

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

Original Application No. 163/2023/EZ
(I.A. No. 76/2025/EZ)

Santanu Kumar Bhukta----- Applicants(s)

Versus

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

Affidavit on Behalf of the Opposite Party/Respondent No. 09 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	01-06
2.	Copy of EC letter No. 3399/SEIAA dated 18.10.2021 is enclosed as <u>Annexure-I</u>	07-13
3.	Copy of Transfer of EC letter no. SIA/OR/MIN/304159/2023 dated 17.11.2023 is attached in <u>Annexure-II</u> .	14-16

Place: Bhubaneswar
Date: 25/09/2025

Shri Apurba Ghosh
Advocate for Respondent No.09
(SEIAA), Odisha
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Affidavit on Behalf of the Opposite Party/Respondent No. 09 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.

25-09-25

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.09 before this Hon'ble National Green Tribunal.

3. That, I have gone through the original application and order dated 25.08.2025 & subsequent order 17.09.2025 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.

Pradeept Kumar Nayak

Environmental Scientist
SEIAA, Odisha



25-09-25

4. That, in reply to the averments made in the Para-01 of the Interlocutory Application (I.A.), deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
5. That, in reply to the averments made in the Para-02 to para-14 of the I.A., the deponent humbly submits the following points as follows:
- i. The Environmental Clearance (EC) has been granted vide letter no.3399/SEIAA dated 18.10.2021 in favour of the Tahasildar, Gondia by the SEIAA, Odisha for the Nihalprasad Road Metal Quarry-I over an area of 12.25 acres or 4.957 ha at village-Nihalprasad.Tahasil-Gondia, Dist: Dhenkanal subject to extraction of maximum quantity of material of 100085 cum. in a full year (January to December) and total production from the quarry shall be 500259 cum. during the valid lease period of five years as per the approved mining plan.

Copy of EC letter no.3399/SEIAA dated 18.10.2021 is attached in **Annexure-I**.

- ii. Further, the Project Proponent (PP) Sri Ajit Sahu has submitted online application in Parivesh Portal vide application no. SIA/OR/MIN/304159/2023 dt. 14.09.2023 for transfer of EC before SEIAA, Odisha, for Nihalprasad Road Metal Quarry-I over an area of 12.25 Acres or 4.957 Ha under Gondia Tahasil of Dhenkanal district. The application was examined in



Pradeep Kumar Nayak

Environmental Scientist
SEIAA, Odisha

the State Environment Impact Assessment Authority (SEIAA), Odisha in its 139th meeting held on 16.10.2023, 17.10.2023 & 19.10.2023 in accordance with the Para-11 of the EIA Notification, 2006 as amended from time to time. On reply of the clarification raised by SEIAA, Odisha, the Project proponent (PP) has submitted that the quarry operated for the period 30.07.2022 to 31.03.2023 and 81600 cum of stone material has been extracted from the source (certified by the Chartered Accounts) without transfer of EC in his favour which treated as a violation by the Authority SEIAA, Odisha. In this connection, a letter has been issued to the lessee directing therein that the Project Proponent is required to submit the receipt of penalty to remittance of total penalty amounting of Rs.6,76,937/- (i.e. 1% of the total project cost of Rs. 5,69,19,778/- + 0.25% of the total turnover during violation period of Rs. 4,30,95,637/-) to State Pollution Control Board (SPCB), Odisha 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. Accordingly, the penalty amount has been deposited by PP to SPCB of Rs.6,76,937/- vide receipt no. 28006, book no. 1081 dt. 13.11.2023 and then the transfer of EC was allowed by SEIAA, Odisha on dated 17.11.2023.

Pradhept Kumar Nayak

Environmental Scientist
SEIAA, Odisha



Copy of transfer of EC letter is attached-**Annexure-II**.

- iii. Further, Sri Ajit Sahu, lessee of Nihalprasad Road Metal Quarry-1 and the respondent no. 14 for this case has submitted Amendment of EC application in Parivesh Portal vide application no. SIA/OR/MIN/465536/2024 dated 09.03.2024 in regard to expansion of production capacity of stone material from 1,00,019 cum/annum to 2,10,000 cum/annum as per the approved Modified Mining Plan dated 05.10.2023 and submitted the application to State Level Expert Appraisal Committee (SEAC). The proposal was placed in SEAC meeting held on 29th April, 1st, 2nd 3rd & 4th May, 2024 and the SEAC recommended the proposal for grant of Amendment of EC with stipulated condition. Further, the proposal was placed in 181st SEIAA, Odisha Authority meeting held on 16.12.2024. After detailed deliberation, the authority decided to seek information / document from the PP on the following:

- a. Hon'ble NGT case bearing OA No. 163/2023 filed by Santunu Kumar Bhukta Vrs State of Odisha and Ors is pending for disposal by Hon'ble NGT, Eastern Zone. Hence, the final order in the said case is to be submitted for consideration of SEIAA for amendment of EC.
- b. Compliance to earlier EC conditions.

Accordingly, a clarification raised by SEIAA, Odisha to the Project Proponent on the above-mentioned points on 21.12.2024. The project proponent has not

Pradjept Kumar Nayak
Environmental Scientist
SEIAA, Odisha



submitted the clarification sought by SEIAA, Odisha. The proposal was automatically delisted on 22.03.2025 by system in Parivesh site due to non-submission of clarification in due time period. Presently, no proposal is pending with SEIAA, Odisha for consideration of Amendment of EC application.

- iv. In the meantime, a case has been file before Hon'ble Tribunal on 16.10.2023 and register on 19.10.2023 vide case no. O.A. no. 163/2023/EZ. After haring the mater, the Hon'ble NGT has passed an order dated 20.10.2023 with direction to constitute a joint committee comprising the members of the Collector and District Magistrate, Dhenkanal or his representative Officer not below the rank of Additional District Magistrate (A.D.M.), Senior Scientist, Odisha State Pollution Control Board; Senior Scientist, State Environment Impact Assessment Authority (SEIAA), Odisha; Divisional Forest Officer (DFO), Dhenkanal; and District Mining Officer. Accordingly, a joint committee was formed and visited the alleged site on 09.11.2023. The committee recommended that a separate committee should be constituted comprising the member of the Deputy Director of Geology, Denkanal, District Mining Officer, Dhenkanal and Tahasildar, Gondia, Dhenkanal to assess the actual extraction of minerals from the source and accordingly, submitted joint inspection report to Hon'ble Tribunal.



Pradeep Kumar Nayak

Environmental Scientist
SEIAA, Odisha

- 6. That, in reply to the averments made in the Para-14 to Para-16 of the Interlocutory Application (I.A.), deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
- 7. 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.
- 8. That the deponent reserves the right to file further affidavit as and when necessary.

Identified by
Advocate

25-09-2025

Pradeept Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha

VERIFICATION

Verified at Bhubaneswar on this day of 25th September, 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: *25/09/2025*

Pradeept Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha

SWORN BEFORE ME



25-09-2025

DUSASAN SAMANTARAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR, ODISHA
REGD. NO. 88/2012
MOB-9439143015



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15/11/21

ANNEXURE-I

2/10/21
15/11/21

**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: 0674-2541029, E-mail-seiaaorissa@gmail.com

Letter No 3399/SEIAA

Dt. 18.10.2021

File No. SEIAA-1737/06-2021

To

The Tahasildar, Gondia,
Tahasil- Gondia,
Dist-Dhenkanal

Sub: Proposal of Tahasildar, Gondia for mining of road metal from Nihalprasad Road Metal Quarry-I over an area of 12.25 acres or 4.957 ha at village- Nihalprasad, Tahasil- Gondia, District- Dhenkanal- Environmental Clearance reg.

Ref: SEIAA File No: SEIAA-1737/06-2021 dt.29.06.2021

Sir,

This is with reference to the application dated 29.06.2021 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.

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

- a. This is a proposal for mining of road metal from **Nihalprasad Road Metal Quarry-I** located at **Village- Nihalprasad, Tahasil- Gondia, District- Dhenkanal** over lease area of **12.25 acres or 4.957 ha.**
 - b. The mine area is a part of the Survey of India Toposheet No. F45T6 bounded by Latitude: $20^{\circ}47'23.1''$ N to $20^{\circ}47'31.4''$ N and Longitude: $85^{\circ}59'05.5''$ E to $85^{\circ}59'15.6''$ E .
 - c. The mining lease is an identified sairat source in the DSR. The Nihalprasad Road Metal Quarry-I sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Gondia to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
 - d. The mining plan of the mining project prepared has been approved by Joint Director Geology, Zonal Survey, Dhenkanal on 26.04.2021.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 537883 cum of road metal.
 - f. The project proponent has not furnished the alignment of the extraction path for road metal transportation. As reported by the Tahasildar/PP in the Checklist, the village road is at a distance of 1.0 Km away from the mining lease area.
 - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mines located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
 - h. The Tahasildar vide letter no.2366 dated 24.06.2021 has submitted that the proposed quarry is situated on non-forest land, even after verification of the DLC report.
 - i. As per the approved mining plan, it is observed that road metal from the quarry will be extracted by semi-mechanized method with annual extraction of road metal not exceeding 100085 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 5 ha.

6. The proposal is duly appraised by the SEAC in its meeting held on 26.08.2021 & 05.10.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 725/SEAC-Misc-02 dated 11.10.2021.

7. The Environmental Clearance (EC) is accordingly granted to the proposed activity of road metal 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, Gondia 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 Demarcation of the quarry lease area by posting durable concrete pillars of 1m height above ground is a must prior to starting the quarry operation.
- 9.2 Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. Maximum depth of quarry operation for starting level at the top shall not exceed 6 meter.
- 9.3 Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is 100085Cum in a full year (January to December) and total production from the quarry shall be 500259Cum during the valid lease period of five years as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 9.4 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. 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 It shall be ensured that quarrying is not carried out within 500 m of structures, bridges, embankment, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. Pursuant to Hon'b'e NGT in its Order dated 21.07.2020 in OA No-304/2019 in the matter of M.Haridasan & Ors. Vrs State of Kerala and to comply with the direction made therein "No stone quarry involving blasting will be operated within 200 m (minimum distance criteria) from Residential/public buildings, inhabited sites, other location, etc."
- 9.6 The project proponent shall ensure that no mining activity takes place beyond 6 m below ground level.
- 9.7 No mining shall be carried out in the vicinity of natural /manmade archeological sites.

- 8 It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted depth, then also quarrying shall be stopped.
- 9.9 Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- 9.10 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.
- 9.11 Pursuant to MoEF & CC, O.M No 22-34/2018-1A.111dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No.114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
- 9.12 **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 and only 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. 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.
- 9.13 Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- 9.14 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 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.
- 9.15 Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
- 9.16 Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.

- 9.17 Blasting will be carried out after making adequate announcement to the local inhabitants through public address system. Warning siren half an hour prior to blasting activity will be sounded adequately for alerting everybody around before the blast is detonated to avoid any accident. The nearby inhabitants shall be informed one day before the actual time of blasting. Blasting is permissible at fixed hour in day time only, after blowing the siren intermittently for 10 minutes before the actual start, for safety of the inhabitants. Blasting shall be carried out in such a manner that the splinters/debris generated shall not fall beyond the mining lease area.
- 9.18 Water spray 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.
- 9.19 Plantation of 5000 saplings shall be carried out in the 1st year of quarry operation in the peripheries of the quarry area by making planting pits of 1 meter depth at suitable spots along the approach road and in village common lands, within 1km belt of the quarry. The PP shall submit real time photographs on latitude longitude grid at six monthly intervals to monitor the status of the plantation.
- 9.20 Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
- 9.21 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.
- 9.22 Staggered contour trenches shall be dug out to cover all sloping area and the hill surface in general, within a 1km belt of the quarry lease.
- 9.23 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and complete this work before abandonment of mine; and has to submit a detailed plan of action in this regard within six months, indicating definite timelines and physical outcomes.
- 9.24 The explosives shall be stored at site as per the conditions stipulated in the permits issued by the licensing Authority.
- 9.25 Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
- 9.26 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.
- 9.27 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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before
- 9.28 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.
- 9.29 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.
- 9.30 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.
- 9.31 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.
- 9.32 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.
- 9.33 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 9.34 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.
- 9.35 **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.**
- 9.36 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 environmental clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.37 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.

- 9.38 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.
- 9.39 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. 3400/SE.IAA /Dt. 18.10.2021

DH

Copy to

1. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Dhenkanal/ Sub Collector, Dhenkanal/Tahasildar, Gondia for Information and necessary action.
7. Guard file for record.


Member Secretary

DH



14
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
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/304159/2023

Dated 17th November, 2023,
Bhubaneswar

To

Sri Ajit Sahu
S/o- Late Gokulananda Sahu
At/Po-Nihalprasad, Dist-Dhenkanal

Sub: Proposal for Transfer of Environmental Clearance of Nihalprasad Road Metal Quarry-1 over an area of 12.25 Acre or 4.957 Ha under Gondia Tahasil of Dhenkanal District Odisha from the name Tahasildar Gondia to Sri Ajit Sahu - reg.

Ref: (i) EC letter no./EC identification no. 3399/SEIAA dated 18.10.2021.
(ii) Tahasildar, Gondia letter no. 3098 dated 17.09.2022
(iii) Online Application no. SIA/OR/MIN/304159/2023 dtd.09.10.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/304159/2023 dated 09.10.2023, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. 3399/SEIAA dated 18.10.2021 in favour Sri Ajit Sahu.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 139th meeting held on 16.10.2023, 17.10.2023 & 19.10.2023 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 Nihalprasad Road Metal Quarry-1 for a period of 5 years in favour of Tahasildar, Gondia vide the above-mentioned EC letter under reference.
- (ii) 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 Ajit Sahu, who is the successful bidder in this case for operationalization of the sairat source for 5 years lease period under the provision in rule 37 of OMMC Rules, 2016.
- (iii) The proposed quarry is operated without transfer of EC from the name Tahasildar to successful bidder.
- (iv) This is violation case on the basis of MoEF & CC, Govt. of India SOP dt. 07.07.2021 as the quarry operated without transfer of EC and 1,40,350 cum of



**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
Environment (Protection) Act, 1986)

- stone material extracted from the source as per Y-form that is clarified by Tahasildar, Gondia.
- (v) The PP has submitted total project cost amounting of Rs.5,69,19,778/- and total turnover amounting of Rs. 4,30,95,637/- through Chartered Accountant (CA) for extraction of 1,40,350 cum of stone from the said source.
- (vi) The proposal was placed in the 139th SEIAA, Odisha meeting and the 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.6,76,937/- (i.e. 1% of the total project cost of Rs. 5,69,19,778/- + 0.25% of the total turnover during violation period of Rs. 4,30,95,637/-) to State Pollution Control Board (SPCB), Odisha. The transfer of EC shall be issued after submit the proof of the penalty receipt to SEIAA, Odisha and no further reference to SEIAA meeting is required.
- (vii) An EDS letter was issued by SEIAA, Odisha on dt. 01.11.2023 for submission of penalty amount to SPCB, Odisha and accordingly, the penalty amount was submitted by PP to SPCB of Rs. Rs.6,76,937/- vide receipt no. 28006, book no. 1081 dt. 13.11.2023.
- (viii) Documents submitted for EC Transfer;
- Form No. 7 for transfer of Environmental Clearance,
 - Letter no. 3098 dated 17.09.2022 of Tahasildar, Gondia for transfer of EC to Sri Ajit Sahu as the successful bidder for Nihalprasad Road Metal Quarry-1.
 - Cyber Treasury e-challan no. 35C391E877 dated 14.09.2023 of Rs.1000/- towards scrutiny fee.
 - Undertaking for accepting the terms and conditions in the original EC.
3. Transfer of Environmental Clearance (EC) of Nihalprasad Road Metal Quarry-1 issued vide SEIAA, Odisha EC letter no. 3399/SEIAA dated 18.10.2021 **is allowed** in favour of Sri Ajit Sahu, the successful bidder for extraction of **100085 cum/annum** of stone material from the source. 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 validity of EC is for validity of DSR or validity of lease period whichever is earlier.



16

**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
Environment (Protection) Act, 1986)

- b. **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.

The Project Proponent shall be uploaded/submitted six monthly EC compliance in the Parivesh Portal of MoEF& CC., Govt. of India only from date of issue of transfer of EC, falling which the EC stands automatically revoked.

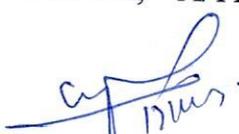
In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

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, Chandrasekharapur, 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 the Collector/Sub Collector, Dhenkanal and Tahasildar Gondia/Mining Officer Dhenkanal for information and necessary action.
8. Director of Mines, Steel & Mines Dept, Govt. of Odisha
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