

Government of West Bengal
Department of Land & Land Reforms and Refugee Relief & Rehabilitation
Nabanna (6th Floor), 325 Sarat Chatterjee Road
Shibpur, Howrah-711102

MEMORANDUM

No. 179 - M & M/LR/A-II-26/2010

Dated- 27 /01/2021

In view of the Amendment in the West Bengal Minor Minerals Concession Rules, 2016 vide the Department of Industry, Commerce & Enterprises No. 378-ICE/O/MIN/GEN/MIS/04/2021 dated 24th September, 2021 wherein it is stated that removal of earth for the purpose of brick kiln shall be deemed as non-mining activity and shall not require Environmental Clearance if the depth of quarry/removal is not more than 1.5 metres from the adjoining ground level, the following amendment is made in the guidelines relating to operation of new brick fields/kilns which was issued vide this Department No. 2649-M & M/LR/A-II-26/2010 dated 27/10/2016:

Amendments

In the said guideline

(1) for clause (f) of sub-para 2 of Para A, substitute the following clause:-

“(f) Environment Clearance from an appropriate authority is to be submitted for excavation or borrowing of brick earth or ordinary earth for the purpose of brick kiln if the depth of quarry/removal/excavation/borrowing is more than 1.5 metres from the adjoining ground level.”

(2) in sub-para-3 of Para A, after the words “in any manner whatsoever.” Insert the following words, letter, figures and brackets:-

“If the applicant does not submit Environmental Clearance from the appropriate authority as per (f) above, then the applicant shall also submit self declaration in the form of affidavit to the effect that the depth of quarry/removal of brick earth for the purpose of his/her brick field(s) shall in no case be more than 1.5 metres from the adjoining ground level.”

(3) to sub-para 4 of para A, insert the following proviso:-

“Provided that if the depth of quarry/ removal of brick earth for the purpose of the project of the concerned brick field is not more than 1.5 metres from the adjoining ground level then no prior environmental clearance shall be required before processing the application for operation of new brick field.”

(4) In para C, after clause 10, insert the following clauses:

“11) The removal of brick earth shall be guided by the orders/circulars issued by the Department of Land and Land Reforms and Refugee Relief and Rehabilitation from time to time. For the time being the recommendations/decisions in this regard as laid down in para-4 of the Guideline of Office Memorandum of No. L-11011/47/2011-1A.II(M) dated 24th June, 2013 of the Ministry of Environment and Forests, GoI need to be followed.

12) The plots of the lands on which the brick field under consideration will be established are to be converted first u/s 4C of the WBLR Act in accordance with the existing law, rules and guidelines under it.”


Land Reforms Commissioner and Secretary

to the Government of West Bengal

No. **179** - M & M/LR/A-II-26/2010

Dated-**27/01/2021**

Copy for information and necessary action to:

- 1) The Additional Chief Secretary/Principal Secretary/Secretary to the Government of West Bengal, Environment/ Irrigation and Waterways/Agriculture/PWD/Industry, Commerce and Enterprises Department.
- 2) The Commissioner, Jalpaiguri/Malda/Bardhaman/Presidency/Medinipur Division.
- 3) The Member Secretary, West Bengal Pollution Control Board.
- 4) The D.L.R. & S, West Bengal, Alipur, Kolkata.
- 5) The District Magistrate & Collector-----All.
- 6) The Additional District Magistrate & Collector (L & LR)-----All


Joint Secretary

to the Government of West Bengal