

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

RDM-LRGEC-CLRFIC-0004-2012- 50361 dtd. 17.11.2012

From

Shri Manmohan Mishra,
Joint Secretary to government

To

All Collectors.

Sub: Clarification on Environmental clearance of minor mineral leases of an area of less than 5 hectares- regarding.

Sir,

In inviting a reference to the Letter No. 20732 dtd.8.11.2012 of the Director, Environment-cum-Special Secretary to Government, Forest & Environment Department addressed to you (copy enclosed) on the above subject, I am directed to request you to take follow up action in the matter in accordance with the Guidelines/ Instruction issued by Forest & Environment Department along with the required format in their letter referred to above under intimation to this Department.

Yours faithfully,



Joint Secretary to Government

Memo No. 50362/R&DM dtd. 17.11.2012

Copy forwarded to Forest & Environment Department for information and necessary action with reference to their Memo No.20733 dtd. 8.11.2012 .



Joint Secretary to Government

9/11
Government of Odisha
Forest and Environment Department

No.ENV-I-12/2012 20732 /F&E., Dated the 08-11-12

From

B.P.Singh
Director Environment-cum-
Special Secretary to Govt.

To

All Collectors

Sub: - Environmental clearance of minor mineral leases of an area of less than 5 hectares – regarding.

Sir,

I am directed to say that Hon'ble Supreme Court of India vide their order dt 27.02.2012 in IA No.12-13 of 2011 in SLP © No. 19628-19629 of 2009 in the matter of Deepak Kumar etc. Vrs State of Haryana and others has passed an order that leases of minor mineral including their renewal for an area of less than 5ha shall be granted by the States/UTs only after getting Environmental Clearance (EC) from the MoEF. In pursuance to the said order, MoEF, Govt of India vide their Office Memorandum dated 18.05.2012 decided that Mining projects with lease area up to less than 50 ha including projects of minor mineral with lease area less than 5 ha would be treated as category 'B' as defined in the EIA Notification, 2006 and will be considered by the respective State Level Environment Impact Assessment Authority (SEIAA) following the procedure prescribed under EIA Notification, 2006.

Accordingly, State Government in consultation with SEIAA have decided to adopt a simplified procedure, check list & format for application (copy enclosed) in place of Form-I of EIA Notification 2006 and pre-feasibility report for grant of EC in case of minor mineral extraction from lease area of less than 5 ha. Further, 25% of the auction bid amount, royalty and surface rent paid or payable from the minor mineral extracted or to be extracted shall be contributed towards environment management (in lieu of EMP implementation by lessee) and the officer of Revenue & Disaster Management, Forest & Environment or

Steel & Mines Department authorised to settle the source and collect the royalty, surface rent and auction bid amount will be responsible for collecting the contribution by way of bank draft and remit it to the Odisha Environment Management Fund Trust at Bhubaneswar and send periodical returns for such collection.

You are, therefore, requested to circulate copies to all field functionaries concerned for necessary action in this regard.

Enclosure: As above.

Yours faithfully,

Director Environment-cum-
Special Secretary to Govt.

Memo No. 20733 /F&E., Dated the 08-11-12

Copy along with copies of enclosure forwarded to Revenue & DM Department, Rural Development Department, Water Resources Department, Steel & Mines Department, Works Department, Finance Department, Law Department and All Revenue Divisional Commissioners for information and necessary action.

Director Environment-cum-
Special Secretary to Govt.

Memo No. 20734 /F&E., Dated the 08-11-12

Copy along with copies of enclosure forwarded to the Chairman, State Level Environment Impact Assessment Authority (SEIAA), Odisha and Member Secretary, SPCB and Secretary, State Expert Appraisal Committee (SEAC), Odisha for information and necessary action.

Director Environment-cum-
Special Secretary to Govt.

Memo No. 20735 /F&E., Dated the 08-11-12

Copy along with copies of enclosure forwarded to the PCCF, Odisha, PCCF (W/L) and Chief Wildlife Warden, Odisha and Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

Director Environment-cum-
Special Secretary to Govt.

Procedure for obtaining Environmental Clearance (EC) from State Environmental Impact Assessment Authority (SEIAA) for minor mineral in lease area of less than 5 ha

1. The lessee shall submit application in the prescribed format at **Annexure I** in place of Form – I of EIA Notification, 2006 and Pre-feasibility report in MoEF format for all projects of minor mineral with mining lease area of less than 5 ha.
2. The lessee shall deposit the scrutiny fee of Rs1000/- per application for sand lease area of less than 5ha. For lease area of minor mineral other than sand in less than 5ha, the lessee shall deposit scrutiny fee of Rs5000/- per application. The prescribed scrutiny fee shall be furnished in shape of BD in favour of 'Chairman, SEIAA payable at Bhubaneswar and to be enclosed with the application.
3. Duly filled in format given in Annexure I with requisite enclosures shall be furnished by the applicant to the Tahasildar concerned. Tahasildar shall take up the initial scrutiny at his level within 7 days in order to check the correctness of the entries and send the proposal to SEIAA for their consideration.
4. On receipt of application from Tahasildar, the SEIAA may consider forwarding the application to SEAC immediately and SEAC may, as far as possible furnish its views to SEIAA within 15 days so that entire process of EC by SEIAA & SEAC is completed within a month.
5. For implementation of Environment Management Plan / environmental restoration measures in case of minor mineral leases up to 5 hectares, collection of 25% of the auction bid amount, royalty and surface rent paid or payable from the minor mineral extracted or to be extracted. The officer of Revenue & Disaster Management, Forest & Environment or Steel & Mines Department authorised to settle the source and collect the royalty, surface rent and auction bid amount will be responsible for collecting the contribution to the Environment management by way of bank draft and to remit it to the Odisha Environment Management Fund Trust at Bhubaneswar and send periodical returns for such collection. The amount realized on this account will be utilized for appropriate environmental conservation measures as per MoEF guidelines and subsequently as per the programme/plan drawn by the Collector concerned.

CHECK LIST FOR MINOR MINERAL MINING PROJECT

1.	Date of application	:			
2.	Scrutiny fees paid	:	Yes / No		
3.	Name & address of the Applicant	:			
4.	Name of minor mineral	:			
5.	Lease period	:			
6.	Area of the lease (ha)	:			
	a) Forest	:	(Yes / No)		
	i) if yes status of forest clearance	:			
	b) Non-forest	:			
	c) Ownership of land	:	Govt./Private		
7.	Whether new / existing	:			
8.	Location of mine	:			
	i) District	:			
	ii) Tahasil	:			
	iii) Village/Mouza	:			
	iv) Khata No.	:			
	v) Plot No. and Kisam	:	Sl. No.	Plot No.	Kisam
9.	Distance in kilometers from	:			
	i) Sanctuaries/National Parks	:			
	ii) Nearest habitation	:			
	iii) NH / State highway	:			
	iv) Archeological site	:			

	v) Other mines	:	
	vi) Railway line	:	
	vii) Embankment / Spur	:	
	viii) Bridges	:	
	viii) Intake well	:	
10.	Approved Mining Plan if depth is going to be more than 6 mt.	:	Yes / No
11.	Mining method including use of detonator if any	:	Manual / semi-mechanised / mechanised
12.	No. of persons to be engaged	:	
13.	Whether any tree exists in the lease area? If so number	:	
14.	Whether contribution to Environment Management Fund for implementation of environmental measures paid	:	Yes / No

Counter signed and recommended
Environmental Clearance

Certified that the information furnished are for
true to the best of my knowledge

Signature of Tahasildar

Signature of Applicant

Encl: Documents:

- i) Site plan / toposheet (1:50,000 scale) showing all features and lease site.
- ii) Lease permission /sanction order of Competent Authority (Tahasildar).
- iii) Scrutiny fee payment details
- iv) Contribution to Environment Management Fund payment details/undertaking thereof.
- v) Category of land and conversion document, if required
- vi) Approved mining plan, if applicable