

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL EASTERN
ZONE BENCH, KOLKATA
APPEAL NO OF 2024**

IN THE MATTER OF:

CHITTA RANJAN MAHANTA & OTHERS

APPELLANTS

VERSUS

STATE OF ODISHA AND OTHERS ...

RESPONDENTS

INDEX

Sl No.	Description of Documents	Page
1	Memorandum of Appeal	1-43
2	Copy of Environment clearance letter dated 13/05/2024 as ANNEXURE-1	44-63
3	Copy of order dated 7/02/2023 is Annexed here with as ANNEXURE-2	64-70
4	Copy final NGT order dated 22.08.2023 is annexed here with as ANNEXURE-3	71-109
5	PIB report dated 3/02/2022 is annexed as <u>ANNEXURE 4</u>	110
6	presentation dated 18 th March 2023, letter dated 16 th March 2023 and representation to MoEFCC dated 27 th March 2023 is annexed here with as ANNEXURE-5 Series	111-139
7	Copy of Land Bank data retrieved from IDCO site as Annexure-6	140-141
8	Copy of the letter dated 29/11/2021 and objection letter 27/12/2021 is here unto annexed as ANNEXURE-7.	142-153
9	Copy of DFO report dated 11/11/2020 as Annexure 8 series.	154-159
10	List of local tribal medicinal plants that are available in the proposed land in question as ANNEXURE-9.	160-163
11	The copy public hearing notice and objection regarding the same as Annexure 10 series.	164-240
12	Copy of Newspapers dated 25 th May 2022 as in Annexure-11.	241-245
13	Photographs of injured people as ANNEXURE 12.	246-249
14	The copy of the grievance dtd. 16.06.2022 forwarded to Collector, Sundergarh and as Annexure 13.	250-253
15	Copy of the order of Hon'ble Odisha High Court dated 12/09/2022 and NGT order dated 07/12/2023 as ANNEXURE-14.	254-262

16	Show Cause Notices Sponge iron plant habitual violator of environment norms in nearby area as ANNEXURE-15	263-274
17	Comments on FINAL EIA vs. DRAFT EIA and Baseline Data as ANNEXURE-16	275-291
18	V- Nama and authorisation	292-296

PLACE: BHUBANESWAR

S.Pani A.Padhy

SANKAR PRASAD PANI ASHUTOSH PADHY
ADVOCATE

DATE- 11TH JUNE 2024

PLOT NO 2132/4814, NAGESWARTANGI, BHUBANESWAR, 751002,

CELL9437279278, **Email:**sankarprasadpani@gmail.com

SYNOPSIS

That the present appeal is being filed challenging the grant of Environmental Clearance in favor of M/s KAI INTERNATIONAL PRIVATE LIMITED for Establishment of Iron Ore Beneficiation Plant- 1.5 MTPA, Iron Ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant –27,000 Nm³/hr, at Village - Kapanda, Tehsil –Lahunipara, District - Sundergarh, Odisha. That there was previously an application filed such as OA 94 of 2021 before Hon’ble NGT regarding the illegal and indiscriminate felling of more than ten thousands of trees and there by clearing the tree growths, developing the land, making approach road and construction of boundary wall. And during the public hearing Project proponent (hereafter PP for short) along with the local police obstructed the villagers to reach the spot. That the DRAFT EIA report presented before the Public Hearing and the FINAL EIA are two different. It is settled principle that environment clearance can not be granted on the basis of an EIA report which was never placed before public Hearing. Further there has been no Biodiversity Impact Assessment, Cumulative Impact assessment and Carrying Capacity Study of the area in question. The Draft EIA is full of misleading facts and the data claiming the baseline study are false. Hence the EIA is inadequate and doesn't represent the true picture of the affected area. The land is question qualifies to be the dictionary meaning of forest land in terms of TN Godavarman case and same have not been considered. Public Hearing was not free and fare, hence a faulty public hearing and same can not the basis for grant of environment clearance.

LIST OF DATES

08/10/2021	Order passed by the Hon'ble NGT in OA 94/2021/EZ
19/04/2022	Notice issued for public hearing.
13/05/2022	Grievance by the villagers for review and cancel the scheduled public hearing.
01/06/2022	News published in various news papers regarding the unfair public hearing.
16/06/2022	Complaint to MOEF& CC
05/09/2022	Grievance to the secretary MOEF&CC
01/12/2022	Order passed by the Hon'ble High Court of Orissa in W.P.(C) 473 OF 2022.
16/03/2023	Grievance to the Director general of forest, MOEF&CC
13/05/2024	Environmental Clearance granted in favor of M/s KAI INTERNATIONAL PRIVATE LIMITED

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

(Under Section 18(1) read with Section 16 (h) of the National Green
Tribunal Act 2010)

Appeal No _____/2024

IN THE MATTER OF:

1. Chittaranjan Mahanta S/O- Mahendra Mahanta Aged about 42years
2. Samaresh Mahanta S/O-Maghanad Mahanta Aged about-43 years
3. Nirakara Sahu, S/o Dwarikanath Sahu, aged about 51 years
4. Shiba Charan Mahanta, S/o Sambaru Mahanta, aged about 52 years
5. Saheb Mahanta, S/o Jagannath Mahanta, aged about 63 years
6. Trilochan Mahanta, S/o Prana Krishna Mahanta, aged about 61
years
7. Pitambara Mahanta, S/o Sambaru Mahanta, aged about 67 years
8. Hrushikesh Mahanta, S/o Bhima Mahanta, aged about 55 years
9. Santosh Mahanta, S/o Iswara Mahanta, aged about 44 years
10. Baneswar Munda S/o pandru Munda aged about 28 years

(Appellant Number 1 to 10 are residents of At -Kapanda, Po- Bad
purnapani, PS- Lahunipara, Dist - Sundargarh, Odisha, Pin -770040)

APPELLANTS

VERSUS

1. UNION OF INDIA Through the Secretary, Ministry of Environment,
Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh, New
Delhi – 110003; Email - mef@nic.in, secy-moef@nic.in
2. State of Odisha through Chief Secretary of Odisha, LokaSeva
Bhawan, Bhubaneswar, 751001; Email - csori@nic.in

3. Additional Chief Secretary, Forest and Environment Department, Kharbela Bhawan, Bhubaneswar, Government of Odisha 751001; Email - fesec.or@nic.in
4. District Collector, Sundargarh, At/Po/Dist- Sundergarh, Odisha, 752001; Email - dm-sundergarh@nic.in
5. Divisional Forest Officer, Rourkela, At/Po/Ps- Rourkela, Sundergarh; Email - dforourkela@yahoo.co.in
6. Managing Director, Orissa Industrial Development Corporation (IDCO) IDCO Tower, Exhibition Ground, Bhubaneswar, Odisha 751001; Email - cmd@idco.in
7. Chairman, Odisha State Biodiversity Board, Bhubaneswar, PO-IRC village, Bhubaneswar-15; Email - msobb@rediffmail.com
8. M/s. K A I International Private Limited, Through it's director , At/Po- CCC-23, Civil Township, Rourkela; Email - info@groupkalinga.com
9. Visiontek Consultancy Services Pvt. Ltd. Represented Through it's Managing Director, At/Po-Plot No- M-22 & M23, Chandaka Industrial Estate, Patia, Bhubaneswar- 751024 Phone No.: 91-674-3511721, Website- www.visiontek.org; E-mail- visiontekin@gmail.com.

...RESPONDENTS

It is Most Respectfully Showeth;

1. That the present Appeal is filed challenging the grant of Environment Clearance dated 13/05/2024 in favor of private respondent KAI International Private Limited, Greenfield Project For Installation Of Iron Ore Beneficiation Plant- 1.5 MTPA Throughput (1.16 MTPA High Grade

Ore), Iron Ore Pelletization Plant – 1.2 MTPA And Producer Gas Plant – 27,000 Nm³/hr, located at Village - Kapanda, Tehsil –Lahunipara, District - Sundergarh, Odisha. Copy of Environment clearance letter dated 13/05/2024 as **ANNEXURE-1**

2. That the appellants are the resident of Kapand Village where the project is proposed and will be directly affected by the project. Further the appellant have been continuously raising the issue of possible impact of the project before the concerned authorities including MoEFCC which has been ignore and not considered while granting environment clearance.
3. The Kapanda forest (Chadri Huli), spanning a total proposed area of 117.00 acres in Mouja – Kapanda, Tahasil- Lahunipada, Dist- Sundergarh, serves as a vital ecological resource contiguous to Kukia Reserve Forest. Despite its classification as non-forest land, the proposed requisition of 135 acres by IDCO for industrial activities, notably the establishment of a steel plant and associated facilities, raises significant environmental and social concerns. On 9/06/2020, local villagers protested against this proposed alienation on the ground that the proposed land is a physical forest with matured trees and their has been no consultation with the gram sabha. Additionally, the proposed site's proximity to Kukia Reserve Forest and other reserve forests within a 10 km radius, habitats of wild animals with rare and endangered species, exacerbates ecological risks. The reliance of local tribal on this forest for

their livelihood further underscores the detrimental impact of industrialization on their communities. Despite numerous grievances raised by the locals to the authorities, no substantial action has been taken. Hence, seeking intervention, the petitioner has approached the Hon'ble NGT at Kolkata.

4. That Hon'ble NGT vide order dated 7/02/2023 in OA 94 of 2021/EZ has observed the following and same is reproduced as follows

Para 11- “As against above, the minutes of the reconstituted EAC dated 11-12 November, 2021 show that ToRs have been recommended without considering validity of permission granted by the DFO for cutting of the trees and also the pollution potential as earlier considered. There is no change of circumstance for revisiting decision of EAC dated 26.2.2021. Thus, grant of TOR is prima facie vulnerable.

Para 12- Further, permission for felling of trees by the DFO is prima facie against the mandate of law laid down in judgement of the Hon'ble Supreme Court in T.N Godavarman (Supra) and Lafarge Umiam Mining Pvt. Ltd (Supra). The said view has been reiterated inter alia in TN Godavarman(2014) 4 SCC 61, BDA v. Sudhakar Hegde (2020) 15 SCC 63 and TN Godavarman (2022) 4 SCC 289. When there are large number of trees in the land, it has to be treated as forest notwithstanding its description as 'barren' in revenue record. Thus, matter is governed by the Forest (Conservation) Act, 1980 attracting prohibition against its use for non-forest purpose without requisite Forest Clearance (FC) from

Central Government on consideration of Forest Policy 1988 and other relevant factors including that such activity will have adverse impact on animal habitat and elephant movement which view finds mention in minutes of EAC dated 26.2.2021 which is not shown to have been duly considered.

Para 13- Thus, there being prima facie strong case in favor of the applicants, we continue the interim order dated 08.10.2021 and also direct that no further steps for the project be taken by the PP without requisite EC and permissions. Process of consideration by EAC ignoring earlier view dated 26.2.2021 will be illegal. At the same time, instead of straightaway quashing the project at this stage, we consider it necessary to obtain an independent appraisal of the issue **in the interest of protection of the environment under section 15 read with section 20 of the NGT Act, 2010.**

Para 14- Accordingly, we constitute a joint Committee of nominee of DG Forest, MoEF&CC (not below the rank of ADG), Integrated Regional Officer of MoEF&CC, Bhubaneshwar, PCCF (HoFF), Odisha, Chief Wildlife Warden, Odisha and the District Magistrate, Sundergarh.

The Committee may undertake visit to the site, ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas. The Committee may meet within one month. It will be free to associate any other individual/ institution/agency and interact with the stake holders. The nodal agency for coordination and compliance will be the Integrated

Regional officer of MoEF&CC, Bhubaneswar for coordination and compliance. The Committee may give its report within two months by email to the NGT Registrar, EZB by email with a copy thereof to the PP. The report may also be placed on the website of Integrated Regional Office of MoEF&CC for being accessed by the applicants or any other interested persons who will be free to respond to the report before the next date. The EC proceedings will remain stayed till further orders.”

Copy of order dated 7/02/2023 is Annexed here with as **ANNEXURE-2**.

5. That the committee report dated 06/04/2023 was filed by the MoEFCC and our objection to that report was filed on dated 24/07/2023 before the Hon'ble NGT. That a bare perusal report which does not have any scientific discussion in respect of the impact of the project and do not have discussed what kind of vegetation, medicinal plants, dependency on the forest and its ecological importance. Further the site use to be the catchment area of for the nearby check dams as well as for irrigation to adjoining agricultural lands will all be affected has not been discussed. The report is prepared as if to clear the project and the generic statement saying if pollution control measures, then will not have adverse impact. Since the land is virgin and surrounded by reserve forest and hillock in three sides so the entire pollution load will be concentrated in the adjoining forest and human habitation. The height of the hillock has not been taken into account rather stated that if the stack height will be more than the height of Hillock, then pollution can be dispersed. This is absolutely vague and no serious thought have been given. In fact in the

entire report no discussion has been made in particular to such a peculiar site, rather a generic one.

6. That the Hon'ble NGT vide order dated 22.08.2023, has disposed of the matter remitting the issue to be considered by Expert Appraisal Committee and MOEFCC while grant/rejection of Environment Clearance . The relevant para 50 and 51 is reproduced as follows

“Para50. In view of above, we are of the view that the facts as they stand need to be examined by the Expert Appraisal Committee before whom the question relating to grant of **Environmental Clearance to the Project Proponent is still pending and the question whether the Project Proponent is in violation of the Notification dated 19.08.2010 read with subsequent notification dated 29.03.2022 issued by the MoEF&CC,** considering the fact that the Project Proponent has also deposited a sum of Rs. 62,77,740/- (Rupees Sixty Two Lakhs Seventy Seven Thousand Seven Hundred Forty only) towards royalty and replantation of the trees, is a matter which needs to be examined by the Expert Appraisal Committee. Question as to whether the Project Proponent, Respondent No.9, is liable for payment of Environmental Compensation for loss caused to the environment is also required to be considered by the MoEF&CC in totality of the facts and circumstances of the case and the judgments of the Hon’ble Supreme Court.

Para51. Considering the totality of the case and the law laid down by the Hon’ble Supreme Court, we dispose of the Original Application 94/2021/EZ

with a direction to the Respondent No.8, MoEF&CC, to take a decision in the matter of grant of Environmental Clearance to the Project Proponent, Respondent No.9, in accordance with law”

Copy of NGT final order dated 22.08.2023 is annexed here with as **ANNEXURE-3.**

7. The MoEFCC have failed to consider certain issues raised in the final order and same has been listed out as follows

I. That Para No. 2: *“Large scale felling of trees to the extent of almost 10,000 trees has been carried out”*. Local tribal villagers, acting as eyewitnesses, have submitted a comprehensive report with geotagged pictures of the 17 distinct lots of the felled trees as evidence, serving as evidence. Despite the District Forest Officer (DFO) granting permission for the felling of 1500 trees, the project proponent (PP) has unlawfully cut down more than 10,000 trees.

It is utter surprise that all these illegal activities were not reviewed by both the site visiting Committee members, MoEFCC and the relevant local authorities. The entire situation raises suspicions and remains questionable, as the unauthorized activities went unnoticed.

ii. That Para No. 18: *“the minutes of the reconstituted EAC dated 11-12 November, 2021, show that ToRs have been recommended without considering validity of permission granted by the Divisional Forest Officer for cutting of trees and also the pollution potential as earlier considered. There is no change of circumstance for revisiting decision of EAC dated 26.02.2021. Thus, grant of TOR is prima facie vulnerable”*.

iii. That Para No. 19: Further, *permission for felling of trees by the Divisional Forest Officer is prima facie against the mandate of law laid down in the judgment of the Hon’ble Supreme Court in T.N Godavarman (Supra) and Lafarge Umiam Mining Pvt. Ltd (Supra).*

When there are large number of trees in the land, it has to be treated as forest notwithstanding its description as 'barren' in the revenue record. Thus, matter is governed by the Forest (Conservation) Act, 1980, attracting prohibition against its use for non-forest purpose without requisite Forest Clearance (FC) from Central Government on consideration of Forest Policy, 1988, and other relevant factors including that such activity will have adverse impact on animal habitat and elephants' movement which view finds mention in minutes of EAC dated 26.2.2021 which is not shown to have been duly considered.

iv. That Para No. 20: *Process of consideration by EAC ignoring earlier view dated 26.02.2021 would be illegal.*

V. That Para No. 29: *the letter of the Divisional Forest Officer, Rourkela, dated 11.11.2020 (Annexure-2, page 522 of the paper book) mentions that Plot No.1104 and Plot No.1107 (P) has been jointly verified by the Range Officer, Banki, and the Revenue Inspector, Darjing; the plantation has been taken-up over 25 hectares under CAMPA OWP during 2015-16 and over 100 hectares under CAMPA ANR with Gap Plantation during 2018-19 at Kapanda-Badbahal KF, by Rourkela Forest Division.*

Vi. That Para No 31: *“.. that 135 acres of land of the aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40% to 70% with very good biodiversity. It is also stated that though the area is not included in the DLC report but due to strong protection measures, good virgin forest growth has come-up with varying canopy density of 40% to 70% subsequently. The surrounding villages depend heavily on that patch of forest to earn their livelihood.*

Vii. *In the same letter issued by the DFO Rourkela, it is stated that the elephant movement also occurs through the land as requested for the establishment of Industry. Fauna like Wild Bour, Rabbit, Peacock,*

Porcupine, barking Deer etc in good numbers. Sometimes the presence of Leopard and Elephant movement is also noticed in the said area. Endangered flora and fauna (Schedule I & II and others) are well noticed in that area. It would be seen illogical and irrational not to include such finest species of flora under the dictionary meaning of forest.

This forest land is well known for the abundance of a wide variety of peacocks, which is easily revealed by their scream both day and night. Apart from this, in the proposed site there are series of birds under Schedule-I are also commonly found. Also, the site proposed to establish industry is close proximity to the many reserve forest, whereby Kukia reserve forest is close proximity.

Reviewing the declaration, the private proponent and action DFO, Rourkela has not provided correct informations in their submissions and the proposed project proposal was submitted illegally with suppression of facts. We request this reports to be investigated against the actual facts/data on an urgent basis by the concerned authorities.

Viii. That Para No 34: “The Committee constituted by the Tribunal by its order dated 07.02.2023 has submitted its report”. In the observation section it is stated that *“These stipulations are indicative and not exhaustive”*

– In light of this, we, as local villagers, pose a fundamental question: What forms the basis for our government's decision to issue Environmental Clearance (EC) and proceed with the demolition of pristine forest land for the establishment of a highly polluting industry?

Ix. That Para No. 37: It is stated that, *“the existing road that connects to the National Highway (NH) needs to be strengthened and mitigative measures like – water sprinkling on the 26 connecting roads have to be taken-up”* – Basis the improper report by the inspection committee, this Para is not been highlighted actual scenario.

We, the local villagers, wish to bring to your attention that the so-called "approach road" mentioned is merely a village kaccha road constructed by the Pradhan Mantri Gram Sadak Yojana (PMGSY) to provide access to the project site. The distance from the project site, linking to NH 153 near Darjing, is approximately 5 km, and the connection to NH 153 near Rajamunda Bypass is around 7 km.

The movement of heavy vehicles through the forest road, village road, or other kaccha roads from the project site is not feasible. This village road traverses primarily through and alongside the forest/reserve forest site, posing a significant impact on the wildlife inhabiting the adjacent forest along the road. Moreover, it may increase the risk of accidents for tribal villagers using the road. It appears that these critical aspects were not adequately reviewed by the local concerned authorities before allocating this site for the establishment of an industry.

X. Para No 40: As highlighted under this section, the stumps of the felled trees are removed before issuance of Timber Transit Permit and removed their stumps for which the exact number of such trees needs to be computed by the Forest Department and appropriate penalty should be levied against the PP and concerned authorities.

Xi. That Para No 42 and 43: Still questionable and request to MoEFCC and EAC committee to review properly and take appropriate action against the PP, Rourkela DFO and involved key officials.

Xii. That Para No 44: The Para on "on record emerging from the letter of the Divisional Forest Officer, Rourkela Division, dated 24.06.2021 is that there were 5856 trees standing on Ac. 117.00 of the said land..." is a false statement. We the local villagers has calculated independently and there more than 100,000 trees over the Ac. 117.00 of the said land. This false report by the Rourkela DFO, can be easily crosschecked from anywhere Google earth and/or other satellite based. Given this, it is

imperative to take prompt action against the Rourkela DFO for providing false statements and potentially acting with vested interests.

Moreover, historical records indicate that this parcel of land was previously categorized under the "Forest Category" (That to Annexure -3). It is essential that concerned authorities thoroughly investigate this matter to save the nature forest.

By providing brief violation by the PP towards the environments and Hon'ble NGT has given further evaluating provision and to take appropriate action/decision by the Expert Appraisal Committee for loss caused to the environment by to be considered by the MoEF&CC in totality of the facts and circumstances of the case and the judgments of the Hon'ble Supreme Court.

8. That while granting EC, MoEFCC has ignored Google Earth images and other official methods, rather than being influenced by falsified records or reports presented by investigative authorities. Additionally, we earnestly request a thorough examination of all pertinent clauses, Indian laws, and acts related to forests, the environment, and matters concerning the welfare of the tribals. This is crucial to safeguarding our natural forests, preserving the environment, and protecting the interests of tribal communities.

That the proposed site is to be treated as Forest

9. **Forest Definition under State of Forest Report: The information was given by Shri Ashwini Kumar Choubey, Minister of State, Ministry of Environment, Forest & Climate Change in Rajya Sabha 03 FEB 2022 and reported by PIB Delhi. As per decision 19/Conference of Parties (CP) 9-Kyoto Protocol, the forest can be defined by any country depending upon the**

capacities and capabilities of the country as follows:-

Forest- Forest is defined structurally on the basis of

I. Crown cover percentage: Tree crown cover- 10 to 30% (India 10%)

II. Minimum area of stand: area between 0.05 and 1 hectare (India 1.0 hectare) and

III. Minimum height of trees: Potential to reach a minimum height at maturity in situ of 2 to 5 m (India 2m)

10. That India's definition of forest has been taken on the basis of above three criteria only and very well accepted by United Nations Framework Convention on Climate Change (UNFCCC) and Food and Agriculture Organization (FAO) for their reporting/communications. The forest cover is defined as **'all land, more than one hectare in area, with a tree canopy density of more than 10 percent irrespective of ownership and legal status. Such land may not necessarily be a recorded forest area.** It also includes orchards, bamboo and palm'. The definition of forest cover has clearly been defined in all the India State of Forest Report (ISFR) and in all the International communications of India.

11. In ISFR 2021 recently published by the Ministry on 13th January, 2022, the forest cover figures are divided as 'Inside Recorded Forest Area' and 'Outside Recorded Forest Area'. Those 'Inside Recorded Forest Area' are basically natural forests and plantations of Forest Department. The Forest cover 'Outside Recorded Forest Area' are mango orchards, coconut plantations, block plantations of agroforestry. Thus data of mango

plantations etc. is automatically getting separated out as Forest Survey of India is reporting the figures of 'Outside Recorded Forest Area' separately. PIB report dated 3/02/2022 is annexed as **ANNEXURE 4**.

12. **Report favors setting up of industry only on the ground that there is no Endemic Species**, while no such study has been conducted as because the Forest Department Working Plan is based only on Timber perspective. This could have been done by a team of biologists and no such survey has been conducted to come to a conclusion that no Endemic species is there. As such lack of endemic species does not undermine the importance Forest as an ecosystem with all other species and medicinal plants. Hence this statement is without any due diligence and proper study.
13. The report says that forests of the Purnapani- Budhikhutini-Samardari PF and Kukia RF are having less **than 0.4 crop densities** and has been kept in the Rehabilitation cum Plantation Working Circle as per the Compartment history available in the Rourkela Forest Division. This is contrary to the earlier DFO report.
14. That the report says that During the site inspection besides the member of the committee the officials of the Revenue department Sub Collector, Bonai , Tahasildar Bonai , and the Amin of that area and officials of the Forest department DFO , ACF and Range officer of Rourkela Forest Division were present. The petitioner's advocate Shri Sankar Prasad Pani, the owner of the proposed plant and some of the villagers from

Kapanda and Patajharan were also present.

The committee interacted with the villagers of both the villages. The village Kapanda is located 2 km away from the project site. Another village Patjharia is located near the site. It is stated that the committee have not taken into account the issues raised by the applicants and their advocate at the site. Needless to state that the applicants have submitted a detailed submission to the all members of committee and MoEFCC through email. Presentation dated 18th March 2023, letter dated 16th March 2023 and representation to MoEFCC dated 27th March 2023 is annexed here with as **ANNEXURE-5 Series**

Alternative barren lands/ industrial areas are not considered

15. **Committee have not explored the alternative sites:** There are alternative land to an extent of 572 Acres available for allotment and 1517 Acres of land reserved for industries in the land bank of Sundergarh district. Copy of the Report from IDCO site as **ANNEXURE-6**
16. That the document from IDCO website suggests 217 Acres of land have been taken for Land Bank and 117 Acres of land have been allotted to the private respondent. Presently 47.74 Acres of land have been proposed by the private Respondent for industrial use. It is submitted that the entire land is to be looked as whole and not in piece meals. Hence the impact on the entire land and its surrounding environment has to be assessed. And the alternative site has not been considered.
17. It is further submitted that there are alternative land to an extent of 572

Acres available for allotment and 1517 Acres of land reserved for industries in the land bank of Sundergarh district. Instead of destroying the pristine forest which has impact on adjoining Kukia Reserve Forest, the private respondent can be allotted alternative lands available in the Land Bank which will have least impact on the surrounding environment.

18. Further it is submitted that at least **130654 Acres of land area available in Odisha the Landbank of IDCO** and same has also not been explored before allotting the present site.

19. That, the site chosen for setting of the plant has not explored any alternative site and this site cannot be evaluated only from the Point of view of few tree species which were failed and more will be failed rather the site has to be evaluated considering its impact on the adjoining human habitation the reserved forest on a long term basis and the nearby Brahmani river needless to say that since the land requirement of the plant has already been reduced to 47 Acres which was earlier 117 Acre hence the same can also be accommodate in any of the industrial areas in the district or any other land banks of IDCO (2044.94 Acres).

20. It is further stated that for 3 side of the proposed industrial side is covered by reserve forest and protected forest and considering the height of the hill all the pollution that will be generated from the industry will have direct impact on the forest ecosystem and the local inhabitants. It is further stated that the committee is hopeful of the remedial majors to control pollution is a myth and practically impossible in fact the applicant have already stated before the committee on the day of inspection that the

nearest industrial area at Bonei is hugely affected by pollution and no remedial major have been taken this can be verified by a committee under CPCB it is further stated that such a polluting unit which was initially rejected by expert appraisal committee on the ground of tree density reserve forest and pollution impact has also not been considered by this committee. It is further stated that once a unit is allowed to establish in a limited area then it starts expanding its capacity and at that Point of time it becomes easier to grab more land to expand its unit. It is also stated that the IDCO has already identified 217 Acre in the same side and trying to convert the area into industrial area/estate by inviting more unit to the site hence the impact which is assumed at this point of time considering the unit has already reduced its size is not something going to happen on a long-term industrial perspective.

21. That as per the IDCO records as available in the website the Kapanda site is reserved for B category industries while the present industry is of more than 50Cr investment and red category industries, hence this land could not have been allotted for a highly polluting category industry as in the present case.

Project to be considered under violation category

22. That while executing the tree felling and construction of Boundary wall the project proponent do not have environment clearance and to that effect even No terms of reference was also issued which was issued later on 29/11/2021. On the contrary the earlier proposal was returned on the

ground of close proximity to Kukia Reserve Forest, lots of trees present in the site, high pollution potential of the project, no alternative site furnished, incomplete form 1 and Pre-Feasible Report. Hence project should have been considered under violation category. Copy of the letter dated 29/11/2021 and objection letter 27/12/2021 is here unto annexed as **ANNEXURE-7.**

23. That, though subsequently the project area is reduced to 47.74 Acres but the lease agreements stands as it is in respect of 117 acres and has not been changed yet, hence the optimisation of land use has not been considered. As such considering lesser requirement of land same can not be accommodated in any of the existing industrial areas or the land banks meant for industries.
24. It is further stated that the proposed project was rejected by the expert appraisal committee on February 2021 and one of the grounds that Kukia Reserved Forest is only 400 meters away from the proposed project which subsequently found to be only 120 meters. Hence the sensitivity of the reserve forest becomes more vulnerable when the proposed project is getting closer to a reserve forest.
25. That the report stating forest of Samardari PF and Kukia RF is having less than 0.4 density is contrary to the **Forest Range officer Banki to DFO (Rourkela) report dtd. 11/11/2020 wherein it has been stated that the 135 Acre of the land consisting well established virgin forest growth having moderately dense forest with canopy density of 40 percent to 70 percent with good diversity.** Copy of DFO report dated

11/11/2020 as **Annexure-8.**

Objection raised during visit of NGT appointed committee.

26. **The appellants have sent certain document for appraisal of the committee constituted by Hon'ble NGT through E-mail on 18.03.2023 and the hard copy of the same was also presented to committee on the day of the inspection at site which the committee refuse to accept saying all these documents received through E-mail.**
27. That the report says the Pattajharan village is located near the site and unfortunately their concerns were not being addressed by the authority either in public hearing or in Gram Sabha in both the meeting these villagers who are going to be seriously affected because of the project. Villagers were prevented from airing their concern by using police force during public hearing and company hired guns during Gram Sabha meeting.
28. That the committee **has not taken note of the fact that there are alternative sites where this plant can be established instead of using the virgin forest land with so much of trees and in close proximity adjoining reserve forest on 3 side which has been completely ignored by the committee and not been addressed** in the report
29. That the committee stating some villagers where in favor of plant because they are in opinion that they are get employment because of the plant is also untrue in fact few of the already employees of Bhaskar Steel Plant which is operated by the present proponent at Bonai 8 K.m from the present site have been brought by the proponent at the site when the

villagers and the applicant objected to their presence as because they are not the local affected people rather their employees workers of a plant at that Para of time when one of the member of the committee ask those people to raise their hand who are from the affected villages like Kapanda and Pattajharan **then only two hand were raised out of 15 people which has been arranged by the project proponent even this part has also been objected by local journalists who were waiting at the entrance to the site present but not allowed to photograph in the site. The journalists** also said how the police is allowing only supporters of the proposed plant to which the committee said we are not hear to look into the issue of plant supporters or plant opposition. This clearly suggests that the district administration in collaboration with project proponent and police administration hence engineered to create an impression that people in need of this project which is absolutely false even the same can also be ascertained from seven industries located in Bonai only 7 K.m from this site wherein a huge pollution and people are living in a absolutely unhygienic condition and the local employment is also not there, hence the plea of local employment is not paramount in the present case considering the land is virgin occupied by forest tree growth and there is a huge dependency local population on the proposed site for their survival.

30. That, the report also suggest there has been two cases of crop damage in Nuagaon village and one in Kapanda village have been reported in last 3 year from 2021 to 2023 the report further says that last year one elephant

has visited the forest and also spotted wild boar few months back hence the report saying that there is no man animal conflict is untrue as because once the crop are damaged this suggest there is a man-animal conflict that may not have caused in causality and for that it cannot be said no man animal conflict in the area it is also not clear why the committee chose to take data only 3 years which is mostly after the deforestation by the project proponent and the report could have considered the man- animal conflict of last 10 years so as to get a proper average. As such the report saying the propose plant will not have any significant impact on wildlife is not corroborate with not specific study nor the committee has not taken into account nature of pollution and its impact considering the entire pollution will be confined to the forest immediately surrounding the plant. Hence committee suggesting the plant will not have any significant impact on life is not substantiate with any specific study and same is contrary to the report saying that there are many elephants and wild boar and further the site inspection of the DFO Rourkela dtd. 11.11.2020 which says that fauna like wild boar rabbit peacock porcupine barking deer etc. in good number the same report also says that presence of leopard is noticed in the area. Elephant movement also occurs through the land as requested for establishment for industries endanger flora and fauna are will notice in that area it would be seen irrational illogical not to include such finest pieces of flora under the dictionary on forest.

31. That the report suggests the compartment history in Rourkela division the forest come under dry peninsular sal forest and these forests have been

kept under rehabilitation and plantation working circle. The report further says as per the available record in the state forest report no flora and fauna is endemic to this area. Therefore, the propose project will not have any significant effect on the nearby forest is absolutely contrary to the DFO and Range officer report on 11.11.2020 as such only the endemic cannot be a ground to discount the impact of a polluting plant on forest while there are several other parameters that decides the vulnerability of a forest where any kind of industrial activity takes place.

Bio diversity impact assessment not conducted.

32. That there has been no specific study conducted or any input taken in respect of impact of an industry on the forest and environment. That there has been no study in respect of bio diversity of the forest and the proposed site the committee suggesting there has been no endemic species and to that effect there has been no study has been conducted in fact the species those which are mentioned in the list of trees which has been failed are of trees species and no such species Thatring to scrubs or herb. Hence the view of the committee is mostly from timber species Para of view not the medicinal plant or from bio-diversity point of view on the contrary the local traditional healers mostly dependent on the medicinal plant have identified 100 of such medicinal plants a bare list of such medicinal plant has already given in the original application by one such reputed traditional hiller namely: - Piyush Munda who is also a resident of Pattajharan village. List of local tribal medicinal plants that are available in the proposed land in question is here unto annexed as

ANNEXURE-9.

33. That the committee has not taken account of the submission /objection raised during inspection and on through E-mail has been completely ignored the report itself is very sketchy and generalized. The report nowhere says about the bio diversity of the proper side and its adjoining reserve forest, impact on soil, impact on standing trees and impact on the mind set of local inhabitants it is needless to state that once an industry is allow to set up reach to and bio diversity then the emotional attachment of local inhabitants in terms of conserving the adjoining forest will be severely affect and that will lead to more deforestation in the reason. Hence those aspects have also not been included in the report which were submitted before the committee.
34. We are surprise to find that the committees consisting of most forest officers are least bothered about protection and conservation of forest which is the prime mandate of the forest department and its officer. It is also stated that the forest department has invested resource in the site and its vicinity making plantation in the year 2015-16 over 25 hectors in Kapanda and ANR with gap plantation in 2018-19 over 100acres At Kapanda. Hence the present proposal for industrialization is a threat to plantation work taken in the adjoining reserve forest and that also is a threat to the survival of the plants in the reserve forest.
35. It is submitted. that so far, the issue of land in question is concerned it will be treated as deemed forest land as per the Hon'ble Supreme Court

order in TN Godavarman Case. The applicant has filed letter dated 11/11/2020, where the then DFO Rourkela has admitted that that the site proposed for industry consists of good quality of flora that is Mahula, Sal, Asan, Char, Jamu, Banyan, Pipal and fauna like wild boar, Rabbit, Peacock, Porcupine, Barking Deer in good numbers. Sometimes presence of leopard is also noticed in the said area. Elephant movement also occurs through land as requested for establishment of industry. Endangered flora and fauna of Schedule I and II are well noticed in that area. **It would be seen illogical and irrational not to include such finest species of flora under dictionary meaning of forest.**

Further the same letter says that as per Lafarge Judgement 2011 of Hon'ble Supreme court, the site may be **inspected by state forest department along with Standing Site Inspection Committee constituted by regional office of MoEFCC to ascertain the status of forest based on which a certificate in this regard may be issued.**

That the letter further states that 135 acres of land of aforesaid plot consists of well-established virgin forest growth having moderate to dense forest with canopy density varying between 40 to 70 percent with very good biodiversity. The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood

36. It is humbly submitted the DFO Rourkela has issued the permission for felling of the trees dated 20/09/2021 without the site inspection of the Standing Site Inspection Committee constituted by Regional Office of

MoEFCC, hence the felling order is bad in law as well as facts and in violation of the Order of Hon'ble Supreme court dated 6/07/2011, Lafarge Umiam Mining Pvt Ltd vs Union Of India in WP C 202 of 1995 along with the transfer petition (c) 277 of 2010.

37. It is needless to mention that no procedure has been followed while felling the trees and subsequent transit of the timber polls, counting of the stumps to verify the numbers of trees. As such all such evidences were also destroyed by land filling the polls and removing the stumps by the private respondent and to that effect the DFO Rourkela is silent and possibly facilitating the private respondent to escape from the rigors of law. The DFO has issued show cause notice on dated 30/09/2021 for uprooting the stumps and leveling the without passing of the converted timber of the felled trees as per the terms of the felling order. This letter clearly reveals that the number of trees felled could not have been verified as because the stumps were uprooted and the whole area is leveled using machine. However the reply does not mention what action has been taken for such violation pursuant to show cause notice no action has been taken against the private respondent.

38. That regarding the number of trees felled as claimed by the applicants roughly 10,000 and many of the trees were buried in the low lying area and then after covered with soil, as evident from the Photographs. As such the DFO reply confirms that the stumps could not be verified as those were uprooted which amounts to destruction of evidences. The applicant has prayed for an inquiry by an independent team to verify the

number of trees felled in the site and buried and many timber poles taken away by the company agents. It is further submitted that trees have been felled beyond the 25 Acre of area but same were never verified by the forest department even after repeated complaints by the villagers.

39. That the DFO in his reply before NGT has confirmed that the construction of compound wall by concrete slab has been erected by the company over portion of the leased out area. The same is in violation of MoEFCC order dated 19/08/2010 and warrants suspension/withdrawal of ToR in addition to penal action under Environment Protection Act 1986. In this regard MoEFCC has not taken any action as on date.

40. That the Terms of Reference was obtained on suppression of the facts false submission and misleading information as follows

- i. That the Para 11 of ToR states that project proponent has stated **no court cases pending** is a false statement. The pendency the Original application no 94 of 2021 and stay order dated 8/10/2021 was suppressed by the project proponent. As such there is another petition challenging the transfer of land to the IDCO is pending before the Orissa Highcourt in Writ Petition C No 997 of 2021 and Notice has been issued on 10th March 2021.
- ii. The site in question being a physical forest requires site visit by the Site Inspection Committee of Regional Office, MOEFCC and same has not been followed even though the DFO Rourkela has suggested for a site visit in letter dated 11/11/2020

- iii. The DFO Rourkela in his letter dated 11/11/2020 addressed to Tahasildar Lahunipara has stated that the site proposed for industry consists of good quality of flora that is Mahula, Sal, Asan, Char, Jamu, Banyan, Pipal and fauna like wild boar, Rabbit, Peacock, Porcupine, Barking Deer in good numbers. Sometimes presence of leopard is also noticed in the said area. **Elephant movement also occurs through land as requested for establishment of industry.** Endangered flora and fauna of Schedule I and II are well noticed in that area. It would be seen illogical and irrational not to include such finest species of flora under dictionary meaning of forest.
- iv. Further the same letter says that as per Lafarge Judgment 2011 of Hon'ble Supreme Court, the site may be inspected by state forest department along with Standing Site Inspection Committee constituted by regional office of MoEFCC to ascertain the status of forest based on which a certificate in this regard may be issued/
- v. That the letter further states that 135 acres of land of aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40 to 70 percent with very good biodiversity. The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood.

- vi. **Further the ToR has mentioned that no EIA violation is reported is also a false statement of Project proponent. The Proponent has already started construction of boundary wall with concrete plinth along with the leveling of the land by cutting the soil from the highlands using Excavators and same is a violation as the project has not been issued environment clearance**

Illegality in Public hearing

41. That Notification for public hearing was issued by the State Pollution Control Board Odisha, vide Notice No. 6679 on dated 19.04.2022 and published on 25/04/2022 mentioning public hearing is to be conducted on 24.05.2022. That the issues of illegality in public hearing is as follows:

- a) It is to mention herein that the place selected for conducting public hearing is very far from the site which is identified for setting up the proposed industry hence, most of the villagers going to be affected by the project filed an objection to the site chosen for public hearing. The copy of the objection regarding same is forwarded to SPCB, and Collector Sundergarh is annexed here to as **in Annexure 10 series**.
- b) That on the day of the public hearing, still many of the tribal people from the affected villagers decided to go by forest road. However, early in the morning the local police were deployed on the way and tried to stop the villagers to prevent them from reaching the public hearing venue.
- c) That though it was a little difficult, the affected tribal villagers marched to the public hearing venue via walking paths in the forest area and reached the scheduled place before 7 AM by walking and waited till the public

hearing began by 10 AM. Finally, hundreds of the local villagers arrived to submit their opinion/objection at the public hearing place where they found that the gate was locked with the presence of police force. About 100 people were transported by the said company's buses with assistance of local police and were preoccupied with the chairs by sitting inside the venue since 4 AM. Majority of the seats were preoccupied by the company supporters and most of them were paid, hired to give their opinion in their favour. The organizer expressed that the number of seats is for limited people only and debarred the affected people from entering the meeting venue. The entire area was covered with police force, and the local villagers were prevented at the entry gate of public hearing. The abuses of police force to the affected people were widely covered in the local newspapers. Copy of Newspapers dated 25th May 2022 is annexed here unto as **in Annexure-11.**

d) That the affected villagers were detained outside the gate and not allowed to participate in public hearing and ultimately when the local villagers agitated and demanded to unlock the gate, police force used lathi, stopped from entering, police beat the protesters like animals, forcibly dragged to the van managed by the KAI Industry and detained the local protesters at various police stations. During this unlawful and inhuman action by police a young woman was also injured and many of the local villagers were injured. **Photographs of injured people are attached here unto as in ANNEXURE 12.**

- e) That the detained villagers who opposed this polluting industry and cutting of thousands of trees in their village forest were freed after the public hearing was closed.
- f) That the local police in support of district administration are taking key roles to support Industry owners and also started harassing the local tribal population in many ways. This can be easily seen from the supporting photo and video annexed with the petition. This clearly indicates that the local authority and police are acting with a vested interest. On the day of public hearing, the local affected villagers had immediately updated to the Sundergarh collector and Member Secretary of the SPCB through email, but no action has been taken to redress the grievance as on date. The copy of the grievance dtd. 16.06.2022 forwarded to Collector, Sundergarh and SPCB is annexed here to as **in Annexure 13**.
- g) That finally, the public hearing ended arbitrarily and the approval was obtained without seeking our consent and without listening to the hue and cry of the affected villagers. The local tribal people have sent the photos and videos of police stopping us from entering into the premises of public hearing via email to the SPCB Odisha, Bonai Sub collector, Sundargarh Collector, MoEFCC, Delhi, SP Rourkela, NCST Commission, Human right commission and many other concerned authorities.
- h) Finally, the local villagers approached Odisha high court and on dated 19/09/2022, the hon'ble court redirected the case to the National green tribunal and disposed the case. Then the local affected villagers moved to

National green tribunal, Kolkata seeking directions of the Tribunal to set aside/nullify the public hearing conducted on 24.05.2022. That made to the NGT case No.179/2023/EZ, the Hon'ble NGT passed order as follows,

- *“In our opinion, the Original Application is not maintainable as it is premature. On the own submission of the learned Counsel Mr. Sankar Prasad Pani, the Environmental Clearance has not been granted. The applicant may approach the appropriate forum for remedy. The Applicant cannot approach this Court at any and every stage of the proceedings. Original Application is maintainable only if a final order is passed with regard to the grant or rejection of the Environmental Clearance, as the case may be. Basis that the Original Application No.179/2023/EZ is dismissed.”* Copy of the order of Hon'ble Odisha High Court dated 12/09/2022 and NGT order dated 07/12/2023 is here into annexed as **ANNEXURE-14**.

42.As per the order from the NGT, the local villagers approached various forum such as to Pollution control board, district collector, Ministry of environment and other concerned authorities, but till date no remedy received in this context. All the grievance petitions are annexed as **ANNEXURE 5 SERIES**.

Land should have been considered as Forest land

43.Further the grounds on which the Proposal was returned on 26th Feb 2021, still holds good and there has been no change in the circumstances nor the shortcomings have been remedied. On the contrary the area in question is surrounded by reserve forest with in 150 mtres from the site in question and in reality the Kukia Reserve Forest is contiguous to the

project. Apart from that the site is highland and at least two stream originating from the hill passes through the site in question and because of the leveling work and streams have been buried with soil are now threatened. The people use to get the water from these streams for the cultivation is now suffering.

44. That the applicants brought the aforementioned issues to the Knowledge of MoEFCC through email dated 27th December 2021 and requested the authority to revoke the Terms of reference and direct the state government to remove the Boundary wall and initiate criminal prosecution against the Director of the Project, Mr Suresh Agarwal for violation of Environment Protection Act 1986 and EIA Notification 2006.
45. That the photographs of the site in question suggests that the proponent had already started construction activity like leveling of the land, boundary wall with concrete plinth, cutting the uplands using several earth movers **in Annexure 5 series.**

Cumulative impact assessment and carrying capacity is not studied.

46. That, the Bonaigarh subdivision hosts a cluster of 12 sponge iron industries within a 10 km radius. These sponge industries collectively extract a substantial amount of water from the Brahmani River, which is now on the verge of depletion. The impending water scarcity poses a significant threat in the near future, and it raises concerns as to why the local authorities have remained silent on this critical issue. Of note, the same shareholder is excessively withdrawing water from the Brahmani

River to operate their Bhaskar Sponge plant under the same Lahuni para Tahsil. In light of this, we urgently request an investigation by the Groundwater Board to assess the water extraction practices and potential environmental impact associated with these operations. Needless to state that the Sponge iron plant namely Bhaskar Steel and Alloys is one of the habitual violator of environment norms. Considering the past history of violations in Bhaskar Sponge, a unit operated by the present private respondent, no confidence is built that in the new project the same operator will abide the environment norms. Hence a new plant will not Copy of Show Cause Notices are annexed here with as **in Annexure 15**.

47. It is pertinent to mention here that there is no reference to carrying capacity study by EAC of project in question. That the carrying and cumulative capacity study to be commissioned by CPCB and SPCB or a reputed institute.
48. That the carrying capacity and cumulative impact assessment study has to be commissioned as there are more than 5 industries exists in the 10 K.M. vicinity of Kapanda industrial area and the same has not been done.

Faulty and misleading EIA report

49. That, numerous false data and information have been submitted under CAF, Part A, and Part B. Furthermore, in Section Part C, where 55 documents are uploaded, many of them appear to be submitted with false and fabricated reports, suppressing crucial facts. While the scrutiny of these matters falls under the purview of the Ministry of Environment, Forest and Climate Change (MoEF&CC), we have taken the liberty to bring attention to some key Paras for a cursory review, as outlined below:

- A. That the Annex 18_Socioeconomic Report: On Page 47, Annexure 2, SI No. Fatajharan village (census code 384839), the total population is declared as 149. Fatajharan village is situated within 200 meters to 1 km from the project site.
- B. That the Final EIA Annexure 17_Baseline Report, on Page No. 9, 12, 19, 24, and many other pages, samples were collected and studies were conducted for a village named "Barhabahar Village,". Actual village name is "Badbahal" which is situated around 400 meters from the project site. As two villages are closely adjacent to the project site, which goes against the siting criteria, these details have deliberately not been declared anywhere in the PFR report, Form 1, TOR application, EC application, and in the affidavit submitted to the NGT. Also, the EIA report presented before the Public Hearing and the EAC are two different. In other words, all the applications submitted by the PP shall be declared as null and void.
- C. That the Final EIA Annexure 17_Baseline Report, the analysis report cited that the heavy metal concentration in the ground water is reported to be at very low concentration. These area are already survey for decades by the Government of India and already reported with elevated concentration of nuclear radioactive materials (Uranium), gold occurrences and other heavy metals in the ground water. Also many other data are declared in vitiated manner just to approve the EC.

D. DFO Rourkela report, vide Memo No. 6206/4F (Misc), Dt-11/11/2020 Fauna like Wild Bour, Rabbit, Peacock, Porcupine, barking Deer etc in good numbers. Sometimes the presence of Leopard and Elephant movement is also noticed in the said area. Endangered flora and fauna (Schedule I & II and others) are well noticed in that area. It would be seen illogical and irrational not to include such finest species of flora under the dictionary meaning of forest. However, That the EDS Enclosure 5 – Wild life conservation plan, it is evident that the Project Proponent (PP) has deliberately excluded all fauna falling under Schedule I, (such as peacock, leopard, and elephant are excluded).

E. These forests serve as the primary source of livelihood for the residents of Patajharan, Badbahal, Nuangaon, Daldali, and numerous nearby villages. The majority of the land allocated to the Project Proponent (PP) constitutes the cultivation land of the local tribals. Despite multiple requests, the local tahsildar and key authorities concerned have not allocated any land to the tribal population under the Forest Rights Act (FRA) . However, under the guise of industrialization, many tribal stand to lose their daily sustenance and food sources.

Comparison between Draft EIA and Final EIA

50. The Draft EIA is the preliminary version of the EIA report that undergoes public consultation and review, which identify potential environmental impacts that may arise from the project during its construction, operation, and decommissioning phases. In addition, it combines comprehensive

baseline data on the existing geographic location, environmental conditions of the project area, which includes information on air quality, water resources, soil quality, biodiversity, socio-economic aspects, etc. The EIA report was prepared in very generic matter, and it does not contain the local people met, without any witnessing signature of the local villagers. The Draft EIA serves as a basis for public consultation and regulatory review, while the Final EIA represents the project proponent's finalized environmental assessment and mitigation plan submitted to the ministry of environment for regulatory approval. These documents play a crucial role in ensuring that proposed projects in India adhere to environmental regulations and mitigate potential environmental impacts effectively. Any changes to geographic or location-based baseline data should be justified based on reliable data sources, scientific methods, and regulatory requirements. In this context we have quickly reviewed the DRAFT EIA, FINAL EIA and also prepared a comparison study on certain key baseline study, where we noted serious deviation in the baseline data, project description, water balance, integrated material balance submitted to the concerned authorities. For ease of reference, **the key falsified points** are reproduced in a tabular column for ease of comparison with our comments are annexed here unto as **in ANNEXURE 16**.

51. That, in the Wildlife Conservation plan submitted by the PP, page no 43 of 61, where the financial implications and monitoring for the project impact area is allotted 55.87 lakhs only. The proposed project area and adjacent reserve forest are highly prone to elephant movement and other endogenous animals. The project cost is very significantly small and on the basis of the sensitivity of the area, the cost shall be minimum 2 to 2.5 crore.

GROUND

THAT while granting Environment Clearance, the EAC and MOEFCC completely failed to appreciate the points raised in facts and more particularly as follows

A. The issue alternative land has not been explored and available land with IDCO in the same district has not been exhausted.

B. The land is question should have been treated as a Dictionary Meaning of Forest as well as at one time these land were proposed for Protected Forest and large scale Plantation were carried out on the land proposed for industry.

C. That the grant of Environment Clearance by MoEFCC is non-application of mind as well as all the representation in last 3 years from affected villagers were completely ignored

D. Issue of approach road involving forest land have not been considered and in that regard the proponent has misled the EAC as because atleast three km long road will pass through forest land and there is no other alternative.

E. The issue of Cumulative Impact assessment has been considered in view of around 5 industries exist in 10km radius. This declaration is submitted by suppression of facts.

F. The DRAFT EIA report presented before the Public Hearing and the FINAL EIA are two different. It is settled principle that environment clearance can not be granted on the basis of an EIA report which was never placed before public Hearing.

G. Public hearing was not free and fair as many people were prevented from participating in the public hearing.

H. Biodiversity Impact assessment has not been carried out prior to grant of EC and Wildlife Conservation plan is not appropriate.

I. EIA report has suppressed the facts and same is misleading as well as inadequate, hence can not be basis for grant of EC

J. Project should have been considered on violation category as tree felling and land levelling started much before grant of EC.

K. Close proximity of human habitation has not been considered even

though same was raised by the villagers' time and again through letters.

L. The baseline data submitted by the Visiontek Consultancy Services with the laboratory's ISO 17025 accreditation, serious concerns regarding the submission of false, fabricated, and biased data that violate the accreditation credential from NABL and such violations warrant the revocation of certification by MoEFCC.

M. The EC letter has not been published in leading news papers nor circulated in panchayat offices.


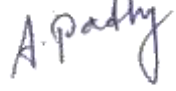
LIMITATION

The present appeal is filed with in 30days from the grant of EC, hence the appeal is not barred by limitation

PRAYER

That in view of the aforementioned submissions, The appellant's prays for setting aside of the environment clearance letter dated 13/05/2024 granted in favor of KAI International Pvt Ltd.

APPELLANTS THROUGH

ADVOCATE



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

APPEAL NO OF 2024

**BEFORE SRI D. MAHANTA
NOTARY LAHUNIPARA**

IN THE MATTER OF:

CHITTA RANJAN MAHANTA & OTHERS APPELLANTS

VERSUS

UNION OF INDIA AND OTHERS ... RESPONDENTS

Affidavit

I, Chittaranjan Mahanta S/O- Mahendra Mahanta Aged about 42 years are residents of At/Po-Kapanda, PS-Lahunipara, Dist – Sundargarh, Odisha, Pin – 770040), hereby solemnly affirm, and declare as under:

1. That I am one of the appellants in the above mentioned Appeal AND authorised by the other appellants to swear this affidavit
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Affidavit and the same is true and correct and is drafted on my instruction

Chittaranjan Mahanta
DEPONENT

VERIFICATION

Verified on this the ..11th.. day of *June*, 2024 at *Lahunipara* that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Chittaranjan Mahanta
DEPONENT

Identified By
[Signature]
11/6/2024

Sl.No. *825* Dt. *11/6/2024*
Solemnly affirmed & declared
before me on identification
by *[Signature]*
Advocate, Bansk

[Signature]
Sri D. Mahanta
Notary, Lahunipara
11/6/2024



44

ANNEXURE-1

File No: IA-J-11011/59/2021-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
IA Division



Date 13/05/2024



To,

M/s KAI INTERNATIONAL PRIVATE LIMITED
CCC-23,CIVIL TOWNSHIP,ROURKELA SUNDARGARH ODISHA, Kapanda, SUNDARGARH,
ODISHA, , 769004
Email: info@groupkalinga.com

Subject: Greenfield Project For Installation Of Iron Ore Beneficiation Plant- 1.5 MTPA Throughput (1.16 MTPA High Grade Ore), Iron Ore Pelletization Plant – 1.2 MTPA And Producer Gas Plant – 27,000 Nm³/hr by M/s KAI International Private Limited, located at Village - Kapanda, Tehsil – Lahunipara, District - Sundergarh, Odisha - Grant of Environmental Clearance under the provisions EIA Notification, 2006 -regarding.

Sir/Madam,

This refers to your proposal no **IA/OR/IND1/452282/2023** dated **14.11.2023** along with copy of EIA report, Forms (Part A, B and C) seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. Further, the PP has uploved the information on Parivesh Poral on 15.01.2024.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC23A1006OR5113146N
(ii) File No.	IA-J-11011/59/2021-IA-II(IND-I)
(iii) Clearance Type	Fresh EC
(iv) Category	A
(v) Project/Activity Included Schedule No.	3(a) Metallurgical Industries (ferrous and non ferrous),2(b) Mineral beneficiation
(vi) Sector	Industrial Projects - 1 Greenfield Project For Installation Of Iron Ore Beneficiation Plant- 1.5 MTPA Throughput (1.16 MTPA High Grade Ore), Iron Ore Pelletization Plant – 1.2 MTPA And Producer Gas Plant – 27,000 Nm ³ /hr Located At Village - Kapanda, Tehsil – Lahunipara, Dist. - Sundergarh, Odisha By M/s KAI International Private Limited
(vii) Name of Project	

(viii) Name of Company/Organization	KAI INTERNATIONAL PRIVATE LIMITED
(ix) Location of Project (District, State)	SUNDARGARH, ODISHA
(x) Issuing Authority	MoEF&CC
(xi) Applicability of General Conditions as per EIA Notification, 2006	No

3. As per the provisions of the Environment Impact Assessment (EIA) Notification, 2006, the above-mentioned project/activity is covered schedule S. No. 3(a) Metallurgical Industries (ferrous & non-ferrous), and 2(b) Mineral Beneficiation under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.

4. The proposal was initially being considered in 49th meeting of the EAC for Industry-I sector held on 28th – 29th November, 2023. Proposal was deferred for want of additional information. Based on the additional information submitted, the proposal was again considered in the 51st meeting of the EAC for Industry-I sector held during **2nd-4th January, 2024**, wherein the Committee, after detailed deliberations, **recommended** the proposal. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>. As per the Joint Field verification report and DFO letter dated 12/09/2023 the project land of 47.74 Acre is non-forest land of kismat patit.

5. The details of the proposal are as per the EIA/EMP report submitted by the proponent. The salient features of the proposal as presented during the above-mentioned meetings of EAC (Industry 1 Sector) are given at **Annexure 1**, Unit configuration and capacity are given at **Annexure II** and PH action plan given at **Annexure III**.

6. The EAC, in its meeting held during **2nd to 4th January, 2024**, inter-alia, deliberated the following:

(i) The instant proposal is for setting up of a greenfield project for installation of Iron Ore Beneficiation Plant- 1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron Ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr.

(ii) The EAC, constituted under the provision of the EIA Notification, 2006 comprising Expert Members/domain experts in various fields, examined the proposal submitted by the Project Proponent in desired format along with EIA/EMP reports prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent.

(iii) The EAC noted that the Project Proponent has given an undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP reports. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

(iv) The Committee noted that the EIA reports are in compliance of the ToR issued for the project, reflecting the present environmental status and the projected scenario for all the environmental components. The Committee deliberated on the proposed mitigation measure towards Air, Water, Noise and Soil pollutions. The Committee suggested that the storage of toxic/explosive raw materials/products shall be undertaken with utmost precautions and following the safety norms and best practices.

(v) The EAC also took into consideration the drone survey of the project site and kml file on the Google Earth presented by the project proponent along with DSS of the project site on PARIVESH and made following deliberations accordingly.

(vi) Total land required for project is 19.32 ha. (47.74 Ac) which is a IDCO Land (Industrial land) and is under the possession of the company. Land Agreement made between IDCO & KIPL as per land allotment letter no. IDCO:HO:P&A:LAE:7751/2019 dated 06.08.2021.

(vii) Village Daldali Sai is at a distance of 0.5 km in the SW of the project site along with other sensitive areas such as Samaradari Juniani PF (0.41 Km, E), Kukia R.F (0.12 Km (NW) etc. within the study area of the project site. The EAC is

of the opinion that PP shall prepare and strictly implement the environmental safeguard measures to minimise the impact on the project activities on these sensitive areas.

(viii) Brahmani River is at a distance of 1.6 km in West of the project site along with other water bodies within the study area of the project site. The EAC is of the opinion that the water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be prepared and submitted.

(ix) Water requirement is proposed as 1180 m³/day which is to be sourced from Brahmani River. The EAC deliberated on the water requirement is of the opinion that PP shall obtain necessary permission from the Competent Authority in this regard. No Ground water abstraction is permitted.

(x) The Committee has deliberated on the baseline data and incremental GLC due to the proposed project and is of the opinion that stringent mitigation measures to minimise the pollution shall be strictly implemented.

(xi) There are Schedule-I species like Elephant, Leopard, Sloth bear & Python etc. falling within the study area of the proposed site. Wildlife Conservation Plan has been prepared with a budgetary allocation of Rs. 55.871 Lakhs for 5 years and submitted to PCCF wildlife for approval vide memo no. 7846/ 4F (Misc.), dated 20.09.2022.

(xii) The PP has submitted that there are 3972 nos. of total trees available in the project site. 1500 trees have already been felled after taking permission from Divisional Forest Officer cum Wildlife Warden Rourkela Forest Division, Odisha vide letter number 5838/3F dated 20 Sep. 2021. Remaining trees available in the project site are 2472 nos. Budget earmarked for plantation of trees over an area of 8.78 Ha. are Rs.68.17 Lakhs. Against tree felling of 1500 trees, Compensatory afforestation will be done in the ratio of 1:10 i.e. 15000 number in consultation with the State Forest Department. Budget for Compensatory afforestation is Rs. 52.50 Lakhs. Hence total budget for green belt development will be Rs. 120.67 Lakhs (say 121 Lakhs) The greenbelt and plantation area will be 8.78 ha (21.7 acres) i.e. 45.4% of the total plant area of 19.32 ha. (47.74 acres). The EAC deliberated on the greenbelt layout plan along with action plan and the budget earmarked and is of the opinion that greenbelt shall be completed within a span of one year.

(xiii) The committee deliberated details of carbon foot prints and carbon sequestration study w.r.t. proposed project and found them to be satisfactory.

(xiv) The Committee also deliberated on the public hearing issues along with action plan submitted by the proponent to address the issues raised during the public hearing and found it satisfactory.

(xv) The EAC noted that a litigation bearing Original Application No. 94/2021/EZ was filed by applicant (Mr. Chittaranjan Mahanta & Others) at Honourable NGT, Interim Orders were issued by Hon'ble NGT on 08.10.2021 & on 07.02.2023 for stay of EC process. As per orders, a Field Visit was carried by Joint committee comprising of nominee of DG Forest, MoEF&CC (not below the rank of ADG), Integrated Regional Officer of MoEF&CC, Bhubaneshwar, PCCF (HoFF), Odisha, Chief Wildlife Warden, Odisha and the District Magistrate, Sundergarh on 18.03.2023 and 28.04.2023. Pursuance of the Joint committee visit report and submissions, final order was passed by Hon'ble NGT dated 22.08.2023, the above case was disposed with direction to MoEF&CC, to take a decision in the matter of grant of Environmental Clearance to the Project Proponent in accordance with law within a period of three months. In this regard, the EAC deliberated all the issues pertaining to the case and accordingly suggested various mitigation measures in this regard while deliberating the EC proposal.

(xvi) The EAC deliberated on the other ADS reply submitted by the project proponent and found it satisfactory.

(xvii) The EAC was informed about a representation received by the Ministry, raising concerns about the project. The EAC recommended that the issues raised be shared with the project proponent, who provided a detailed pointwise reply on 04.01.2021 through written submission, which was deliberated by the EAC and subsequently found to be satisfactory by the EAC.

(xviii) The EAC deliberated on the proposal with due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC found the proposal in order and recommended for grant of environmental clearance.

(xix) The environmental clearance recommended to the project/activity is strictly under the provisions of the EIA Notification 2006 and its subsequent amendments. It does not tantamount/construe to approvals/consent/permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

(xx) The EAC also reviewed the EC conditions (specific and general) pertaining to Industry-I projects and observed that some of the specific conditions stipulated so far in the previously recommended EC projects are common and applicable to most of the projects in general. In view of the same, the General Conditions (in case of EC projects) have been revised through reallocation of these common conditions from specific to General Conditions (in case of EC projects). Accordingly, the instant project is also being stipulated with the modified General conditions.

7. The EAC, in its 51st meeting of Expert Appraisal Committee (Industry-1 Sector) held during **2nd to 4th January, 2024**, based on information & clarifications provided by the project proponent and after detailed deliberations **recommended** the instant proposal for grant of Environment Clearance under the provisions of EIA Notification, 2006 subject to the stipulation of specific conditions and general conditions based on project specific requirements.

8. The MoEF&CC has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1 Sector) hereby decided to grant **Environment Clearance** for instant proposal of **M/s KAI International Private Limited** under the provisions of EIA Notification, 2006 subject to **specific conditions and general conditions at Annexure IV**.

9. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the environmental clearance, if implementation of any of the above conditions is not found satisfactory.

10. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.

11. 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.

12. The above conditions shall 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, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.

13. This issues with approval of the competent authority.

(Dr. R. B. Lal)
Scientist 'F'/ Director
 Tel: 011-20819346
Email-rb.lal@nic.in

Copy To

1. The Principal Secretary, Department of Forest and Environment, Government of Odisha, Bhubaneswar, Odisha
2. Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi
3. Principal Chief Conservator of Forests & HoFF, Aranya Bhawan, Chandrasekharpur, Bhubaneswar - 751 023, Odisha
4. The Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023 Odisha
5. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32
6. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
7. The Member Secretary, Odisha State Pollution Control Board, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar -12 Odisha.
8. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.
9. District Collector, Sundergarh , Odisha.
10. Guard File/Monitoring File/ Parivesh Portal /Record File.

(Dr. R. B. Lal)
Scientist 'F'/ Director

Annexure 1

Additional EC Conditions

1. This EC is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.
2. This EC granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

Annexure I

The salient features of the proposal as presented during the meetings of EAC

S. No.	Particulars	Details											
a.	Terms of Reference for undertaking EIA study	29.11.2021											
b.	Period of baseline data collection	October to December 2021											
c.	Date of Public Consultation	24.05.2022											
d.	Action plan to address the PH issues	An amount of Rs. 520 Lakhs has been earmarked for implementation of the commitments made during Public Hearing and need based activities. Detail of activities proposed attached as Annexure III .											
e.	Location of the project	Village - Kapanda, Tehsil – Lahunipara, District - Sundergarh, Odisha											
f.	Latitude and Longitude of the project site	Pillar No.(s)	Latitude	Longitude									
		1	21°53'28.44"N	84°52'15.80"E									
		2	21°53'25.49"N	84°52'16.45"E									
		3	21°53'21.00"N	84°52'17.41"E									
		4	21°53'17.11"N	84°52'22.04"E									
		5	21°53'11.30"N	84°52'29.12"E									
		6	21°53'11.40"N	84°52'35.21"E									
		7	21°53'17.15"N	84°52'35.23"E									
		8	21°53'22.78"N	84°52'35.20"E									
		9	21°53'23.68"N	84°52'30.77"E									
		10	21°53'23.86"N	84°52'26.76"E									
		11	21°53'29.01"N	84°52'26.29"E									
		12	21°53'28.77"N	84°52'20.69"E									
g.	Total land	Total land required for project– 19.32 ha. (47.74 Ac) of IDCO Land.											
h.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Acquired Land: 19.32 ha. (47.74 Acre) Total Land is under possession of KAI International Pvt. Ltd.											
i.	Existence of habitation & involvement of R&R, if any	<u>Project Site:</u> There is no existence of habitants identified within the Project site. <u>Study Area:</u> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Daldali Sai</td> <td>0.5 Km</td> <td>SW</td> </tr> <tr> <td>Nuagan</td> <td>1.3</td> <td>S</td> </tr> </tbody> </table>			Habitation	Distance	Direction	Daldali Sai	0.5 Km	SW	Nuagan	1.3	S
Habitation	Distance	Direction											
Daldali Sai	0.5 Km	SW											
Nuagan	1.3	S											

S. No.	Particulars	Details		
		Kapanda	1.5	SW
		Tikayatpali	2.8	NNE
		Talabahali	2.9	E
j.	Elevation of the project site	193 m to 252m AMSL		
k.	Involvement of Forest land if any.	There is no forest land involved within the plant boundary.		
l.	Water body exists within the project site as well as study area	Study Area: Brahmani River- 1.6 Km (W) Amrurhi Nala- 3.1 Km (NNE) Katangamunda Nala- 3.4 Km (NW) Rukura River- 4.3 Km (S)		
m.	Existence of ESZ / ESA / national park / wildlife Sanctuary / biosphere Reserve / tiger reserve / elephant reserve etc. if any within the study area	No ESZ /ESA /national park/ wildlife sanctuary within 10 km radius. Protected Forest (PF): Samaradari Juniani PF (E)- 0.41 Km Reserve Forest (RF): <ul style="list-style-type: none"> • Kukia R.F*- 0.12 Km (NW) • Dhenkiam R.F- 2.6 Km (W) • Nalghati Rajabasa R.F- 3.3 Km (SW) • Dhenkiam Block R.F- 3.7 Km (NW) • Bhagoth R.F- 6.6 Km (SSW) • Dhanaghar Extension R.F- 6.9 Km (NNE) • Gurunida R.F- 7.9 Km (SW) 		
n.	Project cost	Proposed – INR Rs 341.72 Crores		
o.	EMP cost	Type	Capital (Rs. in Crores)	Recurring (Rs. in Crores)
		Proposed	19.46	1.41
p.	Employment opportunity	500 persons		
q.	Water and Power requirement	(Total)Water –1180KLD, Power –12 MW		

Annexure II

The unit configuration and capacity of existing and proposed project is given as below:

Sl. No.	Plant Equipment/ Facility	Proposed Units	
		Configuration	Capacity
1	Beneficiation	1 X 1.5 MTPA	1.5 MTPA (throughput) 1.16 MTPA (High grade Ore)
2	Pelletization	2 X 0.6 MTPA	1.2 MTPA
3	Producer Gas Plant	6(5W+1S) x 4,500 Nm ³ /hr	27,000 Nm ³ /hr



Annexure III

Public Consultation Action plan as per MoEF&CC O.M. dated 30.09.2020

S. No.	Major activities	Description of Physical Target	Total Physical Targets	Physical Target along with CER Budget (Rs. In Lakhs)			Total Amount (Rs. In Lakhs)
				1 st Year	2 nd Year	3 rd Year	
A Education							
1	High School Transformational Project (smart class, science lab, etc.) partnering with Govt. of Odisha flagship project under Mo School Abhiyaan or Madhyamik Shikshya Abhiyan	Each School Shall be provided with the following- a) 8 nos. of Computers with Table & Chair @ Rs. 50,000/- b) 2 nos. of AC with inverters @ Rs. 60,000/- The 3 schools are- 1. Panchayat High School, Kapanda 2. Upper Graded Primary School, Kapanda 3. Upper Primary School, Tikayatpali	3 School	Rs. 5.2 (At Panchayat High School, Kapanda)	Rs. 5.2 (At Upper Graded Primary School, Kapanda)	Rs. 5.2 (Upper Primary School, Tikayatpali)	Rs.15.6
2	Retrofitting of Classrooms and Digital Classroom	Each year, 2 additional classrooms are proposed for retrofitting in Govt. Primary school with furniture's (1 nos. of Digital Classroom with Projector, digital interactive whiteboard systems, and its teaching software building blocks for digitally connected classroom and facilities @ Rs. 1,15,000/-	3 Schools	Rs. 2.3 (Panchayat High school, Kapanda)	Rs. 2.3 (At Govt. Primary School, Samardari, village-Tibupada)	Rs. 2.3 (At Gudhiali High School, Village-Rajamunda)	Rs.6.9
3	Improvement in basic amenities & teaching learning materials in Anganwadi center (AWC)	Each AWC shall be provided with – a. Abacus with Teaching Learning Material and Furniture @ Rs.40,000/ b. Painiting and infrastructure Development with Drinking Water facility or Toilet facility and Utensils @ Rs.	6 AWCs	Rs. 1.6 (AWCs in Kapanda-I & Kapanda-II)	Rs. 1.6 (AWCs in Darjing & Gaudiniposh-I)	2.5 (AWCs in Gaudiniposh-II & Thiaberna)	Rs.5.7

S. No.	Major activities	Description of Physical Target	Total Physical Targets	Physical Target along with CER Budget (Rs. In Lakhs)			Total Amount (Rs. In Lakhs)
				1 st Year	2 nd Year	3 rd Year	
		40,000/- The List of AWCs are Kapanda-I, Kapanda-II, Darjing, Gaudiniposh-I Gaudiniposh-II & Thiaberna. c. Teaching materials @ 45,000 to each AWC in 3 rd year.					
4	Appointment of Private Teachers in Schools	Teachers in 4 Schools (2 Primary & 2 High school)	2 Primary & 2 High school	Rs. 3.4 (2 Primary School in Kapanda & Tikayatpali)	Rs. 1.7 (Panchayat high school)	Rs. 1.7 (Gudhiali High school)	Rs.6.8
5	School Bus	2 School Bus for Panchayat High School & Tikayatpali Primary School. However, District Education Officer shall be consulted for finalizing the School.	3 School Bus	Rs. 8.1 Gudhiali High School	Rs. 8.1 Panchayat High School	Rs. 8.1 Tikayatpali Primary School	Rs.24.3
	Sub Total (Education)			20.6	18.9	19.8	Rs. 59.3
B	Health						
1	Ambulance	1 Ambulance serving the peripheral villages to be positioned at KAI Plant and 2 Ambulance at Kapanda GP & Nuwagan GP respectively.	3 Nos.	Rs.20.3	Rs.20.3	Rs. 20.3	Rs.60.9
2	Health camp	2 Health Camps per year with a focus on Kapanda, Fatajharan, Tikayatpali,	6 health Camps	Rs. 2.1 2 Health Camps Under Kapanda G.P,	Rs. 2.1 2 Health Camps Under Fatajharan GP.	Rs. 2.2 2 Health Camps Under Tikayatpali G.P	Rs.6.4
3	Setting-up a Dispensary	Setting up a Dispensary serving Plant workers and local Community	3 Nos.	Rs. 29.1 Nearby Kapanda Village area	Rs. 29.1 Nearby Nuwagan Village area	Rs. 29.1 Nearby Tikayatpali Village area	Rs.87.3
	Sub Total (Health)			51.5	51.5	51.6	Rs.154.6

S. No.	Major activities	Description of Physical Target	Total Physical Targets	Physical Target along with CER Budget (Rs. In Lakhs)			Total Amount (Rs. In Lakhs)
				1 st Year	2 nd Year	3 rd Year	
C Drinking Water							
1.	Purified Drinking Water Facility at Public Places	In total 3 nos of Purified Drinking Water shall be installed at strategic public locations. Each Facility shall have a purifier machine. The locations are Kapanda Village, Fatajharan Village, Tikayatpali Village, Nuwagan & Talbahali. This location may change considering the number of floating population.	5 Nos	Rs. 8.9 (Kapanda & Fatajharan Village)	Rs. 8.9 (Tikayatpali & Nuwagan Village)	Rs. 4.5 (Talbahali Village)	Rs.22.3
2.	Installation of new Bore well & Hand Pump with sintex tank	In total 6 nos. of Hand pumps shall be installed at locations are Kapanda Village, Fatajharan Village, Tikayatpali Village, Nuwagan & Talbahali. This location may change considering the number of floating population.	5 village	Rs. 2.9 (Kapanda & Fatajharan Village,)	Rs. 2.9 (Tikayatpali & Nuwagan Village)	Rs. 1.4 (Talbahali Village)	Rs. 7.2
	Sub Total (Drinking Water)			11.8	11.8	5.9	29.5
D Environment							
1	Rain Water Harvesting in Govt. Schools and Govt. Institutions	Rain Water Harvesting shall be taken-up in 30 schools/Govt Offices/Govt Institutions @ Rs. 28,000/-	30 School s/ Institution/ Offices	Rs. 2.8 (10 Nos of schools/Govt Offices/Govt Institutions)	Rs.2.8 (10 Nos of schools/Govt Offices/Govt Institutions)	Rs. 2.8 (10 Nos of schools/ Govt Offices/ Govt Institutions)	Rs. 8.4
2	Plantation/Afforestation Drive (including sampling and protection like tree guard etc)	30 Schools or Govt. offices or Govt. Institution shall be covered within 3 years @80 trees in each school (Rs. 300/ trees)	30 School s/ Institution/ Offices	Rs. 2.4 (10 Nos of schools/Govt Offices/Govt Institutions)	2.4 (10 Nos of schools/Govt Offices/Govt Institutions)	2.4 (10 Nos of schools/ Govt Offices/ Govt Institutions)	Rs. 7.2
3.	Garbage collection from villages and suitable disposal arrangement	Under Bharat Swachata Abhiyan 3 villages near plant locality & 3 schools	3 Village s & 3	Rs. 0.8 (4 plastic dustbin & 1	Rs. 0.8 (4 plastic dustbin & 1 dumpster	Rs. 1.0 (4 plastic dustbin & 1 dumpster	Rs. 2.6

S. No.	Major activities	Description of Physical Target	Total Physical Targets	Physical Target along with CER Budget (Rs. In Lakhs)			Total Amount (Rs. In Lakhs)
				1 st Year	2 nd Year	3 rd Year	
		provided plastic Dustbin @ Rs. 5000/- and Steel dumpster Garbage Container @ Rs. 55,000/-	Schools	dumpster Garbage container in Kapanda Village. 1 Plastic dustbin in Primary School in Kapanda)	Garbage container in Nuwagan Village. 1 Plastic dustbin in Panchayat high school)	Garbage container in Tikayatpali Village. 1 Plastic dustbin in Tikayatpali Primary school)	
	Sub Total (Environment)			Rs. 6.0	Rs. 6.0	Rs. 6.2	Rs. 18.2
E	Livelihood						
1	Promotion of Income Generation Activities- Tailoring & embroidery etc. & Provision of different skills of women members of SHG along with market linkage	150 interested women beneficiaries within 10 SHG members of neighbouring GP shall be trained within 2 years i.e. 5 Group with 10 member in each group shall be trained every year	150 Women	Rs. 14.1 (50 Nos. of Under Nuwagan G.P)	Rs. 14.1 (50 Nos. of Under Kapanda G.P)	Rs. 14.1 (50 Nos. Under Tikayatpali G.P)	Rs. 42.3
2	Farmers input support for improving the yield for better return	200 interested and selective farmers shall be provided with inputs for 3 years	200 Farmers	Rs. 11.7	Rs. 11.7	Rs. 11.8	Rs. 35.2
3	Initiatives for promotion of Millet through farmers along with market support.	Creating Millet hub for collection & Marketing	3 Nos.	15 (Kapanda Village)	15 (Nuwagan Village)	15 (Fatajharan Village)	Rs. 45
	Sub Total (Livelihood)			Rs. 17.8	Rs. 17.8	Rs. 17.9	Rs. 122.5
F	Infrastructure						
1	Community Centre /youth club house	Amenities in Community Centre & Yoga teacher deployment in Community Centre	3 Nos.	25 (Kapanda Village)	25 (Nuwagan Village)	25 (Fatajharan Village)	Rs. 75
2	Village Solar Street Lights	Solar Streetlights at nearby villages @ 100 Street lights/ Year	300 Solar Streetlights	Rs. 20.3	Rs. 20.3	Rs. 20.3	Rs. 60.9
	Sub Total (Infrastructure)			Rs.31.6	Rs.31.6	Rs.31.6	Rs. 135.9
	GRAND TOTAL			Rs. 139.4	Rs. 137.7	Rs. 132.8	Rs. 520 Lakh (Rs. 5.20 Crore)

Specific conditions and general conditions

A. Specific Condition:

- i. This Environmental clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.
- ii. The project proponent shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- iii. The project proponent shall utilize modern technologies for capturing of carbon emitted and shall also develop carbon sink/carbon sequestration resources capable of capturing more than emitted. The implementation report shall be submitted to the IRO, MoEF&CC in this regard.
- iv. PP shall strictly adhere to the Joint Committee's observations and recommendations as outlined in its report in the matter of litigation bearing Original Application No. 94/2021/EZ filed at Honourable NGT.
- v. Village Daldali Sai is at a distance of 0.5 km in the SW of the project site along with other sensitive areas such as Samaradari Juniani PF (0.41 Km, E), Kukia R.F (0.12 Km (NW) etc. within the study area of the project site. Proponent shall take appropriate environmental safeguard measures to minimise the impact on the habitation of the locals. PP needs to strengthen green belt all around the plant area to reduce the dust pollution. The PP shall also include some of these locations in its environmental monitoring programme.
- vi. Brahmani River is at a distance of 1.6 km in West of the project site along with other water bodies within the study area of the project site. A robust and full proof Drainage Conservation scheme to protect the natural drainage and its flow parameters; along with Soil conservation scheme and multiple Erosion control measures shall be implemented.
- vii. The water requirement of 1180 m³/day which shall be sourced from Brahmani River. PP shall obtain necessary permission from the Competent Authority in this regard. No Ground water abstraction is permitted.
- viii. Three tier Green Belt shall be developed in at least 33% of the project area in a period of one year all along the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. PP shall also develop greenbelt in the form of shelter belt comprising of total of 6 rows of 2x2 m plantation with tall trees & broad leaves with thick canopy along with windshield inside the plant premises to act as green barrier for air pollution & noise levels towards sensitive areas nearby project site. Compliance

status in this regard, shall be submitted to concerned Regional Office of the MoEF&CC.

- ix. All the commitments made towards socio-economic development of the nearby villages shall be satisfactorily implemented. The action plan based on the social impact assessment study of the project as per the EMP in accordance to the Ministry's OM dated 30.09.2020 amounting to Rs. 5.20 Crores shall be strictly implemented and progress shall be submitted to the Regional Office of MoEF&CC.
- x. PP shall undertake village adoption programme and prepare and implement the action plan to develop them into a model village.
- xi. The recommendations of the approved Site-Specific Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report to the concerned Regional Office of the MoEF&CC.
- xii. PP shall obtain permission from the State Forest Department for any tree felling involved in the project.

B. General Conditions

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission as well as 04Nos. Continuous Ambient Air Quality Station (CAAQMS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall carryout Continuous Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM₁₀ and PM_{2.5} in reference to PM emission, and SO₂ and NO_x in reference to SO₂ and NO_x emissions) within and outside the plant area (at least at four locations one within and three outside the plant area at an angle of 120° each), covering upwind and downwind directions.
- iii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through laboratories recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.

- iv. Sampling facility at process stacks shall be provided as per CPCB guidelines for manual monitoring of emissions.
- v. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- vi. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- vii. Sufficient number of mobile or stationery vacuum cleaners shall be provided to clean plant roads, shop floors, roofs, regularly.
- viii. Ensure covered transportation and conveying of raw material to prevent spillage and dust generation. The project proponent use leak proof trucks/dumpers carrying coal and other raw materials and cover them with tarpaulin.
- ix. The project proponent shall provide primary and secondary fume extraction system at all heat treatment furnaces.
- x. Wind shelter fence and chemical spraying shall be provided on the raw material stock piles.
- xi. Design the ventilation system for adequate air changes as per prevailing norms for all tunnels, motor houses, Oil Cellars.
- xii. Pollution control system in the plant shall be provided as per the CREP Guidelines of CPCB.
- xiii. The project proponent shall adopt the Clean Air practices like mechanical collectors, wet scrubbers, fabric filters (bag houses), electrostatic precipitators, combustion systems (thermal oxidizers), condensers, absorbers, adsorbers, and biological degradation. Controlling emissions related to transportation shall include emission controls on vehicles as well as use of cleaner fuels. Sufficient numbers of additional truck mounted Fog/Mist water cannons shall be procured and operated regularly inside the project premises and also in the surrounding villages to arrest suspended dust in the atmosphere.
- xiv. Bag filters shall be cleaned regularly and efficiency of bag filter system shall be monitored at regular intervals.
- xv. Water Sprinklers/Water mist system shall be installed near raw material yards, operational units and other strategic locations to control fugitive emissions from the plant.
- xvi. The particulate matter emissions from the process stacks shall be less than 30 mg/Nm^3 and measures shall be undertaken as per the submitted action plan. Efficient Air monitoring equipment shall be installed.
- xvii. Following additional arrangements to control fugitive dust shall be provided:
 - a. Fog / Mist Sprinklers at all on bulk raw material storage area (at the transfer points) like Iron Ore, Coal and for Fly Ash and similar solid waste storage areas.
 - b. Proper covered vehicle shall be used while transport of materials.
 - c. Wheel washing mechanism shall be provided in entry and exit gates with complete recirculation system.

III. Water quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre- and post-monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognized under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- iii. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off.
- iv. Water meters shall be provided at the inlet to all unit processes in the plants.
- v. The project proponent shall make efforts to minimise water consumption in the plant complex by segregation of used water, practicing cascade use and by recycling treated water.
- vi. The proposed project shall be designed as "Zero Liquid Discharge" Plant. ETP shall be installed and there shall be no discharge of effluent from the plant. Domestic effluent shall be treated in Sewage Treatment Plant. Suitable measures shall be adopted for sewage water handling to ensure no contamination of any kind of water body.
- vii. All stockyards shall have impervious flooring and shall be equipped with water spray system for dust suppression. Stock yards shall also have garland drains and catch pits to trap the run off material and shall be implemented as per the action plan submitted in EIA/EMP report.
- viii. Rain water harvesting shall be implemented to recharge/harvest water as per the action plan submitted in the EIA/EMP report.
- ix. Tailing management plan shall be implemented as included in EIA report.
- xviii. Tailings from Iron Ore beneficiation plant shall be dewatered in filter press and no slime /tailing pond shall be permitted.
- xix.

IV. Noise monitoring and prevention

- i. Noise pollution shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and amendments thereof, and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
- ii. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time.

V. Energy Conservation measures

- i. Provide solar power generation on roof tops of buildings, for solar light system for all common areas, street lights, parking around project area and maintain the same regularly;
- ii. Provide LED lights in their offices and residential areas.

VI. Waste management

- i. Oil Collection pits shall be provided in oil cellars to collect and reuse/recycle spilled oil.
- ii. Kitchen waste shall be composted or converted to biogas for further use.
- iii. 100% utilization of fly ash shall be ensured. All the fly ash shall be provided to cement and brick manufacturers for further utilization and Memorandum of Understanding in this regard shall be submitted to the Ministry's Regional Office.
- iv. The Plastic Waste Management Rules 2016, inter-alia, mandated banning of identified Single Use Plastic (SUP) items with effect from 01/07/2022. In this regard, CPCB has issued a direction to all the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) on 30/06/2022 to ensure the compliance of Notification published by Ministry on 12/08/2021. The technical guidelines issued by the CPCB in this regard is available at <https://cpcb.nic.in/technical-guidelines-3/>. All the project proponents are hereby requested to sensitize and create awareness among people working within the Project area as well as its surrounding area on the ban of SUP in order to ensure the compliance of Notification published by this Ministry on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report being submitted by the project proponents.
- v. A proper action plan must be implemented to dispose of the electronic waste generated in the industry.

VII. Green Belt

- i. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the programme for reduction of the same including carbon sequestration by trees.
- ii. Project proponent shall submit a study report on Decarbonisation program, which would essentially consist of company's carbon emissions, carbon budgeting/balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.
- iii. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface.

VIII. Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.

- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms.
- iii. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP. Safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- iv. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Environment Management

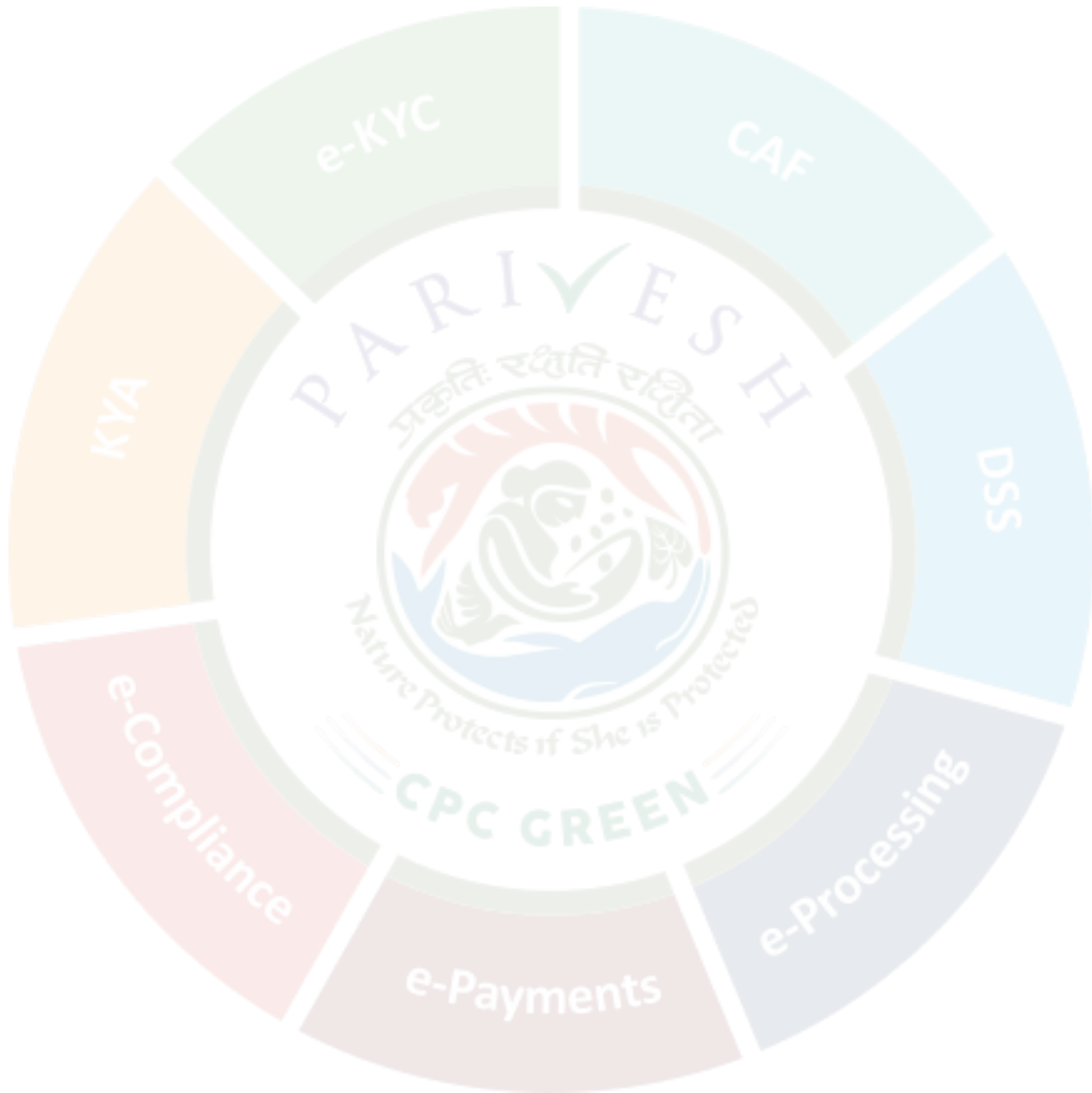
- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.
- ii. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.
- iv. Performance test shall be conducted on all pollution control systems every year and report shall be submitted to Integrated Regional Office of the MoEF&CC.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.

- iv. The project proponent shall monitor the criteria pollutants level namely; PM10, SO2, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. Action plan for developing connecting and internal road in terms of MSA as per IRC guidelines shall be implemented
- vi. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vii. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- viii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- ix. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- x. The recommendations of the approved Site-Specific Wildlife Management Plan (in case of involvement of Schedule-I species) shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report to the concerned Regional Office of the MoEF&CC.
- xi. The PP shall put all the environment related expenditure, expenditure related to Action Plan on the PH issues, and other commitments made in the EIA/EMP Report etc. in the company web site for the information to public/public domain. The PP shall also put the information on the left over funds allocated to EMP and PH as committed in the earlier ECs and shall be carried out and spent in next three years, in the company web site for the information to public/public domain.
- xii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xiii. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xiv. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xv. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xvi. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.

- xvii. Any appeal against this EC 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.



Signature Not Verified

Digitally Signed by : Dr R B Lal
Member Secretary, MoEFCC (EC)

Date: 13/05/2024

Item No. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE
KOLKATA**

(By Video Conference)

Original Application No. 94/2021/EZ

with

I.A. No. 01/2022/EZ

I.A. No. 29/2022/EZ

I.A. No. 193/2022/EZ

Chittaranjan Mahanta &Ors.

Applicant(s)

Versus

State of Odisha &Ors.

Respondent(s)

Date of hearing: 07.02.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): Mr. Sankar Prasad Pani, Advocate for Applicant

Respondents: Mr. Shakti Prasad Panda, AGA for R-1, 2, 3, 4, 5 & 7
Mr. Soumitra Mukherjee, Advocate for R-8
Mr. Sanwal Tibrewal, Advocate a/w Ms. Aparajita Rao, Advocate
for R-9

ORDER

1. Grievance in this application is against steps taken for setting up of Iron ore beneficiation plant by the Project Proponent (PP), M/s KAI International Pvt. Ltd in District Sundergarh, Orissa in violation of environmental norms, particularly without requisite EC. It is stated that without requisite Forest Clearance (FC) under Forest (Conservation) Act, 1980 from Central Government, trees have been cut, illegally treating the

area as 'non-forest' and permission granted by DFO is in violation of law laid down inter alia in TN Godavarman, (1997) 2 SCC 267.

2. Case set out in the application is that the PP proposes to set up Iron ore beneficiation plant with production capacity of 1.5 Million Tons Per Annum (MTPA), Iron ore Pelletisation Plant of 1.2 MTPA, Sponge Iron of 0.346 MTPA, Billet of 0.43 MTPA, Rolling Mill 0.417 MTPA, Captive Power Plant (CPP) of 75 MW, Producer Gas Plant 30,000 Nm³/hr and SMS Slag Crushing Unit 60,150 TPA in Kapand Mouza of Lahunipada Tahasil in Sundergarh District. Its proposal for EC was considered by EAC on 25-26 February, 2021. In view of high pollution potential, the proposal was returned. Still, the PP has felled large number of trees illegally which will adversely affect animal habitat and animal movement in the area. The area is contiguous to Kukia Reserve Forest which is also a habitat to wild animals with rare and endangered species. Other adjoining reserved forests are Kukia RF (NW) 0.4 km, Dhenkiam RF (W) 2.8 km Dhenkiam Block RF (NW) 4.3 km, Nalghati Rajabasa RE (SW) 52 km Dhanaghar Extension RF (NNE) 7.4km, Gurundia RE (SW) 8.7 km, Bhagoth RE (SSW) 7.1 km. Complaint was filed with the DFO, Rourkela on 01.10.2021 against illegal felling of trees but no action was taken. The PP is going ahead with the construction of the project without requisite EC.

3. Vide order dated 08.10.2021, the Tribunal considered the matter. Notice was also issued to all the respondents, including the PP, MoEF&CC, DFO, Rourkela and District Magistrate, Sundergarh. It was directed that since no EC had been granted, the PP may not raise any construction and may not fell any more trees without requisite clearance. The Tribunal also sought information from the State of Odisha about the number of trees already felled and action taken.

4. The said respondents have filed their respective replies.
5. Stand of the MoEF&CC is that the proposal for EIA was returned on recommendation of the EAC in its meeting held on 25 -26 February, 2021. The PP withdrew the application for EIA on 27.10.2021 on the ground that configuration of the plant had changed. Before that, fresh proposal was filed on 21.10.2021. The DFO, Rourkela had granted permission for felling of trees on 20.09.2021. The EAC considered the new proposal on 11 -12 November, 2021 and recommended grant of ToR which has been granted by the MoEF&CC on 29.11.2021. Final EIA report has not been filed with the MoEF&CC along with public hearing proceedings.
6. Stand of the DFO in affidavit dated 27.07.2022 is that land in question is *patit* (barren) land as per revenue record. 5856 trees are enumerated and permission granted for felling of trees was under Odisha Timber and other Forest Produce Transit Rules, 1980. PP has uprooted stumps of all 1500 trees and destroyed the evidence from the land. There is no scope for any further verification. Land is having moderately dense forest growth. Kukia Reserve Forest is not contiguous to the land in question and it is 0.12 Km away.
7. Stand of the PP is that on its application IDCO allotted land for the plant which is non forest land on 6.8.2021 against payment. It applied for EC on 16.2.2021 which was returned due to defects but another application has been filed on which TOR has been granted. The project involves investment of Rs.341 crore and generation of employment for 225 persons. DFO has granted permission for felling trees on the land and the PP has felled 1500 trees and deposited replantation charges (Rs.62 lacs).
8. The applicants in their rejoinder filed on 06.072022 have submitted that grant of permission by the DFO is illegal as the land is deemed forest

in view of order of Hon'ble Supreme Court in *T.N. Godavarman Thirumulpad (Supra)*. Description in revenue record that land is barren is not final as dictionary meaning of 'forest' will include land where trees actually exist, as in the case of the land in question. As held in *Lafarge (2011) 7 SCC 338*, the DFO cannot grant permission by treating such land as non forest merely on the basis of revenue record. Moreover, appraisal has to be conducted by the MoEF&CC as per directions in the said judgment which has not been done before felling trees. Further, in terms of Forest Policy, 1988 and directions in *Lafarge, (supra)*, forest is not to be treated as mere resource but national asset to prevent erosion and degradation of land. Thus, permission for felling trees by the DFO is illegal and it affects elephant movement and habitats of endangered flora and fauna. Number of trees actually cut by the PP is much more than those permitted by the DFO. Thus, ToR have been granted without considering these facts and pendency of these proceedings. Reasons for which the proposal was earlier returned on 26.02.2021 still hold good and have not been considered while granting TOR.

9. On pleadings of the parties, issues which arise for consideration are legality of permission for cutting of trees and granting of TOR without considering relevant facts. We have heard learned Counsel for the appearing parties, perused the record and considered the matter.

10. We first refer to minutes of meeting of EAC for consideration of the proposal for the project. The EAC decided to return the proposal on 26.02.2021 with following observations:-

“Observations of the Committee

31.10.13 The Committee noted the following:

- i. Form I is not complete as most of the details sought in the Form I are not provided.*

- ii. ***Pre-feasibility report found to be incomplete as the details relating to environment settings for the proposed site has not been furnished.***
- iii. ***As per the records submitted, no alternate site details were furnished whereas PP during presentation referred three alternative sites for the proposed unit without any review by established methods of site selection.***
- iv. ***There are lots of trees in the proposed site that would be cut as observed from KML file and site photographs submitted during the presentation.***
- v. *Management of phenolic water and tar recovered from PGP has not been described.*
- vi. ***Kukia RF is only 400 m from plant.***
- vii. ***10 Nos of IFs are proposed (4x10 and 6x 15T capacity) to produce 0.43 MTPA steel which are having high pollution potential. PP should explore feasibility of installation of higher configuration of Induction Furnace.”***

11. As against above, the minutes of the reconstituted EAC dated 11-12 November, 2021 show that ToRs have been recommended without considering validity of permission granted by the DFO for cutting of the trees and also the pollution potential as earlier considered. There is no change of circumstance for revisiting decision of EAC dated 26.2.2021. Thus, grant of TOR is prima facie vulnerable.

12. Further, permission for felling of trees by the DFO is prima facie against the mandate of law laid down in judgement of the Hon'ble Supreme Court in *T.N Godavarman (Supra)* and *Lafarge Umiam Mining Pvt. Ltd (Supra)*. The said view has been reiterated inter alia in *TN Godavarman (2014) 4 SCC 61*, *BDA v. Sudhakar Hegde (2020) 15 SCC 63* and *TN Godavarman (2022) 4 SCC 289*. When there are large number of trees in the land, it has to be treated as forest notwithstanding its description as 'barren' in revenue record. Thus, matter is governed by the Forest (Conservation) Act, 1980 attracting prohibition against its use for non forest purpose without requisite Forest Clearance (FC) from Central Government on consideration of Forest Policy 1988 and other relevant

factors including that such activity will have adverse impact on animal habitat and elephant movement which view finds mention in minutes of EAC dated 26.2.2021 which is not shown to have been duly considered.

13. Thus, there being prima facie strong case in favour of the applicants, we continue the interim order dated 08.10.2021 and also direct that no further steps for the project be taken by the PP without requisite EC and permissions. Process of consideration by EAC ignoring earlier view dated 26.2.2021 will be illegal. At the same time, instead of straightaway quashing the project at this stage, we consider it necessary to obtain an independent appraisal of the issue in the interest of protection of the environment under section 15 read with section 20 of the NGT Act, 2010.

14. Accordingly, we constitute a joint Committee of nominee of DG Forest, MoEF&CC (not below the rank of ADG), Integrated Regional Officer of MoEF&CC, Bhubaneshwar, PCCF (HoFF), Odisha, Chief Wildlife Warden, Odisha and the District Magistrate, Sundergarh. The Committee may undertake visit to the site, ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas. The Committee may meet within one month. It will be free to associate any other individual/institution/agency and interact with the stake holders. The nodal agency for coordination and compliance will be the Integrated Regional officer of MoEF&CC, Bhubaneshwar for coordination and compliance. The Committee may give its report within two months by email to the NGT Registrar, EZB by email with a copy thereof to the PP. The report may also be placed on the website of Integrated Regional Office of MoEF&CC for being accessed by the applicants or any other interested persons who will be free to respond to the report before the next date. The EC proceedings will remain stayed till further orders.

List for further consideration on 19.05.2023.

A copy of this order be forwarded to the DG Forest, MoEF&CC, Integrated Regional Officer of MoEF&CC, Bhubaneswar, PCCF (HoFF), Odisha, Chief Wildlife Warden, Odisha and the District Magistrate, Sundergarh by email for compliance.

I.A. No. 01/2022/EZ is for assessing number of trees and suitability of area for the project which will stand disposed of in terms of the above order. **I.A. No. 29/2022/EZ** is for revoking ToR which cannot be straightway directed but is to be considered after the report is received. The IA is disposed of. **I.A. No. 193/2022/EZ** is for action against the PP for violations which matter will be considered after the report is received. The said IA is also disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

B. Amit Sthalekar, JM

PROF. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 07, 2023
Original Application No. 94/2021/EZ
& I.A. No. 01/2022/EZ
I.A No. 29/2022/EZ
I.A. No. 193/2022/EZ
AB

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

.....

ORIGINAL APPLICATION No. 94/2021/EZ

IN THE MATTER OF:

- 1. Chittaranjan Mahanta,**
S/o Mahendra Mahanta,
Aged about 39 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040
- 2. Samaresh Mahanta,**
S/o Maghanad Mahanta,
Aged about 40 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040
- 3. Tankadhar Mahanta,**
S/o Gangadhar Mahanta,
Aged about 65 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040
- 4. Jayanta Kumar Mahanta,**
S/o PitambarMahanta,
Aged about 25 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040
- 5. Ajay Jhara,**
S/o Gunthu Jhara,
Aged about 26 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040
- 6. Saham Oram,**
S/o Sena Oram,
Aged about 48 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Odisha,
Pin - 770040

7. Mangra Oram,

S/o Samara Oram,
Aged about 65 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

8. Kusha Oram,

S/o Sukra Oram,
Aged about 48 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

9. Khatu Charan Kisan,

S/o Maghu Kisan,
Aged about 68 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

10. Sanatan Kisan,

S/o Harihar Kisan,
Aged about 55 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

11. Saheb Mananta,

S/o Jagannath Mahanta,
Aged about 60 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

12. Bhuleswar Mahanta,

S/o Anama Mahanta,
Aged about 30 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

13. Pradeep Patra,

S/o Jagannath Patra,
Aged about 36 years,
Residents of At/Po-Kapanda,
PS - Lahunipara, Dist - Sundargarh,
Pin - 770040

14. Pitambara Mahanta,

S/o Sambaru Mahanta,
 Aged about 60 years,
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

15. Hrukesh Mahanta,

S/o Bhima Mahanta,
 Aged about 64 years,
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

16. Nira Kisan,

S/o Butia Kisan,
 Aged about 25 years,
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

17. Amresh Mahanta,

S/o Maghanad Mahanta,
 Aged about 50 years,
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

18. Bipin Kisan,

S/o Khetrabasi Kisan,
 Aged about 23 years,
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

19. Shiba Ch. Mahanta,

S/o Shambaru Mahanta,
 Aged about 50 years
 Residents of At/Po-Kapanda,
 PS - Lahunipara, Dist - Sundargarh,
 Pin - 770040

20. Pitrush Munda,

S/o Samul Munda,
 Aged about 49 years,
 Residents of At-Patajharan,
 PO – Kapanda, PS - Lahunipara,
 Dist - Sundargarh,
 Pin – 770040

21. William Oliver Munda,

S/o Deonish Munda,

Aged about 45 years
Residents of At - Patajharan,
PO – Kapanda, PS - Lahunipara,
Dist - Sundargarh,
Pin – 770040

22. Gregory Munda,
S/o Paskal Munda,
Aged about 38 years
Residents of At - Patajharan,
PO – Kapanda, PS - Lahunipara,
Dist - Sundargarh,
Pin – 770040

23. Blacius Munda,
S/o Alphans Munda,
Aged about 30 years
Residents of At - Patajharan,
PO – Kapanda, PS - Lahunipara,
Dist - Sundargarh,
Pin – 770040

24. Dillip Kumar Samantaray,
S/o Lingaraj Samantaray,
Aged about 33 years
Residents of Plot No.3839/8,
Malay Vihar, GGP Colony,
Rasulgarh, Bhubaneswar
Pin –751010

25. Prafulla Samantara,
S/o Dinabandhu Samantara,
Aged about 69 years
A/3, Unit – IX,
Bhubaneswar-22

.... Applicant(s)

Versus

1. State of Odisha,
Through Chief Secretary of Odisha,
Loka Seva Bhawan,
Bhubaneswar,
Pin – 751001

2. Additional Chief Secretary,
Forest and Environment Department,
Kharbela Bhawan,
Bhubaneswar,
Government of Odisha,
Pin – 751001

- 3. District Collector, Sundargarh,**
At/Po/Dist – Sundergarh, Odisha,
Pin – 752001
- 4. Superintendent of Police, Rourkela,**
At/Po/Ps – Rourkela,
Dist – Sundergarh,769012
- 5. Divisional Forest Officer, Rourkela,**
At/Po/Ps – Rourkela,
Sundergarh,
- 6. Managing Director,**
Orissa Industrial Development Corporation (IDCO),
IDCO Tower, Exhibition Ground, Bhubaneswar,
Odisha – 751001
- 7. Chairman, Odisha State Biodiversity Board,**
Bhubaneswar, PO-IRCVillage,
Bhubaneswar – 15,
- 8. Union of India,**
Through the Secretary,
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan, Jorbagh,
New Delhi - 110003
- 9. M/s. K A I International Private Limited,**
CCC – 23, Civil Township,
Rourkela,

.... Respondent(s)

COUNSEL FOR APPLICANTS:

Mr. Sankar Prasad Pani, Advocate

COUNSEL FOR RESPONDENTS :

Mr. Shakti Prasad Panda, AGA for R-1,2,3,4,5 & 7,

Mr. D. N. Ray, Advocate for R-8,

Mr. Pinaki Mishra, Sr. Advocate a/w Mr. S. Tibrewal and Ms. Aparajita Rao, Advocates for R-9,

JUDGMENT

PRESENT:

HON'BLE MR. JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)

HON'BLE DR. ARUN KUMAR VERMA (EXPERT MEMBER)

Reserved On:- August 09th, 2023
Pronounce On:- August 22nd, 2023

1. Whether the Judgment is allowed to be published on the net? **Yes**

 2. Whether the Judgment is allowed to be published in the NGT Reporter? **Yes**
-

JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)

Heard the learned Counsel for the parties and perused the documents on record.

2. The allegation of the Applicants in the present Original Application is that Respondent No.9, M/s K A I International Private Limited, is setting-up an Iron Ore Pelletisation Plant with a production capacity of 1.5 million tonnes per annum without obtaining Environmental Clearance (EC) or Forest Clearance (FC). It is also stated that the Respondent No.9 is proposing to set-up a Steel Plant and allied activities such as Iron Ore Beneficiation Plant. It is further stated that for that purpose large scale felling of trees to the extent of almost 10,000 trees has been carried out and this area is contiguous to the Kukia Reserve Forest and many other reserve forests within a 10 Km radius which is the habitat of wild animals and endangered species of different flora and fauna of the area, illegally treating the area as 'non-forest' and the permission granted by the Divisional Forest Officer (DFO) is in violation of the law laid down, inter-alia, in T. N. Godavarman (1997) 2 SCC 267.

3. In particular, the case set out by the Applicants in the present Original Application is that the Project Proponent, Respondent No.9, proposes to set-up Iron ore Beneficiation Plant with production capacity of 1.5 Million Tons Per Annum (MTPA), Iron Ore Pelletisation Plant of 1.2 MTPA, Sponge Iron of 0.346 MTPA, Billet of 0.43 MTPA, Rolling Mill 0.417 MTPA, Captive Power Plant (CPP) of 75 MW, Producer Gas Plant 30,000 Nm³/hr. and SMS Slag Crushing Unit 60,150 TPA in Kapand Mouza of Lahunipada Tahasil in Sundergarh District. Its proposal for EC was considered by (Expert Appraisal Committee) EAC on 25-26 February, 2021. In view of high pollution potential, the proposal was returned. Still, the Project Proponent has felled large number of trees illegally which will adversely affect animal habitat and animal movement in the area. The area is contiguous to Kukia Reserve Forest which is also a habitat of wild animals with rare and endangered species. Other adjoining reserved forests are Kukia RF (NW) 0.4 km, Dhenkiam RF (W) 2.8 km, Dhenkiam Block RF (NW) 4.3 km, Nalghati Rajabasa RE (SWw) 52, km Dhanaghar Extension RF (NNE) 7.4km, Gurundia RE (Sww) 8.7 km, Bhagoth RE (SSW) 7.1 km. Complaint was filed with the DFO, Rourkela, on 01.10.2021 against illegal felling of trees but no action was taken. The Project Proponent is going ahead with the construction of the project without requisite EC.

4. It is further pointed out that in the 31st Meeting of Re-Constituted Expert Appraisal Committee (REAC) held on 25th-26th February, 2021, environment appraisal of Industry-1 sector projects

was carried out under the provisions of the Environment Impact Assessment (EIA) Notification, 2006, and the following was observed:-

“(i) Form I is not complete as most the details sought in the Form I are not provided.

(ii) Pre-feasibility report found to be incomplete as the details relating to environment settings for the proposed site has not been furnished.

(iii) As per the records submitted, no alternate site details were furnished whereas PP during presentation referred three alternative sites for the proposed unit without any review by established methods of site selection.

(iv) There are lots of trees in the proposed site that would be cut as observed from KML file and site photographs submitted during the presentation.

(v) Managed abutment of phenolic water and tar recovered from PGP has not been described.

(vi) Kukia RF is only 400 m from plant.

(vii) 10 Nos. of Induction Furnaces (IF) are proposed (4x10 and 6 x 15T capacities) to produce 0.43 MTPA steel which are having high pollution potential PP should explore feasibility of installation of higher configuration of Induction Furnace.

Recommendations of the Committee:

In view of the aforesaid observations, the Committee after deliberations, recommended to return the proposal in its present form for addressing the shortcomings as listed above. The copies of the Re-Constituted Expert Appraisal Committee Meeting held on 25th- 26th February, 2021, has been filed as Annexure -6 at page 44 of the paper book.”

5. By way of evidence, photographs have been filed from page 52 to 62, showing large areas have been cleared by the Project Proponent.

6. Mr. Prasenjeet Mohapatra, learned Additional Standing Counsel who earlier appeared for the State Respondents, on the

other hand, referring to the documents at page nos. 33-34, submitted that this land is not forest land, it is Kisam 'Patita'. At Sl. No.1 it is shown as Khata No. 118, Plot No. 1104, total area 99.000 acres and at Sl. No.2 Khata No. 118, Plot No.1107(P), total area 68.750 acres, totaling 167.750 acres.

7. The submission of the Ld. Counsel for the Applicants is that Environmental Clearance has not been granted by the MoEF & CC based on the Re-Constituted Expert Appraisal Committee report.

8. Ms. Aparajita Rao, learned Counsel for Respondent No.9, on the other hand, submitted that Respondent No.9 has again submitted his application for grant of EC. This confirms the fact that EC has not been granted so far.

9. Considering the fact situation that so far Environmental Clearance has not been granted by the MoEF&CC, the Tribunal vide its order dated 08.10.2021 directed that no construction and felling of trees shall be made at the site in question by the Respondent No.9, M/s KAI International Private Limited, including boundary wall etc. till all necessary clearances are granted by the MoEF&CC and other authorities, till further orders.

10. Notice was issued to all the Respondents, including the Project Proponent, MoEF&CC, Divisional Forest Officer, Rourkela, and District Magistrate, Sundergarh. The Tribunal directed that since no EC had been granted, the Project Proponent may not raise any construction and may not fell any more trees without requisite

clearance. The Tribunal also sought information from the State of Odisha about the number of trees already felled and action taken.

11. The said Respondents have filed their respective replies.

12. Stand of the MoEF&CC is that the proposal for EIA was returned on the recommendation of the EAC in its meeting held on 25 -26 February, 2021. The Project Proponent withdrew the application for EIA on 27.10.2021 on the ground that configuration of the Plant had changed. Before that, fresh proposal was filed on 21.10.2021. The Divisional Forest Officer, Rourkela, had granted permission for felling of trees on 20.09.2021. The EAC considered the new proposal on 11 -12 November, 2021 and recommended grant of ToR which has been granted by the MoEF&CC on 29.11.2021. Final EIA report has not been filed with the MoEF&CC along with public hearing proceedings.

13. The stand of the Divisional Forest Officer, Rourkela, in affidavit dated 27.07.2022 is that the land in question is Patit (barren) land as per revenue record. 5856 trees are enumerated and permission granted for felling of trees was under Odisha Timber and Other Forest Produce Transit Rules, 1980; the Project Proponent has uprooted stumps of all 1500 trees and destroyed the evidence from the land; there is no scope for any further verification; land is having moderately dense forest growth; Kukia Reserve Forest is not contiguous to the land in question and it is 0.12 Km away.

14. Further stand of the Project Proponent is that on its application, IDCO allotted land for the Plant which is non-forest land on 6.8.2021 against payment. It applied for EC on 16.2.2021 which was returned due to defects but another application has been filed on which TOR has been granted. The project involves investment of Rs.341 crores and generation of employment for 225 persons. Divisional Forest Officer, Rourkela, has granted permission for felling trees on the land and the Project Proponent has felled 1500 trees and deposited replantation charges (Rs.62 lacs).

15. The Applicants in their rejoinder affidavit filed on 06.07.2022 have submitted that grant of permission by the Divisional Forest Officer is illegal as the land is deemed forest in view of order of Hon'ble Supreme Court in T. N. Godavarman Thirumulpad (Supra). Description in revenue record that the land in question is barren is not final as dictionary meaning of 'forest' will include land where trees actually exist, as in the case of the land in question. As held in Lafarge (2011) 7 SCC 338, the Divisional Forest Officer cannot grant permission by treating such land as non-forest merely on the basis of revenue record. Moreover, appraisal has to be conducted by the MoEF&CC as per directions in the said judgment which has not been done before felling trees. Further, in terms of Forest Policy, 1988, and directions given in Lafarge, (Supra), forest is not to be treated as mere resource but national asset to prevent erosion and degradation of land. Thus, permission for felling trees by the Divisional Forest Officer is illegal and it affects movement of

elephants and habitats of endangered flora and fauna. Number of trees actually cut by the Project Proponent is much more than those permitted by the Divisional Forest Officer. Thus, ToR have been granted without considering these facts and pendency of these proceedings. Reasons for which the proposal was earlier returned on 26.02.2021 still hold good and have not been considered while granting TOR.

16. On pleadings of the parties, issues which arise for consideration are legality of permission for cutting of trees and granting of ToR without considering relevant facts.

17. We first refer to minutes of meeting of EAC for consideration of the proposal for the project. The EAC decided to return the proposal on 26.02.2021 with following observations:-

“Observations of the Committee

31.10.13 The Committee noted the following:

- i. Form I is not complete as most of the details sought in the Form I are not provided.*
- ii. Pre-feasibility report found to be incomplete as the details relating to environment settings for the proposed site has not been furnished.***
- iii. As per the records submitted, no alternate site details were furnished whereas PP during presentation referred three alternative sites for the proposed unit without any review by established methods of site selection.***
- iv. There are lots of trees in the proposed site that would be cut as observed from KML file and site photographs submitted during the presentation.***
- v. Management of phenolic water and tar recovered from PGP has not been described.*
- vi. Kukia RF is only 400 m from plant.***

vii. 10 Nos of IFs are proposed (4x10 and 6x 15T capacity) to produce 0.43 MTPA steel which are having high pollution potential. PP should explore feasibility of installation of higher configuration of Induction Furnace.”

18. As against the above, the minutes of the reconstituted EAC dated 11-12 November, 2021, show that ToRs have been recommended without considering validity of permission granted by the Divisional Forest Officer for cutting of trees and also the pollution potential as earlier considered. There is no change of circumstance for revisiting decision of EAC dated 26.02.2021. Thus, grant of TOR is *prima facie* vulnerable.

19. Further, permission for felling of trees by the Divisional Forest Officer is *prima facie* against the mandate of law laid down in the judgment of the Hon'ble Supreme Court in T.N Godavarman (Supra) and Lafarge Umiam Mining Pvt. Ltd (Supra). The said view has been reiterated *inter-alia* in T. N. Godavarman (2014) 4 SCC 61, BDA v. Sudhakar Hegde (2020) 15 SCC 63 and T. N. Godavarman (2022) 4 SCC 289. When there are large number of trees in the land, it has to be treated as forest notwithstanding its description as 'barren' in the revenue record. Thus, matter is governed by the Forest (Conservation) Act, 1980, attracting prohibition against its use for non-forest purpose without requisite Forest Clearance (FC) from Central Government on consideration of Forest Policy, 1988, and other relevant factors including that such activity will have adverse impact on animal habitat and elephants movement which view finds

mention in minutes of EAC dated 26.2.2021 which is not shown to have been duly considered.

20. Thus, there being *prima facie* strong case in favour of the Applicants, the Tribunal continued the interim order dated 08.10.2021 and also directed that no further steps for the project be taken by the Project Proponent without requisite EC and permissions. Process of consideration by EAC ignoring earlier view dated 26.02.2021 would be illegal. At the same time, instead of straightaway quashing the project at this stage, the Tribunal considered it necessary to obtain an independent appraisal of the issue in the interest of protection of the environment under section 15 read with section 20 of the National Green Tribunal Act, 2010.

21. Accordingly, the Tribunal constituted a Joint Committee comprising:-

(a) Nominee of DG Forest, MoEF&CC (not below the rank of ADG),

(b) Integrated Regional Officer of MoEF&CC, Bhubaneswar,

(c) PCCF (HoFF), Odisha,

(d) Chief Wildlife Warden, Odisha and

(e) District Magistrate, Sundergarh.

22. The Committee was directed to undertake visit to the site, ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas. The Committee was directed to meet within one month with liberty to associate any other

individual/institution/agency and interact with the stake holders. The Nodal Agency for coordination and compliance was the Integrated Regional officer of MoEF&CC, Bhubaneswar, for coordination and compliance. The Committee was also directed to give its report within two months with a copy thereof to the Project Proponent. The report was also directed to be placed on the website of Integrated Regional Office of MoEF&CC for being accessed by the Applicants or any other interested persons who may file response to the report. The Tribunal also directed that EC proceedings will remain stayed till further orders.

23. The Tribunal further vide its order dated 07.02.2023 disposed of the I.A. No.01/2022/EZ, I.A. No. 29/2022/EZ and I.A. No.193/2022/EZ.

24. The stand of the Project Proponent, Respondent No.9, in its affidavit dated 01.12.2021 is that an application for felling of trees was submitted in the office of the Divisional Forest Officer-cum-Wildlife Warden Rourkela Forest Division, Sundergarh, vide letter dated 04.03.2021. Thereafter, a Joint Verification and Tree Enumeration was conducted by the Respondent No.9 as well as the Respondent No.5 and based on this Joint Verification, enumeration list was issued by the Respondent No.5 vide his letter dated 24.06.2021 (page 287 of paper book), stating that there were total 5856 trees on the said land. It is stated that thereafter the IDCO, Respondent No.6, vide its letter dated 14.07.2021 directed the Respondent No.9 to deposit an amount of Rs. 62,77,740/- (Rupees

Sixty Two Lakhs Seventy Seven Thousand Seven Hundred Forty only) towards royalty and replantation of the trees being felled for establishment of industry by the Project Proponent, Respondent No.9, which amount was duly paid by the Respondent No.9 and as per the requirement of the Respondent No.9, it was assessed that only 1500 trees would be cut.

25. In the affidavit, it is further stated by the Project Proponent, Respondent No.9, that the Divisional Forest Officer, Rourkela, vide his letter dated 20.09.2021 (page no. 315 of the paper book), granted permission for felling of 1500 trees.

26. The case of the Project Proponent, Respondent No.9, is that it has purchased the land in question from the IDCO, Respondent No.6, on payment of Rs. 1,56,28,532/- (Rupees One Crore Fifty Six Lakhs Twenty Eight Thousand Five Hundred Thirty Two only) and the land was admittedly non-forest land though it had a large number of trees standing thereon.

27. The felling of trees has not been disputed by the Forest Department in their counter-affidavit dated 29.12.2021, though the number of trees has been disputed. The figure of 10,000 trees having been felled has been denied and it is stated that a total 1500 trees having a girth of 30 cm and above were felled. It is stated that the water body is also outside the proposed land in question as per GPS coordinates and there is no check dam within the leased out area.

28. Further stand of the Forest Department is that as per report of the Tahasildar, Lahunipara, the land in question is 'Abada Jogya Anabadi' having some tree growths but the said land is not forest land like Reserve Forest, Proposed Reserve Forest, Demarcated Protected Forest and Khasra Forest and, therefore, does not attract the provisions of the Forest (Conservation) Act, 1980. It is stated that these plots in question are also not included in the DLC report as per report of the Range Officer, Banki, dated 22.08.2020.

29. According to the Applicants, the letter of the Divisional Forest Officer, Rourkela, dated 11.11.2020 (Annexure-2, page 522 of the paper book) mentions that Plot No.1104 and Plot No.1107 (P) has been jointly verified by the Range Officer, Banki, and the Revenue Inspector, Darjing; the plantation has been taken-up over 25 hectares under CAMPA OWP during 2015-16 and over 100 hectares under CAMPA ANR with Gap Plantation during 2018-19 at Kapanda-Badbahal KF, by Rourkela Forest Division. On verification it was seen that the plantation area overlaps the area requested for the purpose of establishment of industries at some locations.

30. The letter further mentions that as per the judgment of the Hon'ble Supreme Court in Lafarge (Supra), the site may be inspected by the State Forest Department along with the Standing Site Inspection Committee (SIC) constituted by the Regional Office of the MoEF&CC, to ascertain the status of forests based on which a certificate in this regard may be issued. The Site Inspection

Committee will also examine as to whether the land in question is forest land or not.

31. The letter further mentions that 135 acres of land of the aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40% to 70% with very good biodiversity. It is also stated that though the area is not included in the DLC report but due to strong protection measures, good virgin forest growth has come-up with varying canopy density of 40% to 70% subsequently. The surrounding villages depend heavily on that patch of forest to earn their livelihood and as per the records the land bearing RoR No.118 (AJA) and Plot No. 1104 and Plot No.107 (P) has not been reserved for Compensatory Afforestation (CA).

32. What is noteworthy is that this letter of the Divisional Forest Officer, Rourkela, dated 11.11.2020 categorically mentions that under the domain of conservation of flora and fauna i.e., forestry point of view, the aforesaid land (RoR No. 118 (AJA) and Plot No. 1104 and Plot No.107 (P) is not desirable for use for establishment of industry, however, the report of SIC with representatives of State Forest Department should be taken into consideration to ascertain the status of forests whether it is forest land or not.

33. Further stand of the Project Proponent, Respondent No.9, in its affidavit dated 28.07.2022 is that setting-up of the proposed industry by the Respondent No.9 has been overwhelming supported by the local public and more than 300 members of the local public

participated in the meeting, out of which 89 persons have submitted their views on the project and out of 89 persons, only 5 persons objected to the project and the rest overwhelmingly supported the project. The proceedings of public consultation (hearing) have been filed as Annexure-A (page 632 of paper book).

34. The Committee constituted by the Tribunal by its order dated 07.02.2023 has submitted its report (page no.877 of the paper book) which reads as under:-

“Report of the Committee, as per Hon’ble National Green Tribunal’s order in the matter of OA No. 94/2021/EZ (Chittaranjan Mahanta & Ors. Vs. State of Odisha & Ors.) to ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas.”

Hon’ble National Green Tribunal, Eastern Zone, Kolkata, in its order dated 07.02.2022, in Original Application No. 94/2021/EZ has constituted a Joint Committee comprising of nominee of DG Forest, MoEF&CC (not below the rank of ADG), Integrated Regional Officer of MoEF&CC, Bhubaneswar, PCCF (HoFF), Odisha, Chief Wildlife Warden, Odisha, and the District Magistrate, Sundargarh.

The Hon’ble National Green Tribunal, Eastern Zone has further direct that “The Committee may undertake visit to the site, ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas. The Committee may meet within one month. It will be free to associate any other individual/institution/agency and interact with the stake holders.

After the receipt of the order of the Hon’ble NGT, the copy of the order was communicated to all the members and the Director General of Forests (DGF) was requested to nominate an

officer not below the rank of Additional Director General (ADG) for the said committee.

As per the direction of the Hon'ble National Green Tribunal a meeting was conducted in the hybrid mode involving all the members of the committee on 06.03.2023.

PCCF & HOFF, Odisha, PCCF Wildlife, Odisha, PCCF (FD & Nodal Officer, FC Act), Odisha, DDGF(C), Integrated Regional Office, Bhubaneswar, ADM Sundergarh (In-charge DM, Sundergarh), SDM Bonai, Dr. T. H. Mahato, Scientist D, Regional Office Bhubaneswar of MoEF&CC, were present in the meeting.

In the meeting RCCF, Rourkela, Dr. T.H. Mahato, Scientist 'D', IRO Bhubaneswar, representative of SEIAA were co-opted for the committee. In the meeting it was unanimously decided to carry out the site visit on 18th March 2023.

The site was visited by committee on 18.03.2023. Shri Debidutta Biswal, PCCF & HoFF, Odisha, Shri Sushil Kumar Popli, Chief Wildlife Warden, Odisha, Shri A.T Mishra, DDGF (C), IRO, Bhubaneswar, Dr. Gavali Parag Harshad, Collector & District Magistrate, Sudargarh were present during site inspection. among the co-opted members Sri Aun Kumar Mishra, RCCF, Rourkela and Dr. T H Mahato, Scientist 'D', IRO Bhubaneswar, Dr. Pradepta Nayak, SEIAA, Odisha were present. The information regarding the visit of this committee was given to the petitioner Sri Sankar Prasad Pani, Advocate and the owner of the proposed plant Shri Suresh Agarwal.

The site was again visited by the Nominee of DGF, Sri S P Yadav, ADGF, MoEF&CC, along with forest officials and officials of the revenue department on 28.04.2023.

LOCATION OF THE PROJECT:

The project site is located in Kapanda mouza of Bonai block of Sundergarh District. Initially about 117 acres of land was selected for this purpose which was later reduced to 47.74 acres. The proposed site is surrounded by Hilocks from three sides. The Purnapani-Budhikhutini-Samardari PF is in the eastern side of project site. The Kukia RF is located in the west side of the project site. In the other side there is a hillock which is not a notified forest. The Brahmani river is located at about 2.0 km from the proposed site. The proposed site is not a part

of any National Park, Wildlife Sanctuary, Critical wildlife habitat, Elephant or Tiger corridor. It is not within the Eco sensitive zone of any protected area. The nearest PA is Badrama Wildlife Sanctuary which is about 50 kilometer form the proposed site. The forests of the Purnapani-Budhikhutini-Samardari Pf and Kukia RF are having less than 0.4 crop density and has been kept in the Rehabilitation cum Plantation Working Circle as per the Compartment history available in the Rourkela Forest Division.

STAKEHOLDER CONSULTATION:

During the site inspection besides the member of the committee the officials of the Revenue department Sub Collector, Bonai, Tahasildar, Bonai, and the Amin of that area and officials of the Forest department, DFO, ACF and Range Officer of Rourkela Forest Division were present. The petitioner's advocate Shri Sankar Prasad Pani, the owner of the proposed plant and some of the villagers from Kapanda and Patajhari were also present.

The Committee interacted with the villages of both the villages. the village Kapanda is located 2 km away from the project site. Another village Patjharria is located near the site.

During interaction, some of the villagers were apprehensive about the dust pollution because of smoke from chimney and water pollution because of polluted water from the plant. some of the villagers were opposing because they are of the opinion that the black dust from the plant will act as layer in the leaves of the vegetable crop they are growing and consequently the production will be reduced. They are also apprehensive that the polluted discharge from the plant will pollute the ground water as well as the surface water.

Some of the villagers were in favour of the plant because they are of the opinion that they will get employment because of the plant. at the same time they were saying that the company should engage the local people in the plant.

EFFECT ON WILDLIFE:

During discussion with the villagers, some of the villagers said that last year one elephant had visited the forests of their village. The villagers also said that they have also spotted one

wild boar few months back. As per the man-animal conflict report submitted by DFO, in the last three years (20-21, 21-22, 22-23) 2 cases of crop damage in Nuagaon village and one case of crop damage in Kapanda village have been reported. These cases are only in the year 20-21. As per the report no man animal conflict case has been reported in 21-22 & 22-23 in this area.

As per the report of the DFO; discussion with the villagers, and the site visit, it was observed that area in question is not much significance from wild life point of view. Further, the proposed site is not a part of the National Park, Wildlife Sanctuary, Critical Wildlife habitat, Elephant or Tiger corridor. It is not even within the Eco-sensitive zone of any protected area. In fact, the nearest PA is Badrama which is about 50km from the proposed site. Therefore, the proposed plant will not have any significant impact on wildlife.

EFFECT ON FOREST:

The Purnapani-Budhikhutini-Samardari PF and the Kukia RF are located close to the proposed site. As per the Compartment history available in Rourkela Forest Division, these forests come under Dry Peninsular Sal forest. The canopy density is less than 0.4 and these forests have been kept under rehabilitation and Plantation working circle. As per the available record in the state forest department no flora and fauna is endemic to this area. Therefore the proposed project will not have any significant effect on the Flora and Fauna of the nearby forests. Implementation of Proper Eco restoration plan can mitigate adverse impact, if any.

EFFECT ON ENVIRONMENT:

The proposed plant is an integrated steel plant. In such plants the raw materials are to be transported to the site, which may give rise to dust pollution. the existing road that connects to the NH needs to be strengthened and mitigative measures like sprinkling water on the connecting roads have to be taken up.

The proposed plant is surrounded by hillocks. Therefore ESPs have to be installed and the chimney has to be designed

of appropriate height and green belt plantation around the site to be taken up to mitigate air pollution.

In integrated steel plants the effluent water has to be treated. Zero effluent discharge, provisions of ETPs, garland drains around the site, water harvesting structure etc. have to be stipulated to mitigate the water pollution.

EFFECT ON RIVER:

The nearest river Brahmani is located at about 2.0 km from the proposed site. The Google map showing the location of the river with distance is annexed as annexure R/3. Therefore, conditions such as zero effluent discharge, ETPs, garland drain and water harvesting structures will ensure that the river water will not be contaminated.

OBSERVATION OF THE COMMITTEE:

As discussed above, the proposed plant will not have any significant impact on wildlife and forests. There are no environmentally sensitive areas nearby. Like any other integrated steel plant, this will also have environmental concern, which can be address/mitigated by the stipulations indicated in the above paragraphs. These stipulations are indicative and not exhaustive.

Further the plant should engage the local people by providing employment, address the health issue of the villagers around the proposed site through regular medical checkup as well as treatment facilities and create a green belt all along the boundary of the proposed plant. Wildlife Conservation plan, Eco-restoration Plan for the surrounding forests will also help in mitigating the adverse impact.

Man-Animal Conflict report in Kapanda & near by villages of project area of KAI International Pvt. Ltd.

Sl No	Type of Conflict	Details of Damage report.									Remarks
		2020-21	Name of village.	Damaged area (In Acre)	2021-22	Name of village.	Damaged area (In Acre)	2022-23	Name of village.	Damaged area (In Acre)	
1	Human Death	0	0	0	0	0	0	0	0	0	-
2	Human Injury	0	0	0	0	0	0	0	0	0	-
3	Crop damage	1	Nuagaon	0.32	0	0	0	0	0	0	
		1	Nuagaon	0.25	0	0	0	0	0	0	
		1	Kapanda	0.45	0	0	0	0	0	0	
	Total-	3		1.02	0	0	0	0	0	0	
4	House Damage	0	0	0	0	0	0	0	0	0	


 Divisional Forest Officer
 Rourkela Division

35. The Report mentions that initially about 117 acres of land was selected for the Project which was later reduced to 47.74 acres. The proposed site is surrounded by hillocks on three sides; the Purnapani-Budhikhutini-Samardari PF is in the eastern side of the project site; the Kukia RF is located in the west side of the project side; on the other side there is a hillock which is not a notified forest; and the Brahmani river is located about 2 kilometer from the proposed side. The proposed site is not a part of any National Park, Wildlife Sanctuary, Critical Wildlife Habitat, Elephant or Tiger Corridor and it is also not within the Eco-Sensitive Zone of any protected area. The nearest Protected Area (PA) is Badrama Wildlife Sanctuary which is about 50 kilometers from the proposed site. The forests of Purnapani-Budhikhutini-Samardari PF and Kukia RF are having less than 0.4 crop density and has been kept in the Rehabilitation-cum-Plantation Working Circle as per the

Compartment history available in the Rourkela Forest Division. During inspection, apart from the officials of the various Departments, Shri Sankar Prasad Pani, Counsel appearing on behalf of the Applicants in the present case, the owner of the proposed Plant and some villagers from Kapanda and Patajharria were also present.

36. The Report further mentions that during the past year one elephant had visited the forest of their village and one wild boar was spotted, though there were two cases of crop damage under Nuagaon village and one case of crop damage in Kapanda village in the year 2020-21 but there is no man-animal conflict reported in 2021-22 and 2022-23 in this area. The Purnapani-Budhikhutini-Samardari PF and Kukia RF are located close to the proposed site; these forests come under Dry Peninsular Sal forests with a canopy density of less than 0.4 and these forests have been kept under Rehabilitation and Plantation Working Circle. There is no flora and fauna endemic to this area. The proposed project will not have any stagnant effects on the flora and fauna of the nearby forests. Implementation of Proper Eco-Restoration Plan can mitigate the adverse impact, if any.

37. The Joint Committee Report further mentions that since the proposed Plant is an integrated Steel Plant and raw material has to be transported to the site giving rise to dust pollution, the existing road that connects to the National Highway (NH) needs to be strengthened and mitigative measures like – water sprinkling on the

connecting roads have to be taken-up. It is further noted that since the proposed Plant is surrounded by hillocks, (Electrostatic Precipitators) ESPs have to be installed and the chimney has to be designed of appropriate height and green belt plantation around the site must be taken-up to mitigate air pollution. In the Plant, effluent water has to be treated, zero effluent discharge, provisions of ETPs, garland drains around the site, water harvesting structure etc. have to be stipulated to mitigate the water pollution.

38. Mr. Sankar Prasad Pani, learned Counsel for the Applicants has referred to the MoEF&CC Notification dated 19.08.2010 which mentions that no activity relating to any project covered under this notification would be carried out without obtaining Environmental Clearance.

39. This notification, we may note here, has been tempered by a subsequent notification dated 29.03.2022 issued by the MoEF&CC. This notification provides the following activities which can be undertaken by the Project Proponent for securing the land viz.:-

- i. *Fencing of the project site by boundary wall using civil construction, barbed wire or precast/prefabricated components.*
- ii. *Construction of temporary sheds using pre-fabricated/modular structure, for site office/guards and storing material and machinery.*
- iii. *Provision of temporary electricity and water supply for site office/guards only.*

40. Mr. Sankar Prasad Pani, learned Counsel for the Applicants submitted that in any case cutting of trees is not a permissible activity under the subsequent notification of the MoEF&CC but the affidavit of the Divisional Forest Officer, Rourkela, dated 27.07.2022 mentions that a show cause notice was issued to the Project Proponent, Respondent No.9 for violation of the Orissa Timber and Other Forest Produce Transit Rules, 1980, and no Timber Transit Permit has been issued to the Respondent No.9 for disposal of the felled materials and there is no provision in the Rules to take action against the said Respondent, if the stumps of the felled trees are removed before issuance of Timber Transit Permit, therefore, the Respondent No.9 has felled more than 1500 trees and removed their stumps for which the exact number of such trees needs to be computed by the Forest Department and appropriate penalty should be levied against the Respondent No.9.

41. Mr. Shakti Prasad Panda, learned Additional Government Advocate appearing for State Respondents, on the other hand, submitted that under the Orissa Timber and Other Forest Produce Transit Rules, 1980, the Divisional Forest Officer is authorized to issue Transit Permit for removal of trees.

42. Question is whether the Divisional Forest Officer is authorized to permit felling of trees as he has done vide his letter dated 20.09.2021, particularly after the judgment of the Hon'ble Supreme Court in the case of Lafarge (Supra) and the T. N. Godavarman Thirumulpad (Supra).

43. Learned Counsel for the parties, however, submitted that the matter regarding grant of Environmental Clearance is still pending consideration before the Expert Appraisal Committee (EAC) even though the contention of Mr. Sankar Prasad Pani, learned Counsel for the Applicant, is that the Project Proponent, Respondent No.9, has violated the mandatory provisions of the notification of the MoEF&CC dated 19.08.2010 and 29.03.2022 by entering upon the land in question and removing large number of trees including their stumps and has made cement concrete wall as shown in the photographs filed at page no. 871 and 873 (colly) to the paper book.

44. The categorical stand of the State Respondents is that the land in question is not forest land. However, the facts on record emerging from the letter of the Divisional Forest Officer, Rourkela Division, dated 24.06.2021 is that there were 5856 trees standing on Ac. 117.00 of the said land which was a factor which should have been considered by the Divisional Forest Officer before granting permission for felling of 1500 trees in violation of the judgment of the Hon'ble Supreme Court in T. N. Godavarman Thirumulpad (1997) 2 SCC 267.

45. Para 4 of the said judgment reads as under:-

4. The Forest Conservation Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "forest" must be understood according to its dictionary meaning. This

description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act. The term “forest land”, occurring in Section 2, will not only include “forest” as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof. This aspect has been made abundantly clear in the decisions of this Court in Ambica Quarry Works v. State of Gujarat [(1987) 1 SCC 213] , Rural Litigation and Entitlement Kendra v. State of U.P. [1989 Supp (1) SCC 504] and recently in the order dated 29-11-1996 (Supreme Court Monitoring Committee v. Mussoorie Dehradun Development Authority [WP (C) No 749 of 1995 decided on 29-11-1996]). The earlier decision of this Court in State of Bihar v. Banshi Ram Modi [(1985) 3 SCC 643] has, therefore, to be understood in the light of these subsequent decisions. We consider it necessary to reiterate this settled position emerging from the decisions of this Court to dispel the doubt, if any, in the perception of any State Government or authority. This has become necessary also because of the stand taken on behalf of the State of Rajasthan, even at this late stage, relating to permissions granted for mining in such area which is clearly contrary to the decisions of this Court. It is reasonable to assume that any State Government which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay.

46. The fact of existence of large number of trees on the site in question was noted in the 48th meeting of the re-constituted Expert Appraisal Committee held on 11-12.11.2021 which mentions that a total 3972 trees are present at the project site out of which the Project Proponent received permission from local forest authorities

for felling of 1500 trees. Further, 260 trees are proposed to be transplanted.

47. The case of Lafarge (Supra) was that the Project Proponent has misrepresented to the MoEF&CC that the land in question was not a forest land, though the stand of the State Respondents therein was that the land was, in fact, forest land and, therefore, the Environmental Clearance was granted due to misrepresentation by the Project Proponent. The Hon'ble Supreme Court in paragraphs 93 and 94 of the said judgment noted that for the first time on 01.06.2006 the Chief Conservator of Forest (C) came out with the change of view that mining lease area stood surrounded by thick natural vegetation covered with sizeable number of tall trees and in the circumstances he recommended that the project proponent should be directed to obtain clearance under the Forest (Conservation) Act, 1980, and not to carry on mining activities till such clearance is obtained. The Principal Chief Conservator of Forests agreed with the opinion of the Chief Conservator of Forests (C) and opined that the Lafarge was not at fault because the certificate indicating absence of forests was given by the Khasi Hills Autonomous District Council. Paragraphs 93 and 94 of the judgment read as under:-

“93. In this connection, it needs to be stated that on 1-6-2006 for the first time the Chief Conservator of Forests (C), Shri Khazan Singh came out with the change of view which was ultimately accepted in 2007 by MoEF. According to the Chief Conservator of Forests (C), he had visited the limestone mining project of Lafarge on 24-5-2006 when he found that the mining

lease area stood surrounded by thick natural vegetation covered with sizeable number of tall trees and in the circumstances he recommended that the project proponent should be directed to obtain clearance under the 1980 Act and not to carry on the mining activities till such clearance is obtained.

94. *The most important fact is that subsequent to the letter dated 1-6-2006, addressed by the Chief Conservator of Forests (C), Shri Khazan Singh, the Principal Chief Conservator of Forests agreed with the opinion of the Chief Conservator of Forests (C). This was by letter dated 11-5-2007. However, even according to the Principal Chief Conservator of Forests, who was the Chairperson of the Expert Committee appointed by the State Government, Lafarge was not at fault because the certificate indicating absence of forests was given by the Khasi Hills Autonomous District Council. In fact the letter dated 11-5-2007 further goes to state that the activities of Lafarge will provide employment to a large number of local tribals and rural people and consequently the application for forest clearance made by Lafarge without prejudice to their rights and contentions dated 3-5-2007 be considered by MoEF.”*

48. Paragraphs 119 and 120 of the said judgment may also be extracted herein below:-

“(d) Summary

119. *The time has come for us to apply the constitutional “doctrine of proportionality” to the matters concerning environment as a part of the process of judicial review in contradistinction to merit review. It cannot be gainsaid that utilisation of the environment and its natural resources has to be in a way that is consistent with principles of sustainable development and intergenerational equity, but balancing of these equities may entail policy choices. In the circumstances, barring exceptions, decisions relating to utilisation of natural resources have to be tested on the anvil of the well-recognised principles of judicial review. Have all the relevant factors been taken into account? Have any extraneous factors influenced the decision? Is the decision strictly in accordance with the*

*legislative policy underlying the law (if any) that governs the field? Is the decision consistent with the principles of sustainable development in the sense that has the decision-maker taken into account the said principle and, on the basis of relevant considerations, arrived at a balanced decision? Thus, the Court should review the decision-making process to ensure that the decision of MoEF is fair and fully informed, based on the correct principles, and free from any bias or restraint. Once this is ensured, then the doctrine of “margin of appreciation” in favour of the decision-maker would come into play. Our above view is further strengthened by the decision of the Court of Appeal in *R. v. Chester City Council* [(2011) 1 All ER 476] reported in All ER paras 14 to 16.*

120. *Accordingly, this matter stands disposed of keeping in mind various facets of the word “environment”, the inputs provided by the village durbar of Nongtraï (including their understanding of the word “forest” and the balance between environment and economic sustainability), their participation in the decision-making process, the topography and connectivity of the site to Shillong, the letter dated 11-5-2007 of the Principal Chief Conservator of Forests and the report of Shri B.N. Jha dated 5-4-2010 (HPC) (each one of which refers to economic welfare of the tribals of Village Nongtraï), the polluter pays principle and the intergenerational equity (including the history of limestone mining in the area from 1858 and the prevalent social and customary rights of the natives and tribals). The word “development” is a relative term. One cannot assume that the tribals are not aware of principles of conservation of forest. In the present case, we are satisfied that limestone mining has been going on for centuries in the area and that it is an activity which is intertwined with the culture and the unique landholding and tenure system of Nongtraï Village. On the facts of this case, we are satisfied with the due diligence exercise undertaken by MoEF in the matter of forest diversion. Thus, our order herein is confined to the facts of this case.”*

49. While disposing of the said case, the Hon'ble Supreme Court in paragraphs 122 and 123 had issued guidelines to be followed in future cases which read as under:-

“Part II — Guidelines to be followed in future cases

122. (i) *As stated in our order hereinabove, the words “environment” and “sustainable development” have various facets. At times in respect of a few of these facets data is not available. Care for environment is an ongoing process.*

(i.1.) The time has come for this Court to declare and we hereby declare that the National Forest Policy, 1988 which lays down far-reaching principles must necessarily govern the grant of permissions under Section 2 of the Forest (Conservation) Act, 1980 as the same provides the road map to ecological protection and improvement under the Environment (Protection) Act, 1986. The principles/guidelines mentioned in the National Forest Policy, 1988 should be read as part of the provisions of the Environment (Protection) Act, 1986 read together with the Forest (Conservation) Act, 1980. This direction is required to be given because there is no machinery even today established for implementation of the said National Forest Policy, 1988 read with the Forest (Conservation) Act, 1980. Section 3 of the Environment (Protection) Act, 1986 confers a power coupled with duty and, thus, it is incumbent on the Central Government, as hereinafter indicated, to appoint an appropriate authority, preferably in the form of regulator, at the State and at the Central level for ensuring implementation of the National Forest Policy, 1988.

(i.2.) The difference between a regulator and a court must be kept in mind. The court/tribunal is basically an authority which reacts to a given situation brought to its notice whereas a regulator is a proactive body with the power conferred upon it to frame statutory rules and regulations. The regulatory mechanism warrants open discussion, public participation and circulation of the draft paper inviting suggestions.

(i.3.) The basic objectives of the National Forest Policy, 1988 include positive and proactive steps to be taken. These include maintenance of environmental stability through preservation, restoration of ecological balance that has been adversely

disturbed by serious depletion of forests, conservation of natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, checking soil erosion and denudation in the catchment areas, checking the extension of sand dunes, increasing the forest/tree cover in the country and encouraging efficient utilisation of forest produce and maximising substitution of wood.

(i.4.) Thus, we are of the view that under Section 3(3) of the Environment (Protection) Act, 1986, the Central Government should appoint a National Regulator for appraising projects, enforcing environmental conditions for approvals and to impose penalties on polluters.

(i.5.) There is one more reason for having a regulatory mechanism in place. Identification of an area as forest area is solely based on the declaration to be filed by the user agency (project proponent). The project proponent under the existing dispensation is required to undertake EIA by an expert body/institution. In many cases, the court is not made aware of the terms of reference. In several cases, the court is not made aware of the study area undertaken by the expert body. Consequently, MoEF/State Government acts on the report (Rapid EIA) undertaken by the institutions who though accredited submit answers according to the terms of reference propounded by the project proponent. We do not wish to cast any doubt on the credibility of these institutions. However, at times the court is faced with conflicting reports. Similarly, the Government is also faced with a fait accompli kind of situation which in the ultimate analysis leads to grant of ex post facto clearance. To obviate these difficulties, we are of the view that a regulatory mechanism should be put in place and till the time such mechanism is put in place, MoEF should prepare a panel of accredited institutions from which alone the project proponent should obtain the Rapid EIA and that too on the terms of reference to be formulated by MoEF.

(ii) In all future cases, the user agency (project proponents) shall comply with the Office Memorandum dated 26-4-2011 issued by MoEF which requires that all mining projects involving forests and for such non-mining projects which involve more than 40 ha of forests, the project proponent shall submit the

documents which have been enumerated in the said memorandum.

(iii) If the project proponent makes a claim regarding status of the land being non-forest and if there is any doubt the site shall be inspected by the State Forest Department along with the regional office of MoEF to ascertain the status of forests, based on which the certificate in this regard be issued. In all such cases, it would be desirable for the representative of the State Forest Department to assist the Expert Appraisal Committee.

(iv) At present, there are six regional offices in the country. This may be expanded to at least ten. At each regional office there may be a Standing Site Inspection Committee which will take up the work of ascertaining the position of the land (namely whether it is forest land or not). In each Committee there may be one non-official member who is an expert in forestry. If it is found that forest land is involved, then forest clearance will have to be applied for first.

(v) Increase in the number of regional offices of the Ministry from six presently located at Shillong, Bhubaneswar, Lucknow, Chandigarh, Bhopal and Bangalore to at least ten by opening at least four new regional offices at the locations to be decided in consultation with the State/UT Governments to facilitate more frequent inspections and in-depth scrutiny and appraisal of the proposals.

(vi) Constitution of the Regional Empowered Committee, under the Chairmanship of the Chief Conservator of Forests (Central) concerned and having the Conservator of Forests (Central) and three non-official members to be selected from the eminent experts in forestry and allied disciplines as its members, at each of the regional offices of MoEF, to facilitate detailed/in-depth scrutiny of the proposals involving diversion of forest area of more than 5 ha and up to 40 ha and all proposals relating to mining and encroachments up to 40 ha.

(vii) Creation and regular updating of a GIS based decision support database, tentatively containing inter alia the district-wise details of the location and boundary of (i) each plot of land that may be defined as forest for the purpose of the Forest (Conservation) Act, 1980; (ii) the core, buffer and eco-sensitive zone of the protected areas constituted as per the provisions of the Wild Life (Protection) Act, 1972; (iii) the important migratory

corridors for wildlife; and (iv) the forest land diverted for non-forest purpose in the past in the district. The Survey of India toposheets in digital format, the forest cover maps prepared by the Forest Survey of India in preparation of the successive State of Forest Reports and the conditions stipulated in the approvals accorded under the Forest (Conservation) Act, 1980 for each case of diversion of forest land in the district will also be part of the proposed decision support database.

(viii) Orders to implement these may, after getting necessary approvals, be issued expeditiously.

(ix) The Office Memorandum dated 26-4-2011 is in continuation of an earlier Office Memorandum dated 31-3-2011. This earlier OM clearly delineates the order of priority required to be followed while seeking environmental clearance under the Environment Impact Assessment Notification, 2006. It provides that in cases where environmental clearance is required for a project on forest land, the forest clearance shall be obtained before the grant of the environment clearance.

(x) In addition to the above, an Office Memorandum dated 26-4-2011 on Corporate Environmental Responsibility has also been issued by MoEF. This OM lays down the need for PSUs and other corporate entities to evolve a corporate environment policy of their own to ensure greater compliance with the environmental and forestry clearance granted to them.

(xi) All minutes of proceedings before the Forest Advisory Committee in respect of the Forest (Conservation) Act, 1980 as well as the minutes of proceedings of the Expert Appraisal Committee in respect of the Environment (Protection) Act, 1986 are regularly uploaded on the Ministry's website even before the final approval/decision of the Ministry for Environment and Forests is obtained. This has been done to ensure public accountability. This also includes environmental clearances given under the EIA Notification of 2006 issued under the Environment (Protection) Act, 1986. Henceforth, in addition to the above, all forest clearances given under the Forest (Conservation) Act, 1980 may now be uploaded on the Ministry's website.

(xii) Completion of the exercise undertaken by each State/UT Government in compliance with this Court's order dated 12-12-1996 [*T.N. Godavarman Thirumulpad v. Union of India*, (1997)]

2 SCC 267] wherein inter alia each State/UT Government was directed to constitute an expert committee to identify the areas which are “forests” irrespective of whether they are so notified, recognised or classified under any law, and irrespective of the land of such “forest” and the areas which were earlier “forests” but stand degraded, denuded and cleared, culminating in preparation of geo-referenced district forest maps containing the details of the location and boundary of each plot of land that may be defined as “forest” for the purpose of the Forest (Conservation) Act, 1980.

(xiii) Incorporating appropriate safeguards in the environment clearance process to eliminate chance of the grant of environment clearance to projects involving diversion of forest land by considering such forest land as non-forest, a flow chart depicting the tentative nature and manner of incorporating the proposed safeguards to be finalised after consultation with the State/UT Governments.

(xiv) The public consultation or public hearing as it is commonly known, is a mandatory requirement of the environment clearance process and provides an effective forum for any person aggrieved by any aspect of any project to register and seek redressal of his/her grievances.

(xv) MoEF will prepare a comprehensive policy for inspection, verification and monitoring and the overall procedure relating to the grant of forest clearances and identification of forests in consultation with the States (given that forests fall under Entry 17-A of the Concurrent List).

123. Part II of our order gives guidelines to be followed by the Central Government, State Governments and the various authorities under the Forest (Conservation) Act, 1980 and the Environment (Protection) Act, 1986. These guidelines are to be implemented in all future cases. These guidelines are required to be given so that fait accompli situations do not recur. We have issued these guidelines in the light of our experience in the last couple of years. These guidelines will operate in all future cases of environmental and forest clearances till a regulatory mechanism is put in place. On the implementation of these guidelines, MoEF will file its compliance report within six months.”

The directions given by the Hon'ble Supreme Court in Lafarge (Supra) have been reiterated in (2014) 4 SCC 61; T.N. Godavarman Thirumulpad Vs. Union of India.

50. In view of above, we are of the view that the facts as they stand need to be examined by the Expert Appraisal Committee before whom the question relating to grant of Environmental Clearance to the Project Proponent is still pending and the question whether the Project Proponent is in violation of the Notification dated 19.08.2010 read with subsequent notification dated 29.03.2022 issued by the MoEF&CC, considering the fact that the Project Proponent has also deposited a sum of Rs. 62,77,740/- (Rupees Sixty Two Lakhs Seventy Seven Thousand Seven Hundred Forty only) towards royalty and replantation of the trees, is a matter which needs to be examined by the Expert Appraisal Committee. Question as to whether the Project Proponent, Respondent No.9, is liable for payment of Environmental Compensation for loss caused to the environment is also required to be considered by the MoEF&CC in totality of the facts and circumstances of the case and the judgments of the Hon'ble Supreme Court.

51. Considering the totality of the case and the law laid down by the Hon'ble Supreme Court, we dispose of the Original Application 94/2021/EZ with a direction to the Respondent No.8, MoEF&CC, to take a decision in the matter of grant of Environmental Clearance to the Project Proponent, Respondent No.9, in accordance with law within a period of three months. The interim order granted by this

Court on 08.10.2021 shall continue to remain in operation and shall be subject to any final decision taken by the Respondent No.8.

52. I.As. if any, stand disposed of accordingly.

53. There shall be no order as to costs.

.....
B. AMIT STHALEKAR, JM

.....
DR. ARUN KUMAR VERMA, EM

**Kolkata,
August 22nd, 2023,
Original Application No.94/2021/EZ
AK**

Ministry of Environment, Forest and Climate Change



Definition under State of Forest Report

Posted On: 03 FEB 2022 3:49PM by PIB Delhi

As per decision 19/Conference of Parties (CP) 9-Kyoto Protocol, the forest can be defined by any country depending upon the capacities and capabilities of the country as follows:-

Forest- Forest is defined structurally on the basis of

- Crown cover percentage: Tree crown cover- 10 to 30% (India 10%)
- Minimum area of stand: area between 0.05 and 1 hectare (India 1.0 hectare) and
- Minimum height of trees: Potential to reach a minimum height at maturity in situ of 2 to 5 m (India 2m)

India's definition of forest has been taken on the basis of above three criteria only and very well accepted by United Nations Framework Convention on Climate Change (UNFCCC) and Food and Agriculture Organization (FAO) for their reporting/communications. The forest cover is defined as 'all land, more than one hectare in area, with a tree canopy density of more than 10 percent irrespective of ownership and legal status. Such land may not necessarily be a recorded forest area. It also includes orchards, bamboo and palm'. The definition of forest cover has clearly been defined in all the India State of Forest Report (ISFR) and in all the International communications of India.

In ISFR 2021 recently published by the Ministry on 13th January, 2022, the forest cover figures are divided as 'Inside Recorded Forest Area' and 'Outside Recorded Forest Area'. Those 'Inside Recorded Forest Area' are basically natural forests and plantations of Forest Department. The Forest cover 'Outside Recorded Forest Area' are mango orchards, coconut plantations, block plantations of agroforestry. Thus data of mango plantations etc. is automatically getting separated out as Forest Survey of India is reporting the figures of 'Outside Recorded Forest Area' separately.

The Interpretation of satellite data for classifying Very Dense Forest (VDF) is also supported by the ancilliary data like field inventory data of FSI, ground truthing data and high resolution satellite imagery wherever required.

At present, there is no plan to change the definition of forest cover and very dense forest. The definition of forest cover in ISFR represents true picture as described.

All India State of Forest Reports having state wise forest cover maps and district wise forest cover figure are available at FSI website.

This information was given by Shri Ashwini Kumar Choubey, Minister of State, Ministry of Environment, Forest & Climate Change in Rajya Sabha today.



Savekapanda Forest <savekapandaforest21@gmail.com>

Presentation to the joint investigation committee for Kapanda Forest against the NGT order for Kapanda Forest matter dated 7th February 2023 in OA94 of 2021.

Savekapanda Forest <savekapandaforest21@gmail.com>

Sat, Mar 18, 2023 at 12:21 PM

To: Ro.moefcc@gov.in, csori@nic.in, fesecc@nic.in, rb.lal@nic.in, secy-moef@nic.in, Roez.bsr-mef@nic.in, bhupender.yadav@sansad.nic.in, paribesh1@ospcboard.org, dm-sundargarh@nic.in, ahupadhy@rediffmail.com, rpsh3@hotmail.com, docsvd@yahoo.com, sksinghdce@gmail.com, r.gopichandran61@gmail.com, avasaraajagan@gmail.com, kamyotra@yahoo.co.in, arjun.munda@gov.in, arjun.munda@gmail.com, chairman.eac.ind.1@gmail.com, ranganathan.metals@gmail.com, ranjitnitj@gmail.com, telangana.rajuevr60@gmail.com, jaikrishnapandey@gmail.com, jkpandey@cimfr.nic.in, dshome61@gmail.com, tejaswini.acf@gmail.com, sshemant_801@rediffmail.com, dg@ncbindia.com, mscb.cpcb@nic.in, directorgeneral.imd@imd.gov.in, m.mohapatra@imd.gov.in, dirind-moefcc@gov.in, r.sundar@nic.in, director-nioh@gov.in, rajuevr60@gmail.com, adgfc-mef@nic.in, dgfindia@nic.in, lingaraj.otta@odisha.gov.in, umakant6424@gmail.com, direnvodisha@gmail.com, forest1@sify.com, pccfodisha@gmail.com, gis.pccfodisha@gmail.com, odishawildlife@gmail.com
Cc: diriapolicy-moefcc@gov.in, cmo@nic.in, jualoram@sansad.nic.in, oram.jual@gmail.com, nrsahoo@ospcboard.org, bkb_sarthak29@yahoo.co.in, Rowz.bpl-mef@nic.in, kushal.vashist@gov.in, sk.parida@nic.in, gupta.vipin@gov.in, unepinfo@unep.org, executiveoffice@unep.org, JPOCoordinator@unep.org, unep-executiveoffice@unep.org, unep-director-ecosystems@unep.org, sb.mondal@nic.in, anil.kumar@nic.in, monitoring-ec@nic.in, sudheer.ch@gov.in, unep-sgb@unep.org, unep-communication-director@unep.org, uneproap@unep.org, unepindia@unep.org, subcol.bonai-od@nic.in, sprkl.orphol@nic.in, dforourkela.od@gov.in, Divisional Forest Officer Rourkela <dforourkela@yahoo.co.in>, Tah.lahuni-od@nic.in, sdmbonai@gmail.com, dirhq-ncsc@gov.in, secretary-ncsc@nic.in, arunabh.b@nic.in, parveen.75@gov.in, arun.halder@ncsc.gov.in, sanjay.gnayak@ncsc.gov.in, chairman-ncsc@nic.in, chairperson@ncst.nic.in, pstochairperson@ncst.nic.in, aps-chairman@ncst.nic.in, official.kapanda@gmail.com, shggroup.savekapandaforest@gmail.com, ananta.nayak@ncst.nic.in, registrar@vssut.ac.in, mccmc@nic.in

!!Stop allowing demolition of the forest and save environment!!

Date -18.03.2023

(By Email)

To,

1. Director General of Forest, MoEF&CC, New Delhi
2. Integrated Regional Officer of MoEF&CC, Bhubaneswar, Odisha
3. PCCF (HoFF), Bhubaneswar, Odisha
4. Chief Wildlife Warden, Bhubaneswar, Odisha
5. District Magistrate, Sundergarh

Re: Presentation to the joint investigation committee for Kapanda Forest against the NGT order for Kapanda Forest matter dated 7th February 2023 in OA94 of 2021.

Dear Sir,

In reference to the joint investigation, we the local villagers would like to submit our presentation copy via email for your kind perusal.

We have strong hope that the investigation team will review the entire matter thoroughly basis the actual facts and will perform their due diligence based on their scope of investigation.

Nevertheless, basis the actual facts, we the locals are preparing our independent report and submitting the report to all concerned authorities and to NGT in due course. That will be helpful to compare if there is any deviation in the investigation report.

Yours Faithfully,

(Villagers of Patah Jharan, Kapanda, Badbahal, Nuangaon and adjoining villages of Bad Purunapani GP)

On Thu, Mar 16, 2023 at 10:19 PM Savekapanda Forest <savekapandaforest21@gmail.com> wrote:

Due to size constraints, we are sending all attachments in 4 emails as attachments.

Email 1 of 4

Date -16.03.2023

(By Post/Email)

Re: Prayer for proper investigation of NGT order for Kapanda Forest matter on dated 7th February 2023 in OA94 of 2021.

To,

1. Director General of Forest, MoEF&CC, New Delhi
2. Integrated Regional Officer of MoEF&CC, Bhubaneswar, Odisha
3. PCCF (HoFF), Bhubaneswar, Odisha
4. Chief Wildlife Warden, Bhubaneswar, Odisha
5. District Magistrate, Sundergarh

Copy to,

1. State Pollution Control Board, represented by its Chairman, Paribesh Bhawan, Bhubaneswar, Odisha.
2. Superintendent of Police, Rourkela At/Po/Ps- Rourkela, Dist- Sundergarh, Odisha.
3. Orissa Industrial Development Corporation (IDCO) represented by its Managing Director, At- IDCO Tower, Exhibition Ground, Bhubaneswar, Odisha.
4. National Commission of Schedule Tribes, New Delhi
5. United Nations Environment Programme (UNEP)
6. The Secretary, Ministry of Environment, Forests and Climate Change, New Delhi.
7. Dr. R B LAL, Additional Director, Ministry of Environment, Forest and Climate Change, New Delhi. Shri. Rajive Kumar, IFS (Rtd), Chairman, EAC (Industry 1), MOEFCC, New Delhi
8. Mr. A.K Agrawal, Director, Ministry of Environment, Forest and Climate Change, Government of India
9. Dr. S Ranganathan, The Member, EAC (Industry-1)
10. Dr. Ranjit Prasad, Associate Professor Department of Mineral Processing Technology, Environmental Quality, EIA Process NIT Jamshedpur - The Member, EAC (Industry-1)
11. Dr. E V R Raju - The Member, EAC (Industry-1)
12. Dr. S. K. Singh, Professor - Civil & Environmental Engg., DTU - The Member, EAC (Industry-1)
13. Dr. Jai Krishna Pandey, Chief Scientist & Head, Mine Fire, Ventilation and Miner's health Research Group, The Member, EAC (Industry-1)
14. Dr. Dipankar Shome, The Member, EAC (Industry-1)
15. Dr. Tejaswini Ananthkumar, The Member, EAC (Industry-1)
16. Dr. Hemant Sahasrabuddhe, The Member, EAC (Industry-1)
17. Shri. Sundar Ramanathan, Member-Secretary, Scientist 'E' Indira Paryavaran Bhawan JorBagh Road, Aliganj, New Delhi

Presentation to the ¹¹³ joint investigation committee for Kapanda Forest

on 18th March 2023

Ref: NGT order dated 7th February 2023 in OA94 of 2021

Location: Village - Kapanda, Block - Lahunipara, District - Sundargarh, Odisha

Proposed Project: Greenfield project of Iron Ore Beneficiation Plant- 1.5MTPA, Iron ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr by KAI International

Presented by,

Most affected tribal villagers of Pattajharan, badbahal,
Nuangaon, daldali, kapanda and adjacent villagers

Outline of the presentation

- **Possible Impact by setting up industry at Kapanda Forest**
 - ✓ **Forest ecosystem**
 - ✓ **Environmental Pollution**
 - ✓ **Impact on Socio-economic of the local tribals**

- **Violation and *non-compliance of the regulatory requirements***

- **Villager's request**

IMPACT ON FOREST ECOSYSTEM

**- by setting up industry at
Kapanda Forest**

Topography of the proposed site at Kapanda Forest



Google earth image of the proposed project site with dense forest covered from all sides

Reserve forest, and Protected forest within 10 km radius	Protected Forest: Samaradari Juniani PF (E) 0.41 km
	Reserve Forest: Kukia RF (NW) 0.15 km Dhenkiam RF (W) 2.6 km Nalghati Rajabasa RF (SW) 3.3 km Dhenkiam Block RF (NW) 3.74 km Bhagoth RF (SSW) 6.68 km Dhanaghar Extension RF (NNE) 6.9 km Gurundia RF (SW) 7.92 km

Data submitted in TOR presentation by the PP. Kukia RF is 0.15 km away from proposed site and other RF nearby areas.

Flora and Fauna the Kapanda Forest

- Habitat of wild animals with rare and endangered species
- Consist of well-established virgin forest growth having moderate to the dense forest with very high canopy density (40 to 70%)
- Very good biodiversity
- Elephant movement also occurs through the land. Many of the animals under Schedule II such as bonnet macaque, wild dog, common langur, civets, flying squirrel, Jackal, mongooses, and civets are commonly found in the proposed project site
- This forest land is well known for the abundance of a wide variety of peacocks and birds under Schedule-I are commonly found
- The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood

Memo No.1209, dt. 22.08.2020



The Divisional Forest Officer,
Rourkela Forest Division

Letter from Forest Range Officer to DFO Rourkela

Regarding clarification of land

Your Office Memo No. 4323/4f (Misc.), dt. 30.07.2020

Sir,
With reference to your memo cited above, I personally along with the representative of Revenue Department and lease holder IDCO on dt.05.08.2020 jointly visited the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P) and found following points for taking action at this end.

1. Whether there is any plantation in the applied area?

Ans- Yes, there are 02 nos. of plantation executed in the vicinity of the applied area i.e.

- CAMPA OWP Plantation 2015-16 over 25.0 ha. at Kapanda
- CAMPA ANR with Gap Plantation 2018-19 over 100.0 ha. at Kapanda-Badbahal KF

2. Detailed of the endangered flora & fauna existing in the area.

Ans:- As per joint Site Inspection with revenue official, this area consists of good quality of flora i.e. Mahula, Sal, Asan, Kurum, Char, Jamu, Banyan, Pipal etc and Fauna like Wild Boar, Rabbit, Peacock, Porcupine, Barking deer etc in goods numbers. Sometimes the presence of leopard is also noticed in the said area. Elephant movement also occurs through the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P). Endangered flora and fauna (Schedule I & II and others) are well noticed in that area.

4. Whether any area DLC report is included in the applied area.

Ans- As per record available in this office, the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P) village- Kapanda, has not been included in the DLC record.

5. Whether the scheduled of land is reserved for the purpose of compensatory afforestation (CA).

6. Ans- As per record available in this office, the area has not been reserved for compensatory afforestation (CA).

Contd.....P/2

117 Data submitted by PP Vrs Actual Fact

Page-2

Specific recommendation of Range Officer from forestry point of view.

Ans- On my enquiry it is found that 135 Acre area of the land consisting well established virgin forest growth having moderately dense forest with canopy density of 40% to 70% with good biodiversity.

Hence this is for favour of your kind information and necessary action.

Revenue Inspector
Darjing

Yours faithfully,

FOREST RANGE OFFICER
BANKI FOREST RANGE
BANKI RANGE



Actual Fact

Data submitted by the PP - Mis declared

Ecological Features

There are no endangered or endemic wildlife species in the area. Different family of trees, climbers and herbs/shrubs are found in the study area. Fauna includes Mammals, Reptiles, Fish & birds. Birds in the impact area are all under Schedule-IV.

Is this not illegal?



Proposed site to set up Industry by PP



PP DATA – Data submitted by the PP in TOR presentation, to MoEFCC for Environmental Clearance to setup a industry at the total land of 117.00 acres – First phase in February 2021



PP DATA – Data submitted by the PP to MoEFCC for Environmental Clearance at the total land of 47.74 acres – Second phase in October 2021

Data submitted by the PP at MoEFCC ¹¹⁹

PLANT PHOTOGRAPHS



**REPORT WITH
FALSE
DECLARATIONS
- By PP & DFO**

Trees Enumeration by the DFO, Rourkela Division

UNIT CALCULATION SHEET OF TREES REQUIRED TO BE FELLED IN NON FOREST LAND OF VILLAGE KAPANDA FOR THE YEAR 2020-21

Name of the Division :- Rourkela Forest Division.
Name of the Range :- Banki
Name of the Side :- Village Kapanda
Area in Ha. :- 117 ha.
Total No. of trees marked :- **5856 nos. (Sound-2081 nos., Un-sound-3775 nos.)**

Girth in Class	Sound			Un-sound			G. Total
	No. of Trees	Conversion ration	Total unit	No. of Trees	Conversion ration	Total unit	
1	2	3	4	5	6	7	8
1st Class							
30cm to 59 cm	372	0.25	93	549	0.12	65.88	158.88
60 cm to 89 cm	41	0.50	20.5	151	0.25	37.75	58.25
90 cm to 118 cm	04	1.00	4.00	42	0.50	21.00	25.00
120 cm to 148 cm	04	2.00	8.00	09	1.00	9.00	17.00
150 cm to 179 cm	0	4.00	0	15	2.00	30.00	30.00
180 cm & above	0	6.00	0	04	3.00	12.00	12.00
Total	421		125.5	770		175.63	301.13
2nd Class							
30cm to 59 cm	148	0.12	17.76	690	0.06	40.80	58.56
60 cm to 89 cm	06	0.25	1.50	91	0.12	10.92	12.42
90 cm to 118 cm	04	0.50	2.00	25	0.25	6.25	8.25
120 cm to 148 cm	01	1.00	1.00	09	0.50	4.50	5.50
150 cm to 179 cm	0	2.00	0	06	1.00	6.00	6.00
180 cm & above	0	3.00	0	02	1.50	3.00	3.00
Total	159		22.26	813		71.47	93.73
3rd Class							
30cm to 59 cm	1369	0.06	82.14	1831	0.03	48.93	131.07
60 cm to 89 cm	100	0.12	12.00	393	0.05	22.98	34.98
90 cm to 118 cm	24	0.25	6.00	87	0.12	10.44	16.44
120 cm to 148 cm	05	0.50	2.50	49	0.25	12.25	14.75
150 cm to 179 cm	0	1.00	0	32	0.50	16.00	16.00
180 cm & above	03	1.50	4.50	10	0.75	7.50	12.00
Total:-	1501		107.14	2192		118.1	225.24
G. Total:-	2081		254.9	3775		365.2	620.1

ABSTRACT

Class	Sound		Un-sound		Total	
	Total Trees	Total Unit	Total Trees	Total Unit	Total Trees	Total Unit
1	2	3	4	5	6	7
1 st Class	421	125.5	770	175.63	1191	301.13
2 nd Class	159	22.26	813	71.47	972	93.73
3 rd Class	1501	107.14	2192	118.1	3693	225.24
Total:-	2081	254.9	3775	365.2	5856	620.1

NB:- Below 30cm girth trees which are fit for firewood = 12 stacks (12'x3'x3')

Divisional Forest Officer,
Rourkela Forest Division.

Refer: TOR presentation, Page 8 of 23 submitted by PP to MoEFCC for the 31st Meeting of REAC held on 25th – 26th February, 2021 for Environmental Clearance to setup a industry at the total land of 117.00 acres – Plant Photograph

DFO Report - Tree growth below 30cm girth fir for fires wood approx. 12' x 3' x 3' = 12 stacks. Cost Per stacks Rs. 405/- . Total cost Rs. 4,860.00



– Tree counting part is disputed

ABSTRACT OF TREE ENUMERATION LIST OF VILLAGE KAPANDA

Sl. No.	Species	No. of Species	Class of Species	Conversion ratio						Total
				30-39	40-49	50-59	60-69	70-79	80 & above	
1	Teak	1505								
2	Bamboo	6								
3	Khair	54	1st	373	549	44	391	1	88	1
4	Handmade	5								
5	Khair	1								
6	Bamboo	31								
7	Bamboo	1181								
8	Teak	210								
9	Khair	307								
10	Bamboo	13								
11	Khair	30								
12	Khair	30								
13	Khair	30								
14	Khair	30								
15	Khair	30								
16	Khair	30								
17	Khair	30								
18	Khair	30								
19	Khair	30								
20	Khair	30								
21	Khair	30								
22	Khair	30								
23	Khair	30								
24	Khair	30								
25	Khair	30								
26	Khair	30								
27	Khair	30								
28	Khair	30								
29	Khair	30								
30	Khair	30								
31	Khair	30								
32	Khair	30								
33	Khair	30								
34	Khair	30								
35	Khair	30								
36	Khair	30								
37	Khair	30								
38	Khair	30								
39	Khair	30								
40	Khair	30								
41	Khair	30								
42	Khair	30								
43	Khair	30								
44	Khair	30								
45	Khair	30								
46	Khair	30								
47	Khair	30								
48	Khair	30								
49	Khair	30								
50	Khair	30								

KAI International
 Iron ore Beneficiation Plant – 15,00,000 TPA,
 Iron ore Pelletisation Plant – 12,00,000 TPA,
 Sponge Iron – 3,46,500 TPA,
 Billet – 4,30,000 TPA, Rolling Mill – 4,17,100 TPA,
 CPP – 75 MW, Producer Gas Plant – 30,000 Nm³/hr,
 Slag Crushing Unit – 60,150 TPA

Royalty statement

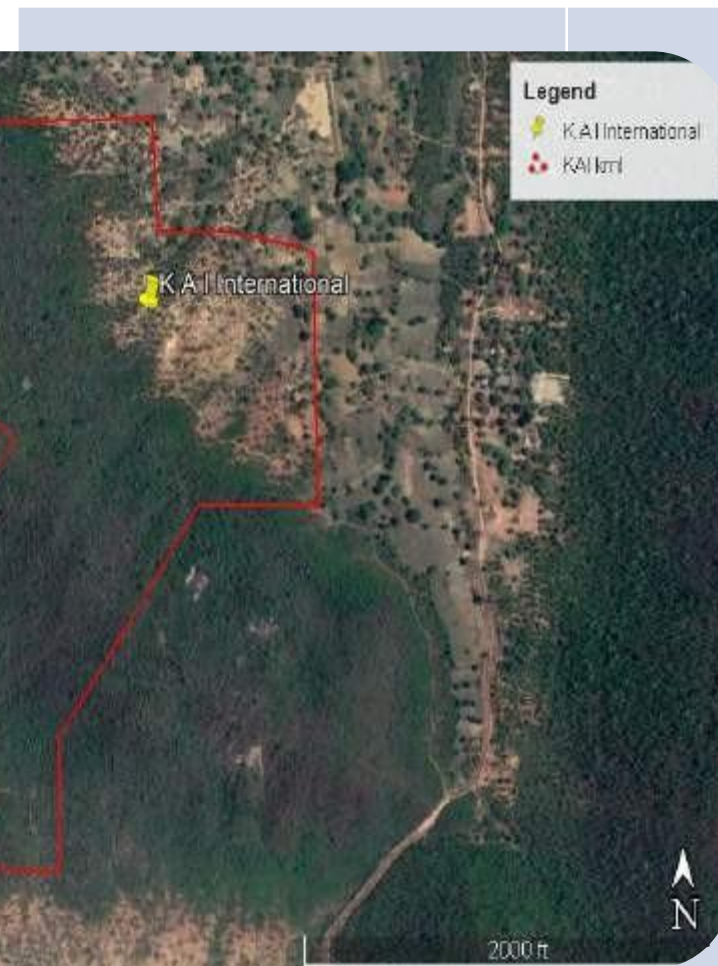
Sl. No.	Name of the Side
1.	2
1.	Village Kapanda
2.	Below 300 approx. 12.5

Sl. No.	Item
1.	Royalty
	Total
2.	O/W P Plant
3.	ANR Plant
	Total
	G. Total

Calculation sheet of trees and royalty amount reported by the by the DFO, Rourkela Division

Tree estimation over area of total land of 47.74 acres

Tree declared by the DFO Rourkela in the Land of 117 Acres of Land



In the 27.01 Acre will be available for green belt

Google imagery, the existing trees density (Around > 20 to 40 more).
 at a rough estimation Green area with an average of 30 times density :1500 X 30 = **Total Approx. trees.**

5856 Nos. of Trees

(of land) with spared density is declared with 1500 approx. 45,000 Nos. of Trees.
 in the remaining area (117 acres – 47.74) = 69.26 trees over this area.

(land), the total trees estimated to be more than

1,00,000 trees. This value is in consistent with the villagers tree counting data.

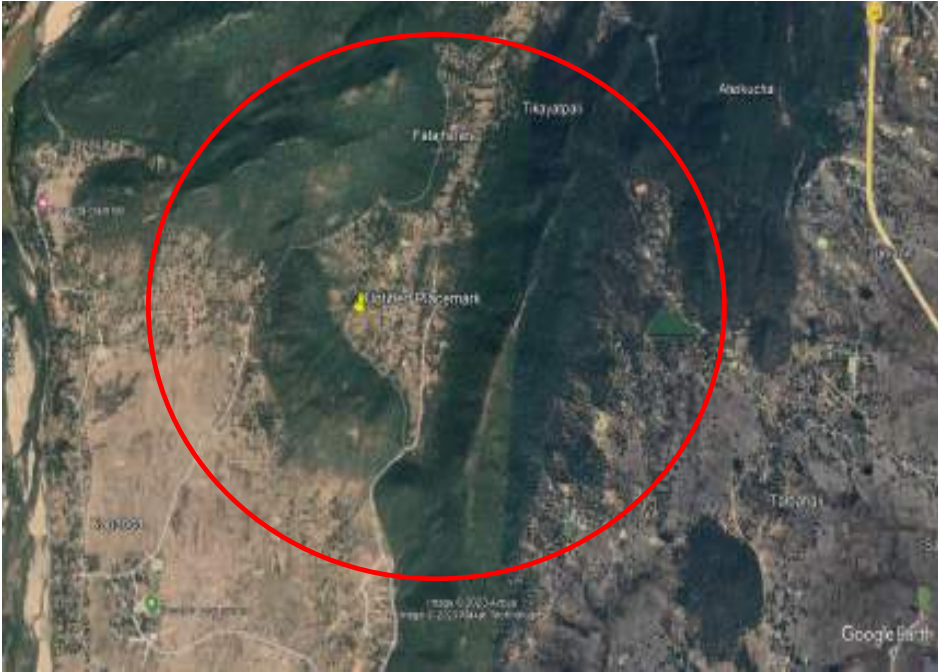
Reviewing this DFO Rourkela reported that on 117 acres of land, only 5856 Nos. of Trees exist – False declaration



IMPACT ON ENVIRONMENT

**- by setting up industry at
Kapanda Forest**

Geographical location of the proposed site



Geographical location and wind Direction

- Wing moment: Upwind - NW– NE (Predominate); Downwind – SE-SW
- Three Villages namely, Pattajharan, Badbahal, Nuangaon are at the bottom of the forest. Geo location is like a bowl and all three sides are covered with very highly dense reserve forests.
- The wind usually does not hit directly from any sides where polluting air from the industry cannot disperse

Question: What will be the fate of polluting air?

Answer- The particulate in the air will accumulate in the nearby area only and just churning around.

That will leads to a great disaster for the local villagers.

Other possible impact towards the environment¹²³

- ✓ Approach road to the proposed plant and subsequent transportation of the goods/materials will have impacts toward the adjoining forest.
- ✓ This forest is connected with NH 147 by a narrow village road connected by RWD/forest departmental road. Some part is still Panchayat 'Murum road' – These road are not suitable for playing heavy vehicles, i.e Log carrier, haul truck, mobile crane, dozers and other giant vehicles for Industry.
- ✓ Pallet plants release extreme heat and smoke containing oxides of sulphur and carbon, unburnt particles, silica and due to their high pollution potential and serious health hazard these plants are declared as a 'Red category' industry.
- ✓ Improper management and/or improper disposal of the residue of hazardous waste/chemicals may lead to destruction of the cultivation land and the life of the thousand of local tribal inhabitants.
- ✓ Some of the chemicals, by products and intermediate products may leach out in molecular level and contaminate the groundwater. The possible contaminant may be released into the environment and finally move within an aquifer in the Bramhani River.
- ✓ The soil of the Kapanda forest is porous and highly permeable, based on the density and solubility and/or emulsified form of the potential chemicals contaminants will easily transmit to the groundwater in their molecular level.
- ✓ Industrial noise with certain frequencies will be intolerable to many wild animals residing in the adjacent reserve forest range and may lead to potential threat to the animals.

IMPACT TO THE SOCIO-ECONOMIC OF THE LOCA TRIBALS

**- by setting up industry at Kapanda
Forest**

Ariel distance of the project site ¹²⁵

Actual facts

Data submitted by the PP

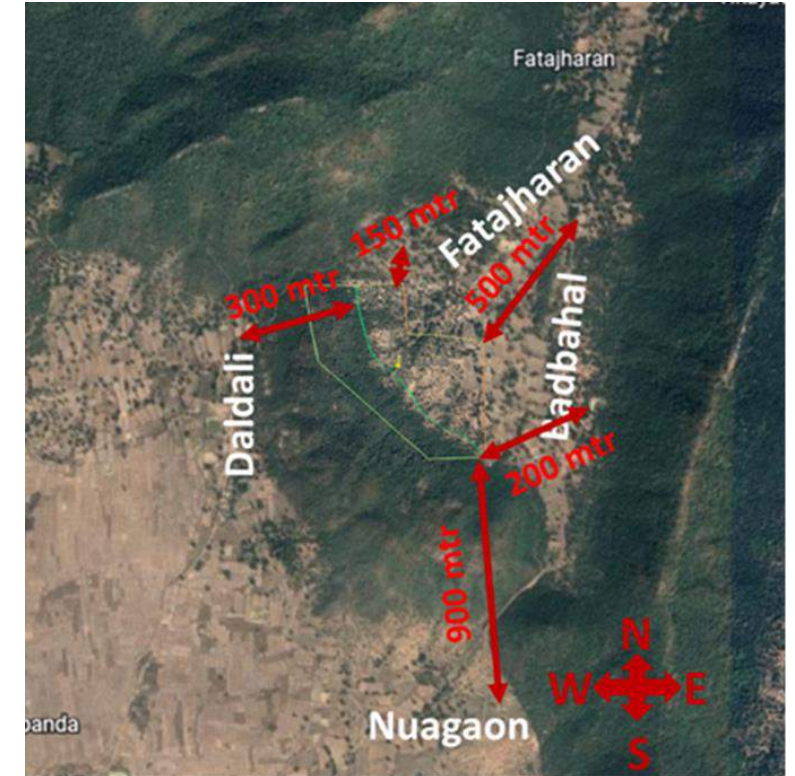
Environmental Setting Details (with approximate aerial distance and direction from the project site)			
Vulnerable Groups in Nearby Area	Name of Village	Distance & Direction	Population (Population Census 2011)
	Kapand	1.19 km, SW	1047
	Nuagan	2.03. km, S	715
	Talabahali	2.95 km, E	719
	Tikayatpali	2.82 km, NNE	271
Hospital: Lahunipara Hospital 6.56 km E			
School/College: Yogamaya Women's College (4.7 km, SE) Gudhiali High School (4.82 km, SE)			



Refer “Pre Feasibility Report” in the MoEFCC portal, under the executive summary, Section 1.2, Point F.

Villagers Comment:

- Actual affected 3 villages (namely Pattajharan, Badbahal and Daldali hamlet) located within 200 meters to less than 1 km are excluded from the list
- Clearcut violating the norms for the siting criteria/guidelines for newly setup a highly polluting industry



Google earth image showing the project site and the location of the nearby tribal villages

Google earth image with GEO location of the Pattajharan, badbahal and Daldali village (located within 1 km distance from the proposed project site)



GEO location of the Pattajharan



GEO location of the Badbahal



GEO location of the Daldali village



Actual affected 3 villagers
 - Has objection to setup this industry (0.2 to 1 km)

Supporter from Kapanda Village
 - Far from Industry site (>1km)

Google earth image showing the project site and the location of the Kapanda Village from where most of company supporters have provided their opinions in favor of KAI Industry

Approximate aerial distance of the nearby villages from the project site with population data

Name of Village	Distance	Total No. of Houses	Population (Census 2011)	Direction	Caste Factor
Population within 1 km distance from the project site					
<u>Badbahal Hamlet under Kapanda Village*</u>	0.2 km to 0.9 km	19	101	East	Scheduled Tribes (ST) – 100%
<u>Daldali Hamlet under Kapanda Village*</u>	0.3 km to 0.9 km	18	90	West	Scheduled Tribes (ST) – 50% Schedule Caste (SC) & Others – 50%
<u>Fatajharan</u>	0.15 km to 1 km	40	207	East	Scheduled Tribes (ST) – 100%
Total population within 1km of aerial distance from the project site			398		

Population within 1 to 2 km distance from the project site					
<u>Nuagaon</u>	0.9 to 2 km	149	715	South	Schedule Tribe (ST) – 86.43 % Schedule Caste (SC) - 8.81 % Rest - OBC and General
<u>Kapanda</u>	1.19 to 2 km	251	1047	West	Schedule Tribe (ST) - 52.44 % Schedule Caste (SC) -14.14 % Rest - OBC and General
<u>Sialikudar</u>	1 km to 2 km	68	406	North-West	Scheduled Tribes (ST) – 87.70% Schedule Caste (SC) - 12.32 %

Note: * These two villages are Hamlet and for the village Fatajharan the information are based on the ICDS with the help of Local Anganwadi workers. Rest all data- Ref data from govt website (Population Census 2011);
Link - <https://www.census2011.co.in/data/subdistrict/2827-lahunipara-sundargarh-orissa.html>
Distance information (Source) – Google earth

- Population data of the actual affected 3 villages highlighted are excluded from the list. Total around 398 population and mostly are Tribals

Population within 2 to 4 km distance from the project site						
<u>Talabahali</u>	2.93 km	149	719	East	Schedule Tribe (ST) – 71.49 % Schedule Caste (SC) - 2.23 % Rest - OBC and General	
<u>Tikavatoali</u>	2.82 km	56	271	North-East	Schedule Tribe (ST) – 97.79 % Schedule Caste (SC) - 0 %	
<u>Badpurunapani</u>	3.0km	192	815	North-East	Schedule Tribe (ST) – 82.94 % Schedule Caste (SC) –9.33 % Rest - OBC and General	
<u>Baldihi</u>	4.0km	102	356	South - East	Schedule Tribe (ST) – 41.85 % Schedule Caste (SC) –2.81 % Rest - OBC and General	
<u>Budhikutuni</u>	2.5km	183	587	South - East	Schedule Tribe (ST) – 95.06 % Schedule Caste (SC) –4.77 % Rest - OBC and General	
<u>Jibikaposh</u>	2.5km	66	289	South	Schedule Tribe (ST) – 100%	
<u>Bartengla</u>	1.5km	TBA	1120	West	Schedule Tribe (ST) – 83.80 % Schedule Caste (SC) –6.91 % Rest - OBC and General	
<u>Dhumapatla</u>	3.5km	TBA	315	South – West	Exact data TBA: Mostly Schedule Tribe (ST) and Schedule Caste (SC)	
<u>BaghiaBahal</u>	1.19km	TBA	47	North-West		
<u>Satkuta</u>	2.0km	TBA	2031	South - West		
<u>Kandamani</u>	3.0km	TBA	574	North-West		
<u>Bhaldungri</u>	3.75km	TBA	1970	South - West		
<u>Pannali</u>	3.5km	TBA	570	South - West		
<u>Sukhatoli</u>	3.2km	TBA	375	South - West		
<u>Khandamani</u>	3.0km	TBA	574	North - west		
Total population within 4km of aerial distance from the project site			13179			

False declarations, violation¹²⁸ and non-compliance of the regulatory requirements

- **False declaration in the PFR and TOR application by the PP in MoEFCC.**
- **Various falsified reports issued by the DFO, Rourkela, Sundargarh District Collector, SPCB Rourkela, Bonai Subcollector, Lahunipara Tahsildar and other local authorities.**
- **Sundargarh is a schedule district , where Pallisabha is a mandatory – Not conducted**
- **Public hearing conducted in a vitiated manner – Actual affected 3 villages (namely Pattajharan, Badbahal and Daldali hamlet) located within 200 meters to less than 1 km were not allowed to give their objection opinion**
- **Clearcut violating the norms for the siting criteria/guidelines for newly setup a highly polluting industry**
- **Site selection is improper - Topography is not suitable to setup an highly polluting**

Villager's request

1. Investigate properly all the falsified PFR, TOR proposal declaration and report submitted by the PP at MoEFCC for Environmental Clearance.

Ex: All the baseline data related to the Environmental Aspects submitted in the TOR by the PP, such as Micro Meteorology, Ambient Air Quality, Ambient Noise Levels, Surface Water quality, Ground Water Quality, Soil Quality etc are submitted with number and values only. Please investigate the authenticity of the testing report along with supporting information such as; Date of sampling, Place of sampling, Method of sampling, Scope of testing, Tested Parameters, Standard used for testing ISO, ASTM, Indian standard and/or any other inhouse standards, Results, Laboratory used for testing, Date of testing, Testing laboratory credential with their Accreditation certification, Traceability of the result etc.

Cont...



Villager's request

2. Urgently review all the report submitted by the DFO Rourkela, SPCB Rourkela, Revenue Officers and other concerned authorities with false declaration and take urgent action against the involved officials.
3. Review properly the topography of the proposed land to setup a highly polluting industry as per the regulatory requirements
4. Take necessary steps to save the Forest, environment and the wild animals
5. Give ownership to all the local tribals residing over the land from the generations as per the FRA Scheme.

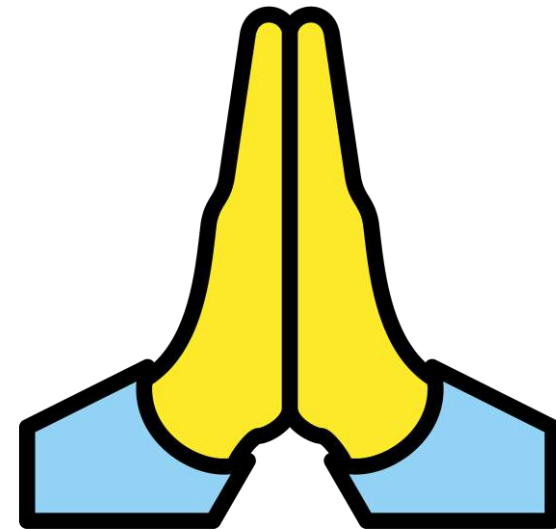


WE ARE FOREST DWELLERS..WE ARE TRIBALS..PLEASE ALLOW US TO LIVE..

*STOP ALLOWING
DEMOLITION OF THE
FOREST AND SAVE
ENVIRONMENT*



Thank
You





Villagers comment on violation of regulatory compliance for demolition of Kapanda Forest and to set up a highly polluting industry – Urgent attention required.

1 message

Savekapanda Forest <savekapandaforest21@gmail.com>

Mon, 27 Mar 2023 at 17:44

To: Ro.moefccc@gov.in, csori@nic.in, fesec.or@nic.in, rb.lal@nic.in, secy-moef@nic.in, Roez.bsr-mef@nic.in, bhupender.yadav@sansad.nic.in, paribesh1@ospboard.org, dm-sundargarh@nic.in, ahupadhy@rediffmail.com, rpsh3@hotmail.com, docsvd@yahoo.com, sksinghdce@gmail.com, r.gopichandran61@gmail.com, avasaralajagan@gmail.com, kamyotra@yahoo.co.in, arjun.munda@gov.in, arjun.munda@gmail.com, chairman.eac.ind.1@gmail.com, rangathan.metals@gmail.com, ranjitnitj@gmail.com, jaikrishnapandey@gmail.com, jkpandey@cimfr.nic.in, dshome61@gmail.com, tejaswini.acf@gmail.com, sshemant_801@rediffmail.com, dg@ncbindia.com, mscb.cpcb@nic.in, directorgeneral.imd@imd.gov.in, m.mohapatra@imd.gov.in, dirind-moefcc@gov.in, r.sundar@nic.in, director-nioh@gov.in, rajuevr60@gmail.com, adgfc-mef@nic.in, dgfindia@nic.in, lingaraj.otta@odisha.gov.in, umakant6424@gmail.com, direnvodisha@gmail.com, pccfodisha@gmail.com, gis.pccfodisha@gmail.com, odishawildlife@gmail.com, artamishra.ifs@gmail.com, skpopli2002@yahoo.co.in, registrarngt-kolkata@gov.in, rg.ngt@nic.in, dr.ngt@nic.in, admn.ngt@nic.in, secy.president@rb.nic.in, narendramodi1234@gmail.com, connect@mygov.nic.in, laxmanmunda.mla@gmail.com, jualoram@sansad.nic.in, nandita.surendran@un.org, jualoram@rediffmail.com, oram.jual@gmail.com, unep-executiveoffice@un.org, fmu_banki@yahoo.in, prc.cpcb@nic.in, membersecretary@ospboard.org, rdkolkata.cpcb@gov.in, mkbiswas.cpcb@nic.in, jicatic@jica.go.jp, Nozomu@jica.go.jp, jicasic@jica.go.jp, jane.doe@jica.go.jp, ShekarD.ID@jica.go.jp, kailash.k@nic.in, membership@wwfus.org, legacygifts@wwfus.org, mrktmail@wwfus.org, info@wwfkenya.org
Cc: diriapolity-moefcc@gov.in, cmo@nic.in, nrsahoo@ospboard.org, bkb_sarthak29@yahoo.co.in, Rowz.bpl-mef@nic.in, kushal.vashist@gov.in, sk.parida@nic.in, gupta.vipin@gov.in, unepinfo@unep.org, executiveoffice@unep.org, unep-director-ecosystems@un.org, sb.mondal@nic.in, anil.kumar@nic.in, monitoring-ec@nic.in, sudheer.ch@gov.in, unep-sgb@un.org, unep-communication-director@un.org, uneproap@un.org, unepindia@un.org, subcol.bonai-od@nic.in, sprkl.orpol@nic.in, dforourkela.od@gov.in, Divisional Forest Officer Rourkela <dforourkela@yahoo.co.in>, Tah.lahuni-od@nic.in, sdmbonai@gmail.com, dirhq-ncsc@gov.in, secretary-ncsc@nic.in, arunabh.b@nic.in, parveen.75@gov.in, arun.halder@ncsc.gov.in, sanjay.gnayak@ncsc.gov.in, chairman-ncsc@nic.in, chairperson@ncst.nic.in, pstochairperson@ncst.nic.in, aps-chairman@ncst.nic.in, official.kapanda@gmail.com, shgggroup.savekapandaforest@gmail.com, ananta.nayak@ncst.nic.in, registrar@vssut.ac.in, mccmc@nic.in

!! Villagers comment on violation of regulatory compliance for demolition of Kapanda Forest and to set up a highly polluting industry – Urgent attention required !!

Date - 27.03.2023

(By Email)

Re: Villagers comment on violation of regulatory compliance for demolition of Kapanda Forest and to set up a highly polluting industry – Urgent attention required.

To,

1. Shri Artatrana Mishra (IFS), DDGF IRO Bhubaneswar, MoEFCC, Government of India
2. Shri Sushil Kumar Popli (IFS), PCCF (WL) & CWLW, Odisha
3. Shri Debidutta Biswal (IFS), PCCF & HoFF, Odisha
4. Dr. Govali Parag Harshad (IAS) District Magistrate, Sundergarh

Copy to,

Hon'ble Prime Minister of India
Hon'ble President of India
Shri V. K. Pandian, IAS, Secretary (5T) to Chief Minister, Odisha
National Green Tribunal, Kolkata
National Green Tribunal, Delhi

And other key involved authorities from 5T Odisha, IDCO Odisha, CPCB Odisha, EAC committee, MoEFCC, UNEP, WWF, JICA etc, Hon'ble MLA Bonai and Hon'ble MP Sundargarh etc.

Dear Sir,

We the local villagers of Patajharan, Badbahal, Daldali, Nuagaon, Kapanda and adjoining villagers under Badpurunapani Grampanchayat in Sundergarh district of Odisha, would like to put forward some key facts, noncompliance, false declaration, and possible serious impacts due to industrialization at Kapanda forest at the Mouja – Kapanda, Khata No. 118, Pot No. 1104 & 1107. This is a dense forest, earlier this land was specially reserved for Jawan's of Odisha. Recently, the local administration has conceded for the land conversion of this patch of forest land to PATIT Kisam (Wasteland Type) illegally and handed it over to KAI Industry to set up a highly polluting industry.

1. Comments on Inspection by committee members

We would like to reiterate the NGT order on 7th February 2023, where it was stated that ***"It will be free to associate any other individual/institution/agency and interact with the stake holders"***. Basis that on the day of inspection by the joint investigation committee on 18th March 2023, around 300 people from affecting Villagers eagerly waiting to meet the committee members with their representative to put forward their opinions, but all of them were prevented by police force. However, with special provision, the police force allowed entering the inspection place only 5 representatives from the petitioner side with stringent rules.

However, it was to our utter surprise that the police allowed to enter more than 15 numbers of company supporters to the meeting place. Point to be noted that most of them are not local and engaged by the PP in their other plant site situated at Bonai. This matter was also confirmed when one of the member committees asked about their residency status where it was confirmed that they were outsiders and not from the Kapanda Village. This clearly signified that the project proponent in collusion with District administration police Authority and/or trying to mislead the attending committee members by presenting them as affected people. This restrictive provision and debar the representatives of the local affected villagers to provide their opinions has been published in many media and news journals. The reason for this restrictive provision remains questionable and to us this action is violated the NGT order. We have strong hope that the investigation team will review the entire matter thoroughly based on the actual facts and will put forward their report to Hon'ble NGT as per their scope of investigation.

2. Proposal for Environmental Clearance at Ministry of Environment by project proponent

2.1 Proposal submitted First time: In reference to the proposed industrial activity, the project proponents (PP) had earlier proposed to set up a steel plant and allied activities such as Iron ore Beneficiation Plant -1.5 MTPA, Iron ore Palletisation Plant – 1.2 MTPA, Sponge Iron – 3,46,500 TPA, Billet – 4,30,000 TPA, Rolling Mill – 4,17,100 TPA, CPP – 75 MW, Producer Gas Plant – 30,000 Nm³ /hr and SMS Slag Crushing Unit – 60,150 TPA in Kapanda Mouza, LahunipadaTahasil, Sundergarh District over an area of 117 Acres. The Expert Appraisal Committee (EAC) of the Union Ministry of Environment, Forests & Climate Change (“the ministry”) had observed in a meeting held in February 2021 that the project not only involved felling many trees but also entailed huge “**pollution potential**”. The project site is surrounded by numerous reserve forests, including the Kukia reserve forest which is less than 1 km away. Accordingly, the EAC returned the proposal to the PP without recommending it to the ministry for environmental clearance.

The local villagers sent numerous grievance petitions about the possible consequence by setting up a highly polluting industry just adjacent to the tribal villagers to the DFO Rourkela, Sundargarh District Collector and other local authorities, but all approaches went in vain. Finally, when there was illegal tree felling started by the PP, the local villagers have no choice left and immediately approached the National Green Tribunal (NGT) whereby the NGT has imposed a stay order with immediately effect on the project on 8th October 2021, on the grounds that tree-felling as well as construction activities were in full swing without any environmental clearance.

2.2 Proposal submitted second time: Subsequently the PP has changed the project plan and the project proponent cunningly withdrew the proposal on 27th October, 2021. However, before withdrawing it, the project proponent presented a truncated proposal to set up a Greenfield project of Iron Ore Beneficiation Plant- 1.5MTPA, Iron ore Palletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr only.

The revised proposal submitted by the PP was over an area of 47.74 acres of land only. Following a meeting held over two days on 11-12th November 2021, the EAC recommended granting terms of reference for the fresh proposal for the environmental clearance process without considering the validity of permission granted by the DFO for cutting off the trees and also the pollution potential as earlier considered.

2.3 Proposal submitted third time: As per web record in the environment clearance website, the PP has seemed to again withdraw the second proposal and submitted another proposal (No. IA/OR/IND1/410018/2022, File No. IA-J-11011/59/2021-IA.II (IND-I) on 10th December 2022. In the new proposal the PP has proposed for Greenfield Project for Installation of Iron Ore Beneficiation Plant- 1.5 MTPA Throughput (1.16 MTPA High Grade Ore), Iron Ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr.

Ref. Link: Welcome to PARIVESH (environmentclearance.nic.in)

<https://parivesh.nic.in/newupgrade/#/department/ec-proposal-detail/1948969>

In the proposal, the MoEFCC has sought some query on 21st December 2022 and Essential Details Sought by MS is copied below for your kind perusal,

“Dear Sir, Your proposal has been examined and following are the deficiencies needs to be rectified and to be uploaded/ submitted on Parivesh Portal: (i) On perusal of the kml file, it is observed that some part of the proposed project land is falling under the forest land. However PP has furnished that there is no involvement of forest land. PP shall submit the NOC from the State Forest Department that the proposed project site (all the coordinate points of the project site shall be mentioned) do not involve any forest land. Hiding the information is not a good practice from the PP/Consultant. (ii) PP has reported that there is a litigation pending before Hon’ble NGT. PP shall submit the summary of the case along-with latest status and all the requisite documents. (iii) Uploaded copy of ToR is not in readable condition. Kindly upload legible copy of the TOR in the form. (iv) The maximum value of PM10 and PM2.5 are recorded high in the buffer zone. PP shall submit the reason alongwith the mitigation measures. (v) Uploaded copy of Wildlife conservation plan is not in readable condition. Kindly upload legible copy of the Wildlife conservation plan in the form. (vi) PP shall upload complete legible copy of entire PH proceedings inter-alia including advertisements given for PH, SPCB cover letter, actual proceedings, attendance sheet, written representations & the response submitted by PP, Authenticated English translation of the PH proceedings if any. Action plan to address the PH issues as per MoEFCC OM dated 30.09.2020 with timelines and year wise targets shall also be submitted. (vii) PP has not uploaded any of the additional document pertaining to the project such as Toposheet, project presentation etc. PP shall revise the complete application in conformity to Ministry’s requirement and resubmit the application. (viii) Details of land, its possession and land conversion needs to be submitted along with documentary proof. (ix) It is mentioned that the processing of EC proposal, in the Ministry, is through Parivesh Portal only, therefore providing the requisite information/documents shall be in compliance as per Form and accordingly the PP/Consultant are kindly requested to revise the application in the Form alongwith EIA/EMP Report and resubmit the same. The EIA/EMP Report shall match with the information as filled in Form for further appraisal by the EAC. It is also mentioned that after acceptance the Proposal, EIA/EMP report/Form cannot be revise. Therefore, PP/Consultant is requested to kindly do needful.”

Reviewing all the proposals submitted in MoEFCC is completely cat-and-mouse game by the Messrs KAI Industry in collusion with District administration, especially in conjunction with DFO Rourkela, Sundergarh district collector, Police authority and other local authority (ies).

Nonetheless, we special thankful to the tribunal bench headed by its Chairperson Justice Adarsh Kumar Goel has stated in the order on 7th February for grant of TOR is prima facie vulnerable. It is stated that, there is no change of circumstance for revisiting the decision of EAC dated 26.2.2021 and constitute a committee to undertake visit to the site, ascertain impact of the project on the wildlife, forest and environment including the adjoining rivers and other environmentally sensitive areas. Basis the NGT order, on March 18, a high-level expert panel appointed by the National Green Tribunal (NGT) conducted a site inspection to assess the potential impact of the iron pellet-making unit on the ecology and wildlife of the region following complaints of rampant tree-felling in the area.

3. Letter and declarations by the local forest officers (Annexure – 1)

In reference to the project site, we refer the letter issued by the local forest department vide letter No. 6206 on 11th November 2020, following a site inspection (Memo No. 1209 on 22nd August 2020), where it is clearly stated that the area over which the project is sought to be established is not only very rich in flora and fauna but is also a source of livelihood for local communities. For ease of reference, we copied the key sections as below,

" ... this area consists of good quality flora, i.e., Mahula, Sal, Asan, Kusum, Char, Jamu, Banyan, Pipal, etc. and fauna like Wild Boar, Rabbit, Peacock, Porcupine, Barking Deer etc. in good numbers. Sometimes the presence of Leopards is also noticed in the said area. Elephant movement also occurs through the land as required for the establishment of industries. Endangered flora and fauna (Schedule I & II and others) are well noticed in that area. It will be seen illogical and irrational not to include such finest species of flora under the dictionary meaning of forest,"

The report further stated as,

"That 135 acre of land of the aforesaid plot consists of well-established virgin forest growth having moderate to a dense forest with canopy density varying between 40% to 70% with very good biodiversity. Though the area is not included in the DLC report, but, due to strong protection measures, good virgin forest growth has come up with varying canopy densities of 40% to 70% subsequently. The surrounding villages depend heavily on that patch of forest for their livelihood,"

This forest land is well known for the abundance of a wide variety of peacocks, which is easily revealed by their scream both day and night. Apart from this, in the proposed site there are series of birds under Schedule-I are also commonly found.

By establishment of the industry there will have a cascading effect in the entire forest land in the vicinity of the proposed area. The movement of wildlife is profusely reported by the forest range officers. As listed above as per the DFO letter the movement of series of wild animals will be seized through this area.

Industrialization in a densely Forest Area will lead to this orientation among the residents toward protection of forest which will lead to the deforestation in the existing Forest and Reserve Forest.

We refer the DFO report dated 20th November 2020, the forest department said that plantation drives had been undertaken in two phases in the Kapanda area, in 2015-16 and 2018-19, with funds from the Compensatory Afforestation Fund Act or the OWP Plantation and by ANR Plantation programme. The plantation was carried out on approximately 125 Ha of land in the Kapanda area in two phases. The plantation at the overlapped region was given permission to demolish. Just set up a sponge industry, did local authorities give permission to demolish these plantation areas? Is this not illegal??

Villager comments on possible consequences by setting up a highly polluting industry at Kapanda Forest: - The aforesaid plot consists of well-established forest growth having dense forest with a high percent of canopy density with very good biodiversity. Also, the proposed site is contiguous to Kukia Reserve Forest (only 0.15km) and many other reserve forests such as Dhenkiam RF, NalghatiRajabasa RF, Dhenkim Block RF, Bhagoth RF, Dhanaghar Extension RF, Gurundia RF) exists nearby of the project site, which can easily be viewed through google imagery and other universal based software.

4. Villagers comment on the dependency of the local tribals on this forest

The dependence of local tribal communities upon flora found at the proposed project site is confirmed by local communities dependent on these resources for their livelihood for several generations. The livelihoods of local communities from at least

four villages in the vicinity of the project site – Kapanda, Daldali, Patajharan, and Badbahal – are likely to be affected by the loss of trees in the region.

There are several medicinal plants in the vegetation that are sought to be cleared for the industrial unit. These florals are the second-most important livelihood source for us after farming. It provides us with resins like lac and jhuna. It provides us with mahuli flowers which are used to locally produce an intoxicating brew. Sal leaves collected by womenfolk from the forests are sold in the market for manufacturing eco-friendly disposable food plates. Local tribals also collect firewood from the area. These forests have sustained us for generations. Owing to that, instead of demolition of this forest to set up an industry, this area shall be improved with further plantation by the forest department as the local dependency of the tribal people is on an extremely higher side.

It is patterning to mention that, the local tribals mostly depend on the cultivation over the existing degraded side (Westland) and most of them do not have much land for cultivation. On many occasions they have requested to allot some land based on the FRA act, but till date the local administration has completely ignored and till date not granted any land to them. So instead of allotting this land for industrialization, the government shall provide this land to the local tribals to support their livelihood and to support their family. This could make a win-win situation where the government can generate revenue from the local people, from the forest products, and most importantly to restore the sustainable environment.

A key example, where the tribals awarded with the house under Indira awas yojana has been covered inside the boundary by the PP. Is this not brutality to the tribals?

5. The Geographical location of the proposed site

The proposed site is valley type, where the emitting exhaust gases and all the gaseous pollutants in the air will have high impact towards the joining villagers and wildlife. The three local villages, namely Patajharan, Badbahal and Nuagaon are situated like a bottom of the bowl and all three sides are covered with very highly dense reserve forests. The topography of the proposed place is in a peculiar position, where the wind usually does not hit directly from any sides and this will result that the polluting air from the industry cannot disperse properly. The particulate in the air will accumulate in the nearby area only and leads to a disaster for more than 400 numbers of local tribal villagers whose house is situated within 1 KM distance from the proposed site. Even this is one of the key criteria **against the siting criteria for setting up a highly polluting industry that shall be at least 1 KM away from the habitations.**

6. Possible impact on soil quality

The proposed area in question where the industry is a catchment area that was constructed around the adjoining area for agriculture. Due to industrialization will have a great effect on the cultivation land and will have serious impact on the soil erosion and infiltration in the low land area because the existing areas of the tribal villages are at lower elevation. Also, the toxic leachates from the industry byproducts and/or intermediate products will enter the ground water, which can lead to serious health impact to the local tribal villagers.

7. Local community rule

Local tribal villagers have given their continued effort for development of the Kapanda Forest (Chadri huli) for generations and the land was successfully grown with green forest and maintained as forest for decades as green. So, demolition of this forest will lead to devastation towards the local tribals and will lose the trust of the local authority. You must know about their belief system where local tribals mostly worship nature and one can imagine what impact will be there to the nature lovers by demolition of the forest to set up an industry.

8. Connectivity to the project site

The approach road that is being talked about is only village kaccha road constructed by the PMGSY laid out to access the project site. The distance from the project site connecting to the NH 153 near Darjing is around 5 KM and connecting to the NH 153 near Rajamunda Bypass is around 7 KM. From the project site Movement of heavy vehicles will be not feasible to ply through the forest road, village road / other kaccha road. This village road is mostly through and along the forest/reserve forest site and will have a big impact towards the animal friends located at the adjacent forest along the road side and may lead to the accident on the way of tribal villagers. Seems to be these aspects are not reviewed by the local concerned authorities prior to allocating this site to set up an industry.

9. Improper allotment of the Forest land to setup a highly polluting industry at tribal forest land

From the villager's layman point of view, Industrialization activity is not site specific and can be accommodated in any of the other alternate sites available under IDCO land bank. It is further submitted that there are alternative land to an extent of more than 500 Acres available for allotment and more than 1500 Acres of land reserved for industries in the land bank of Sundergarh district. In a broader approach, there are huge land area with more than 30,000 acres of land available for industrialization purpose under Landbank scheme of IDCO Odisha and same has also not been explored before allotting the present site to setup a polluting industry.

In particular, for Kapanda forest land, the IDCO website recorded as 217 Acres of land have been taken for Land Bank and 117 Acres of land have been allotted to the private respondent (PP), KAI Industry. Presently 47.74 Acres of land have been proposed by the PP for industrial use. It is submitted that the entire land is to be looked at as whole and not in piece meals. Hence the impact on the entire land and its surrounding environment must be assessed.

When there are huge alternative lands available in the Land Bank, allotting the Kapanda forest where destroying the pristine forest to setup an industry which has impact on adjoining Reserve Forest and great impact to the forest dwellers. This clearly signifies some possible involvement of the key authorities with their vested interest.

10. Comments on Pallisabha Mandate, public hearing, and false declarations by the DFO Rourkela and other authorities to setup an industry at Kapanda Forest

In our earlier application on 16th March 2023 (Annexure 2, Page 12 of 38), we have highlighted in detail about the stringent requirements for the scheduled district and how this section has been clear-cut violated the regulations. Also, in this grievance petition we have combined our comments about the false declarations by the DFO Rourkela, Local

Forest departments and other authorities to hand over the pristine forest land to set up a highly polluting industry.

In Summary, the government has allowed the establishment of a polluting industry in an area which is rich in flora and fauna as per the state's own forest department. The government cannot even claim that the land in question is in the category of PATITA or barren land, where in the past, the forest department has used portions of this land for compensatory afforestation.

That many tribal villagers are situated proximity to the project site, while the present industry is of more than 50Cr investment and red category industries, hence this land could not have been allotted for a highly polluting category industry at the Kapanda forest.

Nevertheless, we have strong hope that the investigation team will review the entire matter thoroughly based on the actual facts, google earth images and/or other official methods and not the basis of the falsified record / report by the local authorities. Also, we request to review thoroughly all relevant clauses, Indian laws and acts that are applicable in terms of forest, environment, laws to protect scheduled area, PESA act pertaining to the subject matter to save the nature forest, save the environment and the tribals.

Yours Faithfully,

(Villagers of Pata Jharan, Kapanda, Badbahal, Nuangaon and adjoining villages of Bad Purunapani GP)

Annexures:

MAIN APPLICATION

Annexure 1. Joint verification report submitted by the DFO and forest range officer, Letter No. 6206 on 11.11.2020

Annexure 2. Application by the Villagers – 16.03.2023

Annexure 3. Photo Record - New Paper

Link:

<https://www.facebook.com/100006940620521/videos/2843881915743358/>

<https://youtu.be/2N159CFsuAM>

<https://youtu.be/yinu-SQXcLE>

On Wed, Mar 22, 2023 at 4:44 PM Savekapanda Forest <savekapandaforest21@gmail.com> wrote:

!! Save forest (trees) and green environment is not limited for the local, but instead it is of global importance !!

Date - 22.03.2023

(By Email)

To,



SINo	District	Category-A	Category-B	Total LB	Per_Landbank	Vacant plot(IE)
1	ANGUL	431.75	1866.63	2298.38	1.75	5
2	BALESWAR	3402.11	1576.43	4978.54	3.78	116
3	BARGARH	56.86	1373.67	1430.53	1.09	8
4	BHADRAK	891.10	3827.78	4718.88	3.59	5
5	BOLANGIR	10.29	1207.61	1217.90	0.93	113
6	BOUDH	2337.05	0.00	2337.05	1.78	12
7	CUTTACK	2087.31	8588.40	10675.71	8.11	236
8	DEOGARH	444.90	1452.33	1897.23	1.44	0
9	DHENKANAL	1132.80	5743.69	6876.50	5.22	137
10	GAJAPATI	84.19	0.00	84.19	0.06	4
11	GANJAM	379.82	338.38	718.21	0.55	134
12	JAGATSINGHPUR	4299.21	1161.68	5460.89	4.15	22
13	JAJPUR	2674.88	3685.53	6360.41	4.83	37
14	JHARSUGUDA	1369.17	3251.72	4620.89	3.51	74
15	KALAHANDI	484.38	18342.59	18826.97	14.30	2
16	KANDHAMAL	0.00	233.71	233.71	0.18	2
17	KENDRAPARA	38.46	1052.83	1091.29	0.83	1
18	KEONJHAR	1530.61	1572.42	3103.03	2.36	113
19	KHORDHA	2975.82	4278.63	7254.45	5.51	229
20	KORAPUT	29.80	31716.67	31746.47	24.12	31
21	MALKANGIRI	85.87	0.00	85.87	0.07	0
22	MAYURBHANJ	38.13	7077.71	7115.84	5.41	12
23	NAYAGARH	0.00	314.81	314.81	0.24	10
24	NUAPADA	2.00	0.00	2.00	0.00	9
25	PURI	278.29	16.38	294.67	0.22	44
26	RAYAGADA	862.09	0.00	862.09	0.65	71
27	SAMBALPUR	1234.69	3185.34	4420.03	3.36	149
28	SONEPUR	100.92	196.47	297.39	0.23	11
29	SUNDARGARH	527.22	1517.72	2044.94	1.55	51
30	NAWARANGAPUR	233.58	15.00	248.58	0.19	17
	ODISHA	26633.92	104020.46	130654.36	100	1655

SUNDARGARH				
SL.NO	CLUSTER_NAME	CATEGORY-A (Area Ac.)	CATEGORY-B (Area Ac.)	TOTAL AREA (Ac.)
1	BADBANGA	0.00	5.98	5.98
2	BELAKUDAR	0.27	0.00	0.27
3	GHUMUDASANA	1.22	0.00	1.22
4	GHUSURIPOSH	0.00	128.77	128.77
5	JAEDEGA	0.00	160.21	160.21
6	KANDABAHAL	0.00	9.50	9.50
7	KAPANDA	0.00	217.67	217.67
8	KENDRIKELA	0.00	24.95	24.95
9	KUARMUNDA	0.00	260.00	260.00
10	KURUDA	60.12	0.00	60.12
11	KUSUMDIHI	3.15	0.00	3.15
12	LAHANDA	74.98	0.00	74.98
13	LAING	0.00	259.50	259.50
14	LAUPOSH	0.00	72.72	72.72
15	LOKDAGA	0.00	46.67	46.67
16	MAHIKANI	0.00	26.29	26.29
17	MANDIAKUDAR	0.00	36.52	36.52
18	MANOHARPUR	0.88	0.00	0.88
19	RAIKELA	0.00	141.74	141.74
20	REUNA	182.61	0.00	182.61
21	ROURKELATOWN UNIT 3	71.23	0.00	71.23
22	ROURKELATOWN UNIT 4	37.59	0.00	37.59
23	ROURKELATOWN UNIT NO. 42,RUPATOLA	0.00	2.14	2.14
24	SAGAJORA	5.40	0.00	5.40
25	SAN-INDIPUR	27.07	0.00	27.07
26	SINGARDEI	62.70	0.00	62.70
27	THIABERNA	0.00	125.06	125.06
TOTAL		527.22	1517.72	2044.94

A – LAND AVAILABLE FOR ALLOTMENT

B – LAND RESERVED FOR INDUSTRIES

15 142

ANNEXURE 7

F. No. IA-J-11011/59/2021-IA-II(I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

E-mail: r.sundar@nic.in
Tel: 011-24695304

Dated: 29th November, 2021

To

Shri. Suresh Agarwal,
Director,
M/s. KAI International Private Limited,
CCC-23, Civil Township, Rourkela,
Odisha – 769 004
Email: info@groupkalinga.com; Tel: 0661-2400175

Subject: Greenfield project for installation of Iron ore Beneficiation Plant –1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr by M/s. **KAI International Private Limited** located at Village Kapanda, Tehsil Lahunipara, District - Sundergarh, Odisha– **Prescribing of Terms of Reference – regarding.**

Sir,

1. This has reference to online application of M/s. KAI International Private Limited made vide proposal no. IA/OR/IND/235042/2021 dated 21/10/2021 along with the application in prescribed format (Form I), copy of Pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 2(b) Mineral Beneficiation & 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level.
2. The proposal cited above was considered in 48th meeting of Reconstituted Expert Appraisal Committee (Industry 1 sector) held on 11-12th November, 2021. The EAC proceeding of the said meeting is furnished as below:

Details submitted by Project proponent

3. The project of M/s. KAI International Private Limited located in Kapanda Village, Lahunipara Tehsil, Sundergarh District, Odisha State is for setting up for Greenfield project for installation of Iron ore Beneficiation Plant –1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr.

Terms of Reference for project titled "Greenfield project for installation of Iron ore Beneficiation Plant –1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr by M/s. KAI International Private Limited located at Village Kapanda, Tehsil Lahunipara, District - Sundergarh, Odisha"

Page 1 of 14

o/c

CTC

126

4. Environmental site settings:

SNo	Particulars	Details	Remarks
i.	Total land	Total Land: 19.3 ha. (47.74 Acres)	Land use: Industrial.
ii.	Existence of habitation & involvement of R&R, if any.	R&R – Not Applicable. No habitats or houses within the identified project area.	
iii.	Latitude and Longitude of the project site	Latitude: 21°53' 11.30"N to 21°53'29.01"N Longitude: 84°52'15.80"E to 84°52'35.23"E	
iv.	Elevation of the project site	193 to 252 m AMSL	
v.	Involvement of Forest land if any.	Forest Land: No forest Land Involved.	
vi.	Waterbody exists within the project site as well as the study area	Project site: Nil Study area: Brahmani River (1.65 km, West) Amrurhi Nala (3.1 km, NNE) Katangamunda Nala (3.4km NW) Rukura River (4.35 km S)	
vii.	Existence of ESZ/ ESA/ national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/elephant reserve etc. if any within the study Area.	Protected Forest: Samaradari Juniani PF (E) 0.41 km Reserve Forest: Kukia RF (NW) 0.15 km Dhenkiam RF (W) 2.6 km Nalghati Rajabasa RF (SW) 3.3 km Dhenkiam Block RF (NW) 3.74 km Bhagoth RF (SSW) 6.68 km Dhanaghar Extension RF (NNE) 6.9 km Gurundia RF (SW) 7.92 km No National Parks, Wildlife Sanctuaries, Biosphere Reserves within 10 Km radius of the proposed site	

5. The unit configuration and capacity of proposed project is given as below:

S No	Plant Facilities	Configuration	Production Capacity (TPA)
1	Iron ore Beneficiation	(1x1.5 MTPA) throughput	15,00,000 TPA throughput (11,60,000 TPA high grade ore)
2	Pellet	(2x0.6 MTPA)	12,00,000 TPA
3	Producer Gas Plant	6x4500 Nm ³ /hr	27,000 Nm ³ /hr

6. The details of the raw material requirement for the proposed project along with its source and mode of transportation is given as below:

Terms of Reference for project titled "Greenfield project for installation of Iron ore Beneficiation Plant -1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant - 1.2 MTPA and Producer Gas Plant - 27,000 Nm³/hr by M/s. KAI International Private Limited located at Village Kapanda, Tehsil Lahunipara, District - Sundergarh, Odisha"

S No	Raw Material Required	Quantity in Tons per Annum	Source	Distance from site (Kms)	Mode of Transportation
1	Iron Ore Fines	15,00,000	Barbil, Koida mine, Joda mine	55 km, 12 km, 58 km	Road/ Rail (Railway Siding: Chandiposh 15.8 km NNW)
2	Process returns fines & ESP Dust	45,927	In- house Generation	0.1 km	Pneumatically
3	High grade Iron ore Fines	1,40,000	Domestic Market	58 km	Road
4	Coal	95,513	Mahanadi Coal field	106 km	Rail/ Road
5	Bentonite	13,063	Rourkela	41 km	Road
6	Lime Stone	13,063	Khatkurbahal limestone mine	64 km	Rail/ Road
7	Coke	3,575	Rourkela	41 km	Road
8	LDO	2,400	Domestic Market	40 km	Road

7. The water requirement for the project is estimated as 665 KLD (make-up). The source of water will be Brahmani river (permission for the same will be obtained). The pickup point is estimated to be approximately 1.65 km aerial distance from the plant boundary. The length of the water pipeline will be approximately 4 km.
8. The power requirement for the project is estimated as 12 MW which will be sourced from the nearest grid at Purunapani substation which is 3.70 km distance in ESE direction.
9. The capital cost of the project is Rs. 341.72 Crores, and the capital cost for Environmental protection measures is proposed as Rs. 18.72 Crores (Capital), Rs. 123.86 Lakhs/yr (Recurring cost). The employment generation from the proposed project will be around 500, including direct (280) and indirect (220) employment.
10. Proposed Terms of Reference (Baseline data collection period: October 2021 to December, 2021):

Environmental Aspect	Frequency/ Parameters / Locations
Micro Meteorology	Frequency: Continuous recording of hourly micro-meteorological parameters for 3 months Parameters: Temperature, Relative Humidity, Rainfall, Wind speed, Wind direction, Cloud cover, Location: At/Near Project Site
Ambient Air Quality	Frequency: Twice a week on 24 hrs basis for 12 weeks Parameters: PM ₁₀ , PM _{2.5} , SO ₂ , NO _x , CO, NH ₃ , O ₃ , BaP& Fe Locations: 8 locations within the study area covering core zone, upwind directions, downwind directions, crosswind directions and nearby habitations based on the predominant windrose as presented above.

Terms of Reference for project titled "Greenfield project for installation of Iron ore Beneficiation Plant - 1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant - 1.2 MTPA and Producer Gas Plant - 27,000 Nm³/hr by M/s. KAI International Private Limited located at Village Kapanda, Tehsil Lahumpara, District - Sundergarh, Odisha"

Environmental Aspect	Frequency/ Parameters / Locations
Ambient Noise Levels	<p>Frequency: Continuous monitoring for 24 hours (Day & Night) at each location, once in a month for 3 months</p> <p>Parameters: Leq Day Time, Leq Night Time</p> <p>Locations: 8 locations within the study area covering core zone, various land uses and nearby habitations.</p>
Surface Water Quality	<p>Frequency: Once during the study period (Three Month)</p> <p>Parameters: Colour, pH, Dissolved Oxygen (min), Conductivity, Total Hardness, Turbidity, Chlorine (Cl⁻), Total Dissolved Solids, Oil & Grease (max), BOD (3) days at 27°C (max), Chemical Oxygen Demand (COD), Arsenic (As), Lead (Pb), Cadmium (Cd) (max), Hexa Chromium as Cr⁺⁶, Copper (Cu) (max), Zinc (Zn) (max), Selenium (Se) (max), Cyanide (CN) (max), Fluoride (F), Sulphates (SO₄⁻), Calcium (Ca), Magnesium (Mg), Manganese (Mn), Boron (B), Mercury (Hg), Phenolic Compounds as C₆H₅OH (max), Iron (Fe) (max), Nitrate (NO₃), Anionic Detergents (max), Total Coliform.</p> <p>Locations: 11 locations within the study area covering major surface water bodies.</p>
Ground Water Quality	<p>Frequency: Once during the study period (Three Month)</p> <p>Parameters: Color, Odour, Taste, Turbidity, pH, Total Hardness (as CaCO₃), Iron (Fe), Chloride (Cl⁻), Residual Free Chlorine, Total Dissolved Solids as TDS, Calcium (Ca), Magnesium (Mg), Copper (Cu), Manganese (Mn), Sulphate (SO₄⁻), Nitrate (NO₃), Fluoride (F), Phenolic Compounds as C₆H₅OH, Mercury (Hg), Cadmium (Cd), Selenium (Se), Arsenic (As), Cyanide (CN), Lead (Pb), Zinc (Zn), Total Chromium as Cr, Mineral Oil, Alkalinity, Aluminium (Al), Boron (B), Total Coliform as TC, Amonia Total, Barium (Ba), Molybdenum (Mo), Nickel (Ni), PAH & Pesticide.</p> <p>Locations: 8 locations within the study area.</p>
Soil Quality	<p>Frequency: Once during the study period (Three Month)</p> <p>Parameters: Conductivity, Water Holding Capacity, Infiltration Rate, pH, Texture, Sand, Silt, Clay, Bulk Density, Exchangeable Calcium, Exchangeable Sodium, Exchangeable Magnesium, Available Potassium, Available Phosphorus, Available Nitrogen, Organic Matter, Organic Carbon, Water Soluble Chloride, Water Soluble Sulphate, Sodium Absorption Residue, Aluminium, Iron, Manganese, Boron, Zinc, Chromium, Hexavalent Chromium, Nickel, Copper, Cadmium, Iron, Silica, Lead, Available Phosphorus.</p> <p>Locations: 6 locations within the study area covering different land uses such as agriculture land, park, waste land, etc.</p>
Hydrogeology	<p>Frequency: During Winter & post-monsoon season</p> <p>Parameters: Drainage pattern, Ground water table depth, ground water quality, ground water yield, etc.</p> <p>Locations: villages within 10 km radius study area</p>
Land use land cover	Satellite imagery-based land use study and preparation of land use land cover maps based on latest LULC classifications & Ground truthing.

Environmental Aspect	Frequency/ Parameters / Locations
	Parameters: Agricultural area, Water bodies, Industrial land, Barren land, Built-up land, Forest area.
Ecology & Biodiversity	Frequency: Primary survey during study period. Secondary data collection from Forest department Parameters: Terrestrial Flora & Fauna, Aquatic flora & fauna, Forests, etc. Location: 10 km radius study area
Socio-economy	Frequency: Primary survey during study period. Secondary data collection from Govt. offices, Village Panchayats, Census of India records Parameters: Demographic pattern, economic pattern, social amenities availability Location: 10 km radius study area

11. It has been reported by PP that, there is no violation under EIA Notification, 2006/court case/show cause/direction related to the project under consideration.
12. Name of the EIA consultant: M/s. Visiontek Consultant Services Private Limited [S. No.98, List of ACOs with their Certificate no. NABET/EIA/2023/RA 0209, valid up to 16/12/2023, Rev. 15, October 11, 2021].

Observations of the Committee

14. The EAC noted the following:
 - i. Instant proposal is for setting up for Greenfield project for installation of Iron ore Beneficiation Plant –1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant– 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr at Kapanda Village, Lahunipara Tehsil, Sundergarh District, Odisha.
 - ii. Total project area is 19.3 ha out of which 6.27 ha area is occupied with dense trees and remaining 13.03 ha is proposed for installing the plant facilities.
 - iii. Out of 3972 trees present at project site 1500 trees will be felled down and 260 no of trees will be transplanted. The requisite permission to fell down 1500 trees has been obtained by the proponent from DFO.

Recommendations of the Committee

15. After deliberations, the Committee recommended the project proposal for prescribing following specific ToRs for undertaking detailed EIA and EMP study in addition to the generic ToR enclosed at Annexure-1 read with additional ToRs at Annexure-2:
 - i. 665 KLD water shall be drawn from Brahmani river. No ground water abstraction is permitted.
 - ii. Total 3972 trees are present at project site out of which the PP has received permission from local Forest authorities for felling of 1500 trees. Further, 260 trees are proposed to be transplanted. Compensatory plantation for the felled down trees shall be raised as per the State Govt norms and detail shall be furnished in the EIA report.
 - iii. Conservation plan duly approved by the State Forest department for the protection of Forest patches situated adjacent to the project site shall be submitted.
 - iv. Action plan to limit the dust emission from all the stacks below 30 mg/Nm³ shall be furnished.
 - v. Action plan for fugitive emission control in the plant premises shall be provided.

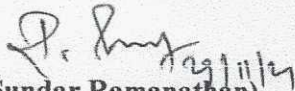
Terms of Reference for project titled "Greenfield project for installation of Iron ore Beneficiation Plant –1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27,000 Nm³/hr by M/s. KAI International Private Limited located at Village Kapanda, Tehsil Lahunipara, District - Sundergarh, Odisha"

147
20

- vi. Action plan for green belt development covering 33% of the project area all along the periphery of the project site with a density of 2500 trees per hectare shall be submitted.
- vii. Action plan for 100 % solid waste utilization shall be submitted.
- viii. Action plan for rain water harvesting shall be submitted.
- ix. Action plan for the stock piles with impervious floor, provision of garland drains and catch pits to trap run off material shall be submitted.
- x. Action plan for treatment, storage and utilization of tailings shall be submitted.

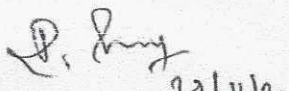
Decision of MoEF&CC

16. The undersigned is directed to inform that Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1) hereby decided to accord above-said specific ToRs, in addition to the standard ToRs and Sector Specific ToRs as enclosed at Annexure I read with additional ToRs at Annexure-2 for carrying out detailed EIA/EMP for the above project.
17. It is requested that the draft EIA Report may be prepared in accordance with the above-mentioned specific ToRs and enclosed generic ToRs and additional ToRs and thereafter further necessary action including conduct of public consultation may be taken for obtaining Environment Clearance in accordance with the procedure prescribed under the EIA Notification, 2006 as amended.
18. The ToRs are valid for a period of four years from date of issue of this letter as per the Ministry's Notification S.O. 751 (E) dated 17/02/2020.
19. This issue with the approval of the Competent Authority.


(Sundar Ramanathan)
Scientist 'E'

Copy to: -

1. Secretary, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
2. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
3. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar - 751023.
4. Chairman, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
5. Chief Wildlife Warden, Govt. of Odisha, 5th Floor, BDA Apartments, Prakruti Bhawan, Nilakantha Nagar, Nayapalli, Bhubaneswar-751012
6. Member Secretary, Central Ground Water Authority, A2, W3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
7. District Collector, Sundergarh District, Odisha.
8. Guard File/Record File/Monitoring File.
9. MoEF&CC Website.


(Sundar Ramanathan)
Scientist 'E'



148
17
21

Sankar Pani <sankarprasadpani@gmail.com>

Revocation of Terms of Reference, removal of boundary wall and Criminal prosecution against KAI internationa;

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Mon, Dec 27, 2021 at 11:55 AM

To: secy-moef@nic.in, RABINDRA KUMAR SAMAL <roez.bsr-mef@nic.in>, Forest Environment Department <forestandenv1@gmail.com>, pccfodisha@gmail.com, dm-sundergarh@nic.in, dfourkela@yahoo.co.in, csori@nic.in, forestenv2016@gmail.com

27th December 2021

THROUGH EMAIL

To

Secretary,

Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan,
Jorbagh, New Delhi – 110003 secy-moef@nic.in, roez.bsr-mef@nic.in

Regarding: demand for (i) revocation of Terms of Reference granted to KAI International Ltd for Steel plant at Kapand, Sundergarh Odisha and

ii. Prosecution against the proponent for felling the trees, developing the land by the leveling the highlands and construction of boundary wall in absence of environment clearance

Dear Sir,

On behalf of my clients who are local residents of Kapanda Village and Purunapani GramPanchayat also the applicants before National Green Tribunal in OA 94 of 2021/EZ would like to bring your kind attention to the following few lines for urgent action

1. M/s KAI International Private Limited has proposed for establishment of Iron ore Beneficiation Plant with production capacity of 1.5 Million Tons Per Annum (MTPA), Iron ore Pelletisation Plant of 1.2 MTPA, Sponge Iron of 0.346 MTPA,

CTC

Billet of 0.43 MTPA, Rolling Mill – 0.417 MTPA, Captive Power Plant(CPP) of 75 MW, Producer Gas Plant – 30,000 Nm³ /hr and SMS Slag Crushing Unit – 60,150 TPA in Kapand Mouza of Lahunipada Tahasil in Sundergarh District

2. This project was placed in 31st meeting of Re-Constituted Expert Appraisal Committee (REAC) held on 25th -26th February, 2021 for environment appraisal of Industry-1 sector projects constituted under the provisions of Environment Impact Assessment (EIA) notification, 2006. **The proposal was returned on the following grounds**

- i. Form I is not complete as most of the details sought in the Form I are not provided.
- ii. Pre-feasibility report found to be incomplete as the details relating to environment settings for the proposed site has not been furnished.
- iii. As per the records submitted, no alternate site details were furnished whereas PP during presentation referred three alternative sites for the proposed unit without any review by established methods of site selection.
- iv. **There are lots of trees in the proposed site that would be cut as observed from KML file and site photographs submitted during the presentation.**
- v. Management of phenolic water and tar recovered from PGP has not been described.
- vi. Kukia RF is only 400 m from plant.
- vii. 10 Nos of Induction Furnaces (IF) are proposed (4x10 and 6 x 15T capacities) to produce 0.43 MTPA steel **which are having high pollution potential.** PP should explore feasibility of installation of higher configuration of Induction Furnace.

3. That after return of the proposal, the project proponent had started felling of more than ten thousand trees in the project area from 15th September 2021 till 10th October

2021 without any environment clearance and even there was no proposal with the MoEFCC in regard to the project as the proposal has been returned since 26th Feb 2021.

4. That challenging the illegal tree felling by the project proponent, the applicants had approached National Green Tribunal Kolkata and on **8th October 2021**, Hon'ble NGT granted stay order in respect of tree felling and construction of boundary wall.

5. It is needless to mention that the Project Proponent has applied for environment clearance on 21/10/2021 and the proposal was placed before the REAC in its 48th Meeting held on 11-12th November 2021 and then after a Terms of Reference was issued on **29/11/2021**

6. That the Terms of Reference was obtained on suppression of the facts false submission and misleading information as follows

i. That the point 11 of Tor states that project proponent has stated no court cases pending is a false statement. The pendency the Original application no 94 of 2021 and stay order dated 8/10/2021 was suppressed by the project proponent. As such there is another petition challenging the transfer of land to the IDCO is pending before the Orissa Highcourt in Writ Petition C No 997 of 2021 and Notice has been issued on 10th March 2021.

ii. The site in question being a physical forest requires site visit by the Site Inspection Committee of Regional Office, MOEFCC and same has not been followed even though the DFO Rourkela has suggested for a site visit in letter dated 11/11/2020

iii. The DFO Rourkela in his letter dated 11/11/2020 addressed to Tahasildar Lahunipara has stated that the site proposed for industry consists of good quality of flora that is Mahula, Sal, Asan, Char, Jamu, Banyan, Pipal and fauna like wild boar, Rabbit, Peacock, Porcupine,

Barking Deer in good numbers. Sometimes presence of leopard is also noticed in the said area. **Elephant movement also occurs through land as requested for establishment of industry.** Endangered flora and fauna of Schedule I and II are well noticed in that area. It would be seen illogical and irrational not to include such finest species of flora under dictionary meaning of forest.

iv. Further the same letter says that as per Lafarge Judgement 2011 of Honble Supremecourt, the site may be inspected by state forest department along with Standing Site Inspection Committee constituted by regional office of MoEFCC to ascertain the status of forest based on which a certificate in this regard may be issued/

v. That the letter further states that 135 acres of land of aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40 to 70 percent with very good biodiversity. The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood.

vi. **Further the ToR has mentioned that no EIA violation is reported is also a false statement of Project proponent. The Proponent has already started construction of boundary wal with concrete plinth and same is a violation as the project has not been issued environment clearance.**

7. Further the grounds on which the Proposal was returned on 26th Feb 2021, still holds good and there has been no change in the circumstances nor the shortcomings have been remedied. On the contrary the area in question is surrounded by reserve forest with in 150mtres from the site in question and in reality the Kukia Reserve Forest is contiguous to the project. Apart from that the site is highland and at least

two stream originating from the hill passes through the site in question and because of

2152

the leveling work and streams have been buried with soil are now threatened. The people use to get the water from these streams for the cultivation are no suffering.

8. That because the TOR was issued based on false submission, the undersigned request the authority to withdraw the Terms of Reference and direct the state government to remove the Boundary wall and initiate criminal prosecution against the Director of the Project, Mr Suresh Agarwal for violation of Environment Protection Act 1986 and EIA Notification 2006.

Sincerely



Sankar Prasad Pani, Advocate

NB: ANNEXURE are attached with email

Copy: Chief Secretary of Odisha, LokaSeva Bhawan, Bhubaneswar, 751001, [Email- csori@nic.in](mailto:csori@nic.in)

Additional Chief Secretary, Forest and Environment Department, Bhubaneswar,
Government of Odisha 751001 email- forestandenv1@gmail.com

District Collector, Sundargarh, Email: dm-sundergarh@nic.in




Divisional Forest Officer, Rourkela, dforourkela@yahoo.co.in

Managing Director, Orissa Industrial Development Corporation (IDCO)

Bhubaneshwar, Odisha 751001, cmd@idco.in

--
Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
Res-Plot No 2132/4814(B), Nageswar Tangi,
Bhubaneswar, 751002
Cell- 9437279278
Skype- sankar.pani

3 attachments

-  **LETTER TO MOEFCC-TERMS OF REFERENCE final.pdf**
525K
-  **ANNEXURE 4.pdf**
3501K
-  **order dated 8th oct 2021.pdf**
87K

Handwritten notes in the top right corner, including the word "COB" and some illegible characters.

Handwritten mark resembling a checkmark or the letter 'v'.

Handwritten text "CTC" with a horizontal line underneath.

OFFICE OF THE TAHSILDAR, LAHUNIPADA

LETTER NO. 486 DT. 04.03.2021



To

The Divisional Forest Officer,
Rourkela.

Sub: -

Joint verification and tree enumeration in Govt. land measuring an area of Ac. 117.00 of Village-Kapanda

Sir,

With reference to the subject cited above I am to say that Govt. land measuring an area of Ac. 117.00 in village-Kapanda in Lease case no. 01/2020 has been sanctioned in favour of Chief General Manager(land), IDCO, Bhubaneswar by the Collector & District Magistrate , Sundargarh vide order no. 45 dtd. 07/01/2021. However on field verification it is found that there is presence of some tree growth over the applied plot. Hence you are kindly requested to take necessary steps for conducting joint verification and tree enumeration along with revenue officials over following schedule of land.

LAND SCHEDULE

Village	Khata No.	Plot No.	Klsam	Area In Ac.
Kapanda	118 (AJA)	1104/p	Patit	86.00
		1107/p	Patit	31.00
			Total	117.00

This is for favour of your information and necessary action.

Yours Faithfully

[Signature]
Tahasildar, Lahunipara.
Tehsildar
Lahunipara

Memo No. 487 /Dt. 04.03.2021

Copy submitted to the Sub-Collector, Bonai for favour of kind information and necessary action.

[Signature]
Tahasildar, Lahunipara.
Tehsildar
Lahunipara

Memo No. 488 /Dt. 04.03.2021

Copy submitted to the Collector, Sundargarh for favour of kind information and necessary action.

[Signature]
Tahasildar, Lahunipara.
Tehsildar
Lahunipara

[Signature]
Public Information Officer
cum-Asst. Conservator of Forests
Rourkela Forest Division

Kind attention to Sri Amitav Brambha Sir


Sir,

Chief General Manager (Land), (IDCO), Bhubaneswar has filed lease application over 135 acre of land (RoR No.118 (AJA) Plot No.1140 & 1107(P) at village Kapanda before Tahasildar, Lahunipara for the purpose of establishment of Industries. In this connection, Tahasildar Lahunipara requested us to clarify regarding the following points of the said land.

1. Whether the following land schedule is coming under DLC report.
2. Whether any valuable tree growth is situated over the foillowing schedule of land.
3. Whether the schedule of land is received for the purpose of Compensatory Afforestation.

Accordingly, with clarifying all the points, the reply was sent to him vide this office memo No.6206 dt.11.11.2020 which is enclosed herewith for your kind reference.

DFO, Rourkela Division


Public Information Officer
cum-Asst. Conservator of Forests
Rourkela Forest Division



ବନରାଜ୍ୟ ଅଧିକାରୀ ତଥା ବନ୍ୟପ୍ରାଣୀ ତତ୍ତ୍ୱାବଧାରକଙ୍କ କାର୍ଯ୍ୟାଳୟ, ରାଉରକେଲ
OFFICE OF THE DIVISIONAL FOREST OFFICER CUM WILDLIFE WARDEN
ROURKELA FOREST DIVISION, ROURKELA, SUNDARGARH, ODISHA
Phone No. 0661-2664637, Fax No. 0661-2664639, e mail- dforourkela@yahoo.co.in

Memo No 6206 /4F (Misc.) dt. 11 / 11 / 2020

To,

The Tahasildar,
Lahunipara.

Sub:- Regarding clarification of land.

Ref:- Your Memo No.1906 dt.23.07.2020.

Sir/Madam,

With reference to your letter No. cited above, this is to inform you that, the RoR No.118(AJA) and Plot No.1104 & 1107(p) has been jointly verified by Range Officer, Banki Range and Revenue Inspector, Darjing and the report is submitted as follows.

That, plantation had been taken up over 25 ha under CAMPA OWP during 2015-16 and over 100 ha under CAMPA ANR with Gap plantation during 2018-19 at Kapanda-badbahal KF, by Rourkela Forest Division. Accordingly, the plantation area was jointly verified by forest & Revenue officials and was seen that, the plantation area overlaps to the area requested for the purpose of establishment of industries at some locations.

That, as per Site Inspection of the undersigned, this area consists of good quality of flora i.e. Mahula, Sal, Asan, Kurum, Char, Jamu, Banyan, Pipal etc and Fauna like Wild Boar, Rabbit, Peacock, Porcupine, Barking deer etc in goods numbers. Sometimes the presence of leopard is also noticed in the said area. Elephant movement also occurs through the land as requested for establishment of industries. Endangered flora and fauna (Schedule I & II and others) are well noticed in that area. It would be seen illogical and irrational not to include such finest species of flora under the dictionary meaning of forest.

However, as per Lafarge Judgement, 2011 pronounced by Hon'ble Supreme Court, the site may be inspected by the state forest department along with the Standing Site Inspection Committee (SIC) constituted by Regional office of MoEF &CC to

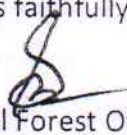
Contd.....P/2

ascertain the status of forests, based on which a certificate in this regard may be issued. Further, Site Inspection Committee will take up the work of ascertaining the position of the land, whether it's forest land or not.

That, 135 acre of land of aforesaid plot consists of well established virgin Forest growth having moderate to dense forest with canopy density varying between 40% to 70% with very good biodiversity. Though the area is not included in the DLC report, but, due to strong protection measures, good virgin forest growth has come up with varying canopy density of 40 % to 70 % subsequently. The surrounding villages depend heavily on that patch of forest to earn their livelihood. Further, as per record available in this office, the land bearing RoR No.118 (AJA) and Plot No.1104 & 1107(p) has not been reserved for Compensatory Afforestation (CA).


So, under the domain of conservation of flora and fauna, i.e. Forestry point of view, the aforesaid land (RoR No.118 (AJA) and Plot No.1104 & 1107(p)) is not desirable to use for establishment of Industry. However the report of SIC with representatives of State Forest Department should be taken into well consideration to ascertain the status of forests, whether it's forest land or not.

Yours faithfully,


11/11/2020
Divisional Forest Officer
Rourkela Forest Division

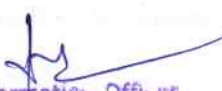
Memo No. 6207 /dt. 11/11/20


Copy forwarded to the Sub-Collector, Bonai for information and necessary action with reference to Memo No.1907 dt.23.07.2020 of Tahasildar, Lahunipara.


11/11/2020
Divisional Forest Officer
Rourkela Forest Division

Memo No. 6208 /dt. 11/11/20

Copy forwarded to the Collector & District Magistrate, Sundargarh for his kind information and necessary action.


Public Information Officer
cum-Asst. Conservator of Forests
Rourkela Forest Division


11/11/2020
Divisional Forest Officer
Rourkela Forest Division

OFFICE OF THE FOREST RANGE OFFICER, BANKI FOREST RANGE
Telephone No. 06625-232434, Email ID: fmu_banki@yahoo.in

Memo No.1209, dt. 22.08.2020

To: The Divisional Forest Officer,
Rourkela Forest Division

Sub: Regarding clarification of land

Ref: Your Office Memo No. 4323/4f (Misc.), dt. 30.07.2020

Sir,

With reference to your memo cited above, I personally along with the representative of Revenue Department and lease holder IDCO on dt.05.08.2020 jointly visited the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P) and found following points for taking action at this end.

1. Whether there is any plantation in the applied area?

Ans- Yes, there are 02 nos. of plantation executed in the vicinity of the applied area i.e.

- a) CAMPA OWP Plantation 2015-16 over 25.0 ha. at Kapanda
- b) CAMPA ANR with Gap Plantation 2018-19 over 100.0 ha. at Kapanda-Badbahal KF

2. Detailed of the endangered flora & fauna existing in the area.

Ans:- As per joint Site Inspection with revenue official, this area consists of good quality of flora i.e. Mahula, Sal, Asan, Kurum, Char, Jamu, Banyan, Pipal etc and Fauna like Wild Boar, Rabbit, Peacock, Porcupine, Barking deer etc in goods numbers. Sometimes the presence of leopard is also noticed in the said area. Elephant movement also occurs through the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P). Endangered flora and fauna (Schedule I & II and others) are well noticed in that area.

4. Whether any area DLC report is included in the applied area.

Ans- As per record available in this office, the land bearing RoR No. 118 (AJA), Plot No. 1104 and 1107 (P) village- Kapanda, has not been included in the DLC record.

5. Whether the scheduled of land is reserved for the purpose of compensatory afforestation (CA).

6. Ans- As per record available in this office, the area has not been reserved for compensatory afforestation (CA).

Contd.....P/2

7. Specific recommendation of Range Officer from forestry point of view.

Ans- On my enquiry it is found that 135 Acre area of the land consisting well established virgin forest growth having moderately dense forest with canopy density of 40% to 70% with good biodiversity.

Hence this is for favour of your kind information and necessary action.


Revenue Inspector
Darjeng

Yours faithfully,


FOREST RANGE OFFICER
Banki Range


Public Information Officer
Cum-Assst. Conservator of Forests
Rourkela Forest Division

**Summary of tree counting at Kapanda Forest – Unilateral basis by the local
villagers**

We the local villagers conducted a tree counting exercise at Kapanda Forest. We have selected a random area of 100 meters X 100 meters, where we have estimated of total 1165 number of trees in that selected area. Basis our counting, we have estimated with more then 130000 (one lakh thirty thousand) exists in the subject land. This estimation (rough) is clearly providing an idea about the number of trees that have to be cut down during the establishment of industry.

Tree name (In English)	Tree name (In Odiya)	Number
Karda	କରଡ଼ା	90
Harida	ହରିଡ଼ା	10
Bahada	ବାହାଡ଼ା	30
Amla	ଅଳା	50
Chena	ଛେନା	15
Sala	ଶାଳ	85
Piasala	ପିଆଶାଳ	20
Chara	ଚାହାର	40
Deoson	ଦେଓ ସନ	20
Asana	ଅସନ	50
Hathipanjhara	ହାଥୀପଞ୍ଜରା	10
Rohini	ରୋହିଣୀ	30
Sunari	ସୁନାରୀ	25
Daka(kenkat)	ଡକା(କେକଟ)	15
Keiu	କେଲୁ	20
Laba	ଲାବା	30
Baranga(2)	ବରଂଗା (2)	20
Simuli	ଶିମୁଳି	15
Bhelia	ଭେଲିଆ	10
Kuruchi	କୁରୁଚି	80
Khais	ଖଇସ	10
Shalei	ଶାଲେଇ	5
Sishu	ଶିଶୁ	25
Dhaura	ଧଉଳା	40
Manja(kanta)	ମାଞ୍ଜ (କଣ୍ଟା)	100
Manja(beni)	ମାଞ୍ଜ (ବେଣି)	20
Chauladhua	ଚାଉଳଧୁଆ	15
Karam	କରମ	10
Badgilar	ବଡ଼ଗିଲର	40
Tilei	ଡିଲେଇ	10
Girdhei	ଗିରଧେଇ	5
Mahul	ମହୁଲ	50

Gangasiuli	ଗଙ୍ଗାଶିଉଳି	25
Baruna	ବରୁଣ	2
Bherun	ଭେରୁଣ	20
Baghalala(medha)	ବାଘ ଲାଳ (ମେଧା)	2
Kusum	କୁସୁମ	10
Dam kurdu	ଡମ କୁର୍ଡୁ	2
Bela	ବେଲ	2
Dhatuki	ଧାତୁକି	35
Anchi	ଆଞ୍ଚି	20
Suramatha	ସୁରାମାଠା	10
Matha	ମାଠା	20
kurdu	କୁର୍ଡୁ	2

Medicinal Tree	ଔଷଧୀୟ ଗଛ
Gangasiuli	ଗଙ୍ଗାଶିଉଳି
Chauladhua	ଚାଉଳଧୁଆ
Amla	ଅଳା
Bahada	ବାହାଡା
Harida	ହରିଡ଼ା
Bhuin nimba	ଭୂଇଁ ନିମ୍ବ
Bhuin kusuma	ଭୂଇଁ କୁସୁମ
Bhuin amla	ଭୂଇଁ ଅଳା
Bana rasuna	ବଣ ରସୁଣ
Bana haldi	ବଣ ହଳଦୀ
Shala parnni	ଶଳ ପରନି
Krushna parni	କୃଷ୍ଣ ପରନି
Banakia	ବଣକିଆ (Insulin plant)
Latasala	ଲତା ଶାଳ
Mathasaga	ମାଠା ଶାଗ
Suramatha (high power acidity)	ସୁରା ମାଠା (high power acidity)
Sarla Saga	ସରଳା ଶାଗ
Kala musuli (sperm problem)	କଳା ମୁସୁଲି (sperm problem)
Kamaraj	କାମରାଜ
Masjuda (mas jeda)	ମାସ ଜୁଡା (ମାସ ଜେଡା)
Khaisa (anta bindha)	ଖଇସ (ଅଣ୍ଟା ବନ୍ଧା)
Janka ghasa (brean tonic)	ଜଙ୍କ ଘାସ (brean tonic)
Banakalatha (kurmi)	ବଣ କୋଳଥ (କୁର୍ମି)
Jwatismati (brean tonic)	ଜ୍ୱତିସ୍ମତି (brean tonic)
Iswarajata	ଇଶ୍ୱର ଜଟ
Satabari	ଶତାବରି
Muchuri (2)	ମୁଚୁରି (2)

Banajatangi	ବଣଜଗଜି
Bhuin kusuma	ଭୂଇଁ କୁସୁମ
Sata ganthia	ସାତଗଣ୍ଡିଆ
Ganthia	ଗଣ୍ଡିଆ
Kurdu	କୁର୍ଡୁ
Mayurachulia	ମୟୂରଚୁଲିଆ
Gilari phula	ଗିଲରୀ ଫୁଲ
Bana angura	ବଣ ଅଙ୍ଗୁର
Hatikani	ହାଟୀକାନି
Deosana	ଦେଅସନ
Musakani	ମୁଷାକାନି
Janhari (A,B)	ଜହ୍ନାରୀ (A, B)
Baranga	ବରଙ୍ଗୀ
Karani	କରଣୀ
Bana muga	ବଣ ମୁଗ
Bisa janhari	ବିଷ ଜହ୍ନାରୀdhi
Sugandhi bada	ସୁଗନ୍ଧିବାଡା
Kaladudhi	କଳା ଦୁଧୁ
Aanchu	ଆଚୁ
Pudhei	ପୁଡ଼େଇ
Bela	ବେଲ
Banachani	ବଣଛଣୀ
Budachani	ବୁଦାଛଣୀ
Latapukasha	ଲତାପଳାଶ
Dhataki	ଧାତକୀ
Banapiaja	ବଣ ପିଆଜ
Vegetable	ଖାଦ୍ୟ ଉପଯୋଗୀ ଗଛ
Patarkanda	ପତରକନ୍ଦା (Protein)
Pitalukanda	ପିତାଳୁକନ୍ଦା
Karukanda	କାରୁକନ୍ଦା
Aalu	ଆଳୁ
Baranga	ବାରଙ୍ଗୀ
Irrbil kanda	ଇର୍ବିଲ କନ୍ଦା
Bana kunduri	ବଣ କୁନ୍ଦୁରୀ
Bana bheni	ବଣ ଭେଣି
Simuli kanda	ଶିମୁଳି କନ୍ଦା
Kuliha kanda	କୁଲିହା କନ୍ଦା
Vegetable green leaf	ଶାଗ ଉପଯୋଗୀ ଗଛ
Bhatudi saga	ଭାଡୁଡ଼ି ଶାଗ
Purcha saga	ପୁଛୁ ଶାଗ
Mamuli saga	ମାମୁଳି ଶାଗ

Kanchana	କଞ୍ଚନା
Helera	ହେଲେର
Gilari phula	ଗିଲରି ଫୁଲ
Matha saga	ମାଠା ଶାଗ
Gadha saru	ଗାଢ଼ ସାରୁ
Saria saga	ସରିଲା ଶାଗ
Saraga	ଶରଗ
Latapalasha	ଲତା ପଳାଶ
Lepei saga	ଲେପେଇ ଶାଗ

TRUE COPY
Advocate



STATE POLLUTION CONTROL BOARD, ODISHA
(Department of Forest, Environment & Climate Change, Govt. of Odisha)
Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII, Bhubaneswar - 751012



No. 6679/IND-II-PH-1017

Date 19-04-2022

NOTICE

It is brought to the notice of all concerned that M/s KAI International Pvt. Ltd. has proposed to have Environmental Assessment for Greenfield Project for installation of Iron Ore Beneficiation Plant -1.5 MTPA throughput (1.16 MTPA High Grade Ore), Iron Ore Pelletization Plant - 1.2 MTPA and Producer Gas Plant 27,000 Nm³/hr at village Kapanda under Lahunipara Tehsil of Sundargarh District to obtain Environmental Clearance from Ministry of Environment, Forest and Climate Change, Govt. of India. The proponent has applied to the State Pollution Control Board, Odisha, Bhubaneswar for a Public Hearing.

By virtue of Ministry of Environment, Forests & Climate Change, Government of India Notification No. S.O. 1533 (E) Dtd. 14.09.2006, the Board has been authorized to conduct environmental public hearing and as such invites suggestions, views, comments and objections on matters relating to environmental aspects of the proposed project from all the persons including bonafide residents, environmental groups and others located at the proposed site / sites of displacement / sites likely to be affected.

For the above purpose, a person will only mean:

- A. Any person who is likely to be affected by the grant of Environmental Clearance.
- B. Any person who owns his control over the project with respect to which an application has been submitted for environmental clearance.
- C. Any association of persons whether incorporated or likely to be affected by the project and / or functioning in the field of environment.
- D. Any local authority within any part of whose local limits is within the neighborhood, wherein the project is proposed to be located.

Persons as above who desire to submit their views, comments, objections etc. relevant to the project, may do so in writing within 30 days from the date of publication of this notice addressing the same to the Member Secretary, State Pollution Control Board, Odisha through Registered Post. Besides this, persons interested to submit their views relevant to the proposed project in writing or orally may also do so during the public hearing to be conducted on **24-05-2022 at 10.00 A.M Football Play Ground, Bad-Purunapani Village of Sundargarh District. Public Hearing shall be conducted strictly observing guidelines contained in COVID - 19 pandemic restrictions issued by the MoEF&CC, Govt. of India vide OM No.22-25-IA.III, dated 09.06.2021 as well as Govt. of Odisha.**

Persons desirous of participating in the public hearing may go through the Environmental Impact Assessment (EIA) /Environmental Management Plan (EMP) of the said project which will be available at the following offices. Copy of the Executive Summary both in English & Odia is also available in the following offices & the same can also be downloaded from the website www.ospboard.org free of cost.

1. District Collector's Office, **Sundargarh.**
2. District Industries Center, **Sundargarh.**
3. In the office of the Chief Executive Officer, Zilla Parishad, **Sundargarh.**
4. In the Head office of the State Pollution Control Board, Odisha, Parivesh Bhawan, A/118, Nilakanthanagar, Unit - VIII, Bhubaneswar -12.
5. Regional Office, State Pollution Control Board, Odisha, **Rourkela**
6. Department of Forest & Environment (Environment), Govt. of Odisha, Bhubaneswar.

P.T.O...

For any further clarification in the matter, the **Regional Officer, State Pollution Control Board, Rourkela** or the **Member Secretary, State Pollution Control Board, Odisha** at Bhubaneswar may be contacted.


MEMBER SECRETARY

Memo No. 6680 /date 19-04-2022

Copy forwarded to the **Collector & District Magistrate, Sundargarh** with reference to the his letter No. **109/XV-13/2022** dated **13-04-2022** for information.


Addl. Chief Env. Engineer

Memo No. 6681 /date 19-04-2022

Copy forwarded to **Administrative Officer, SPC Board, Bhubaneswar** for information and necessary action. He is requested to advertise the notice in one major National Daily as per provision of EIA Notification, 2006 and amendment thereafter on or before **22-04-2022**.


Addl. Chief Env. Engineer

Memo No. 6682 /date 19-04-2022 / (By Email/Speed Post)

Copy forwarded to **Regional Officer, SPC Board, Rourkela** with a request to ensure that the notice of Public Hearing should be exhibited in the office of the concerned local bodies of the area affected by the project as per Ministry of Environment, Forest and Climate Change, Govt. of India Circular No. L-11011/2005-I.A.I, dtd. 22.01.2008.


Addl. Chief Env. Engineer

Memo No. 6683 /date 19-04-2022

Copy to the **Addl. Chief Env. Engineer (IT Cell), SPC Board, Bhubaneswar** for information and necessary action. He is requested to add the Executive Summary in English submitted by the above project in the web site of the Board before **22-04-2022**.


Addl. Chief Env. Engineer

Memo No. 6684 /date 19-04-2022

Copy to the **Dy. Env. Engineer, SPC Board, Bhubaneswar** for information and necessary action. He is requested to ensure and make a note in concerned file that the executive summary in English submitted by the above project is displayed in the website of the Board as well as advertisement has been released in News Paper before **22-04-2022**.


Addl. Chief Env. Engineer

Memo No. 6685 /date 19-04-2022 (By Speed Post)

Copy forwarded to **The Director, M/s KAI International Pvt. Ltd., CCC-23, Civil Township, Rourkela - 769 094** for information and necessary action. He is requested to exhibit the notice of the public hearing in the office of the concerned local bodies of the area affected by the project as per Circular No. L-11011/2005-I.A.I dtd. 22.01.2008 of Ministry of Environment, Forest and Climate Change, Govt. of India.


Addl. Chief Env. Engineer

Date: 6th May 2022

(By Post/Email)

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

Sub – (Objection letter - Request to cancel the environmental public hearing scheduled by State Pollution Control Board Odisha, vide Notice No. 6679, IND-II-PH-1017, issued on dated 19.04.2022).

Dear Sir,

With due respect, we the local villagers of the Badpurunapani G.P would like to request you to consider our objection/protest application against the advertisement for public hearing for environmental clearance to Green Field project at Kapanda, Sundargarh district, scheduled at Football Play Ground Bad-Purunapani Village of Sundargarh District scheduled on dated 24.05.2022. As per advertisement/notification the local persons / villagers may submit their views, comments, objections in writing within 30 days from the date of notification, i.e before 19.05.2022 and hence we the local villagers would like to put forward our objection within prescribed time frame with highlighting some specific points as below,

- In the advertisement paper it is cited that the *"Public hearing shall be conducted strictly observing guidelines contained in COVID-19 pandemic restrictions issued by the MoEF&CC Govt. of India vide OM22-25-IA III, dated 09.06.2021 as well as Govt of Odisha"*. We would like to reiterate that, in recent past all the COVID restrictions are already withdrawn by the Central government and State government and the current status/conditions always supersede any such older notifications. Basis that we DO NOT find any specific provision and/or special restriction(s) for public hearing, especially sensitive matter related to establish industry by demolition of the Kapanda forest by the name of COVID-19 restrictions in Odisha. Also the scheduled place is confined, very far from the proposed place to establish industry. Instead, there are other most convenient places are available for meeting just near to the proposed place, where we all the local tribal should get chance to provide our objections to save our mother forest land where hundreds of local tribal families are residing from ancient age and even recently we have submitted our written protest letter to the local authority (refer annex 18). Hence it is not justified to select this confined place where thousands of the forest dwellers will be debarred to provide their opinions.
- We refer the provision of the SPCB, Odisha where it is clearly stated that, the public consultation to be arranged in a *"transparent manner and ensuring widest possible public participation at the project site (s)."* We would like to reiterate that, there are around 10 numbers of tribal villages are situated in this forest area and adjacent, where thousands of the tribals are residing from ancient age and they are entirely dependent on the forest, within their traditional wisdom regarding conservation of the forests.
- Reviewing the requirements and the meeting organization, it is a clear violation of fair and free conduct of hearing with ill intention to empower police to restrict affected local tribal villagers who oppose the project where hundreds of tribal forest dwellers will become homeless and great impact on the forest environment.

- The proposed location for setting up of the proposed pallet plant factory at Kapanda forest lies under densely forested area which situated just besides, the Kukia reserve forest. The inspection and field verification report of the local forest range officer has cited that *"land of aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40 to 70 percent with very good biodiversity. The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood"* (refer Annex 17). Till date we have sent numerous applications to the local authorities to stop leasing out the Kapanda forest and nearby areas for setting up any industrial establishments, but has been simply ignored. On this matter we have filed a case which is under review of National Green Tribunal, Kolkata vide case No. 94/2021/EZ. With this application, we attached some of the key applications and supporting documents for your kind perusal.
- In addition, we would like to highlight that this project is most sensitive project in a scheduled district tribal areas and especially for the subject matter the Pallisabha was organized on dated 06.09.2021, where many of the protesters were assaulted, beaten in public by the appointed goons and the matter is under police investigation (SC&ST Atrocity Case, Lahunipara PS case No 227 of 2021, refer Annex 16) as per the provision of the (Prevention of Atrocities) Act, in the year 1989 to prevent the offences and to provide relief and rehabilitation towards the tribals. Point to be noted that, till date there is no any Pallisabha has successful and it is our surprise that, how the project development is still under progress. This is against the notice issued by the Sundargarh district collector, highlighting stringent requirements for the scheduled district (Refer annex 1) and clear cut violation of the regulation. Instead, since after we the local tribals are continuously getting threatening from the local mobs and now, we are living with mental trauma. Till date we the local tribals are getting continuous torture and our local authorities failed to enforce to prohibit discrimination and to prevent atrocities towards the local tribals.
- Sponge iron plants are 'red category' industries, which means they have very high pollution potential and can cause serious health hazards. The manufacturing process releases extreme heat and smoke containing oxides of sulphur and carbon, unburnt carbon particles and silica. Due to high polluting potential, **the sponge Industries are under 'Category A', whereas as per record the proposed site at Kapanda is listed under 'Category B'**. Reviewing this, the proposal to setup a 'Category A' industry over the land declared as 'Category B' is a violation of the government norms. We request your good authority to review this matter urgently and cancel the proposal with immediate effect.
- In addition, you are well aware about the current ongoing situation of the huge number of sponge factories around Bonai area, and catastrophic suffering by the local tribals. Whereas, in the project proposal, it is cited that Induction Furnaces are proposed to produce steel which are having high pollution potential. In view of that we hope your good authority has properly reviewed the polluting potential of the proposed industry, topographic situation of the Kapanda and nearby areas, socio-economic status of the local tribal rich villagers and possible consequences and / or environmental impact of the DRI plant which emits high amount of noxious substances with toxic particulate matter,

hazardous effluents and noise pollution to the wild/nocturnal animal residing in the Kukia reserve forest and nearby forest areas. In our opinion, **the site selection is the key factor that industry with highly polluting potential should be established at the proper allocated Industrial zone/area, and not at the forest & tribal village (public) area.** We request to your good authority to review all these aspects and take urgent action to reject the proposed proposal to establish industry near to the local tribal village area.

Reviewing entire scenario, Environmental Impact Assessment for socio-economic scenario of the local tribals and has great detrimental towards the forest environment due to the proposed industrial activity that has not been evaluated properly. With this application we the local villagers would like send this protest/objection letter that this advertisement for public hearing for environmental clearance to cancel and/or to postpone the hearing until the matter finalized by the NGT Kolkata and minutely review by all other concerned authorities with all regulations. In any case, in future if there will be any public hearing then we the local tribal are not safe to attend the hearing where the entire place will be captured by the local goons deployed by the proposed industry owner and hence, before organize any such public hearing we request for special task force from central team/central army must be deployed and give chance to provide our opinion in an unbiased and safe manner.

We have strong hope that your good authority will consider this application or else any unilateral decision by your good authority and/or forcefully conducting any such kind of public hearing will be considered as illegal, serious discrimination and destitution, relegating the local tribal and against the human right of the forest dwellers of the schedule area.

With this application we request your good authority to investigate the matter urgently and appropriate action as requested for which act of your kindness, the local tribal rich villagers will be grateful to you.

Your's faithfully,

Villagers of Kapanda, Nuagaon, Badbahal, Pata Jharan and nearby villagers

Copy to:

1. Ministry of Environment, Forest & Climate Change, Government of India, New Delhi.
2. Integrated Regional Office, MoEFCC, Bhubaneswar, Odisha.
3. Department of Forest and Environment, Government of Odisha, Bhubaneswar.
4. Hon'ble Minister, Forest, Environmental and Climate Change Department, Government of Odisha.
5. District Collector, Sundargarh.
6. District Industry Centre, Sundargarh.
7. Chairman, State Pollution Control Board, Bhubaneswar, Odisha.
8. Regional office, State Pollution Control Board, Rourkela, Odisha.
9. Division Forest Officer, Panposh, Rourkela
10. Superintendent of Police, Rourkela.
11. Sub-Collector, Bonai.
12. Tahsildar, Lahunipara.

Annexure:

- Annexure 1.** Notification from Sundargarh Collector to All Sarpanches - 11.10.2018
- Annexure 2.** letter from forest range officer - 17.05.2021
- Annexure 3.** letter to forest range officer - 17.05.2021
- Annexure 4.** Summary of tree counting at Kapanda Forest - By villagers
- Annexure 5.** Letter to Tahsildar - 09.06.2020
- Annexure 6.** letter to IIC lahunipada - 26.11.2020
- Annexure 7.** Letter to Sub-collector - 26.11.2020
- Annexure 8.** Letter to Chief Minister
- Annexure 9.** Letter from RI Darjing to Tahasildar - 20.05.2020
- Annexure 10.** Letter to The Division Forest Officer, Panposh, Rourkela, 30.09.2021
- Annexure 11.** Letter to Ministry of Environment, Forest and Climate Change, New Delhi
- Annexure 12.** NGT Stay Order for illegal tree felling at Kapanda forest, dated 8.10.2021
- Annexure 13:** Response letter on Pallisabha received from the Information Officer, Badpuruna Pani Panchayat Office – 02.01.2022
- Annexure 14:** Letter to Lahunipara Police – 02.11.2021
- Annexure 15.** Application to DFO Rourkela - 01.12.2021
- Annexure 16.** FIR Copy - Lahunipara Police - 30.12.2021
- Annexure 17:** Joint verification report submitted by the office of the forest range officer, Banki Forest Range.
- Annexure 18:** Application to the Lahunipara Tahsildar by the local tribals - To stop illegal handover of their cultivation/residential land to IDCO for industrial activity.
- Annexure 19:** Notification by the State Pollution Control Board Odisha, vide Notice No. 6679 on dated 19.04.2022.

William Munda

Chittaranjan Mahanta

Daniel Munda

Ananda Munda

Gana patra



ଅନନ୍ଦ ମୁଣ୍ଡା

Manohar Munda

ମନୋହର ମୁଣ୍ଡା

Pargilla munda



ପର୍ଗିଲା ମୁଣ୍ଡା

ମୁମ୍ପୁଲ ମୁଣ୍ଡା

Mumpul Munda

Saluka Munda

Arjun Munda

Jamuna munda

Daniel Munda

Ranga Munda



ମାଗି ମୁଣ୍ଡା

Magi Munde

Ranjit Munde



Upa Munde

Mota Munda

Sukran Munda

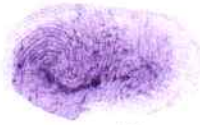
ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ


Puspabati kisan

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ



ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ

ପଞ୍ଚମ ପଞ୍ଚାଙ୍ଗ କରାଯାଇ

 LTI - 1721, nati Mahanta

Kshiraj Mahanta


Sabitari Mahanta,

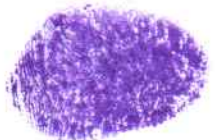
Jillip Mahanta

ବ୍ରହ୍ମଦେବୀ ମହାନ୍ତା

Broudehni Mahanta

Maheswari Mahanti

 LTI Duti mahanta

 LTI Sumati Bhanja

Pranma Mahanta

Jamuna Mahanta

Dayanahi Mahanta

Suresh Sahu

Nirakara Sahu

Ramesh ch mahanta

Bindu Mahanta

Ananta mahanta

Dharani dhara sahu

ସତ୍ୟ ସାହୁ

Sabati Sahu

 ବାଲୁ କିସାନ


ନିର୍ଦ୍ଦା ଲେଉଟି କିସାନ

ଦୁଲହ କିସାନ

ସୁନିତା କିସାନ

ରାମେଶ୍ୱର କିସାନ

ଜଗନ୍ନାଥ କିସାନ

 ଗୁରୁ କିସାନ


ସବୁଜା କିସାନ

ଝିଞ୍ଜିଞ୍ଜିଞ୍ଜି କିସାନ

 ସମ୍ପାଦି କିସାନ

ରାମଚନ୍ଦ୍ର କିସାନ

Dr. Ambeem K. Islam

 ହିନ୍ଦି କିସାନ

ପାଣିପ କିସାନ

ଭିକ୍ଷେଇ କିସାନ

ଓରବୀ ଝେନୁ କିସାନ

ରଞ୍ଜନା କିସାନ

ରଞ୍ଜିତ କିସାନ

ଦୀପ୍ତୀ ପରୁ କିସାନ

ରଞ୍ଜିତା କିସାନ

କାମଳା କିସାନ

ଲକ୍ଷ୍ମୀ କିସାନ

Strikrashtra KISAN

Tikili munda

Nitima munda

ବିନୟ ଶୁଣି
ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ

DUSTU Munda

Babusings Munda

ଲଲିତା ଶୁଣି



Datti Munda

Sambati Munda



Situmati Munda

CHAKRAMUNDA

Jagdish munda
Jagannath Munda

ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ
ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ

ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ

ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ

Siba MONDA

Lani Munda

Lata munda

Sunamami Munda

ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ




Rahul Munda

ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ

 Raibari Munda

ରାୟବାରୀ ମୁଣ୍ଡା

 Muike Lal Munda

 Pani Munda

 Ramraiy Munda

ରାମରାୟ ମୁଣ୍ଡା

Lebra munda

ଲେବ୍ରା ମୁଣ୍ଡା

ଜାମଲି ମୁଣ୍ଡା

 Namsi Munda

Chambra munda

Desa munda

 Sini Munda

ସିନି ମୁଣ୍ଡା

ସିନି ମୁଣ୍ଡା

 Juga Munda

Sadhu munda

 Nandu Munda

ନାନ୍ଦୁ ମୁଣ୍ଡା
ନାନ୍ଦୁ ମୁଣ୍ଡା

Chittaranjan Mahanta
Puspita Mahanta
ସୁମିତ୍ରା ମାହାନ୍ତି

Samresh Mahanta
Sabnagini Patra
ପ୍ରମିଳା ପାତ୍ର
Shibacharan Mohanta
Meghna Mahanta

ମାଳତୀ ମାହାନ୍ତି
Amresh Kee Mahanta

Jharna Mahanta
Gopi roth Mehata
Lalita Mahanta
Ganesh mehatla
Mousumi Mahanta

Indu bat i Mahanta
Vesaj Chandrol Mahanta


Twara bat i Mahanta
ସୁମିତ୍ରା ମାହାନ୍ତି
ସୁଲୋଚନା ମାହାନ୍ତି
Nirupama Mahanta

Rajalaxmi Mahanta
ସୁଲୋଚନା ମାହାନ୍ତି
କିଶୋରୀ ମାହାନ୍ତି

ପିତାମହୀର ଗାନ୍ଧୀ 177

Jayanta Kumar Mahanta

ରାଜବତୀ ମାହାନ୍ତି
Binodini Mahanta.

 L.T.I. କରୁଣା ମାହାନ୍ତି

ଲକ୍ଷ୍ମୀଦେବୀ ମାହାନ୍ତି

କରୁଣା ମାହାନ୍ତି


- ଲକ୍ଷ୍ମୀଦେବୀ ମାହାନ୍ତି

Susama Mahanta

Rohit K. Mahanta

ରାଜବତୀ ମାହାନ୍ତି

Swarna Mahanta.

 L.T.I. - Draupadi Mahanta

Bhuleswar Mahanta


AJAY SHARA

 L.T.I. ଜାଣୁଣିଆ

ଦୟାଳୀ ଦେବୀ

ପ୍ରମୋଦ ମାହାନ୍ତି

Surendra patra

 ଚନ୍ଦ୍ରଶେଖର - ବିଜୟ ମାହାନ୍ତି

କରୁଣା ମାହାନ୍ତି

ସଙ୍ଗାଣ ମାହାନ୍ତ
ମାହାନ୍ତ ମାହାନ୍ତ



ସିଂହଳ ମାହାନ୍ତ



ସିଂହଳ ମାହାନ୍ତ

ସାତଜଣ ମାହାନ୍ତ

କନକ ମାହାନ୍ତ

ପଦ୍ମା କୁମାର

ସୁଧା କୁମାର

ସୁଧା କୁମାର

କାକୁଳି କିଷାନ

ସୁ ନିହାରି ମାହାନ୍ତ

କନକ କିଷାନ

କନକ କିଷାନ



LTIC
Jas'KR' Kisen



ସାତଜଣ ମାହାନ୍ତ


କାକୁଳି ମାହାନ୍ତ

Saruswathi Kisen



LTIC
Sakmani mendu

ସୁଧା ମାହାନ୍ତ

 LT106
Sakuram's murder

ଅଧିକାରୀ

ପାଠକ ସୁଭା


ସାକ୍ଷୀ ସୁଭା

ସାକ୍ଷୀ ସୁଭା

 କରକମଳ ସୁଭା

 ବିପିନ ସୁଭା

 ସାକ୍ଷୀ ସୁଭା

 11156
Maharanga's murder

 କରକମଳ ସୁଭା

 ବିପିନ ସୁଭା

 ସାକ୍ଷୀ ସୁଭା

 ସାକ୍ଷୀ ସୁଭା

ସାକ୍ଷୀ ସୁଭା



ସଙ୍ଗୁଳ ମୁଦ୍ରା



ଉତ୍କଳି ମୁଦ୍ରା



କୃପା ମୁଦ୍ରା

ଜନମୁଦ୍ରା



ସୁନିଆ ମୁଦ୍ରା



ସୁକ୍ଷ୍ମା ମୁଦ୍ରା

Bidya Bharati Mahanta

ପଦ୍ମିନୀ ମାହାନ୍ତି

Kumudini Mahanta



କମ୍ପୁଷା ମାହାନ୍ତି



କଷ୍ମଳା ମାହାନ୍ତି

Sushila mahanta,

Nanda Mahanta



LTI OCS
Akashis a munda

Sadhya Sathi

Mahanta

ବିନୟିନୀ ମାହାନ୍ତି

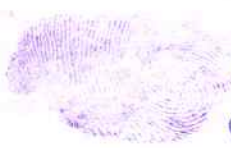
ସାମାଜିକ
ରଞ୍ଜନାଥ ମାହାନ୍ତି
ମମତା ମାହାନ୍ତି
ସାବିତ୍ରୀ ମାହାନ୍ତି



LT/05

Sukeshini mahanta

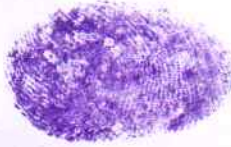
Jayadev mahanta



LT/05

Udayakanti mahanta

Santi Lata mahanta.



LT-1 ବାଲ୍ୟାଦ୍ୟୁତ ମୁଖା

ଶ୍ରୀ ଦ କି ଶ୍ରୀ ନି

ରଞ୍ଜନ କି ଶ୍ରୀ ନି

ସୁଜିତ ସେନା ମାହାନ୍ତି



ଅମ୍ବି ମିତା ଚନ୍ଦ୍ର କାନ୍ତି କିଶୋର



ଅମ୍ବିମିତା ଚନ୍ଦ୍ର ବୃନ୍ଦକିଶୋର

ଦିଗେଶ ଚନ୍ଦ୍ର ଦିପାକ

କୃଷ୍ଣ କିଶୋର

ଗୁଲ୍ ମହାନ୍ତି

ଅକାଶ, ପୃଷ୍ଠା

Mamata Patra




L.T.I. ପୂର୍ଣ୍ଣିମା



L.T.I. - ବିନିକାଶ ବାପୁଜୀ

ଅନନ୍ତା ଗୋସା

 ଦେବାନନ୍ଦ ମୁଣ୍ଡା

Billyam Munda
Jashree munda

ଅକ୍ଷୟ ଗୋସା
ଅନନ୍ତ ମୁଣ୍ଡା

Binita Munda

Dillip Munda

Ajay Tojo

ଦାଶରଥ ମୁଣ୍ଡା

Samiel Munda

Mongol Munda

Ajith munda

Albriet Munda

ରଘୁନାଥ ମୁଣ୍ଡା

Nilima munda

Suresh munda

ଦେବୀ ମୁଣ୍ଡା

ସାର୍ବଜନ ମୁଣ୍ଡା

ଜିତୁକିଶ ମୁଣ୍ଡା

ଜୟୀରାମ ମୁଣ୍ଡା

Anida Munda

Mariam puty

କାହିଁନା ମୁଣ୍ଡା

ସୁମନ ଝଲୁମନ ମୁଣ୍ଡା

 ସେଭରନା ମୁଣ୍ଡା


ସିନିଲିୟା ମୁଣ୍ଡା

 ମାକସିନା ମୁଣ୍ଡା


Emrencia Jo Jo

Mary Guia

ସେଭରନା ମୁଣ୍ଡା

 ସେଭରନା ମୁଣ୍ଡା


ଆଲ କସି ସୁ ମୁଣ୍ଡା


 ମାବଦାଲି ମୁଣ୍ଡା
ମାବଦା ମୁଣ୍ଡା

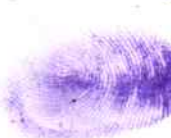
 ମାକ୍ସିଲିୟା ମୁଣ୍ଡା

Cresen rosalia munda .

Beromika munda

 ମାବଦାଲି ମୁଣ୍ଡା

 ସୁଲୁମାନା ମୁଣ୍ଡା
ମାର୍ଥା ମୁଣ୍ଡା

 Salmi munda

Sajani munda

 Ludwi Munda

Manikkal Munda

Dhanwar munda

१२७ १३१

Date: 11th May 2022

(By Post/Email)

To,

The Sub-collector, Bonai

Sub: Request for urgent attention and necessary action on illegal steps for handing over the forest land at Kapanda to IDCO and to stop establish an industry.

Dear Sir,

With due respect, we the local villagers would like to request to stop leasing out the forest land at Kapanda to Odisha Industrial Infrastructure Development Corporation (IDCO) under land bank scheme to setup an industry by KAI Industries at the forest land located at Mouja – Kapanda, Khata No. 118, Pot No. 1104, 1107 and nearby other plots under *Badpurunapani* Panchayat. Recently, the local administration has conceded for the land conversion from Forest land to *PATIT Kisam* (Wasteland Type) of this patch of land and handed it over to IDCO. Around 10 numbers of tribal villages with hundreds of local tribal families are residing in this land from ancient age and adjacent area, where thousands of the tribal communities are mostly dependent on these patches of forest to maintain their livelihood.

In regards to our continuous communication and grievances/complaints raised against, leasing out the Kapanda forest and nearby areas for setting up any industrial establishments our voices are simply ignored by the concerned authorities. Seeing no hope on our redressal of raised grievances/complaints we have filed a case, which is under review of National Green Tribunal, Kolkata vide case No. 94/2021/EZ.

With this application, we the local villagers would like to urgent request your good authority for urgent attention and to take immediate action with highlighting some specific points as below,

1) Serious violation and non-compliance of the regulatory requirements and suspected illegal forest demolition at the ecologically sensitive area by KAI industry

There are various regulations need to comply for dereservation of the forest land and use of for non-forest purposes, key requirements of environmental clearances/approvals, and possible impact assessment as per the norms and provisions of the Government of India, Odisha state, and at district level. The aforesaid plot consisted of well-established forest growth lies under densely forested area. To matter of fact this path of land is situated just besides the Kukia reserve forest. The inspection and field verification report of the local forest range officer to the Lahunipara Tahsildar has cited that "land of aforesaid plot consists of well established virgin forest growth having moderate to dense forest with canopy density varying between 40 to 70 percent with very good biodiversity. The surrounding villages depend heavily on the surrounding patch of forest to earn their livelihood" (refer Annex 17) and this one can be easily revealed through google imagery.

After many request by the local villagers also there was illegal operation was done by the KAI industry in collusion with the forest department and local administration where massive tree felling for clearing of the forest and in order to destroy the evidence, the stunts and pools of trees were land filled by using JCB machine and to some extent putting

OFFICE OF THE
Sub-Collector,
Bonai

Section:
Diary No. _____

12 MAY 2022

Head Clerk Sub-Collector
Bonai

the logs on fire. It's a sorry state that even after so much deed, no substantial on ground actions are visible. This over up activity shows clear violations just to support the KAI Industries to get easy clearances by showing that land is devoid of existing tree/ forest cover. Finally, due to ignorance of the local administration, we the local tribals have filed a case which is under review of NGT, Kolkata vide case No. 94/2021/EZ (refer Annex 12).

2) Serious violation of the notification by Sundargarh district collector to protect tribals

This project is most sensitive project in a scheduled district tribal areas and especially for this subject matter a Pallisabha was organized on dated 06.09.2021, where many of us protesting (including the tribal women) were assaulted and badly beaten by the appointed goons with sticks in full preview of the public. We have lodges and FIR against the local goons and the matter is under police investigation (SC&ST Atrocity Case, Lahunipara PS case No 227 of 2021, refer Annex 16) as per the provision of the (Prevention of Atrocities) Act, in the year 1989 to prevent the offences and to provide relief and rehabilitation towards the tribals.

This is one of the most horrific/unashamed attempts to the local tribals. Point to be noted that, till date there is not a single Pallisabha that was conclusively successful. And to our surprise that, even after no resolution or conclusiveness, the project development is still under progress. This is against the notice issued by the Sundargarh district collector, highlighting stringent requirements for the scheduled district (Refer annex 1) and clear cut violation of the regulation to protect the tribals.

And to put it on strong words even since then, we the local tribals are continuously getting threatening and facing harassments from the local goons. And now, we are living with constant mental trauma. **Our local authorities have failed to enforce to prohibit discrimination and to prevent atrocities towards the local tribals.**

3) Suspected illegal attempt to setup Category-A industry at the forest land of the tribal land

Sponge iron plants are 'red category' industries, which mean they have very high pollution potential and can cause serious health hazards. The manufacturing process releases extreme heat and smoke containing oxides of sulphur and carbon, unburnt carbon particles and silica. Due to high polluting potential, **the sponge Industries are under 'Category A', whereas as per record the proposed site at Kapanda is listed under 'Category B'.** Reviewing this, the proposal to setup a 'Category A' industry over the land declared as 'Category B' is a violation of the government norms. We request your good authority to review this matter urgently and cancel the proposal with immediate effect.

In addition, you must be well aware about the current ongoing situation of the huge number of sponge factories around Bonai area, and catastrophic suffering by the local tribals. Whereas, in the project proposal, it is cited that Induction Furnaces are proposed to produce steel which are having high pollution potential. In view of that we hope your good

authority has properly reviewed the polluting potential of the proposed industry, topographic situation of the Kapanda and nearby areas, socio-economic status of the local tribal rich villagers and possible consequences and / or environmental impact of the DRI plant which emits high amount of abnoxious substances with toxic particulate matter, hazardous effluents and noise pollution to the wild/nocturnal animal residing in the Kukia reserve forest and nearby forest areas. In our opinion, **the site selection is the key factor that industry with highly polluting potential should be established at the proper allocated Industrial zone/area, and not at the forest & tribal village (public) area.** We request to your good authority to review all these aspects and take urgent action to reject the proposed proposal to establish industry near to the local tribal village area.

Further we would like to reiterate that, our Kapanda forest is a living place for wide varieties of wild animals, such as Beer, Deer, Elephant, Wild Boar, Wild pig, Rabbit, Vole, Squirrel, Ibex, Wolf, Hedgehog, Wildcat, Here, bat, Mole, Porcupine, Peacock, Reptiles and many other wild creatures. What will be the fate of those friendly animals after demolition of this forest and by setting up an industry; simply the wild animals will die/ disappear and will destroy our friendly ecosystem. Further, the subject forest is directly connected to many of the reserve forests, such as Kukia reserve forest Tikayatpali forest, Sialikudar forest, Puta hudi to kendudihi forest, Dhansmila forest, Bhaluhudi forest etc. It is noteworthy to mention that, the steps undertaken by the local authorities to setup the sponge iron factory at Kapanda forest is certainly violating the norms of provisions of the Government of India, Odisha state, and at the district level.

Most importantly, the medicinal trees in this forest are the prime sources to get support to cure many types of disease for local tribals and till date some of the local forest dwellers are well recognized for their excellencies for providing tribal medicinal source from this forest. They are well recognised and proved for their responsibility on conservation and protection of biodiversity, wildlife, forests, adjoining catchment areas, water sources, maintain the ecology, prevent from any destructive practices affecting the forest and well maintained the forest resource for a sustainable environment. We the local villagers are the eyewitnesses and till date no proper survey has been conducted and/ or survey report has been submitted with falsified declaration. We the local villagers has submitted written request to take necessary step that to stop demolition and to save our native forest, but till date no action has been undertaken by the concerned authorities.

4) Misdeclaration in the field verification report conducted by "Revenue Inspector, Darjing"

We refer to the survey report letter No – 48, dated 20th May 2020 submitted by Darjing RI, it is declared that *"there is not any forest growth over the applied plots but some bushes like Saal trees, some Mahul trees, some char trees present in the plot"* (annex 9). This report is in contradiction to the report issued by the forest official and one can easily review by google imagery. We the local habitants are residing in this particular area and we are the eyewitnesses and the report submitted by Darjing RI is completely false/wrong,

fabricated, unlawful, and we suspect the report is prepared with some vested interest. We request your good authority to review this report urgently and to take urgent action.

5) Serious effect to our religious/worship place

The forest Sialikudar is called as "BudhaPahad", which is located just adjacent to the Kapanda forest has a great significance from ancient age. This is the place of saint(munirushi), and till date this region is a holy land for local tribal. **This forest land is also abundant medicinal trees we are totally dependent on this for our need for local plant based medicines to cure our disease/disorder.**

Further, in other side of the Kapanda forest there is a place of local goddess "Sikudi Devi" located at the "TuntiChahadi", which is one of the holi place for the tribal 'Kishan Samaj' and there they carryout special puja during 'Kartik purnima'. **In recent past our local government has given importance to this place and declared as a place of significance and government has constructed a temple for local tribals.** Also the place of 'Sarna Pitha' is another ritual place for 'Munda Tribals' and recently government have given importance to improve this place. Apart from that the Kapanda forest is the place of many other place of importance for tribal villagers, such as 'Tangar Punji' and 'DembuLanglaGorgara'. In summary, by setup of the Sponge iron factory by demolition of the Kapanda forest means directly threatening to belief system of the local tribals. We the local villagers would like request to give emphasis to save our sacred places of the local tribals.

6) Possible impact/risk to the local tribal communities

With this application, we have taken a liberty to possible impact and risk by demolition of the Kapanda forest and about the fate of the local tribals as listed below,

- By demolition of the forest, the entire ecosystem will collapse. Many of the wild animals and nocturnal animals will be killed, die and/or disappear.
- Local tribal will become landless and consequence will lead to starvation that may drag thousands of the tribal to become beggars. Also there is a high chance that we will be bound to migrate from our mother forest.
- This forest is around 6 KM and is connected with NH 147 by a narrow village road constructed by Pradhan Mantri Gram Sadak Yojana under Rural Development, Odisha and forest road. Even some part is still 'Murum road' constructed by gram panchayat. On the basis of the pavement strength, carrying and tolerance capacity, these roads are declared as suitable for movement of light vehicles only. Some narrow bridges and other connectivity were constructed by Integrated Tribal Development Agency (ITDA) to provide basic access/connectivity to the tribal rich habitations for their educational, medical facility, marketing facilities etc. Upon industry setup, this road will be utilised for plying heavy vehicles, such as Log carrier, haul truck, mobile crane, dozers and other giant vehicles; even movement of some heavy vehicles has already been started. This is creating serious disturbances to the communication of the local tribal rich villagers and in near future we the local tribal rich villagers are going to be seriously affected and will bring a serious disaster to the local villagers.

- The pollution potential and effluent of the proposed sponge iron plants will destroy the cultivation land and the life of the thousands of local tribal inhabitants will be in great danger.

By the name of industrialization and to generate revenue, we the villagers strongly condemn the approach undertaken by the local authorities. Instead your good authority shall give emphasis to give priority the local forest dwellers that will provide a win-win situation where the government can generate revenue from the local people, from the forest products, and most importantly to restore the sustainable environment. The steps undertaken by the local administration by demolishing the dance forest in an unlawful, illegal manner and is considered a massacre to the local tribals.

In the past decade, more than 50,000 trees have been planted through various grants and plantation programmes have been allotted for development of the Kapanda forest and nearby areas. Also, there were two numbers of huge projects established from soil conservation department. Giving importance of the place recently, forest department has created a very big pond to provide drinking water source for the wild animals. To the best of our knowledge, in the recent past, Japan International Cooperation Agency (JICA), the world's largest bilateral donor agency, United Nations Environment Programme (UNEP), World Wide Fund (WWF) for Nature-India extended the cooperative hand for the India and to Odisha Forestry Sector Development Project. However, keeping aside on the completed project and after declaration to the overseas partner about our effort to develop the sustainable environment, the steps undertaken to lease out and setup an sponge iron industry by **demolition of a forest is considered as mutual distrust, scepticism, and the steps undertaken by our local administration may be the possible cause to ruin our bilateral agreements/treaty with the JICA and other allied programme.** Reviewing this, we request the concerned authorities to take necessary steps on an urgent basis to stop demolition of the kapanda forest and save the environment through our stringent regulatory framework. We the villagers would like to inform you that, in case there is no action from our local administration and from our government of India to save the forest, we will bound to take up this matter with UNEP, WWF, JICA and other associated organization to save the Kapanda forest and to provide safety of the local tribals.

Till date the steps/attempts undertaken by the local authorities are not acceptable to the local villagers, and is certainly this will be against human rights and is really frustrating and escalating the anger of the local villagers day by day. Certainly, we have strong confidence in our steps to stop any industrial activity at our forest land, that is just to become a safeguard for the safety of the local villagers and we sincerely abide by the prevailing law of the land.

We the local villagers put a strong objection that there is a serious violation in transparency in the process of Land conversion and / or diversion of the Forest land and hand it over to IDCO for use as non-forest purposes and/or for industrial activity. Reviewing entire scenario, EIA study for socio-economic scenario of the local tribals and **detrimental towards the forest environment** due to the proposed industrial activity that has not been evaluated properly.

With this application, we request to your good authority to investigate the entire matter and stop allowing demolition of the forest, conversion and/or diversion of the Forest land for non-forest purposes and lease out to establish an industry that will become safeguard for the local villagers, for which act of your kindness we will remain obliged to you.

Yours Faithfully,

(Villagers of Kapanda, Patah Jharan, Badbahal, Nuangaon and adjoining villages of Bad Purunapani GP)

Copy to:

1. Ministry of Environment, Forest & Climate Change, Government of India, New Delhi.
2. Integrated Regional Office, MoEFCC, Bhubaneswar, Odisha.
3. Department of Forest and Environment, Government of Odisha, Bhubaneswar.
4. Hon'ble Minister, Forest, Environmental and Climate Change Department, Government of Odisha.
5. District Collector, Sundargarh.
6. District Industry Centre, Sundargarh.
7. Chairman, State Pollution Control Board, Bhubaneswar, Odisha.
8. Regional office, State Pollution Control Board, Rourkela, Odisha.
9. Division Forest Officer, Panposh, Rourkela
10. Superintendent of Police, Rourkela.
11. Tahsildar, Lahunipara.

Annexure:

Annexure 1. Notification from Sundargarh Collector to All Sarpanches - 11.10.2018

Annexure 2. letter from forest range officer - 17.05.2021

Annexure 3. letter to forest range officer - 17.05.2021

Annexure 4. Summary of tree counting at Kapanda Forest - By villagers

Annexure 5. Letter to Tahsildar - 09.06.2020

Annexure 6. letter to IIC lahunipada - 26.11.2020

Annexure 7. Letter to Sub-collector - 26.11.2020

Annexure 8. Letter to Chief Minister

Annexure 9. Letter from RI Darjing to Tahasildar - 20.05.2020

Annexure 10. Letter to The Division Forest Officer, Panposh, Rourkela, 30.09.2021

Annexure 11. Letter to Ministry of Environment, Forest and Climate Change, New Delhi

Annexure 12. NGT Stay Order for illegal tree felling at Kapanda forest, dated 8.10.2021

Annexure 13: Response letter on Pallisabha received from the Information Officer, Badpuruna Pani Panchayat Office – 02.01.2022

Annexure 14: Letter to Lahunipara Police – 02.11.2021

Annexure 15. Application to DFO Rourkela - 01.12.2021

Annexure 16. FIR Copy - Lahunipara Police - 30.12.2021

Annexure 17: Joint verification report submitted by the office of the forest range officer, Banki Forest Range.

Annexure 18: Application to the Lahunipara Tahsildar and Bonai Subcollector by the local tribals - To stop illegal handover of their occupied land to IDCO for industrial activity.

Annexure 19: Application to the State Pollution Control Board Odisha, 07.05.2022 against the nnotification No. 6679 on dated 19.04.2022.

Annexure 20: The National commission for Scheduled Tribes, New Delhi.

କାର୍ତ୍ତିକା ମୂର୍ତ୍ତି

- 1) Mary quedia
- 2) Agustin munda
- 3) ଏନିଡା ବୋବୋ
- 4) Nikulas Jojo
- 5) Kuaru Jojo
- 6) ବାପିଲ ବୋବୋ
- 7) Prayla Sanata Munda
- 8) ମୃଜିତା ମୂର୍ତ୍ତି
- 9) Anita pushpa Munda.
- 10) Elena Munda
- 11) ପିଟିକା ମୂର୍ତ୍ତି
- 12) କାର୍ତ୍ତିକା ମୂର୍ତ୍ତି

- 13) ମୃଜିତା ମୂର୍ତ୍ତି
- 14) Emilia Munda
- 15) ମୃଜିତା ମୂର୍ତ୍ତି
- 16) Sipur gan Munda
- 17) Rohit Munda
- 18) Zashet munda
- 19) Mangul munda
- 20) ପିଟିକା ମୂର୍ତ୍ତି
- 21) ପିଟିକା ମୂର୍ତ୍ତି
- 22) କୋରୁକିନା ମୂର୍ତ୍ତି

- 23) Jems Munda
- 24) Junas munda
- 25) ଜନପ୍ରକାଶ ମୂର୍ତ୍ତି

- 95) କୋରୁକିନା ମୂର୍ତ୍ତି
- 96) Seget kumar Munda
- 97) BIRSHI KERRETTA
- 98) JAKRIAS munda
- 99) Sunil munda
- 100) Beronka munda
- 101) Blacius munda
- 102) Litrussh munda
- 103) Gyan Prakash munda
- 104) Stephan Munda

- 105) କୋରୁକିନା ମୂର୍ତ୍ତି
- 106) Gregory Munda
- 107) Billyan Munda
- 108) ପ୍ରାଜିତ ମୂର୍ତ୍ତି
- 109) Benita munda
- 110) Anita munda
- 111) Ajit munda
- 112) କାର୍ତ୍ତିକା ମୂର୍ତ୍ତି
- 113) Blacius munda

26) ଆଣିସା ମୁଣ୍ଡା

27) କକାତ୍ରିନା ମୁଣ୍ଡା

28)  ସରୀ ମୁଣ୍ଡା

29) Sasmata Munda
30) ମାଲିନୀ ମୁଣ୍ଡା

31) Anil Munda
32) ଜୟାନ ମୁଣ୍ଡା

33) Samudra Babbar
34) Mathium Pukty

35)  ସେରନିକା ମୁଣ୍ଡା

36) Albert Munda

37) Selwanti Munda

38) Mariyam Munda

39) ମାଗନିନୀ ମୁଣ୍ଡା

40)  ମାଗନିନୀ ମୁଣ୍ଡା

41) Elijas Munda

42) ପୁନା ମୁଣ୍ଡା

43) ନାମିନୀ ମୁଣ୍ଡା

44) ବୃତ୍ତିନୀ ମୁଣ୍ଡା

45) Enosh Munda

46) ସାମିର ମୁଣ୍ଡା

47) Rajib Suman Munda

48) ଭୃଗୁନିଧି, ନାମିନୀ ମୁଣ୍ଡା

49) Beorish Munda

50) ମାଗିନୀ ମୁଣ୍ଡା

51)  ସାବନାହି ମୁଣ୍ଡା

52) Cresen Rosalia munda

53) ପ୍ରାସିଦା ମୁଣ୍ଡା

54) Tulita munda

55) AlPhons munda

56)  ମାଙ୍କୁହଡ଼ା ମୁଣ୍ଡା

57)  ଖେରି ମୁଣ୍ଡା

58)  ଦାକ୍ଷିଣୀ ମୁଣ୍ଡା

59) Sanjita Munda

60) Susmita Munda

61)  ଶେରୁ କୁ ମୁଣ୍ଡା

62) Patras Munda
63) Jbidre munda

ଆଲକାକ୍ରୀଷ୍ଣା ମୁଣ୍ଡା

64)  ଦେବୀମିନ ମୁଣ୍ଡା

65)  ମନ୍ମିମା ମୁଣ୍ଡା

66)  ସାବନାହି ମୁଣ୍ଡା


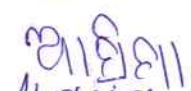



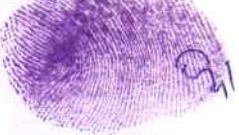





67) ଭୈରାବି ମୁଣ୍ଡା

68)  ଆକ୍ଷୟ ମୁଣ୍ଡା

69) ପ୍ରାଣନାମିନୀ ମୁଣ୍ଡା

70)  ସୁଜାନୀ ମୁଣ୍ଡା

71)  ସିନ୍ଧୁଗା ମୁଣ୍ଡା

- 72) Yakub munda
- 73) Dillip munda
- 74) Suresh munda
- 75) Bi Bi munda
- 76) Anita munda
- 77)  ବ୍ୟକ୍ରମାଣି ମୁଣ୍ଡା
- 78) Ajay munda
- 79)  ଅକ୍ଷୟା ମୁଣ୍ଡା
- 80) Alexia munda
- 81)  ଚିତ୍ତାକାନ୍ତ ମୁଣ୍ଡା
- 82) Emerencia Jojo
- 83) Tintus munda
- 84)  ସ୍ମାନ୍ ଅନି ମୁଣ୍ଡା
- 85)  ଫୁଲମାନି ମୁଣ୍ଡା
- 86)  ମା କିମ୍ ମୁଣ୍ଡା
- 87)  ମାଉସା ମୁଣ୍ଡା
- 89)  ମାକୁରା ମୁଣ୍ଡା
- 90)  ରେଭେନିଆ ମୁଣ୍ଡା
- 91) Rashmi munda
- 92) Jasinta munda
- 93) Emil munda
- 94)  ମୁଣ୍ଡା  ମୁଣ୍ଡା

114- ଶରୀର ମାତ୍ରାନ୍ତ

115- ମଧୁନା ମାତ୍ରାନ୍ତ

116-



LT 105

Shagwan munde

117-



LT 105

Nisath munde

118-

ଶାଢ଼ୀ ମାତ୍ରାନ୍ତ

119-

କନକ ମାତ୍ରାନ୍ତ

120-

ପଦ୍ମିନୀ କୁମ୍ଭର

121-

ସୁଧା କୁମ୍ଭର

122-

ପୁଷ୍ପା କୁମ୍ଭର

123-

ଦୀପ୍ତି କି ଶାନ୍ତ

124-

ସୁନା କୁମ୍ଭର

125-

ବିନୟା କିଶୋରୀ

126-

କମଳା କିଶୋରୀ

127-



LT 105

Bamegan munde

128-



LT 105

Jas Ath Kishan

129-

କାନ୍ତା କୁମ୍ଭର

130-

Sama seetha Kishan

131-





LT 105

Sukmani munde

132

ସୁଜନୀ କୁମ୍ଭର

133-  Lt/ୱ
Saraswati murder

134-  ମନି ଚା ମା ଚା

135-  ମା ଚା ମା ଚା
ମା ଚା ମା ଚା


136- ମା ଚା ମା ଚା

137- ମା ଚା ମା ଚା

138-  ଜି ଚା ମା ଚା


139-  ବିଶ୍ୱାସ ମା ଚା

140-  ମା ଚା ମା ଚା

141-  Lt/ୱ
Prabada murder

142-  ଜି ଚା ମା ଚା

143-  ଭୁକ୍ତ ମା ଚା

144  ମା ଚା ମା ଚା

145-  ମା ଚା ମା ଚା

146-  ବିଶ୍ୱାସ ମା ଚା

147-  *सुकुमि सुब्बा*

148-  *दसुनई सुब्बा*

149-  *सुधा सुब्बा*
जि/र सुब्बा

150-  *सुष्मि मा सुब्बा*

151-  *सुकी सुब्बा*

152- Bidya Bharati Mahanta

153- *पद्मिनी राविका*

154- Kumudini Mahanta

155-  *सुष्मि राविका*

156-  *सुष्मि राविका*

157- Sushila mahanta

158- Nanda Mahanta

159-  *LT106*
AKaduska mendu

160- *विद्यावती राविका*

161- *विलसिता राविका*


- 162- Chittaranjan Mahanta
 163- Puspita Mahanta
 164- ରଞ୍ଜିତା ମହାନ୍ତ
 165- Samanesh Mahanta
 166- Subhasini Patra
 167- ସୁଭାଷିନୀ ପାତ୍ର
 168- Shidha charan Mahanta
 169- Meghanna Mahanta
 170- ମିଶ୍ରା ଶର୍ମିଷ୍ଠା
 171- Amarendra K. Mahanta
 172- Jhunu Mahanta
 173- Carinath Mahanta
 174- Lalita Mahanta
 175- Ganesh Mahanta
 176- Madhavi Mahanta
 177- Indu bati Mahanta
 178- Vesaj chandira Mahanta
 179- Tulasabati Mahanta
 180- ସୁଲତା ମହାନ୍ତ
 181- ସୁଲତା ମହାନ୍ତ
 182- Niranama Mahanta
 183- Raja Ladmi Mahanta
 184- ରାଜା ଲଦ୍ଧି ମହାନ୍ତ
 185 - ରାଜା ଲଦ୍ଧି ମହାନ୍ତ

186- श्री दक्षिणी


187- श्री दक्षिणी

188- श्री दक्षिणी

189- श्री दक्षिणी

190-  LT/105
Sudeekhini mahanta

191- Jayadev mahanta

192-  LT/105
Sudeekhini mahanta

193- Sanki Lata mahanta.

194-  LT/105

195- श्री दक्षिणी

196- श्री दक्षिणी

197- Mureija munda

198- Binadini mahanta

199- Jayanta mahanta

200- श्री दक्षिणी

୨୦୫ - Samita - oram,

୨୦୬ - ମାଞ୍ଜୁଳା ପ୍ରଭାତୀ

୨୦୭ - ଶ୍ରୀମତୀ ଚରଣା

୨୦୮ - Seema Oram

୨୦୯ - ଅନିତାଚରଣ

୨୧୦ - ବିଜୟା ଚରଣ

୨୧୧ - ଦୁର୍ଗାଚରଣ

୨୧୨ - sarasini oram.

୨୧୩ - mang oram

୨୧୪ - ଦିବ୍ୟା ଚରଣ

୨୧୫ - prasiti oram.

୨୧୬ - ବିନୟାଚରଣ

୨୧୭ - sabira oram

୨୧୮ - lotia oram

୨୧୯ - Rakesh kumbhar

୨୨୦ - lalsingh kumbhar


୨୨୧ - କୁମ୍ଭୀର କୁମ୍ଭୀର

୨୨୨ - ସୁଶୀଳା କୁମ୍ଭୀର


୨୨୩ - Rashmita kumbhar

 ଲକ୍ଷ୍ମୀ କିସାନ


Tikeswar Kisan ©


 ଲକ୍ଷ୍ମୀ କିସାନ
Monjula Kisan


 ଲକ୍ଷ୍ମୀ କିସାନ

 ଲକ୍ଷ୍ମୀ କିସାନ
Jachurani Kisan
ଉତ୍ତର କିସାନ


 ଲକ୍ଷ୍ମୀ କିସାନ

 ଲକ୍ଷ୍ମୀ କିସାନ

 ଲକ୍ଷ୍ମୀ କିସାନ

 ଲକ୍ଷ୍ମୀ କିସାନ

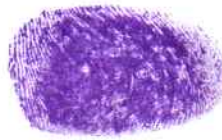
ଉତ୍ତର କିସାନ


 ଲକ୍ଷ୍ମୀ କିସାନ
ଲକ୍ଷ୍ମୀ କିସାନ

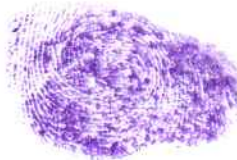
ସକରାମା କିସାନ


 L.T.1 ବୃଦ୍ଧ କିସାନ

Laxmi Kisan
Khubra Kisan

 L.T.1 ଚୈତ୍ର କିସାନ

 L.T.1 କୃଷକ କିସାନ

 L.T.1 ଜଣ ସୋହନ କିସାନ

 L.T.1 ଶତ୍ରୁ ଚୈତ୍ର କିସାନ

ନାଥ କିସାନ

Ram Kisan

Anjali Kisan

Souda mini Kisan

Sukamini Kisan

Lita Kisan

ପ୍ରସନ୍ନା କିସାନ

Pankaj - Lita

ଅନନ୍ତ ବାବୁ କିଶୋର

ପିଣ୍ଡିଆ କିଶୋର

ସଞ୍ଜିତା କିଶୋର

ରାଜକାନ୍ତ କିଶୋର

ନିମଳା କିଶୋର

ସୁଧାକା କିଶୋର

କାମଳା କିଶୋର

ପ୍ରମିଳା କିଶୋର

ସୁମିତ୍ରା କିଶୋର

ଉତ୍ତମା କିଶୋର

ପରାଜିତା କିଶୋର

ପ୍ରମିଳା କିଶୋର

ସୁମିତ୍ରା କିଶୋର

ସୁଧାକା କିଶୋର

ସୁମିତ୍ରା କିଶୋର

ସୁଧାକା କିଶୋର
ଉତ୍ତମା କିଶୋର

Puspabati kishor

ସାମାନ୍ତ କିଶୋର

ସୁମିତ୍ରା କିଶୋର

ସୁଧାକା କିଶୋର

ସୁଶେଷ ପୂଜା
ଅମଳା ମୂଳା

Anil munda

Ranjita munda

Laxmi munda

Jayanti Memela

ଅମଳା ମୂଳା

ଅନମଳା ମୂଳା
Ranjita munda

Samanta munda
Lipika Sabar

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

Kaya oram

Santosh oram

ଅନମଳା ମୂଳା oram

ଅନମଳା ମୂଳା

Ashik munda

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

Basant munda

Pankajini munda

Mandakini munda

Falguni oram

Rajesh oram

Dina oram (B)

Muna oram

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

ଅନମଳା ମୂଳା

Chunnu oram

Pranita oram

Jitendra oram
 Santoshi Oram
 Ramo das Munda
 Surendra munda

ଜିତେନ୍ଦ୍ରା ଓରାମ
 ସାନ୍ତୋଷୀ ଓରାମ

Saroj ky Munda
 Hemanta ky Munda
 ଚମରାଣି ସ୍ୱାମୀ

Harasim munda
 Jagendra oram
 Dhaneswar Munda
 Manoj munda

ଶ୍ରୀ Nageswari Munda

ଲକ୍ଷ୍ମୀ ସ୍ୱାମୀ

LTI-upa Munda

Laxmiani Janka
 ଲକ୍ଷ୍ମୀ ସ୍ୱାମୀ
 ବାସନ୍ତୀ ସ୍ୱାମୀ

Randu Munda

ଅଧ୍ୟକ୍ଷକା

Mara Munda
 Saluka Munda

Balonati munda

ଶ୍ରୀମତୀ ମୁଣ୍ଡା

ଜାତୀୟ ମୁଣ୍ଡା

Charasa munda

phudke munda

ରାମମୁଣ୍ଡା

ମାଲିକା ମୁଣ୍ଡା

ସାକ୍ଷୀ ମୁଣ୍ଡା

Sudreshan Munda

ଶ୍ରୀମତୀ ମୁଣ୍ଡା

Anil munda

କାନ୍ତୀ ମୁଣ୍ଡା

ସୁକାନ୍ତୀ ମୁଣ୍ଡା

ସୁମି ମୁଣ୍ଡା

Jamuna munda

Dibakar munda

ସମ୍ପଦ ମୁଣ୍ଡା

ସୁମି ମୁଣ୍ଡା

ଅନିତା ମୁଣ୍ଡା

ଚାମେଶୀ ମୁଣ୍ଡା

Chameshi munda

Manda Dhibar

ସୁଜିତ କୁମାର

209 Ankadhan Munda

Kamala ramli m.m

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Sarika Oram

ସୁଜିତ କୁମାର

Sinhamunda

munda munda

Meena Oram

ସୁଜିତ କୁମାର

Surja Oram

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Dinbandhu Oram

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Mangala Oram

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Arjun Dhibar

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Mohor Dhibar

Prakash munda
Prakash Dhibar

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Ramesh munda

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Kundala Dhibar

ସୁଜିତ କୁମାର

Sahadev Dhibar

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Kunu Munda

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Sabito munda

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Bhobani munda

Jaymish Kisan

Mang munda

Deepak Munda

Panu Kisan

Sankata Kisan

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Ranjeeta Oram

ସୁଜିତ କୁମାର

ସୁଜିତ କୁମାର

Sansrita Munda

ସୁଜିତ କୁମାର



ଭୂଲ୍ୟୁ କିସାନ

ନିର୍ଦ୍ଦାମ୍ ଦେଶ୍ କିସାନ

ପୁଲ୍ଲୁ କିସାନ

ସୁନିତା କିସାନ

ସାଲୋଇଶ୍ କିସାନ

କାମାଳା କିସାନ



ପୁଅ କିସାନ

ସମ୍ପତ୍ତା କିସାନ

ଝିଅ ବିପ୍ରାଣୀ କିସାନ



ସମ୍ପାଦନା କିସାନ

ଶାମସୁନୀ କିସାନ

Sambamkisan



ସୁନୀତା କିସାନ

ଅମ୍ବିକା କିସାନ

ଉଦୟାନୀ କିସାନ

ଫିରୋଜ୍ କିସାନ

ସମ୍ପତ୍ତା କିସାନ

ରଞ୍ଜିତା କିସାନ

ସଞ୍ଜା ପର କିସାନ

ରଞ୍ଜିତା କିସାନ

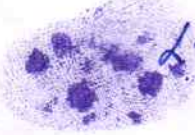
କମ୍ପାଳା କିସାନ

ଲକ୍ଷ୍ମୀ କିସାନ

Srikrushna Kisan

Jayanta Kumar Mahanta

ଭାନବତୀ ମାହାନ୍ତି
Binodini Mahanta.

 L.T.I. କରୁଣନ ମାହାନ୍ତି

ଲଳିତା ମାହାନ୍ତି

ଲକ୍ଷ୍ମଣୀ ମାହାନ୍ତି


ସୁସମା ମାହାନ୍ତି

Susama Mahanta

Rohit Kumar Mahanta

ସ୍ଵର୍ଣ୍ଣା ମାହାନ୍ତି

Swarna Mahanta

 L.T.I. Prouty Mahanta

Bhubleswar Mahanta

AJAY JHARA

 L.T.I. ବାବୁ ଦେବୀ

ସୁରେନ୍ଦ୍ର ମାହାନ୍ତି

Surendra Patra

 ଚନ୍ଦ୍ରିକା - ବିଧିବାଦୀ ମାତ୍ର

ଚନ୍ଦ୍ରିକା ମାତ୍ର



ବିଜେ ମୁଣ୍ଡ



ପୁରୁଷୋତ୍ତମ ମୁଣ୍ଡ



ଅଧ୍ୟକ୍ଷ ମୁଣ୍ଡ



ମାଳବ ମୁଣ୍ଡ



ଦାକ୍ଷ ମୁଣ୍ଡ



କୃଷ୍ଣାକ୍ଷ ମୁଣ୍ଡ

ଶିଖିଣ୍ଡି ଶ୍ରୀ

ପ୍ରାଧ୍ୟକ୍ଷ ମୁଣ୍ଡ

ବିପାକ୍ଷ ମୁଣ୍ଡ

Sarat ka Munda.

MUL Munda

Siba munda

ଦାକ୍ଷ ମୁଣ୍ଡ

Sajani munda

ମାଳବ ମୁଣ୍ଡ

ଦେବ ମୁଣ୍ଡ

ଦାକ୍ଷ ମୁଣ୍ଡ

ବୃଦ୍ଧ ବିନ ମୁଣ୍ଡ

ଦାକ୍ଷ ମୁଣ୍ଡ

Rani Munda

 ଶୁକ୍ଳ ଚନ୍ଦ୍ର

ନିରଞ୍ଜନ ଚନ୍ଦ୍ର

 ଜାହି ଚନ୍ଦ୍ର

ନାୟକ ଚନ୍ଦ୍ର

 ସୁଭାଷିନୀ ଚନ୍ଦ୍ର

 ନିଧାନ ଚନ୍ଦ୍ର

ସୁମତ୍ରା ଚନ୍ଦ୍ର

ପାଳିତା ଚନ୍ଦ୍ର

Sunandha Chandra

ନିରଞ୍ଜନ ଚନ୍ଦ୍ର

ଆନିତା ଚନ୍ଦ୍ର

ନିମନ୍ତ ଚନ୍ଦ୍ର

ଚନ୍ଦ୍ରିକା ଚନ୍ଦ୍ର

Basanti Oram

Pinky Oram

ଉତ୍ପଳା ଚନ୍ଦ୍ର

ସବିତ୍ରୀ ଚନ୍ଦ୍ର

Sandamini munda

Lalita munda

ସବିତା ଚନ୍ଦ୍ର

 ଚାନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Huraswari Oram

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Saat Oram

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର


Saat Oram
Santash Oram

Sadam munda

Santamunda

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

ଉତ୍ପଳା ଚନ୍ଦ୍ର

ନାୟକ ଚନ୍ଦ୍ର

ସୁଭାଷିନୀ ଚନ୍ଦ୍ର

ପଦ୍ମା ଚନ୍ଦ୍ର

ଉତ୍ପଳା ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Saty Oram
Tankadhar Munda

Sajit Oram
Alit Oram

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Purna Oram

ସୁଭାଷିନୀ ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

ହାତୀ ଚନ୍ଦ୍ର

ଉତ୍ପଳା ଚନ୍ଦ୍ର

ନିରଞ୍ଜନ ଚନ୍ଦ୍ର

Pinkish Oram

ନିରଞ୍ଜନ ଚନ୍ଦ୍ର

Burkash Oram


 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Ratha Oram

Tilbahar Oram

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Panchami Oram

ସୁଭାଷିନୀ ଚନ୍ଦ୍ର

ସୁଭାଷିନୀ ଚନ୍ଦ୍ର

 ଚନ୍ଦ୍ର ଚନ୍ଦ୍ର

Pitouch munda
Anel munda

Blacius munda
Olyas munda

Suresh munda

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

SIVRAM MUND

ଶ୍ରୀକୃଷ୍ଣ ମୁଣ୍ଡା

Williamoliver munda

Pius munda

Sanjay munda

Jayeswar munda

Silbars munda

Jebiar munda

Daso munda

Arta puspa munda.

ଆର୍ତ୍ତା ପୁସ୍ପା ମୁଣ୍ଡା

ଆର୍ତ୍ତା ପୁସ୍ପା

ଆର୍ତ୍ତା ମୁଣ୍ଡା

Creson Rosalia munda.

Mariyam munda
ମାରିୟା ମୁନ୍ଦା
ଶିଶିଲିୟା ମୁନ୍ଦା
ଲକ୍ଷ୍ମୀ
ସୁଜାତା ମୁନ୍ଦା

ସେନତା ଗୋବିନ୍ଦା
Sujita munda
Emerencia Jojo

Mariam putty
ମାରିୟା ପୁଟ୍ଟି

Susmita Munda
ସୁସମିତା ମୁନ୍ଦା

Jelita munda
ଜେଲିତା ମୁନ୍ଦା

Jakrias munda
ଜାକ୍ରିଆ ମୁନ୍ଦା

ସୁମିତ୍ରା ମୁନ୍ଦା

ଶାନ୍ତି ମୁନ୍ଦା

Jema munda

ପରସିମ୍ବରା

Dilip munda

ମାଲିକା ମୁନ୍ଦା

ସମିତା ମୁନ୍ଦା

SIVLARI MUNDA

Elyas Munda

ଶିବ ମୁନ୍ଦା

Blacius munda

Anagrah munda

ଉତ୍ପାତ ମୁନ୍ଦା



ପଦ୍ମିନୀ ଦେବୀ ଜ୍ୟୋତୀ କୁମାରୀ



ପଦ୍ମିନୀ ଦେବୀ ଜ୍ୟୋତୀ କୁମାରୀ

ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.

ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.

ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.

Mamata postea

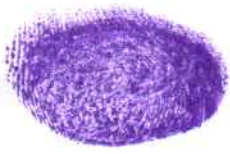


ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.

ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.



ଜି.ଏ.ଏ.ଏ.ଏ.ଏ.



LTI 217nadi Mahanta

Kshirod Mahanta

Sobitaji Mahanta.

Jillip Mahanta

ଅମୃତା ମହାନ୍ତ

Brundehem Mahanta

Mahesha Mahanti



LTI Duti mahanta



L.T.I Sumati Dhanja

Pratima Mahanta

Jamuna Mahanta

Dayanidhi Mahanta

Suresh Sahu

Nirakara Sahu

Ramesh ch Mahanta

Brodha mahanta

Ananta mahanta

Dharani dhara sahu

ଅନନ୍ତ ମହାନ୍ତ

Sehati Sahu

Date: 11th May 2022

(By Post/Email)

To,

The National commission for Scheduled Tribes, New Delhi

Sub: Urgent request to take necessary steps on illegal steps undertaken by the local administration to handing over the tribal land at Kapanda forest to IDCO and to stop illegal demolition of the "Kapanda forest" to establish an industry to save tribals.

Dear Sir,

With due respect, we the local villagers would like to bring your urgent attention that, in recent past the local administration have handed over the forest land of Kapanda and adjacent some part of the land at the Mouja – Kapanda, Khata No. 118, Pot No. 1104 & 1107 and nearby other plots under Badpurunapani Panchayat to Odisha Industrial Infrastructure Development Corporation (IDCO) under land bank scheme to setup an industry KAI Industries. In this patch of land, hundreds of local tribal families have been residing from ancient ages and thousands of the surrounding local tribal rich villagers are dependent on these patches of forest to maintain their livelihood. We would like to highlight that the **aforesaid plot consists of well-established forest growth having dense forest with a high percent of canopy density with very good biodiversity** which can easily be viewed through google imagery and documented by the local forest officials (refer Annex 17).

In order to protect the forest in the aforementioned forest land, in recent past, our government has conducted various plantation activities our government has put on stringent regulatory frameworks and implementation of the forest conservation/restriction on the State Government for dereservation of forests or use of forest land for non-forest purposes and put stringent requirements on environmental clearances/approvals, and possible impact assessment to save tribals as per the norms of provisions of the Government of India, Odisha state, and at the district level.

Till date we have sent numerous applications to the local authorities to stop leasing out the Kapanda forest and nearby areas for setting up any industrial establishments, but has been simply ignored. On this matter **we have filed a case which is under review of National Green Tribunal, Kolkata vide case No. 94/2021/EZ** (refer Annex 12).

However recently, again the private industry (KAI Industries) is trying to snatch our mother forest land and after our many requests also the local administration is reluctant to hear our request, instead local officials are openly helping the KAI Industries with vested interest. To the best of our knowledge, **the sponge Industries are under 'Category A', whereas as per record the proposed site at Kapanda is listed under 'Category B', and hence the entire project itself a violation of the government norms.** Most importantly, the site selection is the key factor that industry with highly polluting potential should be established at the proper allocated Industrial zone/area, and not at the forest & tribal village (public) area.

Reviewing the entire scenario, the local villagers suspect a serious violation, non-compliance of the regulatory requirements, and suspected illegal steps and false declarations have been submitted in a biased manner during handing over the forest land to the IDCO. Due to your false declarations, now the entire forest having trees and forest growth will be felled, leading to a disaster to the well grown flora, fauna and most importantly this will result in hundreds of tribals will become homeless and landless.

We would like to highlight that this project is most sensitive project in a scheduled district tribal areas and especially for the subject matter the Pallisabha was organized on dated 06.09.2021, where many of the protesters were assaulted, beaten in public by the appointed goons and the matter is under police investigation (SC&ST Atrocity Case, Lahunipara PS case No 227 of 2021 refer Annex 16) as per the provision of the (Prevention of Atrocities) Act, in the year 1989 to prevent the offences and to provide relief and rehabilitation towards the tribals. **This is one of the most horrific/unashamed attempts to the local tribals. Point to be noted that, till date there is not a single Pallisabha that was conclusively successful. And to our surprise that, even after no resolution or conclusiveness, the project development is still under progress.** This is against the notice issued by the Sundargarh district collector, highlighting stringent requirements for the scheduled district (Refer annex 1) and clear cut violation of the regulation. Instead, since after we the local tribals are continuously getting threatening from the local mobs and now, we are living with mental trauma.

Till date we the local tribals are getting continuous torture and **our local authorities failed to enforce to prohibit discrimination and to prevent atrocities towards the local tribals.** The amount of torture we suffered is very extensive and till date we the local tribals are living in great fear. This is certainly considered as serious discrimination and destitution, relegating the local tribal and against the human right of the forest dwellers. This incident gives us an impression what will be in the future of the local tribals after setting up the industry at Kapanda forest, which remains questionable. Either we will be forced to migrate to other forests or go through severe poverty and starvation.

We have strong hope that your good authority will consider this application and to investigate the matter urgently and appropriate action to save the local tribals for which act of your kindness, we will be grateful to you.

Your's faithfully,

Villagers of Kapanda, Nuagaon, Badbahal, Pata Jharan and nearby villagers

Copy to:

1. Schedule Tribe Commission, Odisha
2. Ministry of Environment, Forest & Climate Change, Government of India, New Delhi.
3. The Member Secretary, State Pollution Control Board, Bhubaneswar, Odisha
4. Integrated Regional Office, MoEFCC, Bhubaneswar, Odisha.
5. District Collector, Sundargarh.
6. Division Forest Officer, Panposh, Rourkela
7. Superintendent of Police, Rourkela.
8. Sub-Collector, Bonai.
9. Tahsildar, Lahunipara.

Annexure:

- Annexure 1.** Notification from Sundargarh Collector to All Sarpanches - 11.10.2018
- Annexure 2.** letter from forest range officer - 17.05.2021
- Annexure 3.** letter to forest range officer - 17.05.2021
- Annexure 4.** Summary of tree counting at Kapanda Forest - By villagers
- Annexure 5.** Letter to Tahsildar - 09.06.2020
- Annexure 6.** letter to IIC lahunipada - 26.11.2020
- Annexure 7.** Letter to Sub-collector - 26.11.2020
- Annexure 8.** Letter to Chief Minister
- Annexure 9.** Letter from RI Darjing to Tahasildar - 20.05.2020
- Annexure 10.** Letter to The Division Forest Officer, Panposh, Rourkela, 30.09.2021
- Annexure 11.** Letter to Ministry of Environment, Forest and Climate Change, New Delhi
- Annexure 12.** NGT Stay Order for illegal tree felling at Kapanda forest, dated 8.10.2021
- Annexure 13:** Response letter on Pallisabha received from the Information Officer, Badpuruna Pani Panchayat Office – 02.01.2022
- Annexure 14:** Letter to Lahunipara Police – 02.11.2021
- Annexure 15.** Application to DFO Rourkela - 01.12.2021
- Annexure 16.** FIR Copy - Lahunipara Police - 30.12.2021
- Annexure 17:** Joint verification report submitted by the office of the forest range officer, Banki Forest Range.
- Annexure 18:** Application to the Lahunipara Tahsildar and Bonai Sub collector by the local tribals - To stop illegal handover of their cultivation/residential land to IDCO for industrial activity.
- Annexure 19:** Application to the State Pollution Control Board Odisha, 07.05.2022.
- Annexure 20:** Application to the Sub-collector, Bonai

Yakub munda

Caesen rosalia munda.

Rafel Munda

ସେକ୍ସିନା ସୁଗା

ଅନିକା ଗୋବିନ୍ଦା

Emreencia Jaj

Beronika munda

Mariam putty

Mary Gudia

ଲକ୍ଷ୍ମୀ

ଲକ୍ଷ୍ମୀ

ସୁକୁମାରୀ ସୁଗା

ମାହାଲକ୍ଷ୍ମୀ ସୁଗା

Gregory munda

Magdali munda

Santashi Jojo

ଦାଶରଥୀ ସୁଗା

ଶ୍ରୀକାନ୍ତ/ସୁଗା


Silbana S munda

ସୁଗାଲକ୍ଷ୍ମୀ ମୁନ୍ଦା

Susmita munda


Roshmi munda

Afdem: y... munda

 ଭକ୍ତନିକା ମୁଣ୍ଡା

Sasmetha munda

ଭକ୍ତନିକା ମୁଣ୍ଡା.

 ସାକ୍ଷୀ ମୁଣ୍ଡା

ଭ୍ରମର ପୁଲକାୟ ମୁଣ୍ଡା


ଜହାନ ମୁଣ୍ଡା

ସାକ୍ଷୀ ମୁଣ୍ଡା

Jelita munda


ALPhons munda

Dimip munda

 ସାକ୍ଷୀ ମୁଣ୍ଡା


Patras munda.

ଦୀପକ ମୁଣ୍ଡା


 ବିକ୍ରମ ମୁଣ୍ଡା

Emil J=J
Jeblere munda

Simon J=J

 ଆଶାକାନ୍ତି ମୁଣ୍ଡା

ଆଲକ ସିୟା ମୁଣ୍ଡା


 ଭକ୍ତନିକା ମୁଣ୍ଡା

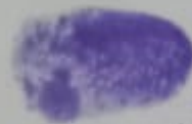
BIRSHI KARKETA

ଶିଖରିନି ମୁଣ୍ଡା

Sureeh munda






 Sukanti Munda
ସୁକାନ୍ତି ମୁନ୍ଦା
ସୁକାନ୍ତି ମୁନ୍ଦା


 Fulmani Munda
JAKRIAS munda
Julita munda


Susnita munda
Sajita munda
Emencia Jojo

Mariam Pully
ମାରିଆମ ପୁଲ୍ଲୀ

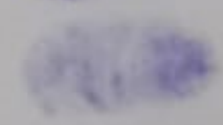
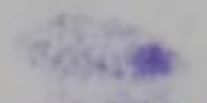
 Maxima Munda
 Surabali Munda
ସୁରାବାଲି ମୁନ୍ଦା

 Hogtali Munda
ହୋଗଡାଲି ମୁନ୍ଦା
ହୋଗଡାଲି ମୁନ୍ଦା
ହୋଗଡାଲି ମୁନ୍ଦା

 Salmi Munda
ସାଲ୍‌ମି ମୁନ୍ଦା

 Bhalenia
ଭାଲେନିଆ
Anita purna munda.

ଆନିତା ପୂର୍ଣ୍ଣା ମୁନ୍ଦା
ଆନିତା ପୂର୍ଣ୍ଣା ମୁନ୍ଦା
ଆନିତା ପୂର୍ଣ୍ଣା ମୁନ୍ଦା



Emilia Munda

Mazigan Munda

CROON ROSALIA MUNDA

ଅମିତା କୁମାରୀ ମୁନ୍ଦା

ମାଳବିକା ମୁନ୍ଦା

Agastina Munda

LTII Raju Munda

Deven Sh Munda

MANOJ MUNDA

Rishi Kaman Munda

Jehara Munda



LTI Daso Munda



LTI Jogeswar Munda

Jakrias munda



LTI Silbanus Munda

Ajay Munda



LTI Butra Munda

Gregory Munda



Khetabasi Munda

Pitroest munda



Herman Munda



Prema Munda



Sukhmarie Munda

Aanurkya munda



Tamuna Munda



Binati Munda

Jema Munda

ଅମିତା କୁମାରୀ ମୁନ୍ଦା

Yamita Odam.

- ମାଷ୍ଟ୍ରା ଭୋଗ

• ପୁନିଆଁ ଭୋଗ

• Suman Odam

• ଅନିପାତୋମ

• ଦୁଃସ୍ୱା ଭୋଗ

ପୁରା ଭୋଗ

Sarajini Odam.

Mahesh Odam

ପିତାମହୋଦୟ

Udasi Odam

ବିନୋଦୋଦୟ

Sobita Odam

Ratna Odam

- Rajesh Kumbhar

- Lal Singh Kumbhar

• ~~ଦୁଇ ଦୁଇ~~ ଦୁଇ ଦୁଇ

ପୁରାଣ କୁମ୍ଭାର

Rashmita Kumbhar

Pitouch munda
ᱯᱚᱨ ᱠᱚᱨᱚ

Blacius munda
ᱛᱚᱸᱰ ᱠᱚᱨᱚ

Suresh Munda
ᱰᱚᱨᱚᱰ ᱠᱚᱨᱚ
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ

ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
SIVERN MUND

ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
Williamoliver munda
ᱠᱚᱨᱚᱰ


Sanjay munda
ᱰᱚᱨᱚᱰ ᱠᱚᱨᱚ
Sibbars munda
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
Daso munda

Amsta puspamunda.
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
ᱠᱚᱨᱚᱰ ᱠᱚᱨᱚ
Creson Rosalia munda.

Jitendra oram
 Santoshi Oram
 Ramo daor Munda
 Surendra munda

ଜିତେନ୍ଦ୍ରା - ରାମ
 ସାନ୍ତୋଷୀ ମୁନ୍ଦା

Saroj ku Munda
 Hemanta ku Munda
 ଶରୋଜ କୁ ମୁନ୍ଦା
 ହେମାନ୍ତ କୁ ମୁନ୍ଦା
 Kanan Oram
 Harasin munda
 Jogendra oram
 Dhameswar Munda
 Manoj Munda

 Nageswari Munda

ନାଗେଶ୍ଵରୀ ମୁନ୍ଦା

 Upa Munda

Laximani Janka
 ଲକ୍ଷ୍ମୀଙ୍କା
 ବାସୁଦେବ ମୁନ୍ଦା

Pandu Munda

Pradyumn
 Mana Munda
 Saluka Munda

Balamati munda

ବିମଳା ମୁଣ୍ଡା

ଜାହାଜୀ ମୁଣ୍ଡା

Charana munda

phudga Munda

ବାସୁଦେବୀ

ମାଲିକା ମୁଣ୍ଡା

ପ୍ରାଣିଆ ମୁଣ୍ଡା

Sudreshan Munda

ସିଦ୍ଧା ମୁଣ୍ଡା

Anil munda

ଜାହାଜୀ ମୁଣ୍ଡା

ପ୍ରଭାତୀ ମୁଣ୍ଡା

ସୁମା ମୁଣ୍ଡା

Jamuna munda

Dibachya munda

ପଦ୍ମାବତୀ ମୁଣ୍ଡା

ସୁମା ମୁଣ୍ଡା

ଅନିତା ମୁଣ୍ଡା

ପ୍ରଭାତୀ ମୁଣ୍ଡା

Chameti munda

ପିତାମହାର ଗାନ୍ଧୀଜୀ 229

Jayanta Kumar Mahanta

ରାଜବତୀ ମାହାନ୍ତି

Binodini Mahanta.



L.T.I. କୁଞ୍ଜବଳ ମାହାନ୍ତି

ଲକ୍ଷ୍ମୀବତୀ ମାହାନ୍ତି

କଞ୍ଚୁଣ୍ଡା ମାହାନ୍ତି

-ଧରଣୀ ମାହାନ୍ତି

Susama Mahanta

Rohit K. Mahanta

ରାଜବତୀ ମାହାନ୍ତି

Swarna Mahanta.



L.T.I. - Drasopadi Mahanta

Bhuleswar Mahanta

RAJY SHARA



L.T.I. ଜାଗୁରିଆ

ଦୟାଳୀ ଦେବୀ

ପ୍ରମୋଦ ମାହାନ୍ତି

Surendra patra



ପ୍ରମୋଦ ମାହାନ୍ତି - ବିଜୟ ମାହାନ୍ତି

କଞ୍ଚୁଣ୍ଡା ମାହାନ୍ତି

କଟକ ମୁଣ୍ଡ

ମୁକ୍ତିକାନ୍ତ ମୁଣ୍ଡ

ମଧୁରୀ ମୁଣ୍ଡ

ମାଳ୍ୟ ମୁଣ୍ଡ

ଦାଳ୍ୟ ମୁଣ୍ଡ

ଦୁର୍ଯ୍ୟ ମୁଣ୍ଡ

ଝାଙ୍କାରି ଅଧ

ସାଧନା ମୁଣ୍ଡ
ସିଦ୍ଧା ମୁଣ୍ଡ

Sarat ka Munda.
MUL MADA

Siba MUNDA

ଜାନକୀ ମୁଣ୍ଡ
Sajani munda

ମାଳ୍ୟ ମୁଣ୍ଡ

ଦେବୀ ମୁଣ୍ଡ

ଦାଳ୍ୟ ମୁଣ୍ଡ

ସୁଦି ଚିତି ମୁଣ୍ଡ

ଦାଳ୍ୟ ମୁଣ୍ଡ

Rani Munda

Basant munda

Pankajini munda

Mandakini munda

Falguni Oram

Rajesh Oram

Dina Oram (B)

Muna Oram

Subarna munda

Subarna munda

Mandita munda

Subarna munda

Subarna munda

Subarna munda

Subarna munda

Subarna munda

Chunna Oram

Pranita Oram

Subarna munda

Subarna munda

Anil munda

Ranjita munda

Laxmi munda

Jayanti Munda

Subarna munda

Subarna munda

Ranjita munda

Sumanta munda

Lipika Sabar

Subarna munda

Subarna munda

Subarna munda

Kaya Oram

Santosh Oram

Subarna munda

Subarna munda


Ashik munda

Subarna munda

Subarna munda

Subarna munda

Subarna munda

 LT106
Saxena's model

ଅଧିକାରି ଚାକିରୀ

କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 LT106
Maharanga's model

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

 କାର୍ଯ୍ୟକ୍ରମ ସୂଚୀ

କାର୍ଯ୍ୟକ୍ରମ

Ananda Munda

Gana patra



ଅନନ୍ଦ ମୁଣ୍ଡା

Manohar Munda

ମନୋହର ମୁଣ୍ଡା

Pargila munda



ପର୍ଗିଲା ମୁଣ୍ଡା

ମୁଖ୍ୟ ଗାମ

Munepul Munda

Saluka Munda

Arjun Munda

Jamuna munda

Daniel Munda

Ranjit Munda

ରାଞ୍ଜିତ ମୁଣ୍ଡା



Ranji Munda

Ranjit ojean



Mota Munda

Mota Munda

Sekhar Munda

LTI - 235, inati Mahanta

Kshirod Mahanta

Sabitari Mahanta,

Jillip Mahanta

ब्रुन्दकम महान्त

Brundakam Mahanta

Maheswar Mahali

LTI Duti Mahanta

LTI Sumati Bhanja

Prarna Mahanta

Jamuna Mahanta

Dayanahi Mahanta

Suresh Sahu

Nirakara Sahu

Ramesh ch mahanta

Bindu Mahanta

Ananta Mahanta


Dharani dhara Sahu

ସତୀ ସାହୁ

Sapati Sahu

Eoni mundu

Gyan Prakash Munda

 Devnand Munda


Khrist Prasad
Blaises Munda

Anil Munda


Sunil Munda

Devas Munda


Suresh Munda


 Markush samad

ଓମ୍ ନମଃ ଶିବାୟ
ଓମ୍ ନମଃ ଶିବାୟ

 Topu Munda

 Podla Munda

 Shiba charan Munda
Jaktias munda

 Bablu Munda

ଓମ୍ ନମଃ ଶିବାୟ

Anagnah Munda

Alphons munda

~~San~~ Dilip Munda

Anish Munda

Tintus Munda

Daniel Munda

Enelia Munda

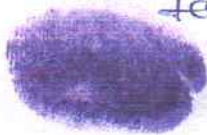
Mary Gudia

237

 Aplonia Munda

Berona ka munda

William Oliver Munda

 Essat munda
Sanjay Munda

 Manju Munda
Jakkris munda
Magdali Munda

ପାଉଁଶି ଚଣ୍ଡା

Pis Munda

Chittaranson Mahanta

Seonish Munda

ପାଉଁଶି ଚଣ୍ଡା

Gugony Munda

ପାଉଁଶି ଚଣ୍ଡା

Daiton Mahanta


Judhistur Mahanta


Jah ebmanant

Himadri Mahanta -

ପାଉଁଶି ଚଣ୍ଡା

 Khotachora kishan

 Karush Munda
ପାଉଁଶି ଚଣ୍ଡା

 Sionash Munda



ଭୂଲ୍ୟ କିସାନ

ନିର୍ଦ୍ଦା ଯେଉଁ କିସାନ

ପୁଲ୍ଲଭ କିସାନ

ସୁନିତା କିସାନ

ରାମେଶ୍ୱର କିସାନ

କରାଳା କିସାନ



ଗୁରୁ କିସାନ

ସବୁଟା କିସାନ

ଓଡ଼ିଆପୁସ୍ତକ କିସାନ



ସମ୍ପାଦକ କିସାନ

ସାମସ୍ତ୍ୟ କିସାନ

Dr. Ambar Kumar



କୃଷିକା କିସାନ

ପାଣିପା କିସାନ

ଭିକ୍ଷୁକ କିସାନ

ଓଡ଼ିଆ ଯେଉଁ କିସାନ

ସିଦ୍ଧାନ୍ତ କିସାନ

ରଞ୍ଜିତ କିସାନ

ପଂଚା ପରୁ କିସାନ

ରଞ୍ଜିତା କିସାନ

କାମ୍ବଳା କିସାନ

ଭୂଷିନୀ କିସାନ

Dr. Krishna Kishore


 ଶୁକ୍ଳ ଚନ୍ଦ୍ରା

ନିରଞ୍ଜନ ଚନ୍ଦ୍ରା

 ଜାଲି ଚନ୍ଦ୍ରା

ସାଧୁଚନ୍ଦ୍ରାଚନ୍ଦ୍ରା

 ସୁଧାସମିତ ଚନ୍ଦ୍ରା

 ନିଧାନ ଚନ୍ଦ୍ରା

ସୁମିତ୍ରା ଚନ୍ଦ୍ରା

ସାଳଗାଉରୀ

Sunandara

ନିରଞ୍ଜନ ଚନ୍ଦ୍ରା

ଆନିତା ଚନ୍ଦ୍ରା

ନିମିତ୍ତ ଚନ୍ଦ୍ରା

ପ୍ରିୟା ଚନ୍ଦ୍ରା

Basanti Oram

Pinki Oram

ଉପମା ଚନ୍ଦ୍ରା

ସରସ୍ୱତୀ ଚନ୍ଦ୍ରା

Sandamini munda

Lalita munda

ପଦ୍ମିନୀ ଚନ୍ଦ୍ରା

 ଚାନ୍ଦୁ ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

Hurasweli Oram

 ଚନ୍ଦ୍ରା

Saat Oram

 ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା


Santa Oram
Santash Oram

Sadam munda

Sanamunda

 ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

 Ravi Oram
ଗାନ୍ଧୀ ଚନ୍ଦ୍ରା

ଉଷା ଚନ୍ଦ୍ରା

ନାମା ଚନ୍ଦ୍ରା

ସୁଧା ଚନ୍ଦ୍ରା

ପଦ୍ମା ଚନ୍ଦ୍ରା

ଉତ୍ତମା ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

Uday Oram
Tankadhar Munda

Sajit Oram

Alit Oram

 ଚନ୍ଦ୍ରା

Purna Oram

ସୁଧା ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

ହାରିଶ ଚନ୍ଦ୍ରା

ଉତ୍ତମ ଚନ୍ଦ୍ରା

ନିରଞ୍ଜନ ଚନ୍ଦ୍ରା

Prida Oram

ମାଳା ଚନ୍ଦ୍ରା

Prakash Oram

ନୀଳ ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

Ratha Oram

Tibahan Oram

 ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

Panchami Oram

ସା ଚନ୍ଦ୍ରା

ସୁ ଚନ୍ଦ୍ରା

 ଚନ୍ଦ୍ରା

Manda Dhibar

ସୁଜିତ କୁମାର

240 Ankadhan Munda

Kamala ramk w.m



ଜାକିର ମୁସା



ସୁଜାତା କୁମାର



Meena Oram

Sihba Munda

Sarika Oram

ଜି. ସୁ. ହି. ମୁ. ମା.

ଭ୍ରା. ମ. ମୁ. ହି.

Munna Munda

Surya Oram

Dinbandhu Oram



ସାକ୍ଷୀ ମୁସା

ସାକ୍ଷୀ କୁମାର

Mangala Oram

ସାକ୍ଷୀ କୁମାର

ମ. କ. ମ. ମ.

Ajita Dhibar

Shobha Dhibar



Prakash munda
Dhikar Dhibar

ସି. ସି. କ. ର. ମ. ସ. କ. ମ. ମ.



ଶ୍ରୀ. ମ. ମ.

ରା. କ. କ. ମ. ମ.

Ramesh munda



ପ. କ. ମ. ମ.

Kuntala Dhibar



Sachdev Dhibar

ପ୍ର. କ. ମ. ମ.



ଜା. ସ. କ. କ. ର. ମ. ମ.

ପ. କ. ମ. ମ.

ଶ୍ରୀ. ମ. ମ.

Kunnu Munda



ସୁ. କ. ମ. ମ.



ଶ୍ରୀ. ମ. ମ.

Sabita munda

Jayanti Shikshan

Mahy munda

Bhobani munda

Deepak Munda

panu kisan

Sankata kisan

ଶ୍ରୀ. ମ. ମ.

ଭ. କ. ମ. ମ.

Ranjeeta Oram

ଶ୍ରୀ. ମ. ମ.

ସୁ. କ. ମ. ମ.

Sansrita Munda

ଶ୍ରୀ. ମ. ମ.

'ସ୍ଵାସ୍ଥୀ ଆଇରନ ପ୍ରକଳ୍ପ ଜନଶୁଣାଣି ଅଗଣତାନ୍ତ୍ରିକ'

ଉତ୍ତରଭୁବନେଶ୍ଵର, ୧୮୬(ନି.ପ୍ର): ସୁନ୍ଦରଗଡ଼ ଜିଲ୍ଲା ଲହୁଣିପଡ଼ା ବ୍ଲକ କପଣ୍ଡଠାରେ ପ୍ରସ୍ତାବିତ କାଇ ଇଣ୍ଡରନିୟମିତ ପ୍ରାଇଭେଟ ଲିମିଟେଡ଼ ସ୍ଵାସ୍ଥୀ ଆଇରନ ପ୍ରକଳ୍ପର ପରିବେଶ ମାଞ୍ଜୁରୀ ପାଇଁ ଗତ ୨୪ ତାରିଖରେ ସ୍ଥାନୀୟ ଗ୍ରାମବାସୀଙ୍କୁ ଉପେକ୍ଷା କରାଯାଇ ହୋଇଥିବା ଜନଶୁଣାଣି ଅଗଣତାନ୍ତ୍ରିକ ବୋଲି ଲୋହିଆ ଏକାଡେମୀ ସମ୍ମିଳନୀ କକ୍ଷରେ ଏକ ସାମ୍ବାଦିକ ସମ୍ମିଳନୀରେ ମତପ୍ରକାଶ ପାଇଛି । ଲୋକଶକ୍ତି ଅଭିଯାନ ପକ୍ଷରୁ ରୁଧିର ଆୟୋଜିତ ସାମ୍ବାଦିକ ସମ୍ମିଳନୀରେ ସଭାପତି ପ୍ରଫୁଲ୍ଲ ସାମନ୍ତରା, କପଣ୍ଡ ଜଙ୍ଗଲ ସୁରକ୍ଷା ସମିତିର ଦୈତାରା ମାହନ୍ତ, ଜୟନ୍ତ ମାହନ୍ତ, ଭାନୁମତି ମାହନ୍ତ ପ୍ରମୁଖ କହିଥିଲେ ଯେ, ରାଜ୍ୟ ପ୍ରତ୍ୟକ୍ଷ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ ପକ୍ଷରୁ ହୋଇଥିବା ଜନଶୁଣାଣିକୁ ରଦ୍ଦ କରାଯାଉ । ସ୍ଥାନୀୟ ଗ୍ରାମବାସୀଙ୍କୁ ଏଥିରୁ ବଞ୍ଚିତ କରାଯାଇଥିଲା । ମାନବିକ ଅଧିକାର ଉଲ୍ଲଙ୍ଘନ କରି ଜନଶୁଣାଣି ଅଗଣତାନ୍ତ୍ରିକ ଭାବେ କରାଯିବା ଓ ପୁଲିସ ବଳ ପ୍ରୟୋଗ କରି ଲୋକଙ୍କୁ ଅଟକ ରଖିବା ବିରୋଧରେ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ହେଉ ବୋଲି ଦାବି ହୋଇଥିଲା ।

ଭୁବନେଶ୍ଵର ପରିଚାଳିତ ରୁଧିର ଆୟୋଜିତ ସାମ୍ବାଦିକ ସମ୍ମିଳନୀରେ ସଭାପତି ପ୍ରଫୁଲ୍ଲ ସାମନ୍ତରା, କପଣ୍ଡ ଜଙ୍ଗଲ ସୁରକ୍ଷା ସମିତିର ଦୈତାରା ମାହନ୍ତ, ଜୟନ୍ତ ମାହନ୍ତ, ଭାନୁମତି ମାହନ୍ତ ପ୍ରମୁଖ କହିଥିଲେ ଯେ, ରାଜ୍ୟ ପ୍ରତ୍ୟକ୍ଷ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ ପକ୍ଷରୁ ହୋଇଥିବା ଜନଶୁଣାଣିକୁ ରଦ୍ଦ କରାଯାଉ । ସ୍ଥାନୀୟ ଗ୍ରାମବାସୀଙ୍କୁ ଏଥିରୁ ବଞ୍ଚିତ କରାଯାଇଥିଲା । ମାନବିକ ଅଧିକାର ଉଲ୍ଲଙ୍ଘନ କରି ଜନଶୁଣାଣି ଅଗଣତାନ୍ତ୍ରିକ ଭାବେ କରାଯିବା ଓ ପୁଲିସ ବଳ ପ୍ରୟୋଗ କରି ଲୋକଙ୍କୁ ଅଟକ ରଖିବା ବିରୋଧରେ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ହେଉ ବୋଲି ଦାବି ହୋଇଥିଲା ।



ଭୁବନେଶ୍ଵର/ଚନ୍ଦ୍ର

Victims of police action at public hearing speak out

STATESMAN NEWS SERVICE
BHUBANESWAR, 1 JUNE:

A tribal woman, Emrinsia Jojo of Patajharan village narrated her plight during a public hearing for environment clearance of a company in Kapanda recently.

She alleged that the police had caught her by her neck and dumped into a bus. She alleged that scores of villagers were assaulted and not allowed to raise their voice of dissent. When they protested, they were forcefully evicted from the venue, she charged.

She was admitted to a hos-

pital in Gurundia and was fortunate to be alive, said Jojo.

Eminent social activist, Prafulla Samantara, who along with four villagers as petitioner got stay order from NGT to stop illegal tree cutting in Kapanda by the company who had felled 10000 trees without permission. Now more than one lakh trees will be lost if the said project takes place and critical pollution will harm river Brahmani and ponds along with air and agriculture, he alleged.

He said the government has diverted 117 acres land without consent of the gram sabha.

Samantara alleged that the State Pollution Control Board, the police administration and the district administration are working as agents of the company against the interest of people and human rights. The public hearing was held on 24 May.

It should be declared void and the tribals given justice.

Representatives of the Kapanda Jangal Suraksha Samiti who were present at the media conference here said they will continue democratic and peaceful struggle against such polluting industries.

ଜିଲ୍ଲାରେ ଜନଶୁଣାଣୀ ଏକ ପ୍ରହସନ, ଜନସାଧାରଣଙ୍କ ବାକ୍ ସ୍ୱାଧୀନତା ଦମନ କରିବାରେ ପ୍ରଶାସନ ସିଦ୍ଧହସ୍ତ

psandolan.com

ସୁନ୍ଦରଗଡ଼ : ସୁନ୍ଦରଗଡ଼ ଜିଲ୍ଲା ଲାଞ୍ଜିବେଣ୍ଟି ବୁନ୍‌ଖଣି, ବଣାଇ ଉପଖଣ୍ଡର କୋଇଡା ଖଣି, ଖାଦାନ ଠାରୁ ନେଇ କପଣ୍ଡ (କାଇ) କାରଖାନା ପ୍ରତିଷ୍ଠାର ଜନଶୁଣାଣୀ ପର୍ଯ୍ୟନ୍ତ ପ୍ରତ୍ୟେକ କ୍ଷେତ୍ରରେ ଜନ ସାଧାରଣଙ୍କ ବିରୋଧର ସ୍ୱରକୁ ଚାପିଦେଇ କମ୍ପାନୀ ସପକ୍ଷରେ ମତ ପ୍ରକାଶ କରି ପ୍ରଶାସନ ଜନଶୁଣାଣୀକୁ ଏକ ପ୍ରହସନରେ ପରିଣତ କରାଯାଇଥିବା ବର୍ତ୍ତମାନ ବଣାଇ ଅଞ୍ଚଳରେ ଚର୍ଚ୍ଚାର ବିଷୟ ପାଲଟିଛି ।



ଗଡକାଲି ଲହୁଣୀପଡ଼ା ରୁକ୍ ଅନୁଗତ ପୁରୁଣା ପାଣି ପଞ୍ଚାୟତର କପଣ୍ଡ ଠାରେ (କାଇ) କମ୍ପାନୀ ପକ୍ଷରୁ କାରଖାନା ପ୍ରତିଷ୍ଠା ନିମନ୍ତେ ହେଉଥିବା ଜନଶୁଣାଣୀରେ ସ୍ଥାନୀୟ ଲୋକଙ୍କ ଉପରେ ପୋଲିସର ନାଲି ଆଖି ଓ ଦମନ ଲୀଳା ଦେଖିବାକୁ ମିଳିଛି ।



ଶହ ଶହ ସଂଖ୍ୟାରେ ଆଦିବାସୀ ପୁରୁଷ ଓ ମହିଳା ଜନଶୁଣାଣୀ ଶିବିରରେ ନିଜର ମତ ସାବ୍ୟସ୍ତ କରିବା ନିମନ୍ତେ ଆସିଥିବା ସମୟରେ ପୋଲିସ ବିଭିନ୍ନ ସ୍ଥାନରେ ସେମାନଙ୍କୁ ଅଟକାଇବା ସହିତ ଜନଶୁଣାଣୀ ସ୍ଥାନରେ ଗେଟ୍ ବନ୍ଦ କରି ସେମାନଙ୍କୁ ଭିତରେ ପ୍ରବେଶ କରିବା ନିମନ୍ତେ ଅନୁମତି ନଦେବା, ଧମକ ଚମକ ଦେଇ ଗିରଫ କରିବା ନିମନ୍ତେ ପୋଲିସର ଆଭିଯୁକ୍ତ ନେଇ ବର୍ତ୍ତମାନ ଜନସାଧାରଣରେ ପ୍ରଶ୍ନ ଉଠିଛି । ସକାଳୁ କମ୍ପାନୀ ଦ୍ୱାରା କିଣାଯାଇଥିବା ଜନତାକୁ ପ୍ରବେଶ କରାଇ ସ୍ଥାନ ପୂରଣ ହୋଇଯାଇଥିବା ପ୍ରକାଶ କରିବା କେତେ ଦୂର ଯୁକ୍ତିଯୁକ୍ତ ? ବଣାଇର ବିଧାୟକ ମହୋଦୟ ଭିତରେ ଉପସ୍ଥିତ ଥାଇ ମଧ୍ୟ ପ୍ରଭାବିତ ଅଞ୍ଚଳର ଲୋକଙ୍କ ଉପରେ ଏପ୍ରକାର ଆଚରଣକୁ ଜାଣିପାରିଲେ ନାହିଁ କେମିତି ? ନାଁ ଏସବୁ ଜନ ସାଧାରଣ ତାଙ୍କ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନୁହନ୍ତି । ନାଁ କାରଖାନା ପ୍ରତିଷ୍ଠା ହେଲେ ଆଗକୁ ନିଜର ଶ୍ରମିକ ସଂଗଠନ ତିଆରି ନିଶାରେ ଆପଣ ମୁଁହ ବନ୍ଦ କରିଦେଲେ । ସାଂସଦଙ୍କ କଥା ନକହିବା ଭଲ, ଯେଉଁଠି ଶହ ଶହ ଲୋକ ସୃଷ୍ଟି ଆଇରନ କାରଖାନା ବିରୋଧରେ ସ୍ୱର ଉତ୍ତୋଳନ କରୁଛନ୍ତି ସେ ସମୟରେ ଆପଣମାନେ ଲୋକଲୋଚନକୁ ନ ଆସିବା ଆପଣଙ୍କ ପାରିବା ପଣିଆ ଉପରେ ସ୍ୱଷ୍ଟ ଇଚ୍ଚିତ କରୁଛି । ବିଧାୟକ, ସାଂସଦ ଥାଇ ମଧ୍ୟ ବଣାଇର ଜନସାଧାରଣ ଆଜି କମ୍ପାନୀ ଦ୍ୱାରା ନିର୍ଯ୍ୟାତ୍ତ । ଆପଣମାନେ ଆଗକୁ ନ ଆସିବା ଯୋଗୁ ପ୍ରଶାସନ ଆଜି ମନ ଇଚ୍ଛା ଶାସନ ଚଳେଇବାରେ ସକ୍ଷମ ହେଉଛି । ଗତ କାଲି କମ୍ପାନୀ ସପକ୍ଷରେ ନିଶ୍ଚିତ ଭାବରେ ପ୍ରଶାସନ ରିପୋର୍ଟ ପ୍ରଦାନ କରିଥିବ ଏଥିରେ ସଂଦେହ ନାହିଁ । କେତେ ଦିନ ବଣାଇର ଜନସାଧାରଣ ଏମିତି ନିଷ୍ପେସିତ ହୋଇ ଚାଲିଯିବେ ଓ ଏହାର ଅନୁ କେବେ ତାହା ଦେଖିବାକୁ ବାକି ରହିଲା ।

1,083 total views, 1,083 views today

Demand to cancel public hearing for sponge iron plant

Bhubaneswar: Activist Prafulla Samantara and members of Kapanda Jungle Surakhya Samiti from Sundargarh district on Wednesday demanded cancellation of a public hearing conducted to obtain environment clearance for setting up of a sponge iron plant in Kapanda area.

They dubbed the public hearing, held on May 24, as undemocratic and alleged that police harassed the locals and did not allow them to take part in the hearing. Emrinsiya Jojo, who hails from Patajharan village near Kapanda, said she sustained injury after police put her in a bus forcefully on the day of the public hearing.

“Since the police were not allowing the protesting villagers to reach the public hearing site, we took a jungle route and reached the venue at 6 am. We were told that the venue would open at 8 am, but the police did not allow us to enter,” said Jojo. TNN

'Locals barred from project public hearing'

Environmentalist urges SPCB to declare meet void

BIJAY MISHRA
BHUBANESWAR

A company-police nexus has successfully prevented hundreds of villagers to a public hearing site at Badapurunapani in Sundargarh district for environment clearance (EC) of a green field project of Kai International Limited at Kapanda, alleged Lok Shakti Abhiyan president and environmentalist Prafulla Samantara.

The administration conducted the public hearing with a few company supporters preventing more than 500 affected villagers who are opposing the most polluted



project, he said.

At the outside gate of the venue, police force did not allow them to participate in the public hearing and on the way many were also held up by the police. Many including women were taken in police vehicles to unknown places, while some of them were kept in Gurundia police station, he told.

In a letter to The Member Secretary, State Pollution

Control Board, Samantaray demanded to declare the unfair and undemocratic public hearing as void.

The KAI International proposes for installation of an Iron Ore Beneficiation Plant of 1.5 MTPA throughput (1.16 MTPA High Grade Ore), an Iron Ore Pelletization Plant of 1.2 MTPA and Producer Gas Plant 27,000 Nm³/hr at Kapanda. The public hearing was held on May 24.



BHUBANESWAR | THURSDAY | MAY 26, 2022

Public hearing at Sundargarh rigged alleges Samantara

STATESMAN NEWS SERVICE
BHUBANESWAR, 24 MAY:

Eminent social activist and president Lok Shakti Abhiyan, Prafulla Samantara petitioned the member secretary of State Pollution Control Board alleging that the public hearing at Badapurunapani in Sundargarh district is being held with a few captive supporters of the company.

The public hearing is for environment clearance of the Green Field Project of Kai International Ltd at Kapanda.

More than 500 affected villagers who are opposing the

project were not allowed to participate and were outside the venue as the police did not allow them, he alleged.

Many including women were taken in police vehicles to unknown places, some of them are kept in Gurundia police station.

Why this farce is going on in the name of public hearing for free and fair opinion? Why the officers of pollution Control Board keep silent on the undemocratic conduct of public hearing?, he asked.

The public hearing should be declared void, he said while releasing a few video clips to back his allegations.

Video Link

<https://youtu.be/zs6VnWrgPuA>

<https://youtu.be/u4i1hBy6uEI>

<https://fb.watch/dnecVLHu87/>

<https://youtu.be/rtoluvpvZXU>

<https://fb.watch/dhsgB9kpSv/>

<https://www.facebook.com/sambadofficial/videos/3308272999499192/?flite=scwspnss>

https://m.facebook.com/story.php?story_fbid=824142175639658&id=100006940620521&sfnsn=wiwspwa

https://m.facebook.com/story.php?story_fbid=581645023181395&id=100009640001106

<https://www.facebook.com/groups/1013666695637232/permalink/1717443801926181/?app=fbl>

https://m.facebook.com/story.php?story_fbid=1827596417571674&id=100009640001106









Public hearing undemocratically held not allowing affected villagers – Suspected Illegal activity by the Sundergarh District collector, Bonai subcollector and local authorities to snatch the forest land at Kapanda and to establish a highly polluting sponge industry

kapanda official <official.kapanda@gmail.com>

Thu, Jun 16, 2022 at 10:23 PM

To: Ro.moefccc@gov.in, csori@nic.in, fesecc@nic.in, rb.lal@nic.in, secy-moef@nic.in, Roetz.bsr-mef@nic.in, bhupender.yadav@sansad.nic.in, paribesh1@ospcboard.org, dm-sundargarh@nic.in, ahupadhy@rediffmail.com, rpsh3@hotmail.com, docsvd@yahoo.com, sksinghdce@gmail.com, r.gopichandran61@gmail.com, avasaralajagan@gmail.com, kamyotra@yahoo.co.in, arjun.munda@gov.in, arjun.munda@gmail.com
Cc: dirind-moefcc@gov.in, diriapolicy-moefcc@gov.in, cmo@nic.in, jualoram@sansad.nic.in, oram.jual@gmail.com, nrsahoo@ospcboard.org, bkb_sarthak29@yahoo.co.in, Rowz.bpl-mef@nic.in, r.sundar@nic.in, kushal.vashist@gov.in, sk.parida@nic.in, gupta.vipin@gov.in, unepinfo@unep.org, executiveoffice@unep.org, JPOCoordinator@unep.org, unep-executiveoffice@un.org, unep-director-ecosystems@un.org, sb.mondal@nic.in, anil.kumar@nic.in, monitoring-ec@nic.in, sudheer.ch@gov.in, unep-sgb@un.org, unep-communication-director@un.org, uneproap@un.org, unepindia@un.org, subcol.bonai-od@nic.in, sprkl.orpol@nic.in, dforourkela.od@gov.in, dforourkela@yahoo.co.in, Tah.lahuni-od@nic.in, sdmbonai@gmail.com, dirhq-ncsc@gov.in, secretary-ncsc@nic.in, arunabh.b@nic.in, parveen.75@gov.in, arun.halder@ncsc.gov.in, sanjay.gnayak@ncsc.gov.in, chairman-ncsc@nic.in, chairperson@ncst.nic.in, pstochairperson@ncst.nic.in, aps-chairman@ncst.nic.in

Date: 16.06.2022 (Email 2)

Dear Sir,

Due to size restrictions, we are sending some more attached documents with this email for your kind perusal.

Thank you.

On Thu, Jun 16, 2022 at 10:19 PM kapanda official <official.kapanda@gmail.com> wrote:

Date: 16.06.2022 (Email 1)

To ,

The concerned authorities,

1. Mr. Chhavi Nath Pandey, IFS (Rtd)
Chairman, EAC (Industry 1), MOEFCC, New Delhi
2. Dr. R B LAL, Additional Director, Minister of Environment, Forest and Climate Change.
3. Shri Bhupender Yadav, Minister of Environment, Forest and Climate Change.
4. Mr. A.K Agrawal, Director, Ministry of Environment, Forest and Climate Change, Government of India
5. Shri. Ashok Upadhyaya, Technology Expert (Environment), The Member, EAC (Industry-1)
6. Shri. Rajendra Prasad Sharma, Expert (Energy & Environment), The Member, EAC (Industry-1)
7. Dr. Sanjay Deshmukh, (Former Vice Chancellor, University of Mumbai), The Member, EAC (Industry-1)
8. Prof. S.K. Singh, Prof. and Dean of Env. Engg., Delhi Technical University, The Member, EAC (Industry-1)
9. Dr. R. Gopichandran, Former Director, Vigyan Prasar, DST, The Member, EAC (Industry-1)
10. Shri Jagannadha Rao Avsarala, Environment Expert, The Member, EAC (Industry-1)
11. Shri. J.S. Kamyotra, (Former Member Secretary, CPCB), The Member, EAC (Industry-1)
12. Ministry of Environment, Forest & Climate Change, Government of India, New Delhi

Sub : Public hearing undemocratically held not allowing affected villagers – Suspected Illegal activity by the District collector, Bonai subcollector and local authorities to snatch the forest land at Kapanda and to establish a highly polluting sponge industry

Honourable Chairman Dr Pandey,

In inviting your reference to the subject cited above, we the local villagers would like to draw your attention to a public hearing held on 24th May 2022 on EIA report of Kai International Private Ltd for environment clearance. It's

Green Field project for sponge iron and other polluting industries is proposed to have at Kapanda in Sundargarh district of Odisha.

251

It is noteworthy to report that, in the Public hearing Notice on dated 19.04.2022 it was stated that the public hearing to be conducted strictly observing the COVID guidelines, but we would like report that the Government of India and state of Odisha has withdrawn all the COVID restrictions with effect from March 2022. Hence, making such restrictive provision for public participation shows the mala fide intention of the state administration in obtaining approval for Environmental Clearance during public hearing.

Also, the venue for public hearing was scheduled at Badapurunapani which was 7 kms away from nearby villages at proposed plant site, though we the local villagers sent appealed letter to the State Pollution Control Board and concerned authorities to have public hearing a nearer to the proposed industry place at Nuagaon to make villagers able to attend in walking, but no response was made.

Though it was a little difficult, villagers of affected villages reached the scheduled place before 7 AM by walking and waited till the public hearing began by 10 AM as the gate was locked with the presence of police force. We would like to report that about 100 people were transported by the said company's buses with assistance of local police and were preoccupied with the chairs by sitting inside the venue since 4 AM.

Villagers outside the gate were not allowed to participate in public hearing and ultimately when the local villagers agitated and demanded to unlock the gate, police force used lathi and forced us to get in the buses managed by the KA Industry and detained us in various police stations. During this unlawful and inhuman action by police a young woman Mrs. Simrinsia Joja was injured being breathless and was treated in a government hospital in Gurundia where the arrested villagers were kept in the police station.

The arrested and detained villagers who opposed this polluting industry and cutting of thousands of trees in their village forest were freed after the captive hearing was closed.

It is relevant to inform you that for the purpose of setting up the aforementioned Plant, more than 10,000/- trees were felled prior to seeking any approval from the Gram Sabha/Palli Sabha.

That after the trees were felled without any intimation to the affected villages, we the local villagers has approached the Hon'ble NGT where it issued notice to the competent authorities and also ordered not to commence any construction work without conducting a public hearing in this regard for obtain 'Environmental Clearance' Vide order dated 08.10.2021. In furtherance of the said order, the State Pollution Control Board vide Notice No. 6679 dated 19.04.2022 issued a notice for public hearing to be conducted on 24.05.2022 for obtaining Environmental Clearance for installation of Iron Ore Beneficiation Plant by KAI International Pvt. Ltd. We have issued multiple letters to the SPCB, Sundargarh District Collector, Bonai Subcollector and Tehsildar objecting the said project and public hearing but no single reply was received from them.

Villagers Request:

We the local villagers appeal to you and honourable members to inquire the said objections and declare the public hearing void and undemocratic and also such polluting plants be not allowed just nearby villages and village forest as well as river Brahmani.

The state pollution Control Board, Bhubaneswar could have stopped public hearing till villagers were allowed inside the venue, but it did not take any positive step to enable these people to participate.

The entire actions by the local authorities are with the vested interests of Company in collusion with district administration and police have been forcing people not to oppose or face the police repression.

Therefore the environment clearance to the said project be rejected in the interest of villagers' right to climate justice and democratic rights enshrined in the Constitution.

With warm regards,

(Villagers of Kapanda, Patah Jharan, Badbahal, Nuangaon
and adjoining villages of Bad Purunapani GP.

Enclosures:

1. Letter to NCST Commission for Scheduled Tribes – 13062022
- 2.

3. Newspaper cutting of the advertisement of the Notice No. 6679 dated 19.04.2022 for conducting Public Hearing for obtaining Environmental Clearance at Football Ground, Bad-Purunapani Village on 24.05.2022.

252

4. Letter to SPCB, Odisha – 06052022
5. Letter to Bonai Subcollector – 12052022
6. Letter to SPCB, Odisha – 17052022
7. Letter to SPCB Odisha after public hearing - 27052022
8. Application to NCST - NEW DELHI - 11.05.2022
9. Joint Verification Report – DFO Rourkela
10. Newspaper and Video related to the public hearing on 24052022
11. Pictures related to the public hearing on 24052022
12. Notification from Sundargarh Collector to All Sarpanches - 11.10.2018
13. letter from forest range officer-17.05.2021
14. letter to forest range officer - 17.05.2021
15. Letter to Tahsildar - 09.06.2020
16. letter to IIC lahunipada - 26.11.2020
17. Letter to Sub-collector - 26.11.2020
18. letter to Chief Minister
19. Letter to The Division Forest Officer, Panposh, Rourkela, 30.09.2021
20. Letter to Ministry of Environment, Forest and Climate Change, New Delhi
21. NGT Stay Order for illegal tree felling at Kapanda forest, dated 8.10.2021
22. Letter to Lahunipara Police – 02.11.2021
23. Application to DFO Rourkela - 01.12.2021
24. FIR Copy - Lahunipara Police - 30.12.2021
25. Joint verification report submitted by the forest range officer

Video Link

<https://youtu.be/zs6VnWrgPuA>

<https://youtu.be/u4i1hBy6uEI>
<https://fb.watch/dnecVLHu87/>

<https://youtu.be/rtoluvpvZXU>

<https://fb.watch/dhsgB9kpSv/>
<https://www.facebook.com/sambadofficial/videos/3308272999499192/?flite=scwspnss>

https://m.facebook.com/story.php?story_fbid=824142175639658&id=100006940620521&sfnsn=wiwspwa

https://m.facebook.com/story.php?story_fbid=581645023181395&id=100009640001106

<https://www.facebook.com/groups/1013666695637232/permalink/1717443801926181/?app=fbl>

https://m.facebook.com/story.php?story_fbid=1827596417571674&id=100009640001106

On Sat, May 28, 2022 at 12:25 PM kapanda official <official.kapanda@gmail.com> wrote:

ତାରିଖ: ୨୮.୦୫.୨୦୧୨

ଡାକ / ଇମେଲ

ମାନନୀୟ,

ଶ୍ରୀଯୁକ୍ତ, ସଦସ୍ୟ ସଚିବ, ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ, ଭୁବନେଶ୍ୱର, ଓଡ଼ିଶା

ଜିଲ୍ଲାପାଳ, ସୁନ୍ଦରଗଡ଼

ଉପଜିଲ୍ଲାପାଳ, ବଣାଇ

ଆୟକର କାର୍ଯ୍ୟାଳୟ ରାଜ୍ୟ ପ୍ରଦୂଷଣ ବୋର୍ଡ ରାଉରକେଲା

ମହାଶୟ,

ନିବେଦନର ଅଭିପ୍ରାୟ ଏହିକି ଯେ, ଆମେ ବଡ଼ପୁରୁଣାପାଣି ଗ୍ରାମପଞ୍ଚାୟତ ଅଧିକାରୀ ନିକଟବର୍ତ୍ତୀ ଗ୍ରାମବାସୀ, ମେସର୍ସ KAI ଇଣ୍ଡରନେସନାଲର ପ୍ରକଳ୍ପ ସ୍ଥାପନା ନିମନ୍ତେ ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼, ଓଡ଼ିଶା ଦ୍ଵାରା ନିର୍ଧାରିତ କରାଯାଇଥିବା ପରିବେଶୀୟ ମଞ୍ଜୁରୀ ପାଇଁ ତା- ୨୪/୦୫/୨୦୧୯, ଦିନ ୧୦.୦୦ ଘଟିକା ସମୟରେ ନିର୍ଧାରିତ କରାଯାଇଥିବା ବଡ଼ପୁରୁଣାପାଣି ଗ୍ରାମ ସ୍ଥିତ ପୁଟବଲ ଖେଳପଡ଼ିଆରେ ସର୍ବସାଧାରଣ ଶୁଣାଣୀରେ ପରିବେଶୀୟ ପ୍ରଭାବ ନିମନ୍ତେ ମତବ୍ୟ ଓ ଆପତ୍ତି ପ୍ରଦାନ କରିବା ପାଇଁ ଆୟୋଜନ କରାଯାଇଥିଲା । ଏହି ନିର୍ଧାରିତ ଶୁଣାଣି ସ୍ଥଳ ଶିଳ୍ପ ପ୍ରତିଷ୍ଠା ଯାହା ରୁ ଅନୁ୍ୟନ ୭ କିମି ଦୂରରେ ଆୟୋଜନ କରାଯାଇଥିଲା । ଶିଳ୍ପ ପ୍ରତିଷ୍ଠା ହେବାକୁ ଯାଉଥିବା ସ୍ଥାନର ନିକଟବର୍ତ୍ତୀ ସହ ସହ ସଂଖ୍ୟାର ଗ୍ରାମବାସୀ ଜଙ୍ଗଲ କାଟି ଶିଳ୍ପ ପ୍ରତିଷ୍ଠା ର ବିରୋଧ କରିବା ପାଇଁ ସକାଳ ୭.୦୦ ଘଟିକା ପୂର୍ବରୁ ଶୁଣାଣି ସ୍ଥଳକୁ ପହଞ୍ଚିଥିଲୁ । କିନ୍ତୁ ସ୍ଥାନୀୟ ପ୍ରଶାସନ ଓ ପୋଲିସ ମହୋଦୟ, ୧୫୦ ଲୋକଙ୍କ ଆୟୋଜନ ଦର୍ଶାଇ ପ୍ରବେଶ ଦ୍ଵାର ବନ୍ଦ କରି ଆମ ମାନଙ୍କୁ ବଳପୂର୍ବକ, ଜୋର ଜବରଦସ୍ତି ପ୍ରବେଶ ଦ୍ଵାରରୁ ଘଉଡ଼ାଇବା ପାଇଁ ଚେଷ୍ଟା କରି ଶୁଣାଣି ସ୍ଥଳକୁ ପଶିବା ପାଇଁ ଅନୁମତି ଦେଲେ ନାହିଁ । ଏବଂ ପୋଲିସ ଧମକ ଚମକ ଦେଇ ଭୟଭୀତ କରାଇ ବିନା ଦୋଷରେ ଗିରଫ କରି ଥାନାରେ ଅଟକ ରଖି କରି ଆମ ସ୍ଥାନୀୟ ପ୍ରଭାବିତ ଅଞ୍ଚଳର ଗ୍ରାମବାସୀଙ୍କୁ ଆମ ମତ ସାବ୍ୟସ୍ତ କରିବାରୁ ବଞ୍ଚିତ କରାଗଲା । କିନ୍ତୁ ଦୁଃଖର ବିଷୟ ଯେ, ଆୟୋଜିତ ଜନଶୁଣାଣୀରେ ପ୍ରଶାସନ ସହାୟତାରେ ବେନିୟମ ଭାବେ କମ୍ପାନୀର କିଛି ଭଡ଼ାଟିଆ ଦୂର ଦୁରାନ୍ତର ଲୋକଙ୍କୁ ଉପସ୍ଥିତ କରାଇ କମ୍ପାନୀ ସ୍ଥାପନା ନିମନ୍ତେ ୮୩ ଜଣଙ୍କ ଠାରୁ ଏକତରଫା ଭାବେ ମତ ପ୍ରକାଶ କରାଇଥିଲେ । ଏହା ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ର ନିୟମ ଅନୁଯାୟୀ ଆମ ପ୍ରଭାବିତ ହେଉଥିବା ଅଞ୍ଚଳର ଆଦିବାସୀଙ୍କୁ ଉଚ୍ଚ ପରିବେଶ ସମ୍ପନ୍ନୀୟ, ଜନସାଧାରଣ ଶୁଣାଣୀରେ ଅଂଶଗ୍ରହଣ କରିବାର ମୌଳିକ ଅଧିକାରରୁ ବଞ୍ଚିତ କରାଗଲା ।

ଜନଶୁଣାଣି ରେ ଅଂଶ ଗ୍ରହଣ ରଖିବା ପାଇଁ ଦାବି କରିବାରୁ, ସ୍ଥାନୀୟ ପୋଲିସ କର୍ମଚାରୀ ଜବରଜଖ୍ ଭାବେ ଠେଲି ବସ ଭିତରେ ପୁରାଇ ଥାନାକୁ ନେଇ ଅଟକ ରଖିଲେ । ବସରେ ବସାଇବା ସମୟରେ ପଟାଝରଣ ଗ୍ରାମର ଅମ୍ବୁଦିଆ ଜଙ୍ଗଲ କୁ ବେକ ଚିପି ଚାଣି ନେବା ସମୟରେ ସେ ଆହତ ହେବା ସହିତ ଶ୍ଵାସ ରୁଦ୍ଧ ହୋଇ ବେହୋସ ହୋଇ ଯାଇଥିଲେ । ପରେ ଚିକିତ୍ସା ଧାନ ହେଲା ପରେ ତାଙ୍କ ଅବସ୍ଥା ର ସୁଧାର ଆସିଥିଲା । ପରି ଶେଷରେ ଥାନା କର୍ମଚାରୀ ଏକ ସାଧା କାଗଜରେ ଆମର ଦସ୍ତଖତ ନେଇ ଜନଶୁଣାଣି କାର୍ଯ୍ୟ କ୍ରମ ସାରିବା ପରେ ଛାଡ଼ିଲେ ।

ଏହି ଏକତରଫା ଭାବେ ସର୍ବ ସାଧାରଣ ଶୁଣାଣି ଏକ ବେନିୟମ ପ୍ରକ୍ରିୟା ଏବଂ ସରକାରୀ ନିୟମର ଉଲ୍ଲଙ୍ଘନ କରାଯିବାକୁ ନେଇ ଆମେ ପ୍ରଭାବିତ ଆଦିବାସୀ ବହୁଳ ଅଞ୍ଚଳବାସୀ ମାନେ ଘୋର ବିରୋଧ କରୁଅଛୁ । ଉଚ୍ଚ ଶୁଣାଣିକୁ ସରକାରୀ ସ୍ତରରେ ଖାରଜ କରାଯିବା ସହିତ ପୁନର୍ବାର ଶିଳ୍ପ ପ୍ରତିଷ୍ଠାନ ର ନିକଟ ବର୍ତ୍ତୀ ସ୍ଥାନରେ ଭିତର ପ୍ରକ୍ରିୟାରେ ଆୟୋଜନ କରା ଯାଇ ପ୍ରକୃତ ରେ କ୍ଷୟ କ୍ଷତି ହେଉଥିବା ସାଧାରଣ ଆଦିବାସୀଙ୍କ ସଠିକ ମତ ପ୍ରକାଶ କରିବା ପାଇଁ ସୁଯୋଗ ଦେବା ନିମନ୍ତେ ଆମେ ଦାବି କରୁଅଛୁ । ଏହା ସହିତ ପରବର୍ତ୍ତୀ ଶୁଣାଣି ରେ ୨୪ ଚାରିଖ ରେ ମତ ସାବ୍ୟସ୍ତ କରି ସାରିଥିବା କମ୍ପାନୀର ଭଡ଼ାଟିଆ ସଦସ୍ୟ କୁ ଉପସ୍ଥିତ ରୁ ବାଦ କରାଇବାକୁ ଆମେ ବିନମ୍ର ଅନୁରୋଧ କରୁଅଛୁ ।

(ଇତି)

ଆପଣଙ୍କ ବିଶ୍ଵସ୍ତ

କପଣ୍ଡ, ନୂଆଗାଁ, ବଡ଼ବାହାଲ, ପଟାଝରଣ ଓ ନିକଟବର୍ତ୍ତୀ ଗ୍ରାମବାସୀ ବୃନ୍ଦ

ସଙ୍କଳନ କରା ଗଲା

A. ଦରଖାସ୍ତ - ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼, ଭୁବନେଶ୍ଵର, ଓଡ଼ିଶା - ୨୭-୦୫-୨୦୧୯

B. ତାଙ୍କ ବିବରଣୀ

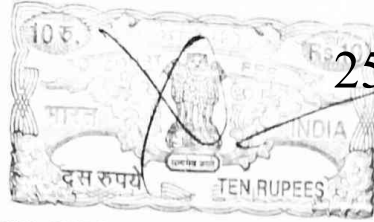
1. Kapanda Matter - Objection letter to SPCB Odisha - 06052022
2. କପଣ୍ଡ ଜଙ୍ଗଲ ର ଲିଜ କୁ ବାତିଲ ପାଇଁ ସ୍ଥାନୀୟ SHG ଗୁପ୍ତ ର ଆବେଦନ ପତ୍ର - ୧୭।୦୫।୨୦୧୯
3. ଛବି ସମୂହ
4. ଖବର କାଗଜ ପ୍ରକାଶନ

Video Links:<https://youtu.be/u4i1hBy6uEI><https://youtu.be/rtoluvpvZXU><http://psandolan.com/8765765/>https://m.facebook.com/story.php?story_fbid=824142175639658&id=100006940620521&sfnsn=wiwspwa<https://www.facebook.com/groups/1013666695637232/permalink/1717629595240935/?app=fbl><https://fb.watch/dhsgB9kpSv/><https://www.facebook.com/100006940620521/posts/3113159112258746/>https://m.facebook.com/story.php?story_fbid=581645023181395&id=100009640001106<https://www.facebook.com/groups/1013666695637232/permalink/1717443801926181/?app=fbl>https://m.facebook.com/story.php?story_fbid=1827596417571674&id=100009640001106On Tue, May 24, 2022 at 4:10 PM kapanda official <official.kapanda@gmail.com> wrote:**Urgent attention required!!**

To,

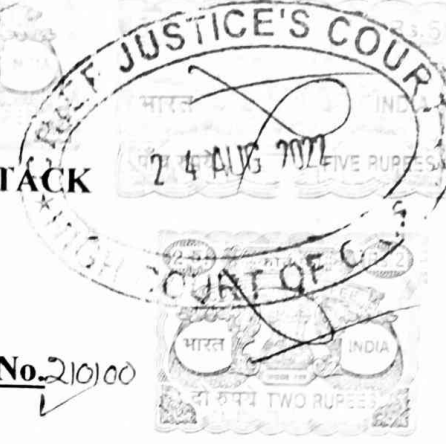
Mr. Nikhil Pavan Kalyan (IAS), The District Collector, Sundargarh

(Key violator to implement regulations of a scheduled district)



254

ANNEXURE-14



IN THE HIGH COURT OF ORISSA : CUTTACK

(Original Jurisdiction Case)

W.P(C) (PIL) No. 2187 of 2022

Code No. 210/00

IN THE MATTER OF:

An application under Article – 226 of the Constitution of India.

36377

AND

IN THE MATTER OF: -

An application related to Public Interest Litigation;

Presented in Court

AND

IN THE MATTER OF: An application challenging the manner in which the public hearing for Greenfield project of Iron Ore Beneficiation Plant- 1.5MTPA, Iron Ore Pelletization Plant – 1.2 MTPA and Producer GasPlant – 27,000 Nm3/hr located at village - Kapanda, Tehsil – Lahunipara, District - Sundergarh, Odishaby KAI International Pvt ltd on dtd. 24.05.2022 by obstructing the affected peoples from participating in the public hearing using hundreds of armed police force.

Handwritten signature and date 23.08.2022

DEBENDRA PRASAD RAY
NOTARY, CUTTACK, ODISHA
REGN.No.ON-107/2009

Handwritten signature

**IN THE MATTER OF:**

An application seeking a direction to set aside/nullify the Public hearing proceedings dtd. 24.05.2022.

IN THE MATTER OF:

1. Punia Oram, aged about 65 years W/o- Mangra Oram.
2. Sabitri Mahanta aged about 37 years W/o- Jaidev Mahanta.
3. Anita Munda aged about 24 years W/o- Baneswar Munda.
4. Safira Oram aged about 24 Years W/o- Bisaram Oram.

Sl No. 1 to 4 are resident of Village-Kapanda, P.O-Badapurnapani, Dist-Sundergarh.

5. Manjulata Munda aged about 39 years W/o- Prem Munda.
6. Punam Phulmani Munda aged about 32 years w/o-Elias Munda.

Sl No. 5 & 6 are resident of Village-Pattajharan, P.O-Darjing, Dist-Sundergarh.

7. Banshidhar Kisan aged about 46 Years S/o- Sana Kisan.
8. Bhatu Kishan aged about 48 Years. S/o- Khadi Kisan.
9. Trinath Kisan aged about 22 years S/o- Chandra Kisan.

Sl No. 7 to 9 are resident of Village-Nuagaon P.O-Badapurnapani, Dist-Sundergarh.

...Petitioners

-Versus-

1. State of Odisha through its Additional Chief Secretary, Forest and Environment Department, Kharvela Bhawan, Bhubaneswar, Odisha, Pin - 751001.
2. State Pollution Control Board, represented by its Chairman, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar, Odisha, Pin - 751012.
3. The District Collector, Sundergarh, At/Po/Dist- Sundergarh, Odisha, Pin- 770001.
4. Superintendent of Police, Rourkela At/Po/Ps- Rourkela, Dist- Sundergarh, Odisha, Pin - 769012.
5. Orissa Industrial Development Corporation (IDCO) represented by its Managing Director, At- IDCO Tower, Exhibition Ground, Bhubaneswar, Odisha, Pin - 751001.
6. Union of India through the Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh, New Delhi - 110003.
7. M/s. KAI International Private Limited represented by its Managing Director, At- CCC-23, CIVIL TOWNSHIP, Rourkela, Dist-Sundargarh, Odisha, Pin - 769004.

[Handwritten signature]

[Handwritten signature]

..... **Opposite Parties**

[Faint, illegible text, possibly bleed-through from the reverse side of the page]



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21801 of 2022

*Punia Oram & Ors.**Petitioners*

Mr. Sankar Prasad Pani, Advocate

-versus-

*State of Odisha & Ors.**Opposite Parties*

Mr. Debakanta Mohanty, AGA

CORAM:

THE CHIEF JUSTICE

DR. JUSTICE S.K. PANIGRAHI

ORDER

12.09.2022

Order No.

01. 1. Learned counsel for the Petitioner states that on account of the alleged illegal felling of trees for the project forming the subject matter of this petition, proceedings are already pending before National Green Tribunal (NGT), in Kolkatta. Permitting the Petitioners to raise the issue raised in the present petition regarding the public hearing for environment clearance also before the NGT, the Writ Petition is disposed of.

Sd- Dr. S. Muralidhar, CJ

Sd- Dr. S.K. Panigrahi, J.

L. Behera

Comp. by S. Sahoo
16/09/22

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.179/2023/EZ

In the matter of:

1. Punia Oram

Aged about 65 years,
W/o Mangua Oram,
Resident of Village-Kapanda,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

2. Sabitri Mahanta

Aged about 37 years,
W/o – Jaidev Mahanta,
Resident of Village-Kapanda,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

3. Anita Munda

Aged about 24 years,
W/o – Baneswar Munda
Resident of Village-Kapanda,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

4. Safira Munda

Aged about 24 years,
W/o – Bisaram Munda
Resident of Village-Kapanda,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

5. Manjulata Munda

Aged about 39 years,
W/o – Prem Munda
Resident of Village-Pattajharan,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

6. Punam Phulmani Munda

Aged about 32 years,
W/o – Eliyas Munda
Resident of Village-Pattajharan,
P.O. – Badapurnapani,
Dist. – Sundargarh,
Pin - 770040

7. Banshidhar Kisan

Aged about 46 years,
S/o – Sana Kisan,
Resident of Village-Nuagaon,
P.O. – Badapurnapant,
Dist. – Sundargarh,
Pin – 770035

8. Bhata Kisan

Aged about 48 years,
S/o – Khadi Kisan,
Resident of Village-Nuagaon,
P.O. – Badapurnapant,
Dist. – Sundargarh,
Pin – 770035

9. Trinath Kisan

Aged about 22 years,
S/o – Chandra Kisan,
Resident of Village-Nuagaon,
P.O. – Badapurnapant,
Dist. – Sundargarh,
Pin – 770035

सत्यमेव जयते

.... Applicant(s)

Versus

1. State of Odisha

Through its Additional Chief Secretary,
Forest and Environment Department,
Kharbela Bhawan,
Bhubaneswar,
District – Khurda,
Pin – 751001

2. The District Collector, Sundargarh,

At/PO/Dist. – Sundargarh,
Odisha,
Pin – 752001

3. Superintendent of Police, Rourkela,

At/PO/PS – Rourkela,
District - Sundergarh

4. Orissa Industrial Development Corporation (IDCO)

Represented by its Managing Director,
IDCO Tower,
Exhibition Ground,
Bhubaneswar,
Odisha,
Pin – 751001

5. Union of India

Through the Secretary,
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan,
Jorbagh,
New Delhi - 110003

6. State Pollution Control Board of Odisha

Represented by its Member Secretary,
Paribesh Bhawan,
A/118, Nilakantha Nagar, Unit-VIII,
Bhubaneswar,
Pin – 751012

7. M/s K A I International Private Limited

Represented by its Managing Director,
At-CCC-23, Civil Township, Rourkela,
Dist. – Sundergarh,

.... Respondent(s)

Date of hearing: 07.12.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate (in Virtual Mode)

ORDER

1. Heard Mr. Sankar Prasad Pani, learned Counsel appearing (in Virtual Mode) on behalf of the Applicant.
2. The present Original Application has been filed by the Applicant alleging that the IDCO has applied to Tahasildar Lahunipada on 19.03.2020 for requisition of 135 Acres of Government land in village Papanda under Lahunipada Tahasil for establishment of industries and allied activities. It is stated that M/s KAI Industries Pvt. Ltd., Respondent No.7 is being set up in Khata No.118, Plot No.1104 and Plot No.1107 (total proposed area of 117.000 Acres), Mouza-Kapanda, Tahasil-Lahunipada, District-Sundergarh. It is stated that on 09.06.2020, the villagers of Kapanda and adjoining villages have submitted a protest letter against the proposed alienation but nothing has happened thereafter. It is also stated that on the land in question, around 5000 Sal, Mahul and other trees are existing and total number of trees are more than 50,000. It is alleged that the Respondent No.7 is proposing to set up a Greenfield project of Iron Ore Beneficiation Plant- 1.5 MTPA, Iron Ore Pelletization Plant – 1.2 MTPA and Producer Gas Plant – 27000 Nm³/hr located at village-Kapanda, Tehsil-Lahunipara, District-Sundergarh on this land.

3. It is also stated that the site is contiguous to Kukia Reserve Forest (NW) 0.4 km and many other Reserve forests located within 10 km radius of the project such as, Dhenkiam Reserve Forest (W) 2.8 km, Dhenkiam Block Reserve Forest (NW) 4.3 km, Nalghati Rajabasa Reserve Forest (SWW) 5.2 km, Dhanaghar Extension Reserve Forest (NNE) 7.4 km, Gurundia Reserve Forest (SWW) 8.7 km and Bhagoth Reserve Forest (SSW) 7.1 km. It is stated that though the land is not marked as Forest Category in the Revenue Khata or the records of the Forest Department but the area is covered with matured trees of diverse varieties. There are 30 Tribal families (Munda community) living in the village with population of around 150.
4. The Applicant is seeking directions of the Tribunal to set aside/nullify the public hearing conducted on 24.05.2022.
5. In our opinion, the Original Application is not maintainable as it is premature. On the own submission of the learned Counsel Mr. Sankar Prasad Pani, the Environmental Clearance has not been granted. The applicant may approach the appropriate forum for remedy. The Applicant cannot approach this Court at any and every stage of the proceedings. Original Application is maintainable only if a final order is passed with regard to the grant or rejection of the Environmental Clearance, as the case may be.
6. The Original Application No. **179/2023/EZ** is dismissed.
7. IAs, if any, stand disposed of accordingly.
8. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

December 07, 2023,
Original Application No.179/2023/EZ
SKB



EPABX : 2561909/2562847
 Email : cto17category@ospcboard.org
 Website : www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

(Forest, Environment & Climate Change Department, Govt. of Odisha)
 Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII
 Bhubaneswar - 751012

No. 6178 IND/I/CON/ 5237

Date 25-04-2024

By Speed Post & E-Mail
info@bhaskarsteel.com

SHOW CAUSE NOTICE U/S 25 & 33A OF WATER (PCP) ACT, 1974 AND U/S. 21 & 31A OF THE AIR (PCP) ACT, 1981 & RULES FRAMED THEREUNDER

WHEREAS, you are operating a sponge iron based steel plant for operation of DRI Kiln -I of capacity 300 TPD, Captive Power Plant (CPP)-12 MW (8 MWWHRB + 4 MWAFBC), Induction Furnace - 4x8 T/Heat, Induction Furnace 1 x 3 T/Heat to produce billets of capacity 2700 TPA, Coal Sizer - 200 TPH, Iron ore crusher - 100TPH, Slag Crusher - 1x10 TPH valid up to 31.03.2028 and for operation of DRI Kiln -II of capacity 350 TPD, WHRB- 10MW & Induction furnace (2x12T/Heat)-76800TPA valid up to 31.03.2025 in the name & style of M/s. Bhaskar Steel And Ferro Alloy Private Ltd, At-Badtumkela, Po-Rajamunda, Dist - Sundargarh with consent of the Board, subject to strict compliance to consent conditions;

AND WHEREAS, your unit was inspected by the officials from Regional Office, SPC Board, Rourkela on dtd. 14.04.2024 & 19.04.2024 (copy of Inspection Report enclosed) based on grievance petition received by the Regional Office, SPC Board, Rourkela from Mr. Abhishek Brahma regarding Air pollution in the locality due to your industry. From the inspection report following non-compliances were observed;

- a) The result of Ambient Air Quality monitoring conducted at 3 locations i.e., near main gate area, near canteen area & near DM plant area shows PM₁₀ concentration as 498 µg/m³, 328 µg/m³ & 365 µg/m³ which exceeds the prescribed standard of 100 µg/m³. (monitoring report is attached)
- b) You have installed ESP of capacity 1,05,000Nm³/hr attached to DRI Kiln-II. However, the ESP was not in line with DRI Kiln-II and was not able to charge ESP due to low flue gas temp & steam blowing Procedure of commissioning process.
- c) The flue gas generated from the DRI Kiln-1x350TPD is not being channelized through ESP and is being discharged through emergency cap, ABC and stack.
- d) Heavy fugitive emission was observed from the emergency cap, inlet and outlet slip seals and from Stack attached to DRI Kiln-II due to improper combustion of coal or excess feeding of coal & iron ore.

- e) Heavy visible black emission was observed due to sudden collapse of collected dust in the dust settling chamber and breakdown of wet scrapper chain.
- f) Visible emission from the stack and slip seal leakages was observed from the DRI Kiln 1 x 300 TPD.
- g) Heavy fugitive emission was observed from the solid waste dump site due to wind action and during plying of vehicle.
- h) Dust deposition was observed on the internal roads as well as on the road leading to the Solid waste dump site.
- i) Inadequate dust suppression measures like water sprinkling through mobile water tankers/ fog canons causing fugitive emission.
- j) You have dismantled the existing bag filter system at the Induction furnaces of SMS for its up-gradation and there is no pollution control systems at the newly installed furnaces of capacity 2x12T/heat.
- k) Open raw material stockyards were not equipped with high pressurized rain guns/ fog canons of adequate sprinkling span for suppression of the dust generated during unloading, handling & rehandling of raw materials and plying of vehicles causing thick layer dust accumulation.
- l) The installed wheel washing system was found to be in un-used condition and not equipped with recycling system of reuse of treated wastewater & treatment system for the wastewater generated during washing of wheels of vehicles.
- m) Heaps of dust accumulation was observed in patches (5 nos.) within the plant premises.
- n) Overall housekeeping of the work zone areas of Raw-material stock yards & Raw material handling plant, DRI kiln area, near ESP silo area, bag filters area and ash silo areas were found to be in very poor conditions resulting in fugitive dust emission.
- o) Mud accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.
- p) You have not provided adequate Green belt leading to rain cuts on the solid waste dump area and washout spreading to nearby areas.
- q) You have also not complied to the additional conditions stipulated in Consent to Operate order granted to your unit.

AND WHEREAS, from the persisting non-compliances mentioned above, it is observed that you have failed to take up rectification measures in spite of getting sufficient opportunity and also failed to comply the Consent conditions and provisions U/s 25 & 33A of Water (PCP) Act, 1974 and U/s. 21 & 31A of the Air (PCP) Act, 1981 and rules framed there under;

NOW, THEREFORE, you are directed to show cause under section 25 & 33A of Water (PCP) Act, 1974 and under section 21 & 31A of the Air (PCP) Act, 1981 as amended thereafter and Rules framed there under within 15 (fifteen) days from the date of issue of this notice as to why Consent to operate granted in favor of

your unit shall not be revoked and appropriate action including issuance of Direction of Closure u/s 31A of Air (PCP) Act, 1981 and U/s. 33A of Water (PCP) Act, 1974 shall not be initiated against your unit. In case your explanation is not received within the stipulated time period or the explanation is found to be not satisfactory, appropriate action as deemed proper shall be taken against you without giving any further opportunity.

Encl : As above



MEMBER SECRETARY

To

The Director,
M/s. Bhaskar Steel and Ferro Alloy Pvt. Ltd,
At - Badatumkela, PO-Rajamunda,
Dist - Sundargarh- 770040

Memo No. 6179 dtd. 25-04-2024 (By Email)

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


CHIEF ENV. ENGINEER



Inspection Report of
M/s. Bhaskar Steel & Ferro Alloys Pvt. Ltd.,
At- Bad-Tumkela, PO-Tumkela, Dist- Sundargarh

M/s Bhaskar Steel & Ferro Alloys Pvt. Ltd., At-Bad-Tumkela, PO-Tumkela was inspected on dtd.14.04.2024 & 19.04.2024 and monitored on dtd.20.04.2024 in response to the public complaint received from Mr. Abhishek Brahma by this office vide Social media (Twitter) on dtd.13.04.2024 and also to verify the overall environmental compliances of the industry. Md. Sheikh Shafi, Asst. Vice President of the unit was present during the days of inspection.

Background:

- Consent to Operate of the Industry is valid for the period from 01.04.2023 up to 31.03.2028 for manufacturing of (a) Sponge Iron- DRI Kiln-I x 300 TPD (b) Captive Power Plant (CPP) 12 MW (8 MW WHRB+ 4 MW AFBC) (c) Induction Furnace-4 x8 T/H & Induction Furnace (1X3 T/heat) to produce billets of 2700TPA (d) Coal Sizer- 200 TPH, (e) Iron Ore Crusher-100 TPH & (f) 1x10TPH Slag Crusher vide letter No.5055 dtd.28.03.2023.
- The Board has also granted Consent to Operate valid up to 31.03.2025 for manufacturing of a) Sponge Iron- DRI Kiln-I x 350 TPD (b) Captive Power Plant (CPP) 10 MW WHRB (c) Induction Furnace-2 x12 T/H to produce production of hot metal of 76,800TPA vide Board's letter No.4535 dtd.30.03.2024.
- In the meantime, the industry has started commissioning of newly installed DRI Kiln-I x 350 TPD and steam blowing process for newly installed WHRB. In this connection, a public compliant was received through social media from Collector & District Magistrate, Sundargarh and Central Pollution Control Board, New Delhi alleging people are affected due to heavy pollution by M/s Bhaskar Steel & Ferro Alloys (P) Ltd.,. In this regard to ascertain the allegation made the industry was inspected on dtd.14.04.204 and direction was issued to the industry vide Board's letter No.1904 dtd.19.04.2024 due to several non compliance observed during inspection.

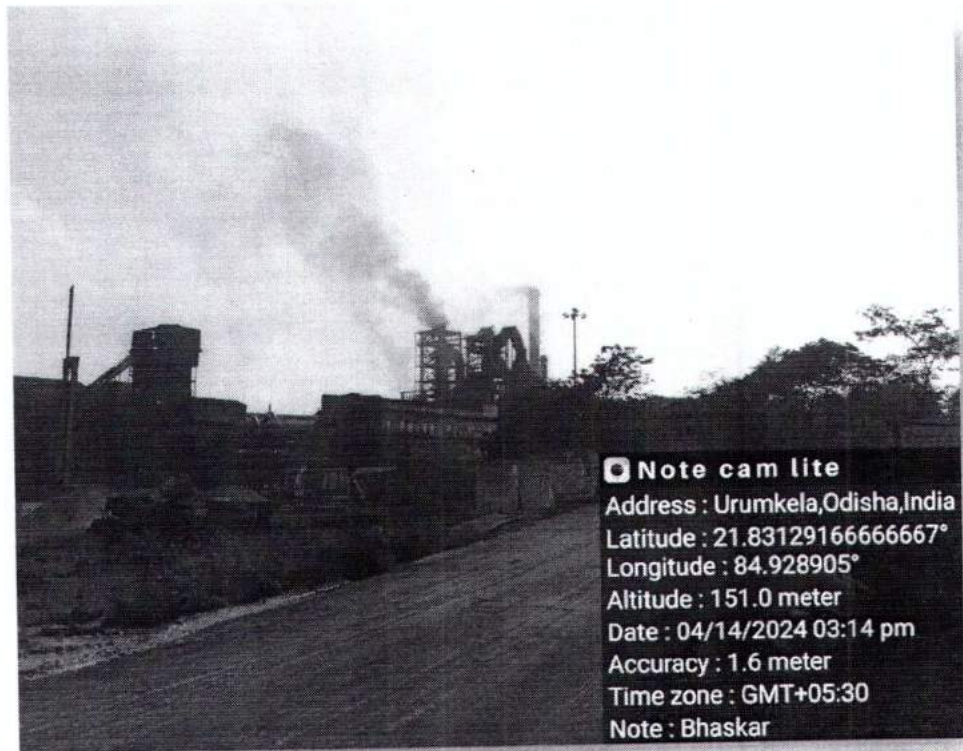
Observations:

- On the day of inspection Sponge Iron- DRI Kiln @1 x 300 TPD & DRI Kiln-1x 350 TPD, Captive Power Plant (CPP)@12 MW (8 MW WHRB+ 4 MW AFBC), Induction Furnace@4 x8 T/H, Coal Sizer@200 TPH, Iron Ore Crusher @ 100 TPH and Slag Crusher @ 1x10 TPH were in operation.
- It was observed during inspection that steam blowing in the WHRB of DRI Kiln-II x 350 TPD was going on and installed ESP attached to DRI Kiln-II of capacity 1,05,000 Nm³/hr was not in line with DRI Kiln-II. The industry was not able to charge ESP due to low flue gas temp & steam blowing Procedure of commissioning

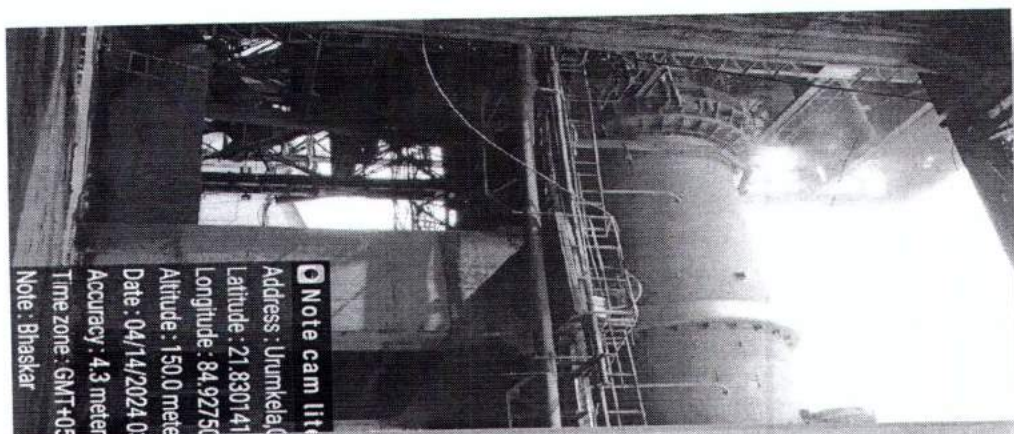
process.

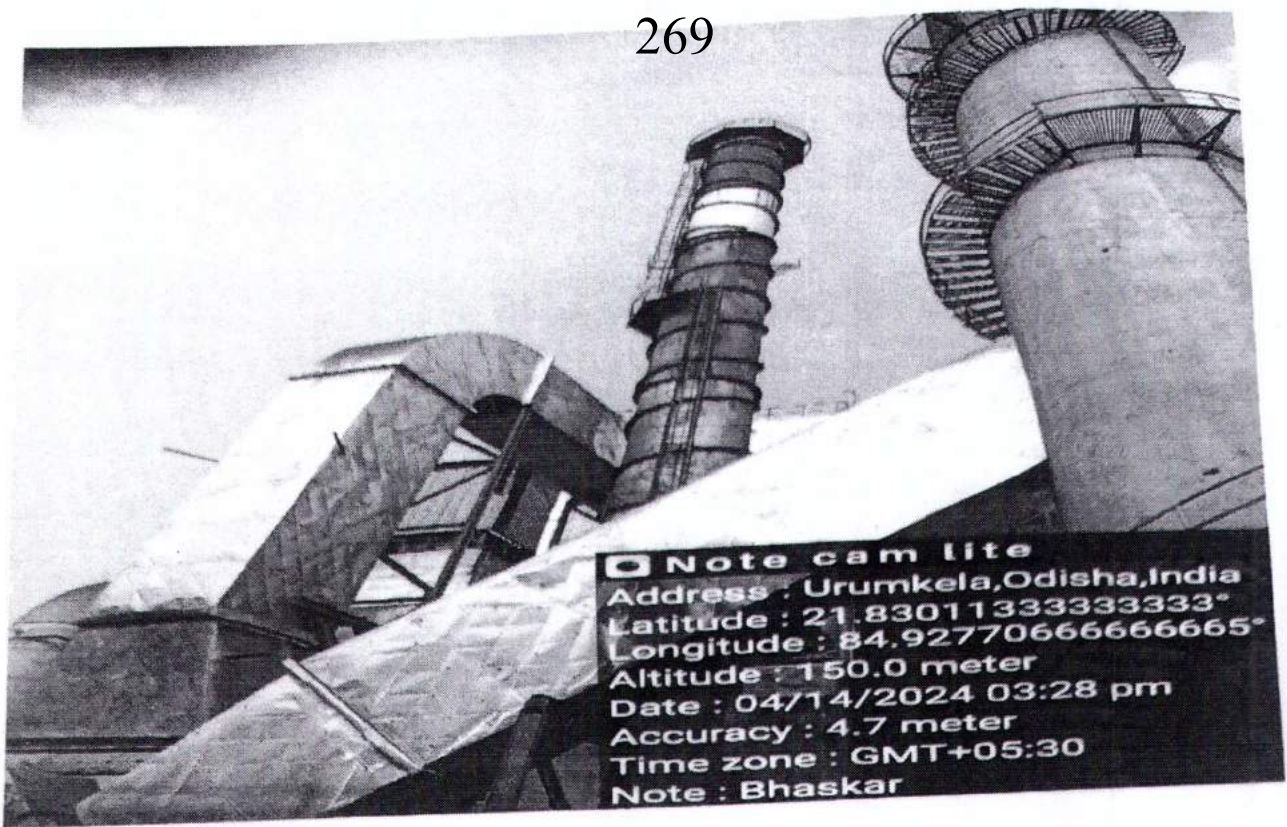
- Steam blowing is a mandatory procedure used to clean boiler super heaters and other steam piping of loose dirt, welding bead deposits, pipe slag, iron oxides and other foreign material to minimize the possibility of damage to turbine, control valves, in line instruments, etc.
- The flue gas generated from the DRI Kiln-IX350TPD is not being channelized through ESP and same is being discharged through emergency cap, ABC and stack.
- The industry has started steam blowing on dtd.08.04.2024 as per their intimation letter No. BSFAPL/OSPCB/24-25/06 dtd.08.04.2024 and requested for opening of stack cap during steam blowing activities. **However, heavy dust laden emission was observed from the emergency cap, inlet and outlet slip seals and from Stack attached to DRI Kiln-II which might be due to improper in adequate combustion of coal or excess feeding of coal & feeding of iron ore to produce Sponge Iron.**



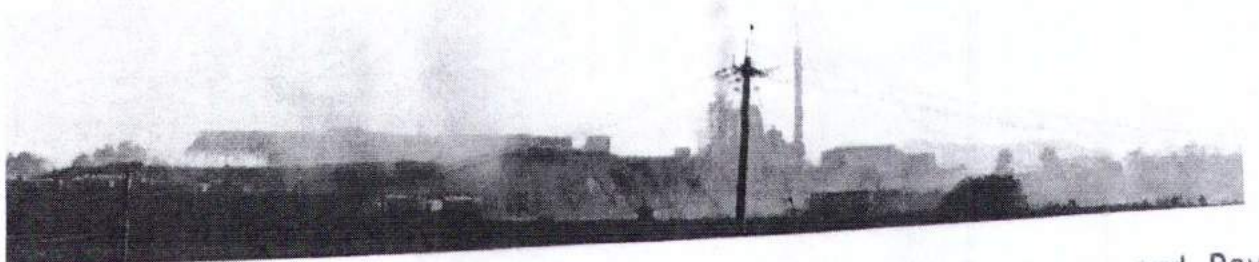


- On enquiry regarding heavy visible emission, Asst. Vice President of the unit, there was an incident of sudden collapse of collected dust in the dust settling chamber due to jamming issues happened due to breakdown of wet scrapper chain and consequent heavy visible black emission was observed. The industry was not able to due to low flue gas temp & steam blowing as informed Asst. Vice President of the unit.
- DRI Kiln @1 x 300 TPD was 98th day of its Campaign period on 14.04.2024 and taken Shutdown on 17.04.2024. However, Heavy Fugitive emission Slip seal leakages of the previously existing DRI Kiln @1 x 300 TPD was also observed during inspection. Visible emission was also observed from the stack of DRI Kiln @1 x 300 TPD. Following photographs indicate the same





- Heavy fugitive emission was observed from the solid waste dump site due to wind action and during vehicle plying at the site. Regular cleaning of the internal roads as well as the road to the Solid waste dump site was not carried out and adequate dust suppression measures like water sprinkling through mobile water tankers/ fog canons were not taken thereby causing fugitive emission. Following photographs shows the same



- Fugitive dust emissions were observed from the Cooler Discharge and Raw material Feed circuit areas indicating poor performances of the installed bag

filters.

- The industry has dismantled the existing bag filter system at the Induction furnaces of SMS for its up-gradation and at present, there is no pollution control systems at the newly installed furnaces.
- Visible fugitive emission was also observed from various transfer points of raw materials and product handling areas.
- Iron ore, dolomite and major portion of coal are stored in open stockyards. It has provided one (01) sheds of capacity 1X1000T for the storage of coal only. However, open raw material stockyards were found to be accumulated with thick layer (>100mm of loose dust) and not equipped with high pressurized rain guns of adequate sprinkling span or fog canons of adequate span for the suppression of the dust generated during unloading, handling & rehandling of raw materials and plying of vehicles. Heavy fugitive dust emission was observed from the raw material stock yard area during inspection.
- The installed wheel washing system was found to be in un-used condition and not equipped with recycling system of reuse of treated water & treatment system for the wastewater generated during washing of wheels of vehicles.
- Regular cleaning & wetting of the internal roads were not carried out resulting heavy fugitive dust emission due to wind action and during plying of vehicles. More than 5 no. of huge dust accumulation patches were observed.
- Overall housekeeping of the work zone areas of Raw-material stock yards & Raw material handling plant, DRI kiln area and ash silo areas were found to be in very poor conditions resulting fugitive dust emission.
- Mud accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.
- Housekeeping near ESP silo area and bag filters area was not satisfactory.
- The industry has not provided adequate Green belt and developed with plantation of suitable local species which leads to rain cuts on the solid waste dump area and washout is spreading to nearby areas.
- Ambient Air Quality Monitoring was conducted at three locations namely Canteen Area, DM plant Area and near main gate area. The analysis report is awaited.
- Accumulation of dust was observed near transfer chute, near I-Bin bag filter and near coal conveyor area.

Status of Additional Conditions imposed in CTO order issued vide Board's letter No.5055 dtd.28.03.2023.

- a) Adequate Steps have not initiated to minimize spillage of dust. Still visible dust

- from various material handling points were observed.
- b) The industry has not yet engaged mechanical road sweeper for cleaning of internal roads and work zone area
 - c) Rectification of CEMS has not been done and calibration & data validation was not carried out. In this regard, Online CEMS data & report is enclosed for reference.
 - d) At present the generated char from the DRI section is used in the power plant boiler as a fuel. The generated fly ash is supplied to the nearby brick manufacturing units. Out of total earmarked area, about 13 Acres of land has already been fully exhausted by solid waste dumping. Most of the solid waste dumps site is exhausted and very less vacant land is available inside dump yard for further dumping. However, it was observed that the vacant patch of land is located towards the Village Bad-Tumkela, which is about 130 m away from the dump site. The village is located towards NE w.r.t. the factory and towards East direction w.r.t the dump site. They have not covered the inactive part of the dump with the soil. Partly garland drain has been provided at the toe inactive portion of the dump and connected to earthen settling pit. The settling pond was in defunct condition and heavy silt was deposited. The inactive dump yard has not been properly reclaimed by spreading layer of soil with proper compaction, consolidation and plantation which is leading to dust being air borne and creating air pollution in the area.
 - e) Telescopic chute has not been provided in the product silo as well as in dust silo.

Status of Additional Conditions imposed in CTO order issued vide Board's letter No.4536 dtd.30.03.2024.

- 1. The industry has not installed Telescopic chute in the product silo as well as in dust silo.
- 2. STP was not in operation and found in defunct condition.
- 3. The unit has installed CEMS of prima make and not connected to the server Board for real time data transmission.
- 4. Calibration of CEMS & data validation as per CPCB guideline is yet to done.
- 5. Dust emission was observed at various transfer points such as Cooler Discharge, I-Bin and Product House. The industry has not taken adequate steps to control fugitive emission.
- 6. The industry has not provided clarifier/ tube settler in the existing SRTS

Recommendation:

In view of the above observations made during inspection and public resentment in the area, appropriate direction for taking following measures may be issued to the unit for abatement of air pollution of the industry.

- Immediate steps shall be taken for complete combustion of coal by regulating air flow & feed rate with temperature so that there will be minimal chances of black emission from the stack & ABC cap during commissioning process.
- Complete rectification measures shall be taken for abatement of visible emission from other sources like Slip seal leakages of DRI Kiln @1 x 300 TPD, Internal roads & covering of Solid waste dump area with proper management etc. in stipulated time period.
- Regular cleaning & wetting of the internal roads & approach roads shall be carried out to minimize fugitive road dust emission during plying of vehicles.
- A vehicle mounted fog canon shall be deployed in the solid waste dumping area during carrying out any activity in the solid waste dumping area in dry & hot weather conditions.
- Complete action plan shall be submitted to the Board in this regard.



Er. B.K. Bhoi

Dy. Env. Engineer

State Pollution Control Board, Odisha
Rourkela


Er. R. R. Das

Dy. Env. Engineer

State Pollution Control Board, Odisha
Rourkela


Er. R. K. Sethy

Dy. Env. Engineer

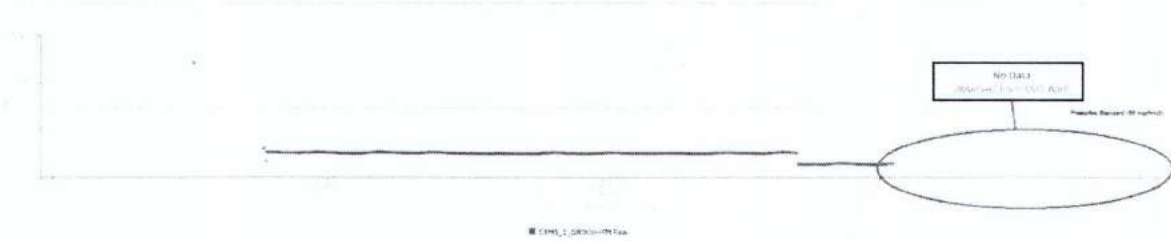
State Pollution Control Board, Odisha
Rourkela

M/S. Bhaskar Steel And Ferro Alloy Private Ltd.

The data analysis on availability of Real-Time data of CEMS installed at different stacks of this unit has been prepared by the IT Cell on 20th April, 2024.

From the analysis report it is revealed that data received from stack (**CEMS_1_DRIKlin**) shows **No Data** from 16th April to above mentioned date.

Graphical view:



M/s. Bhaskar Steel and Ferro Alloy Private Ltd.,Rajamunda,dist-Sundergarh	
Date	CEMS_1_DRIKlin
01-04-2024	
02-04-2024	
03-04-2024	
04-04-2024	31%,C
05-04-2024	C
06-04-2024	C
07-04-2024	C
08-04-2024	C
09-04-2024	C
10-04-2024	C
11-04-2024	C
12-04-2024	C
13-04-2024	C
14-04-2024	✓
15-04-2024	48%
16-04-2024	
17-04-2024	
18-04-2024	
19-04-2024	

Sl no.	Acronym	Meaning
1	C	Constant Data
2	B	Near Baseline Data values, between 0 to 5
3	E	Exceedance
4	NS	Data Near Prescribed Standard
5	Z	Zero Data Values
6	×	No Data for the day
7	DE	Double Exceedance
8	✓	Good Data as per CPCB guidelines & standard
9	XX%	Insufficient data. Percent indicates the percent of data received on that day .CPCB requirement is 85%.

The IP camera is available and working fine, but the main problem is that the camera lens is too dirty and not focused on the stacks,

Here is the screenshot of the IP camera.



Comparison between DRAFT EIA and FINAL EIA

The Draft EIA is the preliminary version of the EIA report that undergoes public consultation and review, which identify potential environmental impacts that may arise from the project during its construction, operation, and decommissioning phases. In addition, it combines comprehensive baseline data on the existing geographic location, environmental conditions of the project area, which includes information on air quality, water resources, soil quality, biodiversity, socio-economic aspects, etc. The Draft EIA serves as a basis for public consultation and regulatory review, while the Final EIA represents the project proponent's finalized environmental assessment and mitigation plan submitted to the ministry of environment for regulatory approval. These documents play a crucial role in ensuring that proposed projects in India adhere to environmental regulations and mitigate potential environmental impacts effectively. Any changes to geographic or location-based baseline data should be justified based on reliable data sources, scientific methods, and regulatory requirements.

In this context we have quickly reviewed the DRAFT EIA, FINAL EIA and also prepared a comparison study on certain key baseline study, where we noted serious deviation in the baseline data submitted to the concerned authorities. For ease of reference, **some of the key falsified points** are reproduced in a tabular column for ease of comparison with our comments as below,

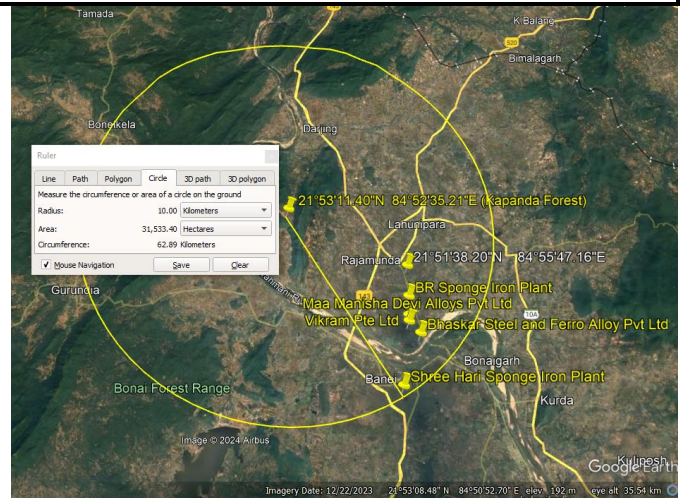
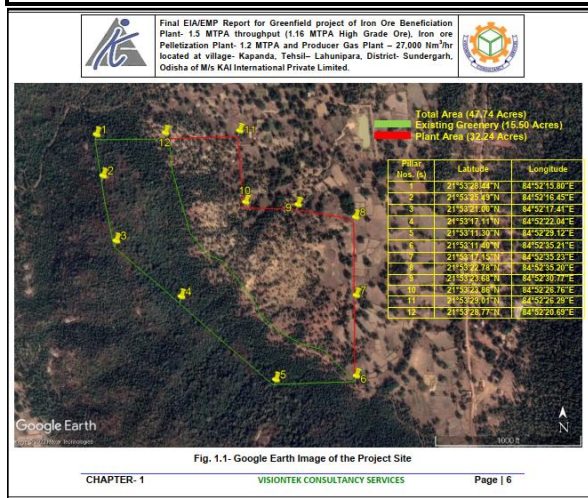
Point 1: Environmental Settings of the Project Site and Geographic Location data submitted in the EIA – Comparison between DRAFT EIA and FINAL EIA

Reference made to both EIA under Chapter 2, Section 2.2, under section Site Characteristic & Land Requirement in DRAFT EIA (Page 63 of 383) and FINAL EIA (Page 79 of 412) provide detail on Vicinity of the project site, environmental sensitivity of the project site, List of Industries in Study Area etc.

A. List of Industries in Study Area submitted in the EIA

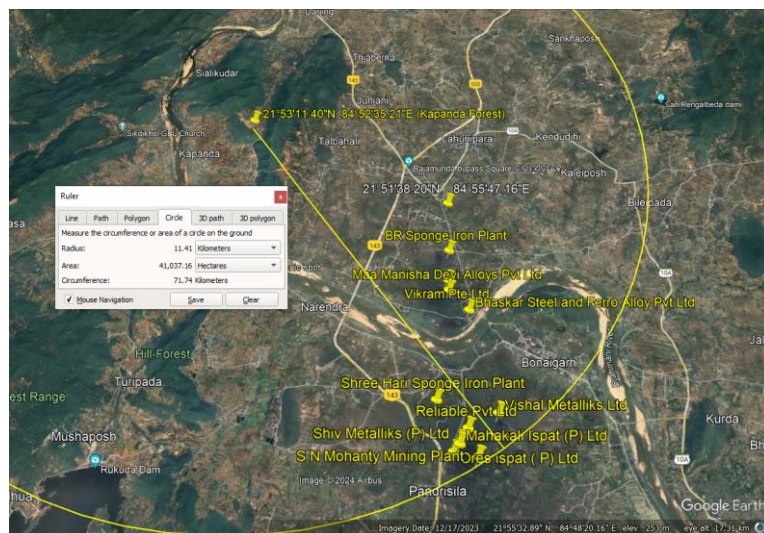
Reference made to the **List of Industries in Study Area** in Draft EIA, Table 2.2.2 (page 65 out of 383) and the Final EIA, Table 2.6 (page 83 of 383) is presented below.

DRAFT EIA						FINAL EIA																																																																													
2.2.2 List of Industries in Study Area						2.2.2 List of Industries in Study Area																																																																													
<table border="1"> <thead> <tr> <th>Sl.</th> <th>Name Of Industries</th> <th>Product</th> <th>Distance (km)</th> <th>Direction</th> <th>Co-ordinates</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>BR Sponge Power Limited</td> <td>DRI</td> <td>6.87 km</td> <td>NW</td> <td>21°50'50.78"N 84°55'40.02"E</td> </tr> <tr> <td>2</td> <td>Vidya Mineral pvt. Ltd</td> <td>Rice mill</td> <td>7.59 km</td> <td>NW</td> <td>21°50'40.48"N 84°56'3.38"E</td> </tr> <tr> <td>3</td> <td>Vikram pvt. Ltd.</td> <td>DRI</td> <td>7.43 km</td> <td>NW</td> <td>21°50'18.88"N 84°55'45.43"E</td> </tr> <tr> <td>4</td> <td>Maa Manasha Devi alloys pvt. Ltd.</td> <td>DRI</td> <td>7.49 km</td> <td>NW</td> <td>21°50'10.99"N 84°55'42.09"E</td> </tr> <tr> <td>5</td> <td>Bhaskar Steel and Ferro Alloy pvt.</td> <td>Integrated Steel plant</td> <td>7.95 km</td> <td>NW</td> <td>21°49'50.01"N 84°55'54.88"E</td> </tr> </tbody> </table>						Sl.	Name Of Industries	Product	Distance (km)	Direction	Co-ordinates	1	BR Sponge Power Limited	DRI	6.87 km	NW	21°50'50.78"N 84°55'40.02"E	2	Vidya Mineral pvt. Ltd	Rice mill	7.59 km	NW	21°50'40.48"N 84°56'3.38"E	3	Vikram pvt. Ltd.	DRI	7.43 km	NW	21°50'18.88"N 84°55'45.43"E	4	Maa Manasha Devi alloys pvt. Ltd.	DRI	7.49 km	NW	21°50'10.99"N 84°55'42.09"E	5	Bhaskar Steel and Ferro Alloy pvt.	Integrated Steel plant	7.95 km	NW	21°49'50.01"N 84°55'54.88"E	<p>Table 2.6- List of Industries within 10 Km Radius</p> <table border="1"> <thead> <tr> <th>Sl. NO.</th> <th>Name Of Industries</th> <th>Product</th> <th>Distance (km)</th> <th>Direction</th> <th>Co-ordinates</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>BR Sponge Power Limited</td> <td>Steel</td> <td>6.87 km</td> <td>SE</td> <td>21°50'50.78"N 84°55'40.02"E</td> </tr> <tr> <td>2.</td> <td>Vidya Mineral pvt. Ltd</td> <td>Rice mill</td> <td>7.59 km</td> <td>SE</td> <td>21°50'40.48"N 84°56'3.38"E</td> </tr> <tr> <td>3.</td> <td>Vikram pvt. Ltd.</td> <td>DRI</td> <td>7.43 km</td> <td>SE</td> <td>21°50'18.88"N 84°55'45.43"E</td> </tr> <tr> <td>4.</td> <td>Maa Manasha Devi alloys pvt. Ltd.</td> <td>DRI</td> <td>7.49 km</td> <td>SE</td> <td>21°50'10.99"N 84°55'42.09"E</td> </tr> <tr> <td>5.</td> <td>Bhaskar Steel and Ferro Alloy pvt.</td> <td>Integrated Steel plant</td> <td>7.95 km</td> <td>SE</td> <td>21°49'50.01"N 84°55'54.88"E</td> </tr> </tbody> </table>						Sl. NO.	Name Of Industries	Product	Distance (km)	Direction	Co-ordinates	1.	BR Sponge Power Limited	Steel	6.87 km	SE	21°50'50.78"N 84°55'40.02"E	2.	Vidya Mineral pvt. Ltd	Rice mill	7.59 km	SE	21°50'40.48"N 84°56'3.38"E	3.	Vikram pvt. Ltd.	DRI	7.43 km	SE	21°50'18.88"N 84°55'45.43"E	4.	Maa Manasha Devi alloys pvt. Ltd.	DRI	7.49 km	SE	21°50'10.99"N 84°55'42.09"E	5.	Bhaskar Steel and Ferro Alloy pvt.	Integrated Steel plant	7.95 km	SE	21°49'50.01"N 84°55'54.88"E
Sl.	Name Of Industries	Product	Distance (km)	Direction	Co-ordinates																																																																														
1	BR Sponge Power Limited	DRI	6.87 km	NW	21°50'50.78"N 84°55'40.02"E																																																																														
2	Vidya Mineral pvt. Ltd	Rice mill	7.59 km	NW	21°50'40.48"N 84°56'3.38"E																																																																														
3	Vikram pvt. Ltd.	DRI	7.43 km	NW	21°50'18.88"N 84°55'45.43"E																																																																														
4	Maa Manasha Devi alloys pvt. Ltd.	DRI	7.49 km	NW	21°50'10.99"N 84°55'42.09"E																																																																														
5	Bhaskar Steel and Ferro Alloy pvt.	Integrated Steel plant	7.95 km	NW	21°49'50.01"N 84°55'54.88"E																																																																														
Sl. NO.	Name Of Industries	Product	Distance (km)	Direction	Co-ordinates																																																																														
1.	BR Sponge Power Limited	Steel	6.87 km	SE	21°50'50.78"N 84°55'40.02"E																																																																														
2.	Vidya Mineral pvt. Ltd	Rice mill	7.59 km	SE	21°50'40.48"N 84°56'3.38"E																																																																														
3.	Vikram pvt. Ltd.	DRI	7.43 km	SE	21°50'18.88"N 84°55'45.43"E																																																																														
4.	Maa Manasha Devi alloys pvt. Ltd.	DRI	7.49 km	SE	21°50'10.99"N 84°55'42.09"E																																																																														
5.	Bhaskar Steel and Ferro Alloy pvt.	Integrated Steel plant	7.95 km	SE	21°49'50.01"N 84°55'54.88"E																																																																														
Picture 1: List of Industry in study area included in the DRAFT EIA						Picture 2: List of Industry in study area included in the FINAL EIA																																																																													



Picture 3: Google earth image of the project site (Ref: Final EIA, Page 67 of 412)

Picture 4: Google earth image showing list of industries within 10 km radius



Picture 5: Google earth image showing list of industries within 11.4 km radius

Comments on the List of Industries in the Study Area:

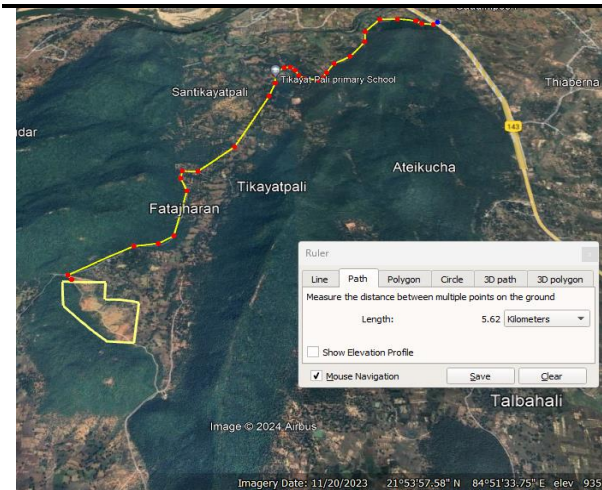
- In both the DRAFT EIA and FINAL EIA reports, as referenced in Pictures No. 1 & 2, the project proponent (PP) declared a total of 4 sponge factories. However, upon verification using Google Earth imagery and coordinates (21°53'11.40"N, 84°52'35.21"E), we identified an additional industry named Sri Hari Sponge Iron Ltd located within 10 km radius (refer to Picture No. 4). Moreover, there exists a cluster of 6 other industries within an 11.4 km radius from the proposed project site. These are Mahakali Ispat (P) Ltd, Shiv Metalliks Ores Ispat (P) Ltd, Reliable Sponge (P) Ltd, Surendra Nath (SN) Mining Industries (P) Ltd, Vishal Metalliks Ltd, and Ores Ispat (P) Ltd, as detailed in Picture No. 5.
- This discrepancy clearly indicates that the PP has misrepresented the number of industries within a 10 km radius in their environmental clearance application, which violates regulatory norms. Additionally, the presence of another cluster of industries within an 11.4 km radius will significantly impact the villages located in this vicinity.
- According to the report (Ref: A), the Bonai cluster encompasses 33 villages with a total population of 23,598 (see Table 2.7: Villages in the cluster), predominantly comprising tribal communities such as Kissan, Bhuiyan, or Munda sub-groups. Many villages within this cluster have over 90% of their population belonging to Scheduled Tribes (STs). It's important to note that this count does not include the villagers in the Kapanda area. Presently, a significant number of local villagers are reported to be suffering from various health issues related to kidneys, lungs, heart, and other unknown diseases.

RefA: https://cdn.cseindia.org/attachments/0.25223700_1499927364_sponge_iron_layout.pdf

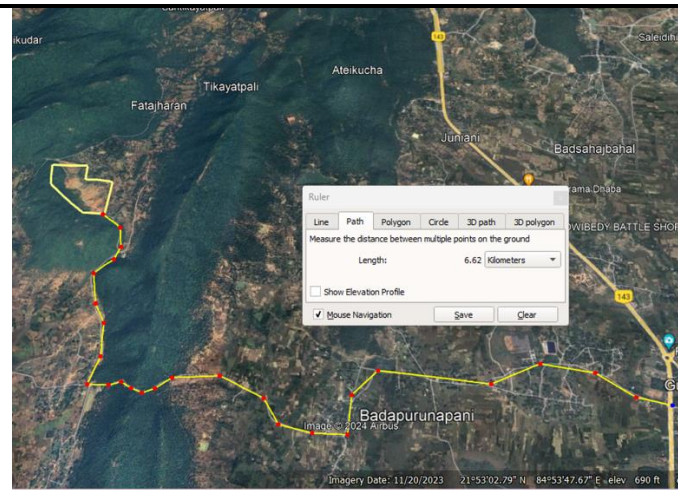
B. Location of the project submitted in the EIA

The executive summary of the Draft EIA (page 5 out of 383) and the Final EIA (page 63 out of 412), section 1.3 is presented below.

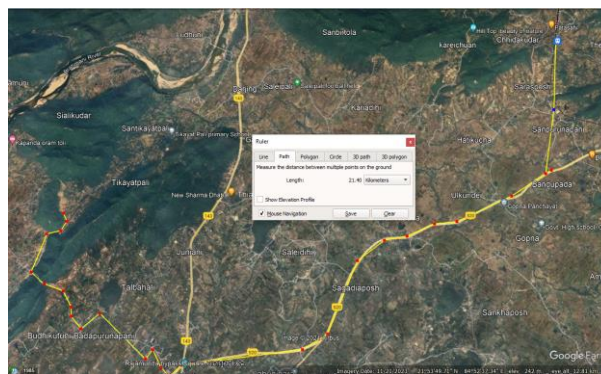
DRAFT EIA			FINAL EIA	
Sl No.	Particulars	Distance & Direction		
1	Nearest Town/City	Rourkela (40.4 km, N)	Nearest Town/ City	Rourkela- 40.4 km, (N)
2	Nearest Railway Station	Patasahi Railway Station (12.96 km, NE)	Nearest National Highway / State Highway	<ul style="list-style-type: none"> • NH - 149 (3.1 km, E) • Kapanda-Fatajharan Road - 0.1 km, NW
3	National Highway	NH - 23 (3.1 km, E)	Nearest Railway station	Patasahi Railway Station- 12.9 km, NE
4	Nearest Airport	Rourkela Airport, 40.5 km (N)	Nearest Airport	Rourkela Airport, 40.5 km, N



Picture: Google earth imagery - Connecting road from the Near Entry Gate of Project Site to the NH 23 (New NH 143) near darjing, distance is around 5.30 km



Picture: Google earth imagery - Connecting road from the Project Site to the NH 23 near Rajamunda bypass passing through the nuangaon village is a village road, distance around 6.62 km



Picture: Google earth imagery, distance to nearest railway station is 21.40 km.

Comments on the discrepancies between the Draft EIA and Final EIA reports regarding road distances and other geographical details:

1. In the Draft EIA report, the project proponent (PP) stated that the distance to NH 23 (New NH 143) was 3.1 km to the east, whereas in the Final EIA report, it was reported as NH 149 (3.1 km, east) and Kapanda – Fatajharan Road – 0.1 km, northwest.
2. In reality, a village road from the Near Entry Gate of the Project Site to NH 23 (New NH 143) near Darjing, passing through a reserve forest, with a stated length of 5.30 km, of which 3.75 km is through the reserve forest. Similarly, another route from the Project Site to NH 23 near Rajamunda bypass, passing through Nuangaon village, was reported to be 6.62 km, with 2.54 km through the reserve forest. These details conflict with the 3.1 km distance reported earlier, suggesting discrepancies that need clarification. In both

the report, the information provided in the EIA report of 3.1km is false and fabricated. This inconsistency raises concerns about the accuracy of the provided information. In case the distance submitted in the EIA report is aerial distance, then actual distance connected via road to be considered as the approach road connected via the reserve forest.

- Regarding the proximity to transportation nodes, discrepancies were noted. The Draft EIA cited Patasahi Railway Station as 12.96 km northeast, but Google Earth imagery suggests an actual distance of around 21.40 km. Additionally, while the PP reported a distance of approximately 40.5 km north to the nearest airport, actual road distance is approximately 48 km from the project location. These differences imply potential inaccuracies in the EIA reports.

C: Nearby Habitations data submitted in the EIA

DRAFT EIA			FINAL EIA		
9	Nearest Villages	Name of Village	Distance & Direction	Population (Census 2011)	Nearby Habitations <ul style="list-style-type: none"> Daldali Sai- 0.5 Km SW Nuagan- 1.3 km, S Kapanda- 1.5 km, SW Talabahali- 2.9 km, E Tikayatpali- 2.8 km, NNE
		Kapanda,	1.19 km, SW	1047	
		Nuagan	2.03. km, S	715	
		Talabahali	2.95 km, E	719	
		Tikayatpali	2.82 km, NNE	271	

Comments: There are inconsistencies in the information presented in both EIA reports. Moreover, it is crucial to note that the project proponent (PP) has omitted important facts and intentionally excluded two villages, namely Pattajharan and Badbahal, from the list. This omission raises significant concerns regarding transparency and completeness in the assessment of potential impacts on local communities and environments.

D: Nearby Reserve and Protected Forests data submitted in the EIA

DRAFT EIA			FINAL EIA		
8	Reserve and Protected Forests	Name of the RF, PRF, PF, etc.	Distance (km) Direction	Name of the RF, PRF, PF, etc.	Distance (km) Direction
		Kukia RF	0.15 km(NW)	Samardari Juniani PF	0.41 km (E)
		Dhenkiam RF	2.6 km (W)	Kukia RF	0.12 km (NW)
		Nalghati Rajabasa RF	3.3 km (SW)	Dhenkiam RF	2.6 km (W)
		Dhenkiam Block RF	3.74 km (NW)	Nalghati Rajabasa RF	3.3 km (SW)
		Bhagoth RF	6.68 km (SSW)	Dhenkiam Block RF	3.7 km (NW)
		Dhanaghar Extension RF	6.9 km (NNE)	Bhagoth RF	6.6 km (SSW)
		Gurundia RF	7.92 km (SW)	Dhanaghar Extension RF	6.9 km (NNE)
				Gurundia RF	7.9 km (SW)

Comments: In the Draft EIA report, the project proponent (PP) deliberately omitted mentioning the "Smardari Juniani PF," which is located approximately 400 meters away from the proposed project site.

E: Traffic Density Data submitted in the EIA

DRAFT EIA							FINAL EIA																																																																																						
<p>3.10.2 Summary of the Traffic Density/count & PCU</p> <p>Table 3.19 (a) Monitored Cumulative Traffic per day, Dt. 17.12.2021</p> <table border="1"> <thead> <tr> <th>Sl No.</th> <th>Study Location</th> <th>Details</th> <th>Volume (PCU/hr)</th> <th>*Capacity (PCU/hr)</th> <th>Existing V/C ratio</th> <th>**Level of Service (LOS)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1.</td> <td rowspan="2">Kapanda-Fatjharan village road (Near Entry gate of project site),</td> <td>Average Hour Load</td> <td>495</td> <td rowspan="2">1500</td> <td>0.33</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>565</td> <td>0.37</td> <td>B</td> </tr> <tr> <td rowspan="2">2.</td> <td rowspan="2">Near intersection of Santikayatpali Road to NH-23</td> <td>Average Hour Load</td> <td>1580</td> <td rowspan="2">3600</td> <td>0.44</td> <td>C</td> </tr> <tr> <td>Peak Hourly Load</td> <td>1820</td> <td>0.5</td> <td>C</td> </tr> <tr> <td rowspan="2">3</td> <td rowspan="2">Gudihali (Intersection of NH-23 & NH 215)</td> <td>Average Hour Load</td> <td>1730</td> <td rowspan="2">3600</td> <td>0.48</td> <td>C</td> </tr> <tr> <td>Peak Hourly Load</td> <td>2040</td> <td>0.56</td> <td>C</td> </tr> </tbody> </table> <p>*Source: IRC-106:1990 **Level of Service (LoS) as per IRC.</p>							Sl No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)	1.	Kapanda-Fatjharan village road (Near Entry gate of project site),	Average Hour Load	495	1500	0.33	B	Peak Hourly Load	565	0.37	B	2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1580	3600	0.44	C	Peak Hourly Load	1820	0.5	C	3	Gudihali (Intersection of NH-23 & NH 215)	Average Hour Load	1730	3600	0.48	C	Peak Hourly Load	2040	0.56	C	<p>3.9.2 Summary of the Traffic Density/count & PCU</p> <p>Table 3.25- Monitored Cumulative Traffic per day, Dt. 17.12.2021</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Study Location</th> <th>Details</th> <th>Volume (PCU/hr)</th> <th>*Capacity (PCU/hr)</th> <th>Existing V/C ratio</th> <th>**Level of Service (LOS)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1.</td> <td rowspan="2">Kapanda – Fatjharan village road (near Entry Gate of Project Site)</td> <td>Average Hour Load</td> <td>294</td> <td rowspan="2">1400</td> <td>0.21</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>310</td> <td>0.22</td> <td>B</td> </tr> <tr> <td rowspan="2">2.</td> <td rowspan="2">Near intersection of Santikayatpali Road to NH-23</td> <td>Average Hour Load</td> <td>1642</td> <td rowspan="2">5400</td> <td>0.30</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>1820</td> <td>0.33</td> <td>B</td> </tr> <tr> <td rowspan="2">3.</td> <td rowspan="2">Gudihali (Intersection of NH-23 & NH-215)</td> <td>Average Hour Load</td> <td>1794</td> <td rowspan="2">5400</td> <td>0.33</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>2187</td> <td>0.40</td> <td>C</td> </tr> </tbody> </table>							S.No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)	1.	Kapanda – Fatjharan village road (near Entry Gate of Project Site)	Average Hour Load	294	1400	0.21	B	Peak Hourly Load	310	0.22	B	2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1642	5400	0.30	B	Peak Hourly Load	1820	0.33	B	3.	Gudihali (Intersection of NH-23 & NH-215)	Average Hour Load	1794	5400	0.33	B	Peak Hourly Load	2187	0.40	C
Sl No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)																																																																																							
1.	Kapanda-Fatjharan village road (Near Entry gate of project site),	Average Hour Load	495	1500	0.33	B																																																																																							
		Peak Hourly Load	565		0.37	B																																																																																							
2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1580	3600	0.44	C																																																																																							
		Peak Hourly Load	1820		0.5	C																																																																																							
3	Gudihali (Intersection of NH-23 & NH 215)	Average Hour Load	1730	3600	0.48	C																																																																																							
		Peak Hourly Load	2040		0.56	C																																																																																							
S.No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)																																																																																							
1.	Kapanda – Fatjharan village road (near Entry Gate of Project Site)	Average Hour Load	294	1400	0.21	B																																																																																							
		Peak Hourly Load	310		0.22	B																																																																																							
2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1642	5400	0.30	B																																																																																							
		Peak Hourly Load	1820		0.33	B																																																																																							
3.	Gudihali (Intersection of NH-23 & NH-215)	Average Hour Load	1794	5400	0.33	B																																																																																							
		Peak Hourly Load	2187		0.40	C																																																																																							
<p>Table 3.19 (b) Monitored Cumulative Traffic per day, Dt. 19.12.2021</p> <table border="1"> <thead> <tr> <th>Sl No.</th> <th>Study Location</th> <th>Details</th> <th>Volume (PCU/hr)</th> <th>*Capacity (PCU/hr)</th> <th>Existing V/C ratio</th> <th>**Level of Service (LOS)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1.</td> <td rowspan="2">Kapanda-Fatjharan village road (Near Entry gate of project site),</td> <td>Average Hour Load</td> <td>475</td> <td rowspan="2">1500</td> <td>0.32</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>550</td> <td>0.37</td> <td>B</td> </tr> <tr> <td rowspan="2">2.</td> <td rowspan="2">Near intersection of Santikayatpali Road to NH-23</td> <td>Average Hour Load</td> <td>1600</td> <td rowspan="2">3600</td> <td>0.44</td> <td>C</td> </tr> <tr> <td>Peak Hourly Load</td> <td>1780</td> <td>0.49</td> <td>C</td> </tr> <tr> <td rowspan="2">3</td> <td rowspan="2">Gudihali (Intersection of NH-23 & NH 215)</td> <td>Average Hour Load</td> <td>1655</td> <td rowspan="2">3600</td> <td>0.46</td> <td>C</td> </tr> <tr> <td>Peak Hourly Load</td> <td>1990</td> <td>0.55</td> <td>C</td> </tr> </tbody> </table> <p>*Source: IRC-106:1990 **Level of Service (LoS) as per IRC.</p>							Sl No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)	1.	Kapanda-Fatjharan village road (Near Entry gate of project site),	Average Hour Load	475	1500	0.32	B	Peak Hourly Load	550	0.37	B	2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1600	3600	0.44	C	Peak Hourly Load	1780	0.49	C	3	Gudihali (Intersection of NH-23 & NH 215)	Average Hour Load	1655	3600	0.46	C	Peak Hourly Load	1990	0.55	C	<p>Table 3.26- Monitored Cumulative Traffic per day, Dt. 19.12.2021</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Study Location</th> <th>Details</th> <th>Volume (PCU/hr)</th> <th>*Capacity (PCU/hr)</th> <th>Existing V/C ratio</th> <th>**Level of Service (LOS)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1.</td> <td rowspan="2">Kapanda – Fatjharan village road (near Entry Gate of Project Site)</td> <td>Average Hour Load</td> <td>285</td> <td rowspan="2">1400</td> <td>0.20</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>298</td> <td>0.21</td> <td>B</td> </tr> <tr> <td rowspan="2">2.</td> <td rowspan="2">Near intersection of Santikayatpali Road to NH-23</td> <td>Average Hour Load</td> <td>1578</td> <td rowspan="2">5400</td> <td>0.29</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>1772</td> <td>0.32</td> <td>B</td> </tr> <tr> <td rowspan="2">3.</td> <td rowspan="2">Gudihali (Intersection of NH-23 & NH-215)</td> <td>Average Hour Load</td> <td>1745</td> <td rowspan="2">5400</td> <td>0.32</td> <td>B</td> </tr> <tr> <td>Peak Hourly Load</td> <td>2163</td> <td>0.40</td> <td>C</td> </tr> </tbody> </table> <p>*Source: IRC-106:1990 **Level of Service (LoS) as per IRC.</p>							S.No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)	1.	Kapanda – Fatjharan village road (near Entry Gate of Project Site)	Average Hour Load	285	1400	0.20	B	Peak Hourly Load	298	0.21	B	2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1578	5400	0.29	B	Peak Hourly Load	1772	0.32	B	3.	Gudihali (Intersection of NH-23 & NH-215)	Average Hour Load	1745	5400	0.32	B	Peak Hourly Load	2163	0.40	C
Sl No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)																																																																																							
1.	Kapanda-Fatjharan village road (Near Entry gate of project site),	Average Hour Load	475	1500	0.32	B																																																																																							
		Peak Hourly Load	550		0.37	B																																																																																							
2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1600	3600	0.44	C																																																																																							
		Peak Hourly Load	1780		0.49	C																																																																																							
3	Gudihali (Intersection of NH-23 & NH 215)	Average Hour Load	1655	3600	0.46	C																																																																																							
		Peak Hourly Load	1990		0.55	C																																																																																							
S.No.	Study Location	Details	Volume (PCU/hr)	*Capacity (PCU/hr)	Existing V/C ratio	**Level of Service (LOS)																																																																																							
1.	Kapanda – Fatjharan village road (near Entry Gate of Project Site)	Average Hour Load	285	1400	0.20	B																																																																																							
		Peak Hourly Load	298		0.21	B																																																																																							
2.	Near intersection of Santikayatpali Road to NH-23	Average Hour Load	1578	5400	0.29	B																																																																																							
		Peak Hourly Load	1772		0.32	B																																																																																							
3.	Gudihali (Intersection of NH-23 & NH-215)	Average Hour Load	1745	5400	0.32	B																																																																																							
		Peak Hourly Load	2163		0.40	C																																																																																							
<p>3.10.3 Observation and interpretation of monitoring data</p> <p>At the locations, Near entry gate of project site the LOS is found to be Category B and at other two locations the LOS is found to be in Category C both during Average hours and Peak hour.</p>							<p>3.9.3 Observation and interpretation of monitoring data</p> <p>Table 3.27- LOS of Monitored Location at Present Scenario</p> <table border="1"> <thead> <tr> <th>Date</th> <th>TS1</th> <th>LOS at Average Hour Load</th> <th>LOS at Peak Hourly Load</th> <th>TS2</th> <th>LOS at Average Hour Load</th> <th>LOS at Peak Hourly Load</th> <th>TS3</th> <th>LOS at Average Hour Load</th> <th>LOS at Peak Hourly Load</th> </tr> </thead> <tbody> <tr> <td>17.12.2021</td> <td>Kapanda – Fatjharan village road</td> <td>B</td> <td>B</td> <td rowspan="2">Near intersection of Santikayatpali Road to NH-23</td> <td>B</td> <td>B</td> <td rowspan="2">Gudihali (Intersection of NH-23 & NH-215)</td> <td>B</td> <td>C</td> </tr> <tr> <td>19.12.2021</td> <td>(near Entry Gate of Project Site)</td> <td>B</td> <td>B</td> <td>B</td> <td>B</td> <td>B</td> <td>C</td> </tr> </tbody> </table> <p>At the location i.e. Kapanda – Fatjharan village road (near Entry Gate of Project Site), the LOS of the village road is found to be very good (B) most of time. At intersection of Santikayatpali Road to NH-23 and at Gudihali (Intersection of NH-23 & NH-215), the LOS of the road is found to be very good (B) most of the time. But, the LOS of road at Gudihali (Intersection of NH-23 & NH-215), is found to be good (C) sometimes during peak hour traffic.</p> <p>The detailed Traffic Study Report is attached as Annexure- 21.</p>							Date	TS1	LOS at Average Hour Load	LOS at Peak Hourly Load	TS2	LOS at Average Hour Load	LOS at Peak Hourly Load	TS3	LOS at Average Hour Load	LOS at Peak Hourly Load	17.12.2021	Kapanda – Fatjharan village road	B	B	Near intersection of Santikayatpali Road to NH-23	B	B	Gudihali (Intersection of NH-23 & NH-215)	B	C	19.12.2021	(near Entry Gate of Project Site)	B	B	B	B	B	C																																																				
Date	TS1	LOS at Average Hour Load	LOS at Peak Hourly Load	TS2	LOS at Average Hour Load	LOS at Peak Hourly Load	TS3	LOS at Average Hour Load	LOS at Peak Hourly Load																																																																																				
17.12.2021	Kapanda – Fatjharan village road	B	B	Near intersection of Santikayatpali Road to NH-23	B	B	Gudihali (Intersection of NH-23 & NH-215)	B	C																																																																																				
19.12.2021	(near Entry Gate of Project Site)	B	B		B	B		B	C																																																																																				

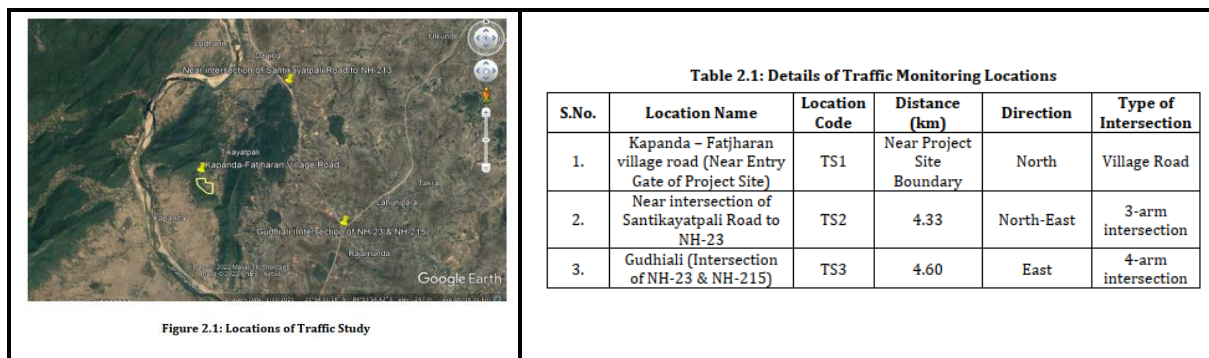
Comments: Upon comparing the geographic location and monitoring/study data from the same date in both the Draft EIA and Final EIA, significant discrepancies are evident. These

inconsistencies strongly suggest the presence of manipulated data in the EIA report, which breaches the Ministry of Environment's declarations

Point No.2: New addition in the FINAL EIA and not listed in the DRAFT EIA

2A. Comments on “Final EIA Annexure 21 Traffic Study Report”

The traffic study for several key road networks leading to the Project Site has been conducted and is detailed in this report. The specific locations of the traffic study are referenced on Page 9, Figure 2.1, and Table 2.1 - Details of Traffic Monitoring Locations is reproduced below for ease of reference,



Refer the section, 3.1.1 Traffic Surveys, Traffic surveys were conducted at the identified location assessing the number of vehicles in 24 hrs time. The capacity and Level of Service was thus analyzed as per IS Code. Traffic surveys at intersections were carried out on normal working days of the week for 24 hours period from 06:00 Hrs to the next day 06:00 Hrs at:

- Kapanda – Fatjharan village road (Near Entry Gate of Project Site)
- Near intersection of Santikayatpali Road to NH-23
- Gudhiali (Intersection of NH-23 & NH-215)

Refer the section, 3.2.2 Methods of Counting, PP opted “Manual Counting Method” as mentioned in the scope of work

Refer the section, 4, Traffic data collection and analysis of existing road networks based on data collected, the section, 4.1 Analysis of Monitored Traffic Density, provide summary on the data collected at three locations i.e. Kapanda – Fatjharan village road (near Entry Gate of Project Site), near intersection of Santikayatpali Road to NH-23 and Gudhiali (Intersection of NH-23 & NH-215). Traffic Volume data collection was carried out manually in all the three locations. The data were collected for 24 hours starting from 06:00 Hrs.

The traffic data sheets from Table 4.1 (Page 14) and Table 4.2 (Page 15) are reproduced below for ease of reference,

Table 4.1: Monitored Cumulative Data of Traffic per day, dated 17.12.2021								
S.No.	Locations	PCU Count						PCUs/day
		2-wheeler	3-wheeler	LMV	2-Axle Truck	3-Axle Truck	Multi-Axle Truck	
1.	Kapanda - Fatjharan village road (near Entry Gate of Project Site)	2785	1780	2305	142	37	7	7056
2.	near intersection of Santikayatpali Road to NH-23	6740	7523	7864	7952	5421	3908	39408
3.	Gudihali (Intersection of NH-23 & NH-215)	7842	7321	8971	8751	6987	3184	43056

VISIONTEK CONSULTANCY SERVICES PVT. LTD. Page | 14

Table 4.2: Monitored Cumulative Data of Traffic per day, dated 19.12.2021								
S.No.	Locations	PCU Count						PCUs/day
		2-wheeler	3-wheeler	LMV	2-Axle Truck	3-Axle Truck	Multi-Axle Truck	
1.	Kapanda - Fatjharan village road (near Entry Gate of Project Site)	2687	1710	2285	112	42	4	6840
2.	Near intersection of Santikayatpali Road to NH-23	6486	6987	7428	7596	6875	5500	37872
3.	Gudihali (Intersection of NH-23 & NH-215)	7351	7110	8706	8493	6654	3566	41880

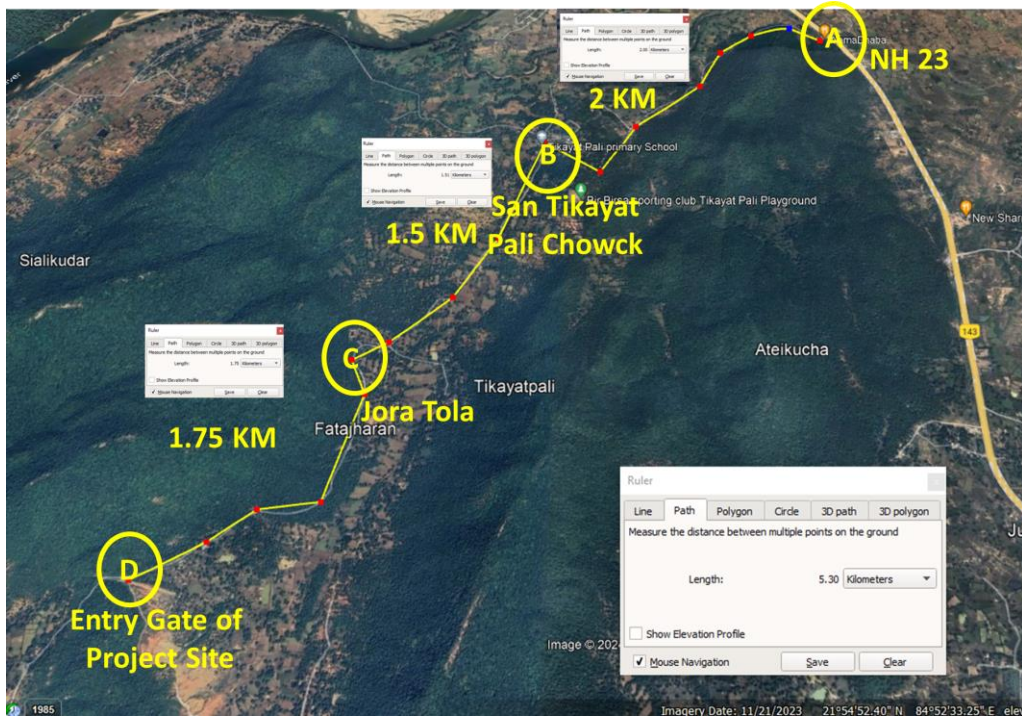
The monitored PCUs per day at the three locations i.e. Kapanda - Fatjharan village road (near Entry Gate of Project Site), near intersection of Santikayatpali Road to NH-23 and Gudihali (Intersection of NH-23 & NH-215) were 7056 PCU/day, 39408 PCU/day and 43056 PCU/day respectively on 17.12.2021 & were 6840 PCU/day, 37872 PCU/day and 41880 PCU/day respectively on 19.12.2021.

Comments: The data provided in the table are FAKE and false. We provide point wise comments as below,

1. Firstly, the data presented in Table 2.1 is inaccurate and misleading. There are several key points to highlight. The distance data listed in Table 2.1 contradicts the information stated in both the executive summary of the Draft EIA (page 5 of 383) and the Final EIA (page 63 of 412), section 1.3. In these sections, it is consistently reported that the distance from the project entrance to NH 23 (New NH 143) is 3.1 km. However, Table 2.1 indicates a distance of 4.60 km for the Gudhiali intersection (location code TS 3), where the actual road distance from the project site is approximately 6.62 km.
2. Furthermore, we have provided a detailed overview of the road network and connectivity from the project site to the three study locations as below.

These discrepancies indicate serious inaccuracies in the data provided, raising questions about the reliability and integrity of the EIA report. Clarification and correction of these discrepancies are essential to ensure transparency and compliance with regulatory standards.

Road connected between near Entry Gate of Project Site to the NH 23

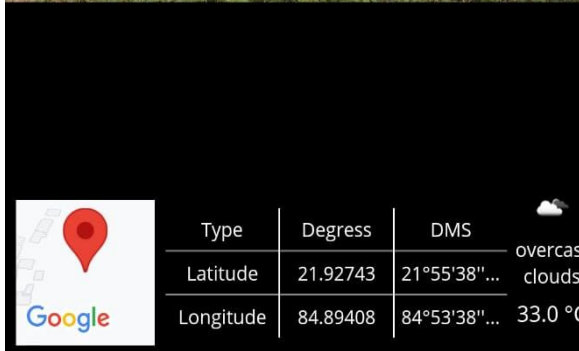


Picture: Actual GEOTAG picture showing Entry Gate of Project Site to the NH 23.

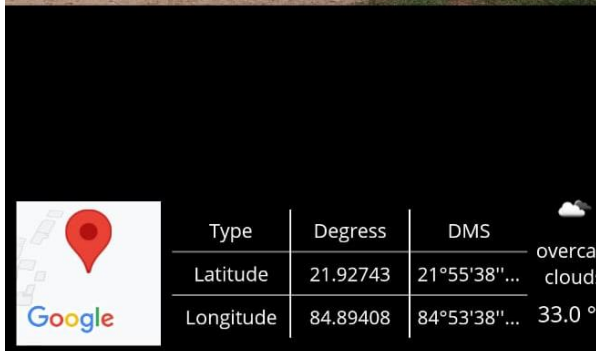
Comparison of Traffic Survey Data - Kapanda – Fatjharan Village Road (Near Entry Gate of Project Site) Submitted by the Project Proponent (PP) versus Actual Facts with Comments:



Picture: Road connected from “Jora Tola” to “Santikayatpali Road”



Picture: Road connected near Entry Gate of Project Site to “Jora Tola”



Picture: Road connected between Santikayatpali Road to NH-23

Comments:

- The road connecting NH 23 to the "Entry Gate of Project" via "Santikayatpali Road" and "Jora Tola" was initially established by the Panchayat Samiti in the year 1983.
- Subsequently, the section of road between NH 23 and Santikayat Pali Road was upgraded under the PMGSY (Pradhan Mantri Gram Sadak Yojana) scheme, with a length of approximately 2 km passing adjacent to the reserve forest.
- Later phases included the development of "Santikayatpali Road" and "Jora Tola" under the Soil Road / Mitti Road scheme, with the development of three small culverts along this kaccha road up to "Jora Tola".
- The road from "Jora Tola" to the "Entry Gate of Project", approximately 1.75 km in length, remains under the jurisdiction of the Panchayat Samiti. This road is seldom used, primarily by local tribals for bullock carts. It traverses through a reserve forest, with minimal vehicle movement. Even in the rainy season ambulance also cannot enter, from which one can imagine the situation of the road.

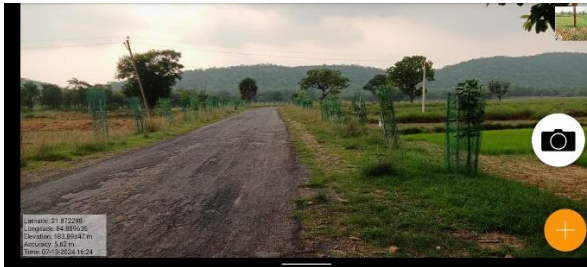
In the Final EIA, Annexure_21_Traffic Study Report, the Project Proponent (PP) has submitted a traffic data sheet reproduced in Table 4.2 (Page No. 15) for reference.

Table 4.2: Monitored Cumulative Data of Traffic per day, dated 19.12.2021

S.No.	Locations	PCU Count						PCUs/day
		2-wheeler	3-wheeler	LMV	2-Axle Truck	3-Axle Truck	Multi-Axle Truck	
1.	Kapanda - Fatjharan village road (near Entry Gate of Project Site)	2687	1710	2285	112	42	4	6840

It is crucial to note that this forest road (kachha road) passing through the reserve forest has been declared by the PP to have 6840 Passenger Car Units (PCUs) per day. This claim is clearly **false and fabricated**, given the actual usage and conditions described above.

Road connected between Jaratola to Gudhiali (Intersection of NH-23 & NH-215)



Picture: Road connected between Nuagoan village to Gudhiali (Intersection of NH-23 & NH-215)

Comments:

1. The road from Jaratola to Gudhiali (Intersection of NH-23 & NH-215) spans approximately 7 km in total length.
2. Additionally, the connection from Jaratola to Badbahal village is connected by a kachha road (Soil Road / Mitti Road). From Badbahal village, the road extends to Nuagoan village via a "Morrom Road" constructed by the forest department, covering approximately 2.54 km through the reserve forest.
3. Further, the connecting road from Nuagoan village to Gudhiali (Intersection of NH-23 & NH-215) has been upgraded under the PMGSY (Pradhan Mantri Gram Sadak Yojana), classified as a village road.

Level of service after setting up of the project – Ref Section 4.3, 1 of Final EIA


4.3 Level of Service after setting up of the Project

After the initiation of the project, it is envisaged that traffic volume from the Project area will increase the existing traffic volume. Due to increase in traffic volume, there will increase the impact load on the road network. The increase in vehicles from the plant area will be mainly HMV. Taking worst case scenario, around 40 PCU/hr will add up to the existing PCU.

Total Material movement per Annum = 31,53,541 T
 Material movement per day = 31,53,541/330 = 9,556 T
 No. of Trucks plying per day = 9,556/20 = 477
 Average no. of trucks plying per hour = (477/24)*2 = 39.75 = 40 (say) = 120 PCU/hr

Kapanda - Fatjharan village road (Near Entry Gate of Project Site)
 C = Two way two-lane road carrying capacity - 1400 PCU/hr
 V = 294 + 120 = 414
 V/C = 414/1400 = 0.29 (LOS-B)

Near Intersection of Santikayatpali Road to NH-23
 C = Six-Lane two-way (divivded) road carrying capacity - 5400 PCU/hr
 V = 1642 + 120 = 1762
 V/C = 1762/5400 = 0.33 (LOS-B)

 Page | 22

In addition, we refer the Section **5.1 Need for Traffic Data Projection**, the content copied as below,

- *An estimation of future traffic is required for various purposes such as deciding the width of the carriageway, design of pavement thickness (based on the volume of commercial vehicles), economic analysis, and financial analysis of highway projects. In all these situations, the accuracy of predicting future traffic plays an important role. As per IRC guidelines, (IRC: 108-1996) estimation of traffic growth depends mainly on two methods,*

Comments on key noncompliance:

1. These points were newly introduced in the Final EIA and were not listed in the Draft EIA.

2. The proposed new additions to improve road conditions in the Final EIA could have a significant impact on the reserve forest and are likely impractical.
3. It is reported that the projected average number of trucks plying per hour is 40, equating to 120 Passenger Car Units (PCU) per hour. The proposal to construct a two-lane road inside the dense forest from the project entrance gates at NH 23 and NH 215 poses serious challenges and environmental impacts. The feasibility of road widening in such a dense forest area is questionable, and the project proponent has not provided any projection on the number of trees that would need to be cut for this purpose and consequential impact to the reserve forest.

Point 3: Comments on the “Final EIA Annexure 17 Baseline Report”

This 26-page document includes reports on Ambient Air Quality Monitoring, Ambient Noise Monitoring, Surface Water Quality, Ground Water Analysis, and Soil Analysis. The header declares certification for several ISO standards, including ISO 9001:2015 and ISO/IEC 17025:2017. Each analysis report is sealed, stamped, and signed by laboratory signatories. However, upon initial review, we have identified several discrepancies and suspect fake submissions in the analysis reports. Specific examples include:

- **False reporting:** Report ID: Envlab/21/R-0720, R-0721, R-0722, R-0723, R-0724, R-0725, R-0726, R-0727; Envlab/21/R-0736, R-0737, R-0738, R-0739 – Sampling date was in between October to December 2021, whereas the reporting date is around more than 10 months earlier date, i.e. 07.01.2021.
- We reviewed the Surface Water Quality Report and Ground Water Analysis Report and found significant issues with the Total Coliform testing method (APHA 9221 B). This method includes specific guidelines regarding sample analysis time and storage conditions to ensure accuracy and reliability. According to recommended guidelines, samples should ideally be analyzed within 6 hours of collection or stored at 4°C for up to 24 hours before analysis to maintain accuracy. However, in this case, all samples were collected on 11.12.2021, and analysis took place between 13.12.2021 and 22.12.2021. This clearly revealed the delay of minimum 2 days before analysis violates standard requirements. Moreover, considering the transport distance from Kapanda to the laboratory in Bhubaneswar (approximately 270 km), maintaining the sample storage conditions during transportation becomes challenging. Additionally, the laboratory

should note the exact time of sample collection for such tests, which was not properly documented. These discrepancies and violations of accredited laboratory standards raise serious concerns about the reliability of the sampling and reported results.

- **Adopting inappropriate testing and reporting:** In the analysis results of the Surface Water Quality Report and Ground Water Analysis Report, the test parameter for Phenolic Compounds (C₆H₆OH) is recommended to be conducted using APHA method 5530-B, D. According to standards such as IS 10500:2012 (Amendment 2015 and 2018), the acceptable limits and permissible limit for Phenolic Compounds are specified as 0.001 mg/l and 0.002 mg/l, respectively.

However, the reported analysis results indicate values below detection limit (BDL) and in some cases, values are reported with two decimal places (e.g., 0.01, 0.04, etc.). This suggests that the testing was conducted with higher detection limits than the prescribed standards, where the acceptable and permissible limits are significantly lower. This concept is entirely wrong.

This discrepancy indicates a fundamental error in the approach to conducting and reporting the test results. Testing with higher detection limits than the specified standards does not align with the regulatory requirements and compromises the accuracy and reliability of the analysis.

- **Reporting wrong and inappropriate result:** We have reviewed the Soil Analysis reports where samples were collected by VCSPL representatives from various points at the project site and nearby villages. The soil samples predominantly consist of Sandy Clay and Sandy Clay Loam, with clay content ranging from 58% to 70% and water holding capacity between 48% to 58%. However, it is surprising to note that the reported moisture content in these samples ranges from 0.11% to 0.8%. These samples were collected during the winter session in December 2021, primarily from forest and nearby forest areas. During this season, it is typical to observe tree and vegetation growth in such areas. In general, moisture content below 1% is generally insufficient for the growth of most trees and vegetation, suggesting conditions akin to desert environments where only specialized plants can thrive. Based on these reported data, serious doubts arise regarding the accuracy, reliability of the reporting and serious suspicions arise about the laboratory credential.

- **We refer the “Dissolved Oxygen”** in the surface water where, it was reported to be as high as 7.6 to 7.8 mg/l in the Bramhani River and other water sources from the nala. Such high levels of Dissolved Oxygen raise suspicions about the accuracy of the reported data.

Additionally, based on the 3-day Biochemical Oxygen Demand (BOD) results indicating close to 3 mg/l, it suggests that microorganisms consumed approximately 3 mg/l of dissolved oxygen during the decomposition of organic matter in the water sample. In such cases, conducting a 5-day BOD test is recommended to provide a more comprehensive assessment of the water sample's biochemical oxygen demand, aligning with international protocols such as EPA guidelines. Failure to follow these protocols raises doubts about the reliability of the analysis report and the credentials of the laboratory.

Furthermore, the suppression of facts is concerning, particularly regarding the detection of precious metals such as Uranium, Gold, and traces of Thorium in the area. Local villagers have already alerted relevant authorities to these findings, which should have been included in the analysis report for a complete assessment.

These observations are based on our initial review and limited technical knowledge of reporting criteria. Given the circumstances, we respectfully request the honorable court to direct an investigation of all laboratory reports by a competent authority or independent certified consultant to ensure transparency and adherence to regulatory standards.

Point 4: Other Significant difference in final EIA

- We noted that there are significant difference in the Chapter – 2 of the final EIA. Specifically, discrepancies were found for project descriptions, water balance, integrated material balance, line diagram, noise monitoring data, laboratory testing data, ecology biodiversity data, list of flora and fauna etc.

ISO 17025 accreditation mandates that laboratories uphold stringent standards of impartiality, accuracy, testing competence, and reliability in their testing and reporting practices. It ensures that laboratories possess the necessary equipment, trained personnel, and validated methods to consistently produce trustworthy data. Any provision of false or biased data violates

regulations, and the NABL (National Accreditation Board for Testing and Calibration Laboratories) has the authority to impose legal actions, fines, penalties, or sanctions as per regulatory requirements. Moreover, the use of unaccredited methods by the laboratory must be approached cautiously, recognizing potential limitations in reliability, accuracy, and compliance with standards. Laboratory analysis data plays a pivotal role in determining the outcomes of Environmental Impact Assessments (EIA). Upon reviewing this data, significant concerns have arisen regarding the laboratory's accreditation under ISO 17025, with many instances clearly violating NABL norms.

Prayer

Given the critical reliance on testing data in this scenario, we respectfully request the honorable court to issue directives for the submission of the following documents, as mandated by ISO 17025, for our review by an expert:

- **Scope of Accreditation:** Accreditation credential for each of the listed parameters and methods for which the laboratory is accredited.
- **Test Methods and Procedures:** Copies of the test methods and detailed procedures and In-house developed SOP approved by the external auditor that used for the specific tests conducted. It is essential to ensure that these methods are validated, documented, and traceable to recognized standards or protocols.
- **Quality Control Records:** Records of the quality control measures implemented during testing, including details on instrument calibration, participation in proficiency testing, internal quality assurance procedures.
- **Decision Rule:** As per ISO 17025, one of the key requirements for an accredited laboratory is to develop a "decision rule." We kindly request a copy of this document for our review.
- **Validation and Verification Data:** Quality documentation demonstrating the validation and verification of test methods used by the laboratory. This includes studies or reports that confirm the accuracy, precision, and reliability of the methods.
- **Data verification:** Request for all the raw data, calibration data of each instrument, QC data (daily, weekly, monthly etc) as per the relevant test method.

- **Chain of Custody Procedures:** Detail record of the Information on samples from collection to analysis and chain of custody procedures to ensure the integrity and traceability of the collected samples.
- **Records of Previous Audits and Inspections:** Request for records of internal audits, external assessments, and inspections conducted by the accreditation body or other regulatory authorities.
- **Proficiency Testing Results:** Requests on the results of proficiency testing or inter-laboratory comparisons in which the laboratory has participated to assess the laboratory's performance.
- **Sampling:** As per ISO 17025, clause 7.3 provides guidance on sampling. In this context, we request copies and supporting documents for all sampling plans and methods adopted, including requirements under section (f) related to environmental or transport conditions.

Furthermore, due to the dispute over the reported results, we respectfully request the honorable court to issue appropriate directives for a joint sampling and testing process. This should be conducted either in a government laboratory or an independent accredited laboratory, with all involved parties present to witness the testing procedures.

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

APPEAL No. _____ of 2024

In re:
CHITTA RANJAN MAHANT & OTHERS

APPELLANTS

VERSUS

UNION ODF INDIA AND Others ...

RESPONDENTS

KNOW ALL to whom these present shall come -

.....
.....
.....
.....

.....ab
ove named APPELLANTS do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani, Advocate, Plot—2132/4814, Nageswartangi, Bhubaneswar, 751002**, and Ashutosh Padhy.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf. And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

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

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

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

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 11 th day of June 2024 .

Accepted subject to the terms of fees.

Spm
A. Padhy
Advocate

Client

Chittaranjan Mahanta
Samaranesh Mahanta
Nira Kara Sabu

Client

Shikharan Mahanta
Sahab Mahanta
Torikaran Mahanta

श्री १०८ श्री गुरुदेव
 Hoshi Kesh Mahanta
 ब्रह्मचर्य मन्त्र
 श्री गुरुदेव श्री गुरुदेव

- ① Chittaranjan Mahanta s/o Mahendra Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 42
- ② Samresh Mahanta s/o Meghansh Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 43
- ③ Nitakaraj Sahu s/o Dwarikanath Sahu
 AT- Kapanda
 PO - Bad puranapani
 Age- 51
- ④ Shiba charan Mahanta s/o Sambaru Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 52
- ⑤ Saheb Mahanta s/o Jagannath Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 63
- ⑥ Trilochan Mahanta s/o Prana Krishna Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 61
- ⑦ Pitambar Mahanta s/o Sambaru Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 67
- ⑧ Hrushikesh Mahanta s/o Bhima Mahanta
 AT- Kapanda
 PO - Bad puranapani
 Age- 55

(9) Santosh Mahanta s/o Iswar Mahanta
AT- Kapanda
PO- Bad Purnapam
Age- 44

(10) Bane Swar Munda s/o pandru Mahanta
AT- Kapanda
PO- Bad Purnapam
Age- 28



AUTHORISATION

We Samaresh Mahanta S/o-Maghanad Mahanta Aged about-43 years, Nirakara Sahu S/o Dwarikanath Sahu aged about 51 years, Shiba Charan Mahanta S/o Sambaru Mahanta aged about 52 years, Saheb Mahanta S/o Jagannath Mahanta aged about 63 years, Trilochan Mahanta S/o Prana Krishna Mahanta, aged about 61 years, Pitambar Mahanta S/o Sambaru Mahanta, aged about 67 years, Hrushikesh Mahanta S/o Bhima Mahanta, aged about 55 years, Santosh Mahanta S/o Iswara Mahanta, aged about 44 years, Baneswar Munda S/o pandru Munda aged about 28 years all are residents of At -Kapanda, Po- Bad purnapani, PS- Lahunipara, Dist - Sundargarh, Odisha, Pin -770040 authorize Chittaranjan Mahanta S/O- Mahendra Mahanta Ageu about 42years At -Kapanda, Po- Bad purnapani, PS- Lahunipara, Dist - Sundargarh, Odisha, Pin -770040 the appellat No 1, to swear the affidavit on behalf of us for filing the appeal before Hon'ble NGT.

Date-11/06/2024

SIGNATURE

Samaresh Mahanta
 - Nirakara Sahu
 - Shiba Charan Mahanta
 Saheb Mahanta
 Trilochan Mahanta
 - ପିତାମହ ମହାନ୍ତ
 Hrushikesh Mahanta
 ହରୁଷିକେଶ ମହାନ୍ତ
 9/6/24 ୧୨:୨୫