

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE KOLKATA BENCH
Original Application No.47 of 2024/EZ.**

**Youth United for Sustainable
Environmental Trust** Petitioner / Appellant

Vs.

State of Odisha & Ors. Respondent / Defendant

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1.	Affidavit.	
2.	<u>ANNEXURE-R10/1 Colly</u> Photocopy of the joint committee report for inspection carried out on 22.04.2024.	

SPCB Odisha, R.No.10

Through

Kolkata

Date:

Smt Papiya Banerjee Bihani,
Advocates for the Respondent No.10
(State Pollution Control Board, Odisha)
e-mail: pbanerjeebihani@gmail.com
Phone No.:9831493390

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE KOLKATA BENCH
Original Application No.47 of 2024/EZ.**

02 JUL 2024

**Youth United for Sustainable
Environmental Trust** Petitioner / Appellant

Vs.

State of Odisha & Ors.Respondent / Defendant

**AFFIDAVIT ON BEHALF OF STATE POLLUTION
CONTROL BOARD, RESPONDENT NO.10.**

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.10 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 vide their order dtd.12.03.2024 while adjudicating the OA at para-20 has been pleased to constitute a committee to elicit the veracity of the allegations comprising of the following members:

- (i) Senior Scientist, Odisha State Pollution Control Board.
- (ii) Senior Scientist, SEIAA, Odisha; and
- (iii) District Collector, Angul or his representative not below the rank of Addl. District Magistrate.

In the said order, the Hon'ble Tribunal has directed the committee to inspect the site in question and this R.No.10 Board has been directed to submit the committee report on affidavit.

3. That it is humbly submitted that the Board appeared through its counsel on 02.05.2024 and prayed for time to file the committee report, which has been allowed by the Hon'ble Tribunal.
4. That the joint committee constituted by the Hon'ble Tribunal visited the alleged site of Gopinathpur Sand Sairat and



Nizigarhzami Sand Sairat on 22.04.2024 and submitted their report with certain recommendations. Copy of the committee report along with its annexures is annexed to this affidavit and marked as ANNEXURE – R10/1 Colly.

5. That this affidavit is filed to bring on record the joint committee report in compliance to direction dtd.12.03.2024 and 02.05.2024 of this Hon'ble Tribunal.
6. That the Respondent No.10 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for proper adjudication of the case.
7. That the annexure annexed to the present affidavit is true and correct copy of its original.
8. 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.




DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

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

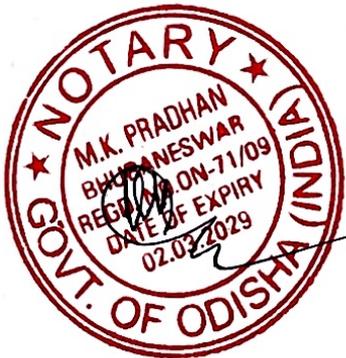
VERIFICATION:

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 2nd day of July, 2024.

SWORN BEFORE ME


DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar



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

ENVIRONMENTAL
CLEARANCE

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

To,

The LESSEE
 PITAMBAR BHUTIA
 MANDAPAL TALCHER TOWN -759107

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/61829/2021 dated 04 Jul 2022. The particulars of the environmental clearance granted to the project are as below.

1. EC Identification No.	EC22B001OR190307
2. File No.	61829/250-MINB1/07-2022
3. Project Type	New
4. Category	B1
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Nizgarhzami Sand Quarry
7. Name of Company/Organization	PITAMBAR BHUTIA
8. Location of Project	Orissa
9. TOR Date	08 Jul 2021

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

Date: 28/12/2022

(e-signed)
Dr. K. Murugesan, IFS
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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PARIVESH
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 statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment
 (Protection) Act, 1986

ENVIRONMENTAL CLEARANCE FOR SAND QUARRY

Subject: Application of Sri Pitambar Bhutia for mining of Sand from Nizgarhzami Sand Quarry Over an area of 24.86Acres or 10.06Ha in Village- Village –Nizgarhzami, Tahasil- Talcher, District- Angul - Environmental Clearance reg.

The Project Proponent Sri Pitambar Bhutia has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC,GOI vide online application no. SIA/OR/MIN/61829/2021 dated 04.07.2022 for mining of Sand from Nizgarhzami Sand Quarry Over an area of 24.86Acres or 10.06Ha in Village- Village –Nizgarhzami, Tahasil- Talcher, District- Angul in terms of the provisions of the Environment Impact Assessment(EIA) Notification, 2006 & amendments thereto under the Environment(Protection) Act,1986.

2. Proposal in Brief:

Proposal No.	SIA/OR/MIN/61829/2021
Date of Application	04.07.2022
File No.	61829/250-MINB1/07-2022
Project Type	EC
Category	B1
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for EC for Nizgarhzami Sand Quarry Over an area of 24.86Acres or 10.06Ha in Village- Village –Nizgarhzami, Tahasil- Talcher, District- Angul
Name of the company/Organization	Sri Pitambar Bhutia
Location of Project	Odisha
ToR Date	24.05.2021

3. **Project details:** The highlights of the project, as ascertained from the application and as revealed from the proceedings/discussions held during the meetings of SEAC/SEIAA, are given as under:

- (i) This is a proposal for mining of river sand of Nizgarhzami Sand Quarry lying in the Brahmani River bed, over an area of 24.86 Acre or 10.06 Ha located at Village - Nizgarhzami, Tahasil- Talcher, District- Angul of Sri Pitambar Bhutia.
- (ii) The mining lease is an identified sairat source in the DSR. The Nizgarhzami Sand Quarry (Brahmani River bed), sairat source will be leased out under the OMMC Rules,2016 by

D.M.



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- Tahasildar, Talcher Sadar to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years. The lease period of 5 years shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar.
- (iii) The mining plan for the sand mining project has been approved by Joint Director of Geology Zonal Survey, Dhenkanal vide letter No. 666 on 01.06.2020.
- (iv) The cluster certificate has been furnished by the Tahasildar certifying that there is no other mine 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.
- (v) The Terms of Reference (ToR) has been granted by SEIAA, Odisha vide letter no. 1341/SEIAA dated 24.05.2021 for undertaking detailed EIA study for the project.
- (vi) The public hearing has been conducted on 24.11.2021 at 10 A.M. at Tahasil Office, Talcher under Angul district, Odisha. Major issues raised during PH were on Employment opportunity to local villagers, sand at low cost to the villagers for construction of their house, Plantation in village and Water sprinkling for dust suppression.
- (vii) The baseline data has been collected from Dec, 2020 to Feb, 2021 (post Monsoon) for the project.
- (viii) Location and Connectivity - The mining area is a part of Survey of India Toposheet No.73H/1, bounded by Latitude: 20° 55' 20.56" N to 20° 55' 35.14" N & Longitude: 85° 14' 19.86" E to 85° 14' 31.77" E. The quarry area is accessible by all weather & well-connected by road and rail. The lease area is located at a distance of 3.2kms from Talcher town, 21kms from the District Headquarters Angul and 130kms from the State Capital Bhubaneswar. Talcher Railway station is the nearest railway station located at a distance of 4.13kms from the lease area. Nearest Road bridge is at a distance of 1kms from the mining lease. Metal road connecting to the lease area with the village – Nizgarhjami is at distance of 0.32 meters. SH – 63 is the nearest State Highway which is at distance of 17.7km. NH 200 is the nearest National Highway at 1 km and NH 23 which is major district road at a distance of 2.5kms. The project proponent has submitted that there is no national park, wild life sanctuary, eco sensitive areas situated within 10Kms radius of the lease area.
- (ix) Total Reserves and Production Details: – The project proponent has submitted that the total geological reserve has been estimated as 103069 cum considering the thickness of the sand is 1.0m for the QL period. Similarly, the extractable mineable reserve of river bed sand has been estimated to be 46488 cum (excluding safety zone) considering the thickness of the sand is 1.0m. The project proponent has proposed a total production of 90000 cum of sand considering the thickness of the sand is 1.0m from this quarry during the valid lease period of 5 years, with a maximum production 18000 cum per annum. Mining will be done by semi mechanized method. Excavation & loading of sand will be

[Signature]



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- done through dumpers and trucks/tractors.
- (x) Replenishment study: - The replenishment study has been carried out during May,2021 (pre monsoon) and November, 2021 (post monsoon) by volumetric method. Estimated annual replenishment volume is 20120 cum. However, the extractable Mineable Reserve as per approved Mining Plan is 90636 cum. The annual proposed production is 18000 cum.
 - (xi) Water Requirement: - The total water requirement will be 7.0 KLD for different purposes like Domestic, Dust suppression, plantation purposes. Source: Nearby village with the help of tankers.
 - (xii) Power Requirement: - No use of electric power as the operation will be done in the day time.
 - (xiii) Green Belt Development: Greenbelt plantation will be done by planting 940 nos. saplings of suitable species by the lessee in vicinity of the river bank, haulage roads and near village.
 - (xiv) Employment Potential - A total of 30 nos. of workers are to be employed during mining operation.
 - (xv) The project cost is estimated to be Rs.60.00 lakhs and there is a budgetary provision of Rs.4.67 lakhs as capital cost and Rs.4.20 Lakhs as recurring cost towards environmental protection measures. The PP has estimated a budget of Rs.1.20 lakhs on CER.
 - (xvi) Whether the DSR has been prepared as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020- **No**
 - (xvii) Whether the replenishment rate study of sand was done as per the Enforcement & Monitoring Guideline for sand mining-2020-**No**
 - (xviii) The Environment consultant M/s P & M Solutions, Noida (U.P) along with the project proponent has made a detailed presentation on the EIA/EMP report on 05.08.2022.
4. This proposal conforms to the item no. I(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B1 as the mining lease area is more than 5ha.
 5. The proposal is duly appraised by the SEAC in its meeting held on 05.11.2022. The SEAC has submitted the appraisal report and recommended for grant of EC for the proposal with stipulated conditions.
 6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 102th meeting held on 06.12.2022 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2nd February,2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar PalaiVrs. District Collector, Balasore).

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7. Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for mining of Sand from Nizgarhzami Sand Quarry Over an area of 24.86Acres or 10.06Ha located in Village-Village –Nizgarhzami, Tahasil- Talcher, District- Angul with the following stipulations, environmental conditions and safeguards.

A: Stipulations:

Sl.	Descriptions	Stipulation
(i)	Lease Area:	24.86 Acres or 1.06 Ha
(ii)	No Mining Zone:	1/4 th of river width for protection of river bank and 7.5 meter safety zone from all side of lease boundary.
(iii)	Maximum Depth of Mining:	1.0 meter as per the approved mining plan
(iv)	Permitted Quantity:	1 st year:18000 cum 2 nd year:4500 cum
(v)	Validity Period of EC:	Two years from date of issue

B: SPECIFIC ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR BEFORE LEASE AGREEMENT:

- 7.1 **Boundary Demarcation:**-The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- 7.2 **Digital Map:**-A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at seiaaorissa@gmail.com.
- 7.3 **Intimation of EC:**-The copies of the EC shall be sent to the Sarpanch(s) of the concerned Gram Panchayat(s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- 7.4 **Tree Plantation:**-Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs. 4,50,000/-, with the respective District Environment Society for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry.

DM



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- 7.5 **State EMF Fund:-**An amount equal to five percent(5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.
- 7.6 **Condition by Collector:-**Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.
- 7.7 **Compliance report for Transfer of EC:-**Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards.
- C: STANDARD ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT**
- 7.8 **Specific Condition:** NOC from Irrigation Deptt., Govt. of Odisha shall be obtained that proposed mining will not affect the barrage proposed/under construction adversely. Mining activity shall be commenced after obtaining NoC from Irrigation Deptt., Govt. of Odisha
- 7.9 **Maximum permissible depth:** This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.0m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.
- 7.10 **Maximum permissible quantity:** Maximum quantity of quarry material that can be permitted by the lesser to be removed from the quarry area is 18000 cum in the 1st year and 4500 cum in the 2nd year. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.11 **Annual Replenishment Rate Study of Sand:-**The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method 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.
- 7.12 **District Survey Report:** The District Survey Report (DSR) shall be prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611(E) dated 25.07.2018, Sustainable Sand Mining Guidelines-2016 and

Signature



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- Enforcement & Monitoring Guidelines for Sand Mining-2020 and submitted to competent authority for approval.
- 7.13 **EC Extension:-**Any further extension of EC beyond two year shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.
- 7.14 **Any change in mining plan requires fresh EC:-**Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.15 **Environmental Management Plan:** EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in EMP. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.16 **No Working Zone:** - The lessee shall ensure that no sand mining is carried out in the areas as specified below:-
- During the rainy season;
 - Within the water channel or stream flow area throughout the year;
 - Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
 - The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period.
 - No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
 - Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
 - The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.17 **Transport Safeguards:**

D.S.



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- a) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- b) Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
- c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- e) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks.
- f) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

7.18 **Other Environmental Conditions:-**The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

- a) The Tahasildar shall take adequate measures to prevent unauthorized mining;
- b) The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source;
- c) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- d) River Bank stabilization shall be made through stone patching. Stone patching on river bank with plantation in-between and the ramp construction shall be done in consultation with and advice of concerned Water Resource Department, Government of Odisha.

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- e) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.19 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
- 7.20 **Public Hearing Compliance:-**The activities proposed in action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the action plan and within a stipulated time frame as submitted in the Final EIA/EMP Report. The Status Report on implementation of action plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration. The project proponent shall comply in true spirit all the issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CER shall be complied by the Mining Authority as per OM F. No. 22-65/2017-IA.III, dated 30.09.2020 of MoEF&CC, Govt. of India.
- 7.21 **Intimation of EC:-** (i)The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry. The advertisement shall be made within seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.
(ii) 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/ Tahasildar's office for 30 days.
- 7.22 **Half-yearly Compliance Report:-**It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF& CC, Bhubaneswar in soft copies on 1st day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.

Signature



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- 7.23 **Concomitant Monitoring:-**The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 7.24 **Independent Monitoring:-**The concerned Regional Office of the MoEF & CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.25 **Revocation of EC:-**The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 7.26 **Change in Ownership of Lease:-**This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
8. **Basis of Permitted Quantity:-**It is made clear that the EC granted is on adhoc basis as the applicant has not submitted the approved District Survey Report (DSR) or Annual Replenishment Rate Study Report (ARRS). In the absence of approved District Survey Report (DSR) the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report (Refer Para: 4.3 (r) of the Enforcement & Monitoring Guidelines for Sand Mining issued in January, 2020 by the Ministry of Environment, Forest and Climate change). The permitted quantity in the 1st year has been calculated on the basis of 60% mine lease area or quantity mentioned in the Mining Plan, whichever is less. Further in the absence of approved Annual Replenishment Rate Study Report an annual replenishment rate of @25% of the 1st year quantity is allowed for 2nd year w.r.t Order dated 02.02.2022 of the Hon'ble NGT in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). Further amendment to the permitted quantity in the 2nd year shall be considered on submission of duly approved ARRS.
9. 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

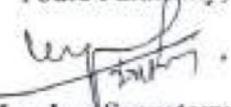
Daj



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

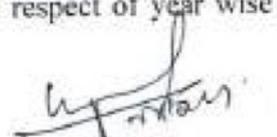
- other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
10. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
 11. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,


 Member Secretary

Copy to

1. Additional Chief Secretary, 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, Chandrasekharapur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Angul/ DFO, Angul/ Sub Collector, Talcher /Tahasildar, Talcher for Information and necessary action with specific reference to para in respect of year wise permitted quantity.
7. Guard file for record/Website/Parivesh Portal.


 Member Secretary

TRANSFER OF EC COMPLIANCE REPORTS OF CONDITIONS LAID DOWN BY SEIAA ODISHA, VIDE LETTER NO.- 61829/250-MINB1/07-2022 DATED 28.12.2022, IN RESPECT TO NIZGARHZAMI SAND QUARRY , AT- NIZGARHZAMI, TAHASIL- TALCHER, DISTRICT – ANGUL, OVER AN AREA OF 10.06 HA.

SL. NO	CONTENTES	COMPLIANCE
SPECIFIC ENVIRONMENTAL CONDITIONS:		
01.	Boundary Demarcation:- The boundary of the lease area shall be demarcation on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillar above ground, each inscribed with serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.	Copy of Pillar photographs are attached as Annexure-I .
02.	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 seiaaorissa@gmail.com .	The digital map of Nizgarhzami Sand Quarry (in KML format as well as PDF version) is attached as Annexure-II .
03.	Intimate of EC:- The copies of the EC shall be sent to the Sarpancha(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.	The EC copy of Nizgarhzami Sand Quarry is sent to the concerned Municipality office, Talcher and P.R Office, Talcher has submitted as Annexure-III for your reference.
04.	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. 4,50,000/-, with the respective District Environment Society for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry.	Cost of Rs 4,50,000/- (Four lakhs Fifty thousand rupees Only) deposited by the project proponent for avenue plantations of the State Forest Department near District Environment Society, Talcher as per the approved cost norm which copy has enclosed for your reference as Annexure- IV .

05.	State EMF Fund:- An amount equal to five percent(5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016preferably, in and around the areas where mining activities are undertaken .	The project proponent (lessee) has deposited 5% of the Royalty & Additional Charge towards State Environmental Management Fund (EMF) amounting to Rs.3,65,084/- & District Mineral Fund (DMF) of Rs. 7,30,168/- vide MR No. 0289401, Dated 03/04 /2023 of this office which copy has enclosed for your reference as Annexure- V.
06.	Condition by Collector:- Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.	No other conditions are imposed by the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), Anugul in the interest of protection and safeguarding the local environment.
07.	Compliance report for Transfer of EC: Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards.	Noted. EC has granted directly in the name of the lessee Sri Pitambar Bhutia. As per EC condition the lessee has complied the conditions for transfer of EC.
STANDARD ENVIRONMENTAL CONDITIONS:		
7.8	Specified Condition: NOC from Irrigation Deptt., Govt. of Odisha shall be obtained that proposed mining will not affect the barrage proposed/under construction adversely. Mining activity shall be commenced after obtaining NOC from irrigation Deptt., Govt. of Odisha.	NOC from irrigation department, Govt. of Odisha, has given the proposed mining activity will not affect the proposed barrage project till completion of the project which copy has been attached for your reference as Annexure- VI.
7.9	Maximum permissible depth: This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.0m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.	Agreed. We are digging of sand within 1.0 m as per mining plan and also the instruction of SEIAA, Odisha.
7.10	Maximum permissible quantity: Maximum quantity of quarry material that can be permitted by the lesser to be removed from the quarry area is 18000cum in the 1 st year and 4500 cum in 2 nd year. Any flouting of this quantitative restriction shall make this EC liable to cancellation.	As per the EC condition I have excavated 5019 cubic meter sand in the 1 st year only. Excavated data has been attached as Annexure- VII

7.11	<p>Annual Replenishment Rate Study of Sand: The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribe drone method by collecting per monsoon data from the field to know the quantum of volume of sand deposited/replenishment & 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 study shall be submitted to SEIAA to access the actual rate of replenishment of mind out sand in the lease area.</p>	<p>We are engaging ORSAC/ NABET empanelled Agency for the annual replenishment study as per the enforcement and monitoring guidelines for sand mining, 2020 issued by the MoEF and CC, Government of India. The replenishment rate of sand may be calculated by using the Drone Survey Method as specified by SEIAA, Odisha.</p>																		
7.12	<p>District Survey Report: The District Survey (DSR) shall be prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611(E) dated 20.07.2018, Sustainable Sand Mining Guidelines-2016 and Enforcement & Monitoring Guidelines for Sand Mining -2020 and submitting to competent authority for approval.</p>	<p>The project has listed under District Survey Report (DSR) of Anugul District.</p>																		
7.13	<p>EC Extension: Any further extension of EC beyond two years shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.</p>	<p>Agreed. If any change will be done we will intimate to SEIAA, Odisha.</p>																		
7.14	<p>Any change in mining plan requires fresh EC: Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.</p>	<p>Agreed. We are not changing the production quantity or method of mining without prior approval of SEIAA.</p> <table border="1" data-bbox="927 1536 1445 1843"> <thead> <tr> <th>Year</th> <th>Approved production Quantity</th> <th>Excavated Quantity</th> </tr> </thead> <tbody> <tr> <td>1st Year</td> <td>18000</td> <td>5019</td> </tr> <tr> <td>2nd Year</td> <td>18000</td> <td>NA</td> </tr> <tr> <td>3rd Year</td> <td>18000</td> <td>NA</td> </tr> <tr> <td>4th Year</td> <td>18000</td> <td>NA</td> </tr> <tr> <td>5th Year</td> <td>18000</td> <td>NA</td> </tr> </tbody> </table>	Year	Approved production Quantity	Excavated Quantity	1 st Year	18000	5019	2 nd Year	18000	NA	3 rd Year	18000	NA	4 th Year	18000	NA	5 th Year	18000	NA
Year	Approved production Quantity	Excavated Quantity																		
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3 rd Year	18000	NA																		
4 th Year	18000	NA																		
5 th Year	18000	NA																		

7.15	<p>Environmental Management Plan: EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in EMP. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.</p>	<p>Agreed. We will submit the year wise implementation of EMP at the end of this financial year 2023-24 near SEIAA odisha and OSPCB.</p>
7.16	<p>No Working Zone: the lessee shall ensure that no sand mining is carried out in the areas as specified below:-</p> <ol style="list-style-type: none"> a) During the rainy season; b) Within the water channel or stream flow area through the year; c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and Railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State highway and 10 meter from the edge of other roads except on special exemption by Sub-Divisional level Joint Inspection Committee. d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. e) No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed. f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose. g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed. 	<p>Agreed. No sand mining is carried out</p> <ol style="list-style-type: none"> a) During Rainy Season b) Within the water channel or stream flow area through the year; c) No Road bridge/ water supply / irrigation project/ N.H / Railway line/ Reservoir/ Canal/ Building is located within the specified area. d) We are not disturbing any flow pattern of river during mining activity. e) Agreed. f) No such sources are available near our project area. g) No such natural sand dunes are available near or surrounding the lease area.

7.17	<p>Transport Safeguards:</p> <ul style="list-style-type: none"> a) No transportation of the minerals shall be allowed on any road passing through village/habitations without prior explicit permission. b) Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat / BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non peak hours. Speed of vehicle be regulated and in no case >30Kms / hr be allowed. e) The vehicles shall not be over loaded with Tarpoulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of playing of mineral carrying trucks. f) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the 	<ul style="list-style-type: none"> a) During Transportation we are not using the village road passing through villages or habitations or any forest land. b) Agreed. I am agree to bear the cost towards the widening and strengthening of existing public roads if required. c) We obey the IRC guidelines during transport of minerals. d) The PUC certified vehicles are used for transportation of sand and are checked on a regular interval. e) The vehicles used for transportations are carried out by covering tarpaulin and always avoid overloading. f) Water being sprayed at different place of source of dust emission during transportation.
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	quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.	
7.18	<p>Other environmental Conditions: The Project Proponent shall follow all the provisions of Sand Policy of Govt. of Odisha dated 02.09.2021 for this sand mining project.</p> <p>a) The tahasildar shall take adequate measures to prevent unauthorized mining.</p> <p>b) The project proponent should carry out river bed sand mining manually by engaging local labourers to check over exploitation of sand at the source;</p> <p>c) The lessee shall ensure safety of human life and livestock from accident in case village/ any habitation is very nearby the mining lease area.</p> <p>d) River Bank stabilization shall be made through stone patching. Stone patching on river bank with plantation in-between and the ramp construction shall be done in consultation with and advice of concerned Water Resource Department, Government of Odisha.</p> <p>e) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.</p>	<p>a) Agreed.</p> <p>b) Sand mining is doing by manual method engaging local labourers of the lease area.</p> <p>c) We have prioritized the safety of human life and life stock and followed the necessary precautionary for it during transportation.</p> <p>d) Agreed. We will do with as per the direction of water resource department, Govt. of Odisha.</p> <p>e) After closure of mine all the sheds and equipments put in the quarry area will remove immediately.</p>
7.19	<p>Common Form for EMP: All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental</p>	Agreed.

	pollution and noise during activity.	
7.20	Public Hearing Compliance: The activities proposed in action plan prepared for addressing the issue raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the action plan and within a stipulated time frame as submitted in the Final EIA/EMP Report. The Status Report on implementation of action plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration. The project proponent shall comply in true spirit all the issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CER shall be complied by the Mining Authority as per OM F. No. 22-65/2017-IA.III, dated 30.09.2020. of MoEF&CC, Govt. of India.	Agreed. We will do the action plan as submitted the final EIA/ EMP.
7.21	Intimation of EC: (i) The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language information that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry. The advertisement shall be made within seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.	Agreed.
7.22	Half-yearly Compliance Report: It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF & CC, Bhubaneswar in soft copies on 1 st day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions,	Agreed. EC Compliance report submitted as per the instruction stipulated by SEIAA, Odisha.

	failing which EC is liable to be revoked.	
7.23	Concomitant Monitoring: The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.	Agreed. The conditions of Environmental clearances are closely monitored and guided by the lease granting authority.
7.24	Independent Monitoring: The concerned Regional Office of the MoEF & CC / SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s) /SPCB officer(s) by furnishing the requisite data / information / monitoring reports.	Agreed.
7.25	Revocation of EC: The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter / modify the above conditions or stipulate any further condition in the interest of environment protection.	I agreed with all the conditions of SEIAA, odisha.
7.26	Change in Ownership of Lease: This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.	Agreed. Without prior permission of SEIAA, we will not change the ownership of lease.
8.	Basis of Permitted Quantity: It is made clear that the EC granted is on an ad hoc basis as the applicant has not submitted the approved District Survey Report (DSR) or Annual Replenishment Rate Study Report (ARRS). In the absence of an approved District Survey Report (DSR) the area for removal of minerals shall not exceed 60% of the mine lease area, and deviation or relaxation in this regard shall be	Noted.

	adequately supported by the scientific report (Refer para: 4.3 (r) of the Enforcement & Monitoring Guidelines for Sand Mining issued in January, 2020 by the Ministry of Environment, Forest and Climate change. The permitted quantity mentioned in the 1 st year has been calculated on the basis of 60% mine lease area or quantity mentioned in the Mining Plan, whichever is less. Further in the absence of approved Annual Replenishment rate of @25% of the 1 st year quantity is allowed for 2 nd year w.r.t Order dated 02.02.2022 of the Hon'ble NGT in OA No. 33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). Further amendment to the permitted quantity in the 2 nd year shall be considered on submission of duly approved ARRS.	
9.	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, the Environment (Protection) Act, 1986 and 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.	Noted.
10	This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India. Hon'ble High Court and Hon'ble NGT as may be applicable.	Noted.
11	Any appeal against this environmental clearance shall lie with the National Green Tribunal, if prepared, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.	Noted.

Pitamban Bhatia
Signature of Lessee

ANNEXURE- I
Pillar Photo



ANNEXURE- II
KML Photo



ANNEXURE-III

To

The Executive Officer,
Talcher Municipality

Sub : Submission of copy of Environmental Clearance

Sir,

In inviting a reference to the subject cited above, I Sri Pitambar Bhutia S/o-
Banambar Bhutia of Talcher Town intimate you that, I am selected as successful bidder
of Nizigarh Sand Quarry for a term of 05 year i.e. 2022-23 to 2027-28. In this regard I
got the Environmental Clearance in respect of Nizigarh Sand Quarry.

Therefore, a photo copy of the above Environmental Clearance is submitted to
you for your information.

Pitambar Bhutia
Yours faithfully,





The Block Development Officer, Talcher

Sub : Submission of copy of Environmental Clearance

Sir,

In inviting a reference to the subject cited above, I Sri Pitambar Bhutia S/o- Banambar Bhutia of Talcher Town Intimate you that, I am selected as successful bidder of Nizigarh Sand Quarry for a term of 05 year i.e. 2022-23 to 2027-28. In this regard I got the Environmental Clearance in respect of Nizigarh Sand Quarry.

Therefore, a photo copy of the above Environmental Clearance is submitted to you for your kind information.

P. Sanku Bhutia
Yours faithfully,

10/01/22

ANNEXURE-IV**Forest Receipt**


OFFICE OF THE TAHASILDAR, TALCHER
 ଚନ୍ଦ୍ରସିଲଦାରଙ୍କ ଅଫିସ, ତାଳଚେର

Telephone: 06760-240239(O) | E-mail: tal.talcher-od@nic.in

Recd
From
21/7/23

Letter No. 4398 / File No. 7991-06/21 Date: 21.07.23

Dr. Rosalin Behera, OAS
Tahsildar & Executive Magistrate, Talcher

The Divisional Forest Officer, Angul

Sub : Regarding deposit of Rs. 4,50,000/- for tree plantation.

Rel:- SEJAA file No. 61829/250-MINB1/07-2022.

Sir,

With reference to the letter on the subject cited above, I am to inform you that as per Environmental Clearance (EC) granted by SFTAA bearing file No. 61829/250-MINB1/07-2022 in respect of Nizgarhazami Sand Quarry, it is mention in Point No.7.4 for Tree Plantation that 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. 4,50,000/- (Four lakh fifty thousand) only with the respective District Environment Society for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry.

In the meantime, Sri Pitambar Bhutia S/o- Banabar Bhutia of village-Mandapa, Talcher, Ward No. 03 Po- Talcher Dist- Angul has been selected as the successful bidder of Nizgarhazami Sand Quarry.

Therefore, I would request you to kindly provide receipt of the above deposited amount from the lessee.

Yours faithfully,

[Signature]
Tahsildar, Talcher

Memo No. 4399 / Dt. 21.07.23

Copy submitted to the Addl. District Magistrate (Rev.), Angul/ Sub-Collector, Talcher for favour of kind information and necessary action.

[Signature]
Tahsildar, Talcher

Memo No. 4400 / Dt. 21.07.23

Copy to Sri Pitambar Bhutia S/o- Banabar Bhutia of village-Mandapa, Talcher Town, Ward No.03 Po- Talcher Dist- Angul for information and necessary action. He is instructed to deposit Rs. 4,50,000/- with the respective District Environment Society for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry and provide a copy of the money receipt to this office for record.

[Signature]
Tahsildar, Talcher

ANNEXURE- V
EMF/DMF Receipt

ଫର୍ମ୍ ନମ୍ବର XIV-- ପାଠକ ନଂ. 511

ଉପକ୍ରମ ପୁସ୍ତକ
RECEIPT BOOK

ନଂ. 0289401

[ଓଡ଼ିଶା ନିର୍ମାଣ ପ୍ରକଳଣ ପୁସ୍ତକ, 1983 ନିୟମ 31(1) ଦ୍ୱାରା]

ପୁସ୍ତକ ନଂ. 01 ମସିହା 2022-23

କାର୍ଯ୍ୟକାରୀ ପ୍ରାପ୍ତ ଲେଖା Pitambar Bhunia Lessee of
Naxganzami Sand Quarry
towards Royalty & etc for operation of
କାର୍ଯ୍ୟକାରୀ Naxganzami Sand Quarry for the year
(2023-24) from 01.04.23 to 31.03.24

1. Addl. charges	Rs. 67,74,750/-
2. Royalty	Rs. 5,26,925/-
3. E.M.F	Rs. 3,65,081/-
4. DMF	Rs. 7,30,168/-
5. Surface Rent	Rs. 3,622/-
6. Dead Rent	Rs. 1,05,630/-
7. T.D.S	Rs. 1,46,034/-

Total = Rs. 86,52,213.00

(Rupees) Eighty six Lakh Fifty two Thousand -
Two Hundred Thirteen) only

ଦା. 23/04/2023 through UCB Bank chq. No. 000011
dt. 03/4/23

OSP (FORMS) DTP-207--10,000 Bks. -24-07-2012

ପ୍ରମାଣ କରାଯାଇ ଅଧିକାରୀ
OSP/23
Naxga
Tahasil Office, Talcher

ANNEXURE-VI**NOC**

**OFFICE OF THE SUPERINTENDING ENGINEER,
ANGUL IRRIGATION DIVISION, ANGUL.**
At/PO:- Hakimpada, Dist- Angul, Odisha
Email Id: eeangulirrigation@gmail.com

No. 4294/WF Date. 11.10.2022

To

The Tahasildar, Talcher

Sub:- Submission of joint inspection report for - grant of EC in respect of Nijigarha Zami Sand Quarry

Ref:- 1. Letter No. 3272, dated-02.09.2022 of your good office

Sir,

With reference to the subject & letter cited above, it is to state that the joint inspection to the Nijigarha Zami Sand Quarry has been conducted by the AEE, Flood Sub-Division, Angul, AEE, Derjang-Aunli Irrigation Sub-Division, Angul and R.I. Talcher (Sadar) on dated 27.09.2022 towards grant of EC. According to the observation report, the site is feasible for sand quarry, but after completion of the In-Stream Storage Structure, over river Brahmani near village Khalpal in Talcher block, the sand quarry may be affected due to the storage of water in upstream side of barrage.

This is for favour of your kind information and necessary action

Encl:-1. Joint Inspection report-02 pages

2. Trace map

Yours faithfully,

Superintending Engineer
Angul Irrigation Division
11/10/22
Angul

Memo No. _____ dt. _____

Copy forwarded to the Sub Divisional Officer, Flood Sub-Division, Angul/A.E.E, Derjang Aunli Sub Division, Angul for information.

Superintending Engineer
Angul Irrigation Division
Angul

**Joint Inspection Report on proposal for grant of EC in respect of
Nijigarha Zami Sand Quarry**

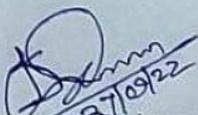
I have inspected the proposed Nijigarha Zami sand quarry on dated.27.09.2022 along with Kumari Chirasmitta, (A.E.E), Derjang- Aunli Sub-Division, Angul and Sakuntala Sahoo, R.I. Talcher (Sadar) under Talcher Tahasil. In the time of inspection, the following observations are taken.

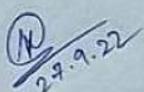
1. The Nijigarha Zami sand quarry is existed at plot no.3695, Village map of Nijigadjami sheet no.9 as per demarcation by R.I. Talcher (Sadar) which is near to Pachimeswar Temple, Gopinathpur. It is down stream of In-Stream Storage structure at Khalpal, near Talcher Rajabati, plot-154 which is also verified by R.I. Talcher (Sadar).
2. As per Enforcement & monitoring guidelines for sand mining of 2020, page no.22 and item no.4.3(h), the sand and gravel shall not extracted up to a distance of 1km from major bridges and highways on both sides, or five times (5x) of the span (x) of a bridge/ public civil structure (including water intake points) on up-stream side and ten times (10x) the span of such bridge on down-stream side, subjected to a minimum of 250m. on the upstream side and 500m on the down-stream side.
3. Here the span length of In-Stream Storage structure at Khalpal is 395m. As per above guideline for downstream, the distance between axis of In-Stream Storage structure and sand quarry point should be 3950m (395x10=3950mtr.) .
4. The distance between the axis of In-Stream Storage Structure at Khalpal to the above sand quarry is approximately 4.000 Km as measured by R.I. Talcher (Sadar). So the sand quarry is feasible as the required distance is 3950m from the In-Stream Storage structure, Khalpal.

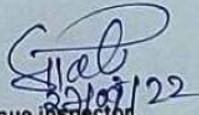
Therefore, after completion of the In-Stream Storage Structure, Khalpal, the sand quarry gets impact to the structure.

Members present on joint inspection:-

1. Sri.Dibakar Behera, (A.E.E), Flood Sub-Division, Angul
2. Miss.Kumari Chirasmitta, (A.E.E), Derjang- Aunli Sub-Division, Angul
3. Smt.Sakuntala Sahoo, R.I. Talcher (Sadar) under Talcher Tahasil


Assistant Executive Engineer
Flood Sub-Division, Angul


Assistant Executive Engineer
Derjang-Aunli Sub-Division,
Angul


Revenue Inspector,
Talcher (Sadar)
Revenue Inspector
Sadar Circle

ANNEXURE-VII**OFFICE OF THE TAHASILDAR, TALCHER**

ତହସିଲଦାରଙ୍କ ଅଫିସ, ଡାଲଚେର



Telephone: 58796-240229/1 E-mail: tal.talcher-od@nic.in

Letter No. 4727/Dt. 14/09/2023

From

Dr. Rosalin Behera, OAS
Tahsildar & Executive Magistrate, Talcher

To

The Mining Officer-Cum-Competent Authority
For Minor Minerals, District-Angul

Sub: -

Information on details of Transit Passes (In form-Y)

Ref:-

Your Letter No. 1318/Mines Dt. 04.09.2023.

Sir,

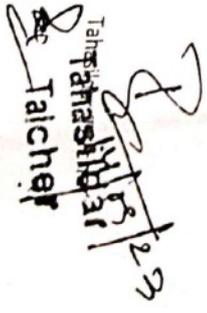
With reference to the letter on the subject cited above, I am to enclose herewith the information on details of Transit Passes (In form-Y) in the prescribed proforma under Talcher Tahsil for your information and necessary action.

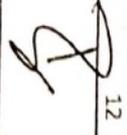
Yours faithfully,


Tahsildar
Talcher

INFORMATION ON DETAILS OF TRANSIT PASSES (IN FORM-V)

Name of the quarry	Date	Book	TP Issued (Mentioned Sl No.)	Qty. in Cum	No. of TP issued	Total Qty. (in Cum)	Balance Qty. (in Cum)	Valid upto	Signature of Lessee	Signature of Tahasildar
	3	4	5	6	7	8	9	10		11
1 Nizgarhazami Sand Quarry	10.01.2023		6842 to 6853 & 6864 to 6873	5019	22nos	18000	12981	31.03.2024	Pitambar Borkar	


 Tahasildar
 Talcher


 12



2222
12.10.22

**OFFICE OF THE SUPERINTENDING ENGINEER,
ANGUL IRRIGATION DIVISION, ANGUL.**

At/PO:- Hakimpada, Dist- Angul, Odisha

Email Id: eeangulirrigation@gmail.com

[Signature]
11.10.2022

No. 4294/WI Date. 11.10.2022

To

The Tahasildar, Talcher

Sub:- Submission of joint inspection report for - grant of EC in respect of Nijigarha Zami Sand Quarry

Ref:- 1. Letter No. 3272, dated-02.09.2022 of your good office

Sir,

With reference to the subject & letter cited above, it is to state that the joint inspection to the Nijigarha Zami Sand Quarry has been conducted by the AEE, Flood Sub-Division, Angul, AEE, Derjang-Aunli Irrigation Sub-Division, Angul and R.I. Talcher (Sadar) on dated 27.09.2022 towards grant of EC. According to the observation report, the site is feasible for sand quarry, but after completion of the In-Stream Storage Structure, over river Brahmani near village Khalpal in Talcher block, the sand quarry may be affected due to the storage of water in upstream side of barrage.

This is for favour of your kind information and necessary action

Encl:-1. Joint Inspection report-02 pages

2. Trace map

Yours faithfully,

[Signature]
Superintending Engineer
Angul Irrigation Division
10/10/22 Angul

Memo No. _____ dt. _____

Copy forwarded to the Sub Divisional Officer, Flood Sub-Division, Angul/A.E.E, Derjang Aunli Sub Division, Angul for information.

Superintending Engineer
Angul Irrigation Division
Angul

[Handwritten notes in red ink]
13/10/22
11.10.2022
12.10.22

**Joint Inspection Report on proposal for grant of EC in respect of
Nijigarha Zami Sand Quarry**

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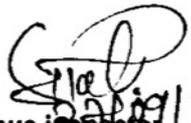
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Members present on joint inspection:-

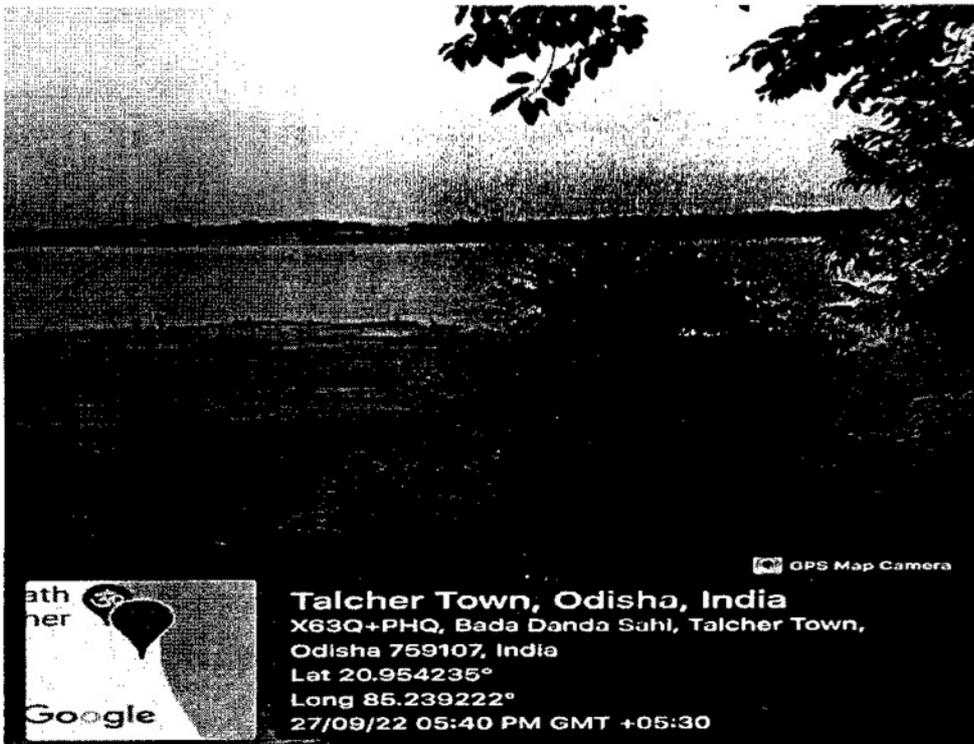
1. Sri.Dibakar Behera, (A.E.E), Flood Sub-Division, Angul
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Assistant Executive Engineer
Flood Sub-Division, Angul


Assistant Executive Engineer
Derjang-Aunli Sub-Division,
Angul


Revenue Inspector,
Talcher (Sadar)
Revenue Inspector
Sadar Circle

Photos at the time of inspection:

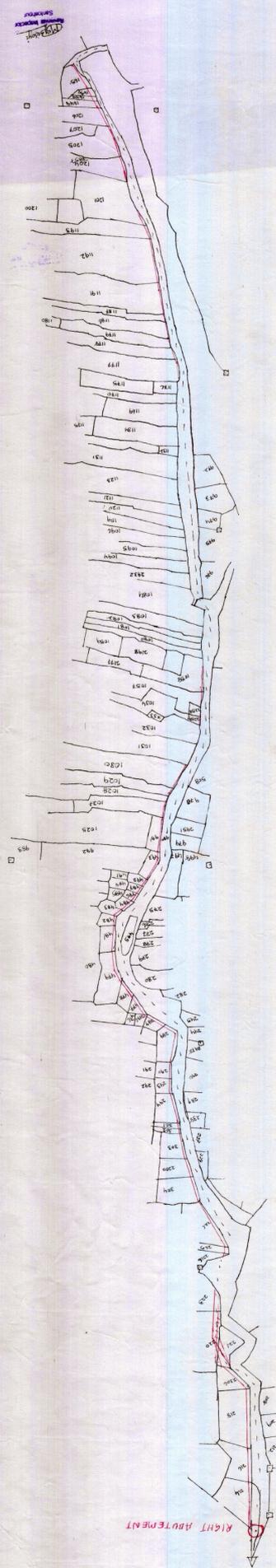


[Signature]
 27/09/22
 Assistant Exec
 Flood Sul.
 Ang...
 Engineer
 sion

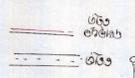
[Signature]
 27/9/22
 Sub-Divisional Officer
 Deriang Auli Sub-Division
 Angul

[Signature]
 27/09/22
 Revenue Inspector
 Sadar Circle

ADD. THE ASSISTANT
SURVEYOR
MADRAS



Handwritten signature or initials in the top right corner.



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RIGHT ABUTEMENT

E-mail: rospcb.angul@ospcbboard.orgWebsite: www.ospcbboard.org

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

(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)

Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

"By Registered Post"

CONSENT ORDER

No.....1292/ QUARRY/ROSPCB/AGL/86/2017-18

Date: 06.04.2023

CONSENT ORDER NO.638

Sub: Consent for discharge of sewage and trade effluent under section 25/26 of Water (PCP) Act, 1974 and for existing/new operation of the plant under section 21 of Air (PCP) Act, 1981.

Ref: Your Consent to Operate online Application No.4850261.

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 Industry/ Mine : Nizagarh Zami Sand Quarry (Brahmani River Sand Bed)

Name of the Occupier & Designation : Sri Pitambar Bhutia, Lessee

Address of the quarry : Plot No.3695, Khata No.446 (Kisam-Nadi), Total ML Area of 24.86 acres or 10.06ha, Mouza: Nizagarh Zami, PS /Tahasil: Talcher, Dist: Angul

This consent order is valid for the period up to 31.03.2024.

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

A. Details of products manufactured:

Sl. No.	Product	Period	Production Capacity (as per Approved Mining Plan & Environmental Clearance)
1.	Minor Mineral - Sand	1 st Year	18,000 Cubic Meter
		2 nd Year	4,500 Cubic Meter

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			
				pH	TSS (mg/l)	BOD (mg/l)	Oil & Grease (mg/l)
1.	Domestic waste water	To soak pit via septic tank	---	---			

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

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.

E. GENERAL CONDITIONS FOR ALL UNITS

1. The consent is given by the Board in consideration of the particulars given in the application. Any change of 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 f 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 deemed fit for the purpose of the Acts.
2. The industry would immediately submit revised application or consent to operate to the 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.
3. The applicant shall not change or alter either the quality or quantity of the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. 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.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
6. 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.
7. 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.
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
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 provision of the Act or Rules made therein.
 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 satisfaction the liquid effluent arising out of the operation of the air pollution control equipment shall 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.
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33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries of 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. Latter of authorization shall be obtained for handling and disposal of hazardous waste.
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 change or alter the terms and conditions of this consent.
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 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:

01. **Conditions stipulated in the Environmental Clearance approved and issued by SEIAA vide EC ID No.EC22B001OR190307 (Proposal No. SIA/OR/MIN/61829/ 2021), dtd.28.12.2022 shall be abided**
02. The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method 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/SPCB to assess the actual rate of replenishment of mined out sand in the lease area.
03. Mining activity shall be carried out as per approved mining plan prepared for this project.
 04. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
 05. 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.
 06. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
 07. The operation of excavation as proposed shall be manual and shall be strictly as per the method laid down in the approved mining plan. No excavator machine shall be deployed/used by the project proponent for the extraction of sand from the river bed.
 08. Mining operation should not be carried out without compliance of provisions as enumerated in the OMMC Rules, 2016 as amended thereof along with the Notifications of Ministry of Environment, Forest and Climate Change from time to time.
 09. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above.
 10. 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.
 11. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
 12. The lessee shall ensure that no sand mining is carried out in the areas as specified below;
 - a) During the rainy season.
 - b) Within the water channel or stream flow area throughout the year;
 - c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge. 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
 - d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
 - e) No stream shall be diverted for the purpose of sand mining and no natural water
-

course shall be obstructed.

- f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
 - g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
13. 1/4th of the width of river shall be left intact along the embankments on both sides as 'no mining zone' and 7.5m safety zone shall be left from all side of lease boundary.
 14. River Bank stabilization shall be made through stone patching. Stone patching on river bank with plantation in-between and the ramp construction shall be done in consultation with and advice of concerned Water Resource Department, Government of Odisha..
 15. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission.
 16. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
 17. Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
 18. Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
 19. 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 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.
 20. The following measures are to be implemented to reduce Noise pollution:-
 - a. Proper and regular maintenance of vehicles and other equipment
 - b. Limiting time of exposure of workers to excessive noise.
 - c. The workers employed shall be provided with protection equipment and earmuffs etc.
 - d. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 30 kmph to prevent undue noise from empty trucks.
-

21. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality.
 22. 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 shall plant saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Forest Gram Panchayat.
 23. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
 24. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
 25. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
 26. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
 27. Mine shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed there under.
 28. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by 30th April every year.
 29. In case the consent fee is revised upwards during this period of consent, the unit shall pay the differential amount to the Board to keep the consent order in force. If the industry fails to pay the amount within the period stipulated by the Board the consent order will be revoked without giving prior notice.
 30. The Board reserves the right to revoke/refuse consent at any time during this period incase any violation is observed and to modify / stipulate additional conditions as deemed appropriate.
 31. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to operate shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Air (Prevention and Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder.
 32. In case the proprietor/partner sells/transfers the unit to any other person, he shall intimate the same in advance and submit the audited balance sheet showing capital cost of investment including land & building, plant & machinery without depreciated cost.
-



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

To

Sri Pitambar Bhutia, Lessee
Nizagarh Zami Sand Quarry (Brahmani River Sand Bed),
AT/PO: Mandhapal, Talcher Town,
Dist: Angul-759107, Odisha

Mallick
06-04-23

REGIONAL OFFICER

Regional Officer

Memo No. 1293 /

Date 06-04-2023 State Pollution Control Board

Copy forwarded to:

1. The Member Secretary, SPC Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Angul
3. The D.F.O., Angul
4. The Joint Director Geology, Zonal Survey, Dhenkanal
5. The Tahasildar, Talcher, Angul
6. Guard File, Regional Office, Angul.

ANGUL

Mallick
06-04-23

REGIONAL OFFICER

Regional Officer

State Pollution Control Board

ANGUL

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3.82
8/9/15



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ODISHA.

(Constituted vide Order No. S.O. 2674 (E) Date 17th Nov. 2008 of Ministry of Environment & Forest, Govt. of India, Under Environment Protection Act, 1986.)

Qr. No. 5RF-2/1, Unit - IX, Bhubaneswar - 751022

E-mail : seiaaorissa@gmail.com

Ref. No. SEIAA/ 4271

Date 17.08.15
18.08.15

From

Sri S B. Samant, IFS
Member Secretary,
State Environment Impact Assessment Authority (SEIAA), Odisha,
Bhubaneswar

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20/09/15

The Tahasildar,
Tahasil- Talcher
Dist- Angul

Sub: Brahmani River Sand Bed of Sri Banamber Bhutia at village – Gopinathpur, Tahasil- Talcher, District- Angul (9.10 ha) - Environmental Clearance Regarding.

Sir,

This has reference to your letter no. 4166 dated 08.07.2015 seeking environmental clearances for the above project under EIA Notification 2006. The proposal has been appraised as per the provisions under the EIA Notification 2006 and on the basis of the documents enclosed with the application such as Checklist, Form-1, Prefeasibility Report, Approved Mining Plan etc. and observations of the State Expert Appraisal Committee, Odisha.

It is a proposed mining of minor mineral- Sand from Brahmani River Sand Bed located at Village- Gopinathpur, Tahasil- Talcher, District- Angul, Odisha with total production capacity of 38187 cum of sand over lease area of 9.10 ha. The Brahmani River Sand Bed has been negotiated by Tahasildar Talcher, to Sri Banamber Bhutia. The mining plan along with progressive mine closure plan of this mining project has been approved by the Deputy Director Mines Talcher Circle, Talcher on dt 20.07.2015. Mineable reserves as per the approved mine plan are 38187 cum with total production capacity of 38187 cum during the lease period as stated in the approved mining plan. There is no forest land involved in the lease area. There is no protected areas i.e. National

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park, Sanctuary, Habitat for Migratory Birds, Tiger Reserve, Protected Monuments, Inter-State boundary and critically polluted area as identified by CPCB etc. located within 5 km radius of the mine lease area and there is no court case / litigation pending against the project.

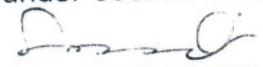
Considering the information/documents furnished by the project proponent, the State Expert Appraisal Committee (SEAC) after due considerations of the relevant documents submitted by the project proponent have recommended for Environmental Clearance with certain stipulations.

The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Environmental Clearance in favour of the project upto the lease period as recommended by the Tahasildar Talcher vide letter no. 4166 dated 08.07.2015 under the provisions of EIA Notification 2006 and 2009 and subsequent amendments thereto subject to strict compliance of the stipulated conditions as follows.

Stipulated Conditions:-

- 1) This environmental clearance shall be valid for the lease period as recommended by the lease granting authority.
- 2) The project proponent shall take statutory clearance /approval /permission from the concerned authorities in respect of his project as and when required.
- 3) The project proponent shall carry out mining activity strictly as per the approved mining plan submitted.
- 4) Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
- 5) Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
- 6) All mining activity shall be done manually and it shall be ensured that sand mining does not in any way disturb the flow pattern of the river water.
- 7) No in stream mining shall be allowed.
- 8) Sand mining shall not be carried out within 200 m of any existing structure such as bridges, dams, weirs, intake structure (s) either for irrigation or drinking water purposes, or any other cross drainage structure.
- 9) Sand mining operations shall not affect the existing sources for irrigation or drinking water or industrial purpose.
- 10) Vehicular emissions shall be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of minerals. The vehicles shall be covered with a tarpaulin and shall not be overloaded. The project proponent shall ensure that the vehicle must have pollution under control certificate.
- 11) The depth of mining shall not exceed 3 m/ water level, whichever is less.
- 12) Permission from the Competent Authority shall be obtained for drawl of ground water, if any, required for the project.
- 13) The project proponent shall take all precautionary measures during mining operation for protection & conservation of flora and fauna.

- 4) Personnel working in the project shall be provided with requisite safety devices such as masks, gloves etc.
- 5) The proponent shall take necessary measures to ensure no adverse impacts due to mining operations on the human habitation existing nearby.
- 16) The natural sand dune should not be leased out.
- 17) No mining shall be carried out in the vicinity of natural /manmade archeological sites.
- 18) The area from which the sand has been extracted be leveled and free of any foreign debris or materials.
- 19) The surface of stockpile and sand processing areas outside the river bed to be scarified to a depth of 50 cm, graded evenly and the top soil previously stored, shall be returned to its original depth over the area.
- 20) Necessary fund for environmental measures be deposited in Odisha Environment Management Fund as per the simplified guidelines provided by State Government in case of minor mineral extraction.
- 21) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal.
- 22) The proponent shall obtain all other mandatory clearances from respective departments, as applicable to the project before start of mining operation.
- 23) The SEIAA, Odisha may revoke or suspend the order, 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.
- 24) The conditions stipulated in the environmental clearance must be totally complied with before the lease granting authority.
- 25) Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- 26) That the grant of this Environment Clearance is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the lease granting authority/project proponent.
- 27) 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.


 17.8.15
 Member Secretary

Memo No 4272 /Dt. 17.08.15

Copy to

1. Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for kind information.
2. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for kind information.
3. Chairman, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for kind information.

4. Chief Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for kind information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for kind information.
6. Collector, Angul for kind information and necessary action.
7. Copy forwarded to Sri Banamber Bhutia, At/Po- Gopinathpur, Dist- Angul, for kind information.
8. Chairman/Member/Member Secretary, SEIAA for kind information.
9. Chairman, SEAC/Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
10. Guard file for record.


17.5.11
Member Secretary

Annexure - V

**State Environment Impact Assessment Authority, (SEIAA),
Odisha**

5RF-2/1, Unit – IX, Bhubaneswar – 751022, Tel: 0674-2541029

No. 3501/SEIAA

Dt. 25.11.2021

SEIAA File No. SIA/OR/MIN/64611/2021

To

Sri Banabar Bhutia
At/Po-Talcher
Dist-Angul
Pin-759100

Sub: Proposal of Sri Banabar Bhutia for EC of **Gopinathpur River Sand Bed**, over an area of **22.51 acres or 9.11 hectares** in village-Gopinathpur, Tahasil-Talcher, District Angul-Issuance of Terms of Reference (ToR) reg.

Ref: 1) Your online application dated 22.10.2021 for issue of ToR vide Proposal No: SIA/OR/MIN/64611/2021

2. SEIAA meeting held on 29.10.2021.

Sir,

This has reference to the online proposal submitted in the Ministry of Environment, Forest and Climate Change (SEIAA, Odisha) to prescribe the Terms of Reference (TOR) for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of the EIA Notification, 2006. For this purpose, the proponent had submitted online information in the prescribed format. (Form-1) along with Pre-feasibility Report, Checklist, DSR and Approved Mining Plan.

In this regard, I am directed to inform you that the proposal for ToR was considered in the meeting of SEIAA held on 29.10.2021 and the Authority have decided to issue ToR (Standard & Specific) for the project. Hence, under the provisions of the EIA Notification 2006 as amended, the Standard ToR (enclosed as Annexure-I) with public hearing along with specific ToR as mentioned below for the purpose of preparing environment impact assessment report and environment management plan for obtaining prior environment clearance is prescribed.

Specific ToRs

1. Whether it is an existing mine? If yes, submit the copy of Environmental Clearance and compliance to EC conditions from the Regional Office, SPCB. The year which last operated.
 - 1(a) 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 or 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 replenishment rate of sand may be studied as per the procedure laid down in the Enforcement and Monitoring Guidelines for Sand Mining, 2020 (www.moef.gov.in) issued by the MoEF&CC, Govt. of India. The finding of the study shall be submitted to SEIAA along with the final EIA / EMP report to assess the rate of replenishment of mined out sand.
2. Area of the 'no mining zone' specially demarcated within the list out area for safety of the river bank / any bridge or such other structure nearby; and the dimensions and geo-co-ordinates of this zone w.r.t lease boundary.
3. The Project proponent have to submit the Google map showing details about quarry area, nearest environmental sensitive location and sand transporting path from quarry to Village road/SH/NH and its distance.
4. Any approach road existing or will be constructed inside the safety zone?
5. Mitigation measures to be taken to ensure not to disturb free flow of river.
6. Distance of the river bank / embankment form the lease boundary. It is a river bank or embankment?
7. Any ramp existing or will be constructed on the river bank / embankment for movement of vehicles to reach the nearest road.
8. Distance of the village road / city road / district road / public road for the river bank. Is this road single road / double road?
9. No. of village (s) and name of village (s) or the city (s) or urban place (s) or semi urban place (s) through which the sand carrying vehicles will ply and the distance of it from the river bank or embankment whether there is any forest land in the intervening area through which the sand carrying trucks will ply.
10. Whether schools / colleges / hospitals / health centers / bus stops / religious places existing nearby and if so, the distances of it from the bank or the road through which the vehicle will ply or existing alongside the road?

11. Any plantation done in the safety zone or embankment in case of an existing mines and if so, the area of plantation, number of species? If not, the plan for it to arrest bank erosion.
12. Any stone packing in the river bank / embankment existing in case of existing mines and if not, the plan for it.
13. Whether, any alternative mine exists or explored or can be explored if this mine is otherwise found unsuitable? Please furnish details.
14. (i) Whether permission taken or will be taken from Water Resource Authority or the concerned Authority of the roads to be used for plying of vehicles loaded with sand or empty vehicles for the same after the river bank.
(ii) Responsibility of perennial perpetual maintenance of these roads and the mechanism for the same.
15. No and type of vehicles to be used daily and the frequency for the purpose of transportation and the time and duration of such transportation. Whether permission taken or will be taken for the appropriate authority for the purpose.
16. Intersection point of the haulage roads with the main SH / NH / public road and the traffic density study at appropriate locations by domain expert with remedial measures for decongestion and road safety.
17. (i) Any bridge (road / rail) existing and the distance of it from the lease boundary.
(ii) Any culvert or small bridge will be used by the plying vehicles carrying the sand minerals.
18. Any High Transmission Electric line existing and if yes, the distance of the same from the boundary of the lease.

The prescribed TOR would be valid for a period of four years for submission of the EIA/EMP report from the date of issue.

Yours faithfully,


Environmental Scientist

Memo No 3502/SEIAA
Copy forwarded to

Dated 25.11.2021

1. The ADM & Collector, Angul for information and necessary action.
2. The Deputy Secretary, of MM&S Branch of Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
3. The Tahasildar, Talchor, Dist-Angul for information and necessary action.


Environmental Scientist



**REGIONAL OFFICE OF
STATE POLLUTION CONTROL BOARD, ODISHA,
S3/3 INDUSTRIAL ESTATE, HAKIMPADA, ANGUL 759143**

CONSENT ORDER

By Regd. Post with A.D.

No.....2994...../

Quarry/ROAGL/ 91/2017-18

Dt.....25.09.2017.....

CONSENT ORDER NO.647

Sub: Consent to Operate

Ref: - Your application No. 1718476 dtd.23.07.2017 and compliance submitted on dtd. 23.09.2017

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

Name of the Industry: **M/s Brahmani River Sand Bed,**
Name of the Occupier & Designation: **Sri Banamber Bhutia, Lessee,**
Plot No. **100/343 of Khata No. 83 of Minor Mineral Mine lease hold area of Ac. 22.500**
(or 9.10 Ha.)Address: **At/PO – Gopinathpur, Tahasil: Talcher, Dist. – Angul**

This consent order is valid for the period up to dtd.31.03.2020

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

A. DETAILS OF PRODUCTS MANUFACTURED

Sl No	Product	Quantity	
1	Sand	2017-18-	10421 cum
		2018-19-	5725.5 cum
		2019-20-	4332.1 cum



B. DISCHARGE PERMITTED THROUGH THE FOLLOWING OUTLET SUBJECT TO THE STANDARD

Out-let No.	Description of the Outlet	Point of Discharge	Quantity of discharge KLD or KL/hr	Prescribed Standard
1	Domestic waste water	Soak pit via septic tank	-	-

C. EMISSION IS PERMITTED THROUGH THE FOLLOWING CHIMNEYS/STACKS SUBJECT TO THE PRESCRIBED STANDARD

Chimney stack No.	Description of Chimney/ Stack	Stack height (m)	Quantity of emission (m ² /hr)	Prescribed standard		
				Particulate Matters (PM)	SO ₂	NO _x
1						
2						

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 mining plan	-	-	-	As per approved mining plan.

**E. GENERAL CONDITIONS FOR ALL UNITS**

1. 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.
2. The 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.
3. The application 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.
4. The applicant 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 this 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.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
6. 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.
7. 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 sources
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's officers during the visit to the factory.
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 what so ever.
12. Separate meters with necessary pipeline for assessing the quantity of water used for each of the purposes mentioned below.



CONSENT ORDER

- 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 less 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 up stream 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 sources 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 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 provision of the Act or Rules made therein.
 24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples/stack monitoring/ inspection.
 25. The application 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



CONSENT ORDER

- resulting in any change in quality and/or quantity or 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 disposal discharge from the premises.
 30. In case of such episodal discharge /emission the industry shall take immediate action to bring down the emission within the limit 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 equipment, location, inspection chambers, sampling portholes shall be made easily accessible at all items.
 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 violation of the standards mentioned above shall be reported to the Head quarters 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 tress are plated at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries of 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 filling 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



CONSENT ORDER

Page 6

- burying shall be carried out in the presence of Boards authorized persons only. Letter of authorization shall be obtained for handing and disposal of a 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 there upon the applicant shall be bound to comply with the conditions so varied.
 38. The applicant his/her/legal representatives of 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 change or alter the terms and conditions of this consent.
 40. Not with standing any-thing contained in this conditional letter of consent the Board hereby reserves 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:- Special Conditions (Air Pollution Control & Water Pollution Control)The following special conditions shall be complied with and compliance report to be submitted to the Board within three months.**
1. The consent to operate is subject to Environmental clearance issued by State Environment Impact Assessment Authority (SEIAA), Forest & Environment Department, Govt. of Odisha, Bhubaneswar and its compliance to conditions issued there in.
 2. This consent to operate is granted subject to validity of lease agreement with Tahasildar, Talcher and subject to Environmental Clearance issued from SEIAA, Odisha
 3. The mining activities shall be carried out as per the approved mining plan and any change in mining activities/technology/scope shall not be made without approval of mining authority and SEIAA, Odisha



CONSENT ORDER

Page 7

4. The sand mining shall not be carried out within 200 m of any existing structure such as bridges, dams, weirs, intake structures(s) either for irrigation or drinking water purposes, or any other cross drainage structure.
5. The mining shall not be carried out in the stream of river.
6. The mining of sand shall be done manually and it shall be ensured that mining activities should not disturb the flow pattern of the river.
7. The sand mining should not affect the existing sources for irrigation or drinking water or industrial purposes.
8. The water sprinkling system should be provided in haul road, transportation roads, quarry areas, stocked piles areas and other dust generating areas to control the fugitive dust emission.
9. The unit shall maintain the Ambient air quality as per the prescribed standard of National Ambient Air Quality inside the mining lease area as annexed as **Annexure-II**.
10. The rejected sands if any shall be disposed off on low lying areas inside the lease hold area in proper manner without causing any environmental pollution.
11. The area from which the sand has been extracted be leveled and free of any foreign debris/materials after completion of mining and expiry of lease period.
12. The proponent shall take necessary measures to ensure no adverse impacts due to mining activities on the human habitations existing nearby.
13. The mining of sand shall not be done in safety zone and beyond the 3 meter depth or upto water table whichever is less of the lease hold area.
14. The Domestic effluent generated from the office premises shall be discharged to a soak pit via septic tank constructed as per BIS specification. The overflow of soak pit should not be discharged to outside without meeting the prescribed standard for General standard for discharge of Environmental Pollutants Part-A Effluents, for inland surface as annexed as **Annexure-I**.
15. The unit has to undertake that, in case of consent fee is revised upward during this period, they 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.
16. The unit shall abide by provisions of the E (P) Act, 1986 and the relevant rules framed there under.
17. The Board may impose further conditions or modify the conditions as stipulated in this order during period of consent to operate and may revoke this order in case the stipulated



CONSENT ORDER

Page 8

conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.

18. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to operate shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 as amended thereof and Rules framed thereunder.

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

To

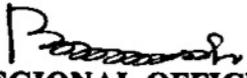
**Sri Banamber Bhutia, Lessee,
M/s Brahmani River Sand Bed,
At: Mandapal, Talcher Town, Word No. 03,
PO: Talcher Sadar, Talcher,
Dist. - Angul**


REGIONAL OFFICER

Memo No. 2995(7) Dt. 25.9.2017.

Copy forwarded to the:

1. Member Secretary, State Pollution Control Board, Paribesh Bhawan, Nilakantha Nagar, Unit-VIII, Bhubaneswar-12 for kind information.
2. Collector & District Magistrate, Angul
3. Mining office, Talcher Circle, Talcher, Angul
4. Asst. Director, Factories & Boilers, Angul
5. DFO, North Forest Division, Angul
6. Copy to Guard File, Regional Office of State Pollution Control Board, Angul
7. Copy to Guard File, State Pollution Control Board, Bhubaneswar


REGIONAL OFFICER

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CONSENT ORDER

Annexure-I

**GENERAL STANDARDS FOR DISCHARGE OF
ENVIRONMENTAL POLLUTANTS PART-A: EFFLUENTS**

Sl No	Parameters	Standards			
		Inland surface (a)	Public seweres (b)	Land for irrigation (c)	Marine Costal Areas (d)
1.	Colour & odour	Colour less or order less as far as practicable	---	See 6 of Annex-I	See 6 of Annex-I
2.	Suspended Solids (mg/l)	100	600	200	a. For process wastewater -100 b. For cooling water effluent 10% above total suspended matter of effluent
3.	Particular size of SS	Shall pass 850	----	---	---
4.	PH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
5.	Temperature	Shall not exceed 5° C above the receiving water temperature	----	--	Shall not exceed 5° C above the receiving water temperature
6.	Oil & Grease mg/l max	10	20	10	20
7.	Total residual chlorine	1.0	---	--	1.0
8.	Ammoniacal nitrogen (as N) mg/l max.	50	50	--	50
9.	Total Kjeldahl nitrogen (as NH ₃) mg/l max.	100	--	--	100
10.	Free ammonia (as NH ₃) mg/l max.	5.0	--	--	5.0
11.	Biochemical Oxygen Demand (5 days at (20° C) mg/l max.	30	350	100	100
12.	Chemical Oxygen Demand, mg/l max	250	---	--	250
13.	Arsenic (as As) mg/l max.	0.2	0.2	0.2	0.2
14.	Mercury (as Hg)mg /l max.	0.01	0.01	--	.001



CONSENT ORDER

15.	Lead (as Pb) mg/l max.	01	1.0	--	2.0
16.	Cadmium (as Cd) mg/l max	2.0	1.0	--	2.0
17.	Hexavalent Chromium (as Cr+6) mg/l max	0.1	2.0		1.0
18.	Total Chromium (as Cr) mg/l max	2.0	2.0	--	2.0
19.	Copper (as Cu) mg/l max	3.0	3.0	--	3.0
20.	Zinc (As Zn) mg/l max	5.0	15	--	15
21.	Selenium (as Sc) mg/l max	0.05	0.05	--	0.05
22.	Nickel (as Ni) mg/l max	3.0	3.0	--	5.0
23.	Cyanide (as CN) mg/l max	0.2	2.0	0.2	0.02
24.	Flouride (As F) mg/l max	2.0	15	--	15
25.	Dissolved phosphate (as P) mg/l max	5.0	--	--	--
26.	Sulphide (As S) mg/l max	2.0	--	--	5.0
27.	Phenolic compounds (as C ₆ H ₅ OH) mg/l max	1.0	5.0	--	5.0
28.	Radio active materials a-Alpha emitter Micro Curie/ml	10 ⁷	10 ⁷	10 ⁸	10 ⁷
	b-Beta emitter Micro curie/ml	10 ⁶	10 ⁶	10 ⁷	10 ⁶
29.	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
30.	Manganese (as Mn)	2mg/l	2mg/l	--	2mg/l
31.	Iron (as Fe)	3 mg/l	3 mg/l	--	3 mg/l
32.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	--	0.2 mg/l
33.	Nitrate Nitrogen	10 mg/l	--	--	20 mg/l



CONSENT ORDER

Annexure-II

PART - B : NATIONAL AMBIENT AIR QUALITY STANDARDS

Pollutant	Time weighted average	Concentration in ambient air		Method of measurement
		Industrial Area, Residential, Rural & other areas	Ecologically Sensitive Area (notified by Central Govt.)	
1	2	3	4	5
Sulphur Dioxide (SO ₂), µg/m ³	Annual average*	50	20	-Improved West and Gaeke method -Ultraviolet fluorescence
	24 hours**	80	80	
Nitrogen Dioxide (NO ₂), µg/m ³	Annual average*	40	30	-Modified Jacob & Honchheiser modified (Na-Arsenite) method -Chemiluminescence
	24 hours**	80	80	
Particulate Matter (size less than 10micron) or PM ₁₀ , µg/m ³	Annual average*	60	60	-Gravimetric -TOEM - Beta attenuation
	24 hours**	100	100	
Particulate matter (size less than 2.5micron) or PM _{2.5} , µg/m ³	Annual average*	40	40	-Gravimetric -TOEM - Beta attenuation
	24 hours**	60	60	
Ozone (O ₃) µg/m ³	8hours**	100	100	-UV Photometric -Chemiluminescence -Chemical Method
	1 hour**	180	180	
Lead (Pb), µg/m ³	Annual average*	0.50	0.50	-AAS/ICP Method after sampling on EPM 2000 or equivalent filter paper - ED-XRF using Teflon filter
	24 hours**	1.0	1.0	
Carbon Monoxide (CO), µg/m ³	8hours**	02	02	-Non dispersive infrared (NDIR) spectroscopy
	1 hour**	04	04	
Ammonia (NH ₃) µg/m ³	Annual*	100	100	-Chemiluminescence -Indophenol Blue Method
	24 hours**	400	400	
Benzene (C ₆ H ₆) µg/m ³	Annual*	05	05	-Gas Chromatography based continuous analyzer -Adsorption and Desorption followed by GC analysis
Benzo (a) Pyrene (BaP) – Particulate phase only, ng/m ³	Annual*	01	01	-Solvent extraction followed by HPLC / GC analysis
Arsenic (As), ng/m ³	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
Nickel (Ni), ng/m ³	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 / 8 hourly / 1 hourly should be met 98% of the time in a year. However, 2% of the time, it may exceed but not on two consecutive days of monitoring.