



सत्यमेव जयते

File No.: 483655/283-MIN/07-2024

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority (SEIAA),
ODISHA)



Dated 13/12/2024



To,

SRI DURGA PRASAD MISHARA
BAMARA, GOVINDPUR, PO: Bamra, Dist- Sambalpur, Odisha, 768221
ecboneikelasandbed@gmail.com

Subject: Amendment in Environmental Clearance (EC) letter no.9865/SEIAA dated 01.12.2020 granted to the project of Boneikela Sand Quarry under the provision of the EIA Notification 2006 -regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA, Odisha vide proposal number SIA/OR/MIN/483655/2024 dated 03/07/2024 for grant of an amendment in prior Environmental Clearance (EC) to the project of Boneikela Sand Quarry over an area 12.35Ac or 5.00Hac in Boneikela village under Bonei Tahasil of Sundargarh District Odisha in respect to fixation of extraction quantity of sand based on the Annual Rate of Replenishment Study (ARRS) report for further production of sand from the source 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.	EC24C0107OR5531243A
(ii) File No.	483655/283-MIN/07-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Proposal for modification of EC on the basis of Replenishment Study Report of BONEIKELA SAND QUARRY over an area 12.35Ac or 5.00Hac in Boneikela village under Bonei tahasil of Sundargarh district Odisha
(vii) Name of Project	
(viii) Location of Project (District, State)	SUNDARGARH, ODISHA
(ix) Issuing Authority	SEIAA, ODISHA
(x) EC Date	03/07/2024
(xii) Applicability of General Conditions	NO
(xiii) Status of implementation of the project	Operating condition

3. In view of the particulars given in the Para-1 above, the project proposal interalia including Form-4 (Part A, B & C) 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 thereto.

4. The above-mentioned proposal has been considered by SEAC in its meeting held on 05.10.2024. The minutes of the meeting and all the project documents are available on Parivesh portal which can be accessed from the Parivesh portal by scanning the QR Code above or through the following web link [click here](#).

5. The brief about the reasons for an amendment requested along with the brief on the salient features of the project as submitted by the project proponent in Form- 4 (Part A, B & C) and as presented before SEAC and the details of the amendment of EC are annexed as **Annexure- 2**.

6. The proposal was placed in the SEAC meeting held on 05.10.2024 under the provisions of EIA Notification 2006 and its subsequent amendments and after detailed deliberations in the matter and the SEAC decided to recommend the proposal as per the Replenishment Study Report with 13704.2 cum of sand subject to modification of Mining Plan.

7. The SEIAA, Odisha has examined the proposal in 180th meeting held on 05.12.2024 in accordance with the extant provisions of the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEAC and hereby accords amendment in Environment Clearance issued vide EC letter no. / EC Identification No. – 9865/SEIAA dated 01.12.2020 for the instant proposal Boneikela Sand Quarry to Sri Durga Prasad Mishra is **allowed** for extraction quantity of sand **13700 cum per annum** for the balance lease period under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of EC conditions, general instructions issued vide EC letter dated 01/12/2020 and following additional specific conditions as mentioned in **Annexure-1**.

Stipulations

Sl. Descriptions	Stipulation
(i) Lease Area:	12.35 Acres or 5.0 Ha.
(ii) No Mining Zone:	(i). The PP shall maintain safety and stability of Riverbanks i.e. 3 meter or 10% of river width whichever is more for protection of river bank and (ii). 7.5-meter safety zone from all sides of lease boundary. (iii). No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
(iii) Maximum Depth of Mining:	1.2 meter as per the approved mining plan
(iv) Method of Mining:	Manual, as per the approved mining plan
(v) Permitted Quantity:	13700 cum/annum for remaining lease period based on Annual Rate of Replenishment Study (ARR) report submitted by the project proponent along with consultant.
(vi) Validity Period of EC:	The EC is valid upto the balance lease period subject to the quantity prescribed in the revised DSR or modified Mining Plan (approved by the competent authority) whichever is less.
(vii) ARRS report	The PP shall carry out the ARRS study through a NABET or ORSAC empanelled agency in subsequent year and submit the data in half yearly EC compliance to be upload in Parivesh Portal only on regular basis.

8. The SEIAA, Odisha reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

9. The Amendment of Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

10. The PP is under obligation to implement commitments made in the Environment Management Plan (EMP) of which forms part of this EC.

11. Validity of EC is for balance lease period .

12. General Instructions:

The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.

The copies of the environmental clearance and amendment of EC shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.

The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.

Action plan for implementing EMP and environmental conditions along with a responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in a separate account and not to be diverted for any other purpose. Six monthly progress of implementation of the action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.

Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

The compliance of EC conditions of said quarry shall be monitored by DEIAA, concerned lease granting Authority either Mining Officer or Tahasildar, RO, SPCB, Odisha and Integrated Regional Office of MoEFCC, Bhubaneswar as per MoEF & CC, Govt. of India S.O. 141(E) in EIA Notification dated 15.01.2016.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

13. This issues with the approval of the Competent Authority.

Copy To

1. Principal Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Integrated Regional Office (IRO), 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. Chairman/Member/Member Secretary, SEIAA for information.
7. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
8. Collector & DM, Sundargarh, Sub-Collector, Sundargarh, Deputy Director of Mines, Sundargarh, DFO, Sundargarh, RO, SPCB, Sundargarh, Tahasildar, Bonai/Mining Officer, Sundargarh for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

Annexure 1

Specific EC Conditions for (Mining Of Minerals)

1. Specific Conditions

S. No	EC Conditions
1.1	<p>Before lease agreement</p> <ol style="list-style-type: none"> 1. Boundary Demarcation: - The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC. 2. Digital Map: -A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar/Mining officer shall be submitted to SEIAA, Odisha through email at seiaaodisha@gmail.com. 3. Intimation of EC: -The copies of the EC shall be sent to the Sarpanch (s) of the concerned Gram Panchayat (s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt. The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEF&CC Regional Office for compliance and record. 4. Tree Plantation: The PP shall plant native tree species of 100 nos. after consultation with concerned DFO. 5. State EMF Fund: - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar/Mining Officer and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken. 6. Condition by Collector/ Deputy Director of Mines: - Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment. 7. Compliance report for Transfer of EC: - Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar/Mining Officer concerned of the above environmental conditions and safeguards. 8. Other conditions/NOC:- Consent / NoC shall be obtained from the concerned authority if village road is to be used for transportation. The said road shall also be maintained by the lessee.
1.2	<p>After lease agreement</p> <ol style="list-style-type: none"> 1. Consent / NoC shall be obtained from the concerned authority if village road is to be used for transportation. The said road shall also be maintained by the lessee. 2. In view of likely revision of DSR the mention of this deposit with final coordinates is to be ensured. 3. The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map. 4. Plantation programme to be completed within first two years and to be maintained in

S. No	EC Conditions
	<p>remaining years.</p> <p>5. The Project proponent shall follow Sustainable Sand Mining Guidelines, 2020.</p> <p>6. The proponent shall provide Bio- toilet for the workers.</p> <p>7. Project Proponent shall not disturb the water course during mining.</p>
1.3	<p>During Operation of the quarry No Working Zone: - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -</p> <ul style="list-style-type: none"> • During the rainy season; • Within the water channel or stream flow area throughout the year; • Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee. • The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. • No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed. • Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purposes. • The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
1.4	<p>Annual Replenishment Rate Study of Sand: -The Project Proponent shall carry out Annual Rate of Replenishment study of sand in subsequent year by ORSAC empanel agency or NABET Consultant as per prescribed drone method of MoEF & CC, Govt. of India by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The findings of the study shall be uploaded in Parivesh Portal during submission of half yearly EC compliance with attaching real-time geo-coordinating photographs both pre and post monsoon data collection time.</p>
1.5	<p>Transport Safeguards:</p> <ul style="list-style-type: none"> • No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission. • Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that

S. No	EC Conditions
	<p>the carrying capacity of the road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.</p> <ul style="list-style-type: none"> • Project proponents shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. • Vehicles hired for transportation of minor minerals from the site should be in good condition and should have pollution check certificates and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed. • The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar/ Mining Officer may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks. • Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project
1.2	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
1.3	Permission of power supply to be taken from the concerned authority for meeting power demand of the project site.
1.4	The maximum production or peak production at any given time shall not exceed the limit as prescribed in the EC.
1.5	The EC is valid upto the balance lease period subject to the quantity prescribed in the revised DSR or modified Mining Plan (approved by the competent authority) whichever is less.

2. Air Quality Monitoring And Mitigation Measure

S. No	EC Conditions
2.1	Major approach roads shall be black topped and properly maintained.
2.2	The transportation of sand shall be carried out as per the provisions and route proposed in the approved mining plan. Transportation of the sand through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed that the impact of sound, dust and accidents could be appropriately mitigated
2.3	Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.

3. Noise And Vibration Monitoring And Prevention

S. No	EC Conditions
3.1	The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

4. Mining Plan

S. No	EC Conditions
4.1	Mining shall be carried out as per the approved mining plan approved by concerned Authority.
4.2	Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.

5. Miscellaneous

S. No	EC Conditions
5.1	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
5.2	The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
5.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
5.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and

S. No	EC Conditions
	Climate Change at environment clearance portal.
5.5	Environmental Management Plan: EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in a separate account and shall be spent according to the plan proposed in EMP. The PP will implement the EMP with a budgetary allocation mentioned during EC application Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar/Mining Officer shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
5.6	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
5.7	The project proponent shall abide by all the commitments and recommendations made in the EMP report, commitment made during EC application.
5.8	No further expansion or modifications in the quarry shall be carried out without prior approval of the SEIAA, Odisha
5.9	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
5.10	The SEIAA, Odisha may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
5.11	The SEIAA, Odisha reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
5.12	The compliance of EC conditions of said quarry shall be monitored by DEIAA, concerned lease granting Authority either Mining Officer or Tahasildar, RO, SPCB, Odisha and Integrated Regional Office of MoEFCC, Bhubaneswar as per MoEF & CC, Govt. of India S.O. 141(E) in EIA Notification dated 15.01.2016.
5.13	The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
5.14	The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours
5.15	Other Environmental Conditions: -The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

S. No	EC Conditions
	<ul style="list-style-type: none"> • The Tahasildar/ Mining Officer shall take adequate measures to prevent unauthorized mining; • The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source; • The lessee shall ensure safety of human life and livestock from accidents in case the village / any habitation is very near the mining lease area. • At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.

Additional EC Conditions

1. The replenished quantity of sand **13700 cum/annum** as per ARRS report is approved for the remaining lease period.
2. The EC is valid for the balance lease period subject to the quantity prescribed in the modified DSR or revised Mining Plan whichever is less.
3. The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent years and submit the report to SEIAA, Odisha.
4. The PP shall implement the EMP with a budgetary allocation as commitment made in the EMP report during EC application.
5. The PP shall plant **100 nos.** of tree species like Banyan (*Ficus benghalensis*), Peepal(*Ficus religiosa*), Neem (*Azadirachta indica*), Jamun(*Syzygium cumini*), Mango(*Mangifera indica*), Karanj(*Pongamia pinnata*), Arjun(*Terminalia Arjuna*), Jackfruit (*Artocarpus heterophyllus*), Siris (*Albizia lebbek*), etc.. as part of tree plantation campaign "**Ek Ped Maa Ke Naam**" and the details of the same shall be uploaded in the MeriLiFE Portal (<https://merilife.nic.in>).The PP shall submit the status of plantation during every six-months (06) compliance of EC conditions with geo-coordinating photographs.
6. The compliance of EC conditions of said quarry shall be monitored by DEIAA, concerned lease granting Authority either Mining Officer or Tahasildar, RO, SPCB, Odisha and Integrated Regional Office of MoEFCC, Bhubaneswar as per MoEF & CC, Govt. of India S.O. 141(E) in EIA Notification dated 15.01.2016.
7. The Project Proponent shall upload/submit six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only failing which the EC is liable to be revoked.

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 Boneikela Sand Quarry over an area 12.35Ac or 5.00Hac in Boneikela village under Bonei Tahasil of Sundargarh District Odisha.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. EC Identification No. – 9865/SEIAA dated 01.12.2020 for Boneikela Sand Quarry over an area 12.35Ac or 5.00Hac in Boneikela village under Bonei Tahasil of Sundargarh District Odisha.
- (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 42357 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-25000 cum.
- (iv) The SEIAA allowed 25000 cum of sand for 1st year production with depth of mining 1.0 m.
- (v) There is an EC conditions point no. 01 to 02 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 15th November, 2022, if satisfactory replenishment study report is not submitted.”
- (vi) EC was transfer in favour of Sri Durga Prasad Mishra vide EC identification no. EC24C0107OR5634101T dated 18.04.2024.
- (vii) The PP has mentioned that 25000 cum of sand has been extracted from the source in 1st year.
- (viii) The PP has submitted replenishment study report was done by the the RQP Sri Zinu Sh. Sathua along with Appvisio Consulting Services Private Limited (ORSAC Empanelment Agencies) with mentioned that Pre-Monsoon sand volume = 27943.7 cum, post-monsoon sand volume = 41647.9 cum and quantity of sand replenished = **13704.2 cum** and proposed production is 25000 cum.
- (ix) The DFO, Sundargarh vide his letter no. 2339 dated 23.04.2024 has mentioned that 2.50 lakh has been deposited to District Environment Society A/c. No. 10969174121 for Boneikela Sand Quarry as per transfer of EC conditions.
- (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 05.10.2024 and the SEAC decided to recommend the proposal as per the Replenishment Study Report with **13704.2 cum** of sand subject to modification of Mining Plan.