

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No. 60/2025/EZ

Jhadeswar Pradhan-----Applicants(s)

Versus

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

Affidavit on Behalf of the Opposite Party/Respondent No. 10 State  
Environment Impact Assessment Authority (SEIAA), Odisha

**INDEX**

Sl. No.	Particulars	Page No.
1.	Affidavit on Behalf of State Environment Impact Assessment Authority (SEIAA), Odisha	01-07
2.	Copy of EC Identification No. EC23B000OR130060 dated 13.07.2023 is enclosed as <b>Annexure-I</b>	08-16
3.	Copy of Show Cause letter no. 6556/SEIAA dated 05.07.2025 is attached in <b>Annexure-II.</b>	17-19

Place: Bhubaneswar  
Date: 21/08/2025

**Shri Apurba Ghosh**  
Advocate for Respondent No.10  
(SEIAA), Odisha  
C/o Partha Sarathi Shamajder  
25/D Baderaipur Road  
P:O Jadavpur, Kolkata -700032  
Email-apu7law@gmail.com  
Phone No.9476239442



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

**Original Application No. 60/2025/EZ**

Jhadeswar Pradhan -----Applicant(s)

Versus

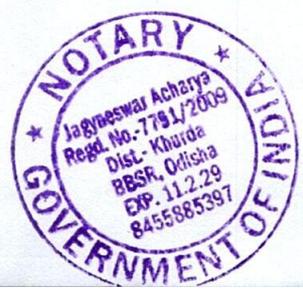
State of Odisha & Ors -----Respondent(s)

Affidavit on Behalf of the Opposite Party/Respondent No. 10 State  
Environment Impact Assessment Authority (SEIAA), Odisha

1. Dr. Pradeept Kumar Nayak, son of Sri Bhimsen Nayak aged 42 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.10 before this Hon'ble National Green Tribunal.
3. That, I have gone through the original application and order dated 04.04.2025 and subsequent order dated 08.07.2025 of Hon'ble NGT, EZ, Kolkata and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.
4. That, in reply to the averments made in the Para-01 to Para-04 of the original application, deponent humbly submits that the details are mentioned the joint inspection (dated 02.05.2025)

*Pradeept Kumar Nayak*

**Environmental Scientist  
SEIAA, Odisha**



**Jagyeswar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.- Khurda  
Regd. No.-7791/2009  
8455885397**



report has been filed by the Collector and District Magistrate, Sundargarh as per the direction of Hon'ble NGT.

5. That, in reply to the averments made in the Para-05 & Para-06 of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
6. That, in reply to the averments made in the Para-07 & Para-09 of the original application, deponent humbly submits the following points as follows:
  - (i) This is a matter on Tendra-II River Sand Bed over an area 12.35 acres or 5.00 hectares in Brahmani Nadi Kha adjoining Tendra village under Bonai Tahasil of Sundargarh District, Odisha.
  - (ii) The said sand source is an existing source has included in the District Survey Report of Sundargarh District in page no.93, sl. No. 05 and was approved on 02.04.2022 by District Level Expert Appraisal Committee (DEIAA), Sundargarh as per the MoEF & CC, Govt. of India EIA Notification No. S.O. 141 (E), 15<sup>th</sup> January, 2016 & S.O.3611 (E), 25<sup>th</sup> July, 2018.
  - (iii) The Mining Plan for Tendra-II River Sand Bed has been approved by the Deputy Director of Geology, Zonal Survey, Sambalpur on dated 22.10.2021 for annual extraction of sand 30,000 cum/annum and proposed total production in 5 years 150000 cum.

*Pradeept Kumar Nayak*

**Environmental Scientist  
SEIAA, Odisha**



*[Handwritten signature]*

**Jagyneshwar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.- Khurda  
Regd. No.-7791/2009  
8455885397**



- (iv) Based on documents submitted by the applicant/successful bidder/lessee, Smt. Rashmirekha Sahu vide online application no. SIA/OR/MIN/291225/2022 dated 21.02.2023 and as per the recommendation of the State Level Expert Appraisal Committee (SEAC) in its meeting held on 6<sup>th</sup> 8<sup>th</sup> 9<sup>th</sup> and 10<sup>th</sup> May 2023, the Environmental Clearance (EC) was issued by Authority to the applicant Smt. Sahu vide EC Identification No. - EC23B000OR130060 dated 13.07.2023 with allowing the extraction quantity of sand 30,000 cum in 1<sup>st</sup> year as per approved mining plan and 7500 cum in 2<sup>nd</sup> year if the Annual Rate of Replenishment Study (ARRS) report of sand is not submitted after one year of quarry operation with condition that any further extension of EC beyond two year shall be considered only with submission of duly approved DSR and ARRS report.

Copy of EC Identification No. - EC23B000OR130060 dated 13.07.2023 is attached in **Annexure-I**.

- (v) The SEIAA, Odisha has issued letter vide dated 16.12.2022 and reminder letter dated 03.03.2023 to all the Collectors of different District of Odisha and subsequent letter to Chief Secretary Odisha for submission of revised DSR as per guidelines of MoEF & CC, Govt. of India in EIA Notification No. S.O. 3611 (E) dated 25.07.2018, Enforcement and Monitoring Guideline for sand of MoEF & CC-2020 and as per

*Pradip Kumar Nayak*  
Environmental Scientist  
SEIAA, Odisha



*[Handwritten signature]*  
3

Jagyneshwar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.- Khurda  
Regd. No.-7791/2009  
8455885397



direction of Hon'ble Supreme Court of India vide its order dated 10.11.2021 in Civil Appeals Nos. 36613662 of 2020 in matter of State of Bihar Vrs Pawan Kumar and Others. The Deputy Director of Mines, Sundargarh has submitted the revised DSR vide online application SIA/OR/MIN/542672/2025 dated 25.06.2025 in Parivesh Portal 2.0 for approval of SEAC & SEIAA based on the above guidelines and Hon'ble Supreme Court order. The DSR was placed in SEAC meeting dated 23.07.2025 and the SEAC raised some clarification from the applicant for insertion/correction in DSR of Sand in Sundargarh District which is pending at applicant end.

- (vi) As per the EC condition, the project proponent Smt Sahu has submitted Amendment of EC application vide application no. SIA/OR/MIN/516323/2024 dated 27.12.2024 to SEIAA, Odisha for consideration of EC based on replenishment study report. Based on the SEAC recommendation in its meeting dated 28.02.2025, the Amendment of EC application was rejected by the Authority in 196<sup>th</sup> meeting held on 19.04.2025 with reason that the replenishment study was not done as per MoEF & CC, Govt. of India guideline.

- (vii) Further, the applicant has submitted Amendment of EC application vide application no. SIA/OR/MIN/532368/2025 dated 01.04.2025 to SEIAA, Odisha for consideration of EC based on



*[Handwritten signature]*  
4

Jagyneshwar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.-Khurda  
Regd. No.-7791/2009  
8455885397

*Pradeep Kumar Nayak*

Environmental Scientist  
SEIAA, Odisha

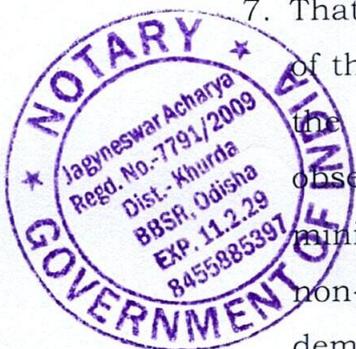


replenishment study report. The SEAC in its meeting dated 28.02.2025, has recommended the proposal for Amendment of EC for production quantity of sand 28548 cum/annum. The proposal was placed in 207<sup>th</sup> meeting of SEIAA, Odisha held on 11.06.2025 & 12.06.2025. The Authority observed that there is a case filed at Hon'ble NGT, Eastern Zone, Kolkata against the said quarry in OA. 60/2025/EZ in the matter Jhadeswar Pradhan Vrs State of Odisha & Ors and the case is subjudice. The PP has submitted false declaration in Form-4 that no litigation pending against the project, there is an unauthorised mining outside the lease area was established in joint committee inspection report based on Hon'ble NGT, transporting route has been changed without permission from competent Authority and without modification EC and some other non-compliance of EC conditions. After detailed deliberation, the authority decided to reject the amendment of EC and accordingly, the rejection letter was communicated to the project applicant vide EC Identification No. EC25C0107OR5858649A dated 10.07.2025.

*Pradcept Kumar Nayak*

Environmental Scientist  
SEIAA, Odisha

7. That, in reply to the averments made in the Para-10 & Para-20 of the original application, deponent humbly submits that from the joint inspection report dated 02.05.2025, it has been observed that there is violation of EC condition in light of mining of 5339.784 cum of sand from outside the lease area, non-submission of compliance report on regular basis, no demarcation of lease area through pillar posting, change of



*[Handwritten signature]*

Jagynewar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.- Khurda  
Regd. No.-7791/2009  
8455885397

~~6~~

transporting route without permission from competent Authority etc. Accordingly, a Show Cause Notice was issued to the PP vide letter no. 6556/SEIAA dated 05.07.2025 why EC letter dated 13.07.2023 shall not be revoked due to violation of EC conditions on account of non-compliance of EC conditions and 5339.784 Cum (approximate) sand has been extracted outside the lease area. The respondent has submitted their reply to SEIAA, Odisha and the matter will be placed in Authority meeting has been schedule to be held on 22.08.2025 and accordingly action will be initiate against the lease holder/lessee.

Copy of Show cause letter no. 6556/SEIAA dated 05.07.2025 is attached in **Annexure-II**.

8. That, in reply to the averments made in the Para-21 to Para-35 of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
9. That, in reply to the averments made in the Para-36 to Para-53 of the original application, deponent humbly submits that the details are mentioned in point no. 06, 07 of above and in the joint inspection report dated 02.05.2025.



That, in reply to the averments made in the Para-54 to Para-67 of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.

Jagyneshwar Acharya  
Notary, Govt. of India  
Odisha, BBSR, Dist.-Khurda  
Regd. No.-7791/2009  
8455885397

*Pradsept Kumar Nayak*

Environmental Scientist  
SEIAA, Odisha



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

Identified by  
Advocate

*Pradeept Kumar Nayak*

**Deponent**  
**Environmental Scientist**  
**SEIAA, Odisha**

**VERIFICATION**

Verified at Bhubaneswar on this day of 21st August 2025 that the contents of the above affidavits are true and correct on the basis of the records maintained by the respondent in the daily course of its business, no part of it is false and nothing has been concealed therefore.

Place: Bhubaneswar

Date:

*Pradeept Kumar Nayak*

**Deponent**  
**Environmental Scientist**  
**SEIAA, Odisha**



*Jagyneshwar Acharya*  
**Jagyneshwar Acharya**  
**Notary, Govt. of India**  
**Odisha, BBSR, Dist.- Khurda**  
**Regd. No.-7791/2009**  
**8455885397**



ENVIRONMENTAL  
CLEARANCE



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

To,

The Owner  
RASHMIREKHA SAHU  
AT- AMGAON , PO- SINGSAL -768110

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/OR/MIN/291225/2022 dated 21 Feb 2023. The particulars of the environmental clearance granted to the project are as below.

- |  |  |
|--|--|
| 1. EC Identification No.                   | EC23B000OR130060   |
| 2. File No.                                | 291225/882-MINB2/03-2023   |
| 3. Project Type                            | New  |
| 4. Category                                | B2   |
| 5. Project/Activity including Schedule No. | N/A  |
| 6. Name of Project                         | Proposal for EC of TENDRA II SAND BED over an area 12.35acres or 5.00hectares in Brahmani nadi Kha adjoining Tendra village under Bonai tahasil of Sundargarh district Odisha. |
| 7. Name of Company/Organization            | RASHMIREKHA SAHU   |
| 8. Location of Project                     | Orissa   |
| 9. TOR Date                                | N/A  |

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

Date: 13/07/2023

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

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

*This is a computer generated cover page.*

PARIVESH

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





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

### ENVIRONMENTAL CLEARANCE FOR SAND MINING

**Subject: Application of Smt. Rashmirekha Sahu for mining of Sand from Tendra II Sand Bed (on River Brahamani) over an area 12.35Acres or 5.00Ha bearing Khata No-01, Plot No- 149/P,151/P located in village-Tendra, tahasil-Bonai, District-Sundargarh- Environmental Clearance reg.**

The project proponent Smt. Rashmirekha Sahu has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC,GOI vide online application no. SIA/OR/MIN/291225/2022 dated 21.02.2023 for mining of Sand from Tendra II Sand Bed (on River Brahamani)over an area 12.35Acres or 5.00Ha bearing Khata No-01, Plot No-149/P,151/P located in village-Tendra, tahasil-Bonai, District-Sundargarh in terms of the provisions of the Environment Impact Assessment(EIA) Notification, 2006 under the Environment(Protection) Act,1986 and subsequent amendments thereto.

#### 2. Proposal in brief:

Proposal No.	SIA/OR/MIN/291225/2022
Date of application	21.02.2023
File No.	291225/882-MINB2/03-2023
Project Type	EC
Category	B2
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for grant of EC for Tendra II Sand Bed over an area 12.35acres or 5.00hectares in Brahmani nadi Kha adjoining Tendra village under Bonai tahasil of Sundargarh district Odisha.
Name of the company/Organization	Applicant:- Smt. Rashmirekha Sahu At- Amgaon, Po- Singal Dist- Deogarh Odisha
Location of Project	Odisha

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

- This is a proposal for mining of sand from Tendra II Sand Bed (on River Brahamani) over an area 12.35Acres or 5.00Ha bearing Khata No-01, Plot No- 149/P,151/P located in village-Tendra, tahasil-Bonai, District-Sundargarh.



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

- ii. The mining area is a part of Survey of India Toposheet No. F45M14 bounded by Latitude: 21°41'14.76" N to 21°41'29.13" N and Longitude: 84°56'51.27" E to 84°56'56.88" E.
- iii. The mining lease is an identified sairat source in the DSR. The Tendra II Sand Bed sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Bonai to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years. The lease period of 5 years shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar.
- iv. The mining plan of the mining project prepared has been approved by Deputy Director of Geology, O/o Joint Director of Geology, Zonal Survey, Sambalpur on dated 27.10.2021.
- v. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 63446 cum of sand, when extracted upto a depth of 1.5 m., maximum annual extraction of sand-30000 cum/annum with 1.0 meter depth by manual method mining.
- vi. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
- vii. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 0.9Km away from the mining lease area.
- viii. 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.
- ix. Whether the DSR has been prepared as per the MoEF & CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others)- **No**
- x. Whether the replenishment rate study of sand was done as per the Enforcement & Monitoring Guideline for sand mining-2020-**No**
4. This proposal conforms to the item no. 1(a)-'Mining of Minerals' 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 5 ha.
5. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 6<sup>th</sup>-10<sup>th</sup> May 2023. The SEAC have duly recommended for grant of EC to the proposal.
6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 125<sup>th</sup> meeting held on 26.06.2023 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2<sup>nd</sup> February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore).
7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14<sup>th</sup> September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for**

11



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

mining of Sand from Tendra II Sand Bed (on River Brahamani) over an area 12.35Acres or 5.00Ha bearing Khata No-01, Plot No- 149/P,151/P located in village-Tendra, tahasil-Bonai, District-Sundargarh by Smt. Rashmirekha Sahu with the following stipulations, environmental conditions and safeguards.

**A: Stipulations:**

Sl.	Descriptions	Stipulation
(i)	Lease Area:	12.35Acres or 5.00Ha
(iii)	No Mining Zone:	1/4 <sup>th</sup> of river width for protection of river bank and 7.5 meter safety zone from all side of lease boundary.
(iv)	Maximum Depth of Mining:	1.0 meter as per the approved mining plan
(v)	Permitted Quantity:	1 <sup>st</sup> year:30000 cum 2 <sup>nd</sup> year:7500 cum
(vi)	Validity Period of EC:	The validity of EC is for 1 <sup>st</sup> year and 2 <sup>nd</sup> year or validity of DSR or validity of lease period whichever is earlier.

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

- 7.1 **Boundary Demarcation:-** The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- 7.2 **Digital Map:-** A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at [info.seiaaorissa@gmail.com](mailto:info.seiaaorissa@gmail.com).
- 7.3 **Intimation of EC:-** The copies of the EC shall be sent to the Sarpanch(s) of the concerned Gram Panchayat(s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- 7.4 **Tree Plantation:-** Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs. 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.
- 7.5 **State EMF Fund:-** An amount equal to five percent(5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.



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

- 7.6 **Condition by Collector:-** Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.
- 7.7 **Transfer of EC:-** Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards (from 7.1 to 7.6).
- C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT**
- 7.8 **Maximum Depth of Mining:** Maximum depth of mining 1.5 meter and maximum quantity of extraction shall be limited to **30000 cum** in 1<sup>st</sup> year and **7500 cum** in 2<sup>nd</sup> year. PP shall submit Annual rate of replenishment study (ARRS) report each year through ORSAC empanel agency. The Project proponent shall follow Enforcement & Monitoring Guideline for sand mining-2020 before and during operation of quarry. Any flouting of this restriction shall make this EC liable to cancellation.
- 7.9 **Annual Replenishment Rate Study of Sand:-** The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area.
- 7.10 **District Survey Report:** In view of likely revision of DSR as per the Ministry guidelines, the mention of this deposit in DSR with final coordinates is to be ensured by Tahasildar within two years. The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map. The Grant of EC for further period will be considered after submission of DSR approved by SEIAA as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others).
- 7.11 **EC Extension:-** Any further extension of EC beyond two year shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.
- 7.12 **No change in the mining plan without prior approval of SEIAA:-** Any change in the calendar plan, change in production quantity or method of mining shall not be made without **prior** approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.



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

- 7.13 **Environmental Management Plan:-** (i) EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in EMP. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.  
 (ii) The PP will implement the EMP with a budgetary allocation of Rs. 2.80 Lakh per annum as proposed during the valid lease period of 5 years. The detailed expenditure on EMP shall be submitted with six monthly compliance report.
- 7.14 **No Working Zone: -** The lessee shall ensure that no sand mining is carried out in the areas as specified below:-
- During the rainy season;
  - Within the water channel or stream flow area throughout the year;
  - Mining shall not be undertaken in a mining lease located in 250-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
  - The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non- monsoon period.
  - No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
  - Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
  - The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.15 **Transport Safeguards:**
- Consent / NoC shall be obtained from the concerned authority if village road is to be used for transportation. The said road shall also be maintained by the lessee.
  - No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
  - Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
  - Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
  - Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to



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

- applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr. be allowed.
- f) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks.
- g) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.
- 7.16 **Other Environmental Conditions:-**The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.
- a) The Tahasildar shall take adequate measures to prevent unauthorized mining;
- b) The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source;
- c) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- d) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.17 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
- 7.18 **Half-yearly Compliance Report:-** It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF & CC, Bhubaneswar in soft copies on 1<sup>st</sup> day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 7.19 **Concomitant Monitoring:-** The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 7.20 **Independent Monitoring:-**The concerned Regional Office of the MoEF & CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF &



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

- CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.21 **Revocation of EC:-** The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 7.22 **Change in Ownership of Lease:-** This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per the provision of the Para 11 of EIA Notification,2006, as amended from time to time.
- 7.23 **Statutory compliance on Grant of CTE & CTO from SPCB:-** Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board. The SPCB, Odisha shall ensure that there is no change in the extraction quantity as given in the EC stipulations in respect of year wise permitted quantity before giving 'consent to operate' to this project.
8. **Basis of Permitted Quantity:-** It is made clear that the EC granted is on adhoc basis as the applicant has not submitted the approved District Survey Report (DSR) or Annual Replenishment Rate Study Report (ARRS). In the absence of approved District Survey Report (DSR) the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report (Refer Para: 4.3 (r) of the Enforcement & Monitoring Guidelines for Sand Mining issued in January, 2020 by the Ministry of Environment, Forest and Climate change). The permitted quantity in the 1<sup>st</sup> year has been calculated on the basis of 60% mine lease area or quantity mentioned in the Mining Plan, whichever is less. Further in the absence of approved Annual Replenishment Rate Study Report an annual replenishment rate of @25% of the 1<sup>st</sup> year quantity is allowed for 2<sup>nd</sup> year w.r.t Order dated 02.02.02022 of the Hon'ble NGT in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). Further amendment to the permitted quantity in the 2<sup>nd</sup> year shall be considered on submission of duly approved ARRS.
9. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act,1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
10. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.

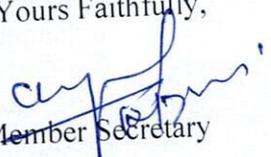
*[Signature]*



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

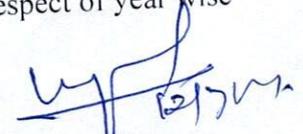
11. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,

  
 Member Secretary

Copy to

1. Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information and necessary action.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Sundargarh/ DFO, Bonai / Sub Collector, Sundargarh /Tahasildar, Bonai for Information and necessary action with specific reference to para in respect of year wise permitted quantity for extraction.
7. Guard file for record/Website/Parivesh Portal.

  
 Member Secretary



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:

sei.aodisha@gmail.com

(A statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)

Letter No. 6556/SEIAA File No. SEIAA-197/07-2025 Dated 05.07.2025

To

Smt. Rashmi Rekha Sahu  
W/o- Karunakar Sahu  
At-Singsal, Po-Amgaon, Ps-Barkote,  
Dist-Deogarh, Odisha, Pin-768110

**SUB: DIRECTIONS UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT, 1986- SHOW CAUSE NOTICE THEREOF**

**Ref: 1. Order dated 04.04.2025 of Hon'ble NGT in Original Application No. 60 of 2025/EZ in the matter titled 'Jhadeswar Pradhan Vrs State of Odisha & Ors.' pending before the NGT (EZ).**

**2. EC Identification No. - EC231 000OR130060 dated 13/07/2023 for Tendra-II River Sand Quarry (River-Brahamani) over an area of 12.35 acres or 5.00 ha bearing Khata No.01, Plot No.149/P, 151/P in village-Tendra, Tahasil-Bonai, Dist-Sundargarh, Odisha in favour of Smt. Rashmi Rekha Sahu.**

Sir/Madam,

WHEREAS, the Environment Clearance (EC) of Tendra-II River Sand Quarry (River-Brahamani) over an area of 12.35 acres or 5.00 ha bearing Khata No.01, Plot No.149/P, 151/P in village-Tendra, Tahasil-Bonai, Dist-Sundargarh, Odisha has been issued by SEIAA, Odisha vide EC Identification No. - EC23B000OR130060 dated 13/07/2023 in favour of Smt. Rashmi Rekha Sahu, the successful bidder/ lessee for extraction of 30000 cum of sand from the source in 1<sup>st</sup> year and 7500 cum in 2<sup>nd</sup> year lease period subject to submission of Annual Rate of Replenishment Study (ARRS) report of sand within 2 (two) years lease period also with condition for compliance of stipulated conditions given in EC letter.

WHEREAS, as per the MoEF & CC, Govt. of India Office Memorandum (OM) dated 14.06.2024 and in accordance with EIA Notification 2006 and as amended, all the Project Proponents (PP) are required to submit their Half Yearly compliances in PARIVESH 2.0 on the environmental conditions stipulated in the Environment Clearance (EC) letter in a timely manner on or before 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year. However, after verification in Parivesh Portal 2.0 and SEIAA, Odisha email as on dated 30.06.2025, it is found that the Project Proponent

(PP) has not been submitted any compliance of environmental conditions stipulated in the Environmental Clearance (EC) EC Identification No. - EC23B000OR130060 dated 13/07/2023 issued of Tendra-II River Sand Quarry (River-Brahamani) neither in PDF/soft copy submitted through email nor by post/physically or any compliance submitted in PARIVESH 2.0 Portal except one compliance report was attached in Amendment of EC application submitted vide application no. SIA/OR/MIN/516323/2024 dated 27.12.2024 and subsequent application no. SIA/OR/MIN/532368/2025 dated 01.04.2025.

WHEREAS, there is direction of Hon'ble NGT in its order dated 04.04.2025 in Original Application No. 60 of 2025/EZ in the matter titled '*Jhadeswar Pradhan Vrs State of Odisha & Ors.*' to constitute a committee comprising of the Members of Collector and District Magistrate, Sundergarh or his representative; Senior Scientist, Odisha State Pollution Control Board; and State Environment Impact Assessment Authority (SEIAA), Odisha and the Committee shall visit the site in question and submit its report with regard to the allegations made in the Original Application. Accordingly, a committee was formed and visited the site on 02.05.2025 and during inspection it was observed that the lease holder has extracted **5339.784 Cum** (approximate) sand outside the lease area, there was no pillar posting to demarcate the lease area, change the method of mining and transporting route without approval from concerned Authority etc. which violated the EC conditions.

NOW THEREFORE, in view of the above and in exercise of the powers vested with SEIAA, Odisha under section-5 of the Environment (Protection) Act, 1986 & amended therein, the Project Proponent/ lessee Smt. Rashmi Rekha Sahu is directed to reply in writing to the Member Secretary, SEIAA, Odisha office within 15 days from the date of receipt of this Show Cause Notice as to why the EC Identification No. - EC23B000OR130060 dated 13/07/2023 issued for Tendra-II River Sand Quarry (River-Brahamani) shall not be revoked due to violation of EC conditions on account of non-compliance of EC conditions and 5339.784 Cum (approximate) sand has been extracted outside the lease area.

In the event of failure to comply with the above directions within the stipulated time frame, legal action as deemed appropriate as per law shall be initiated against the Project Proponent in accordance with the provisions of the law.

By order and Authority of SEIAA, Odisha

*Ramesh* 03/07/2025

Environmental Scientist, SEIAA, Odisha

Memo No. 6557/SEIAA File No. SEIAA-197/07-2025 . Dated 05.07.2025

Copy forwarded for information and necessary action to

1. The Collector & District Magistrate, ADM, Sundargarh; the Sub-Collector, Sundargarh; the Deputy Director of Mines, Sundargarh; the RO, SPCB, Rourkela; the DFO, Sundargarh; the Mining Officer, Sundargarh & Tahasildar, Bonai, Dist- Sundargarh for information.
2. The Director of Mines, Steel & Mines Dept. Govt. of Odisha Bhubaneswar.
3. The Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
4. The Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.

*[Signature]*  
03/07/2025

Environmental Scientist, SEIAA, Odisha