

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
APPEAL NO⁰⁶...OF 2026**

IN THE MATTER OF:

BIBEKANANDA PATNAIK

APPELLANT

VERSUS

STATE OF ODISHA AND OTHERS

RESPONDENTS

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PLACE: Bhubaneswar

DATE: 09/03/2026
ASHUTOSH PADHY

S.Pani *A.Padhy*
SANKAR PRASAD PANI

ADVOCATE

Plot 2132/4814, NageswarGondia, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

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SYNOPSIS

That the present appeal is filed challenging the environmental clearance dated 23/02/2026 transferred in favor of Sri Dinesh Agarwal for **Budhabalanga Sand Bed, Belpal** over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District, Odisha by the State Environment Impact Assessment Authority Odisha. That the present Environmental Clearance has been transferred by the SEIAA without considering the order passed by this Hon'ble Tribunal vide order dated 26/08/2022 passed in the matter of OA 46 of 2022/EZ.

Apart from this the original environmental clearance was granted in favor of **Tahasildar Badasahi** on dated 31/01/2022 and at that time **no valid DSR was there, hence the original Environmental Clearance dated 31/01/2022 is void ab initio.**

Further the present Appellant on dated 19/01/2026 approached the SEIAA requesting not to transfer any environmental clearance as the original environmental clearance was granted in absence of valid DSR, however the SEIAA authority did not consider the representation of the Appellant and transferred the environmental clearance without application of mind. Further in the environmental clearance letter dated 23/02/2026 in paragraph No. 4 it is clearly mentioned that "The other stipulated terms and conditions of the original EC initially granted on 04/08/2025 remain the same subject

to compliance of EC conditions”, however **in the present case no such environmental clearance was granted on dated 04/08/2025.**

LIST OF DATES.

- 31/01/2022 Original environmental clearance granted in favor of Tahasildar Badasahi for mining of sand from Budhabalanga Sand Bed, Belpal over an area of 12.35 Acres or 5.00 Ha at Village- Belpal, Tahasil, Badasahi, District- Mayurbhanj.
- 26/08/2022 order passed by Hon’ble NGT in OA 46 of 2022
- 06/08/2021 Mining plan approved by the Mining Officer, Baripada Circle, Baripada.
- 08/08/2025 Order passed by Hon’ble NGT/EZ in OA 125 of 2024.
- 19/01/2026 Appellant approached the SEIAA requesting not to transfer the environmental clearance dated 31/01/2022 granted in favor of Tahasildar Badasahi.
- 23/02/2026 Environmental clearance transferred in favor of Sri Dinesh Agarwal for mining of sand from Budhabalanga Sand Bed, Belpal over an area of 12.35 Acres or 5.00 Ha at Village- Belpal, Tahasil, Badasahi, District- Mayurbhanj.

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

*(Under Section 18(1) read with Section 16(h) of the National Green Tribunal
Act 2010)*

APPEAL NO OF 2026

IN THE MATTER OF:

Bibekananda Pattnaik, S/O Late Radhakrushna Pattnaik, aged about 60 Years,
At/Po/PS- BaripadaTown, Mayurbhanj, Odisha 757001 **APPELLANT**

VERSUS

1. State of Odisha represented by Chief Secretary, Government of Odisha,
Lokaseva Bhawan,751001 Bhubaneswar csori@nic.in
2. The Collector and District Magistrate, Mayurbhanj, At/PO- Baripada,
Dist- Mayurbhanj, Odisha, Pin-770001. dm-mayurbhanj@nic.in
3. Tahsildar, Badasahi, At/PO/PS- Badasahi, Dist- Mayurbhanj, Odisha, Pin-
770040. tahasildarbadasahi@gmail.com
4. Deputy Director of Mines (DDM), Baripada Circle, Baripada , At/Po-
office of the DDM, Baripada Circle, in front of Indoor Stadium Baripada,
Mayurbhanj, Odisha (PIN: 757001) Odisha,
mo.baripada@orissaminerals.gov.in

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5. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar, 5RF-2/1, Acharya Vihar, Unit – IX, 751022 Email: seiaaorissa@gmail.com, MS-SEIAA-OR@gov.in
6. **Member Secretary**, Odisha State Pollution Control Board, A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha Email: paribesh1@ospcboard.org, member.secy@ospcboard.org
7. Sri Dinesh Agarwal, S/o-Sajanlal Agarwal, At-Station Bandhasahi, Ward No-12, Po/Ps-Baripada, Dist-Mayurbhanj ODISHA, 757001, Email-dineshagarwal22121979@gmail.com (Bidder of the Sand Quarry)

RESPONDENTS

- I. The address of the Counsel of Appellant is given for the service of notices of this APPLICATION.
- II. The addresses of the Respondents are given above for the service of notices of this APPLICATION. Private Respondent is the lessee of Sand Quarry.
- III. The Present Appeal Challenges the grant of Environmental clearance dated 23/02/2026 in favor of Dinesh Agarwal by SEIAA Odisha.

IT IS MOST RESPECTFULLY SHOWETH

1. That the Appellant is a resident of Baripada Town in Mayurbhanj District. He has been associated with forest protection in the state and the district for more than 30 years. He was also the **Honorary Wildlife Warden for Mayurbhanja District appointed by Government of Odisha for the period of 2021 to 2023**. Further the appellant was the Applicant in OA 46 of 2022 and OA 125 of 2024 relating to Sand Mining and District Survey Report of Mayurbhanja District. He is concerned about the ecology of the area and the impact of illegal, Unscientific and Unsustainable and Mechanical sand mining disturbing the BUDHABALANG RIVER ECOLOGY, endangering the safety of local villagers, causing serious air pollution and depletion of water level in the locality, changing the course of the river and obstructing the natural flow by making artificial sand bars/bunds/wooden bridges with in river to facilitate the sand mining.
2. It is further submitted that the indiscriminate sand mining both in the designated places and other places in the river has already threatened the embankment and changed the course of river flow. It is further submitted that Sand Mining in BudhaBalang river bed has caused serious environmental degradation and ecological impact, and no Environmental Impact Assessment has ever taken place in areas earmarked for Mining especially on the river beds. Over the years Riparian ecology has been

badly affected by the alarming rate of unrestricted Sand Mining which damage the ecosystem of rivers, weakening of river bank, destruction of natural habitats of organisms living on the river beds, affects fish breeding and migration, spells disaster for the conservation of many bird species, the associated riparian habitat. The applicant submit that over last 10 years because of aggressive sand mining through Earth Movers/Excavators, more damage has caused to the river ecology and Riparian habitats.

3. **That** the present appeal is filed challenging the environmental clearance dated 23/02/2026 granted in favor of Sri Dinesh Agarwal for Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District, Odisha by the State Environment Impact Assessment Authority Odisha. Copy of the impugned **environmental clearance letter dated 23/02/2026** is annexed here unto as **ANNEXURE-1**.
4. That the original environmental clearance for **Budhabalanga Sand Bed, Belpal** over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District has been granted in favor of **Tahasildar Badasahi on dated 31/01/2022**. Copy of the original environmental clearance dated 31/01/2022 granted in favor of Tahasildar Badasahi is annexed here unto as **ANNEXURE-2**.

5. It is submitted that after the Environment Clearance granted in favor of Tahasildar in 2022, the auction notice for sand quarries were challenged before the Honble NGT on the ground of auction could not have been made without approved District Survey Report. **Hence the sand source in question was never executed/operated after the grant of Original EC.** With the present transfer of EC, the earlier EC is merged as per the EC condition. Now the attempt is made to execute the Sand source in view of the Transfer of Environment Clearance which is impugned in the present appeal.
6. It is pertinent to mention here that as per the surface plan of the quarry in question there exists a river bridge known as **Belpal Bridge** on **Budhabalanga River** and intersects the mining lease into two blocks, hence the mining lease of the present quarry should have been considered as **two different mining leases and not as a single mining lease**. Copy of the surface plan of the Budhabalanga Sand Bed, Belpal suggesting the Belapal Bridge divides the mining lease into two parts is annexed here unto as **ANNEXURE-3**.
7. It is not out of place to mention here that, in a similar case where the mining lease consists of two patches and the SEAC in its meeting dated 06/09/2025 decided not to grant the amendment of environmental clearance stating *“After detailed deliberation, the authority decided to reject the amendment of EC as recommended by SEAC due to the following reasons:*

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1. *The mining lease comprises of two patches at 200meters distance. The same cannot be considered as a single lease as the boundary of the lease cannot be defined and the mineral deposit area is located in two different patches which are 200meters apart.*
2. *XXXXXX*
3. *This lease area can be separated as two leases and the PP have to apply afresh in cluster approach after obtaining approval from Steel and Mines Department for two different leases.*
4. *Hence, the proposal is Rejected as per provision of EIA Notification, 2006 and as amended thereof.”*

It is pertinent to mention here that in the present case the SEIAA authority took a different stand and transferred the environmental clearance dated 31/01/2022 to the private respondent for operation of the quarry. Relevant portion of the minutes of meeting dated 06/09/2025 is annexed here unto as ANNEXURE-4.

8. It is pertinent to mention here that the impugned environmental clearance has been granted on the basis of **approved mining plan dated 08/08/2021** and **no fresh mining plan has been prepared and no fresh replenishment study has also done prior to transfer** of the impugned environmental clearance in the year 2026.

9. That the impugned environmental clearance **dated 23/02/2026 is valid up to 05.08.2026** and the same suggests no fresh mining plan has been prepared prior to transfer of the environmental clearance.

10. It is not out of place to mention here that the original **environmental clearance has been granted on dated 31/01/2022 on the basis of an interim DSR dated 28/12/2019** and the same was challenged before this Hon'ble Tribunal in the matter of OA 46 of 2022, The relevant portion of the order dated 26/08/2022 is reproduced as follows,

“ 13. We, therefore, dispose of this Original Application with a direction to the SEIAA, Odisha, **to examine the 'Interim DSR' for the District of Balasore, having regard to the directions given by the Hon'ble Supreme Court in Pawan Kumar (Supra) as well as the directions given by this Tribunal in Haripada Manna (Supra).**

14. In the affidavit of the Collector & District Magistrate, Mayurbhanj District, Odisha, dated 24.05.2022, it is stated at internal page 11 of the affidavit that the Tahasildar-Badasahi, **has been directed not to proceed with the auction sale process of the 4 (four) sand beds in question in pursuance of the advertisement dated 15.03.2022.**

15. We expect that the Collector & District Magistrate, Mayurbhanj District and the Tahasildar-Badsahi, shall abide by the undertaking given by the Collector & District Magistrate, Mayurbhanj District, in his affidavit dated 24.05.2022.

16. We further provide that the advertisement dated 15.03.2022 shall be subject to any final order(s) which may be passed by the SEIAA, Odisha.”

Copy of the order dated 26/08/2022 passed in OA 46 of 2022 is annexed here unto as **ANNEXURE-5**.

11. That again another case has been filed before the Hon'ble NGT vide **OA 125 of 2024/EZ challenging an auction notice dated 20/02/2024 for sand mining in Bhudabalang Sand Bed 1** in Betonati Tahasil of Mayurbhanja District as the same was issued in absence of valid DSR. That the Hon'ble Tribunal vide **order dated 10/01/2025 passed the following directions,**

“17. On 08.08.2024, this Court had directed that no mining activity shall be carried out in the District-Mayurbhanj under the interim District Survey Report until further orders of the Court.

18. In this view of the matter, we dispose of this Original Application with a direction to the Respondents to ensure that no sand mining shall be carried out in District-Mayurbhanj in the absence of a **District Survey Report ('DSR' for short) for District-Mayurbhanj unless the same has been duly considered by State Level Expert Appraisal Committee ('SEAC' for short) and duly approved by State Environment Impact Assessment Authority ('SEIAA' for short), Odisha.**”

Copy of the order dated 10/01/2025 is annexed here with **ANNEXURE-6**.

12. That the chain of event from the Interim DSR prepared in 2019 and there after the

13.It is pertinent to mention here that as on date no fresh DSR has been filed by the Mayurbhanj district administration before the SEIAA authority for appraisal and approval, further the Appellant has also verified the Parivesh

portal of MOEFCC <https://parivesh.nic.in/> , but could not find any fresh DSR of Mayurbhanj district.

14.It is not out of place to mention here that the Appellant **on dated 19/01/2026 made a representation and approached the SEIAA on dated 20/01/2026 requesting not to transfer the environmental** clearances, and demanding fresh environmental clearance process as the earlier environmental clearance was granted in absence of valid DSR. However, the SEIAA authority without considering the grievance of the Appellant transferred the present impugned environmental clearance. Copy of the representation dated 19/01/2026 sent on 20/01/2026 is annexed here unto as **ANNEXURE-7.**

15.That the cumulative impact assessment study of the present mining proposal has not been carried out prior to grant of Environmental Clearance. The cumulative impact assessment study evaluates the combined effects of a proposed project, alongside existing and future activities, on the environment and communities. It considers both direct and indirect impacts, as well as the cumulative effects of past, present, and reasonably foreseeable actions. The goal is to understand the overall impact of all activities on a specific area but in the present case no such study has been conducted by the competent authority prior to grant of Environmental Clearance.

16.It is further submitted that the Notification dated **15/01/2016 of MoEFCC** clearly states that prior to grant of Environmental Clearance **site visit is required**. The relevant portion of the said notification is reproduced as follows;

“A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.” Copy of the notification dated 15/01/2016 is annexed here unto as **ANNEXURE-8**.

17.That in the present case **no site visit was conducted by the Sub-Divisional Committee** comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer prior to grant of Environmental Clearance.

18.It is further submitted that there has been no publication of the Environmental Clearance letter in Two leading newspapers as per the conditions in Environmental Clearance letter and further no such communication has been made to the Gram Panchayat office.

19. The Appellant vide letter dated 2/03/2026 has written to the authorities including SPCB, DDM Baripada, DM Mayurbhanja requesting not to permit the private respondent any mining activity in regard to the Budhabalang sand Bed, Belapal. Copy of letter dated 2/03/2026 is annexed here with as **ANNEXURE-9**.

20. It is further submitted that there could not be any grant of EC in favor of Tahasildar as he is not the project proponent and could not have made any application for grant of Environment Clearance in view of the EIA Notification 2006 That the requirement of application for Prior Environmental Clearance (EC) is mandated in Para 6 of the Notification which is reproduced as follows

[An application seeking prior environmental clearance in all cases shall be made by the **project proponent**] in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form

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1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

21. Further in Para 10 of the EIA Notification responsibility is on project proponent to make environment clearance public granted to their project and in respect of category B project, the project proponent shall prominently advertise in newspaper indicating the project has been accorded environment clearance and details of website where it is placed. In the present case such formality has not been complied.

22. Para 10(ii) says it shall be mandatory for the **project proponent to submit half yearly compliance report and in point (iii) such compliance report shall be public document and shall be displayed on the website of the concerned regulatory authority. No such compliance report in the website.**

23. That the area in the interim DSR was for 11.51 Ha. while granting the EC the same was reduced to 5 Hactre, so as to avoid the public hearing and same is not permissible as there is no coherence between the area mentioned in the DSR and area in the EC letter. This issue was also raised before the SEIAA authority, but same has not been considered.

GROUNDINGS

A. That the EC is granted and thereafter transferred without any site visit which is mandatory prior to grant of EC.

- B. That the grant of Environmental Clearance is bad in law and the fact as because the Environmental Clearance was granted without considering the grievance of the Appellant.
- C. For that the impugned environmental clearance is bad in law as the impugned environmental clearance is granted in absence of valid DSR.
- D. For that the original environmental clearance was also granted in absence of valid and approved DSR, hence the original EC is non-existent in law.
- E. For that the original environmental clearance has been granted on the basis of an interim DSR report and the same cannot be acted upon.
- F. For that the environmental clearance granting authority failed to comply with the orders passed by this Hon'ble Tribunal in OA 46 of 2022 and OA 125 of 2024.
- G. That the **cumulative impact assessment of the project and carrying capacity** of the site has not been furnished by the project proponent.
- H. That the environmental clearance has been granted in absence of fresh mining plan and replenishment study.

- I. That the environment clearance originally granted in favor of Tahasildar Badasahi is not the project proponent and could not have made application for grant of Environment Clearance
- J. That the present Environment Clearance is against the principle of Precautionary Principle.

LIMITATION

That the Environmental clearance was granted on 23rd February 2026 and the present appeal is filed within 30 days from the grant of Environmental Clearance, hence the Appeal is not barred by limitation.

INTERIM PRAYER

Hon'ble Tribunal may please to direct the State Environment Impact Assessment Authority to keep in abeyance the Environmental clearance dated 23/02/2026 pending final disposal of the present appeal. Further direct the State Pollution Control Board not to grant CTE and CTO and the DDM Baripada not to issue permit for mining till final disposal of the present appeal an.

PRAYER

The Hon'ble Tribunal may please to consider to pass the following directions.

- I. Quash the Environmental clearance dated 23/02/2026 granted over Plot/Survey Khasra Nos.: Khata No-287, Plot

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No-50/1 & 50/2 in Budhabalang River at Belapal in favor of the Pvt respondent by the SEIAA.

- II. Pass such other orders/directions as may be deemed fit and proper in the bonafide interests of justice.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

Bhubaneswar

By the Appellant

Through

S. P. Pati → *A. P. Pati*

09/03/2026

ADVOCATE

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

APPEAL NO OF 2026

IN THE MATTER OF:

BIBEKANANDA PATTNAIK

APPELLANT

VERSUS

STATE OF ODISHA AND OTHERS ...

RESPONDENTS

AFFIDAVIT

09 MAR 2026

I, Bibekananda Pattnaik, S/O Late Radhakrushna Pattnaik, aged about 60 Years, At/Po/PS- BaripadaTown, Mayurbhanj, Odisha 757001, hereby solemnly affirm, and declare as under:

1. That I am the applicant in the above mentioned Appeal.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Bibekananda Pattnaik
DEPONENT

VERIFICATION

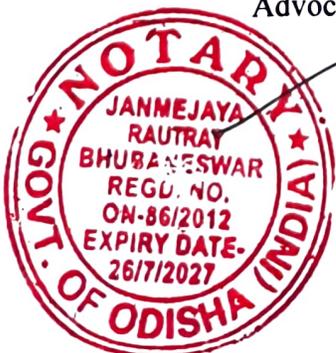
Verified on ----- 09 MAR 2026 ----- at *[Signature]* that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Bibekananda Pattnaik
DEPONENT

Identified By

[Signature]
0-10/8/23

Advocate



The above named deponent(s) being duly identified by Sr. *[Signature]* Advocate, Bhubaneswar Appears before me on 09 MAR 2026 at *[Signature]* A.M./P.M. *[Signature]* on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief.

Deponent(s)

Notary, Bhubaneswar

[Signature]
JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-7978581217

File No.: SIA/OR/MIN/228164/2021

Government of India

Ministry of Environment, Forest and Climate Change

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



सत्यमेव जयते



Dated 23/02/2026



To,

SRI DINESH AGARWAL
S/o-Sajanlal Agarwa
At-Station Bandhasahi, Ward No-12, Po/Ps-Baripada, Dist-Mayurbhanj ODISHA, 757001
dineshagarwal22121979@gmail.com

Subject: Grant of Transfer of EC Identification No. EC22B001OR151087 dated 31.01.2022 granted to the project of Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5.00 hectares under the provision of the EIA Notification 2006 and as amended thereof regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA, Odisha vide proposal number SIA/OR/MIN/567167/2026 dated 29/01/2026 for grant of transfer of EC dated 31.01.2022 granted to the project of Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District, Odisha in favour of Sri Dinesh Agarwal, the successful bidder/lessee under the provision of para 11 of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC26C0107OR5264596T
(ii) File No.	SIA/OR/MIN/228164/2021
(iii) Clearance Type	Transfer of EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals
(vii) Name of Project	Transfer of Environment Clearance of Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District, Odisha.
(viii) Location of Project (District, State)	MAYURBHANJ, ODISHA
(ix) Issuing Authority	SEIAA, Odisha
(x) EC Date	31/01/2022
(xi) Details of Transferee	SRI DINESH AGARWAL, S/o-Sajanlal Agarwal, At-Station Bandhasahi, Ward No-12, Po/Ps-

(xii) Details of Transferor

Plot/Survey Khasra Nos.: Khata No-287, Plot No-50/1 & 50/2

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-7 were submitted to the SEIAA, Odisha under the provision of Para 11 of the EIA notification 2006 and its subsequent amendments. Details in Form 7 can be accessed on the PARIVESH portal by scanning the QR Code above.

4. The SEIAA, Odisha has examined the requisite information/documents required for transfer of EC in 271st meeting held on 10.02.2026 in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and hereby accords Transfer of EC Identification No. EC22B001OR151087 dt. 31.01.2022 of Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5.00 hectares in village Belpal under Badasahi Tahasil in Mayurbhanj District, Odisha to Sri Dinesh Agarwal , the successful bidder /lessee as requested by the Mining Officer, Mayurbhanj vide letter no. 3198 dated 08.12.2025 under the provisions of EIA Notification, 2006 and as amended thereof. The extraction quantity of sand limited to **5000 cum with average depth of 0.5 meter upto 05.08.2026 (i.e. Validity of Mining Plan)** valid from the date of issue of this letter and the method of mining shall be as per the approved Mining Plan. The other stipulated terms and conditions of the original EC initially granted on 04/08/2025 remain the same subject to compliance of EC conditions.

Stipulations

Sl.	Descriptions	Stipulation
(i)	Lease Area:	12.35 Acres or 5.00 Ha.
(ii)	No Mining Zone:	<ol style="list-style-type: none"> 1. The PP shall maintain safety and stability of Riverbanks i.e. 3 meter or 10% of river width whichever is more for protection of river bank and 2. 7.5-meter safety zone from all sides of lease boundary. 3. No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations. 4. The PP shall maintain 7.5 meter as no mining zone from the embankment as stipulated in the sustainable sand mining guideline,2016. The Mining Officer shall ensure the compliance of the condition during mining operation. 5. No mining within 250 meter of upstream and 500 meter of the downstream of the existing river bridge
(iii)	Maximum Depth of Mining:	0.5 meter as per EC conditions
(iv)	Method of Mining:	The method of mining shall be as per approved Mining Plan
(v)	Permitted Quantity:	5000 cum with average depth of 0.5 meter upto 05.08.2026 (i.e. Validity of Mining Plan) valid from the date of issue of this letter and the method of mining shall be as per the approved Mining Plan
(vi)	Validity Period of EC:	The EC is valid upto 05.08.2026
(vii)	ARRS report	The Annual Rate of Replenishment Study (ARRS) is to be conducted through ORSAC empanel agency or NABET Consultant as per the prescribed guidelines and the PP shall submit the report in subsequent

year.

5. No Working Zone: - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -

- a. During the rainy season;
- b. Within the water channel or stream flow area throughout the year;
- c. Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meters from a reservoir, canal or building, 25 meters from the edge of State Highway and 10 meters from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
- d. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
- e. No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
- f. Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purposes.
- g. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- h. Mining shall be carried out under strict adherence to provisions of OMMC Rules, 2016, Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020. Sand Policy of Govt. Of Odisha dated 02.09.2021 are made there-under as applicable

6. Transport Safeguards:

- i. No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- i. 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 the 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.
- i. Project proponents shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- i. Vehicles hired for transportation of minor minerals from the site should be in good condition and should have pollution check certificates 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.
- i. The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar/ Mining Officer 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.
- i. 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. 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/ Mining Officer 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 the village / any habitation is very near 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.

8. 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 environment. The project authority is mandatory to upload

the compliance report of EC conditions including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. No hard copy and soft copy required to submit to SEIAA, Odisha, failing which EC is liable to be revoked.

9. Concomitant Monitoring: - The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar/mining officer, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits half yearly compliance reports.

10. 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 & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.

11. 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.

12. Change in Ownership of Lease: - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar/ Mining Officer shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.

13. The SEIAA, Odisha reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

14. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

15. The PP is under obligation to implement commitments made in the Environment Management Plan (EMP) which forms part of this EC.

16. The EC is valid upto 05.08.2026 (i.e. validity of Mining Plan) from the date of this Transfer of EC letter.

17. General Instructions:

- o. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.
- o. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.
- o. The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.
- o. Action plan for implementing EMP and environmental conditions along with a responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in a separate account and not to be diverted for any other purpose. Six monthly progress of implementation of the action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.

- o. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - o. The Regional Office of MoEF & CC, Bhubaneswar, SPCB, Odisha and the lease granting Authority shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
 - o. Any appeal against this EC 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
18. This issues with the approval of the Competent Authority

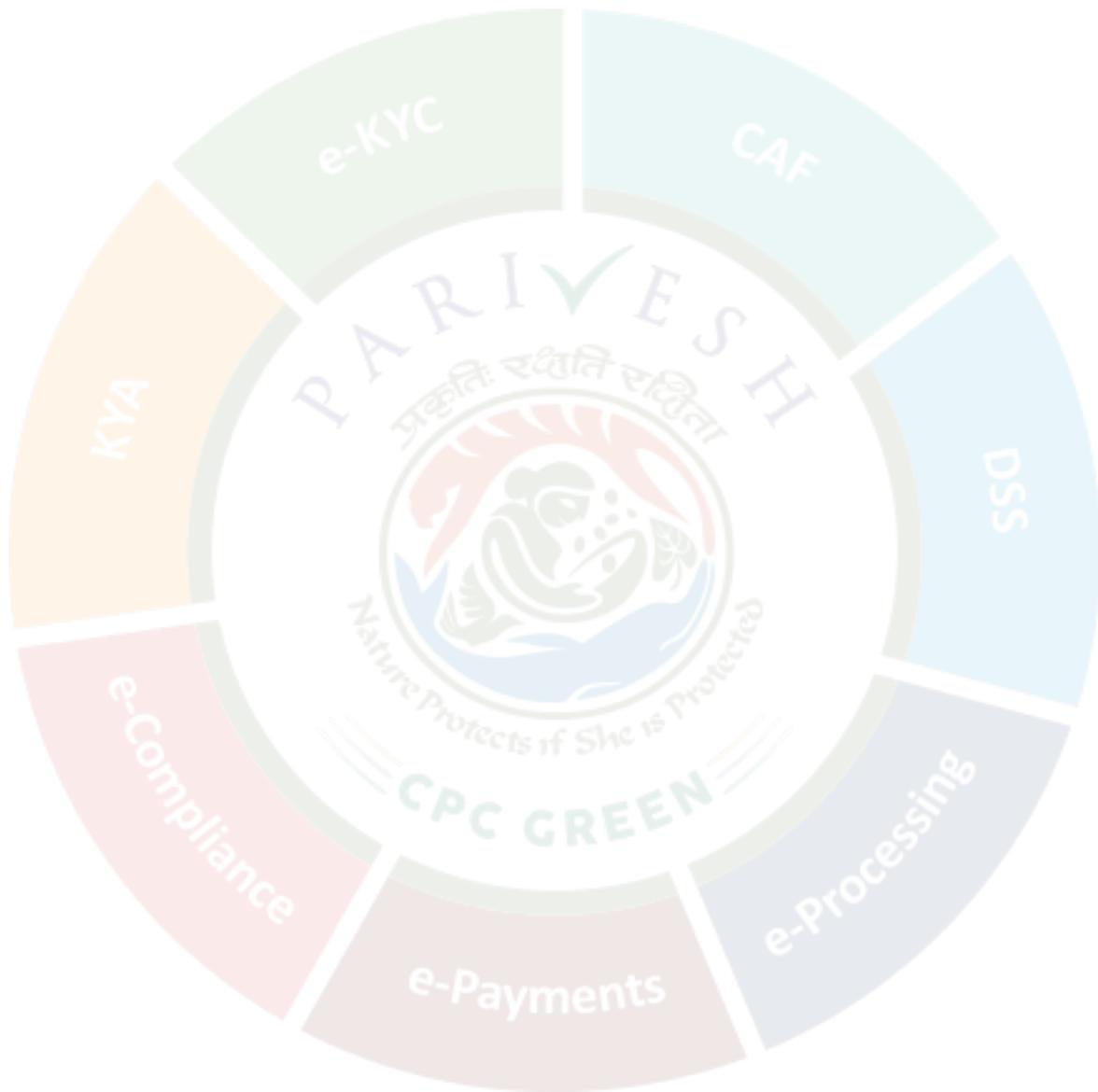
Copy To

1. Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-Office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Chairman/Member/Member Secretary, SEIAA for information.
7. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
8. Collector & DM, Mayurbhanj, Sub-Collector, Mayurbhanj, Deputy Director of Mines, Bhadrak, DFO, Baripada/Karanjia, RO, SPCB, Balasore, Tahasildar, Badasahi/ Mining Officer, Mayurbhanj for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

Additional EC Conditions

1. The extraction quantity of sand limited to **5000 cum with average depth of 0.5 meter valid up to 05.08.2026 (i.e. validity of Mining Plan) from the date of issue of this letter** with the following additional conditions as mentioned below along with the other terms and conditions of the original EC remains unchanged.
2. The PP shall maintain 7.5 meters as no mining zone from the embankment. The Mining Officer shall ensure that no sand shall be extracted from the river embankment within 7.5 meters distance during mining operation. **No mining within 250 meter of upstream and 500 meter of the downstream of the existing river bridge.**
3. The EC is valid valid up to 05.08.2026 (i.e. validity of Mining Plan).
4. The Annual Rate of Replenishment Study (ARRS) is to be conducted through ORSAC empanel agency or NABET Consultant as per the prescribed guidelines and the PP shall submit the report in subsequent year.
5. The PP shall implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.
6. The PP shall plant 250 nos. of tree species like Banyan (Ficus benghalensis), Peepal (Ficus religiosa), Neem (Azadirachta indica), Jamun (Syzygium cumini), Mango (Mangifera indica), Karanj(Pongamia pinnata), Arjun(Terminalia Arjuna), Jackfruit (Artocarpus heterophyllus), Siris (Albizia lebbeck), etc. as part of tree plantation campaign "Ek Ped Maa Ke Naam" and the details of the same shall be uploaded in the MeriLiFE Portal (<https://merilife.nic.in>).The PP shall submit the status of plantation during every six-months (06) compliance of EC conditions with geo-coordinating photographs.
7. The compliance of EC conditions of said quarry shall be monitored by DEIAA, concerned lease granting Authority either Mining Officer or Tahasildar, RO, SPCB, Odisha and Integrated Regional Office of MoEFCC, Bhubaneswar as per MoEF & CC, Govt. of India S.O. 141(E) in EIA Notification dated 15.01.2016.
8. 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 upload their Half Yearly compliances in PARIVESH 2.0 on the environmental conditions stipulated in the Environmental Clearance (EC) letter

in a timely manner on or before 1st June and 1st December of each calendar year.



ENVIRONMENTAL
CLEARANCE

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

To,

The TAHASILDAR
 TAHASILDAR BADASAHI MAYURBHANJ
 AT/PO-BADASAHI DISTRICT-MAYURBHANJ -756026

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/228164/2021 dated 06 Dec 2021. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|--|
| 1. EC Identification No. | EC22B001OR151087 |
| 2. File No. | 228164/102-MINB2/12-2021 |
| 3. Project Type | New |
| 4. Category | B2 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | BUDHABALANGA SAND BED,BELPAL OVER AN AREA OF 12.35 ACRES OR 5.00 HECTARES IN VILLAGE BELPAL UNDER BADASAHI TAHASIL OF MAYURBHANJ DISTRICT ODISHA |
| 7. Name of Company/Organization | TAHASILDAR BADASAHI MAYURBHANJ |
| 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: 31/01/2022

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

Letter No _____

Dt. _____

SEIAA File No: 228164/102-MINB2/12-2021

Project: Proposal of Tahasildar, Badasahi for mining of Sand from Budhabalanga Sand Bed, Belpal over an area of 12.35 Acres or 5.00 Ha at Village- Belpal, Tahasil-Badasahi, District- Mayurbhanj - Environmental Clearance reg.

Ref: Your online application dated 06.12.2021 for issue of EC vide File No: SIA/OR/MIN/228164/2021

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of Sand from Budhabalanga Sand Bed, Belpal over an area of 12.35 Acres or 5.00 Ha at Village- Belpal, Tahasil- Badasahi, District- Mayurbhanj. 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, supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan and Checklist.

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

- a. This is a proposal for mining of sand from Budhabalanga Sand Bed, Belpal lying in the Budhabalanga River bed located at village- Belpal, Tahasil- Badasahi, District- Mayurbhanj, over lease area of 12.35 Acres or 5.00 Ha.
- b. The mine area is a part of the Survey of India Toposheet No. F45O13, F45O14 bounded by Latitude: 21°44'40.5" N to 21°45'23.1" N and Longitude: 86°45'52.8" E to 86°46'15.7" E.
- c. The mining lease is an identified sairat source in the DSR. The Budhabalanga Sand Bed, Belpal sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Badasahi to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.

DM

- d. The mining plan of the mining project prepared has been approved by Mining Officer, Baripada Circle, Baripada on 06.08.2021.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 30464 cum of sand, when extracted upto a depth of 1.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
 - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 0.3Km away from the mining lease area.
 - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mine located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
 - h. As per the approved mining plan submitted, it is observed that sand from the quarry will be extracted upto a depth of 1.0 meter with annual extraction of sand not exceeding 30000 cum, 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 falls under Category B2 as the mining lease area is less than or equal to 5ha.
 4. The proposal is duly appraised by the SEAC in its meeting held on 05.01.2022. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 04/SEAC-Misc-02 dated 07.01.2022.
 5. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.

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6. The Tahasildar, Badasahi 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).

7. **Stipulated Conditions:**

- 7.1 This Environmental Clearance is given with a condition that "Maximum allowable depth of sand mining is 0.5 meter and Maximum quantity that can be extracted in 1st year is 5000 cum, pending rate of replenishment study report. This study report has to be filed by November, 2022, failing which the EC would stand revoked."
- 7.2 The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 7.3 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
- 7.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.
- 7.5 The Tahasildar has submitted the cluster certificate of the mines located within 500 meters from the periphery of the proposed mine lease area. This EC is liable to be cancelled/revoked if the submission on cluster is found to be incorrect/false in future.
- 7.6 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross

DH

drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

- 7.7 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
- 7.8 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 7.9 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 7.10 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 7.11 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.12 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.

DY

- 7.13 Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 7.14 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 sand transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
- 7.15 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
- 7.16 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 7.17 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 7.18 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.
- 7.19 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.
- 7.1 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. The project proponent shall upload the quarterly compliance report, including results of monitored data, as applicable on the website of the Ministry portal (www.parivesh.nic.in) for monitoring of EC conditions.
- 7.20 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.21 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.

DAI

- 7.22 The concerned Regional Office of the MoEF&CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF&CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.23 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be. A copy of this Environmental Clearance letter shall also be displayed at the Regional Office, SPCB, Collector's Office/ Tahasildar's office for 30 days. Copy of the environmental clearance letter can be downloaded from the Ministry portal (www.parivesh.nic.in).
- 7.24 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 7.25 The SEIAA, Odisha may revoke or suspend this EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 7.26 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 7.27 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 7.28 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
- 7.29 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.



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

Yours Faithfully,


Member Secretary

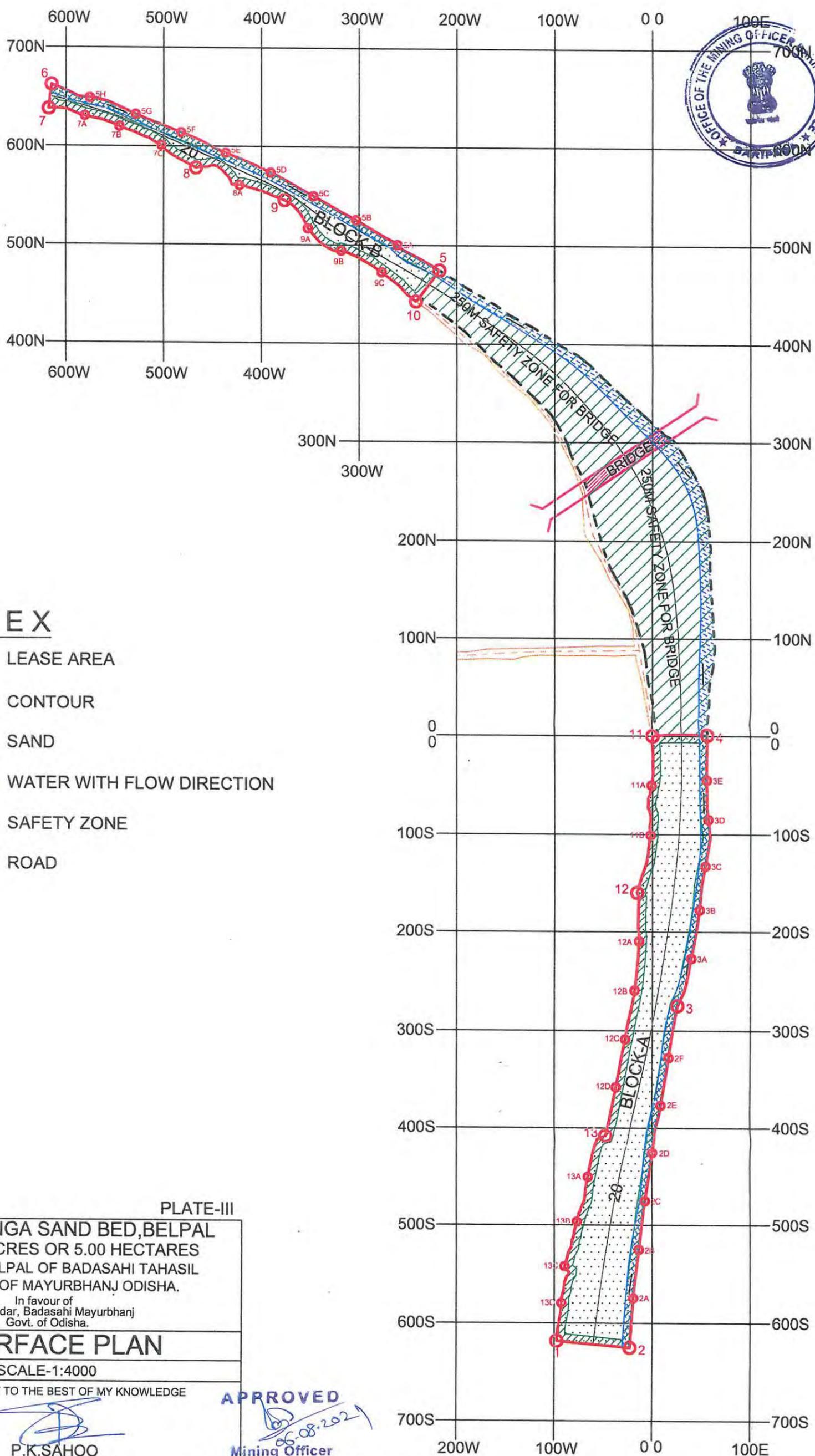
Memo No _____ /Dt. _____

Copy to

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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, Mayurbhanj/ Sub Collector, Baripada/ Tahasildar, Badasahi for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.




Member Secretary



INDEX

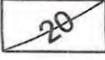
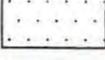
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-  CONTOUR
-  SAND
-  WATER WITH FLOW DIRECTION
-  SAFETY ZONE
-  ROAD

PLATE-III

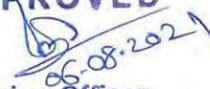
BUDHABALANGA SAND BED, BELPAL
 OVER 12.35 ACRES OR 5.00 HECTARES
 IN VILLAGE BELPAL OF BADASAH I TAHASIL
 IN DISTRICT OF MAYURBHANJ ODISHA.
 In favour of
 Tahasildar, Badasahi Mayurbhanj
 Govt. of Odisha.

SURFACE PLAN

SCALE-1:4000

THIS PLAN IS CORRECT TO THE BEST OF MY KNOWLEDGE


 P.K.SAHOO
 RQP/OD/025/2015

APPROVED

 Mining Officer
 Baripada Circle, Baripada



Government of India
Ministry of Environment, Forest and Climate Change
 (Issued by the State Level Expert Appraisal
 Committee(SEAC),
 ODISHA)



Minutes of Agenda for 88th Meeting of State Expert Appraisal Committee, Odisha was held on 26/08/2025 at 03:30 PM by Virtual mode (VC) through Video Conferencing in Google Meet - MM+MOD EC PROPOSALS State Level Expert Appraisal Committee meeting held from 06/09/2025 to 06/09/2025 Date: 06/09/2025

MoM ID: EC/MOM/SEAC/907461/9/2025

Agenda ID: EC/AGENDA/SEAC/907461/9/2025

Meeting Venue: N/A

Meeting Mode: Virtual

Date & Time:

06/09/2025	08:34 PM	08:34 PM
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1. Opening remarks

N/A

2. Confirmation of the minutes of previous meeting

N/A

3. Details of proposals considered by the committee

Day 1 -06/09/2025

3.1. Agenda Item No 1:

3.1.1. Details of the proposal

Proposal for Amendment of EC for Singuri Sand Bed is located in Village Singuri over an area of 5.00 Ac/ 2.023 ha. under Barkote Tahasil in Deogarh District of Odisha. by SMITA KAR located at DEOGARH,ODISHA			
Proposal For		Amendment in EC	
Proposal No	File No	Submission Date	Activity (Schedule Item)
SIA/OR/MIN/504012/2024	504012/357-MIN/11-2024	05/11/2024	Mining of minerals (1(a))

3.15.5. Recommendation of SEAC

Deferred for ADS

3.16. Agenda Item No 16:**3.16.1. Details of the proposal**

Submission of Replenishment Study Report (2024-25) for Amendment of Environment Clearance of Budhabalan ga River Sand Bed-III over an area of 12.33 acres or 4.989 hectares in Village Sankhamod under Betnoti Tahasil in Mayurbhanj District, Odisha of Smt. Priyanka Behera. by PRIYANKA BEHERA located at MAYURBHANJ, ODISHA			
Proposal For		Amendment in EC	
Proposal No	File No	Submission Date	Activity (Schedule Item)
SIA/OR/MIN/548345/2025	548345/784-MIN/08-2025	17/08/2025	Mining of minerals (1(a))

3.16.2. Project Salient Features

<ol style="list-style-type: none"> 1. Modification of EC as per the Replenishment Study Report. 2. EC was granted vide identification no. EC22B001OR124834 dated 31.03.2022. 3. Transfer EC was granted vide letter no. SIA/OR/MIN/296742/2022 dated 21.01.2023. 4. Approved Mining Plan capacity is 17000 cum for 1st year and 13600 for the rest of the plan period. 5. SEIAA has permitted for 5000 cum/year for sand extraction, followed by submission of Replenishment Study Report. 6. Both Pre monsoon (03.06.2024) and Post Monsoon (12.12.2024) has been carried out by Drone survey method. 7. Available replenishment mineable reserve after post monsoon is 6288.27 cum. <p>PP has proposed for 6288.27 cum/annum as per the Replenishment study report.</p>

3.16.3. Deliberations by the committee in previous meetings

N/A

3.16.4. Deliberations by the SEAC in current meetings

<p>The SEAC observed the following:</p> <p>1) Earlier proposal no SIA/OR/MIN/535217/2025 was rejected vide SEIAA letter dated 19/07/2025 with following observations;</p> <p>“After detailed deliberation, the authority decided to reject the amendment of EC as recommended by SEAC due to the following reasons:</p>

1. The mining lease comprises of two patches at 200meters distance. The same cannot be considered as a single lease as the boundary of the lease cannot be defined and the mineral deposit area is located in two different patches which are 200meters apart.
2. In the ARSS report submitted the safe workable area is calculated as $(100-x) \%$ of lease area where x is %age of water covered lease area. Replenished volume is calculated with UAV/Drone software and nothing is mentioned about safety zone allowance.
3. This lease area can be separated as two leases and the PP have to apply afresh in cluster approach after obtaining approval from Steel and Mines Department for two different leases”.
4. Hence, the proposal is Rejected as per provision of EIA Notification, 2006 and as amended thereof.

Compliance of PP is as follows:

1. The SEIAA has allowed to extract 5000 cum of sand for first year, PP extracted 4142 cum of sand in first year. The depth of working was restricted within 0.5 meters. The Quarry is not operation for the period of 2nd year.
2. The replenishment volume estimation had been carried out by DEM-to-DEM Comparison (Post - Pre) method as per the Sand Guideline’ 2020. Replenished volume is extracted from UAV/Drone software with in the common workable area excluding safety zone. However, the RSR has been re-calculated as per the suggestion of the Committee considering common workable area of both Pre and Post monsoon season and enclosed herewith for consideration.
3. Total lease area consists of two patches. Lease has been granted accordingly. EC has already been obtained. This proposal is for amendment of EC regarding submission of Replenishment report. This is a single quarry with multiple patches. So, this may not be a cluster case.

The SEAC decided to reject the proposal for modification EC due to following reasons:

1. Two patches of Lease area should be considered as independent Lease under cluster approach.
2. This lease area can be separated as three leases and they have to apply afresh in cluster approach after obtaining approval from Steel and Mines Department for two different leases.
3. When the rejection letter was issued on 19. 07.2025, it is not clear how PP has submitted a Compliance letter to reasons of rejection duly signed on 17.06.2025.

3.16.5. Recommendation of SEAC

Not Recommended

3.17. Agenda Item No 17:

3.17.1. Details of the proposal

Item No. 09

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.46/2022/EZ

In the matter of:-

Bibekanand Pattnaik,
S/o Late Radhakrushna Pattnaik,
Aged about 56 years,
R/o At/Po/PS-Baripada, Mayurbhanj, Odisha,
Pin – 757001,

...Applicant(s)

Versus

1. State of Odisha,
Through Chief Secretary, Govt. of Odisha,
Lokaseva Bhawan, Bhubaneswar,
2. Principal Secretary,
Revenue and Disaster Management, Govt. of Odisha,
Lokaseva Bhawan, Bhubaneswar,
Pin – 751001,
3. Principal Secretary,
Water Resource Department, Govt. of Odisha,
Lokaseva Bhawan, Bhubaneswar,
Pin – 751001,
4. Member Secretary,
Odisha State Pollution Control Board,
A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar,
Pin – 751012,
5. Member Secretary,
State Environment Impact Assessment Authority (SEIAA), Odisha,
5RF-2/1, Acharya Vihar, Unit-IX, Bhubaneswar
Pin – 751022,
6. The Collector and District Magistrate, Mayurbhanj,
At/Po-Baripada, District-Mayurbhanj,
Pin – 770001,
7. Tahasildar, Badasahi,
At/PO/PS-Badasahi, District Mayurbhanj,
Pin – 770040,
8. Mining Officer, Baripada Circle, Baripada,
District-Mayurbhanj, Odisha,
Pin – 770048,

9. Office of the Executive Engineer, Mayurbhanj Irrigation Division, Baripada, Odisha,
10. The Executive Engineer, Rural Works Division, At/Po-Baripada, District-Mayurbhanj, Odisha, Pin – 757002,
11. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, New Delhi – 110032,
12. Deputy Director General of Forests (C), Ministry of Environment, Forests and Climate Change, Integrated Regional Office (EZ), A/3, Chandrasekharapur, Bhubaneswar, Pin – 751023,

...Respondent(s)

Date of hearing: 26.08.2022.

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate

For Respondent(s) : Ms. Saswata Pattnaik, Advocate for State of Odisha,
Ms. Papiya Banerjee Bihani, Adv. for R-4, (in Virtual Mode)
Mr. Gora Chand Roy Choudhury, Adv. for R-5, (in Virtual Mode)
Mr. Dipanjan Ghosh, Advocate for R-11,
Mr. Debasish Ghosh, Advocate for R-12, (in Virtual Mode)

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present for the Applicant.
2. Counter-affidavit dated 23.08.2022 has been filed on behalf of the Respondent No.11, Central Pollution Control Board; the same is taken on record.
3. Affidavit dated 25.08.2022 has been filed on behalf of the Respondent No.5, SEIAA, Odisha; the same is taken on record.
4. Ms. Papiya Banerjee Bihani, learned Counsel files Vakalatnama on behalf of the Respondent No.4, Odisha State Pollution Control Board; the same is taken on record.

5. This Original Application has been filed by the Applicant, seeking the following reliefs:-

“A. Hold and declare that the DSR report for Sand Mining in Mayurbhanjaand as null and void and quash the auction notice dated 15th March, 2022.

B. The Hon’ble Tribunal may direct A detail report including the details of site visit of the lease areas both existing and new sites may be called from the District Collector to know the basis of the preparation of DSR.

C. The DSR may be evaluated/reviewed by an independent party like scientists of CPCB and SEIAA.

D. Direct the Revenue Department and Water Resource Department for River Mapping and Sand Auditing of Budha Balang.

E. Pass any other order(s)/direction(s) that Your Lordships may deem fit and proper in the interest of justice, equity and good conscience.”

6. In para 8 of the Original Application, it is stated that an advertisement has been issued on 15.03.2022 for auction of 4 (four) sand sources in pursuance of the ‘Interim District Survey Report’).

7. Mr. Sankar Prasad Pani, learned Counsel for the Applicant has referred to page no. 58 which is a District Survey Report (‘DSR’ for short) for District-Mayurbhanj, which clearly mentions that it is an ‘interim report’. However, at page no. 60 of the paper book, it is stated that District Survey Report for Sand Mining (Minor Mineral) in respect of Mayurbhanj District has been prepared in accordance with Appendix-X, Para-7(iii) (a) of S.O. No. 3611(E) dated 25.07.2018 issued by the Ministry of Environment, Forests and Climate Change, New Delhi, and is approved for final publication in the District Website. It is not disputed that this DSR was prepared by the then District Environment Impact Assessment

Authority ('DEIAA' for short) on the basis of a survey carried out by the DEIAA as would be evident from para (b) of the DSR dated 27.07.2018. Para (b) of the DSR reads as under:-

“(b) A survey shall be carried out by the DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.”

8. Mr. Pani alleges that the DSR has been prepared by the DEIAA without consulting the Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc.
9. Learned Counsel has again referred to page 60 of the paper book, where the Interim DSR has been approved and submits that it does not bear the signature of any person from the Department of Geology.
10. Learned Counsel further submits that DSRs in the State of Bihar prepared by the DEIAA were quashed by the Tribunal in Original Application No. 40/2020/EZ (*Pawan Kumar Vs. State of Bihar*) vide its order dated 14.10.2020. This order of the Tribunal was thereafter put to challenge before the Hon'ble Supreme Court in Civil Appeal Nos. 3661-62 of 2020 (*State of Bihar Vs. Pawan Kumar*), and the Hon'ble Supreme Court thereafter directed that the Committee for considering DSR shall comprise of the following Members as mentioned in para 14 of the judgment. Para 14 of the order of the Hon'ble Supreme Court dated 10.11.2021 reads as under:-

“14. We therefore find it appropriate to substitute the directions issued by the Tribunal vide judgment and order dated 14th October, 2020 with the following directions:-

- (i) The exercise of preparation of DSR for the purpose of mining in the State of Bihar in all the district shall be undertaken afresh. The draft DSRs shall be prepared by the sub-divisional committees comprising of the Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer. The same shall be prepared by undertaking site visits and also by using modern technology. The said draft DSRs shall be prepared within a period of 6 weeks from the date of this order. After the draft DSRs are prepared, the District Magistrate of the concerned District shall forward the same for examination and evaluation by the SEAC. The same shall be examined by the SEAC within a period of 6 weeks and its report shall be forwarded to the SEIAA within the aforesaid period of 6 weeks from the receipt of it. The SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereon;*
- (ii) Needless to state that while preparing DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that a strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed;*
- (iii) Until further orders, we permit the State Government to carry on mining activities through Bihar State Mining Corporation for which it may employ the services of the contractors. However, while doing so, the State Government shall ensure that all environmental concerns are taken care of and no damage is caused to the environment.”*

11. In the affidavit of the SEIAA, Odisha, dated 25.08.2022, it is stated that the DSR in question has been submitted by the Collector and District Mayurbhanj before the SEIAA, Odisha through his letter dated 19.07.2022 for appraisal by the State Expert Appraisal

Committee ('SEAC' for short) and SEIAA for approval and the matter has been forwarded to the SEAC and now is under process and is expected to be finalized within two weeks.

12. Mr. Pani has also referred to para 29 of the Original Application, and submits that in Original Application 63/2020/EZ (*Haripada Manna Vs. District Collector, Balasore & Ors.*) where also the challenge to the District Survey Report of Balasore was made, this Tribunal has disposed of the said Original Application on 08.02.2022 directing stay on all further auction of sand mining. Paras 19 & 21 of the judgment read as under:-

“19. In our view, since the District Survey Report has not yet been apprised by the State Expert Appraisal Committee (SEAC), Odisha nor has it been approved by the State Environment Impact Assessment Authority (SEIAA), Odisha, the said District Survey Report for District-Balasore, Odisha, cannot be a foundation for auction of mining leases till such appraisal and approval has been obtained from the said authorities.

21. Until such order is passed by the State Environment Impact Assessment Authority (SEIAA), Odisha, we direct that all processes of auctioning in respect of sand mining in the District-Balasore, Odisha, shall remain stayed and shall be subject to any order which may be passed by State Environment Impact Assessment Authority (SEIAA), Odisha.”

13. We, therefore, dispose of this Original Application with a direction to the SEIAA, Odisha, to examine the 'Interim DSR' for the District of Balasore, having regard to the directions given by the Hon'ble Supreme Court in *Pawan Kumar* (Supra) as well as the directions given by this Tribunal in *Haripada Manna* (Supra).
14. In the affidavit of the Collector & District Magistrate, Mayurbhanj District, Odisha, dated 24.05.2022, it is stated at internal page 11

of the affidavit that the Tahasildar-Badasahi, has been directed not to proceed with the auction sale process of the 4 (four) sand beds in question in pursuance of the advertisement dated 15.03.2022.

15. We expect that the Collector & District Magistrate, Mayurbhanj District and the Tahasildar-Badsahi, shall abide by the undertaking given by the Collector & District Magistrate, Mayurbhanj District, in his affidavit dated 24.05.2022.
16. We further provide that the advertisement dated 15.03.2022 shall be subject to any final order(s) which may be passed by the SEIAA, Odisha.
17. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

August 26, 2022,
Original Application No.46/2022/EZ
AK

Item No.11

Court No.1

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

Original Application No.125/2024/EZ

Bibekananda Pattnaik

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 10.01.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. a/w
Mr. Ashutosh Padhy, Adv. (in Virtual Mode)

For Respondent(s) : Ms. Gayatri Patra, ASC for R-1, 4 & 7 (in Virtual Mode),
Mr. Dipanjan Ghosh, Adv. for R-2,
Mr. Apurba Ghosh, Adv. for R-3 (in Virtual Mode)

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel assisted by Mr. Ashutosh Padhy, learned Counsel is present (in Virtual Mode) for the Applicant.
2. Rejoinder affidavit dated 09.01.2025 has been filed by the Applicant; the same is taken on record.

(Final order of the said case will be uploaded in website by separate sheets of paper).

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

January 10, 2025,
Original Application No.125/2024/EZ
OM

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

Original Application No.125/2024/EZ

IN THE MATTER OF

Bibekananda Pattanaik,
S/O Late Radhakrushna Pattanaik,
aged about 58 Years,
At/Po/PS-BaripadaTown,
Mayurbhanj, Odisha-757001

.....Applicant(s)

Versus

- 1. State of Odisha,**
Through Chief Secretary,
Government of Odisha,
AT/PO-Lokaseva Bhawan, Lok Seva Marg, Unit-2,
Bhubaneswar, Odisha
PIN-751001
- 2. Odisha State Pollution Control Board,**
Through Member Secretary,
A/118, Unit-VII, Nilakantha Nagar,
Bhubaneswar, Odisha,
PIN-751012
- 3. State Environment Impact Assessment Authority (SEIAA), Odisha**
5RF-2/1, Acharya Vihar, Unit – IX,
Bhubaneswar, Odisha,
PIN-751022
- 4. The Collector and District Magistrate, Mayurbhanj,**
At/PO- Baripada,
Dist- Mayurbhanj, Odisha,
PIN-757001
- 5. Mining Officer, Baripada Circle**
AT/PO-Meher Colony, Baripada,
Dist.-Mayurbhanj,
Odisha-757002
- 6. OFFICE OF THE EXECUTIVE ENGINEER,
MAYURBHANJ IRRIGATION DIVISION, BARIPADA,**
At/PO-Murgabadi, Baripada,
Odisha-757002
- 7. Additional Chief Secretary, Water Resource Department,
Government of Odisha,**
AT/PO- Department of Water Resources Rajiv Bhawan,

Keshari Nagar, Bhubaneswar-751001

8. Deputy Director General of Forests (C), Ministry of Environment,
Forest and Climate Change, Integrated Regional Office (EZ),
A/3, Chandersekharpur,
Bhubaneswar - 751023

.....**Respondent(s)**

Date of hearing: 10.01.2025

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. a/w
Mr. Ashutosh Padhy, Adv. (in Virtual Mode)

For Respondent(s): Ms. Gayatri Patra, ASC for R-1, 4 & 7 (in Virtual Mode),
Mr. Dipanjan Ghosh, Adv. for R-2,
Mr. Apurba Ghosh, Adv. for R-3 (in Virtual Mode)

ORDER

1. This Original Application has been filed by the Applicant alleging that a notice for auction has been issued for a five year long term lease of Budhabalang Sand Bed-1 in Belonapura, Madhunanda, Demphouda of Betonati Tahasil, over an area of 4.98 hectares, MGQ of 5000 CM per annum with having geological reserve of 56809 CM. It is stated that in the notice dated 20.06.2024 the area has been shown as less than 5 hectares and in the interim District Survey Report ('DSR' for short) the area is mentioned as 5.01 hectares.
2. It is alleged that there is no revised DSR placed by the District Collector, Mayurbhanj nor is there any kind of approval given by the State Environment Impact Assessment Authority (SEIAA), Odisha, for the said mining of sand.
3. It is stated that the Government of Odisha, Revenue and Disaster Management Department vide letter dated 27.07.2018 directed all the District Collectors to prepare DSRs in the light of the EIA

Notification dated 15.01.2016 which lays down the procedure for preparation of District Survey Report.

4. It is further alleged that the interim DSR does not address any of the concerns of ecological impact and sustainable sand mining as elaborated in the Sustainable Sand Mining Guidelines, 2016, and the Enforcement and Monitoring Guidelines for Sand Mining, 2020. It is stated that the interim DSR dated 28.12.2019 was prepared by the then existing District Environment Impact Assessment Authority (DEIAA) which subsequently stood abolished vide judgment of the National Green Tribunal dated 13.09.2018 in the case of *Satendra Pandey Vs. MoEF&CC & Ors.*
5. It is also stated that the final DSR is a mandatory pre-requisition before granting of any mining lease or issuance of tender and in the absence thereof the auction notice dated 20.06.2024 is not sustainable.
6. The Respondent No.2, Odisha State Pollution Control Board has filed affidavit dated 21.09.2024 bringing on record the Inspection Report of an inspection carried out on 04.12.2020. In this report, it is mentioned that the Lessee of the mine in question is one Sri Jagannath Sahu who was present during the inspection. The lease area of the mine is Ac.12.40dec (05.018 Ha.) Sand quarry over Plot No. 711,1 and 1 of Khata No.160,95 and 200 of Village- Belanpur, Madhunanda and Demphouda, Tahasil- Betnoti, Dist. Mayurbhanj. (Copy of the Inspection Report reads as under):-

**“INSPECTION REPORT ON BUDHABALANGA SAND BED-I, AT-
BELANPUR, MADHUNANDA AND DEMPHOUDA VILLAGE,
VIA/TAHASIL-BETNOTI, DIST-MAYURBHANJ.**

1	<i>Name of the Mine inspected</i>	Budhabalanga Sand Bed-I of Sri Jagannath Sahu, Lessee
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2	Location of the Mine	At-Demphouda, PO - Nakhara, Via/ Tahasil-Betnoti, Dist-Mayurbhanj
3	Date of inspection	04.12.2020
4	Name of the person present during inspection.	Sri Jagannath Sahu, Lessee
5	Total lease hold area of the mine and validity of lease	Ac. 12.40 dec (05.018 Ha.) Sand quarry over Plot No.711, 1 and 1 of Khata No.160, 95, 200 of Village-Belanpur, Madhunanda and Demphouda, Tahasil-Betnoti, Dist. Mayurbhanj. Lease period valid for 01 year 6 months and 03 days i.e. from 01.04.2020 to 04.10.2021
6	Production quantity	The mine has proposed to mining 2105 Cum of sand for the financial year 2020-21 and 2021-22 i.e. for the period from 01.04.2020 to 04.10.2021
7	Consent status	CTO was valid upto 31.03.2020. In the meantime it was extended upto 30.06.2020 due to all India lock down for pandemic COVID-19. The sand quarry has applied for renewal of consent to operate with adequate consent to operate fee of Rs.30000 through online payment system. The deposited CTO fee is adequate up to 31.03.2022.
8	Status of Environmental clearance	The mine has obtained Environmental Clearance (EC) from District Environment Impact Assessment Authority (DEIAA) on 21.05.2016 vide memo No.DEIAA/19 for mining of minor mineral with total production capacity of 7060 Cum of sand over lease area of 05.01 Ha. during the lease period. The mine has submitted a modified approved mining plan, which is valid for the financial year 2020-2022 i.e. for the period from dt.01.04.2020 to 04.10.2021, where in it is mentioned that production of sand in this lease period will

		<p>be 2105 Cum. As per the Revenue and Disaster Management Department, Govt. of Odisha letter No.16239, dt. 15.05.2020, validity of lease will be for five years from the date of registration of lease deed and as clarified by F&E Dept. Govt. of Odisha that EC will have validity for the period of lease and cases where executing lease deed in 2015-16 the Tahasildars had mentioned wrongly the lease period till end of financial year 2019-20 but lease has validity beyond 31.03.2020 as to be computed from registration of lease deed, for remaining period of lease no fresh EC is necessary.</p> <p>The lease deed is registered on dtd. 05.10.2016. So the validity of lease for the stone quarry is upto 04.10.2021.</p>
9	Operational status of the mine	The sand quarry was not in operation during the inspection.
10	Method of mining	The sand mine has proposed to carry out opencast manual dry pit mining method. The sand are extracted loaded and transferred from pits to the user through tractor, dumper and hywa. The mining will be done on single shift basis. The local man power has been engaged in the mine as reported by the representative of the mine.
11	Pollution potential and control measures	<p><u>Water Pollution:</u></p> <p>Water pollution potential from sand mining is not significant. Mine drainage water generated during sand mining will be percolated to the river.</p> <p><u>Air Pollution:</u></p> <p>Air pollution in form of fugitive dust may be generated during loading of sand in tippers and tractors and during transportation through haul road. The mine has proposed to engage mobile water</p>

		<i>tanker for sprinkling of water on haul roads to control fugitive dust emission.</i>
12	<i>OB/solid waste management</i>	<i>There will be no generation of OB or any solid waste during sand mining as per approved mining plan.</i>
13	<i>Conclusion and Recommendation</i>	<ol style="list-style-type: none"> 1. <i>It has deposited adequate CTO fee up to 31.03.2022.</i> 2. <i>The mining plan has been approved for the year 2020-22 for year wise production of sand.</i> 3. <i>The unit has obtained CTO from the Board vide this office order No.2642, dtd. 25.11.2016 for production of sand of quantity 5,660 Cum (Total) in the period 2016-20 and in the EC total production quantity is 7060 Cum. So the balance quantity of stone to be produced is 1400 Cum in the remaining lease period.</i> 4. <i>In view of the above, consent to operate may be considered upto 04.10.2021 with special conditions under Water & Air (PCP) Acts for mining of Stone of quantity 1400 Cum during the 2020-22 through the mine has applied for production of sand of quantity 2105 Cum (Total) as per approved modified mining plan in the remaining lease period i.e. 2020-21 and 2021-22.”</i>

7. The Respondent No.3, State Environment Impact Assessment Authority (SEIAA), Odisha has filed an affidavit dated 01.10.2024 and in its affidavit, it is stated that the District Collector & District Magistrate, Mayurbhanj had submitted the District Survey report of sand to SEIAA, Odisha vide their letter dated 19.07.2022 for approval of State Level Expert Appraisal Committee (SEAC) & State Environment Impact Assessment Authority (SEIAA).

District Survey Report ('DSR' for short) of Mayurbhanj District has been submitted to SEIAA, Odisha for approval.

10. The Applicant has filed a rejoinder affidavit reiterating the conditions of his Original Application and submitting that the District Survey Report ('DSR' for short) is a pre-requisite, mandatory conditional precedent required to be prepared and also approved by SEAC and SEIAA before any mining leases are auctioned and through any Auction notice without following the procedure under the MOEF Notification dated 15.01.2016 read with the Sustainable Sand Mining Management Guidelines 2016 ('SSMMG-2016' for short), Enforcement and Monitoring Guidelines for Sand Mining ('EMSMG, 2020' for short) is absolutely illegal.
11. The allegation in the Original Application is that a notice for auction has been issued for a five year long term lease of Budhabalang Sand Bed-1 in Belonapura, Madhunanda, Demphouda of Betonati Tahasil, over an area of 4.98 hectares, MGQ of 5000 CM per annum having geological reserve of 56809 CM. In fact, the categorical stand of SEIAA, Odisha is that till date the DSR for Mayurbhanj District has not been submitted to SEIAA, Odisha for approval.
12. An identical matter came for consideration of this Court in Original Application No.84/2023/EZ in the matter of (*Abani Kumar Sahu Vs. State of Odisha & Ors.*) pertaining to sand mining in the Rayanramchandrapur Sand Source along the Subarnarekha River being carried out in the absence of a District Survey Report in District-Balasore and the said Original Application was disposed of by this Tribunal with a direction that no sand mining shall be carried out in the Rayanramchandrapur Sand Source along the

Subarnarekha River in the absence of a District Survey Report in District-Balasore duly approved by SEIAA, Odisha.

13. In the present case, we find that an Auction notice has been issued for a five year long term lease of Budhabalang Sand Bed-1 in Belonapura, Madhunanda, Demphouda of Betonati Tahasil but as per the stand of SEIAA, Odisha, the District Survey Report ('DSR' for short) for District-Mayurbhanj has not been submitted to SEIAA, Odisha for approval.
14. We have heard the learned Counsel for the parties and perused the documents on record.
15. Mr. Sankar Prasad Pani, learned Counsel for the Applicant has filed a District Survey Report ('DSR' in short) of Mayurbhanj District and submits that the same is an interim report and cannot be acted upon.
16. We have perused the DSR of Mayurbhanj District which itself mentions that it is an 'interim report' and there is also nothing on record to show that the same has been submitted before SEAC and SEIAA for its appraisal and subsequent approval.
17. On 08.08.2024, this Court had directed that no mining activity shall be carried out in the District-Mayurbhanj under the interim District Survey Report until further orders of the Court.
18. In this view of the matter, we dispose of this Original Application with a direction to the Respondents to ensure that no sand mining shall be carried out in District-Mayurbhanj in the absence of a District Survey Report ('DSR' for short) for District-Mayurbhanj unless the same has been duly considered by State Level Expert Appraisal Committee ('SEAC' for short) and duly approved by State

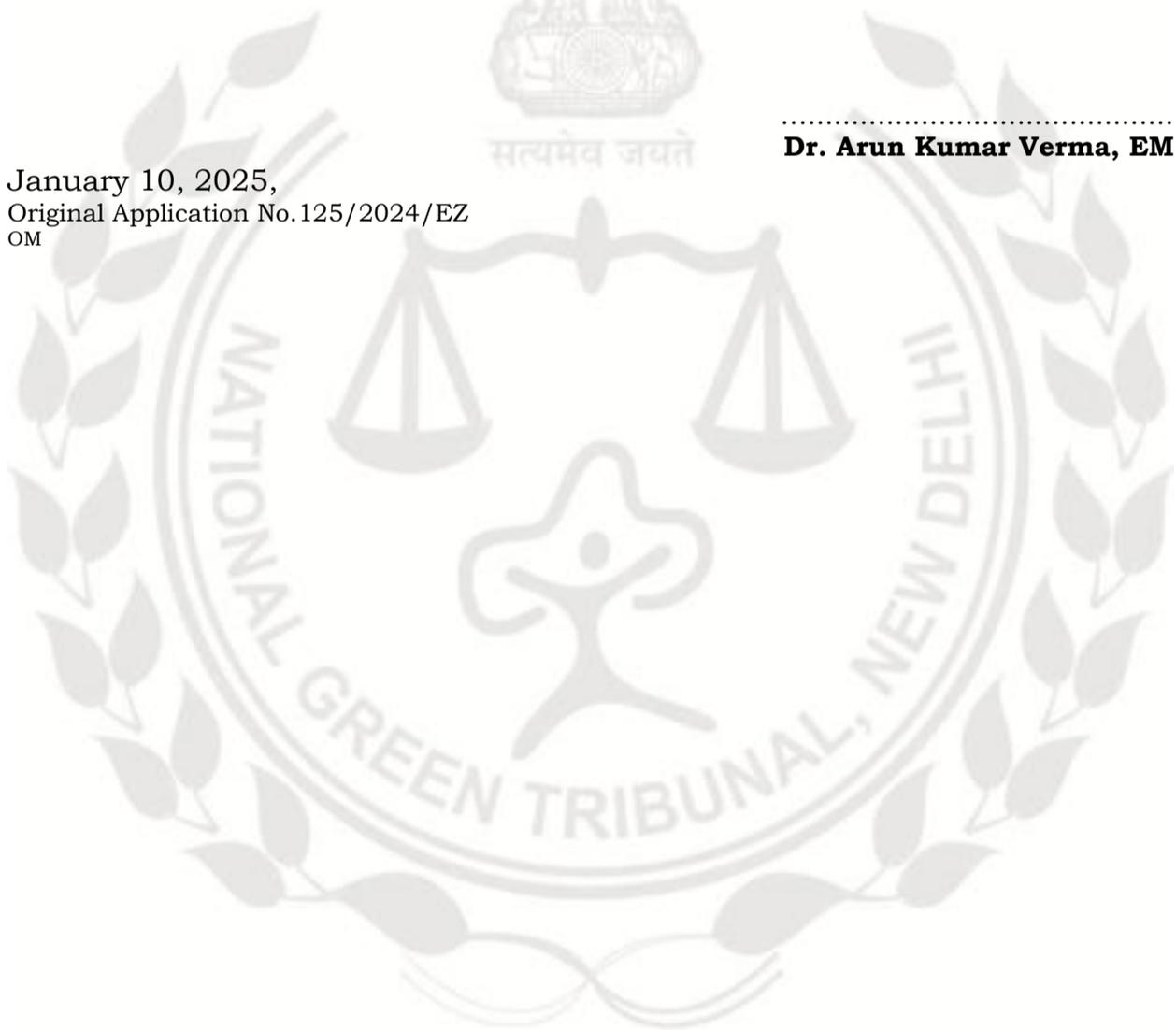
Environment Impact Assessment Authority ('SEIAA' for short),
Odisha.

19. I.As., if any, stand disposed of accordingly.
20. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

January 10, 2025,
Original Application No.125/2024/EZ
OM



NGT

19/01/2026

To

Member Secretary,

State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022,

email: seiaaodisha@gmail.com

Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report

Dear Sir,

I Sri, Bibekananda Pattnaik, S/O Late Radhakrushna Pattnaik, aged about 58 Years, At/Po/PS- Baripada Town, Mayurbhanj, Odisha 757001 and the Applicant before NGT Kolkata in OA No 125 of 2024 and OA No 46 of 2022. Both the matters were already decided by Honble NGT and hold that there is no final DSR in Mayurbhanja District. The relevant portion of the order is reproduced as follows

OA 125 OF 2024 DECIDED ON 10/01/2025

17. On 08.08.2024, this Court had directed that no mining activity shall be carried out in the District-Mayurbhanj under the interim District Survey Report until further orders of the Court.

18. In this view of the matter, we dispose of this Original Application with a direction to the Respondents to ensure that no sand mining shall be carried out in District-Mayurbhanj in the absence of a District Survey Report ('DSR' for short) for District-Mayurbhanj unless the same has been duly considered by State Level Expert Appraisal Committee ('SEAC' for short) and duly approved by State Environment Impact Assessment Authority ('SEIAA' for short), Odisha.

Similarly OA 46 of 2022 decided on 26/08/2022 and Operational Part of the Judgement is reproduced as follows

Para-13, We, therefore, dispose of this Original Application with a direction to the SEIAA, Odisha, to examine the 'Interim DSR' for the District of Balasore, having regard to the directions given by the Hon'ble Supreme Court in Pawan Kumar (Supra) as well as the directions given by this Tribunal in Haripada Manna (Supra).

Para14. In the affidavit of the Collector & District Magistrate, Mayurbhanj District, Odisha, dated 24.05.2022, it is stated at internal page 11 of the affidavit that the Tahasildar-Badasahi, has been directed not to proceed with the auction sale process of the 4 (four) sand beds in question in pursuance of the advertisement dated 15.03.2022.

15. We expect that the Collector & District Magistrate, Mayurbhanj District and the Tahasildar-Badasahi, shall abide by the undertaking given by the Collector & District Magistrate, Mayurbhanj District, in his affidavit dated 24.05.2022.

16. We further provide that the advertisement dated 15.03.2022 shall be subject to any final order(s) which may be passed by the SEIAA, Odisha.

3. It is pertinent to mention here that the Advertisement dated 15/03/2022 is in respect of four sand SairatsBalanga SandBed, Sakua,Balanga Sand Bed, Asukand,Balanga Sand Bed, Belpal,Balanga Sand Bed, Pratappur. All these four auctions were made when there was no approved District Survey Report of Mayurbhanja District, Hence the auctions are bad in law as per the Pawan Kumar Judgement of Honble Apex Court.

4. Further it came to notice that the the Environment Clearance in respect of the above quarries were granted in favor of TahasildarBadasahi on 22/09/2021 when there was no approved District Survey Report, hence the EC itself is abinitio void,

5. I am surprised to know that Mining officer, Baripada is now going ahead with the Mining process in respect of the four sources based on the Environment Clearance of 2021.

Needless to say that grant of EC was based on the 2021 situation and in between five years have lapsed as well as the condition when there was no approved DSR.

Hence would request you to look into the matter and restrain the Mining Officer from going ahead in operating the quarry.

Sincerely

Bibekananda Pattnaik

BibekanandPattnaik



Ashutosh Padhy <sagarasutosh369@gmail.com>

Fwd: Demand for fresh EC process for mining leases granted EC in absence of valid District Survey Report

2 messages

Sankar Pani <sankarprasadpani@gmail.com>
To: Asutosh Padhi <sagarasutosh369@gmail.com>

28 February 2026 at 21:04

----- Forwarded message -----

From: **Bibekananda Pattnaik** <bibekpattnaik@gmail.com>

Date: Tue, Feb 10, 2026 at 8:39 PM

Subject: Fwd: Demand for fresh EC process for mining leases granted EC in absence of valid District Survey Report

To: Sankar Pani <sankarprasadpani@gmail.com>

----- Forwarded message -----

From: **Bibekananda Pattnaik** <bibekpattnaik@gmail.com>

Date: Tue, Jan 20, 2026, 1:22 PM

Subject: Demand for fresh EC process for mining leases granted EC in absence of valid District Survey Report

To: <seiaaodisha@gmail.com>

Respected Sir,

Please find the attachment of a letter for demand for fresh EC process for mining leases granted EC in absence of valid District Survey Report.

Thanking You
Yours Sincerely
Bibekananda Pattnaik
9437963908

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Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
Res-Plot No 2132/4814(B), [Nageswar Tangi, Bhubaneswar, 751002](#)
Cell- 9437279278
Skype- sankar.pani

 **Environment Impact Assesment Mayurbhanj sand mining.pdf**
987K

Sankar Pani <sankarprasadpani@gmail.com>
To: Asutosh Padhi <sagarasutosh369@gmail.com>

12 March 2026 at 09:15

[Quoted text hidden]

 **Environment Impact Assesment Mayurbhanj sand mining.pdf**
987K

- 10 का.आ. 562(अ) तारीख 26 फ़रवरी 2014;
11. का.आ. 637(अ) तारीख 28 फ़रवरी 2014;
12. का.आ. 1599(अ) तारीख 25 जून 2014;
13. का.आ. 2601(अ) तारीख 7 अक्टूबर 2014;
14. का.आ. 2600(अ) तारीख 9 अक्टूबर 2014
15. का.आ. 3252(अ) तारीख 22 दिसम्बर 2014;
16. का.आ. 382(अ) तारीख 3 फरवरी, 2015;
17. का.आ. 811(अ) तारीख 23 मार्च, 2015;
18. का.आ. 996(अ) तारीख 10 अप्रैल 2015;
19. का.आ. 1142(अ) तारीख 17 अप्रैल 2015;
20. का.आ. 1141(अ) तारीख 29 अप्रैल 2015;
21. का.आ. 1834(अ) तारीख 6 जुलाई 2015;

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 15th January, 2016

S.O. 141(E).—Whereas in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment Notification, 2006, issued *vide* number S.O. 1533(E), dated the 14th September 2006, was published under sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, *vide* number S.O. 2588(E), dated 22nd September, 2015, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date of publication on which copies of Gazette containing the said notification were available to the public;

And whereas, copies of said notification were made available to the public on 22nd September 2015;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

And whereas, in pursuance to the order of Hon'ble Supreme Court dated the 27th February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease;

And whereas, as a result of the above said Order of Hon'ble Supreme Court, the number of cases which are now required to obtain prior environmental clearance has increased substantially;

And whereas, the Hon'ble National Green Tribunal, *vide* its order dated the 13th January, 2015 in the matter regarding sand mining has directed for making a policy on environmental clearance for mining leases in cluster for minor minerals;

And whereas, the State Governments have represented for streamlining the process of environmental clearance for mining of minor mineral;

And whereas, the Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on Sustainable Sand Mining detailing the provisions on environmental clearance for cluster, creation of District Environment Impact Assessment Authority and proper monitoring of sand mining using information technology and information technology enabled services to track the mined out material from source to destination;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification,-

(a) in paragraph 2, after the words “in the said Schedule”, the following words shall be inserted, namely:-
“and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category ‘B2’ for mining of minor minerals in the said Schedule”;

(b) after paragraph 3, the following paragraph shall be inserted, namely:-

“3 A. District Level Environment Impact Assessment Authority:-

- (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.
 - (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
 - (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.
 - (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.
 - (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
 - (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member-Secretary.
 - (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
 - (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
 - (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
 - (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
 - (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
 - (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
 - (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.”;
- (c) in paragraph 4, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-
“(iv) The ‘B2’ Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification.”;
- (d) for paragraph 5, the following paragraph shall be substituted, namely:-

“5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category ‘A’, ‘B1 and B2’ and ‘B2’ projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union

territory Administration with identical composition. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3 A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

(c) The EAC and SEAC shall be reconstituted after every three years.

(d) The authorised members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.”;

(e) for paragraph 6, the following paragraph shall be substituted, namely:-

“6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made by the project proponent in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II after the identification of prospective site (s) for the project and/or activities to which the application relates; and in Form 1M for mining of minor minerals up to five hectare under Category ‘B2’ projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land, or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.”;

(f) in paragraph 7,-

(i) in sub-paragraph (i), under the heading “I. Stage (1)- Screening:”, the existing sub-paragraph shall be lettered as sub-paragraph “(A)” and after sub-paragraph as so lettered, the following sub-paragraph shall be inserted, namely:-
“(B) The cases as specified in Appendix IX shall be exempted from prior environmental clearance.” ;

(ii) after sub-paragraph 7 (ii), the following sub-paragraph shall be inserted, namely:-

“7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of other Minor Minerals:

(a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.

(b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;

(g) in paragraph 8,-

(i) for the letters and word “EAC or SEAC”, the words and letters “EAC or SEAC or DEAC” shall be substituted;

(ii) for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee” wherever they occur, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(h) in paragraph 9, in sub-paragraph (i),-

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(i) in paragraph 10, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-

“(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.”;

(j) in paragraph 11, -

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(k) in the Schedule,-

(i) for item 1 (a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)
“1(a)	(i) Mining of minerals	≥50 ha of mining lease area in respect of non-coal mine lease >150 ha of mining lease area in respect of coal mine lease Asbestos mining	<50 ha of mining lease area in respect of non-coal mine lease ≤150 ha of mining lease area in respect of coal mine lease	General Conditions shall apply except: (i) for project or activity of mining of minor minerals of Category ‘B2’ (up to 25 ha of mining lease area); (ii) River bed mining projects on account of inter-state boundary.

		irrespective of mining area		<p>Note:</p> <p>(1) Mineral prospecting is exempted. ”;</p> <p>(2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;</p> <p>(3) The mining leases which have obtained environmental clearance under Environment Impact Assessment Notification, 1994 and Environment Impact Assessment Notification, 2006 shall not require fresh environmental clearance during renewal provided the project has valid and subsisting environmental clearance.</p>
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas.	All projects.		

(l) after Appendix VI, the following appendices shall be inserted, namely:-

“APPENDIX VII

(See paragraph 3 A)

Qualifications and terms for the Experts in DEIAA and DEAC

- Qualification:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal training course together with prescribed practical training in the field leading to a B. Tech/ B.E./ B. Arch. Degree, or (iii) Other professional degree (e.g. MBA etc.) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/ article ship and pass examinations conducted by the concerned professional associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
- Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
- Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
- Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.

5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

APPENDIX VIII**(See paragraph 6)****FORM 1 M****APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY 'B2' FOR LESS THAN AND EQUAL TO FIVE HECTARE****(II) Basic Information**

- (viii) Name of the Mining Lease site:
- (ix) Location / site (GPS Co-ordinates):
- (x) Size of the Mining Lease (Hectare):
- (xi) Capacity of Mining Lease (TPA):
- (xii) Period of Mining Lease:
- (xiii) Expected cost of the Project:
- (xiv) Contact Information:

Environmental Sensitivity

Sl. No.	Areas	Distance in kilometer / Details
1.	Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.	
2.	Distance from infrastructural facilities Railway line National Highway State Highway Major District Road Any Other Road Electric transmission line pole or tower Canal or check dam or reservoirs or lake or ponds In-take for drinking water pump house Intake for Irrigation canal pumps	
3.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	
4.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	
5.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	
6.	Inland, coastal, marine or underground waters	
7.	State, National boundaries	
8.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	
9.	Defence installations	
10.	Densely populated or built-up area, distance from nearest human habitation	
11.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	
12.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	
13.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	
14.	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	

15.	Is proposed mining site located over or near fissure / fracture for ground water recharge	
16.	Whether the proposal involves approval or clearance under the following Regulations or Acts, namely:- (a) The Forest (Conservation) Act, 1980; (b) The Wildlife (Protection) Act, 1972; (c) The Coastal Regulation Zone Notification, 2011. If yes, details of the same and their status to be given.	
17.	Forest land involved (hectares)	
18.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders or directions of the Court, if any, and its relevance with the proposed project.	

(Signature of Project Proponent
Along with name and address)

APPENDIX – IX

[See paragraph 7(i) (B)]

EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require prior environmental clearance, namely:-

1. Extraction of ordinary clay or sand, manually, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand, manually, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works like de-silting of village ponds or tanks, construction of village roads, ponds, bunds undertaken in Mahatama Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes, and community efforts.
6. Dredging and de-silting of dams, reservoirs, weirs, barrages, river, and canals for the purpose of their maintenance, upkeep and disaster management.
7. Traditional occupational work of sand by Vanjara and Oads in Gujarat *vide* notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
8. Digging of well for irrigation or drinking water.
9. Digging of foundation for buildings not requiring prior environmental clearance.
10. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nala, drain, water body, etc., to deal with any disaster or flood like situation upon orders of District Collector or District Magistrate.
11. Activities declared by State Government under legislations or rules as non-mining activity with concurrence of the Ministry of Environment, Forest and Climate Change, Government of India.

APPENDIX - X

[See paragraph 7 (iii) (a)]

PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following:

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

1. Introduction
2. Overview of Mining Activity in the District
3. The List of Mining Leases in the District with location, area and period of validity
4. Details of Royalty or Revenue received in last three years
5. Detail of Production of Sand or Bajari or minor mineral in last three years
6. Process of Deposition of Sediments in the rivers of the District
7. General Profile of the District
8. Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.

9. Physiography of the District
10. Rainfall: month-wise
11. Geology and Mineral Wealth

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source.
- (b) District wise availability of sand or gravel or aggregate resources.
- (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

Drainage system with description of main rivers

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District

Salient Features of Important Rivers and Streams:

S. No.	Name of the River or Stream	Total Length in the District (in Km)	Place of origin	Altitude at Origin

Portion of the River or Stream Recommended for Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition

S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
Total for the District						

A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

Methodology adopted for calculation of Mineral Potential:

The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and location, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50 % to 60 % of the area of a particular river or stream. For example in some hill States mineral constituents like boulders, river born Bajri, sand up

to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.

APPENDIX - XI

[See paragraph 7 (iii) (b)]

PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR MINERALS INCLUDING CLUSTER

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation:-

- (1). The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2). The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3). There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4). Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5). The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigative measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearance's of individual project proponents in that cluster.
- (6). A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area.
- (7). Form 1M, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8). The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.

Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation

Area of Lease (Hectare)	Category of Project	Requirement of EIA / EMP	Requirement of Public Hearing	Requirement of EC	Who can prepare EIA/ EMP	Who will apply for EC	Authority to appraise/ grant EC	Authority to monitor EC compliance
EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease								
0 - 5ha	'B2'	Form -1M, PFR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB MoEFCC Agency

> 5 ha and < 25 ha	‘B2’	Form –I, PFR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC / SEIAA	nominated by MoEFCC
≥ 25ha and < 50ha	‘B1’	Yes	Yes	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	
≥ 50 ha	‘A’	Yes	Yes	Yes	Project Proponent	Project Proponent	EAC/ MoEFCC	
EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation								
Cluster area of mine leases up to 5 ha	‘B2’	Form –IM, PFR and Approved Mine Plan	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	DEIAA SEIAA SPCB CPCB MoEFCC Agency nominated by MoEFCC
Cluster area of Mine leases > 5 ha and < 25 ha with no individual lease > 5 ha	‘B2’	Form –I, PFR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	
Cluster of mine leases of area ≥ 25 hectares with individual lease size < 50ha	‘B1’	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	SEAC/ SEIAA	
Cluster of any size with any of the individual lease ≥ 50ha	‘A’	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/ MoEFCC	

APPENDIX - XII

[See paragraph 10 (iv)]

PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING

1. The security feature of Transport Permit shall be as under:

- (a) Printed on Indian Banks’ Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
- (b) Unique Barcode.
- (c) Unique Quick Response (QR) code.
- (d) Fugitive Ink Background.
- (e) Invisible Ink Mark.
- (f) Void Pantograph.
- (g) Watermark.

2. Requirement at Mine Lease Site:

- (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.

- (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
- (c) Access control of mine lease site.
- (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.

3. Scanning of Transport Permit or Receipt and Uploading on Server:

- (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
- (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
- (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.

4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security features enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued.

When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

5. Checking On Route:

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.

6. Breakdown of Vehicle:

In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.”.

[No. Z-11013/98/2014-IA-II (M)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers :-

1. S.O. 1737 (E) dated the 11th October, 2007;
2. S.O. 3067 (E) dated the 1st December, 2009;
3. S.O. 695 (E) dated the 4th April, 2011;
4. S.O. 2896 (E) dated the 13th December, 2012;
5. S.O. 674 (E) dated the 13th March, 2013;
6. S.O. 2204 (E) dated the 19th July 2013;
7. S.O. 2555 (E) dated the 21st August, 2013;
8. S.O. 2559 (E) dated the 22nd August, 2013;
9. S.O. 2731 (E) dated the 9th September, 2013;
10. S.O. 562 (E) dated the 26th February, 2014;
11. S.O. 637 (E) dated the 28th February, 2014;
12. S.O. 1599 (E) dated the 25th June, 2014;
13. S.O. 2601 (E) dated the 7th October, 2014;
14. S.O. 2600 (E) dated the 9th October, 2014
15. S.O. 3252 (E) dated the 22nd December, 2014;
16. S.O. 382 (E) dated the 3rd. February, 2015;
17. S.O. 811 (E) dated the 23rd March, 2015;
18. S.O. 996 (E) dated the 10th April, 2015;
19. S.O. 1142 (E) dated the 17th April, 2015;
20. S.O. 1141 (E) dated the 29th April, 2015;
21. S.O. 1834 (E) dated the 6th July, 2015.

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Ashutosh Padhy <sagarasutosh369@gmail.com>

Fwd: Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report in Badasahi Tahasil, Mayurbhanja and request not grant the CTO and Transit Permit in Budhabalanga Sand Bed, Belapal

Sankar Pani <sankarprasadpani@gmail.com>
To: Asutosh Padhi <sagarasutosh369@gmail.com>

12 March 2026 at 09:09

----- Forwarded message -----

From: **Bibekananda Pattnaik** <bibekpattnaik@gmail.com>
Date: Mon, Mar 9, 2026 at 9:41 AM
Subject: Fwd: Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report in Badasahi Tahasil, Mayurbhanja and request not grant the CTO and Transit Permit in Budhabalanga Sand Bed, Belapal
To: Sankar Pani <sankarprasadpani@gmail.com>

----- Forwarded message -----

From: **Bibekananda Pattnaik** <bibekpattnaik@gmail.com>
Date: Mon, Mar 2, 2026, 10:46 AM
Subject: Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report in Badasahi Tahasil, Mayurbhanja and request not grant the CTO and Transit Permit in Budhabalanga Sand Bed, Belapal
To: <seiaaodisha@gmail.com>

To

Member Secretary, State Environment Impact Assessment Authority (SEIAA),
Odisha,
5RF-2/1, Acharya Vihar, Unit – IX,
Bhubaneswar, Odisha

Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report in Badasahi Tahasil, Mayurbhanja and request not grant the CTO and Transit Permit in Budhabalanga Sand Bed, Belapal

Dear Sir,

I Sri Bibekananda Pattnaik, S/O Late Radhakrushna Pattnaik, aged about 61 Years, At/Po/PS- BaripadaTown, Mayurbhanj, Odisha 757001 and the Applicant before NGT Kolkata in OA No 125 of 2024 and OA No 46 of 2022. Both the matters were already decided by Honble NGT and hold that there is no final DSR in Mayurbhanja District. The relevant portion of the order is reproduced as follows

OA 125 OF 2024 DECIDED ON 10/01/2025**The relevant paras of order is extracted as follows**

“17. On 08.08.2024, this Court had directed that no mining activity shall be carried out in the District-Mayurbhanj under the interim District Survey Report until further orders of the Court.

18. In this view of the matter, we dispose of this Original Application with a direction to the Respondents to ensure that no sand mining shall be carried out in District-Mayurbhanj in the absence of a District Survey Report (‘DSR’ for short) for District-Mayurbhanj unless the same has been duly considered by State Level Expert Appraisal Committee (‘SEAC’ for short) and duly approved by State Environment Impact Assessment Authority (‘SEIAA’ for short), Odisha.”

Similarly OA 46 of 2022 decided on 26/08/2022 and Operational Part of the Judgement is reproduced as follows

Para-13, We, therefore, dispose of this Original Application with a direction to the SEIAA, Odisha, to examine the ‘Interim DSR’ for the District of Balasore, having regard to the directions given by the Hon’ble Supreme Court in Pawan Kumar (Supra) as well as the directions given by this Tribunal in Haripada Manna (Supra).

Para14. In the affidavit of the Collector & District Magistrate, Mayurbhanj District, Odisha, dated 24.05.2022, it is stated at internal page 11 of the affidavit that the Tahasildar-Badasahi, **has been directed not to proceed with the auction sale process of the 4 (four) sand beds in question in pursuance of the advertisement dated 15.03.2022.**

15. We expect that the Collector & District Magistrate, Mayurbhanj District and the Tahasildar-Badsahi, shall abide by the undertaking given by the Collector & District Magistrate, Mayurbhanj District, in his affidavit dated 24.05.2022.

16. We further provide that the advertisement dated 15.03.2022 shall be subject to any final order(s) which may be passed by the SEIAA, Odisha.

3. It is pertinent to mention here that the Advertisement dated 15/03/2022 is in respect of four sand Sairats Balanga Sand Bed, **Sakua**, Balanga Sand Bed, **Asukand**, Balanga Sand Bed, **Belpal**, Balanga Sand Bed, **Pratappur**. **All these four auctions were made when there was no approved District Survey Report of Mayurbhanja District, Hence the auctions are bad in law as per the Pawan Kumar Judgement of Honble Apex Court.**

4. Further it came to notice that the Environment Clearance in respect of the above quarries were granted in favor of Tahasildar Badasahi on **22/09/2021 when there was no approved District Survey Report, hence the EC itself is void ab initio.**

5. Further there is a bridge at the Belapal Source and same has already been damaged. As such no lease could have been granted 500mtres in the upstream and downstream.

Surprisingly this aspect has been ignored and mechanically EC has been transferred. The mining plan available on the site suggest the bridge is within the lease area

6. In this regard the undersigned has represented the SEIAA Odisha through email on 20/01/2026, but surprisingly the same has not been considered and the EC has been transferred to the lessee on 23/02/2026.

7. I am surprised to know that Mining officer, Baripada is now going ahead with the Mining process in respect of the four sources based on the Environment Clearance of 2021.

Needless to say, that grant of EC was based on the 2021 situation and in between five years have lapsed as well as the condition when there was no approved DSR. Hence would request you to look into the matter and restrain the Mining Officer and Lessee from going ahead in operating the sand quarry. Further I request the SPC Board not grant the CTO in regard to this quarry till the issues raised in the present letter is addressed and the undersigned is given a fair opportunity of hearing.

Thanking You
Yours Sincerely

Bibekananda Pattnaik

Ward No-4, Baripada
Mayurbhanj

--

Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
Res-Plot No 2132/4814(B), Nageswar Tangi,
[Bhubaneswar, 751002](#)
Cell- 9437279278
Skype- sankar.pani

Date-2/03/2026

To

1. Member Secretary, Odisha State Pollution Control Board, Nilakanthanagar, Bhubaneswar, Unit-VIII, Email- paribesh1@ospcboard.org
2. Regional Officer, OSPC Board, Baleswar, rospcb.balasore@ospcboard.org
3. Deputy Director of Mines, Baripada mo.baripada@orissaminerals.gov.in
4. District Magistrate, Mayurbhanja Email dm-mayurbhanj@nic.in
5. Member Secretary, State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022, email: seiaaodisha@gmail.com

Sub-Demand for Fresh EC process for mining leases granted EC in absence of Valid District Survey Report in Badasahi Tahasil, Mayurbhanja and request not grant the CTO and Transit Permit in Budhabalanga Sand Bed, Belapal

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Sincerely

Bibekanand Pattnaik

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

Appeal No.- of 2026

In re:

Bibekananda Pattnaik

APPELLANT

Versus

State Of Odisha & Ors

... RESPONDENTS

KNOW ALL to whom these present shall come I,

Bibekananda Pattnaik, S/O Late Radhakrushna Pattnaik, aged about 60 Years, At/Po/PS-BaripadaTown, Mayurbhanj, Odisha 757001.

Applicants in the above mentioned matter, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email-sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

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

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

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

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

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

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

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 9th day of February 2026.

Accepted subject to the terms of fees.



Advocate



Client