



File No.: 473604/233-MIN/05-2024

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 01/02/2025



To,

SRI SUBASH PATNAIK  
At/Po- Jharigam, NABARANGPUR, ODISHA, 764076  
subashpatnaik.ec@gmail.com

**Subject:** Amendment in Environmental Clearance (EC) 1080/SEIAA dt. 26.03.2021 granted to the project of Kodabhata Sand Quarry to Sri Subash Pattnaik, 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/473604/2024 dated 18/05/2024 for grant of an amendment in regard to annual production of sand as per replenishment study report in prior Environmental Clearance (EC) to the project of Kodabhata Sand Quarry over an area 3.65 acres or 1.48 Ha in village-Kodabhata, Tahasil-Jharigram, Dist-Nabarangpur, Odisha to Sri Subash Pattnaik, 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.                      | EC24C0107OR5425118A     |
| (ii) File No.                                  | 473604/233-MIN/05-2024  |
| (iii) Clearance Type                           | Amendment in EC         |
| (iv) Category                                  | B2                      |
| (v) Schedule No./ Project Activity             | 1(a) Mining of minerals |
| (vii) Name of Project                          | KODABHATTA SAND QUARRY  |
| (viii) Location of Project (District, State)   | NABARANGPUR, ODISHA     |
| (ix) Issuing Authority                         | SEIAA, Odisha           |
| (x) EC Date                                    | 18/05/2024              |
| (xii) Applicability of General Conditions      | NO                      |
| (xiii) Status of implementation of the project | Operating Condition     |

3. In view of the particulars given in the Para-1 above, the project proposal interalia including Form-4 (Part A, B & C) were submitted to the SEAC for an appraisal by the State Level Expert Appraisal Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments thereto.

4. The above-mentioned proposal has been considered by SEAC in its meeting held on 02.07.2024. 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 02.07.2024 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 43,840 cum as per replenished quantity subject to approval of revised Mining plan.

7. The SEIAA, Odisha has examined the proposal in 174<sup>th</sup> meeting held on 13.08.2024 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 letter no. 1080/SEIAA dt. 26.03.2021 for the instant proposal of Kodabhata Sand Quarry over an area 3.65 acres or 1.48 Ha in village-Kodabhata, Tahasil-Jharigram, Dist-Nabarangpur, Odishato Sri Subash Pattnaik is allowed for extraction quantity of sand **556.50 cum per annum** for the balance lease period with depth of mining 0.21 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:              | 3.65 Acres or 1.48 Ha.<br>(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.<br>(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: | <b>0.21 meter</b> as per Annual Rate of Replenishment Study (ARRS) report.                                                                                                                                                    |
| (iv)  | Method of Mining:        | <b>Manual</b> as per approved mining plan                                                                                                                                                                                     |
| (v)   | Permitted Quantity:      | <b>556.50 cum/annum</b> 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 shall carry out the ARRS study through a NABET or ORSAC empanelled agency in subsequent year and submit 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, Nabarangpur, Sub-Collector, Nabarangpur, Deputy Director of Mines, Nabarangpur, DFO, Nabarangpur, RO, SPCB, Nabarangpur, Tahasildar, Jharigram/Mining Officer, Nabarangpur for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

### **Annexure 1**

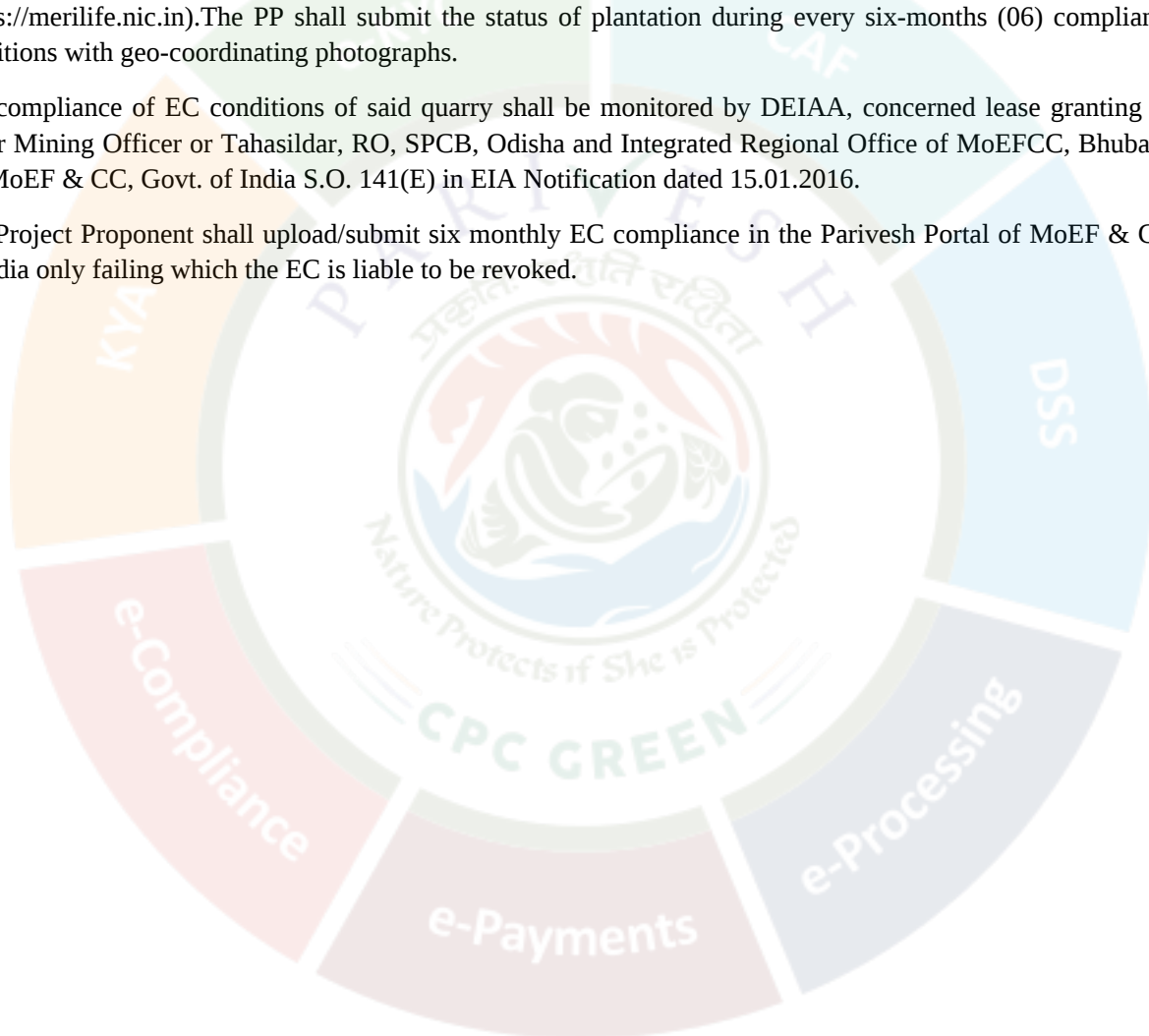
#### **Specific EC Conditions for (Mining Of Minerals)**

##### **1. Specific Conditions**

| S. No | EC Conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1   | <ol style="list-style-type: none"><li>1. Consent / NoC shall be obtained from the concerned authority if village road is to be used for transportation. The said road shall also be maintained by the lessee.</li><li>2. In view of likely revision of DSR the mention of this deposit with coordinates is to be ensured.</li><li>3. The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map.</li><li>4. Plantation programme to be completed within the first two years and to be maintained in remaining years.</li><li>5. The Project proponent shall follow Sustainable Sand Mining Guidelines, 2020.</li><li>6. The proponent shall provide Bio- toilet for the workers.</li><li>7. Project Proponent shall not disturb the water course during mining</li></ol> |

### **Additional EC Conditions**

1. The replenished quantity of sand **556.50 cum/annum** with depth of mining **0.21 meter** as per ARRS report is approved for the remaining lease period.
2. 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.
3. The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent years and submit the report to SEIAA, Odisha.
4. The PP shall implement the EMP with a budgetary allocation as 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 Kodabhata Sand Quarry over an area 3.65 acres or 1.48 Ha in village-Kodabhata, Tahasil-Jharigram, Dist-Nabarangpur, Odisha.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No.– 1080/SEIAA dt. 26.03.2021 for Kodabhata Sand Quarry over an area 3.65 acres or 1.48 Ha in village-Kodabhata, Tahasil-Jharigram, Dist-Nabarangpur, 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 is 17944 cum with depth of sand deposition was 2.1 meter and proposed for annual extraction-3589 cum.
- (iv) The SEIAA allowed 3589 cum of sand for 1<sup>st</sup> year production with depth of mining 2.1 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 May 2022, if satisfactory replenishment study report is not submitted.”
- (vi) The PP has mentioned has not mentioned the quantity sand extracted from source during operation period.
- (vii) The replenishment study was done by M/s. TKS Consultancy Services., the (ORSAC Empanelment Agencies) with mentioned that Pre-Monsoon sand volume =8920.8 cum, Post-Monsoon sand volume = 6151.53 cum and quantity of sand replenished is **556.5 cum** and proposed production 3589 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 02.07.2024 and the SEAC decided to recommend the proposal as per the Replenishment Study Report with **556.50 cum** of sand being final replenished volume subject to modification of Mining Plan, if required.