

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

Original Application No. 28/2026/EZ

Pramod Kumar Hembram.-----Applicants(s)

Versus

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

**AFFIDAVIT ON BEHALF OF THE OPPOSITE PARTY/RESPONDENT
NO.03 STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA), ODISHA**

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Shri Apurba Ghosh

Advocate for Respondent No.03

(SEIAA), Odisha

C/o Partha Sarathi Shamajder

25/D Baderaipur Road

P:O Jadavpur, Kolkata -700032

Email-apu7law@gmail.com

Phone No.9476239442

Place: Bhubaneswar

Date: 04/07/2026

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

Original Application No. 28/2026/EZ

Pramod Kumar Hembram.-----Applicants(s)

Versus

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

Affidavit on Behalf of the Opposite Party/Respondent No. 03 State
Environment Impact Assessment Authority (SEIAA), Odisha

1. Dr. Pradeept Kumar Nayak, son of late Bhimasen Nayak aged about 43 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.03 before this Hon'ble National Green Tribunal.
3. That, I have gone through the original application and Hon'ble NGT, EZ order dated. 19.02.2026 and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.
4. That, in reply to the averments made in the Para-01 of the original application, the deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.



Pradeept Kumar Nayak
Environmental Scientist
SEIAA, Odisha



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5. That in reply to the averments made in the Para-02 to Para-03 of the original application, the deponent humbly submits that the Hon'ble NGT, EZ, Kolkata vide order dated 19.02.2026 constituted a joint committee comprising the representatives of State Environment Impact Assessment Authority (SEIAA), Odisha, Odisha State Pollution Control Board (OSPCB) and the District Magistrate-cum Collector, Mayurbhanj and direct to undertake visits to the site, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponents, verify the factual position and suggest appropriate remedial action. Accordingly, the joint committee visited the site on 26.03.2026 and finalized the report supposed to be file by the State Pollution Control Board, Odisha as nodal agency for this case. The factual position of the Budhabalanga River Sand Bed-III and appropriate remedial action are mentioned in the joint inspection report dated 26/03/2026.

6. That, in reply to the averments made in the Para-04 to Para-09 of the original application, the deponent humbly submits that the following facts in chronological order for the kind consideration and better appreciation of the Hon'ble NGT, EZ, Kolkata.

- a) **31.03.2022:** Environmental clearance (EC) of Budhabalanga River Sand Bed-III over an area of 12.33 acres or 4.989 Ha in village-Sankhmod, Tahasil-Betnoti, Dist-Mayurbhanj, Odisha was issued by the SEIAA, Odisha in favour of Tahasildar, Betnoti vide letter EC identification no. EC22B001OR124834 dated 31.03.2022 for extraction quantity of sand 5000 cum in 1st year subject to submission of replenishment study report by 30th November, 2022.

Copy of EC identification no. EC22B001OR124834 dated 31.03.2022 issued for Budhabalanga River Sand Bed-III is attached in **Annexure-I.**



Pradhept Kures Nayak
Environmental Scientist
SEIAA, Odisha

- b) **27.01.2023**: Transfer EC of Budhabalanga River Sand Bed-III was issued vide SEIAA, Odisha letter dated 27.01.2023 in favour of Smt. Priyanka Behera, the successful bidder/lessee with same terms and conditions of original EC dated 31.03.2022 subject to submission of replenishment study report of sand by 31st December, 2024.

Copy of Transfer EC letter dated 27.01.2023 issued for Budhabalanga River Sand Bed-III is attached in **Annexure-II**.

27.08.2024: The project proponent, Smt. Priyanka Behera, submitted an application for Amendment in Environmental Clearance (EC) in respect of replenishment study report vide proposal No. SIA/OR/MIN/466875/2024 on 21.03.2024. The proposal was placed in 168th SEIAA, Odisha meeting held on 25.06.2024. After accepting the recommendation of the State Expert Appraisal Committee (SEAC), the Authority, SEIAA, Odisha rejected the application for Amendment in EC on the grounds that the Annual Replenishment Study (ARRS) of Sand did not comply with the MoEF & CC guidelines. Consequently, a formal rejection letter was issued under EC Identification No. EC24C0107OR5535971A on 27.08.2024.

Copy of Amendment EC rejection of letter vide Identification No. EC24C0107OR5535971A dated 27.08.2024 for Budhabalanga River Sand Bed-III is attached in **Annexure-III**.

- c) **19.07.2025**: Again, the project proponent, Smt. Priyanka Behera, submitted an application for Amendment in Environmental Clearance (EC) in respect of replenishment study report of sand vide proposal No. SIA/OR/MIN/535217/2025 on 24.04.2025. The proposal was placed in 212th SEIAA, Odisha meeting held on 26.06.2025. After accepting the recommendation of the State Expert Appraisal Committee (SEAC), the Authority rejected the application on the grounds that the Annual Replenishment Study (ARRS) of Sand did not



Pradeep Kumar Nayak
Environmental Scientist
SEIAA, Odisha

comply with the MoEF & CC guidelines. Also, there is two patches of lease area that should be considered as independent lease under cluster approach. Consequently, a formal rejection letter was issued under EC Identification No. EC25C0107OR5738620A on 19/07/2025. Copy of Amendment EC rejection of letter vide Identification No. EC25C0107OR5738620A on 19/07/2025 for Budhabalanga River Sand Bed-III is attached in **Annexure-IV**.

- d) **14.10.2025**: Again, the project proponent, Smt. Priyanka Behera, submitted an application for Amendment in Environmental Clearance (EC) in respect of replenishment study report of sand vide proposal No. SIA/OR/MIN/548345/2025 on 17/08/2025. The proposal was placed in 239th SEIAA, Odisha meeting held on 16.09.2025. After accepting the recommendation of the State Expert Appraisal Committee (SEAC), the Authority rejected the application on the grounds that the Annual Replenishment Study (ARRS) did not comply with the MoEF & CC guidelines. Also, there is two patches of lease area that should be considered as independent lease under cluster approach. Consequently, a formal rejection letter was issued under EC Identification No. EC25C0107OR5632914A on 14/10/2025.

Copy of Amendment EC rejection of letter vide Identification No. EC25C0107OR5632914A on 14/10/2025 for Budhabalanga River Sand Bed-III is attached in **Annexure-V**.

7. That, in reply to the averments made in the Para-10 to Para-33 of O.A., the deponent humbly submits that the joint committee visited the alleged site on 26.03.2026 and finalized the inspection report supposed to be file by the State Pollution Control Board, Odisha as nodal agency for this case. The factual position of the Budhabalanga River Sand Bed-III and appropriate remedial action are mentioned in the joint inspection report dated 26/03/2026.

Pradjept Kumar Nayak
Environmental Scientist
SEIAA, Odisha



8. That, in reply to the averments made in the Para-34 to Para-45 of O.A., the deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
9. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.
10. That the deponent reserves the right to file further affidavit as and when necessary.

IDENTIFIED BY ME

Identified by
ADVOCATE

Pradhept Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha

VERIFICATION

Verified at Bhubaneswar on this day of **04 JUL 2026** that the contents of the above affidavits are true and correct on the basis of the records maintained by the respondent in the daily course of its business, no part of it is false and nothing has been concealed therefore.

Place: Bhubaneswar

Date:

04-07-2026

SWORN BEFORE ME

Pradhept Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha



04-07-2026
DUSASAN SAMANTARAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR, ODISHA
REGD. NO. 88/2012
MOB-9439143015

ENVIRONMENTAL
CLEARANCE

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

To,

The TAHASILDAR
 TAHASILDARBETNOTIMAYURBHANJ
 AT/PO-BETNOTI, TAHASIL/PS-BETNOTI DISTRICT-MAYURBHANJ -
 757025

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/250561/2022 dated 07 Jan 2022. The particulars of the environmental
 clearance granted to the project are as below.

1. EC Identification No.	EC22B001OR124834
2. File No.	250561/183-MINB2/01-2022
3. Project Type	New
4. Category	B2
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Budhabalanga River Sand Bed-III Over an area of 12.33 Acres or 4.989 Hectares in Village Sankhmod under Betnoti Tahasil of Mayurbhanj District of Odisha
7. Name of Company/Organization	TAHASILDARBETNOTIMAYURBHANJ
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: 31/03/2022

(e-signed)
Dr. K Murugesan
 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.*

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STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2541029, E-mail-seiaaorissa@gmail.com

Letter No _____

Dt. _____

SEIAA File No: 250561/183-MINB2/01-2022

Project: Application of Tahasildar, Betnoti for mining of Sand from Budhabalanga River Sand Bed-III over an area of 12.33 Acres or 4.989 Ha in Village- Sankhmod, Tahasil- Betnoti, District- Mayurbhanj -Environmental Clearance reg.

Ref: Your online application dated 07.01.2022 for issue of EC vide File No: SIA/OR/MIN/250561/2022

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of Sand from Budhabalanga River Sand Bed-III over an area of 12.33 Acres or 4.989 Ha in Village- Sankhmod, Tahasil- Betnoti, 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 form-1, PFR, DSR, EMP, Approved Mining Plan and Checklist.

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

- a. This is a proposal for mining of sand from Budhabalanga River Sand Bed-III lying in the Budhabalanga River bed located at village- Sankhmod, Tahasil- Betnoti, Dist-Mayurbhanj, over lease area of 12.33 Acres or 4.989 Ha.
- b. The mine area is a part of the Survey of India Toposheet No. F45O14 bounded by Latitude: 21°38'33.1" N to 21°38'49.8" N and Longitude: 86°49'48.8" E to 86°49'58.3" E.
- c. The mining lease is an identified sairat source in the DSR. The Budhabalanga River Sand Bed-III sairat source will be leased out under the OMMC Rules, 2016

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by Tahasildar, Betnoti to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.

- d. The mining plan of the mining project prepared has been approved by Mining Officer, Baripada Circle, Baripada on 23.11.2021.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 17070 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 1.7Km 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 17000cum, 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 5ha.
4. The proposal is duly appraised by the SEAC in its meeting held on 25.02.2022. The SEAC have recommended for grant of EC for the project valid upto the lease period stipulating various conditions.
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

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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.

6. The Tahasildar, Betnoti 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 depth of digging of sand shall be 0.5m and maximum quantity of extraction of sand shall be 5000 cum in the 1st year, pending submission of rate of replenishment study at site. Study report on rate of replenishment shall be submitted by November, 2022."

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.

7.1 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.

7.4 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

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drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the said 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.

- 7.5 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent and photographs of proof of the same shall be submitted along with six monthly compliance report.
- 7.6 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.
- 7.7 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 7.8 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 7.9 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.10 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/BDO 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

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- close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 7.11 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.
 - 7.12 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.
 - 7.13 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. Photographs of proof showing the plantation shall be submitted along with compliance report.
 - 7.14 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
 - 7.15 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
 - 7.16 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.
 - 7.17 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.
 - 7.18 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 proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions.
 - 7.19 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.

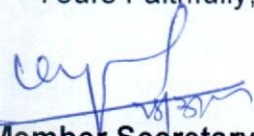
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- 7.20 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 7.21 The 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.
- 7.22 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 the environmental clearance letter can be downloaded from the Ministry portal (www.parivesh.nic.in).
- 7.23 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 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.

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- 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.

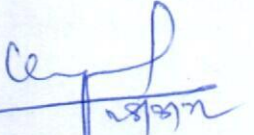
Yours Faithfully,


Member Secretary

Memo No _____/Dt. _____

Copy to

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


Member Secretary



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA

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

File No. SIA/OR/MIN/296742/2022

Dated 27th January 2023.
Bhubaneswar

To

Smt. Priyanka Behera
W/o-Sri Khageswar Behera
At-Sathilo, Po/Ps-Betnoti,
Dist-Mayurbhanj

Sub: Proposal for Transfer of Environmental Clearance of Budhabalanga River Sand Bed-III over an area of 12.33 acres or 4.989 hectares in village Sankhmod under Betnoti Tahasil in Mayurbhanj District, Odisha from the name Tahasildar, Betnoti to Smt. Priyanka Behera -reg.

Ref: (i) EC letter no./EC identification no. EC22B001OR124834 dated 31.03.2022
(ii) Tahasildar, Betnoti letter no. 210 dated 16.01.2023
(iii) Online Application no. SIA/OR/MIN/296742/2022 dtd.17.01.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/296742/2022 dated 17.01.2023, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. EC22B001OR124834 dated 31.03.2022 issued earlier in favour of Tahasildar, Betnoti, Dist- Mayurbhanj.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 107th meeting held on 21.01.2023 in accordance with the Para-11 of the EIA Notification, 2006 as amended from time to time and the following points are noted;

(i) As submitted by the Tahasildar, it is noted that EC was obtained for Budhabalanga River Sand Bed-III for a period of 5 years in favour of Tahasildar, Betnoti vide the above-mentioned EC letter under reference. Now, the said sairat source has been leased out by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Smt. Priyanka Behera, who is the successful bidder in this case for operationalization of the sairat source for 5 years lease period under the provision of OMMC Rules, 2016.

(ii) Documents submitted for EC Transfer;

- Form No. 7 for transfer of Environmental Clearance,
- Letter no. 210 dated 16.01.2023 of Tahasildar, Betnoti for transfer of EC to Smt. Priyanka Behera as the successful bidder for Budhabalanga River Sand Bed-III.
- Cyber Treasury e-challan no. 35940D62CA dated 17.01.2023 for Rs. 2000/- towards scrutiny fee,
- Undertaking for accepting the terms and conditions in the original EC.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

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

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3. **Transfer of Environmental Clearance (EC) of Budhabalanga River Sand Bed-III issued vide SEIAA, Odisha EC letter/EC identification no./EC identification no. EC22B001OR124834 dated 31.03.2022 is allowed in favour of Smt. Priyanka Behera the successful bidder for the said quarry for an annual extraction quantity of 5000 cum. The annual rate of replenishment study report (ARSS) of sand shall be submitted by December 2024. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with additional stipulated conditions mentioned below;**

- (i) **Undertaking:** The PP shall submit an undertaking in the Form of an Affidavit in a non-judicial stamp stating that they will comply with the conditions stipulated in the original Environmental Clearance issued for the project vide SEIAA, Odisha EC letter/EC identification no. EC22B001OR124834 dated 31.03.2022.
- (ii) **Boundary Demarcation:** - The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empaneled agency of ORSAC.
- (iii) **Digital Map:** -A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at seiaaodisha@gmail.com.
- (iv) **Intimation of EC transfer:** - The copies of the EC transfer order shall be sent to the Sarpanch(s) of the concerned Gram Panchayat(s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- (v) **Tree Plantation:** - Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,25,000/- with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry.
- (vi) **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

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

4. The Tahasildar, Betnoti shall ensure that the above six additional conditions be complied with by the lessee before start of any mining operations and submitted compliance report to SEIAA, Odisha through email at seiaaodisha@gmail.com within 06 (six) months from date of issue of transfer of EC falling which the EC stands automatically revoked. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


Member Secretary

Encl: Copy of the Original EC

Copy to

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




Member Secretary



File No: 466875/123-MIN/03-2024

Government of India

Ministry of Environment, Forest and Climate Change

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



ANNEXURE-III

216

Date 27/08/2024



To,

PRIYANKA BEHERA
beherapriyanka653@gmail.com

Subject: Rejection of Environmental Clearance (EC) to the proposed Project under the EIA Notification 2006- and as amended thereof -regarding.

Sir/Madam,

This is in reference to your application submitted to Ministry vide proposal number SIA/OR/MIN/466875/2024 dated null for Rejection of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0107OR5535971A
(ii) File No.	466875/123-MIN/03-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals Budhabalanga River Sand Bed-III Over an area of 12.33 Acres or 4.989 Hectares in Village Sankhmod under Betnoti Tahasil of Mayurbhanj District of Odisha
(vii) Name of Project	
(viii) Name of Company/Organization	PRIYANKA BEHERA
(ix) Location of Project (District, State)	MAYURBHANJ, , ODISHA,
(x) Issuing Authority	SEIAA,ODISHA
(xi) Applicability of General Conditions as per EIA Notification, 2006	No

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Application for Amendment in EC- Form-4 were submitted to the SEAC, Odisha for an appraisal by the State Expert Appraisal Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments.

2. The above-mentioned proposal has been considered by State Environmental Impact Assessment Authority, Odisha (SEIAA, Odisha) in 168th meeting held on 24/06/2024 to 25/06/2024. Based on the recommendations of the State Expert Appraisal Committee, Odisha (SEAC, Odisha), information & clarifications provided by the project proponent and after

detailed deliberations the Authority decided "The authority agreed with the recommendation of SEAC and rejected amendment of EC proposal with view that the ARRS is not done as per guidelines of MoEF & CC, Govt. of India". Therefore, the proposal for Amendment in EC is Rejected as per provision of EIA Notification, 2006 and as amended thereof.

3. The minutes of the meeting and all the Application and documents submitted are available on PARIVESH portal which can be accessed by scanning the QR Code above.

4. 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. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit- VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A/3, Chandrasekharpur, Bhubaneswar for information.
5. Director of Mines, Steel & Mines Dept., Govt. of Odisha
6. Collector & DM, Mayurbhanj /Sub Collector, Mayurbhanj /, DFO, Mayurbhanj , Mining Officer, Mayurbhanj for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

Send Approval Copy To (In case of multiple use comma as separator)

sujit.baju@gov.in, fsec.or@nic.in, paribesh1@ospcboard.org, pccf.hoff@odisha.gov.in, rdser-cgwb@nic.in, seac.odisha.2019@gmail.com, roez.bsr-mef@nic.in, dm-Mayurbhanj@nic.in





सत्यमेव जयते

File No: 535217/670-MIN/04-2025

Government of India

Ministry of Environment, Forest and Climate Change

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



ANNEXURE-IV

218

Date 19/07/2025



To,

PRIYANKA BEHERA
SATHILO,BETNOTI,SATHILO, BETNOTI,MAYURBHANJ, MAYURBHANJ, ODISHA, 757025
beherapriyanka653@gmail.com

Subject: Rejection of Environmental Clearance (EC) to the proposed Project under the EIA Notification 2006- and as amended thereof -regarding.

Sir/Madam,

This is in reference to your application submitted to Ministry vide proposal number SIA/OR/MIN/535217/2025 dated null for Rejection of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC25C0107OR5738620A
(ii) File No.	535217/670-MIN/04-2025
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals Submission of Replenishment Study Report (2024-25) for Amendment of Environment Clearance of Budhabalanga 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.
(vi) Name of Project	
(vii) Name of Company/Organization	PRIYANKA BEHERA
(viii) Location of Project (District, State)	MAYURBHANJ, , ODISHA,
(ix) Issuing Authority	SEIAA
(x) Applicability of General Conditions as per EIA Notification, 2006	No

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Application for Amendment in EC- Form-4 were submitted to the SEAC, Odisha for an appraisal by the State Expert Appraisal Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments.

2. The above-mentioned proposal has been considered by State Environmental Impact Assessment Authority, Odisha (SEIAA, Odisha) in 212th meeting held on 26/06/2025 to 26/06/2025. Based on the recommendations of the State Expert Appraisal Committee, Odisha (SEAC, Odisha), information & clarifications provided by the project proponent and after detailed deliberations the authority decided "After detailed deliberation, the authority decided to reject the amendment of EC as recommended by SEAC due to the following reasons:

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. 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.
2. 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".
3. Hence, the proposal is Rejected as per provision of EIA Notification, 2006 and as amended thereof.
4. The minutes of the meeting and all the Application and documents submitted are available on PARIVESH portal which can be accessed by scanning the QR Code above.
5. This issues with the approval of the Competent Authority.

Copy To

1. Principal 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, Chandrasekharapur, 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, Mayurbhanj, DFO, Mayurbhanj, RO, SPCB, Mayurbhanj, Tahasildar, Betnoti/Mining Officer, Mayurbhanj for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

Send Approval Copy To (In case of multiple use comma as separator)



File No: 548345/784-MIN/08-2025

Government of India

Ministry of Environment, Forest and Climate Change

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



ANNEXURE-V

220

Date 14/10/2025



To,

SMT. PRIYANKA BEHERA
W/o-Sri Khageswar Behera
beherapriyanka653@gmail.com

Subject: Rejection of Amendment of Environmental Clearance (EC) Identification No.- EC22B001OR124834 dated 31/03/2022 granted to the proposed Project of Budhabalanga River Sand Bed-III in favour of Smt. Priyanka Behera under the EIA Notification 2006-and as amended thereof -regarding.

Sir/Madam,

This is in reference to your application submitted to Ministry vide proposal number SIA/OR/MIN/548345/2025 dated null for Rejection of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC25C0107OR5632914A
(ii) File No.	548345/784-MIN/08-2025
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals Submission of Replenishment Study Report (2024-25) for Amendment of Environment Clearance of Budhabalanga 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.
(vi) Name of Project	PRIYANKA BEHERA
(vii) Name of Company/Organization	MAYURBHANJ, , ODISHA,
(viii) Location of Project (District, State)	SEIAA
(ix) Issuing Authority	No
(x) Applicability of General Conditions as per EIA Notification, 2006	

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Application for Amendment in EC- Form-4 were submitted to the SEAC, Odisha for an appraisal by the State Expert Appraisal

Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments.

2. The above-mentioned proposal has been considered by State Environmental Impact Assessment Authority, Odisha (SEIAA, Odisha) in 239th meeting held on 16/09/2025 to 16/09/2025. Based on the recommendations of the State Expert Appraisal Committee, Odisha (SEAC, Odisha), information & clarifications provided by the project proponent and after detailed deliberations the authority decided "After detailed deliberation, the authority accepted the recommendation of SEAC and decided to reject the amendment of EC due to the following reasons:

- (i) Two patches of Lease area should be considered as independent Lease under cluster approach.
- (ii) 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.
- (iii) 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 17.06.202".

3. Hence, the proposal is Rejected as per provision of EIA Notification, 2006 and as amended thereof.

4. The minutes of the meeting and all the Application and documents submitted are available on PARIVESH portal which can be accessed by scanning the QR Code above.

5. This issues with the approval of the Competent Authority.

Copy To

- 1. Principal 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, Mayurbhanj, DFO, Mayurbhanj, RO, SPCB, Mayurbhanj, Tahasildar, Betnoti /Mining Officer, Mayurbhanj for Information and necessary action.
- 9. Guard file for record/Website/Parivesh Portal.

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