

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA
Original Application No. 122/2023/EZ**

In the matter of:

Ajay Kumar Behera ...Applicant

-Vrs.-

State of Odisha and Ors. ...Respondents

Counter Additional Affidavit on behalf of Respondent No. 13

Preliminary Objection:

1. That the Present Original Application as filled against the present answering Respondent is not maintainable for the following reasons and same may be treated as Preliminary objections:

(a) The present O.A. is not maintainable because the applicant has approached the Hon'ble Tribunal with unclean hands and by supressing material facts, hence as per law established, any persons approaching the courts with unclean hands is liable to be dismissed at the threshold itself.

To Justify the above acts of the applicant it is stated that the present applicant the present applicant's own paternal uncle along with other persons of the village were illegally extracting minor minerals for which F.I.R was registered against them by the Tahasildar, Tangi and after accessing illegal mining quantum they are penalised and directed to pay Rs. 18,89,047(Rupees Eighteen Lakh Eighty-nine thousands forty-seven) as royalties and other charges.

The said facts have not been whispered by the applicant in his petition under reply, which by itself proves the conduct and malafied intention of the applicant.

*Admitted
AdL*

21-2-2024
Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

(b) That, the present application is also liable to be dismissed it being an act of counter blast as the applicant's own uncle was doing illegal mining just adjacent to present respondent's own plots and so also in the respondents own plot before he was granted lease. So, as to settle scores with the present respondent and to deprive him form carrying on his business which is guaranteed under article 19(1)(g) of the Constitution of India.

(c) That, the present application is also liable to be dismissed because no documentary evidence has been brought on records by the applicant to establish of present respondent carrying out illegal mining activities. On the other hand, the uncle of the petitioner in the case is involved in many cases pertaining to theft and smuggling of minor minerals and at least three criminal cases are registered against him.

Facts of the Case:

2. That the Applicant have filled the above Original Application alleging excess mining by the lease Holder/Respondent No. 13 of Stone quarry in Mouza – Damanabhuin, Tahasil – Tangi, and District- Khordha, Odisha and sought appropriate directions from the Hon'ble National Green Tribunal.
3. That, vide order dated 22.09.2023, this Hon'ble Bench has issued notice to this Respondent and the Respondent appeared through his advocate on 02.02.2024.
4. That the Respondent No. 13/ Lease Holder has legally operated on allotted Plot i.e. Plot No. 2161(P) and he has not operated in any area beyond the allotted area as alleged by the petitioner.
5. That the Environment Clearance (EC) was issued for the Damanbhuin Stone Quarry-A over a lease area of 10.23 acres or 4.139 Ha at Mouza

*Advocate
RAV*

Surendra Prasad Dhal
Surendra Prasad Dhal
 Advocate
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Damanabhuin, Tahasil – Tangi, and District- Khordha, Odisha by State Level Environment Impact Assessment Authority (SEIAA), Odisha vide letter no. 1660/SEIAA, dated 06.07.2021 in favour of Tahasildar, Tangi and valid till expiry of Lease Deed i.e from 24.04.2027.

6. That, the Tahasildar, Tangi, Khordha requested to SEIAA, Odisha, Bhubaneswar to transfer of Environment Clearance (EC) in favor of the Present Respondent, who is the successful Bider under the Provision of OMMC Rules, 2016 for operationalization of the sairat source. The Proposal was considered by the SEIAA and EC was transferred in favour of this Respondent on 15.03.2022 as recommended by the Tahasildar, Tangi.

7. That, the Consent to Establish (CTE) was issued in favor of the present Respondent on 29.06.2022 by the State Pollution Control Board(SPCB) and Consent to Operate (CTO) was issued on 15.07.2022 and 19.06.2023 for the said quarry i.e. Plot No. 2161(P), Khata No. 708.

8. That, the present Respondent operated only on the allotted plot as quarry with the norms and guidelines set by the appropriate authorities. The allegation of excess mining from the allotted plots and other plots is baseless and absurd.

9. That, the present Respondent has not violated any Environmental laws and provision and comply with all the terms and conditions set by the different authorities.

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Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

10. That, One Yudhistir Udaysingh, S/o Kunja Bihari Udaysingh and another Biswanath Behera, S/o Bula Behera, both are resident Village/PS – Jankia, Dist – Khordha was involved in illegal mining from Damanbhuin Laterite Stone Quarry –‘A’ and adjoining area. Even after the lease of the said quarry in favour of the present Respondent, they are forcefully and illegally extracting the minor minerals from the said quarry and adjoining area. Even they threatened the present Respondent and his attorney holder not to come to the mining area. The attorney holder of the present Respondent has submitted a representation dated 23.06.2022 to the Tahasildar, Tangi regarding the theft of minor minerals and illegal mining in the said area and requested for legal against them. The Tahsildar, Tangi is forwarded this representation to the Revenue Inspector, Achyutpur for inquiry and necessary action.

(Copy of the representation dated 23.06.2022 to the Tahasildar, Tangi is annexed as Annexure – R/1)

11. That, Revenue Inspector, Achutpur after due inquiry found the allegation against both Yudhistir Udaysingh and Biswanath Behera is true. As per the letter No. 236, dated 23.06.2022 sent by the RI, Achyutpur to the Tahasildar, Tangi, as per inquiry and measurement by the Geologist, it is found that both Yudhistir Udaysingh and Biswanath Behera excavated volume of 8162 MGQ of laterite stone from the said quarry.

(Copy of the Letter No. 236, dated 23.06.2022 sent by the RI, Achyutpur to the Tahasildar, Tangi is annexed as Annexure – R/2)

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Surentra Prasad Dhal
Advocate
NOTARY, CUTTACK

12. That, The Tahasildar, Tangi lodge a complaint against both Yudhistir Udaysingh and Biswanath Behera in Jankia Police Station, Khordha on 24.06.2022 and request for stringent action them. The calculation of the demands for illegal minor minerals is Rs. 18,89,047/-(Rupees Eighteen Lakh Eighty-nine thousand forty-seven) as per the complaint of the Tahasildar, Tangi to the local police station.

(Copy of the Complaint dated 24.06.2022 by the Tahasildar, Tangi to the ICC, Jankia Police Station is annexed as Annexure – R/3)

13. That, the most interesting fact of the case is the Petitioner of the present case is paternal nephew of the Biswanath Behera who is an accused in illegal mining and F.I.R vide No. 237, dated 25.06.2022 was lodged against him in Jankia Police Station U/s 21 of Mines and Minerals (Regulation of Development) Act 1957 and Sections 34 and 379 of IPC . Biswanath and his partner Yudhistir Udaysingh was involved in illegal mining from the said quarry and in was established after the due inquiry by the RI, Achyutapur with help of Geologist. As a counter blast against the present Respondent, Present petition is filled against the present Respondent as a result of peronal enmity and grudge as the Respondent had given complaint against them to the Tahasildar, Tangi and Tahasildar Tangi has initiated action against them.

(Copy of the FIR No. 237 dated 25.06.2022 at Jankia Police Station is annexed as Annexure – R/4)

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Surendra Prasad Dhal
Advocate
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14. That, the uncle of the petitioner and his partners are habitual offenders with involvement crime related to illegal mining and other related crimes and there are many case registered against in Jankia Police Station. In 2021, FIR No. 127 was registered against the uncle of the Petitioner Biswanath Behera alias Bisia Behera and 14 others U/s 186,379,411 of IPC and section 12 of Orissa Minerals (Prevention of theft, Smuggling and other Unlawful Activities) Act 1989. Again another FIR is also lodged recently on 09.09.2023 vide FIR No. 301 in Jankia Police Station U/s 68 of Orissa Minor Minerals Concession Rules, 2004 and Sections 34, 379, 447 of IPC against the Yudhistir Udaysingh, the illegal partner of the uncle of the petitioner. So, they are involving in illegal mining, theft and smuggling of minor minerals. After lease has been granted in favour of the present Respondent, they are became revengeful mood and started fake cases against the present Respondent. This Original Application before Hon'ble NGT is a part of it as the petitioner is the nephew of the one of the accused in several mining theft and smuggling cases.

(Copies of other FIRs against uncle of the Petitioner and his partners are annexed as Annexure – R/5)

15. That, the Petitioner is not a Bonafide person and the present Original Application before the Hon'ble NGT by the Petitioner is filled with malafied intension to harass the present Respondent and fulfil their personal interests and So, the Original Application is liable to be dismissed with cost.

*Reviewed
R/5*

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Advocate
NOTARY, CUTACK

PARA WISE REPLY:

16. That, here is para wise reply to the averments made by the applicant:

- i. That, with regard to contents of para 1 the same is denied by the present Respondent as no illegal quarrying is done by the present Respondent.
- ii. That the contents of the para 2 are true as the Present Respondent is operating in the allotted quarry as per the due process of law and existing legal provisions.
- iii. That, with regard to contents of para 3 the same is strongly denied by the present Respondent as the present Respondent is only operating on the allotted plot i.e. Plot No. 2161(P) and not beyond that. The allegation of illegal operation on plot No. 2162 is baseless and false one. So, there is no question of Foreset Clearance, Environmental Clearance and Consent to Operated from the State Pollution Control Board. The present Respondent has mentioned the allotted plot No. 2161(P) on the sign board at lease site.
- iv. That, with regard to contents of Para 4, the same is denied by the present Respondent. There was no falling of trees by this Respondent and this Respondent has only operated in the allotted plot. The mining operation is done as per the provisions and there is no impact on locality or on the local people. There is no grievance regarding this in past.
- v. That, with regard to contents of Para 5, it is admitted that as per the lease condition the present Respondent is permitted to extract 1500 cubic meter of laterite stone, but it is wrong and denied of the present respondent having already operated the entire lease area of the ten acres and it is also

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denied of he having operated/extracted from Plot No. 2162. Rest of the content of the paragraph is denied.

- vi. That, That, with regard to contents of Para 6 the same is denied by the present Respondent. The lease of quarry is in favour of the present Respondent as per the law after following all the official process and procedures.
- vii. That, with regard to contents of Para 7 the same is totally denied as present Respondent is not doing any mining and other activities beyond the allotted plot. The present Respondent has got nothing to do with Plot No. 2162 as he has been granted lease for Plot No. 2161(P), therefore there was no necessity for obtaining forest clearance, Environmental Clearance and Consent to Operate from State Pollution Control Board. On the contrary, he has obtained all the necessary clearances for operating his leased plot No. 2161(P).
- viii. That, That, with regard to contents of Para 8 the same is denied by the present Respondent as the present Respondent is not doing any mining and other activities beyond the allotted plot. No Machine is used in illegal mining works as alleged by the petitioner. In the sign board lease period is written as 25.04.2022 to 24.07.2027 as per the lease agreement between Tahasildar, Tangi and the Respondent on 25.04.2022. But only after

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Surenara Prasad Dhai
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NOTARY, CUTTACK

obtaining all the clearances, CTO and work order the quarry operation started from 29.07.2022.

(Copy of the lease agreement dated 25.04.2022 with the Tahasildar, Tangi is annexed as Annexure – R/6)

- ix. That, with regard to contents of Para 9 the same is denied by the present Respondent. The allegation about the removal of acacia and cashew tree while extracting the laterite stone is baseless and and false.
- x. That, with regard to contents of Para 10 the same is denied by the present Respondent. There is no violation of any law and all the mining is done on allotted plot as per the law following all the terms and conditions prescribed by the various regulatory and monitoring authorities.
- xi. That, with regard to contents of Para 11 the same is denied by the present Respondent as no villagers have made any allegations or complaint to any authorities except this petitioner due to a personal enmity. Annexure-2 filled by the petitioner clearly shows that only the petitioner made baseless allegation to different authorities against the present Respondent.
- xii. That, with regard to contents of Para 12 the same is denied by the present Respondent. There is no pollution due to the mining works under taken by the present Respondent.
- xiii. That, with regard to contents of Para 13 the same is not disputed by the present Respondent. The respondent has been depositing Royalty and all other Government fees as per the the rules.

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Surendra Prasad Dha
Advocate
NOTARY, CUTTACK

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R/D*

- xiv. That, with regard to contents of Para 14 the same is denied by the present Respondent as all the conditions of Environmental Clearance have been complied.
- xv. That, with regard to contents of Para 15 the same is not disputed by the present Respondent.
- xvi. That, with regard to contents of Para 16 the same is denied by the present Respondent. Only after environment clearance was transferred in favor of the present Respondent, the quarry operation started, not before that.
- xvii. That, with regard to contents of Para 17 the allegations of noncompliance of conditions of Consent to Establish (CTE) is denied by the present Respondent. All the conditions have been complied.
- xviii. That, with regard to contents of Para 18 the same is denied by the present Respondent. New Consent to Operator(CTO) was granted only after verifying the compliance of the earlier CTO conditions.
- xix. That, with regard to contents of Para 19 the same is denied by the present Respondent. All suitable measures are taken to mitigate air pollution and water sprinkling is a regular part of the quarry process. No mining is done violating any norms and conditions prescribed in the law.
- xx. That, with regard to contents of Para 20 the same is denied by the present Respondent. The allegation about the illegal mining is baseless and false one as the Respondent has not used any machinery for illegal mining.
- xxi. That, with regard to contents of Para 21 the same is denied by the present Respondent. The stone quarry is operating with due process of law fulfilling

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NOTARY, CUTTACK

all the terms and conditions prescribed under law. Due to this quarry operation villagers are not facing any problems and there are no complaints against the present Respondent except by the Petitioner due to personal enmity and revenge.

- xxii. That, with regard to contents of Para 22 the same is strongly denied by the present Respondent. The present petitioner is law abiding citizen of the country. The extraction of minor minerals is being done with due permission by the competent authorities and no illegality is being done. So, no question action taken by the any authorities against the Present Petitioner.
- xxiii. That, with regard to contents of Para 23 the same is denied by the present Respondent. No illegal mining is done by the present Respondent.
- xxiv. That, with regard to contents of Para 24 the same is denied by the present Respondent. No illegality is done on the part of the present Respondent. The said Guideline dated 26.04.2019 is not applicable to the facts and circumstance pertaining to the case of the present Respondent.
- xxv. That, with regard to contents of Para 25 the same is denied by the present Respondent. The mining is done as per the rules, regulations prescribed under various laws.
- xxvi. That, with regard to contents of Para 26 to 30, as the present Respondent has not carried out any illegal mining activities, hence the question of his violating the various provisions as mentioned in the petition as mentioned in

Arvind Kaur

Surendra Prasad Dhal
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these paragraphs does not arise, as the same is not applicable to the facts and circumstances pertaining to the case of the present Petition.

xxvii. That, with regard to contents of Para 31, not applicable for the present Respondent.

xxviii. That, with regard to contents of Para 32, as the present Respondent has not carried out any illegal mining activities, hence the question of his violating the various provisions as mentioned in the petition as mentioned in the paragraph does not arise, as the same is not applicable to the facts and circumstances pertaining to the case of the present Petition.

xxix. That, with regard to contents of Para 33 to 35, the said provisions/directions are meant for offence of Money Laundering. But in present case, mining works is done as per the rules, regulations prescribed under various laws and there is no question of these offences.

xxx. That, with regard to contents of Para 33, as the present Respondent has not carried out any illegal mining activities, hence the question of his violating the various provisions as mentioned in the petition as mentioned in the paragraph does not arise, as the same is not applicable to the facts and circumstances pertaining to the case of the present Petition.

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Roh*

Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

CP-2

xxxi. That the facts which are not specifically admitted here in above is deemed to have been denied. The present Respondent reserves his right to file additional affidavit and documents if need arises at the time of hearing.

17. That in view of the above facts and legal position the present Original Application is liable to be dismissed with cost.

CUTTACK
DATE:- 21.02.2024

By the Respondent -13 through Counsel



Akhand, Advocate
B.C.E. No.O-269/2023. Ph:7008816891

UNDERTAKING

That the present Respondent undertake to file the translated version of Oriya annexures as and when necessary and being directed by the Hon'ble Tribunal.

CUTTACK
DATE:- 21.02.2024

By the Respondent -13 through Counsel



Akhand, Advocate
B.C.E. No.O-269/2023. Ph:7008816891



Surendra Prasad Dhol
Advocate
NOTARY, CUTTACK

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 122 /2023/EZ

IN THE MATTER OF: -

Ajay Behera

.... Applicant

-VERSUS-

State of Odisha & Ors.

.... Respondents

AFFIDAVIT

I, Sri Prahallad Biswal, S/o- Purna Chandra Biswal At- Kaithapalla, Po-
Biribadi, Dist- Khordha, State- Odisha, do hereby solemnly affirm and state as
follows:-

1. That I am the Respondent No. 13 in the above mentioned application and competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same are true to the best of my knowledge and belief and is drafted on my instruction.

x Prahallad Biswal
DEPONENT

VERIFICATION

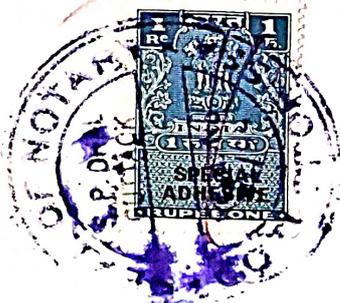
Verified on this the 21st day of Feb 2024 at Cuttack that the contents of the above counter affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified by:
Sachin
Advocate

x Prahallad Biswal
DEPONENT

The above named Deponent
Solemnly affirm, on 21/2/2024
Being Identified
by Abhimanyu (Aete)

Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK



ମାନ୍ୟତା, ପ୍ରାୟତ୍ତ ରେଡିଓବାସ ଟାଲି ଗୋର୍ଦ୍ଧା

ବିଳୟ - ଦେଶଭୂତା ମାନ୍ୟତା ଗାମ ନଂ = A ଧ୍ୟାନ ନ କରୁଣା ସମ୍ପର୍କରେ

ମାନ୍ୟତା,

ନିମ୍ନଲିଖିତ ଆଦିପ୍ରାୟତ୍ତ ଏବଂ ବିଳୟ ଆମକୁ ପ୍ରାୟତ୍ତ ବିଶ୍ରାମ କରାଯାଏ

ଏହିପରି ମାନ୍ୟତା ପାରିଶ୍ରମ, ପ୍ରାୟତ୍ତ କରଣ, ପିଲା - ପ୍ରମୋଦ କରଣ, ପ୍ରା - ମନମୋହନ
ପ୍ର - ମନମୋହନ, ଧାରା - ନିକିଆ, ଆମକୁ ଅନୁମତି ମାନ୍ୟତା ପଦକୁ ଯାତ୍ରା ୨ ନିମ - ଦମୟନ୍ତର
ଉକ୍ତ ନେତୃତ୍ୱ ନିତ୍ୟା ମନୁଷ୍ୟ ନଂ ୭୦୪ ମୁକ୍ତ ନଂ = ୧୦୮ ଏହିମାନଙ୍କୁ = ୧ ୧୦.୨୩୦

କିମ୍ପା - ବରାମୁଳ ଏକ (କୋଡୁ) ମନୁଷ୍ୟ ବିଳୟ ପ୍ରାୟତ୍ତ ପ୍ରାୟତ୍ତ ଉପଲବ୍ଧି, ଯା - କୃଷିକାରୀ
ବିଳୟ ନେତୃତ୍ୱ ପିଲା - ପ୍ରାୟତ୍ତ କରଣ ପ୍ରାୟତ୍ତ ନିକିଆ,

ଉକ୍ତ ମନୁଷ୍ୟ ମାନ୍ୟତା ପଦକୁ ଯାତ୍ରା କରଣ ପ୍ରାୟତ୍ତ ପାମପାରେଇ ସମସ୍ତ ଏହିମାନଙ୍କୁ ପଦକୁ ନିକିଆ
ଦେଖିବା ଆମେ ଯେତେବେଳେ ବିଳୟ ଆମକୁ ନିକିଆକୁ ମାନ୍ୟତା ପାରିଶ୍ରମ ପଦକୁ ନିକିଆ

ଏ ପଦକୁ ଆମକୁ ଉକ୍ତ ପାମ ପ୍ରାୟତ୍ତ, ଆମକୁ ଉକ୍ତେ ମନ ମନ କରାଯାଏ

ଯାତ୍ରା ପାମ ମନୁଷ୍ୟ ଆମକୁ ଏହିପରି ଆମକୁ ପାରିଶ୍ରମ ଦେଖିବା ଦେଖିବା ମନମୋହନ ମାନ୍ୟତା ପଦକୁ
ପ୍ରାୟତ୍ତ କରଣ ଯେ ଅଧିକାରୀ ନିକିଆ କରଣ, ଏବଂ ଆମକୁ ନିକିଆ ନିକିଆ ଧାରା ନିକିଆ

F.I.R ଦେଖି ଉକ୍ତ, ଏହି ମନୁଷ୍ୟ ପଦକୁ କି ମାନ୍ୟତା ମନ ଦେଖିବା ସମସ୍ତ
ନିକିଆ ମାମଲି ଉକ୍ତେ ଦେଖିବା ବିଳୟରେ ପ୍ରାୟତ୍ତ କରଣ ମନୁଷ୍ୟ ପ୍ରାୟତ୍ତ କରଣ ପ୍ରାୟତ୍ତ
ଆମକୁ ଯେତେବେଳେ ବିଳୟ କରଣ ପ୍ରାୟତ୍ତ କରଣରେ ଅଧିକ ନିକିଆ କରଣ

direct
file report
for RL
and proceed
for FIR.
23/6/22

23.06.2022

ଆମକୁ ବିଳୟ
Dhruva Charan (s)

True copy
of the
report

Translation of Annexure - 1

To

The Tahasildar, Tangi, Khordha

Sub: To Stop illegal mining in Damanbhuin Laterite Stone Quarry –‘A’

Sir,

I am Dhruba Charan Kalas, S/o Pramod Kalas At/Po- Malipada, PS – Jakia and I am the the attorney holder of the Prahalad Biswal inform you that one Yudhistir Udaysingh, S/o Kunja Bihari Udaysingh and another Biswanath Behera, S/o Bula Behera, both are resident Village/PS – Jankia, Dist – Khordha theft mineral mining from Damanbhuin Laterite Stone Quarry –‘A’ on Khata No. 708, Plot No. 2161, Area A10.230 and adjoining area.

They are involved in illegal mining operation from this quarry and other quarry near by the villages. They threatened the present Respondent and his attorney holder to kill if they come to the mining site.

So, We are not able to do mining operation. They are sold large volume of mineral minors from Damanbhuin Laterite Stone Quarry – ‘A’ and sold these minerals. I submit this FIR to measure the mining area by the Geology department officials and take necessary legal action against those two culprits and ensure us to operate the mining and obliged.

23.06.2022

Your's Faithfully

Dhruba Charan Kalas

For the copy
return
please

(Translation of Annexure – 2)

Office of the Revenue Inspector, Achyutpur

Letter No. 236, Dated 23.06.2022

To,

The Tahasildar, Tangi

Sub: Regarding Smuggling of minor mineral from Damanbhuin
Laterite Stone Quarry –‘A’

Sir,

I visited the Damanbhuin Laterite Stone Quarry –‘A’ on Khata No. 708, Plot No. 2161, Area A10.230 and inquiry in the spot. Surveyor Seikh Kali Mula and Dipen Parida are with me and after measurement with due procedure, we came to know that Approximately 8000 MGQ amount of Laterite stone extracted from this site and stolen.

From inquiry it is found one Yudhistir Udaysingh, S/o Kunja Bihari Udaysingh and another Biswanath Behera, S/o Bula Behera, both are resident Village – Jankia with their associates entered into this mining area and extracted minor minerals and they also threatened the people who oppose them. During inquiry some local people also present as witness.

So, We convey this report for your information and necessary action at your end.

Your's Faithfully

Revenue Inspector

Achyutapur

Signature of Witness:

1. Dushmanta Srichandan
2. Ananda Bhujbal
3. Narayan Parida
4. Dhruvan Charan Kalasa
5. Ranjan Behera

*True copy
return
only*



OFFICE OF THE TAHASILDAR, TANGI, KHORDHA
E-Mail-ID- tdrtangl@gmail.com & tah.tangikh-od@nic.in

L.No.- 1199

Date 24/06/2022

To,

The IIC, Jankia Police Station, Dist- Khordha.

Sub: - To lodge an F.I.R. against the culprits.

Sir,

With reference to the subject cited above, I am to say that, Dhurba Charan Kalas S/o- Promod Kalas, of village- Malipada, Po- Malipada Ps- Jankia Dist- Khordha the attorney holder of Prahallad Biswal (lessee of Damanbhuin Laterite Stone Quarry - "A") has given a written statement that while demarcating the quarry area, some miscreants opposed the demarcation work to be done by R.I Achyutpur and Tahasil Amins. The report of R.I Achyutpur is also attached. After receipt of the Joint visit report of the team comprising of Deputy Director, Geology Khordha authorized RQP total station team, R.I. Achyutapur and his team on Damanbhuin Laterite stone quarry-A conducted on 23.6.2022. It is come to the notice of the undersigned that the volume 16324 Cum Laterite stone has been excavated from the said sources. But 8162 Cum laterite stone excavated excluding waste 50% of Total volume, which indicted that Yudhistir Udayasingh S/o- Kunja Bihari Udayasingh, Biswanath Behera S/o- Bula Behera all are residence Ps- Jankia Dist- Khordha are excavated volume 8162 of said quarry. The demand against the extrication is as follows.

Royalty	=1469160
Addl. charges	=163240
S.R	= 360
IT.SC	=35913
DMF	=146916
EMF	=73458

Total =1889047 (Rupees Eighteen Lakh Eighty-nine thousand forty-seven) Only

In view of the above, I would request you to lodge an FIR against the following people and recovery of the demand of the mentioned the above name, also treat the written statement given by attorney holder of the lessee as F.I.R. and strong action as deemed proper may be taken against the culprits.

1. Yudhistir Udayasingh S/o- Kunja Bihari Udayasingh
2. Biswanath Behera S/o- Bula Behera all are residence Ps- Jankia Dist- Khordha

Yours faithfully,

[Signature]
24/6/22
Tahasildar, Tangi

True copy
attached
[Signature]

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): KHURDA P.S. (थाना): JANKIA Year (वर्ष): 2022
 FIR No. (प्र.सू.रि. सं.): 0237 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 25/06/2022 20:00 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21
2	IPC 1860	34
3	IPC 1860	379

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Intervening Days Date from (दिनांक से): 23/06/2022 Date To (दिनांक तक): 25/06/2022
 Time Period (समय अवधि): Time From (समय से): 00:00 hrs Time To (समय तक): 20:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 25/06/2022 Time (समय): 20:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 026 Date and Time (दिनांक और समय): 25/06/2022 20:00 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): NORTH, 08 Km(s) Beat No. (बीट सं.):
 (b) Address (पता): DAMANBHUIN,
 (c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):
 District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): SMRUTI RANJAN SATAPATHY

I.I.F.-I (एकीकृत जाँच फार्म-I)

- (b) Father's/Husband's Name (पिता/पति का नाम):
- (c) Date/Year of Birth (जन्म तिथि / वर्ष): 1982 (d) Nationality (राष्ट्रीयता): INDIA
- (e) UID No. (यूआईडी सं.):
- (f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

- (g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

- (h) Occupation (व्यवसाय):

- (i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	TAHASILDAR TANGI , JANKIA, KHURDA, ODISHA, INDIA
2	Present Address	TAHASILDAR TANGI , JANKIA, KHURDA, ODISHA, INDIA
3	Permanent Address	TAHASILDAR TANGI , JANKIA, KHURDA, ODISHA, INDIA
4	Permanent Address	TAHASILDAR TANGI , JANKIA, KHURDA, ODISHA, INDIA

- (j) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.): 91-9556000638

True copy
attached
only

I.I.F.-I (एकीकृत जाँच फार्म-1)

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	YUDHISTIR UDAYASINGH		Father's Name: KULAMANI UDAYASINGH	1. JANKIA, JANKIA, KHURDA, ODISHA, INDIA
2	BISWANATH BEHERA		BULA BEHERA	1. JANKIA, JANKIA, KHURDA, ODISHA, INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

On 25.6.22 at 8.00 PM Tahasildar Tangi alleged in writing that the miscreants opposed the demarcation work by Tahasildar staff and during joined visit it is noticed that laterite stones worth of Rs 1889, 047 from the Govt. land of Damanbhuin laterite stone quarry. A has been stolen (excavated) by the culprits Yudhistir Udayasingh S/o Kunjabihari Udayasingh and Biswanath Behera S/o Bula Behera both of village/PS Jankia Dist. Khordha PS 1889,047, PR Nil .

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका

मद सं. 2 में उल्लेख धारा के तहत है.):

I.I.F.-I (एकीकृत जाँच फार्म-I)

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Niranjan Mohanty Rank (पद): SI (Sub-Inspector) No. (सं.): Mobile No. (मोबाइल नंबर): 919078034944 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): Digbijay Biswal

Rank (पद): I (Inspector)

No. (सं.): AXVPB1552E

Mobile No. (मोबाइल सं.):

919439828464

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

*True copy
attached
only*

I.I.F.-I (एकीकृत जाँच फार्म-1)

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1987		-		Is Proxitted: No
2	Male	1989		-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

True copy
attached
only



OFFICE OF THE TAHASILDAR, TANGI, KHORDHA
E-Mail-ID- tdrtaggi@gmail.com & tah.tangikh-od@nic.in

L.No.- 1199

Date 24/06/2022

To,

The IIC, Jankia Police Station, Dist- Khordha.

Sub: -

To lodge an F.I.R. against the culprits.

Sir,

With reference to the subject cited above, I am to say that, Dhurba Charan Kalas S/o- Promod Kalas, of village- Malipada, Po- Malipada Ps- Jankia Dist- Khordha the attorney holder of Prahallad Biswal (lessee of Damanbhuin Laterite Stone Quarry - "A") has given a written statement that while demarcating the quarry area, some miscreants opposed the demarcation work to be done by R.I Achyutpur and Tahasil Amins. The report of R.I Achyutpur is also attached. After receipt of the Joint visit report of the team comprising of Deputy Director, Geology Khordha authorized RQP total station team, R.I. Achyutapur and his team on Damanbhuin Laterite stone quarry-A conducted on 23.6.2022. It is come to the notice of the undersigned that the volume 16324 Cum Laterite stone has been excavated from the said sources. But 8162 Cum laterite stone excavated excluding waste 50% of Total volume, which indicted that Yudhistir Udayasingh S/o- Kunja Bihari Udayasingh, Biswanath Behera S/o- Bula Behera all are residence Ps- Jankia Dist- Khordha are excavated volume 8162 of said quarry. The demand against the extrication is as follows.

Royalty	=1469160
Addl. charges	=163240
S.R	= 360
IT.SC	=35913
DMF	=146916
EMF	=73458

Total =1889047 (Rupees Eighteen Lakh Eighty-nine thousand forty-seven) Only

In view of the above, I would request you to lodge an FIR against the following people and recovery of the demand of the mentioned the above name, also treat the written statement given by attorney holder of the lessee as F.I.R. and strong action as deemed proper may be taken against the culprits.

1. Yudhistir Udayasingh S/o- Kunja Bihari Udayasingh
2. Biswanath Behera S/o- Bula Behera all are residence Ps- Jankia Dist- Khordha

AT 8:00PM Received the report at PS, as
Dt: 25.06.2022 it reveals case no- 379/34202
2 LMR Act, registered PS call no- 237,
Dt: 25.06.2022 and directed SI N. Mohanty
to take up investigation of the case.
supplied a copy of FIR to the informant at
free of cost.

Yours faithfully,

[Signature]
24/6/22

Tahasildar, Tangi
Tangi

25.06.2022
IIC Jankia PS khorda.

True copy
attached
[Signature]

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)**प्रथम सूचना रिपोर्ट****(धारा 154 दंड प्रक्रिया संहिता के तहत)**

1. District (जिला): KHURDA P.S. (थाना): JANKIA Year (वर्ष): 2021
FIR No. (प्र.सू.रि. सं.): 0127 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 18/06/2021 22:00 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	186
2	IPC 1860	379
3	IPC 1860	411
4	ORISSA MINES AND MNRL (PREVN.OF THEFT SMUGG ACTIVITIES)ACT 1989	12

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Friday Date from (दिनांक से): 18/06/2021 Date To (दिनांक तक): 18/06/2021
Time Period (समय अवधि): Pahar 7 Time From (समय से): 19:00 hrs Time To (समय तक): 19:20 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 18/06/2021 Time (समय): 22:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 019 Date and Time (दिनांक और समय): 18/06/2021 22:00 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): NORTH-EAST, 6 Km(s) Beat No. (बीट सं.):
(b) Address (पता): Mundamba cashew field,
(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):
District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a)
True
[Signature]

Name (नाम): Sarat Kumar Paikray

(b) Father's/Husband's Name (पिता/पति का नाम):

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 02/12/1963 (d) Nationality (राष्ट्रीयता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की

Place of Issue (जारी करने का स्थान):

दिनांक):

(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

(h) Occupation (व्यवसाय):

(i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	ASI OF JANKIA PS, JANKIA, KHURDA, ODISHA, INDIA
2	Present Address	ASI OF JANKIA PS, JANKIA, KHURDA, ODISHA, INDIA
3	Permanent Address	JAMUNA, DELANGA, PURI, ODISHA, INDIA
4	Permanent Address	JAMUNA, DELANGA, PURI, ODISHA, INDIA

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.):

91-9178515775

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)

I.I.F.-I (एकीकृत जाँच फार्म-I)				
1	Sachi Gumansingh			1. Nuagoan Jankia, JANKIA, KHURDA, ODISHA, INDIA
2	Kuna Jena			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
3	Bisia Behera			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
4	Nagen Jena			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
5	Sanjay Udaysingh			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
6	Deepak Behera			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
7	Sipu Harichandan			1. Baligadia, JANKIA, KHURDA, ODISHA, INDIA
8	supervisor of cashew Development corporation Jankia			1. Supervisor, JANKIA, KHURDA, ODISHA, INDIA
9	Driver and owner of truck OR 09 F 8489			1. Driver and owner of truck, JANKIA, KHURDA, ODISHA, INDIA
10	Driver and owner of truck OR Y 5567			1. Driver and owner of truck, JANKIA, KHURDA, ODISHA, INDIA
11	Driver and owner of dumper OR 14R 8902			1. Driver and owner of dumper, JANKIA, KHURDA, ODISHA, INDIA
12	Driver and owner of truck OR 02 Q 2975			1. Driver and owner of truck, JANKIA, KHURDA, ODISHA, INDIA
13	Driver and owner of truck OR 04 D 8455			1. Driver and owner of truck, JANKIA, KHURDA, ODISHA, INDIA
14	Driver and owner of truck OR 02 BB 7737			1. Driver and owner of truck, JANKIA, KHURDA, ODISHA, INDIA
15	others			1. not noted, JANKIA, KHURDA, ODISHA, INDIA

True copy
attached
only

I.I.F.-I (एकीकृत जाँच फार्म-I)

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

On 18.6.2021 at evening while ASI S.K Paikray with other staff were performing evening patrolling duty received information that some persons namely Kuna Jena, Bisia Behera, Nagen Jena, Sanja Udaysingh, Deepak Behera and others digging of laterite stones from cashew development corporation. Reached at the spot found three vehicles loaded with laterite stones and other vehicles fled away from the spot.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Pabitra Mohan Pradhan Rank (पद): SI (Sub-Inspector) No. (सं.): 63431 Mobile No. (मोबाइल नंबर): 919437503773 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)

(4) Transferred to P.S. (थाना): District (ज़िला):

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on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): Bhabani Shankar
Khuntia

Rank (पद): I (Inspector)

No. (सं.): inspector

Mobile No. (मोबाइल सं.):
918328824255

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

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I.I.F.-I (एकीकृत जाँच फार्म-I)

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male			-		Is Proxitted: No
2	Male			-		Is Proxitted: No
3	Male			-		Is Proxitted: No
4	Male			-		Is Proxitted: No
5	Male			-		Is Proxitted: No
6	Male			-		Is Proxitted: No
7	Male			-		Is Proxitted: No
8	Male			-		Is Proxitted: No
9	Male			-		Is Proxitted: No
10	Male			-		Is Proxitted: No
11	Male			-		Is Proxitted: No
12	Male			-		Is Proxitted: No
13	Male			-		Is Proxitted: No
14	Male			-		Is Proxitted: No
15	Male			-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

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attached
only

I.I.F.-I (एकीकृत जाँच फार्म-I)

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

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To

The IIC Jankia PS.

Sub- First Information Report

Sir,

I Sri ASI Sarat Kumar Paikaray of Jankia PS along with C/310 R.N Singh, OAPF-25 Surendra Pradhan and others as per direction performing evening patrolling duty as well as conducting raid in illegal mines. During patrolling received one reliable information that some persons namely 1) Kuna Jena 2) Bisia Behera 3) Nagen Jena 4) Sanjay Udaysingh 5) Deepak Behera 6) Sipu Harichandan all are of village Baligadia PS- Jankia Dist- Khordha and others have taken a piece of land from Sachi Gumansingh of Nuagaon Jankia, who had taken that land from cashew development corporation on lease basis to cultivate the cashew. But Sachi Gumansingh instead of cultivating/selling the cashew nut he has given that land to the above persons after taking huge amount to digging/excavation of laterite stones. After received the information I informed to IIC and conducted raid in the said cashew field and found three vehicles bearing regd No 1) OR 09 F 8489(truck) 2) ORY 5567(truck) 3) OR 14R 8902(Dumpher) loaded with laterite stones. Seeing the police jeep all the labours/owner left the spot and we could able to apprehend the truck driver of OR 09 F 84899. On being asked he disclosed his name as Jayadev Das(36) S/O Gudarshan Das of village Krushnapur PS- Chandapur Dist- Nayagada. Seeing the police Jeep trucks bearing regd No 1) OR 02 Q 2975,2)OR 04D 8455,3)OR 02 BB 7737 loaded with laterite stones left the place in spite of police indicate them to stop the vehicles. I with the help of local drivers brought the trucks bearing regd NO 1) OR 09 F 8489(truck) 2) ORY 5567(truck) 3) OR 14R 8902(Dumpher) to the police station.

Sachi Gumansingh of Nuagaon Jankia had taken the cashew field from cashew development corporation to cultivate cashew but instead of do that he in connivance with 1) Kuna Jena 2) Bisia Behera 3) Nagen Jena 4) Sanjay Udaysingh 5) Deepak Behera 6) Sipu Harichandan all are of village Baligadia PS- Jankia Dist- Khordha and others along with supervisor of cashew field have digging/excavation the land which amounts to loss of huge revenue to the exchequer.

As the 1)Sachi Gumansingh of Nuagaon Jankia, 2) Kuna Jena 3) Bisia Behera 4) Nagen Jena 5) Sanjay Udaysingh 6) Deepak Behera 7) Sipu Harichandan all are of village Baligadia PS- Jankia Dist- Khordha and others, supervisor of cashew field, driver and owner of the above noted vehicles liable U/S 379/411/186 IPC/12 OMPTS ACT. I submitted the FIR to take legal action against the above accused persons.

Yours Faithfully,

ASI Jankia PS.

10 PM Received the report and registered
 18.6.21 PC case no. 127 dt. 18.6.21 u/s 379/411/186
 186 IPC 12 OMPTS Act and directed
 S/P. Pradhan to take up investigation
 on the case...

True copy return
 18.6.21

18.06.2021

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): KHURDA P.S. (थाना): JANKIA Year (वर्ष): 2023
FIR No. (प्र.सू.रि. सं.): 0301 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 09/09/2023 14:15 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	ORISSA MINOR MINERALS CONCESSION RULES, 2004	68
2	IPC 1860	34
3	IPC 1860	379
4	IPC 1860	447

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Saturday Date from (दिनांक से): 09/09/2023 Date To (दिनांक तक): 09/09/2023
Time Period (समय अवधि): Pahar 5 Time From (समय से): 12:05 hrs Time To (समय तक): 13:15 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 09/09/2023 Time (समय): 14:15 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 016 Date and Time (दिनांक और समय): 09/09/2023 14:15 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): NORTH, 3 Km(s) Beat No. (बीट सं.):
(b) Address (पता): Kapilatangi area behind, Soursahi Mundambo,
(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):
District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): Abhaya Kumar Rout

I.I.F.-I (एकीकृत जाँच फार्म-I)

- (b) Father's/Husband's Name (पिता/पति का नाम):
- (c) Date/Year of Birth (जन्म तिथि / वर्ष): 25/02/1970 (d) Nationality (राष्ट्रीयता): INDIA
- (e) UID No. (यूआईडी सं.):
- (f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

- (g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

- (h) Occupation (व्यवसाय):

- (i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA
2	Present Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA
3	Present Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA
4	Permanent Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA
5	Permanent Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA
6	Permanent Address	Machhagaon, BALIKUDA, JAGATSINGHPUR, ODISHA, INDIA

- (j) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.): 91-8763920111

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I.I.F.-I (एकीकृत जाँच फार्म-I)

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	Rakesh Champati		Father's Name: Ashok Champati	1. Mundambooo,JANKIA,KHURDA,ODISHA,INDIA
2	Judhistir Udaysingh alias Tofan		Father's Name: Kunja Bihari Udaysingh	1. Mundambooo,JANKIA,KHURDA,ODISHA,INDIA
3	Driver and owner of tractor regd No OD 02 M 4451 and trailer OD 02 M 4452			1. Driver of tractor,JANKIA,KHURDA,O DISHA,INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

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12. First Information contents (प्रथम सूचना तथ्य):

On 9.9.2023 at 12.05 p.m while SI A.K Rout with staff were performing patrolling duty received an information from reliable source that illegal transportatoin of morrum was going on by one tractor from an illegal quarry runs by Rakaesh Champati S/O Ashok Champati and Judhistir Udaysingh @Tofan S/O Kunja vihari Udaysingh both are of village Mundambo PS- Jankia Dist- Khordha. They proceeded to the spot and saw a tractor coming from a quarry loaded with morrum. From a distance seeing the police vehicle the driver unloaded the morrum on te road and fled away leaving the tractor unmanned on the quarry road. On verification it was found that the registration number of tractor OD 02 M 4451 and trailer OD 02 M 4452.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): MURALIDHARA SAHU Rank (पद): Asst. SI (Assistant Sub-Inspector) No. (सं.): 19000965 Mobile No. (मोबाइल नंबर): 919437452500 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)

(4) Transferred to P.S. (थाना): District (ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

14.

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only

I.I.F.-I (एकीकृत जाँच फार्म-I)

Signature / Thumb
impression
of the complainant /
informant (शिकायतकर्ता /
सूचनाकर्ता के हस्ताक्षर
/अंगूठे का निशान)

Name (नाम): Pragyant Ritambhara Kar

Rank (पद): I (Inspector)

No. (सं.): 110091194446

Mobile No. (मोबाइल सं.):

919439712327

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक
और समय):

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I.I.F.-I (एकीकृत जाँच फार्म-I)

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male			-		Is Proxitted: No
2	Male			-		Is Proxitted: No
3	Male			-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

True copy
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To:

THE INSPECTOR-IN-CHARGE, JANKIA PS, KHORDHA.

Sub:- Information regarding Cog Cases.

Madam,

I Abhay Kumar Rout, SI of Jankia PS, Khordha do here by lodge this report before you to the effect that today i.e. on 09.09.2023 at 11.30 AM vide GDE No. 12 Dt. 09.09.2023, I along with C/310 R.N. Singh, C/479 E. Kalso and OAPF-25 S. Pradhan left PS for Mines and Minerals raid and patrolling duty in Jankia PS area. During patrolling near Golabai chhak at 12.05 PM received reliable information from my source that illegal transportation of Morrum is going on by one Tractor from an illegal quarry runs by 1) Rakesh Champati (22) S/O. Ashok Champati and 2) Judhithir Udaysingh @ Tofan (46) S/O. Kunja Bihari Udaysingh both are of Vill. Mundaambo PS - Jankia Dist. Khordha at Kapila Tangi area. To verify the veracity of information, immediately I along with staff rushed towards the alleged spot. On the way we tried to procure two independent witnesses to assist us during raid but no fruition. After sometime we reached at Kapila Tangi area behind Saurasahi, Mundaambo and saw a Tractor coming from a quarry loaded with Morrum. From a distance seeing the Police vehicle suddenly the Tractor driver unloaded the Morrum on the road and fled away leaving the Tractor unmanned on the quarry road. We chased him but he fled away taking advantage of bushy jungles. We returned to the spot and on verification it is found that the Registration number of Tractor is OD02-M-4451 and Trailer bearing Regd. No. OD02-M-4452. As it is an offence U/S- 447/379/34 IPC/ 51 OMMCR-2016 committed by the driver/owner of the alleged Tractor and illegal quarry owners 1) Rakesh Champati (22) S/O. Ashok Champati and 2) Judhithir Udaysingh @ Tofan (46) S/O. Kunja Bihari Udaysingh both are of Vill. Mundaambo PS - Jankia Dist. Khordha, hence I seized one Tractor bearing Regd. No. OD02-M-4451 and Trailer bearing Regd. No. OD02-M-4452 at 01.15 PM at the spot on the date in presence of available witnesses. On local enquiry I ascertained that the accused persons namely Rakesh Champati and Judhithir Udaysingh @ Tofan are running illegal quarry at the alleged spot. Then shifted the Tractor and Trailer to PS and submitted the report before you for taking legal action against the culprits involved in this case.

Yours Faithfully

2.15 PM.
9-9-23

Received the written report. As it reveals a cog case, registered Jankia P.S case no. 304/23 u/s 447/379/34 IPC/ RWS 51 OMMCR and directed (SI Abhay Kumar Rout) Asst M.D. Sahu to take up investigation. Supplied a copy of F.I.R. to the complt. both with an free of cost.

Abhay
9/9/23.
I/c. Jankia P.S.

True copy
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1630

1622

17450
17450

31/8/22



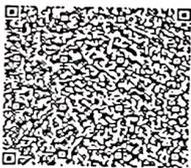
सत्यमेव जयते

INDIA NON JUDICIAL Government of Odisha e-Stamp

Certificate No.	: IN-OD03695230061835U
Certificate Issued Date	: 24-Apr-2022 05:25 PM
Account Reference	: NONACC (IV)/od5025503/ KHORDA/ OD-KRD
Unique Doc. Reference	: SUBIN-ODOD502550305010514364314U
Purchased by	: PRAHALLAD BISWAL
Description of Document	: Article 1A-35 Lease Deed
Property Description	: MZ-DAMANBHUI, KHATA-708
Consideration Price (Rs.)	: 3,48,993 (Three Lakh Forty Eight Thousand Nine Hundred And Ninety Three only)
First Party	: TAHASILDAR TANGI
Second Party	: PRAHALLAD BISWAL
Stamp Duty Paid By	: PRAHALLAD BISWAL
Stamp Duty Amount(Rs.)	: 17,450 (Seventeen Thousand Four Hundred And Fifty only)

Admissible under Rule 35 of Indian Stamp (Odisha Amendment Act 2011) Schedule I.A. No.....fees paid.

A 50 (11) 6980 ~
17450 ~
7335 ~
Stamp 355 ~
7690 ~



Registrar
KHORDHA

.....Please write or type below this line.....

Touleem
attested
Akhed

Prahallad Biswal

PU 000044432



Prahallad Biswal

Singh
Tahasildar

FORM-N

Aadhar NO: - 6109 2785 6603

Pan NO: - CA7PB1502L

mob: - 8249772239

Form of Quarry Lease

[See Rule 27(13)]

(Rupees Forty Two Thousand Three Hundred sixty Only)

THIS INDENTURE made this 25th day of April 2022 between the Governor of Odisha and ~~on~~ whose behalf Tahasildar, Tangi & Competent Authority, OMMC Rules, 2016 (here in after called the "Lesser") of the one part and (Name of person) Sri Prahallad Biswal, S/o: Purnachandra Biswal, At- Kaithapalla / Po- Biribadi, P.s. - Tangi Dist-Khordha State: Odisha aged about 30 years, S Profession-Business (hereinafter called "Lessee" which expression shall where the contest so admits be deemed to include his heirs, executors, administrators assignees) of the other part.

WHEREAS the lessees has applied to the Competent Authority concerned for a Sand lease for the Laterite (minor mineral) in accordance with Provisions of the Odisha Minor Minerals Concession Rules, 2016 in respect of the lands described

Prahallad Biswal
25/4/2022

Shree Chandra Kumar

To be attested

Surface rent Rs. 270360/- (Rupees Two lakh seventy Thousand Three Hundred sixty Only), for one year 25.04.2022 to 24.04.2023 towards Royalty since the agreement period is 5 year i.e. 25.04.2022 to 24.04.2027.

AND WHEREAS the Competent Authority has communicated his approval to the grant of lease on the terms, covenant and conditions hereinafter contained.

NOW THIS INDENTURE witness as follows:-

The lesser hereby demises to the lessee the land described in Part-I of the Schedule hereunder written and delineated in the map here unto annexed.

The said demised pieces of land shall be held by lessee for a term of 5 year i.e. from 25.04.2022 to 24.04.2027 on which the executed deed is registered under Indian Registration Act and Odisha Registration Manual, subject to the terms, convents & conditions hereinafter provided.

IN WITNESS WHEREOF these presents have been executed in manner hereunder appearing the day and year first above written. The Lessee has deposited the following amount - (1) Royalty Rs. 2,70,000/- Add charges. Rs 31,500/- SR = Rs 360/- JTS SC = 2366/- DMF = Rs 27,000/- EMF = Rs 13,500/- All total = Rs 3,48,993/-
The Schedule above referred to

PART-1

Location and Area of the Lease

Village Plot Nos. 2161 (P) , Khata No. 708, Kissam - Puratana Patita

T.C. Akhrot
Achal

Dhruv Chandra Khandelwal

Singh
TAHASILDAR

Rachhanda Bhusari

Print Endorsement



Endorsement of the certificate of admissibility

Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment Act 1988) Schedule 1-A No. 35@ Fees Paid : A5(b)-6980 ,, User Charges-355 ,Total 7335

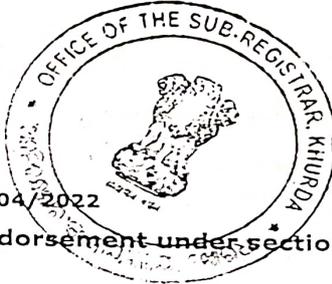
Date: 25/04/2022

Registering Officer
Signature of Registering Officer

Endorsement under section 52

Presented for registration in the office of the Sub-Registrar Sub-Registrar KHURDA between the hours of 10:00 AM and 10:00 AM on the 25/04/2022 by PRAHALLAD BISWAL, son/daughter/wife of CHANDRA BISWAL, of KAITHAPALLA, BIRIBADI, TANGI, KHORDHA, 752027, by caste profession Business and finger prints affixed.

Prahallad Biswal



Signature of Presenter / Date: 25/04/2022

Registering Officer, Khordha
Signature of Registering officer.

Endorsement under section 58

Execution is admitted by :

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
GOVT. OF ODISHA THROUGH TAHASILDAR TANGI (GOVT)	Execution By GOVT. OF ODISHA THROUGH TAHASILDAR TANGI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By GOVT. OF ODISHA THROUGH TAHASILDAR TANGI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By GOVT. OF ODISHA THROUGH TAHASILDAR TANGI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer	—
PRAHALLAD BISWAL		 243192595	Prahallad Biswal	25-Apr-2022

Identified by SUMANTA KUMAR MISHRA Son/Wife of DAYANIDHI MISHRA of KHORDHA by profession Advocate

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
SUMANTA KUMAR MISHRA				25-Apr-2022

Village - Damanabhulin,

Tahasil - Tangl

Area (in Ac) Ac 10.230

Hereinafter called as "said lands"

As per plan annexed and bounded

PART-II

TERMS AND CONDITIONS OF THE LEASE

This lease is subject to the conditions laid down in Rule 33 of OMMC Rule, 2016 and also all other conditions pertaining to lease as provided in the rules, that is as under-

01. The lessee shall pay to the State Government surface rent before the execution of the lease deed for the remaining period of the year and thereafter pay such yearly rent on or before the 15th January of every year.
02. The lessee shall pay dead rent for the remaining period of the year before the execution of the lease deed and thereafter pay yearly dead rent on or before the 15th January of every year and an account of the royalty payable by him shall be kept by the competent Authority and as soon as the royalty payable by him becomes equal to or in excess of the dead rent already paid by him, he shall remove

Signature
TAHASILDAR
Tangi

Prabhakar Bihari

Shree Chaitanya Kachal

For the
attm
ms

Date: 25/04/2022

Registering Officer

Signature of

Endorsement of certificate of registration under section 60

Registered and true copy filed in : Office of the Sub-Registrar, KHURDA

Book Number : 1 || Volume Number : 33

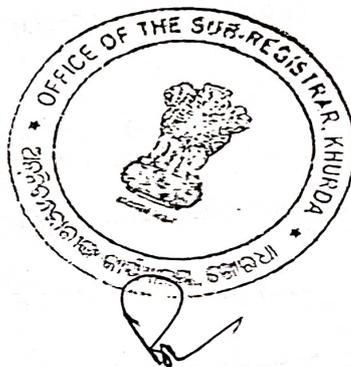
Document Number : 11142201622

For the year : 2022

Seal :

Date: 26/04/2022

Registering Officer, Khurda
Signature of Registering Officer



Registering Officer, Khurda

the minor minerals only after payment of the royalty and in such cases advance dead rent paid by him shall be deemed to have been merged into the amount of royalty that he was liable to pay.

03. The lessee shall pay to the Government, compensation for all damages, injuries or disturbances which has been caused by him in the course of mining operation and shall indemnify the government against all claims which may be made by third parties in respect of such damage, injury of disturbances.

04. The lessee shall commence quarrying operations within three months from the date of execution of the lease deed which shall be carried on in a proper, skilful and workman-like manner and the lessee shall send to the Director and Deputy Director or Mining Officer concerned, under whose jurisdiction the area is located and to the Director of Mines Safety, Bhubaneswar and intimation in form H of the opening or reopening of the quarry so as to reach them within a period of fifteen days from the date of such commencement.

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Shree Choudhary

Prakash Choudhary
Bhubaneswar
TANASIBHAR

05. If the lessee does not work upon the quarry for a continuous period of six months, the lease shall be liable to be cancelled, unless prior permission has been granted by the competent Authority for such stoppage on reasonable grounds.

Provided that the competent Authority may, on an application made by the lessee before it is cancelled and on being satisfied that it will not be possible for the lessee to undertake mining operations or to continue such operations for reasons beyond his control, make an order within a period of one month from the date of receiving such application and subject to such conditions as may be specified to the effect that such lease shall not be cancelled.

06. The lessee shall allow reasonable facilities of access to other concessionaires of major and minor minerals, as may be directed by the Competent Authority.

07. If any minor minerals not specified in the lease deed is discovered in the leased area, the lessee shall report it forthwith to the Competent Authority and the Director and the lessee shall not win or dispose of any such minor mineral unless such minor minerals is included in the lease

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P.M.

Shree Kishan
T.A.H.

Prabhat Lal Bhasel

Shree Chohan Kaul

deed or a separate prospecting license-cum-mining lease or mining lease or mining lease or quarry lease, as the case may be, to extract the newly discovered minor mineral within three months from the date of discovery or if he declares his intention not to work upon the discovered minor mineral, the State Government or the competent Authority, as the case may be, may grant prospecting license-cum-mining lease or mining lease or quarry lease in respect of that minor mineral to any other person after observing the procedure specified under these rules for the purpose:

Provided that, if the mineral discovered is not a minor mineral, the lease shall not be entitled to any preference for the purpose of obtaining a lease for the new mineral, by reason only of the lands being included in his earlier lease for extraction of minor mineral.

08. The lessee shall not carry on or allow to be carried on, any quarrying operation at any point within a distance of:-

- a. One hundred meters from any railway line (except under and in accordance with the written permission of the railway Administration concerned) and in case of

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TAHASILDAR

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Mehabubul Biewal

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Shoube Chohan (Kaly)

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[Signature]

National Highway, State Highway, monuments, heritage sites, or any reservoir; except in accordance with the previous permission of the Collector.

b. Fifty meters from any tank, canal, road (other than a National or State Highway or other public works or buildings or inhabited sites), except under in accordance with the previous permission of the collector.

09. The Railway Administration or the Collector, as the case may be, may grant such permission as required under clause (a) or (b) of Sub-Rule (8) on such conditions as may be specified.

10. The State or Central Government shall have right to construct any road, railway or canal or reservoir or to lay electric or telephone lines in or over the lands held under the lease.

Provided that the lease shall be given at least sixty days prior notice before the right is exercised and the area thus utilized shall be excluded from the area held under lease.

11. The lessee, with prior written permission of the competent authority, can erect at his own cost, temporary structure including buildings required for the purpose of quarrying

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TANHASILDAR

Prakash Chandra

Shri Chandra Kumar

T.C. K. [Signature]

operation within the leased area, without violating any law or obstructing any natural flow, community access or without causing damage to any embankment or public property, which shall be dismantled by the lessee at his own cost or completion of the lease term or on determination of the lease. The competent Authority can pass orders to dismantle such structures if found erected illegally or causing damage to public.

12. The lessee shall, at his own expense, erect and at all times maintain and keep in good condition boundary marks and pillars necessary to delineate the leased area.

13. The lessee shall obtain permission of the competent authorities of the Forest Department, Odisha to carry on any operation in forest area.

14. The lessee shall abide by the provisions of all laws for the time being in force, relating to the working of quarries and matters affecting the safety, health and convenience of the persons employed for quarrying and of the public and he shall also obey all existing laws of way, water and other easements.

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Dhruva Chandra (Sd/-)

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15. The lessee shall keep correct accounts of minor minerals other than specified minor minerals quarried and dispatched and shall furnish a quarterly return in Form-P and annual return in Form-K to the Competent Authority and the Director.

16. The lessee shall afford reasonable facilities for inspection of the quarries, accounts and records pertaining to quarrying operation, to the Competent Authority and Director or any other officer authorized by any of them and such officer may issue directions to prevent wasteful extraction of minerals and to ensure observance of the provisions of rules and specify the time limit not exceeding sixty days within which the directions shall be complied with.

17. If the lessee does not allow the inspecting officer reasonable facilities for inspection or fails to comply with the directions within the specified time limit, the Competent Authority may forfeit the whole or part of the security deposit paid by the lessee or impose penalty not exceeding rupees fifty thousand and may cancel the lease and forfeit the security deposit.

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18. The lessee shall report about all accidents involving injury or loss of life or loss or damage to property forthwith to the concerned Competent Authority and Collector of the District.

19. If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the nonpayment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area or re-entry without prejudice to such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the

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Shree Chandra Kishore

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provisions of the Odisha Public Demands Recovery Act, 1962
for recovery of such dues.

20. The Controlling Authority shall have the right to pre-emption at current market rates over all minor minerals extracted or collected by the lessee and shall be indemnified by the lessee against the claims of any third party in respect of such minerals.
21. The lessee shall remove all minor minerals extracted before the end of the lease period or of its determination, if it is determined earlier, and all other materials and structures within such reasonable period not exceeding two months or as the Competent Authority may allow.
22. All minor minerals, materials, machineries, buildings and other structures, left in the leased area after the date line fixed or time allowed by the Competent Authority shall be deemed to be the property of the Government and the competent Authority may dispose of such property by public auction and the sale-proceeds shall be credited to Government account with the approval of controlling Authority.

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Author

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MS-

Sharda Choudhary

TAHASILDAR

23. If any mineral other than minor minerals is found in the area in course of quarrying of minor minerals, the lessee shall intimate in writing the fact to the Competent Authority and the Director forthwith and the lease shall be determined without payment of any compensation to the lessee.
24. The lessee shall ensure proper maintenance of hill slopes so as to prevent major erosion and observe all such safeguards as provided in the Mines Act, 1952 and the rules and regulations framed there under from time to time.
25. The lessee shall carry out quarrying operation with appropriate environment safeguards and shall take such steps for reclamation and rising of plantations in the lease area in line with the prescriptions under rules 29 to 37 of the Granite Conservation and Development Rules, 1999.
26. The lessee shall keep the Government indemnified from any liability, compensation damage etc., arising out of his acts omissions as a lessee during the subsistence of the lease.
27. No rejected / off grade major mineral shall be removed on payment of royalty as minor mineral, under this rule.

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Shri. Charan (C.A.)

TAHASILDAR

Shri. Charan (C.A.)

28. The Competent Authority may include such other conditions in the lease deed with the approval of the Controlling Authority.

29. The lessee shall abide by the provisions of the Mines Act, 1952 and rules and regulations framed there under, the Explosives Act, 1884 and rules made, there under for development of the source of minor minerals in workman like manner and for avoidance of any danger arising out of such winning of mining mineral.

30. The lessee shall be liable to pay royalty or dead rent, surface rent, additional charge, amount of contribution payable to the District Mineral Foundation, amount of Contribution payable to the environment Management Fund and fees for Compensatory Afforestation as may be determined or specified by the Govt. from time to time.

PART-III

Liberties, power & privileges to be exercised and enjoyed by the lessee

01. To enter upon and use the land, described in Part-I of the Schedule ring the term here by demised to carry on all operations--necessary--extraction, collection, stacking, processing, transport and disposal of minor mineral/minerals leased in natural or in processed/unverted form.

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2022

SURESH
TAHASIL DAR

Shri. Chandra Kumar

and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007.

PART-V

Liberties, powers and privileges reserved to the State Government

The State Government or any officer, or persons authorized by it in that behalf has the liberty and power to enter into and upon the leased area to carry on any operation in connection with survey, sampling, testing, quarrying, processing, tracking and transportation of mineral as may be deemed necessary.

PART-VI

Provision regarding Rents and Royalties

01. The lessee shall, during the subsistence of this lease pay to Government ~~royalty~~ in respect of the ~~minor mineral~~ removed by him from the leased area at the rates prescribed in Schedule II and surface rent at the rate prescribed in Schedule-I.
02. All payments relating to rents, royalties, fees, etc., as provided under these rules shall be paid to the State Government free from all deductions, at the District Treasury / Sub-Treasury and in such manner as the Competent Authority may prescribe.
03. For the purpose of computing the royalty, the lessee shall keep correct account of the mineral produced, stacked and removed from the lease area and submit a return to the Competent Authority and Director in Form K & Form P.

FLA:
Suresh

Handwritten notes on the right margin, including the word "TALUQUE" written vertically.

Handwritten notes on the right margin, including the name "Dharmendra Choudhary (Kohal)".

04. The lessee shall pay royalty In advance and the differential amount, if any, on computation shall be paid by the end of the first fortnight of each half yearly period during the subsistence of the lease.

05. The lessee shall pay surface rent in advance and not later than 15th January and 15th July of each year.

Signed by Smt. Ranjan Satapathy
.....TAHASILDAR..... 21.4.22
Tangi
(Tahasildar, Tangi & Competent Authority)

For on behalf of Governor of Odisha, in the presence of

1. Sri Diganta Kumar Sahu, J.A.
2. Sri Gousanga Sabon (R.I.)

Signed by Prahallad Biswal 21/4/2022
.....
(Sri Prahallad Biswal, S/o: Purnachandra Biswal, At- Kaitha palla / Po- Biribadi, P.s. - Tangi Dist-Khordha State: Odisha) Lessee in the presence of

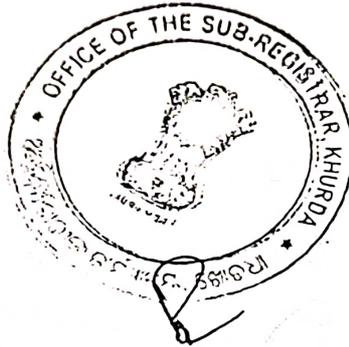
1. [Signature]

My 2. Shri Chandra Kumar
S/o. Dharam Das
At. Mani Pardi
Po - Gauri & [Signature]

Prepared by: Taran Kumar Gaiwade
At No. 471 2008.

Certified that the documents are genuine & this deed has been prepared by [Signature] in presence of [Signature] as witnesses. S. Moh. Advocate, Khurda
C No 0112/3122

T.C.A. [Signature]



Registering Officer, Khurda

114 2201630
Registration I.D. No.

Registration Document No.

Book No. D 114 2201622

Date 25 4 2022

Year 2022

Document thoroughly
Checked and found correct
for admission

Registering Officer

25 4 2022

Signature of Section Officer