



सत्यमेव जयते

File No: 456190/11-MINB2/12-2023

Government of India

Ministry of Environment, Forest and Climate Change

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

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Dated 13/05/2024



To,

NIHAR PATEL  
NIHAR PATEL

S/o- Late Prasanna Kumar Patel M/s Satyabati Stone Works At-Kendeijuri, PO-Barghat, Dist-Deogarh,  
DEOGARH, ODISHA, 768121  
banjari1stonequarry@gmail.com

**Subject:** Grant of EC under the provision of the EIA Notification 2006-regarding.

**Sir/Madam,**

This is in reference to your application for Grant of EC under the provision of the EIA Notification 2006-regarding in respect of project APPLICATION FOR FRESH ENVIRONMENTAL CLEARANCE FOR BANJARI-01 STONE QUARRY OVER AN AREA OF 2.00 ACRES OR 0.809 HA IN VILLAGE BANJARI OF DEOGARH TAHASIL OF DEOGARH DISTRICT, ODISHA submitted to Ministry vide proposal number SIA/OR/MIN/456190/2023 dated 20/12/2023.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC23C0108OR5929232N
(ii) File No.	456190/11-MINB2/12-2023
(iii) Clearance Type	EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals APPLICATION FOR FRESH ENVIRONMENTAL CLEARANCE FOR BANJARI-01 STONE QUARRY OVER AN AREA OF 2.00 ACRES OR 0.809 HA IN VILLAGE BANJARI OF DEOGARH TAHASIL OF DEOGARH DISTRICT, ODISHA
(vii) Name of Project	NIHAR PATEL
(viii) Name of Company/Organization	DEOGARH, ODISHA
(ix) Location of Project (District, State)	SEIAA
(x) Issuing Authority	no
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no





## ENVIRONMENTAL CLEARANCE FOR STONE QUARRY

**Subject: Application of Sri Nihar Ranjan Patel for extraction of stone metal from Banjari-01 Stone Quarry over an area of 2.00 Acres or 0.809 Ha In Village Banjari of Deogarh Tahasil of Deogarh District, Odisha-Environmental Clearance-Reg.**

The project proponent, Sri Nihar Ranjan Patel, successful bidder/lessee for this project has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MoEF&CC, GoI vide online application no. SIA/OR/MIN/456190/2023 dated 28.12.2023 for mining of stone from Banjari-01 Stone Quarry over an area of 2.00 Acres or 0.809 Ha In Village Banjari of Deogarh Tahasil of Deogarh District, Odisha.

### 2. Proposal in brief:

Proposal No.	SIA/OR/MIN/456190/2023
Date of Application	28.12.2023
File No.	456190/11-MINB2/12-2023
Project Type	New EC proposal
Category	B2
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for EC of Banjari-01 Stone Quarry over an area of 2.00 Acres or 0.809 Ha In Village Banjari of Deogarh Tahasil of Deogarh District, Odisha.
Name of the company/Organization	Sri Nihar Patel M/s. Satyabati Stone Works
Location of Project	Village Banjari of Deogarh Tahasil of Deogarh District, Odisha
ToR Date	N/A
Name of the Consultant	N/A

3. **Project details:** 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 mining of stone from Banjari-01 Stone Quarry over an area of 2.00 Acres or 0.809 Ha In Village Banjari of Deogarh Tahasil of Deogarh District, Odisha.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com

statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986

- (ii) The mining area is a part of Survey of India Toposheet No. No. 73C/6 and is bounded between the Latitude - 210 31'29.87"N to 210 31' 33.06"N. and longitude of 840 29'31.47"E to 840 29'34.78"E.
- (iii) The proposed quarry is not coming within the boundary of wildlife Sanctuary/National Park area etc.
- (iv) The lease area is not coming DLC list/ any type of forest land as certified by Mining Officer vide letter no. Nil dt. 11.12.2023 the proposed lease area is not coming under DLC list.
- (v) The mining lease is an identified sairat source in the DSR. The Banjari-01 Stone Quarry sairat source will be leased out under the OMMC Rules, 2016 by Mining Officer, Deogarh on behalf of successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
- (vi) Initially the mining plan has been approved by the Joint Director Geology, Zonal Survey, sambalpur on 27.05.2021 for the 5 years lease period and accordingly the lease executed on 14.09.2022 and the quarry operated 1 year. Now proposal for increasing production capacity and accordingly modified the mining plan.
- (vii) The Modified mining plan of the mining project prepared has been approved by the Joint Director, Geology, Zonal Survey, Balangir vide letter no.614 dt.29.06.2022.
- (viii) Method of mining-Semi-mechanized and both drilling and blasting will be involved.
- (ix) Whether it is part of cluster –Yes, Banjari stone quarry -01 & Banjari -03 are coming under single cluster with total cluster area is 1.618 Ha, submitted cluster EMP.
- (x) Whether EC obtained earlier- Yes, and the quarry operated last one year.
- (xi) Distance from nearest road bridge-1.8 km, village road -1.80 km, Ushakothi WLS-18.0 Km away from the proposed quarry.
- (xii) As per the approved mining plan submitted, it is observed that the proposed production capacity per annum will be 10058 cum/annum (max.), total production in 4 years period-40230 cum, Geological reserve-102789 cum and Mineable reserve-40230 cum and depth of mining as per approved mining plan is 6.0 meter.
- (xiii) The cluster certificate has been furnished by the Tahasildar certifying that there are Banjari stone quarry -01 & Banjari -03 are coming under single cluster with total cluster area is 1.618 Ha, submitted cluster EMP.
- (xiv) The DSR has not 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 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).
- (xv) The EMP budget provision of Rs. 0.8 Lakh (Capital cost) & Rs. 25,000/- (Recurring Cost) for Banjari-01 Stone Quarry. Similarly, Rs. 0.8 Lakh (Capital cost) & Rs. 25,000/- (Recurring Cost) for Banjari-03 Stone Quarry
4. EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5 ha.
5. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 30.01.2024 and the SEAC recommended to grant EC valid from the date of EC accorded up to the lease period with additional conditions.
6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 157<sup>th</sup> meeting held on 22.02.2024 in accordance with the EIA Notification, 2006 and further amendments thereto. After detailed deliberation the Authority decided to grant Environmental Clearance with usual stipulated conditions as applicable for stone quarry.
7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14<sup>th</sup> September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for Banjari-01 Stone Quarry over an area of 2.00 Acres or 0.809 Ha In Village Banjari of Deogarh Tahasil of Deogarh District, Odisha with the following stipulations, environmental conditions and safeguards.**

**A: Stipulations:**

Sl.	Descriptions	Stipulation
(i)	Lease Area:	2.00 Acres or 0.809 Ha
(ii)	No Mining Zone:	7.5meter safety zone from all along the lease boundary.
(iii)	Maximum Depth of Mining:	6.00 Mtr. as per approved mining plan
(iv)	Permitted Quantity:	10058 cum in 2 <sup>nd</sup> year 10058 cum in 3 <sup>rd</sup> year
(v)	Validity Period of EC:	The validity of EC is for 2 <sup>nd</sup> year and 3 <sup>rd</sup> year or validity of DSR or validity of lease period whichever is earlier.

*[Handwritten Signature]*



**Specific Stipulation:**

- (i) 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.
- (ii) In view of likely revision of DSR the mention of this deposit with final coordinates is to be ensured
- (iii) Plantation programme to be completed within first two years and to be maintained in remaining years.
- (iv) Depth of Mining as proposed should not be beyond 6m from the ground level.
- (v) Mitigation measures for flying Rock for safety be put in place.
- (vi) Stone quarry project proponent need to maintain periodic health check-up records of their employees and ensure use of face mask by workers in crushing and handling sections of the stone quarry for ensuring that working personnel are not affected by silicosis.
- (vii) The boundary area of the deposit as per the revised / updated DSR to be defined by geo coordinates based on D GPS survey superimposed on the cadastral map.
- (viii) Construction of garland drains retaining wall and settling tank should be ensured to prevent erosion during rainfall and to collect silt generated during the mining activity.
- (ix) Topsoil excavated during mining to be stacked separately in the ML area and to be used or plantation in and around the ML area.
- (x) Road access to the ML area to be ensured.
- (xi) The approved mining plan states use of explosives for blasting in the mining operation by following DGMS guidelines. The project proponent has to adopt all safety and recommended guidelines of MoEF&CC

**B: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE 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 Tahasildar/Mining officer shall be submitted to SEIAA, Odisha through email at [seiaaodisha@gmail.com](mailto: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 plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.50,000/-, with the respective District Environment Society for raising 100 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 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.
- 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 **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.

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

- 7.8 **Maximum permissible depth of mining:** -Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously. Maximum depth from the top surface, at any point, up to which quarrying may be permitted shall be 6 meters as stipulated in rule 37(1) (a) of the OMMC Rule, 2016.
- 7.9 **Maximum permissible quantity:** Maximum quantity of material is permitted to remove from the quarry area is 10058 cum in 2<sup>nd</sup> year and 10058 cum in 3<sup>rd</sup> year a full year (January to December). Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.10 **District Survey Report:** In view of likely revision of District Survey Report (DSR) as per the Ministry guidelines on DSR, the mention of this deposit in DSR with final coordinates shall be ensured by Tahasildar/Mining Officer within two



years. The District Survey Report (DSR) shall be prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611 (E) dated 25.07.2018 and Enforcement & Monitoring Guidelines 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) submitted to competent authority for approval.

- 7.11 **EC Extension:** - Any further extension of EC beyond two years shall be considered only with submission of duly approved District Survey Report.
- 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 laterite stone from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.13 **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 separate account and shall be spent according to the plan proposed in coordination with Tahasildar/Mining Officer. 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. The Project Authority/Lessee shall expend of Rs. 0.8 Lakh (Capital cost) & Rs. 25,000/- (Recurring Cost) towards Environment Management Plan (EMP) i.e. Pollution Control, Plantation, Road repair etc.
- 7.14 **Public Hearing issues:** The PP shall expend the CER cost of Rs.1.50Lakh for peripheral development as per the Public Hearing issues.
- 7.15 **No Mining Zone:** The lessee shall ensure that no quarrying or mining is carried out in the areas as specified below: -
- 7.5-meter safety zone shall be kept from all side of the lease boundary as per the approved mining plan.
  - within 100m (minimum distance criteria when blasting is **not involved**) and within 200m (minimum distance criteria when blasting is **involved**) from residential/ public buildings, inhabited sites, protected monuments, Heritage sites, National/State Highway, District roads, public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dam, Reservoirs, river, Canals, lakes or Tanks, or any other locations etc.
  - below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted mining depth, then the quarrying shall be stopped immediately;



d) in the vicinity of natural /manmade archeological sites;

**7.16 Transport Safeguards:**

- a) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- b) 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.
- c) 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.
- d) 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.
- e) 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.
- f) 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.

**7.17 Other Environmental Conditions: -**

- a) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- b) Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- c) Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
- d) Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.



- e) 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.
- f) Permanent barricading/barbed wired fencing of the mining lease area site shall be done after completion of mining activities to prevent any danger for stray animals and human habitations from accidents.
- g) The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine. Filling of the ditch by fly ash is to be ensured by the lessee, as also fencing the area, guard wall for safety of cattle & traffic.

7.18 **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.

7.19 **Reclamation & Restoration:-**Pursuant to MoEF & CC, O.M No 22-34/2018-1A.IIIdated 16.01.2020 and in compliance to the directions dated 8<sup>th</sup> January 2020 of Hon'ble Supreme Court in W.P. (Civil) No.114/2014 in the matter of Common Cause vs Union of India, the mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The Project Proponent shall submit a detailed plan of action in this regard to Tahasildar/Mining Officer within six months, indicating definite timelines and physical outcomes for the reclamation & restoration of the mined-out area. The Tahasildar/ Mining Officer shall submit a compliance report to SEIAA, Odisha at the end of lease period.

7.19 **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 and upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.

7.20 **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 quarterly compliance reports.
- 7.21 **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.
- 7.22 **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.
- 7.23 **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.
8. 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 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.
9. 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.
10. 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.





**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com  
*statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment  
(Protection) Act, 1986*

2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Deogarh, Sub-Collector, Deogarh, DFO, Deogarh, Tahasildar, Deogarh / Mining Officer, Deogarh for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

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Member Secretary

