

**The minutes of Public Hearing in respect of proposed  
Niljay Expansion (Deep) Opencast Mine of M/s Western Coalfield Ltd. Wani  
Area for 3.5 MTPA coal production and increase in mine lease area from  
1346.63 Ha to 1761.22 Ha at Niljay, Post Belora, Tal. Wani,  
Dist. Yavatmal conducted on 29/11/2013, 01.00 pm at Project Site**

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The Environmental Public Hearing in respect of proposed Niljay Expansion (Deep) Opencast Mine of M/s Western Coalfield Ltd. Wani Area for 3.5 MTPA coal production and increase in mine lease area from 1346.63 Ha to 1761.22 Ha at Niljay, Post Belora, Tal. Wani, Dist. Yavatmal was conducted on 29/11/2013, 01.00 pm at Project Site - Niljay Opencast Mine, Tal. Wani, Dist. Yavatmal. The public hearing was conducted under the Chairmanship of Shri Rajendra Deshmukh, Additional District Magistrate, Yavatmal.

Shri S. D. Patil, Sub-Regional Officer, MPCB Chandrapur was the Convener of the Public Hearing. Shri D. B. Patil, Regional Officer, M.P.C. Board, Chandrapur was the Member of Public Hearing Panel. Shri Pramod Kumar Dube, Sub-Divisional Officer, Wani and Shri. S. J. Shinde, Tahsildar, Wani were also present during the public hearing. The Public Hearing started on 01.00 pm with the permission of the Chairman of the Public Hearing Panel.

First of all, the Convener welcomed to all of present for the Public Hearing. He told that, the Public Hearing is being conducted as per the provisions of EIA Notification dated 14/09/2006 and amended Notification dated 01/12/2009 of Ministry of Environment and Forest, New Delhi. He told that the project proponent received Terms of Reference (ToR) for the proposed project from Ministry of Environment & Forest, Government of India on 23/05/2012. Project Proponent submitted their application to the Board on 19/03/2013 requesting for conducting the public hearing.

The copies of draft EIA/EMP and Executive Summaries in English and Marathi submitted by project proponent and copy of public notices published in newspapers were made available to the offices of (1) Additional Environment Regional Officer, Ministry of Environment & Forest, Western Region, Bhopal (2) Environment Department, Mantralaya, Mumbai (3) M. P. C. Board (HQ), Mumbai (4) District Collector, Yavatmal (5) District Industries Centre, Yavatmal (6) Zilha Parishad, Yavatmal (7) Regional Office & Sub-Regional Office, M. P. C. Board, Chandrapur (8) Sub-Divisional Office, Wani, Dist. Yavatmal (9) Tahsil Office, Wani, Dist. Yavatmal (10) Gram-panchayat, Ukni, Tal. Wani, Dist. Yavatmal, (11) Gram-panchayat, Niljay, Tal. Wani, Dist. Yavatmal (12) Gram-panchayat, Belsani, Tal. & Dist. Chandrapur (13) Gram-panchayat, Belora, Tal. Wani, Dist. Yavatmal for the knowledge of concerned.

The public notice for the said public hearing was published in English Daily *The Hitvada* and Marathi daily *Lokmat* dated 26/10/2013 stating date, venue and time of public hearing. In the public notice, it was mentioned that the documents about proposed project are available at the above Government offices and objections / suggestions regarding the project, if any can be filed within 30 days from the date of public notice to the Sub-Regional Officer, MPCB, Chandrapur. The Member Secretary, M. P. C. Board, Mumbai has issued the office order no. E-111 of 2013, dated 20/11/2013 for panel formation of this Public Hearing.

Convenor of the Public Hearing further informed to the participants that, one written representation was received regarding public hearing till the date of public hearing which was made available to the project proponent. He further appealed to the participants that, they can file their written objections / representations during Public Hearing and they could express their views orally after the power point presentation that will be given by the project proponent. He further clarified to the participants that the Public Hearing panel is not here to accord / recommend Environmental Clearance to the project, but for recording the objections/suggestions of the participants, which will be video graphed and will be submitted to the Ministry of Environment & Forest, New Delhi through Head Office, of M. P. C. Board along with minutes of public hearing for further necessary action. During public hearing total 30 written representations were submitted by the people, as below.

- 1) Smt Kantabai Gajanan Sawe, At. Kolgaon (Sa.), Tal. Wani, Dist. Yavatmal
- 2) Shri Manjubhau Dambhare, Deputy Sarpanch, Grampanchayat, Niljay
- 3) Shri. Mahadev Sitaram Matte, At. Maregaon (Korambi), Tal. Wani, Dist. Yavatmal
- 4) Villagers of Belsani, Tal. & Dist. Chandrapur
- 5) Villagers of Belsani, Tal. & Dist. Chandrapur
- 6) Shri. Sanjay Kawadu Kamble, At. Po. Belora, Tal. Wani, Dist. Yavatmal
- 7) Villagers of Ukni, Tal. Wani, Dist. Yavatmal
- 8) Hon'ble MP Shri. Hansraj Ahir, Chandrapur
- 9) Villagers of Belsani, Tal. & Dist. Chandrapur
- 10) Hon'ble MP, Shri. Hansraj Ahir, Chandrapur
- 11) Villagers of Belora, Tal. Wani, Dist. Yavatmal
- 12) Shri Pandurang Balaji Borake, At. Po. Ukni, Tal. Wani, Dist. Yavatmal
- 13) Shri Rupesh Ganesh Bhongale, At. Belora, Tal. Wani, Dist. Yavatmal
- 14) Hon'ble MP Shri Hansraj Ahir, Chandrapur
- 15) Hon'ble MP Shri. Hansraj Ahir, Chandrapur
- 16) Shri Amol D. Regundwar, Sarpanch, Grampanchayat Belora, Tal. Wani, Dist. Yavatmal
- 17) Shri Amol D. Regundwar, Sarpanch, Grampanchayat Belora, Tal. Wani, Dist. Yavatmal
- 18) Shri Sandip Ramchandra Giratkar, At. Po. Ukni, Tal. Wani, Dist. Yavatmal
- 19) Shri Ravindra N. Khade, Sarpanch, Grampanchayat Ukni, Tal. Wani, Dist. Yavatmal
- 20) Shri Ravindra N. Khade, Sarpanch, Grampanchayat Ukni, Tal. Wani, Dist. Yavatmal
- 21) Villagers of Ukni, Tal. Wani, Dist. Yavatmal
- 22) Shri Garudji Laxman Pawar, Grampanchayat Member, Belsani, Tal. & Dist. Chandrapur
- 23) Hon'ble MP Shri. Hansraj Ahir, Chandrapur
- 24) Shri. Vijay Pidurkar, Bharatiya Janta Party, Wani, Tal. Wani, Dist. Yavatmal
- 25) Shri. Vijay Pidurkar, Bharatiya Janta Party, Wani, Tal. Wani, Dist. Yavatmal
- 26) Sarpanch, Grampanchayat, Belsani, Tal. & Dist. Chandrapur
- 27) Shri. Bapuji Bhawani Bhongale, Bharatiya Janta Party, Wani, Tal. Wani, Dist. Yavatmal
- 28) Villagers of Belsani, Tal. & Dist. Chandrapur
- 29) Villagers of Belsani, Tal. & Dist. Chandrapur
- 30) Shri. Pradeep Wasantrao Bhongale, At. Po. Belora, Tal. Wani, Dist. Yavatmal

The convenor, with the permission of Chairman, then requested the project proponent to give information about their project through power point presentation in local language.

**Shri. Rajendra Harde (CMPDI)** on behalf of Project Proponent gave the information about the project in local language (Marathi) through presentation on the proposed project of Niljay Opencast Mine.

Thereafter, **Shri A. N. Katole** (Sub Regional Officer, Regional Office, MPCB, Chandrapur) appealed people to express their queries, objections, suggestions or comments regarding the proposed project.

**Chairman Shri Rajendra Deshmukh** said that Ukni Gram-panchayat submitted the representation in which demand for acquisition of remaining 222 Ha land is made. He instructed WCL officer to submit the proposal regarding this and to initiate action.

The details of the questions raised by the people during the public hearing and the replies given by project proponent are given below.

1] **Shri Sanjay Ramchandra Khade** said that rehabilitation of Ukni village is proposed and 410 Ha land will be acquired from Ukni village. He added that some land of Ukni village is remaining and this land also should be acquired. He demanded that project proponent should give all information related with project to the villagers. He said that villagers are facing several problems like lack of good roads, pollution and lack of proper water supply. He said that if total land of Ukni village is not acquired then villagers will not allow starting the project.

2] **Shri Bhaiyyaji Khade (Ex Zilha Parishad Member)** said that several earlier issues are not solved by WCL and public hearing for a new project is being conducted. He added that land beside the River should be acquired because it is not possible to cultivate crops in such land.. He demanded that land should be acquired by the way of private negotiation. He further said that some part of Ukni village is acquired by Wani North Area of WCL while remaining is acquired by Wani Area of WCL. He complained that WCL officers failed to fulfil the basic needs of villagers in spite of giving written complaints to them.

3] **Smt Surekha Asutkar (Gram-panchayat member, Belsani)** said that her land is not considered for acquisition and demanded for acquisition of her land as it will not possible to cultivate the land after commissioning of mine.

4] **A Villager** said that his land is acquired for the project and he is unfit for the employment. He demanded for employment to his son.

**Chairman Shri Rajendra Deshmukh** instructed him to submit his representation through Sub-Divisional Officer for further necessary action.

5] **Shri Sanjay Kamble (Bellora)** said that WCL officers do not fulfil the commitments given to the villagers and demanded that permission should not be given for the proposed project and to do justice with the villagers by fulfilling their demands.

6] **Shri Parshuram Nilkanth Lodhe (Ex Sarpanch, Belsani)** said that land of Belsani village is acquired before 10 years and overburden dumps were made along the village. He alleged that flood occurs every year in the village due to the overburden dumps made by WCL. However, neither WCL nor Government made any control measures in this regard. He demanded for suitable action on the demands of villagers and also for acquisition of remaining land.

7] **Shri Ravindra Garudji Pawar (Belsani)** said that flood occurred in the month of August in Belsani village. He added that flood occurred due to overburden dumping made by WCL and water entered into the farms. Also it is not possible to stay in the village during

monsoon. He demanded that Government should solve the problems of villagers as WCL is not giving attention towards the problems. He demanded to give permanent employment to the nominees of affected persons, to give the compensation of land according to market rate and to acquire the remaining land. He alleged that people suffer from various diseases which are caused by dust generated from mine and transportation. He demanded to provide the EIA report in Marathi language as there are very less highly qualified people in the villages who can understand English. He said that demands mentioned in the written representation submitted by villagers should be fulfilled. He demanded for utilization of Mineral Development Fund for the developmental works in the villages and rehabilitation of Belsani village.

8] **Shri Ramesh Keshav Bhongale** said that the land was acquired in the year 1990 during which few employments were given and few are still pending. He added that the said project was cancelled later and all affected farmers are still deprived from the jobs. He said that some villagers appealed in the High Court against this action of WCL and the case is still pending. Whole land is not in use and even farmers couldn't apply for loan as their land is acquired. He alleged that WCL authorities didn't give real information to the villagers regarding implementation of Section 4, 7, 9 etc. and said that villagers have faith on Government but not on WCL authorities. He further said that employment was given to his son-in-law but later on he is removed from the job. He said affected villagers are unemployed since last 22 years and they can't cultivate their land also. He demanded to start the project at earliest and to give employment to all affected farmers.

9] **Shri Rupesh Ganesh Bhongale (Belora)** said that rehabilitation of Belora village was carried out before 12-13 years but problems of villagers are still not solved. He added that water supply to the village is not yet started, internal roads are not constructed and nalla is not provided for the sewage discharge. He complained that blasting causes cracks to the houses in the village. He said that the land was acquired in the year 1990-91 but employment is not yet given to the affected farmers / their nominees. He asked when old project is not yet started then how the Government give permission for new project. He demanded for employment in the same project for which land is acquired, acquisition of the remaining land and compensation of ₹ 10 Lakhs per acre.

10] **Shri Ram Gajanan Naygaonkar (Naygaon)** said that farmers will suffer from the harmful impacts of coalmines. He added that there will be no grazing land for cattle after commissioning of mine and demanded that a safety zone should be made between mine and village land / agricultural land.

11] **Shri Pravin Zade** said that water ingresses in his land during monsoon and it is not possible to go in the farm. He blamed WCL authorities for the same and said that overburden dumps made by WCL are responsible for this.

12] **Shri Ramdas Kshirsagar (Ukni)** said that rehabilitation of Ukni village is proposed and demanded for acquisition of remaining land of Ukni Village and employment to landless farm-workers. He alleged that WCL authorities are knowingly delaying the process of rehabilitation and employment. He demanded that rehabilitation should be carried out before commissioning of the project.

13] **Shri Mahadev Sitaram Matte (Maregaon)** said that his land was acquired in 1992 which was purchased by him before implementation of Section 7 but employment was not

given to him by WCL. However, employment was given to those farmers who divided their land even after implementation of Section 7. He said that he purchased additional land which is adjacent to his land by taking debt to fulfil the minimum acre criteria for employment and communicated the same to WCL. After this, WCL sent a letter mentioning that employment is sanctioned and he gave nomination of his son for the employment as he crossed the age limit but WCL refused to give employment to the son. He said that he is so much disappointed and depressed and he has no alternative other than suicide if WCL do not give employment to his son. He said that he communicated WCL about his situation but WCL officers bring pressure on him through police and took in writing from him that he will not do suicide. He complained that in spite of his appeal during public hearing of Mungoli opencast mine Sub-Divisional Officer and Collector gave do not initiate action in this regard. He blamed WCL for the circumstances and said that he can give up his life any time if employment is not given to his son and WCL officers will be responsible for that.

**Chairman Shri Rajendra Deshmukh** enquired about the reasons for keeping Shri Matte's proposal pending and not giving employment to his son. He instructed WCL authorities to give employment to the nominee of Shri Matte and to submit the report within 7 days to Collector Office.

14] **Shri Vijay Pidurkar (Wani)** said that farmers had given their land a long back to WCL and submitted the required documents but still many cases of employment are pending. There were four public hearings conducted in Wani area of WCL and every time it was instructed by Chairman of public hearing to finalize the pending cases of employment but all cases are still pending. Many affected persons crossed the upper age limit for employment. He demanded to cancel the public hearing on this ground and to file F.I.R. against the concerned officers of WCL. He added that Collector had given directions to the police department for not filing complaint against project affected people without prior enquiry.

15] **Shri Rahul Saraf**, by seeing WCL officers went on dais and discussing with Chairman in person, objected that Chairman should not discuss with the officers of WCL (Project Proponent) in person by calling them on dais. He said that there should be transparency in the process of public hearing and Chairman should speak everything publicly.

**Chairman Shri Rajendra Deshmukh** said that he was instructing WCL officers to submit the report regarding employment to Shri Matte's nominee within 7 days to Collector Office, which he already talked publicly and not talking anything else.

16] **Shri Vijay Pidurkar** said that during public hearing of Mungoli and Naigaon opencast project the then Chairman of public hearing also instructed WCL authorities to give employment to Shri Matte's nominee within one month which is not followed yet. He demanded to file F.I.R. against WCL authorities for not following District Magistrate's instructions and said that people expects justice from the administration. He further said that during the public hearing of Shivni Opencast Project of WCL dated 23/10/2013, Chairman instructed WCL authorities to give compensation for crop damage within one month, which is also not given even after a period of one month.

He said that there is violation of Government rules in land acquisition process and WCL and District administration has deprived the villager's right to live. Land is acquired in 1998 and employment is not given yet. He demanded for justice to all villagers and said that

if 75 % land of a village is acquired, remaining 25 % land should also be acquired as per the Government rules.

17] **Shri Rahul Saraf (Chandrapur)** introduced himself as the representative of Hon'ble MP Shri Hansraj Ahir. He objected on the act of putting barriers between Govt. Officers / WCL Officers seating in front of dais and participants. He said that participants should have been provided with a podium to keep the documents / papers etc. while expressing their views. He added that it is responsibility of Chairman and public hearing committee to look after this arrangement.

He said that the total land to be acquired in the project is about 1024 Acre and at the rate of 1 employment per 2 acre, 512 employments must be created in the project. He said that list of survey nos. and land owners are not given in EIA report of the project and if the final list is not prepared then the tentative list of land owners should be read out in the public hearing. He objected that old rate of land is shown in the project report.

He further said that land compensation bill of Penganga opencast project of WCL is not yet sent to HQ, for which the public hearing is conducted a long back. He demanded that officers from HQ, WCL should remain present for the public hearing as officers working in the area office do not have authority to take decision in this regard. He said that camp should be organized for issuing domicile certificate to the villagers.

He said that Belsani Village is located in Chandrapur District and any Government officials from Chandrapur District are not present for the public hearing. He demanded to cancel the public hearing on this ground.

**Chairman Shri Rajendra Deshmukh** said that request will be made to District Collector, Chandrapur regarding any issue related with Belsani village.

**Shri Rahul Saraf** said that overburden dumps of Mungoli mine were made in such a way that there is no road left to go into farms. He said that Hon'ble MP communicated with WCL regarding the employment proposal of Shri Matte and HQ, WCL has replied to the letter mentioning that the employment cannot be given due to belated claim. He further said that WCL has made injustice with Shri Matte and demanded for cancellation of public hearing. He alleged that WCL officers work as per their self-made rules and they themselves decide the time limit for submission of documents for employment. He demanded that officers from HQ, WCL must remain present for the public hearing. If they are unable to attend physically they can attend through video conferencing also. He further said that WCL, HQ office seeks opinion of legal panel in employment cases and decision about employment is taken on the basis of this opinion. He further said that cases of Shri Ashok Nanaji Rajurkar and Shri Bhushan Natthu Bhalki are valid but not considered by WCL by giving frivolous reasons. Similarly, case of Shri Bhongale was not considered because assurance certificate was not given to him at the time of land acquisition which was mistake of WCL officers totally.

**Chairman Shri Rajendra Deshmukh** instructed Shri Saraf to give list of such pending employment cases for further necessary action.

**Shri Rahul Saraf** said that in Wani North Area of WCL such proposals are considered and in Wani area it is not considered whereas both areas work under the same company and policy. He said that in WCL Majri area, employment was not given to the project affected persons; only compensation in lieu of employment was given. But later on few persons from the

project affected had been appointed in the project. Other people filed case in Hon'ble High Court Nagpur, in which Chief General Manager of WCL was made one of the respondents. He added that during the proceedings of the said case CGM explained that due to political pressure and management pressure for coal production employments were given to those persons.

He said that rules about rehabilitation were also violated by WCL projects. Employments were not given according to the educational qualifications and appointments were given in other projects. He demanded to cancel the public hearing and said that earlier public hearings were cancelled by Chairman of public hearing panel due to non-fulfilment of commitments by WCL officers.

He said that *Talathis* should not make changes in 7/12 extracts and Government registrar should not give permission for land sale / purchase after implementation of Section 9 in the project area. He added that Sub-Divisional Officer should check the land records often and should take effective steps to stop sale of land after implementation of Section 9.

He further said that State Home Minister had stated that if farmers are suffering in the process of land acquisition then F. I. R. can be filed on the responsible officers. Divisional Commissioner also communicated to all District Collectors to ensure total rehabilitation before commissioning of project. He said that General Manager and Sub-Area Manager do not have authority to take decision on employment issues. He said that under Section 14 (2) of Coal Bearing Act there is a provision of appeal for project affected people. He further said that Belsani village is located in Chandrapur District where 3 acre land can be divided but in Yavatmal District 3 acre land cannot be divided.

**Chairman Shri Rajendra Deshmukh** said that the proposal regarding relaxation in minimum 3 acre land criteria in Yavatmal District is submitted to Government for consideration.

**Shri Rahul Saraf** said that land of Belsani village was acquired by WCL and name of Niljay mine was included in the year 2000 on all 7/12 extracts without giving compensation to the farmers. Farmers lost their land without any compensation or employment. He added that after a long follow-up with WCL this mistake was corrected in the year 2011. He said that during these years farmers suffer drastically and they get no benefit even after this long duration.

He further said that GM of WCL wrote to Tahsildar, Chandrapur in this matter in which he mentioned that the acquisition was cancelled and hence compensation was not given and WCL never applied for including their name in 7/12 extracts. He angrily asked that if WCL never applied for including their name on 7/12 extracts then how it does happened. This means Government officers have manipulated the land record data. He strongly opposed the proposed project and said that if this public hearing is not cancelled then it will be injustice with the people. He said that this is very serious issue and asked that who is responsible for farmers' loss.

18] **Shri Shravan Barde (Belora)** said that villagers are facing many problems due to existing mines of WCL in the area and demanded to solve the problems before giving permission to the new projects.

19] **Shri Aawari** said that farmers face lot of problems due to improper dumping of overburden by WCL as well as due to blasting. He demanded for early action on these issues by Government.

20] **A Participant** introduced himself as associate activist of Hon'ble MLA Shri Wamanrao Kasawar and said that WCL authorities committed for construction of road but didn't fulfill. He blamed WCL authorities for increase in air borne diseases among the people of the area. He alleged that water is sprinkled on the roads today because of public hearing; otherwise water is not sprinkled on other days. He demanded that overburden dumps should be removed after mine closure and land should be given back to the farmers. Water didn't get percolated due to overburden dumps and people face water scarcity in summer. He demanded for construction of Zilha Parishad road and removal of overburden dumps.

21] **Shri Vijay Pidurkar (Wani)** said that District Collector had submitted the proposal for review of this rule but it will take many days for the final order. He added that farmers of Yavatmal District having 3 Acre land will get one employment and farmers having 4.75 Acre land will also get one employment due to the rule of minimum 3 Acre land criteria on 7/12 extract. He alleged that earlier projects of WCL get Environmental Clearance of Ministry even the public hearing was cancelled.

He further said that according to policy of Coal India Ltd. CGM of WCL should establish a co-operative society and various works should be allotted to the society. He alleged that WCL neither established such co-operative society nor allotted the work to the society established by the villagers. The work is allotted to the private contractors

He informed that committee consisting of SDO, Mining Officer, State Pollution Control Board Officers and other Department Officers of Chandrapur District conducted survey of overburden dumping of WCL and according to the report overburden dumps are located near the River bank. However, ingress of overburden dumps into the riverbed took place at many places, which is not mentioned in the report. He enquired about the details of tree plantation made by WCL authorities on overburden dumps. He alleged that only *Australian Babhool* species have been planted which grows fast and covers the area of about 40 Feet. He demanded to plant trees which can produce more oxygen.

He further said that there is no Environment expert, Animal expert, Doctor in the public hearing committee. He demanded to explain the effects of Arsenic which is produced by burning of coal and effects of coal dust on human health and plants. He asked that whether any survey had been conducted regarding air borne diseases in the area. He asked that if all pollution control arrangement is provided then why the pollution is increasing day by day? He alleged that water tanker is provided today because of public hearing otherwise it is not provided.

He said that according to revised RRZ policy it is proposed to keep a distance 250 meter from river bank and overburden and if it is implemented then farms adjacent to river will not be acquired. He demanded that if this policy is implemented then also such land adjacent to river should be acquired. He informed that according to Rehabilitation and Resettlement Policy-2012 of Coal India Ltd. District Collector has the authority about rehabilitation and land acquisition. He demanded that District Collector should take initiative regarding this.

He informed that land was acquired before 6 years for the railway siding but overburden dumps were made on this land and moreover employment was not offered to the affected people only compensation was given. He demanded that the same land should be returned as farmers are ready to return the compensation amount. He informed that land of



Shri Dinesh Nanaji Kale (Ukni) and Shri Bhongale was acquired and employment was not given to him. He informed that it is mentioned in the health report of Zilha Parishad that coal dust causes child deaths in the area. He demanded for satisfactory explanation from WCL Officer on the issues raised by participants and strongly demanded for cancellation of public hearing.

22] **Shri Pradip Vasant Bhongale (Belora)** said that land of his grandfather was acquired but employment was not given to his father or him. He informed that his grandfather passed away and he is unemployed. WCL officers give reason that nomination was not submitted and refuse the employment.

23] **Shri Ambhare (Deputy Sarpanch Niljay)** said that basic facilities like good roads, water supply are not provided after rehabilitation and demanded that these facilities should be provided from CSR funds. He alleged that work is not allotted to co-operative society established by villagers and the same is allotted to outside contractors. He requested for necessary action by Government for providing the facilities in the village.

24] **Shri Aashish Fulsunge (Zilha Parishad Member and Deputy Chief of Yuva Sena Yavatmal District)** accused that WCL officers do not follow rules and regulations and demanded to file F. I. R. against the said officers. He added that F. I. R. was filed on farmers for flimsy reasons by WCL officers and they themselves break rules and regulations. He accused that employment cases are knowingly delayed by WCL Officers. He demanded for permission for division of 3 Acre land in Yavatmal District and cancellation of public hearing by considering the issues raised by participants.

25] **Shri Sharad Thakre (Belora, Panchayat Samiti Member)** said that WCL didn't offer employments even after land acquisition and after a gap of many years the project affected people crossed the maximum age limit. He demanded that first employment should be given to the pending cases and then only public hearing should be conducted. He informed that unfiltered water is being supplied to the village and even after repeated requests to WCL officers they didn't give any response. He accused that blasting in mines is not performed as per safety norms. He said that Sub-Area Manager had given letter to *Grampanchayat* for not giving 'no objection certificate' to start medical shop in the village. He demanded to conduct a meeting about employment issues to solve the problems of villagers. He alleged that Section 4 and Section 7 is implemented to whole land and Section 9 is implemented only to 34 Ha land during the land acquisition.

26] **Shri Santosh Gowardipe (Taroda)** said that WCL has made injustice with the villagers by depriving them from employment. He accused that WCL authorities never tried to solve the problems of villagers and they never told villagers about Section 4, Section 7 and Section 9 in detail.

27] **Shri Dinkar Mahadev Pawde (Vice-President Bhartiya Janata Party Yavatmal)** said that rehabilitation of Niljay village is made 6 years ago but villagers are still deprived of basic facilities. He demanded to give ₹ 10 Crores from the proposed project for the development of Niljay village and said that district administration should create pressure on WCL authorities for release of funds. He added that Hon'ble MP conducted many meetings regarding employment issue but all cases are not finalized yet. He demanded not to conduct public hearing until employments are given to the affected persons. He accused that WCL authorities didn't utilize the money provided for pollution control and didn't carry out

plantation as per rules. He demanded to regularize all pending employment cases and then to conduct the public hearing.

**28] Shri Amol Regundwar (Sarpanch, Belora)** said that rehabilitation was carried out before 10 to 15 years but facilities like pure water supply, roads and streetlights are not provided by WCL. He accused that blasting is not performed as per the rules and causes cracks to house walls and creates noise pollution and vibration too.

Some participants started agitating against WCL and demanding the cancellation of public hearing. Chairman appealed them to maintain silence and allow other participants to express their views.

**29] Shri Prashant (Grampanchayat Member, Niljay)** said that basic facilities are not provided by WCL authorities even after 7 to 8 years of rehabilitation. Only one road is provided in entire village which is damaged and one bore-well is provided, which also not works. He added that there is no income source to the Grampanchayat and demanded to handover the land for rehabilitation to Grampanchayat. He opposed the proposed project and demanded for cancellation of public hearing.

**30] Shri Vinod Krishna Sontakke (Belora)** said that his family is under below poverty line and he is educated but unemployed. He blamed WCL authorities for not establishing the co-operative society with the villagers. He complained that blasting is not carried out as per the rules and creates heavy noise and vibrations due to which cracks are developed on house walls and even some walls fall down. Groundwater level is declined. He demanded to take action on above issues and then only to conduct the public hearing.

**Chairman Shri Rajendra Deshmukh** enquired whether anyone has to express his / her view regarding the proposed project. Thereafter nobody came forward and then Chairman instructed representative of WCL to reply on the issues raised by participants so far.

**Shri Kulkarni (Area Planning Officer, WCL Wani Area)** replied on the issues as below.

- Land acquisition will be carried out as per Government Rules. The issue of acquisition of remaining land will be conveyed to HQ, WCL and decision will be taken there. The land of Ukni village was acquired under Land Acquisition Act earlier and for proposed project it will be acquired under Coal Bearing Act.
- A survey will be conducted after implementation of Section 9 in which socio-economic data will be collected and based on this data further action will be initiated as per the provisions of Rehabilitation and Resettlement Policy of Coal India Ltd. Training will be provided for landless farm workers and other landless villagers.
- Necessary instructions will be issued to the concerned Sub-Area Managers regarding necessary action to stop ingress of water into farmland.
- All pending employment cases are in front of committee at Head Office and decision is expected from the committee.
- Compensation of land will be given according to State Government Rules i. e. ₹ 10 Lakhs per acre for irrigated land, ₹ 8 Lakhs for non-irrigated land and ₹ 6 Lakhs for waste land. Legal agreement will be made with the land owner.
- Rehabilitation and Resettlement Policy -2012 of Coal India Ltd. will be implemented. Valuation of land and houses will be as per Public Works Department rules. If any family

do not want land in rehabilitation then a compensation of ₹ 3 Lakhs will be given per family. Definition of a family is given in R & R Policy of Coal India Ltd. Grampanchayat will decide the place for rehabilitation from non-coal bearing part of the area.

- Employments were provided as per the provisions of R & R Policy of Coal India Ltd. Issue of appointment in the same project is a policy decision and it will be finalized at HQ, WCL.
- When Ministry approves the implementation of Section 9 then it will be announced in the villages.
- Concerned Sub-Area Managers will be instructed to carry out blasting in controlled manner so that noise and vibrations will be within tolerable limit.
- Joint survey with Grampanchayat members will be conducted regarding provision of roads and drainage in the villages.
- It is not mandatory under Section 4 to publish Gat nos. of the land to be acquired. However, list of Gat nos. will be given to *Sarpanchs* of concerned villages.
- Acquisition of remaining land of Mungoli village and rehabilitation of Mungoli village is proposed.
- Positive decision will be taken in the pending cases of employment. The proposal of Penganga project will be soon submitted to HQ.
- Decision about employment to second nominee will be taken at HQ as it is a policy matter.
- As per Government of India norms, black cotton soil will be preserved and ₹ 6 Crore per year will be deposited to Government as a provision of mine closure and land reclamation.

31] **Shri Dinkar Mahadev Pawde** said that these things are committed earlier also but they are not fulfilled.

32] **Shri Vijay Pidurkar** said that WCL had changed the rules from time to time according to their need and benefit. Details about forming a co-operative society viz. parameter to become a member, working area, maximum number of members etc. are not yet decided and Nodal Officer is not appointed since 2007. Proposal of Mungoli village for the formation of co-operative society is submitted to WCL but it is kept pending. When enquired, WCL officers told that the matter is being pursued with HQ, however it is within purview of Area Office. He claimed that WCL officers are lying. He said that earlier public hearings of Mungoli, Kolgaon and Naigaon projects were cancelled due to non-fulfilment of commitments and demanded for cancellation of public hearing.

He accused that WCL officers forcefully made villagers of Belsani to give in writing that they get employment in project without providing employments. He further accused that the procedure for conducting the public hearing given in EIA Notification is not followed for this public hearing. He further said that State Pollution Control Board forfeited Bank Guarantee of ₹ 10 Lakhs from WCL for non-compliance of pollution control rules. He complained that even after 25 years of beginning of mine, proper study regarding composition and effects of coal dust is not carried out either by Government or by WCL authorities. He demanded for satisfactory reply from WCL authorities regarding concentration of methane, carbon monoxide, nitrogen di-oxide etc. in the smoke generated after burning of coal.

He said that the survey nos. mentioned in Section 9 should be kept in acquisition process even after implementation of revised River Regulation Zone Policy of State Government. He said that as a result of his complaint about illegal overburden dumping,

DGMS officers visited the site with him and they also observed the non-compliances. He demanded to explain the constituents and effects of dust particles on human health and plants.

**Shri Saikhedkar (Area Nodal Officer Env., WCL Wani Area)** said that project affected people other than farmers can form co-operative society and work could be allotted to them. However other things such as number of members and working area are yet to be decided. He assured that proposal of forming co-operative society at Mungoli village will be sanctioned. He further said that water tankers are deployed on roads measuring about 4.6 km for water sprinkling. Contract is given for daily 8 trips on these roads. He further said that about 1,87,600 trees have been planted on 75 Ha land of Niljay South project and 4,43,605 trees have been planted on 177.44 Ha of Niljay project

**33] Shri Dinkar Pawde** claimed that 8 trips cannot be covered on 4.6 km road within 8 hours. It is clear that WCL officers are lying. He said that water tankers are deployed that day only and it is because of public hearing.

**Chairman Shri Rajendra Deshmukh** instructed Maharashtra Pollution Control Board officials to investigate and submit the report regarding pollution due to coal transportation and adequacy of water tankers provided. He added that he also observed that water is sprinkled on the roads that day. He instructed WCL officials to submit report regarding tree plantation carried out till date and to carry out proper study by NEERI regarding effects of coal dust. He also instructed to carry out testing of water quality which is supplied to the villages.

**34] Shri Rahul Saraf** said that State Pollution Control Board has forfeited Bank Guarantee of ₹ 10 Lakhs which means that WCL violated the pollution control rules and demanded to increase the amount of Bank Guarantee. He claimed that WCL authorities do not implemented the measures regarding pollution control as suggested by MPCB. He demanded for action against WCL for violating MPCB and DGMS norms. He informed that CPCB officials conducted joint visit along with MPCB officials and observed various non-compliances and recommended several control measures, which are not yet implemented. He accused that WCL authorities submit fake information for obtaining Environmental Clearance. He said that WCL authorities have not given the amount of compensation even after directions from Additional District Magistrate during previous public hearing. He informed that Divisional Commissioner instructed District Collectors to ensure total rehabilitation before beginning of project. He registered his strong oppose to the project and demanded for cancellation of the Public Hearing.

**Shri D. B. Patil (Regional Officer, MPCB, Chandrapur)** said that study regarding Arsenic concentration in coal dust and its effect is not carried out by Maharashtra Pollution Control Board. However, Public Health Department has started the survey regarding this. He informed that this issue is included Wani Action Plan prepared and implemented jointly by MPCB and NEERI/IIT Mumbai.

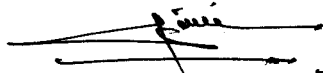
**Chairman Shri Rajendra Deshmukh** said that it is instructed to WCL authorities to conduct study by NEERI regarding effects of coal dust. He further instructed to submit the employment proposals to Collector Office through Sub-divisional Officer and decision will be taken on it as soon as possible. He instructed State Pollution Control Board officials to initiate suitable action against non-compliances by WCL. He informed that Show Cause Notice is already issued to WCL by District Collector under Disaster Management Act

against violation of Government norms regarding overburden dumping and thereby causing flood situation. He instructed WCL authorities to take suitable steps in this regard.

He further said that the views expressed by participants are recorded and will be incorporated in the minutes of the public hearing and the proceedings will be submitted to the Ministry for further course of action. He then declared that the public hearing is concluded.

**Shri Rahul Saraf** said that as per the Section 4 of EIA notification Chairman cannot leave the place before conclusion of public hearing and minutes of public hearing should be prepared on the same day. He demanded to change the decision and to cancel the public hearing otherwise people have to go for appeal against the decision.

**Chairman Shri Rajendra Deshmukh** said that final decision regarding project will be taken at Ministry of Environment & Forest, New Delhi. He added that it is also recorded that participants are not in favour of project. He then declared that the public hearing is concluded.



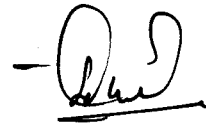
**(S. D. Patil)**

Convener of Public Hearing  
& Sub Regional Officer,  
MPCB, Chandrapur



**(D. B. Patil)**

Member of Public Hearing  
Panel & Regional Officer,  
MPCB, Chandrapur



**(Rajendra Deshmukh)**

Chairman of  
Public Hearing Panel &  
Additional District Magistrate,  
Yavatmal