

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

Appeal No. 11/2024/EZ

Naresh Majhi-----Applicant(s)

Versus

State of Odisha & Ors.-----Respondent(s)

Affidavit on Behalf of the Opposite Party/Respondent No. 05 State
Environment Impact Assessment Authority (SEIAA), Odisha

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Place: Bhubaneswar

Date: 30/11/2024

Shri Apurba Ghosh
Advocate for Respondent No.05
(SEIAA), Odisha
C/o Partha Sarathi Shamajder
25/D Baderaipur Road
P:O Jadavpur, Kolkata -700032
Email-apu7law@gmail.com
Phone No.9476239442



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

Appeal No. 11/2024/EZ

Naresh Majhi-----Applicant(s)

Versus

State of Odisha & Ors.-----Respondent(s)

30 NOV 2024

Affidavit on Behalf of the Opposite Party/Respondent No. 05 State
Environment Impact Assessment Authority (SEIAA), Odisha

1. Dr. Pradeept Kumar Nayak, son of Sri Bhimasen Nayak aged 42 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.

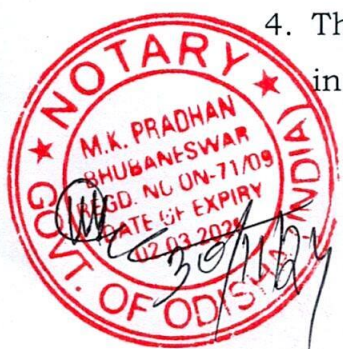
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.05 before this Hon'ble National Green Tribunal.

3. That, I have gone through the order dated 20.09.2024 of Hon'ble Tribunal and Original Appeal and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.

4. That, in reply to the averments made in the Para-01 to Par-36 in appeal, the deponent humbly submits that the following

Pradeept Kumar Nayak

Environmental Scientist
SEIAA, Odisha



~~MANJULA KUMAR PRADHAN~~
 NOTARY PUBLIC
 BHUBANESWAR
 REGD. NO. ON-71/200
 PH-9437627119 (M)

30/11/24

points are follows:

- i. Earlier, the SEIAA, Odisha vide letter No.-4510/SEIAA dated 17.08.2015 has issued Environmental Clearance (EC) for extraction of stone material from Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 Ha in Village-Kharabhuin, Tahasil-Harabhanga, Dist-Boudh in favour of Sri Dillip Kumar Mohanty, (ARSS Projects Limited) the lessee/successful bidder for a period of 5 years for extraction of 32810 cum of stone material in 5 years lease period. (A copy of the earlier EC letter dated 17.08.2015 is attached in **Annexure-I**).
- ii. After completion of 5 years lease period again, another lessee, Sri Krutibas Mishra had applied EC application to SEIAA, Odisha vide application no. SIA/OR/MIN/422346/2023 dated 01.11.2023 for Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District-Boudh State Odisha.
- iii. During EC application the PP had submitted earlier EC compliance where it is mentioned that mining activity was done as per approved mining plan and the depth of mining occurred not beyond 6-meter depth from surface level. (Copy of compliance of earlier EC conditions is attached in **Annexure-II**).
- iv. The Tahasildar, Harabhanga, Dist-Boudh has certified vide letter no. Nil dated that the Kharabhuin-I Stone Quarry bearing Khata no. 194, Plot no. 275/A in Kharabhuin village is not coming under DLC forest land. (Copy of DLC certificate is attached in **Annexure-III**).

Pradip Kumar Nayak

Environmental Scientist
 SEIAA, Odisha



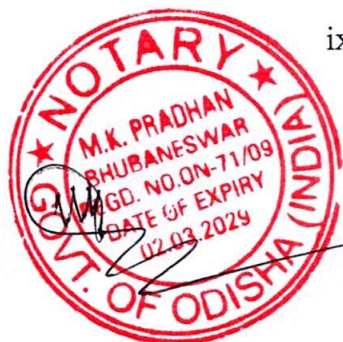
~~MANJULA KUMAR PRADHAN~~
~~NOTARY PUBLIC~~
~~BHUBANESWAR~~
 REGD. NO. ON-71/2009
 PH-9437627119 (M)

Manjula Kumar Pradhan

- v. The Tahasildar, Harabhanga also certified that Kharabhuin-I Stone Quarry bearing Khata no. 194, Plot no. 275/A and Kharabhuin Jungle-I Stone Quarry bearing Khata no. 02, Plot no. 50/A, area 2.023 acres kissam-Parbata area coming under single cluster with total cluster area 4.856 Ha accordingly, submitted cluster Environment Management Plan (EMP). (Copy of cluster certificate is attached in **Annexure-IV**).
- vi. The Tahasildar, Harabhanga vide his letter no.3293 dated 18.10.2023 has clarified that due to some clerical mistake in DSR report, the source name is wrongly mentioned as Kharabhuin-3 stone quarry in Para no. 02 of Page no. 32 while the correct source name is Kharabhuin-I stone quarry. (Copy of the Tahasildar letter is attached in **Annexure-V**).
- vii. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 29th April, 1st, 2nd, 3rd & 4th May 2024 and the SEAC recommended the proposal to grant EC upto the lease period with standard and specific conditions.
- viii. Based on the SEAC recommendation, the Authority, SEIAA, Odisha approved the EC application in 168th meeting held on 24.06.2024 & 25.06.2024 and accordingly, EC accorded for Kharabhuin-I Stone Quarry vide EC Identification No. - EC24B001OR180422 dated 10.07.2024. (Copy of the present EC letter is attached in **Annexure-VI**).
- ix. As per telephonic communication, the information received from the Regional Officer (RO), SPCB, Balangir, that the Kharabhuin-I Stone Quarry is not obtained CTO

Pradeept Kumar Nayak

Environmental Scientist
 SEIAA, Odisha



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

30/11/24

from SPCB after obtaining EC from SEIAA, Odisha dated 10.07.2024 and also, the lease agreement was not made till date for the said source.

- 5. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.
- 6. That the deponent reserves the right to file further affidavit as and when necessary.

Identified by
Advocate
[Signature]

Pradeep Kumar Nayak
Deponent

VERIFICATION Environmental Scientist
SEIAA, Odisha

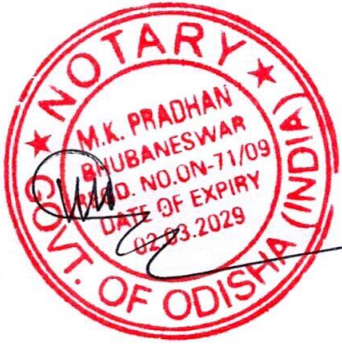
Verified at Bhubaneswar on this day of 30th Day of Nov, 2024

that the contents of the above affidavits are true and correct on the basis of the records maintained by the respondent in the daily course of its business, no part of it is false and nothing has been concealed therefore.

Place: Bhubaneswar

Date:

SWORN BEFORE ME *Pradeep Kumar Nayak*
Deponent
Environmental Scientist
SEIAA, Odisha



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

30/11/24

1129
7.9.15

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/ 4510

Date 12.08.15

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

D.A

M. Mohanty

12/08/15

To

The Tahasildar,
Tahasil- Harabhanga
Dist- Boudh

Sub: Kharabhuin Stone Quarry of Sri Dillip Kumar Mohanty (ARSS Projects Limited) at
Village- Kharabhuin, Tahasil- Harabhanga, District- Boudh (7.00 ac or 2.833 ha)-
Environmental Clearance regarding.

Sir,

This has reference to your letter no. 1792 dated 24.07.2015, 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- road material from Kharabhuin Stone Quarry located at Village- Kharabhuin, Tahasil- Harabhanga, District- Boudh, Odisha with total production capacity of 32810 cum over lease area of 7.00 ac or 2.833 ha. The mining lease of Kharabhuin Stone Quarry has been negotiated by Tahasildar Harabhanga to Sri Dillip Kumar Mohanty (ARSS Projects Limited) vide letter no. 846 dated 02.04.2015. The mining plan along with progressive mine closure plan of this mining project has been approved by Authorised Officer, Geologist O/o Joint Director Geology, (S.Z.) Berhampur-10 on dated 23.07.2015. Mineable reserves as per the approved mine plan are 164259 cum with total production capacity of 32810 cum for the lease period as stated in the approved

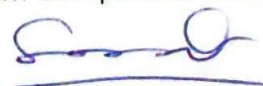
mining plan. A total area of 0.431 ha will be cleared under greenbelt plantation. There is no forest land involved in the lease area. There is no protected areas i.e. National Park, Sanctuary, Habitat for Migratory Birds, Tiger Reserve, Protected Monuments, Inter-State boundary and critically polluted 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.

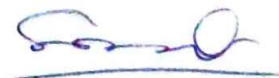
The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Environmental Clearance in favour of the project upto the lease period as recommended by the Tahasildar Harabhanga vide letter no. 1792 dated 24.07.2015 under the 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.
- 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) The project proponent shall ensure that no mining activity takes place beyond 6m below ground level.
- 7) No mining shall be carried out in the vicinity of natural / manmade archeological sites.
- 8) The project proponent shall ensure that quarrying is not carried out within 500m of structures, bridges, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures.
- 9) The project proponent shall ensure that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs/intervenes within the permitted depth, then also quarrying shall be stopped.
- 10) 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 at the time of closure of the operation of quarry.
- 11) Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
- 12) Drilling and blasting (wherever required) shall be done only either by licensed explosive agent after obtaining required approvals from Competent Authorities.



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- 13) The explosives shall be stored at site as per the conditions stipulated in the permits issued by the licensing Authority.
 - 14) Blasting shall be carried out after announcing to the public adequately through public address system to avoid any accident. All safety measures as per the various mining regulations must be ensured.
 - 15) Greenbelt shall be developed along the boundary of mining lease area as stated in the approved mining plan, with the native tree species or 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 over area less than 5 ha.
 - 16) Fugitive dust emissions from all the sources should be controlled regularly.
 - 17) Water spraying arrangement on haul roads, should be provided and properly maintained.
 - 18) Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
 - 19) 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.
 - 20) The following measures are to be further implemented to reduce air pollution during transportation of mineral:-
 - Roads shall be graded to mitigate the dust emission.
 - Over filling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
 - 21) The following measures are to be implemented to reduce Noise Pollution:-
 - (i) Proper and regular maintenance of vehicles and other equipment.
 - (ii) Limiting time of exposure of workers to excessive noise.
 - (iii) The workers employed shall be provided with protection equipment and earmuffs etc.
 - (iv) Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.
 - 22) Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, Govt. of India.
 - 23) The project proponent shall ensure that all measures are taken simultaneously for safeguard and maintenance of the health of the workers.
 - 24) Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
 - 25) The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (surface water and groundwater), if any, required for the project.
 - 26) The project proponent shall take all precautionary measures during mining operation for protection & conservation of flora and fauna.
 - 27) Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
 - 28) The proponent shall take necessary measures to ensure no adverse impacts due to mining operations on the human habitation existing nearby.
 - 29) 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.

- 30) The proponent shall obtain all other mandatory clearances from respective departments, as applicable to the project.
- 31) The proponent should re-vegetate the area with indigenous plants which were removed from the areas for the mining operation.
- 32) The area should be prepared in such a way as to stimulate / ensure the regrowth of vegetation.
- 33) 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.
- 34) The conditions stipulated in the environmental clearance must be totally complied with before the lease granting authority.
- 35) 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.
- 36) 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.
- 37) 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.


12.8.15
Member Secretary

Memo No 4511 /Dt. 12.08.15
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 Boudh for kind information and necessary action.
7. Copy forwarded to Sri Dillip Kumar Mohanty, C/o- ARSS Projects Limited, At- Baishpada, Po- Kharbhuin, Dist- Boudh for kind information and necessary action.
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.


12.8.15
Member Secretary

Compliance report of Kharabhuin Stone Quarry Village Kharabhuin over an Area of 7.00 acre or 2.833 ha under Harabhanga Tahasil of Boudh District, State Odisha.

COMPLIANCE REPORT

of

Kharabhuin Stone Quarry

Village- Kharabhuin

Tahasil – Harabhanga,

Dist. – Boudh, Odisha.

Area – 2.833 hectares

Of Sri Dillip Kumar Mohanty (ARSS Projects Limited),
Vide SEIAA Letter no. SEIAA/4510 Dated 17.08.2015

| Sl. No. | Stipulated conditions | Compliance |
|---------|---|---|
| 01 | This environmental clearance shall be valid for the lease period as recommended by the lease granting authority. | Yes, it is being granted by the competent authority i.e. Tahasildar Harabhanga for a period of 5 years. |
| 02 | The project proponent shall take statutory clearance/approval/permission from the concerned authorities in respect of his project as and when required. | Yes, I have taken statutory clearance from the concerned authorities. |
| 03 | The project proponent shall carry out mining activity strictly as per the approved mining plan. | The mining operations are done in accordance with mining plan |
| 04 | Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA. | No changes in mining technology. |
| 05 | Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made. | No changes |
| 06 | The project proponent shall ensure that no mining activity takes place beyond 6m below ground level. | The mining activity was carried out above the surface level, so there is no chance of mining beyond 6m depth. |
| 07 | No mining shall be carried out in the vicinity of natural/manmade archaeological sites. | The site is free from natural/manmade archaeological sites and mining is being carried out in the site specific area. |
| 08 | The project proponent shall ensure that quarrying is not carried out within 500m of structures bridges, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. | No structures, bridges, embankment, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures in present within 500 mtr. |
| 09 | The project proponent shall ensure that quarrying shall not be carried out below | The mining activity is being carried out |

Sri Dillip Kumar Mohanty

D.K. Mohanty
23/8/23

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Compliance report of Kharabhuin Stone Quarry in village Kharabhuin over an Area of 7.00 acre or 2.833 ha under Harabhanga Tahasil of Boudh District, State Odisha.

| | | |
|----|---|---|
| | ground water table under any circumstances. If ground water table occurs /intervenes within the permitted depth, then also quarrying shall be stopped. | without water table intervenes. |
| 10 | 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 at the time of closure of the operation of quarry. | Agreed, there is no sheds and equipment in the quarry area. |
| 11 | Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust. | Yes, Wet drilling method is adopted to control dust emissions Delay detonators and shock tube initiation system for blasting were used to reduce vibration and dust. |
| 12 | Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities. | Yes, Drilling and blasting is being done by the DGMS guideline, licensed explosive agent with approvals from competent authorities. |
| 13 | The explosives shall be stored at site as per the conditions stipulated in the permits issued by the licensing Authority. | Yes, the explosives are being stored at site as per the condition stipulated in the permits issued by the licensing authority. |
| 14 | Blasting shall be carried out in such a manner that the splinters generated shall not fall beyond the mining lease area. Blasting shall be carried out after announcing to the public adequately through public address system to avoid any accident. | Yes, Control blasting is carried out in mining area such a manner that the splinters generated not fall beyond the mining lease area. And the employ of the mining site was after announcing to the public adequately through public address system to avoid any accident during the time of Blasting. |
| 15 | Greenbelt shall be developed along the boundary of mining lease area, with the native tree species. | Greenbelt was developed along the boundary of mining lease area, with the native tree species like Chakunda, Neem etc. |
| 16 | Fugitive dust emissions from all the sources should be controlled regularly. | Regular control of Fugitive dusts emissions from all the sources was maintained. |
| 17 | Water spraying arrangement on haul roads, should be provided and properly maintained. | Water spraying arrangement on haul roads was provided & maintained on regular basis. |
| 18 | Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated. | Water sprinkling is done in the Loading and unloading areas including all the transfer points, to control the dust. |
| 19 | 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 | Maintenance of vehicles used for transportation are done regularly. All vehicles used have PUC. |

Sri Dillip Kumar Mohanty

DKMohanty
23/8/23

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Compliance report of Kharabhuin Stone Quarry in village Kharabhuin over an Area of 7.00 acre or 2.833 ha under Harabhanga Tahasil of Boudh District, State Odisha.

| | | |
|----|---|---|
| | 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. | |
| 20 | <p>The following measures are to be further implemented to reduce air pollution during transportation during transportation of mineral.</p> <ul style="list-style-type: none"> • Roads shall be graded to mitigate the dust emission. • Over filling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin. | <ul style="list-style-type: none"> • The entire road in the mining area is graded to mitigate the dust emission. • All the vehicles were covered with Tarpaulin and not overloaded during transportation |
| 21 | <p>The following measures are to be implemented to reduce Noise pollution</p> <ol style="list-style-type: none"> i. Power and regular maintenance of vehicles and other equipment ii. Limiting time of exposure of workers to excessive noise. iii. The workers employed shall be provided with protection equipment and earmuffs etc. iv. Speed of trucks entering or leaving the mine is to be limit to moderate speed of 25 Kmph to prevent undue noise from empty trucks. | <p>Yes,</p> <p>(i) Power and regular maintenance of vehicles and other equipment was done.</p> <p>(ii) Limiting time of exposure of workers to excessive noise was adopted.</p> <p>(iii) The workers employed was being provided with protection equipment and earmuffs etc</p> <p>(iv) Speed of trucks entering or leaving the mine was limited to speed of 25 kmph.</p> |
| 22 | Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control (Amendment) Rules, 2010 issued by the MoEF , Govt. of India. | We are obeying the (regulation and control) (amendment) rules, 2010 issued by the MoEF, Govt. of India. |
| 23 | The project proponent shall ensure that all measures are taken simultaneously for safeguard and maintenance of the health of the workers. | Measures has been taken for the health of the workers. |
| 24 | Topsoil if any shall be staked properly with proper slope with adequate measures and should be used for plantation purpose. | Yes, topsoil was staked properly with proper slope with adequate measures and were used for plantation purpose. |
| 25 | The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (surface water and groundwater), if any, required for the project. | Not required |
| 26 | The project proponent shall take all | All precautionary measures during mining |

Sri Dillip Kumar Mohanty

D.K. Mohanty
23/8/23

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Compliance report of Kharabhuin Stone Quarry in village Kharabhuin over an Area of 7.00 acre or 2.833 ha under Harabhanga Tahasil of Boudh District, State Odisha.

| | | |
|----|---|--|
| | precautionary measures during mining operation for protection & conservation of flora and fauna. | operation for conservation of flora and fauna like <ul style="list-style-type: none"> • Improving environmental performance • Building from reusable waste Investing in research and development of Green Mining Technology. |
| 27 | Waste oils used oils generated from the EM machines mining operation, if any shall be disposed as per the hazardous wastes (management, handing, and trans-boundary movement) rules 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha. | No waste oils used oils generated from the EM machines while mining operation. |
| 28 | The project proponent shall take necessary measures to ensure no adverse impact due to mining operations on the human habitation existing nearby. | As the mining area is devoid of human habitation so there has no adverse impacts due to mining operations. |
| 29 | A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad / Municipal Corporation, Urban Local Body and the Local NGO. | Yes, the EC copy was sent to the Sarpanch, Chhatranga. |
| 30 | The proponent shall obtain all other mandatory clearance from respective department, as applicable to the project. | All mandatory clearance was obtained as applicable to the project |
| 31 | The proponent should re-vegetate the area through indigenous plants which were removed from the areas for the mining. | The proponent is plating the indigenous plants which were removed from the areas for the mining. |
| 32 | The area should be prepared in such a way as to stimulate/ensure the re-growth of vegetation. | The area ere the greenbelt is developed is properly maintained to stimulate/ensure the regrowth of vegetation. |
| 33 | 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 the interest of environment protection. | All the conditioned were being followed |
| 34 | The conditions stipulated in the environment clearance must be totally complied with before the lease granting authority. | Agreed |
| 35 | Concealing the factual information or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of | Agreed |

Sri Dillip Kumar Mohanty

D.K. Mohanty
23/8/23

1X3

Compliance report of Kharabhuin Stone Quarry in Village Kharabhuin over an Area of 7.00 acre or 2.833 ha under Harabhanga Tahasil of Boudh District, State Odisha.

| | | |
|----|--|---|
| | environment (protection) Act , 1986. | |
| 36 | That the grant environment clearance is issued from environmental angle only and does not absolve the project proponent from the other statutory 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. | Agreed |
| 37 | 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 | No appeal against this environmental clearance is received yet. |

D.K. Mohanty
23/8/23

**Sri Dillip Kumar Mohanty
(ARSS Projects Limited),**

Sri Dillip Kumar Mohanty

~~14~~

CERTIFICATE OF NON FOREST LAND

With the help of land record present in our Tahasil it is found that of the following source is a revenue land. It is not coming under DLC and it is a Non forest Land.

Kharabhuin - I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha.

Sri 3.3.23

**Tahasildar, Harabhanga
(Charichhak)**

15

500 METER CERTIFICATE

It is to certify that there is only one mine located within 500 meter from the periphery of the lease area of Kharabhuin - I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha.

Land schedule of other mines located within 500 mtrs.

| Source name | Mouza | Khata no. | Plot no. | Area in hect. | Kissam |
|-------------------------------------|----------------------|-----------|----------|---------------|---------|
| Kharabhuin Jungle-I Stone Quarry | Kharabhuin Jungle | 02 | 50/A | 2.023 | Parbata |

Spel 3.3.23

Tahasildar Harabhanga
(CHARICHHAK)

16



OFFICE OF THE TAHASILDAR, HARABHANGA (CHARICHHAK) BOUDH.

Letter No. 3293/

Date - 18/10/2023

To

The Chairman
State Environment Impact Assessment Authority
5RF-2/1, Acharya Vihar, Unit - IX,
OPTCL Colony, Anand Bazar, Bhoi Nagar,
Bhubaneswar, Odisha 751022.

Sub: - Consideration of proposal regarding Kharabhuin - I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha.

Sir,

With reference to the subject cited above it is to inform you that due to some Clerical mistake in DSR report, the source name is wrongly mentioned as Kharabhuin-3 stone quarry in para No. 2 of page No. 32 while the correct source name is Kharbhuin-1 stone quarry.

In view of the above I would request you to please consider the above source for grant of EC.

Yours faithfully,


18/10/23
Tahasildar Harabhanga
(Charichhak)

Memo no. 3294 /Dated 18/10/2023

Copy submitted to The Collector, Boudh for rectification of source name in DSR Repot.


18/10/23
Tahasildar Harabhanga
(Charichhak)

17



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

ENVIRONMENTAL
CLEARANCE

To,

The -1
KRUTIBAS MISHRA
Bhajabalpur,Dharmashala -767062

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/422346/2023 dated 01 Nov 2023. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|---|
| 1. EC Identification No. | EC24B001OR180422 |
| 2. File No. | 422346/983-MINB2/11-2023 |
| 3. Project Type | New |
| 4. Category | B |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | Kharabhuin - I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha. |
| 7. Name of Company/Organization | KRUTIBAS MISHRA |
| 8. Location of Project | ODISHA |
| 9. TOR Date | N/A |

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

Date: 10/07/2024

(e-signed)
Dr. K. Murugesan, IFS
Member Secretary
SEIAA - (ODISHA)

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

This is a computer generated cover page.

PARIVESH

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





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*statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment
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ENVIRONMENTAL CLEARANCE FOR STONE QUARRY

Subject: Application of Sri Krutibas Mishra for extraction of stone metal from Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District-Boudh State Odisha-Environmental Clearance-Reg.

The project proponent, Sri Krutibas Mishra, the successful bidder has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MoEF&CC, GoI vide online application no. SIA/OR/MIN/422346/2023 dated 01.11.2023 for mining of stone from Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha.

2. Proposal in brief:

| | |
|---|--|
| Proposal No. | SIA/OR/MIN/422346/2023 |
| Date of Application | 01.11.2023 |
| File No. | 422346/983-MINB2/11-2023 |
| Project Type | New EC proposal |
| Category | B2 |
| Project/Activity including Schedule No. | 1(a) Mining of minerals |
| Name of the Project | Proposal for EC of Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha. |
| Name of the company/Organization | Sri Krutibas Mishra |
| Location of Project | Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha |
| ToR Date | N/A |
| Name of the Consultant | N/A |

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3. Project details: The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

- (i) This is a proposal for mining of stone from Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of Harabhanga Tahasil, District- Boudh State Odisha.
- (ii) The mining area is a part of Survey of India Toposheet No. F45S/10 and is bounded between the Latitude-20°35'12.2"N to 20°35'17.6" N and Longitude – 84°33'02.6"E to 84°33'13.30" E bearing Khata no. 194, Plot No. 275/A, Kissam-Parbata.
- (iii) The mining lease is an identified sairat source in the DSR. The from Kharabhuin-I Stone Quarry sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Harabhanga to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
- (iv) Documents submitted: -Form-1, PFR, DLC, EMP, checklist, Mining Plan and approval letter, DSR, Village sheet, Cluster certificate from Tahasildar, topo map etc.
- (v) Whether submitted KML file of the lease area-Yes
- (vi) Whether submitted scrutiny fee- Yes of Rs. 1000/- vide e Challan Reference Id no. 3375E16242 dt. 21.10.2022.
- (vii) Distance from nearest sanctuary/ESZ- Satkosia Gorge WLS-30.0 Km
- (viii) Whether the lease area coming in DLC report-No as certified by Tahasildar, Harabhanga on 03.03.2023
- (ix) Whether the lease area reflecting in DSR-Yes
- (x) Method of mining-Semi-mechanized, both drilling and blasting is proposed in the approved mining plan.
- (xi) Distance from nearest road bridge-4.80 km, Village road-1.30 km.
- (xii) Whether it is part of cluster –Yes, Kharabhuin Jungle-I stone quarry (EC granted by SEIAA, Odisha) having lease area 2.023 coming under cluster. The PP has submitted cluster EMP with budget provision of Rs. 2.30 Lakh (Capital Cost), Rs. 2.20 Lakh/annum (Recurring Cost) for Kharabhuin-I Stone Quarry and the same budget for Kharabhuin Jungle-I stone quarry.
- (xiii) Whether EC obtained earlier- Yes. EC obtained earlier from SEIAA; Odisha vide letter no. 4510 dt. 17.08.2015 and submitted EC compliance which is not



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- satisfactory. There id huge hole already exists in the lease, the quantity of stone material extracted from source and depth of mining is not submitted by PP.
- (i) Date of approval of mining plan- the Deputy Director of Geology, South Zone, Berhampur vide letter no. 39 dt. 06.01.2020
 - (xiv) Production capacity per annum-10080 cum/annum (max.), total production in 5 years period-50400 cum, Geological reserve-309505 cum and Mineable reserve-230598 cum.
 - (xv) The DSR has not been prepared as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others).
 - (xvi) The EMP budget provision of Rs. 2.30 Lakh (Capital Cost), Rs. 2.20 Lakh/annum (Recurring Cost) for Kharabhuin-I Stone Quarry and the same budget for Kharabhuin Jungle-I stone quarry.
 - (xvii) The cluster certificate has been furnished by the Tahasildar, Harabhanga certifying that there is another quarry are coming within the radius of 500meter of the proposed quarry. Hence it is coming under cluster proposal.
4. As per EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5 ha.
 5. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 29th April, 01st, 02nd, 03rd & 04th May 2024 and the SEAC recommended to grant EC valid from the date of EC accorded up to the lease period with additional conditions.
 6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 168th SEIAA meeting held on 24.06.2024 & 25.06.2024 and after detailed deliberation in the matter the Authority decided to grant Environmental Clearance with usual stipulated conditions as applicable for stone quarry.
 7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for Kharabhuin-I Stone Quarry over an area of 7.00 acres or 2.833 hectares bearing Khata no. 194, Plot no. 275/A in Kharabhuin village of**

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Harabhanga Tahasil, District- Boudh State Odisha with the following stipulations, environmental conditions and safeguards.

A: Stipulations:

| Sl. | Descriptions | Stipulation |
|-------|--------------------------|---|
| (i) | Lease Area: | 7.00 Acres or 2.833 Ha |
| (ii) | No Mining Zone: | 7.5meter safety zone from all along the lease boundary. |
| (iii) | Maximum Depth of Mining: | Maximum 6.00 Mtr. from the ground level/surface level of this area as stipulated in rule 37(1)(a) of the OMMC Rule, 2016. |
| (iv) | Method of Mining | Semi-mechanized with blasting |
| (v) | Permitted Quantity: | 1st year- 10080 cum/annum 2nd year-10080 cum/annum 3rd year-10080 cum/annum 4th year-10080 cum/annum 5th year-10080 cum/annum |
| (vi) | Validity Period of EC: | This EC is valid till validity of DSR or validity of lease period whichever is earlier. |

Specific Stipulation/Conditions

- (i) Consent / NoC shall be obtained from the concerned authority if village road is to be used for transportation. The said road shall also be maintained by the lessee.
- (ii) In view of likely revision of DSR the mention of this deposit with final coordinates is to be ensured.
- (iii) Depth of Mining as proposed should not be beyond 6m from the ground level/surface level of this area.
- (iv) Mitigation measures for flying Rock for safety be put in place.
- (v) Stone quarry project proponent need to maintain periodic health check-up records of their employees and ensure use of face mask by workers in crushing and handling sections of the stone quarry for ensuring that working personnel are not affected by silicosis.
- (vi) The boundary area of the deposit as per the revised / updated DSR to be defined by geo coordinates based on DGPS survey superimposed on the cadastral map.



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- (vii) Construction of garland drains retaining wall and settling tank should be ensured to prevent erosion during rainfall and to collect silt generated during the mining activity.
- (viii) Topsoil excavated during mining to be stacked separately in the ML area and to be used or plantation in and around the ML area.
- (ix) The project proponent shall undertake re-grassing of the area or any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for fodder, flora, fauna etc. after ceasing mining operation that is at the time of mine closure.
- (x) The project proponent shall maintain periodic health check-up records of their employees and ensure use of face mask by workers in crushing and handling sections of the stone quarry for ensuring that working personnel are not affected by silicosis.
- (xi) Haulage road shall be developed and maintained perennially and perpetually by the proponent in consultation with the concerned authority of the Govt.

B: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR/MINING OFFICER BEFORE EXECUTING LEASE AGREEMENT:

- 7.1 **Boundary Demarcation:** - The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- 7.2 **Digital Map:** -A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar/Mining officer shall be submitted to SEIAA, Odisha through email at seiaaodisha@gmail.com.
- 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. The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State

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Pollution Control Board and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEF&CC Regional Office for compliance and record.

- 7.4 **Tree Plantation:** -Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.3,00,000/-, with the respective District Environment Society for raising 600 plants of native species within 2 years in a suitable location adjoining to quarry.
- 7.5 **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar/Mining Officer and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.
- 7.6 **Condition by Collector:** - Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.
- 7.7 **Compliance report for Transfer of EC:** - Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar/Mining Officer concerned of the above environmental conditions and safeguards.

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

- 7.8 **Maximum permissible depth of mining:** - Maximum depth of mining from the top surface/ground level of this area, at any point, up to which quarrying may be permitted shall be **6 meters** as stipulated in rule 37(1) (a) of the OMMC Rule, 2016. Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously.

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- 7.9 **Maximum permissible quantity:** Maximum yearly quantity of extraction from the quarry shall not exceed annual limit as specified above under stipulation in Table 'A stipulations'-sl. A(v) and the total production shall be 50400 cum during the valid lease period of five years as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.10 **District Survey Report:** In view of likely revision of DSR as per the Ministry guidelines, the mention of this deposit in DSR with final coordinates is to be ensured by Tahasildar/Mining Officer **before expiry of the existing current DSR.** The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map. The Grant of EC for further period will be considered after submission of DSR approved by SEIAA as per the MoEF& CC, Govt. of India Notification S.O.3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others).
- 7.11 **No change in the mining plan without prior approval of SEIAA:** - Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of laterite stone from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.12 **Environmental Management Plan:** (i) EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in coordination with Tahasildar/Mining Officer. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar/Mining Officer shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- (ii) **The PP will implement the EMP with a budgetary allocation of Rs. 2.30 Lakh (Capital Cost), Rs. 2.20 Lakh/annum (Recurring Cost) for Kharabhuin-I Stone Quarry and the same budget for Kharabhuin Jungle-I stone quarry for the lease area as proposed during the valid lease period of 5**



years. The detailed expenditure on EMP shall be submitted with six monthly compliance report.

7.13 **No Mining Zone:** The lessee shall ensure that no quarrying or mining is carried out in the areas as specified below: -

- a) 7.5-meter safety zone shall be kept from all side of the lease boundary as per the approved mining plan.
- b) within 100m (minimum distance criteria when blasting is **not involved**) and within 200m (minimum distance criteria when blasting is **involved**) from residential/ public buildings, inhabited sites, protected monuments, Heritage sites, National/State Highway, District roads, public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dam, Reservoirs, river, Canals, lakes or Tanks, or any other locations etc.
- c) below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted mining depth, then the quarrying shall be stopped immediately;
- d) in the vicinity of natural /manmade archeological sites;

7.14 **Transport Safeguards:**

- a) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- b) Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
- c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- e) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar/Mining Officer may collect an appropriate additional road



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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.

7.15 Other Environmental Conditions: -

- a) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- b) Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- c) Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
- d) Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
- e) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- f) Permanent barricading/barbed wired fencing of the mining lease area site shall be done after completion of mining activities to prevent any danger for stray animals and human habitations from accidents.
- g) The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine. Filling of the ditch by fly ash is to be ensured by the lessee, as also fencing the area, guard wall for safety of cattle & traffic.

- 7.16 Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar/Mining Officer and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous

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- green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
- 7.17 **Reclamation & Restoration:**-Pursuant to MoEF & CC, O.M No 22-34/2018-1A.IIIdated 16.01.2020 and in compliance to the directions dated 8th January 2020 of Hon'ble Supreme Court in W.P. (Civil) No.114/2014 in the matter of Common Cause vs Union of India, the mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The Project Proponent shall submit a detailed plan of action in this regard to Tahasildar/Mining Officer within six months, indicating definite timelines and physical outcomes for the reclamation & restoration of the mined-out area. The Tahasildar/ Mining Officer shall submit a compliance report to SEIAA, Odisha at the end of lease period.
- 7.19 **Half-yearly Compliance Report:** - It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental and upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 7.18 **Statutory compliance on Grant of CTE & CTO from SPCB:-** Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board. The SPCB, Odisha shall ensure that there is no change in the extraction quantity as given in the EC stipulations in respect of year wise permitted quantity before giving 'consent to operate' to this project.
- 7.20 **Concomitant Monitoring:** - The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar/ Mining Officer, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non- compliance and also ensure that the project proponent submits quarterly compliance reports.
- 7.21 **Independent Monitoring:** -The concerned Regional Office of the MoEF & CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions



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 (Protection) Act, 1986*

- as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.22 **Revocation of EC:** -The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 7.23 **Change in Ownership of Lease:** - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar/ Mining Officer shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
8. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
9. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
10. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,

Member Secretary

Copy to

1. Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
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.

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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

4. Deputy D.G.Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Boudh, Sub-Collector, Boudh, DFO, Boudh, Tahasildar, Harabhanga /Mining Officer, Boudh for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

Member Secretary

