



सत्यमेव जयते

File No.:
Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment Authority(SEIAA),
ODISHA)



Dated **04/04/2024**



To,

KRUPASINDHU MUDULI
KRUPA MUDULI
AT- AMARTYANAGAR, LOCHAPADA ROAD, PO- BRAHMAPUR , Amartya Nagar, GANJAM,
ODISHA, , 761001
deba.choudhury76@outlook.com

Subject: Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/OR/MIN/462345/2024 dated 05/03/2024 for grant of prior Environmental Clearance (EC) 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.	EC24B0107OR5141186N
(ii) File No.	
(iii) Clearance Type	Fresh EC
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Proposal for Environmental Clearance of Kanaka Sand Bed over an area of 77.123 acres or 31.211 Ha. (Under cluster approach) at village- Kanaka, Tahasil- Purushottampur, Dist.- Ganjam, Odisha Lessee of Sri Krupasindhu Muduli
(ix) Location of Project (District, State)	GANJAM, ODISHA
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	No

N/A



ENVIRONMENTAL CLEARANCE FOR SAND MINING

Subject: Application of Sri. Krupasindhu Muduli, Lease Holder for mining of Sand from Kanaka Sand Bed (on River- Rushikulya) Over an area of 77.123 Acres or 31.211 Ha bearing Khata no. 472, Plot no. 865, 865/1012,785/1013 located in village- Kanaka, Tahasil- Purushottampur, District-Ganjam, Odisha (Submitted Under Cluster Approach With Total Cluster Area- 35.43 Ha Consisting of 2 Sand Quarries)-Environmental Clearance reg.

The project proponent, Sri. Krupasindhu Muduli, lease holder has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC,GOI vide online application no. SIA/OR/MIN/462345/2024 dated 05.03.2024 for mining of Sand from Kanaka Sand Bed (on River- Rushikulya) Over an area of 77.123 Acres or 31.211 Ha bearing Khata no. 472, Plot no. 865, 865/1012,785/1013 located in village-Kanaka, Tahasil- Purushottampur, District-Ganjam, Odisha (Submitted Under Cluster Approach With Total Cluster Area 35.43 Ha Consisting Of 2 Sand Quarries) in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act,1986 and subsequent amendments thereto.

2. Proposal in brief:

Proposal No.	SIA/OR/MIN/462345/2024
Date of application	05.03.2024
File no.	-
Project Type	New EC proposal
Category	B1 as individual Mine and also it is a Part of Cluster and area of Cluster is 35.43Ha
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for EC mining of sand from Kanaka Sand Bed over an area of 77.123 acres or 31.211 Ha. (Under cluster approach) at village-Kanaka, Tahasil- Purushottampur, Dist.-Ganjam submitted under cluster approach with total cluster area 35.43 Ha consisting of 2 sand quarries.

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Name of the company/Organization	Applicant:- Sri.Krupasindhu Muduli, Lease Holder
Location of Project	Village-Kanaka, Tahasil- Purushottampur, Dist.-Ganjam

3. **Project details:** The highlights of the project, as ascertained from the application and as revealed from the proceedings/discussions held during the meetings of SEAC/SEIAA, are given as under:

- (i) This is a proposal for mining of sand from Kanaka Sand Bed (on River-Rushikulya) Over an area of 77.123 Acres or 31.211 Ha bearing Khata no. 472, Plot no. 865, 865/1012,785/1013 located in village- Kanaka, Tahasil- Purushottampur, District-Ganjam, Odisha (Submitted Under Cluster Approach With Total Cluster Area 35.43 Ha Consisting Of 2 Sand Quarries) filed by Sri. Krupasindhu Muduli, lease holder.
- (ii) The mining lease is an identified sairat source in the DSR. The Kanaka Sand Bed source will be leased out under the OMMC Rules, 2016 by Tahasildar, Purushottampur/Concerned Mining Officer to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years. The lease period of 5 years shall take effect from the date of registration of duly executed lease deed.
- (iii) The Mining plan has been approved by the DDG, O/o Joint Director of Geology, S.Z, Berhampur on dated 29.03.2022. Letter of Intent has been issued by Tahasildar, Purushottampur to Successful Bidder, Sri. Krupasindhu Muduli vide letter no. 1635 date 04.05.2022.
- (iv) TOR details: Terms of Reference (ToRs) was granted by SEIAA, Odisha vide letter no 5348/SEIAA dated 02.09.2022 to the project in cluster for undertaking detailed EIA studies.
- (v) Public Hearing Details: Public Hearing was conducted on 06.01.2023 at Kanaka village, under Purushottampur Tahasil of Ganjam District, Odisha. Issues raised during public hearing were on safety during transportation i.e. accidents due to sand transportation through village roads, transporting trucks shall be properly covered with tarpaulin to avoid spillage, water sprinkling for dust suppression, protection of Environment, Mining of sand shall be restricted in submerged or water flow area to avoid water pollution and deposit of silts leading to growth of shrubs at river bed. Budget allocated for CER in cluster is Rs.1,80,000/- and for Kanaka Sand Bed is Rs.1,60,000/-.
- (vi) Location & Connectivity: The mine lease area in cluster is located in Village-Kanaka, Tahasil- Purushottampur, District - Ganjam, Odisha, is on Khata no- 472, Plot no- 865, 865/1012 & 785/1013 of Rushikulya river. The lease area is covered in the Survey of India Topo Sheet No – 74A/14 & 74A/15 and geo coordinates are

Day



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Latitudes -19°30'10.47" N to 19°30'25.53" N and Longitudes – 84°51'09.09" E to 84°52'07.06" E. The Kism of land is Nadi. The Nearest National Highway is NH-16 which is at a distance of approx 21.65 km in East direction. The Nearest State Highway is SH-32 which is at a distance of approx 1.40 km in East direction. The Nearest distance of approach road is 0.26 Km. The Nearest Airport is Biju Patnaik International Airport which is at a distance of approx 130.30 km towards NE direction. The Nearest Reserve Forest is Taratarini RF which is at a distance of 4.50 Km in ESE direction. Krishnagiri Reserve Forest, approx. 9.90 Km in NE. Ashuri Reserve Forest, approx. 7.70 Km in NNW. The Nearest Road Bridge is within the mining lease. The Nearest Rail Bridge is Ganjam Railway Bridge at a distance of 21.00 Km. The Nearest River Embankment is at a distance of 0.20 Km from the lease boundary. The Nearest Electric transmission line is running within the mining lease. The PP has submitted that there is no National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Tiger/ Elephant Reserves (existing) is situated within 10km of the mining lease area.

- (vii) Total Production and Reserves: The total geological reserve has been estimated as 564525 cum, depth of sand is 2.5meter. Similarly, the mineable reserve of river bed sand is worked out to be 347575 cum, depth of sand is 2.5meter. The PP has proposed a total production of 502000 cum of sand in 5 years and maximum extraction of sand during plan period per year is 100400cum with depth of sand 2.5meter. At the end of the plan period, the quarry level will be 15m RL
- (viii) Replenishment Study: The Replenishment study was done during Pre- and Post-Monsoon Period (Nov 2022 & May 2022) by UAV/Drone survey (volumetric survey) method. After the Replenishment study it was found that 31,153.65 cum of sand have been proposed to be replenished annually.
- (ix) Mining Method: The sand will be excavated by open cast manual method and thickness of sand deposit for mining is taken as 2.5m. Sand from river bed within the lease area will be extracted by manual method using handpicks, spade, hand shovel and manually loaded into trucks/tractors and dispatched. Excavation and loading of sand will be done through dumpers and tipper/tractors for transport to the user's destination. The mining will be undertaken on single shift basis. Keeping in view of the market demand and resource availability in respect of reserves, proposed sand quarry is scheduled to produce 100400 cum/year (maximum) of sand for the plan period.
- (x) Water Requirement: Water requirement for the project will be 5.0 KLD. Water required in the project will be for drinking purpose and dust suppression, which will be sourced from water tanker.
- (xi) Power Requirement: Power will not be required for operations as the mining will be worked out during day time only.

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- (xii) Greenbelt: Plantation will be done on the bank of the river. 750nos. plants are to be planted along the river bank to protect soil erosion. Sapling of trees like Banyan, Peepal, Mahaneem, Arjun Kadamba, Mango, Jackfruit, Jamun, Kendu, Neem etc to be planted.
- (xiii) Manpower requirement: Employment Generation from the project is 89 nos. of people. Indirect employment through creation of shops/ stalls, hired vehicles, etc. also, can be generated to full fill the day-to-day requirements of the mining personals.
- (xiv) Baseline Details: The baseline information on micro-meteorological data, ambient air quality, water quality, noise levels and soil quality have been studied for the period of March'2022 to May'2022 and all the monitored data for ambient air quality, water(ground & surface) quality, noise quality & soil quality are well within the prescribed standard limits of MoEF & CC,GoI guidelines & CPCB guidelines.
- (xv) Whether the DSR has been prepared as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others)-No
- (xvi) Whether the replenishment rate study of sand was done as per the Enforcement & Monitoring Guideline for sand mining-2020-yes
- (xvii) Project cost: The project cost is estimated to be Rs. 80.00 lakhs and the PP has allocated a budgetary provision of EMP- Rs. 6.59 Lakhs as capital cost & Rs. 3.83 Lakhs per annum as recurring cost.CER Cost-1.60lakhs.
- (xviii) The Environment consultant P and M Solution, Noida along with the proponent made a presentation on the proposal before the Committee on 22.09.2023 for approval of cluster EIA/EMP and subsequently submitted ADS on 09.12.2023.
- (xix) The SEAC in its meeting held on 28.12.2023 have approved the cluster EIA/EMP report and recommended that the SEIAA, Odisha may consider for grant Environmental Clearance to individual lease i.e. for Kanaka Sand Bed (under cluster approach) without referring to SEAC with stipulated conditions after receipt of complete individual application from the lessee in cluster.
- (xx) The SEIAA, Odisha in its 153rd SEIAA meeting held on 03.02.2024 have already approved the cluster EIA/EMP as per the recommendation of SEAC. Now, the PP have submitted individual application for grant of EC.
4. This proposal conforms to the item no. 1(a)-'Mining of Minerals' in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B1 in cluster as the mining lease area is

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- more than 5 ha and also in Category B1 as individual lease as the mining lease area is more than 5 ha.
5. The proposal was considered for approval of Cluster EIA/EMP by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 28.12.2023. The SEAC recommended for grant of Environmental Clearance to individual lease in Cluster without referring to SEAC with stipulated conditions after receipt of complete individual applications from the lessee in cluster.
 6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 161st meeting held on 20.03.2024 & 21.03.2024 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2nd February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore) and recommendation of SEAC. After detailed deliberation in the matter, the Authority decided to grant EC with usual stipulated conditions as applicable for sand quarry along with additional specific conditions.
 7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for mining of Sand from Kanaka Sand Bed (on River- Rushikulya) Over an area of 77.123 Acres or 31.211 Ha bearing Khata no. 472, Plot no. 865, 865/1012, 785/1013 located in village- Kanaka, Tahasil- Purushottampur, District-Ganjam, Odisha (Submitted Under Cluster Approach With Total Cluster Area 35.43 Ha Consisting Of 2 Sand Quarries) by Sri. Krupasindhu Muduli, lease Holder with the following stipulations, environmental conditions and safeguards.**

A: Stipulations:

Sl.	Descriptions	Stipulation
(i)	Lease Area:	77.123 Acres or 31.211Ha
(ii)	No Mining Zone:	1/4 th of river width for protection of river bank and 7.5 meter safety zone from all side of lease boundary.
(iii)	Maximum Depth of Mining:	2.5 meter as per the approved mining plan

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(iv)	Permitted Quantity:	➤ 31000 cum for 1 st year & 31000 cum for 2 nd year. The PP shall carryout the ARRS study by 31.03.2025 through a NABET Consultant or ORSAC empanelled agency.
(v)	Validity Period of EC:	The EC is valid till the validity of DSR or validity of lease period whichever is earlier.

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

- 7.1 **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.
- 7.2 **Digital Map:-**A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the concerned Tahasildar/Mining Officer shall be submitted to SEIAA, Odisha through email at info.seiaaodisha@gmail.com.
- 7.3 **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.
- 7.4 **Tree Plantation:-** Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs. 15,50,000/-, with the respective District Environment Society for raising 3100 plants of native species within 2 years in a suitable location adjoining to quarry.
- 7.5 **State EMF Fund:-** An amount equal to five percent(5%) of the royalty payable shall be collected from the lessee by the concerned 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.

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- 7.6 **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.
- 7.7 **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 concerned Tahasildar/Mining Officer on the above environmental conditions and safeguards (from 7.1 to 7.7).

C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT

- 7.8 **Maximum Depth of Mining:** Maximum depth of mining shall be 2.5 meter and maximum quantity of extraction shall be limited to **31000 cum** for 1st year & **31000 cum** for 2nd year on adhoc manner in absence of ARRS report. The PP is required to submit the ARRS report through NABET or ORSAC empanel agencies as per MoEF & CC, Govt. of India guidelines each year. The Project proponent shall follow Enforcement & Monitoring Guideline for sand mining-2020 before and during operation of quarry. Any flouting of this restriction shall make this EC liable to cancellation.
- 7.9 **Annual Replenishment Rate Study of Sand:-**The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method 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.
- 7.10 **District Survey Report:** In view of likely revision of DSR as per the Ministry guidelines, the mention of this deposit in DSR with final coordinates is to be ensured by concerned District Collector/Mining Officer/Tahasildar within two years. 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. The Grant of EC for further period will be considered after submission of DSR approved by SEIAA as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and

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Enforcement & Monitoring Guideline for sand mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others).

- 7.11 **EC Extension:-** Any further extension of EC beyond two year shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.
- 7.12 **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 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.
- 7.13 **Environmental Management Plan:-** (i) 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 separate account and shall be spent according to the plan proposed in EMP. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The concerned Tahasildar/Mining Officer shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- (ii) **The PP will implement the EMP with a budgetary allocation of Rs. 6.59 Lakhs(Capital Cost) and Rs. 3.83 Lakh per annum (recurring cost) as proposed during the valid lease period of 5 years. The detailed expenditure on EMP shall be submitted with six monthly compliance report.**
- 7.14 **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 250-500 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.

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- f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.

7.15 Transport Safeguards:

- a) 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) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- c) 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 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.
- d) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- e) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate 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.
- f) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The concerned 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.
- g) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry.

7.16 Other Environmental Conditions:- a) The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

- b) Stone patching with plantation in between along the stretch of the bank associated with sand mining and necessary ramp construction shall be made.
- c) The concerned Tahasildar/Mining Officer shall take adequate measures to prevent unauthorized mining;

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- d) The project proponent should carry out river bed sand mining **manually**(as proposed) by engaging local laborers to check over exploitation of sand at the source;
- e) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- f) 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.
- 7.17 **Public Hearing Compliance:-** The activities proposed in action plan prepared for addressing the issues raised during the Public Hearing for the cluster shall be completed as per the budgetary provisions mentioned in the action plan and within a stipulated time frame as submitted in the Final EIA/EMP Report. The Status Report on implementation of action plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration. The project proponent shall comply in true spirit all the issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CER shall be complied by the Mining Authority as per OM F. No. 22-65/2017-IA.III, dated 30.09.2020 of MoEF&CC, Govt. of India. **The PP will spend Rs. 1,60,000/- towards addressing public hearing issues.**
- 7.18 **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 environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF& CC, Bhubaneswar in soft copies on 1st day of June and December of each calendar year. No hard copy of six-monthly compliance report shall be submitted to SEIAA. The proponent shall upload the six-monthly compliance report including results of monitored data, as applicable in the website of the Ministry(www.parivesh.nic.in) for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 7.19 **Concomitant Monitoring:-** The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the concerned 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 quarterly compliance reports.
- 7.20 **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.

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- 7.21 **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.
- 7.22 **Change in Ownership of Lease:-** This EC shall not be transferred without the permission of SEIAA, Odisha. The concerned 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 the provision of the Para 11 of EIA Notification,2006, as amended from time to time.
- 7.23 **Statutory compliance on Grant of CTE & CTO from SPCB:-** Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board. The SPCB, Odisha shall ensure that there is no change in the extraction quantity as given in the EC stipulations in respect of year wise permitted quantity before giving 'consent to operate' to this project.
8. **Basis of Permitted Quantity:-** It is made clear that the EC granted is on adhoc basis as the applicant has not submitted the approved District Survey Report (DSR) or Annual Replenishment Rate Study Report (ARRS). In the absence of approved District Survey Report (DSR) the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report (Refer Para: 4.3 (r) of the Enforcement & Monitoring Guidelines for Sand Mining issued in January, 2020 by the Ministry of Environment, Forest and Climate change). The permitted quantity in the 1st year has been calculated on the basis of 60% mine lease area or quantity mentioned in the Mining Plan, whichever is less. Further in the absence of approved Annual Replenishment Rate Study Report an annual replenishment rate of @25% of the 1st year quantity is allowed for 2nd year w.r.t Order dated 02.02.2022 of the Hon'ble NGT in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). Further amendment to the permitted quantity in the 2nd year shall be considered on submission of duly approved ARRS.
9. The above conditions will 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 and the Public Liability Insurance Act,1991 along with their amendments and rules made there

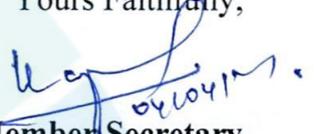
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- under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
10. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
 11. Any appeal against this environmental clearance 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.

Yours Faithfully,


Member Secretary

Copy to

1. Additional Chief 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 and necessary action.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (RO), Ministry of Environment & Forests, A/3, Chandrasekharpur, Bhubaneswar for information and necessary action.
5. The Director of Mines, Mines & Geology Dept, Govt. of Odisha, Bhubaneswar for information and necessary action.
6. The Directorate of Minor Minerals, Govt.of Odisha, Bhubaneswar for information.
7. Collector & DM, Ganjam, Chatrapur/DFO, Berhampur/ Sub Collector, Berhampur/Tahasildar, Purshottampur/Mining Officer,Berhampur for Information and necessary action with specific reference to para in respect of year wise permitted quantity for extraction.
8. Guard file for record/Website/Parivesh Portal.

DH


Member Secretary