

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.91 OF 2024 / EZ**

Soubhagya Ranjan

...Applicant

VERSUS

State of Odisha & Others

...Respondents

INDEX

Sl. No.	Description of the documents	Page Nos.
1.	Affidavit.	
2.	Photocopy of the of joint inspection report along with its annexures carried out on dtd.02.07.2024. (ANNEXURE – R2/1 Colly)	

SPCB Odisha, R.No.2

Through

Sri Dipanjan Ghosh,
Advocates for the Respondent No.2
(State Pollution Control Board, Odisha)
e-mail: dpnjnghsh0@gmail.com
Phone No.:9903080977

Kolkata

Date:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.91 OF 2024 / EZ**

Soubhagya Ranjan ...Applicant

VERSUS

State of Odisha & Others ...Respondents

03 AUG 2024

**AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
RESPONDENT NO.2 IN COMPLIANCE TO
ORDER DTD.19.04.2024 OF THE HON'BLE
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.**



I, Dr. Kailasam Murugesan, IFS, son of late Paramasivam Kailasam aged around 56 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

That I am the Member Secretary of the Respondent No.2 Board and, as such, am well-acquainted with the facts



and circumstances with the case and competent to swear this affidavit.

2. That the Hon'ble Tribunal, Principal Bench, New Delhi on the basis of letter petition received from the applicants has suo motu initiated a case vide OA No.140/2024/PB and vide their order dtd.19.04.2024 while adjudicating the OA at para-4 has been pleased to constitute a joint committee comprising of Odisha State Pollution Control Board (OSPCB), Deputy Director General of Forests (C), MoEF&CC, Govt. of India, Integrated Regional Office, Bhubaneswar and District Magistrate, Cuttack and directed to verify the factual position and take appropriate remedial action.

3. That in the order dtd.19.04.2024, the Hon'ble NGT, PB, New Delhi at para-7 directed for filing of the factual and action taken report by the joint committee before the EZB, Kolkata and directed to list the matter before the EZB, Kolkata on 24.05.2024.

That in compliance to the aforesaid direction, the case has been transferred to the EZB, Kolkata and



renumbered as OA No.91/2024/EZ and this Hon'ble Tribunal while adjudicating the matter vide their order dtd.24.05.2024 have been pleased to implead different authorities as respondents. The Board has been impleaded as R.No.2.

5. That in compliance to the direction dtd.19.04.2024 of the Hon'ble NGT, PB, New Delhi, the committee have deliberated the issue and visited the Bhatimunda Sand Quarry with other officials on dtd.02.07.2024 in presence of the applicant and the lessee of the Bhatimunda Sand Quarry. The officers who are present during visit has been spelt out in the report of the committee. The committee after visit have submitted the report with a view that the area is not fit to be quarry for scientific mining of the sand because of its close proximity to the river embankment which may cause future environmental damage. It is also observed that during the visit the sand quarry was not in operational condition since long and no sand transportation vehicles were observed at the alleged site. The report of the committee along with its



annexures is annexed to this affidavit and marked as **ANNEXURE – R2/1 Colly.**

6. That this affidavit is filed in compliance to the direction dtd.19.04..2024 of the Hon'ble NGT, PB, New Delhi passed in OA No.140/2024, which was subsequently transferred to this Hon'ble Tribunal and renumbered as OA No.91/2024/EZ.
7. That the Respondent No.2 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for effective adjudication of this case.

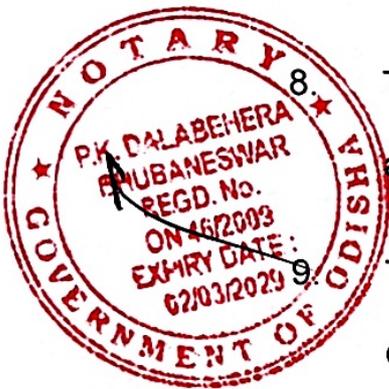
That the annexure annexed to the present affidavit is true and correct copy of its original.

That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.

THE ABOVE NAMED DEPONENT BEING IDENTIFIED BY..... ADV. BBSR APPEARS BEFORE ME AND STATE AN OATH ON..... AT ABOUTAM/PM THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE TO THE BEST OF HIS/ HER KNOWLEDGE


DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar


P K DALABEHERA
Notary, Bhubaneswar
Regd. No. ON-46/09



IDENTIFIED BY ME

ADVOCATE, BHUBANESWAR

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 3rd day of August, 2024.




DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

ANNEXURE-R2/1 Colly.**REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE THEIR ORDER DTD. 19.04.2024 IN THE MATTER OF OA NO. 140/2024/PB-SOUBHAGYA RANJAN & OTHERS VS STATE OF ODISHA AND OTHERS,**

I. COMPLAINT PETITION OF THE APPLICANT AND ORDER OF HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI PASSED ON 19.04.2024

The Hon'ble NGT, Principal Bench, New Delhi on the basis of the letter petition received from Mr. Soubhagya Ranjan Das & Others took cognizance into the matter and initiated a Suo-Motu case vide OA No. 140/2024/PB. The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows;

"The applicant has made allegation regarding illegal sand mining activities at the Bhatimunda Sand Quarry under Tahasil Tangi-Choudwar in Cuttack district. It has been alleged that EC has expired on December 31st 2022 however, in spite of that the lessee has been carrying out illegal extraction of sand by dredging water from river bed consistently causing significant harm to the Environment and violating legal regulation. Allegation is also made that mining has been done beyond the permitted quantity of 2000 CUM per year without fresh EC, Consent to Operate, Consent to Establish and sand extraction have been done around a radius of 3-5 KM beyond the quarry limits."

In this matter the Hon'ble NGT has constituted a Joint Committee vide order dtd. 19.04.2024 comprising of Odisha State Pollution Control Board (OSPCB), Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Bhubaneswar and the District Magistrate, Cuttack and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action. The Odisha State Pollution Control Board will be the nodal agency for coordination and compliance.

II. JOINT COMMITTEE MEETING HELD ON 06.05.2024

In compliance to the Hon'ble NGT a preparatory meeting was held on 06.05.2024 at 4.00 PM through Video Conferencing to make a preliminary discussion on the case matter and to fix a suitable date for the site visit by the committee members. However, the District Magistrate, Cuttack or his representative could not attend the meeting due to their another meeting of General Election, 2024 was going on at that time. Shri A. T. Mishra, Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar and Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Regional Office, Cuttack the other two members of the Joint Committee attended the meeting and following decisions were taken to comply the order of Hon'ble NGT. Copy of the minutes of the meeting is enclosed as **ANNEXURE-A.**

- i. The Mining Officer, Cuttack and the Tahasildar, Tangi-Choudwar will be asked to remain present during the site visit.
- ii. The Regional Officer, State Pollution Control Board will inform the applicant and the lessee of the Sand quarry to remain present during the site visit of the Joint Committee.
- iii. A suitable date will be fixed by the Regional Officer, Cuttack in consultation with Committee members over telephone.

The Collector & District Magistrate, Cuttack informed vide letter No. 271/Touzi, dtd. 10.05.2024 that entire District Administration is involved in election work till 06.06.2024 and to fix a date after 06.06.2024 for the site visit by the Committee members. Copy of the letter is annexed as **ANNEXURE-B.**

III. SITE VISIT BY THE JOINT COMMITTEE

The Joint Committee visited the Bhatimunda Sand Quarry with other Government officials on 02.07.2024 in presence of Sri Soubhagya Ranjan Dash, applicant and Sri Sachin Kumar Sahoo, Lessee of Bhatimunda Sand Quarry. The members of the Joint Committee and Government Officials present during the site visit are mentioned below;

- i. Shri A. T. Mishra, Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar.
- ii. Shri Umakanta Raj, Additional District Magistrate, Cuttack (Representative of Collector & DM, Cuttack).
- iii. Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Regional Office, Cuttack.
- iv. Shri Sambit Sahoo, Mining Officer, Cuttack
- v. Shri Choudhury Prajannanda Das, Tahasildar, Tangi-Choudwar

The Bhatimunda Sand Quarry is located on Birupa River bed at: Bhatimunda, TahasilTangi-Choudwar in Cuttack district. It was observed by the Committee that the sand Quarry was not in operational condition since long. No sand transportation vehicles were observed at the alleged site. The Quarry lease area was partly filled with river water and vegetation growth was observed in patches on rest portion.

During field visit, the Committee members discussed with the applicant, lessee, Mining officer and Tahasildar, Tangi-Choudwar and it was unanimously decided that the Mining officer and Tahasildar will submit a report jointly on Bhatimunda Sand Quarry in chronological order starting from the documentation process initiated for the mining activity to till date including the royalty/ penalty collected or any action taken against the said Quarry with detail documents to the committee within 07 days. The committee also asked the applicant to submit photographs or any other evidence available with him on illegal sand mining of the said quarry to the committee within 03 days so that the Joint Committee will submit the field visit report to the Hon'ble NGT. The proceedings of the field visit is enclosed as **ANEXURE- C**.

IV. JOINT STATUS REPORT OF THE BHATTIMUNDA SAND QUARRY SUBMITTED BY TAHASILDAR TANGI-CHOUDWAR AND MINING OFFICER

TahasildarTangi-Choudwar and Mining Officer, Cuttack submitted a report jointly on Bhatimunda Sand Quarry containing all the documentation process and action taken report. The inspection report is enclosed as **ANNEXURE-D**. The content of the report is given as follows;

1. Birupa River Sand Bhatimunda Source was approved on Dt.07/08/2020 over an area of Ac12.34Dec of Plot No.1116 under Khata No.441 of village Bhatimunda, Tehsil- Tangi-Choudwar, Cuttack District.(Copy of the consent of the Collector and District Magistrate, Cuttack regarding creation of the Birupa River Sand Bhatimunda source is attached herewith as **Annexure-1**).
2. Auction process Started on Dt.18.02.2021. with an advertisement notice issued by the office of the Tahasildar, Tangi- Choudwar, Cuttack district.
3. Auction was held on Date- Dt.24.03.2021 and one Sachin Kumar Sahoo was declared as the successful bidder with a bid of the highest additional charge of rupees 2800/- along with offset price of Rs.49/- per CuM. (Bid sheet of the auction process is attached herewith as **Annexure-2**).
4. The intimation in Form-F was issued to the successful Bidder on Dt. 25/03/2021 (Copy of the Form-F is attached herewith as **Annexure-3**) Accordingly, Sachin Kumar Sahoo deposited the interest free security amount on 25/03/2021 as per the Rule 27(7) of the OMMC Rules, 2016.
5. State Environment Impact Assessment Authority (SEIAA) approved the annual quarrying, quantum as 2000CuM on Dt.31/08/2021 vide letter No.2409/SEIAA in favour of the Tahasildar, Tangi-Choudwar which was received on Dt.14/09/2021. (Copy enclosed herewith as **ANNEXURE-4**).
6. Transferred EC was issued by SEIAA in favour of Sachin Kumar Sahoo vide Letter No.4038/SEIAA, on Dt.22.02.2022 (Copy enclosed herewith as **ANNEXURE-5**).
7. Lease deed with respect to the aforesaid sand source was presented on Dt.03.03.2022 and executed on 18/05/2022(Copy enclosed herewith as **ANNEXURE-6**).
8. Consent To Operate (CTO) was received from the State Pollution Control Board (SPCB) on Dt.04/06/2022 with an approved quantity of 2000 CuM which was valid up to 31/03/2023.(Copy enclosed herewith as **ANNEXURE-7**).

9. Y-form was issued for operation of the aforesaid sand source from Dt.04/06/2022. The last Y-form was issued on Dt.14/02/2023. A total of 9 Numbers of Y-Form Books having Book No.2586, 2587, 2599, 45135, 45136, 45137, 45148, 45154 and 45155 have been issued in favour of the Lessee. The lessee has returned only 3 out of the 9 Y-Form books to the Tahasildar, Tangi-Choudwar. The Book numbers of the returned Y-form books are 2586, 2587 and 2599. The lessee has not returned yet the remaining 6 Y-Form books. As per the counterfoils of the 3 Y-Form books returned by the Lessee, a total of 450CuM sand was extracted by the Lessee. Further, the lessee hasn't submitted quarterly returns or annual returns at any point of time since the start of the operation of the aforesaid sand source.
10. Due to illegal mining beyond the lease area, an amount of Rs.38,56,710.00 was imposed on the Lessee as penalty communicated vide letter No.3278, Dt.23.05.2023 of the Tehsildar, Tangi-Choudwar. Since the Lessee failed to pay the aforesaid amount, the Tehsildar, Tangi-Choudwar again reminded the lessee vide letter No.4428, Dt.25.07.2023 to pay the aforesaid penalty amount. (Copy enclosed herewith as **Annexure-8**). The Lessee has not yet paid the aforesaid penalty.
11. On Dt.26/07/2023 the aforesaid source was transferred to the Mining Officer-Cum-Competent Authority, Minor Minerals, Cuttack District. The supporting document of the transfer process is attached herewith as **Annexure-9**.
12. Upon receiving the file and case records from the Tahasildar, Tangi-Choudwar, Mining officer, Cuttack issued a demand letter regarding pending Govt. dues of Rs.23,97,042.00 towards Royalty, Additional Charge, DMF, EMF, Surface Rent, Dead Rent and TCS against the Lessee Sachin Kumar Sahoo up to Dt.31.07.2023, vide letter No.1531/Mines, Dt.08/08/2023 on the basis of the demand letter issued by the Tehsildar, Tangi-Choudwar vide his office letter No.4300, Dt.19.07.2023. (Copy enclosed herewith as **Annexure-10**).

13. Mining Officer, Cuttack on Dt.09/10/2023 found evidence of illegal mining with the use of suction boats, at the aforesaid sand source. Subsequently, a show-cause notice was issued on Dt.12/10/2023, vide letter no.2175/Mines to lessee. (Copy enclosed herewith as **Annexure-11**)
14. Mining Officer, Cuttack imposed a penalty of Rs.500000.00 on the Lessee vide letter no.2937, Dt.07.12.2023 (Copy enclosed herewith as **Annexure-12**). The lessee paid the aforesaid amount, vide Cyber Treasury Challan No.35D5C5DB8F (Copy enclosed as **Annexure-13**).
15. The lessee did not comply the following clause of the Transferred EC vide Letter No.4038/SEIAA, on Dt.22.02.2022 (Already attached as **Annexure-5**);
- i. **"The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF& CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year ie. after 31 December, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent. The PP is allowed to extract provisionally 2000 cum of sand in the first year."**

16. On Dt.30/05/2023 Lessee had submitted the application for Modification of EC in Parivesh Portal vide Proposal No.SIA/OR/MIN/300740/2023 (Copy enclosed as **Annexure-14**), which was subsequently passed by SEAC and SEIAA. SEIAA issued an Amendment to the EC, in favour of the Lessee of Birupa River Sand Bhatimunda on Dt.10/01/2024 with a proposed MGQ of 2050CuM per year for rest of the lease period (Copy enclosed herewith as **Annexure-15**).
17. Mining Officer, Cuttack also issued another demand notice regarding payment of Govt. dues towards annual Royalty, Additional Charge, DMF, EMF, Surface Rent, Dead Rent and TCS (A total of Rs.59,93,004.50) for the 2nd year of the lease period(18.05.2023 to 17.05.2024) against the Lessee of the Birupa River Sand Bhatimunda vide letter No.957/Mines, Dt.18.04.2024. (Copy enclosed as **Annexure-16**).
18. The Lessee has filed WP(C) No.12919 of 2024 challenging the demand issued by Mining Officer, Cuttack vide letter No.957/Mines, Dt.18.04.2024 (Enclosed already as **Annexure-16**) which was disposed off by the Hon'ble High Court of Orissa, Cuttack giving liberty to the Lessee to file an appeal within 30 days. Office of the Advocate General, Odisha informed the same to the Mining Officer, Cuttack vide Letter No.35248, Dt.18.06.2024 (Copy enclosed herewith as **Annexure-17**).
19. Lessee has not yet paid the penalty amount of Rs.38,56,710.00 imposed by the Tehsildar, Tangi-Choudwar vide letter No.3278, Dt.23.05.2023, an amount of Rs.23,97,042.00 towards Royalty, Additional Charge, EMF, DMF, Surface Rent, Dead Rent and TCS pending up to Dt.31.07.2024 as demanded by the Mining Officer, Cuttack (Copy already enclosed as **Annexure-10**). Furthermore, the Lessee also has not paid any amount towards annual Royalty, Additional Charge, EMF, DMF, Surface Rent, Dead Rent and TCS (A total of Rs.59,93,004.50) for the 2nd year of the lease period(18.05.2023 to 17.05.2024) as demanded by the Mining Officer, Cuttack, vide his letter No. 957/Mines, Dt.18.04.2024. (Copy enclosed already as **Annexure-16**)

V. REMARKS:

The Joint Committee observed during the site visit that the sand Quarry was not in operational condition since long. No sand transportation vehicles were observed at the alleged site. The Quarry lease area was partly filled with river water and vegetation growth was observed in patches on rest portion.

The committee also asked the applicant to submit photographs or any other evidence available with him on illegal sand mining of the said quarry to the committee within 03 days but no photographs or documents received from the applicant till date. However the report of the Tahasildar and Mining officer indicates that illegal mining was carried out by the lessee for which penalty has been imposed but the lessee is yet to comply the demands raised.

We are of the view that the area is not fit to be quarry for scientific mining of the sand because of its close proximity to the river embankment, Which may cause future environmental damage.

Priyadarshini
02/08/2024

Er. R. Priyadarshini,
Regional Officer,
State Pollution Control
Board, Cuttack.

Regional Officer
State Pollution Control Board
Cuttack

Umakanta Raj
02/08/24

Umakanta Raj
Additional District
Magistrate, Cuttack
(I/C of Collector &
DM, Cuttack)

DISTRICT MAGISTRATE &
COLLECTOR, CUTTACK

A. T. Mishra
02/08/24

A. T. Mishra, I.F.S
Deputy Director General of
Forests (C), Ministry of
Environment, Forest and
Climate Change, Regional
Office, Bhubaneswar.

उप नर वन निदेशक (केन्द्रीय)
Dy. Director General of Forests (Central)
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
Ministry of Environment, Forest & CC
पूर्वी क्षेत्रीय कार्यालय/Eastern Regional Office
भुवनेश्वर/Bhubaneswar

18

MINUTES OF THE MEETING HELD ON 06.05.2024 AT 4:00 P.M. THROUGH VIDEO CONFERENCING IN CONNECTION WITH OA NO. 140/2024/PB - SOUBHAGYA RANJAN & OTHERS VS STATE OF ODISHA AND OTHERS

The Hon'ble NGT, Principal Bench, New Delhion the basis of the letter petition received from Mr. Soubhagya Ranjan Das & Others took cognizance into the matter and initiated a Suo-Motu case vide OA No. 140/2024/PB. The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows;

"The applicant has made allegation regarding illegal sand mining activities at the Bhatimunda Sand Quarry under Tahasil Tangi-Choudwar in Cuttack district. It has been alleged that EC has expired on December 31st 2022 however, in spite of that the lessee has been carrying out illegal extraction of sand by dredging water from river bed consistently causing significant harm to the Environment and violating legal regulation. Allegation is also made that mining has been done beyond the permitted quantity of 2000 CUM per year without fresh EC, Consent to Operate, Consent to Establish and sand extraction have been done around a radius of 3-5 KM beyond the quarry limits."

In this matter the Hon'ble NGT has constituted a joint committee vide order dtd. 19.04.2024 comprising of Odisha State Pollution Control Board (OSPCB), Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Bhubaneswar and the District Magistrate, Cuttack and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action. The Odisha State Pollution Control Board will be the nodal agency for coordination and compliance.

In compliance to the Hon'ble NGT a preparatory meeting was held on 06.05.2024 at 4.00 PM through Video Conferencing to make a preliminary discussion on the case matter and to fix a suitable date for the site visit by the committee members. However, the District Magistrate, Cuttack or his representative could not attend the meeting due to their another meeting of General Election, 2024 was going on at that time. Shri A. T. Mishra, Deputy Director General of Forests (C), Ministry of

Environment, Forest and Climate Change, Regional Office, Bhubaneswar and Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Regional Office, Cuttack the other two members of the Joint Committee attended the meeting and following decisions were taken to comply the order of Hon'ble NGT.

- i. The Mining Officer, Cuttack and the Tahasildar, Tangi-Choudwar will be asked to remain present during the site visit.
- ii. The Regional Officer, State Pollution Control Board will inform the applicant and the lessee of the Sand quarry to remain present during the site visit of the Joint Committee.
- iii. A suitable date will be fixed by the Regional Officer, Cuttack in consultation with Committee members over telephone.

The meeting was ended with vote of thanks by Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Cuttack, Odisha.

Rashmita
06/05/2024

**Er. R. Priyadarshini,
Regional Officer,
State Pollution Control
Board, Cuttack.**

**Regional Officer
State Pollution Control Board
Cuttack**

A. T. Mishra

**A. T. Mishra, I.F.S.
Deputy Director General of
Forests (C), Ministry of
Environment, Forest and
Climate Change,
Integrated Regional Office,
Bhubaneswar.**

उप वन महासंचालक (केन्द्रीय)
Dy. Director General of Forests (Central)
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
Ministry of Environment, Forest & CC
पूर्वी क्षेत्रीय कार्यालय/Eastern Regional Office
भुवनेश्वर/Bhubaneswar



OFFICE OF THE COLLECTOR, CUTTACK
(TOUZI & LOANS SECTION)

No. 271 Touzi. Dtd. 10-05-2024

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

Sub:- OA No.140/2024/PB filed by Soubhagya Ranjan & Others Vrs State of Odisha & others

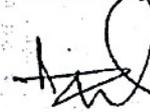
Ref:- Your letter No.6529, Dtd.01.05.2024

Sir,

With reference to the letter on the above noted subject, I would like to inform you that. Simultaneous General Election to the House of People and Assembly Constitutions will be held on in 2(Two) Phases in Cuttack District i.e. on 25.05.2024 and 01.06.2024. Counting of votes will be taken on 04.06.2024. The undersigned, Additional District Magistrates and Sub-Collector & SDMs of the District are designated as Returning Officers to conduct the election in respect of different constituencies. At present the entire District Administration is involved in election work, as such it is not possible to make field visit till completion of the election process i.e. till 06.04.2024. It will be better to fix a date after 06th June, 2024 for the site visit by the Committee members for compliance of the orders of Hon'ble National Green Tribunal.

This for your information and necessary action.

Yours faithfully,

 10/5/24

Collector & District Magistrate,
Cuttack

Memo No. 272 Touzi. Dtd. 10-05-2024

Copy forwarded to the Regional Officer, SPCB, Cuttack for information and necessary action.



Collector & District Magistrate,
Cuttack

30

Beesha
13/05/2024

**PROCEEDINGS OF THE FIELD VISIT CONDUCTED ON 02.07.2024 IN
THE MATTER OF OA NO. 140/2024/PB – SOUBHAGYA RANJAN &
OTHERS VS STATE OF ODISHA AND OTHERS**

The Hon'ble NGT, Principal Bench, New Delhi on the basis of the letter petition received from Mr. Soubhagya Ranjan Das & Others took cognizance into the matter and initiated a Suo-Motu case vide OA No. 140/2024/PB. The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows;

"The applicant has made allegation regarding illegal sand mining activities at the Bhatimunda Sand Quarry under Tahasil Tangi-Choudwar in Cuttack district. It has been alleged that EC has expired on December 31st 2022 however, in spite of that the lessee has been carrying out illegal extraction of sand by dredging water from river bed consistently causing significant harm to the Environment and violating legal regulation. Allegation is also made that mining has been done beyond the permitted quantity of 2000 CUM per year without fresh EC, Consent to Operate, Consent to Establish and sand extraction have been done around a radius of 3-5 KM beyond the quarry limits."

In this matter the Hon'ble NGT has constituted a joint committee vide order dtd. 19.04.2024 comprising of Odisha State Pollution Control Board (OSPCB), Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Bhubaneswar and the District Magistrate, Cuttack and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action. The Odisha State Pollution Control Board will be the nodal agency for coordination and compliance.

In compliance to the Hon'ble NGT order the site visit was conducted on 02.07.2024 by the following committee members and other officials in presence of Sri Soubhagya Ranjan Dash, applicant and Sri Sachin Kumar Sahoo, Lessee of M/s. Bhatimunda Sand Quarry.

- i. Shri A. T. Mishra, Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar.

- ii. Shri Umakanta Raj, Additional District Magistrate, Cuttack(Representative of Collector & DM, Cuttack)
- iii. Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Regional Office, Cuttack.
- iv. Shri Sambit Sahoo, Mining Officer, Cuttack
- v. Shri Choudhury Prajannanda Das, Tahasildar, Tangi-Choudwar

The Bhatimunda Sand Quarry is located on Birupa River bed at: Bhatimunda, Tahasil Tangi-Choudwar in Cuttack district. During site visit it was observed that the sand Quarry was not in operational condition since long. No sand transportation vehicles were observed at the alleged site. The quarry lease area was partly filled with river water and vegetation growth was observed in patches on rest portion.

During field visit, the committee members discussed with the applicant, lessee, Mining officer and Tahasildar, Tangi-Choudwar and it was unanimously decided that the Mining officer and Tahasildar will submit a joint status report on Bhatimunda Sand Quarry in chronological order starting from the documentation process initiated for the mining activity to till date including the royalty/ penalty collected or any action taken against the said quarry with detail documents to the committee within 07 days. The committee also asked the applicant to submit photographs or any other evidence available with him on illegal sand mining of the said quarry to the committee within 03 days so that the committee will submit the field visit report to the Hon'ble NGT.

Rashmita
02/07/2024

Er. R. Priyadarshini,
Regional Officer,
State Pollution Control
Board, Cuttack.
Regional Officer
State Pollution Control Board
Cuttack

U. Raj

Umakanta Raj
Additional District
Magistrate, Cuttack
(Representative of
Collector & DM,
Cuttack)

Addl. District Magistrate
Cuttack

A. T. Mishra

A. T. Mishra, I.F.S., Deputy
Director General of Forests
(C), Ministry of
Environment, Forest and
Climate Change, Regional
Office, Bhubaneswar.

उप वन प्रान्तियेणक (केन्द्रीय)
Dy. Director General of Forests (Central)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & CC
पूर्वी क्षेत्रीय कार्यालय/Eastern Regional Office
भुवनेश्वर/Bhubaneswar

Report on Birupa River Sand Bhatimunda-

- Birupa River Sand Bhatimunda Source was approved on Dt.07/08/2020 over an area of Ac12.34Dec of Plot No.1116 under Khata No.441 of village Bhatimunda, Tehsil- Tangi-Choudwar, Cuttack District.(Copy of the consent of the Collector and District Magistrate, Cuttack regarding creation of the Birupa River Sand Bhatimunda source is attached herewith as **Annexure-1**)
- Tender process Started on Dt.18.02.2021 with an advertisement notice issued by the office of the Tahasildar, Tangi-Choudwar, Cuttack District.
- Auction was held on Date- Dt.24.03.2021 and one Sachin Kumar Sahoo was declared as the successful bidder with a bid of the highest additional charge of rupees 2800/- along with offset price of Rs.49/- per CuM. (Bid sheet of the auction process is attached herewith as **Annexure-2**)
- The intimation in Form-F was issued to the successful Bidder on Dt.25/03/2021 (Copy of the Form-F is attached herewith as **Annexure-3**) Accordingly, Sachin Kumar Sahoo deposited the interest free security amount on 25/03/2021 as per the Rule 27(7) of the OMMC Rules, 2016.
- State Environment Impact Assessment Authority (SEIAA) approved the annual MGQ of 2000CuM on Dt.31/08/2021 vide letter No.2409/SEIAA in favour of the Tahasildar, Tangi-Choudwar which was received on Dt.14/09/2021. (Copy enclosed herewith as **Annexure-4**)
- Transferred EC was issued by SEIAA in favour of Sachin Kumar Sahoo vide Letter No.4038/SEIAA, on Dt.22.02.2022 (Copy enclosed herewith as **Annexure-5**)
- Lease deed with respect to the aforesaid sand source was presented on Dt.03.03.2022 and executed on 18/05/2022 (Copy enclosed herewith as **Annexure-6**)

- Consent to Operate (CTO) was received from the State Pollution Control Board (SPCB) on Dt.04/06/2022 with an approved quantity of 2000 CuM which was valid up to 31/03/2023. (Copy enclosed herewith as **Annexure-7**)
- Y-form was issued for operation of the aforesaid sand source from Dt.04/06/2022. The last Y-form was issued on Dt.14/02/2023. A total of 9 Numbers of Y-Form Books having Book No.2586, 2587, 2599, 45135, 45136, 45137, 45148, 45154 and 45155 have been issued in favour of the Lessee. The lessee has returned only 3 out of the 9 Y-Form books to the Tahasildar, Tangi-Choudwar. The Book numbers of the returned Y-form books are 2586, 2587 and 2599. The lessee has not returned the remaining 6 Y-Form books. As per the 3 Y-Form books returned by the Lessee, a total of 450CuM sand was extracted by the Lessee. Further, the lessee hasn't submitted quarterly returns or annual returns at any point of time since the start of the operation at the aforesaid sand source.
- Due to illegal mining beyond the lease area, an amount of Rs.38,56,710.00 was imposed on the Lessee as penalty, vide letter No.3278, Dt.23.05.2023 of the Tehsildar, Tangi-Choudwar. Since the Lessee failed to pay the aforesaid amount, the Tehsildar, Tangi-Choudwar again reminded the lessee vide letter No.4428, Dt.25.07.2023 to pay the aforesaid penalty amount.(Copy enclosed herewith as **Annexure-8**). The Lessee has not yet paid the aforesaid penalty amount.
- On Dt.26/07/2023 the aforesaid source was transferred to the Mining Officer-Cum-Competent Authority, Minor Minerals, Cuttack District. The supporting document of the transfer process is attached herewith as **Annexure-9**.
- Upon receiving the file from the Tahasildar, Tangi-Choudwar, Mining officer, Cuttack issued a demand letter regarding Govt. dues of Rs.23,97,042.00 towards Royalty, Additional Charge, DMF, EMF, Surface Rent, Dead Rent and TCS against the Lessee Sachin Kumar

Sahoo pending up to Dt.31.07.2023, vide letter No.1531/Mines, Dt.08/08/2023 on the basis of the demand letter issued by the Tehsildar, Tangi-Choudwar vide his office letter No.4300, Dt.19.07.2023.(Copy enclosed herewith as **Annexure-10**)

- Mining Officer, Cuttack on Dt.09/10/2023 found evidence of illegal mining with the use of suction boats, at the aforesaid sand source. Subsequently, a show-cause notice was issued on Dt.12/10/2023, vide letter no.2175/Mines. (Copy enclosed herewith as **Annexure-11**)
- Mining Officer, Cuttack imposed a penalty of Rs.500000.00 on the Lessee vide letter no.2937, Dt.07.12.2023 (Copy enclosed herewith as **Annexure-12**). The lessee paid the aforesaid amount, vide Cyber Treasury Challan No.35D5C5DB8F (Copy enclosed as **Annexure-13**).
- The lessee did not comply the following clause of the Transferred EC vide Letter No.4038/SEIAA, on Dt.22.02.2022 (Already attached as **Annexure-5**)

"The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31 December, 2022 if satisfactory replenishment study report is not submitted. The

submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent. The PP is allowed to extract provisionally 2000 cum of sand in the first year."

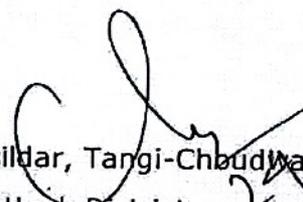
On Dt.30/05/2023 Lessee had submitted the application for Modification of EC in Parivesh Portal vide Proposal No.SIA/OR/MIN/300740/2023 (Copy enclosed as **Annexure-14**), which was subsequently passed by SEAC and SEIAA. SEIAA issued an Amendment to the EC, in favour of the Lessee of Birupa River Sand Bhatimunda on Dt.10/01/2024 with a proposed MGQ of 2050CuM per year for rest of the lease period(Copy enclosed herewith as **Annexure-15**).

- Mining Officer, Cuttack also issued another demand notice regarding payment of Govt. dues towards annual Royalty, Additional Charge, DMF, EMF, Surface Rent, Dead Rent and TCS (A total of Rs.59,93,004.50) for the 2nd year of the lease period (18.05.2023 to 17.05.2024)against the Lessee of the Birupa River Sand Bhatimunda vide letter No.957/Mines, Dt.18.04.2024. (Copy enclosed as **Annexure-16**)
- The Lessee has filed WP(C) No.12919 of 2024 challenging the demand issued by Mining Officer, Cuttack vide letter No.957/Mines, Dt.18.04.2024 (Enclosed already as **Annexure-16**) which was disposed of by the Hon'ble High Court of Orissa, Cuttack citing a liberty for the Lessee to file an appeal within 30 days. Office of the Advocate General, Odisha informed the same to the Mining Officer, Cuttack vide Letter No.35248, Dt.18.06.2024. (Copy enclosed herewith as **Annexure-17**)
- Till date, Lessee has not paid the penalty amount of Rs.38,56,710.00 imposed by the Tehsildar, Tangi-Choudwar vide letter No.3278,Dt.23.05.2023. Further, the Lessee has not paid an amount of Rs.23,97,042.00 towards Royalty, Additional Charge, EMF, DMF, Surface Rent, Dead Rent and TCS pending up to Dt.31.07.2024 as

demanded by the Mining Officer, Cuttack and the Tehsildar, Tangi-Choudwar (Copy already enclosed as **Annexure-10**). Furthermore, the Lessee also has not paid any amount towards annual Royalty, Additional Charge, EMF, DMF, Surface Rent, Dead Rent and TCS (A total of Rs.59,93,004.50) for the 2nd year of the lease period(18.05.2023 to 17.05.2024) as demanded by the Mining Officer, Cuttack, vide his letter No.957/Mines, Dt.18.04.2024. (Copy enclosed already as **Annexure-16**)


 24.07.2024 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

Mining Officer-Cum-Competent
 Authority,
 Minor Minerals,
 Cuttack District.


 24.07.24
 Tahasildar, Tangi-Choudwar,
 Cuttack District.
TAHASILDAR
TANGI-CHOUDWAR

Magistrates order with initial	Action taken with date										
2	3										
<p>This is put up to me today</p> <p>Perused the orders dt.30.06.2020 Passed by the Tahasildar, Tangi-Choudwar and recommendation of Sub-Collector, Sadar Cuttack Dt. 21.07.2020 for approval of a new source, Minimum guaranteed quantity (MGQ) and additional charges of source Birupa River Sand Bhatimunda in Mouza-Bhatimunda for a period of 5 years i.e. from 2020-21 to 2024-25 as per land scheduled given below.</p> <table border="1" data-bbox="256 790 1082 909"> <thead> <tr> <th>Mouza</th> <th>Khata no.</th> <th>Plot No.</th> <th>Area in Ac.</th> <th>Kissam</th> </tr> </thead> <tbody> <tr> <td>Bhatimunda</td> <td>441(AAA)</td> <td>1116</td> <td>12.34</td> <td>Nadi</td> </tr> </tbody> </table> <p>The Tahasildar, Tangi-Choudwar has observed all formalities before submission of proposal to Collector through Sub-Collector, Sadar Cuttack for approval of new sairat source at Mouza-Bhatimunda, Khata.no-441(AAA), Plot no- 1116, Area-12.34 Acre, Kissam- Nadi, both Tahasildar and Sub-Collector, Sadar have recommended that there is deposit of sand of Minimum guaranteed quantity (MGQ) 5400cum in the source. The total royalty @ Rs 38.50/-per cum (Rs 35/- as royalty and Rs 3.50/- as addl. charges) of the source is to be approved.</p> <p>However the new sand source, MGQ 5400 cum and Additional Charge in respect of source Birupa River sand Bhatimunda is Rs.49 per cum (Rs 35/- as royalty and Rs 14/- as addl. charges) is approved.</p> <p>Return the sairat case records to the Tahasildar Tangi-Choudwar for taking necessary follow up action as per OMMC Rules.</p> <p>Dictated & Corrected</p> <p><i>[Signature]</i> Collector Cuttack</p> <p><i>[Signature]</i> Collector Cuttack</p>	Mouza	Khata no.	Plot No.	Area in Ac.	Kissam	Bhatimunda	441(AAA)	1116	12.34	Nadi	<p>(u)</p> <p><i>[Signature]</i> Mining Officer, O/o. Deputy Director of Mines Cuttack Circle, Cuttack</p>
Mouza	Khata no.	Plot No.	Area in Ac.	Kissam							
Bhatimunda	441(AAA)	1116	12.34	Nadi							

True copy
attested
[Signature]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

(67) COMPARATIVE STATEMENT OF TENDERS RECEIVED

1. Name of the Sairat Source :- Bircepa River Sand Bhatimunda
 2. Case No :- 55/20-21
 3. Date of Tender :- 24.3.21
 4. Period From :- 5 years
 5. Rate of Additional Charge :- ₹ 14/- per cum
 6. Earnest Money Rs :- ₹ 13230/-

Name and address of the Bidder	Application Fee	Deposited vide Treasury Challan No. Date	Rate of Addl. Charges per C.M. offered	D.D No Dt Against EMD	An amount of Solvency/B.G.	Affidavit for non dues pending	Indenting quantity of minor mineral offered	Signature of Bidder	Remarks
1	2	3	4	5	6	7	8	9	10
1. Laxminagar Jena	1000/-	30177B 75CEB 12.03.21	1321/-	232443 12.03.21	88,00,000/-	Yes	5400		
2. Nishakar Mohanty	1000/-	30177A 75CEB 12.03.21	2055/-	814006 12.03.21	2,34,00,600/-	Yes	- do.		
3. Rajesh Mahapatra	1000/-	30177C 75CEB 12.03.21	1055/-	814005 12.03.21	1,06,65,710/-	Yes	- do.		
x 4. Chinnayee Mukherjee	1000/-	30177D 75CEB 12.03.21	1292.77	588073 12.03.21	4,92,85,000/-	Yes	- do.	Sukant	
x 5. Sukantha Mukherjee	1000/-	30177E 75CEB 12.03.21	1745.77	588078 12.03.21	5,84,00,000/-	Yes	- do.	Sukant	

The highest bid by way of tender is knocked down in favour of Sachin Saha
 s/o Nirmala Saha Village Alampur PS B. ex. orga Dist Cuttack at
 additional charges of Rs 2800/- (Rupees Two thousand and eight hundred) Only per cubic meter.

Revenue Supervisor
 D. A. 2021
 Tahasildar
 Tangi-Choudwra
 Chairman
 P.T.O.

True copy attached
 Mining Officer,
 D/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

68

COMPARATIVE STATEMENT OF TENDERS RECEIVED

- 1. Name of the Sairat Source :- *Birrapa River Sand Bhatmunda*
- 2. Case No :-
- 3. Date of Tender :-
- 4. Period From :-
- 5. Rate of Additional Charge :-
- 6. Earnest Money Rs :-

Name and address of the Bidder	Applic ation Fee	Deposited vide Treasury Challan No. Date	Rate of Addl. Charges per C.M. offered	D.D No Dt Against EMD	An amount of Solvency/B.G.	Affidavit for non dues pending	Indenting quantity of minor mineral offered	Signature of Bidder	Remarks
1	2	3	4	5	6	7	8	9	10
6 Tapan Kumar Nanda	1500/-	301844 2670 23.2.21	2725/-	638206 23.3.21	1,57,00,000/-	Yes	5400		
7 Ananya Prasad Mishra Chandigarh Agency	1000/-	301778 E99A 10.2.21	1783/-	169281 23.3.21	99,00,000/-	Yes	- do		
8 Mr. K. Umesh Chandra Patil	1000/-	301706 A9FD 15.02.21	482.50	500736 15.02.21	45,00,000/-	Yes	- do		
9 Akshay K. Mohanty	1000/-	366 24.02.21	714/-	497214 12.2.21	92,00,000/-	Yes	- do		
10 K. Sushanta Ch. Das	1500/-	166 12.2.21	1950/-	393555 12.2.21	90,00,000/-	Yes	- do		

The highest bid by way of tender is knocked down in favour of
 S/o Village PS Dist at
 additional charges of Rs (Rupees)) Only per cubic meter .

[Signatures and stamps]
 Revenue Supervisor
 D.A. Tangi
 Tahasildar,
 Tangi-Choudwra
 24/3/21
 P.T.O

True copy attested

 Mining Officer,
 D/o. Deputy Director of Mines
 Cuttack Circle, Cuttack



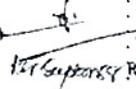
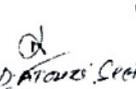
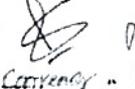
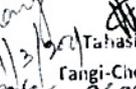
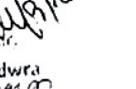
69

COMPARATIVE STATEMENT OF TENDERS RECEIVED

- 1. Name of the Sairat Source :- *Biraporiya Sang Bhatemunda*
- 2. Case No :-
- 3. Date of Tender :-
- 4. Period From :-
- 5. Rate of Additional Charge :-
- 6. Earnest Money Rs :-

Name and address of the Bidder	Application Fee	Deposited vide Treasury Challan No. Date	Rate of Addl. Charges per C.M. offered	D.D No Dt Against EMD	An amount of Solvency/B.G.	Affidavit for non dues pending	Indenting quantity of minor mineral offered	Signature of Bidder	Remarks
1	2	3	4	5	6	7	8	9	10
11 Sachin K.V. Saboo	1000/-	30F797 F8EE 23-3-21	2800/-	504259 12-03-21	6,53,21,000/-	yes	5400	B Saboo	
12 Sakantala Khabu	1000/-	30F8544 A40 24-3-21	2300/-	087804 23-03-21	1,31,00,000/-	yes	-do-	Manoj Khabu	
13 A Zamat A III	1000/-	30F8544 C87 24-3-21	-	087805 24-03-21	5,10,000/-	yes	-do-		
14 Saraswati Ganick	1000/-	16 12-3-21	385/-	046773 24-3-21	9,50,000/-	yes	-do-		
15 Roshan Raman Tend	1000/-	30F8544 F05 24-3-21	871/-	087803 23-03-21	49,00,000/-	yes	-do-		

The highest bid by way of tender is knocked down in favour of
 S/o. Village PS Dist. at
 additional charges of Rs (Rupees) ; Only per cubic meter.

 Revenue Supervisor
 Tahasildar
 Revenue Officer
 Member
 Member
 Member
 24/3/21
 Fangi-Choudwra
 (Chairman)

P.T.O


 True copy attested
 Mining Officer
 O.P. Deputy Director of Mines
 Central Circle, Ghatkoti



COMPARATIVE STATEMENT OF TENDERS RECEIVED

- 1. Name of the Sairat Source :- *biacopalever sand Blot mundu*
- 2. Case No :- *53/20.21*
- 3. Date of Tender :- *24.3.21*
- 4. Period From :- *5 yrs*
- 5. Rate of Additional Charge :- *80.14.00*
- 6. Earnest Money Rs :- *13230/-*

Name and address of the Bidder	Application Fee	Deposited vide Treasury Challan No. Date	Rate of Addl. Charges per C.M. offered	D.D No Dt Against EMD	An amount of Solvency/B.G.	Affidavit for non dues pending	Indenting quantity of minor mineral offered	Signature of Bidder	Remarks
1	2	3	4	5	6	7	8	9	10
6 DUKHENDRA SAHOO	1000/-	305834 E16E 22-3-21	169/-	255210 22.03.21	2,10,00,000/-	Yes.	5400		
7 Chaitrubhusa pradhan	1000/-	256 22-3-21	200/-	706780 22.3.21	762850/-	Yes.	-du		

The highest bid by way of tender is knocked down in favour of SACHIN SAHOO
 S/o. MANMATA SAHOO Village NARAPUR PS. BERONGA Dist. CUTTACK at
 additional charges of Rs 2800/- (Rupees two thousand eight hundred) Only per cubic meter.

[Signatures]
 Revenue Supervisor
 Tahasildar
 Tangi-Choudhary
 Member

[Signature]
 True copy attested
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

FORM - F

Intimation to Successful Bidder
[See rule 10(11), 16(9), 27(6)]

Letter No.....2713..... Dated...25/3/21

From

Sri Ajaya Kumar Mallik, OAS
Tahasildar & Executive Magistrate.

To

Sri Sachin Kumar Sahoo
S/o-Nirmala Kumar Sahoo
At-Naranapur,Ps-Baranga, Dist-Cuttack

Sub: Intimation to successful bidder.
Sir/Madam.

This is to intimate that you have been provisionally selected as the successful bidder for the prospecting license -cum- mining lease /mining lease/ quarry lease (strike off the lease not intended for) described below, namely:-Birupa River Sand Bhatimunda, In Mouza-Bhatimunda, Khata No-441,Plot No-1116. Kisam Nadi, Area Ac.12.34dec.(MGQ 5400 CuM) based on your application for the said lease. The amount of additional charge bid by you and accepted is Rs.2800.00 (Rupees Two Thousand eight hundred) only per cubic meter.

The mining plan for the said lease has been obtained and the Environment clearance for the said lease has not been obtained. The tentative selection is subject to the provisions of the OMMC Rules, 2016 and to the terms and conditions annexed with this letter.

You are directed to convey your acceptance to the terms and conditions and to deposit an amount of Rs.3817975.00 (Rupees Thirty eight lakhs seventeen thousand nine hundred seventy five)only after deduct of the DD submitted by you as prescribed under OMMC Rules -2016-27(7) & (9) towards EMD. Proof or deposit of the aforesaid amount along with acceptance should reach the undersigned within fifteen days of the date of issue of this letter failing which this intimation shall stand automatically revoked without any further notice and the earnest money shall stand forfeited.

Further you are directed to submit an affidavit duly executed before the Executive Magistrate to the effect that this solvency certificate submitted for this source has not been used in any other sairat sources throughout the state.

You are also directed to execute deed in respect of the prospecting license -cum-mining lease/mining lease/quarry lease(strike-off whichever is not applicable) for the aforesaid area within the period specified in sub-rule (1) of rule 43 of the Odisha Minor Mineral Concession Rules, 2016.

Your's faithfully

Tahasildar, Tangi Choudwar

(Competent Authority)

Memo No...2714.....dtd...25/3/21..

Copy submitted to Collector and District Magistrate, Cuttack for kind information and necessary action.

Memo No...2715.....dtd...25/3/21..

Tahasildar, Tangi Choudwar

Copy submitted to Sub-Collector and Sub-Divisional Cuttack for kind information and necessary action.

Tahasildar, Tangi Choudwar

True copy attached

O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



ANNEXURE - 4

**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
ODISHA, BHUBANESWAR**

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

Letter No. 2409/SEIAA

DT 21.08.2021

File No. SEIAA-1404/02-2021

To

The Tahasildar, Tangi-Choudwar,
Tahasil-Tangi-Choudwar,
Dist-Cuttack

Sub

Proposal of Tahasildar, Tangi-Choudwar for mining of sand from Bhatimunda Sand Quarry over an area of 12.34 acres or 4.993 ha at village- Bhatimunda, Tahasil- Tangi-Choudwar, District- Cuttack - Environmental Clearance req.

Ref

SEIAA File No. SEIAA-1404/02-2021 dated 18.02.2021

Sir

This is with reference to the application dated 18.02.2021 for grant of environmental clearance (submitted in the offline mode) for the proposed activities mentioned above.

2 [The application has been submitted in the offline mode because there is no provision at present for filing EC application for such cases (minor mineral extraction involving area less than or equal to 5ha; i.e., B2 category projects) in the online mode before SEIAA in the PARIVESH portal. The relevant application Form-IM does not appear on the screen of the said portal when EC application is to be filed to SEIAA]. The applicant has submitted the application in Form-I, i.e. the Form in which applications for minor mineral projects were being submitted upto the year 2016 before SEIAA. The Form-I does not contain some of the situational information relating to environmental sensitivity, but much of the required information has been submitted by the applicant in the Checklist and also in the PFR.

3 The application in Form-I is supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan and Checklist.

1
day

True copy attached
Mining Officer,
D/o. Deputy Director of Mines
Cuttack Circle, Cuttack

(57)

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

- a. This is a proposal for mining of sand from **Bhatimunda Sand Quarry** lying in the **Birupa River** bed located at **village- Bhatimunda, Tahasil- Tangi-Choudwar, District- Cuttack**, over lease area of **12.34 acres or 4.993ha**.
 - b. The mine area is a part of the Survey of India Toposheet No. E45U/2 bounded by Latitude: 20°32'04.20" N to 20°32'23.2" N and Longitude: 86°01'33.1"E to 86°01'42.2" E.
 - c. The mining lease is an identified sairat source in the DSR. The Bhatimunda Sand Quarry sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Tangi-Choudwar to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.
 - d. The mining plan along with the PMCP of the mining project prepared has been approved by Deputy Director Geology, Directorate of Geology, Bhubaneswar on 03.07.2020.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 39780 cum of sand, when extracted upto a depth of 1.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
 - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 1.11Km away from the mining lease area.
 - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mine located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
 - h. As per the approved mining plan, it is observed that sand from the quarry will be extracted upto a depth of 0.50 meter with annual extraction of sand not exceeding 5400 cum (maximum production capacity) during the valid lease period.
5. 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 B2 as the mining lease area is less than 5ha.

2
24

True copy attested



Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

6. The proposal is duly appraised by the SEAC in its meeting held on 28.07.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no 502/SEAC-Misc-02 dated 30.07.2021.
7. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand 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, Tangi-Choudwar 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 Condition that 'Extraction shall be capped at 2000 cum per in the 1st year. Rate of replenishment be studied in that period and reported, failing which EC is liable to be revoked'.
- 9.2 The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15th October, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand is obligatory for the project proponent within one year.
- 9.3 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
- 9.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.
- 9.5 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam, weir, water intake structure of irrigation or drinking water project, or any cross

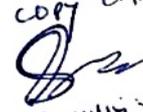
drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures, and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

- 9.6 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
- 9.7 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 9.8 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 9.9 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 9.10 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 9.11 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand 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 the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 9.12 Vehicles hired for transportation of sand 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.
- 9.13 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as

part of the lease conditions on the basis of quantum of sand transported, and the proceeds of the levy for proper maintenance of the extraction paths and to prevent their degradation on account of plying of sand trucks.

- 9.14 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
- 9.15 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 9.16 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 9.17 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.
- 9.18 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.
- 9.19 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.
- 9.20 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.
- 9.21 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 that the project proponent submits quarterly compliance reports.
- 9.22 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.
- 9.23 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat / Panchayat Samiti / Zila Parishad / Municipal Corporation / Urban Local Body as the case may be.
- 9.24 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.
- 9.25 The SEIAA, Odisha may revoke or suspend this EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter

5
Day

True copy attached

 Mining Officer,
 Old. Deputy Director of Mines
 Cuttack Circle, Cuttack

modify the above conditions or stipulate any further condition in the interest of environment protection

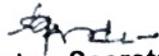
9.26 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.

9.27 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 environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986

9.28 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

9.29 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.

9.30 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.


Member Secretary

Memo No. 2A10/SEIAA /Dt. 31.08.2021 

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, Cuttack/ Sub Collector, Cuttack/ Tahasildar, Tangi-Choudwar for Information and necessary action.
7. Guard file for record.


Member Secretary



True copy attached


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



सत्यमेव जयते

ANNEXURE-5

**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 4038/SEIAA

Dt 22.02.2022

File No. SIA/OR/MIN/255215/2022

To

Sri Sachin Kumar Sahoo
S/o-Nirmal Kumar Sahoo
At-Naranpur, PS-Baranga,
Dist-Cuttack

Sub: Proposal for **Transfer of Environmental Clearance** of Bhatimunda Sand Quarry over an area of 12.34 Acres or 4.993 Ha. in village Bhatimunda under Tangi-Choudwar, Tahasil of Cuttack District from Tahasildar Tangi-Choudwar to Sri Sachin Kumar Sahoo (Successful Bidder) - reg.

Ref: (i) EC Letter No. 2409/SEIAA dated 31.08.2021.
(ii) Letter no. 8317 dated 16.11.2021 of Tahasildar.
(iii) Online proposal No. SIA/OR/MIN/255215/2022 dtd. 05.02.2022

Sir,

Kindly refer your online application on dated 05.02.2022, where in you have requested for transfer of environmental clearance granted by SEIAA, Odisha vide Letter No. 2409/SEIAA dated 31.08.2021 issued earlier in favour of Tahasildar, Tangi-Choudwar, Cuttack.

As submitted by the Tahasildar, it is noted that EC was obtained for **Bhatimunda Sand Bed** for a period of 5 years in favour of Tahasildar, Tangi-Choudwar vide the above mentioned EC letter under reference. Now, the said sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Sachin Kumar Sahoo, Successful Bidder under the provision of OMMC Rules, 2016 for operationalization of the sairat source.

The proposal was considered by the SEIAA in its meeting held on 11.02.2022 and the Authority decided that EC may be transferred in favour of Sri Sachin Kumar Sahoo as recommended by Tahasildar and the new Project Proponent has to submit the detailed compliance report on all EC conditions on quarterly basis.

[Handwritten signature]

True copy attached
[Handwritten signature]

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

The SEIAA has no objection for transfer of environmental clearance accorded by SEIAA's Letter no. 2409/SEIAA dated 31.08.2021 in the name of Sri Sachin Kumar Sahoo with the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC.

The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31st December, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.** The PP is allowed to extract provisionally 2000 cum of sand in the first year.

In case any change is proposed in the scope and limit of the project, the project proponent shall obtain fresh prior environmental clearance.

[Handwritten signature]

Yours faithfully,

[Handwritten signature]

Member Secretary

Memo No 4039/SEIAA /Dt. 22.02.2022.

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.

True copy attached
[Handwritten signature]
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, ManSingh Road, New Delhi-110011 for information.
7. **Copy to the Collector, Cuttack /Sub Collector, Cuttack and Tahasildar, Tangi-Choudwar** for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.


Member Secretary

True copy attached


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

432201641



सत्यमेव जयते

INDIA NON JUDICIAL
Government of Odisha
e-Stamp

Certificate No. : IN-OD03808474773333U
 Certificate Issued Date : 10-May-2022 02:38 PM
 Account Reference : NONACC (SV)/ od5000104/ JAGATPUR/ OD-CTK
 Unique Doc. Reference : SUBIN-ODOD500010405166257224130U
 Purchased by : SACHIN KUMAR SAHOO
 Description of Document : Article IA-35 Lease Deed
 Property Description : MOUZA BHATIMUNDA
 Consideration Price (Rs.) : 0
 (Zero)
 First Party : GOVERNER OF ODISHA R T TAHASILDAR TANGI CHOUDWAR
 Second Party : SACHIN KUMAR SAHOO
 Stamp Duty Paid By : SACHIN KUMAR SAHOO
 Stamp Duty Amount(Rs.) : 4,73,500
 (Four Lakh Seventy Three Thousand Five Hundred only)



Please write or type below this line

LEASE DEED

Sachin Kumar Sahoo

0000445669

Statutory Alert:

1. The authenticity of this stamp certificate should be verified at www.its.e-stamp.com or using e-Stamp Mobile App of Stamp 15-11-19.
2. Any discrepancy in the details on this Certificate and as available on the Website / Mobile App renders it invalid.
3. In case of any discrepancy please inform the Competent Authority.

Tarek
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

432207641

34



Registering Officer
Jagatpur

Recd Paid

A500) 190314.00

A18(11) 40.00

190354.00

500 270.00

Rs 190624.00

Lease Deed

Form-N

Form of Quarry Lease

(See rule 27(13))

Sachin Kumar Sahoo

R.O

THIS INDENTURE made on this date of 3rd March 2022 between the GOVERNOR OF ODISHA represented through Tahasildar Tangi-Choudwar (hereinafter called the "Lessor") of the one part

AND Sachin Kumar Sahoo aged about 30 years S/o. Nirmal Chandra Sahoo of Vill. Bhojadaspur, P.O. Nantabar, P.S. Ch. Baganj, Dist. Cuttack, Odisha. No. 705231196193 Mobile No. 9439656194 by Occupation - Business (hereinafter called the "lessee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, assignees) of the other part.

WHEREAS the lessee has applied to the Competent Authority concerned for a quarry lease for 5 years (miner mineral) in accordance with the provisions of the Odisha Minor Minerals Concession Rules, 2016 in respect of the lands described in Part I of the Schedule and has deposited a sum of Rs. 5724257.00 as security

Sairat Case No - 55/2020-21

Sairat Name - Birupa River Sand, Bhatimunda.

Period of Lease - One year from the date of execution.

1st year on MGQ - 2000 Cubic meter Area Ac 12.34 dec

Sl No	Item	Amount in Rs	MR No
1	Royalty	70000.00	0470795
2	Additional Charges	5600000.00	04.12.2021.
3	Dead Rent	52458.00	
4	Surface Rent	1799.00	
Total		5724257.00	

TAHASILDAR
TANGI CHOUHWAR

True copy as per

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Sachin Kumar Sahoo

35

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

NOW THIS INDENTURE witnessed as follows:-

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

The said demises pieces of land shall be held by the lessee for a term of 5 years from the date on which this executed deed is registered under Indian Registration Act and Odisha Registration Manual, subject to the terms, convents, conditions hereinafter provided.

IN WITNESS WHEREOF these presents have been executed in manner hereunder appearing the day and year first above written.

The schedule above referred to

PART - I

Location and area of the lease

Land schedule:-

Mouza	Khata No	Plot No	Area in Ac	Kisani
Bhatimunda	441 (AAA)	1116	12.34	Nadi

As per plan annexed and bounded

On the North by - Plot No- 1116 (p)

On the South by- Plot No- 1116 (p)

On the East by- Plot No- 1116 (p)

And on the West by - Plot No- 1116

Hereinafter called as "said lands"

TAHASILDAR
TANGI CHOUDWAR

True copy attested
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Sachin Kumar Sahoo



2019/10/15
10/15/2022

Endorsement of the certificate of admissibility

Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment Act 1 of 2008) Schedule 1-A No. 35(b) Fees Paid : A5(c)-190354 ,, User Charges-275 ,Total 190629

Date: 05/05/2022

Signature of Registering officer

Endorsement under section 52

Presented for registration in the office of the Sub-Registrar **Sub-Registrar JAGATPUR** between the hours of 10:00 AM and 1:30 PM on the **05/05/2022** by **SACHIN KUMAR SAHOO**, son/daughter/wife of **NIRMAL CHANDRA SAHOO**, of **AT- BIDYADHARPUR, PO- NUABAZAR, PS- CHAULIAGANJ, DIST- CUTTACK**, by caste **General**, profession **Business** and finger prints affixed.

Signature of Presenter / Date: 05/05/2022

Signature of Registering officer.

Endorsement under section 58

Execution is admitted by :

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
TAHASILDAR ON BEHALF OF THE GOVERNOR OF ODISHA(GOVT)	Execution By TAHASILDAR ON BEHALF OF THE GOVERNOR OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By TAHASILDAR ON BEHALF OF THE GOVERNOR OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By TAHASILDAR ON BEHALF OF THE GOVERNOR OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer	18-May-2022
SACHIN KUMAR SAHOO				

Identified by **PRITAM JENA** Son/Wife of **TRILOCHAN JENA** of **AT- JYOTI BIHAR COLONY BIDANASI** by profession **BIDANASI** Others

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
PRITAM JENA				05-May-2022

True copy attemo

Mining Officer,
O/o. Deputy Director of Mines

(23)

PART- II

Terms & Conditions of the lease

The lease is subject to the conditions laid down in rule 33 and also all other conditions pertaining to lease as provided in the Rules.

Conditions of quarry lease:-

1. The lessee shall pay to the State Government surface rent before the execution of the lease-deed for the remaining period of the year and thereafter pay such yearly rent on or before the 15th January of every year.
2. The lessee shall pay dead rent for the remaining period of the year before the execution of the lease deed and thereafter pay yearly dead rent on or before the 15th January of every year and an account of the royalty payable by him shall be kept by the Competent Authority and as soon as the royalty payable by him becomes equal to or in excess of the dead rent already paid by him, he shall remove the minor minerals only after payment of the royalty and in such cases advance dead rent paid by him shall be deemed to have merged into the amount of royalty he was liable to pay.
3. The lessee shall pay to the Government, compensation for all damages, injuries or disturbance which has been caused by him in the course of mining operation and shall indemnify the Government against all claims which may be made by third parties in respect of such damage, injury or disturbances.
4. The lessee shall quarrying operations within three months from the date of execution of the lease deed which shall be carried on in a proper, skilful and workman- like manner and the lessee shall send to the Director and Deputy Director or Mining Officer concerned , under whose jurisdiction the area is located and to the Director of Mines Safety , Bhubaneswar an intimation in Form- H of the opening or reopening of the quarry so as reach them within a period of fifteen days from the date of such commencement.
5. If the lessee does not work upon the quarry for a continuous period of six months , the lease shall be liable to be cancelled , unless prior permission has been granted by the Competent Authority for such stoppage on reasonable grounds:

Sachin Kumar Saha

TAHASILDAR
TANGI CHOUDHARI

True copy attested
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Date: 08/05/2022

Endorsement of certificate of registration under section 60

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

Book Number : 1 || Volume Number : 37

Document Number : 10432201843

For the year : 2022

Seal :

Date: 18/05/2022

Print

Signature of Registering Officer

Signature of Registering Officer



Registering Officer
Jagatpur

True copy attached

Mining Officer,
O/o. Deputy Director of
Cuttack Circle, Cuttack

(37)

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

6. The lessee shall allow reasonable facilities of access to other concessionaries of major and minor minerals, as may be directed by the competent authority.
7. If any minor mineral not specified in the lease deed is discovered in the leased area, the lessee shall report it forthwith to the Competent Authority and the Director and the lessee shall not win or dispose of any such minor mineral unless such minor mineral is included in the lease deed or a separate prospecting license- cum-mining lease or mining lease or quarry lease, as the case may be, is granted in favour of the lessee. If he fails to apply for a prospecting license- cum-mining lease or mining lease or quarry lease, as the case may be, to extract the newly discovered minor mineral within three months from the date of discovery or if he declares his intention not to work upon the discovered minor mineral, the State Government of the Competent Authority, as the case may be, may grant prospecting license-cum-mining lease or mining lease or quarry lease in respect of that minor mineral to any other person after observing the procedure specified under these rules for the purpose:

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

8. The lessee shall not carry on or allow to be carried on, any quarrying operation at any point within a distance of :-
 - g. One hundred meters from any Railway line (except under and in accordance with the written permission of the Railway Administration concerned) and in case of National Highway, State Highway, monuments, heritage sites, or any reservoir : except in accordance with the previous permission of the Collector.

Sachin Kumar Sahas


 TAHASILDAR
 TANGI CHAUDHARI

True copy attached

 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

- h. Fifty meters from any tank, canal, road (other than a National or State Highway or other public works or buildings or inhabited sites), except under accordance with the previous permission of the Collector.
9. The Railway Administration or the Collector, as the case may be, may grant such permission as required under clause (a) of (b) of sub-rule(8) on such conditions as may be specified
10. The State or Central Government shall have right to construct any road, railway or canal or reservoir or to lay electric or telephone lines in or over the lands held under the lease:
 Provided that the lessee shall be given at least sixty days prior notice before the right is exercised and the area thus utilized shall be excluded from the area held under lease.
11. The lessee, with prior written permission of the Competent authority, can erect at his own cost, temporary structures including buildings required for the purpose of quarrying operation within the leased area, without violating any law or obstructing any natural flow, community access or without causing damage to any embankment or public property, which shall be dismantled by the lessee at his own cost on completion of the lease term or on determination of the lease. The competent authority can pass orders to dismantle such structures if found erected illegally or causing damage to public.
12. The lessee shall, at his own expense, erect and at all times maintain and keep in good condition boundary marks and pillars necessary to delineate the leased area.
13. The lessee shall obtain permission of the competent authorities of the Forest Department, Odisha to carry on any operation in forest area.
14. The lessee shall abide by the provisions of all laws for the time being in force, relating to the working of quarries and matters affecting the safety, health and convenience of the persons employed for quarrying and of the public and he shall also obey all existing laws of way, water and other easements and shall not use power cutters and other machinery in case of laterite quarries.

Jae bin Kumar Saha

✱
 TAHASILDAR
 TANGI CHOUHWAR

True copy attached
 [Signature]
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

(3)

15. The lessee shall keep correct accounts of minor minerals other than specified minor minerals quarried and dispatched and shall furnish a quarterly return in Form- P and annual return in Form- K to the Competent Authority and the Director.
16. The lessee shall afford reasonable facilities for inspection of the quarries, accounts and records pertaining to quarrying operation, to the Competent Authority and Director or any other officer authorized by any of them and such officer may issue directions to prevent wasteful extraction of minerals and to ensure observance of the provisions of rules and specify the time limit not exceeding sixty days within which the directions shall be complied with.
17. If the lessee does not allow the inspecting officer reasonable facilities for inspection or fails to comply with the directions within the specified time limit, the Competent Authority may forfeit the whole or part of the security deposit paid by the lessee or impose penalty not exceeding rupees fifty thousand and may cancel the lease and forfeit the security deposit.
18. The lessee shall report about all accidents involving injury or loss of life or loss or damage to property forthwith to the concerned Competent Authority and Collector of the District.
19. If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the non-payment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the provision of the Odisha Demands Recovery Act, 1962 for recovery of such dues.
20. The Controlling Authority shall have the right to pre-emption at current market rates over all minor minerals extracted or collected by the lessee and shall be indemnified by the lessee against the claims of any third party in respect of such minerals.


TAHASILDAR
TANGI CHOUHWAR

True copy of the

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Taxi's Minor Sales

21. The lessee shall remove all minor minerals extracted before the end of the lease period or of its determination, if it is determined earlier, and all other materials and structures within such reasonable period not exceeding two months or as the Competent Authority may allow.
22. All minor minerals, materials, machineries, buildings and other structures, left in the leased area after the date-line fixed or time allowed by the Competent Authority shall be deemed to be the property of the Government and the Competent Authority may dispose of such property by public auction and the sale-proceeds shall be credited to Government account with the approval of Controlling Authority.
23. If any mineral other than minor mineral is found in the area in course of quarrying of minor minerals, the lessee shall intimate in writing the fact to the Competent Authority and the Director forthwith and the lease shall be determined without payment of any compensation to the lessee.
24. The lessee shall ensure proper maintenance of hull slopes so as to prevent major erosion and observe all such safeguards as provided in the Mines Act, 1952 and the rules and regulations framed there under from time to time.
25. The lessee shall carry out quarrying operation with appropriate environment safeguards and shall take such steps for reclamation and raising of plantations in the lease area in line with the prescriptions under rules 29 to 37 of the Granite Conservation and Development Rules, 1999.
26. The lessee shall keep the Government indemnified from any liability, compensation damage etc, arising out of his acts or omissions as a lessee during the subsistence of the lease.
27. No rejected/ off grade major mineral shall be removed on payment of royalty as minor mineral, under this rule.
28. The Competent Authority may include such other conditions in the lease deed with the approval of the Controlling Authority.
29. The lessee shall by the provisions of the Mines Act, 1952 and rules and regulations framed there under, the Explosives Act, 1884 and rules made there under for development of the source of minor minerals in workman like manner and for avoidance of any danger arising out of such winning of minor mineral.

TAHASILDAR
TANGI CHOUDWAR

True copy attached
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Sachin Kumar Jaha.

(1)

PART- III**Liberties, powers and privileges to be exercised and enjoyed by the Lessee**

1. To enter upon and use the land, described in Part- I of the Schedule during the term hereby demised to carry on all operations necessary for extraction, collection, stacking, processing, transport and disposal of minor mineral / minerals leased in natural or in processed / converted form.
2. To make roads, tram ways install machineries, lay electric and telephone line, on and over the said lands.
3. To use water from streams, watercourses and springs in and upon the said lands in natural state or by means of impounding with the written permission of the Collector of the district.

PART- IV

Restrictions and conditions as to the exercise of liberties, powers and privileges in

1. No land shall be used for surface operations if objection is raised by the Competent Authority of the Collector of the district to the effect that use of the land will be detrimental to public interest.
2. The lessee shall not cut or injure any tree in the leased area falling within Reserved / Protected forest without prior permission of the Divisional Forest Officer of the officer authorized by him in this behalf and upon payment of royalty and fees for compensatory afforestation as may be specified.
3. The lessee shall undertake mining operation only in accordance with approved mining plan or scheme of mining, as the case may be.
4. The lessee shall not transport or store or cause to be transported or stored any specified minor mineral for the purpose of selling or trading otherwise than in accordance with these Rules and as may be specified under Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) OMMC Rules, 2007.

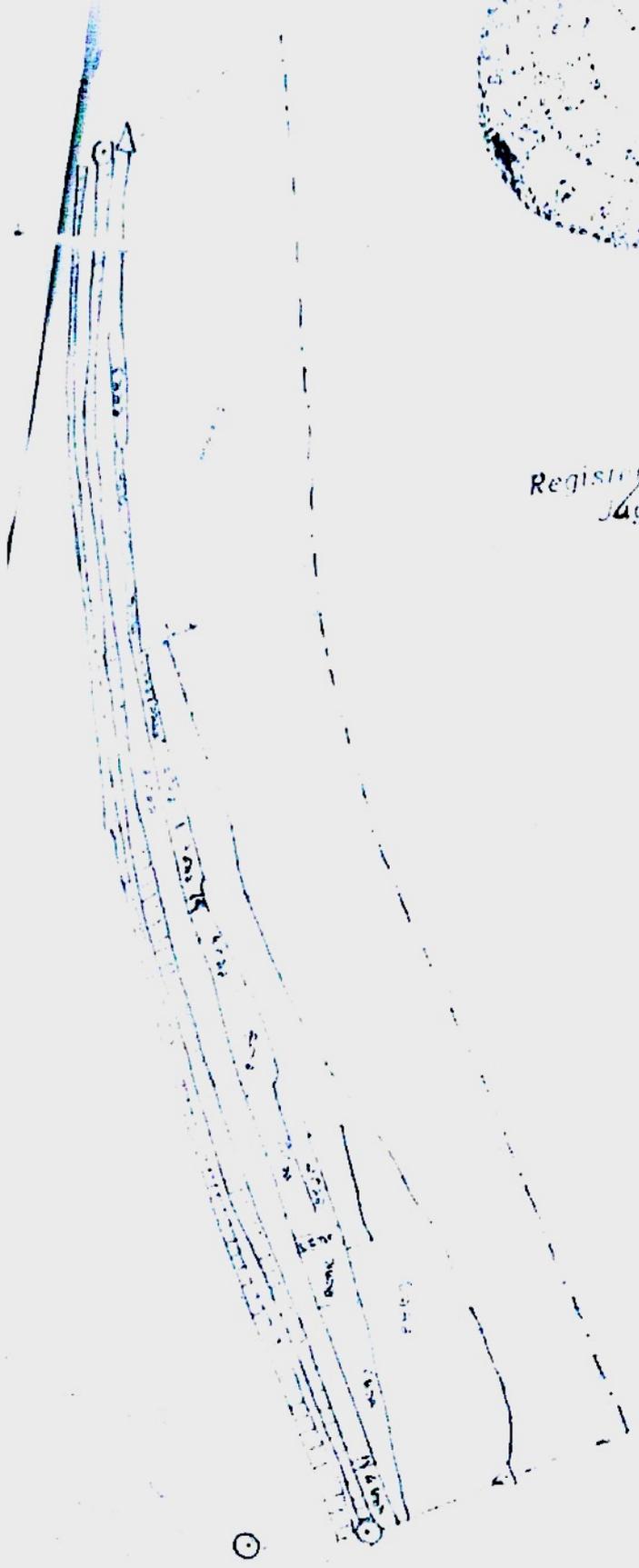
PART- V**Liberties, powers and privileges reserved to the State Government**

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

TAHASILDAR
TANGI CHOUHWAR

Tree copy attached
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Sachin Kumar Saha



Registration Officer
Bhubaneswar

REGISTERED
MINE

REGISTRATION
OFFICE

ଅନୁମତି ପତ୍ର ପ୍ରଦାନ
 କାର୍ଯ୍ୟ ସମ୍ପର୍କରେ
 ଚଳାଏ । ଡିଜିଟାଲ୍ ସ୍ୱାକ୍ଷର
 ବିଲ୍-କାଟକ
 ନମ୍ବର - ୧୨୩୪୫
 ୧୨୩୪୫
 ୧୨୩୪୫

True copy attached

Mining Officer,
Deputy Director of Mines
Cuttack Circle, Cuttack



ଭାରତ ସରକାର

Government of India

ଭରତୀୟତା / Enrolment No. 10928002212322

04.07.2012

ପଢ଼ିବ ପତ୍ର

Sachin Sahoo

S/O Nirmal Chandra Sahoo

LENKA SAHI, BYADHARPUR, NAYABAZAR

Nayabazar, Cuttack

Orissa 753114



ଆପଣଙ୍କ Aadhaar ସଂଖ୍ୟା / Your Aadhaar No. :

7652 3119 6193

ଆଧାର - ସାଧାରଣ ଜନତାର ଅଧିକାର

*Sachin Kumar Sahoo
9439656194*



ଭାରତ ସରକାର
GOVERNMENT OF INDIA



ପଢ଼ିବ ପତ୍ର

Sachin Sahoo

ଜନ୍ମ ବର୍ଷ / Year of Birth: 1992

ପୁଞ୍ଜ / Male

7652 3119 6193



ଆଧାର - ସାଧାରଣ ଜନତାର ଅଧିକାର

*True copy
attached
[Signature]*

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

आयकर विभाग

INCOME TAX DEPARTMENT

SACHIN KUMAR SAHOO

NIRMAL KUMAR SAHOO

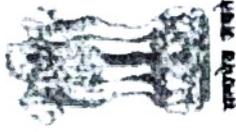
19/03/1992

Permanent Account Number

FUQPS5702C

Sachin Kumar Sahoo

Signature



भारत सरकार

GOVT. OF INDIA



04062016

These copy
Mining Officer, attached
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Sachin Kumar Sahoo

9439656194

ANNEXURE-7

(00)

Tel / FAX: 0671-2335478
 E-mail: rospcb.cuttack@ospcbboard.org
 Website: www.ospcbboard.org

OFFICE OF THE REGIONAL OFFICER, CUTTACK
 STATE POLLUTION CONTROL BOARD, ODISHA
 [DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
 586, SURYAVIHAR, LINK ROAD, CUTTACK-753012

No. 1076 / 2544

Dt. 04.06.2022

CONSENT TO OPERATE ORDER

CONSENT ORDER NO. RO/CTC/CTO. 141/22. /WPC/APC

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

Ref: Your Online Application No. 4225590, Dt. 24.05.2022 and this Office Consent to Establish order issued vide letter No. 1032/2544, dtd. 01.06.2022.

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

Name of the Mines: M/s. BHATIMUNDA SAND QUARRY

Name of the Occupier & Designation: Mr. Sachin Kumar Sahoo, Lessee

Address of the unit: At: Village Bhatimunda (Plot No. 1116/P of Khata No. 441(AAA), Kisam: Nadi), Lease hold area of 12.34 Acres (or 4.993 Ha.), Tahasil: Tangi Choudwar, Dist.: Cuttack, Odisha.

This consent order is valid for the period up to 31.03.2023

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
1.	Sand Quarry	2,000 Cubic Meter per Annum

P.T.O

True copy attached

Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

CONSENT ORDER

A. Discharge permitted through the following outlets subject to the standard

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr	Prescribed standard			
				pH	TSS mg/l	O & G mg/l	BOD mg/l
01.	Septic Tank (Domestic effluent)	Soak pit		-	-	--	-

B. 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					
				PM	SO ₂	NO _x			

C. 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.	Top soil/over burden	As per approved mining plan	--	--	--	As per approved mining plan

True copy attend


**Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack**

P.T.O.

(81)

Page 3

CONSENT ORDER

GENERAL CONDITIONS FOR ALL UNITS.

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 is deemed fit for the purpose of the Acts.

2. The industry would immediately submit revised application for consent to 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 & 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...

True copy
attested

Ministry
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



CONSENT ORDER

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 enters 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 discharge 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 provisions of the Act or Rules made therein.

Contd...

True copy attested

[Signature]

Mining Officer,

No. Deputy Director of Mines

22

Page 5

CONSENT ORDER

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 & 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.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :

Cntd...

True copy attested

[Signature]
Mining Officer,

O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



CONSENT ORDER

- i) Land fill in case of inert material, care being taken to ensure that the material not give rise to leachate which may percolate into ground water or carried away by 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 de-toxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The de-toxication or sealing and burying shall be carried out in the presence of Board's authorized person 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 21A of Air (Prevention & Control of Pollution) Act, 1981.
 42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
 43. The Board reserves the right to revoke / refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify / stipulate additional conditions as deemed appropriate.

Contd...

True copy attested


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Page 7

CONSENT ORDER

SPECIAL CONDITONS:

1. The project proponent shall take statutory clearance/ approval/ permission for the concerned authority in respect of his project as and when required.
2. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made and also shall comply with the stipulated conditions specified in the Environmental Clearance order issued by SEIAA.
3. Mining activity shall be carried out as per approved mining plan prepared for this project.
4. Domestic effluent if any from mine shall be discharged to soak pit via septic tank constructed as per BIS specification.
5. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards, 2009 (As per enclosed Annexure-II).
6. Dust suppression on mine haul roads shall be carried out by spraying water through mobile/fixed water sprinklers.
7. Regular collection of spilled over raw material from haul roads shall be practiced to prevent the generation of dust due to movement of dumpers / trucks.
8. The transportation vehicles shall not be overloaded and shall be covered with tarpaulin cover to control fugitive emission during transportation.
9. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary line of mine lease area shall not exceed 75 dB(A) during day time (6.00 AM to 10.00 AM) and 70 dB(A) during night time (10.00 PM to 6.00 AM).
10. The mine shall abide by all the provisions of E (P) Act 1986 and Rules framed there under.
11. The Board may impose further condition or modify the conditions as stipulated in this order during operation 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. If it is found that the sand quarry is operated without adequate pollution control measures direction for closure shall be issued under section 31(A) of Air PCP) Act.1981 and/or under section 33(A) of Water (PCP) Act, 1974 as the case may be without any further notice

True copy as per P.T.O.

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



CONSENT ORDER

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

[Signature]
REGIONAL OFFICER

To,
Mr. Sachin Kumar Sahoo, Lessee,
M/s. Bhatimunda Sand Quarry,
At: Village Bidyadharpur, P.O.: Nuabazar,
P.S.: Chauliaganj, Dist: Cuttack, Odisha.

Memo No. _____ Dtd _____

Copy forwarded to

- 1 Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar
- 2 Collector & District Magistrate, Cuttack
- 3 Mining Officer, Cuttack Circle, Cuttack
- 4 Copy to Guard file

[Signature]
REGIONAL OFFICER

True copy attached
[Signature]

Mining Officer,
O/o. Deputy Director of Mines

28

Annexure I

CONSENT ORDER

GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENT POLLUTANTS PART - A :
EFFLUENTS.

Sl. No.	Parameters	Standards			
		Inland surface	Public sewers	Land for Irrigation	Marine Coastal Areas
1	2	3			
		(a)	(b)	(c)	(d)
1	Colour & odour	Colourless / Odourless as far as practicable	-----	See 6 of Annex. 1	See 6 of Annex. 1
2	Suspended solids (mg/l)	100	600	200	a. For process wastewater - 100 b. For cooling water effluent 10% above total suspended matter of influent.
3	Particular size of SS	Shall pass 850	-----	-----	
4	-----	-----	-----	-----	
5	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6	Temperature	Shall not exceed 5°C above the receiving water temperature.	-----	-----	Shall not exceed 5°C above the receiving water temperature.
7	Oil & Grease mg/l max.	10	20	10	20
8	Total residual chlorine	1.0	-----	-----	1.0
9	Ammonical nitrogen (as N) mg/l max.	50	50	-----	50
10	Total Kjeldahl nitrogen (as NH ₃) mg/l max.	100	-----	-----	100
11	Free ammonia (as NH ₃) mg/l max.	5.0	-----	-----	5.0
12	Biochemical Oxygen Demand (5 days at 20°C) mg/l max.	30	350	100	100
13	Chemical Oxygen Demand mg/l max.	250	-----	-----	250
14	Arsenic (as As) mg/l max.	0.2	0.2	0.2	0.2
15	Mercury (as Hg) mg/l max.	0.01	0.01	-----	0.001
16	Lead (as pb) mg/l max.	0.01	1.0	-----	2.0
17	Cadmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18	Hexavalent chromium (as Cr ⁶⁺) mg/l max.	0.1	2.0	-----	1.0
19	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0

True copy
attachedMining Office
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

20	Copper (as Cu) mg/l max.	3.0	3.0	-----	
21	Zinc (as Zn) mg/l max.	5.0	15	-----	
22	Selenium (as Se) mg/l max.	0.05	0.05	-----	
23	Nickel (as Ni) mg/l max.	3.0	3.0	-----	0.05
24	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	5.0
25	Fluoride (as F) mg/l max.	2.0	15	-----	0.02
26	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	15
27	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28	Phenolic compounds as C ₆ H ₅ OH mg/l max.	1.0	5.0	-----	5.0
29	Radioactive Materials				
	a) Alpha emitter micro curie/ml.	10 ⁷	10 ⁷	10 ⁸	10 ⁷
	b) Beta emitter micro curie/ml.	10 ⁶	10 ⁶	10 ⁷	10 ⁶
30	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	50% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32	Iron (as Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l

True copy attested


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

29

Annex - II

CONSENT ORDER

NATIONAL AMBIENT AIR QUALITY STANDARDS

Pollutants	Time Weighed Average	Concentrate of Ambient Air		
		Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(2)	(3)	(4)	(5)	(6)
Sulphur Dioxide (SO ₂) µg/m ³	Annual *	50	20	- Improved west and Gaeke
	24 Hours **	80	80	- Ultraviolet fluorescence
Nitrogen Dioxide (NO ₂) µg/m ³	Annual *	40	30	- Modified Jacob & Hochheiser (Na-Arsenite)
	24 Hours **	80	80	- Chemiluminescence
Particulate Matter (size less than 10 mm) or PM ₁₀ µg/m ³	Annual *	60	60	- Gravimetric TOEM
	24 Hours **	100	100	- Beta Attenuation
Particulate Matter (size less than 2.5 mm) or PM _{2.5} µg/m ³	Annual	40	40	- Gravimetric TOEM
	24 Hours	60	60	- Beta Attenuation
Ozone (O ₃) µg/m ³	8 Hours **	100	100	- UV Photometric
	1 Hours **	180	180	- Chemiluminescence - Chemical Method
Lead (Pb) µg/m ³	Annual *	0.50	0.50	- AAS/ICP method after sampling on EMP 2000 or equivalent filter paper.
	24 Hours **	1.0	1.0	- ED-XRF using Teflon filter
Carbon Monoxide (CO) mg/m ³	8 Hours **	02	02	- Non Dispersive Infra Red (NDIR)
	1 Hours **	04	04	Spectroscopy
Ammonia (NH ₃) µg/m ³	Annual *	100	100	- Chemiluminescence
	24 Hours **	400	400	- Indophenol Blue Method
Benzene (C ₆ H ₆) µg/m ³	Annual	05	05	- Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³	Annual *	01	01	- Solvent extraction followed by HPLC/GC analysis
Arsenic (As), ng/m ³	Annual *	06	06	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper.
Nickel (Ni), ng/m ³	Annual *	20	20	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper.

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

True copy attested

 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack



Phone: 0671-2491742
e-mail Id: tah.tangich-od@nic.in

**OFFICE OF THE TAHASILDAR, TANGI CHOUDWAR, JAGATPUR,
CUTTACK**

Letter No: 3279 /Date: 23/05-123

To

Sri Sachin Kumar Sahoo
S/o Nirmal Chandra Sahoo
Vill-Bidyadharpur, PS-Chauliaganj, Cuttack

Sub: Lifting of sand beyond lease area by using bdrazing machine..

Sir,

From the joint enquiry, it is revealed that you have extracted 2900 cum of sand beyond the lease area by using drazing machine.

You are therefore directed to deposit the fine amounting to Rs.38,56,710/- (Rupees thirty eight lakhs ninty six thousand seven hundred ten) only within a fortnight failing which action as deemed fit as per O.M.M.C. Rule,2016.

Yours faithfully

Tahasildar, Tangi-Choudwar

Memo No. 3279 Date- 23/05-123

Copy to Nazir / R.I. Bhatimunda for information and necessary action.

Tahasildar, Tangi-Choudwar

Memo No. 3280 Date- 23/05-123

Copy submitted to the Addl District Magistrate, Cuttack / Sub-Collector, Sadar, Cuttack for favour of kind information and necessary action.

Tahasildar, Tangi-Choudwar

[Type here]

TAHASILDAR
TANGI-CHOUDWAR

True copy attached
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



Phone: 0671-2491742
e-mail Id: tah.tangich-od@nic.in

**OFFICE OF THE TAHASILDAR, TANGI CHOUDWAR, JAGATPUR,
CUTTACK**

Letter No: 4422 / Date: 25/07/23

To

**Sri Sachin Kumar Sahoo
S/o Nirmal Chandra Sahoo
Vill-Bidyadharpur, PS-Chauliaganj, Cuttack**

Sub:

Payment of dues.

Ref:

This office letter No. 3278 dated 23.05.2023

Sir,

With reference to the letter on the subject cited above, I am to intimate that you have not yet deposited the dues as demanded vide letter under reference.

You are therefore directed to deposit the said amount within a week failing which action as deemed fit as per O.M.M.C. Rule, 2016.

Yours faithfully

[Signature]
Tahasildar, Tangi-Choudwar

Memo No.

4424 Date 25/07/23

Copy to Nazir / R.I. Bhatimunda for information and necessary action.

Memo No.

4425 Date 25/07/23

[Signature]
Tahasildar, Tangi-Choudwar

Copy submitted to the Addl District Magistrate, Cuttack / Sub-Collector, Sadar, Cuttack for favour of kind information and necessary action.

[Type here]

[Signature]
TAHASILDAR
TANGI-CHOUDWAR

[Signature]
Tahasildar, Tangi-Choudwar

[Signature]
True copy attached

Mining Officer,
O/o. Deputy Director of Min.,
Cuttack Circle, Cuttack

HAND-OVER OF BIRUPA RIVER SAND, BHATIMUNDA OF TANGI-CHOUDWAR TEHSIL OVER AN AREA OF 12.34 ACRE PERTAINING TO PLOT NO 1116 UNDER KHATA NO. 441 OF MOUZA-BHATIMUNDA.

A JOINT VERIFICATION WAS CONDUCTED BY THE MINING OFFICER OF THE CIRCLE MINING OFFICE CUTTACK CIRCLE CUTTACK, ADDL TAHSILDAR, TANGI-CHOUDWAR, REVENUE SUPERVISOR TANGI-CHOUDWAR AND OTHER REVENUE OFFICIALS OF TANGI-CHOUDWAR TEHSIL OFFICE CUTTACK WITH RESPECT TO BIRUPA RIVER SAND, BHATIMUNDA OF TANGI-CHOUDWAR TEHSIL OVER AN AREA OF 12.34 ACRE PERTAINING TO PLOT NO 1116 UNDER KHATA NO. 441 OF MOUZA BHATIMUNDA ON DL 29/05/2023. THE CORNER PILLARS OF THE AFORESAID SAND SOURCE WERE FOUND AT THEIR APPROPRIATE LOCATIONS AS PER THE CO-ORDINATES MENTIONED IN THE MINING PLAN.

THE AFORESAID SOURCE IS DEVOID OF ANY ACTIVE LITIGATION. THE PAYMENTS TO THE CONCERNED RQP IS BEING CLEARED TILL THE DATE OF HAND-OVER. THE PENDING AMOUNT TO BE PAID BY THE LESSEE UP TO 31ST OF JULY IS DUELY MENTIONED IN THE ORDER SHEET. A COPY OF THE DEMAND ORDER ISSUED AGAINST THE LESSEE IS ATTACHED, HEREWITH. THE AFORESAID SOURCE, BOUND BY THE CO-ORDINATES MENTIONED IN THE MINING PLAN, IS HEREBY HANDED OVER TO THE MINING OFFICER, CUTTACK CIRCLE, CUTTACK.

Handed over by
26.04.23
TAHSILDAR
TANGI CHOUDWAR
TANGI CHOUDWAR, CUTTACK.

26.04.23
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

TAKEN OVER BY,

THE MINING OFFICER,
CUTTACK CIRCLE, CUTTACK.

WITNESSES

True copy attached
[Signature]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Hail/Registered post

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK

AT- NIMPUR, P.O.-JAGATPUR, CUTTACK - 754021, PH. : 06712490357

E-mail. mo.cuttack@orissaminerals.gov.in

ANNEXURE-10

Letter No. 153/ Mines, dt. 08/08/23

From

The Mining Officer,
Cuttack Circle, Cuttack.

To:

Sri Sachin Kumar Sahoo,
Lenka Sahi, At- Bidyadharpur,
Po- Nayabazar, Cuttack,
Odisha-753004. Tel- 9439656194.Sub: - Regarding demand notice issued by the Tahasildar, Tangi Choudwar,
Dist- Cuttack, against Birupa River Bhatimunda Sand Quarry.

Ref: - Letter No. 4300, dt 19.07.2023 of the Tehsildar, Tangi-Choudwar,Cuttack.

Sir,

With reference to the above mentioned subject, I am to inform you that, the aforementioned sairat source has already been taken over by the undersigned on dt.26.07.2023. A demand notice was issued against you vide letter No.4300, dt. 19.07.2023 by the Tahasildar, Tangi-Choudwar, Cuttack for payment of pending Govt. dues of Rs.2397042.00 (Rupees twenty three lakh ninty seven thousand forty two) against the aforesaid sairat source. You had to deposit the pending dues before the Tahasildar, Tangi-Choudwar, Cuttack within a stipulated time period of 7 days, but, you have not deposited the aforesaid dues till date.

Therefore, you are hereby requested to pay the pending dues within seven days from the date of receipt of this letter, failing which, the source shall be declared as non-operational and action will be taken against you as per rule 33(19) of the OMMC Rules, 2016 and its amendment. You are also requested to submit the no dues clearance certificate (NDC) from the concerned Tahasildar for further action at this end.

Further, you are instructed to stop the mining operation in the aforesaid sand quarry immediately, failing which, action will be taken as per the OMMC Rules, 2016.


08.08.2023
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

True copy attached

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Memo No. 1532 /Mines, dt. 08/08/23.

Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.


05.08.23

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1533 /Mines, dt. 08/08/23

Copy submitted to the Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.


04.08.23

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1534 /Mines, dt. 08/08/23

Copy submitted to the Collector and District Magistrate, Cuttack for favour of kind information.


05.08.23

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1535 /Mines, dt. 08/08/23

Copy forwarded to the Tehsildar, Tangi-Choudwar, Cuttack for kind information and necessary action.


05.08.23

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1536 /Mines, dt. 08/08/23

Copy submitted to the IIC, Tangi Police station, Cuttack for information with a request to keep a close watch to prevent theft of the minor mineral from the said source.


05.08.23

Mining Officer,
Cuttack Circle, Cuttack.

True copy attested


Mining Officer,
O/o, Deputy Director of Mines
Cuttack Circle, Cuttack



Phone:0671-2491742
e-mail Id: tah.tangich-od@nic.in

**OFFICE OF THE TAHASILDAR, TANGI CHOUDWAR, JAGATPUR,
CUTTACK**

Letter No: 4300 /Date: 19.7.23

To

**Sri Sachin Kumar Sahoo
S/o Nirmal Chandra Sahoo
Vill-Bidyadharpur, PS-Chauliaganj, Cuttack**

Sub: Payment of dues in Sairat Case No.51/17-18.

Sir,

You are requested to deposit the sairat dues amounting to **Rs.23,97,042/-** towards Birupa River Sand, Bhatimunda by 31st July 2023 failing which action as deemed fit shall be taken as per OMMC Rules,2016.

Yours faithfully

Tahasildar, Tangi-Choudwar

**TAHASILDAR
TANGI CHOUDWAR**

Memo No.

4300

Date-

19.7.23

Copy to Nazir / R.I. Bhatimunda for information and necessary action.

Tahasildar, Tangi-Choudwar

**TAHASILDAR
TANGI CHOUDWAR**

[Type here]

True copy attested

**Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack**

ANNEXURE - II



OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 2175...../ Mines, dt. 12.10.2023

Show cause notice

To,

Sri Sachin Kumar Sahoo,
 Lenka Sahi, At- Bidyadharpur,
 Po- Nayabazar, Cuttack,
 Odisha-753004.

Whereas, you are the leaseholder of the Birupa River Bhatimunda Sand Quarry (over an area of 12.340 Acres or 4.994 Ha.) having plot No.1116/P, Khata No.441, Mouza-Bhatimunda, Tehsil- Tangi-Choudwar, Cuttack District of Cuttack Mining Circle.

Whereas, the aforesaid source has been taken over by the undersigned on dt.26/07/2023.

Whereas, as per the document furnished by the Tehsildar, Tangi-Choudwar, Govt. dues of Rs.2397042.00 (Rupees twenty three lakh, ninety seven thousand forty two only) was pending against the aforesaid sand source, up to the date of taken over of the source and you were intimated about the same vide letter No.4300, dt.19/07/2023 by the Tehsildar, Tangi-Choudwar, Cuttack, with a request to pay the aforesaid amount by 31st of July, 2023. [Enclosed as Annexure-1]

Whereas, the undersigned also requested you (vide letter No.1531/Mines, dt.08/08/2023) to pay the aforesaid pending Govt. dues within seven days of receiving the letter and to produce an NDC (No dues clearance Certificate), duly signed by the Tehsildar, Tangi-Choudwar, Cuttack, failing which

True copy attached

Mining Officer,
 Ofc. Deputy Director of Mines
 Cuttack Circle, Cuttack

action would be taken against you, as per rule 33(19) of the OMMC rules, 2016 and amendment rule, 2023, which reads as follows; [Enclosed as Annexure-2]

"If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the non-payment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the provisions of the Odisha Public Demands Recovery Act, 1962 for recovery of such dues."

Whereas, in the aforesaid letter, you were instructed to stop the mining operation immediately, failing which actions would be taken as per OMMC Rule, 2016 and amendment rule, 2023. [Enclosed as Annexure-2]

Whereas, you have not yet submitted the NDC (No dues clearance Certificate), duly signed by the Tehsildar, Tangi-Choudwar, before the office of the undersigned.

Whereas, during a surprise visit to the aforesaid sand source by the undersigned on dt09/10/2023 at 5.15 pm, evidences of recent mining activities such as Compressor Boat, Sand piling and fresh tyre marks of heavy vehicles were observed, which amounts to illegal extraction of Minor Mineral, as per 51(1)(i) of the OMMC Rule, 2016 and amendment Rules, 2023. (Geo-tagged Photographs are enclosed as Annexure-3)

Whereas, the undersigned have also sought from you, the status of the submission of the Annual Replenishment Survey report (Vide Letter No.1739, dt.01/09/2023; enclosed as Annexure-4), which was to be done before 31st of December, 2022 failing which the EC would be revoked as per the Transfer of EC letter No.4038/SEIAA issued by SEIAA, Odisha, against you (Enclosed as

True copy attested

 Mining Officer,
 O/o. Deputy Director of Mining,
 Cuttack Circle, Cuttack

Annexure-5). In the same letter, the undersigned has intimated you that the Mining operation would not be allowed without a valid EC.

Whereas, you have not submitted any reply to the aforementioned letter, issued by the undersigned, till date.

You are therefore, being issued a show-cause notice for such illegal mining activities and your report should reach the office of the undersigned, within seven days of receiving this letter, failing which, action shall be taken as per 51(1)(I) of the OMMC Rule, 2016 and amendment Rules, 2023.

Encl: As above



Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 2176...../Mines, dt. 12.10.2023

Copy submitted to the The Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.



Mining Officer,
Cuttack Circle, Cuttack.

True copy attached



Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Annexure-1



Phone:0671-2491742
e-mail Id: rah.tangich-od@nic.in

**OFFICE OF THE TAHASILDAR, TANGI CHOUDWAR, JAGATPUR,
CUTTACK**

Letter No: 4300 /Date: 19.7.23

To

**Sri Sachin Kumar Sahoo
S/o Nirmal Chandra Sahoo
Vill-Bidyadharpur, PS-Chauliaganj, Cuttack**

Sub: Payment of dues in Sairat Case No.51/17-18.

Sir,

You are requested to deposit the sairat dues amounting to **Rs.23,97,042/-** towards Birupa River Sand, Bhatimunda by 31st July 2023 failing which action as deemed fit shall be taken as per OMMC Rules,2016.

Yours faithfully

[Signature]
Tahasildar, Tangi-Choudwar
**TAHASILDAR
TANGI CHOUDWAR**

Memo No.

4304

Date-

19.7.23

Copy to Nazir / R.I. Bhatimunda for information and necessary action.

[Signature]
Tahasildar, Tangi-Choudwar
**TAHASILDAR
TANGI CHOUDWAR**

True copy attached

[Signature]
**Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack**

[Type here]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Hand/Registered post

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
 AT- NIMPUR, P.O.-JAGATPUR, CUTTACK - 754021, PH. : 06712490357
 E-mail: mo.cuttack@orissaminerals.gov.in

Annexure-2

Letter No. *153/* Mines, dt. *08/08/23*

From

The Mining Officer,
Cuttack Circle, Cuttack.

To:

Sri Sachin Kumar Sahoo,
Lenka Sahi, At- Bidyadharpur,
Po- Nayabazar, Cuttack,
Odisha-753004. Tel- 9439656194.Sub: - Regarding demand notice issued by the Tahasildar, Tangi Choudwar,
Dist- Cuttack, against Birupa River Bhatimunda Sand Quarry.

Ref: - Letter No. 4300, dt 19.07.2023 of the Tehsildar, Tangi-Choudwar, Cuttack.

Sir,

With reference to the above mentioned subject, I am to inform you that, the aforementioned sairat source has already been taken over by the undersigned on dt.26.07.2023. A demand notice was issued against you vide letter No.4300, dt. 19.07.2023 by the Tahasildar, Tangi-Choudwar, Cuttack for payment of pending Govt. dues of Rs.2397042.00 (Rupees twenty three lakh ninty seven thousand forty two) against the aforesaid sairat source. You had to deposit the pending dues before the Tahasildar, Tangi-Choudwar, Cuttack within a stipulated time period of 7 days, but, you have not deposited the aforesaid dues till date.

Therefore, you are hereby requested to pay the pending dues within seven days from the date of receipt of this letter, failing which, the source shall be declared as non-operational and action will be taken against you as per rule 33(19) of the OMMC Rules, 2016 and its amendment. You are also requested to submit the no dues clearance certificate (NDC) from the concerned Tahasildar for further action at this end.

Further, you are instructed to stop the mining operation in the aforesaid sand quarry immediately, failing which, action will be taken as per the OMMC Rules, 2016.

[Signature]
 08.08.2023
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

True copy attached

[Signature]
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

Memo No. 1532 /Mines, dt. 08/08/23

Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.


08.08.2023

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1533 /Mines, dt. 08/08/23

Copy submitted to the Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.


08.08.2023

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1534 /Mines, dt. 08/08/23

Copy submitted to the Collector and District Magistrate, Cuttack for favour of kind information.


08.08.2023

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1535 /Mines, dt. 08/08/23

Copy forwarded to the Tehsildar, Tangi-Choudwar, Cuttack for kind information and necessary action.


08.08.2023

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 1536 /Mines, dt. 08/08/23

Copy submitted to the IIC, Tangi Police station, Cuttack for information with a request to keep a close watch to prevent theft of the minor mineral from the said source.

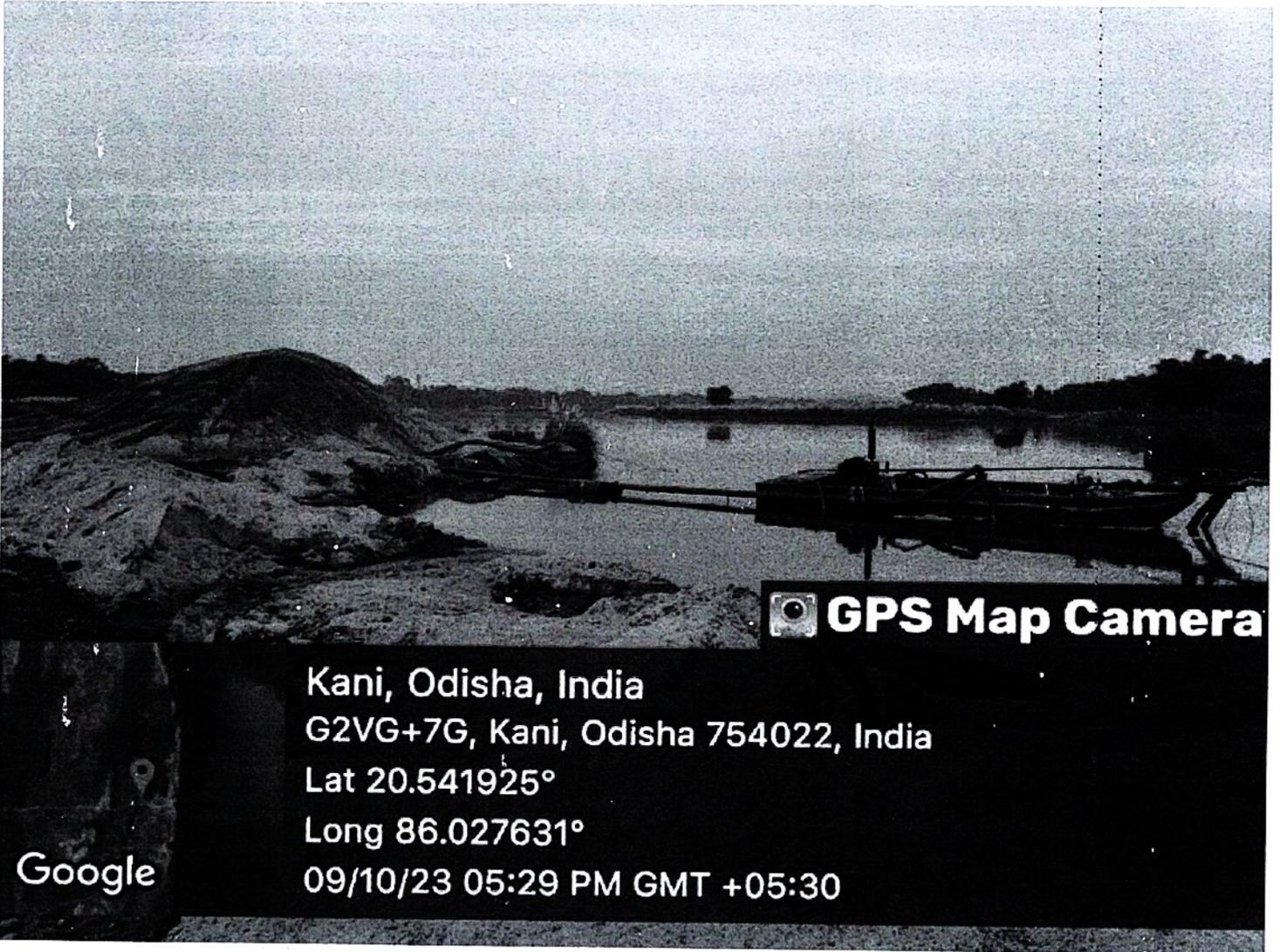

08.08.2023

Mining Officer,
Cuttack Circle, Cuttack.

True copy attached


Mining Officer,
Off. Deputy Director of Mines
Cuttack

Annexure-3



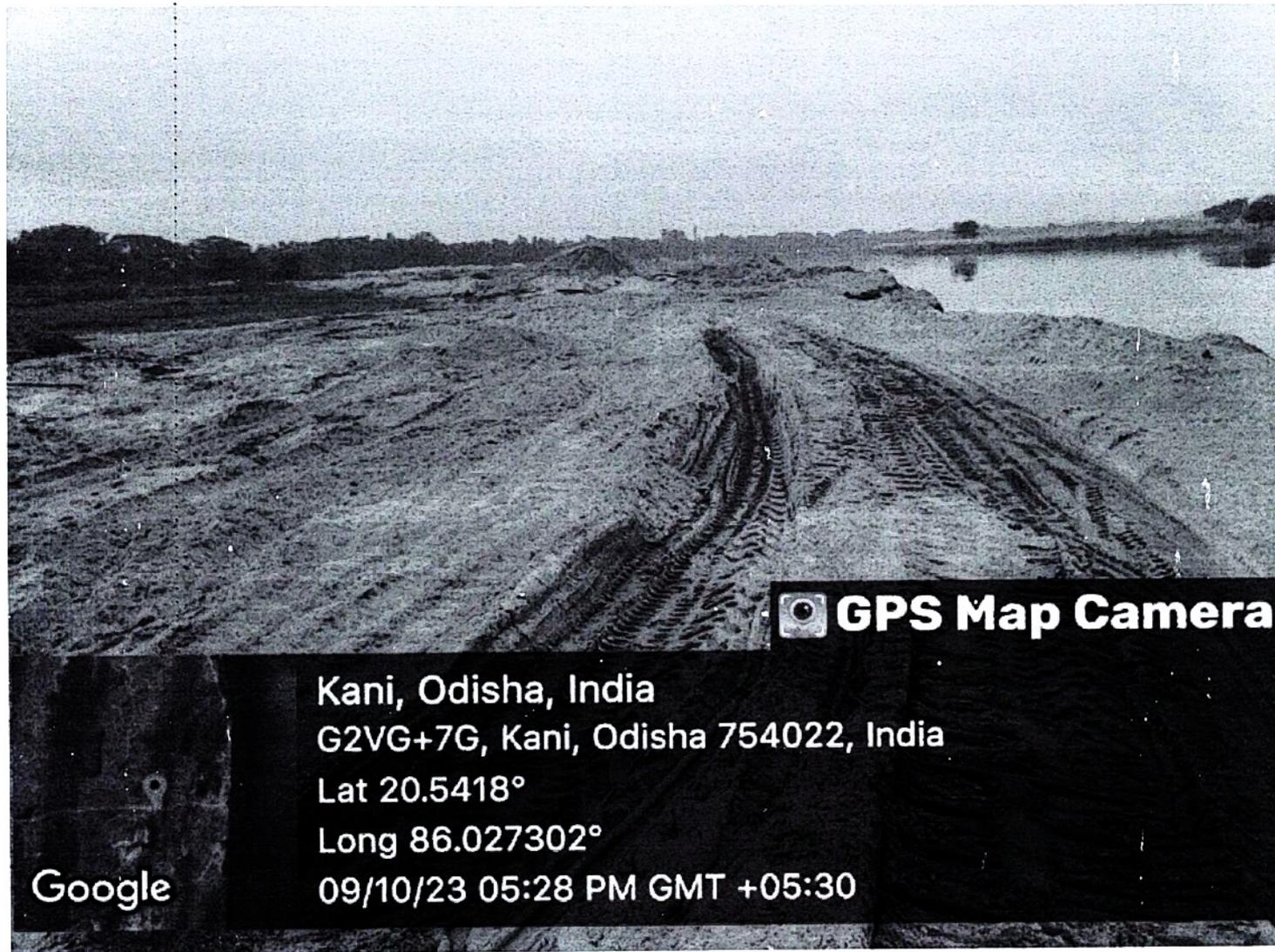
GPS Map Camera
 Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India
 Lat 20.541925°
 Long 86.027631°
 09/10/23 05:29 PM GMT +05:30

Google

This is a true copy of the original
 document as per the records of the
 office.

True copy attached

 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack



GPS Map Camera

Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India
 Lat 20.5418°
 Long 86.027302°
 09/10/23 05:28 PM GMT +05:30

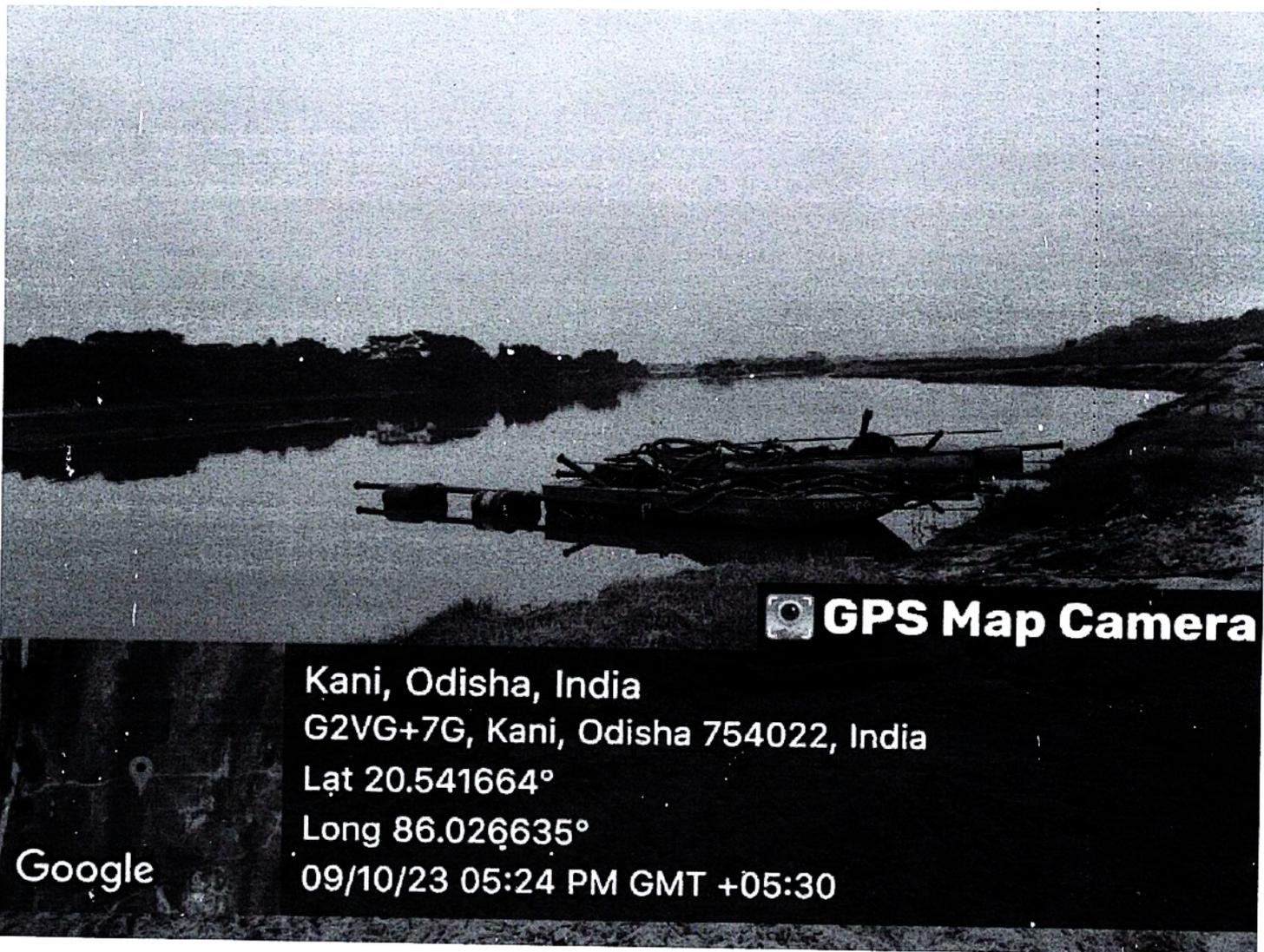
Google

True copy attached

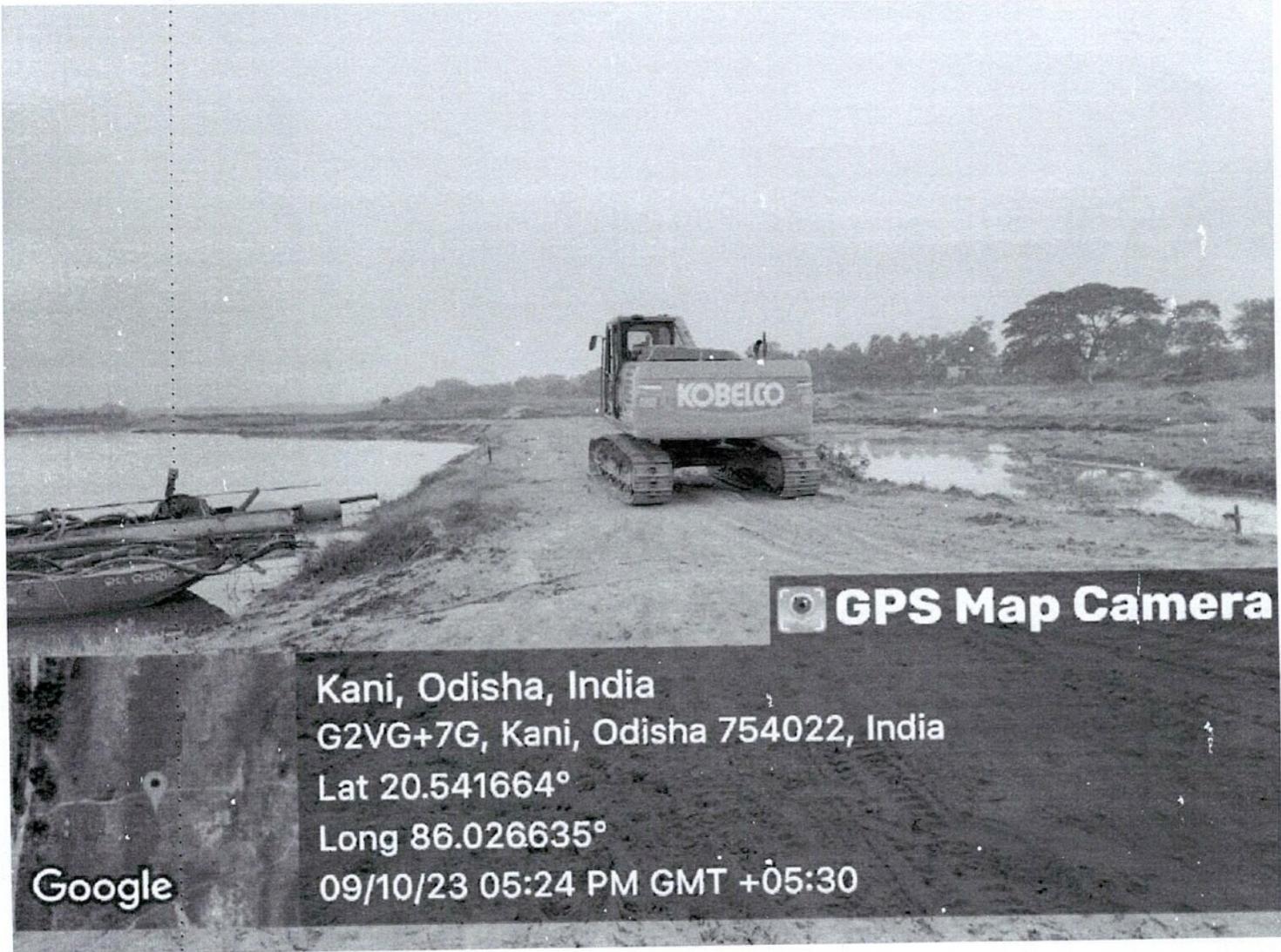
[Signature]
Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack
 Deputy Director of Mines
 Cuttack Circle, Cuttack

[Faint, illegible text]

Annexure-3



Tree copy attested
[Signature]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

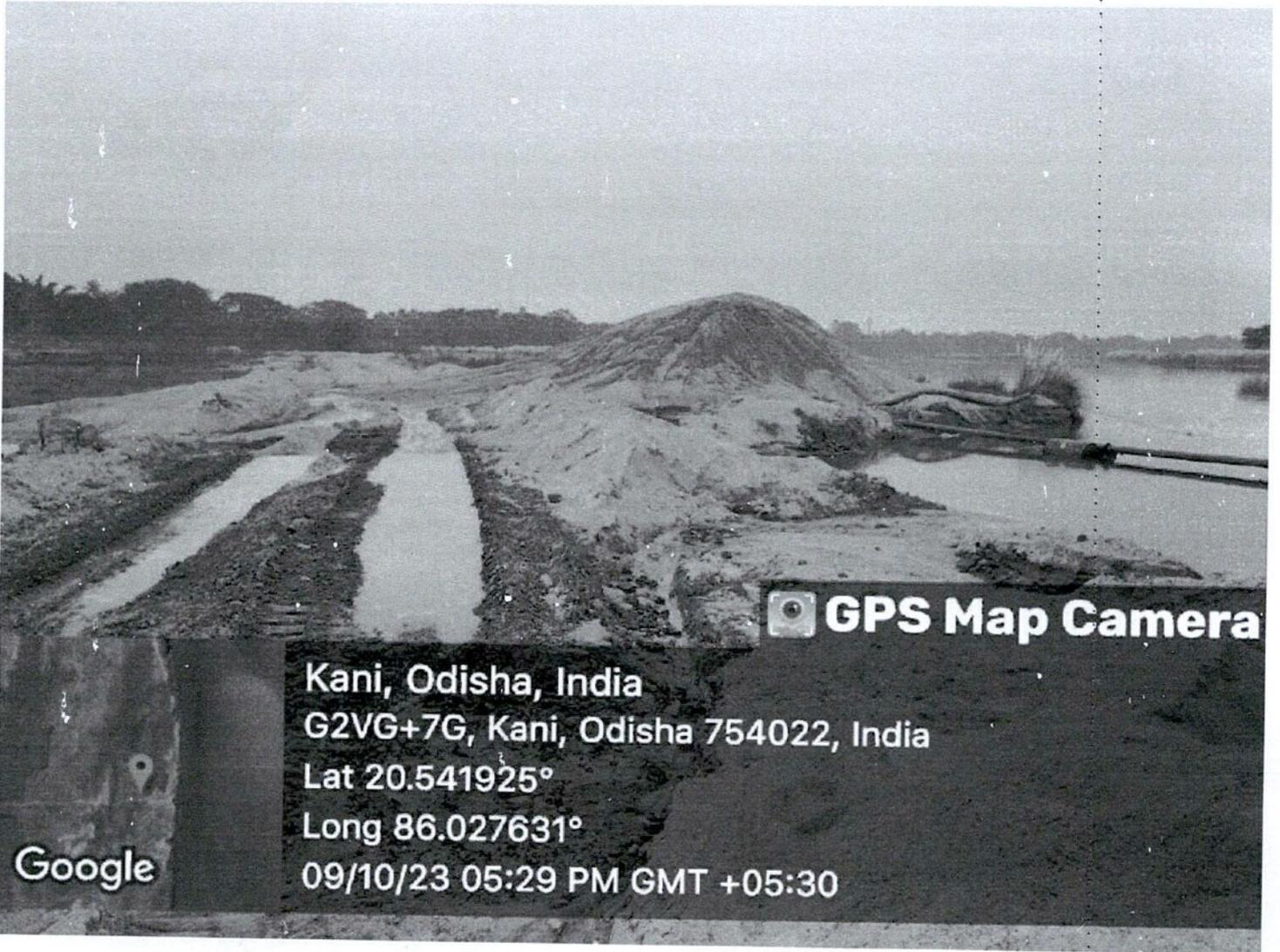


True copy attached

[Signature]

Mining Officer,
O/o. Deputy Director of Mines
 Cuttack

Annexure-3



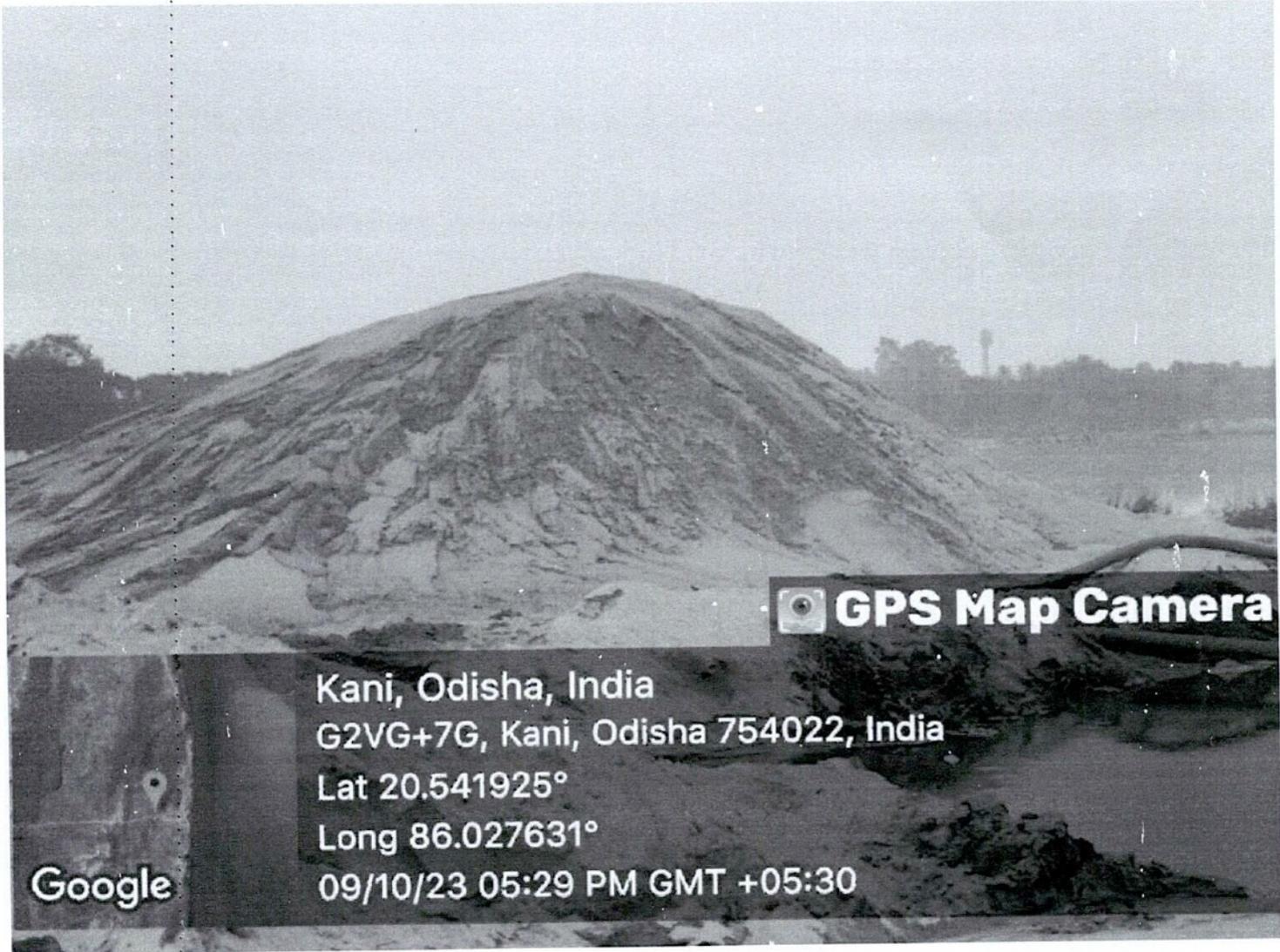
GPS Map Camera

Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India
 Lat 20.541925°
 Long 86.027631°
 09/10/23 05:29 PM GMT +05:30

Google

(mirrored text)
 Mining Officer,
 O/o. Deputy Director of Mines,
 Cuttack Circle, Cuttack

True copy attested
(Signature)
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack



(Faint, mirrored text, likely bleed-through from the reverse side of the page)

True copy attested

**Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack**

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O.-JAGATPUR, CUTTACK - 754021, PH. : 06712490357

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 1739 / Mines, dt. 01.09.2023

81 Regd. Post

From

The Mining Officer,
Cuttack Circle, Cuttack.

Annexure-4

To:

Sri Sachin Kumar Sahoo,
Lenka Sahi, At- Bidyadharpur,
Po- Nayabazar, Cuttack,
Odisha-753004. Tel- 9439656194.

Sub: - Regarding submission of the Annual replenishment survey report for the year 2022-23.

Ref: - EC document issued by SEIAA against "Tithapada-I Devi river Sand" and "Birupa River sand, Bhatimunda"

Sir,

With respect to the subject cited above, I am to inform you that in order to keep your source operational, it is mandatory for you to submit the annual replenishment survey report within a stipulated time period assigned in the Environmental clearance certificate issued by SEIAA against your sairat source. As per the provisions of the SEIAA, the EC issued against you is an ad-hoc certificate and shall be revoked if the replenishment survey report is not submitted within that stipulated time period. Without a valid EC issued by SEIAA, you shall not be allowed to carry on the mining activity at your sairat source.

I therefore request you to immediately inform the undersigned by a forwarding letter, if you have not submitted the annual replenishment survey report before SEIAA, with respect to the last financial year. If you have already submitted the annual replenishment survey report, kindly inform the undersigned regarding the date of the submission of the aforesaid report, through a forwarding letter.

True copy attested

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

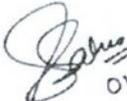

01.09.2023

Mining Officer,
Cuttack Circle, Cuttack
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Annexure-4

Memo No. 1740 / Mines, dt. 01.09.2023

Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.


 01.09.23

Mining Officer,
Cuttack Circle, Cuttack.
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Memo No. 1741 / Mines, dt. 01.09.2023

Copy submitted to the Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.


 01.09.23

Mining Officer,
Cuttack Circle, Cuttack.
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

 True copy attested
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



Annexure-5

**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 4038/SEIAADt 22.02.2022File No. **SIA/OR/MIN/255215/2022**

To

Sri Sachin Kumar Sahoo
S/o-Nirmal Kumar Sahoo
At-Naranpur, PS-Baranga,
Dist-Cuttack

Sub: Proposal for **Transfer of Environmental Clearance** of Bhatimunda Sand Quarry over an area of 12.34 Acres or 4.993 Ha. in village Bhatimunda under Tangi-Choudwar, Tahasil of Cuttack District from Tahasildar Tangi-Choudwar to Sri Sachin Kumar Sahoo (Successful Bidder) - reg.

Ref: (i) EC Letter No. 2409/SEIAA dated 31.08.2021.
(ii) Letter no. 8317 dated 16.11.2021 of Tahasildar.
(iii) Online proposal No. SIA/OR/MIN/255215/2022 dtd. 05.02.2022

Sir

Kindly refer your online application on dated 05.02.2022, where in you have requested for transfer of environmental clearance granted by SEIAA, Odisha vide Letter No. 2409/SEIAA dated 31.08.2021 issued earlier in favour of Tahasildar, Tangi-Choudwar, Cuttack.

As submitted by the Tahasildar, it is noted that EC was obtained for **Bhatimunda Sand Bed** for a period of 5 years in favour of Tahasildar, Tangi-Choudwar vide the above mentioned EC letter under reference. Now, the said sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of Sri Sachin Kumar Sahoo, Successful Bidder under the provision of OMMC Rules, 2016 for operationalization of the sairat source.

The proposal was considered by the SEIAA in its meeting held on 11.02.2022 and the Authority decided that EC may be transferred in favour of Sri Sachin Kumar Sahoo as recommended by Tahasildar and the new Project Proponent has to submit the detailed compliance report on all EC conditions on quarterly basis.

True copy attested

Mining Officer,

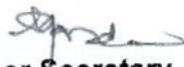
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

The SEIAA has no objection for transfer of environmental clearance accorded by SEIAA's Letter no. 2409/SEIAA dated 31.08.2021 in the name of Sri Sachin Kumar Sahoo with the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC.

The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31st December, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.** The PP is allowed to extract provisionally 2000 cum of sand in the first year.

In case any change is proposed in the scope and limit of the project, the project proponent shall obtain fresh prior environmental clearance.

Yours faithfully,


Member Secretary

Memo No. 4039/SEIAA /Dt. 22.02.2022.

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.

True copy
attached


Mining Officer,
Ofc. Deputy Director of Mines
Cuttack Circle, Cuttack

Director of Mines
Cuttack Circle, Cuttack

Annexure-5

5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, ManSingh Road, New Delhi-110011 for information.
7. **Copy to the Collector, Cuttack /Sub Collector, Cuttack and Tahasildar, Tangi-Choudwar** for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.

[Handwritten mark]

[Handwritten signature]
Member Secretary

True copy attested
[Handwritten signature]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

ANNEXURE -12



**OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357**

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 2937/Mines, dt. 07/12/2023

From,

The Mining Officer,
Cuttack Circle, Cuttack.

To,

Sri Sachin Kumar Sahoo,
Lenka Sahi, At- Bidyadharpur,
Po- Nayabazar, Cuttack,
Odisha-753004.
Phone- 9439656194

Sub:- Demand Notice regarding the payment of penalties against Birupa River Sand Quarry, Bhatimunda in reference to the illegal mining activities, found during an inspection on dt.09.10.2023

Sir,

With respect to the subject cited above, I am to inform you that you are the leaseholder of the Birupa River Bhatimunda Sand Quarry (over an area of 12.340 Acres or 4.994 Ha.) having plot No.1116/P, Khata No.441, Mouza-Bhatimunda, Tehsil- Tangi-Choudwar, Cuttack District under Cuttack Mining Circle. The aforesaid source has been taken over by the undersigned on dt.26/07/2023. During a surprise inspection by the undersigned on dt.09/10/2023, evidences of illegal extraction (as per the 51(1)(i) of the OMMC Rule, 2016 and amendment Rules, 2023), was noticed at the aforesaid sand quarry. The undersigned then issued a show-cause notice against you, vide letter No.2175/Mines on dt.12/10/2023 (Copy enclosed) and you were given seven days of time to submit your reply. However, you have not submitted your reply before the undersigned, till this day.

Since you have failed to submit any explanation in respect of the illegal extraction noticed during the surprise inspection by the undersigned on the

True copy attached
[Signature]

**Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack**

Mining Officer,
O/o. Deputy Director of Mines,
Cuttack Circle, Cuttack

☒
 aforementioned date, you are therefore liable to pay a penalty of **Rs.500000(Rupees five lakh only)** for the illegal extraction committed, as per the 51(1)(i) of the OMMC Rule, 2016 and amendment Rules, 2023.

I therefore, request you to pay the aforementioned amount within 15days of receiving this letter, through treasury deposit under the following Head of Account. You are also requested to submit the treasury challan of the same at the office of the undersigned, unflinchingly.

TREASURY HEAD :-

"0853-102-0217-02021"

"0853-Non-Ferrous Mining and Metallurgical Industries-102- Mineral Concession Fees, Rents and Royalties-0217-Receipts under Odisha Minor Minerals Concession Rules-02021-Collection of Fees Rents and royalty"

Further, you are instructed not to repeat the aforesaid offence, which may result in suspension of your lease, on the grounds of violation of the lease agreement, noncompliance of the provisions mentioned in the Mining plan and EC, in respect of the aforesaid source.

Encl:- as above

[Signature]
 07/12/2023

Mining Officer,
 Cuttack Circle, Cuttack

Memo No./Mines, dt.....

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

\
 Mining Officer,
 Cuttack Circle, Cuttack.

Memo No./Mines, dt.....

Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.

\
 Mining Officer,
 Cuttack Circle, Cuttack.

True copy attested

[Signature]
**Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack**



OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357
 E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 2175...../ Mines, dt. 12.10.2023

Show cause notice

To,

Sri Sachin Kumar Sahoo,
 Lenka Sahi, At- Bidyadharpur,
 Po- Nayabazar, Cuttack,
 Odisha-753004.

Whereas, you are the leaseholder of the Birupa River Bhatimunda Sand Quarry (over an area of 12.340 Acres or 4.994 Ha.) having plot No.1116/P, Khata No.441, Mouza-Bhatimunda, Tehsil- Tangi-Choudwar, Cuttack District of Cuttack Mining Circle.

Whereas, the aforesaid source has been taken over by the undersigned on dt.26/07/2023.

Whereas, as per the document furnished by the Tehsildar, Tangi-Choudwar, Govt. dues of Rs.2397042.00 (Rupees twenty three lakh, ninety seven thousand forty two only) was pending against the aforesaid sand source, up to the date of taken over of the source and you were intimated about the same vide letter No.4300, dt.19/07/2023 by the Tehsildar, Tangi-Choudwar, Cuttack, with a request to pay the aforesaid amount by 31st of July, 2023. [Enclosed as Annexure-1]

Whereas, the undersigned also requested you (vide letter No.1531/Mines, dt.08/08/2023) to pay the aforesaid pending Govt. dues within seven days of receiving the letter and to produce an NDC (No dues clearance Certificate), duly signed by the Tehsildar, Tangi-Choudwar, Cuttack, failing which

True copy attached

[Signature]
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

action would be taken against you, as per rule 33(19) of the OMMC rules, 2016 and amendment rule, 2023, which reads as follows; [Enclosed as Annexure-2]

"If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the non-payment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the provisions of the Odisha Public Demands Recovery Act, 1962 for recovery of such dues."

Whereas, in the aforesaid letter, you were instructed to stop the mining operation immediately, failing which actions would be taken as per OMMC Rule, 2016 and amendment rule, 2023. [Enclosed as Annexure-2]

Whereas, you have not yet submitted the NDC (No dues clearance Certificate), duly signed by the Tehsildar, Tangi-Choudwar, before the office of the undersigned.

Whereas, during a surprise visit to the aforesaid sand source by the undersigned on dt09/10/2023 at 5.15 pm, evidences of recent mining activities such as Compressor Boat, Sand piling and fresh tyre marks of heavy vehicles were observed, which amounts to illegal extraction of Minor Mineral, as per 51(1)(i) of the OMMC Rule, 2016 and amendment Rules, 2023. (Geo-tagged Photographs are enclosed as Annexure-3)

Whereas, the undersigned have also sought from you, the status of the submission of the Annual Replenishment Survey report (Vide Letter No.1739, dt.01/09/2023; enclosed as Annexure-4), which was to be done before 31st of December, 2022 failing which the EC would be revoked as per the Transfer of EC letter No.4038/SEIAA issued by SEIAA, Odisha, against you (Enclosed as

True copy
attached


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Annexure-5). In the same letter, the undersigned has intimated you that the Mining operation would not be allowed without a valid EC.

Whereas, you have not submitted any reply to the aforementioned letter, issued by the undersigned, till date.

You are therefore, being issued a show-cause notice for such illegal mining activities and your report should reach the office of the undersigned, within seven days of receiving this letter, failing which, action shall be taken as per 51(1)(i) of the OMMC Rule, 2016 and amendment Rules, 2023.

Encl: As above



12.10.23

Mining Officer,
Cuttack Circle, Cuttack.

Memo No. 2176...../Mines, dt. 12.10.2023

Copy submitted to the The Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.



12.10.23

Mining Officer,
Cuttack Circle, Cuttack.

True copy attested



Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Annexure-1



Phone: 0671-2491742
e-mail Id: tah.tangich-od@pic.in

**OFFICE OF THE TAHASILDAR, TANGI CHOUDWAR, JAGATPUR,
CUTTACK**

Letter No: 4300 /Date: 19/7/23

To

**Sri Sachin Kumar Sahoo
S/o Nirmal Chandra Sahoo
Vill-Bidyadharpur, PS-Chauliaganj, Cuttack**

Sub: Payment of dues in Sairat Case No.51/17-18.

Sir,

You are requested to deposit the sairat dues amounting to **Rs.23,97,042/-** towards Birupa River Sand, Bhatimunda by 31st July 2023 failing which action as deemed fit shall be taken as per OMMC Rules,2016.

Yours faithfully

Tahasildar, Tangi-Choudwar

Memo No.

4300

Date-

19/7/23

Copy to Nazir / R.I. Bhatimunda for information and necessary action.

Tahasildar, Tangi-Choudwar

**TAHASILDAR
TANGI CHOUDWAR**

Three copy attested

**Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack**

[Type here]

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
 AT- NIMPUR, P.O. JAGAIPUR, CUTTACK - 754021, PH. : 06712490357
 E-mail: mo.cuttack@odissammetals.gov.in

Letter No. 4300/Mines, dt. 19/07/2023

Annexure-2

From

The Mining Officer,
 Cuttack Circle, Cuttack.

To:

Sri Sachin Kumar Sahoo,
 Lenka Sahi, At- Bidyadharpur,
 Po- Nayabazar, Cuttack,
 Odisha-753004, Tel- 9439656194.

Sub: - Regarding demand notice issued by the Tahasildar, Tangi Choudwar,
 Dist- Cuttack, against Birupa River Bhatimunda Sand Quarry.

Ref: - Letter No. 4300, dt 19.07.2023 of the Tehsildar, Tangi-Choudwar, Cuttack.

Sir,

With reference to the above mentioned subject, I am to inform you that, the aforementioned sairat source has already been taken over by the undersigned on dt.26.07.2023. A demand notice was issued against you vide letter No.4300, dt. 19.07.2023 by the Tahasildar, Tangi-Choudwar, Cuttack for payment of pending Govt. dues of Rs.2397042.00 (Rupees twenty three lakh ninty seven thousand forty two) against the aforesaid sairat source. You had to deposit the pending dues before the Tahasildar, Tangi-Choudwar, Cuttack within a stipulated time period of 7 days, but, you have not deposited the aforesaid dues till date.

Therefore, you are hereby requested to pay the pending dues within seven days from the date of receipt of this letter, failing which, the source shall be declared as non-operational and action will be taken against you as per rule 33(19) of the OMMC Rules, 2016 and its amendment. You are also requested to submit the no dues clearance certificate (NDC) from the concerned Tahasildar for further action at this end.

Further, you are instructed to stop the mining operation in the aforesaid sand quarry immediately, failing which, action will be taken as per the OMMC Rules, 2016.

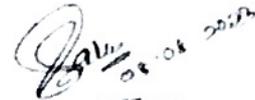
Mining Officer,
 O/o. Deputy Director of Mines,
 Cuttack Circle, Cuttack

[Signature]
 08.08.2023
 Mining Officer,
 O/o. Deputy Director of Mines,
 Cuttack Circle, Cuttack

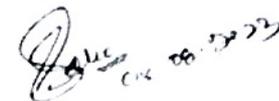
True copy attached

[Signature]
 Mining Officer,
 O/o. Deputy Director of Mines,
 Cuttack Circle, Cuttack

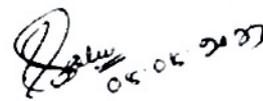
Memo No. 1532 /Mines, dt. 08/05/23
 Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.


 Mining Officer,
 Cuttack Circle, Cuttack.

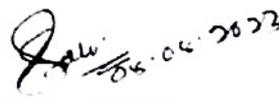
Memo No. 1533 /Mines, dt. 08/08/23
 Copy submitted to the Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.


 Mining Officer,
 Cuttack Circle, Cuttack.

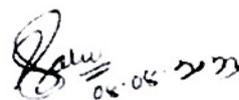
Memo No. 1534 /Mines, dt. 08/08/23
 Copy submitted to the Collector and District Magistrate, Cuttack for favour of kind information.


 Mining Officer,
 Cuttack Circle, Cuttack.

Memo No. 1535 /Mines, dt. 08/08/23
 Copy forwarded to the Tehsildar, Tangi-Choudwar, Cuttack for kind information and necessary action.


 Mining Officer,
 Cuttack Circle, Cuttack.

Memo No. 1536 /Mines, dt. 08/08/23
 Copy submitted to the IIC, Tangi Police station, Cuttack for information with a request to keep a close watch to prevent theft of the minor mineral from the said source.


 Mining Officer,
 Cuttack Circle, Cuttack.

True copy attached


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Annexure-3



GPS Map Camera

Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India
 Lat 20.541925°
 Long 86.027631°
 09/10/23 05:29 PM GMT +05:30

Google

Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

True copy attached

[Signature]
 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

Harbours :



 **GPS Map Camera**

Kani, Odisha, India
G2VG+7G, Kani, Odisha 754022, India
Lat 20.5418°
Long 86.027302°
09/10/23 05:28 PM GMT +05:30

Google

True copy attested

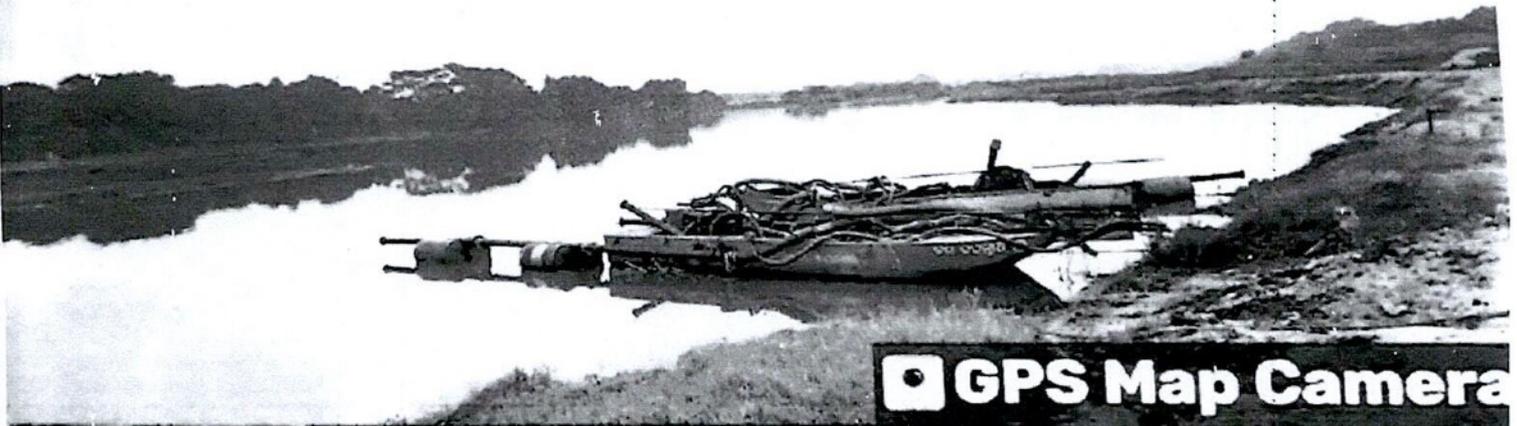


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Faint, illegible text at the bottom left corner, possibly a stamp or additional notes.

AT- NTMPUR ...

Annexure-3



GPS Map Camera

Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India
 Lat 20.541664°
 Long 86.026635°
 09/10/23 05:24 PM GMT +05:30



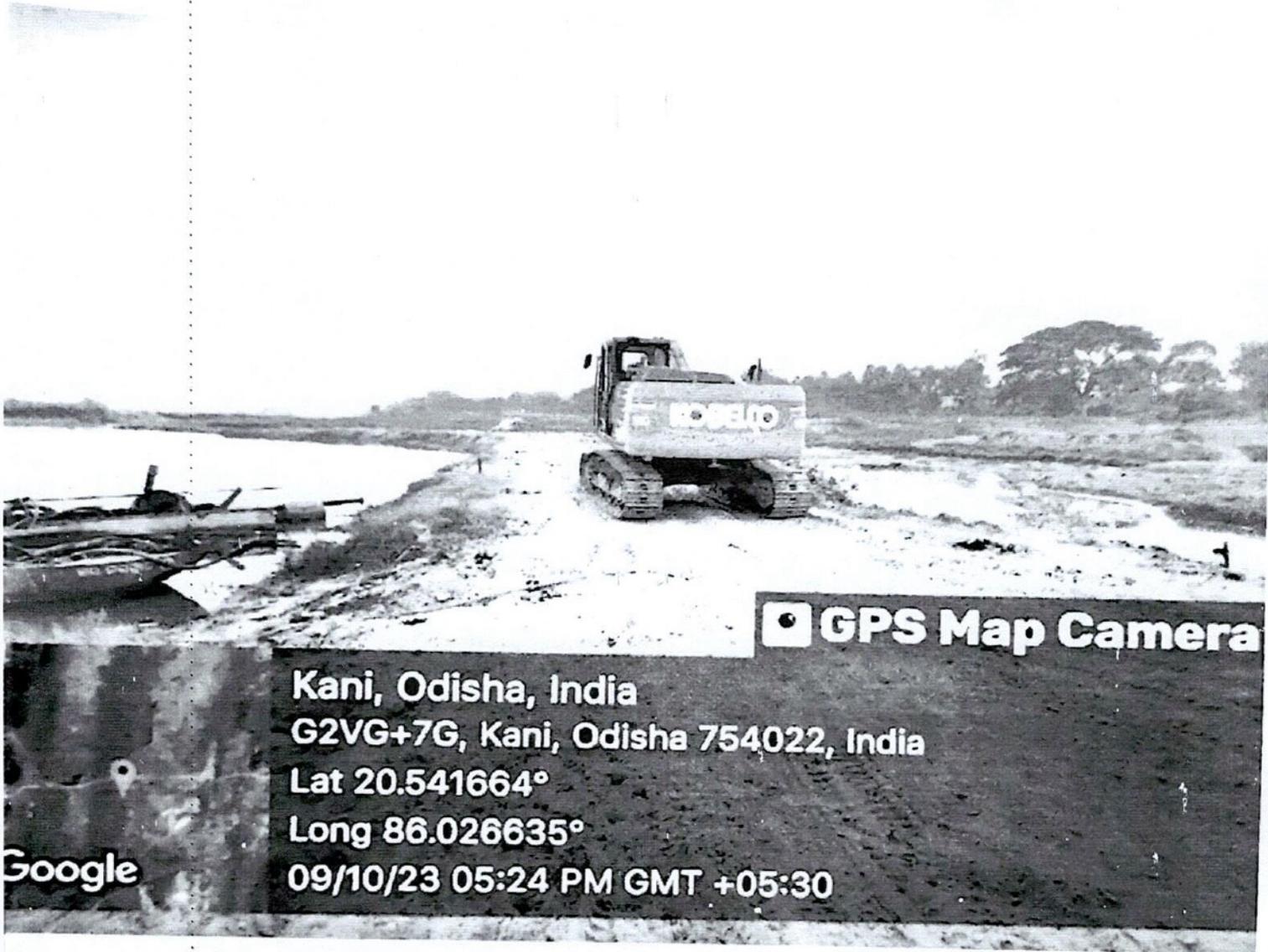
Google

Mining Officer,
 O/o Deputy Director of Mines
 Cuttack Circle, Cuttack

True copy
 attached

Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

Annexure-3



True copy attested


**Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack**

Annexure-3



GPS Map Camera

Kani, Odisha, India
 G2VG+7G, Kani, Odisha 754022, India

Lat 20.541925°

Long 86.027631°

09/10/23 05:29 PM GMT +05:30

Google

Mining Officer,
 O/o. Deputy Director of Mining,
 Cuttack Circle, Odisha

True copy attached

Mining Officer,
 O/o. Deputy Director of Mining,
 Cuttack Circle, Cuttack

Annexure-3



True copy attested
[Signature]

**Mining Officer,
 O/o. Deputy Director of Mining,
 Cuttack Circle, Cuttack**

*Mining Officer,
 O/o. Deputy Director of Mining,
 Cuttack Circle, Cuttack*

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
 AT- NIMPUR, P.O.-JAGATPUR, CUTTACK - 754021, PH. : 06712490357

E-mail - mo.cuttack@orissaminerals.gov.in

Letter No. 139 / Mines, dt 01.09.2023

61 Recd. P.O. 23

From

The Mining Officer,
 Cuttack Circle, Cuttack

To

Sri Sachin Kumar Sahoo,
 Lenka Sahi, At- Bidyadharpur,
 Po- Nayabazar, Cuttack,
 Odisha- 753004 Tel- 9439656194

Annexure-4

Sub: - Regarding submission of the Annual replenishment survey report for the year 2022-23.

Ref: - EC document issued by SEIAA against "Tithapada-I Devi river Sand" and "Birupa River sand, Bhatimunda"

Sir,

With respect to the subject cited above, I am to inform you that in order to keep your source operational, it is mandatory for you to submit the annual replenishment survey report within a stipulated time period assigned in the Environmental clearance certificate issued by SEIAA against your sairat source. As per the provisions of the SEIAA, the EC issued against you is an ad-hoc certificate and shall be revoked if the replenishment survey report is not submitted within that stipulated time period. Without a valid EC issued by SEIAA, you shall not be allowed to carry on the mining activity at your sairat source.

I therefore request you to immediately inform the undersigned by a forwarding letter, if you have not submitted the annual replenishment survey report before SEIAA, with respect to the last financial year. If you have already submitted the annual replenishment survey report, kindly inform the undersigned regarding the date of the submission of the aforesaid report, through a forwarding letter.

True copy
 attached

[Signature]

Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

[Signature]
 01.09.2023

Mining Officer,
 Cuttack Circle, Cuttack
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

Annexure-4

Memo No. 1740 /Mines, dt. 01.09.2023

Copy submitted to the Director of Mines & Geology, Odisha, Bhubaneswar for favour of kind information.

[Signature]
01.09.23

Mining Officer,
Cuttack Circle, ~~Cuttack~~
Mining Office,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Memo No. 1741 /Mines, dt. 01.09.2023

Copy submitted to the Director, Minor Mineral, Odisha, Bhubaneswar for favour of kind information.

[Signature]
01.09.23

Mining Officer,
Cuttack Circle, ~~Cuttack~~
Mining Office,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

True copy attached

[Signature]
Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



Government of Odisha
Cyber Treasury
eChallan



1.	Name of the Depositor	sachin kumar saho
2.	Depositor's Address	s/o- nirmal kumar saho at-bidyadharpur po- nayabazar Odisha Cuttack 753004
3.	District	Cuttack
4.	e Challan Reference Id	35D5C5DB8F
5.	Total Transaction Amount (In Rs.)	Rs. 500000/- (echallan- Rs. 500000/- + agency- Rs. 0/-)
6.	Amount (In words)	Five Lakh Only

Head of Account

Description	Head Of Account	Amount	Challan Number & Date
Odisha Minor Mineral Concession Rules	0853-00-102-0217-02021-000	Rs. 500000/-	0853/7324 - 20/12/2023
	Total Amount	Rs. 500000/-	

Bank Details:

Name of the Bank	ICICI BANK
Mode of Transaction	Net Banking
Bank Transaction ID	2012424152
Bank Transaction Date & Time	19/12/2023 02:31:59 PM
Bank Transaction Status	Successful: Confirmation Received from Bank as Success

Payment Remarks

challan of bhatimunda sand sairat

GOVERNMENT OF ODISHA
Directorate of Treasuries and Inspection

True copy attested

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

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

Generated on : 29/07/2024 11:22:01 AM

ANNEXURE-14

TimeLine DetailsProposal received date at each stage of flow.

Proposal No.* : SIA/OR/MIN/300740/2023

Project Name* : BHATIMUNDA SAND QUARRY OVER AN AREA OF 4.993HECTARES UNDER TANGI CHOUDWAR TAHSIL OF CUTTACK DISTRICT

Project Sector* : Non-Coal Mining

Date of submission* : 30 May 2023

Submitted by Proponent	Query for Shortcoming(if any) by SEIAA	Resubmission of Proposal by Proponent	Accepted by SEIAA and forwarded to SEAC	Query for Shortcoming(if any) by SEAC	Resubmission of Proposal by Proponent	Accepted by SEAC	Forwarded to SEIAA for EC	EC Granted
30/05/2023	N/A	N/A	10/06/2023	N/A	N/A	28/06/2023	NA	10/01/2024

True copy attested

Mining Officer,
Ofc. Deputy Director of Mines
Cuttack Circle, Cuttack



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/300740 /2023

Dated 10th January 2024
Bhubaneswar

To

Sri Sachin Kumar Sahoo,
S/o- Nirmal Kumar Sahoo
At- Naranpur, Ps-Baranga
Dist-Cuttack, Pin-754022, Odisha

Sub: Proposal for Amendment of Environmental Clearance (EC) of Bhatimunda River Sand Quarry (River-Birupa) over an area of 12.34 Acres or 4.993 Ha. at Village Bhatimunda, under Tangi-Choudwar Tahasil, District Cuttack, Odisha of Sri Sachin Kumar Sahoo, the PP/Successful bidder/lessee-reg.

Ref: (i) EC identification no. 2409/SEIAA dated 30.08.2021 & EC transfer vide letter no.4038/SEIAA dt. 22.02.2022
(ii) Letter of Tahasildar Tang-Choudwar letter no. 2183 dt. 03.04.2023
(ii) Online Application no. SIA/OR/MIN/300740 /2023 dtd.30.05.2023

Sir/Madam,

This has reference to your online application no. SIA/OR/MIN/300740 /2023 dated 30.05.2023, wherein you have requested for amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. 2409/SEIAA dated 30.08.2021 in favour of Sri Sachin Kumar Sahoo, the lessee/successful bidder.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 149th meeting held on 28.12.2023 & 29.12.2023 in accordance with the EIA Notification, 2006 as amended from time to time and the following points are noted;

(i) This is a proposal for amendment of EC of Bhatimunda River Sand Quarry (River-Birupa) over an area of 12.34 Acres or 4.993 Ha. at Village Bhatimunda, under Tangi-Choudwar Tahasil, District Cuttack, Odisha.

1

Free copy attested

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. 2409/SEIAA dated 31.08.2021 and EC transfer vide letter no. 4038/SEIAA dt. 22.02.2022 in favour of Sri Sachin Kumar Sahoo for Bhatimunda River Sand Quarry over an area of 12.34 Acres or 4.993 Ha. at Village Bhatimunda, under Tangi-Choudwar Tahasil, District Cuttack, Odisha.
 - (iii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand was 39780 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-5400 cum.
 - (iv) The SEIAA also granted EC for 1st year production 2000 cum with depth of mining 2.0 meter.
 - (v) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that "Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31st December 2022 if satisfactory replenishment study report is not submitted."
 - (vi) The PP has submitted EC compliance report and mentioned that 1500 cum sand already extracted from the source in 1st year.
 - (vii) Now, the PP has submitted amendment of EC application and submitted replenishment study report by RQP Sri Pradeept Mohapatra along with World Consultancy Services Pvt. Ltd. with mentioned that pre-monsoon RL 38.9219m and post-monsoon 39.3123m and 2057.4 cum of sand replenished in the said sand bed and proposed production for next year is 2057.4 cum.
 - (viii) Documents submitted for amendment of EC;
 - a. Form No. 4 for amendment of Environmental Clearance,
 - b. Letter of Tahasildar Cuttack Sadar letter no. 2183 dt. 03.04.2023
 - c. Replenishment study report
3. The proposal was placed in SEAC meeting held on 13th, 15th, 17th & 18th November 2023 and after detailed discussion, the SEAC recommended that mineable quantity may be recommended as per Replenishment quantity.
4. Amendment of Environmental Clearance (EC) of Bhatimunda River Sand Quarry (River-Birupa) issued vides SEIAA, Odisha EC identification no. 2409/SEIAA dated 30.08.2021 in favour of Sri Sachin Kumar Sahoo, is allowed to **2050 cum per year** for the rest of the lease period i.e. for the 2nd year, 3rd year, 4th year and 5th year. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with following additional stipulation:

Additional stipulation

- (i) The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.

2

True copy attached

Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

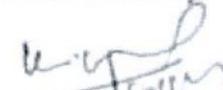
SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

- (ii) The validity of EC is for validity of DSR or validity of lease period whichever is earlier.
- (iii) **Boundary Demarcation:** -The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- (iv) **Intimation of EC:** -The copies of the EC shall be sent to the Sarpanch (s) of the concerned Gram Panchayat (s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- (v) **Tree Plantation:** -Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.2,50,000/- with the respective District Environment Society for raising 500 plants of native species within 2 years in a suitable location adjoining to quarry or other places.
- (vi) **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar /Mining Officer and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.

The Project Proponent shall comply the above conditions and also to upload/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of transfer of EC, falling which the EC stands automatically revoked.

In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


 Member Secretary

Encl: Copy of the Original EC

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.

3

True copy attached


 Mining Officer,
 O/o. Deputy Director of Mine,
 Cuttack Circle, Cuttack



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.
8. Copy to the Collector/Sub Collector, Cuttack and Tahasildar Tangi-Choudwar /Mining Officer, Cuttack for information and necessary action.
9. Chairman/Member / Member Secretary, SEIAA for information.
10. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
11. Guard file for record.



[Signature]
Member Secretary

True copy attested
[Signature]

pto. Deputy Director of Mine
Cuttack Circle, Cuttack

mail / Regd post



OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH. : 06712490357

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 957 / Mines, dt. 18.09.23

From

The Mining Officer,
Cuttack Circle, Cuttack.

To:

Sri Sachin Kumar Sahoo,
Lenka Sahi, At- Bidyadharpur,
Po- Nayabazar, Cuttack,
Odisha-753004. Tel- 9439656194

Sub: - Demand Notice regarding the payment of Annual royalty against Birupa River Sand Bhatimunda, Tangi-Choudwar Tehsil, Cuttack District under Cuttack Mining Circle.

Sir,

With reference to the subject cited above, I am to inform you that, the aforementioned sand source has already been taken over by the undersigned on dt. 26/07/2023. As per the information furnished by the Tehsildar, Tangi-Choudwar, the 1st year of your 5-year lease period with reference to the aforesaid sand source has already ended on 17th of May, 2023 during which, you were allowed an annual MGQ of 2000 Cubic Meter. There were pending dues against the aforesaid sand source, till the date of hand over. However, you have deposited NDC till 31st March 2023. There are pending dues against the aforesaid sand source with respect to the 1st year of your 5-year lease period i.e., from 18th of May, 2022 to 17th of May, 2023.

However, in order to continue mining operation at the aforesaid sairat source through the 2nd year of the 5-year lease period, you have to pay following amount in head of Royalty, Additional Charge, Surface rent, Dead Rent, T.C.S, E.M.F, D.M.F. Since the modified EC from the SEIAA has been issued against the aforesaid source bearing file No.SIA/OR/MIN/300740/2023, the annual demand containing

True copy attested P.T.O.


 Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack

the aforementioned heads is hereby calculated on the basis of MGQ allowed for the current year i.e. 2050 CuM, from 18th of May, 2023 to 17th of May, 2024.

Head	Calculation based on annual MGQ of 2050 CuM	Amount (In INR)
Royalty	INR 35 * 2050 CuM	71750.00
Additional charge	INR 2800 * 2050 CuM	5740000.00
DMF (10% of Royalty)	10 % of INR 71750.00	7175.00
EMF (5% of Royalty)	5 % of INR 71750.00	3587.50
Surface Rent	INR 360*4.993 hect.	1799.00
Dead Rent	10500* 4.993 hect.	52458.00
TCS 2 % of (Royalty + Additional charge)	2% of 5811750.00	116235.00
Total		5993004.50 (Fifty-nine lakhs ninety-three thousand four rupees and fifty paisa only)

I therefore request you to pay the aforementioned amount at the earliest as per the following instructions.

- A payment against Royalty, Additional Charge, Surface rent and Dead rent of 5866007.00 (Fifty-eight lakhs sixty-six thousand seven rupees) through treasury deposit under the following Head of Account (Copy of the treasury challan must be deposited at the office of the undersigned)

TREASURY HEAD :-

"0853-102-0217-02021"

"0853-Non-Ferrous Mining and Metallurgical Industries-102- Mineral Concession Fees, Rents and Royalties-0217-Receipts under Odisha

True copy
attested P-T-O



Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

Minor Minerals Concession Rules-02021-Collection of Fees Rents and royalty"

- A payment against DMF of Rs.7175.00 (Seven thousand one hundred seventy-five rupees only) in DMF S/B accounts no. 35591549944 with IFSC Code- SBIN0000059, in State Bank of India. A copy of the receipt of the above transaction against DMF should be deposited before the office of the undersigned.
- A payment of Rs.3587.50 (Three thousand five hundredeighty-seven rupees fifty paisaonly) towards EMF as a demand draft, pledged in favour of Odisha Environment Management Fund (OEMF) Trust. The Demand Draft should be submitted before the office of the undersigned.
- A payment of Rs.**116235.00** towards the TCS either with the help of the online Income Tax portal or by offline.

Further, I am to inform you that an non-payment of requisite Govt. dues before 31st of March, 2024, appropriate action shall be taken as per rule no.47 of the OMMC rules, 2016 (Amendment up to 2023) which states the following;

*"47. Interest on delayed payment: — If the holder of prospecting license-cum-mining lease or mining lease or quarry lease fails to make payment of royalty, rent, fee or any sum payable by him under these rules within the due time, **simple interest at the rate of twenty four per centum** per annum on such dues shall be charged until payment of such dues is made."*

The Pending dues against the aforementioned source between Dt.01.04.2023 to Dt.18.05.2023 shall be calculated once the office of the Tehsildar provides necessary information.

You are therefore instructed to pay the aforesaid amount at the earliest as per the given instruction for further action at this end.


15.03.24
Mining Officer,
Cuttack Circle, Cuttack

True copy attested


Mining Officer,
O/o. Deputy Director of Mines
Cuttack Circle, Cuttack

ANNEXURE-17

By Email/Fax
OFFICE OF THE ADVOCATE GENERAL : ODISHA: C U T T A C K
 FAX No.0671-2507846 Email- advgenodisha@gmail.com

NO. 35248(6) /DTD. 18.06.2024.

To

1. The Additional Chief Secretary to Govt. of Odisha,
Steel & Mines Department, Lokseva Bhawan,
Bhubaneswar, Dist. Khordha.
2. The Director(Minor Minerals Steel & Mines Department),
Lokseva Bhawan, Bhubaneswar, Dist. Khordha.
3. The Collector-cum-District Magistrate,
At/P.O./Dist. Cuttack.
4. The Tahasildar, At/P.O./Dist. Cuttack.
5. The Deputy Director of Mines,
Cuttack Circle, Cuttack, Dist. Cuttack.
6. The Mining Officer Cuttack, Dist. Cuttack.

Sub: W.P(C) No. 12919 of 2024 filed by Sachin Kumar Sahoo- Vrs-State of Odisha and others.

Sir,

This is to inform you that the aforementioned writ petition was filed by the petitioner inter-alia seeking direction for modification of the letter dtd.18.03.2024 passed by the Opp.Party No.6-Mining Officer, Cuttack and also extension of Sand Quarry Lease with effect from 10.05.2023 for operation of Sand Sairat namely Birupa River Sand, Bhatimunda, under Tahasil-Tangi-Choudwar, Mouza-Bhatimunda, Khata No.441, Plot no.1116, Dist. Cuttack. The aforesaid matter was listed before the Hon'ble Chief Justice and Hon'ble Justice Savitri Ratho on 18.06.2024, wherein the Hon'ble Court was pleased to dispose of the writ petition with a liberty to file appeal within a period of 30 days. The copy of Writ petition is available in official website i.e. <http://orissalms.in/lms/> (Contact No.0671-2509188).

You may be pleased to get the copy of order dtd.18.06.2024 available in High Court Website.

Yours faithfully,



(Prabhu Prasad Mohanty)
 Addl.Govt.Advocate
 Ph.No.9437019196

True copy attached



Mining Officer,
 O/o. Deputy Director of Mines
 Cuttack Circle, Cuttack