

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO----- of 2025/EZ

IN THE MATTER OF

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST

APPLICANT

Versus

STATE OF ODISHA &Ors

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Respondents

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PLACE: Bhubaneswar

SANKAR PRASAD PANI

DATE: 28/04/2025

ASHUTOSH PADHY



ADVOCATE

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SYNOPSIS

Application is being filed challenging the inaction of the government respondents in curbing the illegalities and violation of environment norms by the private respondent Tripurari Sahoo, the lessee of Gunadei Bramhani Sand Quarry, Over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha, and the said sand mining operation is in violation of Environment Clearance Conditions, Consent To Operate (CTO) Conditions, Sustainable Sand Mining Management Guidelines, 2016 and Enforcement and Monitoring of Sand Mining Guidelines, 2020, Odisha Sand Policy 2021, EIA Notification 2006 and Amendment 2016, Odisha Minor Minerals Concession Rules 2016 and Supreme Court Order in Deepak Kumar Case and Order of Hon'ble NGT in Sudarsan Das Case(OA 173 of 2018/PB). To summarise the violation of environment norms it may be listed as follows:

- i) Use of 3 heavy machines (Excavators) and hundreds of Heavy vehicles when Mechanical Mining is prohibited as per Sustainable Sand Mining Guideline 2016 and EC conditions
- ii) Mining beyond lease area
- iii) Sand mining operation during Monsoon seasons while the same is prohibited as per Sustainable Sand Mining Management Guidelines, 2016.

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- iv) Excess mining to the tune of more than 100 Hyva Truck load/day (one Hyva is having load capacity of around 20 Cubic Metres of sand) which is around **2,000 CM/Day** when the permission is only for **8618 CM for the third, fourth and fifth year**. Roughly around **41.03 Cubic Meter per day** is allowed for the rest of mining period, considering 210 days of sand mining in a year. The rate at which mining is on-going, the annual target has already been exhausted within 4 days of mining operation.
- v) Daily Mining Register has not been maintained and transit permits (Form Y) not given to every vehicle and this is being done in collusion with Tahasildar and Revenue Inspector.
- vi) No Pillar Posting and Demarcation of Lease Area prior to commencement of mining and presently quarry area beyond the lease area. Vehicles engaged in mining are overloaded and the spill over of wet sands on road makes the road muddy and accident prone during rainy days and cause air pollution during non-monsoon days.
- vii) There has been no monitoring of quantity of sand excavated and GPS Tracking of vehicles, Electronic Transit Pass, CCTV camera in mining site as prescribed in Enforcement & Monitoring Guidelines for Sand Mining, 2020.

- viii) Vehicular Transportation through densely populated villages. Further the carrying capacity of the roads has not been assessed and as such the existing road cannot withstand the pressure of hundreds of sand loaded heavy vehicles.

DATES AND EVENTS

- | | |
|------------|--|
| 26/04/2019 | That in order to check the illegal sand mining, Government of Odisha has come out with a guideline where instructions for prevention of illegal sand quarrying issued from time to time. |
| 11/11/2020 | That the Government of Odisha held its meeting for the optimum and sustainable exploitation of minor mineral for increasing availability of minor minerals augmentation of revenue |
| 30/03/2021 | Environmental clearance granted in favor of Tahasildar Odapada for sand mining in Gunadei Brahmani Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha, bearing Plot No.01, Khata No.301 (Kisam-Nadi) |
| 23/06/2021 | Consent to establish granted by Regional office of State Pollution control Board in favor of Tahasildar Odapada . |
| 09/07/2021 | Consent to operate granted by Regional office of State Pollution control Board in favor of Tahasildar |

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Odapada for extraction of 10000cum of sand in the first year.

- 31/05/2022 Consent to operate renewed by Regional office of State Pollution control Board and granted in favor of Tahasildar Odapada for extraction of 10000cum of sand.
- 12/07/2023 Environmental clearance transferred in favor of Private Respondent for sand mining in Gunadei Brahmani Sand Quarry over an area of 11.80acres or 4.77 ha in village Gunadei under OdapadaTahasil of Dhenkanal District Odisha, bearing Plot No.01, Khata No.301 (Kisam-Nadi).
- 25/07/2023 Consent to operate granted by Regional office of State Pollution control Board in favor of private respondent for extraction of 2500 cum of sand in the 3rd year.
- 06/05/2024 Amendment EC granted in favor of Private Respondent.
- 03/06/2024 Consent to operate granted by Regional office of State Pollution control Board in favor of private respondent for extraction of 8618 cum of sand in the 3rd year.
- 10/01/2025 Photographs taken by applicant suggesting mechanical mining
- 12/02/2025 Complaint by the applicant to the concerned authorities

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

*(Under Section 14, 15, 20 read with Section 18 of the National Green
Tribunal Act)*

Original Application No----- OF 2025/EZ

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST,
Represented by its president Santanu Kumar Bhukta S/o Golak
Bhukta, Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-
Angul, Odisha, 759104 **APPLICANT**

VERSUS

1. **State of Odisha** represented by Chief Secretary, Government of Odisha, Lokaseva Bhawan, 751001 Bhubaneswar csori@nic.in
2. Additional Chief Secretary, Forest and Environment Dept, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751001, Email: fesec.or@nic.in
3. **District Collector, Dhenkanal**, At/Po/Dist-Dhenkanal, Odisha 759001, Email- dm-dhenkanal@nic.in
4. Tahasildar, Odapada, At/Po- QC6M+RXQ, Odapada, Odisha 759019, Dist- Dhenkanal, Email- tah.odapada-od@nic.in
5. Deputy Director of Mines, Talcher, At/Po- W6X8+66X, Remuan Rd, Talcher, Odisha 759100, Email- ddm.talcher@orissaminerals.gov.in

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6. Deputy Director General of Forests, Ministry of Environment and Forests, Climate Change, Integrated Regional Office, Bhubaneswar, A/3, Rail Vihar, Chandrasekharpur, Bhubaneswar, Odisha 751023 roez.bsr-mef@nic.in
7. **Member Secretary**, Odisha State Pollution Control Board A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, Email: member.secy@ospcboard.org
8. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022, email: ms-seiaa-or@gov.in
9. Sri Tripurari Sahoo, (Lessee Gunadei Brahmani Sand Quarry), At-Sandapasipatana, Po: Gondíapatana, Dhenkanal-759016, Odisha
10. Joint Director of Geology Zonal Survey, Dhenkanal, At/Po- JHRR+96W, Mahisapat, Dhenkanal, Odisha 759001, Email- N/A

RESPONDENTS

MOST RESPECTFULLY SHOWETH:

- I. The address of the Applicant is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. That the present Application is being filed challenging the inaction of the Government Respondents in curbing the illegalities and violation of Sustainable Sand Mining Management Guidelines 2016, environment norms by the private respondent which has been leased out in favour of the Gunadei Brahmani Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha, and the said sand mining operation is in violation of Standard Environment Clearance Conditions and Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020, Odisha Sand Policy 2021, EIA Notification and Supreme Court Order and Order of Hon'ble NGT.

FACTS

1. That the applicant namely Youth United for Sustainable Environment is a registered trust with a mandate for protecting the public interest. The president of the applicant society has continuously brought to the notice of government authorities on violation of environment norms and illegal

mining operation. He has also filed some cases before this Hon'ble Tribunal.

2. The **present application challenges the illegal operation of sand mining in Gunadei** Brahmani Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha, bearing Plot No.01, Khata No.301 (Kisam-Nadi) **in violation of Sustainable Sand Mining Management Guideline, 2016.** That the first Environmental Clearance was granted in favour of the Tahasildar Odapada on dated 30/03/2021 for extraction of sand not exceeding 10000 cum/year and the same EC was granted in an adhoc manner and is liable to be revoked after one year i.e. after 15th May, 2022 if satisfactory replenishment study report is not submitted. Copy of the EC dated 30/03/2021 granted in favour of Tahasildar Odapada on dated is annexed here unto as **ANNEXURE-1.**
3. That in the EC letter dated 30/03/2021 it is specifically mentioned under condition No. 4 e that, **“As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 21422 cum of sand, when extracted upto a depth of 1.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as**

per orders dated 12.12.2018 of the Hon'ble NGT". That from this condition it is clear that the EC has been granted without the pre requisite documents.

4. That in the EC letter dated 30/03/2021 it is specifically mentioned under condition No. 4 f that, "The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation As reported by the tahasildar, a river bridge is at a distance of 7.4Km away from the mining lease area". That as on today neither the Tahasildar nor the present lessee has furnished the width of the river and the sand transportation path.
5. It is pertinent to mention here that the EC granted on dated 30/03/2021 in favour of Tahasildar Odapada was granted in an adhoc manner with a condition that the PP i.e the Tahasildar have to furnish the ARSS report before 15th May 2022 failing to which the EC is liable to be revoked but in the present case the Tahasildar failed to submit the ARSS report prior to the 15/05/2022.
6. It is further submitted that on dated 12/07/2023 the EC which was earlier granted in favour of the Tahasildar Odapada was transferred to the present lessee (i.e Respondent No.9). Copy of the transferred EC letter dated 12/07/2023 is annexed here unto as **ANNEXURE-2**.
7. That in the transferred EC letter dated 12/07/2023 it is categorically mentioned that "This is a violation case as the quarry operated earlier

without transfer of EC.” It is not out of place to mention here that the SEIAA authorities are well aware about the illegal mining and even after knowledge regarding the without inspecting the site the authority choose to transfer the EC in favour of the lessee.

8. That on 12/07/2023 transfer of Environmental Clearance (EC) of Gunadei Brahamani River Sand Bed issued vide SEIAA, Odisha EC letter/EC identification no. 1133/SEIAA dated 30.03.2021 in favour of Sri Tripurari Sahoo, the successful bidder to extract 2500 cum (i.e. 25% of the 1st year production quantity 10000 cum allowed in the EC) of sand material for 3rd year lease period. PP shall submit Annual rate of replenishment study (ARRS) report by 31 December 2024 through ORSAC empanel agency. The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier. Pertinent to mention here that the DSR of Dhenkanal District is not approved by SEIAA for which the Transfer of EC is not valid per se from the date of transfer.
9. It is further submitted that under the heading of Additional stipulations in point ‘b’ it is categorically mentioned that “The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier”, in the present case the DSR of Dhenkanal District is not valid as the same was not approved by the SEIAA, for which the validity of the EC comes to an end.

10. It is further submitted that under the heading of Additional stipulations in point 'c' it is categorically mentioned that "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", but as on date no such pillar has been erected/posted by the project proponent.

11. That on 06/05/2024 amendment of Environmental Clearance (EC) letter no. Identification no. 1133/SEIAA dt. 30.03.2021 issued for Gunadei Brahmani River Sand Quarry in favour of Sri Tripurari Sahu was allowed for extraction quantity of sand 8618 cum/annum for rest of the lease period i.e. for 3rd year, 4th year and 5th year. It is pertinent to mention here that for the whole 3rd year the permissible quantity is 8618 cum. Roughly around **41.03 Cubic Meter per day** is allowed for the 3rd year, considering 210 days of sand mining in a year. The rate at which mining is on-going, the annual target has already been exhausted within 4 days of mining operation and now the lessee has engaged himself in illegal extraction of sands from Gunadei Brahmani River Sand Quarry. Copy of the amendment of Environmental Clearance dated 06/05/2024 is annexed here unto as **ANNEXURE-3**.

12. It is not out of place to mention here that the private respondent is now engaged himself in Excess mining to the tune of more than 100 Hyva

Truck load/day (one Hyva is having load capacity of around 20 Cubic Metres of sand) which is around **2,000 CM/Day** when the permission is only for **8618 CM for the whole third year**.

VIOLATIONS OF CTE CONDITIONS

13. That on dated 23/06/2021 CTE was granted by State Pollution Control Board in favour of Tahasildar Odapada for production of Sand of capacity 50,000 Cubic Meter (total) (annual production not more than 10,000 Cubic Meter) during valid mining lease period (as per approved mining plan and Environmental Clearance) over mining lease area of 11.80 acres or 4.77 ha bearing Plot No.01, Khata No.301 (Kisam-Nadi), at Mouza: Gunadei, Tahasil Odapada in the district of Dhenkanal. Copy of the CTE dated 23/06/2021 granted in favour of Tahasildar Odapada is annexed here unto as **ANNEXURE-4**.

That the following CTE conditions are being violated by the PP

- I. No change in mining technology and scope of working shall be made without prior approval of the Board.
- II. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study

report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area, Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. **after 15th November, 2021** if satisfactory replenishment study report is not submitted.

- III. Mining activity shall be carried out as per approved mining plan prepared for this project.
- IV. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry/concrete pillars by the project proponent.
- V. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.

- VI. 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.
- VII. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha/SPCB, Odisha/ Regional Office of the MoEF& CC Bhubaneswar, in hard and soft copies on 1 day of January, April, July, October of each calendar year, failing which EC/CTE (NOC)/CTO is liable to be revoked.
- VIII. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
- IX. 10% of the width of river shall be left intact along the embankments on both sides as 'no mining zone'.

14. That pursuant to CTE dated 23/06/2021 on dated 09/07/2021 the first CTO was granted in favour of Tahasildar Odapada for extraction of 10000 Cum of sand from Gunadei Bramhani sand quarry situated over Plot No.01, Khata No.301 over an area of 11.80 Acres or 4.77 Ha, Mouza: Gunadei, Tahasil: Odapada, Dist: Dhenkanal. That the same

CTO was valid up to 02/06/2022. That the CTO was granted by the Board with a clear condition saying that the mining should be manual by engaging local labourers but in the present case the lessee is extracting sands by using Excavators and heavy machines from the date of grant of EC i.e 30/03/2021.

15. It is submitted that again on dated 31/05/2022 the CTO for Gunadei Bramhani sand quarry was renewed by the Board without verifying the compliance of previous CTO conditions, which clearly shows that the Board is also in nexus with the lessee of Gunadei Bramhani sand quarry.

16. It is pertinent to mention here that though on dated 09/07/2021 and on dated 31/05/2022 the CTO was granted in favour of the Tahasildar Odapada but the private respondent use to extract sands from the said sand quarry without having CTO in his name. Copy of the CTO dated 09/07/2021, 31/05/2022 and 25/07/2023 is annexed here unto as **ANNEXURE-5.**

17. That on dated 25/07/2023 the lessee i.e Respondent No.-9 got the CTO in his name for extraction of 2500 cum of sand from Gunadei Bramhani sand quarry. That the CTO was granted with 43 general conditions and 39 special conditions out of which most of the CTO conditions are being violated by the lessee but no action has been taken neither by the Board nor by the lease granting authority i.e Tahasildar Odapada.

18. That on dated 03/06/2024 the CTO granted in favour of Respondent No.-9 is renewed without verifying the compliance of previous CTO and the CTO was renewed in mechanical manner. That the CTO granted on dated 03/06/2024 is granted for extraction of 8618 cum of sand but the lessee has already extracted the permissible quantity of sand and now illegally extracting sands beyond the permissible limit and beyond the lease area. Copy of the CTO dated 03/06/2024 is annexed here unto as **ANNEXURE-6.**

VIOLATIONS OF CTO CONDITIONS

19. That the following CTO conditions are being violated by the lessee
- I. Mining activity shall be carried out as per approved mining plan prepared for this project.
 - II. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
 - III. The project proponent should carry out River bed sand mining manually by engaging local labourers in force to check over exploitation of sand at the source.
 - IV. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry/concrete pillars by the project proponent.
 - V. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no

natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.

- VI. 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.
- VII. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1 day of January, April, July, October of each calendar year, failing which EC/CTE (NOC)/CTO is liable to be revoked.
- VIII. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
- IX. 10% of the width of river shall be left intact along the embankments on both sides as no mining zone.

- X. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- XI. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.

20. That because of the political influence, the Mining Officer and Revenue officers have closed their eyes to the illegalities of the lessee and no

action has been taken in terms of measurement of quarry and recovery of cost of the minerals.

21.Mechanical Mining: It is humbly submitted that the mining is supposed to be of Dry Pit and **Manual means of mining and loading.** However the mining is done by engaging Earth Mover/Machines of different capacities which is strictly prohibited and not approved by any of the regulating authorities. The Mining plan suggests that operation shall be manual, No sand shall be collected from the stream of the river, Sand mining will be carried out only 1mts from the existing surface. Mining will be carried in the day time only. Extraction of sand in the monsoon season will not be done. But here in this Three machines are being used for sand mining they are Hyundai 210 Machines **with** 5.7m Boom length and 2.9m Arm length. The Bucket capacity is around 1.22 Cubic Meter. Copy of Photographs dated 10/01/2025 depicting Mechanical Mining is annexed here unto as **ANNEXURE-7.**

22.Mining beyond the lease area: It is needless to mention that sand mining is going illegally as the lessee is mining the sand beyond the permitted lease area as per the knowledge of the petitioner the mining is carried out from the permitted lease area also from the nearby areas. From the KML file uploaded in SEIAA website, it is clear that he is illegally extracting sand from beyond the permitted area. The KML file uploaded for the leased out quarry is almost 900metres from where the quarry

operation is ongoing. The same is evident from the google earth images where in the lease areas and mining operation areas are clearly visible. Copy of the KML file (Keyhole Markup Language) photograph along with google earth image is here unto annexed as **ANNEXURE-8**.

23.Excess Mining and Transportation through Hyva: Excess mining to the tune of more than 100 Hyva (12 wheeler and 16 wheeler) load/day (one Hyva is having load capacity of **22 Cubic Metres of sand**). **The plying of vehicles occurs** throughout day and night and at least 2,000 CM/Day when the permission is only for **8618 CM** in the year 2024-25 and that comes **around 41.03 Cubic Metre per day** considering maximum 210 days of sand mining in a year. Roughly only **2 Hyva Load of Sand** can be permitted to lift and transport daily from the Sand Source.

24.It is humbly submitted that the normal dates for onset of monsoon for Odisha state is 5th June and withdrawal date is 15th October and same has been considered in the Sustainable Sand Mining Management Guidelines, 2016. The River Bed mining should only be allowed during the dry season. No River bed mining should be permitted during rainy season. That the data suggest the mining was done during the Monsoon Period. However no action has been taken by any of the Authorities.

25.No Pillar posting in the lease area: Though the mining plan suggests that the lease area has been demarcated by the Revenue Inspector but on ground there has been no demarcation and no distinct pillar posting allowing the mining to spread randomly all across the riverbed.

26.No display board (information details) of statutory clearances in the lease area: The details of environment clearance are supposed to be displayed in the lease area by the lessee and no such information of statutory clearances has been displayed in the mining lease area.

27. Carrying capacity of the road and impact of plying of sand loaded heavy vehicles on local population has not been studied: Transporting sand loaded heavy vehicles through the village, very close to the old houses, resulted in serious damage and directly affecting the safety of the villagers. Many houses are located in very close vicinity to the village road and the heavy vehicles are frequently running just in front of house with a distance of around 20 to 30 feet. Some families are greatly suffering by getting exposed to the heavy amount of fine dust due to constant movement of heavy number of sand loaded hyva trucks, both day and night and the local villages are forced to continuous exposure of heavy amount of aerosol particles every day through the ingestion, inhalation and all other possible ways. Due to intolerance to heavy amount of fine dust, many of the local villagers are suffering from

serious health hazard and some of the symptoms/complicacies seem to be irreversible in nature. Needless to say EC condition specifies **that the transportation will not take place through village road.**

28.Impact on the flow pattern of the river water - Due to mechanical sand mining, now there is a threat of change in river course and already disturbed the flow pattern of the river water. This data is clearly evident from the image captured through Google map. This is most likely to affect the safety of the nearby villagers, therefore, the villagers prayed before the opposite parties to restrain the sand mining in violation of Sustainable Sand Mining Management Guidelines, 2016.

29.Transporting sand loaded heavy vehicles through the Village roads (RD) resulted in complete damage and local peoples are suffering. This road provides connectivity for the villagers for their educational, health and marketing facilities etc. This RD road was constructed by Rural Development Department, Odisha. On the basis of the pavement strength and carrying capacity, **“Heavy Vehicles Prohibited”** through this village road. Due to continuous plying of sand loaded heavy vehicles the RD road is fully damaged.

30.Revenue loss to state exchequer and Corruption by the Tahasildar Odapada: That the Tahasildar Odapada, in connivance with the lessee have been causing huge amount of loss to the state exchequer by

extracting hundred times more than the permitted quantity without paying the Royalty for the entire extracted quantity.

31.Replenishment Study and Pre and Post Monsoon Assessment Not

conducted: There has been no replenishment study conducted as required after every monsoon season and assessment of extraction prior to monsoon were also not conducted by the Mining Department and thereby allowing the excess mining to be covered up and resulting in loss of revenue and deep sand mining.

32. In stream Mining, Obstruction and Diversion of River Course:

The mining is carried out in contravention of the Mining Plan and standard Environment Clearance conditions. Based on the information gathered from historical imagery before granting lease, it is clearly revealed that near to the riverbank of Bramhani because of deep sand mining from this area, it looks like small reservoirs/ponds where the water color is very dark. This clearly revealed that the sand was possibly excavated from very high depth (expected depth more than 20 to 30 feet or maybe more). Also the Google image revealed that there seems to be huge amount of sand mining carried out from the sand deposits inside the river stream. The magnified image clearly revealed that a small bridge is constructed over the river stream and a drastic decrease in recent sand deposit area. Also various road network constructed inside the river by dumping the

Slags/Waste Materials of Steel Plants. The photograph dated 10th January 2025 confirm the same and the authorities duty bound to inspect the lease area has derelicted duty and possible bribery to be a mute spectator cannot be ruled out.

33.That in order to check the illegal sand mining, Government of Odisha has come out with a guideline dated 26/04/2019 where instructions for prevention of illegal sand quarrying issued from time to time. The instructions include robust monitoring mechanism, revenue and police administration shall seize the machine and vehicles, criminal proceedings, temporary check gates, squads should be constituted, technical support of ORSAC may be taken for satellite based monitoring, all complaints of unauthorized quarrying be inquired **by Sub-Collector/Tahasildar within 72 hours** and prompt remedial measures be taken and monthly review of violation cases are suggested in the guideline and none of the points have been followed by the District Administration and Tahasildar. Despite of the illegal mining takes place since 2021, no action has been taken as on date while action should have been taken within 72 hours and to this effect responsibility of the officers may be fixed. Copy of the Government order dated 26/04/2019 is annexed here unto as **ANNEXURE-9**

34. That the Government of Odisha held its meeting for the optimum and sustainable exploitation of minor mineral for increasing availability of minor minerals and augmentation of revenue. Copy of the minutes meeting held on 11/11/2020 is here unto annexed as **ANNEXURE-10**.

35. That the petitioner approached all the concerned authorities to stop the illegal mining but no action has been taken till date, copy of the complaint letter dated 12/02/2025 is here unto annexed as **ANNEXURE-11**.

36. It is pertinent to mention here that mining was allowed without a proper District Survey Report as required to be done by Geology Department, Mining Department Irrigation Department, Forest Department, Public Works Department, Ground Water Boards and Remote Sensing Department as prescribed in Appendix X (procedure for preparation of DSR) and Paragraph 7(iii) of EIA Notification Amendment dated 15th January 2016. Possibly the EC has been granted in absence of Joint inspection report from Sub-Divisional Committee comprising of Sub Divisional Magistrate, State Pollution Control Board, Forest Department, Irrigation Department and Mining Officer.

37. There is no monitoring of compliance of conditions of CTO by the Regional Office of SPCB, Angul considering the threat to the embankment, loss of revenue, violation of mining plan and standard Environment Clearance conditions, damages to the riparian ecology, the applicants have requested the authority to immediately enquire into the

matter and take appropriate action against the lessee. It is submitted that as per Govt. of Odisha Revenue Disaster and Management Department letter dated 26/04/2019, the illegal sand extraction are required to be inquired by the Sub-Collector/Tahasildar within 72 Hours of the complaint and same has not been followed here indicating the connivance of the authorities with the lessee. The Sub-Collector has failed in discharging his duties for not taking legal action to restrain the mechanical mining and plying of Hyvas and for that appropriate disciplinary proceedings is needed after due inquiry.

38.That the Joint Director of Geology Zonal Survey, Dhenkanal who approved the mining plans of Sand Beds with conditions has a duty to monitor if the conditions are complied and not violated. Also while submitting form. Also while submitting the annual return in Form Z for the mining circle for every financial year has to state the quantity of mineral extracted and not just rely on the statement of lessee. In this regard also no such measurement takes place for sand mining in the mining circle.

39.That the EC condition specifies that non satisfactory implementation of the conditions and failure to comply any of the conditions will lead to suspension of EC letter, Revocation/Withdrawal of EC letter and proceedings under EP Act, 1986.

40. Mining in Safety Zone and Close to River Bank: The photographic evidences confirms that the mining operation is violating the safety Zone and 1/4 width of stream bed from the River Bank. It is pertinent to mention here that for this purpose the miners have constructed embankment over the flow and rest of the river stretch to the mining source is being connected by the raising the sand bars filled with Sandbags and morrum and broken bricks are laid on it so that the heavy vehicles can move over it

41. That the Procedure for Processing of Consent to Operate (CTO) Application by State Pollution Control Board, Odisha as uploaded in website of Odisha State Pollution Control Board says that **inspection of the site and compliance of CTE condition is pre-requisite**. The relevant portion is reproduced as follows:

“5. The concerned officers at HO / RO shall scrutinize the application and raise clarification to the industry online, if any deficiency / discrepancies are observed in respect of consent application or its accompaniments or fees. **Simultaneously, they will take steps for getting inspection report** so as to avoid delay and early disposal of the case.

6-The concerned officers of Regional office of OSPCB shall **conduct inspection of the industries and mines**, conduct monitoring

of stack emission, ambient air quality, analysis of effluent samples etc. as per the standard procedure prepared for Air and Water sampling and analysis. They should also **verify compliance to the Consent conditions** (directions, if any) and **upload the detailed observations (inspection and monitoring reports) online”**

Further the check list prepared the board also requires compliance status of consent to establish for issuing consent to operate to a unit and the same has not been followed in the present case. Further **the CTO and CTE is issued mechanically without any inspection of the site.** Copy of the guideline and checklist prepared by the Board and the link to the site is as follows:
<http://ospcboard.org/wp-content/uploads/2017/03/09-Jun-2016PROCEDUREFORCTOAPPLICATION1.pdf>

42.That after issuing CTO, the State Pollution Control Board did nothing to ensure if the conditions in the Consent to Operate were complied in letter and spirit. The authorities have also not acted upon the complaint petition of the applicant. The violations continue unabated and no action has been taken by the pollution control board to revoke the consent to operate and ensure that the mining activity stops. The Consent Condition Point 1 (General) says that any change or deviation made in the actual practice from particulars furnished in application will be the ground

liable for revocation of consent. Here the application is for Manual Mining while in reality Mechanical Mining takes place and for that it is liable to be revoked and same has not been done. Similarly Point 4 and 43 says violation of conditions of consent is liable for legal action.

43. Mining should be restricted to single shift only that is for 8 hours (7am to 12noon and 2pm to 5 PM) however it takes place all though out day and night using high-power excavators. No qualified Mines Manager, Foreman and Mate with certificate of competency as per mines act. It is pertinent to mention here that the lessee is also using his heavy machines during night for illegally extract sand from the river.

44. That the State Government is losing revenue because of the unaccounted illegal mining. At present one Hyva load (10 wheeler) of sand is sold at Rs 8000 in the market and Hyva load (16 wheeler) about Rs15, 500 in market.

45. This clearly indicates that the private respondent has mined out more sand than the permitted quantity. This excess mining without prior approval is violation of the Consent Letter, Lease agreement, Mining Plan and environment clearance condition. This also clearly indicates there is an unholy nexus of the Deputy Director Mines Dhenkanal with the private respondent in allowing the illegalities to continue on day to day basis.

46. That the Sustainable Sand Mining Management Guidelines, 2016 suggests Standard Environment Clearance Conditions and the measures to be adopted to check illegal mining, **however none of the measures have been adopted** such as “(i) Project Proponent must ensure that the security features of Transport Permission viz. (a) Printed on Indian Bank Association (IBA) approved Magnetic Ink Character Recognition Code (MICR) paper; (c) Unique Barcode; (d) Unique Quick Response Code (QR); (e) Fugitive Ink Background; (f) Invisible Ink Mark; (g) Void Pantograph; (h) Watermark. (ii) Project Proponent must ensure that the CCTV camera, Personal Computer (PC), Internet Connection, Power Back up, access control of mine lease site; and arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used at mine lease site are available. (iii) Project Proponent must ensure the Scanning of Transport Permit or Receipt and uploading on Server. (iv) The State Mines and Geology Department should print the Transport Permits/Receipt with security features enumerated at Paragraph (i) above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice

is generated, the particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused. (v) The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS. (vi) In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call center, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server/call centre. (vii) The route of vehicle from source to destination should be tracked through the system using check points, Radio-frequency identification (RFID) Tags, and Global Positioning System (GPS) tracking. (viii) The system shall enable the Authorities to develop periodic report on different parameters like daily lifting report, vehicle log/history, lifting against allocation, and total lifting. The system can be used to generate auto mails/SMS. This will enable the District Collector/Magistrate to get all the relevant details and will enable the authority to block the scanning facility of any site found to be indulged

in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle should be tracked.

47.That the Chief Secretary, Government of Odisha on 11/11/2020 has discussed about the technical intervention such as I4MS in the line of I3MS (a software to track illegal mining in Major Minerals) to monitor the actual quantum of extraction and transportation minor minerals from source but same has been just confined to discussion and no action has been taken despite of the mandate in Sustainable Sand Mining Management Guidelines, 2016 and 2020.

48.It is further submitted that Sand Mining in Bramhani River bed at Gunadei Mouza has caused serious environmental degradation and ecological impact, over the years river and riparian ecology have been badly affected by the alarming rate of unrestricted sand mining which damage the river ecosystem, destruction of natural habitats of organisms living on the river beds, affects fish breeding and migration, the associated riparian habitat. It has been further submitted that there has been no monitoring by any of the respondents whether the conditions are being complied or not and that allows the private respondent to violate the norms in broad day light.

49. The Hon'ble Apex Court in Deepak Kumar Case has observed that "We are of the considered view that it is highly necessary to have an effective framework of Mining plan which will take care of all environmental issues and also evolve a long term rational and sustainable use of natural resource base and also the bio-assessment protocol. Sand Mining, it may be noted, may have an adverse effect on bio-diversity as loss of habitat caused by Sand Mining will affect various species, flora and fauna and it may also destabilize the soil structure of river banks and often leaves isolated islands. We find that, taking note of those technical, scientific and environmental matters, MoEFCC, Government of India, issued various recommendations in March 2010 followed by the Model Rules, 2010 framed by the Ministry of Mines which have to be given effect to, inculcating the spirit of Article 48A, Article 51A(g) read with Article 21 of the Constitution.

50. That while upholding the Criminal Prosecution in one illegal sand mining case namely **Jayant Vs State of Madhya Pradesh**, Criminal Appeal No 824-825 of 2020, Hon'ble Supreme Court on 3rd December 2020 has opined that violators cannot be permitted to go scot free on payment of penalty only. There must be some stringent provisions which may have deterrent effect so that the violators may think twice before committing such offences and before causing damage to the earth and the nature.

51. The Hon'ble Supreme Court in Common Cause -Vs- Union of India &

Ors. in judgment dated 02.08.2017 passed in Writ Petition (Civil) No.114 of 2014 in para 128 has held as under :- The simple reason for not accepting this interpretation is that Rule 2 (iia) of the Mineral Concession Rules (MCR) was inserted by a notification dated 26th July, 2012 while we are concerned with an earlier period. That apart, as mentioned above, the holder of a mining lease is required to adhere to the terms of the mining scheme, the mining plan and the mining lease as well as the statutes such as the EPA, the FCA, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. If any mining operation is conducted in violation of any of these requirements, then that mining operation is illegal or unlawful. Any extraction of a mineral through an illegal or unlawful mining operation would become illegally or unlawfully extracted mineral.”

52. That while disposing the OA 67 of 2021(Alok Malik vs State of Odisha),

Final Order dated 26th August 2022 and Paragraph 31 is reproduced as follows

“We further direct that the Collector, Jajpur, must ensure **effective mechanism for annual environmental audit to be conducted by experts in the field.** Further, the State Authorities,

particularly the Collector, Jajpur, must ensure that the vehicles transporting sand and minor minerals may be fixed with electronic devices (GPS enabled) for facilitating and tracking the movement of vehicles carrying sand and minor minerals. The Collector, Jajpur, is further directed that the CCTV cameras may be installed at strategic locations near the sand beds as well as entry and exit points of the vehicles to ensure continuous monitoring.”

It is submitted that the direction of the Hon’ble NGT has not been complied and instead violated in the present case.

53.That the Hon’ble Tribunal while deciding the **Original Application No 9 of 2021(Saral Kumar Parida Vs District Collector Balasore and others)** vide order dated 13th October 2022 held that the illegally mining to be assessed using scientific method such as **Satellite Imagery** and further held that the Tahasildar will be responsible for illegal mining and criminal prosecution has to be instituted against concerned Tahasildar. The relevant paras 36, 37, 39, 41, 44 and 47 is reproduced as follows

“Para 36 The Enforcement and Monitoring Guidelines for Sand Mining, 2020 (EMGSM) issued by the Ministry of Environment, Forests and Climate Change (MoEF&CC) has laid down the procedure for monitoring mechanism to check environmental damage due to illegal mining.

Para 37- The Guidelines provide for establishment of a Task Force to be headed by an officer not below the rank of Additional District Magistrate who shall submit quarterly reports to the district administration

Para 39-The Guidelines further provide for lodging of F.I.R. against persons involved in illegal excavation, storage and/or transportation of minor minerals including sand and imposition of fine as also initiation of actions under the provisions of the Income Tax Act, 1961 for unaccounted income and under the Central Goods and Services Act, 2017 for non-payment of GST as well as action under the provisions of the Motor Vehicles Act, 1989 against the driver and permit holder of the vehicle.

Para 41- Be that as it may, the Tahasildar, Basta, within whose jurisdiction the sand quarry exists, is the representative of the district administration, who is responsible for ensuring that no illegal sand mining is being carried out within his Tahasil and if he finds that illegal sand mining is going on, it is his duty to report the matter to the District Magistrate concerned immediately

Para 44-We, therefore, direct the State Level Environment Impact Assessment Authority (SEIAA), Odisha to re-determine Environmental Compensation for illegal extraction of sand

by the Respondent No.10 for the five years period from 2017 (included) up to 2021 with the help of satellite imagery.

Para 47-We further direct the Collector & District Magistrate, Balasore to lodge F.I.R. against the Tahasildar, Basta who was the Tahasildar during the period 2017 to 2021 during which the illegal extraction of sand has occurred according to the SEIAA, Odisha and such F.I.R. shall thereafter be carried to its logical conclusion. The Collector & District Magistrate shall also initiate departmental proceedings against the concerned Tahasildars in accordance with law.

”

54.Rule 14 and Clause (22) of Odisha Minor Mineral Concession Rules 2016 states that In the **case of breach of any condition of prospecting license-cum-mining lease**, the Government may give notice of sixty days to the holder of the prospecting license-cum-mining lease to rectify the defects and if the holder of the prospecting license-cum-mining lease fails to rectify the defects within the specified time, the Government may, by order in writing, cancel the prospecting license-cum-mining lease, and forfeit, in whole or part, the amount deposited by the holder of the prospecting license-cum-mining lease towards security deposit: Provided that no such order shall be made without giving the holder of

the prospecting license-cum-mining lease a reasonable opportunity of being heard.

GROUNDS

- A. That the sand mining is permissible only by Manual Method but the use of mechanical methods/earth movers are in violation of the Mining plan, EC conditions and Consent to Operate conditions and Sustainable Sand Mining Management Guidelines, 2016 and Enforcement and Monitoring of Sand Mining Guidelines, 2020, Odisha Minor Mineral Concession Rules 2016, EIA Notification 2006 and Amendment 2016, Sand Mining Framework 2018 by Ministry of Mines, Govt. of India.
- B. That the unscientific mining by obstructing the free flow of river by creating artificial bunds in the river is violation of approved mining plan and warrants revocation of lease agreement and suspension of mining
- C. That the ongoing sand mining is against the Precautionary Principle and Environment Impact Assessment Notification 2006 and subsequent amendments.
- D. That the private respondent has mined out more sand than the permissible limit and hence warrants stoppage of mining
- E. That transportation of sand loaded heavy vehicles through villages jeopardizes the safety of thousands of people and school going

children warrant prohibition of such transportation. Further road not meant for heavy vehicles requires carrying capacity study of the road and particularly stoppage of such vehicular transportation.

F. Mining during monsoon season is against the Sustainable Sand Mining Management Guidelines, 2016 and standard river bed mining conditions.

G. That the State Respondents and the Regulatory Authorities like State Pollution Control Board and SEIAA have failed to discharge their duties and hence requires intervention of this Hon'ble Tribunal for an appropriate order to check the illegal mining

H. That the present river bed mining is against the spirit of Article 48A and 51 A (g) that mandates for protection of environment and Article 21 of Constitution of India.

LIMITATION

That there is a continuing cause of action due to the ongoing illegal sand mining with evidence of photographs dated 10/01/2025 and complaint letter dated 12/02/2025 in violation of Sustainable Sand Mining Management Guidelines, 2016 and Enforcement and Monitoring Guidelines for Sustainable sand mining 2020 and hence the present application is not barred by limitation.

INTERIM PRAYER

The Hon'ble Tribunal may constitute a High level Independent Committee to assess a) Cost of river bed material illegally excavated b) Cost of ecological restoration. c) Net present value of the future ecosystem services foregone and recover the same from the Private Respondent and restrain the Private Respondent from mechanical mining in river bed pending disposal of the application.

PRAYER

The applicant humbly prays the Hon'ble Tribunal to issue following directions to the respondents considering the facts and grounds set out in the application:-

- I. Direct the Mining department to conduct Drone Survey to assess the mining beyond lease area and excess mining.
- II. Direct the SEIAA Odisha to withdraw the EC letter for violation of EC conditions.
- III. Direct the Independent Committee to inquire into the illegalities of mining such as mechanical mining and in-stream mining, Excess sand mining in violation of the permitted quantity.
- IV. Direct the State Respondents to seize the Excavators used for Sand Mining in Brahmani River at Gunadei.
- V. Direct the State Respondents to immediately remove the illegal approach road constructed by the lease holders/sand mafias and

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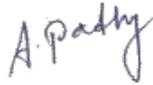
ensure the free flow of river by removing the artificial approach roads for transportation of sand loading vehicles inside the river.

VI. Direct the State Respondents for GPS TRACKING OF VEHICLES AND make E TRANSIT PASS MANDATORY FOR MINING OPERATION.

For this act of kindness the applicant shall ever remain grateful to you

DATE-28/04/2025

APPLICANT THROUGH

PLACE-BHUBANESWAR

ADVOCATE

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

ORIGINAL APPLICATION NO - OF 2024/EZ

IN THE MATTER OF:

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST
APPLICANT

VERSUS

STATE OF ODISHA AND Others ... RESPONDENTS

AFFIDAVIT 7 8 APP 2025

I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, do hereby solemnly affirm, and declare as under:

1. That I am the President of the Applicant Trust, Youth United For Sustainable Environmental Trust in the abovementioned application and authorized to sign this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Santanu Kumar Bhukta

DEPONENT
Sustainable Environment Trust
President

VERIFICATION

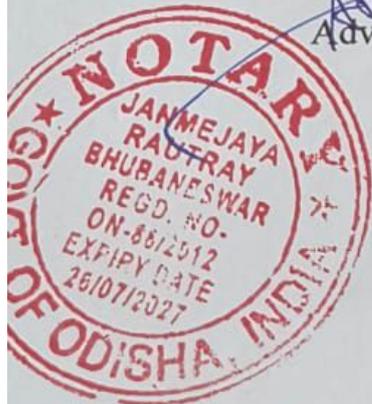
Verified on this 7 8 APP 2025 day of2025 atthat the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Advocate 05/10/23

(The above named deponents) being duly identified by me
Advocate Bhubaneswar
Appears before me on 7 8 APP 2025
at
on oath the contents of the affidavit are true to the knowledge and belief of me
Advocate Bhubaneswar

Santanu Kumar Bhukta
DEPONENT

Youth United for
Sustainable Environment Trust
President



JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. - ON-86/2012
Cont. No. - 941273



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STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2540669, E-mail-seiaaorissa@gmail.com

Letter No 1133 /SEIAA

Dt 30.03.2021

File No.SEIAA-1060/12-2020

To

The Tahasildar, Odapada,
Tahasil-Odapada
Dist-Dhenkanal

Sub: Proposal of Tahasildar, Odapada for mining of sand from Gunadei Brahmani Sand Quarry over an area of 11.80 acres or 4.77ha at village- Gunadei, Tahasil-Odapada, District- Dhenkanal - Environmental Clearance reg.

Ref: SEIAA File No: SEIAA-1060/12-2020 dated 24.12.2020

Sir,

This is with reference to the application dated 24.12.2020 for grant of environmental clearance (submitted in the offline mode) for the proposed activities mentioned above.

2. [The application has been submitted in the offline mode because there is no provision at present for filing EC application for such cases (minor mineral extraction involving area less than or equal to 5ha; i.e., B2 category projects) in the online mode before SEIAA in the PARIVESH portal. The relevant application Form-IM does not appear on the screen of the said portal when EC application is to be filed to SEIAA]. The applicant has submitted the application in Form-I, i.e. the Form in which applications for minor mineral projects were being submitted upto the year 2016 before SEIAA. The Form-I does not contain some of the situational information relating to environmental sensitivity, but much of the required information has been submitted by the applicant in the Checklist and also in the PFR.

3. The application in Form-I is supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan and Checklist.

Tahsil

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4. **The proposed activities in a nut shell are as follows: -**
- a. This is a proposal for mining of sand from **Gunadei Brahmani Sand Quarry** lying in the **Brahmani River** bed located at **village- Gunadei, Tahasil- Odapada, District- Dhenkanal**, over lease area of 11.80 acres or 4.77ha.
 - b. The mine area is a part of the Survey of India Toposheet No. 73H5 bounded by Latitude: 20°46'00.85" N to 20°46'03.31" N and Longitude: 85°29'14.94"E to 85°29'17.84" E.
 - c. The mining lease is an identified sairat source in the DSR. The Gunadei Brahmani Sand Quarry sairat source will be leased out under the OMMC Rules,2016 by Tahasildar, Odapada to the successful bidder (lessee) for a lease period of 5 years.
 - d. The mining plan of the mining project prepared on behalf of successful bidder (lessee) has been approved by Joint Director Geology, Zonal Survey, Dhenkanal on 18.12.2020.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 21422 cum of sand, when extracted upto a depth of 1.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 12.12.2018 of the Hon'ble NGT.
 - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 7.4Km away from the mining lease area.
 - g. 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.
 - h. As per the approved mining plan, it is observed that sand from the quarry will be extracted upto a depth of 1.0 meter with annual extraction of sand not exceeding 10000 cum (maximum production capacity) during the valid lease period.
5. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5ha.

6. The proposal is duly appraised by the SEAC in its meeting held on 23.02.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 153/SEAC-Misc-02 dated 25.02.2021.

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

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

9. **Stipulated Conditions:**

- 9.1 The project proponent has to carry out by engaging appropriate consultant, a study of **the annual replenishment rate of sand** by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15thMay,2022 if satisfactory replenishment study report is not submitted.** The submission of study report of rate of annual replenishment of sand is obligatory for the project proponent.
- 9.2 In the first year i.e. before the rainy season of 2022.the extraction of sand **shall not exceed 10000cum**, calculated by multiplying the working area in sqmtr by **1.0 meter depth of excavation.**
- 9.3 **The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.**
- 9.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. **This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.**
- 9.5 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. **10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'.** Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross

- drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.
- 9.6 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
- 9.7 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 9.8 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 9.9 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 9.10 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 9.11 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 9.12 Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 9.13 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as

- 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.
- 9.14 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
- 9.15 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 9.16 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 9.17 Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
- 9.18 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.
- 9.19 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF&CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC is liable to be revoked.
- 9.20 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 9.21 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 9.22 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.
- 9.23 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be.
- 9.24 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 9.25 The SEIAA, Odisha may revoke or suspend this EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter

/modify the above conditions or stipulate any further condition in the interest of environment protection.

- 9.26 **The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.**
- 9.27 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.28 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
- 9.29 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 9.30 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.


Member Secretary

Memo No 1134 /SEIAA /Dt. 30.03.2021 

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 & ADM, Dhenkanal/ Sub Collector, Dhenkanal / Tahasildar, Odapada for Information and necessary action.
7. Guard file for record.


Member Secretary





**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/292671/2022

Dated 12th July, 2023.
Bhubaneswar

To

Sri Tripurari Sahoo
S/o-Padmanav Sahoo
At-Sandapasipatana
Ps-Gondia, Dist-Dhenkanal

Sub: Proposal for Transfer of Environmental Clearance of Gunadei Brahamani River sand Bed over an area of 11.80 acres or 4.77 ha at village-Gunadei, Tahasil-Odapada, dist-Dhenkanal, Odisha from the name Tahasildar Odapada to Sri Tripurari Sahoo -reg.

Ref: (i) EC letter no./EC identification no. 1133/SEIAA dated 30.03.2021
(ii) Tahasildar, Odapada letter no. 5190 dated 27.09.2022
(iii) Online Application no. SIA/OR/MIN/292671/2022 dtd.26.06.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/292671/2022 dated 26.06.2023, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. 1133/SEIAA dated 30.03.2021 in favour Tahasildar, Odapada, Dist- Dhenkanal.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 125th meeting held on 26.06.2023, 27.06.2023 and 28.06.2023 in accordance with the Para-11 of the EIA Notification, 2006 as amended from time to time and the following points are noted;

- (i) As submitted by the Tahasildar, it is noted that EC was obtained for Gunadei Brahamani River Sand Bed (River-Brahamani) for a period of 5 years in favour of Tahasildar, Odapada vide the above-mentioned EC letter under reference. Now, the said sairat source has been leased out by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Tripurari Sahoo, who is the successful bidder in this case for operationalization of the sairat source for 5 years lease period under the provision of OMMC Rules, 2016.
- (ii) The Tahasildar has mentioned that after obtaining EC, the said quarry is operated after obtaining EC.
- (iii) This is a violation case as the quarry operated earlier without transfer of EC. Accordingly, the PP has submitted total project cost of Rs. 1, 06, 27,550/- and total turnover of Rs. 81,60,000/- through Chartered Accountant (CA).



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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

- (iv) As per EC conditions 1st year production allowed **10000 cum** but the PP has already extracted **10000 cum** of stone material in **1st year and 10000 in 2nd year** from the lease area.
- (v) The proposal was placed in 121st SEIAA meeting held on 30.05.2023 and the authority observed that this is a violation case as the quarry has been operated without transfer of EC in favour of lessee/successful bidder.

After detailed discussion, the Authority decided to allow transfer of EC of the said After detailed discussion, the Authority decided to allow transfer of EC of the said proposal as per the MoEF& CC, Govt. of India O.M. no. F. No. 22-21/2020-IA.III dated 07.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification 2006 and in accordance with the order of Hon'ble National Green Tribunal subject to remittance of total penalty amount of **Rs.1,26,676/-** (i.e. 1% of the total project cost of Rs. 1,06,27,550/- + 0.25% of the total turnover during violation period of Rs. 81,60,000/-) to State Pollution Control Board (SPCB), Odisha.

The PP is required to submit the proof of the penalty receipt along with Annual Rate of Replenishment Study (ARRS) Report to SEIAA, Odisha for further consideration of this proposal.

- (vi) The PP has submitted the penalty amount of **Rs. 1,26,676/-** to SPCB, Odisha vide receipt no. 27422, Book No. 1075 dated 12.06.2023 and also mentioned that he has submitted the replenishment study report to SEIAA, Odisha vide proposal No. SIA/OR/MIN/276445/2022 and accordingly EC amended vide letter no. 5025/SEIAA dated 02.08.2022 subject condition to submit ARRS report by **31st December 2023**.
- (vii) Documents submitted for EC Transfer;
- Form No. 7 for transfer of Environmental Clearance,
 - Letter no. 5190 dated 27.09.2022 of Tahasildar, Odapada for transfer of EC to Sri Tripurari Sahoo as the successful bidder for Gunadei Brahamani River Sand Bed.
 - Cyber Treasury e-challan no. 3375430003 dated 10.10.2022 for Rs.2000/- towards scrutiny fee.
 - Undertaking for accepting the terms and conditions in the original EC.

3. Transfer of Environmental Clearance (EC) of Gunadei Brahamani River Sand Bed issued vide SEIAA, Odisha EC letter/EC identification no. 1133/SEIAA dated 30.03.2021 in favour of Sri Tripurari Sahoo, the successful bidder to extract **2500 cum** (i.e. 25% of the 1st year production quantity 10000 cum allowed in the EC) of sand material for 3rd year lease period. PP shall submit Annual rate of replenishment study (ARRS) report by 31st March 2024 through ORSAC empanel agency. The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with additional stipulation.

Additional stipulation

- The PP is required to submit the annual rate of replenishment study (ARRS) report through ORSAC empanelled agency **within 31st December 2024**.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

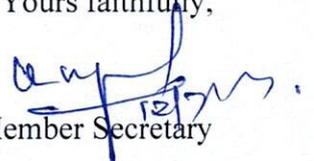
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
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- b. The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier
- c. **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.
- d. **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 info.seiaaodisha@gmail.com.
- e. **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.
- f. **Tree Plantation:** -Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,50,000/- with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry.
- g. **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

The lessee shall comply the above points and submit report to SEIAA, Odisha through email at seiaaodisha@gmail.com within 06 (six) months from date of issue of transfer of EC falling which the EC stands automatically revoked.

In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


 Member Secretary

Encl: Copy of the Original EC

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for information.



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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
*(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)*

5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to the Collector/Sub Collector, Dhenkanal and Tahasildar Odapada for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.


Member Secretary



सत्यमेव जयते

File No.: 464854/85-MIN/03-2024

Government of India

Ministry of Environment, Forest and Climate Change

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



Dated 06/05/2024



To,

TRIPURAPURI SAHOO
TRIPURARI SAHU
AT- SANDAPASIPATNA, PS- GONDIA, DIST- DHENKANAL, ODISHA , DHENKANAL,
ODISHA , , 759016
tripurapurisahuec@gmail.com

Subject: Amendment in Environmental Clearance (EC) 03/03/2024 granted to the project under the provision of the EIA Notification 2006 -regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/OR/MIN/464854/2024 dated 03/03/2024 for grant of an amendment in prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

| | |
|--|---|
| (i) EC Identification No. | EC24C0107OR5862437A |
| (ii) File No. | 464854/85-MIN/03-2024 |
| (iii) Clearance Type | Amendment in EC |
| (iv) Category | B2 |
| (v) Schedule No./ Project Activity | 1(a) Mining of minerals |
| (vii) Name of Project | Gunadei Brahmani Sand Quarry over an area of 11.80acres or 4.77 ha in village Gunadei under OdapadaTahasil of Dhenkanal District Odisha |
| (viii) Location of Project (District, State) | DHENKANAL, ODISHA |
| (ix) Issuing Authority | SEIAA |
| (x) EC Date | 03/03/2024 |
| (xii) Applicability of General Conditions | NO |
| (xiii) Status of implementation of the project | |

N/A



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

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

Sub: Proposal for Amendment of Environmental Clearance (EC) of Gunadei Brahmani River Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha of Sri Tripurari Sahu, the PP/Successful bidder/lessee-regarding.

- Ref: (i) EC identification no. or letter no. 1133/SEIAA dt. 30.03.2021 and amendment of EC was issued vide letter no.5025/SEIAA dt. 02.08.2022 & Transfer of EC was issued on 12.07.2023
(ii) Online Application no. SIA/OR/MIN/464854/2024 dtd.03.03.2024

Sir/Madam,

This has reference to your online application no. SIA/OR/MIN/464854/2024 dated 03.03.2024, wherein you have requested for amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC Identification No. 1133/SEIAA dt. 30.03.2021 in favour of Sri Tripurari Sahu, the lessee/successful bidder.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 164th meeting held on 23.04.2024 & 25.04.2024 in accordance with the EIA Notification, 2006 as amended from time to time and the following points are noted;

- (i) This is a proposal for amendment of EC Gunadei Brahmani Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. EC Identification No. – 1133/SEIAA dt. 30.03.2021, EC amended vide letter no. 5025/SEIAA dt. 02.08.2022 and Transfer of EC was issued on 12.07.2023 for Gunadei Brahmani Sand Quarry over an area of 11.80 acres or 4.77 ha in village Gunadei under Odapada Tahasil of Dhenkanal District Odisha.
- (iii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand was 21422 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-10000 cum.
- (iv) The EC issued by SEIAA, Odisha with allowing production quantity of 10000 cum in 1st year.
- (v) The SEIAA issued amendment of EC for this project with allowing production quantity of 8656 cum for 2nd year as per ARRS report. Then



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STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
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- the transfer of EC issued for this project on 12.07.2023 with allowing 3rd year production quantity of 2500 cum in adhoc manner.
- (vi) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that “Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after May 2022, if satisfactory replenishment study report is not submitted.”
- (vii) The PP has extracted 10000 cum of sand in 1st year and 2nd year.
- (viii) The replenishment study was done by Geomac Solution Pvt. Ltd., the ORSAC empanel agency with mentioned that the Mineable Reserve during Pre-monsoon survey- 2023 = 10456Cum and Mineable Reserve during Post-monsoon survey-2023 = 19074Cum and quantity of sand replenished is 8618 cum and proposed production is 8618 cum/annum.
- (ix) Documents submitted for amendment of EC;
- a. Form No. 4 for amendment of Environmental Clearance,
- b. Replenishment study report
3. The proposal was placed in SEAC meeting held on 21.03.2024 and The SEAC decided to recommend the proposal as per the replenishment study and only volume replenished i.e. 8618 cum/annum and from areas of deposition only.
4. Amendment of Environmental Clearance (EC) letter no./Identification no. 1133/SEIAA dt. 30.03.2021 issued for Gunadei Brahmani River Sand Quarry in favour of Sri Tripurari Sahu is **allowed** for extraction quantity of sand **8618 cum/annum** for rest of the lease period i.e. for 3rd year, 4th year and 5th year. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with following additional stipulation:

Additional stipulation

- (i) The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.
- (ii) The validity of EC is for validity of DSR or validity of lease period whichever is earlier.
- (iii) The Project Proponent (lease holder) shall deposit Rs.2,50,000/- with the respective District Environment Society for raising 500 plants (minimum @100 trees per Ha) of native species within 2 years in a suitable location adjoining to quarry
- (iv) The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.

The Project Proponent shall upload/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of transfer of EC, falling which the EC is liable to be revoked.

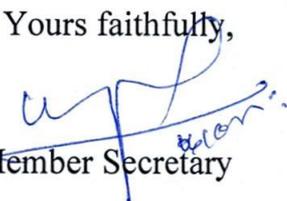


**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
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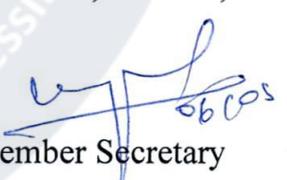
In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


Member Secretary

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.
8. Copy to the Collector/Sub Collector, Dhenkanal, DFO, Dhenkanal and Tahasildar Odapada /Mining Dhenkanal for information and necessary action.
9. Chairman/Member / Member Secretary, SEIAA for information.
10. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
11. Guard file for record.


Member Secretary

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

**OFFICE OF THE REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA**
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

No. 1963 /QUARRY/ROSPCB/AGL/183/2021-2022

"By Registered post"

Date: 23.06.2021**OFFICE MEMORANDUM**

In consideration of the online application no.3657499, dtd.17.06.2021 for obtaining Consent to Establish for **Gunadei Brahmani Sand Quarry**, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 for production of Sand of capacity **50,000 Cubic Meter (total)** (annual production not more than **10,000 Cubic Meter**) during valid mining lease period (as per approved mining plan and Environmental Clearance) over mining lease area of **11.80 acres or 4.77 ha bearing Plot No.01, Khata No.301 (Kisam-Nadi)** as submitted by the applicant, at Mouza:Gunadei, Tahasil:Odapada in the district of **Dhenkanal** with the following conditions.

GENERAL CONDITIONS:

01. This Consent to establish is valid for the product, method of mining and capacity as mentioned in the approved mining plan and Environmental Clearance. This order is valid for the lease period as recommended by the lease granting authority, which means the proponent shall commence mining activities for the proposal within the lease period from the date of issue of this consent to establish order. If the proponent fails to commence mining activities for the proposal within lease period then a renewal of this consent to establish shall be sought by the proponent.
02. The mine shall apply for grant of Consent to operate under section 25/26 of Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 at least 3 (three) months before the commencement of production and obtain Consent to Operate from this Board.
03. The mine shall comply to the provisions of Environment Protection Act, 1986 and the rules made there under with their amendments from time to time such as the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as amended from time to time, Hazardous Chemical Rules, / Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.



04. No change in mining technology and scope of working shall be made without prior approval of the Board.
05. This consent to establish is subject to statutory and other clearances from Govt. of Odisha and/or Govt. of India, as and when applicable.

SPECIAL CONDITIONS:

A. GENERALCONDITONS

1. 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.
2. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know 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 replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15th November, 2021 if satisfactory replenishment study report is not submitted.**
3. Mining activity shall be carried out as per approved mining plan prepared for this project.
4. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
5. In the first year i.e. before the rainy season of 2021, the extraction of sand shall not exceed **10000cum**, calculated by multiplying the working area in sqmtr by meter depth of excavation.
6. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
7. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
8. 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.
9. 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.
10. The natural sand dunes, if any, near or surrounding the lease area shall not be



disturbed.

11. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
12. 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.
13. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC/ CTE (NOC)/CTO is liable to be revoked.
14. 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.
15. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
16. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to establish shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder.
17. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulate conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form.

B. WATER POLLUTION

18. Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
19. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
20. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'.
21. No mining shall be allowed within 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area



within the leasehold. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

C. AIR POLLUTION

22. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/ Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
23. Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
24. 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.
25. The following measures are to be implemented to reduce Noise pollution:-
- Proper and regular maintenance of vehicles and other equipment
 - Limiting time of exposure of workers to excessive noise.
 - The workers employed shall be provided with protection equipment and earmuffs etc.
 - 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.
26. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The project proponent shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
27. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
28. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
29. The unit shall maintain ambient air quality in order to meet the prescribed standard as



per National Ambient Air Quality Standard.

D. SOLID & HAZARDOUS WASTE

30. 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.

To

The Tahasildar Odapada,
M/s Gunadei Brahmani Sand Quarry,
 At/Po- Odapada,
 Dist: Dhenkanal

Mallik
 23-06-21

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
ANGUL

Memo No. 1964 (6) / Date 23.06.2021 /

Copy forwarded to:

1. The **Member Secretary**, SPC Board, Odisha, Bhubaneswar
2. The **Collector & District Magistrate**, Dhenkanal
3. The **D.F.O.**, Dhenkanal
4. The **Deputy Director Geology, Zonal Survey**, Dhenkanal
5. Sri Tripurari Sahoo, At-Sandapasipatana, PO-Gondiapatana, Dist- Dhenkanal
6. **Guard File**, Regional Office, Angul.

Mallik
 23-06-21

REGIONAL OFFICER
Regional Officer
01C State Pollution Control Board
ANGUL



E-mail: rospcb.angul@ospcbboard.org

**OFFICE OF THE REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143**

BY REGD. POST/Through Online

CONSENT ORDERNo. 2118 /QUARRY/ROSPCB/AGL/183/2021-2022 Date: 09.07.2021**CONSENT ORDER NO.900 /2021-2022/ RO-SPCB/Angul (APC & WPC)**

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.3677159 dtd.05.07.2021.

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

Name of the Mine : **M/s. Gunadei Brahmani Sand Quarry.**
 Name of the Occupier & Designation; **Tahasildar, Odapada**
 Address: **Plot No.01, Khata No.301 over an area of 11.80 Acres or 4.77 Ha, Mouza: Gunadei, Tahasil: Odapada, Dist: Dhenkanal**

This consent order is valid for the period up to dt.02.06.2022.

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 | Production Capacity as per approved mining plan | |
|---------|----------------------|---|-------------------|
| | | 1 st year | 10000 Cubic Meter |
| 1 | Minor Mineral - Sand | 1 st year | 10000 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 taped 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).
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28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge/emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and/or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax/speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 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:

A. GENERALCONDITONS

1. 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.
2. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know 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 replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15th November, 2021 if satisfactory replenishment study report is not submitted.**
3. Mining activity shall be carried out as per approved mining plan prepared for this project.
4. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
5. In the first year i.e. before the rainy season of 2021, the extraction of sand shall not exceed **10000cum**, calculated by multiplying the working area in sqmtr by meter depth of excavation.
6. The lease area and the **actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.**
7. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
8. **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.**
9. 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.



10. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
 11. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
 12. 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.
 13. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC/ CTE (NOC)/CTO is liable to be revoked.
 14. 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.
 15. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
 16. The environmental statement report for the financial year ending 31st March shall be submitted to the Board in **form-V** on or before 30th September every year.
 17. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by **30th April** every year.
 18. 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.
 19. State Pollution Control Board, Odisha may revoke or suspend this CTO order if implementation of any of the conditions stipulated is not satisfactory.
 20. The project proponent shall inform the SEIAA if any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time. Subsequently, CTO may be applied for the operation of the mine in the name of new project proponent.
 21. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulate conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form.
-



B. WATER POLLUTION

22. Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
23. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
24. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'.
25. No mining shall be allowed within 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to the Board and other competent authority by the project proponent through the Tahasildar. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

C. AIR POLLUTION

26. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/ Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
27. Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
28. 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.



29. The following measures are to be implemented to reduce Noise pollution:-
- Proper and regular maintenance of vehicles and other equipment
 - Limiting time of exposure of workers to excessive noise.
 - The workers employed shall be provided with protection equipment and earmuffs etc.
 - 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.
30. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The project proponent shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
31. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
32. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
33. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.

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

To,

The Tahasildar, Odapada,
M/s Gunadei Brahmani Sand Quarry,
At/Po- Odapada,
Dist: Dhenkanal


09-07-21
REGIONAL OFFICER
Regional Officer
State Pollution Control Board
ANGUL

Memo No. 2119 (6) / Date 09.07.2021

Copy forwarded to:

- The **Member Secretary**, SPC Board, Odisha, Bhubaneswar
- The **Collector & District Magistrate**, Dhenkanal
- The **D.F.O.**, Dhenkanal
- The **Deputy Director Geology, Zonal Survey**, Dhenkanal
- Sri Tripurari Sahoo, At-Sandapasipatana, PO-Gondiapatana, Dist- Dhenkanal
- Guard File**, Regional Office, Angul.


09-07-21
REGIONAL OFFICER
Regional Officer
o/c
State Pollution Control Board
ANGUL

General Standards for discharge of environment pollutant Part-A:Effluents

| Sl. No | Parameters | Standards | | | |
|--------|--|--|--|--|---|
| | | Inland surface | Public sewers | Land for irrigation | Marine Costal Areas |
| 1 | 2 | 3 | | | |
| | | (a) | (b) | (c) | (d) |
| 1 | Colour&odour | Colourless/ Odourless as far as practible | ----- | See 6 of Annex-1 | See 6 of Annex-1 |
| 2 | Suspended Solids (mg/l) | 100 | 600 | 200 | a. For process wastewater- 100 b. For cooling water effluent 10% above total suspended matter of influent. |
| 3 | Particular size of SS | Shall pass 850 | ----- | ----- | |
| 4 | ----- | ----- | ----- | ----- | |
| 5 | pH value | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 |
| 6 | Temperature | Shall not exceed 5° C above the receiving water temperature | ----- | ----- | Shall not exceed 5° C above the receiving water temperature. |
| 7 | Oil & Grease mg/l max. | 10 | 20 | 10 | 20 |
| 8 | Total residual chlorine | 1.0 | ----- | ----- | 1.0 |
| 9 | Ammonical nitrogen (as N) mg/l max. | 50 | 50 | ----- | 50 |
| 10 | Total Kajeldahl nitrogen (as NH ₃) mg/l max. | 100 | ----- | ----- | 100 |
| 11 | Free Ammonia (as NH ₃) mg/l max. | 5.0 | ----- | ----- | 5.0 |
| 12 | Biochemical Oxygen Demand (3 days at (27°C) mg/l max. | 30 | 350 | 100 | 100 |
| 13 | Chemical Oxygen Demand, mg/l max. | 250 | ----- | ----- | 250 |
| 14 | Arsenic (as As) mg/l max. | 0.2 | 0.2 | 0.2 | 0.2 |
| 15 | Mercury (as Hg) mg/l max. | 0.01 | 0.01 | ----- | 0.001 |
| 16 | Lead (as Pb) mg/l max. | 01. | 1.0 | ----- | 2.0 |
| 17 | Cadmium(as Cd) mg/l max. | | | | |
| 18 | Hexavalent Chromium (as Cr+6) mg/l max. | 0.1 | 2.0 | ----- | 1.0 |
| 19 | Total Chromium (as Cr) mg/l max. | 2.0 | 2.0 | ----- | 2.0 |
| 20 | Copper (as Cu) mg/l max. | 3.0 | 3.0 | ----- | 3.0 |
| 21 | Zinc (as Zn) mg/l max. | 5.0 | 15 | ----- | 15 |
| 22 | Selenium (as Se) mg/l max. | 0.05 | 0.05 | ----- | 0.05 |
| 23 | Nickel (as Ni) mg/l max. | 3.0 | 3.0 | ----- | 5.0 |
| 24 | Cyanide (s CN) mg/l max. | 0.2 | 2.0 | 0.2 | 0.02 |
| 25 | Fluoride (as F) mg/l max. | 2.0 | 15 | ----- | 15 |
| 26 | Dissolved Phosphates (as P) mg/l max. | 5.0 | ----- | ----- | ----- |
| 27 | Sulphide (as S) mg/l max. | 2.0 | ----- | ----- | 5.0 |
| 28 | Phenolic compounds (as C ₆ H ₅ OH) mg/l max. | 1.0 | 5.0 | ----- | 5.0 |
| 29 | Radioactive Materials a. Alpha emitter micro curie/ml. b. Beta emitter micocurie/ml. | 10 ⁷ 10 ⁶ | 10 ⁷ 10 ⁶ | 10 ⁸ 10 ⁷ | 10 ⁷ 10 ⁶ |
| 30 | Bio-assay test | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent |
| 31 | Manganese (as Mn) | 2 mg/l | 2 mg/l | ----- | 2 mg/l |
| 32 | Iron (as Fe) | 3 mg/l | 3 mg/l | ----- | 3 mg/l |
| 33 | Vanadium (as V) | 0.2 mg/l | 0.2 mg/l | ----- | 0.2 mg/l |
| 34 | Nitrate Nitrogen | 10 mg/l | ----- | ----- | 20 mg/l |



CONSENT ORDER

NATIONAL AMBIENT AIR QUALITY STANDARDS

| Sl. No. | Pollutants | Time Weighed Average | Concentrate of Ambient Air | | |
|---------|--|--------------------------|--|--|--|
| | | | Industrial Residential, Rural and other Area | Ecologically Sensitive Area (notified by Central Government) | Methods of Measurement |
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | Sulphur Dioxide (SO ₂), μg/m ³ | Annual * 24 Hours ** | 50 80 | 20 80 | -Improved west and Gaeke - Ultraviolet fluorescence |
| 2. | Nitrogen Dioxide (NO ₂), μg/m ³ | Annual * 24 Hours ** | 40 80 | 30 80 | - Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence |
| 3. | Particulate Matter (size less than 10μm) or PM ₁₀ μg/m ³ | Annual * 24 Hours ** | 60 100 | 60 100 | -Gravimetric - TOEM - Beta Attenuation |
| 4. | Particulate Matter (size less than 2.5μm) or PM _{2.5} μg/m ³ | Annual * 24 Hours ** | 40 60 | 40 60 | -Gravimetric - TOEM - Beta Attenuation |
| 5. | Ozone (O ₃) μg/m ³ | 8 Hours ** 1 Hours ** | 100 180 | 100 180 | - UV Photometric - Chemiluminescence - Chemical Method |
| 6. | Lead (Pb) μg/m ³ | Annual * 24 Hours ** | 0.50 1.0 | 0.50 1.0 | -AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter |
| 7. | Carbon Monoxide (CO) mg/m ³ | 8 Hours ** 1 Hours ** | 02 04 | 02 04 | - Non Dispersive Infra Red (NDIR) Spectroscopy |
| 8. | Ammonia (NH ₃) μg/m ³ | Annual* 24 Hours** | 100 400 | 100 400 | -Chemiluminescence - Indophenol Blue Method |
| 9. | Benzene (C ₆ H ₆) μg/m ³ | Annul * | 05 | 05 | -Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis |
| 10. | Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³ | Annual* | 01 | 01 | -Solvent extraction followed by HPLC/GC analysis |
| 11. | Arsenic (As), ng/m ³ | Annual* | 06 | 06 | -AAS/ICP method after sampling on EPM 2000 or equivalent filter paper |
| 12. | 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 or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

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

**OFFICE OF THE REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA**
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

"By Registered Post"

CONSENT ORDERNo. 1642 / QUARRY/ROSPCB/AGL/183/2021-22Date: 31.05.2022**CONSENT ORDER NO.900**

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.4196287, dt.07.05.2022.

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 : **Gunadei Brahmani Sand Quarry**

Name of the Occupier & Designation : **Tahasildar, Odapada**

Address of the quarry : **Plot No.01, Khata No.301 (Kisam-Nadi), Total ML Area of 11.80 acres or 4.77ha, Mouza: Gunadei, Tahasil: Odapada, Dist: Dhenkanal**

This consent order is valid for the period up to **31.03.2023**

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 | Production Capacity (as per Approved Mining Plan & Environmental Clearance) |
|---------|----------------------|---|
| 1. | Minor Mineral - Sand | 10,000 Cubic Meter/Annum |

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

- 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.
- 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.
- 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.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
- 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.
- 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 taped by the consumer for utilization for any purposes whatsoever.
- Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - 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.

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 not to cause fugitive emission, dust problems through leaching etc, of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
 - i. Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii. Controlled incineration, wherever possible in case of combustible organic material.
 - iii. Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous 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. 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.
02. **The extraction of sand shall not exceed 10000cum, calculated by multiplying the working area in sqmtr by 1.0meter depth if excavation.**
03. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020

issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance/order is being granted in an adhoc manner and is liable to be revoked, if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.

04. Mining activity shall be carried out as per approved mining plan prepared for this project.
 05. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
 06. 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.
 07. The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
 08. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
 09. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
 10. 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.
 11. 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.
 12. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
 13. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCC along with the compliance report.
 14. 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.
-

15. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC/ CTE (NOC)/CTO is liable to be revoked.
16. 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.
17. Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
18. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
19. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone.
20. No mining shall be allowed within 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend up to a minimum stretch of 200 meters from the bridge and it may extend up to 500meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to the Board and other competent authority by the project proponent through the Tahasildar. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.
21. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/ Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.

22. Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
 23. 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.
 24. 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 25 kmph to prevent undue noise from empty trucks.
 25. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The project proponent shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
 26. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
 27. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
 28. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
 29. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
 30. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary of ML area shall not exceed 75dB(A) during day time (6.00AM to 10.00PM) & 70dB(A) during night time (10.00PM to 6.00AM).
 31. 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.
 32. Domestic effluent shall be discharged to soak pit via septic tank constructed as per BIS Specification.
-

33. Mine shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed there under.
34. The environmental statement report for the financial year ending 31st March shall be submitted to the Board in **form-V** on or before 30th September every year.
35. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by **30th April** every year.
36. 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.
37. 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.
38. 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.
39. 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

The Tahasildar, Odapada
Gunadei Brahmani Sand Quarry,
At/PO: Odapada, Hindol Road
PO/Dist: Dhenkanal- 759019, Odisha



31-05-22

REGIONAL OFFICER

Regional Officer
State Pollution Control Board
ANGUL

Memo No. 1643 (B) /

Date 31.05.2022

Copy forwarded to:

1. The **Member Secretary**, SPC Board, Odisha, Bhubaneswar
2. The **Collector & District Magistrate**, Dhenkanal
3. The **D.F.O.**, Dhenkanal
4. The **Joint Director Geology**, Zonal Survey, Dhenkanal
5. Smt. Tripurari Sahoo, Lessee, At-Sandapasipatana, PO: Gondiapatana, Dhenkanal- 759016, Odisha
6. **Guard File**, Regional Office, Angul.



31-05-22

REGIONAL OFFICER

Regional Officer
State Pollution Control Board
ANGUL



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

**OFFICE OF THE REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA**
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

"By Registered Post"

CONSENT ORDER

No. 2656 / QUARRY/ROSPCB/AGL/183/2021-22Date: 25.07.2023**CONSENT ORDER NO.900**

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.4196287, dt.07.05.2022.

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 : Gunadei Brahmani Sand Quarry
Name of the Occupier & Designation : Sri Tripurari Sahoo, Lessee
Address of the quarry : Plot No.01, Khata No.301 (Kisam-Nadi), Total ML Area of 11.80 acres or 4.77ha, Mouza: Gunadei, Tahasil: Odapada, Dist: Dhenkanal

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 | Production Capacity (as per Approved Mining Plan & Environmental Clearance) | |
|---------|----------------------|---|------------------------|
| 1. | Minor Mineral - Sand | 3 rd year | 2500 Cubic Meter/Annum |

**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

- 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.
- 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.
- 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.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
- 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.
- 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 taped by the consumer for utilization for any purposes whatsoever.
- Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - 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.

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. 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.
02. **The extraction of sand shall not exceed 10000cum, calculated by multiplying the working area in sqmtr by 1.0meter depth if excavation.**
03. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020

issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance/order is being granted in an adhoc manner and is liable to be revoked, if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.

04. Mining activity shall be carried out as per approved mining plan prepared for this project.
 05. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
 06. 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.
 07. The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
 08. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
 09. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
 10. 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.
 11. 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.
 12. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
 13. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
 14. 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.
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15. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC/ CTE (NOC)/CTO is liable to be revoked.
16. 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.
17. 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.
18. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
19. 10 % of the width of river shall be left intact along the embankments on both sides as no mining zone.
20. No mining shall be allowed within 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend up to a minimum stretch of 200 meters from the bridge and it may extend up to 500meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to the Board and other competent authority by the

project proponent through the Tahasildar. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

21. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/ Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
22. Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
23. 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.
24. The following measures are to be implemented to reduce Noise pollution:-
- Proper and regular maintenance of vehicles and other equipment
 - Limiting time of exposure of workers to excessive noise.
 - The workers employed shall be provided with protection equipment and earmuffs etc.
 - 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.
25. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The project proponent shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
26. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
27. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.



28. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
29. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
30. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary of ML area shall not exceed 75dB(A) during day time (6.00AM to 10.00PM) & 70dB(A) during night time (10.00PM to 6.00AM).
31. 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.
32. Domestic effluent shall be discharged to soak pit via septic tank constructed as per BIS Specification.
33. Mine shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed there under.
34. The environmental statement report for the financial year ending 31st March shall be submitted to the Board in form-V on or before 30th September every year.
35. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by 30th April every year.
36. 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.
37. The Board reserves the right to revoke/refuse consent at any time during this period in case any violation is observed and to modify / stipulate additional conditions as deemed appropriate.
38. 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.
39. 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 Tripurari Sahoo, Lessee
Gunadei Brahmani Sand Quarry,
At-Sandapasipatana, Po: Gondiapatana,
Dhenkanal-759016, Odisha

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Angul

Memo No. 2657 /

Date 25.07.2023 /

Copy forwarded to:

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

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Angul

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

OFFICE OF THE REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA
 (DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
 Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

"By Registered Post"

CONSENT ORDER

No...2270.../ QUARRY/ROSPCB/AGL/183/2021-22Date: 03.06.2024**CONSENT ORDER NO.900**

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. 5690650, dt.29.05.2024.

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 : Gunadei Brahmani Sand Quarry

Name of the Occupier & Designation : Sri Tripurari Sahoo, Lessee

Address of the quarry : Plot No.01, Khata No.301 (Kisam-Nadi), Total ML Area of 11.80 acres or 4.77ha, Mouza: Gunadei, Tahasil: Odapada, Dist: Dhenkanal

This consent order is valid for the period up to 02.06.2025.

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 Environmental Clearance) |
|---------|----------------------|----------------------|---|
| 1. | Minor Mineral - Sand | 3 rd year | 8618 Cubic Meter/Annum (Total extraction quantity for 3 rd year) |
| | | 4 th year | 8618 Cubic Meter/Annum |

**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

- 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.
- 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.
- 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.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
- 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.
- 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 taped by the consumer for utilization for any purposes whatsoever.
- Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - Industrial cooling, spraying in mine pits or boiler feed.
 - Domestic purpose
 - 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.
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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.
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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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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.
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F. SPECIAL CONDITIONS:

01. 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.
02. Study report on replenishment shall be submitted every year as per the prescribed method.
03. The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt, of India. The finding of the study shall be submitted to the Board to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance/order is being granted in an adhoc manner and is liable to be revoked, if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
04. Mining activity shall be carried out as per approved mining plan prepared for this project.
05. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
06. 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.
07. The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
08. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.

09. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
 10. 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.
 11. 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.
 12. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
 13. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
 14. 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.
 15. It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC/ CTE (NOC)/CTO is liable to be revoked.
 16. 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.
 17. 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.
 18. There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure.
 19. 10 % of the width of river shall be left intact along the embankments on both sides as no mining zone.
-

20. No mining shall be allowed within 200m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend up to a minimum stretch of 200 meters from the bridge and it may extend up to 500meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to the Board and other competent authority by the project proponent through the Tahasildar. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.
21. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned State Govt. Department/ Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
22. Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
23. 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.
24. 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 25 kmph to prevent undue noise from empty trucks.
25. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The project proponent shall plant and nurse to full establishment a minimum of 100number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
26. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
27. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
28. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
29. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
30. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary of ML area shall not exceed 75dB(A) during day time



(6.00AM to 10.00PM) & 70dB(A) during night time (10.00PM to 6.00AM).

31. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous and Other Wastes (Management & Trans-boundary Movement) Rules, 2016 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
32. Domestic effluent shall be discharged to soak pit via septic tank constructed as per BIS Specification.
33. Mine shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed there under.
34. The environmental statement report for the financial year ending 31st March shall be submitted to the Board in form-V on or before 30th September every year.
35. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by 30th April every year.
36. 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.
37. The Board reserves the right to revoke/refuse consent at any time during this period in case any violation is observed and to modify / stipulate additional conditions as deemed appropriate.
38. 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.
39. 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 Tripurari Sahoo, Lessee
Gunadei Brahmani Sand Quarry,
At-Sandapasipatana, Po: Gondiapatana,
Dhenkanal-759016, Odisha

Memo No. 2271 /

Date 03.06.2024

Copy forwarded to:

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

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Angul

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Angul

o/c

THAT THE BELOW ATTACHED PHOTOGRAPHS SUGGESTS THE LESSEE IS EXTRACTING SANDS USING HEAVY MACHINES

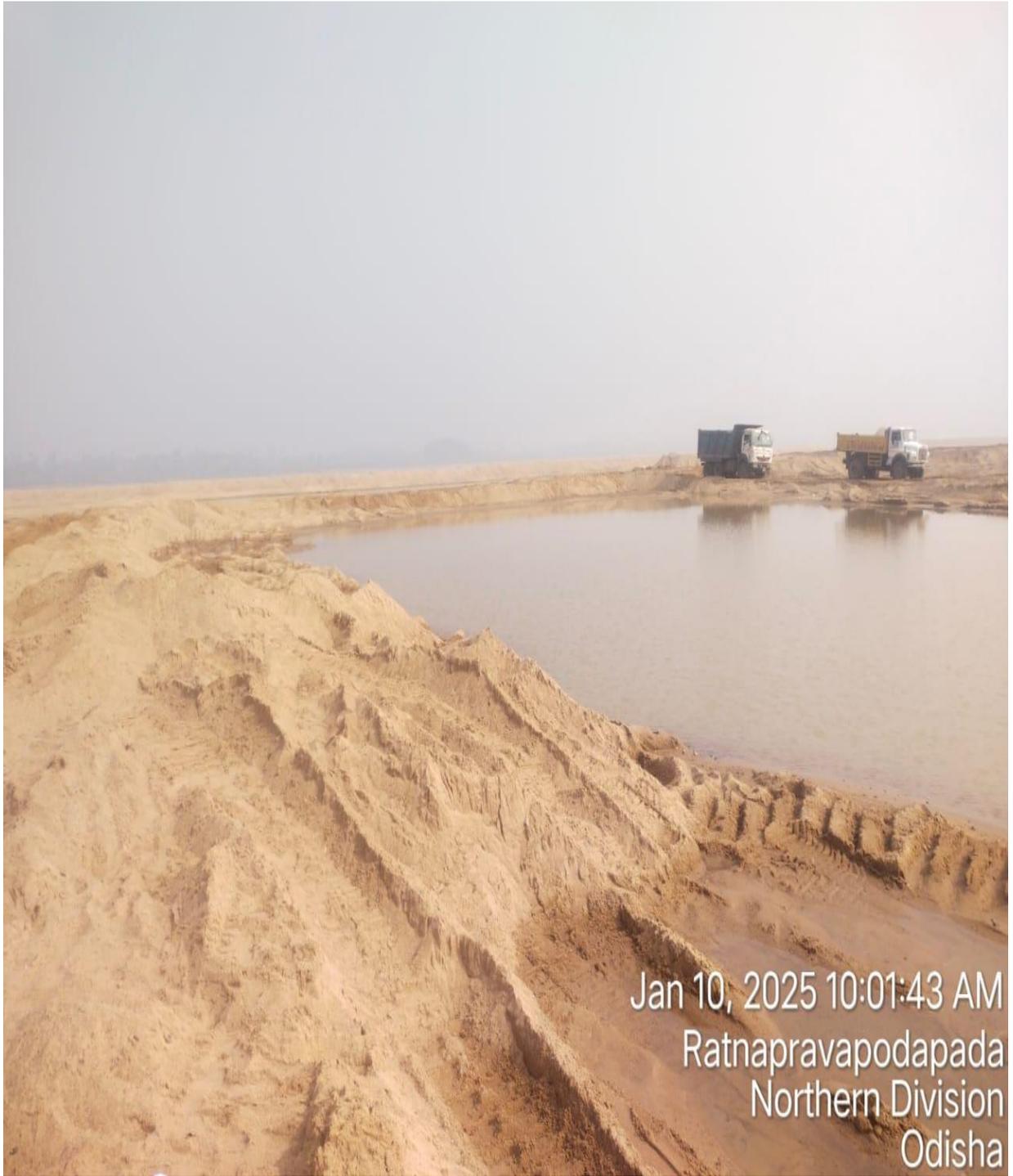


Jan 10, 2025 10:02:01 AM
Ratnapravapodapada
Northern Division
Odisha



Jan 10, 2025 10:06:30 AM
Ratnapravapodapada
Northern Division
Odisha





THAT THE BELOW ATTACHED PHOTOGRAPH SUGGESTS THE LESSEE IS EXTRACTING SANDS BEYOND THE LEASE AREA BY USING HEAVY MACHINES.



THAT THE BELOW ATTACHED GOOGLE EARTH IMAGES SUGGESTS THE LESSEE IS EXTRACTING SANDS BEYOND THE LEASE AREA



THAT THE BELOW ATTACHED GOOGLE EARTH IMAGES SUGGESTS THE LESSEE IS EXTRACTING SANDS BEYOND THE LEASE AREA



By e-Mail/Fax

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

RDM-MMS-EXINST-0001-2019-

12611

/R&DM Dated 26.04.2019

From

Shri Nikunja B. Dhal, IAS
Principal Secretary to Government

To

All Collectors

Sub: Guidelines for regulating the sand quarrying in the State.

Madam/Sir,

Sand is the most important minor mineral used for various development projects and construction of buildings. Increase in demand of sand has put immense pressure on the sand sources, at times leading to illegal quarrying activities.

Unscientific sand quarrying and illegal lifting not only causes revenue loss to the state exchequer but also distorts the natural equilibrium of rivers. Indiscriminate sand mining may also lead to change of the course of rivers and embankment cave-in thereby threatening the life of inhabitants of villages situated along the river bank.

A number of instructions/guidelines have been issued by this Department from time to time to prevent illegal lifting of minor minerals. Grant of quarry lease is regulated as per the provisions of Chapter-IV of OMMC Rules, 2016.

To ensure scientific quarrying, transparent distribution and to prevent illegal lifting / theft of minor minerals, a scheme namely '*prevention of theft of minor minerals and eviction activities*' was launched during 2018-19 vide Resolution No. 23225/R&DM dated 28.06.2018. To implement the scheme, funds to the tune of Rs. 5.00 Crore was initially placed with Collectors vide this Department sanction order no. 25548 dated 11.07.2018.

In continuation of various instructions issued in the past, the following guidelines and instructions are issued for streamlining the process of sand quarrying and preventing illegal lifting of sand:

A. Identification of sources:

- i. Tahasildar shall conduct joint verification with Assistant Executive Engineer/ Executive Engineer of Water Resources Department for identification of specific river stretches having proper access for grant of quarry leases.
- ii. The boundaries of sand sources should be properly demarcated by pillar posting as instructed vide this Department letter No.15640 dtd. 15.05.2017.
- iii. In no case the lessee should be allowed to extract sand beyond the lease area.

B. Mining plan and environment clearances / approvals:

- i. Tahasildar (Competent Authority) shall get the mining plans prepared in advance through Registered Qualified Persons (RQP) in respect of the sources within his jurisdiction.
- ii. While preparing mining plan the distance of hydraulic structures including dams, barrages, check dams, bridges etc., location from habitations, heritage sites, monuments and public infrastructure facilities should be taken into consideration. Sand quarrying operation should not endanger the safety of these structures & imperil the lives of the people.
- iii. The Tahasildar shall apply for and obtain the Environmental Clearance (EC). The selected bidder shall bear cost of the preparation of mining plan and also the costs incurred for obtaining the EC.
- iv. In case the approval of mining plan and the Environmental Clearance have not been obtained by the Competent Authority, the selected bidder shall obtain the same before executing the lease deed.
- v. State Pollution Control Board (SPCB), Odisha vide their Notice dated 12.05.2016 (copy enclosed) have informed all concerned that the lease holders of all minor mineral mines (irrespective of lease hold area) in the State are brought under the consent administration of the Board under the Water (PCP) Act, 1974 and Air (PCP) Act, 1981 and that for

operation of any minor mineral mines in the State, consent from the SPCB shall be obtained. The operation of any minor mineral mines in the State without obtaining consent from the SPCB will be considered as violation under section 25 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 and would lead to initiation of appropriate legal action.

- vi. It shall be the responsibility of the lessee to obtain the Consent to Operate (CTO) from State Pollution Control Board (SPCB) before commencement of the quarrying operation.
- vii. Care should be taken to follow all the environmental norms issued from time to time by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India and Forest & Environment Department, Govt. of Odisha prior to lease of any sand source and during operation of the same. The lessee shall be responsible for implementing the Environment Management Plan (EMP).

C. Quarrying/Mining operation:

- i. Quarrying operation should be done strictly within the mining area as per the Mining plan. It should be undertaken only after putting in place the required environmental safeguards.
- ii. The depth of the quarry shall be restricted to three meters or water level, whichever is less.
- iii. The lessee shall not damage the embankment of the river.
- iv. No quarrying operation of sand shall be allowed through mechanized means and suction method.
- v. The lessee shall not dispatch the sand without a valid transit pass in Form-Y issued by the Tahasildar.
- vi. Since Hon'ble High Court in the order dated 19.07.2012 in WP (C) No. 12232 of 2012 have observed that the transport permit is issued only to transport the sand extracted from the sand sairat within the state of Odisha, the lessees should be instructed not to transport sand outside the State. Clarification in this regard has already been issued from this Department vide letter No. 36404 dated 02.12.2014.

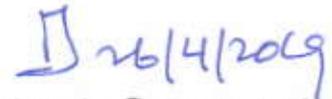
D. Steps for prevention of illegal sand quarrying/mining:

- i. District Administration shall put in place a robust monitoring mechanism to continuously monitor the quarrying activities of sand sources.
- ii. If any incidence of extraction of sand beyond the lease area by lessee is found, the same shall be treated as unauthorized and the lessee be penalized as per section 21(5) of MMDR Act, 1957 and the provisions of Rule 51 of OMMC Rules, 2016.
- iii. If any damage to embankments of the rivers comes to the notice, the lease shall be cancelled on obtaining the report from Assistant Executive Engineer / Executive Engineer of Water Resources Department.
- iv. The Revenue Administration and Police Administration shall seize all machines, vehicles, etc. used for carrying out illegal sand quarrying.
- v. Apart from instituting appropriate criminal proceedings against those carrying out illegal quarrying activities and transporting sand without valid 'Y' Form, maximum penalty should be imposed against them.
- vi. The District Administration should remain vigilant to prevent any incidence of interstate transportation of sand. If any such incidence comes to notice, the lease should be cancelled.
- vii. Temporary check gates may be set up during peak constructions season at common exit points to be decided by the Collectors. Care should be taken not to set up these posts on the National Highways and State Highways so that the general vehicular traffic is not affected and the commuters are not put to trouble.
- viii. Squads should be constituted at district and sub-divisional levels to conduct surprise checks in the sand quarrying areas and check the vehicles transporting sand. Raid/checking should always be done with adequate security arrangement to ward off any untoward situation.
- ix. Technical support of ORSAC may be taken for satellite based monitoring of very important sand sairats.

- x. All the complaints of unauthorized sand quarrying should be enquired by the Sub-Collector/ Addl. Sub-Collector/Tahasildar within 72 hours and remedial measures should be taken promptly.
- xi. Status of cases detected and action taken thereon for violation of provisions of OMMC Rules, 2016 and the Environmental Regulations should be reviewed in the monthly district level revenue meetings, and the issues arising thereon should be sorted out.

You are, therefore, advised to take all necessary measures for enforcing the above mentioned guidelines for preventing illegal and unauthorised sand quarrying in the State. Any deviation in implementation and enforcement of the provisions of the OMMC Rules, 2016 and the environmental regulations shall be viewed seriously and action deemed proper shall be initiated against the erring officer(s).

Yours faithfully,



Principal Secretary to Government

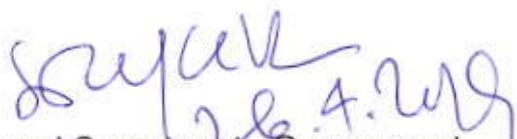
Memo No. 12612 /R&DM Dated 26.04.2019

Copy forwarded to Steel & Mines Department / Forest and Environment Department / Water Resources Department / Member Secretary, SPCB / CEO, ORSAC for information and necessary action.


26.4.2019
Additional Secretary to Government

Memo No. 12613 /R&DM Dated 26.04.2019

Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ All Revenue Divisional Commissioners for information and necessary action.


26.4.2019
Additional Secretary to Government

Memo No. 12614 /R&DM Dated 26.04.2019

Copy forwarded to all Sub-Collectors/ all Tahasildars for information and necessary action.


26.4.2019

Additional Secretary to Government

Memo No. 12615 /R&DM Dated 26.04.2019

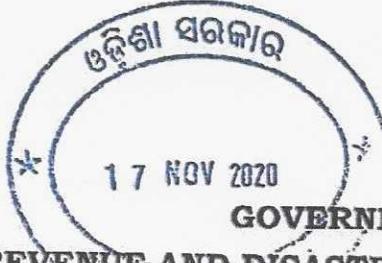
Copy forwarded to e-Governance Branch of this Department for uploading the same in the Department Website.


26.4.2019

Additional Secretary to Government

11/16/2020

Rich Text Editor, qA8Pgs-cnt



BY FAX/ E-MAIL

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-MMS-POLICY-0001-2020- 33056 / R&DM, dtd.16 NOV 2020

From

Sri Biranchi Narayan Dash,
Deputy Secretary to Government

To

Addl. Chief Secretary to Government, F & E Department/
Principal Secretary to Government, WR Department/
Principal Secretary to Government, Steel & Mines Deptt./
Comm. -cum- Secretary to Government, Works Deptt./
Secretary, Board of Revenue, Odisha, Cuttack/
Revenue Divisional Commissioner (CD), Cuttack, Odisha/
Revenue Divisional Commissioner (SD), Berhampur,
Odisha/
Revenue Divisional Commissioner (ND), Sambalpur,
Odisha/
Director, Minor Minerals, Odisha

Sub: Minutes of meeting held on 11.11.2020 on optimum and sustainable exploitation of minor minerals for increasing availability of minor minerals and augmentation of revenue.

Madam/Sir,

I am directed to enclose herewith a copy of the minutes of the meeting on optimum and sustainable exploitation of minor minerals for increasing availability of minor minerals and augmentation of revenue held on 11.11.2020 under the Chairmanship of Chief Secretary through MICROSOFT TEAMS for kind information and necessary action.

Yours faithfully,

[Signature]
16/11/2020
Deputy Secretary to Government

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TRUE COPY

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MINUTES OF THE MEETING ON OPTIMUM AND SUSTAINABLE EXPLOITATION
OF MINOR MINERALS FOR INCREASING AVAILABILITY OF MINOR MINERALS AND
AUGMENTATION OF REVENUE.

A meeting on optimum and sustainable exploitation of minor minerals for increasing availability of minor minerals and augmentation of revenue was held under the Chairmanship of Chief Secretary through MICROSOFT TEAMS at 12.30 PM on 11.11.2020. Additional Chief Secretary, Forest & Environment, Principal Secretary, Water Resources, Principal Secretary, Steel & Mines, Principal Secretary, R & DM, Commissioner-cum-Secretary, Works, Secretary, Board of Revenue, all RDCs, Director, Minor Minerals attended the meeting.

Initiating the discussion, Principal Secretary, R&DM briefed on the objectives of the meeting and made a power point presentation of the strategy adopted/ contemplated by R&DM Deptt. for optimum and sustainable exploration on minor minerals so as to increase availability of minerals and enhancement of the state revenue. He highlighted strategies like operationalization of all sources, identification of new sources, more particularly large patches and rivers sand beds, provision of lease/ permit with regard to private land making necessary amendment to OMMC Rules and OLR Act, regulation of stone crusher units and brick kilns, technological interventions like i4MS and e-auction to bring about substantial transformation in minor minerals administration etc.

RDC (ND) suggested to give responsibility of enforcement activities to prevent theft/illegal mining of minor minerals to the Tahasildar and IIC/OIC of concerned police station jointly instead of Tahasildar only. RDC (SD) pointed out the delay in grant of Environmental Clearance by SEIAA and suggested to have a full proof mechanism for monitoring of actual quantum of extraction and transportation of minor minerals from the sources. Principal Secretary, Steel & Mines Deptt. discussed about the functioning of i3MS which provides real time information on material extracted at source point till delivery at destination point. A similar system in the form of i4MS can address the monitoring issue in respect of minor minerals. Commissioner-cum-Secretary, Works opined on reservation of big minor mineral sources for leasing in favour of State PSUs and suggested to issue step by step instruction to Collectors for implementation of such provision. Secretary, Board of Revenue shared his view on delay in signing of lease deed. Additional Chief Secretary, Forest & Environment laid stress on submission of error free proposals by Tahasildars for grant of E.C. so that queries raised at SEIAA/ SEAC level are minimized.

Chief Secretary emphasized on optimum exploration of minor mineral potential through scientific and sustainable mining to bridge the demand supply gap and increase revenue. After detailed discussion following decisions were taken.

1. Water Resources Department will take special initiative to do scientific analysis of river sand availability for excavation. Specific river stretches will be identified by them and recommended to Revenue & DM Department within next two months.

2. Revenue & DM Deptt. will take steps for identification of large minor mineral sources which can be reserved/ leased out to State PSUs following due procedure.



RDM-MMS-POLICY-0001-2020/1/2020

3. Forest & Environment Deptt. will work out the additional staff need of SEIAA to meet the workload in respect of processing proposals/ applications for grant of Environmental Clearance and to intimate to Home Department so that Home Department will take steps to deploy staff accordingly.

4. Revenue Divisional Commissioners will conduct weekly review meetings on every Monday of the pendency of applications submitted by Tahasildars to SEIAA for grant of EC and position with regard to submission of compliances by Tahasildars on objections raised by SEIAA and intimate the progress to Revenue & DM Department.

5. Revenue & DM Department will examine the suggestion of RDC(ND) regarding joint responsibility of Tahasildars and IICs/OICs of concerned police stations to prevent theft/ illegal mining of minerals. It will also work on the prospect of establishment of a Minor Mineral Corporation in the state.

The meeting ended with vote of thanks to the Chair.

This issues with kind approval of the Chief Secretary in OSWAS File No. RDM-MMS-POLICY-0001-2020.



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YOUTH UNITED
FOR SUSTAINABLE ENVIRONMENT TRUST

114

**YOUTH UNITED FOR SUSTAINABLE
ENVIRONMENT TRUST**

(Regd. Number-40052302150)

+91 89176 28386

youthunitedtrust@gmail.com

At/Po- Santhapada
PS-Talcher Dist-Angul
pin-759104

Ref : 12022516

Date : 12/02/2025

To

1. Chief Secretary, Government of Odisha, Lokaseva Bhawan, Bhubaneswar

csori@nic.in

2. Additional Chief Secretary, Revenue and Disaster Management Department, Government of Odisha, Email: revsec.od@nic.in

3. Additional Chief Secretary, Forest and Environment Department, Government of Odisha, email: forestandenv1@gmail.com

4. Member Secretary, State Environment Impact Assessment Authority(SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022 seiaaodisha@gmail.com

5. Member Secretary, Odisha State Pollution Control Board, A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, Email: paribesh1@ospcboard.org

6. District Collector, Dhenkanal, At/Po/Dist-Dhenkanal, Odisha 759001, Email- dm-dhenkanal@nic.in

7. Tahasildar, Odapada, At/Po- Odapada, Dist- Dhenkanal ,Email- tah.odapada-od@nic.in

8. The Superintendent of Police, Dhenkanal, At/Po/PS –Near Courthouse, Durga Bazar,, Dhenkanal, Odisha 759001, Email- spdcl.odpol@nic.in

9. Deputy Director of Mines, Talcher, At/Po- W6X8+66X, Remuan Rd, Talcher, Odisha 759100, Email- ddm.talcher@orissaminerals.gov.in

Subject: Illegal sand mining in **Gundadei Brahmani Sand Quarry** by Sri Tripurari Sahoo ,
in Violation of order of Honble NGT Principal Bench, Environment Clearance Conditions
and Sustainable sand Mining Guideline 2016 and 2020.

Dear Sir,

In the interest of public at large and to control illegal sand mining, loss to public exchequer
Youth United for Sustainable Environment(YUSE) wish to bring your kind attention to
thefollowing few points for urgent action.

1. That the environment clearance was granted in favor of Tahasildar Odapada, Dist-
Dhenkanal on dated 30/03/2021 for the **Gundadei Brahmani Sand Quarry over an
area of 11.80 acres or 4.77ha** at village Gunadei Tahasil- Odapada, District-
Dhenkanal to remove **10000 cum /Annum(maximum)** Sand in first year in Village-
Gunadei Tahasil- Odapada, District-Dhenkanal Odisha State. The maximum
extraction of sand can be only **47.61 CM per day** considering the mining period of
210 days in a year.
2. It is pertinent to mention here that though the EC was granted on dated 30/03/2021 in
favor of Tahasildar Odapada, but the lessee use to extract sands from the said sand
quarry without being transfer of the EC in his name from the date of grant of EC in
favor of the tahasildar to 12/07/2023. And on 12/07/2023 the EC got transferred to
the name of the lessee till 12/07/2023 the lessee use to extract the sands from the
Gundadei Brahmani Sand Quarry illegally. And the same illegal extraction of
sand is also reflects in the transferred EC.
3. That the EC was transferred in favor of the lessee on dated 12/07/2023 and in the
additional stipulation it is categorically mentioned that **“The PP is required to submit
the annual rate of replenishment study (ARRS) report through ORSAC empanelled**

agency within 31 December 2024.” But as on date no such report has been filed by the project proponent.

4. It is further stated that the lessee has already extracted the permissible quantity of sand from the **Gundadei Brahmani Sand Quarry** and now engaged in illegal mining of sands from the said sand quarry.
5. The Mining plan suggests that operation shall be manual, No sand shall be collected from the stream of the river, Sand mining will be carried out only 1mts from the existing surface. Mining will be carried in the day time only. Extraction of sand in the monsoon season will not be done. It further says that 17 labors to be engaged.
6. That there is clear violations of Mining Plan, lease Conditions, Consent Letter of OSPCB and Environment Clearance letter while operating the sand quarry. The details of illegalities are as follows
 - I. Use of **three machines (JCB/Earth Mover) when permission is only for manual mining (only through labor and no machine to be used for mining the sand)**
 - II. **Obstructing the free flow of the river** water by creating **approach road**
 - III. Excess mining beyond the permissible quantity and mining operation throughout day and night. Every day at least 100 Hyvas are loading the sand from the source which will make out a quantity of **around 1000CM in a day** and in such case the permissible quantity for the year has already been exhausted.
 - IV. Mining Operation is beyond the lease area as compared with the KML File and the Photographs
 - V. Transportation through village road which is not permitted.

- VI. Mining Operation during **Monsoon season while the same is banned**, as per the MoEFCC guideline in the state of Odisha monsoon starts from 15th of June and the mining was ongoing at that point of time also.
- VII. Quarterly Compliance reports not filed are not uploaded in the website of MoEFCC.
- VIII. NO monitoring by the Mining officials to ensure the lease conditions are complied in letter and spirit
- IX. No pillar posting as well any signboard in lease area
- X. the lift irrigation project of that area became defunct as the required amount of water is not coming to the pump because of mining activities (which is a clear violation of CTO special condition no.17 f).
- XI. That the lessee is using the village road for the transportation of sand, and due to heavy vehicles the village road becomes a death trap for the villagers. It is pertinent to mention here that the sand loaded vehicles are plying through the densely populated villages.
- XII. Violation of CTO special condition number 17 (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.”*.
- XIII. Violation of CTO special condition number 17 (e) *“No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed”*
- XIV. Violation of CTO special condition number 19 *“10% of the width of river shall be left intact along the embankments on both sides as no mining zone”* but the PP use to extracts sand from the embankments also and the is violation of CTO special condition number 19.

For the above mentioned reasons we demand the authorities for

i) Seizure of JCB Machines and Vehicles used in Sand Mining

ii) To immediately remove the illegal approach road constructed by the lease holder and ensure the free flow of river by dismantling the artificial approach roads for transportation of sand loading vehicles inside the river

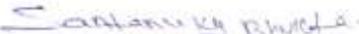
iii) Surprise raid and measure the extent and quantity of sand mining carried beyond the permissible limit

iv) Suspend the Mining Leases, Environment Clearance and Consent to operate granted to the leases.

v) Initiate Criminal Proceeding against the lessee and seize the Machines and vehicles and impose exemplary penalty

Sincerely

Santanu Kumar Bhukta, At/po-Santhapada, Talcher(President)


Youth United for
Sustainable Environment Trust
President

NB: For better clarifications the photographs and EC dated 12/07/2023 are attached below.







**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/292671/2022

Dated 12th July, 2023.
Bhubaneswar

To

Sri Tripurari Sahoo
S/o-Padmanav Sahoo
At-Sandapasipatana
Ps-Gondia, Dist-Dhenkanal

Sub: Proposal for Transfer of Environmental Clearance of Gunadei Brahamani River sand Bed over an area of 11.80 acres or 4.77 ha at village-Gunadei, Tahasil-Odapada, dist-Dhenkanal, Odisha from the name Tahasildar Odapada to Sri Tripurari Sahoo -reg.

Ref: (i) EC letter no./EC identification no. 1133/SEIAA dated 30.03.2021
(ii) Tahasildar, Odapada letter no. 5190 dated 27.09.2022
(iii) Online Application no. SIA/OR/MIN/292671/2022 dtd.26.06.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/292671/2022 dated 26.06.2023, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. 1133/SEIAA dated 30.03.2021 in favour Tahasildar, Odapada, Dist- Dhenkanal.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 125th meeting held on 26.06.2023, 27.06.2023 and 28.06.2023 in accordance with the Para-11 of the EIA Notification, 2006 as amended from time to time and the following points are noted;

- (i) As submitted by the Tahasildar, it is noted that EC was obtained for Gunadei Brahamani River Sand Bed (River-Brahamani) for a period of 5 years in favour of Tahasildar, Odapada vide the above-mentioned EC letter under reference. Now, the said sairat source has been leased out by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Tripurari Sahoo, who is the successful bidder in this case for operationalization of the sairat source for 5 years lease period under the provision of OMMC Rules, 2016.
- (ii) The Tahasildar has mentioned that after obtaining EC, the said quarry is operated after obtaining EC.
- (iii) This is a violation case as the quarry operated earlier without transfer of EC. Accordingly, the PP has submitted total project cost of Rs. 1, 06, 27,550/- and total turnover of Rs. 81,60,000/- through Chartered Accountant (CA).



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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
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- (iv) As per EC conditions 1st year production allowed **10000 cum** but the PP has already extracted **10000 cum** of stone material in **1st year and 10000 in 2nd year** from the lease area.
- (v) The proposal was placed in 121st SEIAA meeting held on 30.05.2023 and the authority observed that this is a violation case as the quarry has been operated without transfer of EC in favour of lessee/successful bidder.

After detailed discussion, the Authority decided to allow transfer of EC of the said After detailed discussion, the Authority decided to allow transfer of EC of the said proposal as per the MoEF& CC, Govt. of India O.M. no. F. No. 22-21/2020-IA.III dated 07.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification 2006 and in accordance with the order of Hon'ble National Green Tribunal subject to remittance of total penalty amount of **Rs.1,26,676/-** (i.e. 1% of the total project cost of Rs. 1,06,27,550/- + 0.25% of the total turnover during violation period of Rs. 81,60,000/-) to State Pollution Control Board (SPCB), Odisha.

The PP is required to submit the proof of the penalty receipt along with Annual Rate of Replenishment Study (ARRS) Report to SEIAA, Odisha for further consideration of this proposal.

- (vi) The PP has submitted the penalty amount of **Rs. 1,26,676/-** to SPCB, Odisha vide receipt no. 27422, Book No. 1075 dated 12.06.2023 and also mentioned that he has submitted the replenishment study report to SEIAA, Odisha vide proposal No. SIA/OR/MIN/276445/2022 and accordingly EC amended vide letter no. 5025/SEIAA dated 02.08.2022 subject condition to submit ARRS report by **31st December 2023**.
- (vii) Documents submitted for EC Transfer;
- Form No. 7 for transfer of Environmental Clearance,
 - Letter no. 5190 dated 27.09.2022 of Tahasildar, Odapada for transfer of EC to Sri Tripurari Sahoo as the successful bidder for Gunadei Brahamani River Sand Bed.
 - Cyber Treasury e-challan no. 3375430003 dated 10.10.2022 for Rs.2000/- towards scrutiny fee.
 - Undertaking for accepting the terms and conditions in the original EC.

3. Transfer of Environmental Clearance (EC) of Gunadei Brahamani River Sand Bed issued vide SEIAA, Odisha EC letter/EC identification no. 1133/SEIAA dated 30.03.2021 in favour of Sri Tripurari Sahoo, the successful bidder to extract **2500 cum** (i.e. 25% of the 1st year production quantity 10000 cum allowed in the EC) of sand material for 3rd year lease period. PP shall submit Annual rate of replenishment study (ARRS) report by 31st March 2024 through ORSAC empanel agency. The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with additional stipulation.

Additional stipulation

- The PP is required to submit the annual rate of replenishment study (ARRS) report through ORSAC empanelled agency **within 31st December 2024**.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

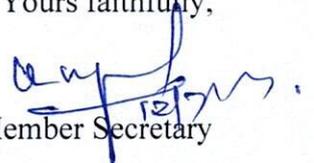
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
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- b. The validity of EC is for 3rd year or validity of DSR or validity of lease period whichever is earlier
- c. **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.
- d. **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 info.seiaaodisha@gmail.com.
- e. **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.
- f. **Tree Plantation:** -Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,50,000/- with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry.
- g. **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

The lessee shall comply the above points and submit report to SEIAA, Odisha through email at seiaaodisha@gmail.com within 06 (six) months from date of issue of transfer of EC falling which the EC stands automatically revoked.

In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


 Member Secretary

Encl: Copy of the Original EC

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for information.



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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
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5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to the Collector/Sub Collector, Dhenkanal and Tahasildar Odapada for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.


Member Secretary

Illegal sand mining in gunadei sand quarry, violation EC condition



Youth United For S... Feb 12

to csori, dm-dhenkanal, ... ^



From Youth United For Sustainable Environment Trust ·
youthunitedtrust@gmail.com

To csori@nic.in
dm-dhenkanal@nic.in
ddm.talcher@orissaminerals.gov.in

Cc revsec.od@nic.in
seiaaodisha@gmail.com
paribesh1@ospcboard.org
tah.odapada-od@nic.in
ddm.talcher@orrisaminerals.gov.in

Date Feb 12, 2025, 7:56 PM

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Gundadei sand mining COMPLAINT-merged.pdf



YOUTH UNITED FOR SUSTAINABLE
ENVIRONMENT TRUST
(Regd. Number-40052302150)
+91 89176 28386

BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application No. _____ of 2025

In re:

Youth United For Sustainable Environment Trust

Applicant

VERSUS

State of Odisha and Others

Respondent

KNOW ALL to whom these present shall come that I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, that I am the President of the Applicant Trust in the above named APPLICANT do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :- **Sankar Prasad Pani O-785/2007. Ashutosh Padhy O-1018/23 Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, , sankarprasadpani@gmail.com, 9437279278.**

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

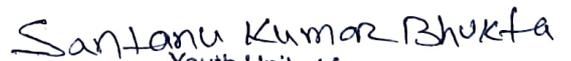
And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 28 day of April 2025.

Accepted subject to the terms of fees.


Advocates


Youth United for
Sustainable Environment Trust
Client President