

STATE EXPERT APPRAISAL COMMITTEE (SEAC): ASSAM
3RD FLOOR, STATE POLLUTION CONTROLBOARD, ASSAM,
BAMUNIMADAM, GUWAHATI- 781021
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Minutes of the 8th SEAC Meeting (1st Sitting) of the State Expert Appraisal Committee (SEAC), Assam held on 30th April, 2024 from 10.00 AM to 1.00 PM in the Conference Hall, PCBA, Assam.

List of the Hon'ble Members / Officials present in the meeting:

<i>Sl no.</i>	<i>Name</i>	<i>Designation</i>	<i>Signature</i>
1	<i>Sri Jatindra Sarma, IFS (Retd.)</i>	Chairman	Sd/-
2	<i>Sri. Arup Barpujary</i>	Member	Sd/-
3	<i>Dr. Bijoy Sankar Goswami</i>	Member	Sd/-
4	<i>Dr. Rahul Mahanta</i>	Member	Sd/
5	<i>Dr. S.K. Dutta</i>	Member Secretary	Sd/-

At the very outset, the Member Secretary, SEAC welcomed the Hon'ble Chairman and all the Members of the Committee. He briefed the house about the agenda for the meeting as circulated and requested the esteemed members for their thorough participation and deliberation to expedite the process of disposal of the cases for onward processing at the level of SEAC and also the SEIAA, as the case may deserve, for timely consideration and disposal in terms of the timeline fixed for each category of the project.

As per the agenda, the august committee duly reviewed the Minutes of the Meetings (1st Sitting and 2nd Sitting) held on 28.3.2024 and ratified the minutes.

As per the agenda for the 1st Sitting, the august committee duly deliberated, discussed and made appraisal and furnished their opinion / views which were unanimously accepted, as pointed out against each of the agenda items, quoted here under:

**1. Dora Nala Minor Mineral Unit (Stone) proposed by Purnam Deb (SIA/AS/MIN/448709/2023)
SEIAA. 3578/2023**

Resolution 8/1:

This is a proposal, named as **Dora Nala Minor Mineral Unit (stone)** for river bed mining of stone proposed by Sri Purnam Deb, falling under the jurisdiction of Cachar Forest Division, Silchar. The approved project area for mining is **4.95 ha** with the recommended quantity of **1,37,298 Cu M** of stone for **5 years**. The proposed mining area which starts from the confluence of the river Madhura stretches over a length of nearly **4.5 km** up the hill meandering through the forests. The mining plan was prepared by the Registered Qualified Person (RQP) Sri Prabal Goswami. The mining plan was approved by the Director, Geology and Mining, Govt of Assam vide letter dated 22.09.2023 and was accepted by the DFO with recommendation on 07.10.2023. The Letter of Intent (LoI) in favour of the Proponent was issued on 16.08.2023.

On scrutiny of the proposal it revealed that there was no recommendation from the Water Resources' Department. The Geo-tagged photograph of the RQP with the project Proponent is also not uploaded. The KML file relating to the project was also examined and keeping in view the location of proposed



Project and the surrounding environment it was decided to have an inspection of the proposed mining area and its study on likely impact on the surrounding environment due to mining by a sub-Committee of the SEAC as envisaged under paragraph 5(d) of the Environment Clearance Regulation, 2006. The sub-Committee of the SEAC so constituted will undertake site inspection and submit report with observations, suggestions and recommendations. The sub-Committee is comprising of 3 (three) members; the Chairman, SEIAA with a request for presence of the RQP responsible for preparation of the mining plan during the time of inspection and study. The august sub-Committee have caused an inspection of the area in presence of the RQP, officials representing the Proponent were present on 23.12.2023. The report in question as submitted to this effect on 28.03.2024 by the sub-Committee is reproduced below in *verbatim* for deliberation and appraisal by the SEAC.

Inspection report of Dora Nala Minor Mineral Unit (stone)

Shri Purnam Deb (Project Proponent), SIA/AS/MIN/448709/2023 applied for EC for proposed “Dora Nala minor mineral unit (stone)”. Subsequently, the Chairman, SEAC vide order No. SEIAA.1489/2020 dtd. 04.12.2023 constituted a Committee with four (4) Members of SEIAA and SEAC for a visit to site of the proposed plant. The joint team comprised of the following members:

1. **Sh Rajesh Kemprai, Chairman, SEIAA, ASSAM**
2. **Dr. Bijoy S. Goswami, Member, SEAC**
3. **Dr Raza Rafiqul Hoque, Member, SEAC**
4. **Dr Shantanu Kumar Dutta, Member Secretary, SEAC**

All the members visited the Dora Nala and the surrounding areas on December 23, 2023 wherein a number of officials representing the Project Proponent as well as Shri Prabal Goswami, RQP were available during the site inspection.

Observations:

- a) The Project Area as allotted is measuring 4.95 Ha with the recommended quantity of **137298cu.m River bed stone** in 7 (Seven) years as per the approved Mining Plan @ **19614 cu.m Stone**, annually. The Mining Plan was prepared by the Registered Qualified Person (RQP) Shri Prabal Goswami and it was approved by the Director, Geology and Mining, Govt. of Assam vide letter dated 04.05.2023.

This Mine Plan is prepared for 7 (Seven) years, as proposed by the Directorate of Geology and Mining, Government of Assam (See 5(1), AMMCR, 2013). From the documents made available with the application form by the PP, it is observed that the Joint Director, Directorate of Geology, Assam certified that *“The location of the mining area, as has been recommended by the Department of Environment and Forest, Government of Assam, for collection of river bed stone. The proposed site is not within any protected area under Archaeological, Religious, Cultural heritage or defence Establishments. By opening a time bound river bed stone quarry as proposed, the surrounding area will be benefitted by both direct and indirect generation of employment opportunities to the local people and thereby growth of economic activities”*.

- b) The Committee members observed that Dora Nala is a tributary of the river Madura. There is no approach road to Dora Nala directly but one can reach Dora Nala on foot by crossing the Madura river in the lean season. If mining is allowed in the Dora Nala, it would be possible to reach the mining bed only in the lean period as the movements of all the heavy vehicles including mining



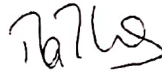
machineries. Dora Nala and the Madura river confluence point, which will be the only approach point to the proposed mining area in Dora Nala is shown in photographs (Photo 1 & 2).

- c) The Committee walked about 1 KM towards upstream of the Dora Nala and observed big boulders of stone along the river bed. (Photo 1, 2, 3, 4 & 6).
- d) It is observed that the Dora Nala is surrounded by forest areas and there were dense forests all along the both sides of the river bank (Photo 1, 2, 4 & 5).
- e) The visiting team did not notice any ongoing activity of the collection/extraction of stones from the Dora Nala. It was apparent that stones were earlier extracted from the confluence point of Dora Nala and the Madura river as there were few stones left in the Madura river for mining. There were evidences of mining of stone from Dora Nala near the confluence point of Dora Nala and Madura river (Photo 6).
- f) The Committee also noted that Government earlier allotted 99456.24 Cu.m of stone for Government Development works during the period 14.01.2019 to 13.01.2021 from Dora Nala. However, the visiting team could not access whether there was any mining happen in Dora Nala earlier.
- g) The confluence point of Dora Nala and Madura river is falling under the Madura river catchment area, which covers the Barail Wildlife Sanctuary.



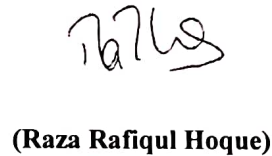
(Rajesh Kemprai)
Chairman

SEIAA



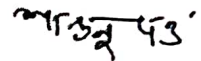
(Bijoy S. Goswami)
Member

SEAC, Assam



(Raza Rafiqul Hoque)
Member

SEAC, Assam



(Shantanu Kr. Dutta)
Member Secretary

SEAC, Assam

On careful perusal of the report submitted by the SEAC, revisit of the KML file for the project and further deliberation it emerged that the entire area in question forms the catchment area of Madhura river with dense vegetation in the hillock across both sides of the Dora Nala which is meandering down the hill joining the Madhura river. The other side up the hillock is Barail WL Sanctuary. The area apparently is very fragile and any intrusion through the existing luxuriant forests for mining purposes shall destroy the very fabric of the existing ecosystem of the area and shall have far reaching ramifications in terms of maintenance of the existing flora and adverse impact on the faunal diversity of Barail WL Sanctuary. Needless to point out that the Dora Nala, Thaikul Nala are forming the most important catchment area for the river Madhura and allowing mining activity will have adverse impact and their restoration, remedial measures will not be feasible.

Under paragraph (f) of the report, on perusal, it transpires that though mining in the past were allowed during 2019-2021, but the sub-Committee, SEAC could not ascertain during their inspection if at all such activity had taken place in the area.



A reference to the Case No. : PIL/14/2020 (Himadri Adhikari Bakshi and Anr- Vs-The State of Assam and 6 Ors) have also been made and placed on record. The instant Case was disposed of by the Hon'ble Gauhati High Court on 25.05.2023 whereby it was directed that *“ In any event, in the present PIL, there is no challenge to the mining leases granted for these two locations, i.e. Dora Nala and Thaikul Nala. Hence, requiring the respondents to ensure by proper monitoring that the mining activities of Dora Nala and Thaikul Nala quarries are carried out strictly within the confines of the concession area and that no illegal mining activities are permitted in the Madhura River bed,.....”*

It is on record that the Hon'ble Court had passed an Order in the aforesaid case dated 17.02.2022 whereby a team of 2 (two) Lawyers was appointed comprising of Learned Counsel Sri Preetom Mahanta and Learned Counsel Sri Mrinmoy Khatanar to survey the areas namely Dora Nala and Thaikul Nala based on the allegations of the petitioner in the aforesaid PIL No.14/2020. The Committee had visited the areas in question during 2nd Week of March of 2022 and, on record, had submitted their detailed report of verification with the factual position.

Be that as it may, after due deliberation and discussions the Committee is not convinced to recommend for grant of the EC by the SEIAA because of the reasons explained in the foregoing paragraphs. The Committee felt it expedient that the concerned DFO should have thoroughly studied the records of the case, personally verified the area in question before going ahead with the sale process and proposing for mining in the area.

While the area is covered by vegetation of evergreen nature the same is to be treated as forest for all purposes and any activity like mining, a non-forestry activity, within the area shall undoubtedly require Forest Clearance under the FC Act,1980 besides the EIA study in terms of the Notification dated 14.09.2006 issued by the MoEF and CC, GoI.

2. Sukhchar Part I Patta Land Ordinary Clay Mining Permit Area On Brahmaputra River Bed proposed by Roish Mollah (SIA/AS/MIN/437137/2023) SEIAA. 3579/2023.

Resolution 8/2:

This is a proposal for mining of Ordinary Clay in the patta land permit area falling in the river bed of Brahmaputra proposed by Sri Roish Mollah under Dhubri Forest Division. The matter was discussed in the 4th SEAC meeting and EDS raised.

The Resolution taken in the meeting is reproduced below for recapitulation.

Resolution 4/17:

The Project Area as allotted is measuring 0.55 Ha with the Mining area approved being 0.55 Ha with the recommended quantity of 10,738 Cu M of Ordinary clay in 1 (One) year as per the approved Mining Plan. The Mining Plan was prepared by the Registered Qualified Person (RQP) Sri Prabal Kr Goswami and the proposed mining area was visited by the RQP while the same was approved by the Director, Geology and Mining, Govt of Assam vide letter dated 23.11.2022. The District Commissioner had recommended for the grant of the EC for the proposal allowing extraction vide letter dated 30.12.2022. Status of land had also been furnished by the Circle Officer on 24.02.2023.

Necessary documents submitted in support of the proposal regarding ownership, possession of land in question, NOC by the land owner are examined and appraised. Due discussions and deliberations is held by the SEAC.

On careful scrutiny of the papers connected with the case it revealed that:

1. *apparently the status / classification of the plot of land need to be ascertained clearly by the competent Revenue authority and accordingly be submitted,*
2. *the Registered Deed of Agreement from the Sub- Registrar Office regarding the NOC by the joint land Patta holders giving authority to the proponent for allowing removal of minerals is found wanting which need to be submitted,*

The Committee is of the opinion that above documents / information are required to be furnished accordingly for consideration by the Committee in due course.”

The project Proponent has furnished the relevant papers as called for and the same are placed for deliberation and appraisal by the SEAC.

The Committee after due discussions and deliberation are of the opinion for recommending grant of the EC in favour of the Proponent for **10,738 Cu M Ordinary Clay for 1 (one) year** by the SEIAA following the conditions as quoted hereunder:

1. This is subject to the conditions that the proponent shall have to strictly follow all terms and conditions laid down in the approved mining plan.
2. This is also subject to the conditions that: (a) mining shall be confined and limited to the area falling within the GPS coordinates; (b) the Proponent shall extract the approved quantity of mineral indicated herein with maximum mining depth of up to 2 (two) meters only from the non-mined surface and (c) the Proponent shall also invariably obtain the copy of latest CTE/CTO from the PCB, Assam.
3. The Divisional Forest Officer shall ensure due vigilance in the mining area to avert any kind of irregularities / illegalities during the mining period.
4. The DFO shall also ensure marking the boundary of the mining site on the ground fixing permanent concrete pillars, painted yellow with the Geo coordinates depicted there in on the pillars/posts, following the GPS coordinates mentioned in the approved mining plan.

3. Na-pani Cheklangso Anglong P.P. Land Stone Quarry proposed by Sri Raju Engjai (SIA/AS/MIN/454177/2023) SEIAA. 3655/2023

Resolution 8/3:

This is a proposal for mining of stone in the P P Land Stone Quarry proposed by Sri Raju Engjai under DFO, Karbi Anglong East Division.

The Resolution taken in the meeting is reproduced below for recapitulation.

Resolution 6/3:

The Project Area as allotted is measuring **1.40 Ha** with the recommended quantity of **30,000 cu.m Sand in 2 (two) years** as per the approved Mining Plan @ **15,000 cum Stone**, annually. The Mining Plan was prepared by the Registered Qualified Person (RQP) Dr Abhijit Bora and the proposed mining area was visited by the RQP while the same was approved by the Director, Geology and Mining, Govt of Assam vide letter dated 09.10.2023. The DFO, Karbi Anglong East had requested for the grant of the EC for the proposal allowing extraction vide letter dated **10.11.2023**. It is on record that the authority in the Karbi Anglong Autonomus Council had accorded its permission for creation of Pattaland Quarry vide its letter dated **14.03.2023** and the Letter of Intent was issued in favour of the Proponent on **18.04.2023**.



All relevant records pertaining to case is placed for perusal and appraisal by the Committee. After due discussions and deliberation the Committee decided to have first hand information about the proposal by using Drone technology of the proposed mining area to ascertain the factual position in respect of vegetation in and around the project area.

It was decided that the proposed area be visited by an officer not below the rank of a Forest Ranger to be accompanied by the RQP, the Proponent and to survey the area using Drone. The video footage of the mining area, adjacent area around the proposed mining site shall accordingly be submitted."

Accordingly, the DFO Karbi Anglong East Division conducted a Drone survey of the area, with a report and the Video which are placed before the Committee for perusal and appraisal. On perusal of the report it is abundantly clear that the area is not falling within any catchment area and nor within the Eco Sensitive Zone of the KNP and TR. The mining operation will not entail felling of trees in the area. The Committee after careful consideration of the entire facts is of the opinion for allowing **30,000 Cu M** of stone from the area in **2 (two) Years @ 15,000 cum Stone**, annually and recommend the SEIAA for grant of the EC accordingly.

1. This is subject to the conditions that the proponent shall have to strictly follow all terms and conditions laid down in the approved mining plan.
2. This is also subject to the conditions that: (a) mining shall be confined and limited to the area falling within the GPS coordinates; (b) the Proponent shall extract the approved quantity of mineral indicated herein with maximum mining depth of up to 2 (two) meters only from the non-mined surface; (c) the Proponent shall also invariably ensure that no trees are felled and (d) no explosives shall be used without the proper authority from the competent authority.
3. The Divisional Forest Officer shall ensure due vigilance in the mining area to avert any kind of irregularities / illegalities during the mining period.
4. The DFO shall also ensure marking the boundary of the mining site on the ground fixing permanent concrete pillars, painted yellow with the Geo coordinates depicted there in on the pillars/posts, following the GPS coordinates mentioned in the approved mining plan.

The meeting ended with vote of thanks to the Chair.



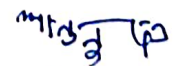
Chairman
SEAC, Assam
Dated 16 / 05 / 2024

Memo No. SEIAA.33/2013/Pt.-I

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Copy to:

- 1) All Members, SEAC, Assam for favour of their kind information.
- 2) The Member Secretary, State Environment Impact Assessment Authority (SEIAA), Assam for favour of kind information and necessary action.
- 3) The DFOs of various Forest Divisions for their information and needful compliance.
- 4) Accountant cum Cashier of the office of the SEIAA, Assam for his information.
- 5) Office copy for each proposal in question.



Member Secretary
SEAC, Assam