

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA
ORIGINAL APPLICATION NO. 140/2022/EZ**

IN THE MATTER OF

Papun Kumar Sahu Applicant

-Versus-

State of Odisha & others Respondents

INDEX

SL. No.	DESCRIPTION OF DOCUMENTS	PAGE
1.	COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO. _____	1-6
2.	<u>Annexure-A/5 series</u> The Joint Enquiry Report of the Committee	7-55

By the Respondent No.5 through

Place: Cuttack.

Date: 13.12.2022.


Addl. Standing Counsel.

(1)

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA
ORIGINAL APPLICATION NO. 140/2022

IN THE MATTER OF

Papun Kumar Sahu Applicant

-Versus-

State of Odisha&others Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF
RESPONDENT NO. 1,2,4 and 5

I, Sri Dibya Jyoti Parida, aged about 34 years, S/o
Prasanna Kumar Parida, at present working as
Collector & Dist. Magistrate, Ganjam, Odisha, do
hereby solemnly affirm and state as follows:-

1. That, I am the Respondent No.5, in the Original
Application and I am filing this Affidavit for &
onbehalf of Respondents No.1,2,4 and 5.

2. That, I have gone through the Original
Application as well as the documents annexed thereto
and understood the contents thereof. I am acquainted
with the facts of this case on the basis of official
records.

BY
ACR



Dibya Jyoti Parida.

(2)

3. That, in compliance to the order dtd.11.10.2022 passed by the Hon'ble NGT, joint enquiry was conducted on 17.10.2022 by the committee constituted by the Collector & Dist. Magistrate, Ganjam.

The Joint Enquiry Report of the Committee is annexed here with as Annexure-A/5 series.

4. That, in reply to the averments made in Paragraph No.1 of the Original Application is matter of records and needs no comments.

5. That, in reply to the averments made in paragraph No. 2, of the Original Application, it is humbly submitted that, M/S Maa Manikeswari Brick Industry is operating over the plot Number 823/1189 under Khata Number 127/81 having area Ac. 0.405 decimal of mouza Nuagaon after obtaining the sitting criteria fixed by the State Government vide Notification No 20949 dated 06.12.2005 of Forest and Environment Department, Government of Odisha. So far as the allegation of operation of the M/S Maa Manikeswari Brick Industry over plot number 810,

S/AR

Dibya Jyoti Parida



(3)

811, 812, 813, 814, 815, 816, 817, 818, 819 and 820 of Khata number 127/102, plot number 825 of Khata number 127/86, plot number 821 , 822 of khata number 174 and plot number 824 of khata number 175 under mouza Nuagaon is concerned the same is denied.

6. That, in reply to the averments made in Paragraph Nos. 3, 4, 6, 7, 8 & 9 of the Original Application, it is humbly submitted that, the M/S Maa Manikeswari Brick Industry unit is running over the Gharabari Kissam (non agricultural land) as per the sitting criteria fixed by the State Government vide Notification No 20949 dated 06.12.2005 of Forest and Environment Department, Government of Odisha. So far as the allegation of operation over the prime agricultural land/ Patita/ Village road is concerned the same is not correct. Plot No. 823/1189 has been corrected from agriculture land to Non agriculture land (Gharabari Kissam) prior to obtaining the sitting criteria fixed by the State Government. But currently the M/S Maa Manikeswari Brick Industry unit is not in operation since the last one and half years.

Dibya Tyoti Panik.

BY
TR



(4)

Allegations that the M/S Maa Manikeswari Brick Industry brick kiln unit has not obtained the Environment Clearance from the SEIAA Authority for mining of brick earth quarry is not correct. The mining brick earth quarry has not started its operation till now.

Litu Pradhan, the proprietor of the M/S Maa Manikeswari brick kiln industry has applied for the Consent to Establish /Consent to Operate before the Regional Office ,State Pollution Control Board, Odisha for mining brick earth quarry which is under active consideration of the Regional Office, State Pollution Control Board.

As regards to the compliance of the letter No. 819 dated 28.06.2022, issued to the Tahasildar, Sanakhemundi, from the office of the Regional Office State Pollution Control Board Odisha, it is stated that, Tahasildar, Sanakhemundi, has enquired about the matter through Revenue Inspector, Podamari and directed Litu Pradhan, the proprietor of the M/S Maa Manikeswari brick kiln industry to apply for CTO/CTE

Dibya Tyoti Panik.



(5)

of mining brick earth quarry and accordingly he has applied for the same before the Regional Officer, State Pollution Control Board. Tahasildar, Sanakhemundi , has also instructed Litu Pradhan that, unless CTO/CTE is granted by the State Pollution Control Board, the brick making and quarrying operation will not be started.

7. That, in reply to the averments made in Paragraph No. 5 of the Original Application it is humbly submitted that, the fixed chimney of the M/S Maa Manikeswari brick industry has been constructed over the plot no 823/1189 under Khata Number 127/81 of mouza Nuagam which is a private land. The allegation regarding the construction of chimney over the Government Land is completely false.

8. That, in reply to the averments made in Paragraph Nos.10 of the Original Application are matter of records and needs no comments.

SM
AKC

Dibya Jyoti Parikh



(6)

9. That, the petitioner craves the leave of the Hon'ble Court to file fresh affidavit, if required in the interest of the lies.

10. That, the facts stated above are true to the best of my knowledge and belief and based on the official records.

Identified by

SM
Samayama
Mishra

Dibya Jyoti Parida
DEPONENT

13.12.2022

Advocate

CERTIFICATE

· Certified that cartridge papers are not available.

Cuttack

SM

Date 13 2022. Addl. Standing Counsel.

VERIFICATION

I, Sri Dibya Jyoti Parida, aged about 34 years, S/o Prasanna Kumar Parida, at present working as Collector & Dist. Magistrate, Ganjam, do hereby verify and state that the facts stated above in the affidavit are all based on official records and I signed on this verification being present in the office of my Advocate at Cuttack, on this the 13th day of December 2022.

Dibya Jyoti Parida
VERIFICANT



Solemnly affirm on its oath by the Deponent
at Cuttack on 13.12.2022 being identified
By *SM*
Advocate/Adv. Clerk/ASO, AG'S office/Notary
personally, that the facts stated above are
true to the best of his/her knowledge.

Rama Chandra Mishra
RAMA CHANDRA MISHRA, NOTARY,
CUTTACK TOWN, Regd. No-21/08

**JOINT ENQUIRY REPORT OF THE COMMITTEE ON M/S MAA
MANIKESWARI BRICK INDUSTRY UNDER SANAKHEMUNDI TAHASIL IN
THE DISTRICT OF GANJAM IN THE MATTER OF O.A. NO.140/2022/EZ-
PAPUN KUMAR SAHU VS. STATE OF ODISHA & OTHERS**

In pursuance to the order dtd. 11.10.2022 of the Hon'ble NGT, EZ Bench, Kolkata in the matter of O.A. No.140/2022/EZ-Papun Kumar Sahu Vs. State of Odisha & others, joint enquiry was conducted on 17.10.2022 by the committee constituted by the Collector and District Magistrate, Ganjam vide office order no. 6010 dtd. 14.10.2022. Following officers were present during the joint inspection.

1. Mrs. Subhashree Rath , Deputy Collector, Berhampur, Representative of Sub-Collector Berhampur.
2. Er. Maheswar Behera, Deputy Environmental Engineer, Representative of Regional Officer, SPC, Board, Berhampur.
3. Sri Saurava Pradhan, Geologist, Collectorate, Ganjam, Odisha.

Also during the site inspection, the Tehsildar, Sanakhemundi and the Revenue Supervisor and Revenue Inspector of the Circle were present.

M/s Maa Manikeswari Brick Industry is a fixed type Clay brick manufacturing unit which has been established in Mouza-Nuagaon under Tehsil Sanakhemundi in the District of Ganjam under the proprietorship of Sri Litu Pradhan, At/P.O.-Podamari, Sanakheumdi, Dist Ganjam.

- A) The unit has obtained sitting criteria certificate from the Collector and District Magistrate, Ganjam vide Revised Order no. 2852 dtd. 28.08.2017 in favour of Sri Litu Pradhan, Proprietor over Plot No. 823/1189 under Khata No. 127/81, comprising of area Ac.0.405, (Kisam-Gharabari), Mouza-Nuagaon, Tehsil: Sanakhenundi, Dist. Ganjam as per the sitting criteria fixed by the State Government vide

True copy attested



Tahasildar
Sanakhemundi (Gm.)

(8)

Notification no. 20949 dtd. 06.12.2005 of Forest and Environment Department. Government of Odisha. **(Copy enclosed as Annexure-I)**

- B) Based on the sitting criteria certificate, requisite documents and adequate consent fees, Consent to establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 was granted by Regional Office, SPCB, Berhampur to the unit vide Board's letter no. 2475 dtd. 07.08.2021 for the production of Clay Kiln Bricks-20,000,00 Nos./Annum over Plot No. 823/1189 under Khata No. 127/81 of area Ac.0.405 dec, Mouza-Nuagaon, Tehsil- Sanakhemundi in the District of Ganjam. **(Copy enclosed as Annexure-II)**
- C) Subsequently Consent to operate under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 has been granted by Regional Office, SPCB, Berhampur to the Brick Kiln unit vide Board's letter no. 2477 dtd. 07.08.2021 for the production of Clay Kiln Bricks- 20, 000, 00 Nos. /Annum valid upto 31.03.2024. **(Copy enclosed as Annexure-III)**
- D) Mining Plan for Nuagaon Brick Earth Quarry for & on behalf of Sri Litu Pradhan has been duly approved by the Authorised Officer, Joint Director, Geology, Berhampur on 28.08.2019 for the period of five years. **(Copy enclosed as Annexure-IV)**
- E) Sri Litu Pradhan has obtained the Environmental Clearance for mining of brick earth from Nuagaon Earth Quarry over an area of 3.3 acres /1.347 hectares at village-Nuagam, Tehsil, Sanakhemundi. Dist- Ganjam from SEIAA, Odisha, Bhubaneswar vide letter No. 137/SEIAA dtd. 21.01.2021. **(Copy enclosed as Annexure-V).**

True Copy attested



Tahasildar
Sanakhemundi (Gm.)

(9)

F) Lease agreement was made between the Tehsildar, Sanakhemundi and lessee on dated 25.03.2022 for quarrying of brick earth over an area of 3.3 acres /1.347 hectares at village-Nuagam, Tehsil, Sanakhemundi. Dist-Ganjam. (Copy enclosed as Annexure-VI).

In the meantime, a compliant petition has been filed by Sri Papun Kumar Sahu, S/o-Kalu Charan Sahu, At/P.O.-Podamari, Dist-Ganjam addressed to the Revenue Divisional Commissioner, Southern Zone, Berhampur along with copies to the Collector & District Magistrate Ganjam, Regional Officer, SPCB, Berhampur, The Member Secretary ,SEIAA, Odisha and The Member Secretary ,SPCB, Odisha regarding quarrying of Nuagaon Brick earth mine on prime agricultural land and establishment of Brick Kiln over agricultural land/Govt. land under Nuagaon Mouza of Sanakhemundi Tehsil. Regional Office, Berhampur had communicated the allegation petition made by the compliant vide letter no. 1819 dtd. 28.06.2022 to Tehsildar Sanakhemundi to inquire about the matter and to take appropriate follow up action in this matter and Sri Litu Pradhan, Proprietor of M/s Maa Manikeswari Brick Industry was also directed not to operate M/s Nuagam Brick Earth Quarry without obtaining Consent to establish/Consent to operate from the Board and asked to apply for consent to establish/consent to operate through online (<https://odocmms.nic.in>) as per the provisions under section 25/26 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 and rules framed there under with all relevant documents to the Board vide letter no. 1809 dtd. 28.06.2022. Similarly Additional District Magistrate, Revenue, Ganjam has also directed Tehsiladar Sanakhemundi to take appropriate action in this matter.

In compliance to the above and as per direction from Tehsildar, Sanakhemundi the alleged matter was inquired by the Revenue Inspector, Pudmari and during filed verification by the RI, it was found that M/s Maa

True copy attested of



Tahasildar
Sanakhemundi (Gm.)

(10)

Manikeswari Brick Industry was not in operation and the unit has been established over Plot no. 823/1189 under Khata No. 127/81 of extent area Ac.0.405, Mouza-Nuagaon, Tehsil- Sankhemundi and Sri Litu Pradhan, Lessee of M/s Nuagam Brick Earth Quarry has also applied for obtaining of consent to establish and operate of M/s Nuagaon Brick Earth Quarry through online portal of State Pollution Control Board. (Copy of inquiry report enclosed as Annexure-VII).

During inspection following observations have been made by the Committee.

1. M/s Maa Manikeswari Brick Industry was not in operation.
2. From the surrounding and as per the available record, it was found that the brick kiln manufacturing unit was not in operation since one and half year.
3. Sri Papun Kumar Sahu has alleged that the brick kiln manufacturing unit and Brick earth Quarry are operating over the prime agriculture land/ Government Land over the Plot No. 810,811, 812, 813, 814, 815, 816, 817, 818, 819 and 820 of Khata No. 127/102, Plot No. 825 of Khata No. 127/86, Plot No. 821, 822 of Khata No. 174, Plot No 824 of Khata No. 175 under Nuagam Mouza.
4. But during verification it was found that the chimney and the trench area of brick kiln manufacturing unit (operational area) has been established over Plot No. 823/1189 under Khata No. 127/81 of area Ac.0.405, Mouza-Nuagam, Tehsil: Sanakhenmundi.
5. The Brick kiln manufacturing unit is not established over any agriculture land as per revenue record and as observed during inspection.
6. Raw material like rice husk, coal and sand etc. have been stacked outside its brick operational area in haphazard manner.
7. The adjacent area of brick kiln manufacturing area has been changed its kissam from agriculture to Gharabari (Non agriculture) type. Plot

True Copy attested


Tahasildar
Sanakhemundi (Gm.)

(11)
Number 823 of Khata Number 127/8, Plot Number 810,811,814,815,816,817,818 and 820 of Khata Number 127/102 has changed its Kissam from Class-IV Agriculture land/Non Prime Agriculture land to Gharabari (Non-Agriculture) Kissam. **(Copy of RoR enclosed as Annexure-VIII)**

8. Government Road is used for transportation of raw material including its final product to outside.
9. The minor mineral source i.e. Nuagam brick earth quarry has not started its operation till now.
10. Sri Litu Pradhan, Proprietor of M/s Maa Manikeswari Brick Industry cum Lessee of M/s Nuagam Brick earth quarry has applied for consent to establish/operate through online on dtd. 14.10.2022 to State Pollution Control Board. **(Copy enclosed as Annexure-IX)**

Conclusion & Recommendation:

From the above observation it was found that M/s Maa Manikeswari Brick Industry is established over Plot no. 823/1189 under Khata No. 127/81 of area Ac.0.405, Mouza-Nuagaon, Tehsil- Sanakhemundi based on the sitting criteria certificate issued from the Collector and District Magistrate, Ganjam vide Revised Order no. 2852 dtd. 28.08.2017. The minor mineral source i.e. M/s Nuagam Brick Earth Quarry has not started its mining operation. The Tehsiladar Sanakhemundi has inquired the alleged matter by the concerned Circle Revenue Inspector as per direction issued from the Additional District Magistrate, Revenue, Ganjam and also communication received from Regional Officer,SPCB, Berhampur and accordingly follow up action has been initiated by the Tehsildar Sanakhemundi.

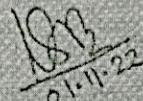
True Copy attested

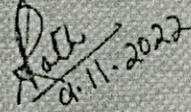

Tehsildar
Sanakhemundi (Gm.)

(12)
In view of the above observations, the committee recommended the followings:

1. The Nuagam Brick earth quarry shall operate after obtaining valid consent to establish/operate from the Board.
2. The Brick Kiln manufacturing unit shall dispose the solid wastes properly without causing any nuisance or environmental pollution in the surroundings.
3. The Brick Kiln manufacturing unit has been asked to resume its operation in compliance to consent conditions issued vide Board's letter no. 2477 dtd. 07.08.2021 and after obtaining of CTE/CTO of M/s Nuagaon Brick Earth Quarry.


Sri Saurava Pradhan
Geologist,
Collectorate, Ganjam

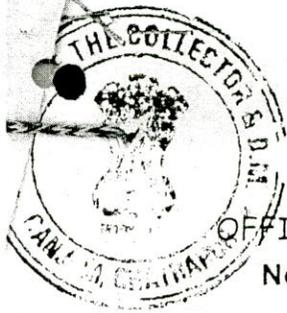

Sri Maheswar Behera
Dy. Environmental Engg.
SPCB, Berhampur


Mrs. Subhashree Rath
Deputy Collector
Berhampur

6

True copy attested


Tahasildar
Sanakhemundi (Gm.)



Annexure-1

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, GANJAM

No. (Rev.XXV-572/2017) 2852

Dated. 28-08-2017

REVISED ORDER

This is to certify that Sri Litu Pradhan, S/O- Late Bhaskar Pradhan, At/Po- Pudamari, Ps- Pattapur, District- Ganjam has applied for issue of revised sitting criteria certificate in his name for the fixed chimney brick kiln Unit over plot plot No. 823/1189 of Khata No. 127/81 comprising of an area of Ac. 0.405 in Mouza – Nuagam under Sanakhemundi Tahasil due to death of his father. The sitting criteria certificate issued vide this office order no. 995 dt. 22.03.2017 in favour Sri Bhaskar Pradhan, the father of Sri Litu Pradhan is hereby revised in his name. References of the proposed site with respect to surroundings are as under.

- The proposed site is 02 KMs from State Highway-17 and 45 KMs from National Highway No.- 217.
- The proposed site is 13 KMs from Digapahandi Town with population of 10890.
- The proposed site is 03 KMs from Kali Temple, Nuagam, 01 KMs from Primary School, Nuagam & 03 Kms from PHC, Pudamari.
- The proposed site is 45 KMs from Berhampur Railway line.
- The proposed site is 12 KMs from Ghodahada river bank.

The proposed site confirms to the Siting Criteria fixed by the State Government vide Notification No. 20949 dated. 06.12.2005 of Forest & Environment Department

Memo No. 2853 /Rev.

Dated. 28-08-2017

Copy to the applicant Sri Litu Pradhan, S/O- Late Bhaskar Pradhan, At/Po- Pudamari, Ps- Pattapur, District- Ganjam for information and necessary action. He is instructed to comply with the conditions stipulated by the State Pollution Control Board, Orissa in their consent to establish order.

Memo No. _____ /Rev.

Dated. _____

Copy to the Member Secretary, State Pollution Control Board, Orissa, Parivesh Bhawan 118, Nilkanthanagar, Unit-VIII, Bhubaneswar – 751012 for information and necessary action.

Memo No. _____ /Rev.

Dated. _____

Copy forwarded to the General Manager, DIC, Berhampur, Ganjam/ Sub-Collector, Berhampur/ Tahasildar, Sanakhemundi for information and necessary action.

COLLECTOR, GANJAM

Tone copy attested
Tahasildar
Sanakhemundi (Gm.)

(14)

KHATIYAN

Mouza : Nuagam
P. S : Patapur
P. S No : 14

Tahasil : Sanakhemundi
Tahasil No : 14
District : Ganjam

Recorded Tenant and Khatian Sl. No.	ODISHA GOVERNMENT 1					
1) Khatiyani Sl. No.	127/81					
2) Tenant Name, Fathers Name, Caste and Residence	Bhaskar Pradhan, S/o- Narsingha Pradhan, Caste – Kurum, Village - Podamari					
3) Status	Rayati (Private land)					
4) Payment	Water Tax	Land Revenue	Cess	Nistar cess and If any cess	Total	5) Cumulative Land Revenue Schedule
		194.00	146.00	0.00	340.00	
6) Special accessory if any						

BLANK SPACE FOR STAMPING

Last date of publication of RoR :
Land Revenue fixed date :

True Copy attested


Tahasildar
Sanakhemundi (Gm.)

(15)

Sl. No. of Khatiyon : 127/81		Mouza : Nuagam				District : Ganjam
Plot No. and name of Chaka	Kissam and rent of plot	Kissam details and boundary	Area			Remarks
			Ac.	Dc.	Hect.	
7	8	9	1	0	11	12
823/1189	Gharabari (Homestead) land		0	405	0.0000	As per OLR - 8 (A) No.141/16 receipt from Khatiyon No.127/8.
1 Plot			0	405	0.0000	

True copy attested

Tahasildar
Sanakhemundi (Gm.)

(16)

Annexure-LL



E-mail: rospcb.berhampur@ospcbboard.org
Website: www.ospcbboard.org

REGIONAL OFFICE OF THE
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
2nd Floor, New Division Office, IDCO, Berhampur Division,
Industrial Estate, Berhampur, Dist. Ganjam-760 008, Odisha, India

No. 2475 /CTE-1075/ 2017

By REGD.POST

Date 07/08/2021

OFFICE MEMORANDUM

In consideration of the online application no. 1835010 for obtaining Consent to Establish of M/s. Maa Manekeswari Brick Industry, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 for following plant facilities and production capacities:

Clay Kiln Bricks: 20, 000, 00 Nos. /Annum

At: Nuagam (mouza: Nuagam), Post. -Nuagam, Podamari (in Plot no.823/1189 under Khata No.127/81 mentioned as per application form) in the district of Ganjam with the following conditions:

GENERAL CONDITIONS:

1. This consent to establish is valid for the raw materials, product, manufacturing process and capacity mentioned in the application form. This order is valid for five years, which means the proponent shall commence construction of the project within a period of five years from the date of issue of this order. If the proponent fails to do substantial physical progress of the project within five years then a renewal of this consent to establish shall be sought by the proponent.
2. The industry shall comply to the provisions of Environmental Protection Act, 1986 and the rules made there under with their amendments from time to time such as the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 as amended from time to time, Hazardous Chemical Rules, / Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.
3. The industry is to apply for grant of consent to operate under section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 at least 3 (three) months before the commercial production and obtain Consent to operate from this Board.
4. This consent to establish is subject to statutory and other clearances from Govt. of Odisha and /or Govt. of India, as and when applicable.

SPECIAL CONDITIONS:

A.GENERAL

1. This Consent to Establish has been granted based on the sitting clearance obtained from the concerned Collectorate and shall be revoked in case of invalidity of the clearance.
2. The unit shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Odisha vide Ref. No. 137/SEIAA dtd. 21.01.2021.

True copy attested

Tahasildar
Sanakhemundi (Gm.)

(17)

3. If the Government will take a policy decision to prohibit the establishment/operation of brick plants within certain radius of TPP and this unit if comes within such radius the consent issued to the unit will be revoked.
4. The Brick kiln shall be converted to zig-zag or vertical method of brick making and shall comply to the new standards as stipulated in this notification.
5. The industry shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use.
6. The unit shall utilize 25% fly ash in brick making from nearest Thermal Power Plant as per Ministry of Environment & Forest, Government of India notification No.763 (E) dtd.14.09.1999 and as amended from time to time.
7. The unit shall abide by E (P) Act, 1986 and Rules framed there under.
8. Land conversion document for industrial use shall be submitted to the Board
9. The Consent order has been issued without prejudice to any legal dispute arises in future with respect to the ownership of the land and other land disputes.
10. In case of public complaint which is found genuine the unit shall be shifted to a suitable place and fresh consent to establish (NOC) shall be obtained.
11. The unit shall provide lightning arrestor at the top of the chimney.
12. The Board may impose further condition or modify the conditions as stipulated in this order during installation and/or at the time of obtaining consent to operate and may revoke this order in case the stipulated condition are not implemented and/or information is found to have been suppressed/wrongly furnished in the application form.
13. The Unit shall pay the differential fees if any as per the Odisha Gazette Notification dt. 16.07.2012 of Forest and Environment Department, Government of Odisha.
14. No further expansion/modernization shall be carried out by the unit without prior approval from the Board.
15. Good housekeeping practice shall be followed to improve the work environment.
16. No production activity shall commence prior to installation of all pollution control measures. In case it is found that the industry is operated without installation of adequate pollution control equipments, direction of closure shall be issued under section 31 A of Air (PCP) Act, 1981 section 33A of Water (PCP) Act, 1974 without any further notice.

B. WATER POLLUTION

1. Domestic effluent shall be discharged to septic tank followed by soak pit constructed as per BIS specification.
2. In no case waste water of the plant shall be allowed to discharge outside the factory premises.

C. AIR POLLUTION

1. Height of the stack attached to the kiln shall be as per the respective provisions under Schedule-I of the Environment (Protection) Rules, 1986
2. The unit shall install adequate air pollution control measures so that emission through the stack with respect to particulate matter shall not exceed 250 mg/Nm³
3. Regular dust cleaning shall be carried out within factory premises along with water sprinkling arrangement.
4. Particulate Matter (PM) results shall be normalized at 4% CO, as below:
5. $PM \text{ (normalized)} = PM \text{ (measured)} \times 4\% / \text{measured CO}$, in% Stack height (in metre) shall also be calculated by formula $H=14Q^{0.75}$ (where Q is SO emission rate in kg/hr), and the maximum of two shall apply.
6. All the moving area around the main Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kiln operations.
7. The unit shall provide closed shed/room for storage of Raw Materials.

Total copy attached



Tahasildar
Sanakhemundi (Gm.)

8. The brick kiln shall use only approved fuel such as coal, fire wood and/or agricultural residues. Use of pet coke shall not be allowed in the Brick kiln.
9. Brick kiln shall construct permanent facility (port hole and platform) as per the norms/design laid down by the CPCB for monitoring of Emissions.
10. The brick kiln shall ensure that the road utilized for transporting raw materials/bricks shall be metalled roads and is dust free.
11. Trucks/Tractors shall be covered during transportation of raw material/bricks.
12. Regular cleaning and wetting of the ground shall be under taken within the premises.
13. The unit shall provide adequate sprinkling system in the premises to avoid fugitive dust emissions. The ambient air quality in the premises shall meet the National Ambient Air Quality Standard.
14. A thick green belt of tall long foliage trees shall be developed along the boundary of the premises.
15. Height of the stack attached to DG Set if any shall be $h+0.2\sqrt{KVA}$ where h = roof height, where DG set shall be installed and KVA = Capacity of DG Set in KVA
16. The DG set shall be installed in an acoustically designed enclosure to control noise level as per the E (P) Rules.

D. SOLID & HAZARDOUS WASTE

1. Solid wastes generated from the unit, including ash shall be properly disposed off without causing any environmental nuisance in its surrounding.

To

Sri Litu Pradhan, Proprietor
M/s. Maa Manekeswari Brick Industry
At/P.O.-Podamari, Sanakhemundi
Dist. Ganjam, 761014, (Odisha)


07/08/2021
Regional Officer

Memo No. 2476 ⁽⁵⁾ / Date 07/08/2021 /

Copy forwarded to:

1. The Member Secretary SPC Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate Ganjam, Chatrapur.
3. The D.F.O., Berhampur.
4. District Industries Centre, Ganjam, Berhampur.
5. Copy to Guard File.


07/08/2021
Regional Officer

True copy attested


Tahasildar
Sanakhemundi (Gm.)



E-mail: rospcb_berhampur@ospcbboard.org
Website: www.ospcbboard.org

REGIONAL OFFICE OF THE
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
2nd Floor, New Division Office, IDCO, Berhampur Division,
Industrial Estate, Berhampur, Dist. Ganjam-760 008, Odisha, India

CONSENT ORDER

No. 2477 / CTO-2107/2021

Date 07/08/2021

By Regd.Post

CONSENT ORDER NO. 12392021-22

Sub: Consent for discharge of sewage and/or trade effluent under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and for existing/new operation of the plant under Section 21 of Air (Prevention & Control of Pollution) Act, 1981.

Ref:- Your online consent application No. 3454748

Consent to operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed there under to

Name of the Industry:

**M/s. Maa Manekeswari Brick Industry
Mouza-Nuagam, Tahasil-Sanakhemundi
Dist.-Ganjam**

Name of the Occupier & Designation:
Address:

**Sri Litu Pradhan, Proprietor
M/s. Maa Manekeswari Brick Industry
At/P.O.-Podamari, Sanakhemundi
Dist. Ganjam.**

This consent order is valid for the period up to 31.03.2024.

This consent order is valid for the products quantity, specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

A. Details of Products Manufactured:

Sl. No.	Product	Quantity
1	Clay Kiln Bricks	20,00,000 Nos./Annum

B. Discharge permitted through the following outlet subject to the standard:

Outlet no.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr.	Prescribed standard in mg/l except pH			
				pH	TSS	BOD	O&G
1	Domestic Waste water	Soak Pit via Septic tank	-	-	-	-	-

True copy attested.

[Signature]
Tahasildar
Sanakhemundi (Gm.)

P.T.O.



CONSENT ORDER

C. Emission permitted through the following stack subject to the prescribed standard

Chimney Stack No	Description of Stack	Stack height (m)	Quantity of emission	Prescribed Standard in mg/Nm ³			
				PM	SO ₂	NO _x	H ₂ S
01	Stack attached to Bull's Trench Kiln	27 metres (minimum) or induced draft fan operating with minimum draft of 50 mm WG with 15 meter stack height.	-	250 Mg/Nm ³	-	-	-

D. Disposal of solid waste permitted in the following manner

Sl No	Type of Solid Waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site
01	Ash	-	-	-	-	Own land filling within plant premises

E. GENERAL CONDITIONS:

- The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
- The industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material/and products/manufacturing process or quantity/quality of the effluent/ rate of emission/air pollution control equipment/system etc.
- The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- The consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
- The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system/air pollution control system/stack monitoring system or any other particulars as may be pertinent for preventing and controlling pollution of Water/Air.
- Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
- Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below.
 - Industrial cooling, spraying in mine pits or boiler feed.
 - Domestic purpose.
 - Process

True copy attested.

P.T.O.


 Tahasildar
 Sanakhemundi (Gm.)



CONSENT ORDER

13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by him to achieve with the terms(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by over flow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples/stack monitoring/inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to the satisfaction of standards prescribed by the Board in accordance with the provisions of Water(Prevention and Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge/emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and/ or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax/speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers, residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as no to cause fugitive emission, dust problem through leaching etc. of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :
 - i. Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii. Controlled incineration, wherever possible in case of combustible organic material.
 - iii. Composting, in case of bio-degradable material.

True copy attested

Tahasildar
Sanakhemundi (Gm.)

P.T.O.



CONSENT ORDER

36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/heirs/legal representative or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under Section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

F. SPECIAL CONDITIONS

A. GENERAL

1. This consent order has been granted based on the sitting clearance obtained from the concerned Collectorate and shall be revoked in case of invalidity of the clearance.
2. The unit shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Odisha vide Ref. No. 137/SEIAA dtd. 21.01.2021.
3. If the Government will take a policy decision to prohibit the establishment/operation of clay brick plants within certain radius of TPP and this unit if comes within such radius then the consent issued to the unit will be revoked.
4. The industry shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use.
5. The Brick kiln shall be converted to zig-zag or vertical method of brick making and shall comply to the new standards as stipulated in this notification.
6. Minimum 25 % of fly ash shall be used in brick molding under the provision of Environment (Protection) Act, 1986.
7. Fly ash shall be used in brick molding in compliance of the notification (as amended) issued under the provision of Environment (Protection) Act, 1986.
8. The unit shall abide by E (P) Act, 1986 and Rules framed there under.
9. Land conversion document for industrial use shall be submitted to the Board
10. The Consent order has been issued without prejudice to any legal dispute arises in future with respect to the ownership of the land and other land disputes.
11. In case of public complaint which is found genuine the unit shall be shifted to a suitable place and fresh consent to establish (NOC) shall be obtained.
12. The unit shall provide lightning arrestor at the top of the chimney.
13. The Board may impose further condition or modify the conditions as stipulated in this order during installation and/or at the time of obtaining consent to operate and may revoke this order in case the stipulated condition are not implemented and/or information is found to have been suppressed/wrongly furnished in the application form.
14. The Unit shall pay the differential fees if any as per the Odisha Gazette Notification dt. 16.07.2012 of Forest and Environment Department, Government of Odisha.

P.T.O.

True copy attested.


 Tahasildar
 Sanakhemundi (Gm.)



15. No further expansion/modernization shall be carried out by the unit without prior approval from the Board.
16. Good housekeeping practice shall be followed to improve the work environment.
17. No production activity shall commence prior to installation of all pollution control measures. In case it is found that the industry is operated without installation of adequate pollution control equipments, direction of closure shall be issued under section 31 A of Air (PCP) Act, 1981 & section 33A of Water (PCP) Act, 1974 without any further notice.

B. WATER POLLUTION

1. Domestic effluent shall be discharged to septic tank followed by soak pit constructed as per BIS specification.
2. In no case waste water of the plant shall be allowed to discharge outside the factory premises.

C. AIR POLLUTION

1. Height of the stack attached to the kiln shall be as per the respective provisions under Schedule-I of the Environment (Protection) Rules, 1986.
2. The unit shall install adequate air pollution control measures so that emission through the stack with respect to particulate matter shall not exceed 250 mg/Nm³
3. Regular dust cleaning shall be carried out within factory premises along with water sprinkling arrangement.
4. Particulate Matter (PM) results shall be normalized at 4% CO, as below:
5. $PM \text{ (normalized)} = PM \text{ (measured)} \times 4\% / \text{measured CO}$, in% Stack height (in metre) shall also be calculated by formula $H=14Q^{0.75}$ (where Q is SO emission rate in kg/hr), and the maximum of two shall apply.
6. All the moving area around the main Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kiln operations.
7. The unit shall provide closed shed/room for storage of Raw Materials.
8. The brick kiln shall use only approved fuel such as coal, fire wood and/or agricultural residues. Use of pet coke shall not be allowed in the Brick kiln.
9. Brick kiln shall construct permanent facility (port hole and platform) as per the norms/design laid down by the CPCB for monitoring of Emissions.
10. The brick kiln shall ensure that the road utilized for transporting raw materials/bricks shall be metaled roads and is dust free.
11. Trucks/Tractors shall be covered during transportation of raw material/bricks.
12. Regular cleaning and wetting of the ground shall be under taken within the premises.
13. The unit shall provide adequate sprinkling system in the premises to avoid fugitive dust emissions. The ambient air quality in the premises shall meet the National Ambient Air Quality Standard.
14. A thick green belt of tall long foliage trees shall be developed along the boundary of the premises.
15. Height of the stack attached to DG Set if any shall be $h+0.2 \sqrt{KVA}$ where h = roof height, where DG set shall be installed and $KVA = \text{Capacity of DG Set in KVA}$.
16. The DG set shall be installed in an acoustically designed enclosure to control noise level as per the E (P) Rules.

P.T.O.

True copy attested,

Tahasildar
Sanakhemundi (Gm.)



(24)
CONSENT ORDER

Page.

D. SOLID & HAZARDOUS WASTE

1. Solid wastes generated from the unit, including ash shall be properly disposed off without causing any environmental nuisance in its surrounding.

The occupier must comply with the conditions stipulated in section A, B, C, D, E and F to keep this consent order valid.

To,

Sri Litu Pradhan, Proprietor
M/s. Maa Manekeswari Brick Industry
At/P.O.-Podamari, Sanakhemundi
Dist. Ganjam, 761014, (Odisha)


07/08/2021
REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA
BERHAMPUR

Memo No. 2478 (B) / Date 07/08/2021

Copy forwarded to:

1. The Member Secretary SPC Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate Ganjam, Chatrapur.
3. The D.F.O., Berhampur.
4. The Asst. Director, Factories & Boiler, Berhampur, Ganjam
5. District Industries Centre, Ganjam, Berhampur.
6. Copy to Guard File


07/08/2021
REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA
BERHAMPUR

True copy attested,


Tahasildar
Sanakhemundi (Gm.)

(25)



CONSENT ORDER

Page. 8

17.	Cadmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Se) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Ni) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride (as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C ₆ H ₅ OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curie/ml. b. Beta emitter micro curie/ml.	10 ⁷ 10 ⁶	10 ⁷ 10 ⁶	10 ⁸ 10 ⁷	10 ⁷ 10 ⁶
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l

P.T.O.

True copy attested.


 Sanakhemundi (Gm.)

(26)



CONSENT ORDER

Page. 7

EFFLUENT QUALITY STANDARDS

ANNEXURE - I

Sl.No.	Parameters	Standards			
		Inland surface	Public sewers	Land for irrigation	Marine Coastal Areas
		(a)	(b)	(c)	(d)
1.	Colour & odour	Colourless/Odourless as far as practicable	-----	See 6 of Annex-1	See 6 of Annex-1
2.	Suspended Solids (mg/l)	100	600	200	For process wastewater - 100 b. For cooling water effluent 10% above total suspended matter of influent.
3.	Particular size of SS	Shall pass 850	-----	-----	
5.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	Shall not exceed 5°C above the receiving water temperature	-----	-----	Shall not exceed 5°C above the receiving water temperature
7.	Oil & Grease mg/l max.	10	20	10	20
8.	Total residual chlorine	1.0	----	-----	1.0
9.	Ammoniacal nitrogen (as N) mg/l max.	50	50	-----	50
10.	Total Kjeldahl nitrogen (as NH ₃) mg/1 max.	100	----	-----	100
11.	Free ammonia (as NH ₃) mg/1 max.	5.0	----	-----	5.0
12.	Biochemical Oxygen Demand (5 days at 20°C) mg/1 max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/1 max.	250	----	-----	250
14.	Arsenic (as As) mg/1 max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg) mg/1 max.	0.01	0.01	-----	0.001
16.	Lead (as Pb) mg/1 max.	01.	1.0	-----	2.0

True copy attested,

P.T.O.


Tahasildar
Sanakhemundi (Gm.)

(27)



CONSENT ORDER

Page. 9

NATIONAL AMBIENT AIR QUALITY STANDARDS

ANNEXURE - II

Sl. No.	Pollutants	Time Weighed Average	Concentrate of Ambient Air		
			Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual * 24 Hours **	40 80	30 80	- Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM ₁₀ µg/m ³	Annual * 24 Hours **	60 100	60 100	-Gravimetric - TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5µm) or PM _{2.5} µg/m ³	Annual * 24 Hours **	40 60	40 60	-Gravimetric - TOEM - Beta Attenuation
5.	Ozone (O ₃) µg/m ³	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m ³	Annual * 24 Hours **	0.50 1.0	0.50 1.0	-AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m ³	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH ₃) µg/m ³	Annual* 24 Hours**	100 400	100 400	-Chemiluminescence - Indophenol Blue Method
9.	Benzene (C ₆ H ₆) µg/m ³	Annual *	05	05	-Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10.	Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³	Annual*	01	01	-Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m ³	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni), ng/m ³	Annual*	20	20	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

** Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

True copy attested.


 Sanakhemundi (Gm.)

(28)

Annexure-IV

MINING PLAN

Submitted Under Rules 28(4) of OMMC 2016

Nuagam Brick Earth Quarry

over an area of 3.330 acres or 1.347ha in Survey Khata No. 127/13 Plot no. 499 & 501 in village Nuagam, Tahasil Sanakhemundi, district Ganjam, State Odisha

(Plan Period - 5 Years)

For & On Behalf Of

Sri Litu Pradhan

Sanakhemundi, District Ganjam, Odisha

Prepared By

Mr. Amarendra Nath

Regd. No. RQP/OD/076/2017

Mineslab Services Pvt. Ltd.

Bima Nagar 1st Line, Near Ambapua, Brahmapur.

Dist: Ganjam. PIN-760010

E.mail- mineslabindia@gmail.com

Website- www.mineslab.com

Phone. - 9776922143/ 9692774430.

APPROVED

28-08-19
Authorised Officer,
Joint Director, Geology,
(S.Z) Berhampur-10

True copy attested.


Tahasildar
Sanakhemundi (Gm.)

(29)

Annexure V



सत्यमेव जयते

**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
ODISHA, BHUBANESWAR**

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2540669, E-mail-seuaairussa@gmail.com

Letter No: LOE/SEIAA

DI: 21.01.2021

File No. SEIAA-631/09-2020

To

Sri. Litu Pradhan,
At/Po-Pudamari,
Dist-Ganjam

Sub: Proposal for mining of brick earth from Nuagam Brick Earth Quarry over an area of 3.33 acres or 1.347 ha at village- Nuagam, Tahasil- Sanakhemundi, District- Ganjam of Sri. Litu Pradhan –Environmental Clearance reg.

Ref: SEIAA Proposal No: SEIAA-631/09-2020 dated 21.09.2020

Sir

This is with reference to the application dated 21.09.2020 for grant of environmental clearance (submitted in the offline mode) for the proposed activities mentioned above.

2. The application has been submitted in the offline mode because it is a case of minor mineral extraction involving area of less than 5ha. (a B2 category project), and there is no provision at present for filing EC application for such cases in the online mode before SEIAA in the PARIVESH portal (the relevant application Form-IM does not appear on the screen of the said portal when EC application is to be filed to SEIAA). The applicant has submitted the application in Form-I, i.e. the Form in which applications for minor mineral projects were being submitted upto the year 2016 before SEIAA. The Form-I does not contain some of the situational information relating to environmental sensitivity, but much of the required information has been submitted by the applicant in the Checklist and also in the PFR. The State Govt. vide their letter no.21253/F&E dated 05.11.2019 have requested the MoEF&CC to make necessary provision in the PARIVESH portal to facilitate filing of environmental clearance applications for minor

1

True copy attested,

Tarasindar
Sanakhemundi (Gm.)

mineral projects before SEIAA in the online mode; but so far the necessary provision has not been given in the said portal.

3. The application in Form-I is supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan and Checklist.

4. The Tahasildar, Sanakhemundi who is the lease granting authority in this case is responsible for monitoring strict compliance by the project proponent with the following conditions of grant of environment clearance.

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

- a. (This is a proposal for mining of brick earth from **Nuagam Brick Earth Quarry** located at **Village- Nuagam, Tahasil-Sanakhemundi, District-Ganjam, Odisha** over lease area of 3.33acres or 1.347ha.
- b. The mine area is a part of the Survey of India Toposheet No. E45A6, E45A7 E45A10, E45A11, bounded by Latitude:19°26'59.43"N to 19°26'54.90"N and Longitude: 84°26'51.81" E to 84°26'56.11" E.
- c. The mining lease is an identified sairat source in the DSR. The Nuagam Brick Earth Quarry sairat source shall be leased out under the OMMC Rules,2016 by Tahasildar, Sanakhemundi to the project proponent for a lease period of 5 years.
- d. The mining plan of the mining project has been approved by Joint Director of Geology,(S.Z),Berhampur on 28.08.2019.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 15780 cum of brick earth upto a depth of 2.0 meter.
- f. The project proponent has not furnished the alignment of the extraction path for brick earth transportation. The village road is at a distance of 0.11Km 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. The Tahasildar have certified on dated 07.09.2020 has submitted that the proposed quarry is situated on non-forest land, even after verification of the DLC report.
- i. As per the approved mining plan, it is observed that brick earth from the quarry will be extracted by manual method with annual extraction of brick earth not

True copy attested.




Tahasildar
Sanakhemundi (Gm.)

(31)

exceeding 3156 cum (maximum production capacity) during the valid lease period.

6. 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).

7. The proposal is duly appraised by the SEAC in its meeting held on 21.10.2020 and 16.12.2020. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 765/SEAC-Misc-02 dated 17.12.2020.

8. The Environmental Clearance is accordingly granted to the proposed activity of brick earth mining / quarrying which 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.

9. Stipulated Conditions:

- 9.1 The digging shall be upto a maximum depth of 2.0 meter so that the site is not rendered devoid of soil and absolutely unproductive and barren. After excavation necessary reclamation measure such as vermiculture, planting of grass and herbs and shrubs should be carried out at the site. Proper fencing of the area shall be done after the quarrying is over.
- 9.2 Annual extraction (maximum) of brick earth **shall not exceed 3156 cum** for the lease period and the total extraction from the quarry shall be 15780 cum during the valid lease period of five years.
- 9.3 All types of vehicular movement carrying minor minerals and plying through Wild Life habitat area be permitted during day time only (From dawn to dusk) and no harm shall be caused to Wild Life habitat such as black bucks, peacock, etc.
- 9.4 Proper barricading with barbed wire and green hedges around the leased out area shall be maintained to prevent movement of animals.
- 9.5 Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA.
- 9.6 The activity associated with borrowing /excavation of 'brick earth' and 'Brick earth' for purpose of brick manufacturing, construction of roads, embankments etc. shall not involve blasting, or use of any explosive.
- 9.7 The borrowing /excavation activity shall be restricted to a maximum depth of 2.0 m below general ground level at the site, and shall not go to a level below 2m above the ground water table at the site during rainy season.
- 9.8 The borrowing /excavation activity shall not alter the natural drainage pattern of the area.
- 9.9 Pursuant to MoEF & CC, O.M No 22-34/2018-1A.111dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No. 114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining



True copy attested.


Tahasildar
Sanakhemundi (Gm.)

(32)

- activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
- 9.10 Appropriate fencing all around the borrowed /excavated pit shall be made to prevent any mishap.
- 9.11 Measures shall be taken to prevent dust emission by covering of borrowed /excavated earth during transportation.
- 9.12 Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing /excavation of earth.
- 9.13 Workers/labourers shall be provided with facilities for drinking water and sanitation.
- 9.14 A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
- 9.15 A minimum distance of 15m from any civil structure shall be kept from the periphery of any excavation area.
- 9.16 Any change in the plan of operations and calendar of operations is not permissible.
- 9.17 Any change in the calendar plan of activity, change in production quantity or method of mining shall not be made without prior approval of the SEIAA.
- 9.18 No mining shall be carried out in the vicinity of natural /manmade archeological sites.
- 9.19 It shall be ensured that quarrying shall not be carried out below the level of 2 m above ground water table under any circumstances. If ground water table occurs within 3.5m depth from the ground level, then also quarrying shall be stopped.
- 9.20 The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (surface water and groundwater), if any, required for the project.
- 9.21 The project proponent shall take all precautionary measures during mining operation for conservation of flora and fauna. The PP shall plant and nurse a minimum of 100 number of saplings of native species along the approach roads, safety zone of lease area and in community areas in consultation with the Gram Panchayat.
- 9.22 Fugitive dust emissions from all the sources should be controlled regularly.
- 9.23 Water spraying arrangement on haul roads, should be provided and properly maintained.
- 9.24 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 between 6AM to 6PM(dawn to dusk). Speed of vehicle be regulated and in no case >30 Kms / hr be allowed. Sinages at each 1 km interval on each road used for transportation be displayed for massive awareness of public as well as drivers.
- 9.25 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and

True copy attested.

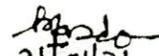


Tahasildar
Sanakhemundi (Gm.)

(33)

alter /modify the above conditions or stipulate any further condition in the interest of environment protection.

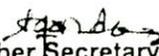
- 9.38 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 9.39 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environmental clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.40 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
- 9.41 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 9.42 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.


21/01/21
Member Secretary

Memo No. 138/SEIAA /Dt. 21.01.2021

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. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
4. Deputy Secretary, MM&S Branch of Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
5. Collector, Ganjam, Chatrapur / Sub Collector, Chatrapur/Tahasildar, Sanakhemundi for Information and necessary action.
6. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
7. Guard file for record.


Member Secretary | 21/01/21

6

True copy attested,


Tahasildar
Sanakhemundi (Gm.)

63201138

GOVT. OF ODISHA

SR. DIGAPAHANDI

GANJAM

LICENSE NO. GJM/FRA905

(34)



STAMP DUTY 000000
Rs. ≈ 0015150 ≈ 25.3.2022
365527
INDIA

0001 A renewed-VI
NON JUDICIAL
ODISHA
1150 62196

25/3/22
Sub-Registrar
DIGAPAHANDI
Proper Officer

E.Registration I.D.No. 632201138

E.Registration Document No. 10632201139

E.Registration Volume No. 23

Date of Registration. 25.3.2022

Fees Paid

A(1), Ps. 6052.00

A 20- R-

D DLR

(3)- Rs

6052.00

MC Rs 265.00

Rs 6317.00

Stamp
157/50/1



Registering Officer
Digapahandi
Dist-Ganjam

✓ Litu pradhan

FORM-N
FROM OF BRICK EARTH
SEERULE 27 (13)

THIS INDENTURE is made this 25th day of MARCH 2022 between the Tahasildar Sankhemundi the competent Authority on behalf of Governor of ODISHA, in the District of Ganjam (hereinafter called the "Lessor"), of the one part.

AND

Sri Litu Pradhan, aged 43 years S/o-Bhaskar Pradhan, M/s Nuagam BRICKS earth Quarry, At/Po Pudamari, P.S, Pattapur Dist Ganjam Pin-761014, by Cast Kurma profession business (hereinafter called the "Lessee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, Aadhar Card No-530073296952, Mob no-9937713092, Pan No-CWIPP3752Q.

Tahasildar
Sankhemundi (Gm.)

True copy attested

Tahasildar
Sanakhemundi (Gm.)

✓ Litu pradhan

(35)

1150.6219496

Date.....25-02-2022.....

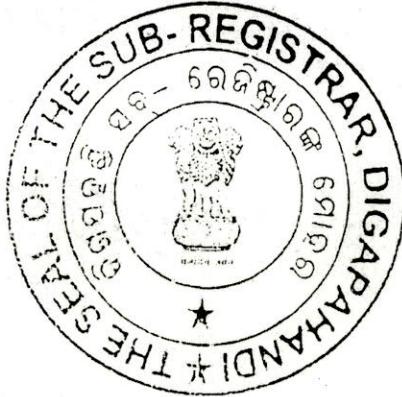
Rupees.....15750/- (Rupees Fifteen thousand one hundred fifty only)

Name.....Litu Pradhan

Village.....Pachamara

[Signature]
Franking Clerk
Digapahandi

✓ Litu pradhan



[Signature]
25/2
Registrar Officer
Digapahandi

True Copy attested.

[Signature]
Tahasildar
Sanakhemundi (Gm.)

(36)

2

So as per section 43(2) of OMMC Rules 2016, the date of commencement of the period for which a quarry lease is granted shall be date on which a duly executed deed is registered. Thus the date of grant i.e. on 23.03.2022 is the date of commencement of the period as per the above provision of OMMC Rules, 2016 unless subsequently modified by the Govt. Thus the year 2021-22 to be treated as 1st year, 2021-22 as 2nd year, 2022-23 as 3rd year, 2023-24 as 4th year and 2024-25 of the period of agreement.

SL No of Year	Year as per Mining plan	Actually, the lease has granted to operate the quarry as per agreement	Quantity of MGQ of Brick earth to be extracted by the lessee (in cum)
1 st Year	2021-22	2021-22	1772
2 nd Year	2022-23	2022-23	1772
3 rd Year	2023-24	2023-24	1772
4 th Year	2024-25	2024-25	1772

And Whereas the Competent Authority has communicated his approval to Order No-SEIAA-137 date 21.01.2021 to the grant of lease on the terms, covenants and conditions hereinafter contained.

NOW THIS INDENTURE witness as follows:- The Competent Authority (Less or) hereby demises to the lease holder (Lessee) the land described here under written and delineated in the map here unto annexed. The said demised pieces of land shall be held by the lease holder (Lessee) for a term of 4 (Four) years 2021-2022 (01.01.2022 to 31.03.2022), 2021-22, 2022-23, 2023-24 and 2024-25 (dt.01.04.2024 to 31.12.2024) from the date on which this executed deed is registered under Indian Registration Act, ODISHA Registration Manual and Stamp Act, subject to the terms, covenants, conditions here in after provided.

IN WITNESS WHEREOF these presents have been executed in manner hereunder appearing the day and year first above written.

The schedule above referred to


24/03/22
Tahasildar
Sanakhemundi (Gm.)

True Copy attested,



Tahasildar
Sanakhemundi (Gm.)

So as per section 43(2) of OMMC Rules 2016, the date of commencement of the period for which a quarry lease is granted shall be date on which a duly executed deed is registered. Thus the date of grant i.e. on 23.03.2022 is the date of commencement of the period as per the above provision of OMMC Rules, 2016 unless subsequently modified by the Govt. Thus the year 2021-22 to be treated as 1st year, 2021-22 as 2nd year, 2022-23 as 3rd year, 2023-24 as 4th year and 2024-25 of the period of agreement.

SL No of Year	Year as per Mining plan	Actually, the lease has granted to operate the quarry as per agreement	Quantity of MGQ of Brick earth to be extracted by the lessee (in cum)
1 st Year	2021-22	2021-22	1772
2 nd Year	2022-23	2022-23	1772
3 rd Year	2023-24	2023-24	1772
4 th Year	2024-25	2024-25	1772

And Whereas the Competent Authority has communicated his approval to Order No-SEIAA-137 date 21.01.2021 to the grant of lease on the terms, covenants and conditions hereinafter contained.

NOW THIS INDENTURE witness as follows:- The Competent Authority (Less or) hereby demises to the lease holder (Lessee) the land described here under written and delineated in the map here unto annexed. The said demised pieces of land shall be held by the lease holder (Lessee) for a term of 4 (Four) years 2021-2022 (01.01.2022 to 31.03.2022), 2021-22, 2022-23, 2023-24 and 2024-25 (dt.01.04.2024 to 31.12.2024) from the date on which this executed deed is registered under Indian Registration Act, ODISHA Registration Manual and Stamp Act, subject to the terms, covenants, conditions here in after provided.

IN WITNESS WHEREOF these presents have been executed in manner hereunder appearing the day and year first above written.

The schedule above referred to


24/03/22
Tahasildar
Sanakhemundi (Gm.)

litipram
True copy attested


Tahasildar
Sanakhemundi (Gm.)

PART-I

Location and area of the lease

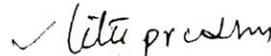
Mouza	P.S. No.	Khata No.	Plot No.	Area	Kisam
Nuagam	14	127/100 (127/13)	499 501	AC.1.670 DECMIL AC.1.660 DECMIL Total area of Two plots is Extend Ac 3.330 deci or 1.347 Ha	PADAR

PART-II

TERM & CONDITIONS

1. This Lease agreement is not transferable.
2. The Minor Mineral other than for which the lease is confirmed shall not be removed from the lease area.
3. The Lessee shall pay total Rs.12, 10, 332/- Twelve Laks Ten Thousand Three Hundred Thirty Two Rupees only for the entire lessee period (Four years).
1) Rs 3, 02, 583/- (Rupees Three Lakh Two Thousand Five hundred Eighty Three Rupees) only for the each year from 2021-2022 to 2024-2025 Towards royalty. The amount payable is subjected to any modification by the Government and shall be paid within a fortnight of the beginning of the year by the lessee. Besides, he shall also pay other dues as per the existing provision of the Government. Besides this the lessee shall pay the following amount:-


24/8/21
Tahasildar
Sanakhemundi (Gm.)



True copy attested



Tahasildar
Sanakhemundi (Gm.)

(39)

4

As per plan annexed and bounded

Full Plot boundary not required

On East-

On West-

On South-

On North-

Hereinafter called as "Said land"

1. Sairat Case Record No-

OMMC NO - 08 /2020-21

2. Name of the Quarry

: Mining operation of Brick Earth in

Mouza NUAGAN

3. Lease Period

: 2021-22 to 2024-25

4. Agreement Period

: 2021-22 to 2024-225

Year	Name of the source	Area(HC)	MGQ (cum)	Royalty @35.00	Add.Pric e@70.00	Total Royalty in Rs.	Surfa ce Rent	EMF	DMF	IT and Surcharge	Water Tax 4200/1 Lakh	Total
1	Nuagan	1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
2		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
3		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
4		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
TOTAL						7,44,240	1940	37,312	74,424	16,416	336,000	12,10,332

5. The proposed activates in a nut shell are as follows:-

- This is a proposal for mining of brick earth from **Nuagam** Brick Earth Quarry located at Villege- **Nuagam** , Tahasil- Sankhemundi, District-Ganjam, Odisha over lease area of 3.33 acres or 1.347 ha.
- The mine lease area is apart of the survey of India Top sheet No. E45A6, E45A7 E45A10 E45A11, bounded by Latitude: 19 25'59"43N to 19 26'54.90"N and Longitude: 84 26'51.81"E to 84 26'56.11"E.
- The mining lease is an identified sairat source in the DSR the Nuagam Brick Earth Quarry source will be leased out under the OMMC Rules, 2016 by Tahasildar Sankhemundi for a lease period of 4 years.
- the mining plan of the mining project has been approved by Deputy Director Geology ,(S.Z) Berhampur on 29.08.2019.

[Signature]
Tahasildar
Sankhemundi (Gm.)

[Signature]
True copy attested,

[Signature]

Tahasildar
Sanakhemundi (Gm.)

- e. As per the approved mining plan submitted by project proponent, it is observed that mine able reserves in the lease area are 7088 cum and brick earth up to a depth of 2.0 meter.
- f. The project proponent has not furnished the alignment of the extraction path for brick earth transportation the village road is a distance of 0.05 KM from the mining lease area.
- g. The cluster certificate has been furnished by the Tahasiladar certifying that there is no other mine located within 500 meters from the periphery of the proposed mine lease area. as reported by the Tahasiladar this source is not a part of any cluster.
- h. The Tahasildar have certified on dated 07.09.2020 has submitted that the proposed quarry is situated on non-forest land, even after verification of the DLC report.
- i. As the approved mining plan is observed that brick earth from the quarry will be extracted by manual method with annual extraction of brick earth not exceeding 1772 cum (maximum production capacity) during the veiled lease period.
6. 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).
7. The proposal is dually appraised by the SEAC in its meeting held on 21.10.2020 and 16.12.2020 the SEAC has submitted the appraisal report and recommended for grant of EC vide their letter no.765/SEAC-Misc-02 dated 17.12.2020
8. The Environmental Clearance is accordingly granted to the proposed activity of brick earth mining /quarrying which 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.


24/09/20
Tahasildar
Sanakhemundi (Gm.)


Lessee

True copy attested,


Tahasildar
Sanakhemundi (Gm.)

(41)

6

Year	Name of the source	Area(HC)	MGQ (cum)	Royalty @35.00	Addl.Pric e@70.00	Total Royalty in Rs.	Surfa ce Rent	EMF	DMF	IT and Surcharge	Water Tax 4200/1 Lakh	Total
1	Nuagan	1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
2		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
3		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
4		1.347	1772	62,020	124,040	186,060	485	9,328	18,606	4,104	84,000	302,583
						TOTAL	7,44,240	1940	37,312	74,424	16,416	336,000

(The agreement period is as per section 43(2) of OMMC Rules, 2016)

Stipulated Conditions:-

1. The digging shall be up to a maximum depth of 2.0 meter so that site is not rendered devoid of soil and absolutely unproductive and barren after excavation necessary reclamation measure such as vermiculture, planting of grass and herbs and shrubs should be carried out at the site. Proper fencing of the area shall be done after the quarrying is over.
2. Annual extraction of brick earth shall not exceed 1772 cum for the lease period, and the total extraction from the quarry shall be 7088 cum during the valid lease period of five years.
3. Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA.


24/02/22
Tahasildar
Sanakhemundi (Gm.)

With previous

True copy attested.


Tahasildar
Sanakhemundi (Gm.)

(92)

7

4. The activity associated with borrowing/excavation of "brick earth" and "brick earth" for purpose of brick manufacturing construction of roads, embankments etc. shall not involve blasting or use of any explosive.
5. The borrowing /excavation activity shall be restricted to a maximum depth of 2.0 m below general ground level at the site, and shall not go to a level below 2m above the ground water table at the site during rainy season.
6. The borrowing /excavation activity shall not alter the natural drainage pattern of the area.
7. Perusal to Mo Ef & CC, O. M No 22-34/2018- 1A .11 dated 16.01.2020 to comply with the direction made by Honble Supreme Court on 8.01.2020 in W.P. (Civil) No.114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activity and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
8. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
9. Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
10. Safeguard shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing /excavation of earth.
11. Workers/laborers shall be provided with facilities for drinking water and sanitation.
12. A beam shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
13. A minimum distance of 15m from any civil structure shall be kept from the periphery of any excavation area.
14. Any change in the plan of operations and calendar of operation is not permissible.


24/03/22
Tahasildar
Sanakhemundi (Gm.)



True copy attested.


Tahasildar
Sanakhemundi (Gm.)

15. Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA.
16. No mining shall be carried out in the vicinity of natural /manmade archeological sites.
17. It shall be ensured that quarrying shall not be carried out below the level of 2 m above ground water table under any circumstances .if ground water table occurs within 3.5m depth from the ground level, and then also quarrying shall be stopped.
18. The project proponent shall obtain necessary prior permission of the competent authorities for draw of requisite quantity of water (surface water and groundwater) if any required for the project.
19. The project proponent shall take all precautionary measures during mining operation for conservation of flora and fauna. The PP shall plant and nurse minimum of 100 number of sapling of native species along the approach roads, safety zone of lease area and in community areas in consultation with the Gram Panchyat.
20. Fugitive dust emissions from all the spruces should be controlled regularly.
21. Water spraying arrangement on haul roads, should be provided and properly maintained.
22. 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, the vehicle s shall not be overloaded and shall reconverted with tarpaulin.
23. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
24. The proponent shall take necessary measures to ensure no adverse impacts due to mining operations on the human habitation existing nearby.


Tahasildar
Sanakhemundi (Gm.)

One copy attached,


Tahasildar
Sanakhemundi (Gm.)

25. Waste oils, used oils generated from machinery/equipment, mining operations. if any shall be disposed as per the Hazardous Wastes (Management .Handling and trans-boundary movement) Rules 2008 and its amendments thereof the recyclers authorized by SPCB, odisha.
26. Environmental Management plan (EMP) shall be implemented by PP to ensure compliance with the environmental condition specified above the years 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 six monthly compliance report.
27. The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation if any, existing nearby.
28. it shall be mandatory for the project management to submit six (06) monthly compliance reports on the project management 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 January ,April ,July ,October and 1st December of each calendar years, failing which EC is liable to be revoked.
29. At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closely of the quarry.
30. The conditions stipulated in the environmental clearance will be closely monitored on the ground by the competent authority, i.e. the Tahasildar, who shall insist on project proponent to submit half yearly compliance reports.
31. The concerned Regional Office of the MoEF &CC /SPCB, odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project the project authorities should extend full cooperation to the MoEF &CC officer(s)/SPCB officer(s) by furnishing the requisite data/information/monitoring report.


24/03/22
Tahasildar
Sanakhemundi (Gm.)

True Copy attested.


Tahasildar
Sanakhemundi (Gm.)

Uti prasad

32. A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchyat /Panchyat Samiti/ ZilaParisad/Municipal Corporation /Urban Local Body as the case may be.
33. Project proponent shall obtain Consent to Operation from the OSPCB and effectively implement all the conditions stipulated therein, the mining activity shall not commence prior to obtaining Consent /Consent to Operate from the State Pollution Control Board.
34. The SEIAA, odisha may revoke or suspend the order, 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.
35. The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. in case there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provision of the Para 11 of EIA Notification, 2006 as amended from time to time.
36. Concealing any factual information or submission of false/fabricate data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance besides attracting penal provision in the Environment (Protection) Act 1986.
37. The above conditions will be enforced inter-alia, under the provisions of the water (pollution & 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 Honorable Supreme Court of India/High Court and any other Court of Law relating to the subject matter.

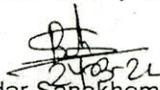

24/3/22
Tahasildar
Sanakhemundi (Gm.)

Utu pr...

True copy attested,


Tahasildar
Sanakhemundi (Gm.)

- 38. This Environmental Clearance (EC) is subject to orders/judgment of Hon"ble Supreme Court of India Hon" ble High Court, Hon" ble NGT and any other Court of Law ,common Cause Condition as may be applicable .
- 39. Any appeal against this environmental clearance shall lie with the National Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act,2010.
- 40. +The lessee is liable to pay the revised rate of MGQ, royalty ,Surface rent, EMF,DMF,IT and surcharge, water tax ,compensatory a forestation fees if revised by the lesser i.e. the competent authority cum Tahasildar from time to time Less or reserves the right to modify the order at any time during the agreement period.


Signed by Tahasildar Sanakhemundi

Signed by

Tahasildar
~~Sanakhemundi (Gm.)~~

For and on behalf of the Governor of ODISHA in the presence of

- 1. Chitosen Sabar. Rev. Sup Skd.
- 2. Hariprasad Mahapatra S.A Sanakhemundi Tahasildar.

Signed by

Lessee in the presence of

- 1. Sunil Kumar Nayak S/O Bijayaku Nayak S/O Mr. Mahapatra
- 2. Deepak Kumar Sahu - S/O Anantarami Sahu (Pudamari)

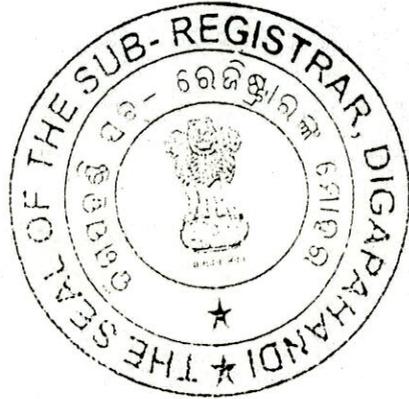
Drafted and Computerized by:- Tukuna Pradhan, Adv, Enrolement No-O-1001/2010

Uti pradhan

True Copy attested.


Tahasildar
Sanakhemundi (Gm.)

47



E.Registration I.D.No 32201138
E.Registration on Docu No. 10633201139
E.Registration Volume No. 23
Date of Registration 25.3.2022

True copy attested

Tahasildar
Sanakhemundi (Gm.)

Registering Officer
L. ...
Dist. Ganjam

(48)

Annexure VII
37

OFFICE OF THE REVENUE INSPECTOR, PUDAMARI

Letter No. 169/2022 Date: 22.09.2022

To

The Tahasildar,
Sanakhemundi, Ganjam .

Sub: Inquiry report on petition of Sri Papun Kumar Sahoo regarding M/S Manikeswari
Brick Industry at Nuagaon
Ref: Letter No. 3809 dated on 27.07.2022 of your good office.

Sir,

In obedience to the reference and subject cited supra I am to report you that on my field verification, it is found that, the M/S Manikeswari Brick Industry – Chimney unit stands on Plot No. 823/1189 under Khata No. - 127/81 of extent Ac 0.405 in Nuagaon Mouza having Kissam – Gharbari. At present the Chimney unit is **Not Functioning**.

The Plot No. 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820 of Mouza - Nuagaon are classified as **Padar** under Khata No. – 127/102 of Nuagaon Mouza.

It may kindly be mentioned that on Plot No. – 810 one house is under construction. There are about 250,000 **old bricks** stacked on Plot No. 823, 814 and 815. Sri Litu Pradhan has produced 2 MRs such as No. 1094605 and 1092000 amounting to Rs. 131,452.00 and Rs. 40,000.00 respectively which has been realized from him vide CCMC No. 157/2020 (OPDR Brick). This CCMC No. 157/2020 has been instituted by the Certificate Officer, Office of the Sub – Collector, Berhampur by the order of Honorable NGT is some previous case.

Plot No. - 821, kissam - Rasta are encroachment free.

Plot No. - 824, Kissam - Patita is encroachment free.

However it is to report Your Excellency that the **above plots are belong to class - IV lands** having **Kissam – Padar** which is generally not suitable for agricultural purposes unless heavy irrigation is provided.

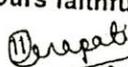
This is for favour of your information.

Enclosure: Geo-tag photo and a copy of MR

True copy attached


Tahasildar
Sanakhemundi (Gm.)

Yours faithfully,


22.09.22
Revenue Inspector
Pudamari (Gm.)

49

Annexure - VIII

KHATIYAN

Mouza : Nuagam

Tahasil : Sanakhemundi

P. S : Patapur

Tahasil No : 14

P. S No : 14

District : Ganjam

Recorded Tenant and Khatian Sl. No.	ODISHA GOVERNMENT 1
-------------------------------------	---------------------

1) Khatiyani Sl. No.	127/102
----------------------	---------

2) Tenant Name, Fathers Name, Caste and Residence	Litu Pradhan, S/o- Bhaskar Pradhan, Caste – Kurum, Village - Podamari
---	---

3) Status	Rayati (Private land)
-----------	-----------------------

4) Payment	Water Tax	Land Revenue	Cess	Nistar cess and If any cess	Total	5) Cumulative Land Revenue Schedule
			306.00	230.00	0.00	

6) Special accessory if any	As per order in Mutation case No.2430/2021 receipt from old Khata No.127/26. As per OLR – 8 (A) Case No.3560/2022 Plot No.820, 818, 817, 816, 815, 814, 811 and 810 was converted in Gharabari status and revised the land Revenue.
-----------------------------	---

BLANK SPACE FOR STAMPING

Last date of publication of RoR :

Land Revenue fixed date :

True copy attested

Tahasildar
Sanakhemundi (Gm.)

(5)

Sl. No. of Khatiyon : 127/102		Mouza : Nuagam				District : Ganjam
Plot No. and name of Chaka	Kissam and rent of plot	Kissam details and boundary	Area			Remarks
			Ac.	Dc.	Hect.	
7	8	9	1	0	11	12
819	Padar		0	340	0.1376	
813	Padar		0	240	0.0971	
812	Padar		0	140	0.0567	
820	Gharabari (Homestead land)		0	340	0.1376	
818	Gharabari (Homestead land)		0	100	0.0405	
817	Gharabari (Homestead land)		0	100	0.0405	
816	Gharabari (Homestead land)		0	070	0.0283	
815	Gharabari (Homestead land)		0	060	0.0243	
814	Gharabari (Homestead land)		0	120	0.0486	
811	Gharabari (Homestead land)		0	100	0.0405	
810	Gharabari (Homestead land)		0	130	0.0526	
11 plots			1	740	0.7043	

True copy attested,



Tahasildar
Sanakhemundi (Gm.)

(51)

KHATIYAN

Mouza : Nuagam
P. S : Patapur
P. S No : 14

Tahasil : Sanakhemundi
Tahasil No : 14
District : Ganjam

Recorded Tenant and Khatian Sl. No.	ODISHA GOVERNMENT 1					
1) Khatiyani Sl. No.	127/8					
2) Tenant Name, Fathers Name, Caste and Residence	Bhaskar Pradhan, S/o- Narsingha Pradhan, Caste – Kurum, Village - Podamari					
3) Status	Rayati (Private land)					
4) Payment	Water Tax	Land Revenue	Cess	Nistar cess and If any cess	Total	5) Cumulative Land Revenue Schedule
		600.00	450.00	0.00	1050.00	
6) Special accessory if any	As per OLR – 8 (A) Case No.3511/2022 Plot No.823 Ac.2.000 was converted in Gharabari status					

BLANK SPACE FOR STAMPING

Last date of publication of RoR :
Land Revenue fixed date :

True copy attested,



Tahasildar
Sanakhemundi (Gm.)

(S2)

Sl. No. of Khatiyani : 127/8		Mouza : Nuagam				District : Ganjam	
Plot No. and name of Chaka	Kissam and rent of plot	Kissam details and boundary	Area			Remarks	
			Ac.	Dc.	Hect.		
7	8	9	1	0	11	12	
823	Gharabari (Homestead Land)	N: Road S: Mouza Samantarapur	2	000	0.8094	As per mutation case No-2405/2001 brought from khata No.74 . As per OLR - 8 (A) No.141/16 Ac.0.405 converted Gharabari and created new Khatiyani 127/81.	
1 Plot			2	000	0.8094		

True copy attested.



Tahasildar
Sanakhemundi (Gm.)

(53)

Annexure IX

To

The Regional Officer
State Pollution Control Board, Odisha
Berhampur, Ganjam

Sub: Submission of Online Application of NUAGAM BRICK EARTH QUARRY
At/Po: Pudamari, Tahsil: Sanakhemundi
Dist-Ganjam, Odisha, PIN: 761014

Sir,

With due respect, I am Submitting the online application & Deposit Payment Receipt for consideration application form.

This is for kind your information accept my application form and processing.

Litu Pradhan
Yours faithfully,

Copy Enclosed:

1. CTE online application form
2. CTO online application form
3. Payment Receipt
4. Lease Agreement
5. EC
6. Mining Plan



~~DATE~~
~~19/10/22~~
AKSJA
14/10/22

True copy attested,

Tahasildar
Sanakhemundi (Gm.)

(54)

State Pollution Control Board, Odisha
Bhubaneswar

Receipt No.	473420913
Depositor Name	SRI LITU PRADHAN
Money Receipt Number	33356
Bank Name.	State Bank of India
Bank Id.	530
Application No.	4345981
Name and Address of Industry	NUAGAM BRICK EARTH QUARRY, AT. NUAGAM, TAHASIL- SANAKHEMUNDI, Sanakhemundi N, Ganjam
Name of Regional Office	HO
Applied For	CTO - AIR+WATER+ADDSHEET - NEW
Payment Type	NORMAL
Payment Date	11-10-2022
Consent Fee	From : 01-04-2022 To : 31-03-2025
Payment Details	
Financial Year	2022 - 2023
CTO (Rs.)	4500.0
Financial Year	2023 - 2024
CTO (Rs.)	4500.0
Financial Year	2024 - 2025
CTO (Rs.)	4500.0
Total Amount Paid (Rs.)	13500
In Words.	Thirteen Thousand Five Hundred
Transaction Status	Successfully Completed

Four copy attached,



Tahasildar
Sanakhemundi (Gm.)

(SS)

Untitled Document

1/22/2022 08 PM

State Pollution Control Board, Odisha
Bhubaneswar

Receipt No.	991162294
Depositor Name	SRI LITU PRADHAN
Money Receipt Number	33332
Bank Name.	State Bank of India
Bank Id.	530
Application No.	4345958
Name and Address of Industry	NUAGAM BRICK EARTH QUARRY, AT. NUAGAM, TAHASIL- SANAKHEMUNDI, Sanakhemundi N, Ganjam
Name of Regional Office	HO
Applied For	CTE - BOTHMINE - NEW
Payment Type	NORMAL
Payment Date	11-10-2022
Consent Fee	From : 11-10-2022 To : 11-10-2022
Payment Details	
CTE (Rs.)	6000.0
Total Amount Paid (Rs.)	6000
In Words.	Six Thousand
Transaction Status	Successfully Completed

True copy attested.

Tahasildar
Sanakhemundi (Gm.)