



सत्यमेव जयते

File No.: 492596/333-MIN/08-2024

Government of India

Ministry of Environment, Forest and Climate Change

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



Dated 20/01/2025



To,

SMT. UMAKANTI BEHERA
W/O-Anil Kumar Behera
At/Po- Kumbhari, Dist- Balangir , ODISHA, 767032
umakantibehera53@gmail.com

Subject: Amendment in Environmental Clearance (EC) letter no. 9418/SEIAA dated 27.10.2020 granted to the project of Kuikeda Sand Quarry 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/492596/2024 dated 13/08/2024 for grant of an amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) in prior Environmental Clearance (EC) to the project of Kuikeda Sand Quarry over an area of 8.15 Acers or 3.298 Hectares in Village Kuikeda under SaintalaTahasil of Balangir District, Odisha to Smt. Umakanti Behera 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.	EC24C0107OR5718320A
(ii) File No.	492596/333-MIN/08-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Proposal For Amendment Of Environmental Clearance Of Kuikeda Sand Quarry Over An Area of 8.15 Acers or 3.298 Hectares In Village Kuikeda Under Saintala Tahasil of Balangir District.
(vii) Name of Project	BALANGIR, ODISHA
(viii) Location of Project (District, State)	SEIAA
(ix) Issuing Authority	13/08/2024
(x) EC Date	NO
(xii) Applicability of General Conditions	
(xiii) Status of implementation of the project	

1. 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 30.08.2024. 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 30.08.2024 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 16800 cum as per replenished quantity subject to approval of revised Mining plan.

7. The SEIAA, Odisha has examined the proposal in 177th meeting held on 28.10.2024 & 29.10.2024 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. 9418/SEIAA dt. 27.10.2020 for the instant proposal to Kuikeda Sand Quarry to Smt. Umakanti Behera is allowed for extraction quantity of sand **16800 cum** per annum for the balance lease period with depth of mining 1.4 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 27/10/2020 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:	8.15 Acres or 3.298 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:	1.4 meter as per the ARRS report
(iv)	Method of Mining:	Manual as per approved mining plan
(v)	Permitted Quantity:	16800 cum/annum as per Annual Rate of Replenishment Study (ARR) report
(vi)	Validity Period of EC:	The EC is valid for 5 years 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. The SEIAA, Odisha reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

10. The PP is under obligation to implement commitments made in the Environment Management Plan (EMP) of. Rs. 0.70 lakh (Capital Cost) & Rs. 0.70 Lakh/annum (Recurring Cost) which forms part of this EC.

11. Validity of EC is for validity of DSR or validity of lease period whichever is earlier from which the prior environmental clearance is granted by the regulatory authority.

12. General Instructions:

1. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.
2. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.
3. The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.
4. Action plan for implementing EMP and environmental conditions along with a responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in a separate account and not to be diverted for any other purpose. Six monthly progress of implementation of the action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.
5. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
6. The Regional Office of MoEF & CC, Bhubaneswar, SPCB, Odisha and the lease granting Authority shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
7. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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

Specific EC Conditions for (Mining Of Minerals)

1. Specific Conditions

S. No	EC Conditions
1.1	<ol style="list-style-type: none"> 1. The Sand extraction shall be limited to quantity and depth as per replenishment study report. Regular replenishment study as per guidelines to be conducted and report to be submitted. 2. Provision of Bio-toilet shall be made at the site. 3. Avenue plantation and plantation on both sides of the haulage road in consultation with/ on the advice of concerned Forest Department, Government of Odisha & W.R. Department of Government of Odisha as well. 4. Stone patching with plantation in between along the stretch of the bank associated with sand mining and necessary ramp construction shall be made. 5. The project proponent shall ensure that the biological clock of the villagers is not disturbed. The floodlights should be oriented away from the villagers and the noise levels should be kept within the prescribed limit for day light/night hours. 6. No natural water course shall be obstructed or diverted for the purpose of sand mining.

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project
1.2	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
1.3	Solid/hazardous waste generated in the mines needs to addressed in accordance to the Solid Waste Management Rules, 2016/Hazardous & Other Waste Management Rules, 2016.
1.4	The maximum production or peak production at any given time shall not exceed the limit as prescribed in the EC.
1.5	The EC is valid for the balance lease period subject to the quantity prescribed in the modified DSR or revised Mining Plan whichever is less.

2. Air Quality Monitoring And Mitigation Measure

S. No	EC Conditions
2.1	Major approach roads shall be black topped and properly maintained.
2.2	The transportation of sand shall be carried out as per the provisions and route proposed in the approved mining plan. Transportation of the sand through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed that the impact of sound, dust and accidents could be appropriately mitigated.
2.3	Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
2.4	PP should Install Wind breaker/shield arrangement along the railway siding for reducing the dust propagation in upwind direction.
2.5	Post environmental closure third party monitoring by reputed institute in air quality, water, land & soil etc shall be carried out and analysed with EMP measures at regular interval. A suitable recommendation in this regard, shall be furnished to IRO, MoEF&CC for compliance. The data used for analysis shall be obtained from continuous AQMS, site specific water regime. Also third party shall analyse the implementation of river diversion, meeting to the requirement of project report.

3. Noise And Vibration Monitoring And Prevention

S. No	EC Conditions
3.1	The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

4. Mining Plan

S. No	EC Conditions
4.1	<p>1. No Working Zone: - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -</p> <ul style="list-style-type: none"> • 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

S. No	EC Conditions
	<p>obstructed.</p> <ul style="list-style-type: none"> • 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.
4.2	Mining shall be carried out under strict adherence to provisions of the OMMC Rules-2016, Mining Plan EC, CTO etc. as applicable.
4.3	No change in mining method i.e. UG to OC, calendar programme and scope of work shall be made without obtaining prior approval of the SEIAA, Odisha.
4.4	<p>1. Transport Safeguards:</p> <ul style="list-style-type: none"> • 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
4.5	<p>1. 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.</p> <ul style="list-style-type: none"> • 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 /

S. No	EC Conditions
	<p>any habitation is very near the mining lease area.</p> <ul style="list-style-type: none"> 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

5. Land Recalmtion

S. No	EC Conditions
5.1	The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.

6. Corporate Environment Responsibility

S. No	EC Conditions
6.1	A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
6.2	he PP shall implement the EMP with a budgetary allocation of Rs. 1.70 Lakh/annum (Capital Cost) and Rs. 0.70 Lakh (Recurring cost) as proposed in the EMP report during EC application. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the SEIAA, Odisha along with the Six Monthly Compliance Report.
6.3	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
6.4	PP should establish in house (at project site) environment laboratory for measurement of environment parameter with respect to air quality and water (surface and ground. A dedicated team to oversee environment management shall be setup which should comprise of Environment Engineers, Laboratory chemist and staff for monitoring of air, water quality parameters on routine basis. Any non- compliance or infringement should be reported to the concerned authority

7. Miscellaneous

S. No	EC Conditions
7.1	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.

S. No	EC Conditions
7.2	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 has to display the same for 30 days from the date of receipt.
7.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
7.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
7.5	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
7.6	The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
7.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
7.8	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
7.9	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
7.10	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.
7.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
7.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
7.13	The Regional Office of this Ministry 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.
7.14	The above conditions shall 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, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.

S. No	EC Conditions
7.15	The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during presentation to the EAC. All the commitments made on the issues raised during public hearing shall also be implemented in letter and spirit.
7.16	Compensation of the land acquired for the project shall be settled as per the R&R Policy. Adequate facility of drinking water, plantation and other social amenities should be provided to established R&R villages.
7.17	Persons of nearby villages shall be given training on livelihood and skill development to make them employable with its proper records.
7.18	The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours

Additional EC Conditions

1. The replenished quantity of sand 16800 cum/annum with depth of mining 1.4 meter as per ARRS report is approved for the remaining lease period.
2. The EC is valid for the balance lease period subject to the quantity prescribed in the modified DSR or revised Mining Plan whichever is less.
3. The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent years and submit the report to SEIAA, Odisha.
4. The PP shall implement the EMP with a budgetary allocation of Rs. 1.70 Lakh/annum (Capital Cost) and Rs. 0.70 Lakh (Recurring cost) as proposed in the EMP report during EC application.
5. The PP shall plant 250 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 Kuikeda Sand Quarry over an area of 8.15 Acers or 3.298 Hectares in Village Kuikeda under Saintala Tahasil of Balangir District.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No. – 9418/SEIAA dt. 27.10.2020 for Kuikeda Sand Quarry over an area of 8.15 Acers or 3.298 Hectares in Village Kuikeda under Saintala Tahasil of Balangir District.
- (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 18200 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-3500 cum.
- (iv) The SEIAA allowed 3500 cum of sand for 1st year production with depth of mining 1.0 meter.
- (v) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that “Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e., after 15th November, 2021, if satisfactory replenishment study report is not submitted.”
- (vi) The Amendment of EC was issued vide letter no. 5029/SEIASA dated 02.08.2022 and allowed **6500 cum** of sand for 2nd year subject to condition that the PP required to submit the ARRS report by November 2023.
- (vii) EC transfer vide letter no. 5203/SEIAA dated 19.08.2022 in favour of Smt. Umakanti Behera, the successful bidder of Kuikeda Sand Bed.
- (viii) The PP has mentioned that 3500 cum of sand has been extracted from the source in 1st year
- (ix) The PP has submitted replenishment study report was done by the Areal Construction & Geo-India Services (ORSAC Empanelment Agencies) with mentioned that Pre-Monsoon Standard Elevation = 207.2541 m, Post-Monsoon Standard Elevation = 208.7243 m and quantity of sand replenished = 28003 cum and proposed production is 16802 cum.
- (x) Any deficiencies/omission have been noticed in the above documents- Nil

2. Whether SEAC recommended the proposal – Yes, the proposal was placed in the SEAC meeting held on 30.08.2024 and the **SEAC recommended the following:**

Recommended for replenishment quantity subject to submission of clear and satisfactory copy of DSR.