



सत्यमेव जयते

File No.: 473208/225-MIN/05-2024

Government of India

Ministry of Environment, Forest and Climate Change

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



Dated 22/01/2025



To,

Sri Gadadhar Seth
AT/PO- KULAD, PS- NALCO NAGAR, DIST- ANUGUL, ODISHA, 759145
gadadharsethec@gmail.com

Subject: Amendment in Environmental Clearance (EC) letter no.1055/SEIAA dated 26.03.2021 granted to the project of Haturipal Brahmani Sand Quarry to Sri Gadadhar Setha, the successful bidder 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/473208/2024 dated 16/05/2024 for grant of an amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) in prior Environmental Clearance (EC) to the project of EC of Haturipal Brahmani Sand Quarry over an area of 11.80 Acre or 4.77 Ha in village Haturipal under Odapada Tahasil of Dhenkanal District Odisha Sri Gadadhar Setha, the successful bidder 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.	EC24C0107OR5421363A
(ii) File No.	473208/225-MIN/05-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Haturipal Brahmani Sand Quarry over an area of 11.80 Acre or 4.77 Ha in village Haturipal under Odapada Tahasil of Dhenkanal District Odisha
(vii) Name of Project	DHENKANAL, ODISHA
(viii) Location of Project (District, State)	SEIAA, Odisha
(ix) Issuing Authority	16/05/2024
(x) EC Date	NO
(xii) Applicability of General Conditions	Operating condition
(xiii) Status of implementation of the project	

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 16.12.2024 & 17.12.2024. 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.

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 16.12.2024 & 17.12.2024 under the provisions of EIA Notification 2006 and its subsequent amendments and after detailed deliberations in the matter and the SEAC recommend the proposal for Sand mining may be allowed for 5314 cum as per replenished quantity.

7. The SEIAA, Odisha has examined the proposal in 186th meeting held on 15.01.2025 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 letter no. 1055/SEIAA dt 26.03.2021 for the instant proposal of Haturipal Brahmani Sand Quarry over an area of 11.80 Acre or 4.77 Ha in village Haturipal under Odapada Tahasil of Dhenkanal District Odishato Sri Gadadhar Seth is allowed for extraction quantity of sand **5314** cum per annum for the balance lease period with depth of mining 1.0 meter as per ARRS report under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of EC conditions, general instructions issued vide EC letter dated 26/03/2021 and following additional specific conditions as mentioned in Annexure-1. The other stipulated terms and conditions of the original EC letter initially granted remain the same.

Stipulations

Sl.	Descriptions	Stipulation
(i)	Lease Area:	11.80 Acres or 4.77 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:	1.0 meter as per the ARRS report.
(iv)	Method of Mining:	Manual as per approved mining plan
(v)	Permitted Quantity:	5314 cum/annum for the remaining period of lease.
(vi)	Validity Period of EC:	The validity of EC is for 5 years or for validity of lease period whichever is earlier.
(vii)	ARRS report	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.

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 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) which forms part of this EC.

11. The validity of EC is for 5 years or for validity of lease period whichever is earlier..

12. General Instructions:

1. 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.

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 must display the same for 30 days from the date of receipt.
3. 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.
4. 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.
5. 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.
6. The Regional Office of MoEF & CC, Bhubaneswar, SPCB, Odisha and the lease granting Authority shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
7. 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

1. ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR/MINING OFFICER BEFORE LEASE AGREEMENT:

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 **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 lebbeck), 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.
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:** - 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.

B. ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT

1. **Maximum permissible depth:** This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be **1.0 m** as per ARRS report. Any flouting of this restriction shall make this EC liable to cancellation.
2. **Maximum permissible quantity:** Maximum yearly quantity of extraction from the quarry shall not exceed the annual limit as specified above under stipulation in Table 'A stipulations'-sl. A(v) i.e. **5314 cum/annum** as per Annual Rate of Replenishment Study (ARRS) report. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
3. **Annual Replenishment Rate Study of Sand:** -The Project Proponent shall carry out Annual Rate of Replenishment study of sand 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 finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area. PP shall carry out Annual Rate of Replenishment Study (ARRS) through ORSAC empanel agency in every year and submit the report to SEIAA, Odisha during submission of EC compliance with attaching real-time geo-coordinating photographs both pre and post monsoon data collection time.
4. **No change in the mining plan without prior approval of SEIAA:** - Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of the approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
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 as submitted during EC application. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCC along with the compliance report. The Tahasildar/Mining Officer shall ensure the compliance of this condition along with all leaseholders of his jurisdiction.
6. **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar/ Mining Officer and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
7. **No Working Zone:** - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -

- 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.

8. Transport Safeguards:

- 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 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.
- 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.

9. **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.

- 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.

10. **Half-yearly Compliance Report:** -It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environment. The project authority is mandatory to upload the compliance report of EC conditions including results of monitored data, as applicable in the website of the

Ministry for monitoring of EC Conditions. No hard copy and soft copy required to submit to SEIAA, Odisha, failing which EC is liable to be revoked.

11. **Concomitant Monitoring:** - The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar/mining officer, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits half yearly compliance reports.
12. **Independent Monitoring:** -The concerned Regional Office of the MoEF & CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
13. **Revocation of EC:** - The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
14. **Change in Ownership of Lease:** - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar/ Mining Officer shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.

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, Dhenkanal, Sub-Collector, Dhenkanal, Deputy Director of Mines, Dhenkanal, DFO, Dhenkanal, RO, SPCB, Angul, Tahasildar, Odapada/Mining Officer, Dhenkanal for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

Annexure 1

Additional EC Conditions

1. The replenished quantity of sand 5314 cum/annum with depth of mining 1.0 meter 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 of Rs. 1.70 Lakh/annum (Capital Cost) and Rs. 0.70 Lakh (Recurring cost) as proposed 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 lebbeck), 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 per the information submitted by the PP in the application and from SEAC proceedings/discussion held during their meeting, are given as under.

- (i) This is a proposal for amendment of EC of Haturipal Brahmani Sand Quarry over an area of 11.80 Acre or 4.77 Ha in village Haturipal under Odapada Tahasil of Dhenkanal District Odisha.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No. – 1055/SEIAA dt 26.03.2021 for Haturipal Brahmani Sand Quarry over an area of 11.80 Acre or 4.77 Ha in village Haturipal under Odapada Tahasil of Dhenkanal 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 bed is 22181 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-8500 cum.
- (iv) The SEIAA allowed 8500 cum of sand for 1st 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 15th May, 2022, if satisfactory replenishment study report is not submitted.”
- (vi) EC was transfer dated 04.05.2023 in favour of Sri Gandadhar Seth, the successful bidder/lessee and allowed 2nd year production quantity of sand 4500 cum (i.e. 25% of the 1st year EC approved quantity of sand 8500 cum subject to submission of ARRS report by 31st March, 2023).
- (vii) The PP has not mentioned the year wise production details.
- (viii) The PP has submitted replenishment study report was done by the M/s. Geomac Solution Pvt. Ltd. (**ORSAC empanelled agency**) with mentioned that Mineable Reserve during Pre-monsoon survey- 2023 = 21245Cum and Mineable Reserve during Post-monsoon survey-2023 = 28065Cum and quantity of sand replenished is **6820 cum** with depth 1.0 m and proposed production 6820 cum. Further, the PP has submitted revised ARRS report and accordingly, the replenished volule of sand is 5314 cum
- (ix) Any deficiencies/omission have been noticed in the above documents- Nil
- (x) Whether SEAC recommended the proposal – Yes, the proposal was placed in the SEAC meeting held on 16th & 17th December, 2024 and The SEAC decided to recommend the proposal for grant of EC for 5314 cum of sand extraction.