

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**EASTERN ZONE BENCH, KOLKATA**  
**(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**  
**Original Application No. 180/2025/EZ**

Urbashi Jena ----- Applicant(s)

Versus

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

Affidavit on Behalf of the Opposite Party/Respondent No. 12 State  
Environment Impact Assessment Authority (SEIAA), Odisha

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Place: Bhubaneswar  
Date: 17/11/2025

**Shri Apurba Ghosh**  
Advocate for Respondent No.12  
(SEIAA), Odisha  
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**EASTERN ZONE BENCH, KOLKATA**  
**(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

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IN THE MATTER OF: -

Urbashi Jena-----  
 Appellant(s)

Versus

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

Affidavit on Behalf of the Opposite Party/Respondent No. 12 State  
 Environment Impact Assessment Authority (SEIAA), Odisha

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

2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.12 before this Hon'ble National Green Tribunal.

3. That, I have gone through the original appeal petition and Hon'ble Court order dated. 25.09.2025 and understood the contents thereof. I am well acquainted with the facts of the

Pradeept Kumar Nayak  
 Environmental Scientist  
 SEIAA, Odisha





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 of the original petition, the deponent humbly submitted the following points for better appreciation of Hon'ble Tribunal as follows:

- (i) The Bajabati BSQ – 02 bearing Khata No.215 Plot No. 1050(P) over an area of 2.023 Ha is settled in favour of Sri Sarat Chandra Behera. Lease deed was executed between the Lessee and Tahasildar, Dharmasala on 17.02.2023 for a period of 5 years.
- (ii) The said source is coming under cluster (6 nos. quarries are coming in a single cluster) having total lease area of 35.66 acres or 14.43 Ha for which Terms of Reference (ToR) has been issued by SEIAA, Odisha vide letter no. 8318/SEIAA dated 03.06.2020. Further, the State Level Expert Appraisal Committee (SEAC) has approved the EIA & EMP report on 03.08.2021.
- (iii) Based on the SEAC recommendation, individual EC for Bajabati BSQ – 02 bearing Khata No.215 Plot No. 1050(P) over an area of 2.023 Ha was issued in favour of Sri Sarat Chandra Behera vide EC Identification No.- EC22B001OR171481 dated 03.06.2022 for production of 20036 cu m stone per year with total 100180 cum in 5-years of lease period.
- (iv) The Project Proponent has not submitted the compliance of EC conditions.

*Pradeep Kumar Nayak*  
Environmental Scientist  
SEIAA, Odisha





- (v) In the meantime, as per the direction of Hon'ble NGT order dated 25.09.2025 in OA No. 180/2025, EZ, Kolkata a committee has been formed and visited the site on 13.11.2025. A preliminary field inspection report has been prepared as per field inspection by the joint committee and the report supposed to be filed by the Collector & District Magistrate, Jajpur, Odisha as nodal agency for this case and the details is mentioned in the joint inspection report.

The copy of environmental clearance (EC) letter issued vide EC Identification no. EC22B001OR171481 dated 03.06.2022 is attached in **annexure-I**.

5. That, in reply to the averments made in the Para-02 to Para-04 of the original petition, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer as the details mentioned the joint inspection report supposed to be file before Hon'ble Tribunal by the Collector & District Magistrate, Jajpur, Odisha as nodal agency for this case.

6. That, in reply to the averments made in the Para-05 & 06 of the original petition, deponent humbly submits that the project proponent has not submitted compliance of EC conditions. After received of final report from Central Ground Water Authority (CGWA) regarding information on ground water level in that area and contamination of the same due to mining activity, report from Odisha Space Application Centre (ORSAC),



*Pradhept Kumar Nayak*

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on exact depth and quantity of mining from alleged sources and for non-compliance of EC conditions, action will be initiated against the lessee/successful bidder accordingly.

7. That, in reply to the averments made in the Para-07 to Para-08 of the appeal, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
8. That, in reply to the averments made in the Para-09 to Para-10 of the original petition, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer as the details mentioned the joint inspection report and the report supposed to be file before Hon'ble Tribunal by the Collector & District Magistrate, Jajpur, Odisha as nodal agency for this case.
9. That, in reply to the averments made in the Para-11 to Para-12 of the appeal, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
10. That, in reply to the averments made in the Para-13 to Para-37 of the original petition, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer as the details mentioned the joint inspection report and the report supposed to be file before Hon'ble Tribunal by the Collector & District Magistrate, Jajpur, Odisha as nodal agency for this case.



*Pradeept Kumar Nayak*  
 Environmental Scientist  
 SEIAA, Odisha



11. That, in reply to the averments made in the Para-38 of the appeal, deponent humbly submits that this is a preproposal of Bajabati Stone Quarry No.02 coming under cluster (i.e. 6 nos. quarries are coming in a single cluster) having total lease area of 35.66 acres or 14.43 Ha for which Terms of Reference (ToR) has been issued by SEIAA, Odisha vide letter no. 8318/SEIAA dated 03.06.2020 and subsequently EC appliaction based on the existing approved DSR prepared by DEIAA, Jajpur for a period of 5 years from December, 2019 to December, 2024. The Hon'ble Supreme Court vide its order dated 10.11.2021 in Civil Appeal Nos. 36613662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others) has ordered that the draft DSR shall be prepared by the sub-divisional committee and it will be approved by State Level Expert Appraisal Committee (SEAC) and State Environmental Impact Assessment Authority (SEIAA) in due procedure. The SEIAA, Odisha has issued letter to all the Collector of Odisha vide letter dated 16.12.2022 for preparation of District Survey Report (DSR) for Minor Minerals and to submit for approval of SEAC & SEIAA. Further, 1<sup>st</sup> reminder letter was issued on 03.03.2023 and 2<sup>nd</sup> reminder letter 29.07.2024 and accordingly, some DSR came to SEIAA, Odisha for approval. The district administration, Jajpur has submitted revised DSR of Jajpur to SEIAA, Odisha as per the Hon'ble Supreme Court order dated 10.11.2021 vide online proposal no. SIA/OR/MIN/488090/2024 dated 16.07.2024 & SIA/OR/MIN/553080/2025 dated 25.09.2025 which is under verification of SEAC.



12. That, in reply to the averments made in the Para-39 to Para-52 of the appeal, deponent humbly submits that the averments

*Dr. Deepthi Kumar Nayak*  
 Environmental Scientist  
 SEIAA, Odisha



are matters on record and this deponent has no comments to offer.

3. That the deponent reserves the right to file further affidavit as and when necessary.

4. 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.

Identified by

IDENTIFIED BY MF

17.11.2025  
Advocate

*Pradeep Kumar Nayak*

**Deponent  
Environmental Scientist  
SEIAA, Odisha**

**VERIFICATION**

Verified at Bhubaneswar on this day of 17-11-2025 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: *17.11.2025*

**SWORN BEFORE ME**

*Pradeep Kumar Nayak*

**Deponent  
Environmental Scientist  
SEIAA, Odisha**

*17.11.2025*



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



ENVIRONMENTAL  
CLEARANCE



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

To,

The Lessee  
SARAT BEHERA  
At-Khuntha, Ps-Dharmasala, Dist-Jajpur -755024

**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/75335/2020 dated 16 Apr 2022. The particulars of the environmental clearance granted to the project are as below.

- |  |   |
|--|---|
| 1. EC Identification No.                   | EC22B001OR171481  |
| 2. File No.                                | 75335/650-MINB1/04-2022   |
| 3. Project Type                            | New   |
| 4. Category                                | B1  |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals   |
| 6. Name of Project                         | For the grant of EC of Bajabati Black Stone quarry No-02 (Cluster Serial No-3B/2), (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha. |
| 7. Name of Company/Organization            | SARAT BEHERA  |
| 8. Location of Project                     | Orissa  |
| 9. TOR Date                                | 03 Jun 2020   |

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

Date: 03/06/2022

(e-signed)  
Sri Susanta Nanda  
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 LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)  
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, E-mail-seiaaorissa@gmail.com

**SEIAA File No: 75335/650-MINB1/04-2022**

Project: Proposal of Sri. Sarat Chandra Behera for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha,consisting of 6nos.of Quarries) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur- Environmental Clearance reg.

Ref: Your online application dated 16.04.2022 for issue of EC vide File No: SIA/OR/MIN/75335/2020

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur. The proposal falls in the category 1(a)- 'Mining of minerals' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as Form-2, form-1, supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan, cluster EIA/EMP and Checklist.

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

- a. This is a proposal for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur.
- b. The mine area is a part of the Survey of India Toposheet No. 73L/1&73L/2 bounded by Latitude: 20°46'03.90"N to 20°46'08.96"N and Longitude: 86°06'30.43"E to 86°06'24.72" E .
- c. The mining lease is an identified sairat source in the DSR. The Bajabati Black Stone Quarry No-2 sairat source will be leased out under the OMMC Rules,2016

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by Tahasildar, Dharmasala 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 Deputy Director Geology, Directorate of Geology, Bhubaneswar on 31.03.2022.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 85015 cum of building stone/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 1.0Km away from the mining lease area.
- g. The cluster certificate has been furnished by Tahasildar Dharmasala certifying that this sairat source is a part of a cluster. There are 06 nos. of mines(including this lease) located within 500m radius of lease area confirming to cluster situation and EIA/EMP study has already been carried out for the entire cluster. The SEAC have approved the cluster EIA/EMP prepared for the entire cluster in its meeting held on 03.08.2021.
- h. The Tahasildar vide letter dated 04.04.2022 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 submitted, it is observed that road metal from the quarry will be extracted by semi-mechanized method with annual extraction of road metal not exceeding 14590cum, maximum production capacity during the valid lease period.

3. 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 in cluster falls under Category B1 as the mining lease area in cluster is more than 5 ha.

4. The proposal in cluster was duly appraised by the SEAC in its meeting held on 03.08.2021. The SEAC has approved the EIA/EMP report in cluster approach and recommended that the SEIAA may consider to grant Environmental Clearance to individual lease in cluster after the lessee in cluster submit individual applications. The lessee has already submitted the individual EC application in the Parivesh portal.

5. The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Environmental Clearance in favour of the project valid upto the lease period under the provisions of

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EIA Notification 2006 and subsequent amendments thereto subject to strict compliance of all stipulated conditions as mentioned below.

6. 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.
7. The Tahasildar, Dharmasala 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).

**8. Stipulated Conditions:**

- 8.1 This Environmental Clearance is given with a specific condition for compliance as follows that "from the google map it appears there is rampant mining and quarrying within and around the proposed lease area, and Tahasildar has to report if any of this is unauthorised / illegal and in violation of MoEF & CC Notification dated 18.05.2012. If some of it is found to be in violation of EIA Notification, 2006, a remediation plan for mitigating the adverse impact of violations committed has to be submitted by Tahasildar within a period of 2 months. In addition, quantum of illegal quarrying in this hill block has to be estimated, and economic as well as environmental losses have to be reported in monetary terms, with proposal made for assessing penalty / compensation".
- 8.2 The lessee shall implement the pollution control measures and safeguards as proposed in the approved EIA/EMP in the cluster approach.
- 8.3 All the individual quarry lessee holders coming under the tahasil, Dharmasala jurisdiction shall create a common forum in coordination with the Tahsildar and contribute funds to it for grading, compaction and maintenance of common haulage road, provision of piped water with semi-circle Sprinkler system for suppression of dust on the common haulage road, 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. All the individual lease holders shall implement the cluster EMP as proposed. All mining activity shall be done in scientific manner to safeguard degradation of environment. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his tahasil.
- 8.4 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. Photographs of proof showing the demarcation of the quarry lease shall be submitted along with compliance report.

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- 8.5 No mining activities shall be allowed in forest area, if any, for which the Forest Clearance is not available.
- 8.6 Under no circumstances, the lessee shall use wagon drilling blasting during mining activity.
- 8.7 Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The Rule 37(1)(a) of the OMMC Rule, 2016 stipulates that the depth of the quarry below the surface shall not exceed 6 meters. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously. Maximum depth from the top surface, at any point on the hill, upto which quarrying may be permitted shall be 6 meters. The total expected quantity of stone material to be exploited by operating in the above manner shall be calculated, which is the maximum quantity that is allowed to be extracted.
- 8.8 Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is **14590Cum** in a full year (January to December) during the valid lease period. During the plan period of 5years, the total production from the quarry shall be **72872Cum** as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 8.9 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 road metal from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 8.10 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 200m (minimum distance criteria) from Residential/public buildings, inhabited sites, other location, etc."
- 8.11 The lessee shall obtain NOC from CGWA and permission from WR department, Govt. of Odisha for use of ground water/surface water if any, required for the project.
- 8.12 Protection of vegetation in the surrounding areas, and proper storage of solid waste, subgrade ore and their use has to be given priority during mining operation.
- 8.13 The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/

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masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.

- 8.14 No mining shall be carried out in the vicinity of natural /manmade archeological sites.
- 8.15 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.
- 8.16 Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- 8.17 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.
- 8.18 Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The lessee shall obtain NOC of Panchayat for usage of haulage road/Panchayat road.
- 8.19 All the lease holders in a cluster should join hand for grading of the main haulage road to maintain the gradient facilitating smooth movement of vehicles.
- 8.20 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.
- 8.21 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The competent lease granting authority 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.
- 8.22 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.

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- 8.23 The lessee shall not store and use blasting materials/explosives inside the lease area without obtaining license/permission/authorization from competent Authority as per Indian Explosives Rules, 1983.
- 8.24 Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.
- 8.25 Blasting has to be strictly regulated for safety of village road situated at 130m distance. 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.
- 8.26 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.
- 8.27 Issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CSR shall be complied with. All the lease holders in a cluster to join hand through a registered MOU on cluster to cluster basis for implementation of the same as per the provision of OM dated 30.09.2020 of MoEF&CC, Govt. of India. All the commitments made during the Public Hearing/Public Consultation meeting shall be satisfactorily implemented within the first three years and for this adequate budget provision shall be collectively made by all holders in the cluster.
- 8.28 The lessee shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; all the old age people of the surrounding villages may be provided medical facilities.
- 8.29 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.

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- 8.30 The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- 8.31 The lessee shall ensure the safeguard and well being of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the MoEF & CC, Govt. of India and SEIAA, Odisha.
- 8.32 All the lease holders in a cluster should join hand for development of green belt all around the cluster area. Plantation of 5000 saplings shall be carried out in the 1<sup>st</sup> 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 PPs shall submit real time photographs on latitude longitude grid at six monthly intervals to monitor the status of the plantation. Total Plantation shall be carried out within 2-3 years of mining activity and maintenance shall be continued in remaining years. Trees present in mining area shall be uprooted & transplanted in safety zone.
- 8.33 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.
- 8.34 Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- 8.35 The soil to be generated during mining activity shall be stacked in the earmarked temporary soil stack and shall be utilized for the plantation purpose to be undertaken around the respective hill/patch and adjacent to haul roads of the same in lease area.
- 8.36 The abandoned mine pit shall be converted to rain water storage tank and the rain water stored in pit shall be utilized for plantation as well as dust suppression.
- 8.37 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.
- 8.38 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.
- 8.39 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. Photographs showing the reclamation & restoration of the mined out area shall be submitted along with compliance report at the end of lease period.
- 8.40 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.

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- 8.41 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.
- 8.42 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.
- 8.43 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<sup>st</sup> day of January, April, July, October of each calendar year, failing which EC is liable to be revoked. The proponent shall upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The concerned Tahasildar shall ensure the uploading of EC compliance report in the parivesh portal by the project proponent.
- 8.44 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.
- 8.45 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.
- 8.46 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.
- 8.47 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat / Panchayat Samiti / Zila Parisad / Municipal Corporation / Urban Local Body as the case may be.
- 8.48 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 8.49 The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry. The advertisement shall be made within seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.

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- 8.50 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.
- 8.51 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.
- 8.52 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.
- 8.53 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.
- 8.54 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.
- 8.55 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.
- 8.56 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,

  
**Member Secretary**

Copy to

1. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.



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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, Jajpur/Sub Collector, Jajpur/Tahasildar, Dharmasala for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

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**Member Secretary**