



File No: EN/T-II-I/171/2024

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA),
WEST BENGAL)



Dated 23/10/2024



To,

RAKHAL MAHATO

Village - Baghuashol, Post office - Andharia, Police Station - Binpur, District - Jhargram, West Bengal,
Pin - 721 504. , Baghuashol, Jhargram, WEST BENGAL, , 721504

rakhalmahato2021@gmail.com

Subject: Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding.

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project Gopiballavpur – II Sand Block MGB - 9 submitted to Ministry vide proposal number SIA/WB/MIN/495588/2024 dated 06/09/2024.

2. The particulars of the proposal are as below :

(i) TOR Identification No.	TO24B0107WB5620388N
(ii) File No.	EN/T-II-I/171/2024
(iii) Clearance Type	TOR
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Gopiballavpur – II Sand Block MGB - 9
(viii) Name of Company/Organization	RAKHAL MAHATO
(ix) Location of Project (District, State)	Jhargram, WEST BENGAL
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-1(Part A and B) were submitted to the Ministry for an appraisal by the State Environment Impact Assessment Authority (SEIAA) in the Ministry under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by State Environment Impact Assessment Authority (SEIAA) in the meeting held on 30/09/2024. The minutes of the meeting and all the Application and documents submitted [(viz.

Form-1 Part A, Part B, Part C EIA, EMP)] are available on PARIVESH portal which can be accessed by scanning the QR Code above.

5. The SEIAA, in its meeting held on 30/09/2024, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of Terms of Reference under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of specific and general conditions as detailed in Annexure (1).
6. The SEIAA has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the State Expert Appraisal Committee (SEAC) hereby decided to grant Terms of Reference for instant proposal of M/s. Rakhal Mahato under the provisions of EIA Notification, 2006 and as amended thereof.
7. **Potential impact study in the EIA should be done considering the cumulative effect of all the mines in the cluster situation, if any.**
8. The Ministry reserves the right to stipulate additional conditions, if found necessary.
9. The Terms of Reference to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. **The ToR is valid for a period of 4 years from the date of issue. EIA/EMP to be submitted before the expiry of the ToR for consideration of EC applications.**
11. This issues with the approval of the Competent Authority.

Annexure 1

Specific Terms of Reference for (Mining Of Minerals)

1. A. Standard Terms Of Reference

S. No	Terms of Reference
1.1	1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994. 2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given. 3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee. 4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone). 5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics. 6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.

S. No	Terms of Reference
	7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report. 8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided. 9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period. 10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given. 11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given. 12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees. 13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished. 14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated. 15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given. 16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted. 17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished. 18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

S. No	Terms of Reference
	19. Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered. 20. Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority). 21. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectorial programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report. 22. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given. 23. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map. 24. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated. 25. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided. 26. Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided. 27. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided. 28. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished. 29. Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out. 30. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same. 31. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form

S. No	Terms of Reference
	(indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution. 32. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines. 33. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report. 34. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report. 35. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed. 36. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations. 37. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation. 38. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project. 39. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project. 40. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given. 41. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out. 42. A Disaster management Plan shall be prepared and included in the EIA/EMP Report. 43. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc. 44. Besides the above, the below mentioned general points are also to be followed:- - Executive Summary of the EIA/EMP Report (enclosed as Annexure – A). - All documents to be properly referenced with index and continuous page numbering. - Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated. - Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project. - Where the documents provided are in a language other than English, an English translation should be provided. - The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

S. No	Terms of Reference
	g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed. h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation. i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable. j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

2. B. Additional Terms Of Reference Imposed By Seac –

S. No	Terms of Reference
2.1	1. Drone videography of the entire project area explicitly showing the entire project site along with the existing tree plantation/green belt. Minimum 2-minute video to be submitted. 2. Photographs of the site mentioning the geo-coordinates. 3. Standard practice of management of the intermediate storage area should be submitted. 4. Means of access and egress between the embankment and the sand quarry may be clearly earmarked. The Project Proponent must commit that no hard toping or paving of any haulage route within the riverbed will be attempted. 5. A plan on the management and handling of sand during the period of intermediate stockpiling should be submitted. 6. The PP has to do tree plantation in an area equivalent to 33% of the lease area @2500 trees / ha within first two years from the starting of the mining operation. A Progressive Greenbelt Plan may be prepared. The project area being entirely on the riverbed, afforestation/ vegetation should be attempted alongside the village roads or other public land. This may be done with prior approval of the local self-governing bodies. If no public land is available for the purpose the Project Proponent shall arrange for land with his personal means. To enhance success/ survival rate the plantation shall be completed during the first two years of the project life and the plantation so done shall be taken care of during the rest of the project life. Species of the plant selected should be native and self-sustaining in that particular region. Spatial year wise progressive plantation programme to be submitted. 7. Plan showing spatial year wise distribution of the proposed greenbelt has to be submitted along-with supporting documents of administrative approval/s. 8. Being a mine in operation, the plantation created so far may be submitted with geotagged photographs. 9. EIA should also include detailed study of the baseline condition and impact on aquatic flora and fauna. 10. The project cost may include the auction bid value, estimated royalty to be paid, cost of any infrastructure built like office space, stockyard, etc. The calculation/documents to estimate the project cost should be submitted. The planned expenditure for components like need-based activities may be derived based on the project cost. 11. A need-based EMP may be prepared in accordance with the MoEF&CC Office Memorandum vide F. No. 22-65/2017.IA.III dated 30.09.2020. Record of communications made in this regard

S. No	Terms of Reference
	with the identified/ intended beneficiaries (schools/ institutions etc) may also be uploaded. The activities should be completed within the first two years of the project life. 12. A study report on base flow level measured at 5 points with date and supporting photographs should be submitted. It should be committed that mining will be done at least 1m above the base flow level. Accordingly, if required, the excavation plan may also be revised. 13. Management plan including the final closure plan of haul road to be submitted. 14. Study and protection plan of the aquatic life available both during the mining and non-mining seasons should be provided. The study should be done by some reputed institute. While applying for environmental clearance, the PP shall upload in the PARIVESH portal, the EIA/EMP report along with the documents/ submissions/ clarifications sought hereinabove. The West Bengal Pollution Control Board shall arrange public hearing as per EIA Notification, 2006 on submission of draft EIA/EMP prepared by the Project Proponent as per the above-mentioned ToRs. All the issues mentioned in the 'Public Hearing Report' and public consultation must also be addressed and incorporated in the final EIA / EMP report. The project proponent is requested to pursue the matter with the WBPCB for organizing the public hearing/consultation on submission of the draft EIA/EMP report as per the provision of EIA notification 2006 & its amendments. The project proponent is requested to submit the final EIA/EMP prepared as per the above-mentioned ToRs and incorporating all the issues raised during Public Hearing / Public Consultation to the SEAC for further consideration of the proposal for environmental clearance. The ToR is valid for a period of 4 (four) years from the date of issue.

3. Annexure - A

S. No	Terms of Reference
3.1	Annexure - A Executive Summary The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points: 1) Project name and location (Village, District, State, Industrial Estate (if applicable). 2) Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC. 3) Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative). 4) Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes. 5) Measures for mitigating the impact on the environment and mode of discharge or disposal. 6) Capital cost of the project, estimated time of completion. 7) Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./private land, status of its acquisition, nearby (in 2-3 km.) water body, population, within 10km. other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary). 8) Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population. 9) Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk. 10) Likely impact of the project on air, water, land, flora-fauna and nearby population. 11) Emergency preparedness plan in case of natural or in plant emergencies. 12) Issues raised during public hearing (if applicable) and response given. 13) Environment Management Plan (EMP) as per Office Memorandum issued by the MoEF & CC vide F. No. 22-65/2017-IA.III dated 30.09.2020 with proposed expenditure. 14) Occupational Health Measures.

S. No	Terms of Reference
	15) Post project monitoring plan.

