



सत्यमेव जयते

File No.: 459031/06-MIN/01-2024  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Issued by the State Environment Impact Assessment  
Authority(SEIAA), ODISHA)

\*\*\*



Dated 13/03/2024



To,

Benudhar Patra  
BENUDHAR PATRA  
At-plot no-837, Daraji sahi, Bbsr, old town, Khordha , KHORDHA, ODISHA, , 751002  
benudharpatra2022@gmail.com

**Subject:** Amendment in Environmental Clearance (EC) of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack of Sri Benudhar Patra granted to the project under the provision of the EIA Notification 2006 -regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/OR/MIN/459031/2024 dated 17/01/2024 for grant of an amendment in prior Environmental Clearance (EC) issued by SEIAA, Odisha vide letter no.870/SEIAA dt. 09.03.2021 to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0107OR5355205A
(ii) File No.	459031/06-MIN/01-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Proposal for Amendment of EC of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack based on Replenishment Study Report..
(vii) Name of Project	CUTTACK, ODISHA
(viii) Location of Project (District, State)	SEIAA
(ix) Issuing Authority	17/01/2024
(x) EC Date	NO
(xii) Applicability of General Conditions	
(xiii) Status of implementation of the project	

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A and B) were submitted to the SEAC for an appraisal by the State Level Expert Appraisal Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments for grant of amendment of EC.
2. The above-mentioned proposal has been considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 29.01.2024. The minutes of the meeting and all the Applications and documents submitted [(viz. Form-2(Part A and B)] for EC are available on PARIVESH portal which can be accessed by scanning the QR Code above or through the following web link [click here](#).
3. The brief about the reasons for an amendment requested along with comparison table illustrating the details of amendments are annexed to this letter as Annexure (2)
4. The SEAC, in its meeting held on 29.01.2024, based on information & clarifications provided by the project proponent and after detailed deliberations in the matter & the SEAC **recommended the proposal for amendment of Environmental Clearance** under the provision of EIA Notification, 2006.
5. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 157<sup>th</sup> meeting held on 22.02.2024 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2<sup>nd</sup> February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore) and based on the recommendation of SEAC hereby accords amendment in Environment Clearance of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack of Sri Benudhar Patra under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of EC conditions, general instructions issued vide EC letter no./EC Identification number 870/SEIAA dt. 09.03.2021 and following additional specific conditions as mentioned below:

**Additional Specific Condition:**

- Maximum quantity of extraction of sand shall be allowed to **4067.20 cum per year** for the rest of the lease period i.e. for the 3<sup>rd</sup> year, 4<sup>th</sup> year and 5<sup>th</sup> year.
- The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.
- The validity of EC is valid till validity of DSR or validity of lease period whichever is earlier.
- The Project Proponent (lease holder) shall deposit Rs.2, 50,000/-, with the respective District Environment Society for raising 500 plants (minimum @100 trees per Ha) of native species within 2 years in a suitable location adjoining to quarry.
- The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.

The Project Proponent shall comply the above conditions and also to uploaded/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of transfer of EC, falling which the EC stands automatically revoked.

This issues with the approval of the Competent Authority.

**Copy To**

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31,

Chandrasekharpur, Bhubaneswar for information.

5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011for information.
7. Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.
8. Collector/Sub Collector, Cuttack and Tahasildar Niali/Mining Officer, Cuttack for information and necessary action.
9. Chairman/Member / Member Secretary, SEIAA for information.
10. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
11. Guard file for record.

Annexure 2

**Amendment Logs**

Description	Reference	Existing	Proposed / Amendment	Reason
NA	NA	NA	NA	NA

Proposal No.	SIA/OR/MIN/ 459031/2024
Date of application	17.01.2024
File no.	459031/06-MIN/01-2024
Project Type	Proposal for Amendment of EC
Category	B2
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for Amendment of EC of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack
Name of the company/Organization	Sri Benudhar Patra
Location of Project	Village-Nati, Tahasil-Niali, Dist-Cuttack

### 1. **Proposal in brief:**

The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

- (i) This is a proposal for amendment of EC of Nati devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. EC Identification No. – 870/SEIAA dt. 09.03.2021.2021 & Amedment of EC letter issued vide letter no. 5390/SEIAA dt. 02.09.2022 for Nati devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack.
- (iii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand was 41013 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-4000 cum.
- (iv) The SEIAA allowed 4000 cum of sand for 1<sup>st</sup> year production with depth of mining 1.0 meter.
- (v) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that “Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15<sup>th</sup> May 2022, if satisfactory replenishment study report is not submitted.”
- (vi) The PP has mentioned the quantity of sand extracted 3921.5 cum in the year 1<sup>st</sup> year & 2350.5 cum in 2<sup>nd</sup> year.
- (vii) The replenishment study was done by the AREAL CONSTRUCTIONS & GEO-INDIA SERVICES, the ORSAC Empanelment Agency with mentioned that the pre-monsoon standard elevation 7.776234 and post-monsoon standard elevation 7.903473 and quantity of sand replenished is 4067.2183 cum and proposed production is **4067 cum/annum**.
- (viii) Both Pre monsoon (05.06.2023) and Post Monsoon (18.10.2023) has been carried out by Drone survey method.
- (ix) Available replenishment mineable reserve after post monsoon in common workable area of 31,965.186sqm i s 4067.2183cum and 60% of replenishment mineable reserve is 2440.33098cum of sand.
- (x) Any deficiencies/omission have been noticed in the above documents- Nil

2. **Whether SEAC recommended the proposal** – The proposal was placed in the SEAC meeting held on 29.01. 2024 and The SEAC observed the following:

- a) The replenishment studies show the volume of sand deposited is 4067 cum after post monsoon. But as per existing rule 60% of sand quantity i.e., 2440.33 cum is permitted.
- b) It is observed from KML file & pictures from the report, the land mass are around 50% of lease area. i.e., ar ound 24000 sq. meter. There has been deep excavation in the lease area.

c) The lessee has excavated only 3921.5cum during 1st year and 2350.5cum during 2nd year. The lessee has re requested to reduce the MGQ, since there is no sufficient deposit of sand during monsoon.

After detailed deliberations, the SEAC decided to recommend the proposal as per the replenished value of sand i.e., **4067.21 cum of sand**.

**Decision of Authority: Approved**

After detailed deliberation in the matter, the Authority decided to allow amendment of EC as per the SEAC recommendation with the following specific condition:

- Maximum quantity of extraction of sand shall be allowed to **4067.20 cum per year** for the rest of the lease period i.e. for the 3<sup>rd</sup> year, 4<sup>th</sup> year and 5<sup>th</sup> year. The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.
- The validity of EC is valid till validity of DSR or validity of lease period whichever is earlier.
- The Project Proponent (lease holder) shall deposit Rs.2, 50,000/-, with the respective District Environment Society for raising 500 plants (minimum @100 trees per Ha) of native species within 2 years in a suitable location adjoining to quarry.
- The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.

