

File No.IW-15011(11)'87/2022-SECTION(IW)-Dept. of IW

Government of West Bengal
Irrigation & Waterways Department
Jalasampad Bhawan, Salt Lake City, Kolkata 700 091.

No. 142-IRC

Dated:05.08.2022

From : Joint Secretary to the

Government of West Bengal

To : The Executive Engineer. (all)
I & W Dte., Govt. of West Bengal

Sub: Regarding functioning of DEAC/ DEIAA for riverbed minor minerals

Ref: This Department Memo No. 168(13)-IRC-6C 21/2015 dated 27/10/2016.

The undersigned is directed to refer to this Department Memo No. 168(13)-IRC-6C-21/2015 dated 27/10/2016 and say that the issue/enforcement of short term permit for mining of minor minerals including river bed materials is no longer vested upon the officers of Irrigation & Waterways Department with the promulgation of West Bengal Minor Minerals Concession Rules 2016 and the role of the Executive Engineers in different district, in respect of grant of Long Term Mining Lease, is only to act as the Chairman of DFAC for recommending environment clearance on the proposals of long term lease.

However, as per the Office Memorandum of Ministry of Environment, Government of India having F. No. L-11011/175/2018-IA-II (M) dated 12th December, 2018, the role of DEAC has been changed. Therefore, the undersigned is further directed to enclose a copy of the said Office Memorandum of Ministry of Environment, Government of India having F. No. L-11011/175/2018-IA-II (M) dated 12th December, 2018 for information and necessary action.

Encl: As stated.

sd/-

Joint Secretary to the
Government of West Bengal

Dated:05.08.2022

No. 142/1-IRC

Copy forwarded for information to :

1. The Chief Engineer. (all), I & W Dte.
2. The Superintending Engineer. (all), I & W Dte.
3. Executive Engineer, DVC Study Cell – with the request to upload the circular in the Departmental Website.


Joint Secretary to the
Government of West Bengal

Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

3rd Floor, Vayu Wing,
Indira Paryavaran Bhawan
Jorbagh Road, Aligarh,
New Delhi-110 003
Email: rb.la@nic.in
Phone/Fax: 011-24695362

Dated: 12th December 2018

Office Memorandum

Sub: Order dated 04th September, 2018 & 13th September, 2018 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 173 of 2018 & O.A. No. 186 of 2016 in the matters titled "Sudarsan Das Vs State of West Bengal & Ors" & "Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr." respectively- regarding.

This is with reference to the recent orders of the Hon'ble NGT dated 04th September, 2018 in the matter titled *Sudarsan Das Vs State of West Bengal & Ors* & and order dated 13th September, 2018 in the matter *Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr.* Copies of the orders are enclosed herewith for ready reference.

2. The Hon'ble NGT vide order dated 13th September, 2018 in O.A. No. 186 of 2016 (*Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr.*) has inter-alia directed as follows:-

(i) Providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided;

(ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA;

(iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance;

(iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5 (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof;

(v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area;


(vi) the MoEF&C to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining."

3. In view of the above, the undersigned is directed to forward the copy of the aforementioned order for necessary compliance and inform the Ministry about the action taken.

4. This issues with the approval of the Competent Authority.

Encl: As above

Yours faithfully,


(Dr. P.B. Lal)
Scientist 'E'

To:

1. The Chief Secretary, 1st Block, 1st Floor A.P Secretariat Office, Andhra Pradesh, Velagapudi - 522503
2. The Chief Secretary, Government of Arunachal Pradesh, Civil Secretariat, Itanagar - 791111
3. The Chief Secretary, Government of Assam, Block-C, 3rd Floor, Assam Sachivalaya, Guwahati-781006
4. The Chief Secretary, Government of Bihar, Main Secretariat Building, Patna-800015
5. The Chief Secretary, Government of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Naya Raipur-492002
6. The Chief Secretary, Government of Gujarat, Block No.1, 5th Floor, Sardar Bhawan, Sachivalaya, Gandhinagar-382010
7. The Chief Secretary, Government of Goa, Secretariat, Porvoin, Bardez, Goa - 403521
8. The Chief Secretary, 4th Floor, Haryana Civil Secretariat Sector-I, Chandigarh - 160019
9. The Chief Secretary, Government of Himachal Pradesh Secretariat, Shimla - 171002
10. The Chief Secretary, R. No. 2/7, 2nd, Floor Main Building Civil Secretariat, Jammu - 180001 R. No. 307, 3rd Floor Civil Secretariat, Srinagar - 190001
11. The Chief Secretary, Government of Jharkhand 1st Floor, Project Building, Dhurwa, Ranchi-834004
12. The Chief Secretary, Govt of Karnataka, Room No.321, Vidhana Soudha, Bengaluru- 560 001
13. The Chief Secretary, Government of Kerala Secretariat, Thiruvananthapuram - 695001
14. The Chief Secretary, Government of Madhya Pradesh MP Mantralaya, Vallabh Bhawan Bhopal - 462004

- 2597056/2022/SECTION(IW) Secretary, Government of Maharashtra CS Office Main Building, Mantralaya 5th Floor, Madame Cama Road, Mumbai - 400032
16. The Chief Secretary, Government of Manipur South Block, Old Secretariat Imphal-795001
 17. The Chief Secretary, Government of Meghalaya Main Secretariat Building Rilang Building, Room No. 321 Meghalaya Secretariat, Shillong - 793001
 18. The Chief Secretary, Government of Mizoram New Secretariat Complex, Aizwal - 796001
 19. The Chief Secretary, Government of Nagaland Civil Secretariat, Kohima-797004
 20. The Chief Secretary, Government of Odisha General Administration Department, Odisha Secretariat, Bhubaneswar - 751001
 21. The Chief Secretary, Government of Punjab, Chandigarh - 160001
 22. The Chief Secretary, Government of Rajasthan Secretariat, Jaipur - 302005
 23. The Chief Secretary, Government of Sikkim New Secretariat, Gangtok - 737101
 24. The Chief Secretary, Government of Tamil Nadu Secretariat, Chennai - 600009
 25. The Chief Secretary, Government of Telangana Block C, 3rd Floor, Telangana Secretariat Khairatabad, Hyderabad, Telangana
 26. The Chief Secretary, Government of Uttar Pradesh 1st Floor, Room No. 110 LalbahadurSastri Bhawan Uttar Pradesh Secretariat, Lucknow - 226 001
 27. The Chief Secretary, Government of Tripura New Secretariat Complex, Secretariat-799010, Agartala West Tripura
 28. The Chief Secretary, Government of Uttarakhand 4, Subhash Road, Uttarakhand Secretariat, Dehradun - 248001
 29. The Chief Secretary, Government of West Bengal Nabanna, 13th Floor, 325, Sarat Chatterjee Road, MandirataShibpur, Howrah - 711102
 30. The Chief Secretary, Andaman and Nicobar Administration Secretariat, Port Blair - 744101
 31. The Chief Secretary, Secretariat, Moti, Silvassa, Daman - 396220
 32. The Chief Secretary, Secretariat, Moti, Daman - 396 220
 33. The Chief Secretary, Raj Bhawan, Chandigarh-160019
 34. The Chief Secretary, Lakshadweep, Kavaratti - 682555
 35. The Chief Secretary, Chief Secretariat, Goubert Avenue, Puducherry - 605001
 36. The Chief Secretary, Delhi Secretariat, Ip Estate, Delhi - 110002, Near Indra Gandhi Indoor Stadium

Copy to:

1. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (SZ), Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road, Koramangala II Block, Bangalore-560034
2. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (WZ), E-5, Kendriya Paryavaran Bhawan, C-5 Area Colony, Unk Road-3, Ravishankar Nagar, Bhopal-462016
3. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar-751023

4. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (SEZ), 1st and 2nd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34
5. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NZ), Bays No. 24-25, Sector 31 A, Dakshin Marg, Chandigarh-160030
6. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NCZ), Pearson Road, P.P. New Forest, Forest Research Institute (FRI) Campus Dehradun-248006
7. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (CZ), Kendriya Bhawan, 5th Floor Sector "H", Allganj, Lucknow-226020
8. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001
9. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (ECZ), Bungalow No. A-2, Shyameli Colony Ranchi-834002
10. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NEZ) Law-U-Sib, Lumbatngan, Near MTC Workshop, Shillong, Meghalaya-793021

(Dr. R.B. Lal)
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