



JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/240013

Ref. No.: B-2563

Ranchi, Dated: - 16/11/2023

From,

Y.K.Das
Member Secretary

To,

The Secretary,
Urban Development & Housing Department, Govt. of Jharkhand

The Secretary,
Rural Development Department, Govt. of Jharkhand

The Secretray
Water Resource Department, Govt. of Jharkhand

The Secretray,
Road Construsion Dept., Govt. of Jharkhand

Sub- Monitoring and enforcement mechanism for the Standard Operating Procedure (SoP)/environmental safeguards issued for (i) Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. and (ii) Dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management - reg.

Ref. No.: MoEF&CC Office Memorandum no. F. No. 3-70/2020-IA.III [141127] dated 21.08.2023

Sir,

With regard to the subject stated and office memorandum stated above, it is to inform that MoEF&CC has developed an Standard Operating Procedure (SoP)/ environmental safeguards issued for (i) Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. and (ii) Dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management.

As per Para 4. of the said Office Memorandum dated 21.08.2023 which states "**All the State Pollution Control Board(SPCBs)/ Pollution Control Committees (PCCs) shall independently monitor the compliance status of the afromentioned SoP/ environmental safegaruds as the case may be. All the State Pollution Control Board(SPCBs)/ Pollution Control Committees (PCCs) shall also monitor the aforementioned SoP/ environmental safegaruds whicle monitoring of compliences of the CTE(Consent to Establish) and CTO (Consent to Operate) conditions. Further , the SPCBs / PCCs shall initiate legal action againt the project proponent under the relevant provisions of Environment (Protection) Act, 1986 for projects not complying with the aforesaid SoP/ environmental safegaruds, as may be applicable.**"

In this context, it is requested to enforce and ensure the compliance with respect to the Standard Operating Procedure (SoP)/ Environmental safeguards issued to the above mentioned projects at the earlist. The copy of the said Standard Operating Procedure (SoP)/ Environmental safeguards has been enclosed herewith for information and further action.

This issues with approval of competent authority.

Thanking you

Encl: A/a

Yours sincerely

(Y.K.Das)
Member Secretary

ey

(F)

F. No. 3-70/2020-IA.III [141127]
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi - 110003

Dated: 21st August, 2023

OFFICE MEMORANDUM

Subject: Monitoring and enforcement mechanism for the Standard Operating Procedure (SoP)/environmental safeguards issued for (i) Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. and (ii) dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management - reg.

The Ministry vide Notification S.O. 1224 (E) dated 28/03/2020 had *inter-alia* provided exemption from prior Environmental Clearance for extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc., and dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management.

2. Subsequently, in pursuance to the order dated 28/10/2020 of Hon'ble National Green Tribunal, Principal Bench in Original Application No. 190/2020 in the matter of Noble M. Paikada Vs. Union of India & Ors, the MoEF&CC issued Office Memoranda of even number dated 8/8/2022 and 12/07/2023 respectively regarding the Standard Operating Procedure (SoP)/environmental safeguards to be followed for the entries 6 and 7, as mentioned below, under the Appendix IX of the EIA Notification, 2006 which have been exempted from the requirement of obtaining environment clearance vide Notification dated 28/03/2020 :

- 6. *Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.*
- 7. *Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.*

3. The Ministry deems it necessary to ensure that aforementioned SoP/environmental safeguards are implemented in letter and spirit at the field level, for which a monitoring and enforcement mechanism needs to be put in place.

Handwritten notes: 7/5, 11/09/23, 04/09/23

30/8/23

Handwritten signature: Sri Sivastava
Handwritten signature: Sujeev
Date: 30/8/23

Handwritten signature: Shri Gaurav
Handwritten signature: Manoj
Date: 08/09/23

Handwritten number: 10553
Handwritten date: 01/09/2023

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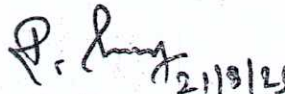
Not concerned to me

Handwritten signature: Manoj

4. In this regard, it is enjoined upon all the Project Proponents availing of the aforesaid provisions and carrying out activities related to entries 6 and 7 of Appendix IX of the EIA Notification, 2006 to inform the concerned State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs) at least a fortnight before start of such activities in writing giving details of such activities and the environment safeguards being observed by them as laid out in the applicable SOP referred to in the para number 2 above.

5. All the State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs) shall independently monitor the compliance status of the aforementioned SoP/environmental safeguards as the case may be. All the State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs) shall also monitor the aforementioned SoP/environmental safeguards while monitoring the compliances of the CTE (Consent to Establish) and CTO (Consent to Operate) conditions. Further, the SPCBs/PCCs shall initiate legal action against the project proponent under the relevant provisions of Environment (Protection) Act, 1986 for the projects not complying with the aforesaid SoP/environmental safeguards, as may be applicable.

6. This is issued with the approval of the Competent Authority.


(Sundar Ramanathan)
Scientist 'E'

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman and Member Secretaries of SEIAA/ SEACs
3. Chairpersons/ Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/PPS to JS (SKB)
6. Website, MoEF&CC/Guard file

ANNEXURE

SOP for Borrow Area Identification; its operation, safety and redevelopment

The activity relates to identification of borrow areas to obtain earth/soil materials; its operation, safety and redevelopment shall be carried out as per the following criteria:

1. Selection of site, operation and site-specific measures to adopt
 - i. Environmental issues like siting borrow pit location, soil erosion aspects, accumulation of run-off and associated problems, disposal of debris by local community in open borrow area, transport of borrow earth to construction site, preservation of top soil of 15m depth and reuse for plantation, reinstatement of borrow pits and sites shall be considered before selection of site.
 - ii. Guidelines, Manuals, Notifications etc issued by various agencies from time to time like IRC, MoRTH, MoEFCC etc shall be followed.
 - iii. For selection of the site for the borrow area, agricultural land, cut material available from other road construction projects, dredging material from dredging operations of ponds, lakes, rivers and canals, material from barren land or land without tree cover outside the road RoW, material from excavation of proposed culverts can be considered. Provided further that, highly productive top-soil shall be stored separately and used for plantation activity.
 - iv. Borrowing shall be avoided on the lands close to toe line, irrigated agricultural lands, grazing land, lands within settlements, 1 Km from environmentally sensitive areas such as Reserve Forests, Protected Forests, Sanctuary, National Parks, Conservation Reserve, Wetlands etc, unstable and fragile side-hills, streams and seepage areas, areas supporting rare plants/ animal species. It should be ensured that unsuitable soft rock is not prominent within the proposed depth of excavation which will render rehabilitation difficult.

2. The General Guidelines
 - i. The preservation of topsoil will be carried out in stockpile.
 - ii. A 15 cm topsoil will be stripped off from the borrow pit and this will be stored in stockpiles in a designated area for height not exceeding 2m and side slopes not steeper than 1:2 (Vertical: Horizontal).
 - iii. Preservation of Top Soil of 15cm depth and its reuse for plantation
 - iv. Validation of the work of re-use of Top Soil by the AE/IE. Competent authority to check the re-use anytime if warranted.
 - v. Borrowing of earth will be carried out up to a depth of 2m from the existing ground level.
 - vi. Borrowing of earth will not be done continuously throughout the stretch.
 - vii. Ridges of not less than 8m widths will be left at intervals not exceeding 300m.
 - viii. Small drains will be cut through the ridges, if necessary, to facilitate drainage.
 - ix. Depends upon the location of borrow areas, the safeguard measures & management specific treatment as a particular borrow area depending upon its

location viz Agriculture Land, Elevated Land, Waterbody, near Settlement and along the alignment.

3. Re-development of Borrow Areas

The objective of the rehabilitation programme is to return the borrow pit sites to a safe and secure area, which the general public should be able to use safely. Securing borrow pits in a stable condition is fundamental requirement of the rehabilitation process. This could be achieved by filling the borrow pit approximately to the road level. Following measures shall be taken for Rehabilitation:

- i. Borrow pits shall be backfilled with rejected construction wastes (unserviceable materials) including fly ash, compacted and will be given a turving or vegetative cover on the surface. If this is not possible, then excavation slope should be smoothened, and depression is filled in such a way that it looks more or less like the original ground surface.
- ii. During works execution, the Contractor shall ensure preservation of trees during piling of materials; spreading of stripping material to facilitate water percolation and allow natural vegetation growth; re-establishment of previous natural drainage flows; improvement of site appearance; digging of ditches to collect runoff; and plantation may be carried out wherever feasible or pit may be developed for water storage as per Amrit Sarovar Scheme of MoRTH.

4. Development of Amrit Sarovar

Under Amrit Sarovar Programme, water bodies are being developed by MoRT&H/NHAI/other road development agencies and the desilting of existing water body is also being taken up for water harvesting and re-charge of ground water. The earth available from development of such water bodies is to be utilised for road works and plantations as per suitability of soil. The State Authorities have already been advised not to levy any royalty for borrowing of earth for development of water bodies under Amrit Sarovar Programme.
