

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 153 OF 2023 / EZ**

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Kabiraj Mahapatra

...Applicant

VERSUS

The Union of India & Others

...Respondents

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1.	Supplementary Affidavit.	
2.	Photocopy of the report of the joint committee dtd.19.04.2024. (ANNEXURE – R3/3 Colly)	

SPCB Odisha, R.No.3

Through

**Sri Dipanjan Ghosh,**  
Advocates for the Respondent No.3  
(State Pollution Control Board, Odisha)  
e-mail: dpnjnghsh0@gmail.com  
Phone No.:9903080977

Kolkata  
Date:

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 153 OF 2023 / EZ

29 APR 2024

IN THE MATTER OF:

Kabiraj Mahapatra ...Applicant

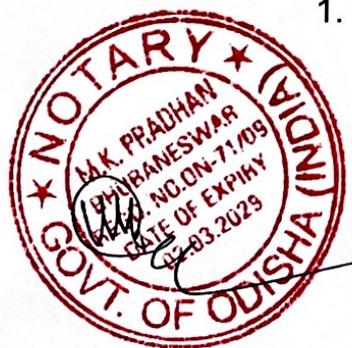
VERSUS

The Union of India & Others ...Respondents

**SUPPLEMENTARY AFFIDAVIT ON BEHALF OF  
THE STATE POLLUTION CONTROL BOARD,  
ODISHA, RESPONDENT NO.3 IN COMPLIANCE  
TO ORDER DTD.01.03.2024 OF THIS HON'BLE  
TRIBUNAL.**

I, Dr. Kailasam Murugesan, IFS, son of late Paramasivam Kailasam aged around 56 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

- 1. That I am the Member Secretary of the Respondent No.3 Board and, as such, am well-acquainted with the facts



and circumstances with the case and competent to swear this affidavit.

2. That this Hon'ble Tribunal in their order dtd.17.10.2023 has been pleased to constitute a committee and directed to visit the site and submit its report with regard to the allegation made in the OA and the R.No.3 Board has been declared as the Nodal Body for all logistic purposes.
3. That in compliance to the said direction, the Board has filed the report of the committee inspected on 30.11.2023 in the affidavit dated 10.01.2024, which has been taken note of by the Hon'ble Tribunal in their order dtd.15.01.2024 and the R.No.3 Board has been directed to file the Supplementary Affidavit regarding computation of environmental compensation.
4. That it is further humbly submitted that in the order dtd.01.03.2024, the Hon'ble Tribunal has directed the Board to file the fresh inspection report carried out on 16.02.2024 regarding calculation of environmental compensation with a further direction that the affidavits shall also indicate, what action has been taken against

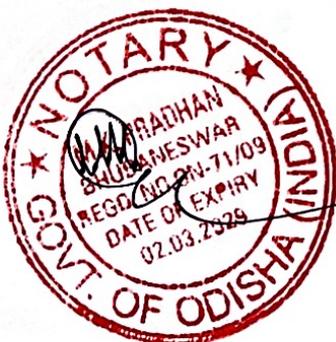


the illegal sand miners, who have been identified in Para-K of the inspection report filed along with the affidavit of the R.No.4 i.e. Collector & District Magistrate, Ganjam. The said inspection report has also been annexed as Annexure-R3/2 Colly in the affidavit dtd.10.01.2024.

5. That for proper appreciation, the para-K of the inspection report is extracted below:

K) The villagers informed the committee members that DD Builders and ARSS Companies along with Sri Santosh Kumar Behera, Lessee of Sundarada Birachaitanyapur River Sand Bed were involved in illegal mining from both Siripur Sand Quarry and Sundarada Birachaitanyapur River Sand Bed. That was also reflected in the enforcement report of 'Tahasildar, Chikiti submitted vide letter No.6740 dtd.29.11.2023.

6. That on the basis of the inspection report carried out on dtd.16.02.2024 by the committee along with other officials, the committee again deliberated the matter on 09.04.2024 to decide the environmental compensation and in the meantime, the committee on 19.04.2024 has submitted the final report in compliance to order



dtd.17.10.2023 of the Hon'ble Tribunal with certain conclusion and recommendation. The inspection report carried out on 16.02.2024 has also been annexed in the final report of the committee and marked as Annexure-IV in the report. The report of the committee dtd.19.04.2024 is annexed to this affidavit and marked as **ANNEXURE – R3/3 Colly.**

7. That as regards the compliance of the order dtd.01.03.2024 at para-7 regarding the action proposed against the illegal sand miners, the committee in the report at Annexure-R3/3 Colly under the heading "Conclusion and Recommendation" at Para-(d). has suggested that the environmental compensation and penalty indicated at para-(b) & (c) are to be recovered by the competent authority as per provisions of Odisha Minor Mineral (Concession) Rules, 2016 and amendment thereof. It is clarified that the R.No.3 Board is not the enforcing authority under the Odisha Minor Mineral (Concession) Rules, 2016.

8. That the Respondent No.3 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for effective adjudication of this case.



MANJULA KUMAR PRADHAN  
 NOTARY PUBLIC  
 BHUBANESWAR  
 REGD. NO. ON-71/2009  
 PH:-9437627119 (M)

9. That the annexure annexed to the present affidavit is true and correct copy of its original.
10. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.

*[Signature]*  
 DEPONENT

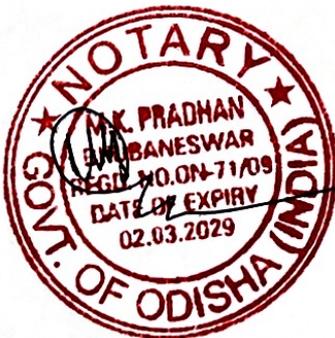
**VERIFICATION:**

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 29<sup>th</sup> day of April, 2024.

**SWORN BEFORE ME**

*[Signature]*  
 DEPONENT



MANJULA KUMAR PRADHAN  
 NOTARY PUBLIC  
 BHUBANESWAR  
 REGD. NO. ON-71/2009  
 PH:-9437627119 (M)

*[Signature]*  
 29/04/24

REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT,  
EASTERN ZONE BENCH, KOLKATA IN COMPLIANCE TO THE ORDER  
DTD.17.10.2023 IN THE MATTER OA NO. 153/2023/EZ- KABIRAJ  
MAHAPATRA VRS. UNION OF INDIA & OTHERS.

The Hon'ble NGT, EZB, Kolkata in their Order dtd. 17.10.2023 has constituted a committee in the matter O.A. No. 153/2023/EZ- Titled Kabiraj Mahapatra Vrs. Union of India & others to visit the site and submit its report with regard to allegations made in the Original Application. The committee comprises of the following members:

- i) Senior Scientist, State Pollution Control Board, Odisha.
- ii) Senior Scientist, Central Pollution Control Board.
- iii) Senior Scientist, State Environment Impact Assessment Authority (SEIAA), Odisha.
- iv) Collector & District Magistrate, Ganjam or his representative Officer not below the rank of Additional District Magistrate (ADM).

Joint inspection of the alleged site of Siripur Sand Quarry (River Bahuda) over Plot No. 130/830 & 134/832 (as per Original Application) under Khata No. 115 under Tahasil of Chikiti was held on 30.11.2023 to verify allegations made in the Application. Detail report along with observations were submitted to the Legal Consultant/Senior Law Officer (L-II), State Pollution Control Board, Odisha vide this letter no. 87 dtd. 05.01.2024 with memo to all the members of the committee. As per recommendation of the committee, the Regional Officer, State Pollution Control Board, Berhampur has requested the Deputy Director of Mines, Berhampur vide letter no. 4487 dtd. 30.12.2023 to calculate quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry with the help of Geologist (copy of this letter enclosed as **Annexure- I**). The Joint Director, Geology vide letter memo no. 194 dtd. 09.02.2024 intimated that field enquiry will be held on 16.02.2024 for calculating the quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry (copy of this letter enclosed as **Annexure- II**). The Regional Officer vide letter no. 690 dtd. 13.02.2024 has requested the committee members along with memo to the applicant, Sri Kabiraj Mohapatra, Sri Santosh Kumar Behera, Lessee of Sundarada Birachaitanyapur Sand Quarry & Tahasildar, Chikiti to remain present at the alleged site on 16.02.2024 during quantity estimation of illegally sand mined out from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry (copy of this letter is enclosed as **Annexure- III**).



Joint field visit was held on 16.02.2024 for calculating the quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry. The following members were present during the field visit:

- a) Sri Debabrata Sahoo, Additional District Magistrate (Revenue), Ganjam.
- b) Dr. Pradeept Kumar Nayak, Environmental Scientist (SEIAA), Odisha.
- c) Sri Biplab Kumar Sahoo, AES, SPC, Board, Berhampur
- d) Sri Kirti Ranjan Seth, Mining Officer, Ganjam Circle, Berhampur.
- e) Sri Sourav Pradhan, Geologist, Representative of JDG, SZ, Berhampur.
- f) Sri Baladev Behera, Tahasildar, Chikiti.
- g) Sri Debaraj Nayak, Revenue Inspector, RI Circle Nuapada.
- h) Sri Sandeep Roy, Scientist- D, CPCB, Kolkata has coordinated with the committee members virtually during field visit.

The Deputy Director, Geology vide letter memo no. 210 dtd. 16.02.2024 has submitted field visit report (copy enclosed as **Annexure- IV**). A meeting was held on 09.04.2024 by the committee members to decide environmental compensation based on the field visit report submitted by the Joint Director, Geology. In addition to the committee members Sri Kirti Ranjan Seth, Mining Officer, Ganjam Circle, Berhampur, Sri Baladev Behera, Tahasildar, Chikiti & Sri Biplab Kumar Sahoo, AES, SPC, Board, Berhampur were also present. The Tahasildar, Chikiti has submitted that quantity of sand legally extracted from Sundarada Birachaitanyapur Sand Quarry by the lessee, Sri Santosh Kumar Behera for the year 2022-23 is 3600 cum. and for the year 2023-24 is 1350 cum (copy of this report enclosed as **Annexure- V**). The Additional District Magistrate, (Revenue), Ganjam has submitted the market value of sand decided by the District Administration, Ganjam. The District Administration, Ganjam has fixed the market value of sand i.e. Rs. 454/- per cubic meter for illegal mining based on the Govt. of Odisha Notification No. 5157/R & DM dated 17.02.2022 and the amount has taken as a market value for calculation of environmental compensation (copy enclosed as **Annexure- VI**).

**Calculation of Environmental Compensation:**

**a) Siripur Sand Quarry:**

- i) **Environmental Clearance:** Environmental Clearance was granted by SEIAA, Odisha vide EC Identification No. EC22B001OR155306 dtd. 18.07.2022 in favour of Tahasildar, Chikiti for Siripur Sand Bed over an area of 12.355 Acres or 5.0 Ha. having Khata No. 115 over Plot Nos. 130/830, 134/831, 192/832 in village Siripur, Tahasil Chikiti in District Ganjam for mining of Sand @ 12500 Cum in the 1<sup>st</sup> Year

pending submission of Annual Rate of Replenishment Study of the Sand. Subsequently, EC was transferred in favour of Sri Krupasinidhu Muduli on dtd. 09.11.2022 (copy of EC and Transferred EC are enclosed as annexure-VII).

- j) **Lease status:** As per the document submitted by the Tahasildar, Chikiti vide letter no. 6740 dtd. 29.11.2023 to the ADM, Ganjam, Chatrapur the lease agreement is yet to be executed with the successful bidder (copy of this letter is enclosed as Annexure- VIII). Permission for operation of this quarry was not allowed by the lease granting authority.
- k) **Consent Status:** Regional Officer, SPC, Board, Berhampur has intimated that Consent to Establish and Consent to Operate have not been granted for the said sand quarry.
- l) As per report submitted by the Deputy Director Geology, South Zone, Berhampur the concerned R.I.s were present during field visit and identified the sources as per the revenue map. Volumetric method is used for calculation of extracted quantity of sand with the help of hand held GPS (Gramin GPS Map 60CSx) and measuring tape and with the help of Google Earth software. It was also mentioned that as the river sand bed are replenished every year after the monsoon, hence the extracted quantity of sand before the monsoon cannot be measured. Volume of sand extracted from Siripur Sand Quarry is 2751 cum considering area of extracted sand 4585 Square meter and average depth of sand bed 0.6 meter.

m) Calculation for environmental compensation of Siripur River Sand Quarry

as per CPCB guidelines:

Market value of sand material of Siripur River Sand Quarry= Rs. 454/-

Market value of illegally mined out sand material (D) = 2751 Cum\* Rs.454/- = Rs.12,48,954/-

Market Value of Illegally mined out material (D)	2751 cum × Rs. 454/- per cum	= Rs.12,48,954/-
Annual value of Foregone Ecological Values (D × RF) i.e. Risk factor taken as 1 for severe case.	Rs.12,48,954/- × 1	= Rs.12,48,954/-

Discount Rate may be considered as below:

Severity	Mild	Moderate	Significant	Severe
Risk Level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.0
Discount Rate	8%	7%	6%	5%

- Present value of Foregone Ecological values (@ 5% discount rate and over 5 years)

$$PV = \sum_{t=1}^5 (D*RF)/(1+r)^t$$

$$= \sum 1248954/(1+0.05)^1 + 1248954/(1+0.05)^2 + 1248954/(1+0.05)^3 + 1248954/(1+0.05)^4 + 1248954/(1+0.05)^5$$

$$= \text{Rs.} 11,89,480/- + \text{Rs.} 11,32,838/- + \text{Rs.} 10,78,893/- + \text{Rs.} 10,27,518/- + \text{Rs.} 09,78,588/-$$

$$= \text{Rs.} 54,07,317/-$$

- Net present value (after netting out market value of illegally/un-authorized mined out material) – i.e., Total Compensation to be levied

$$= NPV = PV - D$$

$$= \text{Rs.} 54,07,317/- - \text{Rs.} 12,48,954/- = \text{Rs.} 41,58,363/-$$

Environmental Compensation Charge in above case for extraction sand:  
**Rs.41,58,363/-**

Penalty amount to be collected- Quantity of material extracted × Rs. 454/-  
(market value) = **Rs. 12,48,954/-** (i.e. Loss of Govt. Revenue due to illegal mining)

**b) Sundarada Birachaitanyapur Sand Quarry:**

- Environmental Clearance was granted by SEIAA, Odisha vide EC Identification No. EC22B0010R124364 dtd. 30.07.2022 in favour of Tahasildar, Chikiti for Sundarada Birachaitanyapur Sand Quarry over an area of 5.0 Ha. having Khata No. 223 over Plot No. 1059 in village Sundarada Birachaitanyapur, Tahasil Chikiti in District Ganjam for mining of Sand @ 7000 Cum in the 1<sup>st</sup> Year pending submission of Annual Rate of Replenishment Study of the Sand. Subsequently, EC was transferred in favour of Sri Santosh Kumar Behera on dtd. 19.08.2022 (copy of EC and Transferred EC are enclosed as annexure-IX).

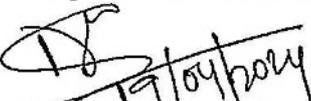


- d) Lease agreement was executed with the lessee Sri Santosh Kumar Behera by the Tahasildar, Chikiti for Sundarada Birachaitanyapur Sand Quarry on 03.09.2022 for the period of 5 years i.e. from August, 2022 to August, 2027 (copy of lease agreement is enclosed as Annexure-X).
- e) Consent to Establish was issued in favour of Sundarada Birachaitanyapur Sand Quarry vide Board's letter no. 2686 dtd. 08.09.2022 & Consent to Operate was issued in favour of Sundarada Birachaitanyapur Sand Quarry vide Board's letter no. 2688 dtd. 08.09.2022 upto 30.11.2023 for mining of Sand @ 7000 Cum (copies of CTE and CTO orders are enclosed as Annexure- XI).
- f) The Tahasildar, Chikiti has submitted that total quantity of sand legally extracted from Sundarada Birachaitanyapur Sand Quarry by the lessee, Sri Santosh Kumar Behera is 4950 i.e. for the year 2022-23 is 3600 cum. and for the year 2023-24 is 1350 cum (copy of this report enclosed as Annexure- V).
- g) As per report submitted by the Deputy Director Geology, South Zone, Berhampur the concerned R.I.s were present during field visit and identified the sources as per the revenue map. Volumetric method is used for calculation of extracted quantity of sand with the help of hand held GPS (Gramin GPS Map 60CSx) and measuring tape and with the help of Google Earth software. It was also mentioned that as the river sand bed are replenished every year after the monsoon, hence the extracted quantity of sand before the monsoon cannot be measured. Volume of sand extracted from Sundarada Birachaitanyapur Sand Quarry is 3167 cum considering area of extracted sand 3961 Square meter and average depth of sand bed 0.8 meter.



### Conclusion and recommendation:

- a) The committee members present during field visit on 16.02.2024 also observed that few patches of Sundarada Birachaitanyapur Sand Quarry and Siripur Sand Quarry were water logged therefore quantity of sand mined out from those areas were not calculated by the Mining Officer and Geologist.
- b) Environmental Compensation Charge for illegal mining at Siripur Sand Quarry is calculated as Rs.41,58,363/- considering volume of sand illegally extracted is 2751cubic meter and Market value of sand material @ Rs. 454/-.
- c) Penalty amount to be collected in case of Siripur Sand Quarry = Quantity of material extracted × Rs. 454/- (market value) = Rs. 12,48,954/- (i.e. Loss of Govt. Revenue due to illegal mining).
- d) The competent Authority as per provision of Odisha Minor Mineral Concession Rules shall recover the above calculated environmental compensation and penalty amount from the persons /companies involved in illegal mining as identified by the Tahasildar, Chikiti during enforcement as per Annexure- A of letter no. 6740 dtd. 29.11.2023 (Annexure VIII of this report).
- e) Plantation shall be carried out along the river bed at the alleged site to prevent soil erosion. Stone pitching shall also be carried out in the river embankment for its protection.
- f) No further illegal sand mining from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry shall be allowed. Deputy Director of Mines, Berhampur, Ganjam & Tahasildar, Chikiti, Ganjam shall ensure this by regular enforcement and surveillance as per provision of Odisha Minor Mineral Concession Rules.
- g) Mining from Sundarada Birachaitanyapur Sand Quarry shall only be allowed after submission of study report of Annual Replenishment rate of Sand to the SEIAA, Odisha, after obtaining valid Environmental Clearance, valid Consent to Operate from SPCB, Odisha and other clearances as applicable for sand mining.

  
 (Er. Deepak Kumar Sahoo)  
 RO, SPCB, Berhampur

  
 (Dr. Pradeept Kumar Nayak)  
 Environmental Scientist (SEIAA), Odisha

  
 (Sri Sandeep Roy)  
 Scientist- D, CPCB, Kolkata

  
 (Sri Debabrata Sahoo)  
 ADM (Revenue), Ganjam, Chatrapur



REGIONAL OFFICE OF THE  
STATE POLLUTION CONTROL BOARD, ODISHA  
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]  
2<sup>nd</sup> Floor, New Division Office, IDCO, Berhampur Division,  
Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 4487 /Legal/ 61/2023

Dt. 30/12/2023

By E-despatch/E-mail

To

The Deputy Director of Mines, Berhampur  
Dist- Ganjam.

Sub: O.A. No. 153/2023/EZ- Kabiraj Mahapatra vrs. the Union of India & Others-reg.  
Sir,

With reference to above, the Hon'ble NGT, EZB, Kolkata in their Order dtd. 17.10.2023 has constituted a committee in the matter O.A. No. 153/2023/EZ- Titled Kabiraj Mahapatra Vrs. Union of India & others to visit the site and submit its report with regard to allegations made in the Original Application (copy of Order enclosed).

Joint inspection of the alleged site of Siripur Sand Quarry (River Bahuda) under Tahasil of Chikiti was held on 30.11.2023 by the committee to verify allegations made in the Application. The committee members were in opinion that illegal sand mining have been carried out from the alleged site of Siripur Sand Quarry and illegal excess sand mining have also been carried out from Sundarada Birachaitanyapur Sand Quarry lease area located downstream of Siripur Sand Quarry.

As per Para-17 of Order dtd. 17.10.2023 of the Hon'ble NGT "in case of violations are found the committee shall recommend penalty as well as environmental compensation and also suggest remedial measures if any". Committee members unanimously agreed to seek the help of experts from Department of Steel & Mines for calculation of quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry for calculation of environmental compensation.

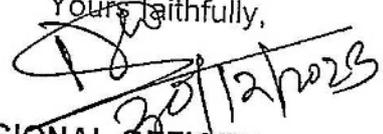
In view of the above, it is requested to calculate quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry with the help of Geologist in presence of committee members, applicant Sri Kabiraj Mahapatra and Sri Santosh Kumar Behera, Lessee of Sundarada Birachaitanyapur Sand Quarry. A detail report in this matter may be submitted to the undersigned at the earliest for submission of compliance to the Hon'ble NGT.

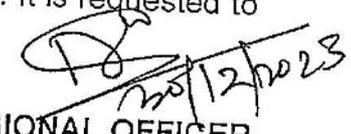
Encl: As above

Memo no 4488 / Date 30/12/2023

Copy forwarded to the Tahasildar, Chikiti, Dist- Ganjam for information. It is requested to provide necessary assistance to the DDM, Berhampur, Ganjam.

Yours faithfully,

  
REGIONAL OFFICER

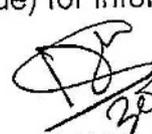
  
REGIONAL OFFICER

(P.T.O.)



Memo no 4489 / Date 30/12/2023

Copy forwarded to the Additional District Magistrate, Ganjam (Revenue) for information.

  
30/12/2023

REGIONAL OFFICER

Memo no 4490 / Date 30/12/2023

Copy forwarded to Sri Sandeep Roy, Scientist- D, CPCB, Kolkata for information.

  
30/12/2023

REGIONAL OFFICER

Memo no 4491 / Date 30/12/2023

Copy forwarded to Dr. Pradeept Kumar Nayak, Environmental Scientist (SEIAA), Odisha, Bhubaneswar for information.

  
30/12/2023

REGIONAL OFFICER



GOVERNMENT OF ODISHA  
OFFICE OF THE JOINT DIRECTOR GEOLOGY

SOUTH ZONE, BERHAMPUR  
Engineering School Square, Berhampur- 760010  
PHONE: +91 680 2291878, Email: jdgszsbam@yahoo.com

Letter No. V(a)-2/20/192/SZ, Berhampur

Date: 09.02.2024

From

Shubhransu Mishra  
Joint Director Geology  
South Zone, Berhampur.

To

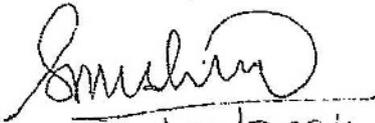
Sri Sourava Pradhan, Geologist  
O/o - The Joint Director Geology  
South Zone, Berhampur

Sub: O. A No. 153/ 2023/ EZ- Kabiraj Mohapatra vrs. The union of India & Others-  
Regarding.

Sir,

In inviting a reference to the subject cited above, you are directed to contact Deputy Director of Mines & Mining Officer of Office of the Deputy Director of Mines, Ganjam Circle, Berhampur and proceed to field on 16.02.2024 for calculating the quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and Sundarada Birachaitanyapur Sand Quarry areas in presence of committee members and Lessees.

Yours faithfully,

  
09/02/2024

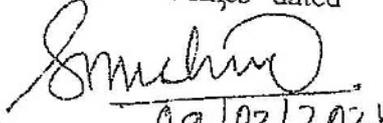
Shubhransu Mishra  
Joint Director Geology  
South Zone, Berhampur

Encl:- Copy of original letter from R.O SPCB, Berhampur

Memo No. 193 /SZ, Berhampur

Date: 09.02.2024

Copy to the Deputy Director Mines, Ganjam Circle, Berhampur, Email: ddm.berhampur@orissaminerals.gov.in with reference to Memo No. 78/ Mines dated 16.01.2024 for information and necessary action.

  
09/02/2024

Shubhransu Mishra  
Joint Director Geology  
South zone, Berhampur

STATE POLLUTION CONTROL BOARD, ODISHA REGIONAL OFFICE, BERHAMPUR
13 FEB 2024
RECEIVED
No. <u>297</u>
Di. <u>09/02/2024</u>

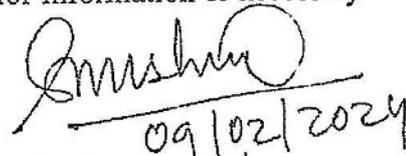
APR (BKC)  
13/02/2024



Memo No. 194 /SZ, Berhampur

Date: 09.02.2024

Copy to the Regional Officer, State Pollution Control Board, Odisha, Berhampur Division, Berhampur, Email: [rospcb.berhampur@ospcboard.org](mailto:rospcb.berhampur@ospcboard.org) for information & necessary action.



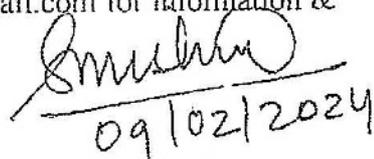
09/02/2024

Shubhransu Mishra  
Joint Director Geology  
South zone, Berhampur

Memo No. 195 /SZ, Berhampur

Date: 09.02.2024

Copy to Smt. Lajwanti Devi, Geologist & EIC, Investigation for Graphite around Tamangi & Bijali, Kandhamal District, Email: [lajwantidevi89@gmail.com](mailto:lajwantidevi89@gmail.com) for information & necessary facilitation.



09/02/2024

Shubhransu Mishra  
Joint Director Geology  
South zone, Berhampur



REGIONAL OFFICE OF THE  
STATE POLLUTION CONTROL BOARD, ODISHA  
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]  
2<sup>nd</sup> Floor, New Division Office, IDCO, Berhampur Division,  
Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 690 /Legal-61/2023

Dt. 13/02/2024

To

By E-despatch/E-mail

The Additional District Magistrate, Ganjam (Revenue), Chatrapur.

Sri Sandeep Roy, Scientist- D, CPCB, Kolkata.

Dr Pradeept Kumar Nayak, Environmental Scientist (SEIAA), Odisha, Bhubaneswar.

**Sub: O.A. No. 153/2023/EZ- Kabiraj Mahapatra vrs. the Union of India & Others-reg.**

Ref: 1) Letter no. 4487 and letter memo no. 4489,4490 & 4491 dtd. 30.12.2023.

2) Letter memo no. 194 dtd. 09.02.2024 of the Joint Director, Geology, S.Z, Berhampur.

Sir,

With reference to above, the Joint Director, Geology, SZ, Berhampur has fixed the date on 16.02.2024 (**copy of letter enclosed**) for calculating the quantity of sand illegally extracted from the alleged site of Siripur Sand Quarry and from Sundarada Birachaitanyapur Sand Quarry:

In view of the above, it is requested to remain present at the alleged site of Siripur Sand Quarry and Sundarada Birachaitanyapur Sand Quarry during quantity estimation on scheduled date i.e. on 16.02.2024.

This is for your kind information and necessary action.

Encl: As above

Yours faithfully,

  
13/02/2024

REGIONAL OFFICER

Memo no 691 /Date 13/02/2024 (By Speed Post)

Copy forwarded to Sri Kabiraj Mahapatra, S/O. Narayan Mahapatra, At- 2 Tarinipalli, Rambha Poirasahi, Dist- Ganjam – Pin- 761019 for information and he is requested to remain present at the alleged site on the scheduled date i.e. on 16.02.2024.

  
13/02/2024

REGIONAL OFFICER

Memo no 692 /Date 13/02/2024 (By e-mail)

Copy forwarded to Sri Santosh Kumar Behera, Lessee of M/s Sundarada Birachaitanyapur Sand Quarry, At-Near Gramadevi Mandir, Balaji Pentho Street, PO-Berhampur, Dist- Ganjam – 760002 for information and he is requested to remain present at the alleged site on the scheduled date i.e. on 16.02.2024.

  
13/02/2024

REGIONAL OFFICER

(P.T.O.)

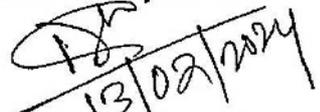
Memo no 693 / Date 13/02/2024 (By e-mail)

Copy forwarded to the Deputy Director, Mines, Berhampur, Dist- Ganjam for information and necessary action.

  
13/02/2024  
REGIONAL OFFICER

Memo no 694 / Date 13/02/2024 (By e-mail)

Copy forwarded to the Joint Director, Geology, S.Z., Berhampur, Dist- Ganjam for information and necessary action.

  
13/02/2024  
REGIONAL OFFICER

Memo no 695 / Date 13/02/2024 (By e-mail)

Copy forwarded to the Tahasildar, Chikiti, At/PO- Chikiti, Dist- Ganjam for information and he is requested to remain present at the alleged site on the scheduled date i.e. on 16.02.2024.

  
13/02/2024  
REGIONAL OFFICER

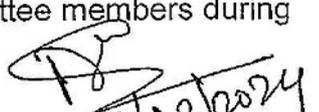
Memo no 696 / Date 13/02/2024 (By e-mail)

Copy forwarded to the Legal Consultant/ Sr. Law Officer, L-II, State Pollution Control Board, Odisha, Bhubaneswar-12 for information and necessary action.

  
13/02/2024  
REGIONAL OFFICER

Memo no 697 / Date 13/02/2024 (By hand)

Copy forwarded to Shri Biplab Kumar Sahoo, Assistant Environmental Scientist, State Pollution Control Board, Berhampur for information and he is requested to remain present at the alleged site on the scheduled date i.e. on 16.02.2024 and assist the committee members during quantity estimation.

  
13/02/2024  
REGIONAL OFFICER



GOVERNMENT OF ODISHA  
OFFICE OF THE JOINT DIRECTOR GEOLOGY

SOUTH ZONE, BERHAMPUR  
Engineering School Square, Berhampur- 760010  
PHONE: +91 680 2291878, Email: jdg\_szbam@yahoo.com

Letter No. XI-02/2022/209 /SZ, Berhampur

Date: 16.02.2024

From

Deputy Director Geology  
O/o - The Joint Director Geology  
South Zone, Berhampur

To

The Deputy Director Mines  
Ganjam Circle, Berhampur  
Email: ddm.berhampur@orissaminerals.gov.in

Sub: Report on field visit of Siripur and Sundarada Birachaitanyapur River sand bed under Chikiti Tahasil of Ganjam District.

Ref: Your Memo No. 78/Mines dated 16.01.2024.

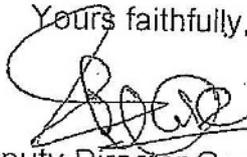
Sir,

With reference to the subject & Memo No. cited above, this is to inform you that Sri Sourava Pradhan, Geologist has visited the alleged site of Siripur River Sand Bed and Sundarada Birachaitanyapur River Sand Bed today i.e. on 16.02.2024.

The field visit report submitted by Sri Pradhan, Geologist is enclosed herewith for your information and necessary action.

Encl: As Above.

Yours faithfully,

  
Deputy Director Geology  
O/o - The Joint Director Geology  
South Zone, Berhampur

Memo No. 210 /SZ, Berhampur

Date: 16.02.2024

Copy forwarded to the Regional Officer, Regional Office of The State Pollution Control Board, Berhampur Division, Odisha, Email: rospcb.berhampur@ospcboard.org for kind information.

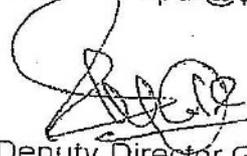
STATE POLLUTION CONTROL BOARD, ODISHA  
REGIONAL OFFICE, BERHAMPUR

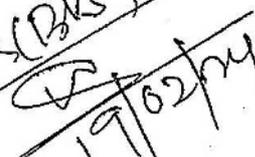
19 FEB 2024

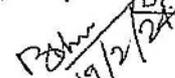
RECEIVED

No. 399

DI

  
Deputy Director Geology  
O/o - The Joint Director Geology  
South Zone, Berhampur

ABX(BKS)  
  
19/02/24

  
19/2/24



**REPORT ON FIELD VISIT OF SIRIPUR RIVER SAND BED AND SUNDARADA  
BIRACHAITANYAPUR RIVER SAND BED UNDER CHIKITI TAHASIL OF  
GANJAM DISTRICT**

As per letter no-192/SZ, Berhampur dated 09.02.2024 of Joint Director Geology, SZ, Berhampur the joint field visit has been conducted on 16.02.2024 for calculating the quantity of sand extracted from the alleged site of Siripur Sand Quarry and Sundarada Birachaitanyapur Sand Quarry area.

The following members were present during the field visit

1. Additional District Magistrate (revenue), Ganjam
2. Tahasildar Chikiti
3. Dr Pradeept Kumar Nayak, Environmental Scientist (SEIAA), Odisha, Bhubaneswar
4. Representative of RO SPCB, Odisha, Berhampur division
5. Mining Officer Ganjam Circle, Berhampur
6. Sourava Pradhan, Geologist Representative of JDG, SZ, Berhampur

The concerned RIs were present during the field visit and identified the sources as per the revenue map. Volumetric method is used for the calculation of extracted quantity of sand with the help of hand-held GPS (Garmin GPSmap 60CSx) and measuring tape and with the help of Google Earth software.

As the river sand bed are replenished every year after the monsoon hence the extracted quantity of sand before the monsoon cannot be measured.

**Quantity of sand extracted from Siripur Sand Quarry:**

Area of extracted sand (in M<sup>2</sup>) =4585

Average depth of sand bed (in M) =0.6

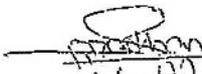
Volume of sand extracted (in M<sup>3</sup>) = 2751 (Area × average depth of sand bed)

**Quantity of sand extracted from Sundarada Birachaitanyapur Sand Quarry:**

Area of extracted sand (in M<sup>2</sup>) =3961

Average depth of sand bed (in M) =0.8

Volume of sand extracted (in M<sup>3</sup>) = 3167 (Area × average depth of sand bed)

  
 16.02.24  
 Geologist  
 O/O Joint Director, Geology  
 (S.Z.) Berhampur

Amnure (V)

Amnure (V)

## BALANCE SHEET OF Y FORM DETAILS AND FINANCIAL STATUS

Sl No.	Name of Tahasil	Name of the Source	Name of Lease Holder	Mobile No.	Financial Year	MGQ (in CuM)	No. of Y Form Books	Extraction Quantity of year (in CuM)	Balance Quantity of year (in CuM)	Lease Amount	Lease amount Paid	Balance	Remarks
	Chikiti	SB Chatnyapur Sand Bed	Santosh Behera	9438027333	2022-23	4670	24	3600	1070	4049062	4049062	Nil	
1	Chikiti	SB Chatnyapur Sand Bed	Santosh Behera	9438027333	2023-24	7005	9	1350	5655	6057777	1000000	5057777	

Tahasildar, Chikiti

05/08/23 5 8 23

TAHASILDAR  
CHIKITI (GANJAM)

Annexure - VI  
6

**PROCEEDINGS OF THE COMMITTEE MEETING HELD ON 21.6.2022 FOR  
THE PURPOSE OF DETERMINATION OF SCALE OF COMPENSATION  
TOWARDS ENVIRONMENTAL AND ECOLOGICAL DAMAGE DUE TO  
ILLEGAL MINING OF SAND AND TO DECIDE MARKET VALUE OF SAND**

In pursuance of letter No 5157/R & DM dated 17.2.2022 of Addl. Chief Secretary, Revenue & Disaster Management Department, Govt. Of Odisha the District Level Committee as detailed below assembled today i.e. on 21.6.2022 for fixation of market value of sand for the year 2022-2023 for Ganjam District.

**Constitution of the committee**

- |   |                   |
|---|-------------------|
| 1. Collector, Ganjam                                  | - Chairman        |
| 2. Additional District Magistrate, Revenue            | - Member Convener |
| 3. Sub-Collector, Berhampur, Chatrapur & Bhanjanagar. | - Member          |
| 4. DFO, Berhampur/Bhanjanagar                         | - Member          |
| 5. Supdt. Engineer/Executive Engineer, PWD            | "                 |
| 6. Supdt. Engineer/Executive Engineer, Irrigation     | "                 |
| 7. Supdt. Engineer/Executive Engineer, RD             | "                 |
| 8. Deputy Director (Mines), Berhampur                 | "                 |

After due deliberation taking into consideration of the Additional Charges of 54 Sand Sairat Sources of the district submitted by the concerned Tahasildars, the committee unanimously determined the market value of sand price for the year 2022-23.

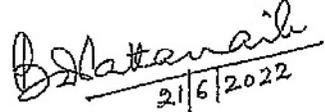
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**FIXATION OF SCALE OF COMPENSATION TOWARDS ENVIRONMENTAL AND ECOLOGICAL DAMAGE  
FOR ILLEGAL MINING OF SAND AND FIXATON OF MARKET VALUE OF SAND**

In pursuance of Notification No 5157/ R& DM dated 17.2.2022 the committee assembled on dated 21.6.2022 for fixation of scale of compensation towards environmental and ecological damage for illegal mining of sand and fixation of market value of sand. Taking into consideration the royalty and Additional Charge from sand in respect of different sources the committee has unanimously decided that **Rs 454/- (Rupees four hundred fifty four only)** per Cubic Meter has been fixed as market value of sand for the year 2022-2023 for Ganjam District.

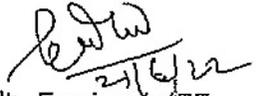
Signatures :

  
21/06/2022  
Divisional Forest Officer  
Ghumsur South  
Division, Bhanjanagar.

  
21/6/2022  
Divisional Forest Officer  
Ghumsur North Division  
Bhanjanagar

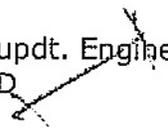
  
Supdt. Engineer/EE, PWD

  
21/6/22  
Supdt. Engineer/EE,  
PWD

  
21/6/22  
Supdt. Engineer/EE,  
Irrigation Bhanjanagar

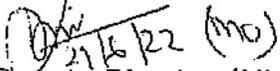
  
21/6/2022  
Supdt. Engineer/EE,  
Irrigation Berhampur

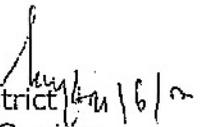
  
21/6/22  
Supdt. Engineer/EE,  
Irrigation  
Chetep

  
Supdt. Engineer/EE,  
RD

  
Supdt. Engineer/EE, RD

  
Supdt. Engineer/EE, RD

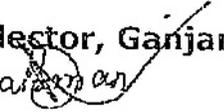
  
21/6/22 (MO)  
Deputy Director (Mines),  
Berhampur

  
21/6/22  
Addl. District  
Magistrate, Ganjam

  
21/6/22  
Sub-Collector,  
Chatrapur

  
21/6/22  
Sub-Collector,  
Berhampur

  
21/6/22  
Sub-Collector,  
Bhanjanagar

  
Collector, Ganjam  
Chairman

## ADDITIONAL CHARGE OF VARIOUS SAND SOURCES

	Name of Tahasil	Name of sand source	Addl. Charge in Rs.	Name of Tahasil	Name of sand source	Addl. Charge in Rs.		
1	Chikiti	Chilladi sand-1	444	Sheragada	Santoshpur sand	750	31	
2		Chilladi sand-2	197		Pakidi sand	165	32	
3		Parasama sand	174	Aska	Jagadalpur sand	195	33	
4		Kalbada sand	145		Mangalpur sand	240	34	
5		Badabaranga sand 1	30		Dhanija sand	307	35	
6		Badabaranga sand 2	35		Narasinghapalli sand	217	36	
7	Digapahandi	Tikarapada	514		Bangarada sand	633	37	
8		Dhanarasi sand	151		Gahangu sand	332	38	
9		Chaitanyaprasad sand	5		Karpur Nuagam	291	39	
10		Kalingadola sand	621		Kalasanghapur	350	40	
11		Tentuapada B sand	265		Makundapur sand	1200	41	
12		Chasanimakhandi sand	15					
13		tentuapada sand	104	Jagannathprasa	Tentulia sand	30	42	
14		Jalameripalli sand	155		Kandarsingi sand	100	43	
15		jakameripalli sand	41					
16		phasiguda sand	585	Surada	Gopalpur Sasan sand	120	44	
17	Sanakhemundi	Khalingi	161	Belaguntha	Kokalunda sand	39	45	
18		Luninathi	132		Benipalli sand	198	46	
19		Bhaliajhola	161		Ambapua sand	21	47	
20	Chatrapur	Badamadhpur sand	2617		Girisola	67	48	
21		Potlampur sand	475	Dharakote	Janibilli sand	70	49	
22		Hansapur sand	1668		Mundamarai Sand	7	50	
23		Baranga Sand	1670		Pankalabadi sand	935	51	
24	Ganjam	Sribana sand	1220		Laxmipur	755	52	
25		Bahalpur	1050		Kapilash sand	379	53	
26		Alliabad sand	350		Jahada sand	275	54	
27	Purushottampur	Burutulu sand	753		2	7676		
28		Bhimpur sand	734		1	16817		
		Kanaka sand	985		Total	24493		
		Baliasand	1360		Average	454		

ENVIRONMENTAL  
CLEARANCE

Government of India  
Ministry of Environment, Forest and Climate Change  
(Issued by the State Environment Impact Assessment  
Authority (SEIAA), Orissa)

To,

The Tahasildar  
TEHSILDAR CHIKITI  
Tahasildar Office, Chikiti -761010

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity  
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)  
in respect of project submitted to the SEIAA vide proposal number  
SIA/OR/MIN/246389/2021 dated 01-May-2022. The particulars of the environmental  
clearance granted to the project are as below.

- |   |  |
|---|--|
| 1. EC Identification No.                      | EC22B001OR155306   |
| 2. File No.                                   | 246389/719-MINB2/04-2022   |
| 3. Project Type                               | New  |
| 4. Category                                   | B2   |
| 5. Project/Activity including<br>Schedule No. | (a) Mining of minerals   |
| 6. Name of Project                            | Siripur Sand Bed over an area of 12.355<br>acres or 5.00 Ha having Khata No. 115,<br>Plot No. 130/830, 134/831 & 192/832 in<br>the village Siripur, Tahasil Chikiti in district<br>Ganjam, State Odisha. |
| 7. Name of Company/Organization               | TEHSILDAR CHIKITI  |
| 8. Location of Project                        | Orissa   |
| 9. TOR Date                                   | N/A  |

The project details along with terms and conditions are appended herewith from page  
no 2 onwards.

Date: 18/07/2022

(e-signed)  
Sri Susanta Nanda  
Member Secretary  
SEIAA - (Orissa)

Note: A valid environmental clearance shall be one that has EC identification  
number & E-Sign generated from PARIVESH. Please quote identification  
number in all future correspondence.

This is a computer generated cover page.

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,  
and Virtuous Environmental Single-Window Hub)





**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY  
ODISHA, BHUBANESWAR**

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)  
5Rf -2/1, Unit-IX Bhubaneswar-751022, Tel: 0674-3510075. E-mail-seiaaorissa@gmail.com

SEIAA File No: 246389/719-MINB2/04-2022

Project: Application of Tahasildar, Chikiti for mining of Sand from Siripur Sand Bed over an area of 12.355Acres or 5.00Ha in the village- Siripur, Tahasil-Chikiti, District- Ganjam-Environmental Clearance reg.

Ref: Your online application dated 01.05.2022 for issue of EC vide File No: SIA/OR/MIN/246389/2021

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of Sand from Siripur Sand Quarry over an area of 12.355Acres or 5.00Ha in the village- Siripur, Tahasil-Chikiti, District-Ganjam. The proposal falls in the category 1(a)- 'Mining of minerals' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as Form-2, supported by other necessary documents, namely the form-1, PFR, DSR, EMP, Approved Mining Plan and Checklist.

2. The proposed activities in a nut shell as observed are as follows: -

- a. This is a proposal for mining of sand from Siripur Sand Quarry lying in the Bahuda River bed located at village-Siripur, Tahasil-Chikiti, District- Ganjam, over lease area of 12.355Acres or 5.00Ha.
- b. The mine area is a part of the Survey of India Toposheet No. E44A7, E44A8, E44A11 & E44A12 bounded by Latitude: 19°14'13.67" N to 19°14'22.79" N and Longitude: 84°29'47.27"E to 84°30'00.89" E.
- c. The mining lease is an identified sairat source in the DSR. The Siripur Sand Quarry sairat source will be leased out under the OMMC Rules, 2016 by

DM



Tahasildar, Chikiti to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.

- d. The mining plan of the mining project prepared has been approved by Deputy Director of Geology, O/o the Joint Director of Geology, S.Z,Berhampur on 20.07.2020.
  - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 75300 cum of sand, when extracted upto a depth of 2.5 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
  - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 1.10Km away from the mining lease area.
  - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mines located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
  - h. As per the approved mining plan submitted, it is observed that sand from the quarry will be extracted upto a depth of 2.5 meter with annual extraction of sand not exceeding 25100cum, maximum production capacity during the valid lease period.
3. This proposal conforms to the item no. 1(a) in the schedule of 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 or equal to 5ha.
  4. The proposal is duly appraised by the SEAC in its meeting held on 02.06.2022. The SEAC have recommended for grant of EC for the project valid upto the lease period stipulating various conditions.

11

5. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.
6. The Tahasildar, Chikiti who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

7. Stipulated Conditions:

- 7.1 This Environmental Clearance is given with a condition that "maximum depth of digging of sand shall be 1.25m and maximum quantity of extraction of sand shall be 12500 cum in the 1<sup>st</sup> year, pending submission of rate of replenishment study at site. Rate of replenishment study at the site shall be conducted and report shall be submitted by November, 2023 as per prescribed method(drone method enclosed in Annexure). Village road has to be capped under proper repair at all time by PP."
- 7.2 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.
- 7.3 The Tahasildar has submitted the cluster certificate of the mines located within 500 meters from the periphery of the proposed mine lease area. This EC is liable to be cancelled/revoked if the submission on cluster is found to be incorrect/false in future.
- 7.4 The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area. Pending carrying out of the

DH



- study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 7.5 In view of the likely revision of DSR for Ganjam District in future the details of this minor mineral reserve to be ascertained in the revised DSR.
  - 7.6 In view of the difference commonly found in sand deposits, the determination of mining lease by local Tahasildar considering the dimensions like average length, breadth and height of the deposit to be re-ascertained by the Revenue Department and RQP for final exploitation of sand and higher revenue for the state of Odisha.
  - 7.7 All the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 to be followed for this sand mining project.
  - 7.8 Revised mining plan shall be prepared based on essential physical criteria as per Enforcement and Monitoring Guidelines for Sand Mining, January 2020 of MoEF & CC, Govt. of India enclosed in Annexure. Lay out of Progressive Mine Closure Plan shall also be incorporated in the revised mining plan.
  - 7.9 Adequate measures shall be taken to prevent unauthorized mining.
  - 7.10 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
  - 7.11 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
  - 7.12 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure: 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the said bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

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- 7.13 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent and photographs of proof of the same shall be submitted along with six monthly compliance report.
- 7.14 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 7.15 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 7.16 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 7.17 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.18 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat/BDO and only after required strengthening, such that the carrying capacity of road is increased to handle the sand 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. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 7.19 Vehicles hired for transportation of sand 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.
- 7.20 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and

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utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.

- 7.21 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat. Photographs of proof showing the plantation shall be submitted along with compliance report.
- 7.22 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 7.23 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 7.24 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. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
- 7.25 All the individual quarry lessee holders coming under the Tahasil, Chikiti jurisdiction shall create a common forum in coordination with the Tahsildar and contribute funds to it for grading, compaction and maintenance of haulage road used for transportation of mineral, plantation of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat, etc for prevention of environmental pollution and damage during mining activity. All mining activity shall be done in scientific manner to safeguard degradation of environment. All the individual lease holders under the Tahasil shall implement the EMP as proposed for the project. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.26 The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation if any, existing nearby.
- 7.27 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1<sup>st</sup> day of January, April, July, October of each calendar year, failing which EC is liable to be revoked. The proponent shall upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The

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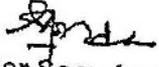
- concerned Tahasildar shall ensure the uploading of EC compliance report in the parivesh portal by the project proponent.
- 7.28 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.29 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 7.30 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.
- 7.31 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be. A Copy of the environmental clearance letter can be downloaded from the Ministry portal ([www.parivesh.nic.in](http://www.parivesh.nic.in)).
- 7.32 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 7.33 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 7.34 The SEIAA, Odisha may revoke or suspend this 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.
- 7.35 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 7.36 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.

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7.37 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.

7.38 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.

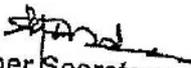
Yours Faithfully,

  
Member Secretary

Memo No \_\_\_\_\_ /Dt. \_\_\_\_\_

Copy to

1. Additional Chief Secretary, Forests & Environment 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. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Chatrapur, Ganjam/ Sub Collector, Chatrapur/ Tahasildar, Chikiti for information and necessary action.
7. Guard file for record/Website/Rativesh Portal.

  
Member Secretary

### Annexure-1

The replenishment study for river bed sand is very essential in order to have a check on possible over exploitation. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. It is imperative to have a study of replenishment of sand material during a defined period for sustainable sand mining. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar.

The UAV / Drone method briefly is as follows:

The Drone /UAV is fitted with the advanced camera used for survey purposes. The survey is conducted using a set of instruments and compatible software to depict the topography of the study area (the lease area) by utilizing the properly referenced data.

After running the prescribed steps, the software shall automatically generate orthorectified imagery. Ground truthing is done at minimum 5 locations spread evenly across the lease area by using DGPS instruments. The readings from DGPS instruments are compared with the Drone Data for accuracy assessment.

The study shall have the details of establishment of bench mark by putting a number of pillar points and various Ground Control Points (GCP) at the site, observing by DGPS the various GCPs for permanent bench marks and control points. The summary of the elevation data from each session's profile based on the post monsoon survey is mentioned in the tabular form. A detailed comparison sheet of both pre-monsoon and post-monsoon elevation data is prepared. Cross sectional depiction of deposition and erosion for each section in pre and post deposition seasons shall be given.

Drone images are used to recreate highly accurate orthomosaic maps of mining sites and quarries. Each pixel contains 2D geo tagged information (X, Y), and can be used for distance and surface measurements. A densified point cloud can be generated from Drone images and data. Each point contains geospatial (X,Y,Z) information. It provides an accurate model of a site for precise volume measurements and visual insights. The drone data is processed to generate Digital Terrain Model (DTM) and assessment of progressive volumetric change.

Adequate number of geomatic grade ground control bench marks (X,Y,Z), depending on the size of the lease area, are to be maintained permanently around the lease area within a maximum distance of 500 meters from the lease area for the entire study period. There should be pre and post monsoon survey to assess the sand replenishment within the study area.

There are some organizations in Odisha state who are empaneled by ORSAC to conduct such survey.

*Dy*



### Annexure-2

#### Essential Physical Criteria As Per Enforcement And Monitoring Guidelines For Sand Mining, January 2020 Of MoEF&CC, Govt. Of India

Sl. No.	Essential Criteria	Reference
1.	"No Mining Zone": 1/4th the part of the river width (excluding 3/4th the central part of the river width) on both sides of the river towards the river bank	4.1.1 (Para - e) Page - 16
2.	a) Distance between two clusters: $\geq 2.5$ km b) Area of mining lease area is a cluster: $\leq 10$ ha. c)	4.1.1 (Para - k) Page - 19
3.	Concave River Bank: No extraction of sand	
4.	No mining if a) Upstream: Lease is 1 km from major Bridge and high ways or $5(x)$ of the Bridge / public civil structure / water intakes point subject to lease is located at a minimum 250 meters distance. Where $x =$ Span of the bridge. b) Downstream side: Lease is 1 km from the major bridge and Highways Or $10x$ of the bridge / public civil structure / water intake point Subject to lease is located at a minimum distance of 500 meter where $x =$ span of the bridge	4.3 (Para - h) Page - 23
5.	Mining depth: $\leq 3$ meter (maximum 3 meter)	4.3 (Para - m) Page - 24
6.	Mining distance from river bank: $1/4^{\text{th}}$ of the river width, But subject to not less than 7.5 meter	4.31 (Para - m) Page - 24
7.	Area for removal of minerals: $\leq 60\%$ of mine lease area	4.3 (Para - s) Page - 25
8.	Minable sand per ha. Available for actual mining: $\leq 60,000$ MT/Annum	
9.	Regular replenishment study and replenishment rate	

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Signature Not Verified

Digitally signed by S/i Susanta  
Nanda  
Member Secretary

Date: 7/18/2022 7:27:28 PM

EC - 18/07/2022

Page 11 of 11



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
ODISHA**

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com  
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under  
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/292037/2022

Dated 09<sup>th</sup> November, 2022.  
Bhubaneswar

To

Sri Krupasindhu Muduli  
S/o- Sri Jhuria Muduli  
At-Ramakrushna Nagar 2<sup>nd</sup> Lane, Lochapada,  
Berhampur, Dist-Ganjam

**Sub: Proposal for Transfer of Environmental Clearance of Siripur Sand Bed over an area of 12.355 acres or 5.00 Ha in the village Siripur, Tahasil Chikiti in district Ganjam, State Odisha from the name Tahasildar, Chikiti to Sri Krupasindhu Muduli -reg.**

Ref: (i) EC letter no./EC identification no. EC22B001OR155306 dated 18.07.2022  
(ii) Tahasildar, Chikiti letter no. 4352/Sairat dated 07.09.2022  
(iii) Online Application no. SIA/OR/MIN/292037/2022 dtd.23.08.2022

Sir,

This has reference to your online application no. SIA/OR/MIN/292037/2022 dated 23.08.2022, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. EC22B001OR155306 dated 18.07.2022 issued earlier in favour of Tahasildar, Chikiti, Dist- Ganjam.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 95<sup>th</sup> meeting held on 29.10.2022 in accordance with the Para-11 of the EIA Notification, 2006 as amended from time to time and the following points are noted;

- (i) As submitted by the Tahasildar, it is noted that EC was obtained Siripur Sand Bed for a period of 5 years in favour of Tahasildar, Chikiti vide the above-mentioned EC letter under reference. Now, the said sairat source has been leased out by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Krupasindhu Muduli, who is the successful bidder in this case for operationalization of the sairat source under the provision of OMMC Rules, 2016.
- (ii) Documents submitted for EC Transfer;
  - a. Form No. 7 for transfer of Environmental Clearance,



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
ODISHA**

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com  
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under  
Environment (Protection) Act, 1986)

- b. Letter no. 4352/Sairat dated 07.09.2022 of Tahasildar, Chikiti Sri Krupasindhu Muduli as the successful bidder for Siripur Sand Bed.
- c. Cyber Treasury e-challan no 33700E2BEC dated 23.09.2022 for Rs. 2000/- towards scrutiny fee.
- d. Undertaking dated Nil for accepting the terms and conditions in the original EC.
3. Transfer of Environmental Clearance (EC) of Siripur Sand Bed issued vide SEIAA, Odisha EC letter/EC identification no./EC identification no. EC22B001OR155306 dated 18.07.2022 is allowed in favour of Sri Krupasindhu Muduli the successful bidder for the said quarry for an annual extraction quantity of 12500 cum in 1<sup>st</sup> year with the same terms conditions under which original EC was initially granted and for the same validity period 5 (five) years subject to satisfactory compliance to all the stipulated terms and conditions of EC along with additional stipulated conditions mentioned below;
- (i) **Undertaking:** The PP shall submit an undertaking in the Form of an Affidavit in a non-judicial stamp stating that they will comply with the conditions stipulated in the original Environmental Clearance issued for the project vide SEIAA, Odisha EC letter/EC identification no. EC22B001OR155306 dated 18.07.2022.
- (ii) **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 GBS co-ordinates by any empaneled agency of ORSAC.
- (iii) **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 shall be submitted to SEIAA, Odisha through email at [seiaaodisha@gmail.com](mailto:seiaaodisha@gmail.com).
- (iv) **Intimation of EC transfer:** - The copies of the EC transfer order 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.
- (v) **Tree Plantation:** - Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,25,000/- with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry.

*[Signature]*

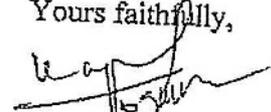


STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
ODISHA

SRF-2/1, Unit-IX, Bhubaneswar-751022; Tel: 0674-3510075, Email: seiaaodisha@gmail.com  
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under  
Environment (Protection) Act, 1986)

4. The above four additional conditions shall be complied with by the lessee before start of any mining operations. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,

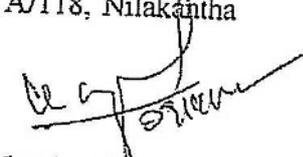
  
Member Secretary

Encl: Copy of the Original EC

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), 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. Member Secretary, CGWA, 18/11, Jangnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to the Collector/Sub Collector, Ganjam and Tahasildar Chikiti for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.



  
Member Secretary



Annexure - VIII

**OFFICE OF THE EXECUTIVE MAGISTRATE-CUM-TAHASILDAR, CHIKITI**

Email: tah\_chikiti@yahoo.in

Letter No: - 6740

Date: - 29.11.2023

To

The Addl. District Magistrate  
Ganjam, Chatrapur

Sub: -Submission of Compliance report on O.A No. 153/2023 EZ.

Sir,

In inviting a kind reference to the subject cited above, I am to submit herewith the detail status of lease of alleged Siripur Sand Bed of this Tahasil and action taken there of to public complaint and Enforcement Activities conducted under the Nuapada R.I Circle for the Year 2021-22, 2022-23 and 2023-24 as per the following details given below.

**1. Status Report on Lease of of alleged Siripur Sand Bed with supporting document.**

i) The new Sairat Sand Source has been identified at Village- Siripur under Nuapada Revenue Circle under Tahasil Chikiti of Ganjam District of State of Odisha vide Letter No. 456 Dated. 04.11.2020 of the Revenue Inspector, Nuapada as per the following land schedule given below.

Name of Tahasil	Name of Mouza	of Khata No.	Plot No	Area in Ac.	in kissam
Chikiti	Siripur	115	130/830	12.355	Nadi (Abada Ajogya Anabadi)
			134/831	out of	
			192/832	27.132	

(ii) The Environmental Clearance (EC) has been granted by the State Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar, Ministry of Environment, Forest and Climate Change Department in favour of the Tahasildar, Chikiti vide SEIAA File No. 246389/719-MINB2/04-2022 Date: 18.07.2022 for Leasing out of Siripur Sand Bed of Revenue Circle- Nuapada under Chikiti Tahasil, Ganjam District of State of Odisha to the successful bidder (Lessee) on the basis of public auction for a lease period of 05 yrs as per the following land schedule given below.

Name of Tahasil	Name of Mouza	Khata No.	Plot No	Area in Ac.	kissam
Chikiti	Siripur	115	130/830	12.355	Nadi
			134/831	out of	
			192/832	27.132	

(iii) The mining Lease is an identified Sairat Source in the DSR vide Notification No. SO 3611 (3) Dt. 25.07.2018 of Ministry of Environment, Forest and Climate Change Department, Govt. of India and approved by DEIAA, Ganjam on Dt. 21.12.2019.

(iv) The mining Plan of the mining project prepared has been approved by Deputy Director of Geology, O/o the Joint Director of Geology, South Zone, Berhampur on Dt. 20.07.2020.

(v) The Form-F (Intimation to Successful Bidder) has been issued vide this Office Letter No. 3965 Dated. 19.08.2022 to Sri Krupasindhu Muduli, (bidder participant No- 04), S/o- Jhuria Muduli, At- Ramakrushna Nagar- 2<sup>nd</sup> Lane, near Mini Bank, P.O- Lochapada, Berhampur- 761001 with Addl. Charge @ Rs. 275/- quoted by participant vide this Office Advertisement No. 3161 Dated. 30.06.2022 towards operationalization of Siripur Sand Bed.

(vi) Later Smt. Swapna Behera, W/o- Sri Santosh Kumar Behera of Balajipentho Sahi, Berhampur- 760002 has filed W.P (C) No. 25337 of 2022 before the Hon'ble High Court of Odisha.

(vii) Smt. Swapna Behera, W/o- Sri Santosh Kumar Behera of Balajipentho Sahi, Berhampur- 760002 with Addl. Charge @ Rs. 1108/- quoted by participant (bidder participant No. 03) has been declared as successful bidder as per Order No. 08 Dated. 06.03.2023 vide W.P (C) No. 25337 of 2022 of the Hon'ble High Court of Odisha.

(viii) Accordingly Form-F (Intimation to Successful Bidder) has been issued vide this Office Letter No. 4344 Dated. 03.07.2023 to deposit the Security deposit amount for an amount of Rs. 78, 89, 603/- only to convey her acceptance to the Terms and Conditions and to deposit an amount as prescribed under Rule 10(12) & 13/16(10) & (11)/27 (7) & (9) under the provisions of the OMMC Rules, 2016.

(ix) In the meantime 04 (Four) Months have already been passed; She failed to deposit the same in spite of issuing several reminders, whereas the Lease Deed Agreement has not been executed in favour of the Siripur Sand Bed, as the same has not been operationalized so far.

2. Action has been taken on the public complaint submitted by various agencies by this Office and Enforcement activities has been carried out.
- 3 & 4. Enforcement activities is being conducted by forming Tahasil level Enforcement squad and Royalty, Penality & others has been collected at various places under R.I circle, Nuapada which has been attached herewith at Annexure -A.

This is for favour of kind information and necessary action.

Yours faithfully

  
Tahasildar, Chikiti  
**TAHASILDAR**  
CHIKITI (GANJAM)

Memo No: 6741

Date: 29.11.2023

Copy Submitted to the Sub-Collector, Berhampur for favour of kind information.

  
Tahasildar, Chikiti  
**TAHASILDAR**  
CHIKITI (GANJAM)

Annexure - A

## NUAPADA CIRCLE ENFORCEMENT (2021-22)

Sl No.	Date	Mouza	RR No.	Vehicle No.	Monor Mineral	Royalty	Penalty	Total	Owner name
1	12-04-2021	Nuapada	P 2603931		sand	105	9895	10000	Krushna chandra pradhan
2	20-05-2021	Dabhar	AAA 3809445	OD 07 S 5126	sand	105	9895	10000	Narasingha Sahu
3	09-06-2021	chadhiapada	AAA 3809484	OD 07 L 6340	sand	105	10000	10105	Durga kanta Tripathy
4	23-06-2021	Siripur	AAA 3809499	OD 07 L 6340	sand	105	10000	10105	Durga kanta Tripathy
5	25-06-2021	Siripur	AAA 3809502	OD 07 AE 8674	sand	105	19895	20000	Pradeep pradhan
6	25-06-2021	Siripur	AAA 3809504	New vehicle	sand	105	9895	10000	Kunja Bihari Sahu
7	25-06-2021	Siripur	AAA 3809503	New vehicle	sand	105	19895	20000	Srinivas Sahu
8	20-07-2021	Sundarada	AAA 3809601	OD 07 L 6340	sand	105	10000	10105	Raghunath Sahu
9	24-07-2021	Siripur	AAA 3809620	OD 07 L 6340	sand	105	15000	15105	Durga kanta Tripathy
10	06-08-2021	Siripur	AAA 3809673	OD 07 AH 8882	sand	105	12000	12105	Sudam pradhan
11	09-08-2021	Baliarsinghpalli	AAA 3811583	OD 07 X 8063	Sand	105	12000	12105	Udaya Nayak
12	09-08-2021	Baliarsinghpalli	AAA 3811581	OD 07 X 0028	Sand	105	10000	10105	Anil kumar Kabi
13	19-09-2021	Dabhar	AAA 3809774	OD 07 P 8461	sand	105	5000	5105	Pitambar Behera
14	29-10-2021	BADAKELAJHURI	AAA 3809851	OD 07 AJ 8186	sand	105	6000	6105	Barika pradhan
15	29-10-2021	BADAKELAJHURI	AAA 3809852	OD 07 G 9539	sand	105	6000	6105	Barika pradhan
16	08-11-2021	sundarada	AAA 3809863	OD 07 AC 9677	sand	105	10000	10105	Dasa Pradhan
17	11-12-2021	Badakelajhuri	AAA 3813533	OD 07 M 1147	sand	105	10000	10105	Krushna charidra sahu
18	18-12-2021	Badakelajhuri	AAA 3813570	OD 07 Z 4024	sand	105	10000	10105	Bulu patra
19	06-01-2022	Badakelajhuri	AAA 3813751	OD 07 AJ 2311	sand	105	10000	10105	P. Srinu
20	06-01-2022	Badakelajhuri	AAA 3813705	OD 07 AD 6291	Sand	105	10000	10105	Krushna sahu
21	06-01-2022	Badakelajhuri	AAA 3813704	OD 07 M 3493	sand	105	10000	10105	Sankar Sethi
22	08-01-2022	Badakelajhuri	AAA 3813752	OD 07 AJ 9172	sand	105	10000	10105	Arun kumar pradhan
23	12-01-2022	Chadhiapada	AAA 3813762	OD 07 L 6340	sand	105	10000	10105	Durgakanta Tripathy
24	25-01-2022	Sundarada	AAA 3813918	OD 07 Z 4024	sand	105	10000	10105	Bulu patra
25	10-02-2022	Badakelajhuri	AAA 6736222	OD 07 M 3493	sand	105	10000	10105	Sankar Sethi
26	14-02-2022	Lalmenta	AAA 6736200	OD 07 F 2519	Sand	105	10000	10105	Rajendra Kumar Pati
27	12-03-2022	Badakelajhuri	AAA 6736809	OD 07 AJ 9172	Sand	105	15000	15105	Kanhu Charan pradhan
					Total	2835	290475	293310	

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Annexure A

**Details of Fine such as Royalty, Penalty, etc. during the Enforcement Activities of Minor Mineral Collected and Deposited relating to OA Case No. 153/2023-EZ before the Hon'ble NGT, Kolkata for the Year 2022-23**

Sl No.	Name of R.I Circle	Name of Mouza	No. of vehicle Seized	Type of Minor Mineral	RR Receipt No.	Date	Penalty Collected	Misc. Case No.	Owner name
1	Nuapada	Siripur	1	Sand	AAA6748270	27.04.2022	25000	18/2022-23	DD Builders Ltd
2	Nuapada	Siripur	1	Sand	AAA6748269	27.04.2022	25000	19/2022-23	DD Builders Ltd
3	Nuapada	Siripur	1	Sand	AAA6748288	07.05.2022	25000	27/2022-23	DD Builders Ltd
4	Nuapada	Siripur	1	Sand	AAA6748287	07.05.2022	25000	28/2022-23	DD Builders Ltd
5	Nuapada	Siripur	1	Sand	AAA6748286	07.05.2022	25000	29/2022-23	DD Builders Ltd
6	Nuapada	Siripur	1	Sand	AAA6748285	07.05.2022	25000	30/2022-23	DD Builders Ltd
7	Nuapada	SB Chaitnampur	1	Sand	AAA6748301	04.06.2022	10105	70/2022-23	K. Jayaram
8	Nuapada	SB Chaitnampur	1	Sand	AAA6748305	08.06.2022	15105	73/2022-24	Sankar Pradhan
9	Nuapada	SB Chaitnampur	1	Sand	AAA6748304	08.06.2022	10105	74/2022-23	Subash Chandra pradhan
10	Nuapada	Bada Kelajhari	1	Sand	AAA6748311	23.06.2022	10105	83/2022-23	Bisikesan Gouda
11	Nuapada	Bada Kelajhari	1	Sand	AAA6748312	23.06.2022	15105	84/2022-23	Jitu Nayak
12	Nuapada	Bada Kelajhari	1	Sand	AAA6748313	30.06.2022	10105	89/2022-23	Prasant Kunda
13	Nuapada	Bada Kelajhari	1	Sand	AAA6748329	12.07.2022	15105	101/2022-23	Barika pradhan
14	Nuapada	Bada Kelajhari	1	Sand	AAA6748330	12.07.2022	15105	102/2022-23	Barika pradhan
15	Nuapada	Bada Kelajhari	1	Sand	AAA6748333	19.07.2022	10105	108/2022-23	Durgakanta Tripathy
16	Nuapada	Bada Kelajhari	1	Sand	AAA6748339	21.07.2022	15105	110/2022-23	Sankar Sethi
17	Nuapada	Bada Kelajhari	1	Sand	AAA6748401	18.08.2022	10105	137/2022-23	krushna ch sahu
18	Nuapada	Bada Kelajhari	1	Sand	AAA6748436	25.08.2022	10105	138/2022-23	Sarathi reddy
19	Nuapada	Nuapada	1	Sand	AAA6748439	30.08.2022	10105	143/2022-23	barika pradhan
20	Nuapada	Bada Kelajhari	1	Sand	AAA6748438	30.08.2022	15105	144/2022-23	barika pradhan
21	Nuapada	Bada Kelajhari	1	Sand	AAA6748601	08.09.2022	15105	151/2022-23	Krushan Ch.Sahu
22	Nuapada	B. Nuapada	1	Sand	AAA6748604	09.09.2022	10105	152/2022-23	Bishikeshan Pradhan
23	Nuapada	Bada Kelajhari	1	Sand	AAA6748609	16.09.2022	10105	155/2022-23	Blswanath Kanyari
24	Nuapada	Bada Kelajhari	1	Sand	AAA6748610	19.09.2022	15105	156/2022-23	Rabi Rana
25	Nuapada	Bada Kelajhari	1	Sand	AAA6748613	20.09.2022	15105	157/2022-23	Sarathi Reddy
26	Nuapada	Bada Kelajhari	1	Sand	AAA6748633	02.10.200	15105	181/2022-23	Rabindra Ku.Sahu
27	Nuapada	Bada Kelajhari	1	Sand	AAA6748634	02.10.2022	15105	182/2022-23	Rabindra Ku.Sahu
28	Nuapada	Bada Kelajhari	1	Sand	AAA6748642	15.10.2022	15105	189/2022-23	Arun Ku.Pradhan
29	Nuapada	Bada Kelajhari	1	Sand	AAA6748643	20.10.2022	15105	196/2022-23	Sarathi Reddy
30	Nuapada	Bada Kelajhari	1	Sand	AAA6748644	28.10.2022	10105	204/2022-23	P.Srinivas

	Nuapada	Bada Kelajhari	1	Sand	AAA6748660	22.11.2022	15105	219/2022-23	Rabi Pradhan
32	Nuapada	SB Chaitnayspur	1	Sand	AAA6748670	14.12.2022	50000	228/2022-23	Santosh Behera
33	Nuapada	SB Chaitnayspur	1	Sand	AAA6748674	22.12.2022	10105	237/2022-23	Raghunath Sahu
34	Nuapada	SB Chaitnayspur	1	Sand	AAA6748693	07.01.2023	15105	244/2022-23	Santosh Behera
35	Nuapada	SB Chaitnayspur	1	Sand	AAA6756137	15.02.2023	50000	285/2022-23	Santosh kumar Behera
36	Nuapada	Sana Kelajhari	1	Sand	AAA6756530	06.03.2023	25000	309/2022-23	Sibasankar Gouda
37	Nuapada	Chadiapada	1	Sand	AAB1485856	18.03.2023	15000	335/2022-23	Bairagi Pradhan
38	Nuapada	Chadiapada	1	Sand	AAB1485860	18.03.2023	15000	339/2022-23	Santosh Behera
		<b>Total</b>	<b>38</b>			<b>Total</b>	<b>652835</b>		

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CHIKITI (GANJAM)

## Enforcement Details of Nuapada for the Year 2023-24

No.	Date	Mouza	RR No	Vehicle no	Type of Minor Mineral	Quantity	Royalty	Addl. Charge	Penalty	Total	EC	EMP	DMF	IT	Total	Name of the owner
1	26.05.2023	Sundarda	AAB1486134	OD32H4876	Sand	0	0	0	25000	25000	0	0	0	0	25000	Sunil Sethy
2	26.06.2023	Sundarada	AAB1486188	OD22E4142	Sand	0	0	0	50000	50000	0	0	0	0	50000	Santosh Behera
3	06.07.2023	Badakelajhari	AAB1486197	OD07AK6983	Sand	0	0	0	15000	15000	0	0	0	0	15000	Kanhu Pradhan
4	10.07.2023	Lalmenta	AAB1486206	OD07H0925	Sand	3	105	0	10000	10105	0	0	0	0	10105	K.Bijuli
5	18.07.2023	Sundarada	AAB1486212	OD07AK6926	Sand	0	0	0	15000	15000	0	0	0	0	15000	Radhakrushan Sahu
6	19.07.2023	Sanakelajhari	AAB1486214	OD07AJ4386	Sand	3	105	0	10000	10105	0	0	0	0	10105	Gobardhan Sahu
7	22.07.2023	Siripur	AAB1486217	New vehicle	Sand	0	0	0	10000	10000	0	0	0	0	10000	Haril krushan Pattanalk
8	25.07.2023	Badakelajhari	AAB1486223	OD07AM9375	Sand	0	0	0	10000	10000	0	0	0	0	10000	Narayan Patra
9	14.08.2023	Sundarada	AAB1486260	OD07B0089	Sand	0	0	0	10000	10000	0	0	0	0	10000	Narayan Patra
10	19.08.2023	Sundarada	AAB1486263	New Vehicle	Sand	0	0	0	10000	10000	0	0	0	0	10000	Muna Pradhan
11	02.09.2023	Badakelajhari	AAB1486266	OD07AM6655	Sand	0	0	0	10000	10000	0	0	0	0	10000	Sadanand Pradhan
12	18.09.2023	Sundarada	AAB1486273	OD07Y6702	Sand	0	0	0	10000	10000	0	0	0	0	10000	P. Srinu
13	10.10.2023	Chandapur	AAB1486282	OD07AF4225	Sand	3	105	0	10000	10105	0	0	0	0	10105	Bulu Kanyarl
14	13.10.2023	Badakelajhuri	AAB1486285	New Vehicle	Sand	0	0	0	10000	10000	0	0	0	0	10000	Sankar Pradhan
				Total		9	315	0	205000	205315	0	0	0	0	205315	Basanta Kumar Pradhan

TAHASILDAR  
CHIKITI (GANJAM)

ENVIRONMENTAL  
CLEARANCE

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,  
and Virtuous Environmental Single-Window Hub)

Government of India  
Ministry of Environment, Forest and Climate Change  
(Issued by the State Environment Impact Assessment  
Authority (SEIAA), Orissa)

To,

The LESSEE  
TAHASILDAR CHIKITI  
AT- SUNDARADA BIRA CHAITANYAPUR, GP- NUAPADA, TAHASIL-  
CHIKITI, DIST- GANJAM -761010

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity  
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)  
in respect of project submitted to the SEIAA vide proposal number  
SIA/OR/MIN/253435/2022 dated 26 Jan. 2022. The particulars of the environmental  
clearance granted to the project are as below.

- |   |   |
|---|---|
| 1. EC Identification No.                      | EC22B001OR124364  |
| 2. File No.                                   | 253435/213-MINB2/01-2022  |
| 3. Project Type                               | New   |
| 4. Category                                   | B2  |
| 5. Project/Activity including<br>Schedule No. | 1(a) Mining of minerals   |
| 6. Name of Project                            | SUNDARADA BIRA CHAITANYAPUR<br>RIVER SABD BED, OVER AN AREA OF<br>5.00 Ha. KHATA NO: 223, PLOT NO:<br>1059, AT: SUNDARADA BIRA<br>CHAITANYAPUR, TAHASIL: CHIKITI,<br>DIST: GANJAM, ODISHA OF<br>TAHASILDAR CHIKITI. |
| 7. Name of Company/Organization               | TAHASILDAR CHIKITI  |
| 8. Location of Project                        | Orissa  |
| 9. TOR Date                                   | N/A   |

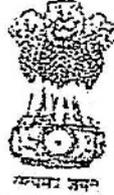
The project details along with terms and conditions are appended herewith from page  
no 2 onwards.

Date: 30/07/2022

(e-signed)  
Sri Susanta Nanda  
Member Secretary  
SEIAA - (Orissa)

Note: A valid environmental clearance shall be one that has EC identification  
number & E-Sign generated from PARIVESH. Please quote identification  
number in all future correspondence.

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**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY  
ODISHA, BHUBANESWAR**

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)  
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, E-mail-seiaaonssa@gmail.com

SEIAA File No: 253435/213-MINB2/01-2022

Project: Application of Tahasildar, Chikiti for mining of Sand from Sundarada Bira Chaitanyapur River Sand Bed over an area of 12.355Acres or 5.00Ha in the village- Sundarada Bira Chaitanyapur, Tahasil-Chikiti, District-Ganjam- Environmental Clearance reg.

Ref: Your online application dated 26.01.2022 for issue of EC vide File No: SIA/OR/MIN/253435/2022

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of Sand from Sundarada Bira Chaitanyapur River Sand Bed over an area of 12.355Acres or 5.00Ha in the village- Sundarada Bira Chaitanyapur, Tahasil-Chikiti, District-Ganjam. The proposal falls in the category 1(a)- 'Mining of minerals' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as Form-2, supported by other necessary documents, namely the form-1, PFR, DSR, EMP, Approved Mining Plan and Checklist.

2. The proposed activities in a nut shell as observed are as follows: -

- a. This is a proposal for mining of sand from Sundarada Bira Chaitanyapur River Sand Bed lying in the Bahuda River bed located at village- Sundarada Bira Chaitanyapur, Tahasil-Chikiti, District- Ganjam, over lease area of 12.355Acres or 5.00Ha.
- b. The mine area is a part of the Survey of India Toposheet No. 74A/7, 74A/8, 74A/11, 74A/12 bounded by Latitude:19°14'09.4" N to 19°14'14.1" N and Longitude: 84°30'25.6"E to 84°30'38.8" E.
- c. The mining lease is an identified sairat source in the DSR. The Sundarada Bira Chaitanyapur River Sand Bed sairat source will be leased out under the OMMC

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- Rules, 2016 by Tahasildar, Chikiti to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.
- d. The mining plan along with the PMCP of the mining project prepared has been approved by Deputy Director of Geology, O/o Joint Director of Geology, S.Z, Berhampur on 30.04.2021.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 52194 cum of sand, when extracted upto a depth of 1.5 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
- f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 0.55Km away from the mining lease area.
- g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mines located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
- h. As per the approved mining plan submitted, it is observed that sand from the quarry will be extracted upto a depth of 1.5 meter with annual extraction of sand not exceeding 7005cum, maximum production capacity during the valid lease period.
3. This proposal conforms to the item no. 1(a) in the schedule of 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 or equal to 5ha.
4. The proposal is duly appraised by the SEAC in its meeting held on 01.11.2021. The SEAC have recommended for grant of EC for the project valid upto the lease period stipulating various conditions.

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5. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.

6. The Tahasildar, Chikiti who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

7. Stipulated Conditions:

7.1 This Environmental Clearance is given with a condition that "maximum quantity of extraction of sand shall be 7000 cum in the 1<sup>st</sup> year; pending submission of rate of replenishment study at site. Rate of replenishment study at the site shall be conducted and report shall be submitted by November, 2023 as per prescribed method(drone method enclosed in Annexure). Village road has to be capped under proper repair at all time by PP."

7.2 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.

7.3 The Tahasildar has submitted the cluster certificate of the mines located within 500 meters from the periphery of the proposed mine lease area. This EC is liable to be cancelled/revoked if the submission on cluster is found to be incorrect/false in future.

7.4 The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area. Pending carrying out of the

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- study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 7.5 In view of the likely revision of DSR for Ganjam District in future the details of this minor mineral reserve to be ascertained in the revised DSR.
  - 7.6 In view of the difference commonly found in sand deposits, the determination of mining lease by local Tahasildar considering the dimensions like average length, breadth and height of the deposit to be re-ascertained by the Revenue Department and RQP for final exploitation of sand and higher revenue for the state of Odisha.
  - 7.7 All the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 to be followed for this sand mining project.
  - 7.8 Revised mining plan shall be prepared based on essential physical criteria as per Enforcement and Monitoring Guidelines for Sand Mining, January 2020 of MoEF & CC, Govt. of India enclosed in Annexure. Lay out of Progressive Mine Closure Plan shall also be incorporated in the revised mining plan.
  - 7.9 Adequate measures shall be taken to prevent unauthorized mining.
  - 7.10 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
  - 7.11 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
  - 7.12 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the said bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

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- 7.13 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent and photographs of proof of the same shall be submitted along with six monthly compliance report.
- 7.14 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 7.15 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 7.16 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 7.17 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.18 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat/BDO and only after required strengthening, such that the carrying capacity of road is increased to handle the sand 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. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 7.19 Vehicles hired for transportation of sand 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.
- 7.20 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and

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- utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
- 7.21 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat. Photographs of proof showing the plantation shall be submitted along with compliance report.
- 7.22 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 7.23 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 7.24 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. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
- 7.25 All the individual quarry lessee holders coming under the Tahasil, Chikiti jurisdiction shall create a common forum in coordination with the Tahsildar and contribute funds to it for grading, compaction and maintenance of haulage road used for transportation of mineral, plantation of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat, etc for prevention of environmental pollution and damage during mining activity. All mining activity shall be done in scientific manner to safeguard degradation of environment. All the individual lease holders under the Tahasil shall implement the EMP as proposed for the project. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.26 The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation if any, existing nearby.
- 7.27 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1<sup>st</sup> day of January, April, July, October of each calendar year, failing which EC is liable to be revoked. The proponent shall upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The

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concerned Tahasildar shall ensure the uploading of EC compliance report in the parivesh portal by the project proponent.

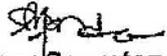
- 7.28 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.29 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 7.30 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.
- 7.31 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be. A Copy of the environmental clearance letter can be downloaded from the Ministry portal ([www.parivesh.nic.in](http://www.parivesh.nic.in)).
- 7.32 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 7.33 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 7.34 The SEIAA, Odisha may revoke or suspend this 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.
- 7.35 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 7.36 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.

D.H.

7.37 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.

7.38 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,

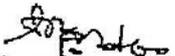
  
Member Secretary

Memo No \_\_\_\_\_/Dt. \_\_\_\_\_

Copy to

1. Additional Chief Secretary, Forests & Environment 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. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Chatrapur, Ganjam/ Sub Collector, Berhampur/ Tahasildar, Chikiti for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

DM

  
Member Secretary

### Annexure-1

The replenishment study for river bed sand is very essential in order to have a check on possible over exploitation. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. It is imperative to have a study of replenishment of sand material during a defined period for sustainable sand mining. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar.

**The UAV / Drone method briefly is as follows:**

The Drone /UAV is fitted with the advanced camera used for survey purposes. The survey is conducted using a set of instruments and compatible software to depict the topography of the study area (the lease area) by utilizing the properly referenced data.

After running the prescribed steps, the software shall automatically generate orthorectified imagery. Ground truthing is done at minimum 5 locations spread evenly across the lease area by using DGPS instruments. The readings from DGPS instruments are compared with the Drone Data for accuracy assessment.

The study shall have the details of establishment of bench mark by putting a number of pillar points and various Ground Control Points (GCP) at the site, observing by DGPS the various GCPs for permanent bench marks and control points. The summary of the elevation data from each session's profile based on the post monsoon survey is mentioned in the tabular form. A detailed comparison sheet of both pre-monsoon and post-monsoon elevation data is prepared. Cross sectional depiction of deposition and erosion for each section in pre and post deposition seasons shall be given.

Drone images are used to recreate highly accurate orthomosaic maps of mining sites and quarries. Each pixel contains 2D geo tagged information (X, Y), and can be used for distance and surface measurements. A densified point cloud can be generated from Drone images and data. Each point contains geospatial (X,Y,Z) information. It provides an accurate model of a site for precise volume measurements and visual insights. The drone data is processed to generate Digital Terrain Model (DTM) and assessment of progressive volumetric change.

Adequate number of geomatic grade ground control bench marks (X,Y,Z), depending on the size of the lease area, are to be maintained permanently around the lease area within a maximum distance of 500 meters from the lease area for the entire study period. There should be pre and post monsoon survey to assess the sand replenishment within the study area.

There are some organizations in Odisha state who are empaneled by ORSAC to conduct such survey.

D4

Annexure-2Essential Physical Criteria As Per Enforcement And Monitoring Guidelines For Sand Mining, January 2020 Of MoEF&CC, Govt. Of India

Sl. No.	Essential Criteria	Reference
1.	"No Mining Zone": 1/4th the part of the river width (excluding 3/4th the central part of the river width) on both sides of the river towards the river bank	4.1.1 (Para - e) Page - 16
2.	a) Distance between two clusters: $\geq 2.5$ km b) Area of mining lease area in a cluster: $\leq 10$ ha. c)	4.1.1 (Para - k) Page - 19
3.	Concave River Bank: No extraction of sand	
4.	No mining if a) Upstream: Lease is 1 km from major Bridge and high ways or 5(x) of the Bridge / public civil structure / water intakes point subject to lease is located at a minimum 250 meters distance. Where x = Span of the bridge. b) Downstream side: Lease is 1 km from the major bridge and Highways Or 10x of the bridge / public civil structure / water intake point Subject to lease is located at a minimum distance of 500 meter where x = span of the bridge	4.3 (Para - h) Page - 23
5.	Mining depth: $\leq 3$ meter (maximum 3 meter)	4.3 (Para - m) Page - 24
6.	Mining distance from river bank: 1/4 <sup>th</sup> of the river width, But subject to not less than 7.5 meter	4.31 (Para - m) Page - 24
7.	Area for removal of minerals: $\leq 60\%$ of mine lease area	4.3 (Para - s) Page - 25
8.	Minable sand per ha. Available for actual mining: $\leq 60,000$ MT/Annum	
9.	Regular replenishment study and replenishment rate	

D.H.

Signature Not Verified

Digitally signed by S/1 Susanta Nanda

Member Secretary

Date: 7/30/2022 5:13:21 AM



**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY  
ODISHA, BHUBANESWAR**

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)  
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, E-mail-seiaaoriss@gmail.com

Letter No 5227/SEIAA

Di. 19.08.2022

File No. SIA/OR/MIN/286934/2022

To

Sri Santosh Kumar Behera  
S/o-Late Madhab Behera  
At-Balaji Pentho Street, Ps-Bada Bazar  
Tahasil-Berhampur,  
Dist-Ganjam, Pin-760004

Sub: Proposal for Transfer of Environmental Clearance of Sundarada Bira Chaitanyapur River Sand Bed over an area of 12.35 acre or 5.00 ha. at village Sundarada Bira Chaitanyapur under Tahasil Chikiti of District Ganjam, Odisha from the name Tahasildar, Chikiti to Sri Santosh Kumar Behera-Reg.

Ref: (i) EC letter no. EC22B001OR124364 dated 30.07.2022  
(ii) Your letter no. 3482/Sairat dated 30.07.2022  
(iii) Online proposal No. SIA/OR/MIN/286934/2022 dtd.03.08.2022

Sir

Kindly refer your online application on dated 03.08.2022, wherein you have requested for transfer of environmental clearance granted by SEIAA, Odisha vide letter no. EC22B001OR124364 dated 30.07.2022 issued earlier in favour of Tahasildar, Chikiti, Dist-Ganjam.

As submitted by the Tahasildar, it is noted that EC was obtained for Sundarada Bira Chaitanyapur River Sand Bed for a period of 5 years in favour of Tahasildar, Chikiti, vide the above mentioned EC letter under reference. Now, the said sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Santosh Kumar Behera, Successful Bidder under the provision of OMMC Rules, 2016 for operationalization of the sairat source.

The proposal was registered in PARIVESH Portal on dated 03.08.2022 with required documents and the Authority decided on its meeting held on 12.08.2022 that EC be transferred in favour of Sri Santosh Kumar Behera as recommended by Tahasildar and



the new Project Proponent has to submit the detailed compliance report on all EC conditions on half yearly basis.

The SEIAA has no objection for transfer of environmental clearance accorded by SEIAA's letter no. EC22B001OR124364 dated 30.07.2022 in the name of Sri Santosh Kumar Behera with the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC along with the specific conditions mentioned below:

- 1) The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar and There are some organization in Odisha state who are empanel by ORSAC to conduct such survey. The details of UAV / Drone method is attached a separate sheet. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area.
- 2) 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. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 3) The PP is allowed to extract provisionally 7000 cum of sand, in the 1<sup>st</sup> year. In case any change is proposed in the scope and limit of the project, the project proponent shall obtain fresh prior environmental clearance.
- 4) The Environmental Management Plan(EMP) shall be created for individual lease and the fund shall be kept in a single account and be implemented by the concerned Tahasildar to ensure the compliance with environmental conditions specified 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. All mining activity shall be done in scientific manner to safeguard degradation of environment. All the individual lease holders of the Tahasil shall implement the EMP as proposed. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.

- 5) The project proponent shall submit the real time photographs (geo-coordinate) of sand bed area, plantation activity (i.e. with mentioning no. of species and its survival rate), photographs during data collection for replenishment study of sand bed both pre and post monsoon period.
- 6) The project proponent shall submit half yearly compliance report of EC conditions with mentioning yearly production, replenishment rate of sand and geo-coordinate photographs of demarcated lease area and with details compliance of Environmental Management Plan s(EMP).

*[Handwritten mark]*

Yours faithfully,

*[Handwritten signature]*

Member Secretary

Memo No 5228/SEIAA /Dt. 19.08.2022

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), 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. Member Secretary, CGWA, 18/11, Jamnagar House, ManSingh Road, New Delhi-110011 for information.
7. Copy to the Collector /Sub Collector, Ganjam and Tahasildar, Chikiti for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.

*[Handwritten mark]*

*[Handwritten signature]*

Member Secretary



Annexure - (X)

E.Registration I.D.No 632203860  
 E.Registra . . . . . 10632203842  
 E.Registration Volume No 78  
 Date of Registration. 3.9.2022

*Handwritten notes:*  
 Deed  
 4300/-



*Handwritten:* 2/9/22  
 Registering Office  
 Digapahandi  
 Dist. Ganjam

Lees Part  
 A17, For . . . . .  
 A20 . . . . .  
 . . . . .  
 . . . . .  
 Rs 104184/-

*Handwritten:* Santosh Kumar Behera

**SAND LEASE AGREEMENT DEED**

THIS INDENTURE MADE THIS . . . . . DAY OF September, 2022 between, the Government of Odisha, represented through the Tahasildar, Chikiti in the District of Ganjam (here in after called the COMPETENT AUTHORITY)

AND

Sri. Santosh Kumar Behera, Aged about 52 years, S/o: Late Madhab Behera, by profession: Business, by caste: Dhoba at present residing of Near Gramyadevi Mandir, Balajipentho street, Po: Berhampur, P.S: Berhampur Sadar of District Ganjam in the state of Odisha. PIN: 760002, Adhar Card No: 9892 0863 1946, Mobile No: 9438027333 (Here in after called the lessee which expression shall there the context to admit be deemed to include this Heirs, Executors, Administrators, Assigns) of the other part.)

**-PART-1-**

- |                           |   |
|---------------------------|---|
| 1. SAIRAT CASE LETTER NO. | : 4118/26.08.2022                           |
| 2. NAME OF THE QUARRY     | : Sundarada Birachaitanyapur River Sand Bed |
| 3. LEASE PERIOD           | : August 2022 to August 2027                |
| 4. AGREEMENT PERIOD       | : 5 years                                   |
| 5. Locality of the quarry | : S.B. Chaitanyapur, Chikiti                |

Mouza	Khata no.	Plot no.	Kissam	Total Area (in Acrs.)	Area leased as per Mining Plan approved (in Acrs.)
Sundarada Bira Chaitanyapur	223	1059	River	12.355 Acrs. Out of 18.095 Acrs	12.355 Acrs.

*Handwritten:* Santosh Kumar Behera  
 Lessee

*Handwritten:* 2-9-22  
 Competent Authority  
 Tahasildar  
 Chikiti. (Gm.)

( 2 )

6. MINIMUM GUARRANTEED QUANTITY (YEAR WISE (AS PER MINING PLAN);  
PER YEAR 7005 Cum. 2022-2023 TO 2026-2027
7. Rate of Royalty offered by the lessee Rs. 34,76,704/- In words [Rupees thirty four lakhs seventy-six thousand seven hundred four] only for the year 2022-2023, Rs. 52,11,656/- In words [Rupees fifty-two lakhs eleven thousand six hundred fifty-six] only for the year 2023-2024, Rs. 52,11,656/- In words [Rupees fifty-two lakhs eleven thousand six hundred fifty-six] only for the year 2024-2025, Rs. 52,11,656/- In words [Rupees fifty-two lakhs eleven thousand six hundred fifty-six] only for the year 2025-2026, Rs. 52,11,656/- In words [Rupees fifty-two lakhs eleven thousand six hundred fifty-six] only for the year 2026-2027 and Rs. 17,41,752/- In words [Rupees seventeen lakhs forty-one thousand seven hundred fifty-two] only for April 2027- August 2027.

WHEREAS the Registered Qualified Person of RQP list provided by Director of Mines of Odisha, Bhubaneswar has prepared the mining plan of the Sairat source namely SUNDARADA BIRACHAITANYAPUR RIVER SAND BED in favour of Sri. Santosh Kumar Behera, of village: Berhampur which has been approved by the Deputy Director of Geology vide Letter no: 448/SZ, dated: 30.04.2021 and Environmental Clearance has been approved vide letter no: 253435/213, dated: 30.07.2022 of the SEIA, Odisha Bhubaneswar

## - PART-2 -

1. This Lease agreement is not transferable.
2. The minor mineral other than for which the lessee is confirmed shall not be removed from the lease area.
3. The lessee has paid Rs. 34,76,704/- In words [Rupees thirty four lakhs seventy-six thousand seven hundred four] only for the year 2022-2023, towards royalty .
4. The lessee shall pay to State Government surface rent and dead rent the execution of the lease-deed for the remaining period of the year and thereafter pay such yearly rent on or before the 15<sup>th</sup> January of every year.
5. The lessee shall pay dead rent for the remaining period of the year within a fortnight of the execution of the lease-deed and thereafter pay yearly dead rent on or before the 15<sup>th</sup> January of every year. An account of the royalty payable by him shall be kept by the competent authority and as soon as the royalty payable by him become equal to or in excess of the dead rent already paid by him, he shall remove the minor minerals only after payment of the royalty. Advance deed rent paid by him shall be deemed to have been merged into the amount of royalty he was liable to pay.
6. The lessee shall pay to the Government compensation for all demerge injuries or disturbance which has been caused by him in the courses of operating the lease and shall indemnify Government against all claims which may be made by third parties in respect of such damage, injury of disturbance.
7. Quarrying operations shall commence within three months from the date of execution of the lease agreement. The lessee shall thereafter carry on quarrying in a proper, skillful and workman-like manner.
8. If the lessee does not work upon the quarry for a continuous period of six months. the lease shall be liable to be cancelled, unless prior permission has been granted for such stoppage by the Competent Authority on reasonable grounds.

Lessee

Santosh Kumar Behera

Santosh Kumar Behera

Competent Authority  
Chikiti. (Gm.)

( 3 )

9. The lessee shall allow reasonable facilities of access to other bona fide concessionaries.

10. If any minor mineral not specified in the lease is discovered in the leased area, the lessee shall report it forthwith to the Competent Authority and the Director. The lessee shall not win or dispose of any such minor mineral without obtaining a proper lease or permit or permission of the Competent Authority in writing. If he fails to apply for a lease or permit to extract the newly discovered minor mineral within three months from the date of the discovery or if he declared his intention not to work upon the minor mineral, the Competent Authority may grant lease or permit in respect of that minor mineral to any other person after observing the procedure prescribed in these rules for the purpose. Provided that if the mineral discovered is not a minor mineral, the lessee shall not be entitled to any preference for the purpose of obtaining lease for the new mineral, by reason only of the lands being included in his earlier lease for extraction of minor mineral.

11. The lessee shall not carry on or allow to be carried on, any quarrying operation at any point within a distance of-

(a) One hundred meters from any Railway line (except under and in accordance with the writer permission of the Railway Administration concerned). National Highway, State Highway, Monuments, Heritage Sites of any Reservoirs; or

(b) Within a distance of fifty meters from any tank, canal, road (other than a National or State Highway or other public works or building or inhabited sites), except under and in accordance with the previous permission of the Collector. The Railway Administration or the Collector as it or he may specify.

12. The State or Central Government shall have right to construct any road, railway or canal, reservoir or to lay electric or telephone lines in or over the lands held under the lease.

Provided that the lessee shall be given, at least sixty days prior notice before the right is exercised and the area thus utilized shall be excluded from the area held under lease.

13. The lessee may erect on the area granted to him any building and structure required for the purpose of quarrying operations, provided he does not offend any lawful orders issued by the office of authority competent to issue such orders.

14. The lessee shall, at his own expense, erect and at all times maintain and keep in good condition boundary marks and pillars necessary to delineate the leased area.

15. The lessee shall obtain permission of the competent authority of the Forest Department, Odisha to carry on any operation in forest area.

16. The lessee shall abide by the provision of all laws for the time being in force, relating to the working of quarries and matters affecting the safety, health and convenience of the persons employed for quarrying and of the public. He shall also obey all existing law of way, water and other easements, and shall not use power cutters and other machinery in case of the laterite quarries.

17. The lease holder shall keep correct monthly account of minor minerals quarried and dispatched and shall furnish a quarterly return in Form-T and annual return in Form-W to the Competent Authority and the Director.

18. The lessee shall afford reasonable facilities for inspection of the quarries in the leased land, accounts and records pertaining to working of lease to the Competent Authority and Director or any other officer authorized by any of them. Such officer may issue direction to prevent wasteful extraction of minerals and to ensure observance of the provisions of rule and specify the time limit not exceeding thirty days within which the direction shall be complied with. If the lessee does not allow the inspecting officer reasonable facilities for inspection or fails to comply with the directions within the specified time limit, the Competent Authority may forfeit the whole or part of the security deposit paid by the lessee or impose penalty not exceeding rupees five thousand only and may cancel the lease and forfeit the security deposit.

Santana - 12  
Lessee

Competent Authority  
Tahasildar  
Chikiti. (Gm.)

19. All accidents involving injury or loss of life or loss or damage to property shall be reported forthwith to the Collector of the District.
20. If any Government dues payable under the lease agreement remain unpaid for one month beyond the date fixed in the lease agreement for such payment, the competent authority or any officer authorized by him may enter into the leased area and detain all or any of the minor minerals or other movable property and may dispose of such of the detained minor minerals or property as will be sufficient for satisfaction of the Government dues all costs and expenses occasioned by the non-payment there. If any such Government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area or re-entry without prejudice to such action as may be taken under the provisions of the Odisha Public Demands Recovery Act, 1962 for recovery of such dues.
21. The Controlling Authority shall have the right to pre-emption at current market rates over all minor minerals extracted or collected by the lessee and shall be indemnified by the lessee against the claims of my third party in respect of such minerals.
22. The lessee shall remove all minor minerals quarried before the end of the lease period or of its determination, if it is determined earlier, and all other materials and structures within such reasonable period not exceeding two months or as the Competent Authority may allow. All minor minerals materials, machineries, building and other structures, left in the leased area after the date-line fixed or time allowed by the Competent Authority may dispose of such property by public auction and credit the sale-proceeds to Government account with the approval of Controlling Authority.
23. If any major mineral is found in the area in course of quarrying of minor minerals the lessee shall intimate in writing the fact to the Competent Authority forthwith and the lease shall be terminated without payment of any compensation to the lessee.
24. The lessee shall ensure proper maintenance of hill slopes so as to prevent major erosion and observe all such safeguard as provided as provided in the Mines Act, 1952 and the rules and Regulations framed there under from time to time.
25. The quarry owner shall carry out mining activities with appropriate environmental safeguards and shall take such steps for reclamation and rising of plantations in the lease area as prescribed in Rules 29 to 37 of the Granite Conservation and Development Rules, 1999.
26. The Lessee shall keep the Government indemnified from any liability, compensation damage etc. arising out of his acts or omissions as a lessee during the subsistence of the lease.
27. No rejected/off grade major minerals shall be removed on payment of royalty as minor minerals, under these rules.
28. If the land leased out is a private land, the lessee shall pay such just and reasonable compensation as may be agreed upon between the lessee and the owner of the land.
29. The Competent Authority may include such other conditions in the lease agreement with the approval of the Controlling Authority,
30. The lessee shall abide by the provisions of the Mines act, 1952 and rules and regulations framed there under, the Explosives Act, 1884 and rules made there under for development of the source of minor minerals in workman like manner and for avoidance of any danger arising out of such winning of minor mineral.
31. If any change made in the rule of any other guidelines made or condition requires to be observed as per the decisions of the Govt. shall be binding on the part of the lessee.
32. The lessee shall also pay the dues if any arises at later state due to wrong computation or otherwise of payable amount within fifteen days of intimation in this regards.

Lessee

Competent Authority  
Tahsilidar  
Chikiti. (Gm.)

33. In case the actual extraction exceeds the minimum guaranteed quantity, such mineral may be removed from the lease area only after payment of additional charge, royalty and contribution to the District Mineral Foundation on pro-rata basis.
34. As per Odisha Minor Mineral Concession (Amendment) Rule 2016 at 43 (2), "the date of commencement of the period for which a quarry lease is granted shall be date on which a duly executed deed is registered", In this regard Additional District Magistrate, Ganjam, Chatrapur in his letter no: 1779/(Rev-XXV-642/2017), dated 5<sup>th</sup> January 2018 have clarified OMMC Rules 2016, at 43(2) and intimated "pending receipt of approval from Govt. Hence it may be allowed extension of quarry lease period for the balance period 2020-21 to 2022-23 after due permission of the appropriate authority for these sources in order to make them operational by the lessee following OMMC Rules".

**PART- III- Liberties, power and privileges to be exercised and enjoyed by the lessee**

1. To enter upon and use the land, described in Part-1 of the Schedule during the term hereby demised to carry on all operations necessary for extraction, collection, stacking, processing, transport and disposal of minor minerals/ mineral leased in natural or in processed/ converted from.
2. To make road, tram ways, install machineries, lay electric and telephone line, on and over the said lands.
3. To use water from stream, water courses and springs in and upon the said lands in natural state or by means of impounding with the written permission of the Collector of the district.

**PART- IV- Restrictions and conditions as to the exercise of liberties, powers and privileges in Part-II**

1. No land shall be used for surface operations if objection is raised by the competent authority or the Collector of the district to the effect that use of the land will be detrimental to public interest.
2. The lessee shall not cut or injure any tree in the leased area falling within Reserved/Protected forest without prior permission of the Divisional Forest Officer or the Officer authorized by him in this behalf and upon payment of royalty and fees for compensatory a forestation as may be specified.

**PART- V- Liberties, power and privileges reserved to the State Government**

The state Government or any officer, or persons authorized by it in that behalf has the liberty and power to enter into and upon the leased area to carry on any operation in connection with survey, sampling, testing, quarrying, processing stacking and transportation of minerals as may be deemed necessary.

**PART- VI- Provision regarding rent and royalty**

1. The lessee shall, during the subsistence of this lease pay to Government royalty in respect of any minor mineral removed by him from the leased area at the rates prescribed in Schedule-II and surface rent/ dead rent at the rate prescribed in Schedule-I
2. All payments relating to rents, royalties, fees etc. as provided under these rules shall be paid to the State Government free from all deductions, at the District Treasury, Sub-Treasury and in such manner as the competent authority may prescribe.
3. For the purposes of the computing the royalty, the lessee shall keep correct account of the mineral produced, stacked and removed from the lease area and submit a return to the competent authority and direction in prescribed Form-W.
4. The lessee shall pay royalty in advance and the differential amount, if any, on computation shall be paid by the end of first fortnight of each half-yearly period during the subsistence of lease.
5. The lessee shall pay surface rent in advance and not later than the 15<sup>th</sup> January and the 15<sup>th</sup> July of each year.

Lessee  
Santosh Kumar Behera

Santosh Kumar Behera

Competent Authority  
Tahasildar  
Chikiti. (Gm.)

**-STIPULATED CONDITION-**

1. This Environmental Clearance is given with a condition that "Maximum extraction of sand allowed is 10,000 cum in the 1<sup>st</sup> year & maximum depth of digging allowed 10 meter. Rate of replenishment study report shall be submitted with a year.
2. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know that quantum of volume of sand deposited/replenished & extracted in the mining lease area comparison of both pre monsoon & post monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out the sand in the lease area. 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. 15<sup>th</sup> October, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
3. That project proponent should carry out River bed sand mining manually engaging local laborers in force to check over exploitation of sand at the source.
4. Any changes in the plan or quantity to be produced shall require prior approval of SEIAA. This EC shall not be transferred without the permission of SEIAA. In case the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.
5. There shall be no working zone to protect the embankment on both sides road or rail bridge in the vicinity, if any, dam, Weir, water intake structure of irrigation or drinking water project or any cross drainage structure 10% of the width of river shall be left intact along the embankment on both side as no mining zone. Further no mining shall be allowed 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project or any cross drainage structure. In case of River Bridge this no mining zone shall extend up to a minimum stretch of 200m from the bridge and it may extend up to 500m sensitive location. The lease area shall be accordingly curtailed to carry out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.
6. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry/concrete pillars by the project proponent.
7. The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out operation.
8. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
9. Sand mining operations shall not affect the existing sources for irrigation/drinking water/industrial purpose.
10. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.

Sanjiv Kumar Bhandari  
Lessee

Competent Authority  
Tahasildar  
Chikiti. (Gm.)  
22/9/22

( 7 )

11. No transportation of the minerals shall ordinarily be allowed on any road passing through village/habitations/forest land without prior explicit permission. Transportation of minerals existing rural road can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening such that the carrying capacity of road is increased to handle the sand 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. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on road path ways passing close to school, temples, hospitals and such other public places only with prior written permission of competent authority.
12. Vehicles hired for transportation of sand 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.
13. The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as Dart of the lease conditions on the basis of quantum of sand transported, and utilize proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
14. Project proponent shall take all precautionary measures against causing damages to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 numbers of saplings of native tree species along approach road, river banks and in community areas in consultation with the Gram Panchayat.
15. Water spray should be made on the road extraction paths to control dust emission during transportation of sand.
16. The Project proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
17. Environmental Management Plan (EMP) shall be Compliance with implemented by PP to ensure the environmental conditions specified above. The earmarked for year wise funds environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise implementation of EMP progress of shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
18. The proponent shall take impact necessary measures to ensure that there is no adverse of the mining operations on the human habitation if any, existing nearby.
19. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha/SPCB Odisha/ Regional Office of the MoEF & CC Bhubaneswar, in hard and soft copies on 1<sup>st</sup> day of January, April, July, October each calendar year, failing which EC is liable to be revoked.
20. 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.
21. The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
22. The concerned Regional Office of the MoEF & CC/ SPCB Odisha shall periodically monitors compliance of the stipulated conditions as applicable for the project. The project authority should extend full cooperation to the MoEF & CC officers/ SPCB Offices by furnishing the requisite data/ information/ monitoring reports.
23. A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat/ Panchayat Samiti/ Zilla Parisad/ Municipal Corporation/ Urban Local body as the case may be.

Lessee  
Santosh K. Singh

Santosh K. Singh

Competent Authority  
Tahasildar  
Chikiti. (GMA)

( 8 )

24. Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish/ Consent to Operate from the State Pollution Control Board.
25. The SEIAA, Odisha may revoke or suspend this 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.
26. The project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
27. Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in Environment (Protection) Act, 1986.
28. 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.
29. This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and other Court of Law, Common Cause Conditions as may be applicable.
30. 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 National Green Tribunal Act, 2010.

Signed by

Sanjay Kumar Padhy

Sanjay Kumar Padhy  
Tehasildar  
Chikiti, (Gm.)

For and on behalf of the Governor of Odisha in the presence of

1. Pratiksha Nayak, JRA
2. Puspanjali Malik, JRA

Lessee in the presence of

1. Rajakorepatra, S/O Nandkishan Patra, Canaliraga 4th line, 157m, 797832075
2. Bismajil Sathi, S/O V Chakrapani Sathi, A-1 Berhampur, 7978515681

Drafted and Typed by:-

Sanjay Kumar Padhy, Advocate

Sanjay Kumar Padhy  
(Advocate)  
En. No-0185/2018



E-mail: [rospcb.berhampur@ospcbboard.org](mailto:rospcb.berhampur@ospcbboard.org)  
 Website: [www.ospcbboard.org](http://www.ospcbboard.org)

A measure - (X)

**REGIONAL OFFICE OF THE  
STATE POLLUTION CONTROL BOARD, ODISHA**

[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE GOVERNMENT OF ODISHA]  
 2<sup>nd</sup> Floor, New Division Office, IDCO, Berhampur Division,  
 Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 2686 /CTE-1857/2022

By REGD.POST  
 Date 08/09/2022

**OFFICE MEMORANDUM**

In consideration of the online application no: **4377715** for obtaining Consent to Establish of M/s. Sundarada Bira Chaitanyapur River Sand Bed, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 for Mining of Sand-7,000 M<sup>3</sup>/Annum (Maximum) over Plot No.1059, Khata No.223 over an area of 12.355 Acres/5.0 Hectares, at-Sundarada Bira Chaitanyapur under Tahasil-Chikiti in the district of Ganjam with following conditions.

**GENERAL CONDITIONS:**

1. This Consent to Establish is valid for product, method of mining and capacity mentioned in the application form. This order is valid for five years, which means the proponent shall commence mining activities for the proposal within a period of five years from the date of issue of this Consent to Establish order. If the proponent fails to commence mining activities for the proposal within five years then a renewal of this Consent to Establish shall be sought by the proponent.
2. The mine shall apply for grant of Consent to Operate under section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 at least 3 (three) months before the commencement of production and obtain Consent to Operate from this Board.
3. This Consent to Establish is subject to statutory and other clearances from Govt. of Odisha and /or Govt. of India, as and when applicable.

**SPECIAL CONDITIONS:**

**A. GENERAL:**

1. This Consent to Establish granted under Section 25 of Water (Prevention & control of Pollution) Act, 1974 and Section -21 of Air (Prevention and control of Pollution) Act 1981 subject to the mining plan approved by Deputy Director of Geology, the Joint Director of Geology, South Zone, Berhampur and Environmental Clearance obtained from SEIAA vide letter no.5227/SEIAA dtd.19.08.2022 & EC Identification No. EC22B001OR124364 dtd. 30.07.2022.
2. The mine shall comply to the provisions of Environmental Protection Act, 1986 and the rules made there under with their amendments from time to time such as the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 as amended from time to time, Hazardous Chemical Rules, /Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.
3. Greenbelt shall be developed as per approved Mining Plan & valid Environmental Clearance.

4. The Project Proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
5. There shall be a 'no working zone' to protect the embankment on both sides, road & rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10% of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations.
6. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
7. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
8. The mine shall adopt adequate safety measures inside the mine / quarry premises including fire safety and obtain necessary permission from the competent authorities.
9. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
10. The proponent shall take necessary measures to ensure no adverse impact caused due to mining activities on the human habitations existing nearby.
11. **The Board may impose further conditions or modify the conditions as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.**
12. **Mining of sand from the quarry shall be as per approved mining plan and valid Environmental Clearance. The production shall be restricted to lowest approved quantity among EC & Mining Plan.**

#### **B. WATER POLLUTION:**

1. The mining shall not affect the existing sources of irrigation or drinking water.
2. Surface runoff shall be allowed to flow through garland drains and the accumulated water in the garland drains shall be passed through settling ponds to allow the silt to be settled before final discharge to surrounding environment.
3. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
4. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

#### **C. AIR POLLUTION:**

1. The mine shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard prescribed in the Environment (Protection) Rules, 1986 and amended thereof.
2. Loading and unloading activities including all transfer points should have efficient dust control system arrangements. These should be properly maintained and operated.

**D. SOLID & HAZARDOUS WASTE:**

1. The OB if any, shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems
2. Mineral rejects if any, shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.

  
02/09/2022  
REGIONAL OFFICER

To,

Sri Santosh Kumar Behera, Lessee  
M/s. Sundarada Bira Chaitanyapur River Sand Bed  
At: Near Gramyadevi Mandir, Balajipentho Street,  
PO- Berhampur, P.S.- Berhampur Sadar,  
Dist: Ganjam- 760002(Odisha)

Memo No. \_\_\_\_\_ / Date \_\_\_\_\_ /

Copy forwarded to:

1. The Member Secretary SPC Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Ganjam, Chatrapur
3. The D.F.O., Berhampur
4. The Tahasildar, Chikiti, Ganjam.
5. Copy to Guard File.

  
REGIONAL OFFICER



REGIONAL OFFICE OF THE  
 STATE POLLUTION CONTROL BOARD, ODISHA  
 [DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE GOVERNMENT OF ODISHA]  
 2<sup>nd</sup> Floor, New Division Office, IDCO, Berhampur Division, Industrial Estate, Berhampur,  
 Dist- Ganjam - 760008, Odisha, India

CONSENT ORDER

No. 2688/CTO-2298/2022

By Regd. Post  
 Date 08/09/2022

CONSENT ORDER NO. 1469/2022-23

Sub: Consent to operate U/S 25/26 of Water (PCP) Act, 1974 and U/S 21 of Air (PCP) Act, 1981

Ref: Your online Consent to Operate application ID No: 4377735

Consent to Operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed thereunder to:

Name of the Mine: M/s Sundarada Bira Chaitanyapur River Sand Bed of Sri Santosh Kumar Behera, over Plot No. 1059 and Khata No. 223 of (Minor Mineral) Mine lease area of 12.355 Acres/5.0 Hectares, At-Sundarada Bira Chaitanyapur, Tahasil-Chikiti, Dist- Ganjam.

Name of the Occupier & Designation: -Sri Santosh Kumar Behera, Lessee

Address: -At- Near Gramyadevi Mandir, Balajipentho Street, PO- Berhampur, P.S.- Berhampur Sadar, Dist- Ganjam (Odisha)

This consent order is valid for the period up to 30.11.2023.

This consent order is valid for the product quantity, specified outlets, discharge quality and quality, specified chimney/stack, emission quantity and quantity of emissions as specified below. This consent is granted subjected to the general and special conditions stipulated therein.

A. Details of Products Manufactured:

Sl.No.	Product	Quantity
1	Mining of Sand	Maximum: 7,000 cu. meters

B. Discharge permitted through the following outlet subject to the standard

Outlet no	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr.	Prescribed standard in mg/l except pH			
				pH	TSS	BOD	COD
1	Domestic waste water	Soak pit via septic tank	--	-	-	-	-



### CONSENT ORDER

#### C. Emission permitted through the following stack subject to the prescribed standard

Chimney Stack No	Description of Stack	Stack height (m)	Quantity of emission	Prescribed Standard in mg/Nm <sup>3</sup>			
				PM	SO <sub>2</sub>	NO <sub>x</sub>	H <sub>2</sub> S
-	-	-	-	-	-	-	-

#### D. Disposal of solid waste permitted in the following manner

Sl. No	Type of solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site
1	Over burden/ Top soil	As per the approved mining plan	-	-	-	As per approved mining plan

#### E. GENERAL CONDITIONS FOR ALL UNITS

- The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
- The mine/industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
- The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.



### CONSENT ORDER

10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
  - a) Industrial cooling, spraying in mine pits or boiler feed,
  - b) Domestic purpose
  - c) Process
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the



24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 100 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as no to cause fugitive emission, dust problems through leaching etc., of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
  - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
  - ii) Controlled incineration, wherever possible in case of combustible organic material.
  - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke



## CONSENT ORDER

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40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

### F. SPECIAL CONDITIONS

#### A. GENERAL:

1. The mine shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar vide letter No. 5227/SEIAA dtd. 19.08.2022 & EC Identification No. EC22B001OR124364 dtd. 30.07.2022.
2. Mining of sand from the sand quarry shall be as per approved mining plan and valid Environmental Clearance. The production shall be restricted to lowest approved quantity among EC & Mining Plan.
3. The Project proponent shall carry out a study of the annual replenishment rate of sand as per conditions stipulated in the EC and submit the same before 30.11.2023.
4. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
5. The mine shall maintain the ambient noise standards as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 and amendment made there under.
6. The mine shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use if applicable.
7. The mine shall adopt adequate safety measures inside the mine / quarry premises including fire safety and obtain necessary permission from the competent authorities.
8. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
9. The annual production shall not exceed the consented quantity. Copy of the annual return (Annual return submitted to DGM/IBM) shall be submitted every year to the Board. Environmental statement report shall also be submitted every year to the Board in prescribed format.
10. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
11. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
12. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
13. Greenbelt shall be developed as per approved Mining Plan & valid Environmental Clearance.
14. The Project Proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.



## CONSENT ORDER

15. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10% of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations.
16. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed..
17. The proponent shall take necessary measures to ensure no adverse impact caused due to mining activities on the human habitations existing nearby.
18. The unit shall pay differential fees if any as per the Odisha Gazette Notification dtd. 16.07.2012 of Forest and Environment Department, Government of Odisha
19. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.
20. If any public complaint is found and would be verified and if it has adverse impact on nearby villagers then consent to operate would be revoked and legal action would be undertaken.
21. The following measures are to be implemented to reduce noise pollution.
  - i. Regular maintenance of vehicles and other equipment.
  - ii. Limiting time of exposure of workers to excessive noise.
  - iii. The workers employed shall be provided with protection equipment and earmuffs etc.
  - iv. Speed of trucks entering or leaving the mine is to be limit to moderate speed of 25KMPH to prevent undue noise from empty trucks

### B. WATER POLLUTION:

1. The mining shall not affect the existing sources of irrigation or drinking water.
2. Surface runoff shall be allowed to flow through garland drains and the accumulated water in the garland drains shall be passed through settling ponds to allow the silt to be settled before final discharge to surrounding environment.
3. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
4. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

### C. AIR POLLUTION:

1. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard prescribed in the Environment (Protection) Rules, 1986 and amended thereof.
2. Water sprinkling shall be done on internal transport roads and working area to suppress fugitive dusts generated.
3. Loading and unloading activities including all transfer points should have efficient dust control system arrangements. These should be properly maintained and operated.



## CONSENT ORDER

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4. The following measures are to be further implemented to reduce air pollution during transportation of mineral.
- a) Road shall be graded to mitigate the dust emission.
  - b. Overloading of tippers and consequent spillage on the road shall be avoided. The trucks shall be covered with tarpaulin.
  - c. Vehicles to be used for transportation should have valid PVC.

### D. SOLID & HAZARDOUS WASTE:

1. Topsoil if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purposes.
2. The OB if any, shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems
3. Mineral rejects if any, shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.
4. Waste, oils, used oils generated from the EM machines, mining operations, if any shall be disposed as per the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.

The occupier must comply with the conditions stipulated in section A, B, C, D,E and F to keep this consent order valid.

To,

**Sri Santosh Kumar Behera, Lessee**  
**M/s. Sundarada Bira Chaitanyapur River Sand Bed,**  
**At-Near Gramyadevi Mandir, Balajipentho Street,**  
**PO- Berhampur, P.S.- Berhampur Sadar,**  
**Dist: Ganjam- 760002 (Odisha)**

Memo No. 2659 / Dt. 08/09/2022

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Ganjam, Chatrapur
3. The D.F.O, Berhampur
4. The Mining Officer, Ganjam Circle, Ganjam
5. The Tahasildar, Chikiti, Ganjam.
6. Copy to Guard file/ Consent to Operate register

*[Signature]*  
08/09/2022  
Regional Officer

*[Signature]*  
08/09/2022  
Regional Officer



## EFFLUENT QUALITY STANDARDS

Sl.No	Parameters	Standards			
		Inland surface	Public sewers	Land for irrigation	Marine Coastal Areas
		(a)	(b)	(c)	(d)
1.	Colour&odour	Colourless/Odourless as far as practicable	-----	See 6 of Annex-1	See 6 of Annex-1
2.	Suspended Solids (mg/l)	100	600	200	For process wastewater – 100 b. For cooling water effluent 10% above total suspended matter of influent.
3.	Particular size of SS	Shall pass 850	-----	-----	
5.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	Shall not exceed 5°C above the receiving water temperature	-----	-----	Shall not exceed 5°C above the receiving water temperature
7.	Oil & Grease mg/l max.	10	20	10	20
8.	Total residual chlorine	1.0	---	-----	1.0
9.	Ammoniacal nitrogen (as N) mg/l max.	50	50	-----	50
10.	Total Kjeldahl nitrogen (as NH <sub>3</sub> ) mg/1 max.	100	---	-----	100
11.	Free ammonia (as NH <sub>3</sub> ) mg/1 max.	5.0	---	-----	5.0
12.	Biochemical Oxygen Demand (5 days at 20°C) mg/1 max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/1 max.	250	---	-----	250
14.	Arsenic (as As) mg/1 max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg) mg/1 max.	0.01	0.01	-----	0.001
16.	Lead (as Pb) mg/1 max.	01.	1.0	-----	2.0



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17.	Cadmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Se) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Ni) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride ( as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C <sub>6</sub> H <sub>5</sub> OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curie/ml. b. Beta emitter micro curie/ml.	10 <sup>7</sup> 10 <sup>6</sup>	10 <sup>7</sup> 10 <sup>5</sup>	10 <sup>8</sup> 10 <sup>7</sup>	10 <sup>7</sup> 10 <sup>6</sup>
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l



## CONSENT ORDER

ANNEXURE - II

**NATIONAL AMBIENT AIR QUALITY STANDARDS**

Sl. No.	Pollutants	Time Weighed Average	Concentrate of Ambient Air		
			Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sulphur Dioxide (SO <sub>2</sub> ), µg/m <sup>3</sup>	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	Annual * 24 Hours **	40 80	30 80	- Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM <sub>10</sub> µg/m <sup>3</sup>	Annual * 24 Hours **	60 100	60 100	-Gravimetric - TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5µm) or PM <sub>2.5</sub> µg/m <sup>3</sup>	Annual * 24 Hours **	40 60	40 60	-Gravimetric - TOEM - Beta Attenuation
5.	Ozone (O <sub>3</sub> ) µg/m <sup>3</sup>	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m <sup>3</sup>	Annual * 24 Hours **	0.50 1.0	0.50 1.0	-AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m <sup>3</sup>	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>	Annual* 24 Hours**	100 400	100 400	-Chemiluminescence - Indophenol Blue Method
9.	Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>	Annual *	05	05	-Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10.	Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m <sup>3</sup>	Annual*	01	01	-Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m <sup>3</sup>	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni), ng/m <sup>3</sup>	Annual*	20	20	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

\*\* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

\*\* 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two