

**GOVERNMENT OF MEGHALAYA
FORESTS AND ENVIRONMENT DEPARTMENT**

NOTIFICATION

No. FOR.50/2021/1667

Dated Shillong the 13th January, 2023

Whereas, the Hon'ble National Green Tribunal in OA 48/2019 EZ, in the matter of Jitul Deka Vs Union of India & Ors, vide its Judgement dated 27th May 2022 has directed that the Meghalaya State Pollution Control Board in consultation with the State Government shall conduct a carrying capacity study of Ri Bhoi District to assess feasibility of the number of legal mines to operate in an environmentally sustainable manner;

Whereas, M/s Anacon Laboratories Pvt Ltd, Nagpur was engaged to conduct study on Comprehensive Carrying Capacity for Boulder and Stone Mining in Ri Bhoi District;

Whereas, M/s Anacon Laboratories Pvt Ltd, Nagpur has submitted the "Report on Comprehensive Carrying Capacity Studies of Boulder and Stone Mining in RI-Bhoi District (Meghalaya) as per Judgement of Hon'ble national Green Tribunal, post meetings dated 26.08.22, 07.09.22 and 07.12.2022";

Whereas, the report was placed in the public domain in the website of MSPCB for inviting objections and suggestions from all people likely to be affected thereby, within a period of over 15 days;

And whereas, no objection and suggestion has been received by the Meghalaya State Pollution Control Board;

And whereas, the "Final Report on Comprehensive Carrying Capacity Studies of Boulder and Stone Mining in RI-Bhoi District (Meghalaya) as per Judgement of Hon'ble national Green Tribunal, post meetings dated 26.08.22, 07.09.22 and 07.12.2022" has been approved by the State Government;

Now, therefore, in compliance to the Orders of the Hon'ble National Green Tribunal in OA 48/2019 EZ and in exercise of powers granted by Section 5 of the Environment (Protection) Act, 1986 read with Rule 4 of the Environment (Protection) Rule 1986, and Notification of the Ministry of Environment and Forests (Department of Environment, Forest and Wildlife) vide No SO-289 (E) dated 14th April 1988, the Government of Meghalaya do hereby issue following directions to implement the recommendations contained in the Report of Comprehensive Carrying Capacity Studies for Boulder and Stone Mining in Ri Bhoi District, as below with immediate effect:-

DIRECTIONS FOR EXISTING MINING LEASES OF BOULDER STONE IN RI BHOI DISTRICT: -

1. For Existing Mining Leases till their termination

Those existing mining leases which survive after compliance to the Judgement of the Hon'ble National Green Tribunal should follow following stricter compliance norms in addition to currently imposed conditions:

1.1 For the protection of Wildlife, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination

- a. Mining Lease Holder (ML Holder) to ensure that Proper fencing is erected along with greenbelt, which shall act as a barrier and restrict entry of stray wild animals from nearby forest area into the Mining Lease (ML)
- b. ML Holder to ensure that annual awareness drive is conducted in the village of operation and among the company personnel, to make everyone aware of the process of managing wildlife encounter.
- c. ML Holder to ensure that in case of any wildlife encounter, adequate precaution is taken to safeguard both human and wildlife.
- d. ML Holder to ensure that a Standard Operating Procedure be made and training be provided to the employees and villagers to appropriately handle wildlife encounter.
- e. ML Holder to ensure that Open Fire is not used anywhere inside or near the mining lease area.
- f. ML Holder to ensure that priority is given to local people in employment.
- g. ML Holder to undertake Social infrastructure development activities.
- h. ML Holder to erect a Board containing the contact number of the Forest Beat Officer and Forest Range Officer in a prominent position in the Mining Lease area, so that they can be immediately contacted in case of emergencies.

1.2 For the prevention of Air Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination

- a. ML Holder to ensure that regular water sprinkling is carried out in all critical areas that are prone to air pollution such as Haul roads, Loading and unloading points and transfer points to ensure effective dust suppression.

- b. ML Holder to ensure that all fuel consuming equipments is well maintained and to ensure that the exhaust smoke doesn't contribute abnormal values of noxious gases and un-burnt hydrocarbons
- c. ML Holder to ensure usage of wet drilling/ drills with dust arrestors, to control dust generation during drilling activities
- d. ML Holder to maintain adequate industrial and pollution control Equipment, as per Best Practice of the Industry using Best Available Technology.
- e. ML Holder to check the efficiency of the pollution control equipment periodically to comply with the emission standards provided by CPCB and minimize the pollution levels.
- f. ML Holder to ensure covering of the heavy trucks to prevent spillage or dusting.
- g. ML Holder to ensure that Blasting is avoided during high winds.
- h. ML Holder to ensure that water sprinkling is carried out, on blasted material before loading.
- i. ML Holder to ensure reduced dropping height of excavator bucket while loading material into dumpers/tippers.
- j. ML Holder shall ensure that Permanent Boundary Pillars (RCC) are erected along the corners of the Mining Lease. Another set of RCC Pillars have to be erected 7.5 meters inside the periphery of the Mining Lease, so that it can be used to demarcate the buffer zone or Green Belt for plantation.
- k. ML Holder shall do blacktopping (with bituminous mix) of the haul road within the Mining Lease are to prevent dust pollution.
- l. ML Holder shall create Green Belt with native tree species on the 7.5 meter width along the periphery of Mining Lease
- m. ML Holder to raise plantation along the haul roads to reduce dust retention in the air.

1.3 For the prevention of Noise Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination

- a. ML Holder to ensure that Standard specified mining equipment is being used and the equipment should be in good working conditions, properly lubricated and maintained to keep noise within permissible limits.

- b. ML Holder to ensure that Drilling is being carried out with sharp drill bits which shall help in reducing noise.
- c. ML Holder to raise tall trees with heavy foliage along the boundary of mining lease area which will act as a natural barrier to propagating noise.
- d. ML Holder to ensure that the speed of trucks entering or leaving the ML is limited to moderate speed, to prevent undue noise particularly from empty trucks.
- e. ML Holder to avoid secondary blasting, by using rock breakers.
- n. ML Holder to undertake controlled blasting with proper spacing and optimum charge/delay.
- o. ML Holder to ensure that proper quantity of explosive, suitable stemming materials and appropriate delay system is being adopted to avoid overcharging and for safe blasting.
- p. ML Holder to follow proper blast design to control ground vibration and fly rocks.
- q. ML Holder to ensure that the charge per delay is minimized and preferably more number of delays is used per blasts.

1.4 For controlling vibration and prevention of accidents, the following additional conditions have to be fulfilled by Stone Quarry:-

- a. ML Holder to adopt protective measures to minimize the possible damage to nearby areas due to blasting
- b. ML Holder to ensure that optimum charging of the drilled holes, delay detonators and shock tube initiation system for blasting is being used so as to reduce vibration and dust
- c. ML Holder to ensure that blasting operations are being carried out, during November to February between timings of 6 am to 4.30 pm, and during March to October between timings of 5.30 am to 5.30 pm.
- d. ML Holder should keep the nearest police station/outpost well informed at the time of blasting to ensure safer blasting operations.
- e. ML Holder to conduct periodic monitoring of vibration at suitable location

1.5 For the prevention of Water Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. ML Holder to undertake construction of bunds and contour trenches at strategic location at the undulated slopes to reduce flow of run-off water and control soil erosion. These bunds should also be constructed at the boundary of the ML and adjoining public roads, except for the approach road to prevent flow of soil, debris etc.
- b. ML Holder to ensure construction of garland drains around the mine pit to divert surface run-off away from the mining area.
- c. ML Holder to ensure construction of retention walls and garland drains around toe of the surface dumps to arrest silt wash off and boulder roll down.
- d. ML Holder should connect these garland drains to a settling tank for settling for silt. The dimensions of such silt traps/settling tanks should be such that the dump capacity is 50% above the safety margin over and above peak sudden rainfall (based on 20 year data) and maximum discharge in the area. Further, it shall allow adequate retention period for proper settling of silt material. Such silt traps should be cleansed before the start of the next rainy season or earlier to ensure proper functioning.
- e. ML Holder to undertake suitable water conservation measures to preserve and enhance ground water resources. He should ensure that rain water is collected in mine sumps and the accumulated water is used in dust suppression and plantation in the mine lease area.
- f. ML Holder to ensure that mining operation in the District does not intersect the water table and it should be done from hill top to the surface level.
- g. ML Holder should identify and demarcate sites for dumping of overburden and mine spoils.
- h. ML Holder to prevent direct discharge of mine effluents/run off into natural water course by providing Checkdam/tailing dams.
- i. ML Holder must properly fill all mined out areas to avoid the contamination of surface water resources and the effects on the aquatic biota.
- j. ML Holder shall ensure that the top soil is used for gainful purposes and stacked at earmarked locations. The overburden dump(s) should be

scientifically vegetated with suitable native species, to prevent erosion and surface runoff. In critical areas, use of geo textiles should be undertaken for stabilization of the dump. Moreover, the Retention walls or toe walls shall be provided at the foot of the overburden dumps to avoid landslides, silt washoff and stabilization of the overburden dump.

- k. ML Holder shall stabilize the worked out slopes by planting appropriate shrubs/grass species.

1.6 For enhancing compliance to other subsisting laws and rules in vogue, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination

- a. ML Holder shall be personally held responsible for Non-compliance of the conditions stipulated in the Environmental Clearance, Mining Lease, Non-Forest Certificate and Mining Plan and shall be liable for legal action under the relevant acts like Environment Protection Act 1986, MMDR Act 1957 and Forest Conservation Act 1980.
- b. ML Holder should satisfy the provisions stipulated in Meghalaya Minor Minerals Concession Rules 2016 (as amended from time to time) and the Environmental Clearance granted to the Project Proponent
- c. ML Holder shall undertake mining operations strictly in accordance with the Approved Mining Plan as per Rules 20(1) of the Meghalaya Minor Mineral Concession Rules 2016.
- d. ML Holder shall follow all control measures regarding land degradation water pollution, air pollution, noise pollution, Socio-economic measures etc in the Environment Management Plan (part of the Mining Plan)
- e. ML Holder should not undertake any change in Mining Technology/Scope of working without prior approval of SEIAA and MSPCB.
- f. ML Holder shall comply with all the applicable provisions mentioned in the MoEF & CC Notifications and Office Memorandums issued from time to time.
- g. ML Holder shall not cut trees in the leased area without the permission from the Competent Authority.

- h. ML Holder shall make timely contribution to Meghalaya Minor Mineral Reclamation Fund (MMRF), District Mineral Fees (DMF) and NMET Funds to enable proper Environment Management by the relevant authorities.
- i. ML Holder shall follow the Mine Closure Plan as per Approved Mining Plan with back filling, tree plantation with indigenous species, etc. Monitoring and management of rehabilitated areas shall be continued until the vegetation becomes self-sustaining.

2. Directions for Grant of New Mining leases/Quarry Permits and compliance to Carrying Capacity in Ri Bhoi District

2.1 No new Mining Lease or Quarry Permit for stone/boulder shall be granted in the Inviolate areas or 'no-go-areas' in Ri-Bhoi district, as follows: -

2.1.1 Inviolate areas as per Comprehensive Carrying Capacity Report

All areas north of the Latitude at **25°47' 55.17" N in DMS(Degrees Minutes Seconds) format or 25.7986583 in DD (Decimal Degrees format)**

2.1.2 Inviolate areas within the Eco-Sensitive Zone of the Nongkhyllem Wildlife Sanctuary, Notified Community Reserve, Sacred Groves and Reserved Forests in Ri-Bhoi district.

All areas covered within the Eco-Sensitive Zone of the Nongkhyllem Wildlife Sanctuary, Notified Community Reserves, Sacred Groves and Reserved Forests in Ri-Bhoi district.

2.2 Compliance to Carrying Capacity of the Inviolate areas

As per the Report on Comprehensive Carrying Capacity Studies of Boulder and Stone mining, the carrying capacity of the 'Conditionally and Permanently Prohibited areas' or 'inviolate areas as mentioned above' is 6.32 Lakh Metric Ton of boulder stone per annum. Hence, to ensure compliance of the same: -

- 2.1.3.1 The existing valid Mining Leases shall not be permitted to increase their annual production capacity, to ensure annual production is within the above stated carrying capacity of 6.32 Lakh Metric Ton per annum.

2.1.3.2 Terminated mining leases shall not be reinstated if the combined production capacity of the existing Valid Mining Leases meets the carrying capacity of 6.32 Lakh Metric Ton per annum.

2.3. Validity of these restrictions:

These directions shall be valid for a minimum period of 10 years, after which a scientific assessment, similar to that being done by Forest Survey of India for Forest Cover Assessment, should be done to ensure that a Moderately Dense Forest (MDF) with a crown density of minimum 40% is achieved in all the Penalised areas.

If the Crown Density Range is below 40% then it should be reassessed every 3 years till all the penalised areas achieve the crown density of minimum 40%. Till such times, these restrictions should be maintained. Only after successful attainment of Crown Density Range of 40% in all the Penalised Areas, these restrictions should be removed.

Sd/-

(Syed Md. A .Razi, IRTS)

Commissioner & Secretary to the Government of Meghalaya
Forests and Environment Department


Memo No. FOR.50/2021/1667-A

Dated Shillong the 13th January, 2023

Copy to:-

1. The Principal Chief Conservation of Forests & HoFF, Shillong, Meghalaya for kind information and necessary action.
2. The Member Secretary, Meghalaya State Pollution Control Board, Shillong, Meghalaya for kind information and necessary action
3. The Member Secretary, State Environment Impact Assessment Authority, Shillong, Meghalaya for kind information and necessary action
4. The Deputy Commissioner, Ri Bhoi District, Nongpoh, for kind information.
5. The Director of Mineral Resources, Shillong, Meghalaya for kind information and necessary action.
6. The Director, Printing and Stationary, Meghalaya Shillong with a request to publish in Meghalaya Gazette.
7. Senior System Analyst, NIC Shillong for uploading in Government website.

By Order, etc.,



(Dr. Manjunatha C, IFS)

Secretary to the Government of Meghalaya
Forests and Environment Department