Date: 28.05.2019

To,

The Chairman,
State Environment Impact Assessment Authority (SEIAA), Odisha,
Bhubaneswar

Sub: Request for amendment of environmental clearance for Jaleswarpur O.S. Shop of Sri Bhaskar Sahu located at Jaleswarpur of Ganjam district, Odisha, which accorded environmental clearance under EIA Notification, 2006.

Ref: 1: Hon'ble National Green Tribunal (NGT), Kolkata Bench Order No – O.A. – 124 / 2015 / EZ – Bishnu Prsad Mishra vs State of Odisha and others on dated 15.12.2016.

2: Environmental Clearance No -. 4609/SEIAA on dated 08.05.2018 &
3561 / SEIAA on dated 13.09.2017

3: EIA Notification' 2006 issued by MoEF & CC on dated 14.09.2006

Para – 2: Requirements of prior Environmental Clearance (EC):-

The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, before any construction work, or **preparation of land by the project management** except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

Para – 9: Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, **to the start of production operations by the project or activity**, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers.

Dear Sir,

With reference to the above cited subject and references, the Hon'ble NGT had fixed mandatory criteria to obtain environmental clearance as per order dated 15.12.2016 relating to O.A. NO: 124 of 2015/EZ relating to the Country Liquor Manufacturing unit. So, the license holder was entitled to get EC during the operation status of the unit. And also SEAC, Odisha on its meeting on 19.08.2017standardized the procedure to obtain EC. Accordingly we applied and obtained the clearance from SEIAA, Odisha vide letter no – 4609 / SEIAA on dated 08.05.2018 with a condition that *"this environmental clearance shall be coterminous with the period of validity of the existing Excise license".*
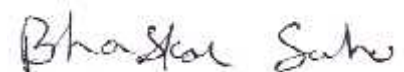
In the mean time, the excise license was expired on 31.03.2019 and renewed with lower production capacity i.e. 6.792 KLD, which will reduce the pollution load. As per para-2 of the EIA Notification' 2006, the environmental clearance is given for a specific project or activity, based on which the building or unit is constructed, which may imply **"the validity of environmental clearance may be coterminous with the period of validity of the project or unit", unless the project will not increase the production capacity or not change any manufacturing methodology or no any change in product – mix in an existing manufacturing unit included in Schedule beyond the specified range.**

In this connection, we would like to draw your kind attention to SEAC, Odisha recommendation for amending this condition as the excise license is renewed, not made afresh as per Excise Policy 2019-20 vide letter No – 1161 / Ex dated 07.03.2019 of Govt. of Odisha , Excise Department.

Therefore, please find enclosed herewith the updated Form-1 along with required documents for your kind perusal and necessary orders.

With regards

Yours truly

M/s Jaleswarpur OS Shop