



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ODISHA

{ Constituted vide order No. S.O. 1899 (E) Date 17th August, 2012

Ministry of Environment & Forest, Govt. of India, Under Environment Protection Act, 1986.)

Qr. No. 5RF-2/1, Unit - IX, Bhubaneswar - 751022

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Ref. No. 3212/SEIAA

Dt. 14.05.15

From

Shri S.B. Samant, IFS
Member Secretary,
State Environment Impact Assessment Authority, (SEIAA) Odisha,
Bhubaneswar

To

Sri J.N Patnaik, Mines Owner
M/s Bhanjapali Iron Ore Mines
Baneikela, Joda
Dist-Keonjhar-758038

Sub: Enhancement of production of Iron Ore upto 260000 TPA of M/s Bhanjapali Iron Ore Mines, At-Bhanjapali, Koira Bonai, Dist-Sundargarh of Sri J.N. Patnaik.- Environmental Clearance regarding

Sir,

This has reference to your application no. 269/JNP/10-11 dated 18.11.2010 and subsequent letters no. 62/JNP/11-12 dated 26.06.2011, no. 63/JNP/11-12 dated 20.07.2011, no. 49/JNP/2012-13 dated 24.05.2012, no. 148/JNP/12-13 dated 11.10.2012, no. JNP/SEIAA/12-13/235 dated 18.01.2013, no. 114/JNP/2013-14 dated 29.11.2013, no. JNP/03/2014-15 dated 03.04.2014, no. 73/JNP/2014-15 dated 30.10.2014, no. 77/JNP/2014-15 dated 04.11.2014, no. 112/JNP/14-15 dated 24.12.2014, no. 120/JNP/14-15 dated 27.01.2015 and no. nil dated 23.04.2015 giving clarifications on the subject mentioned above seeking environmental clearance for the above project under EIA Notification 2006. The proposal has been appraised as per the provisions under the EIA Notification 2006 and on the basis of the documents enclosed with the application and clarifications furnished in response to the observations of the State Expert Appraisal Committee, and State Environment Impact Assessment Authority, Odisha.

The mining proposal is for enhancement of production capacity of Iron ore from 55,994 TPA to 2,60,000 TPA. The mining lease area is 18 ha. Out of total mining lease area, 12.565 ha is DLC forest and the rest is non forest land. The present lease was granted to Sri. J. N. Patnaik on 29.02.1996 for a period of

30 years. The mining operation commenced on 01.10.1997. The mine working will be opencast semi mechanized involving drilling, blasting, excavation and transportation. The water requirement is 80 KLD and the source of water is groundwater. The mining method will be open cast semi-mechanized mines with crushing unit (30 TPH) and screening unit (150 & 200 TPH). Life of the mine is 14 years. TOR was given by SEAC vide letter NO. 116 dt. 29.9.09. The public hearing was conducted on 15.10.2010. The proposal was placed in the SEAC meeting held on 9th & 10th February, 2011 and the committee opined that the proposal might be recommended for grant of EC. But, in the mean time the MoEF, Govt. of India has issued a circular No. J-11015/200/2008-IA.II (M) dt. 31.03.11 for consideration of projects for grant of environmental clearance under EIA Notification, 2006 which involve forestland. The circular stipulates that the EC will be considered only after receipt of the stage-1 forest clearance for the forestland involved in the project. Accordingly the proponent was asked to furnish the copy of Stage-I Forest Clearance. The proponent also intimated that there is litigation pending in the court regarding involvement of DLC forest land in the ML area.”

The matter was again discussed in the SEAC meeting held on 20th & 21st May, 2011. The SEAC vide letter no 401 dt.04.06.2011 communicated to the SEIAA, Odisha to seek a clarification from Forest Department about the involvement of forest land in mining lease area of the mine and its Stage-I forest clearance status. The SEIAA, Orissa vide letter No. 313 dt.21.06.2011 sought clarification on the above matter from the Special Secretary to Govt of Forest and Environment Department, Govt of Odisha. The Special Secretary to Govt , F & Env. Deptt. vide their letter no 12724 dt.14.07.2011 intimated that “the matter of involving DLC land in Bhanjapali-Koira Mining Lease area of Sri J.N.Pattnaik in Sundergarh district is said to be sub-judice. In view of the legal disputes involved, the forest diversion proposal filed by the user agency with the Chief Conservator of Forests(Nodal) might not have progressed as well. Hence, Stage-I forest clearance for this mining project under the Forest Conservation Act,1980 has no relevance at this point of time.” The said clarification was sent to SEAC vide SEIAA letter no.426 dt.08.08.2011.

Further, the Director, Environment-cum-Special Secretary to Govt., F & E Dept communicated to SEIAA vide letter no.18292 dt. 12.10.2011 and informed that “since the lease is subsisting and NPV for the entire forest land has been deposited by the lease, there is no objection regarding working a broken up DLC land of the lease as per the CEC recommendation to the apex court thereon. However, the diversion proposal pending at the level of DFO, Bonai shall be expedited for clearance under F.C. Act. Therefore in view of the above mentioned fact there is no objection regarding forest point of view in according EC for production of iron ore from broken up DLC land of lease.”

The said letter was also communicated to SEAC vide SEIAA letter no. 529 dt.20.10.2011 for their views. The SEAC vide their letter no.827 dt.01.11.2011 has



recommended that a decision for grant of EC for the proposal in consultation with the Forest & Environment Deptt. Govt. of Odisha as the case stands recommended by the SEAC on merit.

Since, the tenure of the SEIAA and SEAC expired by that time decision for grant of EC by the SEIAA could not be taken. The proponent vide letter no: 114/JNP/2013-14 dt 29.11.2013 made a request to the SEIAA to consider their case for grant of EC as per the clarification issued in letter no. 18292 dt.12.10.2011 of the Forest & Environment Deptt, Govt. of Odisha that” Since the lease is subsisting and NPV for the entire forest land has been deposited by the lease, there is no objection regarding working in broken up DLC land of the lease as per the CEC recommendation to the Apex Court there on”. The SEIAA vide letter no 8739 dt. 19.12.2013 referred the matter to the SEAC and requested to examine the proposal from all angle and give specific recommendation on the proposal.

The SEAC examined the proposal in its meeting held on 04.01.2014 and communicated its decision. The SEAC further intimated SEIAA vide its letter no 061 dt.13.01.2014 that “Since the lease is subsisting and NPV for the entire broken up DLC land deposited the SEIAA may consider grant of environmental clearance for the proposal with stipulated conditions as recommended in SEAC meeting held on 21.09.2011 without insisting for Stage-I forest clearance.”

Considering the information/documents furnished and additional clarifications provided during presentation made by the consultant M/s Kalyani Laboratories Pvt. Ltd., Bhubaneswar on behalf of the project proponent, the State Expert Appraisal Committee (SEAC) after due considerations of the relevant documents submitted by the project proponent and clarification/documents furnished to it have recommended the project for Environmental Clearance with certain stipulations.

The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha and after receiving clarification sought from Principal Chief Conservator of Forest, Odisha hereby accords Environmental Clearance in favour of the project for a period of 5 (five) years under the provisions of EIA Notification 2006 and 2009 and subsequent amendments thereto subject to strict compliance to the stipulated conditions as follows.

Stipulated Conditions

1. A final decision on the production cap would be taken on basis of the findings of the final report of the Carrying Capacity for sustainable mining of iron ore in the State of Odisha.
2. The Environmental Clearance so granted would be reviewed on the basis of the findings of the final report submitted by NEERI and decision taken thereupon on the production cap.



3. The Environmental Clearance is recommended not withstanding court proceedings and forest diversion proposal. The environmental clearance will be subject to outcome of order in cases pending in Hon'ble NGT, Principal Bench, New Delhi, Hon'ble High Court, Cuttack and Hon'ble Supreme Court related as applicable to this project.
4. The mining shall be restricted to broken up area of DLC and non-forest area only and the EC is subject to valid mining plan.
5. The applicant (Project proponent) will take necessary measures for prevention, control and mitigation of Air Pollution, Water Pollution, Noise Pollution and Land Pollution including solid waste management as mentioned by him in Form-1, Final EIA reports and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.
6. The applicant will take necessary steps for socio-economic development of the people of the area on need based assessment for providing employment, education, health care, drinking water and sanitation, road and communication facilities etc.
7. The applicant will comply with the points, concerns and issues raised by the people during public hearing on 15.10.2010 in accordance with the commitments made by him thereon.
8. The applicant will take statutory clearance/approval/permissions from the concerned authorities in respect of his project as and when required.
9. For post environmental clearance monitoring, the applicant will submit half-yearly compliance report in respect of the stipulated terms and conditions of Environmental Clearance to the State Environmental Impact Assessment Authority (SEIAA), Orissa, Regional Office of MoEF, the respective Zonal office of CPCB and the SPCB on 1st June and 1st December of each calendar year.
10. The core zone should be monitored intensively with no. of stations as prescribed by CPCB, Delhi and unit of pollutant level should be expressed as NAAQ of CPCB, Delhi. The detailed methodology adopted for analysis of samples shall be clearly indicated.
11. The proponent shall submit baseline data on flora & fauna and CSR activities already carried out within three months to the SEIAA.
12. Adequate buffer zone shall be maintained between two consecutive mineral bearing deposits.
13. Zero waste mining concept shall be implemented either by putting up pelletisation plant or dispose of low grade ores/fines to prospective buyers.
14. The following shall be implemented viz. (a) dump-off should be diverted into setting ponds (b) adequate rain water harvesting and ground water recharging facilities should be developed in the core zone, (c) attempt should be made to achieve zero water balance.
15. Maintenance of roads through which transportation of ores are undertaken shall be carried out by the project proponent regularly at its own cost.



16. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located nearest to sources of dust generation as applicable) and records shall be submitted to the SEIAA, Orissa.
17. Mineral handling area shall be provided with adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
18. Transportation of ore shall be done by covering the trucks with tarpaulin or other suitable mechanism so that no spillage of ore/ dust takes place..
19. Rain water harvesting shall be undertaken to recharge the ground water source.
20. Monitoring of ground and surface water quality shall be regularly conducted and records should be maintained and data shall be submitted regularly to the SEIAA, Orissa.
21. The proponent shall ensure that no silt originating due to mining activity is transported in the surface water course. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geo textile matting or other suitable material, and thick plantations of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
22. Trenches / garland drains shall be constructed at foot of dumps to arrest silt from being carried to water bodies. Adequate number of Check Dams shall be constructed across seasonal/perennial nallahs (if any) flowing through the ML area and silts be arrested. De- silting at regular intervals shall be carries out.
23. Provision shall be made for the housing of the labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. the housing may be in the form of temporary structures to be removed after the completion of the project.
24. Occupational health and safety measures for the workers including identification of work related health hazards, training on malaria eradication, HIV, and health effects on exposure to mineral dust etc. shall be carried out. The proponent shall engage a full time qualified doctor who is trained in occupational health. Periodic monitoring for exposure to respirable mineral dust on the workers shall be conducted and records maintained including health records of the workers. Awareness programme for workers on impact of mining on their health and precautionary measures like use of personal equipments etc. shall be carried out periodically. Review of impact of various health measures undertaken (at interval of five years or less) shall be conducted followed by follow up action where required. Occupational Health Centre shall be established near the mine site itself.

25. Shelter belt i.e. Wind Break of 15 m width and consisting of at least 5 tiers around lease facing the human habitation, school/ agricultural fields etc. (if any in the vicinity), in the safety zone/back-filled & reclaimed areas, around voids & roads shall be raised. Green belt development and selection of plant species shall be as per CPCB guidelines. Density of the trees has to be around 2500 plants per hectare. Herbs and shrubs shall also form a part of afforestation programme besides tree plantation. Help & guidance of local DFO may be sought in the matter. Details of year wise afforestation programme including rehabilitation of mined out area shall be submitted to the SEIAA, Orissa within six months.
26. This Environmental Clearance is subject to Forest Clearance under the Forest (Conservation) Act, 1980.
27. The mining operations shall be restricted to above ground water table and it should not interest the groundwater table.
28. The top soil shall temporarily be stored at earmarked site (s) only and it should not be kept unutilized for long (not more than 3 years). The topsoil shall be used for land reclamation and plantation.
29. The over burden (OB) generated during the mining operation shall be stacked at earmarked dump site (s) only and it should not be kept active for a long period of time and its phase-wise stabilization shall be carried out. Proper terracing of OB dump shall be carried out so that the overall slope shall not exceed 28° Backfilling shall be done as per approved mining plan. Back-filling to start from 3rd year onwards of the mining operation & the entire quantity of waste generated shall be backfilled & liquidated within five years. There shall be no external over-burden dumps after the 6th year of the mining operation. The backfilled area shall be afforested. Back-filling has to be done in a manner that it is restored to the normal ground level. Monitoring & management of rehabilitated areas should continue till the vegetation is established & becomes self-generating. Compliance status to be reported to the appropriate authorities.
30. The funds earmarked for the environment protection measures shall be judiciously utilized. Under no circumstances this funds shall be diverted for other purposes. Year-wise expenditure for this fund should be reported to the SEIAA, Orissa.
31. The critical parameters in the ambient air within the impact zone, peak particle velocity at 300m distance or within the nearest habitation, whichever is closer shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, pH and Total Suspended Solids (TSS)]. The data so recorded should be regularly submitted to the Ministry including its Regional office located at Bhubaneswar and the State Pollution Control Board / Central Pollution Control Board once in six months. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. The criteria pollutant levels namely; SPM, RSPM, NO_x or critical sectoral



- parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
32. A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the SEIAA 5 years in advance of final mine closure for approval.
 33. The project proponent shall obtain necessary prior permission of the competent authorities for drawal of requisite quantity of water (surface water and ground water) required for the project.
 34. The proponent shall prepare wild life conservation plan in consultation with DFO and adequate safety and mitigation measures should be incorporated to protect the wild life, flora, fauna to mitigate adverse impact.
 35. The project proponent shall obtain Consent to Establish and Consent to Operate from the State Pollution Control Board, Orissa and effectively implement all the conditions stipulated therein.
 36. The Project Proponent should ensure advertising in at least two local newspapers widely circulated in the region, one of which shall be in vernacular language informing the Public that, the project has been accorded environment clearance and copies of the clearance letters are available with SEIAA, Odisha and the Odisha State Pollution Control Board (OSPCB) and may also be seen on the website of the board. The advertisement shall be made within 7 (seven) days from the date of issue of the environmental clearance & a copy of the same should be forwarded to the Regional office of MoEF, Bhubaneswar.
 37. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad /Municipal Corporation, urban local Body and the Local NGO, if any, from whom suggestions /representations, if any, received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 38. The environment statement for each financial year ending 31st March inform-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the respective Regional Offices of the Ministry by e-mail.
 39. Environmental Clearance is subject to final order of the Honb'le Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of the year 2004, as may be applicable to this project.
 40. That the grant of this Environment Clearance is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the lease granting authority/project proponent.

41. 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.

The above mentioned stipulated conditions shall be complied in time bound manner. Failure to comply with any of the conditions mentioned above may result in withdrawal of this environmental clearance and attract action under the provisions of Environment protection (EP) Act, 1986

Yours faithfully,


19.05.15
Member Secretary

Memo No 3213/SEIAA /Dt. 14.05.15
Copy to

1. Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for kind information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for kind information.
3. Chairman, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for kind information.
4. Chief Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for kind information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for kind information.
6. Collector & District Magistrate, Sundargarh for kind information and necessary action.
7. Chairman/Member/Member Secretary, SEIAA for kind information.
8. Chairman, SEAC/Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
9. Guard file for record.


19.05.15
Member Secretary