

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO --167-- OF 2023  
IN THE MATTER OF:  
SRIKANT KUMAR PAKAL and others                      APPLICANTS  
VERSUS  
STATE OF ODISHA and Others ...                      RESPONDENTS  
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**PLACE: BHUBANESWAR**

**SANKAR PRASAD PANI**

DATE: 05<sup>TH</sup> OCT 2023

ADVOCATE

Bhubaneswar 751002, Cell-9437279278,  
email: sankarprasadpani@gmail.com



**SYNOPSIS**

That the Applicant is challenging the illegal lifting of Moorum/Murum (weathered laterite), AND Ordinary Earth from the Village Mania, Uchapada under Tangi-Choudwar Tahasil under Cuttack District .from Government land without any Environment Clearance. The illegal mining is ongoing by felling big trees from Revenue Forest Land but no action has been taken by the District Administration despite of repeated complaints against the illegal mining by the private respondent. The Tahasildar has only collected royalty and penalty but took no deterrent action like Criminal Prosecution to prevent from further illegal mining. To summarise the violation of environmental norms it may be listed as follows

- a) Illegal Moorum and Soil Mining randomly from Forest and Non-Forest land in from Village Mania , Uchapada under Tangi-Choudwar Tahasil under Cuttack District .
- b) without Environment Clearance.

### 3

- c) While Mining the Morrum and Soil various trees have been felled without permission from the competent authority
- d) Mining is being done indiscriminately without mining plan, environment management plan, and reclamation plan and environment clearance.

#### LIST OF DATES

26/04/2019	That in order to check the illegal mining, Government of Odisha has come out with a guideline dated <b>26/04/2019</b> where in instructions for prevention of illegal mining of minor minerals issued from time to time.
8/08/2022	Clarification on the applicability of EIA notification <b>MoEFCC OM dated 8/08/2022</b>
27/05/2020	Royalty and Penalty collected by Tahasildar
28/02/2022	Judgment of Honble NGT dated in OA 110 of 2020(Santanu Kumar Bhukta vs State of Odisha) .
16/03/2023	Letter to the District Collector and other authorities regarding the morrum extraction and lifting.

25/06/2023 Letter to various authorities

07/04/2023 Copy of newspapers clipping which was published in  
odia newspaper PRAMEYA.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

*(Under Section 14 , 15 r/w. Section 18(1) & (2) of the National  
Green Tribunal Act, 2010)*

**ORIGINAL APPLICATION NO ----- OF 2023**

**IN THE MATTER OF:**

1. SRIKANTA KUMAR PAKAL S/o- SINDHUBAS PAKAL,  
AT/PO -QR NO 25/1, OTM COLONY CHOUDWAR, DIST-  
CUTTACK, 754025
2. Ajaya Kumar Prusty, S/o Late Sanatan Prusty aged about 61  
Years Resident of At- Tangi, Po- Kotsahi, PS- Tangi, Dist-  
Cuttack 754022
3. Keshab Chandra Behera, S/o Late Bichitranand Behera, aged  
about 50 years Resident of Mania, Po- Uchapada, Via-  
Kotasahi, Cuttack 750422

4. Naba Kishore Das, S/o Mamda Das At- Saranga Po-  
Bhatimunda, Ps Tangi, Dist Cuttack 754022

**APPLICANT**

**Versus**

1. **STATE OF ODISHA** Through Chief Secretary, Government of Odisha, Lokaseba Bhawan At/po-Bhuabneswar, Dist-Khurda, 751002 email: [csori@nic.in](mailto:csori@nic.in)
2. Principal Secretary, Revenue and Dissaster Management, Government of Odisha, Lokaseva Bhawan, Bhubaneswar, 751001, [revsec.od@nic.in](mailto:revsec.od@nic.in)
3. Additional Chief Secretary, Forest and Environment Dept, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751 001, Email: [fesec.or@nic.in](mailto:fesec.or@nic.in)
4. Secretary, Ministry of Environment and Forest, Climate Change Indira Paryabaran Bhawan, Jorbag, Newdelhi, PIN-110003 [secy-moef@nic.in](mailto:secy-moef@nic.in)
5. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (EZ), A/3, Chandersekharpur, Bhubaneswar – 751023, Email: [roez.bsr-mef@nic.in](mailto:roez.bsr-mef@nic.in)

6. District Collector ,Cuttack -753002, Email- [dm-cuttack@nic.in](mailto:dm-cuttack@nic.in)
7. Tahasildar, Tangi-Choudwar Tahasil ,Jagatpur ,Cuttack-754021,Email-[tah.tangi@nic.in](mailto:tah.tangi@nic.in)
8. General Manager ,East Coast Railway , Rail Sadan, Samant Vihar ,Bhubaneswar-17, [EMail-gm@ecor.railnet.gov.in](mailto:EMail-gm@ecor.railnet.gov.in)
9. **Member Secretary**, Odisha State Pollution Control Board  
A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012,Odisha Email: [paribesh1@ospcboard.org](mailto:paribesh1@ospcboard.org),  
[member.secy@ospcboard.org](mailto:member.secy@ospcboard.org)
- 10.**Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar, 5RF-2/1, Acharya Vihar, Unit – IX, 751022 Email: [seiaaorissa@gmail.com](mailto:seiaaorissa@gmail.com)
- 11.The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032  
Email: [mscb.cpcb@nic.in](mailto:mscb.cpcb@nic.in), [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in)
- 12.Director of Geology, Bhubigyan Bhawan , Bhubaneswar, Khordha,PIN-751001[directorgeology\\_odisha@yahoo.in](mailto:directorgeology_odisha@yahoo.in)

13. Shanti Construction PVT Limited Represented by its proprietor Bipin Agrawal, Plot No-1104/2707, Bangalipara, Badabazar, Sambalpur -768003

**RESPONDENTS**

- I. The address of the Counsel of Applicant is given for the service of notices of this APPLICATION.
- II. The addresses of the Respondents are given above for the service of notices of this APPLICATION.
- III.** That the Applicant is challenging the illegal lifting of Moorum/Murum (weathered laterite), Stone, Sand and Soil (Minor Minerals) in Mania, Uchapada village under Tangi-Choudwar Tahasil under Cuttack District. from government land without any Environment Clearance. The illegal mining is ongoing by felling big trees from Revenue Forest Land but no action has been taken by the District Administration Cuttack despite of repeated complaints against the illegal mining by the private respondent. The Tahasildar has only collected the royalty and penalty but took no deterrent action like Criminal Prosecution to prevent from further illegal mining.

**IT IS MOST RESPECTFULLY SHOWETH**

1. That the contractor namely Shanti Construction PVT Limited is executing the third line railway track from Bhadrak to Nergundi for which the earthbed is constructed by taking earth/morrum from various places including these places plot no 1606 , khata no 529 under mania village ,Khata no- 530 ,Plot no -48 & Khata no- 532, Plot no- 550 under the same panchayat , Uchapada under Tangi-Choudwar Tahasil.
2. Applicant is a social worker and local villager concerned with the illegal mining in the locality. The applicant has brought the illegal mining to the notice of all concerned authorities, the authorities did not take stringent action to restrain the private respondent from illegal mining, for which the applicant has brought this application before the Hon'ble Tribunal.
3. That the Private Respondent is the infrastructure company engaged for Construction of third line railway track from Bhadrak to Nergundi. That it is estimated around 20lakh Cubic Meters of morrum has been illegally lifted / extracted from various places in Cuttack district.
4. That the private Respondent is also illegally extracting the morrum from government land in Tangi-Choudwar Tahasil.
5. It is humbly submitted that the **illegal Moorum Mining carried out in Revenue Forest land** of different villages and Trees have been felled by the private respondent for mining of morrum.

6. That the applicant's also made a complaint to the Chief Secretary mentioning these, For last three years one company namely Shanti Construction pvt ltd is continuously extracting soil and earth from the area in the village of the Mania, Uchapada , and other villages illegally in connivance with local Officials of Tahasil office. Despite of public complaints, no action has been taken by the local officials for which the illegal extraction of earth is continuing on day to day basis. The earth extracted is being used by the contractor for the Railway project and other allied activities. This has led to erosion of soil in the forest area and further. It is pertinent to mention that Earth being a minor mineral require to be extracted only after mining plan and environment clearance in respect of the source is obtained. Here no permission from any of the authorities has been obtained as of now.
7. That Morrur is characterized by a deep weathered layer from which silica has been leached. There is no humus, but an accumulation of aluminium and iron oxides and hydroxides. The reddish colour of these soils is imparted by the iron compounds. They are good material for building huts and paths, as they can be compacted easily to form hard surfaces. They are generally impervious. Murrum or Moram is typically an Indian term. And the geological equivalent term is **Lateritic soil**.

8. It is humbly submitted that Mining on Forest Land being a non-forest activity require prior approval under Forest Conservation Act 1980. forest Clearance.
9. That we are bringing this important issues from larger public interest of loosing of state revenues, blatant violation of laws and government orders, environmental degradation because of the rat hole mining in different patches leading to more abandoned sites without responsibility of reclaiming those patches which in long run will be a death trap for stray animals and people passing through these areas, felling of hundreds of Trees and making the area more vulnerable to felling. Topsoil holds the essential micro nutrients for growth of plants are being removed and thereby affect the fertility of soil.
10. That Tangi-Choudwar Tahasil has been hot-bed for Morum / Sand / Stone Mafia in the knowledge of Tahasildar and RI. Many individuals and contractors are cutting leterite stone, lifting morum from the forest land /Govt land and lifting sand out of identified area illegally in collusion with Tahasildar and RI in spite of many complaints presented before him .
11. That for the purpose of third line railway line Construction Thousands of truckloads of Morrum has been illegally lifted by the Contractor in Tangi-Choudwar Tahasil by Shanti Construction pvt ltd without any

valid permission and NOC from Uchapada grampanchayat under Tangi-Choudwar Tahasil .

12.As per rough estimate, the said company has lifted morum worth around Rs 5 crore from the above place. when complaint was lodged before Tahasildar , He only verbally instructed concerned RI to take action without any official order or notice. When the petioners along with villagers approached the RI of said area, he expressed his helplessness as the Tahasildar did not take any steps to stop the contractors by sending police force. No raid is also conducted by Tahasildar

13. That Tahasildar , Tangi-Choudwar vide its receipt dated 27/05/2020 had collected royalty1,50,500 and penalty49,500 from the Shanti Construction pvt ltd for illegally extracted Morrum. Copy of the Tahasildar receipt dated 27/05/2020 is annexed here unto as

**ANNEXURE-1**

14.That the contractor, private respondent has been extracting earth and morrum randomly from different places which are not designated sites for quarrying or any permission from tahasildar for earth mining ,the contractor by engaging earth movers/ machines have been continuesly extracting earth / morrum from various sites.

15.The details of Khata no. and plot no. of land from where the Morrum and Soil were lifted in Tangi-Choudwar Tahasil are as follows

SL No	Kisam	Khata No.	Plot No.
1	Jungle two	532	550
2	Patita	529	1606
3	Uncultivable waste land	530	48

is pertinent to mention that Morrum being a Minor Mineral cannot be lifted from any source whether government land or private land without environment clearance from State Environment Impact assessment Authority, Approved Mining Plan and Consent from State Pollution Control Board in addition to the agreement in case of Pvt land and lease in case of Govt land. Further no morrum can be lifted if the same is not in District Survey Report. In the present case no such documents are there prior to mining and the mining is being done randomly and indiscriminately from places which are not designated sources and not approved by government.

16. That the illegalities have been brought to the notice of the authorities including, DM Cuttack, Tahasildar Tangi-Choudwar on dated 16/03/2023 through email and on 25/06/2023. copy of the these letters are annexed here unto as **ANNEXURE-2**

17. It is also evident from photographs that soils/morrum have also been lifted around the trees leaving the same trees vulnerable to be uprooted

even by lighter wind speed and ultimately subjecting the trees to dry and decay in addition to the soil erosion in that area. Photographs are annexed here unto as ANNEXURE-3

18. Similarly the illegal mining was also widely reported in leading Odia News Papers such as in Prameya on 6<sup>th</sup> April 2023, 7<sup>th</sup> April 2023, 8<sup>th</sup> April 2023, Copy of the Newspapers clipping are annexed here unto as ANNEXURE -4

19. That in order to check the illegal mining, Government of Odisha has come out with a guideline dated **26/04/2019** where in instructions for prevention of illegal mining of minor minerals issued from time to time. The instructions include robust monitoring mechanism, **revenue and police administration shall seize the machine and vehicles, criminal proceedings**, temporary check gates, squads should be constituted, technical support of ORSAC may be taken for satellite based monitoring, all complaints of unauthorized quarrying be inquired by Sub-Collector/Tahasildar **within 72 hours and** prompt remedial measures be taken and monthly review of violation cases are suggested in the guideline and none of the points have been followed by the District Administration and Tahasildar.

20. That the exemption of ordinary earth from environment clearance for highway projects is not applicable in the present case in view of the

**MoEFCC OM dated 8/08/2022** and the Judgment of Honble NGT dated 28/02/2022 in OA 110 of 2020(Santanu Kumar Bhukta vs State of Odisha) and order of Honble SC in Deepak Kumar case. Copy of MoEFCC letter dated 8/08/2022 is annexed here unto as **ANNEXURE-5**

21.Hence the lifting of Morrums and Soil from all the afore mentioned sources are illegal and warrants appropriate action by the Tahasildar to the extent of seizure of vehicles, criminal proceedings against the person concerned and prohibiting the persons from lifting the morrum. Further, collecting the royalty and allowing the miners to go on further quarrying is not sufficient and deterrent too.

22.That Shanti Construction PVT Limited happens to be a Habitual Offender of illegal extraction of Minor Minerals and continues to illegally exploit the morrums and occasionally when get caught is being penalized to a minimum amount which does not have any deterrence on the illegal miner. Since this amount to theft of natural resources/government property, hence the appropriate section in Indian Penal Code should have been charged against the violator and the offence should have been notified to police station to apprehend and seize the illegal mined materials, vehicles and person concerned and same has not been done.

23. It is submitted that no action has been taken since 25/06/2023, though the Govt. circular of 26/04/2019 says action has to be taken within 72 hours (3days) and by now more than 100days have been passed but no action has been taken as on date. Copy of the guideline dated 26/04/2019 is here unto annexed as ANNEXURE-6
24. It appears that the Tahasil Office being in the helm of affairs and having obligation to ensure the laws are strictly followed has grossly failed in discharging the responsibilities.
25. Further in absence of all the requisites necessary for obtaining environment clearance, consent to operate, consent to establish, environment management plan, District Mineral Survey Report and mining plan all such illegal mining must be stopped.
26. As such all the illegalities are in violation of Supreme Court Judgment in Deepak Kumar Case of 2012, Environment Protection Act 1986, Forest Conservation Act 1980, The **Orissa Timber** and Other Forest Produce **Transit Rules**, 1980, Environment Impact Assessment Notification 2006 which warrants penalty along with imprisonment up to 5years.
27. That ODISHA MINOR MINERAL CONCESSION RULES, 2016 was notified on 14<sup>th</sup> December 2016 In exercise of the powers conferred by sub-section (1) of Section 15 of the Mines and Minerals (Development

and Regulation) Act, 1957 (67 of 1957) and in supersession of the provisions contained in the Odisha Minor Mineral Concession Rules, 2004.

28. Section 29. Environment clearance for grant of quarry lease: – (1) No quarry lease for minor minerals other than the specified minor minerals shall be granted without the approval of the appropriate authority under the provisions of the Environment (Protection) Act, 1986. (2) The Competent Authority may apply for and obtain the environmental clearance. (3) In case the clearance under sub-rule (2) has not been obtained by the Competent Authority, the selected bidder shall obtain the environmental clearance before executing the lease deed. (4) The lessee shall be responsible for obtaining environment clearance and implementing the environment management plan.
29. That Section 51 provides for Penalties:— (1) (i) Whenever any person is found extracting or transporting any minor mineral or on whose behalf such extraction or transportation is being made otherwise than in accordance with these rules, **shall be presumed to be a party to the illegal extraction or removal of such minor minerals and every such person shall be punishable with simple imprisonment for a term which may extend to two years or with fine which may extend to five**

**lakh rupees or with both and in case of a continuing contravention, with an additional fine which may extend to five thousand rupees for every day during which such contravention continues after conviction for the first such contravention.** (ii) The Collector or Sub-Collector or Tahasildar or Director or Joint Director or Deputy Director or Mining Officer or Senior Inspector of Mines or Divisional Forest Officer or Assistant Conservator of Forest or Range Officer or Police Officer not below the rank of Sub-Inspector of Police may seize the minor minerals and its products together with all tools, equipments and vehicles used in committing such offence within their respective jurisdiction. (ii), not exceeding the maximum amount of fine prescribed under these rules and value of the mineral and other properties seized and on payment of such fine and value, the seized mineral and properties shall be released forthwith: **Provided that the accused shall be liable to furnish an undertaking or bond to the effect that he shall not commit such offence in future:** (2) Whenever any person trespasses into any land in contravention of the provisions of these rules, such trespasser may be served with an order of eviction by the Tahasildar or Sub-Collector or Collector or Deputy Director or Mining Officer or Assistant Mining Officer or Divisional Forest Officer or Assistant Conservator of Forest or Range Officer within their respective jurisdiction and such

Government Officer, if necessary, may obtain the help of the police to evict the trespassers from the land. (5) If the person committing an offence under these rules is a company, every person, who at the time the offence was committed, was in charge of and was responsible to the company for the conduct of business of the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished as per the provisions of the Act and these rules. (7) In case of breach of any condition of the lease deed, the Competent Authority may give notice of sixty days to the lessee to rectify the defects within the time specified and if the lessee fails to rectify the defects within the specified time, the Competent Authority may cancel the lease and/or levy a penalty not exceeding rupees fifty thousand. (8) In case of breach of any condition mentioned in rule 37 of these rules and other conditions which the Competent Authority might have specified while granting a quarry permit, the Competent Authority may impose a penalty which may extend to rupees five thousand per day and in the event of continuing contravention, the Competent Authority may cancel the permit and in such case the minerals lying on the land from which the same are extracted shall thereafter become the property of the Government and be disposed of by public auction.

30. That despite of the provision for criminal prosecution which upon conviction will end in two year imprisonment, the Tahasildar simply penalized the peanuts and compounded the offence that encourages the offender to continue with the illegal mining.

31. That mining in forest land without prior approval of central government is an offence under Section 3 of Forest Conservation Act 1980

32. That the Hon'ble Tribunal while deciding the Original Application No 9 of 2021 (**Saral Kumar Parida Vs District Collector Balasore and others**) vide order dated 13th October 2022 held that the illegally mining to be assessed using **scientific method** such as Satelite Imagery and further held that the Tahasildar will be responsible for illegal mining and **criminal prosecution has to be instituted against concerned Tahasildar**. The relevant paras 36, 37, 39, 41, 44 and 47 is reproduced as follows

“Para36 The Enforcement and Monitoring Guidelines for Sand Mining, 2020 (EMGSM) issued by the Ministry of Environment, Forests and Climate Change (MoEF&CC) has laid down the procedure for monitoring mechanism to check environmental damage due to illegal mining.

Para37. The Guidelines provide for establishment of a Task Force to be headed by an officer not below the rank of Additional District Magistrate who shall submit quarterly reports to the district administration

Para 39 The Guidelines further provide for lodging of F.I.R. against persons involved in illegal excavation, storage and/or transportation of minor minerals including sand and imposition of fine as also initiation of actions under the provisions of the Income Tax Act, 1961 for unaccounted income and under the Central Goods and Services Act, 2017 for non-payment of GST as well as action under the provisions of the Motor Vehicles Act, 1989 against the driver and permit holder of the vehicle.

Para-41 Be that as it may, the Tahasildar, Basta, within whose jurisdiction the sand quarry exists, is the representative of the district administration, who is responsible for ensuring that no illegal sand mining is being carried out within his Tahasil and if he finds that illegal sand mining is going on, it is his duty to report the matter to the District Magistrate concerned immediately

Para44-We, therefore, direct the State Level Environment Impact Assessment Authority (SEIAA), Odisha to re-determine Environmental Compensation for illegal extraction of

sand by the Respondent No.10 for the five years period from 2017 (included) upto 2021 with the help of satellite imagery.

Para47. We further direct the Collector & District Magistrate, Balasore to lodge F.I.R. against the Tahasildar, Basta who was the Tahasildar during the period 2017 to 2021 during which the illegal extraction of sand has occurred according to the SEIAA, Odisha and such F.I.R. shall thereafter be carried to its logical conclusion. The Collector & District Magistrate shall also initiate departmental proceedings against the concerned Tahasildars in accordance with law.

33. That Extraction of Minor Minerals without prior Environment Clearance is an offence under Section 15 of the Environment Protection Act 1986 **and same is reproduced as follows**

“(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.”

34. That District Collector is the authority under the Environment Protection Act 1986 to initiate criminal prosecution under Section 19 of Environment Protection Act 1986 and the District Magistrate in the present case have not asserted his authority and thereby failed to discharge his duties and hence the Hon’ble Tribunal may call for a satisfactory reply and direct the Chief Secretary for necessary action to that effect.

35. That while upholding the Criminal Prosecution in a illegal sand mining case namely Jayant Etc Vs State of Madhya Pradesh, Criminal Appeal No 824-825 of 2020, Hon’ble Supremecourt on 3rd December 2020 has opined

**that“ violators cannot be permitted to go scot free on payment of penalty only violators cannot be permitted to go scot free on payment of penalty only. There must be some stringent provisions which may have deterrent effect so that the violators may think twice before committing such offences and before causing damage to the earth and the nature.**

**GROUNDNS**

- A. That the Private Respondent is illegally mining the morrums from forest and government land without Forest Clearance and Environment Clearance
- B. That the ongoing illegal morrum mining is in violation of Section 29 of Orissa Mineral Concession Rules (Amendment )2016 and Environment Impact Assessment Notification 2006
- C. That the right to Clean Air and Water which is guaranteed by expanding the scope of Article 21 of Constitution of India and same has been violated.
- D. That the ongoing illegal morrum mining destroying the local ecology is against the spirit of Article 48A and 51A(g) that mandates for protection of environment
- E. Indiscriminate and illegal morrum and soil mining is in violation of Environment (Protection) Act, 1986, Forest Conservation Act 1980, and Hon'ble Supreme Court Order in Deepak Kumar Vs State of Hariyana , W P (C) 202 of 1995(Godavarman Case)and Common Cause Case.
- F. That the present illegal mining is against the principle of Sustainable Development, Precautionary Principle and attracts the Polluters Pay Principle.

**LIMITATION**

That there is a subsisting cause of action because of the **ongoing mining activity in absence of valid Forest Clearance and environment clearance** and continuous damage caused by the illegal mining, hence the application is not barred by limitation.

**INTERIM PRAYER**

Direct the District collector Cuttack to stop mining of morrum and soil mining without forest and environment clearance till disposal of the Original Application.

**PRAYER**

The Applicant humbly prays for the following reliefs in view of aforementioned facts and grounds

- I. Constitute an independent fact finding committee to assess the quantity of minor minerals extracted illegally and assessment of ecological loss and environment compensation, and trees felled for morrum and soil mining
- II. Direct the Committee to inquire into the illegalities of mining and assess the extent/quantum of Minor Minerals including morrum and soil without environment clearance and its market value and environmental compensation.
- III. Direct the Private Respondent to Restore and reclaim the void created due to extraction of morrum and soil.
- IV. Fix the accountability of the public authorities for their inaction in restraining the private respondent from illegal mining

- V. Direct the authorities to initiate criminal proceedings against the private respondent under Environment Protection Act 1986 and Indian Penal Code(Section 379 and 414)
- VI. Impose exemplary penalty and environmental compensation for grossly violating the environment norms and causing environmental damage
- VII. Pass such other orders/directions as may be deemed fit and proper (including appropriately moulding the reliefs) in the bonafide interests of justice.

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

**By the Applicant Through**



**Date-05/10/2023**

**ADVOCATE**

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

ORIGINAL APPLICATION NO ..... OF 2023

IN THE MATTER OF:

SRIKANTA KUMAR PAKAL & OTHERS

APPLICANTS

VERSUS

STATE OF ODISHA AND ORS

RESPONDENTS

AFFIDAVIT

08 SEP 2023

I SRIKANTA KUMAR PAKAL, S/o Sindhubas Pakal, Aged about 42yrs, R/o QR No 25/1, OTM Colony, Choudwar, Dist-Cuttack, 754025 do hereby solemnly affirm, and declare as under:

1. That I am the Applicant in the abovementioned application and authorized by other co-applicants 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.

*Srikanta Kumar Pakal*  
DEPONENT

VERIFICATION

08 SEP 2023

Verified on this the \_\_\_\_\_ day of \_\_\_\_\_ 2023 at \_\_\_\_\_ that the contents of the above rejoinder are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By \_\_\_\_\_  
The above named deponent(s) being duly identified by me

Advocate

Appears before me on oath that the contents of this affidavit are true to the best of his/her knowledge and belief.

08 SEP 2023

*Srikanta Kumar Pakal*  
VERIFICANT



JATIN MEHTA, ADVOCATE  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR  
Regd No-ON-86/2012  
Mob N 9337121273

*8/9/23*



E-mail-tah.tangich-od@nic.in

Phone No: 0671-2491742

OFFICE OF THE PUBLIC INFORMATION OFFICER, TANGI-CHOUDWAR TAHASIL

NO. 5394 DT. 26.7.21.

To,


Sri Swadesh Ranjan Tripathy  
 S/o Ratnakar Tripathy  
 Vill - Chintamanipur, P.S. Tangi, Dist. Cuttack.

Sub: Supply of information under R.T.I Act 2005.

Ref: Your R.T.I Application No. 58 dt. 6.7.21

With reference to your R.T.I Application No. 58 dt. 6.7.21, I am  
 to enclose here with the required information received from concerned ~~RTI~~ section of  
 this office for your information.

As such your RTI application is disposed of accordingly.

  
 Public Information Officer  
 Tangi-Choudwar Tahasil

TO


The P. I. O Targi, Choudwar Tahasil

Sub: Information on R. T. I application  
No - 58/21

Madam,

I am submitting here with the required information on RTI application No - 58/21 on point wise as below:

- ① A sum amount of ₹ 200000.00 (Two lacs) only received on illegal extraction of minor minerals vide RR No - 077 3280 dt 27/5/20 (copy enclosed)
- ② As regards your imaginations about realization of ₹ 130000-00 towards Royalty & penalty, you have not mentioned specific date, so as to ~~supply~~ trace out the same & supply the available copy.
- ③ As regards Length & Depth of Quarry in Mania. This is inform you that, Royalty & Penalty has been realized from the vehicle illegal extracting materials as per assessment of the volume on load. This has no value about Depth & Length of the patch.
- ④ NO Royalty & penalty amounting to ₹ 2000000000 realized

  
Public Information Officer  
Targi Choudwar Tahasil  
Jagatpur

Schedule XIV—Form No. 176

ପାରମ ସଂ. XII ରସିକ ପୁସ୍ତକ  
(ନିୟମ ୭୭)



ଖଜଣା ପାଇଡି ..... କିଲ୍ଲା

..... ସର୍କଲ ..... ଥାନା ..... ମୌଜା

..... ବର୍ଷ AAN 0773280

୧ । ପ୍ରକାର ନାମ.....

୨ । ଜମାବନ୍ଦି ନମ୍ବର..... ଜମିର ପରିମାଣ.....

୩ । ବାର୍ଷିକ ପାଇଶା, ଚଳିତ ବର୍ଷର ବକେୟା ଓ ହାଲ ପାଇଶାର ବିବରଣ (ଟଙ୍କା ଓ ପଇସାରେ)

ଯେଉଁ ବାବଦ ପାଇଶା	ବାର୍ଷିକ	ବକେୟା				ମୋଟ ପାଇଶା
		୩ ବର୍ଷରୁ ଉର୍ଦ୍ଧ	ଦୁତୀୟ ବର୍ଷ	ତୃତୀୟ ବର୍ଷ	ଗତ ବର୍ଷ	
ଭୂମି କର ..						
ଜଳ କର ..						
ବନ କର ..						
ଅନ୍ୟାନ୍ୟ କର (ସେସ)						
ବିବିଧ ..						
*ସୁଧ ..						
ଗାଏ ମୋଟ						୨,୦୦,୦୦୦.୦୦
ଭୂମି କର ..						
ଜଳ କର ..						
ବନ କର ..						
ଅନ୍ୟାନ୍ୟ କର (ସେସ)						
ବିବିଧ ..						
*ସୁଧ ..						
ଗାଏ ମୋଟ						୨,୦୦,୦୦୦.୦୦

୪ । ସର୍ବମୋଟ ବାଖଲ ଟଙ୍କା (ଅକ୍ଷରରେ).....

୫ । ଯାହାଦ୍ୱାରା ବାଖଲ ହେଲା.....

୬ । ମୋଟ କେତେ ବକେୟା ରହିଲା.....

ଅଧିକାରୀଙ୍କ ଦ୍ୱାରା ଅବଲକାନ୍ତ ହୋଇଛି  
ତାରିଖ: ୨୬/୫/୨୦..... ଅବଲକାନ୍ତ ହୋଇଛି

\*ଅଧିକ ବର୍ଷ ମଧ୍ୟରେ ଆକାୟ ନ ହୋଇ ବକେୟା ଥିବା ଖଜଣା ଉପରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ଓ ବକେୟା ଜଳକର ବାବଦରେ ଶତକଡ଼ା ବାର୍ଷିକ ୬ ହାରରେ ସୁଧ ଲାଗିବ ।

OGP-Forms-CTP--256-2,00,000 Bks.-10-07-2018

Public Information Officer  
Tangi Choudwar Tahasil  
Jagatpur

26/5/20  
Tahasildar, Tangi-Choudwar

Memo No. 225/..... Dtd. 27/5/20  
Copy to Nazir/ RI, Uchapada for information & necessary action. They are directed to realize amount on proper receipt and report accordingly.

26/5/20  
Tahasildar, Tangi-Choudwar

**ENGLISH TRANSLATION OF RECEIPT DATED 27/05/2020**

FORM NO. XII RECEIPT BOOK

Rule-66

RENT RECEIPT

Circle- Uchapada P.S. Tangi Mouza- Mania, Dist- Cuttack Year. 2020-21

1. Name of the Tenant: SANTI CONSTRUCTION, BIPIN KUMAR AGARWAL

2. Land assessment No. 531 Area.....

3. Annual Rent, details of amount of present and arrear amount

	annually	Arrear				Hal	Total Amount
		Above 3 year	Third Year	Second year	Previous year		
Land Rent				2020-21			
Water Rent				Royalty & Penalty		1,50,500	
Forest Rent						49,500	
Other Rent							
(Cess)							
Interest							
<b>Total</b>							<b>200000</b>

4. Total deposited amount (in word)- Two lakh Rupees only

5. Submitted by-

6. Total outstanding amount

Date- 23.05.2020



## ANNEXURE-2

Srikant Pakal &lt;srikantpakal@gmail.com&gt;

**Demand for Immediate intervention and action over illegal morum and laterite stone lifting from Village Mania , Uchapada under Tangi-Choudwar Tahasil under Cuttack District .**

1 message

**Srikant Pakal** <srikantpakal@gmail.com>

Thu, Mar 16, 2023 at 2:43 AM

To: csori@nic.in, paribesh1@ospboard.org, tah.tangi@nic.in, Bhabani shankar chayani Collector Cuttack &lt;dm-cuttack@nic.in&gt;, revsec.od@nic.in, roez.bsr-mef@nic.in, gm@ecor.railnet.gov.in

**Representation through Mail****Date: 16th March 2023**

To

1. Chief Secretary, **State of Odisha**Secretariat Building, Bhubaneswar, 751001 Email- [csori@nic.in](mailto:csori@nic.in)2. Chairperson , Pollution Control board , Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII, Bhubaneswar – 751012, Odisha, Email- [paribesh1@ospboard.org](mailto:paribesh1@ospboard.org)3. Tahasildar, Tangi-Choudwar Tahasil , Jagatpur , Cuttack-754021, Email- [tah.tangi@nic.in](mailto:tah.tangi@nic.in)4. District Collector , Cuttack -753002, Email- [dm-cuttack@nic.in](mailto:dm-cuttack@nic.in)

5. Principal Secretary , Revenue & Disaster management department , Govt of Odisha, Lokseva Bhawan ,Bhubaneswar-751001 ,Email- [revsec.od@nic.in](mailto:revsec.od@nic.in)
6. Principal Secretary ,MOEF Regional Office , A/3 , Chandrasekharpur Bhubaneswar-23 ,[EMail- roez.bsr-mef@nic.in](mailto:roe.z.bsr-mef@nic.in)
7. General Manager ,East Coast Railway , Rail Sadan, Samant Vihar ,[Bhubaneswar-17, EMail-gm@ecor.railnet.gov.in](mailto:gm@ecor.railnet.gov.in)
8. Shanti Construction PVT Limited , Plot No-1104/2707, Bangalipara, Badabazar , Sambalpur -768003

**Sub:** Demand for Immediate intervention and action over illegal morum and laterite stone lifting from Village Mania , Uchapada under Tangi-Choudwar Tahasil under Cuttack District .

Dear Sir,

With due respect & humble submission I draw your kind attention to the following paragraphs for urgent action.

1. That Tangi-Choudwar Tahasil has been hot-bed for Morum / Sand / Stone Mafia in the knowledge of Tahasildar and RI. Many individuals and contractors are cutting laterite stone, lifting morum from the forest land /Govt land and lifting sand out of identified area illegally in collusion with Tahasildar and RI in spite of many complaints presented before him .
2. At present Shanti Construction company (Shanti Construction pvt ltd ,Plot no-1104/2707, Bangalipara , Badabazar ,Sambalpur -768003) appointed for civil work at Tangi area by Railway dept (East coast Railway ) is seen lifting morum illegally in the area of 20 acre out of 76 acre of Forest land ( Rakhita ,Jungle II) without any valid prospective license and NOC from Uchapada grampanchayat ((plot no-3 ,Khata no -465 from Karei 33 village ) under Tangi-Choudwar Tahasil .

3. Surprisingly , the Tahasildar ,Tangi-Choudwar and RI of concerned are cooperating this contractor for illegal lifting of Morum.
4. As per rough estimate, the said company has lifted morum worth around Rs 5 crore from the above place . when complaint was lodged before Tahasildar , He only verbally instructed concerned RI to take action without any official order or notice.
5. When we approached the RI of said area , he expressed his helplessness as the Tahasildar did not take any steps to stop the contractors by sending police force. No raid is also conducted by Tahasildar.
6. Contractors are Not only lifting of morum in that area but also many Local Stone Mafia in the protection of political leader cutting Laterite stone from 3 places, bearing plot no 1606 , khata no 529 under mania village ,Khata no- 530 ,Plot no -48 & Khata no- 532, Plot no- 550 under the same panchayat , Uchapada under Tangi-Choudwar Tahasil.
7. In the above location , Cutting and transportation of laterite stone is going on day and night in the knowledge of Tahasildar and RI . Villagers belonging to same village lodged many complaints before Tahasildar and Police Station and even to Collector. But all went in vain . No action has been taken by anyone till today.
8. Even Morum lifted by Contractor for BURFI Project contoured by Collector in the river front of Mahanadi ,Cuttack from these places too .
9. As face-saving exercise , Tahasildar picked up Trucks /Tractor in the mid road which carries laterite Stone or morum lifted from the above area and fined them and later on freed these vehicle without seizing it and arresting the person behind it who runs these illegal practice .
10. That under Uchapada Panchayat there is one reserve forest area wherein morum worth Rs 5 core has been lifted and in other 3 places only laterite stones are cutting and lifting in broad day light which valued around **more than 20 crore**. cutting of stone has been started more than 10 years back. No authority, though aware has taken any concrete action, not even arrested anyone till date .

34

It deserves to mention here that the material resources of the community like forests, hillock, mountain etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution.

Hence, I appeal to your august office to immediate stoppage of lifting of Morum and cutting of Laterite Stone from the above area under Tangi-Choudwar Tahasil and initiate immediate legal action against tahasildar as well as Contractor .

Sincerely

SRIKANTA KUMAR PAKAL

S/o- SINDHUBAS PAKAL,

AT/PO -QR NO 25/1, OTM COLONY

CHOUDWAR, DIST- CUTTACK, 754025

Mail-[srikantpakal@gmail.com](mailto:srikantpakal@gmail.com)

**Thanks & Regards**  
**Srikanta pakal**

**Mob -6370216463**

**Mail-Srikantpakal@gmail.com**

**21 attachments**



**Shanti Constr.jpg**  
104K



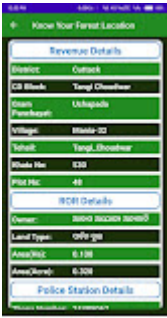
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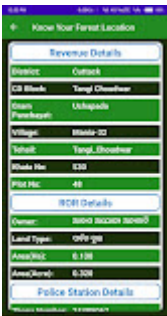
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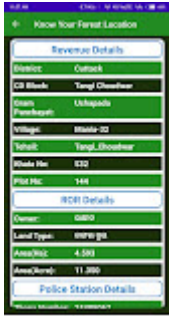
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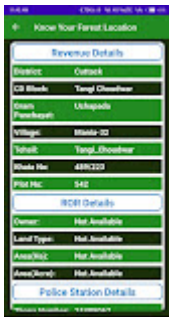
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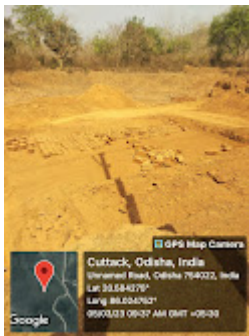
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To

The Tahasildar, Tangi-Choudwar, Jagatpur, Cuttack.

**Sub :- [To stop Illegal digging of earth, Procurement of Late rite Stone, Murom etc in the Village Mouza Mania under Uchhpada G.P in Tangi-Choudwar Tahasil Cuttack & take drastic action against the Mafias for Such Illegal work.]**

Sir,

With due to respect we the following signatories are native of Mouza Mania G.P. Uchapada under the administrative control of your Tahasil do draw your kind attention to the following few lines that :-

1. In our Village the land recorded as Gochar , Govt. Forest , Bhudan land in the Govt. Record have been looted by some anti Social elements ( Mafias ) by Procuring Laterite stone, Murom etc by using heavy machines such as J.C.B , power tiller, Excavator etc and supplying day & night through Hiwa, trucks & tractors to earn money without taking care of the interest of local villagers causing severe damage to pollution as well as to the farmers , cattels & others with the knowledge of concerned R.I. & Officials of Tahasil Office under your Control. It's a Pity to Mention here that due to such Evil deeds, 90% of the Land meant for Forestland, Gochar, Bhudan have been Occupied by those mafias & turned in to deep ditch causing the Causality of local inhabitants & forest animals .
2. It is further mentioned that the area pointed above comes under seismic belt & due to such Excavation. it will cause a lot of damage in the near future.
3. It is again note that so far we are concerned that **Khata no -529, Plot-93 A02.59 have been given by the Govt's authority on lease to one Krushna Chandra Das for a Period of 5 years since 2020. But the Lease Without digging the lease land now digging late rite stone morum from other lands Surrounded to his lease land causing heavy loss of revenue to the Govt.**
4. It is again stated that, due to Complaint of the Villagers, the Tahasil Official come to Enquire the matter & after they left the spot the Process of Digging again starts as usual. It is clears from the fact that the Govt. Officials have secrete hands for such Illegal activities.
5. Further it is said that **M/s Shanti Construction, Sambalpur & Prop. Bipin Kumar Agarwalla** have been authorised to procure soil Morum etc. For construction of Railway track for which the company is supposed to supply the materials from the land leased to the party but it is seen that the company illegally using other lands for the purpose.

### Hence we pray before you

- To stop illegal procurement of earth, Morum from other lands except the lease land.
- To fill up the deep ditch caused by digging for the better meant of the local people.
- To take immediate action against the mafias and other officials involved to such illegal works.

Place : Mania/Tangji/CTC

Date: 25/06/23

ସାଧୁ ମହାନ ସାହୁ  
Jachindra Mohan Sahoo  
Bada Kumar Das  
Rikpala

ସିଦ୍ଧାନ୍ତ ପାଣିଗ୍ରାହୀ

ପ୍ରକାଶ କୁମାର ଦାଶ

ପ୍ରକାଶ କୁମାର ଦାଶ

Prakash Kumar Das

Pintu Das

Yours Faithfully

Kailash Chandra Kilar

Asyakumar Prusty  
Keshab Chandra Behera

Ranjan Paei

Sreikant Sahoo

Trilochan Bheesa

Shyam Sunder Sahoo

Aswini Kumar Sahoo

Trailokya Das

Prakash Kumar Das

Prakash Kumar Das

Narayan chandra Das

Antar Jangal Kilar

Dhula Mani Bheesa

Prakash Kumar Das

Prakash Kumar Das

Prakash Kumar Das  
Jatdev Behera

Copy forward to Sub-Collector Sadar , Cuttack / A.D.M. Revenue, Cuttack/

Collector, Cuttack/R.D.C. Central Division, Cuttack/D.F.O., Cuttack/Member of Board of revenue/ Pollution Control Board of ,BBSR for information & needful action .

## PHOTOGRAPHS OF MORRUM MINING











# ଗ୍ରାମବାସୀଙ୍କ ଆନ୍ଦୋଳନ ଚେତାବନୀ



ନିକଟରେ ଅଭିଯୋଗ କରିଥିଲେ । ମାତ୍ର ପ୍ରଶାସନ ଏ ଦିଗରେ କୌଣସି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନନେବାରୁ, ସେ କୋର୍ଟର ଦ୍ଵାରସ୍ଥ ହୋଇଛନ୍ତି । ତେବେ ଦାୟିତ୍ଵରେ ଥିବା ବାବୁ ମାନେ ଜନସାଧାରଣଙ୍କ ଅଭିଯୋଗକୁ ପାଦରେ ଆଡ଼େଇ କାହା ନିର୍ଦ୍ଦେଶରେ ବେଆଇନ୍ କାର୍ଯ୍ୟ କୁ ପ୍ରଶଂସା ଦେଉଛନ୍ତି ତାହା ଏବେ ବଡ଼ ପ୍ରଶ୍ନ ହୋଇଛି । ସରକାର ଜଙ୍ଗଲ ପୁରସ୍କା ଆମର ରକ୍ଷା ଆହ୍ଵାନ ଦେଉଥିବାବେଳେ ମାଫିଆମାନେ ଦିନ ରାତି ଜଙ୍ଗଲ କାଟି ମାଟି ମୋରମ ଚାଲଣ କରି କୋଟିପତି ହେବାରେ ଲାଗିଛନ୍ତି । ଏହି ମାଫିଆମାନେ ମାଟି ମୋରମ ଚାଲଣ ଲୋଭରେ ବଡ଼ ବଡ଼ ଗର୍ଭ ସୃଷ୍ଟି କରିବା ଫଳରେ ଏହା ମଧ୍ୟ ବିପଦର କାରଣ ପାଲଟୁଛି । ଏଥିପ୍ରତି ଉଚ୍ଚ କର୍ତ୍ତୃପକ୍ଷ ଦୂରତ ଦୃଷ୍ଟି ନଦେଲେ ଆଂଶୁମାନ ଦିନରେ ଜିଲ୍ଲାପାଳ କାର୍ଯ୍ୟାଳୟ ସମ୍ମୁଖରେ ଧାରଣା ଦେବାକୁ ଅଜୟ କୁମାର ପୁଷ୍ଟି, କେଶବ ବେହେରା, ସୁଦେଶ କୁମାର ତ୍ରିପାଠୀ, ସମୀର କୁମାର ଖୁଲାର, ଭରତ ଚରଣ ନାୟକ, ଅଜୟ ଓସ୍ତା, ଜଗନ୍ନାଥ ବେହେରା, ଗୌରାଜୀ ସାହୁ, ରୋହିତ ରାଉତ ସମେତ ବହୁ ଗ୍ରାମବାସୀ ମାନେ ଚେତାବନୀ ଦେଇଛନ୍ତି ।

ବିଷୟ ବୋଲି ଅଭିଯୋଗ ହେଉଛି । ଏକ କନସ୍ଟ୍ରକ୍ସନ୍ ସଂସ୍ଥା ପ୍ରଶାସନକୁ ଭାଲ କରି ବେଆଇନ୍ ଭାବେ ମାଟି ମୋରମ୍ ନେଉଛି । ଏହି ମୌଜାରେ ଥିବା ବ୍ୟକ୍ତିଗତ ଜମିକୁ ଆରମ୍ଭ କରି ଜଙ୍ଗଲ ଜମିରୁ ଚାଲଣ କରୁଥିବାରୁ ସରକାର କୋଟି କୋଟି ଟଙ୍କା ରାଜସ୍ଵ ହରୋଉଛନ୍ତି । ତାହା ସହ ମାଫିଆମାନେ ଜୋର୍ ଜବରଦସ୍ତି ସେହି ସ୍ଥାନରେ ଥିବା ଅଜୟ କୁମାର ପୁଷ୍ଟି ଓ ବିରଞ୍ଜି ନାରାୟଣ କରଙ୍କ ଘରବାରି ଜମି ଓ ସରକାରୀ ଅନାବାଦୀକୁ ସମ୍ପର୍ଣ୍ଣ ଭାବେ ଡାକିଦେଥିବାରୁ ଶ୍ରୀ ପୁଷ୍ଟି ଏନେଇ ପ୍ରଶାସନ

ଟାଙ୍କୀ, ମାଟ/ଏନ୍ଏନ୍ଏସ୍: ଟାଙ୍କୀ ଥାନା ଅନ୍ତର୍ଗତ ଉଚ୍ଚପଦା ପଞ୍ଚାୟତ ମଣିଆ ମୌଜା ଚମ୍ପେଇଶୁଣି ଠାକୁରାଣୀଙ୍କ ନିକଟରୁ ଦିର୍ଘଦିନ ହେବ ବେଆଇନ୍ ଭାବେ ଶହ ଶହ ଛିପ୍ ମୋରମ ଓ ମାଟି ଗୋରା ଚାଲଣ ହେଉଥିଲେ ବି ପ୍ରଶାସନ ପକ୍ଷରୁ କୌଣସି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିଆଯାଉନଥିବା ଅଭିଯୋଗ ହେଉଛି । ଏପରିକି ଏହି ବେଆଇନ କାରବାର ସମ୍ପର୍କରେ ଜିଲ୍ଲାପାଳ, ତହସିଲଦାର, ବନ ବିଭାଗ, ପୁଲିସ ନିକଟରେ ଅଭିଯୋଗ କରାଯାଇଥିଲେ ମଧ୍ୟ ସବୁ ଜାଣି ମଧ୍ୟ କୌଣସି ପଦକ୍ଷେପ ନନେବା ଅଶ୍ଵର୍ଯ୍ୟର

# ଗ୍ରାମବାସୀଙ୍କ ଜମିରୁ ଖୋଳାଯାଉଛି ମାଟି, ମୋରମ

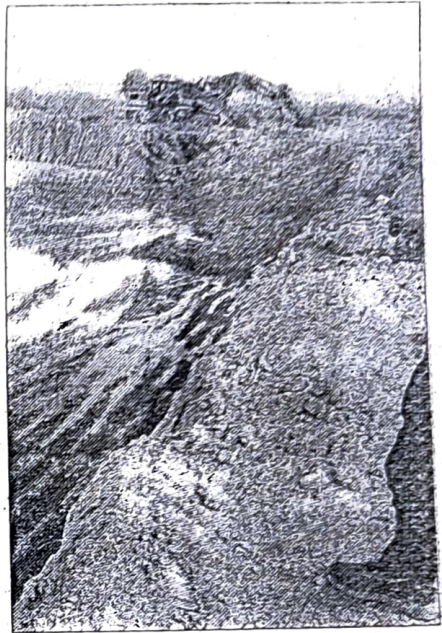
48

ଟାଙ୍ଗା, (କଟକ) ୨୫ (ଡି.ଏନ୍.ଏ.)

ଟାଙ୍ଗା-ଚୌଦ୍ୱାର ତହସିଲ ଅଧୀନ ମଣିଆ ମୌଜାରେ ମାଟି, ମୋରମ ଓ ପଥର ମାପିଆଙ୍କ ବୈରାମ୍ୟ ବଢ଼ିବାରେ ଲାଗିଛି। ରାସ୍ତା ଓ ରେଳପଥ ସମ୍ପର୍କରଣ କାର୍ଯ୍ୟ ପାଇଁ ସେମାନେ ଅନାବାସୀ, ଗୋଚର ଓ ଜଙ୍ଗଲ କ୍ଷେପ ଜମିରୁ ମାଟି, ମୋରମ ଓ ପଥର ଚାଲାଣ କରିଥିବା ଅଭିଯୋଗ ହୋଇଛି। ଏହାଦ୍ୱାରା ଲୋକମାନେ ନିଜ ଚାଷଜମିକୁ ଯିବା ପାଇଁ ଅସୁବିଧାର ସମ୍ମୁଖୀନ ହୋଇଥିବାବେଳେ ହାତୀକ ଚଳାପଥ ପ୍ରଭାବିତ ହୋଇଛି। ଏବେ ଗ୍ରାମବାସୀଙ୍କ ଜମିରୁ ମାପିଆମାନେ ବେଆଇନ ଭାବେ ମାଟି, ମୋରମ ଓ ପଥର ଖୋଳି ନେଉଛନ୍ତି। ଏହାର ପ୍ରତିବାଦ କଲେ ସେମାନେ ଜୀବନରୁ ମାରିଦେବାକୁ ଧମକ ଦେଉଛନ୍ତି। ଏହାକୁ ନେଇ ସେମାନେ ଭୟଭୀତ ହୋଇପଡ଼ିଛନ୍ତି। ଦୁରନ୍ତ ତଦନ୍ତ କରି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରିବା ପାଇଁ ଗ୍ରାମବାସୀ ସ୍ଥାନୀୟ ପୋଲିସ୍ ଓ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ପବିତ୍ର କୁମାର ବେହେରାଙ୍କ ନିକଟରେ ଅଭିଯୋଗ କରିଥିଲେ। ଏ ନେଇ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ସରଜିନି ତଦନ୍ତ କରିବା ପରେ ତହସିଲ କାର୍ଯ୍ୟାଳୟକୁ ଏହାର ରିପୋର୍ଟ ପଠାଇଥିଲେ। ଅନୁରୂପଭାବେ ଟାଙ୍ଗା ଥାନା

## ■ ବହୁଛି ମାପିଆଙ୍କ ବୈରାମ୍ୟ ■ ପ୍ରତିବାଦ କଲେ ମାରିଦେବା ପାଇଁ ଧମକ

ଅଧିକାରୀ ପଦାରବିନ୍ଦ ତ୍ରିପାଠୀ ଏହାର ତଦନ୍ତ କରିବା ପାଇଁ ବିଶ୍ୱାଳି ଫାଣ୍ଡି ଅଧିକାରୀଙ୍କୁ ପଠାଇଥିଲେ। ଫାଣ୍ଡି ଅଧିକାରୀ ଏହାର ତଦନ୍ତ କରିବା ପରେ ରିପୋର୍ଟ ଥାନାଧିକାରୀଙ୍କୁ ଦେଇଥିଲେ। ଇତିମଧ୍ୟରେ ଅନେକଦିନ ବିତି ଯାଇଥିଲେ ମଧ୍ୟ ମାପିଆମାନଙ୍କ ବିରୋଧରେ କୌଣସି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯାଇନାହିଁ। ଫଳରେ ଗ୍ରାମବାସୀ ଅଜୟ କୁମାର ପୃଷ୍ଟି, ଭରତ ଚରଣ ନାୟକ, କେଶବ ଚନ୍ଦ୍ର ବେହେରା, କୈଳାସ ଚନ୍ଦ୍ର ଟିଲାର ପ୍ରମୁଖ ଜିଲାପାଳ, ଉପ ଜିଲାପାଳ, ଆରଡିସିଙ୍କ ନିକଟରେ ଅଭିଯୋଗ କରିବା ସହ ଉଚିତ ପଦକ୍ଷେପ ନେବାକୁ ଅନୁରୋଧ କରିଛନ୍ତି। ରାଜସ୍ୱ ନିରୀକ୍ଷକ ବେହେରା କହିଛନ୍ତି, ମୁଁ ତଦନ୍ତ ରିପୋର୍ଟ ତହସିଲ କାର୍ଯ୍ୟାଳୟକୁ ପଠାଇ ଦେଇଛି। ଯାହା ବୁଝିବା କଥା ତହସିଲଦାରଙ୍କୁ ପଚାରନ୍ତୁ। ତହସିଲଦାର ଅଜୟ କୁମାର ମଲିକଙ୍କୁ ଫୋନ ଯୋଗେ ଯୋଗାଯୋଗ କରାଯାଇଥିଲେ ମଧ୍ୟ ସେ ଫୋନ୍ ଉଠାଇ ନ ଥିଲେ।





## SUMMARY OF ODIA NEWS PAPER

It is alleged that hundreds of tripe morrum and soil are being illegally smuggled from Champeishuni Thakurani, which comes under Mania Mauza under Tangi Police Station but no action is being taken by the administration. Even if complaints were made to the District Magistrate, Tehsildar, Forest Department, Police about this illegal transaction, it is surprising that no action was taken by the administration despite knowing everything.

A Construction organization is illegally taking soil and morrum under the guise of the administration. Starting from the private land in this mauza, the government has spent crores of rupees as the forest land is being exploited. Revenue is being lost. Along with that, the mafias have forcibly taking morrom from the land of Ajay Kumar Prusti and G Biranchi Narayan Kar and also the government officials are involved in this illegal act. But since the administration did not take any action in this matter they approached to court. However, it is now a big question that the in- charges are carrying out illegal activities under the direction of whom. While the government is calling for forest protection, mafias are becoming millionaires by cutting forests day and night.

F. No. 3-70/2020-IA.III [141127]  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA Division)

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

Dated: 8<sup>th</sup> August, 2022

OFFICE MEMORANDUM

**Subject: Clarification on the applicability of EIA Notification 2006 for excavation of Ordinary Earth from borrow area for linear projects - reg.**

The Ministry, vide Notification S.O. 1224 (E) dated 28.03.2020, amended the appendix IX of EIA Notification to inter-alia provide exemption from Environmental Clearance (EC) for "*extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc.*"

2. Subsequently, the above mentioned Notification was challenged before the National Green Tribunal, Principal Bench in Original Application No. 190/2020 in the matter of Noble M. Paikada Vs. Union of India & Ors., wherein the Hon'ble Tribunal while disposing of the application vide order dated 28/10/2020, *inter-alia* held that "*.....the exemption should strike balance and instead of being blanket exemption, it needs to be hedged by appropriate safeguards such as the process of excavation and quantum...*" and directed to revisit the impugned notification dated 28.03.2020.

3. Subsequently vide order dated 31/05/2022, the Hon'ble NGT in M.A. No. 07/2022(WZ) & M.A. No. 08/2022(WZ) in Original Application No. 68/2020(WZ) titled Shri Rajiv Babasaheb Waman & Ors. vs. Ministry of Environment, Forest & Climate Change & Ors inter-alia held that "*... that excavation of earth and mining of sand and other minor minerals being hazardous activity having serious adverse impact on environment in view of 'Precautionary' and 'Sustainable Development' principles, such activity cannot be left unregulated by statutory enforceable mechanism. Blanket exemption is against ecologically sustainable development norms and judgment of Hon'ble Supreme Court...*"

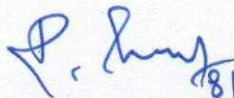
4. The matter was referred to the concerned Expert Appraisal Committee (EAC) for deliberation. After due deliberation, the EAC was of the opinion that if such linear project has obtained EC based on EIA studies incorporating such sourcing of construction material or other activities, necessary safeguards are already incorporated in the EC appraisal process. However, if such sourcing of material is not considered in the EIA or such linear project does not attract provisions of EC, then

such individual activities will be subject to extant environmental regulations as per EIA Notification 2006, as amended and/or applicable environmental safeguard related directions issued by the State Government /SPCB which need to be observed while sourcing construction material.

5. Based on the recommendations of the EAC and keeping in view the direction of Hon'ble NGT, the matter has been examined by the Ministry in detail and it has been decided that the exemption from EC provided vide S.O. 1224 (E) dated 28.03.2020 for "*extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc.*" shall be subject to Standard Operating Procedure (SOP) as enclosed to this Office Memorandum.

6. This is issued with the approval of the Competent Authority.

Encl: as above.

  
8/8/22  
(Sundar Ramanathan)  
Scientist 'E'

To

1. Chairman and Member Secretaries of SEIAA/ SEACs.
2. Chairman, Central Pollution Control Board (CPCB).
3. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

**Copy for information to:**

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/PPS to JS (SKB)
6. Website, MoEF&CC/Guard file

**SOP for Borrow Area Identification; its operation, safety and redevelopment**

The activity relates to identification of borrow areas to obtain earth/soil materials; its operation, safety and redevelopment shall be carried out as per the following criteria:

**1. Selection of site, operation and site-specific measures to adopt**

- i. Environmental issues like siting borrow pit location, soil erosion aspects, accumulation of run-off and associated problems, disposal of debris by local community in open borrow area, transport of borrow earth to construction site, preservation of top soil of 15m depth and reuse for plantation, reinstatement of borrow pits and sites shall be considered before selection of site.
- ii. Guidelines, Manuals, Notifications etc issued by various agencies from time to time like IRC, MoRTH, MoEFCC etc shall be followed.
- iii. For selection of the site for the borrow area, agricultural land, cut material available from other road construction projects, dredging material from dredging operations of ponds, lakes, rivers and canals, material from barren land or land without tree cover outside the road RoW, material from excavation of proposed culverts can be considered. Provided further that, highly productive top-soil shall be stored separately and used for planation activity.
- iv. Borrowing shall be avoided on the lands close to toe line, irrigated agricultural lands, grazing land, lands within settlements, 1 Km from environmentally sensitive areas such as Reserve Forests, Protected Forests, Sanctuary, National Parks, Conservation Reserve, Wetlands etc, unstable and fragile side-hills, streams and seepage areas, areas supporting rare plants/ animal species. It should be ensured that unsuitable soft rock is not prominent within the proposed depth of excavation which will render rehabilitation difficult.

**2. The General Guidelines**

- i. The preservation of topsoil will be carried out in stockpile.
- ii. A 15 cm topsoil will be stripped off from the borrow pit and this will be stored in stockpiles in a designated area for height not exceeding 2m and side slopes not steeper than 1:2 (Vertical: Horizontal).
- iii. Preservation of Top Soil of 15cm depth and its reuse for plantation
- iv. Validation of the work of re-use of Top Soil by the AE/IE. Competent authority to check the re-use anytime if warranted.
- v. Borrowing of earth will be carried out up to a depth of 2m from the existing ground level.
- vi. Borrowing of earth will not be done continuously throughout the stretch.
- vii. Ridges of not less than 8m widths will be left at intervals not exceeding 300m.
- viii. Small drains will be cut through the ridges, if necessary, to facilitate drainage.
- ix. Depends upon the location of borrow areas, the safeguard measures & management specific treatment as a particular borrow area depending upon its

location viz Agriculture Land, Elevated Land, Waterbody, near Settlement and along the alignment.

### 3. Re-development of Borrow Areas

The objective of the rehabilitation programme is to return the borrow pit sites to a safe and secure area, which the general public should be able to use safely. Securing borrow pits in a stable condition is fundamental requirement of the rehabilitation process. This could be achieved by filling the borrow pit approximately to the road level. Following measures shall be taken for Rehabilitation:

- i. Borrow pits shall be backfilled with rejected construction wastes (unserviceable materials) including fly ash, compacted and will be given a turfing or vegetative cover on the surface. If this is not possible, then excavation slope should be smoothed, and depression is filled in such a way that it looks more or less like the original ground surface.
- ii. During works execution, the Contractor shall ensure preservation of trees during piling of materials; spreading of stripping material to facilitate water percolation and allow natural vegetation growth; re-establishment of previous natural drainage flows; improvement of site appearance; digging of ditches to collect runoff; and plantation may be carried out wherever feasible or pit may be developed for water storage as per Amrit Sarovar Scheme of MoRTH.

### 4. Development of Amrit Sarovar

Under Amrit Sarovar Programme, water bodies are being developed by MoRT&H/NHAI/other road development agencies and the desilting of existing water body is also being taken up for water harvesting and re-charge of ground water. The earth available from development of such water bodies is to be utilised for road works and plantations as per suitability of soil. The State Authorities have already been advised not to levy any royalty for borrowing of earth for development of water bodies under Amrit Sarovar Programme.

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By e-Mail/Fax

GOVERNMENT OF ODISHA  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

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RDM-MMS-EXINST-0001-2019-

12611

/R&amp;DM Dated 26.04.2019

From

Shri Nikunja B. Dhal, IAS  
Principal Secretary to Government

To

All Collectors

**Sub: Guidelines for regulating the sand quarrying in the State.**

Madam/Sir,

Sand is the most important minor mineral used for various development projects and construction of buildings. Increase in demand of sand has put immense pressure on the sand sources, at times leading to illegal quarrying activities.

Unscientific sand quarrying and illegal lifting not only causes revenue loss to the state exchequer but also distorts the natural equilibrium of rivers. Indiscriminate sand mining may also lead to change of the course of rivers and embankment cave-in thereby threatening the life of inhabitants of villages situated along the river bank.

A number of instructions/guidelines have been issued by this Department from time to time to prevent illegal lifting of minor minerals. Grant of quarry lease is regulated as per the provisions of Chapter-IV of OMMC Rules, 2016.

To ensure scientific quarrying, transparent distribution and to prevent illegal lifting / theft of minor minerals, a scheme namely '*prevention of theft of minor minerals and eviction activities*' was launched during 2018-19 vide Resolution No. 23225/R&DM dated 28.06.2018. To implement the scheme, funds to the tune of Rs. 5.00 Crore was initially placed with Collectors vide this Department sanction order no. 25548 dated 11.07.2018.

In continuation of various instructions issued in the past, the following guidelines and instructions are issued for streamlining the process of sand quarrying and preventing illegal lifting of sand:

**A. Identification of sources:**

- i. Tahasildar shall conduct joint verification with Assistant Executive Engineer/ Executive Engineer of Water Resources Department for identification of specific river stretches having proper access for grant of quarry leases.
- ii. The boundaries of sand sources should be properly demarcated by pillar posting as instructed vide this Department letter No.15640 dtd. 15.05.2017.
- iii. In no case the lessee should be allowed to extract sand beyond the lease area.

**B. Mining plan and environment clearances / approvals:**

- i. Tahasildar (Competent Authority) shall get the mining plans prepared in advance through Registered Qualified Persons (RQP) in respect of the sources within his jurisdiction.
- ii. While preparing mining plan the distance of hydraulic structures including dams, barrages, check dams, bridges etc., location from habitations, heritage sites, monuments and public infrastructure facilities should be taken into consideration. Sand quarrying operation should not endanger the safety of these structures & imperil the lives of the people.
- iii. The Tahasildar shall apply for and obtain the Environmental Clearance (EC). The selected bidder shall bear cost of the preparation of mining plan and also the costs incurred for obtaining the EC.
- iv. In case the approval of mining plan and the Environmental Clearance have not been obtained by the Competent Authority, the selected bidder shall obtain the same before executing the lease deed.
- v. State Pollution Control Board (SPCB), Odisha vide their Notice dated 12.05.2016 (copy enclosed) have informed all concerned that the lease holders of all minor mineral mines (irrespective of lease hold area) in the State are brought under the consent administration of the Board under the Water (PCP) Act, 1974 and Air (PCP) Act, 1981 and that for

operation of any minor mineral mines in the State, consent from the SPCB shall be obtained. The operation of any minor mineral mines in the State without obtaining consent from the SPCB will be considered as violation under section 25 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 and would lead to initiation of appropriate legal action.

- vi. It shall be the responsibility of the lessee to obtain the Consent to Operate (CTO) from State Pollution Control Board (SPCB) before commencement of the quarrying operation.
- vii. Care should be taken to follow all the environmental norms issued from time to time by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India and Forest & Environment Department, Govt. of Odisha prior to lease of any sand source and during operation of the same. The lessee shall be responsible for implementing the Environment Management Plan (EMP).

**C. Quarrying/Mining operation:**

- i. Quarrying operation should be done strictly within the mining area as per the Mining plan. It should be undertaken only after putting in place the required environmental safeguards.
- ii. The depth of the quarry shall be restricted to three meters or water level, whichever is less.
- iii. The lessee shall not damage the embankment of the river.
- iv. No quarrying operation of sand shall be allowed through mechanized means and suction method.
- v. The lessee shall not dispatch the sand without a valid transit pass in Form-Y issued by the Tahasildar.
- vi. Since Hon'ble High Court in the order dated 19.07.2012 in WP (C) No. 12232 of 2012 have observed that the transport permit is issued only to transport the sand extracted from the sand sairat within the state of Odisha, the lessees should be instructed not to transport sand outside the State. Clarification in this regard has already been issued from this Department vide letter No. 36404 dated 02.12.2014.

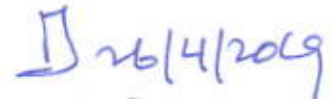
**D. Steps for prevention of illegal sand quarrying/mining:**

- i. District Administration shall put in place a robust monitoring mechanism to continuously monitor the quarrying activities of sand sources.
- ii. If any incidence of extraction of sand beyond the lease area by lessee is found, the same shall be treated as unauthorized and the lessee be penalized as per section 21(5) of MMDR Act, 1957 and the provisions of Rule 51 of OMMC Rules, 2016.
- iii. If any damage to embankments of the rivers comes to the notice, the lease shall be cancelled on obtaining the report from Assistant Executive Engineer / Executive Engineer of Water Resources Department.
- iv. The Revenue Administration and Police Administration shall seize all machines, vehicles, etc. used for carrying out illegal sand quarrying.
- v. Apart from instituting appropriate criminal proceedings against those carrying out illegal quarrying activities and transporting sand without valid 'Y' Form, maximum penalty should be imposed against them.
- vi. The District Administration should remain vigilant to prevent any incidence of interstate transportation of sand. If any such incidence comes to notice, the lease should be cancelled.
- vii. Temporary check gates may be set up during peak constructions season at common exit points to be decided by the Collectors. Care should be taken not to set up these posts on the National Highways and State Highways so that the general vehicular traffic is not affected and the commuters are not put to trouble.
- viii. Squads should be constituted at district and sub-divisional levels to conduct surprise checks in the sand quarrying areas and check the vehicles transporting sand. Raid/checking should always be done with adequate security arrangement to ward off any untoward situation.
- ix. Technical support of ORSAC may be taken for satellite based monitoring of very important sand sairats.

- x. All the complaints of unauthorized sand quarrying should be enquired by the Sub-Collector/ Addl. Sub-Collector/Tahasildar within 72 hours and remedial measures should be taken promptly.
- xi. Status of cases detected and action taken thereon for violation of provisions of OMMC Rules, 2016 and the Environmental Regulations should be reviewed in the monthly district level revenue meetings, and the issues arising thereon should be sorted out.

You are, therefore, advised to take all necessary measures for enforcing the above mentioned guidelines for preventing illegal and unauthorised sand quarrying in the State. Any deviation in implementation and enforcement of the provisions of the OMMC Rules, 2016 and the environmental regulations shall be viewed seriously and action deemed proper shall be initiated against the erring officer(s).

Yours faithfully,

 26/4/2019

Principal Secretary to Government

Memo No. 12612 /R&DM Dated 26.04.2019

Copy forwarded to Steel & Mines Department / Forest and Environment Department / Water Resources Department / Member Secretary, SPCB / CEO, ORSAC for information and necessary action.

 26.4.2019  
Additional Secretary to Government

Memo No. 12613 /R&DM Dated 26.04.2019

Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ All Revenue Divisional Commissioners for information and necessary action.

 26.4.2019  
Additional Secretary to Government

## BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

Original Application No. .... of 2023

SRIKANTA KUMAR PAKAL &amp; OTHERS

APPLICANTS

VERSUS

STATE OF ODISHA AND OTHERS

RESPONDENTS

KNOW ALL to whom these present shall come I, SRIKANTA KUMAR PAKAL, S/o Sindhubas Pakal, Aged about 42yrs, R/o QR No 25/1, OTM Colony, Choudwar, Dist-Cuttack, 754025, Ajaya Kumar Prusty, S/o Late Sanatan Prusty aged about 61 Years Resident of At- Tangi, Po0 Kotsahi, PS- Tangi, Dist-Cuttack, Keshab Chandra Behera, S/o Late Bichitranand Behera, aged about 50 years Resident of Mania, Po- Uchapada, Via- Kotasahi, Cuttack 75042 the above named APPLICANTS, Naba Kishore Das, S/o Mamda Das At-Saranga Po- Bhatimunda, Ps Tangi, Dist Cuttack 754022 do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :- **Sankar Prasad Pani, Advocates, Plot—2132/4814, Nageswartangi, Bhubaneswar, 751002, Enrolment No O-785/07, Email: [sankarprasadpani@gmail.com](mailto:sankarprasadpani@gmail.com), Mob-9437279278**, Ashutosh Padhy Advocate, Enrolment number 1018/2023, mob-9348543289

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 \_\_\_\_\_ day of \_\_\_\_\_.

Accepted subject to the terms of fees.

*Spm*  
Advocate

Client

*Srikanta Kumar Pakal*

*x Keshab Chandra Behera.*

Client

*x Ajaya Kumar Prusty*

*Naba Kishore Das*

AUTHORISATION

WE, Ajaya Kumar Prusty, S/o Late Sanatan Prusty aged about 61 Years Resident of At- Tangi, Po- Kotsahi, PS- Tangi, Dist-Cuttack, Keshab Chandra Behera, S/o Late Bichitranand Behera, aged about 50 years Resident of Mania, Po- Uchapada, Ps- Tangi, Dist-Cuttack 750422, Naba Kishore Das, S/o Mamda Das At- Saranga Po- Bhatimunda, Ps Tangi, Dist Cuttack 754022 are the applicants before the Honble National Green Tribunal. Kolkata authorize Sri Srikant Kumar Pakal S/o Sindhubas Pakal, Aged about 40yrs, R/o QR No 25/1, OTM Colony ,Choudwar, Cuttack, 754025 to file affidavit on our behalf before the Honble NGT.

Date-

signatures

x Srikant Kumar Pakal

x Ajaya Kumar Prusty.

x Keshab Chandra Behera

x Naba Kishore Das