

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA.**

**Original Application No.47 / 2024/EZ**

Youth United for Sustainable Environmental Trust.

... Applicant

-Versus-

State of Odisha & others. ... Respondents.

**I N D E X**

Sl. No.	Description of documents.	Pages.
<hr style="border-top: 1px dashed black;"/>		
1.	Counter affidavit filed by Respondent No.8.	
2.	<b><u>Annexure -A/8</u></b> True copy of show cause notice dtd.24.04.2024.	
3.	<b><u>Annexure- B/8.</u></b> True copy of Challan No.38000492FC Dtd.18.05.2024.	
4.	<b><u>Annexure-C/8</u></b> True copy of e-challan reference ID No.37F44D0797 Dtd.21.03.2024.	
5.	<b><u>Annexure-D/8.</u></b> True copy of Letter No.432/Mines dtd.27.02.2024.	
6.	<b><u>Annexure-E/8.</u></b> True copy of letter No.10 dt.04.04.2024.	
7.	<b><u>Annexure-F/8</u></b> True copy of online Challan No-CK000PKGT6 Dt.16.02.2024.	
8.	<b><u>Annexure-G/8</u></b> True copy of online Challan No-CKOOOPKBW6 Dt.16.02.2024.	

9. **Annexure- H/8**

True copy of Letter No.247/ Quarry / ROSPCB /  
AGL/86/ 2017-18 dt.20.01.2023 issued by  
State Pollution Control Board, Angul.

10. **Annexure- I/8**

True copy of Consent Order No.1292/ Quarry /  
ROSPCB / AGL/ 86 / 2017-18 dt.06.04.2023  
issued by State Pollution Control Board, Angul.

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Cuttack.  
Dt.20.05.2024.

  
( Shakti Prasad Panda)  
Addl.Govt.Advocate.



**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA.**

**Original Application No.47 / 2024/EZ**

Youth United for Sustainable Environmental Trust.

... Applicant

-Versus-

State of Odisha & others. ... Respondents.

**COUNTER AFFIDAVIT FILED BY**  
**RESPONDENT NO.8.**

I, Dharanidhar Nayak, aged about 38 years, S/o. Sri Nilamani Nayak, at present working as Deputy Director Mines, Talcher, At- Hatatota, P.O.- Remuna, P.S.-Talcher, District-Angul, Odisha, do hereby solemnly affirm and state as follows;

1. That I have gone through the contents of the Original Application as well as the annexures appended thereto and have understood the contents thereof. I am well acquainted with the facts of the case and as such competent to swear this affidavit in my official capacity.

2. That the appellant has filed the aforesaid Original Application with the following prayer:-

- “ I. Direct the Mining department to conduct Drone Survey to assess the mining beyond lease area and excess mining.
- II. Direct the SEIAA Odisha to withdraw the EC letter for violation of EC Conditions.

*Dharanidhar Nayak*



- III. Direct the Independent Committee to inquire into the illegalities of mining such as mechanical mining and in-stream mining, Excess sand mining in violation of the permitted quantity.
- IV. Direct the State Respondents to seize the Excavators used for Sand Mining in Brahmani River at Gopinathpur.
- V. Direct the State Respondents to immediately remove the illegal approach road constructed by the lease holders / sand mafias in Ensure the free flow of river by removing the artificial approach roads for transportation of sand loading vehicles insider the river.
- VI. Direct the State Respondents for GPS TRACKING OF VEHICLES s AND make E TRANSIT PASS MANDATORY FOR MINING OPERATION
- For this act of kindness the application shall ever remain grateful to you.”

3. That the brief fact of the case is that after going through the record, it appears that Nizigarhjami Sand



Dharmadhar Nayak

Sairat (10.06 Ha.), At- Nizagarh Zami, Po- Talcher , has been granted under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air ( Prevention & Control of Pollution ) Act, 1981 and rules thereof the lessee to operate sairat source by the State Pollution Control Board, Odisha, vide Board's letter No.1292 dtd.06.04.2023 which is valid up to 31.03.2024. The source is handed over to Steel and Mines Department from Revenue & Disaster Management Department on dt.27.07.2023 (both in online and offline). Scrutinise and systemically upload in Integrated Minor Mineral Mining Management System and first E- pass issued on 04.10.23. The Minimum Guaranteed Quantity (in short 'MGQ') was duly permitted as per the 'Y - Form' (Previous transit pass issued by Revenue and Disaster Management Department) data provided by Tahsildar, Talcher.

It is pertinent to mention here that the detail extraction of sand is not available prior to 27.07.2023. However, after taken over source the Respondent No.8 monitoring the site and it is found that the depth of mining activities could not be ascertained as major part of the lease hold area was submerged under water. However, neither any mining activities were carried out nor any heavy machinery (excavators) were engaged during visit at the site. Further, internal enquiry was conducted after receipt of letter from

Dharmendra Nayak



Govt.of Odisha, Steel & Mines Department, Odisha vide Memo No.3159/ Dtd.12.04.2024 as well as from higher authorities. Nizagarhzami is operational source whereas Gopinathpur is non -operational. A JCB was found in the source site. Though the lessee was a successful bidder of Gopinathpur sand source, but he did not follow OMMC and EC guidelines, he was penalized to the tune of Rs.1,00,000/- ( Rupees one lakh). During investigation it was also noticed that Nizagarhzami sand source doesn't have proper boundary demarcation as per Mining Plan & Environment Clearance guidelines . In that view of the matter a show cause notice was issued on 24.04.2024 and imposed penalty of Rs.1,00,000/- and realised vide Challan No.38000492FC Dtd.18.05.2024. True copies of show cause notice dtd.24.04.2024 and Challan No.38000492FC Dtd.18.05.2024 are annexed herewith as **Annexure -A/8 & B/8** respectively.

4. That, with regard to the averments made in Para-1 & 2 of the Original Application needs no comments.

5. That, in reply to the averments made in Para-3 & 4 of the Original Application, it is humbly submitted that during visit by the Mining Officer – cum - Competent Authority, Minor Mineral, Angul District, it was observed that another non-operational sand quarry namely Gopinathpur sand quarry is situated near Nizgarh Zami Sand quarry. The Mining Officer – cum

*Nayan*

*Dharanidhar*



- Competent Authority, Minor Mineral, Angul District noticed traces of sand excavation work in the said non-operational quarry. The lessee was imposed penalty of Rs. 1,00,000/- on the spot and same has been realized vide Bank Transaction IDIKOCRJPXY3 Dt.21.03.2024. True copy of e-challan reference ID No.37F44D0797 Dt.21.03.2024 is annexed herewith as **Annexure-C/8.**

6. That with regard to the averments made in Para-5 of the Original Application need no comments.

7. That in reply to the averments made in para-6 of the Original Application, it is humbly submitted that during visit though mining activities was not carried out but one JCB was found inside lease hold area . All the Lessees of Minor Mineral in Angul District have been directed to strictly follow the order of the Hon'ble High Court of Orissa passed in W.P.(C) No.6375 of 2023 vide letter No.432/Mines dt.27.02.2024. True copy of Letter No.432/Mines dtd.27.02.2024 is annexed herewith as **Annexure-D/8.**

8. That in reply to the averments made in para-7 of the Original Application, it is humbly submitted that during investigation it was noticed that Nizagarhzami sand source doesn't have proper boundary demarcation as per Mining Plan & Environment Clearance guidelines. In that view of the matter a show cause

Noted  
Dharmendra



notice was issued on 24.04.2024 and imposed penalty of Rs.1,00,000/-.

9. That the averments made in para-8 of the Original Application it is humbly submitted that the mining in the lease area has been carried out within the limit of statutory clearance granted by different statutory bodies of Government.

10. That the averments made in para-9 of the Original Application, it is humbly submitted that lacks judicial interpretation as monsoon period varies from time to time at different geographical locations. The e-pass has been issued on 04.10.2023 basing upon exposure of sand and dry condition of river for the revenue interest of the State. All the lessees of minor mineral in Angul District have been directed to conduct pre-monsoon replenishment study vide letter No.10 dt.04.04.2024. True copy of letter No.10 dt.04.04.2024 is annexed herewith as **Annexure-E/8.**

11. That with regard to the averments made in para-10 of Original Application need no comments as the same has already been replied in earlier paragraph.

12. That in reply to the averments made in para-11 of Original Application, it is humbly submitted that Display Board was initially posted but during field visit it is noticed that the same is in broken stage.

Dr. N. S. Chakraborty  
Advocate



13. That with regard to the averments made in Paras- 12 to 19 of the Original Application need no comments.

14. That with regard to the averments made in para-20 of Original Application need no comments . However, it is humbly submitted that all the lessees of minor mineral in Angul District have been directed conduct pre-monsoon replenishment study vide letter No.10 dt.04.04.2024.

15. That with regard to the averments made in Paras- 21 to 24 of the Original Application need no comments.

16. That in reply to the averments made in para-25 to 27 Original Application, it is humbly submitted that sand lifting to TTPS is a fact as their project work was going on. However, the authorised person (from both BHEL & TTPS) were directed to provide transit pass in respect of sand procurement. But, they failed to provide transit passes in support of the procurement. Subsequently the Competent Authority seized the minor mineral (sand) and immediately stopped the work and assessed that 10,000/- cum of sand has been stacked unauthorizedly. The Project Proponent was imposed penalty amounting to Rs.24,48,000/- and realised the penalty amount of Rs.5,00,000/- vide Online Challan No-CK000PKGT6 Dt.16.02.2024

Dharani Kumar Nayak



under Rule-51 (1) (i) of the Odisha Minor Mineral Concession Rules, 2016 and Rs.19,48,000/- towards royalty vide Online Challan No-CKOOOPKBW6 Dt.16.02.2024. True copies of online Challan No-CK000PKGT6 Dt.16.02.2024 and online Challan No-CKOOOPKBW6 Dt.16.02.2024 are annexed herewith as **Annexure-F/8 & G/8** respectively.

17. That with regard to the averments made in para-35 and 36 of the Original Application is not correct and hereby denied. It is humbly submitted that Consent to Establish was issued against the sand source vide Letter No.247/Quarry/ ROSPCB/ AGL/86/ 2017-18 dt.20.01.2023 for a period of 5 years. Subsequently, Consent to Operate has been granted in respect of the Sairat Source vide Consent Order No. 1292 /Quarry/ ROSPCB/ AGL/ 86/2017-18 dt.6.4.2023 and was valid up to 31.03.2024 issued by State Pollution Control Board, Angul. True copy of Letter No.247/ Quarry / ROSPCB / AGL/86/ 2017-18 dt.20.01.2023 and Consent Order No. 1292 /Quarry/ ROSPCB/ AGL/ 86/2017-18 dt.6.4.2023 issued by State Pollution Control Board, Angul are annexed herewith as **Annexure- H/8 & I/8** respectively.

18. That with regard to the averments made in para-37 of the writ petition, it is humbly submitted that during field visit no machineries was seen at the site. All the Lessees of Minor Mineral in Angul District

Dharamaiah Nayak



have been directed to strictly follow the Order of the Hon'ble High Court of Orissa passed in W.P.(C)No.6375 of 2023 vide letter No.432/Mines dt.27.02.2024 .

19. That with regard to the averments made in Para-38 of the writ petition need no comments.

20. That the averments made by the petitioner in Original Application are not correct and hereby denied. It is humbly submitted that mining in the lease area has been carried out within the limit of statutory clearance granted by different statute bodies of Government. All the Lessees of Minor Mineral in Angul District have been directed to strictly follow the Order of the Hon'ble High Court of Orissa passed in W.P.(C) No.6375 of 2023 vide letter No.432 / Mines dt.27.02.2024.

21. That with regard to the averments made in Para-40 of the writ petition need no comments.

22. That with regard to the averments made in Para-41 of the writ petition, it is humbly submitted that need no comments after transfer of administration from Revenue & Disaster Management Deptt., Bhubaneswar to Steel & Mines Department, Bhubaneswar. All mineral transaction being carried out online in Integrated Minor Mineral Mining Management System.

Nayak  
Dharmnidhar



23. That with regard to the averments made in Para-42 to 48 of the writ petition need no comments.

24. That this deponent craves leave of this Hon'ble Tribunal to file further affidavit, if required, at the time of hearing.

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

### VERIFICATION

I, Dharanidhar Nayak, aged about 38 years, S/o. Sri Nilamani Nayak, at present working as Deputy Director Mines, Talcher, At- Hatatota, P.O.- Remuna, P.S.-Talcher, District – Angul, Odisha, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge as derived from official records and that nothing material has been concealed there from.

Verified at Cuttack on this the 20th day of May, 2024.

Identified by:

 Addl. Govt. Advocate

Dharanidhar Nayak

VERIFICANT.

Deputy Director Mines  
Talcher Circle, Talcher



**AFFIDAVIT.**

I, Dharanidhar Nayak, aged about 38 years, S/o. Sri Nilamani Nayak, at present working as Deputy Director Mines, Talcher, At- Hatatota, P.O.- Remuna, P.S.-Talcher, District – Angul, Odisha, do hereby solemnly affirm and state as follows :-

1. That I am the Respondent No.8 in the aforesaid Original Application. I am well acquainted with the facts of the case and as such competent to swear this affidavit on my official capacity.
2. That the facts stated above are true to the best of my knowledge and based on official records.

Identified by:

Addl.Govt.Advocate.

*Dharanidhar Nayak*  
Deponent.

Deputy Director Mines  
Talcher Circle, Talcher

**CERTIFICATE**

Certified that Cartridge paper are not available.

Cuttack.

Dt.20.05.2024.

*[Signature]*  
Addl.Govt.Advocate.

The above named deponent being identified by Mr./Ms. *S.P. Panda* Advocate appears before me at *2* AM/PM. on this the *20* day of *May*, 20*24*. I solemnly affirms that the facts stated are true to his/her knowledge and belief.

*[Signature]*  
NOTARY  
CUTTACK  
*20/5/2024*



ANNEXURE-A/8

GOVERNMENT OF ODISHA  
OFFICE OF THE DEPUTY DIRECTOR MINES, TALCHER CIRCLE, TALCHER  
DIST: ANGUL

Letter No 80 MM, Dated. 24.04.2024

To

Pitambar Bhutia

S/o- Banabar Bhutia , Mandapal , Talcher Town

Talcher , Dist – Angul

Sub – Show cause in respect of illegal activities carried out in Nizagarhjami sand quarry .

Sir ,

With reference to the subject cited above , from the field visit we concluded that

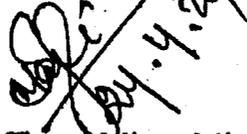
- Missing of Name board & pillars were in broken state . As per OMMC Rule 2016 (Amendment 2023 ) , EC guidelines a source should be visibly demarcated by pillar posting ( Concrete pillars imprinting with co -ordinates and top coloured with red or yellow ). The current scenario fails in above mentioned rules.
- No Replishment study report has been submitted by your end to this office although letter has been issued regarding it .
- A broken earth bridge has been found in source . As per EC guidelines Project proponent shouldn't obstruct Natural water flow of a river.
- Plantation should be mandatory .

You are hereby addressed to provide us proper justification regarding the matter within 7 days of receiving this letter .In case of any negligence , proper action will be taken as per OMMC rule 2016(Amendment 2023 ). Again , you are hereby addressed to prohibited any illegal action in the foresaid quarry and adjacent to it.

True Copy Attested

  
Deputy Director Mines  
Talcher Circle, Talcher

Yours faithfully,

  
Mining officer , Minor Mineral  
Angul District



Government of Odisha  
Cyber Treasury  
eChallan

ANNEXURE- 13/8



1.	Name of the Depositor	PITAMBAR BHUTIA
2.	Depositor's Address	AT/PO-TALCHER TOWN TALCHER Odisha Angul 759107
3.	District	Angul
4.	e Challan Reference Id	38000492FC
5.	Total Transaction Amount (In Rs.)	Rs. 100000/- ( echallan- Rs. 100000/- + agency- Rs. 0/- )
6.	Amount (In words)	One Lakh Only

Head of Account

Description	Head Of Account	Amount	Challan Number & Date
Odisha Minor Mineral Concession Rules	0853-00-102-0217-02021-000	Rs. 100000/-	Not Generated
	Total Amount	Rs. 100000/-	

Bank Details

Name of the Bank	STATE BANK OF INDIA
Mode of Transaction	Net Banking
Bank Transaction ID	IK0CTLWLY9
Bank Transaction Date & Time	18/05/2024 08:22:25 PM
Bank Transaction Status	Successful: Confirmation Received from Bank as Success

Payment Remarks

Penalty
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True Copy Attested

*[Signature]*

Deputy Director Mines  
Talcher Circle, Talcher

ANNEXURE - C/8

Government of Odisha  
Cyber Treasury  
eChallan



1.	Name of the Depositor	PITAMBAR BHUTIA
2.	Depositor's Address	AT-BHAIRABI SAHI PO-TALCHER TOWN PS-TALCHER SADAR Odisha Angul 759107
3.	District	Angul
4.	e Challan Reference Id	37F44D0797
5.	Total Transaction Amount (In Rs.)	Rs. 100000/- ( echallan- Rs. 100000/- + agency- Rs. 0/- )
6.	Amount (In words)	One Lakh Only

Head of Account

Description	Head Of Account	Amount	Challan Number & Date
Odisha Minor Mineral Concession Rules	0853-00-102-0217-02021-000	Rs. 100000/-	Not Generated
	Total Amount	Rs. 100000/-	

Bank Details

Name of the Bank	STATE BANK OF INDIA
Mode of Transaction	Net Banking
Bank Transaction ID	IK0CRPJXY3
Bank Transaction Date & Time	21/03/2024 04:15:13 PM
Bank Transaction Status	Successful: Confirmation Received from Bank as Success

Payment Remarks

PENALTY
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True Copy Attested

Deputy Director Mines  
Talcher Circle, Talcher

\* This is a computer generated challan and doesn't require any signature or stamp.

Generated on : 21/03/2024 04:13:55 PM



OFFICE OF THE DEPUTY DIRECTOR MINES, TALCHER CIRCLE, TALCHER  
DIST: ANGUL

Letter No - 432 /Mines, Date. 27/02/2024

To

All the Lessees of Sairat Sources,  
Angul District.

Sub: Order of Hon'ble High Court, Odisha regarding working of sairat sources.

Sir,

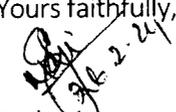
In inviting a reference to the subject cited above I am to say that, the Hon'ble High Court of Odisha in the matter of an application under Articles-226 and 227 of the Constitution of India on W.P.(C) No- 6375 of 2023 have Ordered that all the lessees of minor mineral sources strictly adhere to the Guidelines issued by Government of Odisha on Dt. **21.12.2023** on working of sairat sources which are as follows:-

1. Strictly follow the Terms and condition of E.C., Mining Plan and Lease Agreement.
2. Strictly follow the High court Rule and Odisha Sand Policy for transporting of minor mineral

Any deviation on the above instructions will be viewed seriously.

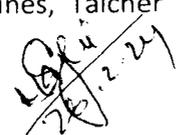
Enclosed : High Court Order.

Yours faithfully,

  
Competent Authority-cum-Mining Officer  
Minor Mineral, Angul Dist.

Memo No 433 /Mines, Date 27/02/2024

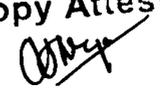
Copy forwarded to the Deputy Director of Mines, Talcher for favour of kind information.

  
Mining Officer- cum- Competent Authority.  
Angul Dist.

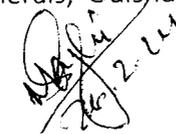
Memo No 434 /Mines, Date 27/02/2024

Copy forwarded to the Director of Minor Minerals, Odisha, Bhubaneswar for favour of kind information.

True Copy Attested



Deputy Director Mines  
Talcher Circle, Talcher

  
Mining Officer- cum- Competent Authority.  
Angul Dist.

**ORISSA HIGH COURT: CUTTACK**

**AFR**

**W.P.(C) No. 6375 of 2023**

In the matter of an application under Articles 226 and 227 of the Constitution of India.

Prasanta Kumar Das ..... Petitioner

-Versus-

State of Odisha and others ..... Opp. Parties

For petitioner : M/s Sukanta Kumar Dalai  
and S. Mahapatra, Advocates

For opp. parties : Mr. Asok Parija,  
Advocate General along with  
Mr. Kishore Mohanty,  
(O.P. Nos. 1 to 13)

M/s. H.S. Mishra,  
Padmanav Sethy and R. Dash,  
Advocates  
(O.P. No. 17)

M/s. Sanjay Das-2,  
Padmanav Sethy, T.K. Sahoo,  
Advocates (O.P.Nos. 18 & 19)

Mr. S.P. Mishra, Sr. Advocate  
along with M/s. Soumya Mishra,  
A. Agarwal, R.K. Agarwal,  
M. Mishra and B. Behera,  
Advocates (O.P. No.20)

Mr. P.K. Mohapatra, Advocate  
(For Intervener)

True Copy Attested



Deputy Director Mines  
Talcher Circle, Talcher

P R E S E N T:

**THE HONOURABLE ACTING CHIEF JUSTICE DR. B.R.SARANGI  
AND  
THE HONOURABLE MR JUSTICE MURAHARI SRI RAMAN**

**Date of Hearing and Judgment :: 06.02.2024**

**DR. B.R. SARANGI, ACJ.** The petitioner has filed this writ petition in the nature of public interest litigation seeking following relief(s):-

*"It is most respectfully prayed that this Hon'ble Court may graciously be pleased to issue Rule Nisi calling upon the Opposite Parties to show cause as to why appropriate direction shall not be given to the Opposite Parties more especially Opposite Party No. 3 to 13 to take prompt action to stop illegal mining by way of mechanized manner and to adopt guided and controlled method for transportation of sands and to cause an independent enquiry in relates to alleged illegal practice adopted by the Opposite Party No.3 to 13 and to declare the present auction procedure as illegal, arbitrary and malafide and against larger public interest"*

2. The factual matrix of the case, in brief, is that the State authorities, while granting sand sairats on lease to different lessees by making public auctions for different periods, are allowing the lessees to operate the lease in violation of the terms and conditions of the lease deed executed between the parties. Though the lease conditions stipulate that the lessee has to operate the mining manually as far as practicable, but the lessees

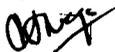
*[Signature]*  
Deputy Director Mines  
Talcher Circle, Talcher

are using the machinery in a mechanized manner for extraction of sand from the sand sairats, which is a great concern in the present writ petition. There is also unorganized movement of vehicles transporting the sand in the school and habitable areas in day time. Similarly, uncontrolled extraction of sand from the leasehold areas in a mechanized manner is not only causing threat to the environment but also causing threat to the river embankment affecting larger public interest. The petitioner has received information that the lessees, who have been allotted with sand sairats by the Tahasildars of the various Tahasils, are utilizing the machines to extract sand in their leasehold areas. That itself contravenes the conditions stipulated in the lease deed executed between the parties. Aggrieved by such action, though the petitioner approached the authorities on several occasions, no action was taken, for which the petitioner has filed this writ petition in the nature of public interest litigation alleging inaction of the authorities and also bringing to the notice of this Court the violation of conditions stipulated in sand sairat lease deeds by the lessees. The lessees, while extracting sand,

  
Deputy Director Mines  
Talcher Circle, Talcher

are violating the conditions stipulated by the Pollution Control Board, more particularly, the provisions contained under Section 25 of the Air (PCP) Act, 1981. Inaction on the part of the authorities has occasioned rampant mis-utilization of the source and it so happened that the lessees are extracting more than the quantum allotted in their favour causing huge loss to the State exchequer. Earlier, one public interest litigation bearing WP(C) No. 35452 of 2022 had been filed and vide order dated 22.11.2022 this Court directed for consideration of the representation, but no action was taken by the opposite parties to curb such sand mafias. As a result thereof, such sand lessees are causing pollution to the environment and acting contrary to the provisions of law by extracting sand more than the quantity to be extracted in a mechanized manner, by which also they are causing loss of revenue to the State. Though sand sairats are leased out to augment revenue for the State to be utilized for the development of the public, such sairats having been mis-utilized, the State's revenue is being siphoned to the so called land mafias causing hardship to the general public, due to uncontrolled

**True Copy Attested**



Deputy Director Mines  
Talcher Circle, Talcher

extraction of sand and movement of sand carrying vehicles as per their sweet will. Hence, this writ petition.

3. Mr. S.K. Dalai, learned counsel appearing for the petitioner vehemently contended that in the State of Odisha auction of the sand queries, selection of lessees and extraction of sand in mechanized manner are all being done detrimental to the interest of the public at large. Consequentially, he prays for interference of this Court to make a uniform policy to be applicable to all the sand sairat holders of the State so that pilferage of sand by the lessees can be prevented and extraction of sand more than the quantity allotted can be avoided.

3.1 It is further contended that the movement of vehicles carrying sand during the school hour as well as office hour at day time, is causing immense difficulties for the general public. The same should be prevented and the lessees should not be allowed to have extraction of sand and movement thereof during day time, when traffic is in force. Apart from the same, it is further contended that there is no dispute that the State should utilize all its larges for the public, but that should be

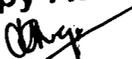
True Copy Accepted  


Deputy Director Mines  
Talcher Circle, Talcher

done in the manner it is required to be done in accordance with law. But, without following the same, if any larges of the State is utilized detrimental to the interest of the public, the same should be curbed down. Attention of the Court has been drawn to the situation of Cuttack Town, so far as sand sairats of Kathajodi and Mahanadi are concerned. Though some instances are placed on record, it is contended that similar state of affairs is going on throughout the State. Therefore, stringent action has been sought for as against the erring officials, who are indulged in such type of activities and not discharging the responsibilities assigned to them, and also against the lessees, who are violating or exceeding the conditions of lease, so that they can be handled with care and no further mishandling of sources can be done by any of the lessees. It is further contended that unless those lessees are dealt with very strong hands, the sources cannot be preserved for the future generation.

4. Mr. Ashok Parija, learned Advocate General appearing for the State-opposite parties contended that

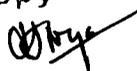
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considering the gravity of the situation and looking at the policy framed by the Ministry of Forest and Environment of the Union of India and the consequential guidelines issued thereof, the Government has framed a fresh guidelines on 21.12.2023 and the same has been placed on record for consideration. He contended that adhering to the fresh policy, if leases are granted, then the grievance of the petitioner can be redressed. The Government is now very much serious about the issue relating pilferage, of sand by the lessees who are extracting beyond the permissible limit. Therefore, the State has also decided to take necessary steps against the lessees, who are not adhering to the terms and conditions of the lease deed. However, so far as protection of the environment is concerned, it is also contended that the Environment Department will take care of the issue and necessary statutory permission has to be obtained by the lessees. The Government will also look into the issue, if any of the lessees contravenes the conditions of environmental clearance, and deal him/her in accordance with law. Thereby, it is contended that since a new policy has to be formulated for the entire

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State and even though said policy will apply prospectively, but the lessees, who are already in operation and their term has not been over, will also be intimated about the said policy, so that they will adhere to the terms and conditions mentioned therein in addition to the terms and conditions already existed in the lease deed.

4.1 It is also further contended that if any of the lessees contravenes any of the conditions stipulated in the lease deed or in the policy of the Government, then, it shall be open to the petitioner to approach the appropriate forum alleging violation of such condition(s) by the lessee, so that the law will take its own course and the violator can be dealt with in accordance with law.

5. Mr. H.S. Mishra, learned counsel appearing for opposite party no. 17 vehemently contended that the petitioner has no *locus standi* to file this writ petition making bald allegations. Learned counsel also drew our attention to the prayer made in the writ petition and contended that the relief, which has been sought by the

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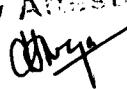


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petitioner, is no more subsisting after the new policy has been formulated, therefore, the writ petition has to be dismissed in *limini* by imposing cost. It is further contended that if the petitioner has got any grievance as against any of the lessees, he has other remedies available instead of filing the present public interest litigation before this Court. In any case, since the Government has formulated a new policy and new guidelines, certainly the same will be adhered to by the lessees and any contravention thereof will be taken care of by the authorities in accordance with law.

6. Mr. Sanjay Das-2, learned counsel appearing for the opposite parties no. 18 and 19 also accepted the argument advanced by Mr. H.S. Mishra, learned counsel for opposite party no.17, and contended that whatever principle will be laid down by this Court in the present proceeding that will be adhered to and in case of any violation that may be dealt with in accordance with law.

7. Mr. S.P. Mishra, learned Senior Counsel appearing for opposite party no.20 also accepted the contention advanced by Mr. H.S. Mishra, learned

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counsel appearing for opposite party no.17, and contended that law provides that if there will be contravention of any of the conditions by the lessee, the same is to be dealt with in conformity with the provisions of law. If the Government framed a new policy, that will be adhered to by all the lessees. Meaning thereby, the lessees will definitely adhere to such conditions and in the event of any contravention thereof, action will be taken in accordance with law.

8. Mr. P.K. Mohapatra, learned counsel appearing for the intervener contended that the intervener has filed an application for intervention since he is a public spirited person and supports the case of the present petitioner. Even though intervention petition has not been allowed, learned counsel appearing for the intervener has been given opportunity of hearing in this case.

9. This Court heard Mr. S.K. Dalai, learned counsel appearing for the petitioner; Mr. A.K. Parija, learned Advocate General appearing along with Mr. Kishore Mohanty, learned Additional Standing Counsel

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for the State-opposite parties no. 1 to 13; Mr. H.S. Mishra, learned counsel appearing for opposite party no. 17; Mr. Sanjay Das-2, learned counsel appearing for opposite party nos. 18 and 19; Mr. S.P. Mishra, learned Senior Advocate appearing along with Mr. A. Agrawal, learned counsel for opposite party no.20; and Mr. P.K. Mohapatra, learned counsel appearing for the intervener. With the consent of learned counsel for the parties, this writ petition is being disposed of finally at the stage of admission.

10. On being noticed, all the parties have appeared. It is made clear that since this Court raised concern over the mechanized manner of extracting sand from the river bed, on 06.12.2023, Special Secretary to the Government in Steel & Mines Department directed all the Collectors to be vigilant and monitor regularly to curb illegal sand mining from river bed and see that the same shall be in consonance with the Odisha Sand Policy, 2021, which was issued by the Revenue & Disaster Management Department vide resolution No. 26723 dated 02.09.2021. Thereafter, a meeting regarding

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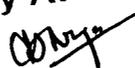

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the sand mining guidelines and policy was convened, on 18.12.2023, under the chairmanship of Chief Secretary, Government of Odisha. In the said meeting a decision was taken to formulate revised guidelines in supersession of the existing guidelines of Revenue & Disaster Management Department for implementation of the Odisha Sand Policy, 2021. Another meeting was held on 19.12.2023 under the chairmanship of Addl. Chief Secretary to Government, Steel and Mines Department to implement the decisions taken in the meeting held on 18.12.2023. Since the amended sand policy had not been effectively implemented at various places in the State, it was decided that revised guidelines may be issued to provide a procedural framework and modality for the implementation of the components of Odisha Sand Policy, 2021. The said guidelines are in accordance with the provisions of Sustainable Sand Management Guidelines, 2016; the Enforcement and Monitoring Guidelines for Sand Mining, 2020 and directives issued by the National Green Tribunal from time to time as well as the judgment of the apex Court relating to sand mining. The said revised guidelines were put up for

  
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approval of the Minister, Steel & Mines Department on 21.12.2023 and the same was approved and published on 21.12.2023. Therefore, revised guidelines has been issued on 21.12.2023 in order to implement the sand policy, which was existing since 2021, and further to regulate sand mining activities for the betterment of the public at large and, as such, it is in accordance with the provisions of law. The same has also been issued by way of resolution dated 21.12.2023, wherein the entire mechanism has been prescribed. Under Clause-4(g) thereof, it has been prescribed that quarry operation shall be carried out strictly in accordance with the approved mining plan duly adhering to the provisions of Odisha Minor Mineral Concession Rules, 2016 and terms and conditions of respective statutory clearances and approvals. The mining plan shall be prepared by following the guidelines of MoEF & CC, Government of India, formulated in the Sustainable Sand Mining Guidelines, 2016 and the said guidelines prescribed standard environmental condition for sand mining at SI No. 19 which clearly envisages "Depending upon the location, thickness of sand, deposition, agricultural

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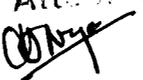
land/riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method. Thereby, it is contended that semi-mechanized and mechanized way of mining is permissible in the Sand Mining Guidelines, 2016.

11. Mr. Dalai, learned counsel appearing for the petitioner brings to the notice of this Court the Sustainable Sand Mining Management Guidelines, 2016, more particularly, Page 51 thereof, wherein under the heading "*About river sand mining it says that*" it has been provided as follows:-

*"(iii) No river sand mining project, with mine lease area less than 5 ha, may be considered for granting EC. The river sand mining projects with lease area more than equal to 5 ha but less than 25 ha will be categorized as 'B2'. In addition to the requirement of documents, as brought out above under sub-para (ii) above for appraisal, such projects will be considered subject to the following stipulations:*

- (a) The mining activity shall be done manually. The depth of mining shall be restricted to 3 m /water level, whichever is less.*
- (b) For carrying out mining in proximity to any bridge and / or embankment, appropriate safety zone shall be worked out on case to case basis to the satisfaction of SEAC / SEIAA, taking into account the structural parameters, locational aspects, flow rate etc., and no mining shall be carried out in the safety zone so*

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*worked out. No in-stream mining shall be allowed.*

According to him, since mining activities in the riverbed has been prescribed to be done manually, if at all any river is leased out and the lessee is allowed to go for mechanized mining, then it will be in violation of the above condition and will cause further difficulty. Therefore, the very purpose of coming to this Court by filing this public interest litigation will become frustrated.

12. Taking into consideration the above clauses, it is made clear that so far as sand sources are concerned, mining activities "shall" be done manually. By using the word "shall" the mandatory provision has been made for river sand mining as "manually".

13. In ***Mohan Singh v International Airport Authority of India***, (1996) 10 JT 311: (1996) 8 Scale 251, the apex Court held that the word "shall" though prima facie gives impression of being mandatory character, it requires to be considered in the of light the intention of the legislature by carefully attending to the

  
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scope of statute, its nature and design and the consequences that would flow from the construction thereof one way or the other.

13.1. In ***Election Commission of India v. Subramanian Swamy***, AIR 1996 SC 1810, while constructing Article 192 (2) of the Constitution of India, the apex Court held the use of expression "shall" in the provision indicates that the Governor is bound to take the opinion and act on such opinion of the Election Commission.

13.2. Interpreting Section 16 (1) of the West Bengal Premises Tenancy Act (12 of 1956) and Rule-4 of the West Bengal Tenancy Rules, in the case of ***Biswanath Poddar v. Archana Poddar***, (2001) 8 SCC 187, the apex Court held that the use of word "shall" in Section 16 of the Act and Rules, indicates that the legislature intended the requirement of notice under Section 16 of the Act to be mandatory.

13.3. In ***Hemalatha Gargya v. C.I.T.*** (2003) 9 SCC 510, the apex Court held that the use of word "shall" in a

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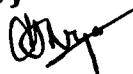
statute ordinarily means that the statutory provision is mandatory.

13.4. In **State Inspector of Police v Surya Sankaram Karri**, (2006) 7 SCC 172 while considering the proviso of Section 17 of the Prevention of Corruption Act (49 of 1988), the apex Court held that the expression "shall" in proviso of Section 17 of the Act makes the provision mandatory.

14. Taking into considering the use of word "shall" in the expression made, as discussed above, it implies a mandatory nature for river and sand mining as been prescribed to be done "manually".

15. The purpose behind the river sand mining manually has some meaning to the extent that if the sand mining will be done manually, then some local people will get some job and the same will minimize the unemployment problem to some extent and further the quantum of sand which will be extracted manually, that will have its own effect and the river bed will not be damaged. It is true that rejuvenation of river bed may be required during the flood time, but still then the question

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of semi mechanized or mechanized mining of sand will be detrimental to the interest of the public as well as the State Exchequer. More particularly, it will affect the future generation of the State, reason being if the resources, which are made available at present, are consumed during this generation, then future generation will face a lot of difficulties and that should be taken in mind while granting lease of the sand sairats to extract the sand in mechanized manner. Therefore, the State Government should be very careful, while permitting the lessees to go for semi-mechanized or mechanized manner of extracting sand, and should lay emphasis to go for manual sand mining which will be in the interest of the public at large.

16. Clause-19 although referred that the method of mining may be manual, semi mechanized or mechanized, but, however, manual method of mining should be preferred over other two methods. Therefore, exercise of the preference for operation of sand quarries in manual method will be definitely a better method than that of semi-mechanized or mechanized manner.

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17. An affidavit has been filed by the State Government indicating therein that in the event the Government decided to allow the lessees to go for semi-mechanized or mechanized mining operation, then mining plan clearance and environment clearance would be required to be obtained by the lessees. Thereby, some restrictions have been imposed for going for semi-mechanized or mechanized mining of sand quarries. As such, the purpose of approaching this Court by filing this writ application by the petitioner is justified. Needless to mention here that in case of contravention of any terms of the guidelines or any terms or conditions of the lease deed, it will be open to the petitioner or any other person of similar status to bring to the notice of the authority concerned to take appropriate action against the lessees indulged therein, but not in the shape of public interest litigation, as specific forums are available, so that the violators can be taken care of in accordance with law.

18. In view of such provision, it is made clear that to protect the livelihood of the human being as provided

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under Article 21 of the Constitution, right to life being the basic concept to be taken care of, the State is to take necessary steps in that aspect.

19. Article 21 is the heart and soul of the Indian Constitution, which speaks of the rights to life and personal liberty. Right to life is one of the basic fundamental rights and not even the State has the authority to violate or take away that right. Article 21 takes all those aspects of life which go to make a person's life meaningful. Article 21 protects the dignity of human life, one's personal autonomy, one's right to privacy, etc. Right to dignity has been recognized to be an essential part of the right to life and accrues to all persons on account of being humans.

19.1. In **Chameli Singh v. State of Uttar Pradesh**, AIR 1996 SC 1051: (1996) 2 SCC 549, the apex Court held that "right to life" means to live like a human being and it is not ensured by meeting only the animal needs of man. It includes the right to live in the civilized society implies the right to food, water, decent environment, education, medical care and shelter.

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19.2. In **M.C. Mehta v. Union of India**, AIR 1987 SC 965 : 1986 (1) SCJ 383, the apex Court held that right to pollution free environment comes under Article 21 of the Constitution of India. The same view has also been taken by the apex Court in **Milkmen Colony Vikas Samiti v. State of Rajasthan**, AIR 2007 SC 1046: (1999) 2 SCC 718.

19.3. In **Subhash Kumar v State of Bihar**, AIR 1991 SC 420 : (1991) 1 SCC 598, the apex Court expanding the provisions of Article 21 of the Constitution of India, held that right to pollution free water and air comes within the purview of Article 21 of the Constitution of India.

19.4. May it be noted that basically Article 21 States the Protection of Lives and personal liberty. That means, Article 21 mandates that no person shall be deprived of his life and personal liberty except according to the procedure established by law.

19.5. In **State of Maharashtra V. Chandrabhan**, AIR 1983 SC 803, the apex Court held that Right to Life,

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enshrined in Article 21 means something more than survival or animal existence.

19.6. The same view has also been taken in ***Olga Tellis v. Bombay Corporation***, AIR 1986 SC 180, ***D.T.C. v. Mazdoor Congress Union D.T.C.***, AIR 1991 SC 101, ***Re Noise Pollution (V)***, (2005) 5 SCC 733 and ***Re Noise Pollution (VI)***, (2005) 8 SCC 794.

19.7. In ***Francis Coralie Mullin v. Union Territory Delhi, Administrator***, AIR 1981 SC 746 : (1981) 1 SCC 608, the apex Court held that the right to life would include the right to live with human dignity.

19.8. In ***Maneka Gandhi v. Union of India***, AIR 1978 SC 597: 1978 1 SCC 248, the Apex Court held that the right to life would include all those aspects of life which go to make a man's life meaningful, complete and worth living.

20. Now, coming to the question of protection of environment and checking of the movement of vehicles during the day time, Mr. Asok Parija, learned Advocate General very fairly stated that there should be restriction

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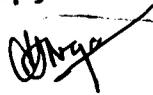
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of movement of vehicles carrying sands from 7.00 A.M. in the morning till 9.00 P.M. in the night. That apart during the movement of vehicles carrying sand, the sand should be properly covered. No vehicle carrying sand should be allowed during day time from 7.00 A.M. in the morning till 9.00 P.M. in the night. If at all any lessee violates any condition, he/she will be dealt with properly in accordance with law. Apart from the same, it is the moral responsibility of the State authorities to see that environment is being protected and it is made pollution free. While doing so, the State authorities also take necessary steps to protect the environment and make the environment pollution free.

21. Mr. Dalai, learned counsel appearing for the petitioner has also given some suggestions, which are also in adherence to the guidelines issued by the Government on 21.12.2023 and the conditions stipulated therein.

22. In view of such position, this Court disposes of the writ petition directing the State Government to scrupulously follow the guidelines framed by them on

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21.12.2023 and also adhere to the conditions stipulated in the lease deed executed between the lessee and the State giving priority to the sand mining by manually. Further, the State authorities should take necessary steps with regard to vehicular movements from 7.00 A.M. in the morning till 9.00 P.M. in the night and also protect the environment to provide a quality life to the public at large.

23. With the above observations and directions, the writ petition stands disposed of. The interim orders passed earlier stand vacated. But, however, there shall be no order as to costs.

(DR. B.R. SARANGI)  
ACTING CHIEF JUSTICE

M.S. RAMAN, J. I agree.

(M.S. RAMAN)  
JUDGE

*Orissa High Court, Cuttack*  
*The 06<sup>th</sup> February, 2024, Arun*

Signature Not Verified

Digitally Signed  
Signed by: ARUN KUMAR MISHRA  
Designation: ADR-cum-Addl. Principal Secretary  
Reason: Authentication  
Location: Orissa High Court, Cuttack  
Date: 12-Feb-2024 11:17:48

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ANNEXURE - E/8 (90)



GOVERNMENT OF ODISHA  
OFFICE OF THE MINING OFFICER, MINOR MINERAL  
DIST: ANGUL

Letter No 10 /MM, Dated. 04.04.2024

To

All lessee of sand sources  
Minor Mineral, Angul District

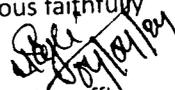
Sub- Submission of Pre monsoon replenishment study in order to smooth operation of your sand sources.

Sir,

With reference to the subject cited above, I am here to intimate that kindly provide pre - monsoon replenishment study of your respective sand sources in order to smooth operation of your sand sources. Kindly treat this matter as urgent.

This is for your kind information and necessary action.

Yours faithfully

  
Mining officer  
Minor mineral Angul district

Memo. No. 11 /dt. 04.04.2024

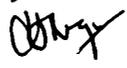
Copy submitted to DDM, Talcher for kind information.

  
Mining officer  
Minor mineral Angul district

Memo no. 12 /Dt. 04.04.2024

Copy submitted to Director of minor minerals, Bhubaneswar.

  
Mining officer  
Minor mineral Angul district

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Talcher Circle, Talcher



## E-receipt

Odisha Govt

**Name of the Depositor** : ORISSA\_DTIM  
**Purpose of Deposit** :  
**Challan Amount** : Rs. 500000.00 /-  
**Treasury Challan Reference No** : 37EE0B900F  
**Internet Banking Transaction Reference Number** : CK000PKGT6  
**Transaction Date and Time** : 16/02/2024 07:09:47 PM

(Note: This is a computer generated receipt and does not require any signature/stamp Please enclose this e-Receipt with e-Challan at the time of challan submission to the department)

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*[Signature]*

Deputy Director Mines  
Talcher Circle, Talcher

ANNEXURE-G/18

Government of Odisha  
Cyber Treasury  
eChallan



1.	Name of the Depositor	BHARAT HEAVY ELECTRICALS LTD
2.	Depositor's Address	2*660 MW TALCHER TPS TALCHER Odisha Angul 759101
3.	District	Angul
4.	e Challan Reference Id	37EE0BA8E4
5.	Total Transaction Amount (In Rs.)	Rs. 1948000/- ( echallan- Rs. 1948000/- + agency- Rs. 0/- )
6.	Amount (In words)	Nineteen Lakh Forty Eight Thousand Only

## Head of Account

Description	Head Of Account	Amount	Challan Number & Date
Minor Minerals- Fees, Rent & Royalties	0853-00-102-0121-02021-000	Rs. 1948000/-	0853/6805 - 17/02/2024
	Total Amount	Rs. 1948000/-	

## Bank Details

Name of the Bank,	STATE BANK OF INDIA
Mode of Transaction	Net Banking
Bank Transaction ID	CK000PKBW6
Bank Transaction Date & Time	16/02/2024 06:36:17 PM
Bank Transaction Status	Successful: Confirmation Received from Bank as Success

## Payment Remarks

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*Signature*

Deputy Director Mines  
Talcher Circle, Talcher

\* This is a computer generated challan and doesn't require any signature or stamp.

Generated on : 21/02/2024 04:38:46 PM



ANNEXURE-H/8/EI/ (22)

E-mail: [rospcb.angul@ospboard.org](mailto:rospcb.angul@ospboard.org)

Website: [www.ospboard.org](http://www.ospboard.org)

**OFFICE OF THE REGIONAL OFFICER  
STATE POLLUTION CONTROL BOARD, ODISHA**

(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)

Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

"By Registered post"

Date: 20.01.2023

No. 247 /QUARRY/ROSPCB/AGL/86/2017-18

**OFFICE MEMORANDUM**

In consideration of the online application No.4667042 for obtaining Consent to Establish for Nizagarh Zami Sand Quarry (Brahmani River Sand Bed), the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 for production of Sand of capacity limited to 18,000 Cubic Meter/Annum and maximum depth of mining up to 1.0m during valid mining lease period (as per Environmental Clearance) over mining lease area of 24.86.00 acres or 10.06ha bearing Plot No.3695, Khata No.446 (Kisam-Nadi) as submitted by the applicant, at Mouza: Nizagarh Zami, PS /Tahasil: Talcher in the district of Angul with the following conditions.

**GENERAL CONDITIONS:**

01. This Consent to Establish is valid for the product, method of mining and capacity as mentioned in the approved mining plan and Environmental Clearance. This order is valid for five years. The proponent shall do substantial mining activities for the proposal within a period of five years from the date of issue of this Consent to Establish order. If the proponent fails to do substantial mining activities for the proposal within five years then a renewal of this Consent to Establish shall be sought by the proponent.
02. The mine shall apply for grant of Consent to operate under section 25/26 of Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 at least 3 (three) months before the commencement of production and obtain Consent to Operate from this Board.
03. The mine shall comply to the provisions of Environment Protection Act, 1986 and the rules made there under with their amendments from time to time such as the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as amended from time to time, Hazardous Chemical Rules, / Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.

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04. No change in mining technology and scope of working shall be made without prior approval of the Board.
05. This consent to establish is subject to statutory and other clearances from Govt. of Odisha and/or Govt. of India, as and when applicable.

**SPECIAL CONDITIONS:**

**A. GENERAL CONDITONS**

1. Conditions stipulated in the Environmental Clearance approved and issued by SEIAA vide EC ID No.EC22B001OR190307 (Proposal No. SIA/OR/MIN/61829/2021), dtd.28.12.2022 shall be abided.
2. The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA/SPCB to assess the actual rate of replenishment of mined out sand in the lease area.
3. Mining activity shall be carried out as per approved mining plan prepared for this project.
4. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
5. The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
6. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
7. The operation of excavation as proposed shall be manual and shall be strictly as per the method laid down in the approved mining plan. No excavator machine shall be deployed/used by the project proponent for the extraction of sand from the river bed.
8. Mining operation should not be carried out without compliance of provisions as enumerated in the OMMC Rules, 2016 as amended thereof along with the Notifications of Ministry of Environment, Forest and Climate Change from time to time.
9. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above.
10. The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation, if any, existing nearby.

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- 11. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 Issued by the MoEF, GOI. 2)
- 12. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to establish shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder.
- 13. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulate conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form.

**B. WATER POLLUTION**

- 14. The lessee shall ensure that no sand mining is carried out in the areas as specified below;
  - a) During the rainy season.
  - b) Within the water channel or stream flow area throughout the year;
  - c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge. 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
  - d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
  - e) No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
  - f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / Industrial purpose.
  - g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 15. 1/4<sup>th</sup> of the width of river shall be left intact along the embankments on both sides as 'no mining zone' and 7.5m safety zone shall be left from all side of lease boundary.
- 16. River Bank stabilization shall be made through stone patching. Stone patching on river bank with plantation in-between and the ramp construction shall be done in consultation with and advice of concerned Water Resource Department, Government of Odisha.

**C. AIR POLLUTION**

- 17. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission.

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 Deputy Director Mines  
 Talcher Circle, Talcher

18. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.

19. Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.

20. Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.

21. The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.

22. The following measures are to be implemented to reduce Noise pollution:-

a. Proper and regular maintenance of vehicles and other equipment

b. Limiting time of exposure of workers to excessive noise.

c. The workers employed shall be provided with protection equipment and earmuffs etc.

d. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 30 kmph to prevent undue noise from empty trucks.

23. The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality.

24. Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The project proponent shall plant saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Forest Gram Panchayat.

25. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.

26. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.

27. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.

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Talcher Circle, Talcher



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**SOLID & HAZARDOUS WASTE**

28. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous and Other Wastes (Management & Trans-boundary Movement) Rules, 2016 and its amendments thereof to the recyclers authorized by SPCB, Odisha.

To

Sri Pitambar Bhutia, Lessee  
Nizagarh Zami Sand Quarry (Brahmani River Sand Bed),  
AT/PO: Mandhapal, Talcher Town,  
Dist: Angul-759107, Odisha

*Mallick*  
20-01-23

**REGIONAL OFFICER**  
*Regional Officer*  
**State Pollution Control Board**  
**ANGUL**

Memo No. \_\_\_\_\_ / Date \_\_\_\_\_ /

**Copy forwarded to:**

1. The Member Secretary, SPC Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Angul
3. The D.F.O., Angul
4. The Joint Director Geology, Zonal Survey, Dhenkanal
5. The Tahasildar, Talcher, Angul
6. Guard File, Regional Office, Angul.

REGIONAL OFFICER



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*[Signature]*

Deputy Director Mines  
Talcher Circle, Talcher



**OFFICE OF THE REGIONAL OFFICER  
STATE POLLUTION CONTROL BOARD, ODISHA**

(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)  
Plot No. S-3/3, Industrial Estate, Hakimpada, Angul-759143

“By Registered Post”

**CONSENT ORDER**

No.....1292/ QUARRY/ROSPCB/AGL/86/2017-18

Date: 06.04.2023

CONSENT ORDER NO.638

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

Ref: Your Consent to Operate online Application No.4850261.

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

Name of the Industry/ Mine : Nizagarh Zami Sand Quarry (Brahmani River Sand Bed)

Name of the Occupier & Designation : Sri Pitambar Bhutia, Lessee

Address of the quarry : Plot No.3695, Khata No.446 (Kisam-Nadi), Total ML Area of 24.86 acres or 10.06ha, Mouza: Nizagarh Zami, PS /Tahasil: Talcher, Dist: Angul

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

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

A. Details of products manufactured:

Sl. No.	Product	Period	Production Capacity (as per Approved Mining Plan & Environmental Clearance)
1.	Minor Mineral - Sand	1 <sup>st</sup> Year	18,000 Cubic Meter
		2 <sup>nd</sup> Year	4,500 Cubic Meter

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*[Signature]*  
Deputy Director Mines  
Talcher Circle, Talcher



# CONSENT ORDER

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

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr.	Prescribed standard			
				pH	TSS (mg/l)	BOD (mg/l)	Oil & Grease (mg/l)
1.	Domestic waste water	To soak pit via septic tank	---	---			

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

Chimney Stack No.	Description of stack	Stack height (m)	Quantity of emission	Prescribed standard

### D. Disposal of solid waste permitted in the following manner

Sl. No.	Type of Solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site.

### E. GENERAL CONDITIONS FOR ALL UNITS

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

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 Deputy Director Mines  
 Talcher Circle, Talcher



## CONSENT ORDER

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- b) Domestic purpose
- c) Process

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

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Deputy Director Mines  
Talcher Circle, Talcher



## CONSENT ORDER

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33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries of industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as not to cause fugitive emission, dust problems through leaching etc. of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
  - i. Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
  - ii. Controlled incineration, wherever possible in case of combustible organic material.
  - iii. Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous waste.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/his/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

### F. SPECIAL CONDITIONS:

01. Conditions stipulated in the Environmental Clearance approved and issued by SEIAA vide EC ID No.EC22B001OR190307 (Proposal No. SIA/OR/MIN/61829/ 2021), dtd.28.12.2022 shall be abided
02. The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to

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Deputy Director Mines  
Talcher Circle, Talcher



## CONSENT ORDER

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SEIAA/SPCB to assess the actual rate of replenishment of mined out sand in the lease area.

03. Mining activity shall be carried out as per approved mining plan prepared for this project.
04. Any change in the calendar plan, quantity to be produced, or method of mining shall require prior approval from the Board.
05. The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
06. The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
07. The operation of excavation as proposed shall be manual and shall be strictly as per the method laid down in the approved mining plan. No excavator machine shall be deployed/used by the project proponent for the extraction of sand from the river bed.
08. Mining operation should not be carried out without compliance of provisions as enumerated in the OMMC Rules, 2016 as amended thereof along with the Notifications of Ministry of Environment, Forest and Climate Change from time to time.
09. Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above.
10. The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation, if any, existing nearby.
11. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, GOI.
12. The lessee shall ensure that no sand mining is carried out in the areas as specified below;
  - a) During the rainy season.
  - b) Within the water channel or stream flow area throughout the year;
  - c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
  - d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
  - e) No stream shall be diverted for the purpose of sand mining and no natural water

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Talcher Circle, Talcher



course shall be obstructed.

- f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
  - g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
13. 1/4<sup>th</sup> of the width of river shall be left intact along the embankments on both sides as 'no mining zone' and 7.5m safety zone shall be left from all side of lease boundary.
14. River Bank stabilization shall be made through stone patching. Stone patching on river bank with plantation in-between and the ramp construction shall be done in consultation with and advice of concerned Water Resource Department, Government of Odisha..
15. No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission.
16. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
17. Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
18. Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
19. The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
20. The following measures are to be implemented to reduce Noise pollution:-
- a. Proper and regular maintenance of vehicles and other equipment
  - b. Limiting time of exposure of workers to excessive noise.
  - c. The workers employed shall be provided with protection equipment and earmuffs etc.
  - d. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 30 kmph to prevent undue noise from empty trucks.

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Deputy Director Mines  
Talcher Circle, Talcher

- The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality.
22. Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The project proponent shall plant saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Forest Gram Panchayat.
  23. Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
  24. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
  25. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
  26. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous and Other Wastes (Management & Trans-boundary Movement) Rules, 2016 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
  27. Mine shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed there under.
  28. The annual production and point wise compliances to the consent conditions shall be submitted to the Board latest by 30<sup>th</sup> April every year.
  29. In case the consent fee is revised upwards during this period of consent, the unit shall pay the differential amount to the Board to keep the consent order in force. If the industry fails to pay the amount within the period stipulated by the Board the consent order will be revoked without giving prior notice.
  30. The Board reserves the right to revoke/refuse consent at any time during this period incase any violation is observed and to modify / stipulate additional conditions as deemed appropriate.
  31. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to operate shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Air (Prevention and Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder.
  32. In case the proprietor/partner sells/transfers the unit to any other person, he shall intimate the same in advance and submit the audited balance sheet showing capital cost of investment including land & building, plant & machinery without depreciated cost.

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Deputy Director Mines  
Talcher Circle, Talcher

# CONSENT ORDER

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

Sri Pitambar Bhutia, Lessee  
Nizagarh Zami Sand Quarry (Brahmani River Sand Bed),  
AT/PO: Mandhapal, Talcher Town,  
Dist: Angul-759107, Odisha

*Mallik*  
06-04-23

REGIONAL OFFICER

Date 06-04-2023 State Pollution Control Bd.  
ANGUL

Memo No. 1293 /

Copy forwarded to:

1. The Member Secretary, SPC Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Angul
3. The D.F.O., Angul
4. The Joint Director Geology, Zonal Survey, Dhenkanal
5. The Tahasildar, Talcher, Angul
6. Guard File, Regional Office, Angul.

*Mallik*  
06-04-23

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State Pollution Control Bd.  
ANGUL

*SPC*

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*[Signature]*  
Deputy Director Mines  
Talcher Circle, Talcher