

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

Original Application No. 02/2024/EZ

Tapas Kumar Bal -----Applicants(s)

Versus

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

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

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Place: Bhubaneswar
Date: 27/04/2024

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

1. Dr. Kailasam Murugesen, IFS, son of late Paramasivam Kailasam aged 56 years, at present working as Member Secretary, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.12 before this Hon'ble National Green Tribunal.
3. That, I have gone through the original application order dated. 19.01.2024, 11.03.2024 and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.
4. That, in reply to the averments made in the Para-01 to Para-50 of the OA, is covered in the joint inspection report. the deponent humbly submits that the environmental clearance (EC) was issued by SEIAA, Odisha vide letter no. 2471 dt. 28.01.2017 for Kusei River Sand Quarry over an area of 14.50 acres in favour of Sri Murali Majhi. After completion of 5 years lease period, the project

MEMBER SECRETARY
State E.I.A Authority
Orissa, Bhubaneswar



proponent Tahasildar, Ghasipura had submitted application for EC vide application no.SIA/OR/MIN/265814/2022 dt. 07.11.2022. During appraisal, the SEAC committee sought clarification in its meeting held on 23.12.2022 that the sand deposit in the lease area as the KML file submitted by the lessee shows the site is a barren land without any sand deposit and on reply of SEAC clarification, the Tahasildar, Ghasipur has submitted that the KML file was generated based on the field GPS data. It seems, due to error of GPS data the KML file location shows outside the sand bed. However, the coordinate was taken and verified with the google map and village map. The fresh coordinate with location on google map is enclosed for your consideration. Accordingly, the correct KML of the lease has been submitted by The Tahasildar and modified the mining plan with maintaining 300-meter safety zone from nearest Bridge. After due recommendation of SEAC in its meeting held on 20.02.2023, the proposal was placed in 111th SEIAA, Odisha meeting held on 22.03.2023 and the Authority issued EC for the said project vide EC Identification No. EC23B001OR180821 dt. 27.04.2023 with allowing 1st year production quantity 7000 cum as per the approved mining plan and 1750 cum for 2nd year (if, Annual rate of Replenishment Study Report (ARRS) is not submitted after one year quarry operation). Copy of EC letter is attached is attached in **Annexure-I**.

5. That, the petitioner has mentioned that amendment of EC was issued on 21.06.2023 for Kusei River Sand Quarry is not true as no amendment of EC was issued except transfer of EC was issued on 21.06.2023 in favour of Sri Sai Constructions. Copy of the transfer of EC is attached in **Annexure-II**.
6. That, in compliance to the order dt. 19.01.2024 of this Hon'ble Tribunal a Joint committee was formed and the committee visited



[Signature]
MEMBER SECRETARY
State E.I.A. Authority
Orissa, Bhubaneswar

the alleged site on 09.02.2024. Accordingly, an interim joint inspection report was submitted by SPCB, as a Nodal Agency before Hon'ble NGT.

7. That, as per the instruction of committee members, again a joint verification was made by the Mining Officer, Keonjhar, Superintending Engineer, Baitarani Irrigation Project, Salpada, Keonjhar, Thasildar, Ghasipura, Deputy Environmental Engineer, ROO , SPCB, Keonjhar and concerned RQP for assessment of excess mining and finally committee member submitted their assessment report with mentioned that 4869.162 cum of sand has been extracted both inside and outside the lease area by unauthorized or illegally accordingly, the final joint inspection report submitted by SPCB.
8. That, photographs submitted in the additional affidavit by petitioner dt. 09.03.2024 is not in the periphery area of the alleged lease area of Kusei River Sand Quarry as it verified from the google earth map. That, the Hon'ble Tribunal may kindly consider the case of the deponent and dispense with the personal appearance of Member Secretary, SEIAA, Odisha on 30.04.2024.
10. 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.
11. That, the deponent reserves the right to file further affidavit as and when necessary.

IDENTIFIED BY ME

Identified by
Advocate

ADVOCATE

27-04-2024.


Deponent
MEMBER SECRETARY
State E.I.A Authority
Orissa, Bhubaneswar

4



[Signature]
NOTARISE

VERIFICATION

Verified at Bhubaneswar on this day of 27-04-2024 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: 27-04-2024

[Signature]

Deponent

**MEMBER SECRETARY
State E.I.A Authority
Orissa, Bhubaneswar**

SWORN BEFORE ME



[Signature]
27-04-2024

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

ENVIRONMENTAL
CLEARANCE

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

To,

The Lessee
TAHASILDAR GHASIPURA
At/Po-Ghasipura, Dist-Keonjhar, Odisha. -758015

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/265814/2022 dated 07 Nov 2022. The particulars of the environmental clearance granted to the project are as below.

1. EC Identification No.	EC23B001OR180821
2. File No.	265814/832-MINB2/11-2022
3. Project Type	New
4. Category	B2
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha.
7. Name of Company/Organization	TAHASILDAR GHASIPURA
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: 27/04/2023

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

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

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PARIVESH

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

ENVIRONMENTAL CLEARANCE FOR SAND MINING

Subject: Application of Tahasildar, Ghasipura for environmental clearance (EC) for mining of Sand from Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha-Reg.

The project proponent Tahasildar, Ghasipura has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC, GOI vide online application no. SIA/OR/MIN/265814/2022 dated 07.11.2022 for mining of Sand from Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha.

2. Proposal in brief:

Proposal No.	SIA/OR/MIN/265814/2022
File No.	265814/832-MINB2/11-2022
Project Type	New proposal for EC
Category	B2
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for grant of EC for mining of Sand from Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha.
Name of the company/Organization	Tahasildar, Ghasipura
Location of Project	Village-Deogaon, Tahasildar-Ghasipura Dist-Keonjhar, Odisha

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

- (i) This is a proposal for mining of sand from Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha.
- (ii) The mining area is a part of Survey of India Toposheet No. F45O4, bounded by Latitude: 21°09'28.4" N to 21°09'42.2" N and Longitude: 86°02'39.8" E to 86°02'55.10" E.
- (iii) The mining lease is an identified sairat source in the DSR. The Kusei Sand Bed, Deogaon quarry sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar,



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- Ghasipura to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
- (iv) Documents submitted: -Form-1, Form-2, PFR, EMP, checklist, and approval letter, Village sheet, Cluster certificate from Tahasildar, topo map etc.
 - (v) Distance from nearest sanctuary/ESZ- Hadagarh WLS-19.0 km
 - (vi) Whether the lease area coming in DLC report-No
 - (vii) Whether the lease area reflecting in DSR-Yes
 - (viii) Method of mining-Manual
 - (ix) River- Kusei, Depth of sand deposition-1.2 meter
 - (x) Distance from nearest road bridge-18.9 km, village road -0.25 km, Remal RD road-0.00Km
 - (xi) Whether it is part of cluster -No.
 - (xii) Whether EC obtained earlier- Yes, and submitted EC compliance
 - (xiii) Date of approval of mining plan- Joint Director of Geology, Keonjhar on 23.02.2022..
 - (xiv) Production capacity per annum-7000 cum/annum (max.), total production in 5 years period-35000 cum, Geological reserve-55848 cum and Mineable reserve-24456 cum.
 - (xv) As per mining plan the approved depth for mining-1.2 meter.
 - (xvi) Whether the DSR has been prepared as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others)- No
 - (xvii) EMP cost: 0.80/- Lakh/annual for pollution control, maintenance of road and health.
4. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5 ha.
 5. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 20.02.2023. The SEAC have duly recommended for grant of EC to the proposal.
 6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 111th meeting held on 22.03.2023 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2nd February,2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore).
 7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for mining of Sand from Kusei Sand Bed, Deogaon over an area of 11.50 ac or 4.654 ha in village Deogaon of Ghasipura Tahasil of Keonjhar district, Odisha with the following stipulations, environmental conditions and safeguards.**

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A: Stipulations:

Sl.	Descriptions	Stipulation
(i)	Lease Area:	11.50 Acres or 4.654 Hectares
(ii)	No Mining Zone:	1/4 th of river width for protection of river bank and 7.5-meter safety zone from all side of lease boundary.
(iii)	Maximum Depth of Mining:	1.2 meter as per the approved mining plan
(iv)	Method of Mining	Manual
(v)	Permitted Quantity:	1 st year: 7000 cum 2 nd year: 1750 cum
(vi)	Validity Period of EC:	Two years from date of issue

B: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR BEFORE TRANSFER OF EC & LEASE AGREEMENT:

- 7.1 **Boundary Demarcation:** - The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- 7.2 **Digital Map:** -A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at seiaaodisha@gmail.com.
- 7.3 **Intimation of EC:** - The copies of the EC shall be sent to the Sarpanch (s) of the concerned Gram Panchayat (s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- 7.4 **Tree Plantation:** - Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,50,000/-, with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry.
- 7.5 **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.
- 7.6 **Condition by Collector:** - Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.



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- 7.7 **Compliance report for Transfer of EC:** - Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards.
- C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT**
- 7.8 **Maximum permissible depth:** This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.2 m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.
- 7.9 **Maximum permissible quantity:** Maximum quantity of material is permitted to remove from the quarry area in 1st year is 7000 and in 2nd year is 1750 cum. Grant of EC for further period will be considered after submission of rate of replenishment study report by December 2024 through ORSAC empanelled agency and also after submission of approved DSR as per the MoEF & CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others). Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.10 **Annual Replenishment Rate Study of Sand:** -The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area.
- 7.11 **District Survey Report:** The District Survey Report (DSR) shall be prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611(E) dated 25.07.2018, Sustainable Sand Mining Guidelines-2016 and Enforcement & Monitoring Guidelines for Sand Mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others) and submitted to competent authority for approval.
- 7.12 **EC Extension:** - Any further extension of EC beyond two years shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.



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- 7.13 **Any change in mining plan requires fresh EC:** - Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.14 **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 in EMP. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.15 **No Working Zone:** - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -
- During the rainy season;
 - Within the water channel or stream flow area throughout the year;
 - Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meters 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.
 - The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
 - No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
 - Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
 - The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.16 **Transport Safeguards:**
- No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
 - Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and



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strengthening of existing public roads in case the same is proposed to be used for the project.

- c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- e) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks.
- f) 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.

7.17 **Other Environmental Conditions:** -The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

- a) The Tahasildar shall take adequate measures to prevent unauthorized mining;
- b) The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source;
- c) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- d) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.

8 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity. The PP also expend the EMP cost: 70,000/- per (annum excluding plantation cost) for pollution control, maintenance of road and health.



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- 8.16 **Half-yearly Compliance Report:** - It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF & CC, Bhubaneswar in soft copies on 1st day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 8.17 **Concomitant Monitoring:** - The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 8.18 **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.
- 8.19 **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.
- 8.20 **Change in Ownership of Lease:** - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
8. **Basis of Permitted Quantity:** - It is made clear that the EC granted is on adhoc basis as the applicant has not submitted the approved District Survey Report (DSR) or Annual Replenishment Rate Study Report (ARRS). In the absence of approved District Survey Report (DSR) the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report (Refer Para: 4.3 (r) of the Enforcement & Monitoring Guidelines for Sand Mining issued in January, 2020 by the Ministry of Environment, Forest and Climate change). The permitted quantity in the 1st year has been calculated on the basis of 60% mine lease area or quantity mentioned in the Mining Plan, whichever is less. Further in the absence of approved Annual Replenishment Rate Study Report an annual replenishment rate of @25% of the 1st year quantity is allowed for 2nd year w.r.t Order dated 02.02.2022 of the Hon'ble NGT in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). Further amendment to the permitted quantity in the 2nd year shall be considered on submission of duly approved ARRS.



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 (Protection) Act, 1986)

9. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
10. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
11. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,


 Member Secretary

Copy to

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




 Member Secretary



14
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email: seiaaodisha@gmail.com
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Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/300884/2023

Dated st 21 June, 2023
Bhubaneswar

To

Sri Gorle Ramesh Manager
Sri Sai Constructions
Plot No. N/2-54 under Drawing BS No. 136,
Flat No.3, 3rd Floor, Treelet Homes,
Plot No.-868/3040, Khata No.691
Jayadev Vihar, IRC Village, Nayapalli,
Bhubaneswar, Khordha , Jiisha- 751015

Sub: Proposal for Transfer of Environmental Clearance of Kusei River Sand Bed over an area of 11.50 acres or 4.654 hectares in village Deogaon under Ghasipura Tahasil of Keonjhar District, Odisha. from the name Tahasildar Ghasipura to Sri Gorla Ramesh -reg.

Ref: (i) EC letter no./EC identification no. EC23B001OR180821 dated 27.04.2023
(ii) Tahasildar, Ghasipura letter no. 2235 dated 30.05.2023
(iii) Online Application no. SIA/OR/MIN/300884/2023 dtd.04.06.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/300884/2023 dated 04.06.2023, wherein you have requested for transfer of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. EC23B001OR180821 dated 27.04.2023 in favour Tahasildar, Ghasipura, Dist- Keonjhar.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 122nd meeting held on 08.06.2023, 09.06.2023 and 12.06.2023 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 Kusei River Sand Bed (River-Kusei) for a period of 5 years in favour of Tahasildar, Ghasipura 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 Sri Gorle Ramesh, 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) The Tahasildar has mentioned that after obtaining EC, the said quarry is not operated yet.



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)

- (iii) Documents submitted for EC Transfer;
- a. Form No. 7 for transfer of Environmental Clearance,
 - b. Letter no. 2235 dated 30.05.2023 of Tahasildar, Ghasipura for transfer of EC to Sri Gorle Ramesh as the successful bidder for Kusei River Sand Bed.
 - c. Cyber Treasury e-challan no. 35B1173E55 dated 04.06.2023 for Rs.2000/- towards scrutiny fee.
 - d. Undertaking for accepting the terms and conditions in the original EC.

3. Transfer of Environmental Clearance (EC) of Kusei River Sand Bed issued vide SEIAA, Odisha EC letter/EC identification no. EC23B001OR180821 dated 27.04.2023 in favour of Sri Gorle Ramesh, the successful bidder to extract **7000 cum** of sand from the said source in 1st year and **1750 cum** in 2nd year lease period. The ARRS report to be submitted through ORSAC empanelled agency by **31st December 2024** failing which the EC is liable for revocation. 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.

In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained. 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, Chandrasekharapur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.

**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

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7. Copy to the Collector/Sub Collector, Keonjhar and Tahasildar Ghasipura 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

