



सत्यमेव जयते

File No.: 470487/190-MIN/04-2024

Government of India

Ministry of Environment, Forest and Climate Change

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



Dated 01/02/2025



To,

Smt. Malati Jena
W/o- Late Dhirendra Jena
At-Jenasahi ,Jagannathpur, Bhadrak, ODISHA, , 756100
malati.ec@gmail.com

Subject: Amendment in Environmental Clearance (EC) Identification No. – EC22B001OR110314 dt. 17.08.2022 granted to the project of Brahamani River sand Quarry to Smt. Malati Jena, the successful bidder/lessee 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/470487/2024 dated 24/04/2024 for grant of an amendment inn regard to annual production of sand as per replenishment study report in prior Environmental Clearance (EC) to the project of Brahamani River sand Quarry over an area of 3.00 acres or 1.214 ha in village-Brahamani, Tahasil-Ramanaguda, Dist-Rayagada. Odisha to Smt. Malati Jena, the successful bidder/lessee 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.	EC24C0107OR5857449A
(ii) File No.	470487/190-MIN/04-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals
(vii) Name of Project	BHAMINI SAND BED
(viii) Location of Project (District, State)	RAYAGADA, ODISHA
(ix) Issuing Authority	SEIAA
(x) EC Date	24/04/2024
(xii) Applicability of General Conditions	NO
(xiii) Status of implementation of the project	

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 15th & 16th May, 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 15th & 16th May, 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 2380 cum/annum as per replenished quantity subject to approval of revised Mining plan.

7. The SEIAA, Odisha has examined the proposal in 171st meeting held on 11.07.2024 & 12.07.2024 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 Identification No. – EC22B001OR110314 dt. 17.08.2022 for the instant amendment of EC proposal of Brahamani River sand Quarry over an area of 3.00 acres or 1.214 ha in village-Brahamani, Tahasil-Ramanaguda, Dist-Rayagada. Odisha to Smt. Malati Jena is allowed for extraction quantity of sand **2380 cum per annum** for the balance lease period with depth of mining 0.07 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 17/08/2022 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:	3.00 Acres or 1.214 Ha. (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)	No Mining Zone:	(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:	0.070 meter as per Annual Rate of Replenishment Study (ARRS) report.
(iv)	Method of Mining:	Manual as per approved mining plan
(v)	Permitted Quantity:	2380 cum/annum as per ARRS report for the remaining period of the lease.
(vi)	Validity Period of EC:	The EC is valid for 5 years from date of lease execution or for the balance lease period subject to the quantity prescribed in the modified DSR or revised Mining Plan whichever is less.
(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. 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.
- Mining shall be carried out under strict adherence to provisions of OMMC Rules, 2016, Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020. Sand Policy of Govt. Of Odisha dated 02.09.2021 are made there-under as applicable

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

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

17. 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.

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

19. The EC is valid for 5 years from date of lease execution or for the balance lease period subject to the quantity prescribed in the modified DSR or revised Mining Plan whichever is less.

20. 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
21. 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, Rayagada, Sub-Collector, Rayagada, Deputy Director of Mines, Rayagada, DFO, Rayagada, RO, SPCB, Rayagada, Tahasildar, Ramanaguda/Mining Officer, Rayagada for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

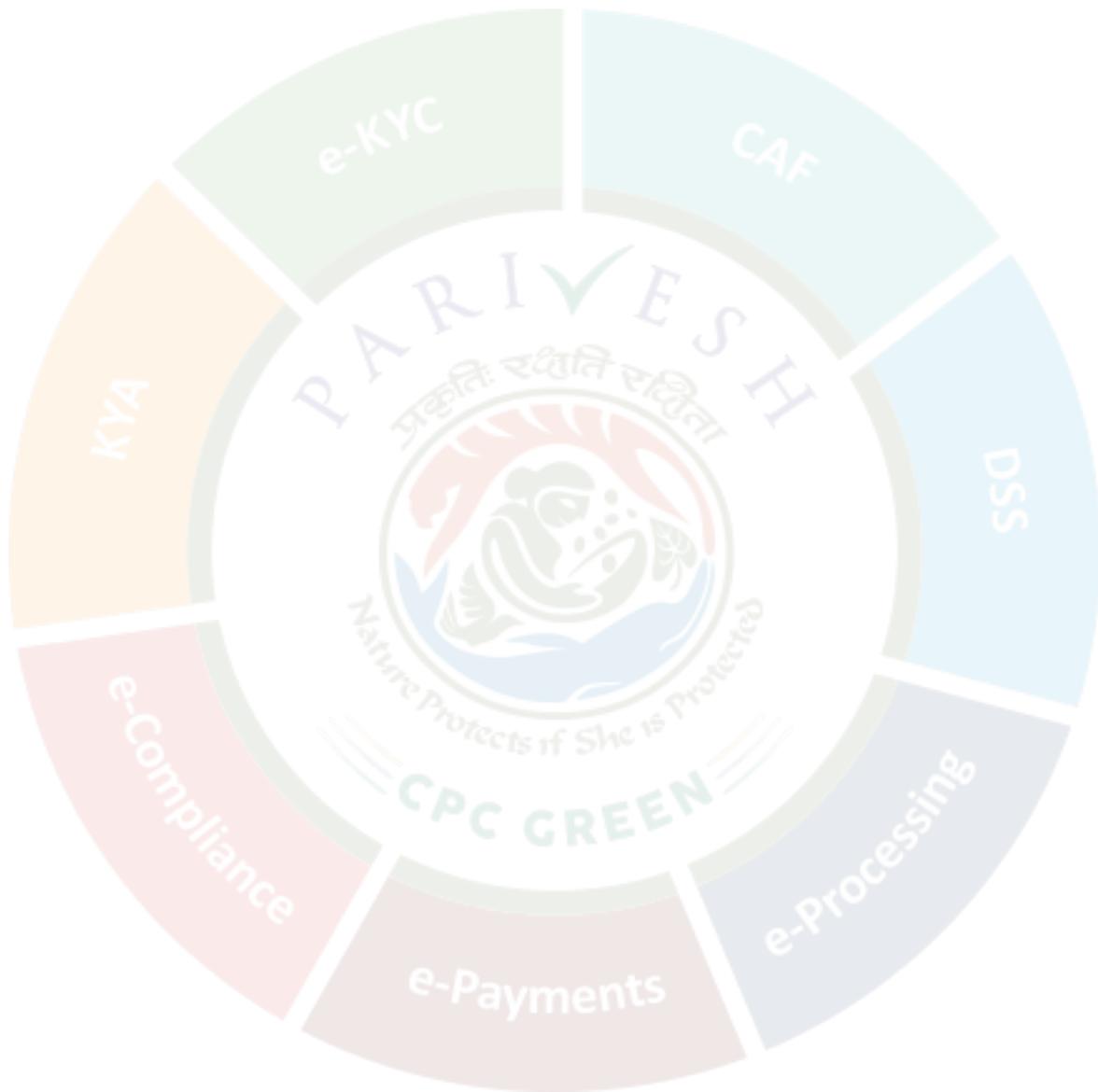
Annexure 1

Additional EC Conditions

1. The replenished quantity of sand 2380 cum/annum with depth of mining **0.070 meter** as per ARRS report is approved for the remaining lease period.
2. The EC is valid for 5 years from dated of lease execution or 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. 30Lakh/annum** as proposed in the EMP report during EC application.
5. The PP shall plant 200 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 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 Brahamani River sand Quarry over an area of 3.00 acres or 1.214 ha in village-Brahamani, Tahasil-Ramanaguda, Dist-Rayagada. Odisha.
- ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No. – EC22B001OR110314 dt. 17.08.2022 for Brahamani River sand Quarry over an area of 3.00 acres or 1.214 ha in village-Brahamani, Tahasil-Ramanaguda, Dist-Rayagada. 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 12123 cum with depth of sand deposition was 1.5 meter and proposed for annual extraction quantity of sand-3600 cum.
- iv) The SEIAA allowed 1800 cum of sand for 1st year production with allowing depth of mining 0.75 meter.
- v) There is an EC conditions point no. 7.1 to 7.2 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 November 2023, if satisfactory replenishment study report is not submitted.”
- vi) The PP has not mentioned the quantity of sand extracted from the source in 1st year lease period.
- vii) The PP has submitted replenishment study report was done by the M/s. TKS Consultancy Services with mentioned that Pre-Monsoon sand reserve = 469.5 cum, post-monsoon sand reserve= 2871.53 cum and quantity of sand replenished is **2380 cum** and proposed production 1722 cum.
- viii) 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 15TH & 16TH, MAY 2024 and The SEAC observed the following:

- i) The replenishment study report is ok. The reported difference of 0.07 m in the level of the riverbed sand surface based on the pre and post monsoon surveys is not considered significant as it is well within the stated measurement error of 25.620343 m in the Z direction.
- ii) The mineable reported in the replenishment study need to be reconciled with those in the approved mining plan.
- iii) The RL of the riverbanks need to be reported. Government of Odisha, Revenue and disaster management Department issued Resolution No 26372/R & DM Bhubaneswar dated 02.09.2021 on Odisha Sand Policy, Para 8. Quarrying operation (iv) mentions that a benchmark (BM) with respect to mean sea level (MSL) should be made essential to in mining channel reaches (MCR), below which no mining shall be allowed.

The SEAC decided to recommend the proposal, Sand mining may be allowed for **2380.12 cum** subject to approval of revised Mining plan.