CC and Nodal Officer FC act , Assam Forest Department visited the Digboi Division during 10 feb to 12 feb 2021 and conducted the site inspection on 11/02/2021. The team was accompanied by the DIG (C) IRO Shillong, DFO Digboi, other forest officials and officials of Coal India Limited (CIL).



Background Note:

The area of the proposal comes under the Saleki PRF of Lekhapani Range under Digboi Forest Division, Assam. The Tiktok Open cast mine is a project carried out by the Eastern Coalfields, a subsidiary of CIL on a lease over a 4sq mile of which the current proposal area of 98.59 ha falls. A careful examination of the submissions of CIL before the One-Man Enquiry Commission headed by Hon'ble Justice (Rtd) B.P.Katakey, shows that :-

1. The Tikok pen Cast Project (OCP) measuring 98.59 Hs falls under Namdang Coal Grant Lease and the 4 Sq.Mile mining lease, now situated in the Saleki Proposed Reserve Forest under the Digboi Forest Division in Tinsukia district.

2. Mining lease was originally awarded to the parent company on 17.12.1897 and 10.10.1932 by the Secretary of the State for the India In-Council. After nationalization and as per the Coal Mines (Nationalisation) Act 1973, fresh mining lease was granted for a period of thirty years w.e.f 01.05.1973 to 30.04.2003
3. About a year prior to the expiry of the lease the CIL applied for renewal of lease to the Geology and Mining department, Government of Assam, on 17.07.2002. Meanwhile in 2004, the Government of India, Ministry of Coal and Mines by way of letter dated 10.08.2004 stated that ***"in the interest of mineral development, the Central Government have decided to consider under section 31 of the MMDR Act the request of the coal companies to authorize working of these mines for a further period of 30 years beyond the lease period considering the energy security of the country."*** And as such the leases of the company became automatically validated upto 01.02.2033.
4. Coal India Limited vide their letter dated 28.11.2003 appears to have submitted the proposals for diversion of forestland under FCA 1980 and have further stated that the proposals were forwarded to the Conservator of Forest, Jorhat and the Nodal Officer, GoA in 2005.

However no further developments seems to have taken place till this Regional Office took up the matter in July 2012 and finally a proposal for diversion of the 98.59 Ha was submitted by the GoA to this office vide letter dated 02.04.2013.

During the intervening period, the CIL continued the mining activities over their lease hold area based only the aforementioned valid mining lease but without obtaining forest clearance under the Forest Conservation Act 1980. The Saleki PRF was also notified only in the year 1976. So it appears that there existed a right prior to the PRF notification and enactment of FC Act and the CIL seemed to have continued the operations under the above circumstances.

It is pertinent to mention here that the MoEF vide OM No.Z-11011/3/88-IA.II(M) dated 15.09.1995 gave clearance for the reopening of the Tikok Open Cast Mining subject to various environmental conditions.

Further, on 24th October 2019, a site inspection was carried out by the Regional office, Shillong that concluded as follows:-

- An area of 12.97 ha was broken prior to the 2003
- An area of 44.57 ha from 2003 to 2012 which was still being continually mined in spite of the pendency of the prior approval under FCA.
- The area of 41.39 ha was claimed to been unworked but was found that 9 ha area has been broken and mined and another 7 ha area was cleared perhaps for further mining. Thereby putting the unbroken area at about 25 ha only.

The In Principle Approval was subsequently accorded by the MoEFCC (F.C Division) by way of letter dated 29.12.2019.

In compliance to the IPA accorded,, the following plans has been prepared by the Rain Forest Research Institute, an institute of the Indian Council of Forestry Research and Education and submitted in the year 2017 (**Map of proposed area enclosed**)

- a. Biodiversity Management Plan
- b. Regional Wildlife Plan
- c. Carrying Capacity Study

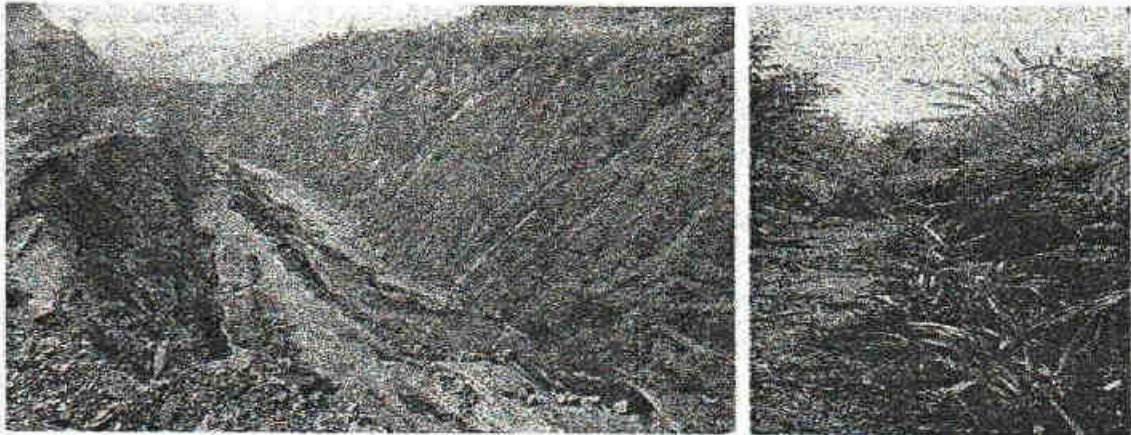
Total budget proposed in the plans is 45.38 Cr.

However recently the DFO Digboi Division and CWLW Assam had submitted a revised budget for Rs 62.5 Cr taking into consideration of cost escalation and some additional requirements (**copy Enclosed**)

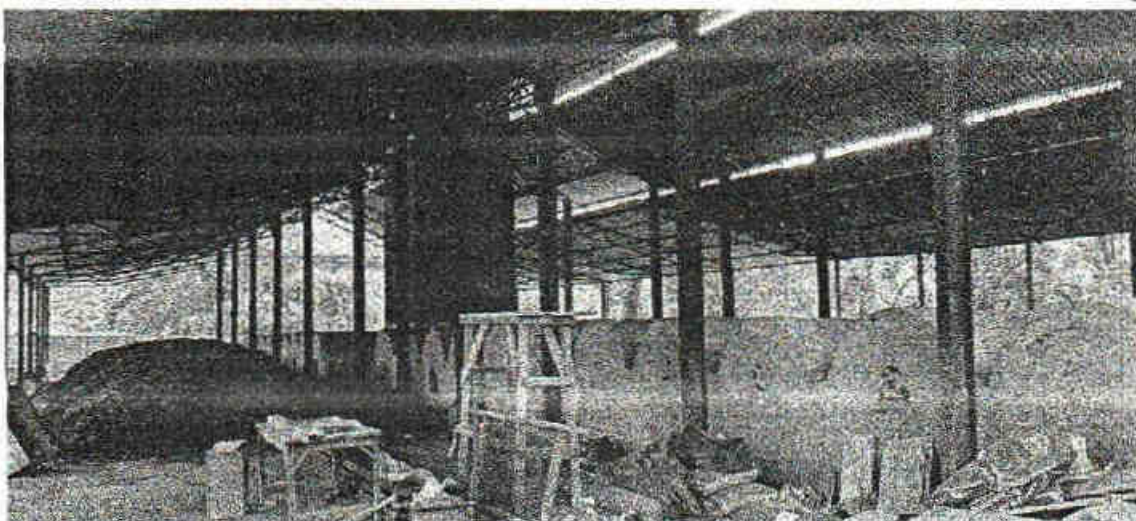
The Government of Assam vide Notification dated the 18th July 2020 in the Assam Gazette have constituted a "one man enquiry commission" headed by Justice (Rtd) B.P.Katakey, retired judge of the Hon'ble High Court to enquire into allegations wrt the Tikok OCP. (**copy enclosed**) The exhaustive TOR among others includes enquiry into the alleged illegal coal mining, identification of individuals/ organizations involved, assess the extent of mining,, suggest measures for recovery of loss, restoration, rehabilitation and reclamation etc. The Commission is now actively looking into the matter

Present status and observations:

The fact finding team visited the mining sites and found that the coal mines previously worked, broken or cleared by the Coal India Limited (CIL) are now totally closed and all activities have come to a complete standstill as was evident by the presence of vegetation in an around the mining sites and the absence of any vehicle tyre tracks on the coal routes with tall grasses growing therein.

**Abandoned CIL mine site and nearby unused route covered with vegetation**

The team also visited the adjoining townships wherein nearly 50 Collieries/ Coke bhattas are reportedly located. Presently the collieries are not operational, in all probability mainly due to non availability of raw materials (Coal) and to some extent due to the Covid-19 related lockdown. The procurement of raw materials by the huge number of collieries located nearby is open to scrutiny as there is no known source of legally mined coal except for the online auctions by the CIL which many small collieries are unable to access. Moreover, except for the issue of license and the Consent to Operate by the state government, no proper checks and balances and monitoring regime appears to be in place.



A colliery presently not in operation

Various discussions and field observations indicate that there was large scale illegal coal mining by various groups and individuals which were being mined and transported outside under the cover of CIL activities. Though the illegal mining appears to have simultaneously ceased with the closure of the CIL coal mines, there is the eminent danger of the illegal mining activities being re-activated once the CIL commences its mining activities. The complex issue of rampant illegal mining would be the major challenge for the authorities concerned and putting in place a stringent and foolproof mechanism to control it is an imperative and not a choice.

During further discussion on the issue of illegal coal mining in other parts of the division it was informed that an enquiry was earlier conducted by the Assam Forest department in July 2019 by a three-member enquiry team.

The team also had detailed discussion with the local forest officials wrt the importance of the Tikak OCP from the Wildlife and Biodiversity point of view as the Saleki PRF in which the proposed area lies, also forms a part of the Dehing Patkai Elephant Reserve (block 3) constituted vide Govt of Assam Notification No FRW 44/2002/67 Dated 17 April 2003 (**copy Enclosed**). It was found that though the OCP forms a part of the larger Elephant Reserve, it is located more than 9 kms away from the Dihing Patkai Wild Life Sanctuary (**Map Enclosed**). Moreover the Eco- Sensitive Zone (ESZ) of the Wild Life Sanctuary as per the Draft Gazzette Notification dated 30.05.2019 indicates that the maximum distance of the ESZ is 7.5 kms only. Hence

the Tikak OCP also falls outside of the ESZ of Dihing Patkai WLS. It was further informed that the OCP does not form any part of the elephant corridor and that no movement of elephants in the sites have been observed in recent times.

However, taken the fact that this part of the state is a biodiversity rich area with thick forest cover, it is expected that the aforementioned Biodiversity and Wildlife Plans will be implemented in letter and spirit.

Concluding remarks:

As mentioned earlier, the reopening of the Tikak OCP is likely to trigger a spate of illegal mining activities in and around the sites, under the cover of CIL activities. Therefore a three pronged strategy may be adopted to effectively face the challenge of illegal mining activities. Viz:

- I. Placement of a trained and armed contingent of Special Protection Force to man identified Coal Exit Points and for continuous alert patrolling of areas susceptible to illegal mining
- II. Address the livelihood issues of the nearby community members specially those who are actively engaged in the mining and trading of illegal coal
- III. Impose a moratorium on the local transportation by road, till such time that the availability of legal Coal for the proliferating Coke Bhattas/Collieries is assessed, a mechanism put in place for the sale of legal raw materials and appropriate regulations developed for monitoring and stock verification of the industries.

The CIL may be directed to essentially earmark a certain percentage of their CSR funds for undertaking the above activities and for funding Wildlife and Environment awareness and conservation activities.

Sd

Imtiena Ao
Deputy Director General of Forests (Central)
IRO Shillong

Sd

C.Muthu Kumavel
Nodal Officer FC Act. SFD
Government of Assam



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW U SIB, LUMBATNGEN
NEAR M.T.C. WORKSHOP, SHILLONG-793021
TELE: (0364) - 2537609 (O), 2536041 (R)
GRAM: PARYAVARAN, SHILLONG.
Email - moefshil_09@rediffmail.com

Annexure-18

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No. 8-5/2012-FC/ 1328-30

July 23, 2012

To

The Inspector General of Forests (IGF)
Ministry of Env. & Forests,
Paryavaran Bhawan, CGO Complex
Lodhi Road, New Delhi - 110 003

Sub: Site inspection report for diversion of 235.0 ha. of forest land for Lekhapani Open Cast project of North Eastern Coalfields under Lekhapani Range of Digboi Forest Divn. for coal mining by NEC, Coal India Ltd.

Ref: F. No. 8-5/2012-FC, Govt. of India, MoEF (FC Divn.), CGO Complex, New Delhi, dtd. 31.1.2012.

Sir,

As desired by the Ministry vide its letter in reference above, a Site inspection report of the proposed forest land diversion may kindly be found enclosed with this letter for your further needful. It will be proper to mention here that due to continuous rains in the area, steep muddy & slippery terrain and not having any approach (upto proposed diversion site) but full of dense jungle growth together with other inclement weather conditions it has not been possible to make inspection very intensively and closely, however it has been tried to present a true picture of the area as far as possible for consideration of the proposal.

Yours faithfully,

(B N Jha)

Addl. Principal Chief Conservator of Forests (C)

Encl: As above (9 pages)

Copy to:-

1. The DGF & Spl. Secretary/ Addl. DGF(FC), Ministry of Env. & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi - 110 003 for information and records.

Addl. Principal Chief Conservator of Forests (C)

please put up immediately
Loran

Sh. P. S.

SITE INSPECTION REPORT

North Eastern Regional Office, Govt. of India, MoEF, Shillong,
Site Inspection Report of proposed Lekhapani Open cast mine project of North
Eastern Coalfields, Margherita, Assam and 1/5th into 2012

1. Legal Status of the forest land proposed for diversion

228.15 ha – Lekhapani Reserve Forest ✓
 06.85 ha – Saleki Proposed Reserve Forest (PRF) ✓
 Total 235.00 ha

The project proponent has informed that 235 ha. of forest land proposed for diversion against Lekhapani Open cast mine forms a part of Lekhapani-Tipongpani Mining Lease (1158.45 ha. or 4.48 sq. mile) which has been vested in Central Govt. through enactment of "Coal Mines Nationalisation Act, 1973 and transferred to Coal India Ltd. under the same act.

Vide the Assam Gazette, June 23rd, 1976, Part II, No. FRS.97/76/2 the Govt. of Assam notified a declaration to constitute Saleki into a Reserve Forest land under Section 5 of Assam Forest Regulation VII of 1891.

2. Itemwise break-up details of the forest land proposed for diversion :

As provided by the project proponent the itemwise break-up details of the forest land are as follows:-

Sl. No.	Particulars	Specification	Area (ha.)	RF/PRF area
1.	Mining area		80.00	Lekhapani RF
2.	Over burden dump area		120.00	Lekhapani RF
		Sub-total	200.00	
3.	Approach Road upto Mine	2.1 km x 18 m	3.70	Saleki PRF
4.	Approach Road upto Mine	3.5 km x 18 m	6.30	Lekhapani RF
5.	Haul Road and mine periphery (perimeter of the whole mine)	4300 m x 15 m	6.60	Lekhapani RF
		Sub-total	16.60	
6.	Power Line 11 KV from Lekhapani Sub-Station	2.1 km x 15 m	3.15	Saleki PRF
7.	Power Line 11 KV from Lekhapani Sub-Station	3.5 km x 15 m	5.25	Lekhapani RF
		Sub-total	8.40	Lekhapani RF
8.	Coal Stock yard near mine	140m x 100 m	1.40	Lekhapani RF
9.	Coal Handling Plant	100 m x 20 m	0.20	Lekhapani RF
10.	Explosive Magazine along with safe zone	200 m x 50 m	1.00	Lekhapani RF
11.	Project Store and Electric and Mechanical workshop	300 m x 105 m	3.15	Lekhapani RF
12.	Effluent Treatment Plant	100 m x 120 m	1.20	Lekhapani RF
13.	Sub Station	120 m x 50 m	0.60	Lekhapani RF
14.	Site Office	130 m x 50 m	0.65	Lekhapani RF
15.	Statutory Building (Canteen,	180 m x 100 m	1.80	Lekhapani RF

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	First Aid Centre, Rest Shelter etc.)			
		Sub-total	10.00	
		Grand Total	235.00	

3. Whether proposal involves any construction of buildings (including residential) or not; if yes, details thereof.

Residential buildings are not proposed however following statutory buildings shall be constructed near mining area for mine operations as have been stated by the project proponents:

Sl. No.	Particulars	Specification	Area (ha.)	RF/PRF area
1.	Coal Stock yard near mine	140m x 100 m	1.40	Lekhapani RF
2.	Coal Handling Plant	100 m x 20 m	0.20	Lekhapani RF
3.	Explosive Magazine along with safe zone	200 m x 50 m	1.00	Lekhapani RF
4.	Project Store and Electric and Mechanical workshop	300 m x 105 m	3.15	Lekhapani RF
5.	Effluent Treatment Plant	100 m x 120 m	1.20	Lekhapani RF
6.	Sub Station	120 m x 50 m	0.60	Lekhapani RF
7.	Site Office	130 m x 50 m	0.65	Lekhapani RF
8.	Statutory Building (Canteen, First Aid Centre, Rest Shelter etc.)	180 m x 100 m	1.80	Lekhapani RF
		Total	10.00	

4. Total cost of the project at present rates :

Rs. 56.39 crores (as per Feasibility Report prepared by CMPDIL, Ranchi).

5. Whether forest area proposed for diversion is important from wildlife point of view or not:

The area proposed for diversion though does not form any part of National Park/Wildlife Sanctuary or Biosphere Reserve, but forms part of "Dehing - Patkai Elephant Reserve". A joint team of concerned CF, DFO and Sr. Wildlife Warden, O/o PCCF, Wildlife, Assam has inspected the area on instruction of Chief Wildlife Warden, Assam, given its comment (may be seen as an enclosure of proposal) that "elephants are not found to occur in this area and their movement is not noticed. Important faunal species inhabiting in the area includes large no. of species of butterflies, avifauna, reptiles and some mammals. No endangered/rare/unique species of flora and fauna is found in the area. The proposed diversion site is abandoned Jhum area and available fauna may move to the undisturbed and intact area of the Lekhapani Reserve Forest". PCCF, Wildlife, Assam in his letter dt. 22.7.2010 addressed to State Nodal Officer, FCA has agreed with the views/observation of above stated joint inspection team.

✓ The lease hold area of NEC covers forest area on hilly terrain, criss-crossed by many rivulets flowing through valley, cutting across the coalfield. Mining activities specially open cast mines leads to total denudation; change in topography/drainage pattern and devastate the habitat of wild fauna specially terrestrial and aquatic. Mining operations, specially sound of operating heavy machines, all the times, explosions, upcoming human activities, extending human habitation and thereafter anthropogenic factors altogether drive away major faunal species from the mine area and probably same thing has happened quite long back in the area, however the said intact forest belt beyond mining activities still bears good multi-tier natural vegetational cover, not commercially valuable but fairly good to constitute a habitat for many wild animals. Presence of varieties of bamboos and availability of plenty of water still makes it good habitat for elephants. At the same time elephants are long ranging animal, therefore incidences of elephants straying/visiting into coalfield areas cannot be discounted totally. The proposed OCP is over 20 km from the Upper Dihing East-Upper Dihing West Block between Golai-Powai Elephant Corridor as mentioned by "Aranyak" in their "Wildlife Conservation Plan in and around coalfields of NEC".

Presence of Langoor, Hooslock gibbon, leopard, leopard cat, wild boar, varieties of squirrel, civet, barking deer, together with large number species of avifauna (more than 50) including great hornbill, large green billed Malkhoa, rose ringed parakeet, spotted dove, crested serpent eagle, shrikes, oriole, hill myna, minivets, bulbuls, pigeon owls, etc.) are confirmed in the report of Aranyak. More than 141 species of butterflies have also been recorded by Aranyak in the area. Therefore the area proposed for diversion and its surround still abounds in important faunal species and area can be considered important from wildlife point of view. ✓

6. Vegetation:

Total number of trees to be felled: effect of removal of trees on the general eco-system in the area.

✓ The hilly area having thick layer of soil (mainly clay and loam) rich in humus and well drained due to moderate to steep slope, mingled with nallahs, rivulets, valleys, etc. provide diversified and good substratum for vegetational diversity. The area have mixed and dense three tier vegetational structure and rich species composition. The forest falls under Assam Valley Tropical Evergreen Forests corresponding IB/C2 of Champion & Seth classification. The emergent top canopy trees are with straight bole but sparse, while second layer is composed of multiple species forming close canopy mixed with bamboos. Lower canopy is composed of few thin boled species, covered with climbers and also mixed with bamboos and canes. The ground is found almost covered fully with herbs, shrubs, climbers, ferns etc. Trees are also found covered with epiphytes and ferns. Duabanga, Dillenia, Michelia, Schima wallichii, Terminalia myriocarpa, Albizia, Sterculia, Spondias, Kydia calycina, Sapium baccatum, Vatica lanceopholia, Cederela toona, Erythrina, Lagerstroemia, Artocarpus species constitute main tree species in the area. Species of tree ferns, abounds in the area with varieties of bamboos and canes; lianes and climbers are in plenty. Orchids (Cymbidium & Dendrobium) epiphytic wild plants, ferns, varieties of small and large grasses (including broom-grass), are also found in abundance. Therefore the area is almost fully covered with diverse vegetational cover. As per para 4.3.1 of National Forest Policy, 1988 this type of area has to be kept severely restricted.))

As per enumeration list enclosed with the proposal the no. of trees to be felled of girth below 50 cm. is 21 and girth above 60 cm is 54. Few trees are very thick ~~holed (having girth between 2-3 m)~~

Effect of removal of trees will immediately lead to landslips and heavy soil wash/erosion going into valleys, nullahs and rivulets. Though the number of trees involved is not much but existing diverse vegetation is thickly covering the hilly slopes and its removal shall have some impact on the microclimate but may not be very extensive and drastic as the adjoining areas are also covered with more or less similar type of vegetation.

7. Background note on the proposal :

As per provisions contained in the Coal Mines (Nationalisation) Act, 1973 the erstwhile mines of "Makum Coalfields" of Assam got vested to Coal India Ltd. from erstwhile Assam Railway & Trading Company (A.R. & T. Co.). Accordingly 4.48 sq. miles Lekhapani - Tipongpani (1158.46 ha.) of Mining Lease was vested to Coal India Ltd. and North Eastern Coalfields (of Coal India Ltd.) Margherita became the 'deemed lessee' of the said mines. The period of the lease so created was initially for a period of 30 yrs. w.e.f. 09.07.1973 by virtue of Gazette of India Notification Extraordinary order No. 345(E) dttd. 09.07.1973. The lease has further been continued/ renewed by Govt. of India for a further period of next 30 yrs. beyond expiry of initial lease period (vide order No. 13016/5/2002-CA, dttd. 10.08.2004 issued by Ministry of Coal & Mines, Govt. of India under S.31 of MMRD Act), however after enactment of Forest (Conservation) Act, 1980 and orders of the Hon'ble Supreme Court in Godavarman case (WP(C) No. 2002/95) and various other orders specifically in Ambica Quarry works etc. Vrs. State of Gujarat (AIR 1987 SC 1073), State of Bihar Vrs. Banshi Ram Modi, (AIR 1985 SC 814 : 1985(3) SCC 643), K.V. Shannugam Vrs. State of Tamil Nadu, AIR 1997 Mad 338 at 346) etc.; it is now settled once for ever that for renewal of lease to be operational a "prior" approval of Govt. of India under Forest (C) Act is *sine qua non*.

NEC is presently having 6 collieries in Margherita Sub-division of Tinsukia District of Assam by the name of Ledo U/G Mine (265.63 ha fully over forest land), Ledo O/C Mine (101 ha.), Tipong U/G mine (1158.46 ha. out of which 728.46 ha. is forest land), Baragolai U/G. mine (537.30 ha. out of which 537 ha. is forest, mine presently closed due to accident), Tirap Open cast mine (342 ha. having 209.30 ha. of forest land) and Tikak Open cast mine (having 283.77 ha. fully over forest land). Underground mining in the same area was continued upto June 1975. Now over same site seams close to surface is to be mined through proposed O/C mining. The coal from U/G mine was raised through U/G Mine. Tipong is still an active mine in the stage of development presently not producing any coal.

The coal produced by N.E. coalfields is mainly used by power plants, cement plants, paper mill, still plants and Brick kilns mainly in Assam and few other states of the country. Lekhapani Opencast project has been conceived mainly to supply coal to upcoming Bongaigaon Thermal Power Plant (NTPC) of Assam.

Almost all the mining area mentioned above falls in hills of Margherita Sub-division bordering Changlang district of Arunachal Pradesh and draining mainly into "Burhi Dihing River" a tributary of mighty Brahmaputra.

5. Compensatory Afforestation :

As per details provided in proposal, Compensatory afforestation is envisaged over 470 ha. of land falling in 5 different forest division and altogether in 18 patches. The situations of identified C.A. land are as below:-

- | | |
|---------------------------|-------------------------|
| 1. Digboi Forest Divn. | - 190 ha. in 5 patches. |
| 2. Doom-Duma Forest Divn. | - 149 ha. in 8 patches. |
| 3. Sibsagar Forest Divn. | - 74 ha. in 3 patches. |
| 4. Golaghat Forest Divn. | - 25 ha. in 1 patch. |
| 5. Jorhat Forest Divn. | - 123 ha. in 1 patch. |
| | 470 ha. in 18 patches |

Out of 470 ha. of identified CA land, 123 ha. is non-forest land (Revenue land of Kartik islands, a part of Greater Majuli Island; one of the largest River island in the country).

As the CA land is situated in 5 districts in 18 patches, and in this season when Assam is reeling under worst flood menace it has not been possible to inspect all the CA sites except the only non-forest CA land in Jorhat District crossing dangerous & turbulent Brahmaputra in a ferry. I also tried to inspect another patch of 25 ha. in Kotha beat, Jagun range of Digboi Divn. but could only reach nearer to the site but not over the actual site due to having kuchha-muddy approach road leading to CA site.

The 123 ha. CA site in "Kartik Islands" (a part of Majuli Island) is actually an Island formed due to sand deposition by mighty Brahmaputra. The Island fully or partially get inundated/ submerged by the flood water frequently if not every year. This year also inundation has taken place which was clear from the evidences available over the island. The river bank erosion is common site in Kartik Island. The Island is having small size sparse young trees of *Trewia nudiflora*, some *Lagerstroemia* species, wild plum, some semul trees together with shrubs and grasses. Accompanying CF and DFO stated that 20-25 yrs. old and successful one plantation is existent, but plantation of successive years were not seen. Biotic interference appeared less due to river acting as great natural barrier between mainland and islands. The land surface is almost plain with very little undulation, criss-crossed by active and as well as inactive nallahs/rivulets. Floods in Brahmaputra is a regular phenomenon and one cannot be sure that flood will not come as long as plantations are not established. Therefore survival of plantation on this Island at least in its formation stage cannot be assured. Considering this Island suitable from plantation and management point of view shall not be prudent at all. Moreover as per different reports available the area of islands are slowly shrinking due to active river bank erosion by Brahmaputra.

In my inspection covering 3 days, I felt that CA sites have not been inspected by any officer above Range Officers and I feel that the Forest Deptt. of Assam is very

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much required to re-visit and re-assess the site-suitability of identified CA land as well as to avoid raising CA on 18 patches, but to reduce number of patches and number of districts/divisions for raising CA.

Total financial outlay of raising CA : Rs. 2,09,52,878.00/-

The estimate is upto 5th yr. maintenance whereas Ministry has suggested to maintain usually upto 7 - 10 yrs.

Maps: As per filled up format, the maps have been submitted with original proposal to the Ministry.

Site suitability certificates though have been provided by concerned DFOs & CFs but I have felt in my inspection that exercise requires to be carried out *de-novo*, to reduce number of patches and find out most suitable sites and also to avoid sites where success of plantation is very doubtful.

9. Whether proposal involves violation of F(C) Act, 1980 or not, If yes, a detailed report on violation including action taken against the concerned officials.

No violation is involved on proposed diversion site of 235 ha.; however violation of F(C) Act has been observed in Tikak open cast mine of the same user agency (NEC) in Margherita area. Govt. of Assam has already been directed to stop the same, make available detailed report after thorough site verification and identify authorities responsible for violation.

10. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Govt. or not.

No displacement is involved hence R&R plan is not applicable.

11. Reclamation Plan :

As stated by the user agency, total cost of mine closure as on February, 2012 is Rs. 1723.33 lakh, (@Rs. 7.33 lakh/ha.). The mine closure plan has been prepared by CMPDIL and is under process of approval by Coal India Ltd Board and, thereafter by Ministry of Coal. Other details of Reclamation Plan/Closure Plan is not available to the undersigned, the same may be got from the user agency.

12. Details on catchment and command area under the project. Catchment area treatment plan to prevent siltation of reservoir.

Not applicable.

13. Cost-benefit ratio

Cost-benefit ration analysis has not been furnished in the proposal, the same may be obtained from the user agency.

14. Recommendations of the Principal Chief Conservator of Forests/State Govt.

PCCF Assam & State Govt. of Assam has recommended the proposal for approval.

15. Recommendations of Regional Chief Conservator of Forests along with detailed reasons:

Coal mines in "Makum Coalfields" of Margherita Sub-division of Assam (Digboi Forest Divn.) encompasses about 27 sq km of the area, and different coal mining projects are located within this stretch of land. Coal mining in this area has a more or less century old history. Prior to Nationalisation of coal mines Assam Rail and Trading Company was main operator of mines in the area. The mines have been operative mainly either over legally constituted forests or over deemed forest as the terrain has remained mostly covered with natural vegetation. The coal of Makum coalfields are of very superior quality from the point of view of their calorific value, less ash content, however having comparatively more sulphur content on the other hand the forests in the area is multitier, mixed, medium to highly dense, though high value timber already removed but still having large floral and faunal diversity, forming part of tropical evergreen forests. Thick soil, rich in humus on the hill slopes is very appropriate and conducive for the growth of multitier diverse vegetation, forming wide variety of habitat in the sub-region.

The situation described above give rise to a dilemma whether to recommend coal mining or not, but on the other side the country is facing fuel and energy crisis. Coal is presently used in our country mostly for thermal power generation and several industrial uses. The development without having energy and fuel for our industries cannot be thought off till alternative sources of energy are available. Coal is being imported on high cost for our essential needs and those needs are growing fast requiring utilisation of mineral resources in the country.

On the background detailed above, I would recommend diversion of 235 ha. of forest land subject to:- (a) extensive and intensive habitat management for targeted species (here elephants, hillock gibbon, leopard, avifauna and floral diversity) through a detailed impact study of surrounding area and preparation of time bound Biodiversity Management Plan focussing also on watershed protection and protection of natural aquatic systems available around the mines of NEC on the cost of user agency.

(b) To have a carrying capacity study of the remaining biodiversity rich area adjoining NEC coalfield in Margherita from a view point whether any more diversion of forest land shall be proper or not for the existence of the faunal species.

16. Regional Chief Conservator of Forests shall give detailed comments on whether there are any alternatives routes/alignments for locating the project on the non-forest land.

Not applicable as this is not a project requiring linear strip of land, rather is a site specific requirement.

17. Utility of the project :

Number of Scheduled Caste/Scheduled Tribes to be benefited by the project :

Not provided by project proponent.

18. Whether land being diverted has any socio-cultural/religious value:

No.

Whether any sacred grove or very old growth/ forests exist in the areas proposed for diversion.

No.

Whether land under diversion forms part of any unique eco-system.

No.

19. Situation w.r.t. any P.A.

The area proposed for diversion is part of "Dehing Patkai Elephant Reserve", Block No. 3, but as per joint report provided by CF(Wildlife) Assam; Sr. Wildlife Warden, O/o PCCF (WL), Assam, and DFO Tinsukia Wildlife Division, elephants and their movement is now not noticed in this area of Elephant Reserve. PCCF & CWLW Assam has also endorsed the above observation of Joint Inspecting Team, however he has suggested deposition of a corpus fund of at least Rs. 2 crores by NEC, and interest so earned on deposit to be used for wildlife conservation in Dehing Patkai Elephant Reserve and Dibru-Saikhowa National Park.

It is relevant to mention here that as provided in Guidance Document for taking up non-forestry activities in wildlife habitats, vide P.No. 6-10/2011 WL, Govt. of India, MoEF(Wildlife Division), New Delhi dtd. 15.3.2011 when a project falls within an "Elephant Reserve" the user agency should seek prior clearance from the standing committee of NBWL before seeking Environmental Clearance. Accordingly this project shall require clearance of NBWL however Sec 2 (24-A) of the Wildlife (P) Act, 1972 defining "Protected Area" under the Act does not include "Elephant Reserve". Sec. 29 of Wildlife (P) Act prohibits destruction or damage or diversion of the habitat of any wild animal by any Act except under and in accordance with a permit granted by CWLW, and such issuance of permits by CWLW requires consultation with SBWL (and not NBWL) by State Govt. Therefore the need to take clearance from NBWL may be examined at the level of Ministry.

20. Any other information relating to the project:

- (i) Please refer para no.9; violation is not involved over proposed diversion site, however violation has been observed in Tikak Open Cast mine of same user agency in Margherita area.
- (ii) Necessity of obtaining clearance from NBWL. - pl. refer para sl. No. 19.
- (iii) Suitability of C.A site requires re-assessment; for detail refer para sl. No. 8.

- (iv) Cost-benefit analysis is lacking, may be obtained from user agency; refer para 13.
- (v) Reclamation Plan :
Mine closure plan is under process of approval and yet to be furnished by the user agency.
- (vi) The NEC (user agency) is the only and largest PSU engaged in coal mining in NE region; having its area of operation very far from headquarters of Regional Office and also not having convenient rail or air connectivity whereas there is a need to continuously monitor environmental clearances as well as proposed several Forestry clearances for cluster of villages under NEC in Tinsukia district of Assam; the Ministry may like to impose a condition on the user agency (if clearance under F(C) Act is issued) for providing a suitable type of vehicle for the use of Regional Office with a view to facilitate monitoring of the projects.


(B.N. JHA)

Addl. Principal Chief Conservator of Forests (C)



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB, LUMBATNGEN
NEAR M.T.C. WORKSHOP, SHILLONG-793021
TEL: (0364) - 2537609 (O), 2536911 (R)
GRAM: PARYAVARAN, SHILLONG
Email - moef-northeast@nic.in & moefnec@nic.in

Annexure - 19

AUG 2012

NEPAL

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No. 8-5/2012-FC/1046-49 July 20, 2012

To

1. The Principal Secretary ✓
Govt. of Assam
Deptt. of Env. & Forests
Dispur, Guwahati
2. The PCCF & HoFF ✓
Forest Deptt.
Govt. of Assam
Rehabari, Guwahati

Sub: Tikak open cast mine of N.E. Coalfields, Margherita in Saleki proposed Reserve Forests, found operative without having prior approval for non-forest use of forest land by the Central Govt. under Forest (Conservation) Act, 1980.

Ref: (1) Letter No. RO-NE/E/MISC/1394-97 dtd. 25.08.2011 of Govt. of India, Ministry of Env. & Forests, N.E. Regional Office, Shillong addressed to CGM, North Eastern Coalfields, Margherita and copy marked to Principal Secretary & PCCF Assam, Deptt. of Forests
(2) Letter No. 8-5/2012-FC/3229-30, dtd. 24.12.12 and dtd. 10.04.2012 of this Regional Office addressed to Principal Secretary (Forest), Govt. of Assam and copy marked to PCCF & HoFF, Assam.

Sir,
It is to inform you that in course of site visit of 4/7/12 of coal mines of North Eastern Coalfields in Margherita area along with CCF-Cum-Nodal Officer (FCA), Assam, DFO Digboi and authorities of North Eastern Coalfields (NEC); CGM NEC, Advisor Env. & Forests, CIL; Suptd. of Mines and concerned Mine Managers: Tikak Open cast mine over Saleki proposed Reserve Forest (PRF) was found operational without having prior approval of Central Govt. under Forest (Conservation) Act, 1980. North Eastern Coalfields authorities stated on the spot that -

- (i) Coal Block of Tikak colliery (Open cast mine having an area of 283.77 ha) was allotted to NEC in the year 1973 on Mining Lease, initially for 30 years and again renewed for further 30 years (i.e. 1973 to 2003 & 2003 to 2033).
 - (ii) Out of total 283.77 ha of ML area NEC has used 242.70 ha of forest land for non-forest purpose before 25.10.1980 (enactment dtd. of F(C) Act 1980) and thereafter only 1.15 ha of forest land have been used for non-forest purpose and 176.62 ha (out of 283.77 ha) is available vacant land.
- Environmental clearance for operating mine is available to NEC but forestry clearance is not available to them though they have submitted their application 9 yrs back vide their no.

Copy for kind info

CIL, N-Delhi

RM

NEC Cell

NEC/L&K/18(FC) 1071 dt. 28.11.2003 when initial lease period came to an end.

- (iv) Open cast mine working began in 1982 in Tikak mine. NEC in their letter no. NEC/UGM/12/114/R dt. 24.04.12 addressed to this office has also informed the above facts about Tikak mine, except the fact of continued mining operations without having prior clearance of Central Govt. even after expiry of initial Mining Lease grant in the year 2003.

Vide the Assam Gazette, June 23, 1976, No. FRS.93/76/2, the Govt. of Assam has declared proposed constitution of RF land in Mouza Makum, Thana-Margherita over an area of 2940 ha., and local DFO confirmed that the area of Open cast mine (Tikak) falls within Saleki PRF.

In the light of facts stated above, *prima-facie* it appears that continued operation of Open cast quarry is violation of Forest (Conservation) Act [Section 2(ii) of the Act] as well as orders of Hon'ble Supreme Court dt. 12.12.96 in WP(C) No. 202/95 with WP(C) No. 171/96 wherein the Court directed all State Govt. to ensure promptly total cessation of all non-forestry activities (including mining of any mineral) over any forest land forthwith, taking place without prior approval of Central Govt. It is relevant to mention here that lands which are notified under Section 4 of the Indian Forest Act, 1927 would also come within the purview of the F(C) Act, 1980 (Supreme Court's Judgement in NTPCs case). Accordingly, NEC authorities were asked not to put any forest land under any non-forest use further, without prior approval of Govt. of India and stop all such non-forestry activities ongoing on the forest land including clearing of natural vegetation, breaking of land and mining (underground or open cast) etc. till an approval is obtained to do so from the competent authority.

Vide this office letter in reference (1) above the Principal Secretary, Env. & Forests, Govt. of Assam was requested to provide details of forest land under control of N.E. Coalfields together with maps after a site verification of all the lease areas of N.E. Coalfields; but Govt. of Assam did not found it appropriate even to respond in anyway. Vide this office letter dt. 12.12.2011, the CGM, NEC, Margherita was requested to provide basic details of mines over forest land in Margherita area. The information sought has been provided with lot of delay and there appears no mention of mine operative over forest land without prior approval of Central Govt. None of the concerned field officers, from CCF down upto the rank of Range Forest Officer has also taken any action to stop non-forest activity over forest land by NEC authorities. Therefore the Govt. of Assam is requested to ensure the following; and make available an action taken report within six weeks -

- (a) To effect stopping all non-forest activities on any forest land immediately by NEC where there is no prior approval obtained from Central Govt. under Forest (Conservation) Act.
- (b) To get the area of forest land under each ML surveyed separately, demarcated by permanent boundary marks, and provide such authenticated maps to this office showing use-wise as well as vacant/unbroken land in the map, distinctly and also to keep same in the custody of local Field Officers for ready reference and day-to-day monitoring.
- (c) To make available a detailed report of the State Govt. on the status of violation of F(C) Act by NEC auth. officers or possible breach of violation, together with actions contemplated on concerned field officers of State

Forest Deptt., if any, for inactions on their part to control/check ~~Annexure~~
of Supreme Court order.

- (d) To process pending proposals of NEC as per currently applicable procedure for forest land diversion pending since last 8-9 yrs. for Ledo, Tipong, Bargolai, Tirap and Tikak collieries for both broken as well as non-broken area; excluding only the part of leased land if any has been handed over back by NEC to the State Govt. after decommissioning and reclamation of mine.

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Yours faithfully,

(B N Jha)

Addl. Principal Chief Conservator of Forests (C)

Copy to:-

1. The Chief General Manager, N.E. Coalfields, Margherita, Distt. Tinsukia, Assam for information and further necessary action
2. The Chief Conservator of Forests & Nodal Officer, FCA, Guwahati, Assam for information and required necessary actions.

 20/7/12
Addl. Principal Chief Conservator of Forests (C)

F. No. 8-34/2013-FC

Government of India

Ministry of Environment, Forests & Climate Change
(F.C. Division)Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 110003,Dated: 26th December, 2019

To,
The Principal Secretary (Forests),
Government of Assam,
Guwahati

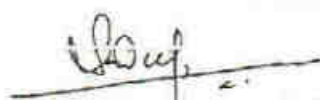
Sub: Diversion of 98.59 ha of Forest Land for Tikok Open Cast Project in Saleki PRF under Digboi Division by North Eastern Coalfield, Coal India Ltd., Assam.

Sir,

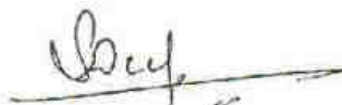
I am directed to refer to the State Govt. of Assam's letter No. FRS.171/2018/43 dated 19.11.2019 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 98.59 ha of Forest Land for Tikok Open Cast Project in Saleki PRF under Digboi Division by North Eastern Coalfield, Coal India Ltd., Assam subject to the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation over the degraded forest land, twice in extent to the area of forest land proposed to be diverted, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency;
- iii. State Government to abide by all conditions as specified in its recommendations of FAC on dated 10-11th June 2013, as listed below:


26.12.19

- a. The user agency will obtain clearance from NBWL before stage-II approval of the proposal and the user agency will be complying with all recommendation/condition imposed by NBWL.
 - b. The State Government will also prepare Regional Wildlife Plan for the region and the user agency will be liable to bear the proportionate cost of that plan before Stage-II approval. The commensurate funds of Regional Wildlife Plan shall be deposited in CAMPA Account prior to Stage-II approval.
 - c. Only trees enumerated in the proposal will be felled. The State Government will also institute a study of Biodiversity in that area at the cost of user Agency.
 - d. The State Government should raise penal CA over the degraded forest land twice in extent of the area broken up and utilized by the user agency since 2003 i.e. 57.20 ha (44.27 ha broken up and utilized from 2003 and 12.93 ha broken up before 2003 but utilized from 2003 onward) from the funds to be realized from the user agency. The shape file for identified land for penal CA may be furnished prior to Stage-II approval.
 - e. The State Government shall realize from the user agency penal NPV @ 20% of the rates applicable on the date of grant of Stage-I approval of the forest land utilized for non-forestry purpose (57.20 ha) without obtaining prior approval of the Govt. of India, under the Forest (Conservation) Act, 1980 for each year or fraction thereof. (Explanation: in case of patch of forest land has been utilized for non-forestry purpose without obtaining prior approval under the Forest (Conservation) Act, 1980 for 3 (three) years, penal NPV to be realized for such forest land will be @ 60% (20% x 3 years) of the rates applicable on the date of grant of Stage-I approval.
- iv. State Government shall take action for the violation, carried by the user agency after 10-11th June 2013, as per para 1.21. of Comprehensive guidelines dated 28th March 2019.
 - v. State Government shall inquire into the matter of gross violation and identify officials responsible for this violation and action should be taken against them, under intimation to the MoEF&CC.
 - vi. User agency shall not carry out any work in violation of the provisions of FCA 1980 till all penalty and compensatory levies are deposited and Stage II approval for the project is granted by MoEF&CC.
 - vii. Chief Wild Life Warden shall submit his independent comments as requested by MoEF&CC vide letter dated 5.8.2013.



26.12.19

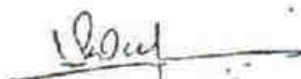
viii. The State Govt. may undertake following studies and submit reports to the Ministry prior to Stage-II approval:

- a. For extensive and intensive habitat management for targeted species (elephants, hoolock gibbon, leopard, avifauna) and floral diversity through a detailed impact study of surrounding area and preparation of time bound Biodiversity Management Plan focusing also on watershed protection and protection of natural aquatic systems available around the mines of NEC at the cost of user agency.
 - b. For carrying capacity study of the remaining biodiversity rich area adjoining NEC coalfield in Margherita from a view point whether any more diversion of forest land shall be proper or not for the existence of the faunal species.
- ix. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;
 - x. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in CAMPA account of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
 - xi. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
 - xii. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
 - xiii. Fencing, protection and regeneration of the safety zone area shall be done within three years at the project cost as per approved scheme. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost;
 - xiv. User Agency shall ensure that the Compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;

Sd/-

26.12.19.


- xv. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
- xvi. The User agency shall carry out mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation). Act, 1980, Government of Chhattisgarh and the Dy. Director General (Central), Ministry of Environment & Forests, Regional Office, Shillong. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- xvii. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
- xviii. The user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- xix. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xx. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xxi. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- xxii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;


06.12.19

- xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxiv. No damage to the flora and fauna of the adjoining area shall be caused;
- xxv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xxvi. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxvii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and
- xxviii. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,


(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Government of Assam, Guwahati.
2. The Nodal Officer (FCA), O/o PCCF (HoFF) Government of Assam, Guwahati.
3. The Dy. Director General (Central), Regional Office, Shillong.
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.
6. Guard file.

नार्थ ईस्टर्न कोलफील्ड्स

कोल इण्डिया लिमिटेड

(महाराष्ट्र कम्पनी)

महाराष्ट्र प्रशासन का कार्यालय

मार्गशिरा - 786181 (असम)

फोन - (03751)220283

ईरिडिएक्स - 03751-220329/220339

फैक्स - 03751-220354

कॉर्पोरेट आईडी नं. L23109WB1973GO1028844

ई.मेल - gm.nec.cil@coalindia.in



NORTH EASTERN COALFIELDS

Coal India Limited

(A Maharatna PSU under MoC)

Office of the General Manager

Margherita-786181 (ASSAM)

Phone - 03751-220283

EPABX - 03751-220329/220339

Fax - (03751) - 220354

Corporate ID No. L23109WB1973GO1028844

E-mail: gm.nec.cil@coalindia.in

Ref. No: N.E.C. (G.M.) 113/158/1537

Date: 25/08/2017

To

The Deputy Commissioner,

District Tinsukia,

Assam

Sub: Menace due to coal pilferage and illegal mining

Dear Sir,

1. I would like to apprise you about the plight faced by our employees and workers of NEC due to coal theft / pilferage, illegal mining and related law and order problems. Your kind attention is drawn hereby to the following:-

- a) Tikak and Tirap Collieries are two main coal producing collieries in NEC area. Both the collieries have open cast mines situated adjacent to villages. It is practically not feasible to erect boundary wall in such kind of mines and therefore they are prone to illegal entry of unauthorised people through the hills in the mines. They enter the active mines in a group of hundreds including women and children. The situation is worsen by the number of non local immigrants from various districts. They carry sharp tools to dig out coal from seams of mine faces. This hampers the mining activities involving uses of heavy machines which can harm the pilferers.
- b) As an effort to control these kind of illegal activities the management of NEC has strengthen the security set up by deploying armed AISF personnel in both the mines alongwith DGR sponsored security guards. They have been provided with adequate vehicles, dragon lights and communication sets etc. However, the enormous strength of thieves outnumbers the security personnel and often develops law and order situation. The women folk amongst the pilferers pose a grave threat to the security personnel of being accused as immoral.
- c) Another aspect of coal theft is the illegal mining. There are some miscreants indulging in carrying out illegal mining by digging ratholes in and around NEC areas. Some of these ratholes are made in the inactive mines of Tikak colliery and Namdang Colliery which are frequently closed down. However, it takes no time for the ratholes to mushroom up. While there are also many illegal mines in the forest area adjacent to NEC mines, but they are difficult to access.

2. Many FIR's have been lodged in regards to both active mine pilferage as well as illegal mining. Many joint raids by team comprising of local police and AISF personnel of NEC were undertaken. Recently, around 10 ratholes at Namdang Colliery were closed down on 08/07/17 with assistance from Margherita Police station. In another case, around 5 ratholes were closed down on 29/07/17 with assistance from Ledo Outpost which was again dug out by the miscreants in less than two weeks. The same was again closed down using earth movers and explosives under the security coverage of Ledo Police and AISF of NEC on 23/08/17. Photographs of these ratholes and coal pilferage are enclosed in the Annexure - I.

3. In spite of all the efforts put in as mentioned above, there has been a marked increase in number of pilferers since recent times and the situation remains grave. The loss due to such illegal activities caused to the exchequer and the state in terms of royalty is enormous. The social deterioration due to illegal mining and its associated crimes stands against the development of the state and the nation as a whole.

4. In view of the above, it is requested that an adequate measure may be taken up under the Law to curb the above mentioned menace.

Thanking You

Yours faithfully,


General Manager,
NEC

Copy to:-

The Superintendent of Police,
District Tinsukia,
Assam

The Sub-Divisional Officer (Civil)
Margherita Sub-Division
Assam

The Sub-Divisional Police Officer
Margherita Sub-Division
Assam

03/12/2020

Annexure - 22

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 110003,

112

Dated: 17th November, 2020

To,

Deputy Conservator of Forests,
Secretary to Justice B.P. Katakey Commission of Inquiry,
State Zoo cum Botanical Garden,
RG Baruah Road, Ambikagiri Nagar,
Guwahati-781005

Sub: Participation in the Commission of Inquiry instituted vide notification dated 18.07.2020 and published in Assam Gazette on 20.07.2020 to inquire into allegations of illegal coal mining activities, violation of different provisions of law in the process of coal mining activities in Saleki proposed Reserve Forest and in Tikok Open Cast Project area etc. by different persons and organizations:reg.


Sir,

I am directed to refer to the letter no. BPKJ/COM/Notice/2020-2021/20 dated 29.09.2020 on the subject mentioned above and to say that the proposal for diversion of 98.59 ha of Forest Land for Tikok Open Cast Project in Saleki PRF under Digboi Division by North Eastern Coalfield, Coal India Ltd., Assam has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the Forest (Conservation) Act, 1980 and the present status of the said proposal in the Ministry is as follows:

- i. The proposal for use of 98.59 of Reserve Forest land from Saleki proposed reserve forest of Dehing Patkai Elephant Reserve for Tikok OCP coal mining was submitted to this Ministry in 2013 and the said proposal was examined by the FAC in its meeting held on 10-11 June, 2013 and 28.11.2019.
- ii. FAC in its meeting held on 28.11.2019 had thorough deliberation and discussion with Dy. DG, Regional Office, Shillong. The matter was also discussed with the representatives of user agency. After discussion, it was observed that the Site Inspection carried was out by Regional Office, Shillong. It was clearly pointed out that the user agency is continuing with mining activity over the forest area after the proposal was recommended by the FAC in 2013. It also conveyed that the user agency is continuously working in the area after expiry of original lease period in 2003. In this regard, FAC observed that the violation done by user agency since 2003 to 2013 had been appropriately discussed in 2013 by FAC and accordingly it had recommended appropriate action. As on date, the State Govt. should not have allowed mining in the area prior to final approval under the FCA 1980. There has been gross neglect on this account on behalf of the State Govt. After perusing all records and facts related to the project proposal FAC recommended the proposal for approval of Stage-I with Standard, General and following specific Conditions:

- a. State Govt. to abide by all conditions as specified in its recommendations of FAC on dated 10-11th June 2013.
- b. In addition to above, the State Govt. shall take action for the violation, carried by the user agency after 10-11th June 2013, as per para 1.21. of the Comprehensive Guidelines dated 28th March 2019.
- c. The State Govt. shall inquire into the matter of gross violation and identify officials responsible for this violation and action should be taken against them, under intimation to the MoEF&CC.
- d. User agency shall not carry out any work in violation of the provisions of the FCA 1980 till all penalty and compensatory levies are deposited and Stage II approval for the project is granted by MoEF&CC.
- e. Chief Wild Life Warden shall submit his independent comments as requested by MoEF&CC vide letter dated 5.8.2013.
- iii. Based on the recommendations of FAC, in-principle approval was granted by the Ministry, on 26.12.2019.
- iv. The compliance report from the State Govt. is awaited and final approval under the Forest (Conservation) Act, 1980 has not been accorded by this Ministry.

Yours faithfully,



(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Government of Assam, Guwahati.
2. The Nodal Officer, Office of the PCCF (HoFF), Government of Assam, Guwahati.
3. The Dy. Director General (Central), Integrated Regional Office, Shillong.
4. Monitoring Cell of FC division, MoEF&CC, New Delhi.
5. Guard file.

Receipt No. 42
Dtd. - 04/03/2021

GOVERNMENT OF ASSAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND
HEAD OF FOREST FORCE, ASSAM
ARANYA BILAWAN, PANJABARI, GUWAHATI-37

Annexure - 23

Email: hof-assam@gov.in

Date: 04.03.2021

No. FG.58/Nodal/O.A No. 49/2020/EZ

To

✓ Shri Rajib baruah, AFS
Dy. Conservator of Forests
Secretary to Justice B.P. Katakey Commission of Inquiry
Assam State Zoo, Guwahati

114

Sub: Request for submission of Report as per the directions of the Commission.

Ref: Commissions' order No 30 Dtd 26/02/2021

Sir


With reference to the subject cited above, I am directed to submit here with the following reports or documents,

1. A preliminary report on satellite Imagery based study of coal mining
2. Research papers / reports available on the aquatic life of Buriding river

With regard to the soil testing of the paddy fields, the DFO Digboi Division has already collected the samples from the various locations and sent to the Krishi Vigyan Kendra, Tinsukia for analysis which is expected to be completed in 15 days. Further the DFO Digboi has been instructed to do the Drone survey for collecting the images of the areas of concern and will be submitted subsequently

Encl: as stated above

Yours Sincerely


Chief Conservator of Forest &
Nodal Officer, (F.C. Act), Assam

Copy to the Principal Secretary to the Government of Assam, Environment & Forest Department, Dispur, Guwahati - 6 for favour of kind information.

/
Chief Conservator of Forest &
Nodal Officer, (F.C. Act), Assam

COAL MINING IN & AROUND SALEKI PRF

A Satellite Imagery Based Report

115

Prepared by:
Office of the PCCF and HoFF, Assam
Aranya Bhawan, Panjabari
Guwahati

Extent of mining in and around (10Km from boundary) Saleki PRF: High Resolution Satellite Imagery Based Study

116

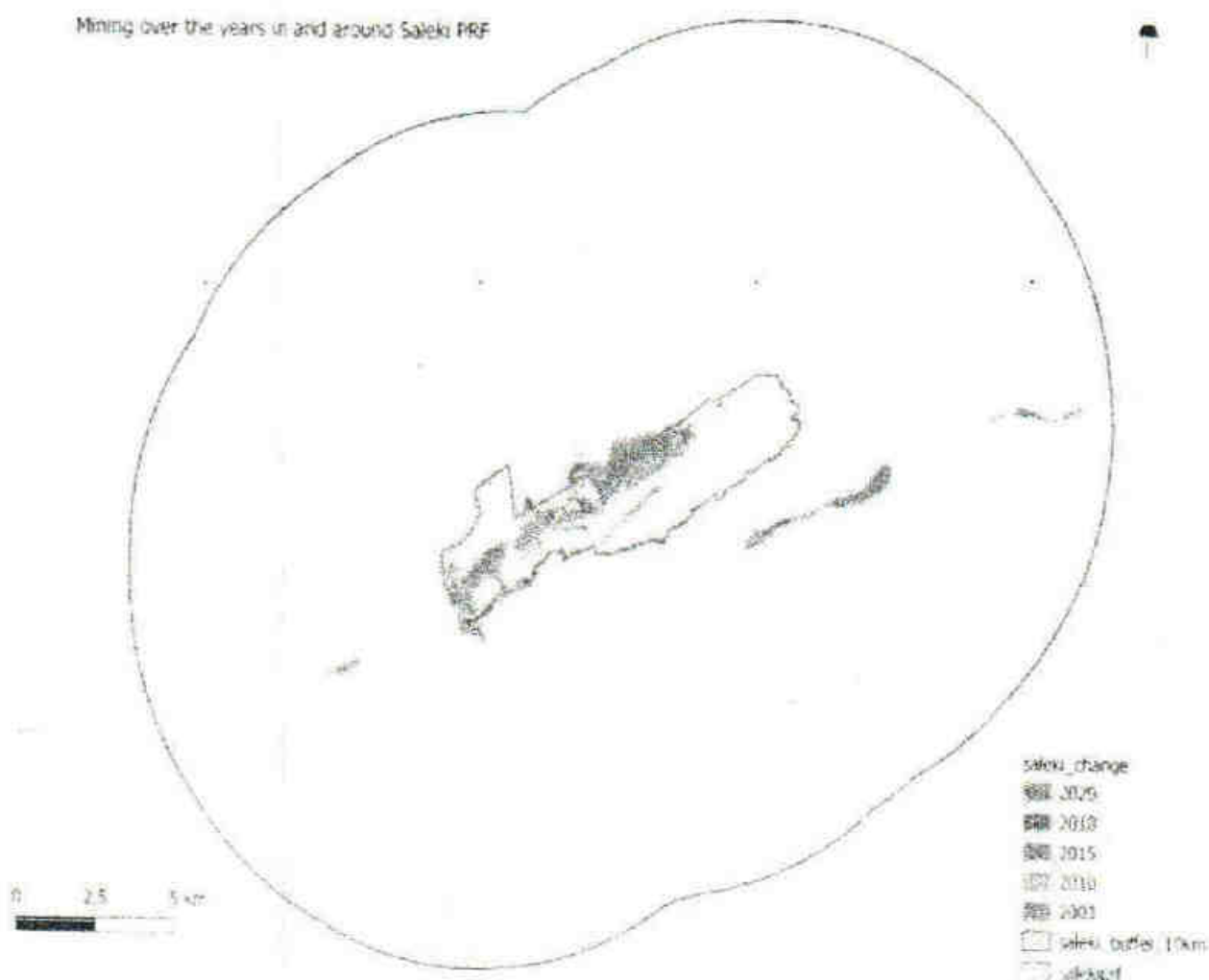
Abstract:

S.No.	Year	Mining Area in PRF	Mining Area outside PRF	Open Cast Area	Rat Hole Area*	Total Area
1	2003	183.0	9.0	192.0	0.0	192.0
2	2010	345.5	56.0	401.5	0.0	401.5
3	2015	424.8	90.6	515.3	0.0	515.3
4	2018	474.7	156.1	452.4	178.4	630.7
5	2020	1043.2	415.6	479.1	979.7	1458.8

* Rat Hole area figures are approximations; actual effect of rat hole mining is much more. All area figures are in Ha. and all area figures are from beginning of respective year. ✓

Geographical Representation:

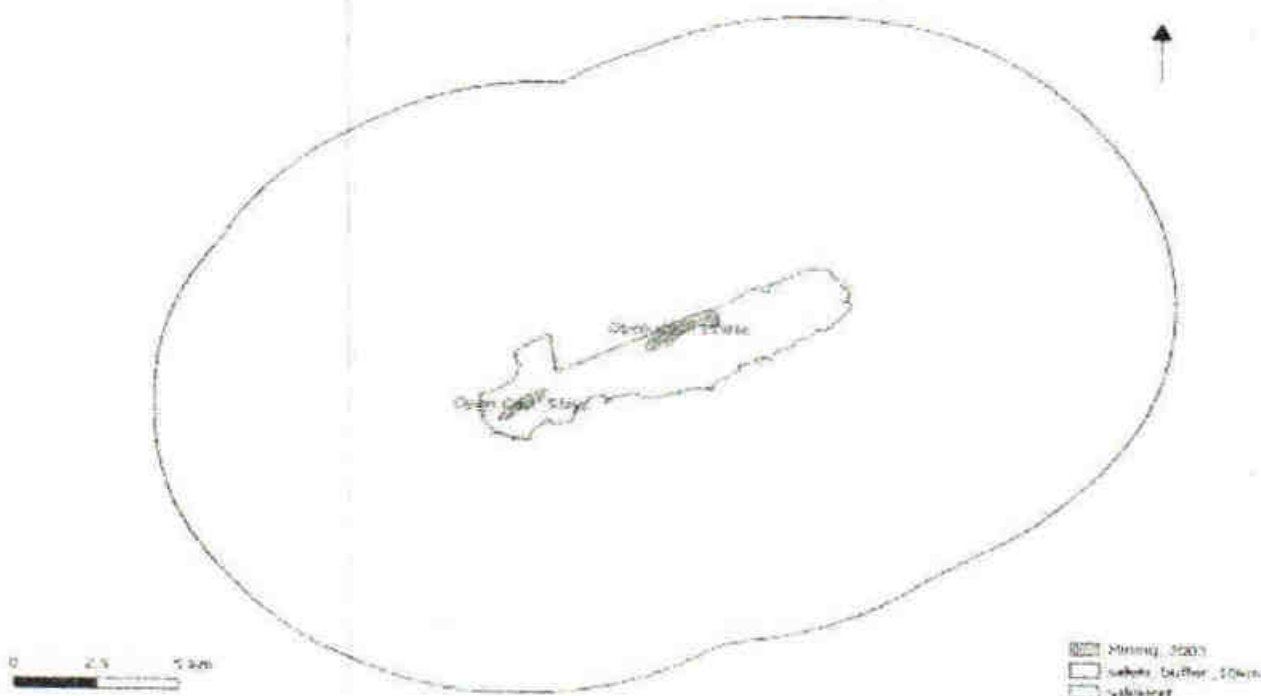
Mining over the years in and around Saleki PRF



Year 2003:

117

Year	Mining Area in PRF(Ha)	Mining Area outside PRF(Ha)	Open Cast Area (Ha)	Rat Hole Area (Ha)	Total Area (Ha)
2003	183	9	192	0.0	192



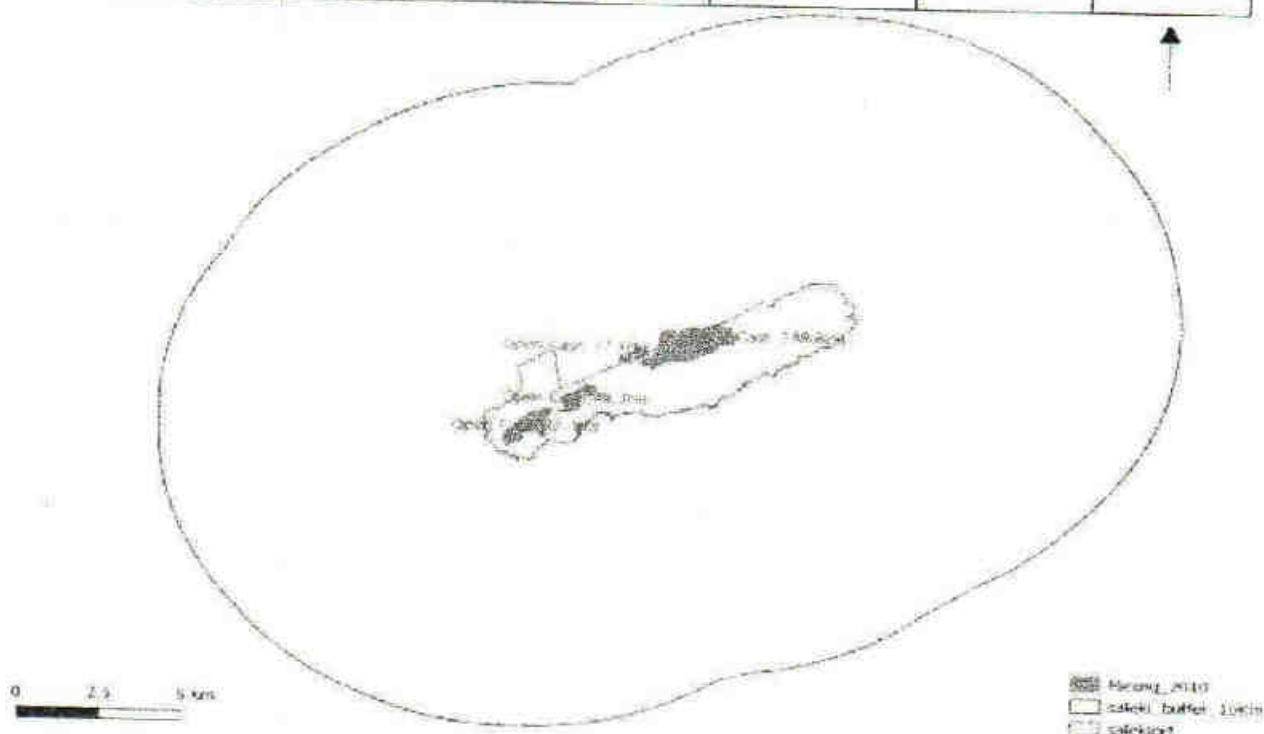
Imagery date: 13/12/2002, Landsat ETM, 30*30m pixel.



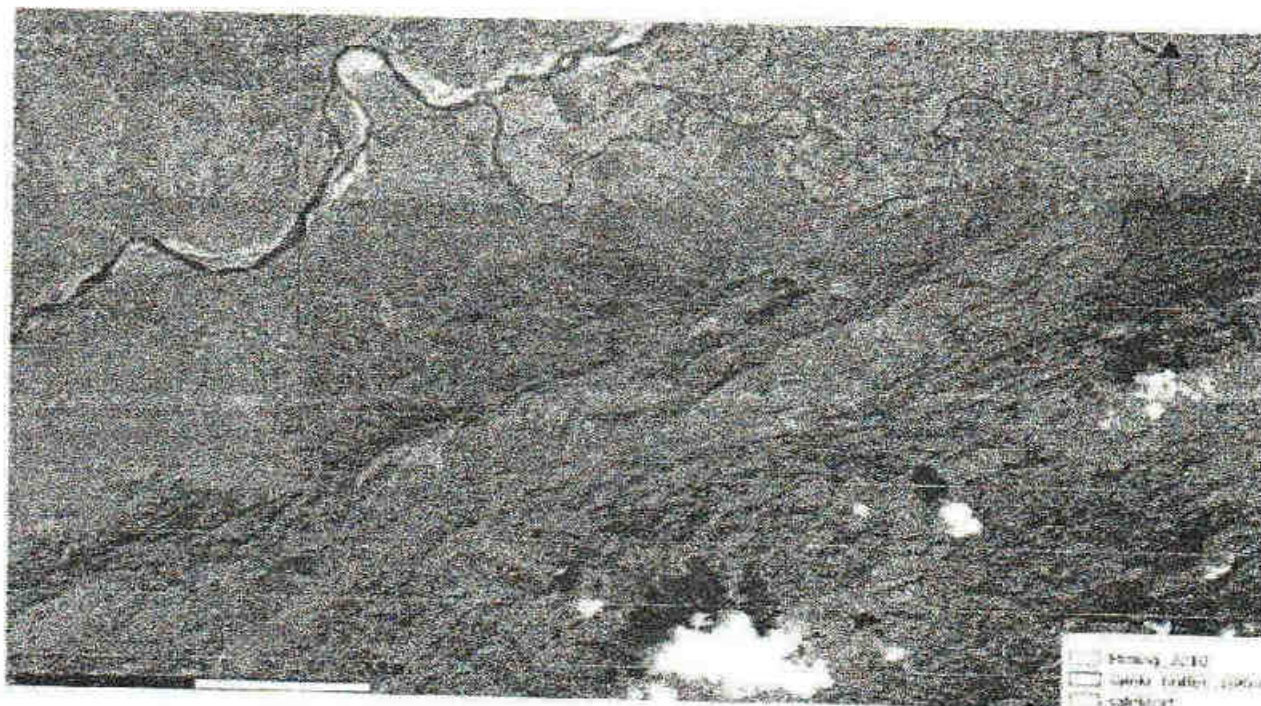
Year 2010:

118

Year	Mining Area in PRF(Ha)	Mining Area outside PRF(Ha)	Open Cast Area (Ha)	Rat Hole Area (Ha)	Total Area (Ha)
2010	345.5	56.0	401.5	0.0	401.5



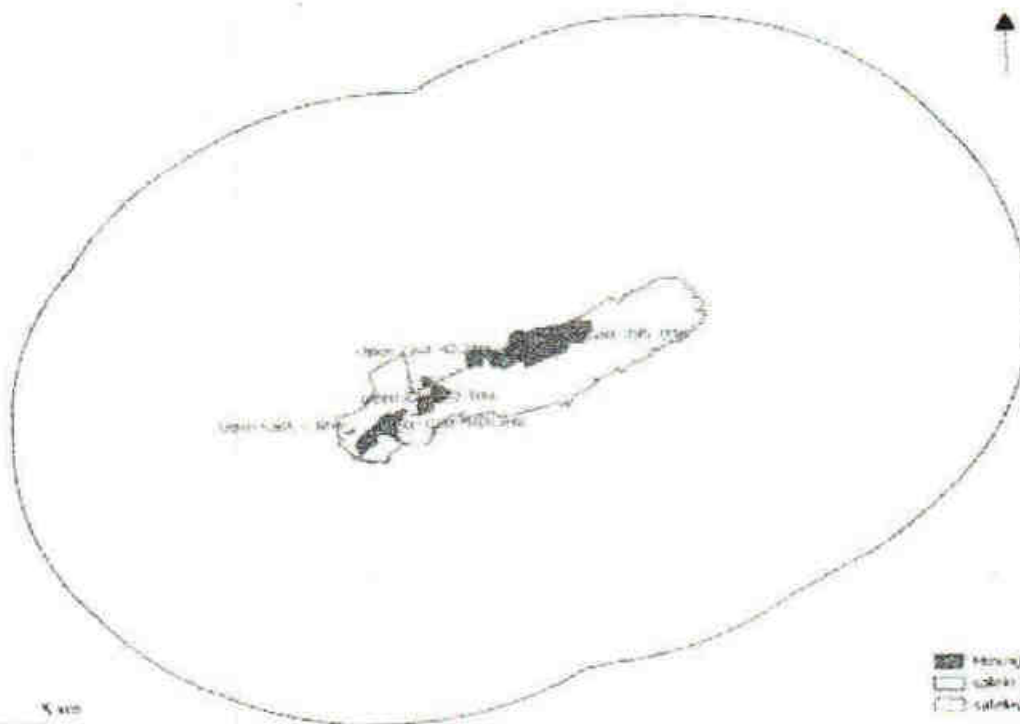
Imagery date: 31/12/2009 & 29/10/2009, Landsat ETM, 15*15m pixel.



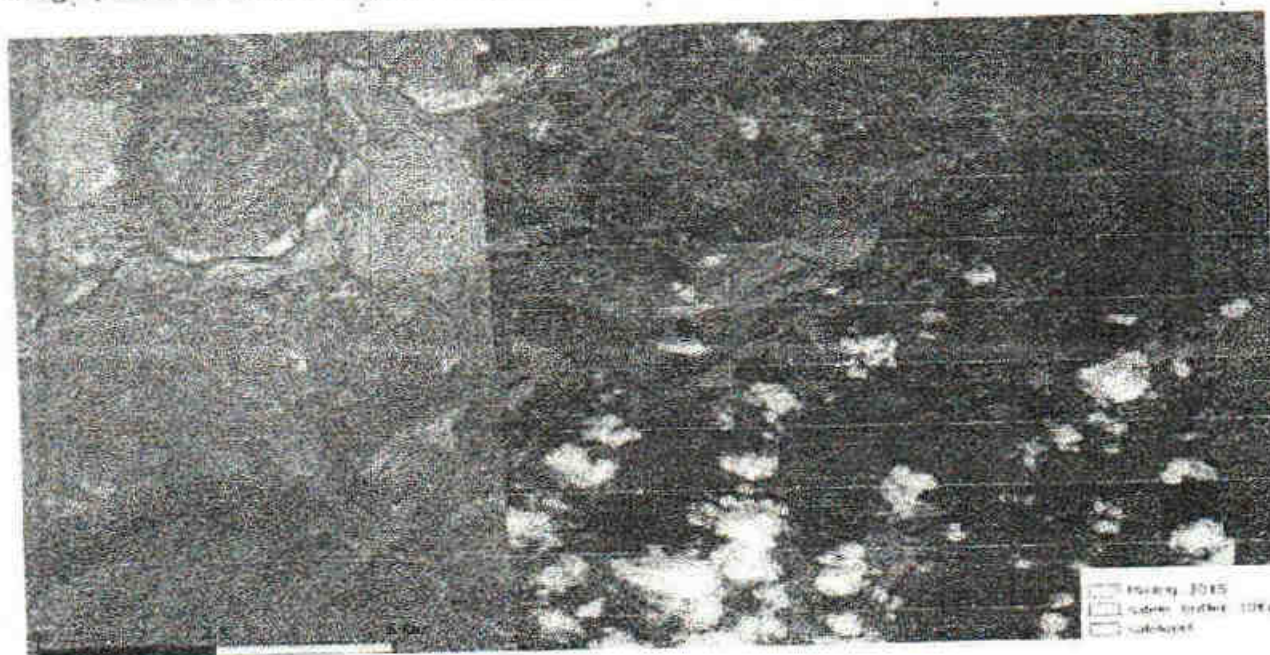
Year 2015:

119

Year	Mining Area in PRF(Ha)	Mining Area outside PRF(Ha)	Open Cast Area (Ha)	Rat Hole Area (Ha)	Total Area (Ha)
2015	424.8	90.6	515.3	0.0	515.3



Imagery date: 31/12/2014 & 9/10/2014, Landsat ETM, 15*15m pixel.



Year 2018:

120

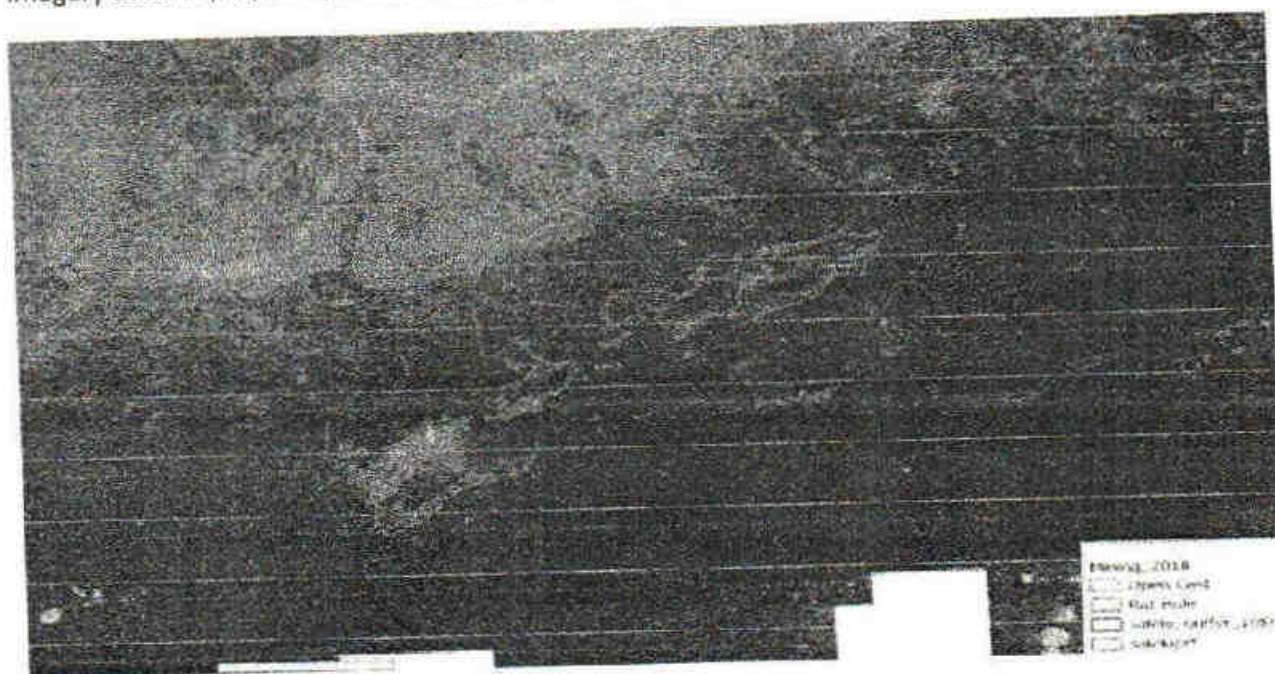
Year	Mining Area in PRF(Ha)	Mining Area outside PRF(Ha)	Open Cast Area (Ha)	Rat Hole Area (Ha)	Total Area (Ha)
2018	474.7	156.1	452.4	178.4	630.7



Mining_2018
 Open Cast
 Rat Hole
 Subsidized

0 2.5 5 km

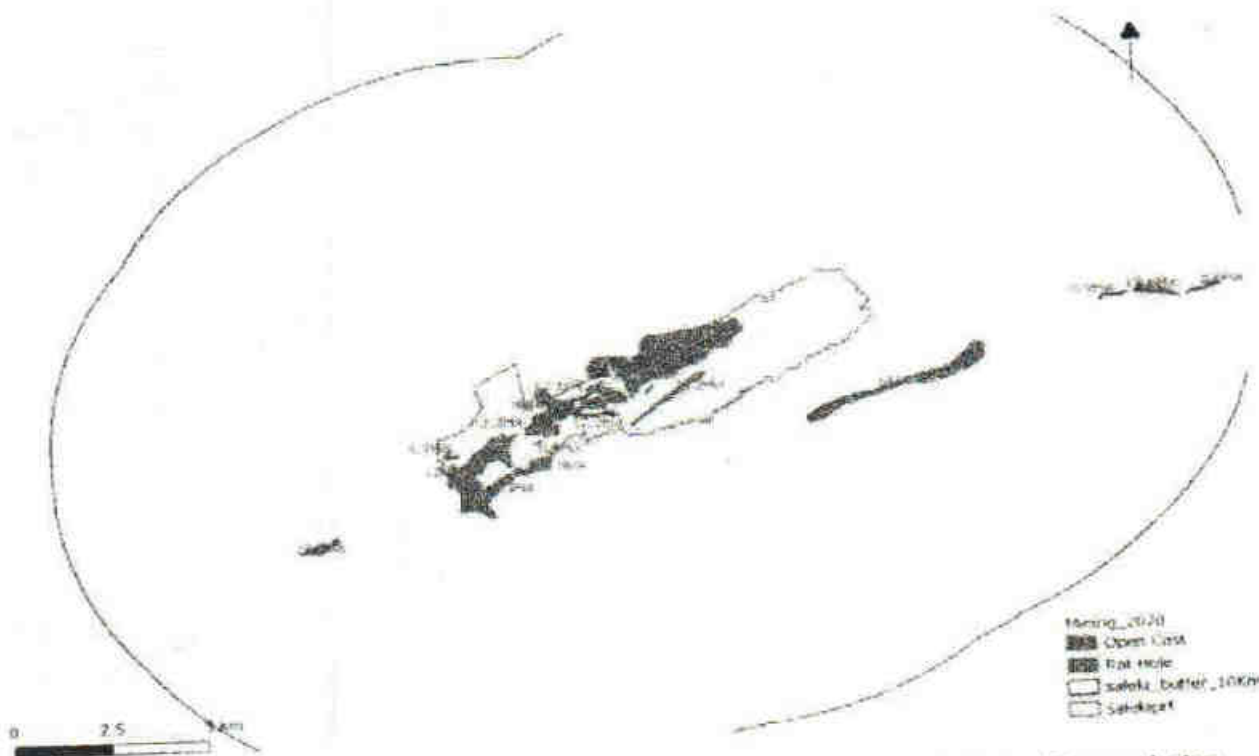
Imagery date: 15/12/2017, Landsat & Spot, source: google earth, 2.5m to 15m resolution



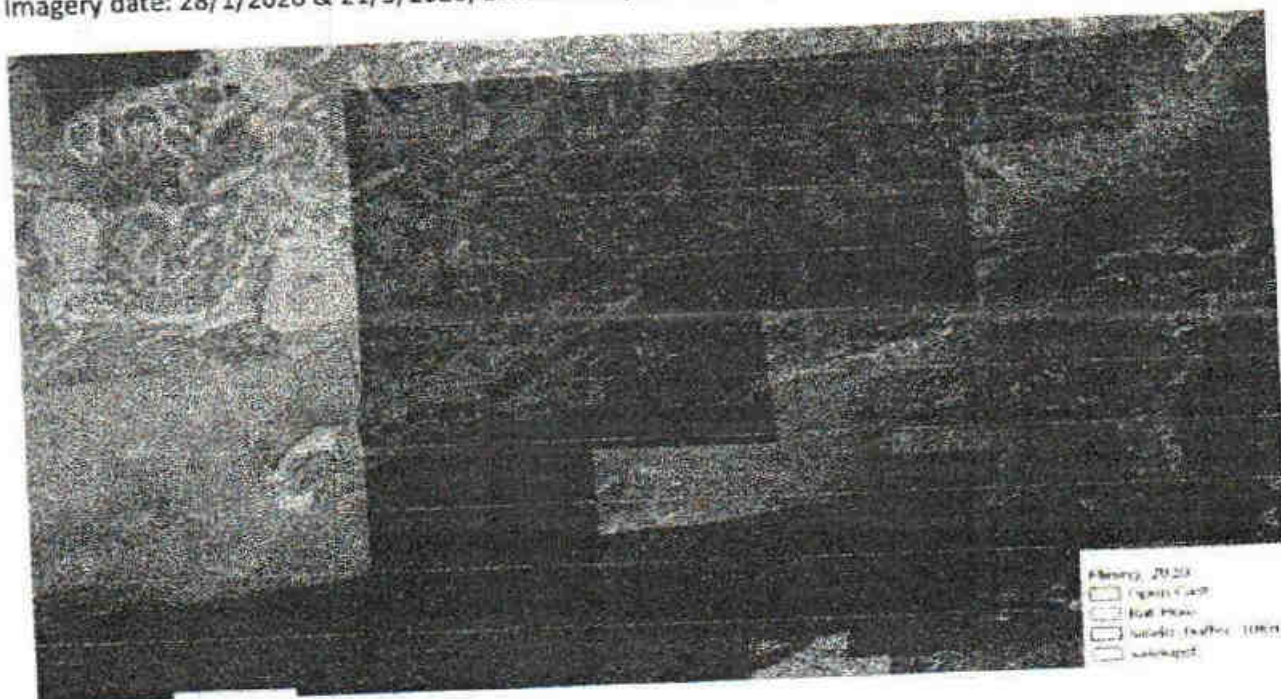
Mining_2018
 Open Cast
 Rat Hole
 Subsidized

Year 2020:

Year	Mining Area in PRF(Ha)	Mining Area outside PRF(Ha)	Open Cast Area (Ha)	Rat Hole Area (Ha)	Total Area (Ha)
2020	1043.2	415.6	479.1	979.7	1458.8

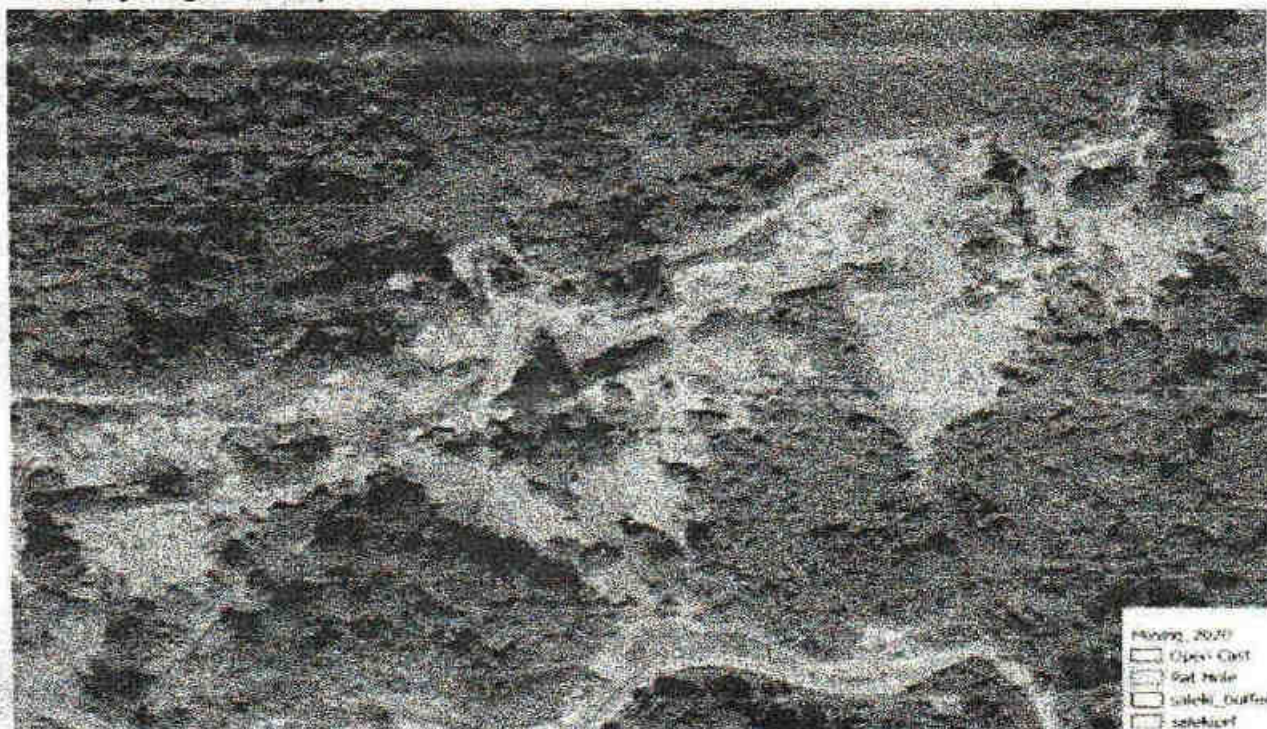


Imagery date: 28/1/2020 & 21/3/2020, Landsat & Spot, source: google earth, 2.5m to 15m resolution




Few representative Locations of Rat Hole Mining:

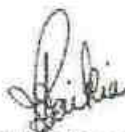
Site A (Refer Figure above):




Site B (Refer Figure above):




Mr. Pranshant Dhanda, IFS
DCF, O/o the APCCF, LAZ


Mr. Rohini Ballave Saikia, IFS
DCF, O/o the CCF, RE&WP


Mr. Tejas Mariswami, IFS
D.F.O, Assam State Zoo



GOVERNMENT OF ASSAM

OFFICE OF THE SUB-DIVISIONAL OFFICER (CIVIL)
MARGHERITA

Email: skannaghherita@gmail.com

No.MCA.6/2015/4050

Dated Margherita the 8th August, 2018

From,

Sri Sumit Sathawan, IAS
Sub-Divisional Officer (Civil)
Margherita

To,

The Director
Directorate of Geology and mining, Assam
Kohilipara, Guwahati-19

Sub: Submission of report on illegal mining of Coal

Ref: Your letter no. GM/ET/841/2433 dated 04-08-2018

Sir,

With reference to the subject cited above, I have the honour to state the following points regarding illegal coal mining in Margherita Sub-Division.

CHALLENGES IN MONITORING COAL MINING

1. The mining area of NEC, CHL, Margherita is 2687 hectares (approx). There are 3 (three) nos. of mining field under Margherita Sub-Division in different places in Tikak, Tirap and Ledo OCP. The mining has been continuing since 2003 from the different sides in the area by the process of OPEN CAST MINING and is stored in various godowns. There are two main coal producing collieries in Ledo-Margherita under NEC - Tikak and Tirap-in close proximity to residential area such as villages, tea garden, which facilitate the logistic of those involved in digging coal. Since the NEC-CHL, Margherita covers a vast area which is not fenced, it allows an easy accessibility to the excavated areas and as well as to the storage area.
2. The extensive CHL area shares porous boundary with the neighboring State of Arunachal Pradesh. The road between Rangringkan to Ledo via Tikak Colliery was dug out by Assam Police and CRPF under the direction of Civil Administration as this road was used for coal pilferage and as well as for insurgency attack. However Civil Administration had to face many hurdles in executing the process and later on it was observed that the same road resumed communication. Therefore the porous boundary with the neighboring state is causing a serious challenge.
3. Sustained income in an otherwise undeveloped and backward area with lot of unemployed youth has led to Social acceptance of coal theft. Estimate varies from 400-40,000 person per day carrying approximately 30 - 40kgs coal per person per day in 2 trips. They receive around Rs.400 approximately per trip.
4. Inadequate strength of police personnel add to the handicap of administration in monitoring coal theft.

Sumit Sathawan

Deposition List of Margherita P.S

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Sanctioned Strength

Sl No.	RANK	TOTAL
1	INSP.	1
2	S.I	4
3	A.S.I	3
4	T.H.C	1
5	N.K	1
6	CONST.	14

Actual Strength

Sl No.	RANK	TOTAL
1	INSP.	1
2	S.I	2
3	A.S.I	1
4	T.H.C	1
5	N.K	1
6	CONST.	8
7	W.P.C	2

LEDO Q.P

Sanctioned Strength

Sl No.	RANK	TOTAL
1	S.I	1
2	A.S.I	1
3	T.H.C	
4	N.K	
5	CONST.	6

Actual Strength

Sl No.	RANK	TOTAL
1	S.I (UB)	2
2	A.S.I (UB)	1
3	HAV (UB)	1
4	U.B CONST	6
5	W.P.C (UB)	2
6	H.G	2
7	HAV (2 nd APBN)	1
8	CONST	5

Considering the fact that Margherita is a sensitive place as far as law and order is concerned it is difficult to effectively monitor coal theft with the present police strength.

- As per reports illegal mining takes place in Arunachal Pradesh forest reserves and trucks uses the NH-38 passing through Margherita to carry coal.
- There is only a single 2 lane road (NH-38) that is used for commutation by everybody including coal trucks. Thus placing regular check posts causes great inconvenience to the commuters.
- Apart from Coal, the area has witnessed mushrooming of various coke bhattas. Mostly the coal carried in the gunny bags end up being converted into coke in these bhattas. These are largely running unregulated and form major chunk of the unregulated trade of coal. It is very essential to have a policy in Establishment of Coke bhattas to effectively curb the menace.

At present the following documents are needed for establishing coke bhattas:-

- Industry Registration Certificate (from Industry Department)
- Consent to Operate Coke Oven (from Pollution Control Board)
- Sales Tax Clearance Certificate (from Sales Tax Department)
- Registration under shop and establishment as per Rule 1996
- Factory Registration Certificate (from Inspector of Factories)
- N.O.C from Gaon Panchayat.
- Land Status (from Circle office)
- Income Tax Clearance Certificate.

However due to lack of coordination amongst the issuing authority, the bhattas are practically running unregulated.

Sumit / 9/6/17 Page-2

IMPACT OF COAL PILFERAGE

1
125

1. Coal pilferage causes a huge loss to the exchequer.
2. A huge number of person both local and migrated including women and children who are excavating and extracting coal are being exploited as no social security is provided to them. Working in coal field is a hazardous occupation and the workers belonging to poor economic background are working with no medical facilities.
3. Unchecked, uncontrolled migration of workers in much larger density is reported to cause disturbance to peace and tranquility of local area. Easy money from the illegal trade is causing rise in other crime such as drug trafficking, drug and alcohol abuse, crime against women, illicit liquor.
4. There is tremendous pull factor in this trade attracting labourers from Tea Gardens hampering the business model of Tea Estate.
5. A high school drop-out in the local area is also witnessed as young boys get absorb in such illegal trade for easy money involved in it.
6. From the intelligence reports gathered by this office it can be confirmed that unregulated illegal business of coal has resulted into sustenance of insurgency in the area.

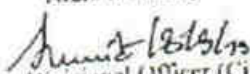
SUGGESTION

1. There must be a single window monitoring system of license and permits issued to the various coke bhattas as well as their sources of raw material procured to run the establishment.
2. Centralized live data base of truck released by every registered enterprise including CIL and other Coke Bhattas. Advance intimation of trucks being released carrying coal and subsidiary products will make the on-road checking of trucks more effective.
3. Rationalization of police strength with modern arms and ammunition.
4. Constructing by-pass of Margherita Town dedicated only for trucks movements whereby permanent check post can be installed. Such by-pass will also regulate the movement of traffic thereby reducing jam and related hazards.
5. Construction of boundary wall by NEC, CIL, especially the coal dumping yard areas falling adjacent to the National High Way-38 and also increasing the armed security forces i.e AISF by NEC, CIL. Modern technology of laser fencing, CCTV and drones can be used by NEC, CIL. Expertise of CISF may be used to augment the present security resources.
6. Transparent mechanism to deal with residual coal from designated coal dumping yards.
7. Many coke bhattas have a very low yearly throughput. Coal from CIL is auctioned through MSTC- Coal Auction platform. The small time traders/enterprises running coke bhattas find difficult to bid for such large quantum of coal up for auction. Thus creating demand for coal theft activities which provide Bhatta owners with convenient resolution to maintain their feed stocks of coal. CIL may be requested to devise a quota mechanism for local industries. This being a policy intervention will need approval from Ministry of Coal, Government of India. In the mean while, a society can be formed for registered Coal Bhattas which participate in the auction on behalf of all the Bhattas and then distribute the stock to its members.

Conclusion:

Based on the above enquiry, it can be concluded that the possibility of coal being traded illegally cannot be denied completely.

Yours faithfully


Sub-Divisional Officer (Civil)
Margherita

GOVERNMENT OF ASSAM
DIRECTORATE OF GEOLOGY AND MINING, ASSAM, KAHILIPARA, GUWAHATI-78

No. GM/ET/841/7938-41

Dated Guwahati, the 12th March, 2019

From: - G.S. Panesar, ACS
Director
Directorate of Geology & Mining, Assam

To: - 1) The Deputy Commissioner, Tinsukia District
P.O. Tinsukia - 786125, Tinsukia, Assam
2) The Supdt. Of Police, Tinsukia
P.O. Tinsukia - 786125, Tinsukia, Assam

Sub: Theft of coal by illegal mining

Sir,

In connection of our earlier letter (No. GM/ET/816/6713-17 dtd 4.2.19) regarding theft of coal by illegal mining in Tinsukia district, it has been observed that large scale theft of coal by illegal mining is going on in Tinsukia district.

You are therefore requested to take stern immediate action to stop the theft of coal by illegal mining.

The name of suspected persons received confidentially is mentioned below:

1. Gobinda Chetry,
2. B. Ganesh
3. Gobinda Prasad
4. Sunil Gurung
5. Bishnu Sharma
6. Jeet
7. Bikram
8. Raja Dutta
9. Pitika
10. Minu Phukan
11. Sagar Bhuyan
12. Munna
13. Jakir
14. Moinul Hoque Talukdar
15. Panna Ledo
16. Raju Khan
17. Prodip Singh
18. Karan Singh
19. Radha Chetia

Yours faithfully

(G.S. Panesar, ACS)
Director

Directorate of Geology & Mining, Assam

No. GM/ET/841/7938-41

Dated Guwahati, the 12th March, 2019

Copy to:- 1) The Adnl Chief Secretary, Govt. of Assam, Mines and Minerals Deptt. for kind information and necessary action

2) Office copy

(G.S. Panesar, ACS)
Director

Directorate of Geology & Mining, Assam

Coal mining in northeast India: an overview of environmental issues and treatment approaches

Mayuri Chabukdhara¹ · O. P. Singh²

Received: 22 October 2015 / Revised: 28 February 2016 / Accepted: 28 March 2016 / Published online: 25 May 2016
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Abstract Northeast India has a good deposit of sub-bituminous tertiary coal. The northeast Indian coals have unusual physico-chemical characteristics such as high sulfur, volatile matter and vitrinite content, and low ash content. In addition, many environmental sensitive organic and mineral bound elements such as Fe, Mg, Bi, Al, V, Cu, Cd, Ni, Pb, and Mn etc. remain enriched in these coals. Such characteristics are associated with more severe environmental impacts due to mining and its utilization in coal-based industries. Environmental challenges include large scale landscape damage, soil erosion, loss of forest ecosystem and wildlife habitat, air, water and soil pollution. Several physical and chemical methods are reported in literature for the removal of mineral matter, total sulfur and different forms of sulfur from high sulfur coal in northeast India. This paper may help different researchers and stakeholders to understand current state of research in the field. Initiatives may be taken towards sustainable use of coal resources by adopting innovative clean technologies and by implementing effective control measures and regulatory policies.

Keywords Northeast India · Sub-bituminous coal · Environmental issues · Innovative technologies · Management and regulatory policies

1 Introduction

Coal is the most important and abundant fossil fuel in India. With increased population, growing economy and a quest for improved quality of life, energy demand in India is rising. Mining is not only fulfilling the increasing energy demand of industry, but also plays an important role in the economic development of the country (Chaulya and Chakraborty 1995). Power sector is the largest consumers of coal followed by iron, steel and cement segments in the

last four decades (Fig. 1). Other smaller consumers include fertilizer, textile (including jute and jute products), paper and the brick industry. Coal mining and its utilization is associated with substantial environmental challenges as it creates significant and often irreversible impacts upon the terrestrial and aquatic environment.

Open cast or surface mining is dominant in India and it not only alters the nature of groundwater–surface water interactions but also contributes to major air pollutants to the atmosphere and results in dramatic changes in the landscape. Most coal mining districts in India have been declared as critically polluted areas (CPAs) by MoEF in 2000 (CSE 2012).

In northeast India, coal mining was initiated by Medico in 1869 and 1874 (Sarma 2005a, b). The Cenozoic coals in the northeast states of India with its unusual physico-chemical characteristics have been playing an important role in the Indian economy for the last few decades (Sarma 2009; Saitta et al. 2014a). Due to its unique properties and consequent environmental issues,

✉ Mayuri Chabukdhara
mayuri_chabukdhara@yahoo.co.in

¹ Department of Environmental Biology and Wildlife Sciences, Cotton College State University, Guwahati, Assam 781001, India

² Department of Environmental Studies, North Eastern Hill University, Shillong, Meghalaya 793022, India

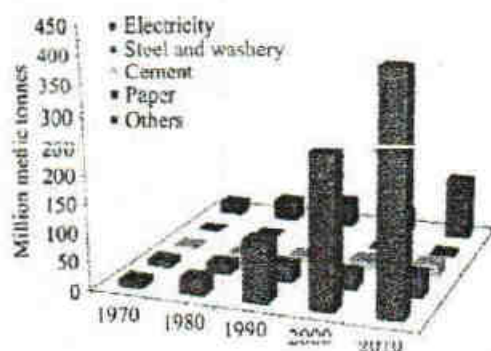


Fig. 1 Consumption of raw coal by different industries in India. Source: India Energy Book 2012

coals in northeast India draw special attention (Zamuda and Sharma 2007; Saikia et al. 2014a).

The main objective of this paper is to summarize coal characteristics and associated environmental issues in northeast India. In addition, this paper also reviews the current state of research in the field of various treatment approaches to reduce environmental impacts of coal.

2 Coal distribution and its characteristics in northeast India

As on April 2014, India's inventory of coal resource was 200 Billion Tons (BT) comprising of: Proven—125 BT; Indicated—142 BT and Inferred—32 BT (Ministry of Coal 2014). Northeast India contributes 105 Million Tons (MT) of the Gondwana coal and 1492 MT of tertiary coal reserves. Meghalaya and Assam in northeast India contain 73 % of the total tertiary coal reserves. Nagaland and Arunachal Pradesh contribute 21 % and 6 % of the total tertiary coal reserves, respectively. Coal inventory of northeast India is given in Table 1.

Sub-bituminous tertiary coal of northeast India was deposited under the influence of marine environment

Table 1 Northeast India's coal inventory of Gondwana and tertiary coal in million tones (Ministry of coal, India as on April 1, 2014)

Coalfield	State	Proved	Indicated	Inferred	Total
Gondwana	Assam	0	4	0	4
	Sikkim	0	58	43	101
	Total	0	62	43	105
Tertiary	Arunachal Pradesh	31	40	19	90
	Assam	465	43	3	511
	Meghalaya	89	17	471	577
	Nagaland	9	0	307	316
	Total	594	99	799	1492

Source: Ministry of coal (2014)

(Rajaratnam et al. 1996). These coals have high sulfur and low ash content, with high organic sulfur, due to the influence of marine sources during diagenesis (Chandra et al. 1983; Singh and Singh 2000; Ward et al. 2007; Widodo et al. 2010). Coal can be termed as low sulfur (<1 % sulfur content), medium sulfur (1 %–3 % sulfur content) and high sulfur coals (>3 % sulfur content) based on their sulfur contents (Chou 2012). In addition to high sulfur content, northeastern coals have a high content of volatile matter and vitrinite contents, yielding double the amount of tar in comparison to other Indian coals. Mining of these coals generates a large volume of waste materials. These coals generally contain 2 %–8 % total sulfur, where 75 %–90 % is of organic sulfur, while the rest is in inorganic form viz. sulfate and pyritic sulfur (Baruah and Khare 2007a). Ledo and Baragolai coal of Makum coalfield, Assam, India contains 28.2 % and 21.5 % of inorganic and 71.7 % and 78.5 % of organic sulfur, respectively (Baruah et al. 2006). In a study, proximate and ultimate analysis of coal collected from Makum coalfield, Assam showed 3.31 %, 2.95 % and 2.16 % of ash content, total sulfur and organic sulfur, respectively (Saikia et al. 2014a). The volatile matter and vitrinite content of the Makum coalfield, Assam were 42.3 % and around 93 %, respectively (Saikia et al. 2014a). Total sulfur of Nurechik coalfield, Arunachal Pradesh ranged 1.23 %–4.84 %, with organic sulfur constituting ~41 %–74 % of total sulfur and volatile matter ranged 41.8 %–46.6 % (Chandra et al. 1984). Similarly, in Bapung coals of Jaintia Hills, Meghalaya, organic sulfur was more abundant among the different sulfur species constituting an average 62 % of organic sulfur of the total sulfur content of 4.59 % in it (Ahmed and Rahim 1996). Total sulfur sometimes exceeding 7 wt% out of which the organic sulfur content accounts for about 75 % and the rest is inorganic sulfur. Tiru valley coals of Nagaland, India are sub-bituminous to bituminous-D in rank characterized by low to medium moisture (4 %–7 %), moderately high volatile matter content (22 % and 42 %) and high sulfur (5 %–11 %) content (Singh et al. 2012a, b). Ash, volatile matter and total sulfur content of Northern Mongchen and Mouloung Kimong coalfields, Nagaland, India ranged 2.01 %–19.5 %, 34.9 %–44.8 % and 3.23 %–5.21 %, respectively (Das et al. 2015).

In addition to high sulfur and volatile matter, and low ash content of northeastern coal, proximate and ultimate organic and mineral bound elements remain enriched in these coals that can cause air, water and land pollution. Sub-bituminous coals of Assam obtained from Makum coalfield showed that Fe, Cu, Ni, Co and Zn are significantly mineral bound, Mg, Ca and Mn are organic bound, while Cr is 50 % bound to either organic or mineral matrix (Baruah et al. 2003). The aqueous leaching of these coals

showed their tendency to atmospheric weathering and highly acidic water formed during the leaching process enhanced the mobilization of associated trace and heavy metals (Fe, Mg, Bi, Al, V, Cu, Cd, Ni, Pb, and Mn) above the regulatory levels (Baruah et al. 2006). Element concentrations such as Cr, Mn, Ni, Cu, Zn, As and Pb in coals obtained from Makum coalfield, Assam were 5, 23, 5, 2, 27, 1 and 4 mg/kg, respectively. Concentrations of these elements in coals from Moulong Kimong coalfield, Nagaland were 4, 2289, 3, 2, 49, 2 and 1 mg/kg, respectively (Saikia et al. 2014a). Study further indicated that many of these elements were associated with hematite, magnetite, and goethite in the coals.

3 Environmental issues associated with coal mining and its utilization in the region

Unscientific mining of minerals poses a serious threat to the environment, resulting in reduction of forest cover and loss of biodiversity, soil erosion and pollution of air, water and land. The primitive and unscientific 'rat-hole' method of mining adopted by private operators and related activities have caused large-scale environmental degradation and severe ecosystem destruction in Meghalaya (Swier and Singh 2003, 2004; Sarma 2005a, b). Large scale denudation of forest cover, scarcity of water, air and water pollution, degradation of soil and agricultural lands, land subsidence, haphazard dumping of coal and overburden are some of the conspicuous environmental implications of coal mining in north eastern coal mines of Meghalaya, India (Swier and Singh 2004). Based on a study in the Nokrek Biosphere Reserve in Meghalaya, India, it is revealed that coal mining has adversely affected the vegetation and the density of trees, shrubs and herbs in mined areas (Sarma and Barik 2011).

The mining and cleaning of coal at local processing sites creates large quantities of ambient particulate matter (Ghose and Banerjee 1995; Ghose and Majee 2000). Opencast mining operations contribute major air pollutants to the atmosphere and are responsible for environmental degradation by deteriorating the air quality in respect to dust, fine coal particles and other gaseous pollutants (Mukhopadhyay et al. 2010). The major sources of air pollution in coal mining area include drilling and blasting, loading and unloading of coal and overburden, movements of heavy vehicles on haul roads, dragline operations, crushing of coal in feeder-breakers, presence of fire, exposed pit faces, wind erosion and exhaust of heavy earthmover machinery (Nair and Sinha 1987; Ghose and Majee 2007; Huertas et al. 2011). According to Ghose and Banerjee (1997), air pollution caused by wasteries is more acute than any other coal processing operations.

Based on a report on ambient air quality around northeastern coalmines in Margherita, Assam, the maximum daily average values of SPM (Suspended Particulate Matter), RPM (Respirable-Particulate-Matter), SO_2 and NO_2 were found to be 214, 60, 25 and $52 \mu\text{g}/\text{m}^3$, respectively (Envirocon 2010). Except for SPM, all other values were within CPCB guidelines (CPCB 2009). Atmospheric concentration of gaseous NH_3 , SO_2 and NO_2 released from the mining activities in open cast mine area of Tiran colliery, Margherita (Assam), ranged between 4.7–40.03, 1.47–6.14, and 1.92–2.40 $\mu\text{g}/\text{m}^3$, respectively, and particulate NH_4^+ in PM_{10} and $\text{PM}_{2.5}$ ranged between 0.02–0.07 and 0.008–0.03 $\mu\text{g}/\text{m}^3$, respectively (Sarmah et al. 2012). The study further suggested that low emission and deposition of NO_2 and SO_2 prevents the greater formation of acidic species due to neutralization with NH_4^+ . Source apportionment of $\text{PM}_{2.5}$ levels at the suburban site of northeast India (Khare and Baruah 2010) showed that largest contribution to aerosol mass in $\text{PM}_{2.5}$ is from crustal sources (38 %) followed by coal combustion (26 %), industrial and vehicular emissions (19 %), wood burning (9 %) and secondary aerosol formation (8 %). Among different elements, emissions of Te, Fe, Mn, Cd, Sn and Sb were related to coal-burning (Khare and Baruah 2010).

Coke industry is one of the major coal utilization industries in northeast India. To assess the impact of coke oven burning high sulfur and volatile matter containing coal on ambient air quality, levels of SO_2 , $\text{PM}_{2.5}$ and trace metals were investigated (Khare and Baruah 2011). The study showed that total emissions of $\text{PM}_{2.5}$, total carbon (TC), black carbon (BC) and organic carbon (OC) ranged between 72–306, 49–217, 0.71–2.9 and 48–214 t/year, respectively and the concentration of trace metals was in the decreasing order as: $\text{Te} > \text{Mn} > \text{V} > \text{Cr} > \text{Co} > \text{Mo} > \text{Cu} > \text{Zn} > \text{Sb} > \text{Sn} > \text{Cd} > \text{Ni} > \text{As} > \text{Se} > \text{Hg}$. The study further indicated that emission rates of metals were dependent on the volatility of the metals, condition of coke ovens and rank of coal (Khare and Baruah 2011).

In addition to air pollution problems of AMD (Acid Mine Drainage) are intensely localized in the coalfields of northeast India, where ecology of the surrounding area is badly disrupted. The rejects and coals dumped near the pit entrance are exposed to the environment. Being highly enriched with sulfur, pyrite present in these materials is oxidized and hydrolyzed and therefore is well known for the generation of AMD (Tiwary 2001; Baruah et al. 2005, 2006; Baruah 2009; Baruah and Khare 2007a). Metals concentrations in mine water in India and the world is shown in Table 2. As it is visible, metals such as Fe, Cu, Mn, Zn, Ni and Pb in mine water of northeast India (Jaintia and Makum) showed higher concentrations as compared to other mining sites in India. Zn and Pb showed the

Table 2 Metal contents in mine water ($\mu\text{g/L}$) in few coal mines in northeast India, India and the world

Parameter	Fe	Cu	Mn	As	Zn	Ni	Pb	Cr	Cd	References
Jaintia coalfield (Meghalaya, India)	118,400	320	4070	—	4220	1080	430	60	30	Sahoo et al. (2012)
Jharia coalfield (Jharkhand, India)	423	32.3	136	3.4	106.1	17.6	14.9	8.1	—	Singh et al. (2009)
Raniganj (West Bengal, India)	329	18.8	39.4	10.06	60	45.6	22.6	44.6	—	Singh et al. (2009)
West Bokaro coalfields (Jharkhand, India)	652	46	1431	7.21	194	154	34.3	81.2	—	Singh et al. (2009)
Makum (Assam, India)	105,300	310	10,200	—	1530	3120	270	56	35	Queenuddin et al. (2010)
Kamen (Iran)	192,500	350	30,900	—	2070	1060	180	850	18	Shahabpour et al. (2005)
Dogve coalmine (Korea)	176,300	430	8360	—	2120	—	—	—	—	Choi and Hwang (2000)

maximum concentrations in Jaintia coalfield of Meghalaya, northeast India and Ni showed the maximum level in Makum coalfield of Assam. Such high concentrations of metals in these sites can be attributed to higher leaching under acidic conditions in these coalfields. However, elemental contents in leachate water are controlled by three factors: the oxidation rate of pyrite, the acidity of the leachate water and the mineralogy of the rejects (Baruah and Khare 2010). Further, it depends on the element content in the coal. Concentration of toxic elements present in northeastern and other coals in India is shown in Table 3. Toxic metal such as Cd showed the maximum level in Jaintia coal of Meghalaya, northeast India. In a study on elemental leaching of Meghalaya coals, elements such as Al, P, S, K, Ti, Cr, Co, Zn showed negative correlations with pH (Baruah and Khare 2010). The release of Al, Si, P, Cl, K, Ti, Mn, Co and Ni concentrations in the leachates depends on pyrite oxidation and dissolution (Yue and Zhao 2008), whereas Cd, Sn, Sb and Te contents in the leachates are mainly controlled by adsorption on Fe hydroxides, which is indirectly influenced by pH. The concentrations of trace and potentially harmful elements (Sb, As, Cd, Cr, Co, Cu, Pb, Mn, Ni, V, and Zn) in the Meghalaya coals mine rejects ranged (mg/kg): 11.1–12.6, 1.3–25.9, 5–5.1,

259–361, 20.9–22, 23.6–32.9, 98–149, 87–104, 36.4–58, 50–55 and 35.8–55, respectively, and among these Sb and Cd showed high enrichment factor showing build up in the environment (Baruah and Khare 2010).

Impact of AMD in the streams and groundwater in the vicinity of collieries is a growing problem in northeast India. The Meghalaya State Pollution Control Board, Shillong (MSPCB 2007) reported a case of massive fish death in Lukha River on the eastern border of Jaintia Hills district, which was attributed to AMD contaminating the stream water and sediments. Swer and Singh (2003, 2004) have reported the lack of commonly found aquatic life forms such as fish, frogs and benthic macroinvertebrate such as Plecoptera, Ephemeroptera and Tricoptera in water bodies of coal mining areas in Jaintia Hills, Meghalaya. Overall, socio-economic and ecological impacts in the area includes: severe scarcity of freshwater resources for domestic use and drinking purposes by the local community causing breach of basic human right; lack of aquatic life in many rivers and streams and reduced vegetation diversity; decreased agricultural productivity etc. (Swer and Singh 2004). Swer and Singh (2004) further reported that water quality in the Jaintia Hills of Meghalaya is highly affected as evidenced by low pH (in the range of

Table 3 Concentration of some toxic elements present in northeast India and other Indian coals/lignite (mg/kg)

Parameters	As	Cu	Mn	Zn	Ni	Pb	Cr	Cd	References
Jaintia coalfield (Meghalaya, India)	1–3	2.8–40	36.6–81.5	8.5–36.6	2–9.8	2.4–13.7	17.9–55.5	5	Baruah and Khare (2010)
Makum coalfield (Assam, India)	0.04–0.24	9.86–30.35	15.27–63.81	—	—	5.06–24.13	—	—	Mukherjee and Srivastava (2005)
Jamir and Kachic, India	9.5	16.7	39	17.3	42.5	13.5	31.5	1.8	Banerjee et al. (2000)
Damodar Koel Valley coal	8.2	21.4	57.7	33.3	28	17.9	47.5	2.2	Banerjee et al. (2000)
Wardha Godavari Valley coal	2.1	29.5	58.6	29.2	25	4.5	54.5	2.8	Banerjee et al. (2000)
Pench Kanhan Tawa Valley coal	5.8	24.3	85	26	22.7	10.2	33.7	2.1	Banerjee et al. (2000)

3–5), high conductivity, high concentration of sulphates, iron and other toxic metals, low dissolved oxygen (DO) and high biological oxygen demand (BOD). Such low pH, low DO, higher sulphate content and turbidity in water of coal mining areas are affecting the aquatic life.

Singh and Sinha (1992) reported variation of pH in northeastern coalfields, pH 2.8–4.1 in Churcha, pH 4.2–5.0 in West Chirimir, pH 5.2–5.6, pH 5.3–6.0 in Rakhikhol and pH 4.0–4.6 in Gorbi coalfields. Highly acidic mine water with high sulphate (up to 1500 mg/L) and Fe (40 mg/L) were reported in Narghetia group of mines in Assam (Rawat and Singh 1982). Bhole (1994) reported pH of 3.9, 3.10 and 4.3 in Ledo, Tirap and Bargolia mines of Assam. Based on a similar study carried out in Makum coalfields in Assam by Equeenuddin et al. (2010), it was found that the mine discharges were highly acidic (up to pH 2/3) to alkaline (up to pH 7.6) in nature with high concentration of SO_4^{2-} and mine water was highly enriched with Fe, Al, Mn, Ni, Pb and Cd. In addition, ground water close to the collieries and AMD affected creeks were highly contaminated by Mn, Fe and Pb but major rivers were not much impacted by AMD due to their large volume of water. Different physico-chemical parameters in surface and groundwater near coalfields in northeast and other parts of India are shown in Table 4. As can be seen in Table 4, pH of surface water near Jaintia coalfield, Meghalaya, India is highly acidic as compared to surface water in other sites in India. The maximum concentrations of metals detected in groundwater near Makum coalfield, Assam, India was (mg/L): 0.018 for Cr, 0.2 for Ni, 0.108 for Zn, 2.18 for Mn, 3.9 for Fe, 1.1 for Al, 0.061 for Pb, and 0.009 for Cu; in river water, the maximum concentrations were (mg/L): 0.06 for Ni, 0.016 for Zn, 0.94 for Mn, 2.47 for Fe, 0.42 for Al, 0.017 for Cd, 0.056 for Pb and 0.021 for Cu (Equeenuddin et al. 2010). In a study by Abhishek et al. (2006), water quality parameters in groundwater in Jharia coalfield ranged: pH (6.72–7.94), TDS (213–530 mg/L), SO_4^{2-} (8.8–41.2 mg/L), Cl^- (19.8–96 mg/L), NO_3^- (3–77.7 mg/L), Fe (0.13–2.18 mg/L), Zn (0.02–0.04 mg/L), Pb (0.01–0.04 mg/L). The maximum TDS, NO_3^- and Fe concentrations exceeded the Bureau of Indian Standards (BIS) limit for drinking water quality. In surface water, water quality parameters varied between (Abhishek et al. 2006): pH (7.15–7.76), EC (250.6–470.6 $\mu\text{S}/\text{cm}$), TDS (237–616 mg/L), DO (2.5–5.8 mg/L), BOD (3.8–13.7 mg/L), Pb (0.01–0.03 mg/L), Zn (0.03–0.09 mg/L) and Fe (0.15–1.91).

Metals concentrations in stream sediments around Makum coal field of Assam ranged (mg/kg): 5.5–71.7, 100–386, 3.1–21.1, 0.48–2.1, 23.1–231, 101–9163 and 17.8–264 for Cu, Cr, Pb, Cd, Zn, Mn and Ni, respectively (Equeenuddin et al. 2013). The study further indicated that higher concentrations of all metals were available in

exchangeable fraction under strongly acidic environment. Based on their mobility and potential bioavailability, metals were in the order of $\text{Cd} > \text{Pb} > \text{Mn} > \text{Ni} \geq \text{Zn} > \text{Cu} > \text{Cr}$.

4 Management and treatment strategies to reduce environmental impacts of coals

Since coal mining and its utilization in coal based industries is associated with environmental issues, it is necessary to manage or mitigate its impact on environment or clean coal prior to its utilization. An attempt was made by Dowarah et al. (2009) to achieve eco-restoration of a high-sulfur containing coal mine overburden dumping site through primary and secondary ecological succession of native plant species in Tirap Collieries, Assam, India. The study revealed that planting of herbaceous monocots with fibrous root systems such as citronella, lemon grass, *Saccharum spontaneum*, lianes and shrub species accelerates the ecological processes in an adverse mine overburden environment of Tirap colliery and a secondary sere ecological succession was observed in the restored mine site. In addition, 80 %–100 % vegetation coverage was observed, the plant species density was more than 80 %, and soil organic matter increased from 0.001 %–0.005 % to 0.5 %–1.3 %. Restoration refers to reinstatement of the pre-mining ecosystem in all its structural and functional aspects (Bardhan 2000). Re-vegetation plays a crucial role in enhancing the soil fertility status in mine spoil and in the stabilization of dump slopes by creating mechanical reinforcement of dump material and enhancing shear strength of dump material (Singh 2011; Singh et al. 2012a, b). Soil structure development, nutrient cycling, and soil chemical and physical limitations to plant growth are mediated and mitigated by microorganisms and they play a very important role in eco-restoration (Singh and Singh 2006).

Mineral matter and sulfur exhibit harmful effects on utilization of coal. De-sulfurization and de-ashing are essential for sustainable utilization of low rank high sulfur coals used in different industries (Baruah et al. 2006; Baruah and Khare 2007b; Saikia et al. 2013). Sequential solvent extraction was found to be an effective method of desulfurization of high sulfur containing Assam coal, especially for organic sulfur, which could be removed up to 89 % (Das and Sharma 2001). Investigation on desulfurization of coal samples from Boragolai and Ledo collieries of Makum coal field, Assam, India using alkali treatment leads to over 70 % removal of inorganic sulfur, and removal of sulfur increased with increase in alkali concentration and treatment time (Mukherjee and Borthakur 2003). In another study, for the same coal, solvent

Table 4 Physico-chemical characteristics of surface water around coalmines in northeast and other parts of India (in mg/L, except pH)

Item	Parameter	pH	TDS	Ca	Mg	Fe	Cu	Mn	Zn	N	Pb	Cr	Cd	References
Surface water	Jaintia coalfield (Meghalaya, India)	2.6–5.6	174–2078	0.33–108.2	0.72–26.27	1.5–96.1	bd–0.09	0.01–1.25	0.011–2.05	bd–0.06	bd–0.05	bd–0.06	bd–0.06	Sahoo et al. (2012)
	Ibura coalfield (Jharkhand, India)	6.81–9.71	5–895	6.9–100.1	3.8–126.9	0.01–0.82	bd–0.021	0.01–1.29	bd–0.016	0.008–0.056	bd–0.03	bd–0.01	bd–0.01	Sarkar et al. (2007)
	Singrauli, Madhya Pradesh	7.6–8.6	315–1425	17.6–38.5	1.95–12.7	0.072–2.27	0.004–0.013	0.005–0.153	0.015–0.058	0.312–0.34	bd–0.200	bd–0.200	bd–0.200	Khan et al. (2011)
	Makum (Assam, India)	6.1–7.4	bd–7.4	6.2–31.4	2.5–16.5	0.41–2.47	bd–0.021	0–0.94	bd–0.06	bd–0.06	bd–0.03	bd–0.01	bd–0.01	Equeemuddin et al. (2010)
Groundwater	Jaintia coalfield (Meghalaya, India)	4.8–6.8	93–234	2.6–23.5	2.2–11.7	0.024–2.3	bd–0.01	bd–0.06	bd–0.06	bd–0.06	bd–0.03	bd–0.01	bd–0.01	Sahoo et al. (2012)
	Ibura coalfield (Jharkhand, India)	4.9–7.68	5–320	16.4–175.6	4.4–174.5	0.001–11.84	0.002–0.21	0.01–3.95	0.01–3.95	0.01–3.95	0.01–3.95	0.01–3.95	0.01–3.95	Sarkar et al. (2007)
	Ibura coalfield (Jharkhand, India)	7.83–8.7	176–1845	9.62–41.08	bd–26.3	bd–1.45	0.003–0.068	0.007–0.222	0.014–0.797	0.309–0.63	0.004–0.268	0.004–0.268	0.004–0.268	Chandra and Jain (2013)
	Makum (Assam, India)	4.2–7.8	4.8–27.52	2.3–12.5	0.15–3.76	0.01–1.18	bd–0.009	0.01–1.18	bd–0.108	bd–0.2	0.0–0.061	bd–0.018	bd–0.018	Equeemuddin et al. (2010)

extraction and alkali treatment showed successful removal of organic and inorganic sulfur. Solvent extraction using dimethyl formamide (DMF) increased desulfurization of the oxidized Baragolai and Ledo coals up to 95 % and 93 % for inorganic sulfur and 31 % and 23 % organic sulfur, respectively, while the alkali treatment showed complete removal of inorganic sulfur and a maximum of 33 % and 26.4 % organic sulfur for these coals, respectively (Baruah and Khare 2007b). Alkali treatment of high sulfur Assam coal using mixtures (1:1) of 16 % sodium hydroxide and potassium hydroxide solution followed by 10 % hydrochloric acid could remove 50 %–54 % of the ash, total inorganic sulfur, and around 25 % organic sulfur (Mukherjee 2003). 9.4 % of the total organic sulfur was removed by electron transfer process (Borah and Baruah 1999). In another study, approximately 93 % and 98 % of the pyritic sulfur was removed in the case of the Baragolai and Ledo coal of Makum, Assam, respectively, using 15 % (v/v) hydrogen peroxide + 0.1 N sulfuric acid (Mukherjee and Srivastava 2004). An attempt was made to clean some low rank medium to high sulfur coal samples from northeast India using low ultrasonic energy (20 kHz) in the presence of H₂O₂ solutions and it showed removal of 31 %, 48 %, 51 %, 48 % and 32 % of total sulfur, organic sulfur, pyritic, sulfate sulfur and ash, respectively (Saikia et al. 2014b). In a similar study, treatment using application of ultrasonic energy (20 kHz) in aqueous and mixed alkali media (1:1 KOH and NaOH) on coals collected from Assam and Nagaland, India showed that the maximum removal of ash, pyritic sulfur, sulphate sulfur and total sulfur were 87.52 %, 83.92 %, 12.50 % and 18.80 %, respectively (Saikia et al. 2014c). Ultrasound assisted coal de-sulfurization and de-ashing is partially green approach that has been recently studied by other researchers (Hoffmann et al. 1996; Ze et al. 2007; Wang and Yang, 2007; Mello et al. 2009; Shen et al. 2012).

In addition to several physico-chemical desulfurization methods, biodesulfurization using *Thiobacillus ferrooxidans* (ATCC 13984) was attempted for Assam coal (Dastidar et al. 2000). Results showed that the rate of pyritic sulfur removal was retarded at higher concentrations of ferrous and ferric ions that need to be controlled to maintain high rate of removal (Dastidar et al. 2000). In general, AMD can be remediated by two generic approaches i.e. active or passive treatment (Skousen et al. 1998; Walkersdörfer 2008). Active treatment requires the use of alkaline materials (lime, limestone, hydrated lime, caustic soda, soda ash, etc.) or aeration to reduce acidity and precipitate metals, while passive (abiotic and biological) treatment allows chemical and biological processes to take place naturally in a controlled environment (Costello 2003; Johnson and Hallberg 2005; Sheoran and Sheoran 2006; Rios et al. 2008; Sheoran et al. 2010). A pilot plant

Table 5 Pollution standards for air quality in India

Pollutant	Time-weighted averages	Concentration in ambient air (mg/l.)		
		New coal mines (after December 1998)	Existing coalfields/ mines	Old coal mines (Jharia, Ranivani, Bokaro)
SPM	Annual average	360	430	500
	24 h	500	600	700
RPM	Annual average	180	215	250
	24 h	250	300	300
SO ₂	Annual average	80	80	80
	24 h	120	120	120
NO _x	Annual average	80	80	80
	24 h	120	120	120

consisting of sequential alkalinity producing (SAP) system coupled with biological processes was designed for treatment of AMD from coalmines of Meghalaya, northeast India (Baruah et al. 2010). The treatment system was found to be effective in reducing TDS, conductivity, sulphate and toxic elements.

In India, the Ministry of Environment and Forests (MoEF) plays a key role in regulating the environmental impacts of mining and in providing clearances for mining in forest lands. Some environmental protection measures include: prevention of pollution at source; ensuring polluters pay principle; protection of heavily polluted areas and river stretches; encouragement of development and application of best available technological solutions; and involving the public in decision making (Mehta 2002). Under Mineral Concession Rules, 1960, it is required to specify the area indicating impact of mining activity on forest, land and environment, scheme for restoration of the area by afforestation, adoption of pollution control devices. According to Article 23 of the Mineral Conservation and Development Rules (1988), conditions for the abandonment of any mine need to be laid down by the mining company and provision of a plan for dealing with the environment, and is liable to protect and control pollution during the mining and post mining operations. The law further lays guidelines to restore or protect the flora of the area under the mining lease and nearby areas, technically, economically and environmentally.

The main environmental acts that impact the mining industry in India are: The Wildlife (Protection) Act, 1972 (amended in 1991); The Water (Prevention and Control of Pollution) Act, 1974 (amended in 1988); The Forest (Conservation) Act, 1980 (amended in 1988); The Air (Prevention and Control of Pollution) Act, 1981 (amended in 1988); and The Environment (Protection) Act, 1986 (with rules 1986 and 1987). Separate pollution standards for air quality and coal mine effluents has been laid down

Table 6 Pollution standards for coal mine effluents

Parameter	Level
pH	5.5–9.0
TSS (mg/L)	100
Oil and grease (mg/L)	10
COD (mg/L)	250
BOD (mg/L)	30
Phenolics (mg/L)	1.0

by Central Pollution Control Boards for coal mining in India (Tables 5, 6)

In order to achieve sustainable utilization of coal resources integrated approach considering various aspects to reduce its environmental impacts is necessary. Proper implementation of regulatory rules and policies is as important as other management strategies to deal with environmental issues.

5 Conclusions

Demand for coal in India is projected to increase dramatically in short to medium term. This would result in increased coal mining in different parts of India including northeast region. Since, coals in northeast India is characterised by high sulfur and volatile matter contents that exhibits more potential harmful impacts, extra efforts are required to manage these coals to reduce its environmental impacts in the region. More studies need to be done in the field to assess the impact of coal mining on biodiversity, soil, air, surface and ground water in northeast India. Although several researches on desulfurization, de-ashing and demineralization techniques have been made, effort should be made to do further research on developing effective, low cost and environmental friendly technologies.

to clean coal and to use these techniques in the field. Further, it is essential to encourage and emphasize on alternative clean sources of energy to meet future energy demands.

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Minutes of the Seventh Meeting of the State Board for Wildlife held in the Conference Hall at the Chief Minister's Office, Dispur on 11.10.2014.

Members present: List enclosed as Annexure I.

The meeting started with the arrival of the Hon'ble Chief Minister, Assam and Chair Person of the State Board for Wildlife, Assam. After the inauguration of the Chairperson by the Vice Chairperson and Vice Chairperson by the Member Secretary, the Member Secretary PCCF (Wildlife) & CWLM, Assam welcomed all present in the meeting. With the permission of the Chair, the members introduced themselves and thereafter the Chairman asked the Member Secretary to take up the agenda items for discussion.

(a) Leave of absence:

- (1) Sri Sushant Borgowal, MHA
- (2) Dr. A.C. Choudhury, Rhino Foundation for Nature in NE India
- (3) Sri Tufan Kungang, CLM, Karbi-Anglong Autonomous Council, Diphu
- (4) Sri K. Borgoyati, Dy. CLM & EM II, Forests, Bodoland Territorial Council, Kokrajhar
- (5) Secretary, WFT & BC Department, Assam, Dispur, Gawahati-6
- (6) Director General of Police, Assam, Dibrugarh/Inspector General of Police, Assam
- (7) Representative of Armed Forces, Mission Chariali, Tezpur
- (8) Director, Department of Fisheries, Assam
- (9) Director, Wildlife Preservation, COO Complex, Prayagam Bhawan, Jorbagh Road, Aliganj, New Delhi-03
- (10) Representative of Wildlife Institute of India, Dehradun, have requested for leave of absence which was granted.

(b) Confirmation of the minutes of the 6th Meeting of the SBWL held on 18.4.2012. The Chairperson wanted to know the reason for pending proposals, if any. The Member Secy expressed that the decision of the NBWL had been stayed by the Supreme Court and the next hearing in the Supreme Court is on 27th October, 2014. Thereafter, the minutes of the 6th Meeting of SBWL were taken up for discussion and they had been already circulated to all the Hon'ble Members of the Board by the Member Secretary. Since no comments were received from any of the member, as such said minutes were confirmed.

(c) The action taken report on the recommendation of the 6th Meeting of the SBWL were circulated to all.

(d) The action taken report was discussed by the members of the Board. The Member Secy brought to the notice of the Board the office memorandum dtd 28th Aug. 2013 issued by the IA Division of the Ministry of Environment, Forests & Climate Change, New Delhi regarding consideration of the development projects located within 10 Kms of National Parks & Wildlife Sanctuaries seeking environmental clearance under EIA Notification. In view of the office memorandum by the Impact Assessment Divn. proposal for up-gradation of existing National Highway 3 passing through an area within 10 Kms from the boundary of Lankhewa WLS need to be processed at the state level. Some members expressed their concern regarding rehabilitation of the villages - Laika & Dullia from the core of the Dibru Saikhowa National Park. It has been reported that the villagers are willing to accept resettlement / rehabilitation. The Chairperson directed the authorities to take up the case for early resettlement / rehabilitation. It was also brought to the notice of the Board that the Arjuna anti-poaching camp could not be saved due to bank erosion in Kaziranga National Park.

(e) All new proposals were placed before the Board for its consideration.

Expansion of M/S Assam Petrochemicals Ltd. (APCL), a Govt. of Assam undertaking

This proposal relates to the proposed expansion of M/S Assam Petrochemicals Ltd (APCL) submitted by the DGM (Project). APCL is a Govt. of Assam undertaking having methanol and acetic acid manufacturing complex in Nairup. The present proposal is to enhance the production by installing another production unit within its existing premises. Since the project site of APCL is located at a distance of about 5.5 km from the boundary of Dehing Patkai Wildlife Sanctuary the proposal will require clearance of the SBWL before forwarding to MoEF for consideration of Sanctioned under NWL.

The DFO, Dibrugarh Division and the Chief Wildlife Warden, Assam have recommended the proposal subject to certain conditions.

Copy of the proposal was circulated and deliberated upon. The members of the SBWL recommended the proposal for clearance by the Standing Committee of the National Board for Wildlife subject to the conditions proposed by the CWLW, Assam.

ii. Acquisition of land for 5 drill sites for exploration and extraction of Hydrocarbon at location falling within 10 Km of Panidelling Bird Sanctuary PDAG, PDAH (4.34 Hec) and DSAD, DSAP and RLAX (11.86 hac) - A proposal by ONGC.

The proposal relates to 5 nos. of the proposed drilling locations submitted by Oil and Natural Gas Corporation Ltd. which fall within 10 km. distance from Panidelling Bird Sanctuary, Sibsagar District, Assam. An enquiry report was submitted by CF (Wildlife), O/o the P/O CF (Wildlife), Assam on ONGC locations namely PDAG, PDAH (4.34 hac) and DSAD, DSAP & RLAX. The proposal has been recommended by the DFO, Sibsagar Divn & CWLW, Assam subject to certain conditions.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members expressed concern for not treating sufficiently the pollution caused by the activities of ONGC in their exploration and extraction activities in the State. The ONGC officials were given opportunity to explain their case, which they did and responded to various questions raised by the members of the SBWL. The members of the SBWL recommended the proposed activities at two sites (DSAD & DSAL) as requested by the ONGC, subject to the conditions by the DFO & CWLW, Assam. The Board also requested the Member Secretary to constitute a three member expert committee which should give its opinion for the entire proposal based upon which alone the recommendation of the Board shall be considered.

iii. Proposal for drilling by ONGC within 10 km from Hollongapar Gibbon Sanctuary.

This is a proposal submitted by Oil and Natural Gas Corporation Ltd. It relates to drilling of exploratory location "PEAA" falling within 10 km. distance from Hollongapar Gibbon WL Sanctuary. As this is a Wildlife Sanctuary which harbours one of the most endangered species of primates namely Hoolock Gibbon.

and it is quite possible that the drilling activities may have impact not only on the Hoolock Gibbon but other species of wildlife present in the area, therefore, it is necessary to obtain clearance from SBWL.

The proposal has been recommended by the DFO, Jorhat Divn & CWLW, Assam subject to certain conditions.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members felt that an expert committee comprising of Dr. P.C Bhattacharjee, an expert from HT, Guwahati and three wildlife officers along with representatives from ONGC should be constituted to give their opinion on this project. In case of favourable opinion by the expert committee, the Board will recommend the proposal for clearance by the Standing Committee of SBWL, subject to the conditions proposed by the DFO, CWLW, Assam & the aforementioned committee.

✓ iv. Diversion proposals of North Eastern Coalfields, Coal India Ltd.

This is a diversion proposal submitted by North Eastern Coalfields for Lakhapani OCP (235 ha.) and Tikok extension OCP (72 ha.). In view of Govt of India Memo no. F-8-5/2012 FC, dt: 28.3.2013, the State Govt. of Assam is required to undertake extensive and intensive habitat management for targeted species (elephants, Hoolock Gibbon etc.) and floral diversity through a detailed impact study of surrounding area and preparation of time bound biodiversity management plan as the area is rich in wildlife and other bio-diversity. Thus the proposal requires recommendation of Member SBWL for onward necessary action.

The DFO, Dighoi Divn & CWLW, Assam have recommended the proposal subject to certain conditions. Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The Board has requested the Member Secretary to form an expert committee on the lines of the expert committee formed under SI No. 11 above involving Coal India officials. The Board agreed to take decision after submission of the report by the expert committee so constituted.

V. Diversion of 98.59 ha in Safeki PRF under Dighoi Division for Tirok OCP Coal mining project by North Eastern Coal fields, Coal India Limited, Assam.

This proposal has been received from the Chief General Manager, North Eastern Coal Fields, Coal India Limited. The Tirok open cast project had identified an area of 98.59 ha in Safeki Proposed Reserve Forest for mining of coal for a period of 20 years between 2003 to 2023 at the rate of 1.7 Mill Tn per year. The project is based on and in continuation of the project started in 1982 and that environmental clearance for the same quantity has been provided by MoEF in 1996. The site was inspected by SF (Wildlife) and subsequently by PCCF (Wildlife) with DFO, Dighoi during June 2010. Clarification have been submitted by Coal India.

The proposal has been recommended by the DFO, Dighoi Divn & CWLW, Assam subject to certain conditions. Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL took similar decision of awaiting the report by the expert committee to be constituted under the lines of SI No. 11 above.

vi. Proposal for diversion of forest land in Sahasapur DSP within the district of Cachar for widening of Balacherra-Harangajao section under East West Corridor Project from Km 244.0 to Km 274.5 of NH-54 (E).

This proposal has been received from National Highways Authority of India, P.O. Silchar for widening of Balacherra-Harangajao section of NH-54 (E) under East West Corridor project which falls under the proposed Eco Sensitive Zone of Borail Wildlife Sanctuary. The project road consists of diversion of 59.63 ha of unclassified state forest land near the boundary of East block of Borail Wildlife Sanctuary under Cachar Division, Silchar. The current proposal is to be read with earlier proposal of 24.1268 ha diversion within Borail Wildlife Sanctuary.

cleared by State Board for Wildlife on 18.04.2012. As the area falls under the proposed eco-sensitive zone of Borail WLS, it requires the approval of members of State Board for Wildlife.

The DFO, Cachar Divn, Silchar & CWLW, Assam have recommended the proposal subject to certain conditions.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL recommended the proposal for clearance by the Standing Committee of the SBWL, subject to the conditions proposed by the DFO & CWLW, Assam.

vi. Proposal for wildlife clearance for execution of the work "construction of 4 lane bridge over river Brahmaputra including viaduct and its approaches connecting Numaligarh on NH-37 and Gohpur on NH-52 under SARDP - NE in the state of Assam".

This is a proposal received from PWD (NH works) in the matter of construction of 4 lane bridge over river Brahmaputra including viaduct and its approaches connecting Bongaich near Numaligarh on NH-37 & Gohpur on NH-52 under SARDP - NE in the state of Assam. This is a project of the Ministry of Road Transport and Highways under SARDP - NE for providing an uninterrupted 4 lane connectivity upto Dibrugarh avoiding Kaziranga National Park as reported by the Civil Engineer PWD (NH works), Assam who had also informed that the Green Tribunal has expressed interest in early completion of the project so that under Assam bound heavy vehicles can be diverted from Kaziranga National Park. The proposal was placed before the Board for consideration of the members.

The proposal has been recommended by the DFO, Eastern Assam WL, Dibrugarh & CWLW, Assam subject to certain conditions.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL recommended the proposal for clearance by the Standing Committee of the NBWL subject to the conditions proposed by the DFO & CWLW, Assam.

vii. Clearance under Wildlife (Protection) Act, 1972 for locating 1 x 160 Mw Namrup Replacement Power Project at Namrup in the District of Dibrugarh 10 Km distance of Wildlife Sanctuary.

This is a proposal received from Assam Power Generation Corporation Ltd. which has proposed the replacement of old plant machineries in the project area of the existing old plant. The boundary of Namrup Replacement Power Plant (NRPP) is located at a distance of 3450.0 m away from Dehing Patkai Wildlife Sanctuary and at a distance of 345.0 m from the boundary of Jorpur Reserve Forest of Dehing Patkai Elephant Reserve. The proposal falls in an area which is within 10 kms. of the boundary of the Wildlife Sanctuary.

The proposal is for an existing project and has been recommended by the DFO, Dibrugarh Dibrugarh & CWLW, Assam subject to certain conditions.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL recommended the proposal for clearance by the Standing Committee of the NBWL subject to the conditions proposed by the DFO & CWLW, Assam.

ix. Proposal for notification of First addition to Manas National Park.

This is a proposal submitted by Additional PCCF, Bodoland Territorial Council, Kokrajhar for notifying First Addition to Manas National Park under Bodoland Territorial Council. The proposed first addition to Manas National Park is a part of the continuous east forest belt extending from Buxa Tiger Reserve on the west (West Bengal) to the Subantkha Reserve Forest on the east, running along the

in the hills of the Himalayas and contiguous to the Bhutan forest on the north & is rich in biodiversity. Further, the proposed area falls within the notified buffer of Manas Tiger Reserve declared during 1973 as well as the critical tiger habitat notified by the Govt. of Assam vide notification No. FRW.23067/17 of 2007.

The details of proposal submitted to Govt. of Assam by PCCT (Wildlife), Assam vide his letter No. WL/PO.35/Proposal for that Addition to Manas National Park dated 24.10.2013 were circulated for ready reference and kind recommendation of Members SBWL concerned, for onward action by PCCT (Wildlife), Assam to NTCA, New Delhi, for approval accordingly.

The proposal was discussed by the members of the State Board for Wildlife. The members of the SBWL recommended the proposal. The members also expressed their concern over low frequency of the meeting of the SBWL and they desired that the SBWL should meet more frequently in future.

✓ X. Proposal for declaring part of Sonai Rupai Wildlife Sanctuary as satellite core of Nameri Tiger Reserve.

This proposal, submitted by the Divisional Forest Officer, Western Assam Wildlife Division, Tezpur relates to declaring 120 Km² of Sonai Rupai Wildlife Sanctuary as satellite core of Nameri Tiger Reserve. According to the concerned Divisional Forest Officer, owing to its strategic location, the Sonai Rupai Wildlife Sanctuary forms a crucial link between the Manas - Sonai Rupai - Nameri corridor which is further linked with Kaziranga Tiger Reserve through the riverine corridors between Nameri, Pakke & Kaziranga. The concerned Divisional Forest Officer has further stated that as a satellite core, the wildlife Sanctuary can act as a stepping stone for the movement of tigers in this landscape.

The proposal was recommended by the CWLA, Assam.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL recommended the proposal.

✓ XI. Proposal for Orang Tiger Reserve.

The proposal of Orang Tiger Reserve as received from the Divisional Forest Officer, Mangaldai Wildlife Division will be comprising of Orang National Park and include the natural course of river Brahmaputra upto Bhenorani bridge which is the western end of Kaziranga Tiger Reserve. The total area of the proposed Tiger Reserve is 676.01 sq.km with the existing Orang National Park as core (79.28 sq.km) & other areas including river Brahmaputra (596.73 sq.km) as buffer.

Copy of the proposal was circulated amongst the members of the State Board for Wildlife and it was discussed by the members. The members of the SBWL recommended the proposal.

(1) Comments from the Hon'ble Chief Minister & Chairperson of the Board:

The Hon'ble Chief Minister & Chairperson of the Board expressed satisfaction over the proceedings of the meeting. He said that the mindset has changed over the years in favour of wildlife conservation. He accepted the request of the members to take up the issue of having a green bench in Assam. He emphasized that the development is very much needed and that is possible by getting new technology which ensures that proper balance between development and environmental consideration is maintained. He also desired that fast growing tree species are very much needed to meet the demand of fuel in the State of Assam. He expressed satisfaction over the fact brought to the notice of the Board by the Hon'ble Forest Minister and Vice Chairperson of the Board that, barring a few areas, the forest cover of the State has increased as per the current scientific survey. He agreed that illegal felling of trees should be dealt with more strictly but a common man should be encouraged to grow trees which can be harvested at maturity for livelihood needs. He also desired that efforts should be made to get regional office of Wildlife Crime Control Bureau of Ministry of Environment, Forests and Climate Change in Assam.

(2) Other matters:

Two memorandums were submitted by Dr. Haricharan Das who is a member of the Board on behalf of Aranya Samiti to the Hon'ble Chief Minister and the Chairperson of the Board who asked the Members to look into the matter.

The meeting ended with vote of thanks to the chair by the Secretary, Environment & Forests.

Sd/-
(Tarun Gogoi)
Chief Minister, Assam
& Chairman
State Board for Wildlife, Assam

MINUTES OF THE 10th MEETING OF THE STATE BOARD FOR WILDLIFE HELD IN THE
CONFERENCE HALL OF THE CHIEF MINISTER'S OFFICE, DISPUR ON 22.02.2018.

Members present: List enclosed as Annexure 1.

The 10th meeting started on the arrival of the Hon'ble Chief Minister, Assam and Chairperson of the State Board for Wildlife, Assam. At the outset the Hon'ble Chief Minister & Chairperson, the Hon'ble Minister of Environment & Forests etc & Vice Chairperson on the dias were felicitated. Following that the respected members of the board introduced themselves. The Principal Chief Conservator of Forests & Head of Forest Force, Assam welcomed the Hon'ble Chief Minister of Assam and Chairperson of the State Board for Wildlife and the Minister Environment and Forests etc. Government of Assam & Vice Chairperson of the State Board for Wildlife and all other members of the board.

The Hon'ble Minister of Environment and Forests etc. Government of Assam & Vice Chairperson of the State Board for Wildlife addressed the board with a brief account on the objective of the 10th meeting.

The Principal Chief Conservator of Forests, (Wildlife) and Chief Wildlife Warden, Assam, and Member Secretary SBWL presented issues listed in the Agenda for discussion with the permission of the chair.

(a) Leave of absence :

- (1) Sri Mrinal Saikia, MLA, Khumtai.
- (2) Sri Pradan Borua, MP, Lakhimpur
- (3) Representative of Armed Forces (Govt. of India to nominate)
- (4) The Director, Wildlife Preservation, Paryavaran Bhawan, New Delhi.
- (5) The Director, Wildlife Institute of India, Dehradun, Uttaranchal.
- (6) The Director, Botanical Survey of India, Kolkatta, West Bengal.
- (7) Sri Pronay Bordoloi, Journalist
- (8) Sri Bhupendra Nath Talukdar, Retd. DCF
- (9) Dr. A.U Choudhury, IAS, the Rhino Foundation for Nature in North East-India.
- (10) Dr. P.C. Bhattacharjee, Retd. Professor Guwahati University

(b) Confirmation of the Minutes of the 9th Meeting of the SBWL held on 20.09.2016

The minutes of the 9th Meeting of SBWL was taken up for discussion which had already been circulated to all the Hon'ble Members of the Board by the Member Secretary. The Board confirmed and recommended the minutes.

(c) The action taken report on the recommendation of the 9th Meeting of the SBWL which was circulated to all and were open for discussion.

The PCCF, WL & CWLW and the member secretary presented the action taken report of the 9th meeting of State Board for Wildlife held on 20.09.2016 and the discussion proceeded as below.

1. Diversion proposals of North Eastern Coalfields, Coal India Ltd Tikok extension open cast project (72.00 Ha.)

The State Board for Wildlife recommended the proposal in its 9th meeting. The Govt. of Assam requested Coal India Limited, User Agency to furnish compliance report in regards to diversion of 72.00 ha. Of Forest Land. But the report from the User Agency was still awaited. The Board advised Member Secretary SBWL & PCCF, WL & CWLW, Assam to send reminder to the Coal India Limited for submission of compliance report as asked by the Govt. of Assam at an early date so that the proposal can be forwarded to the MoEF & CC for early clearance by the SC-NBWL.

2. Diversion of 98.59 ha in Saleki PRF under Digboi Division for Tikok OCP Coal mining project by North Eastern Coal fields, Coal India Limited, Assam.

The physical verification report conducted by CF, EAC, Jorhat was discussed in the meeting and as the site was found to be located just on the boundary of the 10 Km radius from the Dehing Patkai WLS it was considered falling within the Eco-Sensitive Zone. After deliberation on the matter the board recommended the proposal subject to compliance to a set of mitigation measures as suggested by the Expert Committee.

3. Application for Wildlife Clearance from Standing Committee of NBWL for drilling 7 (seven) numbers of wells in the vicinity of Hollongapar Gibbon Sanctuary [OIL].

The State Board for Wildlife recommended the proposal in its 9th meeting for two sites his LOC 101 & LOC LT1 subject to compliance to the mitigation measures as suggested by the Expert Committee.

The proposal has been forwarded to MoEF & CC, Govt. for placing before the SC-NBWL for necessary clearance vide Govt. letter No. FRW.14/2016/2000, dtd. 14.02.2018.

The board has advised the PCCF, WL & CWLW, Assam to take up the matter with MoEF & CC for early placing before SC-NBWL with a copy to User Agency for necessary pursuance.

4. Rehabilitation of Dodhia and Laika Forest villages of Dibru Saikhowa National Park to be carried out at an early date.

The matter was discussed in the meeting and the board advised the PCCF & HoFF, Assam to make further communication to Govt. of Assam for considering the rehabilitation of Laika and Dodhia Forest Village at an early date.

5. The status of Reserve Forests and Proposed Reserve Forests and to take immediate action to notify the PRFs to RFs.

The matter was discussed in the meeting and the board advised the PCCF & HoFF, Assam to direct the concerned DFOs to take up the matter with concerned authority for early action in this regard.

6. Uploading the Agenda and Minutes of meetings in Departmental Website so that the members can access the same easily for their perusal.

The member of the board discussed the matter and agreed upon.

New Proposal for 10th meeting of the State Board for Wildlife, Assam

1. Proposal for diversion of 208.807 Ha. Forest land for construction of 400 KV D/C (Quad) Jigmelling-Alipurduar Transmission Line in the State of Assam.

The PowerGrid Corporation of India Ltd., User Agency has submitted the Proposal online on 06.07.2017. Subsequently concerned DFOs of Kachugaon, Haltugaon & Chirang Division has submitted their respective report online. The Field Director Manas has also furnished his views.

The Chief Wildlife Warden, Assam has uploaded necessary comments on 05.12.2017 online alongwith the hard copy to the Addl. Chief Secretary to the Govt. of Assam, Environment & Forest Department.

Mr. Khampa Borgoyari, Deputy Chief of BTC stated that the proposed power transmission line coming from Bhutan should be passes through one route for proper management of Biodiversity of the Protected Area.

The proposal was placed in the 10th meeting of the State Board for Wildlife and after thorough discussion the board recommended it subject to compliance to the conditions suggested by the PCCF, WL & CWLW, Assam. The proposal may be sent for consideration by the Standing Committee of National Board for Wildlife, Govt. of India.

Appointment of Honorary Wildlife Warden

Section 4 (1)(bb) provides for appointment of Honorary Wildlife Warden and these appointees shall be subordinate to the CWLW as per Sec. 4 (3) of the WL (P) Act, 1972 and also deemed to be public servants within the meaning of Sec 21 of the Indian Penal Code. The guidelines issued by the Govt. of India prescribe criteria for selection and suggests that such appointment should be generally with the recommendation of the Advisory Board constituted under section 6 of the Wildlife (Protection) Act, 1972.

Accordingly nominations from concerned DFOs of each district were received and one name per district as per guidelines was placed before the State Board for Wildlife.

The Members examined the names and recommended appointment of 25 Honorary Wildlife Warden for concerned districts.

The Board also authorized the CWLW, Assam for collecting nomination of remaining districts and place before the Hon'ble Vice Chairman of the Board for approval.

The list of recommended Honorary Wildlife Wardens for 25 districts is enclosed and marked as annexure-II.

Other matter with the permission of the Hon'ble Chief Minister, Assam & Chairperson of the State Board for Wildlife.

1. **Eco-Sensitive Zone :** The Hon'ble Chief Minister of Assam & Chairperson of the State Board for Wildlife suggested that the department should arrive at a consensus with the people living in the fringe of Protected Area before preparing proposal for eco-sensitive zone.
2. **Elephant Corridor:** The Hon'ble Chief Minister of Assam & Chairperson of the State Board for Wildlife suggested to properly identify all the track used by elephant to cross Railway track/Road which are vulnerable to dashing and to take up the matter with concerned Authority for construction of overpass/underpass for giving safe passage to wild elephant to avoid accidents in future.
3. **Restoration of Elephant Habitat:** Being seriously concerned to the current status of man-animal conflict in the State the Hon'ble CM advised the Forest Department to take necessary steps for restoring habitats wherever necessary so that the traditional elephant movement range becomes suitable for use by elephants and reduce the conflicts in human habitation. Sri Khampa Borgoyari, Hon Deputy Chief of BTC & Hon'ble Member of SBWL stated that the movement of elephants from Manas NP in the east to the forest of Chirang RF to the west has been highly threatened due to loss of forests and habitats along the Gelephu road even though there has been sporadic record of movement in the Deoshree section. He has requested WWF India to identify a corridor to connect these patch of forests so that the east west connectivity for elephants from Manas to the Chirang forests near the Deoshree area can be restored by the forest department and the government.
4. **Tiger Reserve in Karbi Anglong :** The CEM of Karbi Anglong and Hon'ble Member of the board has proposed for creation of a Tiger Reserve in Karbi Anglong covering all the Protected Area of the Karbi Anglong Autonomous District Council. It was also proposed for creation of a wildlife division for the existing six Protected Areas of Karbi Anglong Autonomous District Council.
The member of the board agreed with the proposals and requested the council authority to process the proposals soon.
5. **Creation of a Battalion for Manas Tiger Project :** The Khampa Borgaoyari, Deputy Chief of BTC & Hon'ble Member of SBWL suggested for raising a APFP battalion for protection of Manas National Park which will create employment opportunity of local youth as were who are otherwise presently working through NGOs for protection and Conservation of Biodiversity of Mans Tiger Project.
The hon'ble Chief Minister of Assam & Chairperson of the Board has agreed to the proposal & suggested for submission of such proposal observing necessary formalities through the concern authority early.
6. **Rhino Day :** It is agreed in the meeting that a special day will be observed as a "Rhino Day" throughout the State to create awareness as well as promote involvement of people living in the fringe of rhino bearing area for better conservation & protection of State Animal

Rhino: The Environment & Forest Department will take necessary steps to notify a suitable date for observation of Rhino Day w.e.f. the current calendar year itself.

7. **Institute of Wildlife Health and Research Centre in Assam:** Dr. Khushal Sarma, Professor Vety. College of Science and Member of the board proposed for establishment of Institute of Wildlife Research and Health Centre in Assam to facilitate study, research, training, and treatment of wildlife animal diseases.
The Hon'ble CM, Assam and Chairperson of the Board agreed upon the suggestion and requested Member Secretary of SBWL & PCCF, WL & CWLW and College of Veterinary Science, Assam to take step in this regard. He also advised to find out the best such institution presently available in the world and prepare proposal.
8. **Inclusion of Wildlife Conservation in School Syllabus:** Sri Gautam Uzir, Advocate hon'ble member of the board has suggested for inclusion of Wildlife Conservation in School Syllabus of Assam to create awareness among the school students for wildlife conservation.
The members of the board have agreed on his proposal and requested Member Secretary of SBWL & PCCF, WL & CWLW, Assam to take up the matter with Education Department.
9. **Watch Tower :** The Managing Director, Assam Tourism Development Corporation stated that the corporation had fund for construction of 18 (eighteen) Nos. of watch tower at suitable location of National Park & Wildlife Sanctuaries for promotion of eco tourism.
The Hon'ble CM, Assam and Chairperson of the Board suggested that the tower to be established by the ATDC should be for multipurpose use such as tourism promotion, conservation of wildlife and accommodation of frontline staff of forest department having facility of all required amenities.
Sri Khampa Borgaoyari, Deputy Chief of BTC and Hon'ble Member of the board requested to allot at least 5 such watch tower for Manas National Park.
The PCCF, WL & CWLW, Assam has requested the Managing Director, ATDC to communicate his office for early action on the matter for its early implementation. The Members of the Board present in the meeting has agreed with the proposal.

(d). Comments from the Hon'ble Chief Minister & Chairperson of the Board:

The Hon'ble Chief Minister & Chairperson of the Board expressed satisfaction over the proceedings of the meeting. He urged that the member of the SBWL should visit the place of occurrence of incidents caused during man-animal conflict as a confidence building gesture particularly amongst the effected people and advised to have frequent meetings of the SBWL.


(Sarbananda Sonowal)
Chief Minister, Assam

& Chairperson State Board for Wildlife, Assam.



Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

Annexure - 28

6th Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi 110 003
Date: 29.08.2019

149

F.No.6-104/2019 WL

To

All Members
Standing Committee of NBWL

Sub: Minutes of 54th Meeting of the Standing Committee of National Board for Wild Life- reg.

Sir / Madam,

Kindly find enclosed copy of the Minutes of 54th Meeting of the Standing Committee of National Board for Wild Life held on 18th July 2019 through Video Conference under the chairmanship of Hon'ble Union Minister of Environment, Forest and Climate Change.

Yours faithfully,

(Dr Pasupala Ravi)
Scientist C

Encl: As above

Distribution

- (1) Secretary, MoEF&CC
- (2) DGF&SS, MoEF&CC
- (3) Member Secretary, NTCA
- (4) ADGF(FC), MoEF&CC
- (5) ADGF(WL), MoEF&CC
- (6) Director, WII, Dehradun
- (7) Director, GEER Foundation, Gandhinagar, Gujarat
- (8) Prof. R. Sukumar, Member, NBWL
- (9) Dr. H.S. Singh, Member, NBWL
- (10) Pr. Secretary (Dept. of Envi., Forest, Science & Tech.), Govt. of Andhra Pradesh
- (11) Shri Noyal Thomas, IGF & Director (PE)

Copy to

- (1) PS to Hon'ble MoEF&CC
- (2) PPS to DGF&SS, MoEF&CC
- (3) PPS to Addl.DGF(WL), PPS to IGF(WL)
- (4) CWLW, Bihar / CWLW, Gujarat / CWLW, Jammu & Kashmir / CWLW, Jharkhand / CWLW, Odisha / CWLW, Rajasthan / CWLW, Madhya Pradesh / CWLW, Maharashtra / CWLW, Uttarakhand / CWLW, Tamil Nadu

- (iii) While digging the trench, shorter lengths may be taken at a time and laying of pipeline and refilling of the trench should be undertaken simultaneously within the shortest possible period so as to avoid disruption in animal movements and wildlife (especially infant) mortality by falling in the open trench. Length of the trench dug at a time should not exceed 500 m filled up and compacted before digging next stretch of 500 m.
- (iv) Use of heavy machinery such as earth moving/drilling machines should be minimal. The work should be finished within specified time of the day (7.0 A.M – 6.0 P.M) and no labour camp should be allowed inside the forested areas at nights. In case of any labour found guilty of poaching/hunting, the work permit of the user agency shall be terminated forever and the concerned official(s) of the user agency in charge of the project shall be prosecuted as per the provisions of the Wildlife (Protection) Act, 1972. The user agency should also provide LPG connection / solar cooker and proper sanitation facilities to the labours residing in the camps.
- (v) The pipeline alignment can be considered for moderate shifting to avoid cutting of endangered and endemic red sanders trees.
- (vi) Double the extent of the diverted land should be purchased by the user agency within the corridor pinch point area and given to the Andhra Pradesh Forest Department for management under corridor
- (vii) State Forest Department shall supervise the compliance of the mitigation measures by constructing a monitoring committee comprising of the local DFO, representative of the user agency and representative from Regional Office of the NTCA.

The IGF(WL) also stated that the State Board for Wild Life has recommended the proposal in its meeting held on 28.02.2019.

After discussions, the Standing Committee decided to recommend the proposal subject to the conditions that

- (a) The project proponent will comply with all the conditions imposed by the State Chief Wildlife Warden and the NTCA.
- (b) The annual compliance certificate on the stipulated conditions should be submitted by the project proponent to the State Chief Wildlife Warden and the NTCA, and an annual compliance certificate shall be submitted by the State Chief Wildlife Warden to Govt. of India.

54.4.3 Proposal for use of 98.59 ha of reserve forestland from Saleki proposed reserve forest which is a part of Dehing Patkai Elephant Reserve for Tikok OCP coal mining project by North-Eastern Coal Field, Coal India Limited, Assam State

The IGF(WL) briefed the Standing Committee and stated that the proposal is for use of 98.59 ha of reserve forestland for opencast mining of coal 0.20 MMT per year located at ~10 km radius from the boundary of the Dehing Patkai Wildlife Sanctuary. He stated that the State Chief Wildlife Warden has recommended the project with the following conditions:

- (151)
- (1) It is the responsibility of the North Eastern Coalfields to ensure that the protective measures contained in the Mine Closure Plan including reclamation and rehabilitation work to be carried out in accordance with the approved mine closure plan prepared and approved by Coal India Ltd and already submitted with Ministry of Coal.
 - (2) Continuous observations at regular intervals must be taken up and accordingly necessary precautions should be taken, so that the water quality of Namdang and Buri - Dihing River can be maintained within permissible qualities.
 - (3) After the closure of the mining operations, the whole land used for the mining should be returned in the form of a good forest with native species which is a good wildlife habitat as the whole of the area falls under Indo-Burma Bio-Diversity hotspot.
 - (4) If there is any pollution related issues during the course of mining operations mitigation measures will have to be taken immediately in consultation with appropriate authorities and subject experts.
 - (5) The impact of mining activities on the local inhabitants in and around the mining areas must be mitigated under the CSR schemes of Coal India Ltd.
 - (6) Local Advisory Committee comprising members representing Forest Division, Experts on Ecology and Wildlife, and the local community be formed to advice on the important bio-diversity of the mining areas and also the fringe areas, wildlife status, ecological issues and help in mitigating and implementation of conservation plans.

Further the IGF(WL) stated that the State Board for Wild Life has recommended the proposal in its meeting held on 20.09.2016.

Prof. R. Sukumar, Member NBWL stated that the proposed mining area falls in the elephant corridor and impact of the proposed mining area should be assessed by the wildlife experts.

The Chairman opined that a meeting would be convened with the officials of Coal India Limited to discuss on the various issues of the mine closure plan, reclamation and rehabilitation work in the light of the Sustainable Mining Management Guidelines issued by this Ministry.

After discussions, the Standing Committee recommended that an inspection team comprising of Prof. R. Sukumar, representative from the Wildlife Division and the State Chief Wildlife Warden would visit the project site and submit report to this Ministry within one month. Also Ministry may arrange for meeting with officials of Coal India Limited as advised by the Honorable MEF&CC.

54.4.4 Proposal for use of 38.0 ha forestland (sanctuary land: 9.0 ha + forestland from the ESZ : 29.0 ha) for construction of new railway line Sakri – Biraul – Kuseshwar Asthan of East Central Railway passing through Kuseshwar Asthan Bird Sanctuary, Bihar State

The IGF(WL) briefed the Standing Committee and stated that the proposal is for use of 38.0 ha of forestland (9.0 ha sanctuary land and 29.0 ha forestland from the ESZ) for the construction of new railway line Sakri – Biraul – Kuseshwar Asthan of length 6.1 km



Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

152
Annexure - 29

6th Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi 110 003
Date: 21.01.2020

F.No.6-154/2019 WL

To

All Members
Standing Committee of NBWL

Sub: Minutes of 56th Meeting of the Standing Committee of National Board for Wild Life- reg.

Sir / Madam,

Kindly find enclosed copy of the Minutes of 56th Meeting of the Standing Committee of National Board for Wild Life held on 17th December 2019 through Video Conference under the chairmanship of Hon'ble Union Minister of Environment, Forest and Climate Change.

Yours faithfully,

(Dr Pasupala Ravi)
Scientist C

Encl: As above

Distribution

- (1) Secretary, MoEF&CC
- (2) DGF&SS, MoEF&CC
- (3) ADGF(WL), MoEF&CC
- (4) ADGF(FC), MoEF&CC
- (5) Member Secretary, NTCA
- (6) Director, WII, Dehradun
- (7) Director, GEER Foundation, Gandhinagar, Gujarat
- (8) Prof. R. Sukumar, Member, NBWL
- (9) Dr. H.S. Singh, Member, NBWL
- (10) Pr. Secretary, Dept. of Envi., Forest, Science & Tech., Govt. of Andhra Pradesh
- (11) Shri Noyal Thomas, IGF & Director (PE)

Copy to

- (1) PS to Hon'ble MoEF&CC
- (2) PS to Hon'ble MoSEF&CC
- (3) PPS to DGF&SS, MoEF&CC
- (4) PPS to Addl.DGF(WL), PPS to IGF(WL)
- (5) CWLW Assam / CWLW Bihar / CWLW Goa / CWLW Gujarat / CWLW Jharkhand / CWLW Madhya Pradesh / CWLW Rajasthan / CWLW Telangana / CWLW Tripura / CWLW Uttarakhand

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**MINUTES OF 56th MEETING OF THE STANDING COMMITTEE OF
NATIONAL BOARD FOR WILD LIFE HELD ON 17th DECEMBER 2019**

The 56th Meeting of the Standing Committee of National Board for Wild Life was held on 17th December 2019 through Video Conference and chaired by the Hon'ble Union Minister for Environment, Forest & Climate Change. List of participants is placed at ANNEXURE-I.

Hon'ble Chairman welcomed all the participants to the 56th Meeting of the Standing Committee of National Board for Wild Life and asked the IGF(WL) to initiate the discussions on the Agenda Items.

AGENDA ITEM No.1

55.1.1 Confirmation of the minutes of the 55th Meeting of the Standing Committee of National Board for Wild Life held on 29th August 2019

The IGF(WL) mentioned that the minutes of the 55th Meeting of the Standing Committee of National Board for Wild Life held on 29th August 2019 were circulated amongst all the members of the Standing Committee on 17th September 2019. He solicited for confirmation of the minutes during the meeting.

After discussions, the Standing Committee decided to confirm the minutes.

AGENDA ITEM No.2

(Action Taken Report)

✓ **54.4.3 Proposal for use of 98.59 ha of reserve forestland from Saleki proposed reserve forest which is a part of Dehing Patkai Elephant Reserve for Tikok OCP coal mining project by North-Eastern Coal Field, Coal India Limited, Assam State**

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered in the 54th meeting held on 18th July 2019 wherein it was decided that a committee comprising of Prof R Sukumar, Member NBWL, representative from the Wildlife Division and the State Chief Wildlife Warden would visit the project site and submit report to this Ministry within one month. Further the Ministry may also arrange for meeting with officials of Coal India Limited as advised by the chair. He stated that the Site Inspection Committee visited project site and submitted report on 22/10/2019.

Prof. R. Sukumar, Member stated that 57.20 ha of forestland has already been broken up by the user agency and the balance area of 41.39 ha unbroken land, cautious approach need to be adopted in the light of the rich biodiversity. The proposed area is on a steep hill slope that is part of the Dehing Patkai Elephant reserve adjoining good forest area in the neighboring State of Arunachal Pradesh which includes Deomali Elephant Reserve with a sizeable population of elephants. He also stated that it would be prudent to preserve the basic integrity of this forested hill slope.

After discussions, the Standing Committee decided to defer the proposal till the outcome of the meeting with the officials of Coal India Limited.

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54.4.24 Proposal for use of 12.885 ha private land of Sohagra Graphite Mine situated near Village Sohagra, District Palamu, Jharkhand State

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered by the Standing Committee in its 54th meeting held on 18th July 2019 wherein it was decided to deliberate discussions in the forthcoming meeting. The IGF(WL) stated that the State Chief Wildlife Warden has recommended the project with conditions.

Further the IGF(WL) stated that the State Board for Wild Life has recommended the proposal in its meeting held on 23/05/2018. The NTCA has also recommended the project with the conditions and mitigative measures.

After discussions, the Standing Committee decided to defer the proposal.

54.4.21 Proposal for use of 11.115 ha of land (forestland: 2.565 ha + civil soyam land: 8.190 ha) construction of Kotgaon (Naitwar) to Kalap Motor road, Uttarakhand State

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered in the 54th meeting held on 18th July 2019 wherein it was decided to deliberate discussions in the forthcoming meeting in the light of the guidelines for roads in protected areas issued by the Ministry. He stated the proposal is for use of 11.115 ha of land (8.190 ha of civil soyam land + 2.565 ha forestland) for construction of new road from Kotgaon to Kalap Motor road passing through Govind Pashu Vihar National Park. He stated that the State Chief Wildlife Warden has recommended the project without imposing conditions. Further the IGF(WL) stated that the State Board for Wild Life has recommended the proposal in its meeting held on 15/06/2018. In the 54th meeting Dr H S Singh, Member stated that as per the recommendations of "*the Sub-Committee on Guidelines for Roads in Protected Areas*" new roads shall not be constructed inside the National Parks and Sanctuaries. The Standing Committee in its 54th meeting noticed that the Chief Wildlife Warden / or representative from the State Forest Department was not available to comment on the proposed road.

After discussions, the Standing Committee decided that a committee comprising of two officials from the Wildlife Division and the two officials from the State Forest Department would visit the project site and submit report to this Ministry within one month.

54.4.25 Proposal for picking of balu / bajri / boulder mine at village Dhhakrani, Tehsil Vikas Nagar, District Dehradun from the private land of 2.5893 ha area located at 2.35 km away from Asan Wetland Conservation Reserve, Uttarakhand State



Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

Annexure - 30

6th Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi 110 003
Date: 20.04.2020

F.No.6-2/2020 WL

To

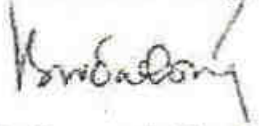
All Members
Standing Committee of NBWL

Sub: Minutes of 57th Meeting of the Standing Committee of National Board for Wild Life- reg.

Sir / Madam,

Kindly find enclosed copy of the minutes of 57th Meeting of the Standing Committee of National Board for Wild Life held on 07th April 2020 through Video Conference under the chairmanship of Hon'ble Union Minister of Environment, Forest and Climate Change.

Yours faithfully,


(Dr Pasupala Ravi)
Scientist C

Encl: As above

Distribution

- (1) Secretary, MoEF&CC
- (2) DGF&SS, MoEF&CC
- (3) ADGF(WL), MoEF&CC
- (4) ADGF(FC), MoEF&CC
- (5) Member Secretary, NTCA
- (6) Director / IGF, PE Division
- (7) Director, WII, Dehradun
- (8) Director, GEER Foundation, Gandhinagar
- (9) Dr. R. Sukumar, Member, NBWL
- (10) Dr. H.S. Singh, Member, NBWL
- (11) Pr. Secretary, Forest Dept., Govt. of Andhra Pradesh

Copy to

- (1) PS to Hon'ble MoEF&CC
- (2) PS to Hon'ble MoEF&CC
- (3) PPS to DGF&SS, MoEF&CC
- (4) PPS to Addl.DGF(WL), PPS to IGF(WL)
- (5) CWLW Assam / CWLW Arunachal Pradesh / CWLW Bihar / CWLW Goa / CWLW Gujarat /

54.4.3 Proposal for use of 98.59 ha of reserve forestland from Saleki proposed reserve forest which is a part of Dehing Patkai Elephant Reserve for Tikok OCP coal mining project by North-Eastern Coal Field, Coal India Limited, Assam State

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered in the 54th meeting held on 18th July 2019 wherein it was decided that a committee comprising of Prof R Sukumar, Member NBWL, representative from the Wildlife Division and the State Chief Wildlife Warden would visit the project site and submit report to this Ministry within one month. Further the Ministry may also arrange for meeting with officials of Coal India Limited as advised by the chair. He stated that the Site Inspection Committee visited project site and submitted report on 22/10/2019.

Prof. R. Sukumar, Member stated that 57.20 ha of forestland has already been broken up by the user agency and the balance area of 41.39 ha unbroken land, cautious approach need to be adopted in the light of the rich biodiversity. The proposed area is on a steep hill slope that is part of the Dehing Patkai Elephant reserve adjoining good forest area in the neighboring State of Arunachal Pradesh which includes Deomali Elephant Reserve with a sizeable population of elephants. He also stated that it would be prudent to preserve the basic integrity of this forested hill slope.

The IGF (WL) stated that a meeting with officials of Coal India Limited, officials of MoEFCC was held on 21.01.2020 under the chairmanship of Hon'ble MEFC, and several information was sought from the User Agency and also several suggestions were made.

After detailed discussions, the Standing Committee decided that the User Agency should submit the following for further consideration:

- (a) The proposal for broken up area is recommended for approval subject to submission of a rectified site specific mine reclamation plan in consultation with the Assam Forest Department.
- (b) For the unbroken area, the matter will be considered after the User Agency submits a feasibility report for underground mining, and also submits compliance report regarding fulfillment of all other conditions as recommended in the meeting held on 21st January 2020.

54.4.24 Proposal for use of 12.885 ha private land of Sohagra Graphite Mine situated near Village Sohagra, District Palamu, Jharkhand State

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered by the Standing Committee in its 54th meeting held on 18th July 2019 wherein it was decided to deliberate discussions in the forthcoming meeting. The IGF(WL) stated that the State Chief Wildlife Warden has recommended the project with conditions.



Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

Annexure - 31

6th Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi 110 003
Dated 13.07.2020

F.No.6-48/2020 WL

To

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All Members
Standing Committee of NBWL

Sub: Minutes of 58th Meeting of the Standing Committee of National Board for Wild Life- reg.

Sir / Madam,

Kindly find enclosed copy of the minutes of 58th Meeting of the Standing Committee of National Board for Wild Life held on 03rd July 2020 through Video Conference under the chairmanship of Hon'ble Union Minister of Environment, Forest and Climate Change.

Yours faithfully,

(Rakesh Kumar Jagenia)

Deputy Inspector General of Forests (WL)

E.mail: diqwl-mefcc@gov.in

Encl: As above

Distribution

- (1) Secretary, MoEF&CC
- (2) DGF&SS, MoEF&CC
- (3) ADGF(WL), MoEF&CC
- (4) Member Secretary, NTCA
- (5) Director / IGF, PE Division
- (6) Director, WII, Dehradun
- (7) Director, GEER Foundation, Gandhinagar
- (8) Dr. R. Sukumar, Member, NBWL
- (9) Dr. H.S. Singh, Member, NBWL
- (10) Pr. Secretary, Forest Dept., Govt. of Andhra Pradesh

Copy to

- (1) PS to Hon'ble MoEF&CC
- (2) PS to Hon'ble MoEF&CC
- (3) PPS to DGF&SS, MoEF&CC
- (4) PPS to Addl.DGF(WL), PS to DIGF(WL)
- (5) Additional Chief Secretary / Principal Secretary / Secretary, Forest Department of Andhra Pradesh, Assam, Arunachal Pradesh, Bihar, Gujarat, Kerala, Jammu & Kashmir, Mizoram, Madhya Pradesh, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh
- (6) PCCF & HoFF of Andhra Pradesh, Assam, Arunachal Pradesh, Bihar, Gujarat, Kerala, Jammu & Kashmir, Mizoram, Madhya Pradesh, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh
- (7) CWLW of Andhra Pradesh, Assam, Arunachal Pradesh, Bihar, Gujarat, Kerala, Jammu & Kashmir, Mizoram, Madhya Pradesh, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh

MINUTES OF 58th MEETING OF THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILD LIFE HELD ON 03 JULY 2020

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The 58th Meeting of the Standing Committee of National Board for Wild Life was held on 03rd July 2020 through Video Conference and chaired by the Hon'ble Union Minister for Environment, Forest & Climate Change. List of participants is placed at ANNEXURE-I.

The Hon'ble Chairman welcomed all the participants to the 58th Meeting of the Standing Committee of National Board for Wild Life and asked the Member Secretary to initiate the discussions on the Agenda Items.

AGENDA ITEM No.1

57.1.1 Confirmation of the minutes of the 57th Meeting (also Part) of the Standing Committee of National Board for Wild Life held on 7th April 2020

The Member Secretary stated that the minutes of the 57th meeting of the Standing Committee of National Board for Wild Life held on 7th April 2020 were circulated on 20th April 2020 amongst all the Members of the Standing Committee.

He stated that the comments / suggestions have been received from Prof. R. Sukumar, Member through E-Mail dated 08th February 2020 on the **Agenda Item No. 54.4.3 pertaining to use of 98.59 hectares of reserve forest land from proposed Saleki reserve forest for coal mining in Assam.**

Prof. R Sukumar suggested that the wording of the decision of 57th meeting of the Standing Committee be changed in the light of discussions.

After discussions, the Standing Committee decided to confirm the minutes.

AGENDA ITEM No.2

(Action Taken Report)

54.4.3 Proposal for use of 98.59 ha of reserve forestland from Saleki proposed reserve forest which is a part of Dehing Patkai Elephant Reserve for Tikok OCP coal mining project by North-Eastern Coal Field, Coal India Limited, Assam State

The Member Secretary briefed the Standing Committee on the decision taken in the 57th meeting. He stated that the matter was considered by the Standing Committee in its 57th meeting which decided that the user agency should submit the following for further consideration:

- (a) A site specific Mine Reclamation Plan prepared by Coal India Limited in consultation with the Assam State Forest Department.
- (b) Feasibility report for underground mining for the unbroken land, compliance report regarding fulfillment of all other conditions as recommended in the meeting held on 21st January 2020.

The Member Secretary also stated that no such reports and reclamation plan for already broken up area have been received from the project proponent or State Government. He also stated that the matter is sub-judice in the Hon'ble Supreme Court and the Hon'ble High Court of Assam.

The State Chief Wild Life Warden stated that out of 41.39 ha unbroken area, 16.0 ha has already been broken by Coal India Limited leaving only 25.0 ha unbroken area.

After discussion, the Standing Committee recommended that the mining activity should be immediately stopped and decided to defer matter till further discussions with Coal India Limited.

57.3.1 Requisition for amendment in the in approval of Standing Committee of National Board for Wild Life granted for maintenance / improvement of Miao-Vijoyanagar Road (MV Road) (100.5 km) in its 32nd Meeting the realignment of road at two stretches to ensure negotiable condition of road for better implementation of Tiger Conservation Plan (TCP) of Namdhapa Tiger Reserve, Arunachal Pradesh State

The Member Secretary briefed the Standing Committee and stated that in the 57th meeting the Standing Committee decided that the NTCA shall their recommendations and submit its report within 30 days from the date of issue of the minutes. The NTCA have now complied and submitted following new sets of recommendations on 02nd June 2020.

- (i) The stretch of proposed road should ensure wild life passage structures at feasible points considering structural requirements, minimum earth/tree cutting, natural ground features etc. to facilitate unhindered wild life crossing over preferably at an approximate interval of about 5-10 Km. The structural specifications/design required for large mammals and elephants to cross over shall be referred to as per NTCA:WII report on Eco-friendly measures to mitigate impacts of linear infrastructure on wild life. Moreover, existing drainage points/culverts can also be retrofitted for using them as animal passage while designing the underpass structures.
- (ii) Exact dimensions, design and placement of the underpasses should be finalised after a joint survey done by the User Agency and Forest Department of Arunachal Pradesh in consultation with the NTCA.
- (iii) Once the realignments are in place, the existing alignments at 32 miles, 61 miles, etc. should be entirely decommissioned and allowed to be taken over by the Forest Department. No existing drainage should be blocked due to construction of the road.

F. No.6-101/2020 WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

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1st Floor, Agni Block,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi-110003

Dated: 19th October, 2020

To,

All Members
Standing Committee of NBWL

Sub: Minutes of 59th Meeting of Standing Committee of National Board for Wildlife-
Reg.

Sir/Madam,

Kindly find enclosed copy of the minutes of 59th Meeting of the Standing Committee of the National Board for Wild Life held on 5th October, 2020 under the chairmanship of Hon'ble Minister of Environment Forest & Climate Change, Government of India.

Yours faithfully,

(Rakesh Kumar Jagonia)

Dy Inspector General of Forests (WL)

Email: digwl@moefcc@gov.in

Distribution

1. Secretary, MoEF & CC
2. DGF&SS, MoEF&CC
3. ADGF(WL), MoEF&CC
4. ADGF(FC), MoEF&CC
5. Member Secretary, NTCA
6. Director/IGF, PE Division, MoEF&CC
7. Director, WII, Dehradun
8. Director, GEER Foundation, Gandhinagar
9. Dr. R. Sukumar, Member, NBWL
10. Dr. H.S. Singh, Member, NBWL
11. Pr. Secretary, Forest Department, Govt. of Andhra Pradesh

Copy To:

1. PS to Hon'ble MoEF&CC
2. PS to Hon'ble MoEF&CC
3. PPS to DGF&SS, MoEF&CC
4. PPS to Addl DGF(WL), PPS to IGF(WL)
5. Additional Chief Secretary/ Principal Secretary/Secretary, Forest Department of Jammu & Kashmir, Gujarat, Telangana, Kerala, Rajasthan, Karnataka, Uttar Pradesh, Uttarakhand, Madhya Pradesh, Assam and Bihar
6. PCCF & HOFF of Jammu & Kashmir, Gujarat, Telangana, Kerala, Rajasthan, Karnataka, Uttar Pradesh, Uttarakhand, Madhya Pradesh, Assam and Bihar
7. CWLW of Jammu & Kashmir, Gujarat, Telangana, Kerala, Rajasthan, Karnataka, Uttar Pradesh, Uttarakhand, Madhya Pradesh, Assam and Bihar

MINUTES OF 59th MEETING OF THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILD LIFE HELD ON 5TH OCTOBER 2020

The 59th Meeting of the Standing Committee of National Board for Wild Life was held on 5th October 2020 through Video Conference. The meeting was chaired by the Hon'ble Union Minister for Environment, Forest & Climate Change. List of participants is placed at ANNEXURE-I.

The Chairman welcomed all the participants to the 59th Meeting of the Standing Committee of National Board for Wild Life and requested the Member Secretary to initiate the discussions on the Agenda Items.

AGENDA ITEM No.1

59.1.1 Confirmation of the minutes of the 58th Meeting of the Standing Committee of National Board for Wild Life held on 3rd July 2020

The Member Secretary stated that the minutes of the 58th meeting of the Standing Committee of National Board for Wild Life held on 3rd July 2020 were circulated on 13th July 2020 amongst all the Members of the Standing Committee.

The Member Secretary informed that Shri H.S Singh has raised concerns on agenda item No 58.4.12, 58.4.13 and 58.4.14 with respect to area required for construction of SSB-Border outposts in Uttar Pradesh State.

The Chief Wild Warden clarified the matter stating the number of posts in each proposal which was accepted by all members. The Chairman advised afforestation in the area.

Decision Taken: After discussions, the Standing Committee decided to confirm the minutes.

AGENDA ITEM No.2

(Action Taken Report)

59.2.1 Proposal for use of 98.59 ha of reserve forestland from Saleki proposed reserve forest which is a part of Dehing Patkai Elephant Reserve for Tikok OCP coal mining project by North-Eastern Coal Field, Coal India Limited, Assam State- [File No 6-38/2019 WL; State: Assam; Original Agenda Item No. 54.4.3]

The Member Secretary stated that the Standing Committee in its 58th meeting held on 03rd July 2020 recommended that the mining activity should be immediately stopped and decided to defer the matter till further discussions with Coal India Limited.

The Standing Committee took serious note of the fact that mine continued to operate without its recommendation for a long time and neither the Coal India Limited nor the State Government Officials took necessary steps for the legal/statutory compliance. The Chairman desired that a committee might be constituted with a representative each from the Ministry and State Government to enquire into the lapses. The Director General of Forest and Special Secretary informed that as per the order of Hon'ble High Court of Assam, a committee has already been constituted to enquire into the matter by the State Government.

Decision Taken: After detailed discussion, the Standing Committee decided to send a two members fact finding team comprising of an official each from the Ministry and the Assam Forest Department and submit a factual report within a month. It was also reiterated that as per decision taken in the last meeting, mining shall remain completely stopped by M/s North-Eastern Coal Field, Coal India Limited in the proposed area.

59.2.2 Proposal for reduction in area and alteration of boundary of Kavar Lake Bird Sanctuary- [File No 6-38/2019 WL; State: Bihar; Original Agenda Item No. 55.4.2]

The Member Secretary stated that the proposal was considered by the Standing Committee in its 55th, 56th 57th meetings. In the 58th Meeting held on 03rd July 2020, it was decided to defer the proposal and requested the State Govt. of Bihar to submit revised proposal soon.

The Member Secretary informed the Standing Committee that response is still awaited from State Government:

Decision Taken: The Standing Committee decided to **delist the proposal** only to be placed after receipt of requisite information from the State Government.

59.2.3 Proposal for use of 0.90 ha Govt. waste land for black trap mining activity within 10 KM ESZ of Gir Wildlife Sanctuary located at Village Arithiya, Taluk Kodinar, District Gir Somnath, Gujarat State- [File No. 6-184/2019 WL; State: Gujarat; Original Agenda Item No. 57.3.5]

59.2.4 Proposal for use of 1.00 ha Govt. waste land for lime stone mining activity within 10 km ESZ of Gir Wildlife Sanctuary located at Village Sugala, Taluk Kodinar, District Gir Somnath, Gujarat State- [File No. 6-185/2019 WL; State: Gujarat; Original Agenda Item No. 57.3.6]

59.2.5 Proposal for use of 3.2375 ha Govt. waste land for lime stone mining activity within 10 km ESZ of Gir Wildlife Sanctuary located at Village Sugala, Taluk Kodinar, District Gir Somnath, Gujarat State- [File No. 6-186/2019 WL; State: Gujarat; Original Agenda Item No. 57.3.7]

- 59.2.6** **Proposal for use of 2.4406 ha Govt. waste land for lime stone mining activity within 10 km ESZ of Gir Wildlife Sanctuary located at Village Ghantvad, Taluk Kodinar, District Gir Somnath, Gujarat State- [File No. 6-187/2019 WL; State: Gujarat; Original Agenda Item No. 57.3.8]**

The Member Secretary stated that the four proposals (Agenda Item No 59.2.3 to 59.2.6) were considered by the Standing Committee in its 57th meeting held on 7th April 2020 and in 58th meeting held on 03rd July 2020 wherein it was decided to defer the proposals till the receipt of ESZ proposal from the State Government.

The Member Secretary informed that response is awaited from the State Government and the matter of declaration of ESZ around Gir Sanctuary is sub-judice. The CWLW Gujarat also stated that matter is sub-judice and further action on the part of State Government could only be taken after the decision of Hon'ble High Court.

Decision Taken: After discussions, the Standing Committee decided to delist the proposals only to be placed after receipt of requisite information from the State Government.

- 59.2.7** **Proposal for construction of Intake Well in Chambal River and laying of water supply pipeline for Sheopur- Madhya Pradesh- [File No. 6-126/2019 WL; State: Madhya Pradesh; Original Agenda Item No. 55.4.14]**

The Member Secretary stated that the proposal was considered by the Standing Committee in its 55th, 56th, 57th and lastly in the 58th meeting held on 03rd July 2020 wherein it was decided to defer the proposal till receipt of the report on the availability of alternative sources of water.

The Member Secretary informed that response from the State Government is still awaited.

Decision Taken: After discussions, the Standing Committee decided to delist the proposal only to be placed after receipt of requisite information from the State Government.

- 59.2.8** **Proposal for construction residential cum commercial Project jointly developed by M/s Puravankara Ltd., M/s Melmont Construction Pvt. Ltd. and M/s Purva Realities pvt. Ltd. at Edappally South and Vazhakkala Villages, Kanyannur Taluk, Ernakulam District, Kerala, Kerala State-[File No. 6-23/2020 WL; State: Kerala; Original Agenda Item No. 57.3.12]**

The Member Secretary stated that the proposal was considered by the Standing Committee in its 57th and 58th meetings wherein it was decided to defer the proposal till the receipt of report on availability of vacant plots around the protected area.

The Member Secretary informed that information from the State Government is still awaited.

Decision Taken: After discussions, the Standing Committee decided to delist the proposal only to be placed before it after receipt of requisite information from the State Government.

- 59.2.9** **Proposal for expansion of production of silica sand from 1.0 lakh TPA to 3.0 lakh TPA by open cast mechanized method in the private land of 59.51 ha situated at Barodia, Tehsil Hindoli, District Bundi, Rajasthan State-[File No. 6-146/2019-WL; State: Rajasthan; Original Agenda Item No. 53.3.22]**

The Member Secretary stated that the proposal was considered by the Standing Committee in its 56th, 57th and 58th meeting held on 3rd July 2020 wherein it was decided to defer the proposal till receipt of a certificate from the state that the proposal is in conformity of the Sustainable Sand Mining Guidelines-2020.

The Member Secretary informed that the APCCF & CWLW, Rajasthan vide his letter dated 25.06.2020 informed that the proposal is for mining industrial silica and not for river bed sand mining and therefore, the Sustainable Sand Mining Management Guidelines 2016 & 2020 are not applicable in the instant case. Member Secretary informed the Committee that Wildlife Division also sought the Comments of IA Non-Coal Mining Division which informed that for the instant case, the Environmental Clearance was issued on 1.04.2016 to M/s Bundi Silica Supply Company, Rajasthan. The guidelines for "Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining-2020" are not applicable for instant case. Further, State Govt. may be asked whether mine is in operation, without NBWL Clearance.

The Member Secretary also informed that ESZ around the Ramgarh Vishdhari Wildlife Sanctuary is yet to be notified.

Decision Taken: After detailed discussions, the Standing Committee decided to defer the matter till the finalization of ESZ.

- 59.2.10** **Proposal for collection river bed materials from an area 10.0 ha located at Sajjanpur Village, Haridwar falls at distance of 9.0 km away from the boundary of Rajaji National Park, Uttarakhand State-[File No. 6-165/2018-WL; State: Uttarakhand; Original Agenda Item No. 54.4.27]**
- 59.2.11** **Proposal for collection river bed materials from an area 92.504 ha located at Budhwa - Shahid, Hetampur falls at distance of 3.9 km away from the boundary of Rajaji National Park, Uttarakhand State-[File No. 6-175/2018-WL; State: Uttarakhand; Original Agenda Item No. 54.4.28]**
- 59.2.12** **Proposal for collection river bed materials from an area 55.51 ha located at Satiwal, Kudkawala, Teliwala and Kheri, falls at distance of 1.5 km away from the boundary of Rajaji National Park, Uttarakhand State-[File No. 6-167/2018-WL; State: Uttarakhand; Original Agenda Item No. 55.4.21]**

- 59.2.13 Proposal for wildlife clearance for collection of sand, bajri and boulder from Non-PA area of 13.985 ha situated at Village Dadubas, Tehsil Haridwar, District Haridwar located at 4.8 KM away from the boundary of Rajaji National Park, Uttarakhand State-[File No. 6-166/2018-WL; State: Uttarakhand; Original Agenda Item No. 56.3.24]
- 59.2.14 Proposal for wildlife clearance for collection of sand, bajri and boulder from non-PA area of 42.0 ha situated at Village Kota Murandnagar, Tehsil Haridwar, District Haridwar located at 2.0 KM away from the boundary of Rajaji National Park, Uttarakhand State-[File No. 6-168/2018-WL; State: Uttarakhand; Original Agenda Item No. 56.3.25]

The Member Secretary stated that the Standing Committee in the 58th meeting held on 3rd July 2020 requested the State Govt of Uttarakhand to submit the Compliance Certificate with respect to the Sustainable Sand Mining guidelines of 2020 for further consideration. The information from the State Government is yet to be received.

The Chief Wild Life Warden, Uttarakhand informed that User Agency has decided to withdraw the proposals mentioned at agenda item nos. 59.2.10, 59.2.13 and 59.2.14.

Decision Taken: The Standing Committee **accepted** the request of State Government for **withdrawal of the proposals** mentioned at agenda item nos. 59.2.10, 59.2.13 and 59.2.14 and decided to remove the same from the list of pending proposals. With regard to remaining two proposals at agenda item nos. 59.2.11 and 59.2.12, the Standing Committee is of the view that State Government should first submit a certificate of compliance for implementation of Enforcement & Monitoring Guidelines for Sand Mining, 2020. The Standing Committee also desired that the Ministry should also seek opinion of NMCG on these proposals. The Standing Committee, therefore, decided to **defer** these two proposals.

- 59.2.15 Sixteen Writ Petitions of Quarry Owners - Judgments of the Hon'ble High Court of Kerala received with copies of Environmental Clearance along with all other necessary papers, Kerala State-[File No. 6-45/2020 WL; State: Kerala; Original Agenda Item No. 58.3.2]

The Member Secretary stated that above proposals were placed in 58th meeting held on 3rd July 2020 and the Standing Committee decided to request the State Government to resubmit the proposals as per the established guidelines and procedures.

The CWLW, Kerala informed the Committee that out of 16 proposals, online application has been made for only two project and remaining 14 are yet to apply online.

The Member Secretary informed that even the two online proposals are yet to be recommended and forwarded by the State Government.

Decision Taken: The Standing Committee therefore decided to defer the proposals, till the State government forwards the proposals with complete documents, as per the prescribed guidelines and procedures.

59.2.16 Proposal for Tinaighat- Castlerock-Garanzol Railway doubling of South Western Railways, Karnataka-[File No 6-55/2020 WL; State: Karnataka; Original Agenda Item No 58.5.1]

The Member Secretary informed the Committee that above proposal was considered by SC_NBWL in its 58th meeting held on 3rd July 2020 wherein the Committee deferred the proposal till the receipt of report from the NTCA for further consideration in the matter. The NTCA vide its letter No 7-12/2020 NTCA dated 22.07.2020 while recommending the proposal, has desired a detailed study for prescribing mitigation measures in the terrain might be conducted by the Wildlife Institute of India, Dehradun. The matter was then examined in the Ministry and it was decided to request WII to conduct the study and send report within three weeks. The WII informed that it would require more time for study and also financial assistance.

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee requested the Director, WII to complete the study within a period of two months and decided to defer the proposal.

AGENDA No.3

(Policy Matters, Court Orders/Rationalization of Boundaries of Protected Areas)

59.3.1 Advisory on Human Wildlife Conflict Management

The Member Secretary informed the Standing Committee that the Constitution of India enshrines that it is the duty of every citizen to protect wildlife. India is a mega-biodiverse rich country and is also one of the highly populated country in the world. Several ecological and anthropological factors have led to more and more cases of negative interactions between humans and wildlife. Animals like Vanroze (blue-bull), wild pig, elephant, tiger, leopard, bear etc. are few major species that come in conflict with humans.

A brief presentation was made on the above issue and draft 'Advisory on Human Wildlife Conflict Management' was placed before the Committee. Prof. Sukumar informed that he has sent his comments and suggestions on the draft advisory and the same to be incorporated in the advisory. The Chairman suggested that the Panchayati Raj Institutions should be given more active role in dealing with human-wildlife conflicts.

Decision Taken: After detailed discussions, the Standing Committee recommended that the draft advisory might be revised after incorporating the suggestions.

59.3.2 Action Plan for Vulture Conservation 2020-2025

The Member Secretary informed the Standing Committee that The Government of India had formulated the "National Action Plan (2006)" on Vulture Conservation in the year 2006 for three years. The Action Plan provided strategies, actions for containing the decline of vulture population, especially the three Gyps species i.e. Oriental White-backed Vulture (*Gyps bengalensis*), Slender billed Vulture (*Gyps tenuirostris*), Long billed Vulture (*Gyps indicus*) through ex-situ, in-situ vulture conservation.

The revised "Action Plan for Vulture Conservation 2020-2025" has identified priority actions and additional action points for the conservation of vultures. The Action Plan has been prepared after seeking comments and inputs from various State Governments, concerned departments, experts etc. advocates prevention of misuse of veterinary non-steroidal anti-inflammatory drugs and awareness of the importance of conservation of vultures and measures undertaken by MoEF&CC to prevent the possible extinction of vultures.

Some of the important objectives in the Action Plan for Vulture Conservation 2020-2025 are:

1. Prevent the poisoning of principal food of vultures i.e., the cattle carcasses, with veterinary NSAIDs and carry out safety-testing of new veterinary NSAIDs on vultures, prior to commercial release.
2. Institute a system, which automatically removes a drug from veterinary use if it is found to be toxic to vultures with the help of DCGI.
3. Establish additional Vulture Conservation Breeding Centers in the country. It is proposed to set up a centre each in Uttar Pradesh, Tripura, Maharashtra, Karnataka and Tamil Nadu.
4. Conservation breeding programme of Red Headed Vulture and Egyptian Vulture and establish at least one Vulture Safe Zone in each State for the conservation of the remnant populations in that State.
5. Establish 4 rescue centres in different geographical areas e.g. Pinjore in North India, Bhopal in Central India, Guwahati in North-east India and Hyderabad in South India. There are currently no dedicated rescue centres for treatment of vultures.
6. Carry out coordinated nation-wide vulture count involving Forest Departments, BNHS, Research Institutes, NGOs, and members of public to get a more accurate estimate of the size of vulture populations in the country.

7. Create database on emerging threats to vulture conservation including collision and electrocution, Unintentional poisoning etc.

Decision Taken: The Standing Committee took note and recommended the Action Plan.

59.3.3 Agenda Item proposed by Dr. H.S. Singh-Monitoring the implementation of term and conditions

The Member Secretary informed the Standing Committee that Dr. H. S. Singh vide his email dated 14.09.2020 requested to deliberate on three issues:

- (a) monitoring the implementation of term and conditions of recommendation of Standing Committee,
- (b) the exemption of NPV from forest diversion proposals involving relocation of people from buffer zone and corridors and
- (c) expansion of protected area network.

The Member Secretary informed that the matter of exemption of NPV is out of the purview of Standing Committee of the National Board for Wild Life and the Ministry is from time to time issuing advisories to States/UTs for expansion of protected area network in the country. Regarding the monitoring of implementation of conditions imposed by the Standing Committee, the Member Secretary informed that the conditions imposed by the Standing Committee requires monitoring and suggested that the newly created Integrated Regional Offices might be assigned the task of monitoring the conditions imposed by the Standing Committee.

Decision Taken: Based on the discussion held, the Standing Committee recommended the following for effective monitoring of the proposals:

- a) The Chief Wild Life Warden shall submit an annual certificate for compliance of the conditions imposed by the Standing Committee for all the proposals.
- b) The Integrated Regional Offices shall carry out the monitoring of the conditions imposed by the Standing Committee.
- c) The State Government shall prepare the Zonal Master Plans of the notified Eco-Sensitive Zones around the Protected Areas within 6 months and as an immediate step a virtual conference may be conducted to review the status.

59.3.4 Judgement of the Kerala High Court dated 13.03.2020 in W.P(C) 7571/2020 and Judgment dated 23.03.2020 in W.P(C) 9061/2020, the two proposals viz. M/s Bestonne Granite Metals Pvt Ltd and Shri U.T. Raveendran (M/s Nobel

Granites) reg. NOC for the petitioners mining projects located within 10 kms of Idduki Wildlife sanctuary and Malabar Wildlife Sanctuary. [File No 6-93/2020-WL; State Kerala]

The Member Secretary informed the Standing Committee that the Additional Secretary, Forest Department, Government of Kerala has requested to place the matters before the Standing Committee of the National Board within a period of one week as directed by the Kerala High Court on 13-03-2020 and 23-03-2020 for consideration vide letter dated 15.07.2020. As per the normal procedure for consideration by the Standing Committee, the proposals should be received through proper channel with the recommendations of the State Chief Wild Life Warden, State Board for Wild Life and State Government.

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee decided to request the State Government to **resubmit the proposals** as per the established guidelines and procedures.

- 59.3.5 Judgement of the Kerala High Court dated 14.07.2020 in W.P(C) 13717/2020 to requesting for considering the proposals of M/s Mancombu Granites Ltd. located within 10 kms of national parks and wildlife sanctuaries in Idukki Districts of Kerala- [File No 6-93/2020-WL; State: Kerala]

The Member Secretary informed the Standing Committee that the Additional Secretary, Forest Department, Government of Kerala has requested to place this matter before the Standing Committee of the National Board within a period of one week as directed by the Kerala High Court on 14.07.2020 for consideration vide letter dated 27.08.2020. As per the normal procedure for consideration by the Standing Committee, the proposals should be received through proper channel with the recommendations of the State Chief Wild Life Warden, State Board for Wild Life and State Government.

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee decided to request the State Government to **resubmit the proposals** as per the established guidelines and procedures.

- 59.3.6 NGT, New Delhi order dated 07.02.2020 in Execution Application dated 47/2019 titled Gaurav Kumar Bansal Vs. UOI & Ors. for rationalization of the boundaries of Hastinapur Wildlife Sanctuary, Uttar Pradesh- [File No 6-50/2020-WL (Pt); State: Uttar Pradesh]

The Member Secretary informed the Standing Committee that The National Green Tribunal vide order dated 07.02.2020 has directed the following: -

- a. The Principal Secretary, Forest and Wildlife, State of UP shall ensure that the proposal for rationalization of the boundaries of Hastinapur Wildlife Sanctuary is sent to NBWL within 21 days from today.
- b. The Additional DG Wildlife, MoEF&CC is directed to complete the process at their level within 30 days after receiving of proposal from the State Government.
- c. The NBWL shall refer the matter back to the State Government for final notification immediately thereafter.
- d. The State Government to issue final notification after receipt of the proposal from NBWL within 30 days.

The State Government of Uttar Pradesh had entrusted WII Dehradun for the assessment of wildlife habitats with special focus on swamp deer in Hastinapur Wildlife Sanctuary. Accordingly, WII Dehradun submitted its report to the State Government dated on 09/10/2019.

The proposal has been recommended by the State Board for Wild Life in the meeting held on 04.11.2019.

In compliance of the above mentioned NGT directions, the State Government of Uttar Pradesh has submitted the proposal for rationalization of the boundary of Hastinapur Sanctuary as follows:

(1)	Total area of Hastinapur Wildlife Sanctuary as per the original notification	:	2073.00 sq.km
(2)	Excluded area in the left bank of Ganga	:	712.8 sq.km
(3)	Excluded area in the right bank of Ganga	:	265.3 sq.km
	(2) + (3)	:	978.1 sq.km
(4)	Area after exclusion	:	1094.9 sq. km.

The Chief Wild Life Warden informed that after rationalization, the area of the sanctuary would be reduced to 1094.9 sq.km. The State Government would take action for addition of 187.62 sq.km to the sanctuary or notify as ESZ.

Decision Taken: After detailed discussion, the Standing Committee decided to **recommend** the proposal for rationalization of the boundary of Hastinapur Sanctuary submitted by the State Government.

59.3.7 Proposal for de-notification of 111.73 Sq. Km revenue area from Son Chiraiya (Great Indian Bustard) Sanctuary at Ghatigaon, Madhya Pradesh-[File No. 6-15/2019-WL; State: Madhya Pradesh]

The member secretary informed that the Standing Committee in its 54th meeting held on 18th July 2019 agreed in principle to the State Government's proposal for rationalization of the boundary of the Son Chiraiya Sanctuary, Ghatigaon subject to the condition that the State Government would prepare and implement a GIB conservation Management and Habitat Restoration Plan in the less disturbed area

of the sanctuary and submit the draft notification for rationalization of the boundary of the Son Chiraiya "Hukna Bird" (Great Indian Bustard) Sanctuary to the Ministry of Environment Forest and Climate Change along with the proposal for re-notification of ESZ.

The State Government of Madhya Pradesh in their letter dated 28.07.2020 have informed that a 10-year Management Plan for conservation of Great Indian Bustard in the less disturbed area has been prepared and approved. The State Government have submitted the draft notification for rationalization of the boundary of the Son Chiraya "Hukna Bird" (Great Indian Bustard) Sanctuary to the Ministry of Environment Forest and Climate Change along with the proposal for re-notification of ESZ.

Decision Taken: The Standing Committee after discussions decided to recommend the proposal for de-notification of 111.73 Sq. Km revenue area from Son Chiraiya "Hukna Bird" (Great Indian Bustard) Sanctuary at Ghatigaon, Madhya Pradesh.

AGENDA No. 4 (Amendment/Corrigendum in Minutes of Meetings)

- 59.4.1 Representation dated 31st August 2020 received from the CF/Deputy Chief Wild Life Warden, Uttar Pradesh, Lucknow regarding correction in the minutes of 57th meeting of Standing Committee held on 7th April 2020 for the proposal for use of 0.4158 ha non-forest land from Hastinapur Wildlife Sanctuary for construction of over bridge over Bahu Nala at Village Chakanwala and Shisowali on Bachhraon-Munda Khera Khader road in block Gajraula, tehsil Mandi Dhanura, district Amroha, U.P. [File No. 5-6/2020-WI; State: Uttar Pradesh; Original Agenda Item No. 57.3.27]

The Member Secretary informed the Standing Committee that a representation dated 31st August 2020 was received from the CF/Deputy Chief Wild Life Warden, Uttar Pradesh, Lucknow regarding correction in the minutes of 57th meeting of Standing Committee held on 7th April 2020 for the proposal for use of 0.4158 ha non-forest land from Hastinapur Wildlife Sanctuary for construction of over bridge over Bahu Nala at Village Chakanwala and Shisowali on Bachhraon-Munda Khera Khader road in block Gajraula, thesil Mandi Dhanura, district Amroha, U.P.

The proposal was recommended by the Standing Committee in its 57th meeting held on 7th April 2020, wherein the area has inadvertently mentioned as 0.4158 ha forest area in place of 0.4158 Ha of non-forest land (0.1944 ha private agricultural land and 0.2214 ha other government land of irrigation department).

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee recommended for corrigendum in the minutes of its 57th meeting held on 7th April 2020, for agenda item no 57.3.27 to replace 0.4158 ha forest area with 0.4158 Ha of non-forest land (0.1944 ha private agricultural land and 0.2214 ha other government land of irrigation department).

- 59.4.2 Representation dated 10th July 2020 received from M/s Associates Stone Industries regarding issue corrigendum in minutes of 56th meeting of the Standing Committee for agenda no. 55.4.17 for the proposal of M/s

Associated Stone Industries (Kotah) Limited for expansion and renewal of Kotah Stone Production in mining lease No. 1/89 situated in Tehsil Ramganjmandi, Kota District, Rajasthan [File No.6-19/2015-WL; State: Rajasthan; Original Agenda Item No. 55.4.17]

The Member Secretary informed the Standing Committee that a representation dated 10th July, 2020 was received from M/s Associated Stone Industries requesting corrigendum in minutes of the 56th meeting of the Standing Committee held on 17.12.2019 for Agenda no 55.4.17 to replace "2% of the total project cost" with "2% of the proportionate project cost", which was actually recommended by the CWLW, Rajasthan.

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee decided to **recommend** the proposal for corrigendum in the minutes of 56th meeting held on 17.12.2019 for the agenda no. 55.4.17 to replace 2% of the total project cost with 2% of the proportionate project cost.

- 59.4.3 Representation dated 13th April 2020 received from the User Agency for amendment in agenda point no 53.3.27(C) of 53rd Minutes of meeting of NBWL dated 25th March 2019 regarding removal of condition of deposition of 2% of the project cost in Tiger Conservation Foundation of MHTR imposed by NTCA vide their letter dated 9th June 2020-[File No. 6-144/2018 WL(Pl-1); State: Rajasthan; Original Agenda Item No 53.3.27]**

The Member Secretary informed the Standing Committee that a representation was received from the User Agency requesting removal of condition for deposition of 2% of the project cost in Tiger Conservation Foundation of MHTR imposed by NTCA vide their letter dated 9th June 2020 with a request for amendment in minutes of 53rd meeting held on 25th March, 2019 for agenda item no 53.3.27.

The Member Secretary informed that the proposal was recommended by the Standing Committee in its 53rd meeting held on 25.03.2019 with the conditions imposed by State CWLW & National Tiger Conservation Authority. NTCA vide their letter dated 8th July, 2020 have withdrawn the condition imposing 2% of the project cost citing reason that the user agency has already complied with the condition imposed by the Chief Wild Life Warden, Rajasthan regarding deposition of 2% of the project cost in RPACS.

Decision Taken: Based on the discussion held and documents submitted, the Standing Committee decided to **recommend** the proposal for removal of the condition for deposition of 2% of the project cost in Tiger Conservation foundation of MHTR recommended by NTCA.

AGENDA No.5

(Fresh Proposals falling inside / Outside the Protected Area)

- 59.5.1 Proposal of Law Department, J& K for development of Judicial Infrastructure for High Court at Jammu falling in the Bahu Conservation Reserve of Department of Law, Justice and Parliamentary Affairs, J&K**

Government- [File No.: 6-85/2020 WL; Proposal No. FP/JK/Others/5039/2020]-Reg

The Member Secretary stated that proposal of Law Department, J& K is for development of Judicial Infrastructure for High Court at Jammu.

The proposed area falls within the Bahu Conservation Reserve as well as Eco-Sensitive Zone of Ramnagar Wildlife Sanctuary as the aerial distance of proposed site from the said wildlife sanctuary is 3.75 KM. The total project area is 40.6565 Ha. The State Chief Wild Life Warden has recommended the proposal. The State Board for Wild Life also recommended the proposal on 23.10.2019.

Decision Taken: After discussions, the Standing Committee decided to recommend the proposal with following conditions:

- (1) The proprietary and the legal status of the land shall remain unchanged.
- (2) The user agency shall pay NPV (Net Present Value) for forest clearance in accordance with the orders of the Hon'ble Supreme Court.
- (3) The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue.
- (4) No harm to any Wildlife species shall be done if found accidentally in the said area.
- (5) User Agency shall abide by all the directions of the Hon'ble Supreme Court, provisions of the Wildlife Protection Act, directions of the Ministry of Environment, Forest and Climate Change and orders of the Government in this regard.
- (6) The activities shall be liable to periodic check by the department and stoppage of activities shall come into force if it is found that any such provisions are not abided by the user agency.
- (7) The whole area as per proposal should be fenced by way of chain-link.
- (8) Waste material including muck generated during execution of project must be disposed off outside the protected area.
- (9) The User Agency shall ensure that only those trees/poles/saplings shall be extracted which come under the alignment of construction area and rest all the trees/poles/saplings shall be retained as such.
- (10) The area proposed should not be used by the user agency for any purpose other than proposed.
- (11) The land so allowed to be used shall return to the department free of any encumbrances when it is no longer required by the User Agency.
- (12) The User Agency shall have to abide by all the conditions laid down by the Forest Advisory Committee and those mentioned in the sanction order issued by the Competent Authority.
- (13) The User Agency shall pay 2% of the proportionate project cost for conservation and preservation of wildlife and its habitat.
- (14) The annual compliance certificate on the following stipulated conditions should be submitted by the project proponent to the State

Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Govt. of India.

59.5.2. Proposal for use of 0.20 ha of forestland from Girnar Wildlife Sanctuary for construction of approach road at Girnar Taleti, district Junagadh, Gujarat – [File No: 6-138/2019 WL; Proposal No. FP/GJ/ROAD/40726/2019]

The Member Secretary stated that the proposal is for use of 0.20 ha of forestland from Girnar Wildlife Sanctuary for construction of approach road at Girnar Taleti, district Junagadh, Gujarat by Junagadh Municipal Corporation. The Chief Wild Life Warden recommended the proposal. The State Board for Wild Life also recommended the proposal in its meeting held on 05.09.2019.

Decision Taken: After discussion, the Standing Committee decided to **recommend** the proposal subject to the following:

- (1) The user agency shall not violate any regulatory provisions under Section- 9, 17A, 27, 29, 31, 32 of Wild Life (Protection) Act, 1972.
- (2) The user agency shall not harm or destroy wildlife habitat including fauna and flora of the sanctuary.
- (3) The user agency shall not use the area for the proposed work other than the area permitted.
- (4) The user agency shall not establish any temporary or permanent labour camp in the sanctuary.
- (5) The user agency or his contractor shall not create any fire places inside the sanctuary.
- (6) All the material required for the work shall be prepared outside the sanctuary.
- (7) The work in the sanctuary will be allowed only in the day time from 8.0 AM to 6.0 PM
- (8) Approval under Forest (Conservation) Act, 1980 shall be obtained separately for use of forestland.
- (9) The user agency shall deposit NPV for the use of land of protected area as per the existing rates.
- (10) The user agency shall install appropriate signage's to create nature awareness amongst pilgrims as approved by Forest Department.
- (11) The user agency shall prepare Wildlife Mitigation Plan and get it approved from the CWLW before start of the work. The budget for the same should be made available separately.
- (12) The annual compliance certificate on the following stipulated conditions should be submitted by the project proponent to the State Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Govt. of India.

59.5.3 Diversion of 11.379 ha of forest land from Todgarh Raoli Wildlife Sanctuary for upgradation of existing two lane to four lane from 148.00 to 160.44 Km

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Beawar-Gomti Section (NH-8), Rajasthan- [Proposal No. FP/RJ/ROAD/2648/2018; File No. 6-16/2020 WL]

The Member Secretary stated that the proposal is for diversion of 11.379 ha of forest land from Todgarh Raoli Wildlife Sanctuary for upgradation of existing two lane to four lane from 148.00 to 160.44 Km Beawar-Gomti Section (NH-8), Rajasthan of Ministry of Road Transport & Highways. The State Chief Wild Life Warden has recommended the proposal. The State Board for Wild Life has also recommended the proposal through circulation.

Decision Taken: After discussion, the Standing Committee decided to recommend the proposal subject to the following conditions:

- (1) 2% of the proportionate project cost of the area falling within the protected area should be deposited in Rajasthan Protected Area Conservation Society by the user agency for management and protection of wildlife in the state as corpus.
- (2) Underpasses shall be constructed by user agency at an interval of 1 km.
- (3) Speed breakers will be constructed at interval of 500 meters inside the protected area.
- (4) Plantation in 3 rows on both sides along the road shall be done by the user agency in consultation of the DCF.
- (5) No burrow pits will be created in the sanctuary area for road construction.
- (6) No work shall be done before sunrise and after sunset in the project area.
- (7) There will be no felling of trees and burning of fuel wood inside the Protected Area and Eco-Sensitive Zone.
- (8) The waste material generated should be disposed outside the Eco-Sensitive Zone.
- (9) There will be no labour camp within 1 km from the boundary of Protected Area.
- (10) No blasting will be carried out within 1 km from the boundary of Protected Area during the work.
- (11) There shall be no high mast/ beam/search lights and high sounds within 1 km from the Protected Area boundary.
- (12) Signages regarding information about the wild animals in the area, control of the traffic volumes, speed etc. should be erected in the project area in consultation with DCF.
- (13) Maintenance activity of any nature should be carried out only after seeking formal approval from competent authority of the Protected Area.
- (14) Where diversion of forest land is not required, non-forestry use of revenue lands NPV as per the order 05-02-2009 will be realized.
- (15) The user agency and project personnel will comply with the provisions of the Wildlife (Protection) Act, 1972.
- (16) The animal passage plan submitted by the User Agency shall be implemented in toto.
- (17) The annual compliance certificate on the following stipulated conditions should be submitted by the project proponent to the State Chief Wild Life

Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Govt. of India.

- 59.5.4 Diversion of 3.1142 ha of forest land in tiger corridor linking Kawal Tiger Reserve in Telangana and Tadoba Tiger Reserve in Maharashtra falling in compt.231 of Manikarh RF in Asifabad forest division in Kumarambheem, Asifabad District of Telangana for the construction of Warora Pool, Warangal (New) 765 KV D/C Transmission line in favour of Warora Kurnool Transmission Limited (WKTL)-[File No. 6-162/2018 WL; Proposal No. FP/TG/TRANS/27465/2017].

The Member Secretary stated that the proposal is for diversion of 3.1142 ha of forest land in tiger corridor linking Kawal Tiger Reserve in Telangana and Tadoba Tiger Reserve in Maharashtra falling in compt.231 of Manikarh RF in Asifabad forest division in Kumarambheem, Asifabad District of Telangana for the construction of Warora Pool, Warangal (New) 765 KV D/C Transmission line in favour of Warora Kurnool Transmission Limited (WKTL). The State Chief Wild Life Warden has recommended the proposal and the State Board for Wild Life has also recommended the proposal on 01.02.2020.

Decision Taken: After discussion, the Standing Committee decided to recommend the proposal subject to the following conditions:

(A) Conditions imposed by the Chief Wild Life Warden

- (1) That the user agency will provide Rs.30.00 lakhs for developing natural grass lands/meadows below the power transmission lines as under:

(Rs.in lakh)

Sl.No	Component	Financial target
1.	Habitat Management a) Bore well with solar pump sets (2) units @ Rs.5.00 lakh per unit	10.00
2	b) Management of natural grass lands by uprooting the obnoxious weeds and sowing locally collected grass seeds over 100 ha for three consecutive years at a cost of Rs.10,000/-per ha	10.00
3	Water Management a) Construction of mini percolation tanks 2 Nos.@ 2.0 lakh/each at the solar bore well site for water storage	4.00
4	Fire Management; Formation of new fire lines (width 6.00 Mtrs) 26900 Rmt @ Rs.10/-1 Rmt.Per Year	2.69
5	Publicity & Awareness Hoardings & publicity to propagate the need for conservation of Flora and Fauna of the areas	3.31
	Total	30.00

The above amount shall be deposited by the user agency in the BIOSOT account of Chief Wild Life Warden, Telangana.

- (2) The user agency shall fell only the barest minimum number of trees while executing the work.
- (3) The works shall be carried out without disturbing or damaging Flora, Fauna or habitat of the area.
- (4) Work shall be carried out from 6.00 am to 6.00 pm only.
- (5) The material for carrying out the proposed works shall be kept outside the sanctuary area. As and when required they should be carried to the site during execution of work.
- (6) No labour camp should be established inside the Tiger Reserve during the execution of the work.
- (7) The debris formed due to the execution of the works shall be taken away from the tiger reserve on day-to-day basis.
- (8) The user agency shall construct Masonry pillars to demarcate the proposed project area at every 25-meter interval.
- (9) The User Agency should raise the height of the towers in consultation with the Chief Wild Life Warden.
- (10) In addition to the existing forest road, user agency shall avoid creation of additional trails/ roads for construction work or use by construction vehicles/ machinery.
- (11) To prevent exposure of soil to erosion, excavation for laying pylon foundations must be deep, and not spread. These must be located as close to the existing road as possible, and away from water bodies and steep slopes. The soil at these spots must be stabilised post construction to control erosion and assist in vegetation regrowth.
- (12) Vegetation cleared before and during construction work must be properly disposed of to avoid spread of invasive species.

(B) Conditions imposed by the NTCA

- (13) **Mitigation of electrocution risk to tigers and associated species:** A major threat to dispersing tigers and other associated wildlife in corridor areas and forest adjoining human habitations and agricultural fields is electrocution by live wires. Making the transmission lines theft proof by insulating power line components needs to be carried out. However, the Standing Committee recommended that the height of towers shall be raised by the User Agency in consultation with the Chief Wild Life Warden instead of insulation.
- (14) **Mitigation of electrocution risk of birds:** This may be done through line design modification i.e. by allowing sufficient spacing between different conductors and between conductors and grounded wires or hardware. For large perching raptors, distance should be >1.8 m between perches and energized parts. If spacing between parts is not possible, insulating components that pose a risk of electrocution (poles, pylons, wires) may be done. Perch management techniques may be used to deter birds from perching on components where the risk of electrocution is high such as bird spikes, artificial perches placed at a safe distance from the energized parts.

- (15) **Mitigation of collision risk:** Less vertical separation of cables poses less of an obstacle for birds. Increasing the visibility of wires, particularly the earth wire, to birds by thickening, coating and colouring wires, and by installation of line marking devices may help reduce collision by upto 50-80%. Markers should increase the visibility of wires by at least 20 cm for a length of at least 10-20 cm, and placed at intervals of at least 5-10 m. the markers must be in contrast with the background.
- (C) The User Agency shall raise the height of the tower in consultation with the Chief Wild Life Warden.
- (D) The animal passage plan submitted by the User Agency shall be implemented in toto.
- (E) Reflectors may be used appropriately to minimize collision risk of birds.
- (F) The annual compliance certificate on the following stipulated conditions should be submitted by the project proponent to the State Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Govt. of India.

AGENDA NO.6 (Any other item with the permission of the Chair)

59.6.1 Diversion of forest land for Development of 8 lanes (Greenfield Highway) from (Ch. 392.800 Km) Bhenda Hera village to (Ch. 452.425 Km) Moondiya village Section of NH-148 N (Total length 59.625 Km), Under BHARATMALA PARIYOJANA Lot-4/Pkg-4 in the state of Rajasthan.FP/RJ/ROAD/36597/2018

The Member Secretary stated that the proposal is for diversion of forest land for Development of 8 lanes (Greenfield Highway) from (Ch. 392.800 Km) Bhenda Hera village to (Ch. 452.425 Km) Moondiya village Section of NH-148 N (Total length 59.625 Km), under BHARATMALA PARIYOJANA Lot-4/Pkg-4 in the state of Rajasthan. The State Chief Wild Life Warden has recommended the proposal. The State Board for Wild Life also recommended the proposal through circulation.

Decision Taken: After discussion, the Standing Committee decided to recommend the proposal subject to the following conditions:

(A) Conditions Imposed by the Chief Wild Life Warden

- (1) 2% of the proportionate project cost of the area falling within the protected area and the ESZ should be deposited in Rajasthan Protected Area Conservation Society by the user agency for management and protection of wildlife in the state as corpus.
- (2) No work shall be done before sunrise and after sunset in the project area.

- (3) No material of any kind should be extracted from the Protected Area and Eco-Sensitive Zone.
- (4) There will be no felling of trees and burning of fuel wood inside the protected area and eco-sensitive zone.
- (5) The waste material generated should be disposed outside the Protected Area and Eco-Sensitive Zone.
- (6) There will be no labour camp within 1 km from the boundary of Protected Area.
- (7) To restrict movement of wild animals towards the road/railway track in the Protected Area, adequate mitigative measures such as wall/chain link fencing will be constructed by the User Agency to stop accidents.
- (8) There shall be no high mast / beam/search lights & high sounds within 1 km from the Protected Area boundary.
- (9) Signages regarding information about the wild animals in the area, control of the traffic volumes, speed etc should be erected in the project area.
- (10) The user agency and project personnel will comply with the provisions of the Wildlife (Protection) Act, 1972.
- (11) Maintenance activity of any nature should be carried out only after seeking formal approval from competent authority of tiger reserve / PA.
- (12) The user agency and project personnel will comply with the provisions of Standard SOP/Guidelines issued by WII, Dehradun for linear projects.
- (13) Any permission/clearance required under FCA-1980 or other acts may be taken as per rules.
- (14) 1000m green belt to be established by user agency (both side) along the proposed alignment with available ROW from entry and exit point of tunnel.
- (15) All forest vehicles should exempt in Tolls of NHAI.
- (16) Conditions & design as laid down in 27.04.2019 site visit report of committee for the purpose of examining the project are to be strictly adhered to. Specific mention is made to the provision of underground tunnel in the Standing Committee report.
- (17) Blasting may be carried out if required after taking specific permission from the Field Director MHTR and in presence of forest personnel.
- (18) Additionally, the conditions imposed in meeting held in CWLW office dated 27.06.2019 is to be included. Specific mention is made of the condition to provide CSR funds for village relocation as stipulated.
- (19) It is to be noted that proposal numbers as listed in the above documents have now changed due to submission of fresh application for the same projects. The conditions imposed will, however, remain the same.

(B) Conditions imposed by the NTCA

- (1) As per the project details, a tunnel is proposed to be constructed under 8 lanes (Greenfield Highway) from (Ch.392.800 Km) Bherda Hera village to (Ch.452.452 Km) Moondiya village Section of NH-148N (Total length 59.625 Km) passing through Mukundra Hills Tiger Reserve and

its Eco-Sensitive Zone involving 26.6354 ha land. As suggested by Deputy Conservator of Forest (Wildlife) Mukundra National Park, Kota, start and end faces of tunnel shall be minimum 500m away from boundary of Mukundra Hills Tiger Reserve.

- (2) All measures shall be taken to prevent any accidental trapping of wild animals in tunnel area and to rescue, if any such incident take place.
- (3) A proper surveillance/patrolling system shall be put into place for monitoring of wildlife movement/mortality/during and after the construction.

(C) The animal passage plan submitted by the User Agency shall be implemented in toto.

(D) The annual compliance certificate on the following stipulated conditions should be submitted by the project proponent to the State Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Govt. of India.

59.6.2 Proposal for use of 6.704 ha of reserve forestland from Pilibhit Tiger Reserve for Mailani-Pilibhit Gauge Conversion chainage 212.520-213.070 KM and 242.310-250.140 KM (8.38 KM) between Kuriya- Dudhiyakhurd and Sandai Mala, Uttar Pradesh State-FP/UP/RAIL/4257/2019

The Member Secretary stated that the proposal is for Proposal for use of 6.704 ha of reserve forestland from Pilibhit Tiger Reserve for Mailani-Pilibhit Gauge Conversion chainage 212.520-213.070 KM and 242.310-250.140 KM (8.38 KM) between Kuriya- Dudhiyakhurd and Sandai Mala, Uttar Pradesh State. The proposal has been recommended by the State Chief Wild Life Warden. The State Board for Wild Life has also recommended the proposal on 04.11.2019.

The Member Secretary stated that the State Chief Wild Life Warden has forwarded the animal passage plan. He informed that NTCA has recommended that the Railways should avoid construction of a BG track within core/critical tiger habitat (CTH) of Pilibhit Tiger Reserve and alternate alignment avoiding the core / CTH of Pilibhit Tiger reserve should be explored. The NTCA also suggested that in case the option of avoidance is not possible, then WII should be entrusted to carry out a detailed study and prescribe both structural and non- structural mitigation measures at crossings preferred by wildlife, use of deterrents (audio/visual), early warning system for animal detection, speed restriction etc.

Decision Taken: After discussion, the Standing Committee decided that the animal passage plan forwarded by the Chief Wild Life Warden shall be vetted by WII and therefore, decided to **defer** the proposal.

59.6.3 Corrigendum to the minutes of 56th meeting of SCNBWL held on 17.12.2019 for agenda item no. 56.4.1 proposal for strengthening and black topping of

old existing road from Chillarkhal to Laldhang in 3m of width passing through buffer zone of Rajaji National Park, Uttarakhand State

The Member Secretary, informed that during the 56th meeting held on 17.12.2019 the Standing committee recommended the proposal with the conditions imposed by CWLW, Uttarakhand and NTCA.

The Chief Wild Life Warden, Uttarakhand has now requested to modify three conditions imposed by the NTCA as follows:

- o *Forest Clearance not required since road exists prior to 1980 as per the guidelines of FCA.*
- o *Reduce the length of underpass for wild animals to 470 m at the rate of 100 m per km instead of 705 m as recommended by NTCA.*
- o *Reduce the height of underpass for wild animals from 8 m to 5m due to geological conditions*

The Member Secretary informed that the comments from NTCA were sought on the request made by the CWLW. The NTCA while recommended to obtain views of FC Division with respect to applicability of the FCA Act, 1980 but did not agree to the request made by the CWLW for the other two conditions as the area has high density of wildlife

Decision Taken: Based on the discussion held and documents submitted the Standing Committee **did not agree** with the request of CWLW, Uttarakhand.

At the end of the meeting, Chairman, Standing Committee of the National Board for Wild Life stated that the States/UTs should avoid forwarding proposals for declaration of any wild animal as vermin. The States/UTs must utilize the provisions contained in the Wild Life (Protection) Act, 1972 for dealing with the problematic wild animals. The States/UTs should involve Panchayati Raj Institutions more actively in dealing with situations arising out of Human Wildlife Conflict.

ANNEXURE I

LIST OF PARTICIPANTS

1	Shri Prakash Javadekar, Hon'ble Minister for EF&CC	Chairman
2	Shri R. P. Gupta, Secretary, MoEF&CC	Member
3	Shri Sanjay Kumar, DGF&SS, MoEF&CC	Member
4	Shri Soumitra Dasgupta, ADGF (WL), MoEF&CC	Member Secretary
5	Prof. R. Sukumar, Member, NBWL	Member
6	Dr. H. S. Singh, Member, NBWL	Member
7	Shri R. D. Kamboj, Member, NBWL	Member
8	Dr. Dhananjay Mohan, Member, NBWL	Member
9	Shri S.K. Ratho, ADGF (FC)	Invitee
10	Dr. S. P. Yadav, ADGF(PT) and MS. NTCA	Invitee
11	Shri M. K. Yadava, CWLW, Assam	Invitee
12	Shri Prabhat Kumar Gupta, CWLW, Bihar	Invitee
13	Shri Shyamal Tikedar, CWLW, Gujarat	Invitee
14	Shri Suresh Kumar Gupta, CWLW, Jammu & Kashmir	Invitee
15	Shri Surendra Kumar, CWLW, Kerala	Invitee
16	Shri Alok Kumar, CWLW, Madhya Pradesh	Invitee
17	Shri Subhash Malkhede, APCCF (Wildlife), Karnataka	Invitee
18	Shri Sidhanand Kukrety, APCCF (Wildlife), Telangana	Invitee
19	Shri Arindam Tomar, CWLW, Rajasthan	Invitee
20	Shri Sunil Pandey, CWLW, Uttar Pradesh	Invitee
21	Shri J. S. Suhag, CWLW, Uttarakhand	Invitee
22	Shri Amit Mallick, IGF (WL), MoEF & CC	Invitee
23	Shri Rakesh Kr Jagenia, DIGF(WL, MoEF&CC	Invitee
24	Shri Amit Vashishtha, Scientist D, MoEF&CC	Invitee

APPENDIX - 7

**MINISTRY OF ENVIRONMENT & FORESTS
NOTIFICATION**New Delhi, the 1st October, 2003

S.O. 1186 (E). - In pursuance of sub-rule (1) of rule 9 of the Forest (Conservation) Rules, 2003, the Central Government hereby authorizes the Chief Conservator of Forests, Regional Office, Ministry of Environment and Forests, having regional jurisdiction over the forest land in respect of which any offence under the Forest (Conservation) Act, 1980 is alleged to have been committed, to file complaints against persons prima-facie found guilty of such offence, in the court having jurisdiction in the matter.

[F.No.5-5/98-FC]

N.K. JOSHI

DIRECTOR GENERAL OF FORESTS AND
SPECIAL SECRETARY.

Annexure - III
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Government of Assam
Office of the Divisional Forest Officer
Digboi Division, Digboi

Letter No. B/G-64/CIL/2020/1372

Dated: 21-04-2020

To

The General Manager,
North Eastern Coalfield,
Coal India Limited, Margherita.

Sub:- Re-submission of Demand Note for payment of the required amount (NPV, CA Cost, Overhead Cost, Penal NPV, Penal CA etc.) against forest diversion proposal for 98.59 hectares of forest land for Tikok Open Cast Project in Saleki PRF under Digboi Division, Digboi.

Ref:- Chief Conservator of Forests & Nodal Officer, Assam's letter No.FG.27/Nodal/Proposal/NECOAI/Part-II dtd. 03-02-2020 & this office letter No. B/G-64/CIL/2020/1232 dtd. 23-03-2020.

Dear Sir,

With reference to the subject cited above, I am sending herewith the estimate of Normal and Penal Compensatory Afforestation amounting to Rs. 8,90,93,379.00 and Overhead cost of Rs. 4,45,46,689.00 duly technically approved by the Conservator of Forests, Eastern Assam Circle, Jorhat.

The Normal NPV of Rs.9,25,76,010.00 and Penal NPV of Rs. 18,99,03,360.00 has been calculated as per guideline issued by the Hon'ble Supreme Court/Ministry of Environment, Forests & Climate Change, Govt. of India, New Delhi. In this connection I would like to mention that during our visit at Tikok Open Cast Project in Saleki PRF dtd. 24-10-2019, alongwith Higher Officials including Chief Conservator of Forests & Nodal Officer, FC ACT, Assam and DiG Forest, Office of Regional PCCF, Govt. of India, Shillong, a total area of 16 ha. were found to have been cleared and broken by you in the same 98.59 ha. Tikok OCP area in addition to 57.2 ha. during 2013-19 and thereby the total broken up (mined) area has been considered as 73.2 ha. instead of 57.2 ha.. The matter was intimated to the CCF & Nodal Officer, FC ACT, Assam vide this office letter No.A/Fo-1/Illegalities/2019/1870 dtd. 04-12-2019 (copy enclosed). The necessary calculations have been made accordingly as follows:

1. NORMAL NPV: For area 98.59 ha.	=	Rs.	9,25,76,010.00
2. PENAL NPV:			
(a) For 57.20 ha.	=	Rs.	17,18,74,560.00
(b) For 16.00 ha.	=	Rs.	1,80,28,800.00
3. Compensatory Afforestation (Normal CA + Penal CA 1344 ha.	=	Rs.	8,90,93,379.00
Overhead Cost	=	Rs.	4,45,46,689.00
4. Compensatory Afforestation Safety Zone of 4.2 ha.	=	Rs.	71,52,165.00
Overhead Cost	=	Rs.	35,76,082.00
5. Compensatory Afforestation of 6.3 ha.	=	Rs.	37,58,742.00
Overhead Cost	=	Rs.	18,79,371.00
TOTAL	=	Rs.	43,24,85,798.00

Annexure - III
Page - 2/2

I, therefore, request you kindly to deposit the required amount online in the CAMPA account through the web portal www.parivesh.nic.in and report compliance at the earliest.

Encl:- 4 nos. Norms enclosed.

Yours sincerely,

(Atiqur Rahman, AFS)
Divisional Forest Officer
Digboi Division, Digboi

Memo No. A/G-64/CIL/2020/630-33

Dated: 21-04-2020

Copy to:

1. The Principal Chief Conservator of Forests & Head of Forest Force, Assam, Aranya Bhawan, Panjabari, Guwahati-37 for favour of his kind information.
2. The Chief Conservator of Forests & Nodal Officer (FC Act), Assam, Aranya Bhawan, Panjabari, Guwahati-37 for favour of his kind information and necessary action.
3. The Addl. Chief Conservator of Forests (F), Upper Assam Zone, Kacharighat, Guwahati-I for favour of his kind information.
4. The Conservator of Forests, Eastern Assam Circle, Jorhat for favour of his kind information.

(Atiqur Rahman, AFS)
Divisional Forest Officer
Digboi Division, Digboi

the park and the whole of Bagser RF. Thence the boundary follows the southern boundary of the 1st Addition to Kaziranga NP and Kukurakata RF till the southern bank of the Brahmaputra River. Then the boundary runs along the south bank, i.e., the southern boundary of the 6th Addition to Kaziranga NP up to the southern head of Koha Bhomora bridge. Thence it runs northwards along the eastern edge of the bridge up to the northern head of the bridge.

In addition to the area described above, the 'KAZIRANGA-KARBI ANGLONG ELEPHANT RESERVE' also includes four other disjunct areas, the Nambor (west block) RF, Diju Valley North RF, Lower Daiguring RF and Haithapahar District Council RF. There is habitat contiguity with these through unclassified forests except for the Lower Daiguring RF, which is through the bed of the Daiguring River.

DR ANWARUDDIN CHOUDHURY
Joint Secretary
to the Government of Assam,
Environment & Forest Dept., Dispur.

NOTIFICATION

The 17th April 2003

NO. FRW-44/2002/67. In pursuance of the guidelines of the 'Project Elephant', Government of India, and in view of the consent of the Government of India conveyed vide F. No. 7-2/2000 (PE) dated July 16, 2002, the Governor of Assam is pleased to declare the land described in the schedules below as an 'Elephant Reserve' with effect from the date of publication of this notification in the official gazette.

SCHEDULES

A. Location, Area and Name.

Districts (civil) Dibrugarh, Sivasagar and Tinsukia.
Sub-divisions (civil) Charaidew, Dibrugarh, Margherita and Tinsukia.
Forest Divisions Dibrugarh, Digboi, Dum Duma and Sivasagar.
Name DIHING-PATKAI ELEPHANT RESERVE
Area 937 sq km (Block 1 = 460 sq km; Block 2 = 156 sq km;
Block 3 = 170 sq km, and other disjunct
pockets = 151 sq km).

B. Boundary / Area description

This 'Elephant Reserve' consists of three blocks, henceforth referred to as Block 1, 2 and 3, and eight other smaller disjunct pockets.

BLOCK - 1

Reference point: The starting point is the northernmost tip of Upper Dihing (west block) RF (RF- reserve forest) near Khato Beat Office on Makum - Lakhpathar road.

North: From the northernmost tip of Upper Dihing (west block) RF on Makum - Lakhpathar road, the boundary runs eastwards along the notified northern boundary of Upper Dihing (west block) RF.

East: Along the eastern notified boundary of Upper Dihing (west block) RF, then along the eastern notified boundary of Digboi (west block) RF, then again the eastern and thence south-eastern boundary of Upper Dihing (west block) RF till it reaches the Burhi-Dihing River. Thence the boundary runs along the northern boundary of Dirak RF and Dirak proposed (1st Addition) RF till the inter-state boundary between Assam and Arunachal Pradesh.

South: From the south-eastern tip of Dirak proposed (1st Addition) RF on the inter-state boundary between Assam and Arunachal Pradesh, the boundary follows the interstate boundary up to the south-western tip of Dilli RF.

West: Thence, from this point the boundary runs along the existing western and northern boundary of Dilli and Joypur RFs up to the Burhi-Dihing River, then it follows the existing western boundary of Upper Dihing (west block) RF up to the northernmost tip of this reserve forest near Khato Beat Office on Makum - Lakhpathar road.

BLOCK - 2

Reference point: The starting point is the north-western corner of Kakojan RF on the banks of the Dibru River.

North: From the starting point, the boundary runs eastwards along the notified north western, northern and eastern boundaries of Kakojan RF till it reaches the northern boundary of Upper Dihing (east block) RF. Thence it runs along the northern boundary of Upper Dihing (east block) RF.

East: From the north-eastern corner, on the banks of the Dibru River the boundary runs along the notified eastern boundary of Upper Dihing (east block) RF.

South: Thence the boundary follows the notified southern boundary of Upper Dihing (east block) RF.

West: Thence, the boundary runs along the existing western boundary of Upper Dihing (east block) RF and also includes the areas leased out for oil mining, Digboi (east block) RF and Bogapani RF till it reaches the Dibru River near Nazirating. Then it follows the left bank of the Dibru River along the western boundary of Kakojan RF till it meets the reference point.

BLOCK - 3

Reference point: The starting point is the north-western corner of Namphai RF on the banks of the Burhi-Dihing River.

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- North:** From the starting point, the boundary runs eastwards along the notified northern boundary of Namphai RF till it reaches the north-eastern corner of Tinkopani RF.
- East:** From the north-eastern corner of Tinkopani RF, on the banks of the Namchik River on Assam - Arunachal Pradesh interstate boundary, it runs along the notified eastern and southern boundaries of Tinkopani RF and Tirap proposed (1st Addition) RF, and eastern boundary of Tipong proposed (1st Addition) RF.
- South:** Thence the boundary follows the notified southern boundaries of Tipong proposed (1st Addition) RF, Lekhapani RF, Saleki proposed RF and Makumpani RF.
- West:** From the south-western corner of Makumpani RF on the Assam - Arunachal Pradesh interstate boundary, it follows the existing western and northern boundaries of Makumpani RF, northern boundaries of Saleki proposed RF, Lekhapani RF, Tipong proposed (1st Addition) RF, Tipong RF, Paharpur RF, again Tipong proposed (1st Addition) RF, then Tirap proposed (1st Addition) RF, western and northern boundary of Tirap RF till the western boundary of Tinkopani RF on the banks of the Tirap River. Thence the boundary runs along the western boundary of Tinkopani RF and southern and western boundary of Namphai RF till it meets the starting point on the banks of the Burhi-Dihing River.

In addition to the areas described above, the 'DIHING-PATKAI ELEPHANT RESERVE' also includes five other smaller disjunct pockets, the largest of which is Abhoypur RF, which has contiguity with Block 1 of this reserve through forests in Nagaland and Arunachal Pradesh. Other pockets are Burhi-Dihing (north and south blocks) RFs, Duarmara RF (including Duarmara proposed 1st Addition RF), Kotha RF, Naloni RF, Phillobari RF, Tokouoni RF and Torani RF. All these as well as all the blocks have contiguity through unclassified forests, riverbeds and tea plantations.

DR ANWARUDDIN CHOUDHURY

Joint Secretary

to the Government of Assam,
Environment & Forest Dept., Dispur.

**GOVERNMENT OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR, GUWAHATI-4**

ORDERS BY THE GOVERNORS

NOTIFICATION

Dated Dispur the 28th December, 2016

No. FRW-12/2016/12 The State Government is concerned about the growing incident of Human-Animal Conflicts and Killing of Human Beings by Wild Animals and Killing of Wild Animals especially Wild Elephant in view of hit by running trains / motor vehicles, electrocution, accidental fall into pits, poisoning by unscrupulous elements, death at the hands of unruly mob etc. The State government feels the urgent need to face such challenges in a concerted way involving all stake holders to act in a proactive and prompt manner. In view of the same, the Governor of Assam is pleased to constitute the Coordination Committees in each of the elephant corridors of Assam as listed below to prevent death of wild Animals especially Elephants by vehicle hit, train hit, electrocution or poison etc. and also to prevent the loss of human life and to minimise the damage of crop and property etc.

1	Deputy Commissioner of the District / ADC, to be nominated by D. C. in case of Sadar Sub Division and in case of Civil Sub Division the Sub Divisional Officer (Civil) of the concerned Sub- Division	Chairman
2	Circle Officer (Revenue Circle) of concerned Sub Division	Co-Chairman
3	SP or his representative in case of Sadar Sub Division and Sub- Divisional Police Officer in case of Civil Sub Division	Member
4	DEO (T), DFO (WL) and DFO (SF) of concerned Sub-Division	Member
5	Block Development Officers of concerned Sub Division	Member
6	Officer-In Charge of Police Station of respective Sub Division	Member
7	Range Officer and Forest Beat Officers of Respective areas	Member
8	Gaoburhas of the locality and adjoining areas	Member
9	Gaon Panchayat Presidents of the locality	Member
10	Secretaries of the VDPs of the locality	Member
11	Five representatives of local environmental NGOs to be nominated by the Chairman	Member
12	Five Principals / Head Masters of Schools to be nominated by the Chairman	Member
13	Station Master or his representatives of Railway Stations (In case the corridor passes through railway track)	Member
14	Executive Engineer / Asst. Executive Engineer (PWD, Roads)	Member
15	Representative of District Transport Officer	Member
16	AGMs of APDCL of all concerned Electrical Sub Divisions	Member
17	Range Officer of the area (to be nominated by the concerned DEO in case the corridor falls under the jurisdiction of more than one Range Officer)	Member Secretary

(2)

Identified Elephant Corridor:-

1	Chariduar - Singri Hills Forest Corridor
2	Kukurakata - Bagcher (Kaziranga - Karbi Anglong Corridor)
3	Kaziranga - Burhapatani - Kanchanpuri (Kaziranga - Karbi Anglong Corridor)
4	Kaziranga - Panbari (Kaziranga - Karbi Anglong Corridor)
5	Kotha - Burhadehing
6	Nambor East - Nambor West - Silomjan Corridor
7	Upper Dehing East - Upper Dehing West Block - Bogasani Corridor
8	Upper Dehing East - Upper Dehing West Block - Golai - Pawai Corridor
9	Lakhipathar - Takowari Corridor

Identified Elephant Corridors on Railway Track:-

Sl. No	Name of the Forest Division	Name of the Railway Division	Name of the Railway Station	Railway Milepost
1	Guwahati WL Division	Lumding	Panbari	38/0 to 38/9
2	Guwahati WL Division	Lumding	Panbari	40/0 to 40/9
3	Guwahati WL Division	Lumding	Panbari & Digaru	39/5 to 41/0
4	Guwahati WL Division	Lumding	Thakarkuchi - Purukhuti	25/7 to 26/4
5	Guwahati WL Division	Rangia	Azara	64/0 to 64/9
6	Guwahati WL Division	Rangia	Azara	164/0 to 165/0
7	Guwahati WL Division	Rangia	Azara	167/0 to 168/0
8	Guwahati WL Division	Rangia	Azara	67/0 to 68/9
9	Nagaon South - Hamren Division	Lumding	Lamsakhang	170/8 to 175/5
10	Karbi Anglong West Division	Lumding	Dhansiri	245/0 to 247/0
11	Goalpara Division	Rangia	Pancharatna	41/0 to 43/0
12	Goalpara Division	Rangia	Dudhnoi	65/5 to 68/0
13	Karbi Anglong West Division	Lumding	Dhansiri	231/6 to 234/5
14	Karbi Anglong West Division	Lumding	Dhansiri	235/5 to 237/8
15	Karbi Anglong West Division	Lumding	Kharikhuti	264/5 to 265/1
16	Jorhat Division	Tinsukia	Mariani	371/3 to 374/5
17	Jorhat Division	Tinsukia	Mariani - Nakachari	370/0 to 377/5
18	Jorhat Division	Tinsukia	Mariani - Chinamora	77/5 to 83/3
19	Jorhat Division	Tinsukia	Mariani - Titabor	367/0 to 375/0
20	Dighoi Division	Tinsukia	Dighoi	19/0 to 20/9
21	Dighoi Division	Tinsukia	Dighoi	28/1 to 29/0
22	Nagaon South Division	Lumding	Juguan - Hoyal	137/3 to 138/4
23	Nagaon South Division	Lumding	Habrupur	172/0 to 176/0
24	Nagaon South Division	Lumding	Juguan - Hoyal	141/6 to 144/5
25	Karbi Anglong East Division	Lumding	Kharikhuti	264/0 to 268/5

Contd. / - Page - 3

(3)

Sl. No.	Name of the Forest Division	Name of the Railway Division	Name of the Railway section	Railway Milepost
26	Karbi Anglong East Division	Lumding	Dimaapur - Kharkhati	263/3 to 265/1
27	Karbi Anglong West Division	Lumding	Doldoli - Dhamiri	236/5 to 236/8
28	Karbi Anglong West Division	Lumding	Diphu - Doldoli	231/0 to 236/5
29	Karbi Anglong West Division	Lumding	Pathackhola	179/4 to 179/7
30	Nagaon South Division	Lumding	Lamsakhang Lamsakhang Habapur	174/1 to 174/4
31	Somitpur West Division	Rangia	Rangapara	127/0 to 128/0
32	Somitpur West Division	Rangia	Rangapara	119/3 to 120/5
33	Karbi Anglong East Division	Lumding	Dimaapur - Bokajan	263/2 to 265/2

- In addition to the above identified corridors in the Railway tract, the local DFOs may identify other vulnerable elephant movement areas and discuss in the Committee.
- As a principle, 20 Km on either side of the Elephant Corridor shall be taken as the concerned area for tackling the problems of elephants crossing the train line.
- The Committee will assist, advise and guide the Civil, Police and Forest Officials in anti elephant depredation measures and also in rescue and rehabilitation of distress animals.
- The Committee will oversee the coordinated approach for effective anti elephant depredation measures to prevent loss of animal life, human life and damage to crop and property.
- Information sharing on real time basis is a vital factor in animal death and damage and therefore the Committee will adopt such information sharing strategies including through effective WhatsApp group for prompt response.
- The Local DFOs of Territorial Divisions - Wildlife Division will coordinate the transaction of such Committees for the elephant corridors in their respective jurisdiction in consultation with the Deputy Commissioner / Sub Divisional Officer (Civil). They will also provide the administrative, financial and other resources as may be required.
- The Committee will report regularly to the Office of the Principal Chief Conservator of Forests (Wildlife), Assam on regular basis or as frequently as may be required by the Office of the Principal Chief Conservator of Forests, Wildlife, Assam or the State Government.

Sd/-

Principal Secretary to the Government of Assam
Environment and Forest Department

Contd. / - Page - 4


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Memo No. FRW-12-2016-12

Dated Dispur the 28th December, 2016

Copy to the-

1. Addl Chief Secretary to the Government of Assam, Home and Political Department
2. Addl Chief Secretary to the Government of Assam, Revenue and Disaster Management Department, Dispur
3. Principal Secretary to the Government of Assam, Environment & Forests Department, Dispur
4. Principal Chief Conservator of Forests and Head of Forest Force, Assam, Aranya Bhawan, Panjabari, Guwahati-37
5. Director General of Police, Assam, Guwahati
6. General Manager (Open Lines), N. E. Railways, Maligaon, Guwahati
7. Commandant General of Home Guard and Director General of Civil Defence, Assam, Guwahati
8. Principal Chief Conservator of Forests, Wildlife, Assam, Basistha, Guwahati-29
9. Principal Chief Conservator of Forests (F-1) Lower Assam Zone, Guwahati-1
10. Principal Chief Conservator of Forests, Karbi Anglong, Diphu
11. Addl Principal Chief Conservator of Forests (F-1) Upper Assam Zone, Guwahati-1
12. Addl Principal Chief Conservator of Forests & CHD, Forests, BIC, Kokrajhar
13. Commissioner and Secretary to the Government of Assam, Transport Department
14. Commissioner and Secretary to the Government of Assam, Excise Department
15. Commissioner and Secretary to the Government of Assam, QAD, Dispur
16. Commissioner and Special Secretary to the Government of Assam, PWD (Roads)
17. All Divisional Commissioners. They are requested to periodically monitor, guide and advise the concerned D. C. / SDO (Civil) on the matter.
18. Conservator of Forests of all Territorial Circles, Forest Department, Assam. They are requested to periodically monitor, guide and advise the concerned DFOs on the matter.
19. Deputy Commissioners of all the Districts of Assam
20. Divisional Railway Manager, Imsokein (Lumding) Rangia Division, N.E. Railway
21. Superintendent of Police of all the Districts of Assam
22. Commissioner of Transport, Assam
23. Commissioner of Excise, Assam
24. DFOs of all the Territorial, Social Forestry and Wildlife Divisions of Assam
25. All the District Transport Officers of Assam
26. P.S. to the Hon'ble Chief Minister, Assam
27. P.S. to the Hon'ble Minister, Environment and Forest Department, Assam
28. P.S. to the Chief Secretary to the Government of Assam
29. DIPR, Assam, with a request to issue a Press Release on the matter.


Secretary to the Government of Assam
Environment and Forest Department

1
Dtd. 26/02/2021

**OFFICE OF THE SUPERINTENDENT OF POLICE
TINSUKIA :: ASSAM**

Annexure

M/No. TSK/Crime/2021/1419

Date: - 25.02.2021 - 3

To,

Shri Rajib Baruah, AFS,
Secretary to Hon'ble Justice B.P. Katakey
Commission of Inquiry, Guwahati.

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Sub :- Submission of detailed report of Margherita P.S. Case No. 115/2011
U/S 143/341/325/427/307/392 IPC.

Ref :- L/No. BPKJ/COM/MISC/2020-2021/58 dated 11.02.2021.

Sir,

With reference to the subject cited above, I have the honour to submit herewith the detailed report of Margherita P.S. Case No. 115/2011 U/S 143/341/325/427/307/392 IPC as follows:-

Brief of the case:

On 07.07.2011 at 9:30 pm, complainant Sri Kishore Chetia, S/O Sri Pranab Kumar Chetia of Ledo Railway Traffic Colony, P.S. Margherita, Dist. Tinsukia lodged a written ejahar at Margherita P.S. to the effect that on 06.07.2011 at 10.45 PM, when his brother Sri Diganta Chetia, reporter of "Prime News Channel" and his colleague Sri Kanchan Bora of Ledo Samukjan Gaon were on their way to collect news, then one Sri Joyram Lama of Ledo Bazar along with 25 to 30 coal pilferers physically assaulted them with sticks and iron rods at Ledo Bazar near Masjid with an attempt to murder. During the assault, Sri Diganta Chetia was grievously injured and admitted to Assam Medical College & Hospital in a critical condition. However, his colleague Sri Kanchan Bora was comparatively safe. The miscreants damaged the complainant's motor cycle; Prime News camera and they snatched away two mobile phones and identity cards. Hence the case was registered.

On receipt of the FIR, a case was registered vide Margherita P.S. Case No. 115/2011 U/S 143/341/325/427/307/392 IPC and endorsed to SI (UB) Dulal Mahanta of Margherita P.S. for investigation.

Actions taken:

I/O visited the P.O. and drew a rough sketch map of the P.O. with short index. I/O examined the complainant Sri Kishore Chetia, S/O Sri Pranab Kumar Chetia of Ledo Railway Traffic Colony, P.S. Margherita, Dist. Tinsukia and other

available witnesses in connection with the case and recorded their statements U/S
161 Cr.P.C.

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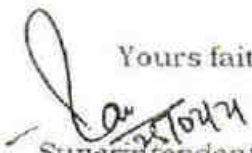
I/O then seized one TVS Star City Motor Cycle bearing chassis no. MD625KF5451N62888, engine no. AF5N51068067 vide MR No. 26/11 and one Sony video camera (Model no. DCR8XEE), one red colour sony camera bag, one broken Maxx-MX404 mobile phone, 25 nos of plastic bags (approx. 50 kg) containing coal, one dry bamboo of 4 ft length vide MR No. 27/11.

I/O arrested 07(seven) accused persons namely (1) Sri Joyram Tamang @ Jibon Tamang, S/O jit Bahadur Tamang of Ledo Bazar, P.S. Margherita, Dist. Tinsukia, (2) Sri Balaram Das, S/O Lt. Ramesh Das of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (3) Sri Sumit Chakraborty, s/O Sri Phoni Chakraborty of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (4) Sri Guru Das @ Raju Das, S/O Sri Siba Das of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (5) Sri Siba Bhowmick @ Subham, S/O Sri Kankan Bhowmick of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (6) Sri Jayanta Raj Bhar @ Joy, S/O Sri Sankar Raj Bhar of Matikhad Basti, P.S. Margherita, Dist. Tinsukia and (7) Sri Mintu Sarkar, S/O Lt. Sunil Sarkar of Ledo Bazar Basti, P.S. Margherita, Dist. Tinsukia and forwarded them to the judicial custody. One accused person namely Sri Kiron Prodhan, S/O Kumar Prodhan of Motia Basti Ledo, P.S. Margherita, Dist. Tinsukia was released on anticipatory bail.

After completion of the investigation of the case, the case was charge sheeted against the above mentioned arrested persons and also against (1) Sri Raja Debnath, S/O Pulin Chandra Debnath of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (2) Sri Bablu Debnath, S/O Pulin Debnath of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (3) Sri Siba Debnath, S/O Pulin Debnath of Matikhad Basti, P.S. Margherita, Dist. Tinsukia, (4) Md. Naruddin Sah, S/O Lt. Butan Sah of Jharna Basti, P.S. Margherita, Dist. Tinsukia, (5) Sri Tabir Pradhan, S/O Kharga Bahadur Pradhan of Motia Basti, Ledo, P.S. Margherita, Dist. Tinsukia showing them absconder vide Charge Sheet No. 142/2014 dated 29.09.2014.

Submitted for favour of your kind information and perusal.

Yours faithfully,


Superintendent of Police,
Tinsukia, Assam.



অসম

ৰাজপত্ৰ

Annexure - 38

THE ASSAM GAZETTE

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অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 174 দিশপুৰ, বৃহস্পতিবাৰ, 11 মাৰ্চ, 2021, 20 ফাল্গুন, 1942 (শক)

No. 174 Dispur, Thursday, 11th March, 2021, 20th Phalguna, 1942 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
MINES & MINERALS DEPARTMENT

NOTIFICATION

The 18th February, 2021

No.PEM.44/2017/320.- In exercise of the powers conferred by section 23 (C) (1) and (2) of the Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957) the Governor of Assam is hereby pleased to make the following rules to regulate the possession, storage, trading and transport of minerals and mineral products and to check evasion of royalty or seigniorage fee, stopping of illegal mining and transportation in the state of Assam and for the purposes connected therewith, namely :-

1. SHORT TITLE, APPLICATION AND COMMENCEMENT. -

- (1) These rules may be called the Assam Minerals Regulation and Dealers Rules, 2020.
- (2) These rules shall be applicable to all Minerals Dealers and all industries/factories connected with the sale, purchase, transportation, processing and consumption of minerals for commercial purpose in the state of Assam.
- (3) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS. -

- (1) In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957);
 - (b) "Competent Authority" means any Gazetted Officer, not below the rank of Deputy Director of the Directorate of Geology and Mining, Assam as authorized by the Government in the Mines and Minerals Department;

- (c) "competent Officer" means a Gazetted Officer authorized by the Deputy Commissioner of any district and Director, Geology and Mining, Assam;
- (d) "carrier" means any mode or conveyance or facility by which mineral is transported from one place to another and includes mechanized devices, person, animal or cart;
- (e) "dealer" means any person who carries on the business of buying, storing, selling, supplying, trading, transporting, distributing or delivering for sale of minerals and mineral products and include the following:-
 - (i) persons who buy and process mineral or mineral products for sale beyond any lease area;
 - (ii) the end users consuming 500 MT or more of minerals per annum for commercial purpose;
- (f) "dealers registration" means a registration granted under these rules authorizing a person to whom it is granted to engage in the transaction of purchase or sale and shall be in possession of minerals defined in clause (k) below;
- (g) "Department" means Mines and Minerals Department, Government of Assam;
- (h) "End user" means any industry, distillery, brick klin, tea garden, coke bhata etc. using or consuming minerals for commercial purpose;
- (i) "Form" means form appended to these rules;
- (j) "Government" means State Government of Assam;
- (k) "mineral" means, minerals of all types mentioned in the FIRST AND SECOND SCHEDULE of Mines and Mineral (Development and Regulation) Act, 1957 (except the atomic mineral listed in part B of First Schedule of Mines and Minerals (Development and Regulation) Act. 1957.

EXPLANATION:-

Any mineral shall not cease to be a mineral by reason of being subjected to any process like crushing, burning, breaking, drying, cutting, polishing, pulverizing or any other procedure intended to make the mineral fit or suitable for sale or consumption.

- (l) "Mining lease" means a lease granted for the purpose of undertaking mining operation;
 - (m) "Notification" means a notification published in the Assam Official Gazette;
 - (n) "Permit" means permit granted under the Mineral Concession Rules, 1960;
 - (o) "prescribed" means prescribed by these rules under Mines and Mineral (Development and Regulation) Act, 1957;
 - (p) "Prospecting License" means a license granted for the purpose of undertaking prospecting operations under Mineral Concession Rules, 1960;
 - (q) "Year" means financial year from 1st April to 31st March;
- (2) Words and expressions used in these rules and not defined herein but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. PROHIBITION. -

- (1) All mineral dealers shall register themselves as dealers under the Directorate of Geology and Mining, Government of Assam as per the procedure mentioned in these rules.

- (2) All traders in minerals including those who deal with imported minerals should be registered as dealers.
- (3) No person other than a dealer or a mining lease holder shall buy or sell or offer for sale or engage in any other transaction of buying and selling any mineral at any place or transport mineral for the purpose of sale or consuming more than 500 MT per annum without being registered as a dealer or lease holder for that mineral:

Provided that no person purchasing and transporting mineral for own use or consumption by himself, (where such use or consumption does not involve any commercial activity) and any holder of a mining lease in respect of the minerals for which he holds a lease shall be required to register himself as dealer.

4. GRANT OF REGISTRATION AND ITS RENEWAL. -

- (1) Any person who is desirous of being registered as dealer or required to be registered as dealer or requires renewal of registration shall apply in Form -A to the Director, Geology and Mining, Assam through online;
- (2) Every application made under sub-rule (1) shall be accompanied by :-
- (a) (i) Fees of Rs. 20,000/- (Rupees Twenty Thousand only for registration);
(ii) Fees of Rs.10,000/- (Rupees Ten Thousand only for renewal) ;
The fees shall be payable online (e-grass) under the following head of account:
"0853 non- ferrous mining and metallurgical industry 800 other receipt-2279- Application fee for registration of Mineral Dealers License, Renewal of Dealers License, Issue of Transport challan".
- (b) Copy of the PAN Card granted by Income Tax Department.
- (c) GST Registration Certificate.
- (d) An affidavit to the effect that he/ she/they have not been convicted in any case relating to smuggling or theft of mineral or any other criminal activities.
- (e) Attested copy (ies) of the certificate (s) issued by the Industries Department or any other Government Department for establishment of the factory or beneficiation plant or trading or stocking of mineral as the case may be.
- (f) Copy of Jamabandi in case of owner of land or lease deed agreement when land is taken on rent.
- (3) On receipt of application for registration the Director, Geology and Mining, Assam shall acknowledge the receipt in Form -B.
- (4) All applications shall be submitted through the online portal for Registration and Renewal of Mineral Dealers in the website of the Directorate of Geology and Mining, Assam.

5. PROCESS OF DISPOSAL OF REGISTRATION AND RENEWAL APPLICATION. -

- (1) The Director, Geology and Mining, Assam shall maintain a register in Form- C, where necessary entries about the application shall be recorded from receipt to disposal of the application.

- (2) The Director, Geology and Mining, Assam after due examination of the application in Form -A, shall grant dealer registration in Form- G with specific terms depending upon local conditions as deemed fit, for a maximum period of 1 (one) year within 30 (thirty) days from the date of receipt of the application.

In case of refusal or rejection of the application, the reasons shall be recorded in writing and communicated to the applicant within 20 days from the receipt of the application.

- (3) Application for renewal of registration shall be made to Director, Geology and Mining, Assam within 60 (sixty) to 45 (forty five) days prior to the date of expiry of the registration.
- (4) Renewal shall also be for one year.
- (5) If application for renewal of registration is not submitted within the time stipulated in sub-rule (3), the existing registration shall be deemed to have been cancelled from the date of its expiry and the dealer will have to apply for fresh registration.

6. TRANSPORTATION OF MINERALS. -

No person shall transport or otherwise remove or carry away any mineral from any place without obtaining e-way bills as per standing instructions of the state Taxation Department within or outside the state of Assam.

7. CONDITIONS. -

The registration shall be granted in Form- G subject to the following conditions:-

- I. The dealer shall deposit an amount of Rs. 20,000/- (Rupees twenty thousand) as a security deposit duly pledged to the Director, Geology and Mining, Assam in the form of NSC.
- II. The dealer shall maintain correct and intelligible accounts of minerals procured, stored, stocked, processed and dispatched to different destinations in Form -F.
- III. The dealer shall submit copies of the Form -E to the Director, Geology and Mining, Government of Assam, quarterly.
- IV. While removing the minerals from stock or factories the dealer shall obtain permission from the Director, Geology and Mining, Government of Assam and transport the material under prescribed transport challan in Form -D obtained from the Director, Geology and Mining, Government of Assam.
- V. The dealer shall maintain daily stock and transport register in Form -M and submit monthly return in Form -H to the Director, Geology and Mining, Government of Assam.

- VI. The dealer shall allow any competent Officer to inspect the stores and factories to verify the stocks of minerals and take sample or the abstract from the records maintained by him.
- VII. Every dealer shall allow competent Officer or any Officer authorized by the Director, Geology and Mining, Government of Assam or Secretary, Mines and Minerals Department, Government of Assam to enter and inspect the premises, where the furnishing of information as directed in writing shall be obligatory for such dealer.
- VIII. The competent Officer or the Officer authorized by the aforesaid authority in their behalf shall be competent to search any place in which there is reason to believe that an offence is being committed and seize any stock of minerals in respect of which the offence has been or is being committed.
- IX. The department shall be empowered to issue any executive instruction as and when necessary for,-
 - (a) proper implementation of these rules under the Act; and
 - (b) for regulation of mineral being transported from the area granted under a prospecting licence or a mining lease or a quarrying license or a permit in whatever name the permission to excavate minerals has been given.

8. The end user who consumes minerals less than 500 MT per annum need not submit any returns.

9. PENALTIES.-

- (1) Any person, who contravenes any of the provisions of these rules, or buys or sells or stores minerals except under and in accordance with the Dealers' Registration or who transports the minerals except as mentioned in the e-way bill shall be punishable with,-
 - (a) A fine of Rs. 20000/- (Rupees Twenty thousand) or imprisonment for a term which may extend to one year or with both.
 - (b) In the case of a continuing contravention, with an additional fine which may extend to Rs. 500/- (Rupees five hundred) for every day during which such contravention continues after conviction for the first such contravention.
- (2) Any person, who buys or sell minerals except under and in accordance with the registration for commercial purpose, shall be punishable with a fine which may extend to Rs. 20,000/- (Rupees twenty thousand).
- (3) Any person, who transports minerals except to the destination specified in the e-way bill, shall be punishable with an imprisonment upto a term of one year or fine which may extend to Rs. 20,000/- (Rupees twenty thousand) or with both.
- (4) Whoever, intentionally obstructs the competent officer or any other officer in performing his duties (in imposing penalties etc.) under these rules, shall be punishable with an imprisonment for a term which may extend to 6 (six) months or fine which may extend Rs. 20,000/- (Rupees twenty thousand) or with both.

- (5) Refusal to allow inspection of the minerals by dealers shall be liable to fine of rupees 10,000/- (Rupees ten thousand).
- (6) Any end user who does not maintain the register and submit the return in time shall be liable to a fine of Rs. 5000/- (Rupees five thousand). This shall not be applicable in case of end user defined in rule 8.
- (7) Any dealer or end user who maintain false entry in the register or submit incorrect statement in return is liable to a fine of Rs. 10,000/- (Rupees ten thousand).
- (8) When any competent Officer/authorized Officer have sufficient reason to believe that the information submitted by the dealer or end user is false or incorrect then he may seize the mineral along with register, records and challans.

10. SEIZURE AND CONFISCATION. -

- (1) Every dealer or person permitted to stock, sell trade or transport shall allow any Officer authorized by the Government or competent Officer to enter and inspect any premises, where the mineral are kept or stored or transported. Providing such documents for inspection as desired in writing and furnishing such information as directed in writing shall be obligatory to such dealers.
- (2) The Officer authorized by the Government or the Competent Officer may search any place or vehicle in which he has a reason to believe that an offence under these rules is being committed and seize any stock of mineral together with all tools, equipment, vehicles and articles used in committing such offence.
- (3) Every officer seizing minerals under these rules shall prepare a list of minerals, tools, equipment, vehicles or any other articles so seized and deliver a copy thereof signed by him to the person found in possession of such minerals. Such officer shall keep such seized property under proper custody with proper official seal and with detail information in Form- I.
- (4) Any mineral tool, equipment, vehicle or any other things /objects/material seized under sub- rule (2) shall be liable to be confiscated by an order of the competent court of concerned district in the hierarchy to take cognizance of the offence committed under these rules and shall be disposed of in accordance with direction of such Court.
- (5) The Competent Authority, for compliance of rule 10(4), shall serve Notice for personal appearance prior to confiscating of seized items in Form -L.

11. CUSTODY OF SEIZED PROPERTY.-

The competent officer shall keep the seized material or properties under the custody of institution belonging to the Government or any responsible Officer of the Government as far as possible or any third independent party in the locality with proper terms and conditions.

12. APPEALS.-

- (1) Any person aggrieved by an order of a competent officer(s) for a particular action under these rules may within 30 (thirty) days from the date of communication of the order

prefer an appeal in Form -J to the Secretary of the Mines and Minerals Department, Government of Assam.

- (2) Every application for an appeal shall be accompanied with a fee of Rs 500/- (Rupees Five hundred) to be deposited in Government Treasury under the Head of Account mentioned in sub-rule (2) of rule 4.

The appeal shall be disposed of by the appellate authority within a period of 30 (thirty) days from the date of its receipt.

- (3) The appellate authority may, for sufficient reasons, condone the delay in filing of appeals.

13. REVISION.-

- (1) Any person aggrieved by an order passed in appeal under these rules may file an application for revision before the senior most Secretary, Mines and Minerals Department within 30 (thirty) days from the date of communication of such order in Form -K.
- (2) Every revision application shall be accompanied with a fee of Rs 1000/- (Rupees one thousand) to be deposited in the Government Treasury under the Head of Account as mentioned in sub-rule (2) of rule 4.
- (3) The Commissioner and Secretary, Mines and Minerals Department may for sufficient reasons, condone the delay of submission of revision application.

SYEDAIN ABBASI,

Additional Chief Secretary to the Government of Assam,
Mines and Minerals Department.

Government of Assam
Department of Mines & Minerals
Form - A
[(See rule 4(1))]

Photo

1. Name of applicant (In full) :
2. Profession :
3. Full address with residential proof :
4. Father's name in full
(In case of firm, give name and address of partners and person holding powers of attorney to act on behalf of the firm) :
5. Specific place or place of business :
6. Financial status with details of person (i.e. property, annual payment of income Tax and any other relevant evidence regarding financial status) :
7. Specific purpose for which Registration is applied for (Processing/ Storing/Selling/ Trading) :
8. Name of mineral/ Ore for which registration is required :
9. Evidence of payment of application fee :
10. Name and address of person/ firm from whom the mineral/ ore will be purchased/ procured :
11. Period for which registration is required :
12. In case of renewal the number and date of original registration :
13. PAN granted by the Income Department with proof thereof :
14. Sale tax clearance certificate :
15. Any special ground for grant of registration :

List of enclosures:

DECLARATION

I/We hereby declare that I/We have read and understood all the provisions of the Assam Minerals Regulation and Dealers Rules, 2020 and the conditions of Registrations and I/We agree to abide by the same.

Date of application :
Place:

Signature of Applicant

Government of Assam
Department of Mines & Minerals
Form – B
[See rule 4(3)]

(Acknowledgement of receipt of application for registration)

Received the application for registration for processing / storing / selling /
trading of (name of mineral / ore) from
Sri / Smti
resident of.....
P.O.....
P.S..... District.....
State..... PIN today on day of 20.....
with the following enclosures:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Application receipt number:

Signature of the competent authority with Date:

**Government of Assam
Department of Mines & Minerals**

**Form – C
[See rule 5 (1)]**

(Details of mineral dealer application / license)

Sl. No.	Date of receipt of application	Name of applicant	Address of applicant	Name of mineral/ ore
1	2	3	4	5
1				
2				
3				

Place of processing/storing/ selling/ trading	Date of forwarding of advance copy of application to DGM	Date of forwarding processed application by DGM	Date of grant/ refusal	Date of appeal if any	Date of disposal of appeal
6	7	8	9	10	11

Brief order on appeal	Date of expiry of license if granted	Date of Application for renewal	Date of grant/ refusal of renewal	Period of renewal	Remarks	Signature
12	13	14	15	16	17	18

Government of Assam
Department of Mines & Minerals

Form- D

[See rule 7 (IV)]

Dealer Transport Challan

(See section 23 C of Mines and Minerals Development and Regulation) Act, 1957)

ORIGINAL

(NON- TRANSFERABLE)

Serial number.....

Date.....

Transportation of interstate/ Intrastate
(To be filled in by the dealer for transport of mineral)

1. Name and address of the dealer:
2. Details of business place:
3. Mineral name:
4. Name and address of the purchaser to whom material has been sold and supplied:
5. Quantity:- tonnes (in words)
6. Vehicle Registration no. :
7. Name and address of vehicle owner:
8. Name and address of the driver in case the mineral is to be transported by road :
9. Place of delivery of the material:
10. Date and time of dispatch of mineral:

I/ we hereby declare that the above statements are correct and complete to the best of my/ our knowledge and belief.

Signature of the dealer

Signature of competent officer

Seal

Designation

Government of Assam
Department of Mines & Minerals

Form – E

[See rule 7 (III)]

(Account of minerals/ ores fed to plant and their recovery to be maintained daily)

1. Name of the Dealer:
2. Full Address:
3. Registration No. and Date of Registration:
4. Period of Registration :
5. Name of mineral/ Ore:
6. Name of the plant / factory :
7. Postal address of the factory:
8. Name of district where the factory is located :

Name of Months/ year	Date	Opening balance of mineral/ ore at the plant/crude beneficiated	Quantity of mineral /ore received at plant	Quantity of ore/ mineral fed to the beneficiation plant	Quantity of ore/mineral recovered after beneficiation	Closing balance of ore/mineral at the plant crude beneficiated	Remarks
1	2	3	4	5	6	7	8

Signature of the Licencee

Date of submission of the return

Government of Assam
Department of Mines & Minerals
Form - F
[See rule 7 (II)]

To,

The Director,
Directorate of Geology & Mining, Assam,
Kahilipara, Guwahati - 781019.

Subject: Issue of Transport Challan.

Sir/ Madam,

I / we hold a Mineral Dealer Licence number (Year).....

I/we have procured/ received tonns tonns (in words)
of (name of mineral) from bonafide lessee/ lessees as shown below:

Sl. No.	Name of lessee	Name of mineral	Quantity

I/ we have (quantity) (quantity in words)
of (name of mineral) on (date).

I/ we, therefore, request you to kindly issue a transporting Challan Book containing
..... nos. of Challan.

Details of payments made:

Sl. No.	Amount (Rs.)	Treasury challan number	Date

Thanking you,

Yours faithfully,

Signature.....

Name

Date.....

**Government of Assam
Department of Mines & Minerals**

Form - G

[See rule 5 (2)]

Mineral Dealer Licence No. Year

Photo

1. Name of dealer in full:
2. Full address:
3. Father's name in full:
(In case of firm name and address
of partner and person holding power of
attorney to act on behalf of the firm)
4. Profession of the dealer:
5. Specific place of places of business:
6. Specific purpose for which registration is granted. :
7. Name of mineral / ore covered under the Licence:
8. Challan for payment of application fee:
9. Challan for payment of security deposit :
10. Name and address of person / firm from
whom the mineral/ ore will be purchased/ procured.
11. Period of registration (validity of licence):
12. In case of renewed license, the number and date
of the original registration:
13. Number and date of application for this registration:
14. Conditions imposed by the Directorate of Geology & Mining, Assam:
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)

Date of grant.....

Signature of the competent authority granting licence

Designation:

Seal:

Government of Assam
Department of Mines & Minerals
Form - H
[See rule 7 (V)]

1. Name of licence holder:
2. Address in full:
3. Registration No of license: Date
4. Period of license:
5. Name of Mineral / ore transported:
6. Place details from which mineral / ore is transported:
.....
7. Total amount of mineral / ore transported:

Month	Date	Opening stock to be transported	Quantity of mineral / ore transported	Numbers of the supporting transit passes	Destination to which mineral / ore transported	Closing stock of mineral / ore to be transported	Remarks

Date of submission of the return:

Signature of the licensee

Government of Assam
Department of Mines & Minerals
Form - I
 [See rule 10 (3)]

1. Name of officers seizing the property:
2. Designation and address of the officer:
3. Details of property seized.
 - a. Place of seizure:
 - b. Date and time of seizure :
 - c. Description of each property:
4. Rule under which property is seized:
5. Name and address of person from whom the property is seized :
6. Name and address of any other claimant for the seized property:
7. Details of "Seal" given on the seized property :
8. Name and address of person under whose custody the property has been kept.
9. Signature of the custodian :
10. Approximate value of the seized property.
11. Remarks:
12. Signature of person from whom the property is seized:
- Signature of any other claimant for the seized property:
13. Name and address of the witnesses with their signatures:

Name of witness	Address	Signature

Date:

Signature of the officer seizing the
Property with designation and address

Government of Assam
Department of Mines & Minerals
Form – J
[See rule 12 (1)]

Form of Appeal

1. Name of the applicant:
2. Address:
3. Father's name:
(In case of firm name and addresses of the partners and persons holding the power of attorney to act on behalf of the firm) :
4. Number and date of order of Competent Authority against which appeal is preferred :
5. Ground of appeal :
6. Evidence of payment of fee for appeal :
7. In case of appeal is preferred after 30 days of the order, the reason of the delay :
8. Whether the appellant desires to be heard in person or through pleader:
9. Any additional information the appellant desires to furnish:

Date of filing the appeal petition:

Signature of the appellant

Government of Assam
Department of Mines & Minerals
Form - K
[See rule 13]

1. Name of the applicant. :
2. Address:
3. Father's name:
(In case of firm name and addresses of the partners and persons holding the power of attorney to act on behalf of the firm):
4. Number and date of order appellate authority against which this application is filed:
5. Ground of revision:
6. Evidence of payment of fee for application:
7. Number and date of order by Competent authority against which revision is preferred. :
8. Any additional information the revisionist desires to furnish:

Signature of the appellant

Date.....

Government of Assam
Department of Mines & Minerals
Form - L
[See rule 10(5)]

No. Dated,, 20

To,

Shri/Smti:

Address:

Sir/ madam

Take notice that the following properties which were involved in an offence committed under 'Assam Minerals Regulation and Dealers Rule' 2020 on at will be confiscated by the undersigned.

Place of occurrence of offence:

A copy of the Form-I showing details of seizure is enclosed.

You are hereby informed that you may submit a representation within 3 days from the date of issue of this notice to the undersigned and request for a personal hearing. Failing which the matter will be decided exparte.

Date

Signature of the competent authority

Name:

Seal

Designation:

Office address:

**Government of Assam
Department of Mines & Minerals**

**Form – M
[See rule 7 (V)]**

(Format to maintain daily account of mineral/ore)

SL.NO	ITEM DETAILS	PARTICULAR
1.	Is person concession holder or traders	
2.	Registration No	
3.	Name of the registered person/firm	
4.	Address in full	
5.	Is mineral for captive consumption or sale	
6.	If mineral / ore is for sale whether to be sold domestically or exported	Fill Part A
7.	If mineral /ore is procured	
8.	If mineral /ore is transported	Fill Part B
9.	If mineral /ore is processed	Fill Part C

Part A

(Format to maintain daily account of mineral/ore in case of procurement)

SL.NO	Item Details	Particulars
1.	Name of mineral/ore or waste procured	
2.	Place of Business	

Date	Opening stock of mineral/ waste at the stockyard/ factory ('tonne)	Quantity of mineral/ waste procured ('tonne)	Particulars of supporting Transit Permit/ Delivery Challan	Source from which mineral /waste is procured	Total stock of ore/ mineral (tonne)	Quantity of minerals/ waste consumed/ sold /dispatched for Processing ('tonne)	Closing stock of mineral /waste procured ('tonne)	Remarks

Part B

(Format to maintain daily account of mineral/ore in case of transportation)

SL.No	Item Details	Particulars
1.	Name of mineral/ore or waste to be transported	
2.	Place from which mineral/ ore or waste is transported	
3.	Total quantity of mineral/ore or waste to be transported	

Date	Opening stock of mineral/waste transported (tonne)	Quantity of mineral/waste Transported (tonne)	Particulars of Supporting Transit Permit/ Delivery Challan	Destination to which mineral/waste transported	Closing stock of mineral/waste transported (tonne)	Remarks

Part C

(Format to maintain daily account of mineral/ore in case of crushing, pulverizing or any kind of processing)

Sl.No	Item Details	Particulars
1.	Name of mineral/ore processed	
2.	Name of plant/factory	
3.	Address in full of the factory	

Date	Opening stock of mineral/ore processed at the plant ('tonne)	Quantity of mineral/ ore received at the plant (tonne)	Quantity of mineral/ ore fed to the beneficiation plant ('tonne)	Quantity of mineral/ ore recovered after beneficiation (tonne)	Particulars of supporting Transit Permit/ Delivery Challan	Closing stock of mineral/ore processed at the plant (tonne)	Remarks