

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

Original Application No. 47/2024/EZ

In the matter of:

Youth United for Sustainable Environment Trust,
Santhapada, Talcher.

.... Applicant

-Versus-

State of Odisha & Ors.

.... Respondents

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By the Respondent No.4 through



**CUTTACK
DATE: 29.06.2024.**

**(SAILAZA NANDAN DAS)
ADDL. STANDING COUNSEL**

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

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In the matter of:

Youth United for Sustainable Environment Trust,
Santhapada, Talcher.

.... Applicant

-Versus-

State of Odisha & Ors.

.... Respondents

AFFIDAVIT FILED BY THE RESPONDENT NO.4

PURUSNAT TO THE ORDER DATED 12.03.2024

I, Md. Abdaal Akhtar, aged about 32 years, S/o.- M. Akhtar, at present working as Collector and District Magistrate, Angul, At/PO/Dist.- Angul, Odisha, do hereby solemnly affirm and state as follows:-

1. That, I been arrayed as Respondent No.04 in the aforesaid Original Application.
2. That, I have gone through the copy of the Original Application as well as the annexures appended thereto and have understood the contents thereof. I am also well acquainted with the facts of the case to swear this affidavit in my official capacity.



(Signature)
Collector & District Magistrate
Angul

3. That, the Applicant has filed the present Original Application seeking for following reliefs:-

- 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.*
- 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 inside the river.*
- VI. *Direct the State Respondents for GPS TRACKING OF VEHICLES AND make E TRANSIT PASS MANDATORY FOR MINING OPERATION."*

4. That, the present affidavit is being filed in pursuance to the order dated 12.03.2024 passed by this Hon'ble Tribunal, whereby the Deponent was directed to file an affidavit.



M

[Signature]
Collector & District Magistrate
Angul

5. That, this Hon'ble Tribunal vide order dated 12.03.2024 was pleased to pass the following directions:-

"Xx xx xx

20. *Considering the allegations made, we deem it appropriate to constitute a Committee to elicit the veracity of the allegations comprising of the following Members:*

- (i) *Senior Scientist, Odisha State Pollution Control Board;*
- (ii) *Senior Scientist, SEIAA Odisha; and*
- (iii) *District Collector, Angul or his representative not below the rank of Additional District Magistrate.*

21. *The committee shall inspect the site in question and submit its Report within four weeks on affidavit with regard to the allegations made.*

22. *The District Collector, Angul, shall be the Nodal Agency for all logistic purposes.*

23. *The Committee Report on affidavit shall be filed by the Odisha State Pollution Control Board.*

Xx xx xx"

6. That, in obedience to the aforesaid directions of this Hon'ble Tribunal, it is humbly submitted that, a Joint Committee was constituted by the Collector & District Magistrate, Angul vide his Letter No.1082, dated 09.04.2024.

Copy of the Letter No.1082, dated 09.04.2024 of the Collector & District Magistrate, Angul is annexed herewith as **Annexure-A/4**.



[Signature]
Collector & District Magistrate
Angul

7. That, the Regional Officer, State Pollution Control Board, Angul, vide Letter No.2041, dated 15.05.2024 intimated that the Joint Committee had visited the alleged site of Gopinathpur Sand Sairat and Nizigarhzami Sand Sairat on 22.04.2024 and reported as follows:-

Nizigrhzami Sand Sairat:-

- i. That there are three sand sairat sources in village Gopinathpur and Nizgarh area named as Mandapal River Sand Mines (17.805 ha.), Nizgarhzami Sand sairat (10.06 ha.) and Gopinathpur Sand Quarry (9.10 ha.). After completion EIA,EMP, Annual Rate of Replenishment study (ARRS) of sand and public hearings, the project proponent Sri Pitambar Bhutia lessee/successful bidder had applied their proposal for EC to SEIAA, Odisha
- ii. The Environment Clearance was issued by SEIAA with allowing 1st year production quantity of 18,000 cum against annual Replenishment volume 20120 cum and annual production quantity approved in the Mining plan 18000 cum /annum. There is condition that if the PP is not able to submit the ARRS report again after one year then the 2nd year extraction quantity will be 4500 cum(25% of the 1st year production quantity allowed in the EC letter).



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Collector & District Magistrate
Angul

- iii. On haulage road, the Superintending Engineer, Angul Irrigation Division, Angul has reported that the site is feasible for sand quarry, but after completion of the In Stream Storage structure, over river Brahmani near village Khalpal in Talcher Block, the sand quarry may be affected due to the storage of water in upstream side of Barrage.
- iv. Again the project proponent submitted the Amendment of EC Proposal and the proposal was placed in the State level Expert Appraisal Committee (SEAC) meeting held on 26.2.2024 and the SEAC decided to recommend the proposal as per the replenishment study report submitted by the project Proponent. The replenished volume of sand is 9586 cum which is recommended for extraction for next year subject to modification of Mining Plan. Accordingly, the proposal was placed in 162ndSEIAA, Odisha Meeting held on 03.4.2024 & 04.04.2024 and after detailed deliberation in the matter the Authority observed that there is a NGT case in regard to Nizagarhzami Sand Sairat and the Hon'ble NGT in its order dt. 12.03.2024 on O.A. 47/2024/EZ, Kolkata has directed to constitute a joint committee to look into the matter based on allegation in the Nizagarhzami Sand Quarry which yet to




Collector & District Magistrate
Angul

finalized. Accordingly, the case is deferred to next SEIAA, Odisha meeting until receipt of committee report.

- v. The Tahasildar, Talcher has clarified on reply of EDS (Essential Documents Sought) sought by SEIAA, Odisha during EC application that the proposed quarry was operated by the successful bidder Sri Mahendra Behera for the period 2015-16 to 2019-20 and after completion of last 5 years lease period, then the source was auctioned newly and Sri Pitamber Bhutia was selected the successful bidder for the source. Accordingly, the present successful bidder has submitted application for EC. The PP has submitted the amount of Rs. 4,50,000/- to the District Environment Society on 25.07.2023 for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry area as per EC conditions.
- vi. During amendment of EC application, it is noticed that the PP has submitted compliance of EC conditions with mentioned that only 5019 cum of sand has been extracted from the source against approved quantity of sand 18000 cum for 1st year in EC letter as well as in approved mining plan.



M


Collector & District Magistrate,
Angul

- vii. The Nizigarhzami Sand Sairat was granted consent to operate by the State Pollution Control Board, Odisha, vide Board's letter No.1292 on dtd.06.04.2023 valid up to 31.03.2024.
- viii. During joint visit it is observed that the major part of the lease of Nizigarhzami Sand Sairat source is submerged under water hence, the area of sand extraction and depth of mining activities could not be ascertained. However, neither any mining activities were carried out nor any heavy machineries (excavators) were engaged during visit at this site. The Committee has not observed any illegal and excess mining in the lease area of Nizigarhzami Sand Sairat source during field visit and also from official record for the present time being.
- ix. The concerned Revenue Inspector (RI) identified the source. It is observed that there are some pillars posting exist at river embankment side, there is no sign board for the quarry identification.
- x. Daily mining register has been maintained and transit permits are being duly provided.
- xi. There are three sand sources in a 2km distance and a single transporting route of Gopinathpur Road through St. Xavier International School. It is also observed that transportation of



5


Collector & District Magistrate
Angul

sand is done through the densely populated village and Sub-divisional Hospital, Talcher.

Gopinathpur Sand Sairat:

- i. The environmental Clearance (EC) was issued by SEIAA, Odisha vide letter no. 4271/SEIAA dt. 17.08.2015 for Gopinathpur Sand Quarry over an area of 9.10 Ha. in favour of Sri Banamber Bhutia, the lessee and the quarry operated for last 5 years. After completion of last 5 years, then the quarry is not in operation.
- ii. Presently, the project proponent Sri Banambar Bhutia has submitted ToR application vide application no. SIA/OR/MIN/64611/2021 dt. 22.10.2021 accordingly, ToR letter was issued by SEIAA, Odisha vide letter no. 3501/SEIAA dt. 25.11.2021 for EIA studies along with Public Hearing for Gopinathpur River Sand Bed, over an area of 22.51 acres or 9.11 hectares in village- Gopinathpur, Tahasil-Talcher, District Angul, Odisha. The PP has not submitted any EC application for the said sand bed hence, no fresh EC was granted for Gopinathpur River Sand Bed.
- iii. Gopinathpur Sand Quarry was granted consent to operate by the State Pollution Control Board, Odisha valid up to 31.03.2020



(Handwritten mark)

(Handwritten signature)
Collector & District Magistrate
Angul

vide Board's letter No.2994 dtd.25.09.2017. Thereafter, the source has neither been accorded Environmental Clearance (EC) from SEIAA, Odisha nor been granted Consent to Establish (CTE)/ Consent to Operate (CTO) by the Board to any Lessee.

- iv. No mining activities were carried out during visit at this site, but it was apprehended that, the source is active and mining activities are being carried. One part of the lease area i.e. towards river bank of Gopinathpur village side, is covered with wild grass and other part of the lease deposited very less quantity of sand.
- v. Further, it was observed that, neither any demarcation has been done nor any pillar posting noticed in the said source.

Other Observations:

- i. In the KML it is observed that 20 km upstream of the Gopinathpur Sand Quarry there is Samal barrage over Brahamani River and it can be said that when barrage gate opens the downstream sand quarries Gopinathpur Sand Quarry, Nizigarhzami Sand Sairat, and Mandapal River Sand Quarry of MCL are covered with water.
- ii. One excavator seen near the Mandapal River Sand Quarry of MCL during joint visit. Some cemented hume pipes are seen



Collector & District Magistrate
Angul

near the Gopinathpur and Mandapal River Sand Quarry that may be used for transportation of sand from source to approach road.

- iii. That, some sand extraction has been done between Gopinathpur and Mandapal River Sand area but it is not clear as there is no boundary demarcation of both quarries and presently, there is water logged completely Mandapal River Sand quarry area and partly Gopinathpur Sand Quarry area.
- iv. During visit it was observed that neither any mining activities were carried out nor any heavy machinery (excavators) was engaged in any of the sources.
- v. No such in-stream mining observed during visit.
- vi. It was observed that transportation of sand is done through the densely populated village and Sub-divisional Hospital, Talcher.
- vii. It was observed that no mining operation was carried out at mouza Kahalpal in Parjang Tahasil during visit which is coming under Dhenkanal district administration.

Copy of the Letter No.2041, dated 15.05.2024 of the R.O., SPCB, Angul along with the report dated 22.04.2024 of the Joint Committee are annexed herewith at **Annexure- B/4 Series.**



W

Collector & District Magistrate
Angul

8. That, the Deponent further craves leave of this Hon'ble Tribunal to make further submissions and to file further Affidavit / Counter, if the same is deemed necessary for an effective adjudication by this Hon'ble Tribunal.

9. That, the facts stated above are based upon the official records which are true to the best of my knowledge and belief.

Identified by

Advocate

Deponent
Collector & District Magistrate
Angul

VERIFICATION

I, Md. Abdaal Akhtar, aged about 32 years, S/o.- M. Akhtar, at present working as Collector and District Magistrate, Angul, At/PO/Dist.- 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 Angul on this the 29th day of June, 2024.

Place: Angul

Date: 29.06.2024.

VERIFICANT
Collector & District Magistrate
Angul





Affidavit No. 2067 dated 29.06.2024
 by Sh. Abbaal Akhter
 aged 32 years s/o Sri. M. Akhter
..VIII.. Angul
..S.. Angul Sub-Division
..Angul Dist. Angul who is
 identified by Sri.....
 Advocate appears before me this
 day i.e. 29.06.24 at 3.00 A.M/P.M
 Stated on Solemn affirmation
 that the Contents of this affidavit
 are true to his knowledge & belief

29/06/2024
 EXECUTIVE MAGISTRATE
 - ANGUL -



COLLECTORATE, ANGUL || ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଅନୁଗୋଳ
DISTRICT JUDICIAL SECTION, ANGUL
ଜିଲ୍ଲା ନ୍ୟାୟିକ ଉପବିଭାଗ, ଅନୁଗୋଳ



Telephone: 06764-230567(O)/ 230234(R)/230685(F) || Website: www.angul.nic.in, E-mail: dm-angul@nic.in
(E-mail: judicialangul@gmail.com)

Letter No. 1082 /Judl./ File No. XV/11-19/24 Date: 9-04-24

ORDER

In compliance to the Order Dated 12.03.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in O.A. No. 47/2024/EZ, a committee is hereby constituted consisting of the following members in order to submit report before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

1	Additional District Magistrate, (General) Angul	Nodal Officer
2	Er. Ramesh Kumar Ekka, Sr. Env. Engineer & Regional Officer, Angul State Pollution Control Board, Odisha	Member
3	Dr. Pradeept Kumar Nayak, Environmental Scientist	Member

The Committee shall inspect the site in question with regard to the allegations and submit report **within 10 days** unfliningly.

Collector & District Magistrate,
Angul

Memo No. 1083 / Judl./ Dt. 9-04-24
Copy forwarded to the members/officers concerned for information & necessary action.

Additional District Magistrate,
Angul

Memo No. 1084 / Judl./ Dt. 9-04-24
Copy submitted to the Registrar, Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata for favour of kind information.

Additional District Magistrate,
Angul

True copy attested

29/04/2024
Asst. Collector, Judicial
Collectorate, Angul



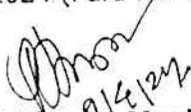
COLLECTORATE, ANGUL || ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଅନୁଗୋଳ
DISTRICT JUDICIAL SECTION, ANGUL
ଜିଲ୍ଲା ନ୍ୟାୟିକ ଉପବିଭାଗ, ଅନୁଗୋଳ



Telephone: 06761-230567(O)/ 230234(R)/230685(F) || Website: www.angul.nic.in, E-mail: dm-angul@nic.in
(E-mail: judicialangul@gmail.com)

Memo No. 1085 / Judl./ Dt. 9-04-24

Copy forwarded to the Member Secretary, Odisha State Pollution Control Board for information & necessary action. He is requested to file affidavit on the report of the committee before the Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata as per kind orders passed dt. 12.03.2024 (Para No. 23) in O.A. No. 47/2024/EZ.


Additional District Magistrate,
Angul

True copy attested


Asst. Collector, Judicial
Collectorate, Angul

- 15 -

Annexure - B/4 series



OFFICE OF THE REGIONAL OFFICE, ANGUL
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA]
Plot No.-S 3/3 Industrial Estate, Hakimpada, Angul, Odisha, Pin-759143

No. 2041 / ESTT/ROSPCB/AGL/266/2023-24 Date 15.05.2024
From: Er. R. K. Ekka
Regional Officer

To
The Member Secretary,
State Pollution Control Board, Odisha
Bhubaneswar.

Sub:- Submission of joint committee visit report on O.A No. 47/2024/EZ-Youth United for Sustainable Environmental Trust vs. State of Odisha & Others.

Ref: SPCB, Odisha, Bhubaneswar letter No. 3727 dt.16.03.2024.

Sir,

In compliance to the order dtd. 12.03.2024 of Hon'ble NGT, EZB, Kolkata, a joint committee was constituted and visited the alleged site of Gopinathpur Sand Sairat and Nizigarhzami Sand Sairat on 22.04.2024. The joint committee visit report is enclosed herewith for your kind information and necessary action.

Encl: As above.

. You's faithfully,

Rw
Regional Officer

Memo No. 2042 / Date 15.05.2024 /
Copy along with joint visit report forwarded to the Collector and District Magistrate, Angul for kind information and necessary action.

Rw
Regional Officer

Memo No. 2043 / Date 15.05.2024 /
Copy along with joint visit report forwarded to the Member Secretary, SEIAA, Odisha, Qrs.No.5RF-2/1, Unit-IX, Bhubaneswar for kind information and necessary action.

Rw
Regional Officer

Memo No. 2044 / Date 15.05.2024 /
Copy along with joint visit report forwarded to the Sr. Law Officer, State Pollution Control Board, Odisha, Bhubaneswar for kind information and necessary action.

Rw
Regional Officer

Tone copy (Mesh)

O/c

AB
27/05/2024
Asst. Collector, Judicial
Collectorate, Angul

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Judl.
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22/5

Joint enquiry report on O.A. No.47/2024/EZ filed by Youth United or Sustainable Environmental Trust Vrs. State of Odisha and others.

In compliance to the order dtd.12.03.2024 of Hon'ble NGT, Eastern Zone Bench, Kolkata on O.A. 47/2024/EZ, a joint committee was constituted comprising (i) Senior Scientist, Odisha State Pollution Control Board (ii) Senior Scientist, SEIAA, Odisha and (iii) District Collector, Angul or his representative not below the rank of Additional District Magistrate and directed that the Committee shall inspect the site in question and submit its Report within four weeks on affidavit with regard to the allegations made.

The joint committee visited the alleged site at Nizigarhjami Sand Quarry (locally known as Gopinathpur sand quarry), over an area of 24.86 Acres or 10.06Ha in Village-Nizigarhjami, Tahasil-Talcher, District- Angul on 22.04.2024 comprising the following committee members;

1. Sri Pratap Pritimaya, OAS (S), Additional District Magistrate (General), Angul.
2. Dr. Pradeept Kumar Nayak, Environmental Scientist, SEIAA, Odisha
3. Er. Ramesh Kumar Ekka, Sr. Environmental Engineer and RO, SPC Board, Angul.

The following officers were also present and accompanied the Joint committee during the visit:

1. Soumya Ranjan Kuanr, Asst. Env. Scientist, SPC Board, Angul.
2. Sukesmita Majhi, Mining Officer, Talcher.
3. Aiswarya Behera, Revenue Inspector, Tahasil, Talcher

Observations:

Nizigarhjami Sand Sairat:

1. During visit, the committee observed that there are three sand sources in Gopinathpur and Nizigarh area named as Mandapal River Sand Mines (17.805 ha), Nizigarhjami Sand Sairat (10.06 Ha.) and Gopinathpur Sand Quarry (9.10 Ha) are located 900meter distance from one source to other source. The distance between Mandapal River Sand Mines to Gopinathpur sand Quarry is approximately 300meter.
2. It is learnt that, before issue of environmental clearance (EC) to Nizigarhjami Sand Sairat (10.06 Ha.) the Terms of Reference (ToR) was issued by SEIAA, Odisha vide letter no. 1341/SEIAA dt. 24.05.2021 for EIA studies along with public hearing for Nizigarhjami Sand Sairat over an area of 24.86 acres or 10.06 Ha., At-Nizigarh Zami, Po-Talcher, Dist-Angul.
3. After completion ELA, EMP, Annual Rate of Replenishment Study (ARRS) of sand and public hearing, again the project proponent, Sri Pitamber Bhutia, lessee/successful bidder had applied their proposal for EC to SEIAA, Odisha vide application no. SIA/OR/MIN/61829/2021 dt. 04.07.2022. Accordingly, EC was issued by SEIAA, Odisha vide EC Identification No. - EC22B001OR190307 dt. 28.12.2022 with allowing 1st year production quantity of 18,000 cum against annual replenishment volume 20120 cum and annual production quantity approved in the mining plan 18000 cum/annum. There is condition that if the PP is not able to submit the ARRS report again after one year then the 2nd year extraction quantity will be 4500 cum (25% of the 1st year production quantity allowed in the EC letter.). The copy of EC letter is attached in **Annexure-I**.
4. On reply of ADS (Additional Documents Sought) by SEAC on 29.08.2022, on haulage road, NOC from Irrigation dept. and mining Plan, the Superintending Engineer, Angul, Irrigation Division, Angul vide letter no. 4294/WE dt. 11.10.2022 with mentioned that the site is feasible

*True copy
attested*

27/06/2024
**Asst. Collector, Judicial
Collectorate, Angul**

for sand quarry, but after completion of the In-Stream Storage Structure, over river Brahamani near village-Khalpal in Talcher block, the sand quarry may be affected due to the storage of water in upstream side of barrage. Copy of the letter of Superintending Engineer, Angul, Irrigation Division, Angul is attached in **Annexure-II**

5. Again, the project proponent has submitted the Amendment of EC proposal vide SIA/OR/MIN/459690/2024 dt. 27.01.2024 to SEIAA, Odisha. The proposal was placed in the State Level Expert Appraisal Committee (SEAC) meeting held on 26.02.2024 and the SEAC decided to recommend the proposal as per the replenishment study report submitted by the PP. The replenished volume of sand is 9586 cum which is recommended for extraction for next year subjected to modification of Mining Plan. Accordingly, the proposal was placed in 162nd SEIAA, Odisha meeting held on 03.04.2024 & 04.04.2024 and after detailed deliberation in the matter the Authority observed that there is a NGT case in regard to Nizigarhjami Sand Sairat and the Hon'ble NGT in its order dt. 12.03.2024 on O.A. 47/2024/EZ, Kolkata has directed to constitute a joint committee to look into the matter based on allegation in the Nizagarhjami Sand Quarry which yet to finalized. Accordingly, the case is deferred to next SEIAA, Odisha meeting until receipt of committee report.
6. Tahasildar, Talcher has clarified on reply of EDS (Essential Documents Sought) sought by SEIAA, Odisha during EC application that the proposed quarry was operated by the successful bidder Sri Mahendra Behera for the period 2015-16 to 2019-20 and after completion of last 5 years lease period, then the source was auctioned newly and the Sri Pitamber Bhutia was selected the successful bidder for the source. Accordingly, the present successful bidder has submitted application for EC. The PP has submitted the amount of Rs. 4,50,000/- to the District Environment Society on 25.07.2023 for raising 1000 plants of native species within 2 years in a suitable location adjoining to quarry area as per EC conditions.
7. During amendment of EC application, it is noticed that the PP has submitted compliance of EC conditions with mentioned that only 5019 cum of sand has been extracted from the source against approved quantity of sand 18000 cum for 1st year in EC letter as well as in approved mining plan.
8. The Nizigarhjami Sand Sairat was granted consent to operate by the State Pollution Control Board, Odisha, vide Board's letter No.1292 on dtd.06.04.2023 valid up to 31.03.2024 (photo Copy enclosed as Annexure-III).
9. During joint visit it is observed that the major part of the lease of Nizigarhjami Sand Sairat source is submerged under water hence, the area of sand extraction and depth of mining activities could not be ascertained. However, neither any mining activities was carried out nor any heavy machineries (excavators) were engaged during visit at this site. The Committee has not observed any illegal and excess mining in the lease area of Nizigarhjami Sand Sairat source during filed visit and also from official record for the present time being.
10. The concerned Revenue Inspector (RI) identified the source. It is observed that there are some pillars posting exist at river embankment side, there is no sign board for the quarry identification.
11. Daily mining register has been maintained and transit permits are being duly provided.
12. There are three sand sources in a 2km distance and a single transporting route of Gopinathpur Road through St. Xavier International School. It is also observed that transportation of sand is done through the densely populated village and Sub-divisional Hospital, Talcher.

To the copy attached

19/02/2024

Asst. Collector, Judicial
Collectorate, Angul

Gopinathpur Sand Sairat :

1. The environmental Clearance (EC) was issued by SEIAA, Odisha vide letter no. 4271/SEIAA dt. 17.08.2015 for Gopinathpur Sand Quarry over an area of 9.10 Ha. In favour of Sri Banambar Bhutia, the lessee and the quarry operated for last 5 years. After completion of last 5 years, then the quarry is not in operation. Copy of earlier EC letter is attached in **Annexure-IV**.
2. Presently, the project proponent Sri Banabar Bhutia has submitted ToR application vide application no. SIA/OR/MIN/64611/2021 dt. 22.10.2021 accordingly, ToR letter was issued by SEIAA, Odisha vide letter no. 3501/SEIAA dt. 25.11.2021 for EIA studies along with Public Hearing for Gopinathpur River Sand Bed, over an area of 22.51 acres or 9.11 hectares in village-Gopinathpur, Tahasil-Talcher, District Angul, Odisha. The PP Has not submitted any EC application for the said sand bed hence, no fresh EC was granted for Gopinathpur River Sand Bed. Copy of ToR letter is attached in **Annexure-V**.
3. Gopinathpur Sand Quarry was granted consent to operate by the State Pollution Control Board, Odisha valid up to 31.03.2020 vide Board's letter No.2994 dtd.25.09.2017 (**Photo Copy enclosed as Annexure-VI**). Thereafter, the source has neither been accorded Environmental Clearance (EC) from SEIAA, Odisha nor been granted Consent to Establish (CTE)/ Consent to Operate (CTO) by the Board to any Lessee.
4. No mining activities were carried out during visit at this site, but it was apprehended that, the source is active and mining activities are being carried. One part of the lease area i.e. towards river bank of Gopithapur village side, is cover with wild grass and other part of the lease deposited very less quantity of sand.
5. Further, it was observed that, neither any demarcation has been done nor any pillar posting noticed in the said source.

Other Observations:

1. In the KML it is observed that 20 km upstream of the Gopinathpur Sand Quarry there is a Samal barrage over Brahamani River and it can be said that when barrage gate opens the downstream sand quarries Gopinathpur Sand Quarry, Nizigarhazami Sand Sairat, and Mandapal River Sand Quarry of MCL are covered with water.
2. One excavator seen near the Mandapal River Sand Quarry of MCL during joint visit. Some cemented hume pipes are seen near the Gopinathpur and Mandapal River Sand Quarry that may be used for transportation of sand from source to approach road.
3. That, some sand extraction has been done between Gopinathpur and Mandapal River Sand area but it is not clear as there is no boundary demarcation of both quarries and presently, there is water logged completely Mandapal River Sand quarry area and partly Gopinathpur Sand Quarry area.
4. During visit it was observed that neither any mining activities were carried out nor any heavy machinery (excavators) was engaged in any of the sources.
5. No such in-stream mining observed during visit.
6. It was observed that transportation of sand is done through the densely populated village and Sub-divisional Hospital, Talcher.
7. It was observed that no mining operation was carried out at mouza Kahalpal in Parjang Tahasil during visit which is coming under Dhenkanal district administration.

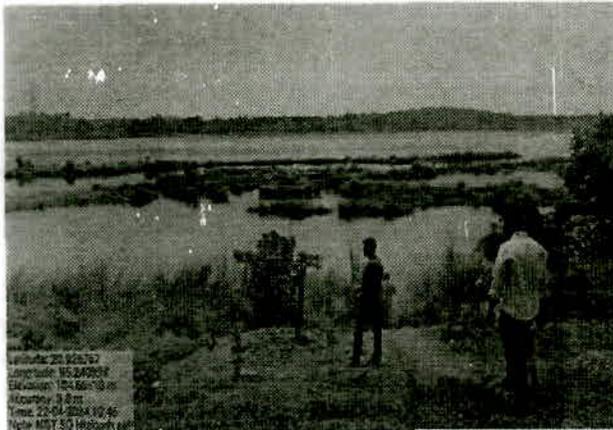
To the copy attached

29/11/2024

Asst. Collector, Judicial
Collectorate, Angul

Recommendations:

1. Until issue of fresh EC for Gopinathpur Sand Quarry, the concerned lease granting Authority may ensure any illegal/un-authorized mining in that area after proper demarcation of lease area through pillar posting and posting sign boards.
2. The concerned district administration may also ensure proper demarcation of lease area through pillar posting and posting sign boards for Mandapal River Sand Quarry of MCL, EC granted by MoEF & CC. Govt. of India.
3. The District Administration and concerned lease granting Authority must ensure the safety of villagers and school children during transportation of sand loaded vehicles and also ensure the maintenance of village road use for transportation of sand.
4. The Concerned Authority must ensure that the new sand mining guide lines of Sustainable sand mining 2016 and 2020 (*Enforcement & Monitoring Guide lines for Sand Mining by Ministry of Environment, Forest and Climate change. January, 2020*) are strictly followed while granting the lease to a lease holder as well as before, during and after the execution of the sand mining.
5. The concerned DFO should plant some indigenous tree species near the quarry area in appropriate location through expediting the amount deposited by the lessee of Nizigarhjami Sand Sairat source.



[Signature]
22/09/2024

Environmental Scientist,
SEIAA, Odisha
Environmental Scientist
SEIAA, Odisha

True copy attested.

[Signature]
22/09/2024

Regional Officer
SPC Board, Angul

Regional Officer
State Pollution Control Board
Regional Office, Angul

[Signature]
22/09/2024

Additional District Magistrate
(General) Angul
Addl. District Magistrate
ANGUL

[Signature]
2024

Asst. Collector, Judicial
Collectorate, Angul