

DBPL/MIN/REPR.-DHRAM/MOEF/11612

Date: 11. 06. 2012

To,

**The Director,
Impact Assessment (mines)
Ministry of Environment & Forest,
Paryavaran Bhawan,
CGO Complex,
New Delhi-110510**

SUBJECT: Response to Representation from the people of Dharamjaigarh received by MoEF with comments on the issues raised in the representation.

REFERENCE: Your letter no. J-11015/324/2008-IA II(M) dated June 6, 2012 and the documents enclosed therewith.

Madam,

The representation made by a group of people from Dharamjaigarh to MoEF was received enclosed with your above referenced letter. A response to the representation has been duly prepared by DB Power Limited wherein comments have been provided on the various issues raised in the representation along with documentary evidence wherever relevant. The response document is organized thus:

1. Part I: Location of response to various sections of the Representation.
2. Part II: Document wise point wise comments of DBPL response.
3. Part III: Annexures containing Documentary evidence of DBPL response.

Thanking You,
Yours Sincerely,

Pankaj Bharadwaj
General Manager (Mining)
DB Power Limited
Gurgaon -122016



Part I: Location of response to various Sections of Representation

The representation made to MoEF has been broadly divided into sections mentioned below in Table 1.1. The location of response to these items in the current document is mentioned against each section.

S. No.	Section	Response Location in the current document
1	Letter to Secretary, MoEF signed by group of people from Dharamjaigarh	Part II Section 1 (Pages 3-5) / Annex. I & II
2	Copy of the Stay order dated 09/12/2011 issued by the honorable High Court of Chhattisgarh at Bilaspur stating that until grant of further orders, no further action be taken up by any of the respondents towards grant of Environmental Clearance.	Part II Section 2 (Page 6)/Annex. II
3	Proceedings of the Gram Sabha: for Gram Sabha organized on January 23, 2012 and Gram Sabha organized on January 24, 2012.	Part II Section 3 (Pages 7-11) / Annex. I & IV
4	Letter to Collector Raigarh (dated November 18, 2011) signed by DS Mallya and others	Part II Section 4 (Pages 12-14)/ Annex. IV & V
5	Letter to MoEF (dated April 15, 2011) signed by DS Mallya and others.	
6	Analysis of DB Power Limited's EIA Report by CSE	Part II Section 5 (Pages 15-21)
7	News Items from The Hindu and other dailies/weeklies	News items merely report the happenings. News appearing in local dailies/weeklies are inaccurate in that they have stated in some places that the EC process was stayed for the Plant itself whereas the EC Process was stayed for the coal block.
8	Advertisements released by Tehsildar, Dharamjaigarh on November 8, 2011, for inviting objection, if any, on the Surface Rights application of DB Power Limited	Released as per the surface right norms
9	Objection letters received from various individuals on the aforementioned advertisements	Part II Section 6 (Pages 22-29)/ Annex. V, VII & VIII
10	Letter dated December 5, 2012 addressed to the Governor of Chhattisgarh	Part II Section 7 (Pages 30-33)/ Annex. I & VI
11	Copy of a land registry done by DB Power Limited	Done as per the law of the land

Table 1.1: Location (in the current document) of response to various documents enclosed with the representation made by a group of people from Dharamjaigarh to MoEF



Part II: Document wise point wise comments (Section-1)

1. Letter, marked received on March 1, 2012, addressed to Secretary, MoEF

Comments on the Letter in Table 2.1 below

S. No.	Actual Text	Translation	Comments by DBPL
1	भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना के तहत मेसर्स डी बी. पावर लि. द्वारा मेढरमार धरमजयगढ़ में 2.0 मिलियन टन प्रतिवर्ष कोयले के उत्पादन हेतु कोयला खदान की स्थापना के पर्यावरणीय स्वीकृति हेतु जन सुनवाई दिनांक 28/02/2011 दिन सोमवार को ग्राम मेढरमार तहसील धरमजयगढ़ के स्कूल मैदान में रखा गया था जहाँ जनता ने शत प्रतिशत अपना विरोध दर्ज कराया था।	The Public Hearing of M/s DB Power Limited's proposed coal mine of 2.0 MTPA coal production capacity, under the EIA Notification of Ministry of Environment and Forest, Government of India was held on school grounds of Medharmar Village in Dharamjaigarh tehsil on February 28, 2011 where people had registered 100 % objection.	<ol style="list-style-type: none"> 1. Agreed. 2. However since then the scenario has changed immensely. Owing to the CSR works carried out by DB Power Limited, clarification on leaving the entire inhabited area of Dharamjaigarh Nagar Panchayat and the general conduct of the company representatives in the area, we have been able to acquire, through due process, 17.66 acres of land in the proposed mining lease area through direct purchases. 3. 50 local people have been employed in DB Power Limited's Dharamjaigarh operations. 4. People have come forward and expressed support in various ways. 5. Some letters in support for DB Power Limited have been enclosed with this document as Annexure I.
2	यह कि मेसर्स डी बी. पावर लि. द्वारा की पर्यावरण स्वीकृति प्रक्रिया पर छत्तीसगढ़ उच्च न्यायालय द्वारा स्थगन आदेश दिनांक 09/दिसम्बर/2011 को जारी किया गया है।	That the High Court of Chhattisgarh has issued a stay on the Environmental Clearance process of M/s DB Power Limited on December 9, 2011	<ol style="list-style-type: none"> 1. The stay has been vacated by the honorable High Court of Chhattisgarh at Bilaspur on January 3, 2012. 2. That the letter surreptitiously fails to mention that the stay was vacated and was vacated 20 days before the Gram



S. No.	Actual Text	Translation	Comments by DBPL
			<p>Sabhas were organized on January 23-24, 2012 and much before this representation was made to MoEF.</p> <p>3. The order issued by the court, vacating the stay, is attached herewith as Annexure II.</p>
3	यह कि ग्राम पंचायत बैसी कालोनी के ग्राम सभा द्वारा दिनांक 23/01/2012 को प्रस्ताव पारित कर मेसर्स बाल्को एवं डी. बी. पावर लि. भोपाल को कोयला खनन हेतु आपत्ति किया गया है।	That the Gram Panchayat of Baisi Colony passed a resolution in its Gram Sabha held on January 23, 2012 opposing coal mining by M/s BALCO and DB Power Limited.	The issues raised in the Gram Sabha have been answered later in this document. Note that M/s BALCO have since been granted Environmental Clearance by MoEF on November 28, 2011.
4	यह कि ग्राम पंचायत बैसी कालोनी के ग्राम सभा द्वारा पूर्व में भी दिनांक 08/08/2008 को विशेष ग्राम सभा में प्रस्ताव पारित कर मेसर्स बाल्को एवं डी. बी. पावर लि. भोपाल को कोयला खनन हेतु आपत्ति किया गया था।	That previously also the Gram Panchayat of Baisi Colony had passed a resolution opposing coal mining by M/s BALCO and DB Power Limited in a Special Gram Sabha organized on August 8, 2008	No document has been placed in the representation towards the Resolution passed on August 8, 2008. M/s BALCO have since been granted environmental Clearance by MoEF on November 28, 2011.
5	अतः महोदय डी. बी. पावर लि. धरमजयगढ़ की पर्यावरण स्वीकृती प्रक्रिया पर रोक लगाने के साथ-साथ उक्त डी. बी. पावर लि. द्वारा प्रस्तावित दुर्गापुर-II/सरिया कोल ब्लॉक का आवंटन निरस्त करने की कृपा करें।	Hence Sir kindly put a stay on the Environmental Clearance process of DB Power Limited along with cancelling the allocation of Durgapur II/Sariya Coal Block to DB Power Limited.	<p>1. Sufficient documentary evidence and representations have been submitted by DB Power Limited in appropriate forums to answer various issues raised from different quarters against the Environmental Clearance Process of Durgapur II/Sariya Coal block.</p> <p>2. We submit hereby that these documents and representation made by DB Power Limited will convince the competent authority that the claims made by certain</p>



S. No.	Actual Text	Translation	Comments by DBPL
			individuals of Dharamjaigarh do not form any grounds for staying the environmental clearance process of the coal block and certainly do not provide any firm grounds to justify cancellation of the said coal block the allotment of which has been done by the Ministry of Coal.

Table 2.1 Comments on the Letter, marked received on March 1, 2012, addressed to Secretary, MoEF



2. The Stay Order issued by the Honorable High Court of Chhattisgarh at Bilaspur (Section-2)

Response

On being advised by the Expert Appraisal Committee, regarding the writ petition No.3876/2011 pending against us in the Honorable High Court at Bilaspur, enquiries were made by us. We were informed that the court had issued an ex-parte interim order on 09.12.2011, since we (respondent's number 6 & 7) had not been served till then.

Subsequently through our learned counsel we appeared before the court and filed reply along with an application praying for vacation of stay on the EC proceedings as granted by the Honorable High Court in the interim order. On our application for vacation of stay, the case was listed on 03.01.2012 for hearing.

After due consideration of our reply and application for vacation of stay as well as maintainability of petition filed by petitioners challenging the proceedings of public hearing dated 28.02.2011, the Honorable court observed:

“Therefore, prima facie, it does not appear that in the public meeting, any manipulative process was adopted by respondents no.6 and 7 or that distorted version was prepared by respondent no.3 or that in that public hearing respondents no.6 and 7 did not say anything about their undertaking given a day before the public meeting that they will not include the area of Nagar Panchayat-Dharamjaigarh for the purpose of mining.”

Accordingly the Honorable Court has modified its earlier order and further process in the matter of environment clearance has been allowed to go on keeping the decision thereon subject to final outcome of petition. The copy of the order is annexed herewith as Annexure II.



3. Proceedings of the Gram Sabha (Section-3)

Comments on the Resolution of Gram Sabha organized on January 23, 2012

S. No.	Relevant Extract	Translation	Comments by DBPL
1	मेसर्स डी. बी. पावर लिमिटेड भोपाल की जन सुनवाई दिनांक 28/02/2011 को ग्राम मेडरमार में क्षेत्र के किसानों द्वारा पर्यावरण एवं विस्थापन को लेकर अपनी भूमि को नहीं देने का सत-प्रतिशत आपत्ति एवं विरोध दर्ज कराया।	During the Public Hearing of DB Power Limited, held on February 28, 2011 in Medharmar Village, the farmers of the area registered their 100 % objection and opposition towards providing their lands because of issues related to environment and displacement.	<ol style="list-style-type: none"> 1. Agreed. 2. However since then the scenario has changed immensely. Owing to the CSR works carried out by DB Power Limited, clarification on leaving the entire inhabited area of Dharamjaigarh Nagar Panchayat and the general conduct of the company representatives in the area, we have been able to acquire, through due process, 17.66 acres of land in the proposed mining lease area through direct purchases. 3. 50 local people have been employed in DB Power Limited's Dharamjaigarh operations. 4. People have come forward and expressed support in various ways. 5. Some letters in support for DB Power Limited have been enclosed with this document as Annexure I.
2	पुनः आज दिनांक 23.1.12 के ग्राम सभा में उपस्थित सदस्यों द्वारा यह चर्चा किया गया कि ओपन कोल खनन इन दोनों कम्पनी द्वारा किया जाता है तो:	Again in the Gram Sabha held today (January 23, 2012), the present members discussed that if coal is mined by these two companies [reference to M/s BALCO and M/s DB Power Limited]	M/s BALCO have since been accorded Environmental Clearance by MoEF. Clearance was accorded on November 28, 2011.
	क्षेत्र में पर्यावरण प्रदूषित हो जाएगा	The environment in the area will be polluted	The mitigation of environmental impact of coal mining by DB Power Limited has been considered in detail in the EIA_EMP Report submitted by DB



S. No.	Relevant Extract	Translation	Comments by DBPL
			Power Limited to MoEF. In the report DB Power Limited has committed to adopt several measures to mitigate All environmental disturbances caused by mining.
	किसानों जो अपनी दो फसल लेते आ रहे हैं उस ज़मीन से वंचित होना पड़ेगा	The farmers will be displaced from the land from which they have been getting two crops	The project affected farmers will be duly compensated for their land as per the prevalent Government rates and when displaced, all displaced people will be appropriately resettled and rehabilitated as per the Model R&R policy of Chhattisgarh Government 2007. Detailed R&R plan has been prepared by DB Power Limited and has been submitted to Chhattisgarh's State level R&R committee. A copy of the plan is already with your good office.
	क्षेत्र के जीव जन्तु जैसे हाथीओं की झुण्ड हमारे क्षेत्रों में निरंतर हमारे फसलों को खाने एवं नुकसान करने के बावजूद हम क्षेत्रवासी हाथियों की रक्षा करते हैं एवं शासन द्वारा नुकसान की भरपाई की जाती है	The fauna of the area, for example the groups of elephants constantly eat and destroy our crops and yet we, the people of this area, protect the elephants and the damages are compensated by the Government.	Exact point of opposition is not mentioned but in responding to this point, we have assumed that this is a reference to possible dangers to the flora and fauna of the region due to coal mining by DB Power Limited. It is our submission that: 1. A detailed Wild Life Conservation plan has been worked out for the core zone (coal block area) and the buffer zone in 10 km radius of the applied mining lease area for protection and conservation of wildlife in the core and buffer zone from any impact from coal mining. 2. The plan is under consideration of PCCF (WL) Raipur. 3. Special attention has been given to impact mitigation, conservation practices, habitat restoration, plantation, water availability for wildlife and



S. No.	Relevant Extract	Translation	Comments by DBPL
			<p>general awareness in local community so that the conservation effort can take the form of a participatory community based project supported financially by DB Power Limited and administered by the competent Forest Authority.</p> <p>4. As per the Wildlife Conservation Plan, INR 6.87 crores have been earmarked for conservation of wildlife through myriad measures.</p> <p>5. In this budget, INR 29 lakh have been earmarked for compensation for damages caused by wild animals.</p> <p>6. Apart from that, in a letter to PCCF Raipur, DB Power Limited has committed to creating a Corpus Fund of INR 20 lakh as a quick redressal mechanism for compensation of damages caused by wild animals. The idea is that many times the compensation paid by the Government is delayed. In such cases victims can be immediately compensated from this corpus fund. Later, the compensation received from the Government will be used to replenish the Corpus Fund so that it always has a kitty of INR 20 lakh. A copy of letter stating this commitment is attached herewith as Annexure IV.</p> <p>7. A copy of the Wildlife Conservation Plan of DB Power Limited is already with your Office. It describes the measures DB Power</p>



S. No.	Relevant Extract	Translation	Comments by DBPL
			<p>Limited commits to undertake for Wildlife Conservation at length.</p> <p>8. The issue of Elephants will be addressed by implementing the measures suggested in the presentation made to the EAC on April 23, 2012 and through the INR 30 lakh Habitat Restoration Program for elephants as suggested by the EAC and committed for compliance by DB Power Limited (as per our compliance response to your letter dated May 18, 2012, the response being submitted in conjunction with this document).</p>
3	<p>जैसे कि पूर्व से ही इन दोनों कम्पनियों का पुरजोर विरोध किया जा रहा है, अतः केन्द्र सरकार तथा राज्य सरकार से अनुरोध किया जाता है कि इन दोनों कम्पनियों को कोयला खनन हेतु स्वीकृति नहीं दिया जाये</p>	<p>Since these two companies have been opposed strongly, Central and State Governments are requested that these two companies should not be allowed to mine coal in the area.</p>	<p>1. M/s BALCO have been given Environmental Clearance on November 28, 2011.</p> <p>2. As regards to DB Power Limited, in light of the point wise response to the proceedings furnished above, we believe that there is no ground for any such action and that the requisite Environmental Clearance be granted to DB Power Limited under the norms of MoEF considering our commitment of compliance to various terms and conditions put forth to us by competent authority.</p>

Table 2.2 Comments on the Resolution passed by the Gram Sabha organized on January 23, 2012



Comments on the Resolution of Gram Sabha organized on January 24, 2012

S. No.	Relevant Extract	Translation	Comments by DBPL
1	मेसर्स डी. बी. पावर लिमिटेड भोपाल की जन सुनवाई दिनांक 28/02/2011 को ग्राम मेडरमार में क्षेत्र के किसानों द्वारा पर्यावरण एवं विस्थापन को लेकर अपनी भूमि को नहीं देने का सत-प्रतिशत आपत्ति एवं विरोध दर्ज कराया।	During the Public Hearing of DB Power Limited, held on February 28, 2011 in Medharma Village, the farmers of the area registered their 100 % objection and opposition towards providing their lands because of issues related to environment and displacement.	<ol style="list-style-type: none"> 1. Agreed. 2. However since then the scenario has changed immensely. Owing to the CSR works carried out by DB Power Limited, clarification on leaving the entire inhabited area of Dharamjaigarh Nagar Panchayat and the general conduct of the company representatives in the area, we have been able to acquire, through due process, 17.66 acres of land in the proposed mining lease area through direct purchases. 3. 50 local people have been employed in DB Power Limited's Dharamjaigarh operations. 4. People have come forward and expressed support in various ways. 5. Some letters in support for DB Power Limited have been enclosed with this document as Annexure I.

Table 2.3 Comments on the Resolution passed by the Gram Sabha organized on January 24, 2012



4. Letter dated November 18, 2011, addressed to Collector Raigarh and dated April 15, 2011 addressed to MoEF (Section-4)

A reading of both the letters shows that the core text of both the letters is identical in language. Point wise response to both the letters is given in Table 2.4 below.

Comments on the Letter

S.No. in the Letters	Relevant Extract	Comments by DBPL
3	Based on the TOR the M/s DB Power Limited had prepared a Draft Environment Impact Assessment (EIA) Report, which was to be kept for consideration before the Public, and inviting objections & suggestions thereon.	<ol style="list-style-type: none"> 1. DB Power Limited had in fact made 13 copies of the draft EIA Report available to the District Pollution Control Board. 2. Receipt of the EIA Report's copies is enclosed herewith as Annexure IV.
6	It is Pertinent that according to the FIG No 23 Geological Plan Maps in the EIA/EMP Report the Coal deposits in SEAM NO.V, VI, III and II are in the Nagar Panchayat area.	<ol style="list-style-type: none"> 1. The outcrop of 3 coal seams out of 4 which are found to be located in the Coal Block exist in the inhabited portion of Nagar Panchayat. 2. The outcrop of seam V falls within the unsundered portion of the mining lease area and is the most prominent seam. 3. Thus it is not wise to mention that the other 3 seams exist only in the surrendered 152 Ha. Of the Nagar Panchayat area but are in fact spread out over the entire mining lease area.
7	The Affidavit executed by the Senior Vice President DB Power Limited did not specify at what alternative site the company proposed to carry out Mining, since no mining was to be carried out within the jurisdiction or the Nagar Panchayat Dharamjaigarh.	There is no alternative mining site. The inhabited area under Nagar Panchayat has simply been left and DB Power Limited is going to mine over the rest 540.750 Ha of the mining lease area. The affidavit is annexed as Annexure V.
8	The aforesaid Affidavit of the Senior Vice-President was given Prominence in the media and repeated statements were made behalf of the company assuring the residents of Dharamjaigarh the no mining, would be carried-out within the Nagar Panchayat	<ol style="list-style-type: none"> 1. DB Power Limited stands by the commitment given in the said Affidavit. 2. Subsequent to submission of affidavit, the in-principle approval granted to DB Power Limited under the MMDR Act is restricted only to the unsundered 540.75 Ha area.



S.No. in the Letters	Relevant Extract	Comments by DBPL
	area.	
10	Since a major and significant changed has been brought in the project plan by the DB Power Limited, the company should have made a fresh application to the MoEF and obtained fresh Terms of reference accordingly .The EIA Report should have been prepared afresh in these circumstances and disseminated prior to the Public Hearing as laid down in the EIA notification 2006. However this had not been done.	<ol style="list-style-type: none"> 1. As per the EIA Notification 2006 fresh Terms of Reference for grant of EC is required to be issued by MoEF only when the project it involves a major change in the project than what was proposed at the time of grant of TOR such as higher production capacity, involvement of a larger area and major change in the method of working. 2. The changes caused by DB Power Limited's surrender of inhabited area of Nagar Panchayat are: reduction in area, reduction in mineable coal reserves, reduction in life of mine (as the proposed production capacity remains the same) thereby reducing the extent in time of the environmental impact of mining activity. 3. In view of this the claim made in Point 10 of the letters does not stand.
11	That the residents of Dharamjaigarh were shocked when the same representatives of the company, even upon repeatedly being questioned did not read out the affidavit or make any oral assurance regarding mining within the jurisdiction of the Nagar Panchayat.	<ol style="list-style-type: none"> 1. The Affidavit was widely publicized and is a document of public record with the Office of Collector, Raigarh. 2. During the Public hearing the contents of the affidavit were well informed by the presiding officer conducting the Public hearing. 3. The observation of the honorable High Court of Chhattisgarh at Bilaspur on January 3, 2012 is of note and has been reproduced here: <i>"Therefore, prima facie, it does not appear that in the public meeting, any manipulative process was adopted by respondents no.6 and 7 or that distorted version was prepared by respondent no.3 or that in that public hearing respondents no.6 and 7 did not say anything about their undertaking given a day before the public meeting that they will not include the area of Nagar Panchayat-Dharamjaigarh for the purpose of mining."</i>
12 (i)	If the assurance of the company, based on the affidavit of a responsible officer of the	<ol style="list-style-type: none"> 1. Please see response to Point 10 of the letters. 2. The impact of the modifications due to DB



S.No. in the Letters	Relevant Extract	Comments by DBPL
	company, made publicly in the presence of government authorities was genuine, then the project required to be substantially modified and EIA Report was required to be prepared afresh. The previous EIA Report would be suppressing distorting material facts.	Power Limited's surrender of inhabited area of Nagar Panchayat has been incorporated in the final EIA Report submitted to MoEF.
12 (ii)	On the other hand, if the said assurance was made fraudulent with the intention of obtaining the consent of the people by hook or by crook then the Public Hearing itself would be vitiated by such conduct.	DB Power Limited stands by the assurance given to the people in the form of the Affidavit submitted to Collector of Raigarh by Senior Vice President (Coal Business) of DB Power Limited.
13	That in view of the above the Public Hearing conducted on 28.02.2011 should be declared illegal and void.	Based on the point wise response/comments given against this letter in this table, we submit that the claim made point 13 of the letter does not hold and that there is NO ground for declaring the Public Hearing conducted on 28.02.2011 as illegal and void. The same is best judged by your good office.

Table 2.4 Comments on the Letters written by a group of people from Dharamjaigarh to Collector Raigarh (on November 18, 2011) and MoEF (on April 15, 2011)



5. Point wise reply to the observations of the expert agency CSE on EIA/EMP of Durgapur II/ Sariya Coal Block, Dharamjaygarh allotted to M/s. DB Power Ltd. (Section-5)

Various aspects of the points raised in the analysis of the CSE was considered and the point wise comments is summarized as given below.

1. The ML area got reduced post PH to 540.750 ha from 693.326 ha. already covered in EIA/EMP report on page no3-25. of Chapter no. 3 and the land use accordingly changed which is produced below:

S. No.	Land Type	Area (Ha)
1	Private land	236.354
2	Govt land	13.997
3	Chote Jhar ke Jungle	14.971
4	Bade Jhar ke Jungle	214.595
5	Protected Forest	60.833
	Total	540.750 ha

Table 2.5 Breakup of Land in the Mining Lease Area

From the above table it can be seen that the private land is 43% of the total land and the total forest cover is 53%.

2. **Over Burden management:** Already covered in EIA/EMP report on page no. 4-24/25 of Chapter no.4 .An estimated 93.77 Mm³ of OB is proposed to be stored in external dumps (86.87 Mm³ in West Pit and 6.90 Mm³ over East Pit) before the commencement of backfilling which is to happen after the eighth year. The external over burden dumps would be temporary. The height of surface dump will remain less than 80 m up to 14th year and would reach 100 m during 15th year and reduced to 80 m again during 16th year. The entire OB would be backfilled into the voids of an area of 517.48 ha up to adjoining ground level and all OB from the external OB dumps would be re-handled and backfilled into the excavated area. A scientific study has been conducted by M/s. CIMFR, Dhanbad, a CSIR research institution which reveals the final



dump height at any point of time to go up to 100 mts in five lifts of 20 mts each and would be safe also. The backfilling is to commence from eighth year at the coal block and would be done by the conventional equipments used for mining of Over burden. Backfilling of over burden dump is considered to be a normal process and can go on parallel with the other mining operations. The cost to be incurred for backfilling shall depend on a host of factors such as the lead, rock quality, rate of HSD, wage cost etc.

The over burden generated during the mining operation before the start of backfilling shall be accommodated in the south-west portion of the mining lease area. Since the area beyond this in the southern direction consists largely of agricultural land all measures shall have to be taken to prevent damage of these agricultural land by the over burden heaps by way of wind or water erosion. Following steps are suggested to be taken in order to combat the damages:

- (a) Garland drains will be provided along the mine periphery to arrest any soil being carried away due to rain water.
- (b) The bench levels shall be provided with water gradients against the general pit slope to decrease the speed of storm water and to prevent its uncontrolled descent.
- (c) Gullies formed, if any, on the side of the benches shall be provided with check dams of local stones or sand filled bags.
- (d) Special local stone paved chutes and channels will be provided wherever required, to allow controlled descent of water from the external OB dumps.
- (e) The inactive dumps shall be planted with bushes, shrubs and trees after dumping top soil over it to prevent soil erosion.
- (f) Retaining walls (with gabion. Concrete or local stone) will be provided wherever required, to support the benches or any loose material and also to arrest the sliding of debris.

3. **Top Soil Management:** Already covered in EIA/EMP report on page no. 4-24/25 of Chapter no.4 The top soil forms the most delicate and essential part of the over burden during the course of opencast mining. This needs proper management in order to have a better utilisation in the future. Top soil shall be stored separately in an area extending not more than 2 ha within the mining lease hold. The site is totally separate and pre-identified for its storage. The average thickness of the top soil cover is not more than 0.3 mts in the entire pit area and shall be stacked in the pit head area only. Extra generation of top soil shall be utilised in two ways, part



of the surplus top soil will be used for reclamation annually whereas the rest will be stacked at the pit head for consecutive laying over the backfills.

The top soil shall be excavated by small hydraulic shovels/ front end loaders and transported by trucks/dumpers to the stack site located in between the surface dump and the pit. The height of the stack shall be kept less than 3 mts. For retaining fertility beyond one season, a vegetation cover will be created by growing local grass and shrubs over it.

4. **Impact on surface water:** Already covered in EIA/EMP report on page no. 4-6 of Chapter no.4 .The Sariya Coal Block allotted to M/s.DB Power Ltd derives its name from a tributary of the Mand River located at a distance of about 2 Kms from the southern boundary. The distance of the tributary makes it not easily amenable to any damages by water pollutants. As mitigation measures all effluents from mine, workshops and domestics shall be treated. For workshops oil water separators and desilting chambers shall be provided. In order to treat the mine water discharge it is proposed to first route the mine water through a series of settling ponds incorporating chemical dosings then finding its way into any of the natural streams. A sewage treatment plant based on Aerobic system of treatment i.e. FAB has been proposed for the treatment of sewage generated. The sewage treatment plant shall be designed to bring down the BOD to 20mg/L and the suspended solids to below 30mg/L levels. The mine will generate domestic effluents from toilet complexes which shall be treated in septic tanks/soak pit systems.
5. **Impact on Ground Water:** Already covered in Hydrogeological report given in Annx .XX of EIA/EMP report. Impact on surface water resource is envisaged as no water is planned to be drawn. However, in view of availability of ground water at shallow levels, most of water requirement is planned to be drawn from ground water (mine sump), which will have some impact on the ground water resources. A water reservoir (5.00 ha.) will be constructed towards northern part of the ML area. There is no need of diverting any Nala. A comprehensive hydrological study has conducted in line with MOEF guidelines to find out the impact of mining on the ground water regime after establishing the strata parameters. The maximum mine water seepage is estimated to be 3780 cum per day. It also needs to be understood that unlike Durgapur II/Saiya Coal Block of DB Power Ltd other coal blocks also will not have significant impacts on the ground water scenario. Meeting the domestic requirements of water through



borewells et cetera is bare minimum and all the requirements shall be met through mine seepage water which is treated and utilised.

6. **Impact on Forest and Agriculture:** Already covered in flora & fauna, wildlife conservation & management plan enclosed as Annex. XIV of EIA/EMP report. The summarized impact & management is given on page 4-28 of chapter 4. The total forest cover of the leasehold comprises of 53% of the total land. The forest land shall be diverted for non-forestry usage by the MoEF strictly in compliance with the statutes. Provisioning for Compensatory Afforestation has also been made over double degraded forest land lying within the state of Chattisgarh. This compensatory afforestation shall be carried out both in irrigated and non-irrigated category. The said afforestation program shall be carried out by the state forest department and the project proponent shall contribute to the CAMPA fund based on the prescribed rates. The major portion of the forest land comprises of 'Chote and Bade Jhar ke Jungle' category also known as the revenue forest and some protected forest also. Reserve forest falling within the 10Km radius of the study area shall remain un-touched. However one would appreciate that post mining the overall vegetation density is to increase due to massive plantation proposed with the project. As far as the agricultural land is considered falling within the mining lease area, the land owners shall be suitably compensated so that they are able to purchase double the land elsewhere and take rich harvests in the non coal bearing zones.
7. **Impact on Fauna:** A comprehensive Wild Life Conservation/Management plan prepared for the project form an integral part of the Environmental Impact Assessment on the Fauna enclosed as Annex. XIV of EIA/EMP report. The summarized impact & management is given on page 4-28 of chapter 4.. It broadly covers all the species of fauna found both in the core as well as the buffer zone. The main species covered include mammals, birds, reptiles, amphibian, fishes, reptiles, spiders and insects etc. Elephants have been considered separately and given due importance as it draws special attention owing to frequent movement of them both in the core as well as the buffer zone. The core area does not form a part of any pre-defined migratory corridor but their movement is noticed when they stray away from the corridor. A budgetary provision of Rs. 6.87 Crores has been made in the plan to take care of the expenditures in mitigating the threat to fauna both in the core as well as the buffer zone. Additional precautions as listed below are also proposed to be taken:
 - (a) Construction of boundary or fence along the mine perimeter to prevent wild animals from



straying into the mine area and getting harmed.

- (b) Establishment of green belt along the mine periphery to act as natural buffer between the surrounding area and the mine. The green belt establishment will result in small sized fauna such as squirrels, mongoose, reptiles and birds etc to find a natural habitat.
 - (c) The roads leading to and from the mine shall be having caution boards warning drivers to slow down for mammals crossings.
 - (d) Drivers shall be sensitized not to hit stray animals on the way.
 - (e) The emissions from the mine shall always be kept within the norms so that the surrounding atmosphere is always clean for human and wild life vegetation.
 - (f) Care shall be taken so that no food or degradable waste is let in the open. This could attract wild animals near to human habitation and may cause man-animal conflict.
 - (g) The company officials shall interact with the Divisional Forest Officer and take active participation in the on-going schemes for protection of wild life protection. If such schemes are going on then the company shall extend all possible support by way of monetary or logistics.
 - (h) While carrying out social welfare activities, awareness about the faunal species, their status of endangerment and awareness of their behaviour will be spread through posters/seminars etc to sensitize the villagers.
8. **Cumulative Impact on the Environment:** It is already covered in chapter no.4 of EIA/EMP report. The area in and around Dharamjaygarh consists of a few small agriculture based industries who draw their raw material from the nearby areas only. Their impact on the land, air, water, soil, noise is very less. It is agreed that as many as four coal blocks have been allotted to different companies and are likely to come in for production soon. Conservation of Biodiversity and ecology has become the most important requirement of the present day world. This is because survival of the man depends upon the biodiversity and the balanced ecosystem. Biodiversity consists of two components: richness, or taxonomic diversity, and evenness, or the distribution of individuals among taxa. Anthropogenic factors are eroding both the richness as well as evenness components of the biodiversity, jeopardizing the survival of human race itself. This realization has initiated serious efforts towards conservation of both the components of



biodiversity and ecology. One of the causes for the erosion of biodiversity and ecology has been recognized to be the mining activity. Some of the important minerals of our country are lying below the forests. Opencast mining of such areas are bound to result in the destruction or fragmentation of the habitat. Mining is required for development. Then, is the mining antithesis of development? No, it cannot be, provided sufficient measures are taken to offset the impact on biodiversity and ecology. Present account is, thus, an evaluation of the status of the biodiversity and ecology of the proposed mining lease area, and proposed offset measures to any negative impact on these.

9. **Social Impact of the Project:** Already covered in R&R plan enclosed as Annex. XXIII & summarized on page 4-31 of chapter 4 of EIA/EMP. Upon agreement with the Local Administration and subsequent grant of in-principal approval for grant of Mining Lease over an area of 540.750 ha the number of actually affected persons got drastically reduced by the project. The details village-wise are summarized as given on the next page in the table.

Village		Number of Persons	Number of Families	Number of subfamilies*
Dharamjaigarh	Displacees	70	16	26
	Only Land losers	178	52	98
	Total	248	68	124
Bayasi/Mendarmar Colony	Displacees	435	64	159
	Only Land losers	51	43	46
	Total	486	107	205
Taraimar	Displacees	244	48	98
	Only Land losers	86	53	64
	Total	330	101	162
Total	Displacees	749	128	283
	Only Land losers	542	310	389
	Total	1291	438	672

Table 2.6 Summary of Project Affected People including land losers, displacees and encroachers

Against a total of 2709 persons to be displaced now the current figures is only 1291. For the persons losing their land the Govt of Chattisgarh has through one of its guidelines issued orders for companies acquiring land at above the market rate i.e at the rate of Rs.6 Lacs (for non-cultivable land category), Rs.8 Lacs (for single crop land category) and Rs.10 lacs (for double crop land category). Extensive Rehabilitation and Resettlement Plan has been prepared for the project with a budgetary support of Rs 63.55 crores. R&R shall begin with the start of the project. A time schedule has been prepared for the implementation of R&R activities. The R&R activities have been



correlated with the mining activities. The R&R implementation has been planned for a single phase. Families from five villages viz., Dharamjaigarh, Dharam Colony, Medarmar, Bayasi/Medarmar Colony and Taraimar need to be relocated. As the expansion of the mining area would be done gradually, all the villages need not be shifted at one time. Accordingly, an implementation plan for R&R activities has been prepared spread over 3 years. Site for undertaking the Rehabilitation of the affected families has been identified and upon approval of the State level R&R Committee acquisition of land for alternative site shall begin.

10. Impact of the project on local air quality: Already covered on page no. 4-2 of chapter no.4 of EIA/EMP. Air quality is affected mainly by the air-borne dust that is due to transport of coal and over burden which increases the SPM in the ambient air. Small amount of SO₂, NO_x and CO is also produced due to blasting, fuel combustion, burning of coal etc. However there are no point source emissions. Transportation of coal from the mine site to the TPP may cause high dust pollutions if not taken care of. Following mitigation measures are suggested to combat the dust hazard:

- (a) Making good black-topped roads for internal movements.
- (b) Efficient water sprinkling system at all dust emission points as well as at all transfer points.
- (c) Movement of mineral outside the leasehold on covered trucks only.
- (d) Mechanical loading of mineral by means of bunkers.
- (e) Undertaking bulk and spot plantations.
- (f) Establishing green belt barriers against the inhabitant areas.
- (g) Incorporating dust proof cabins for the operators.
- (h) Reductions in dust emissions from HEMMs through efficient design such as use of sharp bits during drilling and also wet drilling to be done.
- (i) Gaseous pollution reduction during blasting by maintaining good oxygen balance.
- (j) Spillage prevention by optimum loading on to trucks.

11. Fugitive Emission: Flow chart indicating the specific areas generating fugitive emissions & control measures is given on 4-3 of chapter no. 4 of EIA/EMP. As estimated around 409 Million cum of Over Burden shall be produced during the life of the mine and stacked in external dumps till the start of backfill in the mine. The backfill can only begin after the eighth year once sufficient de-coaled area is available. In order to avoid the fugitive emissions arising out of these external dumps it is of utmost importance that the dump management is done in a scientific manner with due consideration to safety. Points on safe and efficient dump management have been elaborated in the Revised Mining Plan submitted for consideration before the Ministry of Coal. The external OB dumps are stabilized by proper benching and undertaking plantation work over them to prevent erosion of material.



6. Objection letters received from various individuals on the Surface Rights advertisements floated by Tehsildar of Dharamjaigarh (Section-6)

Comment on the number of objections

As per the Socio-economic Survey and Land Survey conducted by M/s Min Mec Consultancy Private Limited, the total number of PAPs (including land losers, displaces and encroachers) in the proposed Mining lease area is 1291. Total land losers are 542. These findings have been reported in the R&R Plan for Durgapur II/Sariya Coal block, prepared for DB Power Limited by M/s Min Mec Consultancy Private Limited.

Out of the total 148 objection letters attached in the Representation by group of people from Dharamjaigarh, received on the advertisements circulated by the Tehsildar of Dharamjaigarh, only 31 objection letters are from Project Affected People. Rest letters are by people from outside the proposed mining lease area. The area wise break up of the 31 individuals who are project affected and have filed their objection to DB Power Limited's Surface Rights application is shown thus:

S.No.	Project Affected area in	Number of objecting Project Affected People
1	Medharmar	05
2	Bayasi	12
3	Dharamjaigarh	01
4	Dharam Colony	13
5	Taraimar	00

Table 2.7 Location Breakup of PAPs who have raised objection to DB Power's Surface Rights application

It can clearly be seen that only 2.4 % of the total PAPs have registered their objection to the Surface Rights application of DB Power Limited. In terms of land losers only 5.7 % of the total land losers have registered their objection to the Surface Rights application of DB Power Limited.

Comment on the issues raised in the objection letters

The objection letters against the Surface Rights application of DB Power Limited in the Court of Tehsildar of Dharamjaigarh have been filed using two formats. The text of letters belonging to any format remains the same only the personal details vary within any format. Comments on the issues raised in these two formats are provided point wise in the following tables.



Comments on Format 1

S. No.	Relevant Extract	Translation	Comments by DBPL
1	<p>यह पूरा क्षेत्र ही प्राकृतिक रूप से अत्यन्त सुन्दर एवं स्वच्छ है, इस क्षेत्र में कोयला खदान के खुलने से यहाँ के पर्यावरण पर प्रतिकूल प्रभाव पड़ेगा और यहाँ के जीव जन्तुओं के अलावा हरे भरे पौधों पर भी विपरीत असर पड़ेगा।</p>	<p>This entire area is very beautiful and clean from the view point of nature. The environment of this area will be adversely affected by the opening of coal mine and the flora and fauna of this area will be adversely affected.</p>	<ol style="list-style-type: none"> 1. The pollution control measures and environment management plan envisaged in the EIA Report submitted to MoEF along with the compliance submitted by DB Power Limited to the various points raised by the EAC in its two meetings held on November 28, 2011 and April 23, 2012 along with DB Power Limited's commitment to implement all these measures will minimize the impact of the project on environment, flora and fauna of the area. 2. A detailed Wild Life Conservation plan worked out for the core zone (coal block area) and the buffer zone in 10 km radius of the applied mining lease area suggests several measures for the conservation of flora and fauna in the 15 km radius buffer zone. INR 6.87 crores have been earmarked for implementation of these conservation strategies. 3. As per the compliance submitted to MoEF in response to your letter dated May 18, 2012, it has been submitted that the company will reclaim the entire backfilled area of the mine with plantation consisting of native species such as Sal, Mahua, Palas, Neem, Siris, Acacia, Mango etcetera. 4. DB Power Limited will also engage in Compensatory Afforestation in 580.798 Ha of degraded forest land to make



S. No.	Relevant Extract	Translation	Comments by DBPL
			up for the loss of forest cover due to proposed mining activities. 5. In view of the above points, the objection raised in this point does not hold.
2	साथ ही हमारी कृषि भूमि भी नष्ट हो जाएगी जिससे हमारे परिवार के सामने भूखों मरने की नौबत आ जायेगी।	Our agricultural land will be destroyed due to which our families will face starvation.	1. Agricultural land will be damaged ONLY in the proposed mining lease area for which the land losers will be compensated as per the Government norms. 2. Appropriate measures have been recommended in the EIA EMP Report of DB Power Limited to reclaim the de-coaled area and restore the land to pre-mining land use to the extent possible. 3. PAPs will be resettled and rehabilitated as per the Chhattisgarh Government's Model R&R Policy of 2007 and the company proposed R&R Plan. 4. In view of the above points, the objection raised in this point does not hold.
3	इस आपत्ति पत्र के साथ मैं श्रीमान जी से निवेदन करता हूँ कि मे डी. बी. पावर लिमिटेड भोपाल दुर्गापुर-II/सरिया कोल ब्लॉक की खनिज कोयला के खनिज पट्टा (अनुज्ञप्ति पत्र) माँग पत्र को निरस्त करने की कृपा करें।	With this objection letter I request the Tehsildar to cancel the Mining Lease Application of M/s DB Power Limited Bhopal.	Does not hold in view of the above points.

Table 2.8 Comments on Format 1 of Objection Letters



Comments on Format 2

S. No.	Relevant Extract	Translation	Comments by DBPL
1	जारी ईशतहार में 540.750 हे. भूमि में 23.150 हे. भूमि निजी दर्शाया गया है तथा 517 हे. भूमि शासकीय दर्शाया है उक्त 517 हे. भूमि में छोटे-झाड़ व बड़े-झाड़ का जंगल है यह पूरा क्षेत्र प्राकृतिक रूप से सुन्दर स्वच्छ है जो पूर्णतः नष्ट हो जायेगा। अतः आपत्ति है।	Released advertisement shows that 23.150 ha. Land out of the total 540.750 Ha land is private land. 517 Ha land has been shown to be Government Land. There are Chhote Jhaad and Bade Jhaad Jungles on this 517 Ha land. This entire area is very beautiful and clean from the view point of nature and will be completely destroyed. Hence I have objection.	<ol style="list-style-type: none"> 1. The comment is misleading. Exact land distribution (private, government, CJ-BJ and protected forest) has been given in Chapter 1 Table 1.9 of the EIA Report. 2. The advertisements by Tehsildar do not cover the entire project area and do not mention the Government land at all. 3. Government and Forest land will be handed over once Mining Lease is signed which in itself will be signed only after both Environmental and Forest Clearance are obtained. 4. Government Land is only 13.997 Ha of the total proposed area and is separate from the forest land. 5. Forests cover is present only in 290.399 Ha of the proposed mining lease area of which 14.971 Ha is CJ (Chhote Jhaad Jungle), 214.595 Ha is BJ (Bade Jhaad Jungle) and 60.833 Ha. Is Protected Forests. 6. In view of this and response to Point 1 in Table 2.8 above the objection does not hold.
2	यह कि शासकीय भूमि 517 में लगभग 130 हे. भूमि बंगाली विस्थापितों को आबंटित है इन विस्थापित परिवार पिछले 60 सालों से उक्त भूमि पर अपना खेती बाड़ी कर	That out of the 517 Ha land about 130 Ha land has been allocated to Bengali displacees. These displaced families have been cultivating these lands for the past 60 years to earn a living. They will be displaced again. Hence I have objection.	<ol style="list-style-type: none"> 1. Government land is only 13.997 Ha of the total proposed area. 2. DB Power Limited submits in the spirit of its commitment to due process and the existing laws of the land that in fact the Bengali displacees have been allocated 173.425 Ha land out of the total 213.514 Ha non-



S. No.	Relevant Extract	Translation	Comments by DBPL
	जीविकापार्जन करते हैं अतः बंगाली परिवार फिर से विस्थापित हो जायेंगे। अतः आपत्ति है।		tribal private land. 3. However, DB Power Limited is treating the Bengali displaced families at par with other PAPs as per the directive stated in letter no. एफ-7-123/28/पुन./06 dated November 27, 2010 of Chhattisgarh Government's Land Revenue and Disaster Management Department. Letter is placed with this document as Annexure VII . 4. As per the above referenced letter, all the project affected Bengali families will be rehabilitated and resettled as per Chhattisgarh Government's Model R&R Policy of 2007 and the company proposed R&R Plan.
3	यह कि मांगी गई 517 हे. शासकीय भूमि में नगर पंचायत क्षेत्र के वार्ड क्रमांक-01, 02, 07, 05, 08, 10 वार्ड पूर्णतः प्रभावित हो जायेंगे तथा नगर पंचायत का अस्तित्व पूर्णतः खत्म हो जाएगा अतः उक्त मांगी गई शासकीय भूमि को डी बी पावर को न दिया जाये।		1. The advertisements by Tehsildar do not mention the Government land at all. 2. Government Land is only 13.997 Ha of the total proposed area and has not been applied for through the Surface Rights application advertized. 3. As per the affidavit submitted by Senior Vice President (Coal Business) of DB Power Limited, at no point of time shall DB Power Limited engage in any mining activity in the inhabited area Nagar Panchayat thereby leaving the Nagar Panchayat intact. The affidavit is enclosed as Annexure V. 4. Consequently the objection does not hold.
4	शासकीय भूमि 517 हे. में स्पष्ट उल्लेख नहीं है कि कितनी जमीन बड़े झाड़ की	It has not been stated as to what area of 517 Ha Government land is occupied by Bade Jhaad ka Jungle. Hence in 517 Ha	1. Government Land is only 13.997 Ha of the total proposed area and is separate from the forest land. 2. The proposed mining lease



S. No.	Relevant Extract	Translation	Comments by DBPL
	जंगल है। अतः 517 हे. में लगभग 150 हे. भूमि बड़े झाड़ के जंगल हैं जिसमें जंगली जानवर-हाथी, भालू, कहट, हिरन विचरण करते हैं जो मूलतः नष्ट हो जावेगा। वन जीव संरक्षण अधिनियम का उल्लंघन होगा।	land about 150 Ha land is Bade Jhaad ka Jungle in which wild animals like elephants, bear, deer et cetera roam and which will basically be destroyed. Wildlife Protection Act will be violated.	<p>area has BJ (Bade Jhaad Jungle) on 214.595 Ha land.</p> <p>3. A detailed Wild Life Conservation plan has been worked out for the core zone (coal block area) and the buffer zone in 10 km radius of the applied mining lease area suggests several measures for the conservation of flora and fauna in the 15 km radius buffer zone.</p> <p>4. The plan is under consideration of PCCF (WL) Raipur.</p> <p>5. Special attention has been given to impact mitigation, conservation practices, habitat restoration, plantation, water availability for wildlife and general awareness in local community so that the conservation effort can take the form of a participatory community based project supported financially by DB Power Limited and administered by the competent Forest Authority.</p> <p>6. As per the Wildlife Conservation Plan, INR 6.87 crores have been earmarked for conservation of wildlife through myriad measures.</p> <p>7. A copy of the Wildlife Conservation Plan of DB Power Limited is already with your good office. It describes the measures DB Power Limited commits to undertake for Wildlife Conservation at length.</p> <p>8. The issue of Elephants will be addressed by implementing the measures suggested in the presentation made to the EAC</p>



S. No.	Relevant Extract	Translation	Comments by DBPL
			<p>on April 23, 2012 and through the INR 30 lakh Habitat Restoration Program for elephants as suggested by the EAC and committed for compliance by DB Power Limited (as per our compliance response to your letter dated May 18, 2012, the response being submitted in conjunction with this document).</p> <p>9. The Wild Life Protection Act 1972 (amended in 2003) and any other law of the land will NOT be violated at ANY point of time by DB Power Limited.</p>
5	<p>मांगी गई 540.750 हे. भूमि में तथा डी. बी. पावर के खुल जाने से लगभग 41000.00 हजार लोग बेघर हो जायेंगे।</p>	<p>The 540.750 Ha land applied for and the opening of DB Power will render 41000 thousand people homeless.</p>	<p>1. As per the Socio-economic Survey and Land Survey conducted by M/s Min Mec Consultancy Private Limited, the total number of PAPs (including land losers, displacees and encroachers) in the proposed Mining lease area is 1291.</p> <p>2. Of these only 749 will be displaced due to the project.</p> <p>3. All the displaced people will be resettled and rehabilitated as per Chhattisgarh Government's Model R&R Policy of 2007 and company proposed R&R Plan.</p> <p>4. Land losers will be compensated as per the prevalent Government norms.</p> <p>5. Hence the objection does not hold.</p>
6	<p>मांगी गई भूमि में स्कूल, कालेज, गिरजाघर, मंदिर कब्रस्थान, शमशान घाट पूर्णतः प्रभावित होंगे तथा कई रोजगार उन्मुखी विद्यालय जैसे</p>	<p>The schools, colleges, church, temples, cemetery and crematorium in the applied land area will be completely affected and many vocational institutions like ITI, Aanganwadi Training</p>	<p>Based on the Summary of Loss of Community Assets given in R&R Plan for Durgapur II/Sariya Coal block:</p> <p>1. Only 1 primary school will be affected by the project.</p> <p>2. Colleges, church, cemetery and crematoriums will not be</p>



S. No.	Relevant Extract	Translation	Comments by DBPL
	आई.टी.आई., आगनबाड़ी प्रशिक्षण केन्द्र पूर्णतः नष्ट हो जावेगा। अतः आपत्ति है।	Center will be completely destroyed. Hence I have objection.	<p>affected as they lie much beyond the Mining Lease area.</p> <p>3. ITI and Aanganwadi Training Centers et cetera will not be affected.</p> <p>DB Power has in fact adopted ITI Dharamjaigarh. Details of the work done by DB Power Limited for the betterment if ITI is summarized in CSR Document attached in Annexure VIII.</p> <p>In view of all this, the stated objection does not hold.</p>

Table 2.9 Comments on Format 2 of Objection Letters



7. Letter dated December 05, 2011, addressed to the Governor of Chhattisgarh (Section-7)

Comments on the Letter

S. No.	Relevant Extract	Translation	Comments by DBPL
1	भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना के तहत मेसर्स डी बी. पावर लि. द्वारा मेढरमार धरमजयगढ़ में 2.0 मिलियन टन प्रतिवर्ष कोयले के उत्पादन हेतु कोयला खदान की स्थापना के पर्यावरणीय स्वीकृती हेतु जन सुनवाई दिनांक 28/02/2011 दिन सोमवार को ग्राम मेढरमार तहसील धरमजयगढ़ के स्कूल मैदान में 100 प्रतिशत विरोध के साथ संपन्न हुआ है।	The Public Hearing of M/s DB Power Limited's proposed coal mine of 2.0 MTPA coal production capacity, under the EIA Notification of Ministry of Environment and Forest, Government of India was held on school grounds of Medharmar Village in Dharamjaigarh tehsil on February 28, 2011 with 100 % objection (by the locals).	<ol style="list-style-type: none"> 1. Agreed. 2. However since then the scenario has changed immensely. Owing to the CSR works carried out by DB Power Limited, clarification on leaving the entire inhabited area of Dharamjaigarh Nagar Panchayat and the general conduct of the company representatives in the area, we have been able to acquire, through due process, 17.66 acres of land in the proposed mining lease area through direct purchases. 3. 50 local people have been employed in DB Power Limited's Dharamjaigarh operations. 4. People have come forward and expressed support in various ways. 5. Some letters in support for DB Power Limited have been enclosed with this document as Annexure I.
2	संबंधित व्यक्तियों तक पहुँच हेतु जारी ड्राफ्ट ई आई ए प्रतिवेदन एवं पर्यावरण प्रबंधन योजना कंपनी द्वारा जिस एजेंसी से तैयार कराया गया है वो तथ्यों से परे एवं आम जनता भूस्वामी किसानों को दिग्भ्रमित करने वाला	<p>The agency employed by the company for preparation of the EIA EMP Report released for outreach to related people has been beyond facts and has been misleading for the common people and landowner farmers.</p> <p>OR</p> <p>The EIA EMP report prepared by the company through an agency has been</p>	<ol style="list-style-type: none"> 1. The EIA EMP Report was prepared by MoEF recognized agency M/s Min Mec Consultancy Private Limited. 2. The comments made in the letter regarding EIA Report are too general to provide any specific response. 3. However it is submitted here that the EIA Report under consideration at MoEF complies by the Terms of



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	रहा है।	beyond facts and has been misleading for the common people and landowner farmers.	Reference (TOR) issued to DB Power Limited. This compliance has been illustrated point wise in the beginning of the EIA Report.
3	महोदय खदान के प्रारम्भ होते ही ब्लास्टिंग होगा एवं कोयला परिवहन से इतना प्रदूषण होगा कि हम स्वयं अपना आशियाना छोड़ने को मजबूर होंगे।	Sir blasting will be done as soon as mine is opened and coal transport will cause so much pollution that we will be forced to leave our home(s).	<ol style="list-style-type: none"> 1. DB Power Limited commissioned a scientific study from CIMFR on February 9, 2012 for design of safe blasting parameters for conducting blasting in the mining lease area and to recommend controlled blasting techniques so that the structures in vicinity of the mining lease area are not damaged and there is no loss of life and/or property. 2. CIMFR Scientists visited the project area on March 22, 2012 and conducted a two day study resulting in a Controlled Blasting Study Report which was provided to DB Power Limited by CIMFR. 3. A copy of the report is enclosed as Annexure VI. 4. It is our submission that all blasting will be done in accordance with the parameters, techniques and measures recommended in the report and the laws and rules laid down by competent authority. 5. Besides this, the EIA Report suggests a number of measures to mitigate the impact of blasting (in terms of noise, vibration et cetera) and coal transport. All these measures will be implemented by DB Power Limited.



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			6. Hence the objection does not hold.
4	वेस्ट सामग्री से हमारे आसपास की भूमि की उर्वरता एवं उत्पादकता कम होगी।	Waste material will reduce the fertility and productivity of the land in our vicinity.	<ol style="list-style-type: none"> 1. The EIA Report has been prepared keeping in mind the core zone (mining lease area) and the buffer zone (in 10 km radius from the core zone). 2. The EIA Report provides specific solutions for mitigation of pollution caused by waste material. 3. An implementation strategy for these measures has also been formulated and presented in the report. 4. Agricultural land will be damaged ONLY in the proposed mining lease area for which the land losers will be compensated as per the Government norms. 5. Appropriate measures have been recommended in the EIA Report of DB Power Limited to reclaim the de-coaled area and restore the land to pre-mining land use to the extent possible.
5	मशिनों के सोर से जीव जन्तुओं एवं पालतू पशुओं पर प्रतिकूल प्रभाव पड़ेगा।	Noise pollution due to machines will adversely affect wild and domestic animals.	Appropriate measures have been suggested in the EIA Report to mitigate Noise Pollution and will be implemented by DB Power Limited.
6	खनन उद्योग से विभिन्न प्रकार की बीमारियों का खामयाजा सबको भुगतना होगा।	Everyone will fall victim to different types of ailments due to mining industry.	<ol style="list-style-type: none"> 1. Appropriate pollution control measures have been suggested in the EIA Report. 2. DB Power Limited is committed to implementation of these measures. 3. Special consideration has been given to Occupational Health (and safety) in the EIA Report. Hence the possibility of ailments is low.



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			<p>4. In addition, DB Power Limited is already constructing a 30 bedded hospital near the Project Area (as part of its CSR activities) for the general health and medical care of the locals.</p> <p>5. The company is also running a free of charge ambulance service for speedy transport of medically critical individuals and the locals have been using the service as and when required.</p>
7	इन सबका समाधान जो ई आई ए रिपोर्ट में दर्शाया गया है वो न्यायोचित नहीं है।	The solutions given in the EIA Report for these problems are unjust.	This claim is best judged by your good office.

Table 2.10 Comments on the letter dated December 5, 2011, addressed to the Governor of Chhattisgarh



List of Annexures of Part-III

The list of Annexures is given below:

1. Annexure I: Some Letters in Support of DB Power Limited
2. Annexure II: Interim order of the Honorable High Court of Chhattisgarh at Bilaspur vacating the stay on EC Process of DB Power Limited
3. Letter from General Manager (Mining) to PCCF (WL), Raipur stating various provisions made in the Wildlife Conservation Plan for Durgapur II/Sariya Coal Block
4. Receipt of the 13 copies of EIA Report provided by DB Power Limited to the CECB for the purpose of Public Hearing as per EIA Notification 2006.
5. The Affidavit submitted by Senior Vice President (Coal Business) of DB Power Limited towards surrendering the inhabited area of Dharamjaigarh Nagar Panchayat.
6. Controlled Blasting Study Report for Durgapur II/Sariya coal block prepared by CIMFR Scientists
7. Letter dated November 27, 2010 from the Department of Land Revenue and Disaster Management, Chhattisgarh Government regarding treating Bengali families at par with other PAPs
8. The ITI Dharamjaigarh Success Story

