

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO..... of 2024

IN THE MATTER OF
YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST ...Applicant
 Versus
STATE OF ODISHA & Ors ...Respondents

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PLACE: Bhubaneswar

SANKAR PRASAD PANI

DATE: 03/07/2024

ASHUTOSH PADHY


ADVOCATE'S

 Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,Email-
sankarprasdpani@gmail.com

SYNOPSIS

The applicant society is challenging the Illegal Mining in Dankari Stone Quarry and there after damaging to Paikarapur and Ranibandh Minor Irrigation Project (herein after MIP for short) and the quarry being part of Nischinta Reserve Forest requires prior approval under Forest Conservation Act and is operating grossly in violation of Forest Conservation Act and minimum distance and noncompliance of EC conditions. It shall be ensured that quarrying is not carried out within 500m of structures, bridges, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. Roads shall be graded to mitigate the dust emission, the applicants are also challenging the excess loading of vehicles from the mine by the private respondent where the permission for carrying the stones in Tippers/Trucks is 10T/20T but the private respondent is carrying more than 40T at a time, and due to unscientific mining and wagon blasting three people died on dated 15/05/2024.

LIST OF DATES

06/05/2022	Environmental Clearance granted to dankari black stone quarry no 5/10 over 4.00 acres or 1.618 hect
31/01/2018	Letter of the Assistant Executive Engineer to the Tahasildar Dharmasala
12/05/2020	Letter of CPCB along with Siting Criteria for stone quarries
30/10/2022	Newspaper clippings regarding threat to the MIP due to the illegal mining

12/05/2022	Consent to establish granted to Sri Narayan Rout, Lessee of Dankari Black Stone Quarry No-5/10
18/04/2024	Consent to operate granted to Sri Narayan Rout, Lessee of Dankari Black Stone Quarry No-5/10
15/05/2024	Three people died due to collapsing of Dankari stone quarry
17/05/2024	News article published on Orissa post regarding the death of 3 persons in dankari stone quarry
16/05/2024	Photographs of Dankari stone quarry

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

*(Under Section 14, 15, 20 read with Section 18 of the National
Green Tribunal Act, 2010)*

Original Application No----- OF 2024/EZ

IN THE MATTER OF:

1. YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST,

Represented by its president Santanu Kumar Bhukta S/o Golak Bhukta,

Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha,

759104

.....APPLICANT

VERSUS

1. State of Odisha represented by Chief Secretary, Government of Odisha,
Lokaseva Bhawan, 751001 Bhubaneswar csori@nic.in

2. District Collector, JAJPUR, At/Po/Dist-JAJPUR, Odisha, 755001, dm-jajpur@nic.in

3. Tahasildar, Dharmasala At/Po/PS- Dharmasala, 755008 Email:
tdrdharmasala@gmail.com

4. Additional Chief Secretary, Water Resource Department, Government of

Odisha, Rajiv Bhawan, Keshari Nagar, Bhubaneswar, 751001, Email:

wrsec.or@nic.in

5. Member Secretary, Odisha State Pollution Control Board

A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha

Email: paribesh1@ospcboard.org

6. **Member Secretary**, State Environment Impact Assessment Authority
(SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha
751022, email: msseiaa2022@gmail.com
7. Executive Engineer, Road and building Division, Panikoili PIN-755043,
Odisha, Email: eepwd.pkl@gmail.com
8. Deputy Director of Mines, At/Po Jajpur Road, Dist-japur Email:
ddm.jajpurroad@orissaminerals.gov.in Pin- 755019
9. Superintendent of Police, Jajpur At/Po/PS –Panoikoili, Email:
sp.jjp@odishapolice.gov.in ,pin- 755043
10. Executive Engineer, Minor Irrigation Division Jajpur, AT-Bhabaniganj/P.O
:- Jajpur, 755001 Email- eemijajpur@gmail.com
11. Deputy Director General of Forests, Ministry of Environment and Forests,
Climate Change, Integrated Regional Office, Bhubaneswar, A/3, Rail
Vihar, Chandrasekharapur, Bhubaneswar, Odisha 751023, email- [roez.bsr-
mef@nic.in](mailto:roez.bsr-mef@nic.in)
12. Director General of Mine Safety, Government of India, HEAD OFFICE,
DHANBAD (Jharkhand), PIN: 826001, Email- dg@dgms.gov.in
dgmsindia@gmail.com
13. Sri Narayan Rout, Lessee of Dankari Black Stone Quarry No-5/10 ,At.
Taranjia, PO. Aruha Dist. Jajpur, Odisha 755024 ...RESPONDENTS

- I. The address of the Applicant is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. That the present Application is being filed challenging the Illegal Mining operation in Dankari Hill of Dharmasala Tahasil of Jajpur District, further the land in question is being part of Nischinta Reserve Forest requires prior approval under Forest Conservation Act. Because of the unscientific and illegal mining 3 people were buried in the quarry during mining operation on 15/05/2024 suggesting lack of safety by the respondents.

MOST RESPECTFULLY SHOWETH:

1. That the applicant namely Youth United for Sustainable Environment is a registered trust with a mandate for protecting the public interest and environmental issues. The president of the society is authorized by the members to file this OA. The president of the applicant society has continuously brought to the notice of government authorities on violation of environment norms and illegal mining operation. He has also filed some cases before this Honble Tribunal. That the petitioner is concerned of the rampant stone quarry in Dankari Hill particularly and unscientific stone quarries in the entire district in general.
2. That the present cause of action arises because of the illegal stone quarry leading to death of three people and more than 5 people were trapped under

the debris of stone quarry on dated 15/05/2024 due to collapsing of the mine. The incident had taken place when the labourers were engaged in quarrying of black stone. It is suspected that the workers were trapped inside due to landslide from the hill following the wagon blasting by the operator. Copy of the news article published on dated 17/05/2024 in Orissapost is here unto annexed as **ANNEXURE-1**. And the photographs of the quarry site during rescue of the persons buried under the quarry dated 16/05/2024 is here unto annexed as **ANNEXURE-1A**.

3. Similar issues in the past have also occurred where a number of people died in the district of Jajpur, in stone quarries due to unscientific method of quarrying and illegal mining of stone from the quarries. That the list of people died from year 2017 to 2024 according to news reports is as follows;

Date of Incident	No. Of people died	Place	Quarry name
In the year 2017	10	Jajpur district	
In the year 2018	14	Jajpur district	
01/06/2023	2	Dharmasala tahasil, Dist- Jajpur	
17/03/2024	1	Dharmasala tahasil, Dist- Jajpur	Rahadpur Black stone quarry
14/07/2024	2	Dharmasala tahasil, Dist- Jajpur	Lunibar Black stone quarry
In the year 2023-24	15	Dharmasala tahasil, Dist- Jajpur tahasil	

Copy of news articles published on various newspapers regarding the death of people in stone quarries due to illegal mining is annexed here unto as **ANNEXURE-2.**

4. That the applicant when did more research on the quarry site and its adjoining areas from the google earth image that the applicant is shocked to find a large scale of illegal mining throughout Dankari hill and further when the KML file of the present quarry is reviewed in the google earth image, the quarry operation area found much more beyond the allotted area confirming the quarry operation was carried out beyond the lease area as per the coordinates available in the KML file. Copy of google earth images of dankari hill as well as the specific quarry site is annexed here unto as **ANNEXURE-3.**

5. That the Cluster-5 consists of Dankari hillock quarry leaseholds comes under Dharmasala Tahasil of Jajpur district, Odisha. Accordingly, quarry leases for Building stone/ Road metal comprising of 24 nos. of lease areas covering a total mineralised area of 243.19 Acres or 98.42 Hectares located in village/Mouza- Dankari of Dharmasala Tahasil of Jajpur District,

6. That the alleged quarry of the private respondent is on Plot No- 128 (P) & 45(P) of Khata No. 465 over an area of 4.00 Ac, under Tehsil: Dharmasala of Dist- Jajpur, Odisha was granted Environmental clearance on **06/05/2022.** That the environmental Clearance was granted to the lessee

having 55 numbers of stipulated conditions. Copy of the Environmental Clearance dated **06/05/2022 is here unto annexed as ANNEXURE-4.**

7. Since the quarry operation takes place in the catchment area of Ranibandha MIP project , and further the Ranibandha MIP is just 200 mtr away from the nearest quarry, so the irrigation project is badly affected from the mining activities and the water gets stocked in the upper elevation of the quarry and could not reach the dam. As such one mega stone crusher is also in the close proximity of the MIP.
8. That the Govt. use to spend huge amount of money for maintenance of Ranibandha MIP however due to persistent dust, siltation, blasting the purpose of the irrigation project is getting defeated.
9. That the quarry was granted consent to operate was granted on dated 18/04/2024 to the lessee without proper site verification and after granting consent to operate no periodic inspection was carried out by the Pollution control board. Copy of the CTO letter dated 18/04/2024 is here unto annexed as **Annexure-5.**
10. It is pertinent to mention here that the Private respondent is carrying out Excess mining, Mining in pits, Uncontrolled blasting and damages to houses, Carrying capacity of road and damages to road, Dust and fugitive pollution due to transportation of heavy vehicles, Damages to agricultural land, Depletion of ground water and pollution infiltrate to ground water, Overloading and accident prone road, Air pollution due to blasting, Death

of domestic animals like cow in the unguarded pits, Siltation of Dams and water holding capacity declining, Lack of irrigation to land, School going children of Dankari facing traffic problem, No demarcation and pillar posting of quarry area, Mining beyond lease area, Loss of state exchequer, Blasting led to damages to wild animal and domestic animal, Blasting damage to dams, No water sprinkling in quarry area, the abandoned mining became a death trap for the domestic as well as wild animals.

11. **Threat to Minor Irrigation Project:** There are two Minor Irrigation Projects such as Ranibadha and Paikarapur MIP situated adjoining the proposed Dankari Stone Quarries. The Paikarapur MIP is having catchment area of 1.3sqkm and ayacut area of 41hac and Certified ayacut area of 87 Hactres and the Ranibandha MIP is having a catchment area of 1.30sq km, and ayacut area of 48 hac. The letter dated 31/01/2018 by Asst Executive Engineer, Minor Irrigation Division Badachana, addressed to Tahasildar, Dharmasala raises some important issue of impact of quarry on the irrigation project and same is reproduced as follows.

i. “Due to blasting of stone in Rahadpur (Dankari south side), the basin of Paikarapur Dam Project is silted heavily with the debris of stone quarry dust for which capacity of water spread area is decreasing and ayacut area of the project is affected due to shortage of water in the reservoir area. As such the project is situated in draught prone areas and most of the ayacutdars are of SC and ST categories. The Ayacutdars of

village Paikarapur and Turang are complaining at higher offices for non-availability of water due to silting of basin area of the project”. The letter of Asst Executive Engineer dated 31/01/2018 is Annexed here unto as **ANNEXURE-6.**

12. That this issue of siltation of dams are also widely covered in various newspapers and one such paper is OrissaPost on 30th October 2020. News Clipping of siltation of dams is annexed here unto as **ANNEXURE-7.**

13. That the SPCB granted Consent To Establish to the lessee on dated 12/05/2022 with having 4 general conditions and 14 special conditions. In special condition no.6 it is particularly mentioned that “Wet drilling method shall be adopted to control fugitive dust emission. Delay detonators and shock tube initiation system for blasting shall be adopted so as to reduce dust emission” but no such wet drilling method is adopted by the lessee for mining. Copy of the CTE letter dated 12/05/2022 is here unto annexed as **ANNEXURE-8.**

14. That the CPCB has passed an order stating that there should be minimum **200 meters of distance** shall be maintained for quarry involving blast from that of the nearby “**residences, public buildings, inhabited sites, areas, protected monuments, Heritage Sites, National/State Highway, public roads, railway tracks, Ropeway or Ropeway Trestle or Station, bridges, dams, reservoirs,** rivers, lakes, canal or Tank or any other locations to be considered by states”. That the regulation for danger zone

(500mtre) prescribed by the Director General of Mine Safety vide letter dated 31st January 2003 also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment. Letter of CPCB dated 12th May 2020 along with Siting Criteria is annexed here unto as **ANNEXURE-9**.

15. That on account of the possible risk, a risk assessment has been carried out and the Disaster Management Plan formulated with an aim of taking precautionary measures to control the hazard propagation, avert disaster and also to take such action after the disaster, which limits the damage to the minimum. That the risk assessment is here unto annexed as **Annexure-10**.

16. That the Topo Map of the cluster 1 which shows that the cluster is in the **Nischinta Reserve Forest** and two dam's namely **Ranibandha and Paikarapur** is close to the quarry which is affected badly due to the mining and blasting activities in the quarry. Copy of the Topo map is here unto annexed as **Annexure-11**.

17. That the photographs dated 16/05/2024 shows that the entire mining area is mined unscientifically due to which many mishaps are happening on regular basis. That the photographs also suggest that the lessee is continuing his mining activities without taking into consideration of the mining plan.

18. That the KML file of the lease area is also showing that he had mined the entire lease area and also from beyond the lease area which is also illegal, there is no boundary demarcation, no plantation is also done by the lessee in order to control the dust pollution.

19. **Noncompliance of Mine Closure Plan:** in the past excess mining has been done in Dankari and to that effect the assessments and remediation plan has not been made as on date. As such the pits need to be reclaimed by filling the Void and thereafter plantation on those lands which has not been done. On the contrary the mining has been done more than 60 feet while it should not be allowed beyond 6 metres. As of now no green belt has been developed on the contrary the existing trees on the area were cleared day by day.

20. **Nischinta Reserve Forest:** That the Survey of India Toposheet No-F45U1, showing map of Nischinta Reserve Forest indicates that Nischinta Reserve Forest is a fairly Mixed Dense Jungle. The District Boundary passes through Nischinta Pahad and intersects the entire hill into two district administrative boundaries. As on date the hill in the part of Dhenkanal District is treated as Reserve Forest however the part in the Cuttack Division is not being treated as Forest by the Forest Department. Nischinta Reserve Forest was declared vide notification dated 22/12/1959.

21. That the Dankari Hill which earlier known as **Nischinta Pahad** continues to be reserve forest in the Dhenkanal district. That the Dankari and

Nischinta are one and same hill being located in inter district region cannot have two different land status

22. That the Hill is having Tree and are of fairly mixed dense jungle species having presence of wild animals to be treated as Forest as per the dictionary meaning defined and clarified by the apex court in Godavarman Case of **WP c 202/1995**. That the quarry activity having adverse impact on the wild animals and deforestation in the hill due to quarry is against the principle of sustainable development. That the quarry operation is threatening wild life and forest and endangering the life and property of adjoining villagers. That because of the on-going quarry activity is against the Precautionary Principle and Intergenerational equity warrants closure of all such activities
23. That the proposed mining is against the spirit of Article 48A and 51A(g) that mandates for protection of environment and Article 21 of Constitution of India
24. That the prescribed stipulated conditions that are mentioned in the Environment Clearance letter and are violated by the lessee is as follows;
- 9.2 The lessee shall implement the pollution control measures and safeguards as proposed in the approved EIA/EMP in the cluster approach.
- 9.3 Demarcation of the quarry lease area by posting durable concrete pillars of 1m height above ground is a must prior to starting the quarry operation. Photographs of proof showing the demarcation of the quarry lease shall be submitted along with compliance report.

9.4 No mining activities shall be allowed in forest area, if any, for which the Forest Clearance is not available.

9.5 Under no circumstances, the lessee shall use wagon drilling blasting during mining activity

9.6 Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. Maximum depth of quarry operation for starting level at the top shall not exceed 6 meter.

9.7 Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is 11334Cum in a full year (January to December) during the valid lease period. During the plan period of 5years, the total production from the quarry shall be 170000Cum as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation. 9.9 It shall be ensured that quarrying is not carried out within 500 m of structures, bridges, embankment, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. Pursuant to Hon'b'e NGT in its Order dated 21.07.2020 in OA No-304/2019 in the matter of M. Haridasan & Ors. Vrs State of Kerala and to comply with the direction made therein "No stone quarry involving blasting will be operated within 200 m (minimum distance criteria) from Residential/public buildings, inhabited sites, other location, etc."

9.10 The lessee shall obtain NOC from CGWA and permission from WR department. Govt. of Odisha for use of ground water/surface water if any, required for the project.

9.11 Protection of vegetation in the surrounding areas, and proper storage of solid waste, subgrade ore and their use has to be given priority during mining operation.

9.12 The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.

9.17 Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The lessee shall obtain NOC of Panchayat for usage of haulage road/Panchayat road.

9.21 Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.

9.22 The lessee shall not store and use blasting materials/explosives inside the lease area without obtaining license/permission/authorization from competent Authority as per Indian Explosives Rules, 1983.

9.23 Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.

9.24 Blasting will be carried out after making adequate announcement to the local inhabitants through public address system. Warning siren half an hour prior to blasting activity will be sounded adequately for alerting everybody around before the blast is detonated to avoid any accident. The nearby inhabitants shall be informed one day before the actual time of blasting. Blasting is permissible at fixed hour in day time only, after blowing the siren intermittently for 10 minutes before the actual start, for safety of the inhabitants. Blasting shall be carried out in such a manner that the splinters/debris generated shall not fall beyond the mining lease area.

9.25 Water spray should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

9.29 The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.

9.30 The lessee shall ensure the safeguard and well being of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the MoEF & CC, Govt. of India and SEIAA, Odisha.

9.35 The abandoned mine pit shall be converted to rain water storage tank and the rain water stored in pit shall be utilized for plantation as well as dust suppression.

9.36 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.

9.37 Staggered contour trenches shall be dug out to cover all sloping area and the hill surface in general, within a 1km belt of the quarry lease.

GROUND

- A. That the illegal quarries by the private respondent in collusion with Tahasildar, Dharmasala resulted in endangering life and livestock of local residents
- B. That the felling of trees causing deforestation is against the principle of sustainable development and Precautionary Principle
- C. That the Petitioners and other residents of locality have a right to Clean Air and Water which is guaranteed by expanding the scope of Article 21 of Constitution of India and same has been violated.
- D. That the ongoing illegal quarrying destroying the local ecology is against the spirit of Article 48A and 51A(g) that mandates for protection of environment.
- E. That the present illegal quarrying is against the principle of Sustainable Development, Precautionary Principle and attracts the Polluters Principle.
- F. Mining beyond lease area is illegal

LIMITATION

That there is a subsisting cause of action because of the ongoing illegal quarrying activity on day to day basis and inaction of state respondents pursuant to the death of 3 people on dated 15/05/2024.

INTERIM PRAYER

Hon'ble Tribunal may please to direct the District Collector Jajpur to immediately stop the black stone quarrying in Dankari of Dharmasala Tahasil pending final disposal of the Original Application

PRAYER

The Hon'ble Tribunal may be pleased to consider to pass the following directions.

- I. Direct the SEIAA and SPCB to withdraw the environment clearance and CTO for violation of EC conditions and non-filing of quarterly environment compliance report.
- II. Director of Mines and Geology, Government of Odisha to assess the extent/quantum of Minor Minerals including black stone excavated illegally and its market value, **cost of restitution and environmental compensation and recover from the private respondent**
- III. **Direct the DGMS for safety audit of quarries operating in Dankari cluster.**
- IV. Fix the accountability/responsibilities of the concerned Govt. authorities and Tahasildar Dharmasala for their inaction and wilful dereliction of duties causing loss to the state exchequer and damage to the environment
- V. Direct the District Collector to initiate criminal proceedings U/s 19 of Environment Protection Act 1986 against the private respondent and Tahasildar, Dharmasala.
- VI. Pass such other orders/directions as may be deemed fit and proper in the bonafide interests of justice.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

Bhubaneswar

By the Applicant Through

03/07/2024

S. Panigrahi *A. Panigrahi*

ADVOCATE'S



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
 EASTERN ZONE BENCH, KOLKATA
 ORIGINAL APPLICATION NO -..... OF 2024/EZ

IN THE MATTER OF:
 YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST
 APPLICANT

VERSUS

STATE OF ODISHA AND Others ... RESPONDENTS

AFFIDAVIT

I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 29 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, do hereby solemnly affirm, and declare as under:

1. That I am the President of the Applicant Trust, Youth United For Sustainable Environmental Trust in the abovementioned application and authorized to sign this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Original application and the same is true and correct and is drafted on my instruction.

Santanu Kumar Bhukta
 Youth United for

N.R. No. 1774 Date 3/7/2024 Sustainable Environmental Trust
 DEPONENT

VERIFICATION

Verified on this 3rd day of July, 2024 at 1.03pm that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Santanu Kumar Bhukta
 Youth United for

AFFIDAVIT

[Signature]
 Advocate

The above named defendant having been identified by Sr. K.P.M. Advocate Talcher, Solemnly affirmed before me this 3/7/2024

Sustainable Environmental Trust
 President
 DEPONENT

20..... in the court premises that the contents of the affidavit are true to the best of belief & knowledge

Kumuda Ranjan Mishra
 Notary Talcher
 Govt. of Odisha
 Regd. No. ON-37-2004

4 killed in Jajpur mishaps



Officials conducting a probe at the accident site in Binjharpur

POST NEWS NETWORK

Jajpur, May 16: Four persons were killed Thursday in two separate accidents one of which was due to caving in of soil in Binjharpur block and the second happened during drilling of a stone quarry in Dankari hills under Dharmasala tehsil.

Several labourers were also injured in Binjharpur while sources informed that seven persons are still feared trapped inside the stone quarry with three earth-moving equipment buried under the debris.

In the first incident, three persons died after a massive amount of soil fell on them near Rahansha village under Kapila panchayat during installation of pipelines by a private company. The pipelines were being laid to provide irrigation facilities to the farmlands.

The deceased were identified as Firoz Ansari, 23, Aftab Ansari, 28, both from Bihar and Chidambaram Velulai, 44, from Tamil Nadu. Tragedy struck while the workers were laying the pipes at 1.00am Wednesday.

Locals rushed to the spot and rescued all those who had been buried under the soil. They were rushed to Binjharpur hospital. As condition

of three of them turned critical they were referred to the district headquarters hospital here. However, they were pronounced dead on arrival. The others who had suffered injuries were discharged from Binjharpur hospital after treatment, doctors informed.

Locals meanwhile stated that excavation of land was not being carried out in a planned manner and it led to the tragedy.

In the second incident, a labourer was killed and seven others were

trapped when a portion of the quarry at the Dankari black stone mines caved in. According to information available, efforts are on to rescue those trapped inside the quarry.

Locals informed that one person lost his life after a huge slab of stone fell on him. He died on the spot and his identity is yet to be ascertained.

Police, who rushed to the spot, are supervising the rescue operations along with district administration officials. Fire services personnel have also been pressed into service to rescue the trapped workers.

On being informed, Deputy Director of Mines (DDM) Jay Prakash Nayak, Jajpur Road SDPO Sanjay Patnaik, Dharmasala tehsildar Subhankar Mohanty, Dharmasala police station IIC Tapan Kumar Nayak and his Jenapur counterpart Subhendu Sahu rushed to the spot to supervise the rescue operations.

Sources informed that excavation at the black stone mine was being carried out illegally as it had not been leased out to anyone. They demanded probe into the matter.



Police personnel visit the mine at Dankari hills where the mishap occurred

OP PHOTOS

S **DANKARI MISHAP**

2 more bodies found, death toll rises to 3

EXPRESS NEWS SERVICE @ Jajpur

TWO days after an illegal black stone quarry collapsed at Dankari within Jenapur police limits of Jajpur district, the rescue team on Saturday retrieved the bodies of two more persons from under the debris taking the death toll to three.

Of the deceased, one has been identified as 21-year-old Jagabandhu Majhi of Umerkote in Nabarangapur district, while identity of the other is yet to be ascertained. The labourer whose body was found on the day of the incident is yet to be identified.

An official of the National Disaster Response Force (NDRF) team said it will take some more time to clear the debris as very big stones have been found at the mishap site. "Since the stones are big, they can be broken down by blasting only. It can be a time-taking process. Whether more people have died can only be ascertained after clearing the site," he said. An earth mover that was used in the illegal



Since the stones are big, they can be broken down by blasting only. It can be a time-taking process. Whether more people have died can only be ascertained after clearing the site

NDRF official

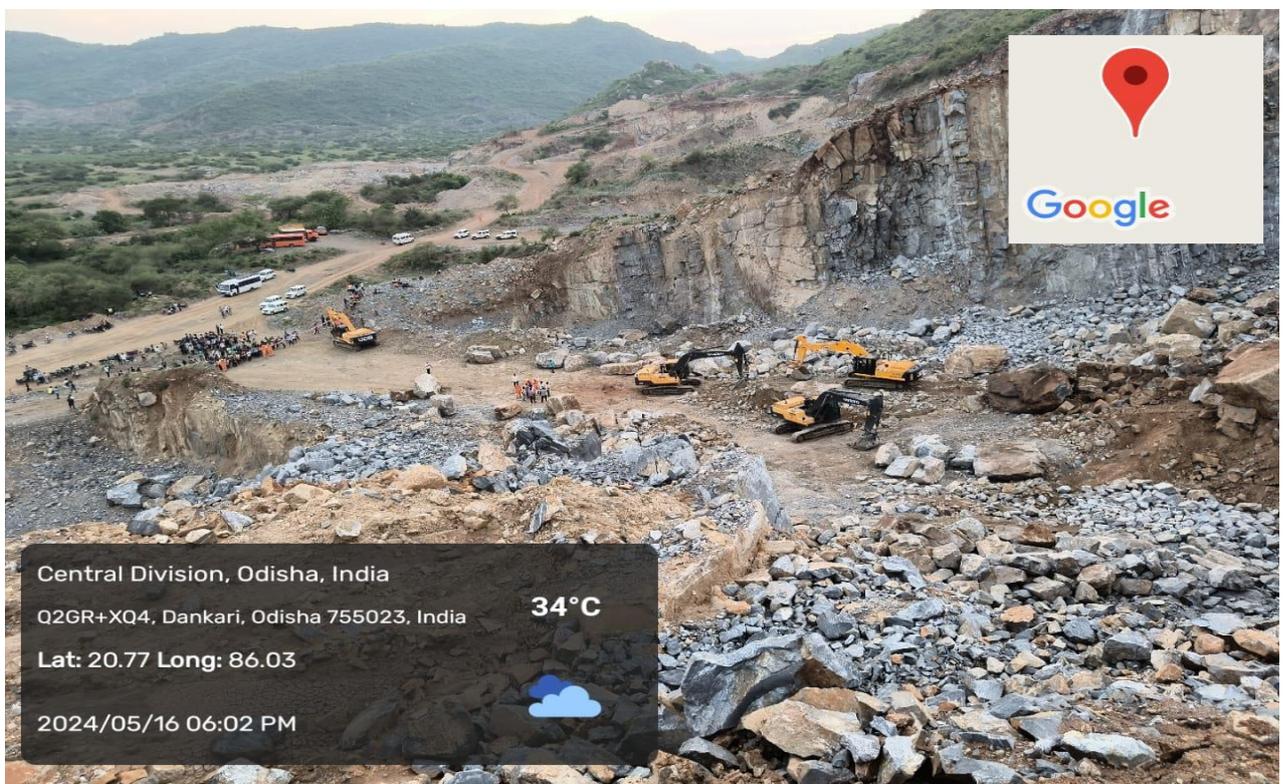
mining was also recovered from the mishap site on the day.

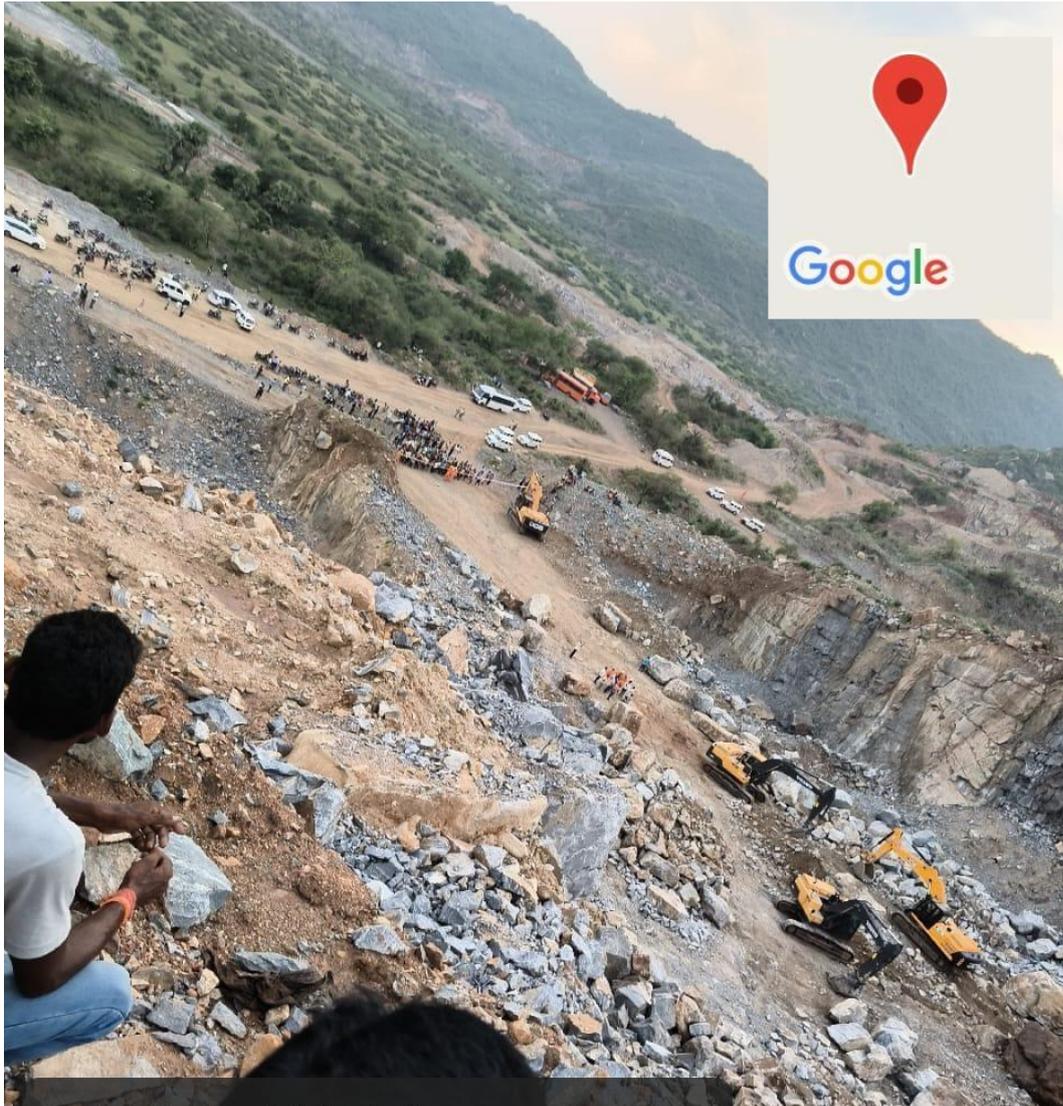
The incident had taken place on Thursday when the labourers were engaged in quarrying of black stone. It is suspected the workers were trapped inside due to landslide from the hill following the wagon blasting by the operator. While one person had died, three others were feared trapped at the quarry.

At least 40 NDRF personnel along with Odisha Fire and Emergency Service officials and police are working round-the-clock to clear the debris from the site. The black stone quarry was reportedly being operated illegally allegedly by a mafia which is said to be a close aide of a local ruling party leader.



THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 16/05/2024 SHOWS THAT THE MINING HAS BEEN DONE UNSCIENTIFICALLY DUE TO WHICH THREE PEOPLE DIED ON 15/05/2024





PRAGATIBADI

PUBLISHED ON- SUNDAY, JULY 14, 2024

Two Killed As Poclain Machine Falls From Top Of Stone Quarry In Jajpur

Jajpur: Two workers died after the machine with which they were engaged in illegal mining at a black stone quarry fell from a height of 20 feet in Jajpur district on Wednesday.

The incident took place in Lunibar black stone quarry under Jenapur police station limits.

The deceased labourers were identified as Appu Rout of Gengutia village and Shantanu Khilar of Telkoi village, the police said.

Both the persons were inside the heavy machine.

Rout was working as the driver of the poclain machine, while Khilar was the helper.

The two, who sustained critical injuries when the machine fell down , were rushed to the Dharmasala Community Health Centre where they were declared dead by the doctors.

On being informed, police personnel reached the spot and initiated a probe into the matter.

Jenapur police station inspector in charge Umakanta Nayak said investigation is underway and appropriate action would be taken against the culprits.

LINK: <https://pragativadi.com/two-killed-as-poclain-machine-falls-from-top-of-stone-quarry-in-jajpur/>

INDUS VALLEY TIMES**PUBLISHED ON- MARCH 17, 2024****ILLEGAL BLACK STONE QUARRY- ONE KILLED AND TWO INJURED IN A CAVE- IN AN INCIDENT**

Jajpur , Mar 17 : A worker from West Bengal was killed and two sustained serious injuries on Sunday in a cave-in incident in an illegal black stone quarry at Rahadapur hillock under Jenapur police station of Jajpur district.

A portion of the hillock caved in while they were doing illegal black stone- quarry works in a stone- crusher machine. The deceased worker has been identified as Shyamacharana Hansada (28) of Bankura district of West Bengal. All the three workers fell nearly 50 meters from the hillock while illegally doing black stone quarry work.. Some locals admitted them in the Community Health Center at Dharamsala where doctors declared Shyamcharana as dead .

Other two workers were shifted to the SCB medical college and hospital at Cuttack as their condition was serious. Police seized the body and sent it to the local government hospital at Dharamsala for autopsy , said the IIC of Jenapur police station, Suwendu Kumar Sahoo.

LINK: <https://indusvalleytimes.com/news/illegal-black-stone-quarry-one-killed-and-two-injured-in-a-cave-in-an-incident/>

THE TIMES OF INDIA

PUBLISHED ON- JUNE 1, 2023

2 workers killed after illegal quarry in Jajpur dist caves in

Two workers were killed at a blackstone quarry under Jenapur police station limits in Jajpur district after the hillock caved in on Wednesday. The incident took place when illegal quarrying was going on.

The workers have been identified as Santanu Khilar (28), the operator, and Apu Rout (17), the helper of the proclean machine. Both fell from a height of nearly 50 metres with a proclean machine.

Some locals admitted them to the community health centre at Dharmasala, where doctors declared Santanu dead. Apu Rout died of severe head injuries while being taken to SCB Medical College and Hospital, Cuttack. Police seized the bodies and sent them to the local government hospital at Dharamsala for autopsy, said the IIC of Jenapur police station, Umakanta Nayak.

A contractor had illegally engaged some workers to extract black stones though he had not obtained any permission from the authorities to lift stones from the hill. "We will take necessary action against those who had illegally engaged the deceased workers and others in the illegal quarry work," said Dharmasala tehsildar Swagat Das.

Locals have alleged that by greasing the palms of some officials, Influential persons have been illegally quarrying on the hill. "The demand for black stone increasing in construction, quarrying activities have gone up considerably in Jajpur district and its nearby areas," said environmentalist Sarbeswar Behura.

"Since quarry business does not involve any Investment but only profit, the contractors are minting money at the cost of the environment and lives of poor people. It is unfortunate that the authorities have not taken any action against the quarry mafia though every day many poor workers dig stones by risking their lives," added Behura.

LINK: <https://timesofindia.indiatimes.com/city/bhubaneswar/2-workers-killed-after-illegal-quarry-in-jajpur-dist-caves-in/articleshow/100662420.cms>

ORISSA POST

PUBLISHED ON- NOVEMBER 23RD, 2017**Another worker dies in stone quarry; 10 deaths in year**

Jajpur: Illegal stone quarry owners making money, risking the lives of poor workers has become a regular affair in this district and has resulted in the deaths of 10 workers over the past 12 months.

A fresh addition to the list of casualties is Bichua Barik (50) of Utumara village under this block. He fell to death while dismantling a large stone in an illegal quarry on Jabara hill under Dharmasala tehsil.

Police detained quarry owners Kalia Samal, Manua Samal and Kunu Barik of Aruha village under Dharmasala police limits.

Though the district administration had constituted a task force to prevent illegal quarrying in the mining region, it is in a defunct state, locals alleged.

According to reports, Bichua was working in a rice mill earlier but couldn't go to the mill for the past few days due to illness. He opted to work in the stone quarry from Wednesday after his recovery. One of the quarry owners, without providing any safety gears to him, asked him to dismantle large stones stuck on the top of the hill after the blast. Bichua fell down from a height of 50 ft on a rocky surface while attempting to remove a piece of stone. Coworkers rushed him to a hospital at Dharmasala where doctors declared him brought dead.

Padan Hembrum of Balangia village under Chakradharpur panchayat sustained critical injuries Monday when he was arranging for a blast in a quarry. He is battling for life at a Cuttack-based nursing home.

Taking serious note of illegally-run mines and the series of deaths in quarries, collector Ranjan Kumar Das personally investigated some cases in April. Expressing dissatisfaction over the inaction of police and revenue departments, he ordered formation of a task force and sealed the illegal quarries functioning under Dharmasala tehsil and reserve forest areas.

Officials of mining, revenue, forest departments and the Orissa State Pollution Control Board conducted joint raids and sealed 142 crusher units in the region. The raids continued till May end. However, the crusher units and the stone quarries have now resumed functioning as usual, it was learnt.

According to sources, more than a hundred illegal stone quarries are in operation on several hills including Dankari, Rahadpur, Bichhakhandi, Anjira, Lunibara, Baghua and Kusunupur. The forest and police officials cover up the wrongdoings taking monthly cuts from some influential quarry owners, locals alleged. When contacted, sub-divisional police officer Jugalkishore Das said the cases of worker deaths are being taken seriously with booking of several stone traders responsible for the incidents.

LINK: <https://www.orissapost.com/another-worker-dies-in-stone-quarry-10-deaths-in-year/>

ORISSA POST

PUBLISHED ON- MAY 20TH, 2018**2 killed in Jajpur stone quarry**

Jajpur/Chadheidhara: Two persons including a stone quarry owner were killed in separate mishaps at a stone quarry on Baghua hill and at a crusher unit in Saroi under Dharmasala tehsil in Jajpur district, police said Sunday.

With the latest casualties, the death toll in the stone quarries in this district rose to 14.

In the first incident, a stone quarry owner sank to death at a granite quarry on Baghua hill under Jenapur police limits late Saturday night. The deceased was identified as Bidyadhar Sahoo, 50, of Anjira village of Patia panchayat under Jenapur police limits.

“Sahoo joined labourers to push down the rocks suspended from the hill when he slipped his legs and died. He fell down from the hill and died on the spot,” locals said.

Police sent the body for post-mortem and started an investigation. Sahoo and others allegedly carried out work without safety gears.

In the second incident, Chaitanya Samal, 45, a labourer, was killed after a Haiwa hit him from rear when he was working atop a crusher unit. He was rushed to Dharmasala health centre where doctors pronounced him dead. Sources said Sahoo had taken the quarry on Baghua hill under Dharmasala tehsil on lease and was extracting granites. The incident occurred after the labourers carried out blasting on the hill in the presence of Sahoo late Saturday night. Later, Sahoo joined the labourers to push the rocks to the ground. However, he slipped his legs and died. Observers claimed hundreds of illegal stone quarries run from Dankari, Rahadpur, Bichhakhandi, Anjira, Lunibar Baghua and Kusunpur hills under Dharmasala tehsil in connivance with some influential ruling party leaders. The ruling party leaders in exchange of monthly cuts provide cover to the quarry owners from the trouble of forest, police and revenue officials. As a result, casualties have become a regular affair here during last one-and-half years. The irregularities came to the fore with the death of Dharanidhar Tarai at a quarry in Maulabhanja reserve forest October 24, 2016. A day after Gunanidhi Mallick, a labourer, was crushed to death at a quarry in Balarampur reserve forest October 25, 2016. Since then one labourer after another has died. The district administration is yet to wake up to reality and take action against errant stone quarry owners. When contacted, Jenapur IIC Susant Kumar Das said action will be taken against the guilty after completion of a probe.

LINK: <https://www.orissapost.com/2-killed-in-jajpur-stone-quarry/>

THE NEW INDIAN EXPRESS**PUBLISHED ON- JULY 14TH, 2024**

Illegal stone quarries under Dharmasala tehsil limits in the district have now become virtual death traps for labourers with many casualties being reported on a regular basis. Illegal stone quarries under Dharmasala tehsil limits in the district have now become virtual death traps for labourers with many casualties being reported on a regular basis. Thanks to the nexus among tehsil officials, local police and owners, black stone quarry blasting and mining have claimed lives of many innocent workers. As many as 15 labourers have been killed at illegal mining sites under Dharmasala tehsil limits in the last two years.

On Thursday, a worker died while working at an illegal black stone quarry in Jabara. The deceased has been identified as Bichu Behera (50) of Aruha Utumara village. He was crushed to death after a huge boulder fell on him on Thursday afternoon. Another worker, who was also working a few yards away, escaped unhurt. Behera was shifted to a local hospital where he was declared brought dead.

Similarly, two persons died and another suffered critical injuries while working at a black stone quarry in Jabara hill on April 23. As many as four persons have died in Jabara stone quarry in the last eight months. Besides, four persons were killed in three stone quarries at Bichhakhandi in the last two years.

Though a special task force was formed by the district administration after two persons died in April this year, it has failed to check illegal stone quarrying activities in the area.

Sources said Jabara hill quarry, which was not leased out, is being illegally operated by a person of Arua village. He was allegedly operating the quarry in connivance with some officials and local ruling party leaders by paying them monthly quota.

Surendra Kumar Panda, a BJP leader, said, "Ruling party leaders have been operating several illegal stone quarries under Dharmasala tehsil by paying huge ransom to local officials on a monthly basis."

Around 30 stone quarries in Jabara, Dankari, Bichhakhandi, Aruha, Jenapur and Balarampur areas have not been leased out by the local administration to facilitate illegal quarrying, he added.

LINK: <https://www.newindianexpress.com/states/odisha/2017/Nov/24/illegal-quarries-turn-into-death-traps-for-workers-1709645.html>

THAT THE BELOW ATTACHED PHOTOGRAPH SHOWS THAT THE LESSEE HAS DONE MINING BEYOND THE LEASE AREA.



THAT THE BELOW ATTACHED IMAGE SHOWS THAT THERE IS NO PILLAR POSTING/DEMARCATION.



THAT THE BLOW ATTACHED PHOTOGRAPHS SHOWS THE CLOSE PROXIMITY OF THE RANIBANDHA DAM TO THE MINING AREA



ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Orissa)

To,

The Tahasildar
NARAYAN ROUT

DANKARI BLACK STONE QUARRY NO 7/12 OVER 12.50AC OR 5.058
HA IN VILLAGE DANKARI UNDER DHARMASALA TAHSIL OF JAJPUR
DISTRICT, ODISHA. -755024

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/OR/MIN/257607/2022 dated 21 Feb 2022. The particulars of the environmental
clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC22B001OR119471 |
| 2. File No. | 257607/548-MINB1/02-2022 |
| 3. Project Type | New |
| 4. Category | B2 |
| 5. Project/Activity including
Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | DANKARI BLACK STONE QUARRY NO
5/10 OVER 4.00 ACRES OR 1.618 HECT
IN VILLAGE DANKARI UNDER
DHARMASALA TAHSIL OF JAJPUR
DISTRICT, ODISHA. |
| 7. Name of Company/Organization | NARAYAN ROUT |
| 8. Location of Project | Orissa |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 06/05/2022

(e-signed)
Sri Susanta Nanda
Member Secretary
SEIAA - (Orissa)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

This is a computer generated cover page.

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)





STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2541029, E-mail-seiaaorissa@gmail.com

Letter No _____

Dt. _____

SEIAA File No: 257607/548-MINB1/02-2022

Project: Proposal of Sri. Narayan Rout for mining of road metal from Dankari Black Stone Quarry No-5/10 over an area of 4.00 acres or 1.618Ha(Total Cluster-5 Area-243.19 Acres or 98.42Ha) at village- Dankari, Tahasil- Dharmasala, District- Jajpur- Environmental Clearance reg.

Ref: Your online application dated 21.02.2022 for issue of EC vide File No: SIA/OR/MIN/257607/2022

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of road metal/building stone from Dankari Black Stone Quarry No-5/10 over an area of 4.00 acres or 1.618Ha(Total Cluster-5 Area-243.19Acres or 98.42Ha) at village- Dankari, Tahasil- Dharmasala, District- Jajpur. The proposal falls in the category 1(a)- 'Mining of minerals' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as Form-2, form-1, supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan, cluster EIA/EMP and Checklist.

2. The proposed activities in a nut shell are as follows: -

- a. This is a proposal for mining of road metal from Dankari Black Stone Quarry No-5/10 over an area of 4.00 acres or 1.618Ha (Total Cluster-5 Area-243.19 Acres or 98.42Ha)located at village- Dankari, Tahasil- Dharmasala, District- Jajpur.
- b. The mine area is a part of the Survey of India Toposheet No. 73L/1,73L/2,73H/13 & 73H/14 bounded by Latitude: 20°46'37.87"N to 20°46'38.97"N and Longitude: 86°02'15.63"E to 86°02'23.35" E .
- c. The mining lease is an identified sairat source in the DSR. The Dankari Black Stone Quarry No-5/10 sairat source will be leased out under the OMMC

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Rules,2016 by Tahasildar, Dharmasala to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.

- d. The mining plan of the mining project prepared has been approved by Deputy Director Geology, Directorate of Geology, Bhubaneswar on 13.01.2022.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 272024 cum of building stone/road metal.
- f. The project proponent has not furnished the alignment of the extraction path for road metal transportation. As reported by the Tahasildar/PP in the checklist, the village road is at a distance of 0.9Km away from the mining lease area.
- g. The cluster certificate has been furnished by Tahasildar Dharmasala certifying that this sairat source is a part of a cluster. There are 24 nos. of mines(including this lease) located within 500m radius of lease area confirming to cluster situation and EIA/EMP study has already been carried out for the entire cluster. The SEAC have approved the cluster EIA/EMP prepared for the entire cluster in its meeting held on 03.08.2021.
- h. The Tahasildar vide letter dated 12.01.2022 has submitted that the proposed quarry is situated on non-forest land, even after verification of the DLC report.
- i. As per the approved mining plan, it is observed that road metal/building stone from the quarry will be extracted by semi-mechanized method with annual extraction of road metal not exceeding 11334 cum (maximum production capacity) during the valid lease period.

3. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B1 as the mining lease area in cluster is more than 5 ha and less than 100ha.

4. The proposal in cluster was duly appraised by the SEAC in its meeting held on 03.08.2021.The SEAC has approved the EIA/EMP report in cluster approach and recommended that the SEIAA may consider to grant Environmental Clearance to individual lease in cluster after the lessee in cluster submit individual applications. The lessee has already submitted the individual EC application in the Parivesh portal.

5. The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Environmental Clearance in favour of the project valid upto the lease period under the provisions of

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EIA Notification 2006 and subsequent amendments thereto subject to strict compliance of all stipulated conditions as mentioned below.

6. The Environmental Clearance (EC) is accordingly granted to the proposed activity of road metal mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.

8. The Tahasildar, Dharmasala who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

9. Stipulated Conditions:

- 9.1 This Environmental Clearance is given with a stipulation for compliance that "the case has to be seen in the context of the rampant quarrying activity within this Hill block beyond the proposed cluster of lease areas, as is apparent from an inspection of the google map of this area, and as per appraisal note and recommendation of SEAC. Whether it is a fact that there has been and continuing unauthorized stone quarry operation from the Dankari Hill block, and if so the actual quantum and extent of such unauthorized quarrying and over-exploitation may be reported by Tahasildar/PP, along with the action taken to curb all such practices and to realize compensation. Steps to be taken in case of any such wanton over-exploitation of quarry material for restitution of the environment of the hill and the surrounding villages may be worked out in detail".
- 9.2 The lessee shall implement the pollution control measures and safeguards as proposed in the approved EIA/EMP in the cluster approach.
- 9.3 Demarcation of the quarry lease area by posting durable concrete pillars of 1m height above ground is a must prior to starting the quarry operation. Photographs of proof showing the demarcation of the quarry lease shall be submitted along with compliance report.
- 9.4 No mining activities shall be allowed in forest area, if any, for which the Forest Clearance is not available.
- 9.5 Under no circumstances, the lessee shall use wagon drilling blasting during mining activity.
- 9.6 Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. Maximum depth of quarry operation for starting level at the top shall not exceed 6 meter.
- 9.7 Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is **11334Cum** in a full year (January to December) during the valid lease period. During the plan period of 5years, the total production from the quarry shall be **170000Cum** as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.

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- 9.8 Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of road metal from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 9.9 It shall be ensured that quarrying is not carried out within 500 m of structures, bridges, embankment, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. Pursuant to Hon'b'e NGT in its Order dated 21.07.2020 in OA No-304/2019 in the matter of M.Haridasan & Ors. Vrs State of Kerala and to comply with the direction made therein "No stone quarry involving blasting will be operated within 200 m (minimum distance criteria) from Residential/public buildings, inhabited sites, other location, etc."
- 9.10 The lessee shall obtain NOC from CGWA and permission from WR department, Govt. of Odisha for use of ground water/surface water if any, required for the project.
- 9.11 Protection of vegetation in the surrounding areas, and proper storage of solid waste, subgrade ore and their use has to be given priority during mining operation.
- 9.12 The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.
- 9.13 No mining shall be carried out in the vicinity of natural /manmade archeological sites.
- 9.14 The project proponent shall ensure that no mining activity takes place beyond 6 m below ground level. It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted depth, then also quarrying shall be stopped.
- 9.15 Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- 9.16 No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO and only 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. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of

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the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.

- 9.17 Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The lessee shall obtain NOC of Panchayat for usage of haulage road/Panchayat road.
- 9.18 All the lease holders in a cluster should join hand for grading of the main haulage road to maintain the gradient facilitating smooth movement of vehicles.
- 9.19 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.
- 9.20 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The competent lease granting authority may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral 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 mineral carrying trucks.
- 9.21 Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
- 9.22 The lessee shall not store and use blasting materials/explosives inside the lease area without obtaining license/permission/authorization from competent Authority as per Indian Explosives Rules, 1983.
- 9.23 Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.
- 9.24 Blasting will be carried out after making adequate announcement to the local inhabitants through public address system. Warning siren half an hour prior to blasting activity will be sounded adequately for alerting everybody around before the blast is detonated to avoid any accident. The nearby inhabitants shall be informed one day before the actual time of blasting. Blasting is permissible at fixed hour in day time only, after blowing the siren intermittently for 10 minutes before the actual start, for safety of the inhabitants. Blasting shall be carried out in such a manner that the splinters/debris generated shall not fall beyond the mining lease area.
- 9.25 Water spray should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.
- 9.26 Issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CSR shall be complied with. All the lease holders in a cluster to join hand

By

through a registered MOU on cluster to cluster basis for implementation of the same as per the provision of OM dated 30.09.2020 of MoEF&CC, Govt. of India. All the commitments made during the Public Hearing/Public Consultation meeting shall be satisfactorily implemented within the first three years and for this adequate budget provision shall be collectively made by all holders in the cluster.

- 9.27 The lessee shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; all the old age people of the surrounding villages may be provided medical facilities.
- 9.28 Pursuant to MoEF & CC, O.M No 22-34/2018-1A.111 dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No.114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
- 9.29 The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- 9.30 The lessee shall ensure the safeguard and well being of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the MoEF & CC, Govt. of India and SEIAA, Odisha.
- 9.31 All the lease holders in a cluster should join hand for development of green belt all around the cluster area. Plantation of 5000 saplings shall be carried out in the 1st year of quarry operation in the peripheries of the quarry area by making planting pits of 1 meter depth at suitable spots along the approach road and in village common lands, within 1km belt of the quarry. The PPs shall submit real time photographs on latitude longitude grid at six monthly intervals to monitor the status of the plantation. Total Plantation shall be carried out within 2-3 years of mining activity and maintenance shall be continued in remaining years. Trees present in mining area shall be uprooted & transplanted in safety zone.
- 9.32 Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
- 9.33 Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- 9.34 The soil to be generated during mining activity shall be stacked in the earmarked temporary soil stack and shall be utilized for the plantation purpose to be

By

- undertaken around the respective hill/patch and adjacent to haul roads of the same in lease area.
- 9.35 The abandoned mine pit shall be converted to rain water storage tank and the rain water stored in pit shall be utilized for plantation as well as dust suppression.
 - 9.36 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.
 - 9.37 Staggered contour trenches shall be dug out to cover all sloping area and the hill surface in general, within a 1km belt of the quarry lease.
 - 9.38 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and complete this work before abandonment of mine; and has to submit a detailed plan of action in this regard within six months, indicating definite timelines and physical outcomes. Photographs showing the reclamation & restoration of the mined out area shall be submitted along with compliance report at the end of lease period.
 - 9.39 Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
 - 9.40 Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
 - 9.41 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.
 - 9.42 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF& CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC is liable to be revoked. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions.
 - 9.43 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
 - 9.44 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.

34

- 9.45 The concerned Regional Office of the MoEF & CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 9.46 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be.
- 9.47 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 9.48 The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry. The advertisement shall be made within seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.
- 9.49 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.
- 9.50 The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 9.51 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 9.52 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environmental clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.53 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.

DJ

- 9.54 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 9.55 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,


Member Secretary

Copy to

1. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Jajpur/Sub Collector, Jajpur/Tahasildar, Dharmasala for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

Day


Member Secretary



ANNEXURE-5

Tel : 06726-221153

E mail : rospcb.kalinganagar@ospcboard.org

Website : www.ospcboard.org



REGIONAL OFFICE, KALINGANAGAR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
AT- DHABALAGIRI, NEAR OMC OFFICE, J.K Road, PO: Ferro Chrome Plant, Jajpur
DIST- JAJPUR-755019, ODISHA, INDIA

CONSENT ORDER

No 1640 /BSQ/68

Date 18.04.2024

CONSENT ORDER NO. 571 /RO-SPCB/KALINGA NAGAR (APC &WPC)

Sub: Consent to operate under section 25/26 of Water (PCP) Act, 1974 and under section 21 of the Air (PCP) Act, 1981.

Ref : Your online application No. 5594644 & This Office consent to operate order granted vide letter no 854/BSQ/68 Dtd 23.03.2023

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

Name of the Mine **M/s. DANKARI BLACK STONE QUARRY 5/10**

Name of the Occupier & Designation **Sri Narayan Rout, Lessee**

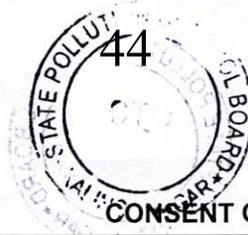
Address **At- Mouza Dankari (Plot No- 128 (P) & 45(P) of Khata No. 465 over an area of 4.00 Ac), Tehsil : Dharmasala Dist- Jajpur, Odisha**

This consent order is valid for the period up to **31.03.2025**.
(This consent to operate is granted based on environmental clearance issued vide SEIAA Identification no EC22B001OR119471 dtd 06.05.2022 & SEIAA letter No 5352/SEIAA Dtd 02.09.2022 and subjected to validity of mining lease)

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.	Quantity (in cu meters)/Annum
1	Excavation of Granite Stone for the year 2024-25	33999 m³

**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	SS mg/l	O&G mg/l		
1	Domestic waste water	Soak pit via septic tank.	-	5.5 – 9.0	100	10	-	-
2	-	-	-	-	-	-	-	-

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

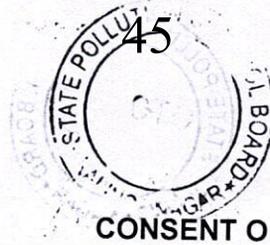
Chimney Stack No.	Description of stack.	Stack height (m)	Quantity of emission	Prescribed standard.				
				mg/Nm ³	PM	SO ₂	NO _x	
1	-	-	-	-	-	-	-	-

The Unit shall maintain within its premises the prescribed Ambient Noise Level for Residential Area.

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.
1	Overburden/Top soil	-	-	-	-	Shall be stored as per approved mining plan
2	-	-	-	-	-	-

Contd...

**CONSENT ORDER****E. GENERAL CONDITIONS FOR ALL UNITS**

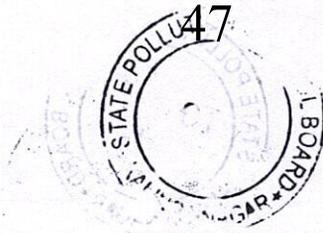
1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under 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 as deemed fit for the purpose of the Acts.
2. The industry would immediately submit revised application for consent to establish and operate to this 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.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. 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.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
6. 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.
7. 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.
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
10. 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.
11. 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.

Contd...



12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - 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 install 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.

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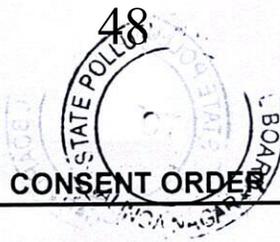


CONSENT ORDER

Page-5

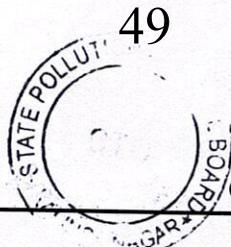
24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control 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 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.
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 or 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 no to cause fugitive emission, dust problems through leaching etc., of any kind.

Contd...



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 wastes.
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/heirs/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 A 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 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.

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**CONSENT ORDER****E. SPECIAL CONDITIONS**

1. The accumulated water in the quarry pit during monsoon shall be treated in series of settling tanks before discharge to natural drainage systems.
2. Garland drain shall be constructed on the hill slope and shall be channelized to settling tanks for treatment of runoff.
3. The water sprinkling systems shall be provided in the haul road, transportation roads, quarry areas, stockpiled areas and other dust generating areas to control the fugitive dust emission.
4. The Lessee/Project Proponent shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
5. Wet drilling method shall be adopted to control fugitive dust emission. Delay detonators and shock tube initiation system for blasting shall be adopted so as to reduce dust emission.
6. Vehicles hired for transportation of minor mineral from the site shall be in good condition and shall have PUC Certificate. Vehicles shall conform to the air & noise emission standards and shall be operated during non-peak hours.
7. The vehicles in which soil is to be transported shall be covered with tarpaulin to prevent spillage and getting minor mineral airborne.
8. The mines shall undertake plantation as mentioned in the mining plan..
9. The project proponent shall obtain NOC from CGWA for withdrawal of groundwater required for the project, if any.
10. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards
11. This unit has to abide by the provisions of E (P) Act, 1986 and rules framed there under.
12. The Board may impose further condition or modify the conditions as stipulated in this order during installation / or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form.
13. 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.

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

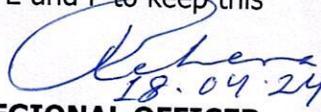
To

Sri Narayan Rout, Lessee
M/s DANKARI BLACK STONE QUARRY 5/10
At-Taranjia, Po: Aruha, PS-Dharmasala
Dist-Jajpur, Odisha

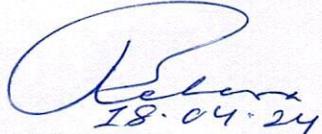
Memo No. 1641 / **Dt.** 18.04.2024

Copy forwarded to

1. The Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar.
2. The District Collector **Jajpur**
3. The Deputy Director of Mines(Minor Mineral), **Jajpur**
4. The Tahasildar, Dharmasala, **Jajpur**
5. Guard File.


18.04.24
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur


18.04.24
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur

o/c

OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER,
MINOR IRRIGATION SUB-DIVISION, BARACHANA

No. 82.1.

Dt 31.01.2018

To,

The Tahasildar Dharniasala.

Sub: - Quarring of Black stone in the Reservoir area of Paikarapur M.I.P.

Sir,

In inviting a kind reference to the subject cited above it is to intimate that, the Paikarapur MIP is a reservoir project in village- Paikarapur, G.P- ^{Bahisara} ~~Paikarapur~~, having catchment area of 1.30sq km with design ayacut of 41.00Ha khariff and certified ayacut of 87.80Ha khariff.

Due to Blasting of stone in Rahadpur Black stone Quarry (Dankari south side) the basin of the Paikarapur dam is silted up by the debris from quarry dust for which the capacity of the water spread area is decreasing and also the ayacut area of the project is also affected due shortage of water in the reservoir. The project is situated in a drought prone area and most of the ayacutdars are SC and ST Categories. The ayacutdars of village Paikarapur and Turanga are complaining in higher offices for non aviability of water due to Silting of basin area of the project.

Therefore it is requested to kindly make an enquiry under intimation to the undersigned and ensure that no quarrying is being done inside the reservoir area of Paikarapur M.I.P.

This is for favour of kind information and immediate necessary action.

Yours faithfully,

Qaw 31/01/18

Assistant Executive Engineer,
M.I. Sub-Division, Barachana

Memo No:-

Dated:-31.01.2018

Copy submitted to E.E. M.I. Division, Jajpur Vide his instruction on 29.01.2018 on the body of the letter no-686 & 688 dt.18.01.2018 of Chief Engineer M I Odisha, Bhubaneswar for information and necessary action and requested the matter may be intimated to the collector in this regard for immediate necessary action.

Assistant Executive Engineer,
M.I. Sub-Division, Badachana

MIPs face threat to existence from stone mining in Jajpur



POST NEWS NETWORK

Jajpur, Oct 29: Regular extraction of black stones from six stone quarries on Rahadpur hill under Dharmasala tehsil in the district has posed a serious threat to the existence of two minor irrigation projects in the area.

The Ranibandh and Paikarapur minor irrigation projects lying close to the hill were set up to provide irrigation facilities to farmers in the district.

The state government is constructing large, medium, minor irrigation projects, dug wells and bore wells to increase the irrigation cover. However, the district administration is allegedly frustrating the objective by catering only for the groups with vested interests.

Quarrying of black stones on Rahadapur hill under Dharmasala tehsil, close to Ranibandh and Paikarapur MIPs is a case in this point. A case against mining of black stones on Rahadapur hill is sub-judice in Orissa High Court. However, the district administration has given six stone quarries on lease ignoring the interest of farmers and the HC case.

It was alleged that the Ranibandh MIP might get extinct due to regular mining of large quantities of black stones.

The existential threat to the two MIPs came to the fore after a social activist, Sarbeshwar Behura, filed a public interest litigation (case no-3065/2018) in High Court, February, 2018. He alleged that over 12 stone quarries are operating in the area without having environmental permission.

He further alleged that the establishment of modern crusher units near the irrigation project and construction of a road in the area has posed serious threat to the existence of the irrigation projects.

Moreover, violation of environment and forest Act and minor mineral concession rules has aggravated air and water pollution in the area.

Earlier, residents had submitted a memorandum to the Collector demanding a joint probe into the irregularities. They alleged they often face drought like conditions despite presence of two MIPs. Later, the district administration clamped prohibitory order Section-44 in the area.

Behura also submitted the copies of the memorandum submitted to the Collector while filing the PIL. State revenue secretary, forest and environment secretary, member secretary, state pollution control board chief engineer

and executive engineer of MIPs were made party to the case.

A bench of the High Court heard the matter and directed the Collector to decide on the matter within six weeks and submit a report to it, August 6, 2019. However, the administration started leasing out the stone quarries to interested bidders instead of implementing the HC order. Interestingly, the administration has leased out six quarries while the remaining six quarries are operating illegally.

The complainant again went to HC and a contempt case was filed. The HC hearing the matter has issued a notice to the parties, October 20, 2020. Collector Chakraborty Singh Rathore held discussions with Behura and sought reply from the MIP authorities in this regard.

Reportedly the state government has sanctioned Rs 8 lakh from critical fund in 2017-18 fiscal over Rs 4 lakh in two phases for concretization of the canal from non-plan budget in 2015-16 fiscal, around Rs 9 lakh in 2017-18 fiscal and Rs 19 lakh in 2019-20 fiscal.

**OFFICE OF
RURAL**

Email: rd_bgh@yahoo.co
e-Procurement

No. O-482- 1. Name of the Work : C
of Bargarh. 2. EMD : 1 (One) % of E

Procurement Officer	Bid identification No.
1	2
Executive Engineer, Rural Works Division, Bargarh	ONLINE-BGH-05 of 2020-21

Further details can be seen from the



ANNEXURE-8

E-mail: rospcb.kalinganagar@ospboard.org

Website: www.ospboard.org

Tel No.06726 221153

REGIONAL OFFICE, KALINGANAGAR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
At. Dhabalgiri, PO. Ferro Chrome Project
Dist. Jajpur-755020, Odisha

No. 1432 MM (BSQ)/68

Date 12.05.2024

By Regd. Post

OFFICE MEMORANDUM

In consideration of the online application No. **4199098** of M/s. Dankari Black Stone Quarry No-5/10 for obtaining Consent to Establish, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention and Control of Pollution) Act, 1981, for excavation/quarrying of Road Metal as follows:

Excavation/Quarrying of Road Metal of quantity 170000 m³ during approved mining plan period of 05 years.

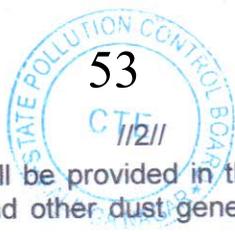
At. Dankari under Dharmasala Tahasil over Hal Plot No. 128 (P) & 45 (P) of Khata No. 465 measuring an area 4.00 Acres (mentioned as per application form) in the district of Jajpur with the following conditions.

GENERAL CONDITIONS:

1. This consent to establish is valid for the raw materials, product, manufacturing process and capacity mentioned in the application form. This order is valid for five years, which means the proponent shall commence construction of the project within a period of five years from the date of issue of this order. If the proponent fails to do substantial physical progress of the project within five years, then a renewal of this consent to establish shall be sought by the proponent.
2. The industry 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 Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016, as amended from time to time, Hazardous Chemical Rules/Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and the amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.
3. The industry is to apply for grant of consent to operate under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for at least 3 (three) months before the commercial production and obtain consent to operate from this Board.
4. **The 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:

1. This consent to establish granted under Section 25 of Water (P&CP) Act, 1974 and Section 21 of Air (P&CP) Act, 1981 shall be subject to the mining plan approved by the Deputy Director Geology, Directorate of Geology, Bhubaneswar, Environment Clearance issued by SEIAA and Lease to be granted under O.M.M.C Rules, 2016.
2. The accumulated water in the quarry pit during monsoon shall be treated in series of settling tanks before discharge to natural drainage systems.
3. Garland drain shall be constructed on the hill slope and shall be channelized to settling tanks for treatment of runoff.



4. The water sprinkling systems shall be provided in the haul road, transportation roads, quarry areas, stockpiled areas and other dust generating areas to control the fugitive dust emission.
5. The Lessee/Project Proponent shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
6. Wet drilling method shall be adopted to control fugitive dust emission. Delay detonators and shock tube initiation system for blasting shall be adopted so as to reduce dust emission.
7. Vehicles hired for transportation of minor mineral from the site shall be in good condition and shall have PUC Certificate. Vehicles shall conform to the air & noise emission standards and shall be operated during non-peak hours.
8. The vehicles in which soil is to be transported shall be covered with tarpaulin to prevent spillage and getting minor mineral airborne.
9. The mines shall undertake plantation as mentioned in the mining plan.
10. The top soil shall be stored in earmarked area and shall be utilized for nearby avenue plantation after separated from the mixed rock boulders and pebbles.
11. The project proponent shall obtain NOC from CGWA for withdrawal of groundwater required for the project, if any.
12. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards.
13. The mine shall abide by the provisions of E (P) Act 1986 and Rules framed thereunder.
14. 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 are found to have been suppressed / wrongly furnished in the application form.

To,

Sri Narayan Rout
M/s Dankari Black Stone Quarry No-5/10
At. Taranjia, PO. Aruha
Dist. Jajpur, Odisha 755024

Memo No. 1433 Dt. 12.05.2022

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Jajpur.
3. The Dy. Director Geology, Directorate of Geology, Bhubaneswar
4. The Tahasildar, Dharmasala
5. Copy to Guard file

REGIONAL OFFICER
Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur

REGIONAL OFFICER
Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

E-Mail

No. CPCB/IPC-II/NGT-OA 304 of 2019/2020/

May 12, 2020

To,
The Member Secretary,
State Pollution Control Boards / Pollution Control Committees,
(As per list enclosed)

Sub.: In reference to Hon'ble NGT OA No. 304/2019 order dated-28.02.2020-reg.

Sir/Ma'am,

Hon'ble NGT in its order dated-09.10.2019 in OA No. 304/2019 observed that the Kerala SPCB has permitted stone quarrying beyond 50 m from residence and public roads, and directed the SPCB to revisit the existing criterion based on an appropriate study. Further, in its order dated-28.02.2020 the NGT noted that "a report has been filed by the Kerala State PCB on 17.12.2019 reiterating the distance criteria of 50 mtrs. and mentioning that no study is available with the CPCB", and the NGT expressed that "We are of the view, as earlier observed that the distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health.", and directed CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.

Accordingly, in compliance of Hon'ble NGT Order dt.-28.02.2020 in OA No. 304/2019, CPCB has examined the matter and prepared a report on Distance Criteria for Permitting Stone Quarrying, which is enclosed for consideration and adoption by SPCB in consent mechanism.

Yours faithfully,

(Nazimuddin)

Additional Director &
Divisional Head - IPC - II

Encl.: As above

DISTANCE CRITERIA FOR PERMITTING STONE QUARRYING

1.0 Preamble:

Hon'ble National Green Tribunal vide order dated-28.02.2020 in the matter of M. Haridasan & Ors. Vs. State of Kerala in OA No. 304/2019 observed that a distance of 50 metres for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health and accordingly, directed Central Pollution Control Board (CPCB) to examine and lay down more stringent conditions and appropriately longer distance.

2.0 Stone Quarrying:

Stone is classified as minor minerals under Section 3(e) of the Mines and Minerals (Development and Regulations) Act, 1957. As per provisions of MMDR Act, the administrative and legal control over minor minerals vests with State Governments and empowered to make rules to govern minor minerals.

Stone Quarrying / Mining is an activity where extraction of stone is done from hillocks or mountain or ground surface having geological mineral deposits. The stone extracted from stone quarry are used either as construction materials or in stone crushers to produce rori/bajri and dust.

Systematic Mining (formation of benches) is done by blasting and drilling, to loosen up the rock materials followed by fragmentation of large size into smaller size. The reduced size material is then loaded and transferred to stone crushers for further processing in order to obtain necessary sizes required for final use. The blasting and drilling during mining operation have environmental impacts and requires mitigation measures to minimise the impacts on environment and nearby habitations.

3.0 Minor Mineral Concession Rules

As per sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), State Government has to make Rules for regulating the grant of quarry lease, mining lease/permit, mineral concessions and purposes connected in respect of minor minerals.

Accordingly, State Governments have framed rules and defined the criteria of minimum distance of minor mineral mining from different locations based on the type of mining used. (Annexure I).

Minimum distance prescribed by various states is vary with respect to mining operation of minor mineral involved. In general, minimum distance prescribed by states such as Rajasthan, Madhya Pradesh, Punjab, Tamil Nadu, Orissa, Bihar, Uttar Pradesh, Himachal Pradesh, West Bengal, Sikkim, Meghalaya and Manipur are:

- In the range of **45 - 200 m** from any reservoir, canal, public works such as public roads and **buildings**
- In the range of **45 - 100 m** from any railway line / area
- In the range of **60 - 100 m** from National Highway, State Highway and other roads and **10 m** from village roads

Various states have further prescribed minimum distance based on the use of blasting in mining operation of minor mineral, as follow:

Kerala:

When blasting is involved, no mining within a range of **50 – 100 m** from the boundary line of any railway line, bridges, reservoirs, tanks, **residential buildings**, Government protected monuments, canals, rivers, public roads having vehicular traffic, any other public works or the boundary walls of places of worship whereas, when no blasting is involved, range of **50-75 m** is prescribed as minimum distance.

Karnataka, Maharashtra, Goa, Gujarat:

When blasting is involved, no mining within a distance of **200 m** from the boundary line of any railway line reservoir, tank bund, canal, or other public works and **public structures** or any public road or building whereas, when no blasting is involved, minimum distance of **50 m** is defined.

Jammu & Kashmir:

When blasting is involved, no mining within a distance of **500 m** from the outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs) whereas, when no blasting is involved, minimum distance of **150 m** is defined.

Assam:

When blasting is involved, no mining within a distance of **250 m** from the outer periphery of the defined limits of any **village habitation**, National Highway, State Highway and other roads whereas, when no blasting is involved, minimum distance of **50 m** is defined.

Note: Distance criteria defined by various states, has been defined from the outer edge of the cutting or outer edge of the bank, as the case may be and in the case of a building horizontally from the plinth thereof.

4.0 Criteria of Danger Zone: Directorate General of Mines Safety

As per Directorate General of Mines Safety circular no. - DGMS (SOMA)/ (Tech) Cir No. 2 of 2003 Dt. 31/01/2003 (**Annexure II**), on subject of **Dangers due to blasting projectiles**, all places within the radius of **500 m** from the place of firing to be treated as danger zone and accordingly, all person in danger zone to take protection in substantially built shelter at the time of blasting.

Further, mine manager to control the throw and to prevent ejection of flying fragments within a safe distance with the use of refined blasting practices as well as developed explosives and accessories such as controlled blasting Technique with milli-second delay detonators / electric shock tubes/ cord relays or use of sequential blasting machines or by adequately muffling of holes etc.

5.0 Criteria of no blasting distance around blast sites: Indiana Department of Natural Resource, USA

(Source: Citizen Guide to Coal Mine Blasting in Indiana)

Indiana Department of Natural Resource, USA has stated that the blasting not to be conducted within **300 feet (~ 91 m)** of an **occupied dwelling** or school, church or hospital, public building, community or institutional building.

6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining Type		Minimum Distance	Locations
A.	When Blasting is not involved	100 m	Residential/Public buildings, Inhabited sites, Protected monuments, Heritage sites, National / State Highway, District roads, Public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dams, Reservoirs, River, Canals, & Lakes or Tanks, or any other locations to be considered by States.
B.	When Blasting is involved	200 m **	

****Note:** The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.

Annexure I

State	Type of Mining	Distance	Location	Remarks
Kerala	Quarry	100 m	Minimum distance from boundary of quarry operation area to residential buildings, places of worship, public buildings, public road, river or lake, railway line and bridges.	Quarry distance as per SPCB circular no. PCB/TAC/WP/236/2006 dated 13-6-2007.
	Laterite Quarry	50 m	Minimum distance to residences and other establishments (m)	Laterite Quarry distance as per SPCB circular no. PCB/T4/115/97 dated 20-7-2011
	Quarrying where explosives are used	100 m	Minimum distance from any railway line, bridges, reservoirs, tanks, residential buildings, Government protected monuments, canals, rivers, public roads having vehicular traffic, any other public works or the boundary walls of places of worship	Kerala Minor Mineral Concession Rules 1967
		50 m	Minimum distance from any burial grounds or burning ghats or forest lands	
	Quarrying where explosives are not used	75 m	Minimum distance from any railway line and any bridge on National Highway	
		50 m	Minimum distance from any reservoir, tanks, canals, rivers, bridges, public roads, other public works, residential buildings, the boundary walls of places of worship, burial grounds, burning ghats or any Government protected monuments or forest lands	
Karnataka	Blasting is involved	200 m	Minimum distance from the boundary line of any railway line reservoir, tank bund, canal, or other public works and public structures or any public road or building.	Karnataka Minor Mineral Concession Rules 1994
	No blasting is involved	50 m		
Maharashtra	Blasting is involved	200 m	Minimum distance from the boundary of any railway line, any reservoir, canal, road, river, nallah, irrigation works or public works or building.	Maharashtra Minor Mineral Extraction (Development and Regulation) Rules 2013
	No blasting is involved	50 m		
Goa and Daman & Diu	Blasting is involved	200 m	Minimum distance from the boundary of any railway line, any reservoir, canal, road or public works or buildings	The Goa, Daman and Diu Minor Mineral Concession Rules 1985
	No blasting is involved	50 m		
Gujarat	Blasting is involved	200 m	Minimum distance from any road, notified reservoirs, canal, national highway, state highway, boundary of any railway line, public works, cities, towns, villages and other approved continuous habitations.	Gujarat Minor Mineral Concession Rules 2017
	No blasting is involved	50 m	Minimum distance from any road (excluding a village road or other district road), notified reservoirs, canal, national highway, state highway, boundary of any railway line, public works, cities, towns, villages and other approved continuous habitations.	

Rajasthan	Minor Mineral Mining	45 m	Minimum distance from any railway line, under or beneath any ropeway or ropeway trestle or station or from any public roads (excluding mines approach road or village roads), reservoir, canal or other public place or buildings, pillars of railway and road bridge or inhabited site.	Rajasthan Minor Mineral Concession Rules 2017
Madhya Pradesh	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, canal or other public works such as public roads and buildings or inhabited site	Madhya Pradesh Minor Mineral Rules 1996
Punjab	Minor Mineral Mining	75 m	Minimum distance from any railway line or bridges	Punjab Minor Mineral Concession Rules 1964
		60 m	Minimum distance from national highway	
		50 m	Minimum distance from any reservoir tank canal roads or other public works or buildings or inhabited sites	
Tamil Nadu	Minor Mineral Mining	50 m	Minimum distance from any railway line or under or beneath any ropeway or any ropeway trestle or station or from any reservoir, canal or other public works such as public roads and buildings	Tamil Nadu Minor Mineral Concession Rules 1959
Orissa	Minor Mineral Mining	100 m	Minimum distance from any railway line, National Highway, late Highway or any reservoir	Orissa Minor Minerals Concession Rules 2004
		50 m	Minimum distance from any tank, canal, road (other than a National or State Highway or other public works of buildings or inhabited sites), public roads, public buildings, temples, reservoirs, dams, burial ground, railway track monuments, heritage sites, etc.	
Chhattisgarh	Minor Mineral Mining	300 m	Minimum distance from sensitive area like radio station, doordarshan kendra, defence establishment etc. of the Central and State Government	Chhattisgarh Minor Mineral Rules 1996
		100 m	Minimum distance from abadi, school, hospital and other public places, buildings and habited sites	
		75 m	Minimum distance from any railway line, bridge or highway	
		50 m	Minimum distance from tank, river banks, reservoir, canal	
		10 m	Minimum distance from grameen kachcha road	
Bihar	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, public road, canal or other public work or buildings or inhabited site	Bihar Minor Mineral Concession Rules 1972
		10 m	Minimum distance from any village roads	
Uttar Pradesh	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, canal or other public works, such as public roads and buildings or inhabited site	Uttar Pradesh Minor Minerals (Concession) Rules 1963
		10 m	Minimum distance from any village roads	
Himachal Pradesh	Minor Mineral Mining	75 m	Minimum distance from any railway line or bridges	Himachal Pradesh Minor Minerals (Concession) Revised Rules 1971
		60 m	Minimum distance from National Highway	
		50 m	Minimum distance from any reservoir, tank, canal, roads or other public works or buildings or inhabited sites	
		50 m	Minimum distance for all type of mining from any river banks (except in cases of ordinary sand)	

Jammu & Kashmir	Mining where excavation require use of explosives	500 m	Minimum distance from outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs)	Jammu & Kashmir Minor Mineral Concession Rules, 1962
	Mining where excavation does not require use of explosives	150 m	Minimum distance from outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs)	
	Minor Mineral Mining	100 m	Minimum distance from any other public roads	
		50 m	Minimum distance from upstream as well as downstream of water works, head works or hydraulic works as defined under the J&K Water Resources (Regulation and Management) Act, 2010.	
		25 m	Minimum distance from any 'embankment' or 'flood embankment' as defined under the J&K Water Resources (Regulation and Management) Act, 2010.	
West Bengal	Minor Mineral Mining	5000 m	Minimum distance from a barrage axis or dam or a river	West Bengal Minor Minerals Rules 2002
		200 m	Minimum distance from any hydraulic structure, reservoir, bridge, canal, road and other public works or buildings	
		200 m	Minimum distance from both sides of any river bridge or culvert over any waterway or from any embankment and structural works of the Irrigation and Waterways Department	
		100 m	Minimum distance from any Railway land	
Sikkim	Minor Mineral Mining	60 m	Minimum distance from bridges oh highways	Sikkim Minor Mineral Concession Rules 2016
		50 m	Minimum distance from any railway line or any reservoirs, canals or other public works, or buildings	
Assam	Mining where excavation require use of explosives	250 m	Minimum distance from the outer periphery of the defined limits of any village habitation, National Highway, State Highway and other roads	Assam Minor Mineral Concession Rules 2013
	Mining where excavation does not require use of explosives	50 m	Minimum distance from outer periphery of the defined limits of any village habitation, National Highway, State Highway and other roads	
	Minor Mineral Mining	500 m	Minimum distance from major structures like R.C.C. bridges, Guide bund etc.	
75 m		Minimum distance from any railway line or bridges		
Meghalaya	Minor Mineral Mining	50 m	Minimum distance from any railway line or under or beneath any rope way or any ropeway trestle or station, or from any reservoir, canal or other public works such as public roads and buildings or inhabited site	Meghalaya Minor Mineral Concession Rules 2016
		10 m	Minimum distance from any village roads	
Manipur	Minor Mineral Mining	50 m	Minimum distance from any reservoir, canal or other public works, or buildings.	Manipur Minor Mineral Concession Rules 2012

Annexure II

No.DGMS (SOMA)/(Tech)Cir.No.2 of 2003

Dhanbad, Dated the 31st January 2003.

To All Owners, Agents & Managers of mines.

Subject: Dangers due to blasting projectiles.

Accidents due to projectiles ejecting from blasting had been a major source of accident in both below ground and opencast workings. Under the existing provisions of Coal Mines Regulations, 1957 and the Metalliferous Mines Regulations, 1961, before a shot is charged, stemmed or fired the shotfirer/blaster is required, amongst other things to ensure that all persons within a radius of 300m from the place of firing (referred to hereinafter as danger Zone) have taken proper shelter, apart from giving sufficient warning by efficient signals or other means approved by the manager over the entire zone. There had been, however, a number of instances where flying fragments due to blasting had ejected not only within but also beyond the danger Zone, resulting into serious and even fatal accidents.

This Directorate from time to time had drawn the attention of all concerned about the dangers from flying projectiles through issue of DGMS Circulars Viz. Circular Tech. 15/1977 and 8/1982. Recently, however, another fatal accident occurred due to same reason.

Enquiry into the accident revealed that in an open cast coal mine, overburden had been kept dumped against the free face of OB bench, 12 No. first row of holes were left uncharged because of spontaneous heating in the seam below, 17 holes of 150mm 6.5m Depth drilled in 7m x 5m Pattern (spacing & burden) charged with 75 kg/hole and 42 holes of 6.5m depth 250mm dia drilled in 6m x 6m pattern charged with 130 kg/hole were blasted. The projectiles ejected due to blasting travelled for a distance of about 412m in the reverse direction away from the free face and hit a mechanical supervisor. The enquiry further revealed that the deceased had taken proper shelter in a blasting shelter but had come out of the shelter immediately on hearing to the sound of blast and was subsequently hit by the projectiles.

Over years there had been refinement of blasting practices as well as development in explosives and accessories, whereby it is possible to control the throw and prevent ejection of flying fragments within a safe distance, with relative ease. There is, therefore, no reason why such type of accident should continue to occur.

The matter is brought to your attention so that following corrective measures are taken in case similar conditions exists in any mine under your control.

(1) In the interest of safety to treat all the places within a radius of 500m of the place of firing as the danger zone, all persons who are required to remain within the danger zone at the time of blasting should take protection in substantially built shelter.

(2) Formulate a code of practice for controlled blasting Technique with milli-second delay detonators/ electric shock tubes/ cord relays or use of sequential blasting machines or by adequately muffling of holes including precautions to be taken during blasting operation until all clear signal given by blaster.

(3) Training of persons and their helpers engaged in such blasting operation.

(Dashrath Singh)
Director-General of Mines Safety.

Item No. 09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 304/2019

(With report dated 09.07.2020)

M. Haridasan & Ors.

Applicant(s)

Versus

State of Kerala

Respondent(s)

Date of hearing: 21.07.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Ms. Soni Singh, Advocate for CPCB
Mr. Jogy Scaria, Advocate for KSPCB

ORDER

1. The Issue for consideration is the safeguards in operation of stone quarries close to residences and public roads. At present, the Kerala State PCB has permitted the stone quarry beyond 50 mtrs. from residences and public roads.

2. The Tribunal considered the matter on 28.02.2020. Finding the distance to be inadequate, CPCB was required to consider the matter and report. It was observed:

"2. Accordingly, a report has been filed by the Kerala State PCB on 17.12.2019 retreating the distance criteria of 50 mtrs. and mentioning that no study is available with the CPCB.

3. *We are of the view, as earlier observed that the **distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health.***
4. *In view of above, we direct the **CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.** The State Board may take further action accordingly. Compliance reports be filed before the next date by email at judicial-ngt@gov.in.”*

3. Accordingly, the CPCB has filed its report on 09.07.2020 concluding as follows:

“6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining Type		Minimum Distance	Locations
A.	When Blasting is not involved	100 m	<i>Residential/Public buildings, Inhabited sites, locations to be considered by States.</i>
B.	When Blasting is involved	200 m **	

****Note: The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.**

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.”

4. In view of the above, the said criteria be followed throughout India.
The CPCB may monitor compliance.

A copy of this order be sent to the CPCB and all the State PCBs/PCCs by email for compliance.

The application is disposed of.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

July 21, 2020
Original Application No. 304/2019
AK

RISK ASSESSMENT

CLUSTER-5 MINE CONSTITUTED OF DANKARI HILLOCKS (85.57HA), BARADA HILLOCKS (9.91HA) & BARAMAN HILLOCKS OF (2.95HA)

Risk is the probability of the harm or likelihood of harmful occurrence being released and its severity. Environmental risk is a measure of the potential threats to the environment, life and property and which is more likely to happen in the mining activities. All the type of developmental activities like mining, industries, developmental projects may face certain type of hazards which can disrupt the normal activities abruptly and lead to disaster like fires, inundation, failure of machinery, explosion etc. On account of the possible risk, a risk assessment has been carried out and the Disaster Management Plan formulated with an aim of taking precautionary measures to control the hazard propagation, avert disaster and also to take such action after the disaster, which limits the damage to the minimum.

Objectives

The objectives of environmental risk assessment are governed by the following, which excludes natural calamities:

- To identify the potential hazardous areas so that necessary design safety measures can be adopted to minimise the probability of accidental events.
- To identify the potential areas of environmental disaster which can be prevented by proper designing of the installations and its controlled operation.
- To manage the emergency situation or a disastrous event, if any.

The major risk associated with the project activities are as follows:

Open Cast Bench Slope Failure

Conventional method of mining will be adopted in the mining leases within cluster 5 area (Dankari Hillock). In the present plan period it is proposed to shape the quarry with bench heights of 3 m to 6m (max). The width of the benches will be kept either equal or more than the height. The slope of the individual bench will be maintained at around 80° to 85° with ultimate pit slope of less than 45°. Mine road will be maintained between benches for easy movement of workers and vehicles. Suitable gradient of haul road will be maintained in between 1 in 16 to 1 in 20. Well-developed drainage systems over the lease hold area are to ensure & check the water flows out of the lease area.

Disaster due to Failure of Waste Dump

The over all waste dump slope, considering the angle of repose, has been fixed to be not more than 35°-37°. The waste dump will be stabilized by planting grasses and other arrangements as detailed below:-

- Individual dump slope angle will be 35° to the horizontal.
- A series of stone toe wall will be made all around the waste dump to prevent waste dump material being carried out to the general drainage system of the area.
- A garland drain will be constructed all around the waste dump area for smooth flow of water.
- The waste generated from the mines will utilized for internal road construction and there will be no waste dump within the mines during conceptual period.

Disaster due to Surface Fire

Sufficient fire extinguishers will be installed at selected location like Electrical Sub-stations, Garage, Diesel Depot, Stores etc. Besides, sufficient number of water hydrants with sufficient hosepipes will be made available. Adequate fire trenches shall be dug around the fuel depot so as to preclude chances of fires from adjacent forest areas.

Possible Dangers due to Storage of Explosives

The explosives to be used for blasting purpose will be procured by hired licensed blasting contractors by individual lessees from authorised dealers and blasting will be performed by the contractor also. Daily requisition of explosives will be as per the same day requirement. At the end of the blasting surplus explosives will be refunded to the dealer. A daily register will be maintained for total use and refund of explosives.

A zone around the mine periphery for safe blasting is proposed and the area shall be suitably fenced. Further, for the protection of the mine infrastructure facilities, controlled blasting has been suggested when mining operations approach to the vicinity of such structures.

In case of any fire, whosoever notices the fire will sound the alarm and inform the shift-in-charge. The shift-in-charge will inform security personnel & arrange to evacuate all personnel, except those who are required for fire fighting, from the area. The fire brigade shall be summoned to deal with the emergency. Concerned district official will be informed. Nearby hospitals will be informed to standby to handle casualties.

Accidents due to Machinery (Transport as well as non-transport machinery)

Machineries engaged in both transport and non-transport activities can be a cause of accident if awareness is not created among the employees. Following are some likely causes and preventive measure;

- Unauthorized driving of vehicles, mostly by helpers should be prohibited.
- Overloading a vehicle can be a cause of mishaps.
- Driving vehicles in an intoxicated stage should be prohibited.
- Use of sub standar equipments or machinery parts can result in accidents or break down. Standard machinery with authorized spare parts must be used.
- Managerial, supervisory and competent persons of the mine would be engaged for

DISASTER MANAGEMENT PLAN

Mining operation shall be carried out under the control and direction of a vastly experienced and well qualified mine manager holding a First Class Manager's certificate of competency. The DGMS have been issuing a number of standing orders, model standing orders and circulars to be complied by the mine management in case of disaster, if any.

The following precautionary measures shall be taken to prevent any kind of disaster in the mining operations:

- Blasting and removal of stone shall be done from top to downwards. No overhand will be allowed.
- Special attention and requisite precautions shall be taken while working in areas of geological weakness like existence of slip, fault etc.
- Provision of safety belt or rope while persons are at work at the hill sides from where there are chances of falling down for more than 1.8m.
- Providing the safety appliances such as safety boot, helmets, goggles etc. to the employees and ensuring their use by them by conducting surprise checking
- Spoil banks not to be retained by artificial means at an angle of repose in excess of its natural angle.
- Drafting and implementation of preventive maintenance schedule for various kinds of machinery deployed in blasting, crushing and transportation.

- Suppression of dust on the haulage roads; provision of maintenance of properly laid haul roads with guards and road signs at strategic points.
- Precautions against danger while traversing dumpers, excavators etc. by installing audio-visual alarms and appointment of spotters.
- Transportation of ore within mine workings by vehicles under the direction, supervision and control of Mine Management only.
- Proper maintenance of vehicles i.e. weekly examination by an engineer and daily examination by a competent person.
- Training and retraining (at specified interval) of the machinery operators.
- Use of controlled blasting techniques; danger zone in 500m radius to be followed strictly.
- Provision of blasting shelters – properly constructed and maintained.
- Adequate maintenance of electrical equipments.
- Prohibiting entry of unauthorized persons in the mine lease area.
- Fire fighting & first-aid provisions in the mines office and mining & crushing area
- Working of mine, as per approved plans and regularly updating the mine plans;
- Regular maintenance and testing of all mining equipment as per manufacturer's guidelines.



OPEN SERIES MAP

No. F45U1

Scale 1:50,000

F45N16 (73G/4)	F45O4 (73K/4)	F45O8 (73L/8)
F45T13 (73H/13)	F45U1 (73L/1)	F45U5 (73L/5)
F45T14 (73H/14)	F45U2 (73L/2)	F45U6 (73L/6)

भारतीय सर्वेक्षण विभाग SURVEY OF INDIA

1st Edition 2010. Advanced Print Copy PRICE ₹ 250/-

CONVENTIONAL SYMBOLS

Express Highway: with toll with bridge with viaduct	
Roads, suitable according to importance	
Unsurfaced road: Cart track: Road with paved footpaths	
Droves: with track in land, unfenced Canal	
Dams: masonry or red-brick: earthenwork, weir	
River: dry with water channel with island & rocks, lake, tidal	
Submerged rocks: Shoal, Swamp, Rapids	
Wells: lined, unlined, Tubewell, Spring, Tank, perennial, dry	
Barometerical: road or rail, tank, breaker ground	
Railways, broad gauge: double, single with station, cross-roads	
Railways, other gauges: double, single with station, cross-roads	
Mixed line or narrow gauge: Cutting with tunnel	
Cuttings with sub-structure: Rocky slopes, cliffs	
Sand features: (1) flat, (2) sand-hill (prominent), (3) dunes (flat)	
Tanks or villages: inhabited, deserted, fort	
Hill: permanent, temporary, Tower, Anasayas	
Temples: CHNCH, Church, Mosque, Light, Tomb, Shrine	
Lighthouse, Lightship, Buoy: lighted, unlighted, Anchorage	
Mine: Vind or shaft, Dress, Shaft	
Pit: primary, other, Pitfall, Cones, Barrows, Other trees	
Area: cultivated, wooded, Surveyed tree	
Boundary, international	
Rice: demarcated, undemarcated	
Boundary: plain, covered, uncoloured	
Light: navigational station, puls, approximate	
Post office: Telegraph office, Overhead line	
Control point: forest, reserved, protected	
Spotted areas: administrative, locality or other	
Hospital, Dispensary, Veterinary, Hospital/Dispensary	
Amusement, Hotel, Tourist site	
Power line: with pylons surveyed, with pylons unsurveyed	

REFERENCES

NRI National Highway No. 5, PWD Public Works Department, OMC Orissa Mining Corporation.

NOTES

Height in m. shown and above left in feet in most cases are approximate. A station height, etc., represents the approximate height in metres, between the top and bottom of a clear slope. The triangulation heights and contours in this sheet have not been reduced to the height of the mean sea level, but are shown as they are. A relative height, etc., is shown along a road, between the top of the road and the adjacent country. Road to be widened, etc., is shown along the main road. Permission to use this road is required from the highway authority. Field Pump is shown as follows.

COMPLETION INDEX

A. Compiled from 1:50,000 survey 1989-92. Updated for major details during 2002-05.

Projection - UTM Datum - WGS 84 Magneto Variation from True North about 2° West in 2005. Annual change negligible. 1:50,000 Scale. Contour Interval 20 METRES.

For further details about this map, please contact Director, Orissa Geo-Spatial Data Centre, Survey of India, Survey Bhawan, P.O. - R.R. Laboratory, Bhubaneswar - 751013. Fax : 0674 - 2391416.

WEBSITE - www.surveyofindia.gov.in

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BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application No. _____ of 2024

In re:
 Youth United For Sustainable Environment Trust Applicant

VERSUS

State of Odisha and Others Respondent

KNOW ALL to whom these present shall come that I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 22 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, that I am the President of the Applicant Trust in the above named APPLICANT do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :- **Sankar Prasad Pani O-785/2007. Ashutosh Padhy O-1018/23 Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, , sankarprasadpani@gmail.com, 9437279278.**

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 4th Day of July 2024.

Accepted subject to the terms of fees.

Sankar Prasad Pani
A Padhy

Advocates

Santanu Kumar Bhukta
 Youth United for
 Sustainable Environment Trust
 Client President



YOUTH UNITED
FOR SUSTAINABLE ENVIRONMENT TRUST

**YOUTH UNITED FOR SUSTAINABLE
ENVIRONMENT TRUST**

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youthunitedtrust@gmail.com



At/Po- Santhapada
PS-Talcher Dist-Angul
pin-759104

Ref : 30062406

Date : 30/06/2024

AUTHORISATION

That the trust members hereinafter authorise the President Sri Santanu Kumar Bhukta to file the present case before the Hon'ble National Green Tribunal in the name of the Trust.

Santanu Kumar Bhukta.

Youth United for
Sustainable Environment Trust
President

ସ୍ୱାମିନୀ କୁମାରୀ ଭୁକ୍ତା

Youth United for
Sustainable Environment Trust
Trustee

Pujarani Bhukta.

Youth United for
Sustainable Environment Trust
Trustee.

Pranve Kumar Bhukta

Youth United for
Sustainable Environment Trust
Trustee