

X**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO -104 OF 2024****IN THE MATTER OF:**

NILAMANI MAHAPATRA

APPLICANT

VERSUS

STATE OF ODISHA AND ORS

RESPONDENTS**INDEX**

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PLACE: Bhubaneswar

DATE: 16/11/2024

SANKAR PRASAD PANI**ASHUTOSH PADHY**

ADVOCATE

Plot 2132/4814, Nageswartangi Khordha, Bhubaneswar 751002 Cell-9437279278,

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

*(Under Section 14, 15, 20 r/w. Section 18(1) & (2) of the
National Green Tribunal Act, 2010)*

ORIGINAL APPLICATION NO -104 OF 2024

IN THE MATTER OF:

NILAMANI MAHAPATRA

APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS

RESPONDENTS

REJOINDER ONBEHALF OF APPLICANT

IT IS MOST RESPECTFULLY SHOWETH

1. I, Nilamani Mahapatra S/o Narayan Mahapatra, aged about 36 years, At- Bhogapur (Narangarh), po- Hadapada, Dist- Khordha, pin-752018 do hereby solemnly affirm, and declare as under. That I am the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.



2. That the issue of specific denial was considered by Honble Supremecourt in **Lohia Properties (P) Ltd., Tinsukia, Dibrugarh, Assam Vs. Atmaram Kumar(1993) 4 SCC 6** after the 1976 Amendment Act in CPC whereby the existing Rule 5 of Order VIII of the CPC was numbered as sub-rule (1) and three more sub-rules were added dealing with different situations where no written statement is filed. In paras 14 and 15 of the aforesaid judgment, the position of law as stated earlier was reiterated. The same are extracted below: “14. What is stated in the above is, what amount to admit a fact on pleading while Rule 3 of Order 8 requires that the defendant must deal specifically with each allegation of fact of which he does not admit the truth. 15. Rule 5 provides that every allegation of fact in the plaint, if not denied in the written statement shall be taken to be admitted by the defendant. What this rule says is, that any allegation of fact must either be denied specifically or by a necessary implication or there should be at least a statement that the fact is not admitted. If the plea is not taken in that manner, then the allegation shall be taken to be admitted.”
3. That there is no para wise reply/response filed by the Respondents and in the garb of committee report, the state respondents and regulatory authorities are trying to file a sketchy and evasive report. The contentions which were not specifically denied to be considered as



admission as per Order VIII Rule 3 of CPC and the essence of the provision is as follows

Order VIII Rules 3 and 5 CPC clearly provides for specific admission and denial of the pleadings in the plaint. A general or evasive denial is not treated as sufficient. Proviso to Order VIII Rule 5 CPC provides that even the admitted facts may not be treated to be admitted, still in its discretion the Court may require those facts to be proved. This is an exception to the general rule. General rule is that the facts admitted, are not required to be proved.”

4. That the Hon’ble Tribunal vide order dated 28/05/2024 constituted a fact finding committee and instructed to visit the site in question and to file a report on affidavit within four weeks, and the DM Khordha shall be the nodal officer to file the fact finding report on affidavit.
5. Pursuant to the order of Hon’ble Tribunal the committee constituted by this Hon’ble Tribunal visited the site on 20/06/2024 for inspection and prepared the committee report. Copy of the joint inspection Committee report dated 20/06/2024 is annexed here unto as **ANNEXURE-1**.
6. It is further submitted that the inspection report also admitted the fact that in 50 meter radius of the mine there are residential houses, relevant portion of the inspection report is reproduced as follows.

“The land in question was measured by RI and Amin of Khordha Tahasil in presence - of Tahsildar. Khordha. Tahasildar have stated that 50 plots are coming within the radius of 50 meters from the lease boundary of Narangarh Khondalite mines. Out of 50 plots, 45 plots are recorded in favour of private persons under the Khewat (Land lord)



Shree Jagannath Mahaprabhu Bije Puri Taraf Administrator, Shree Mandir Parichalana Committee, Puri and rest 5 plots are under Govt Khata. Out of 50 plots, 44 plots are recorded in Ghara bari kism, One plot is agricultural plot. Within 44 private plots, 19 plots have existing structures with dwelling houses and rest 25 plots have no structures. All these private plots are recorded under khewatship of Shree Jagannath Mahaprabhu Bije, Puri Taraf Administrator Jagannath Mandira Parichalana Committee Puri, khewat no- 1.1. The detailed habitation list along with land schedule which is coming within the radius of 50 meters from lease boundary is enclosed at Annexure-1.”

7. It is further submitted that the inspection report also confirms the existence of more than three school/Anganawadi within 200 meters radius of the quarry, relevant portion of the inspection report is reproduced as follows

“In Bhogapur mouza one UP School is existing within a distance of 160 meters from the mining lease boundary and one anganwadi centre is located within a distance of 166 meters from lease boundary. Further, one Saraswati Sishu Mandir, Bhogapur is situated at a distance of 110 meters from the lease boundary.

In Narangarh mouza, one Ashram school and one high school named Chintamani Vidya Niketan are located within a distance of 85 meters and 120 meters from lease boundary respectively as per report of Tahasildar, Khordha”

8. It is pertinent to mention here that the committee has failed to address some issues which were raised in the OA which are as follows



- A. No health Monitoring of Villagers have ever been conducted by the OMC as required in EC letter and statement in compliance report is false
- B. As per EC condition, No change in the calendar plan including excavation, quantum of mineral and waste mining technology and scope of working should be made without prior approval of the SEIAA, Odisha however in 2022 scope of working has been made by a modified mining plan without approval from SEIAA. Digital processing of the entire lease area using remote sensing technique will be carried out regularly once in three years for monitoring land use pattern and report will be submitted to Eastern Regional Office, MoEF & CC and SEIAA, Odisha. No such report is available in the SEIAA or MoEFCC website.
- C. Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM10 and PM2.5 such as haul road, loading and unloading point and transfer points. Fugitive dust emissions from all the sources shall be controlled regularly. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard. Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central



Pollution Control Board. The report itself says Ambient Air Quality parameters not confirming to the standard,

- D. No Suitable rainwater harvesting measures along with rooftop rainwater harvesting structures have been implemented as on date.
- E. The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. Project Proponents must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels Well within the prescribed limits for day light/night hours. Because of the Mining Operation even during night and the **Noise level is too high for which the villagers are not able to sleep properly and children are not able to have a peaceful study atmosphere.**
- F. There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis and implementation of conservation measures to augment ground water resources in the area in Consultation with Central Ground Water Board. **No such plan implemented for augmentation of ground water resources are there and on contrary the water**



level is depleting and villagers are suffering the hardship of water availability.

G. Plantation shall be raised in a 7.5 m wide green belt in the safety zone around the mining lease, back filled and reclaimed area, around water body, along the roads etc. by planting the native species in consultation with the local DFO/Agriculture Department and as per CPCB Guidelines. The density of the trees should be around 2500 plants per ha. Greenbelt shall be developed all along the mine lease Area in a phased manner and shall be completed within first five years. **Not a single tree has been planted as green belt on the contrary existing fruit bearing trees and other species that existed have been felled.**

9. It is pertinent to mention here that even though the committee has observed that the quantum of minor mineral extracted shall have to assessed within one month from inspection i.e. from 20/06/2024 but as on date **no such report has been filed** in respect of quantum of mining either by the committee or by the Deputy Director of mines.

10. That the applicant believes that Respondent No.17 (OMC) has excavated much beyond than the permissible quantity from the Kundakundi Kunda Stone quarry, therefore it is humbly prayed before this Hon'ble tribunal to assess the quantity of excess mining and to impose environmental compensation for excess mining and violation of EC conditions.



- 11.**It is humbly submitted that the pursuant to the joint inspection of the committee constituted by Tribunal, SPCB monitored the mine for ambient air quality, that the monitoring was conducted in monsoon season on a rainy day i.e. 26th day June 2024 and on that day there was a heavy downpour (30 mm rainfall) as evident from available data of Odisha Rainfall Monitoring System. Copy of the Odisha Rainfall Monitoring System report is annexed here unto as **ANNEXURE-2**.
- 12.**It is a settled principle that the monitoring of air quality is need to be done in a dry atmospheric condition and because of the rainfall the dust particles in the air will always be settled on earth with the heavy rain fall hence it is obvious that the particulate matters will be much less than that of a normal day.
- 13.**It is further stated that on the day of monitoring the work of mines was not in operation and for which there is hardly any reason for any fugitive dust photographs of dated 25/06/2024 indicating mining work is not in operation. Photograph dated 25/06/2024 is annexed here unto as **ANNEXURE-3**.
- 14.** It is needless to mention here that as on date no action has been taken by the SEIAA authority for violating the citing criteria as evident from the join committee inspection report as there are many dwelling houses and schools and anganwadi's exist within 200 meter from the khondalite stone quarry.

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15.It is pertinent to mention here that the people of the Bhogapur village are facing many problems for the drinking water in summer season as the water level of the village goes very low during hot summer and to meet the daily water requirement of the villagers local NGO's as well as GP provides water tankers to meet the needs of villager. That the letter of BDO dated 19/07/2024 is also confirms the water scarcity of the village. Copy of the letter dated 19/07/2024 is annexed here unto as **ANNEXURE-4.**

16. It is pertinent to mention here that the applicant on dated 22/06/2024 wrote a letter addressing to District Magistrate Khordha and in that letter applicant stated that the user agency is filing false Half yearly EC compliance reports. Copy of the letter dated 22/06/2024 is annexed here unto as **ANNEXURE-5.**

17.It is further submitted that the Respondent No.17 (OMC) is mining beyond 6 meter depth and in this regard the inspection report as well as the Respondent No.17 (OMC) is also silent.

18.It is pertinent to mention here that the Respondent No.17 (OMC) in all his Half Yearly compliance report claims that, the AAQ-2 has been installed in the roof of Saraswati Vidya Mandir, but the fact is that there is no such device or any machines have been installed for the monitoring of air quality in the area. And the same fact is also confirmed by the co-owner Smt. Sudipta Routray/ Patasani of the property (Saraswati Vidya

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Mandir) and Smt. Sudipta Routray/ Patasani is also the present ward member of the ward No.3. That Smt. Sudipta Routray/ Patasani is also signed the application dated 22/06/2024 which was written to the DM Khordha regarding the false half yearly/ monthly monitoring report filed by the OMC.

19. That the applicant also contacted over call with the owner of the Saraswati Vidya Mandir Mr. Rabi Narayan Patasani and he also confirmed that there is no such device or instrument has been installed by anyone in the roof of their property.

20. It is pertinent to mention here that the Respondent No.17 (OMC) has failed to comply with the Environmental Clearance standard condition number 21, which states *“Plantation shall be raised in a 7.5 m wide green belt in the safety zone around the mining lease, backfilled and reclaimed area, around water body, along the roads etc. by planting the native species in consultation with the local DFO/Agriculture Department and as per CPCB Guidelines. The density of the trees should be around 2500 plants per ha. Greenbelt shall be developed all along the mine lease area in a phased manner and shall be completed within first five years”* but the fact is that the Respondent No.17 (OMC) only from 12/08/2024 started plantation of some saplings. Which also confirms that the Respondent No.17 (OMC) has only started plantation after filing of the present OA and after the joint committee inspection.



21. It is further submitted that the Respondent No.17 (OMC) is stating that they have spent Rs.7 lakh for the Repairing of C.C. Road from Bhogapur Mangala Temple to Railway staff quarter (page No.350 of the paper book), but the fact is that the road from Bhogapur Mangala Temple to Railway staff quarter is of 800 meter but the Respondent No.17 (OMC) has only repaired a length of 100 meter only and the condition of the road is not proper to use and the Respondent No.17 (OMC) is also plying his heavy vehicles through the same road. That the photograph 08/10/2024 also shows the condition of the road. Copy of the photographs dated 08/10/2024 is annexed here unto as **ANNEXURE-6**.

22. That the Respondent No.17 (OMC) is also violating the CTE special condition No.33 which states The following measures are to be further implemented to reduce air pollution during transportation of mineral:
Roads shall be graded to mitigate the dust emission.

Overloading of tippers and consequent spillage on the roads shall be avoided,

The trucks shall be covered with tarpaulin.

*That the vehicles which are plying through the village road carrying the stones were not covered by tarpaulin cover. That the photograph also suggests that the vehicles plying through the village were not covered by tarpaulin. Copy of the photograph showing vehicles not covered by tarpaulin is annexed here unto as **ANNEXURE-7**.*

23. It is further submitted that the Respondent No.17 (OMC) in his reply affidavit dated 30/09/2024 in paragraph 15 stated that one ambulance has



been provided for the medical treatment of peripheral people. As and when required, people of the locality are being taken to nearby medical for treatment and photographs of the same is also attached from page No. 227 to 230 but the fact is that the persons who are in the photograph are not from the peripheral village.

24. That the mining plan has been modified and to that effect no amendment has been made in the EC which is a violation of EC standard condition number 4.

25. It is submitted that the State Pollution Control Board has renewed the Consent to Operate on 14/13/2022 after the grant of First CTO dated 18/11/2020. It is clear that while renewing CTO, the Regional Office, SPCB, Khurdha has not made any site visit and mechanically renewed the CTO or **knowing the illegal extraction much beyond the permitted quantity of 25186cm has ignored such site inspection any made for the reason best known to the concerned officer and Renewed the CTO on 14/13/2022.** It is not just quantity but also all other conditions like Greenbelt, sprinklers and other pollution control measures which are not in place at the mining site and still the CTO was renewed, Para 17 and 18 of the OA has specific pleadings to this effect and same has not been responded.

26. That the Procedure for **Processing of Consent To Operate (CTO)** Application By State Pollution Control Board, Odisha as uploaded in



website of Odisha State Pollution Control Board says **that inspection of the site and compliance of CTE condition is pre-requisite.** The relevant portion is reproduced as follows:

“5. The concerned officers at HO / RO shall scrutinize the application and raise clarification to the industry online, if any deficiency / discrepancies are observed in respect of consent application or its accompaniments or fees. **Simultaneously, they will take steps for getting inspection report** so as to avoid delay and early disposal of the case.

6-The concerned officers of Regional office of OSPCB shall **conduct inspection of the industries and mines**, conduct monitoring of stack emission, ambient air quality, analysis of effluent samples etc. as per the standard procedure prepared for Air and Water sampling and analysis. They should also verify compliance to the Consent conditions (directions, if any) and upload the detailed observations (inspection and monitoring reports) online”

Further the check list prepared the board also requires compliance status of consent to establish for issuing consent to operate to a unit and the same has not been followed in the present case as evident from record. Copy of the guideline and checklist prepared by the Board is annexed here unto as **Annexure-8** and the link to the site is as follows.



<http://ospcbboard.org/wp-content/uploads/2017/03/09-Jun-2016PROCEDUREFORCTOAPPLICATION1.pdf>

27. That the mining operation within a residential area and all sensitive places like Anganawadi, Schools within 200 meters of the quarry defeats the idea of the restriction/prohibition of quarry operation pursuant to the order of Hon'ble NGT in the matter of M. Haridasan and Ors. vs. State of Kerala in OA 309/2019.
28. That the SPCB even after so much of non compliances renewed the CTO on dated 14/03/2022 which indicates that the CTO granting authorities have granted the CTO without implication of minds and the CTO was granted mechanically and also the SPCB violated it's own guideline dated 22/06/2015, for which the CTO needs to be revoked.
29. It is pertinent to mention here that the Respondent 12 (DGMS) in his affidavit dated 10/09/2024 in para 6 stated that ***“No permission under Regulation 109(1) of the MMR, 1961 has been given by the DGMS to Kundakundi Kunda Decorative Stone Mine of M/s.O.M.C.Ltd.”***
30. It is pertinent to mention here that the Respondent 12 (DGMS) in his affidavit dated 10/09/2024 in para 9 stated that ***“No permission/exemption under Regulation 124 of the MMR, 1961 has been given by the DGMS to Kundakundi Kunda Decorative Stone Mine of M/S O.M.C.Ltd.”***


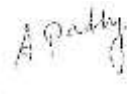
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31. That in view of the findings the quarry operation is in violation of CPCB guideline dated 12/05/2020 violation of EC and CTO conditions the quarry operation is required to be stopped for all time and EC and CTO be withdrawn in addition to this the environment compensation may be computed and the site in question be restituted to its original condition. Also the applicant prays for fixing accountability of the officers granting EC and CTO in violation of environmental norms.

Bhubaneswar

By the Applicant Through

16/11/2024

 **ADVOCATE**

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

ORIGINAL APPLICATION NO -..... OF 2024/EZ

IN THE MATTER OF:

Nilamani Mahapatra

APPLICANT

VERSUS

STATE OF ODISHA AND Others ...

RESPONDENTS

AFFIDAVIT

15 NOV 2024

I, Nilamani Mahapatra S/o Narayan Mahapatra, aged about 36 years, At-Bhogapur (Narangarh)po- Hadapada,Dist- Khordha, pin-752018 do hereby solemnly affirm, and declare as under:

1. That I am the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

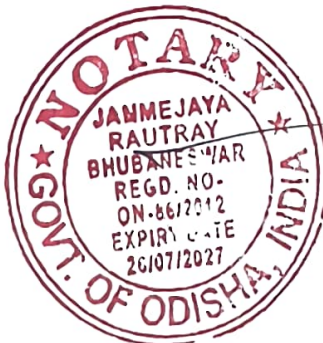
Nilamani Mahapatra.
DEPONENT

VERIFICATION

Verified on this 15 NOV 2024 day of2024 at *home* 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.

Identified By
[Signature]
Advocate

Nilamani Mahapatra.
DEPONENT



The above named deponent(s) being duly identified by *[Signature]* Advocate, Bhubaneswar appears before me on this 16 NOV 2024 at *[Signature]* A.M. on oath the contents of this affidavit are true to the best of his/her/their knowledge and belief

[Signature]
JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO-ON-86/2012
Mob. No. - 9337121273

Deponent(s) Notary, Bhubaneswar

ANNEXURE-1

Annexure-B/y

~~18~~

**COMMITTEE REPORT ON JOINT FIELD VISIT ON DATED.20.06.2024 TO
NARANGARH KHONDALITE STONE QUARRY IN O.A. NO. 104/2024/EZ FILED BY
NILAMANI MAHAPATRA Vs STATE OF ODISHA AND OTHERS**

The Hon'ble NGT has constituted a Committee comprising following members with a direction that committee shall visit the site and submit its report on affidavit within four weeks with regard to allegations made in O.A No.104/2024/EZ filled by Nilamani Mahapatra Vs State of Odisha and others passed in order dated 28.05.2024.


Members:







- i) District Magistrate, Khordha, Odisha or his representative not below the rank of Additional District Magistrate
- ii) Senior Scientist, Odisha State Pollution Control Board
- iii) Senior Scientist, Central Pollution Control Board
- iv) Senior Scientist, SEIAA, Odisha

As per direction of Hon'ble NGT, a team consisting of following members visited the site on dated. 20.06.2024 for enquiry and fact finding.


Sl. No.	Name of the Officer	Designation
1.	Sri Saphalya Mandita Pradhan	Additional District Magistrate (Revenue)
2.	Sri Dipti Ranjan Sethi	Sub-Collector, Khordha
3.	Sri Dillip Kumar Sahoo	Deputy Director of Mines, Khordha Circle, Khordha
4.	Sri Dillip Kumar Sahoo	Deputy Director of Mines, Cuttack Circle, Khordha
5.	Dr. Sohan Giri	Add. Chief Env. Scientist & Regional Officer, Odisha SPCB, Bhubaneswar
6.	Dr. Sandeep Ray	Scientist D, Central Pollution Control Board
7.	Dr. Pradcep Kumar Nayak	Environmental Scientist, SEIAA, Bhubaneswar
8.	Sri Bibhas Ranjan Panigrahi	Tahasildar, Khordha
9.	Smt. Kshirabdhii Tanaya Sahoo	BDO, Khordha

70 ne wong
attached


COLLECTOR & DISTRICT MAGISTRATE
KHORDHA

Present Status of the allegation against Stone quarry:

	Issues	Present status
1.	<p>The petitioner alleged that the quarry operation is adjoining to Ward nos. 3 and 7 of Bhogapur Village of Narangarh GP and close to the residential area.</p> <p><i>from my attached</i></p> <p></p> <p>COLLECTOR & DISTRICT MAGISTRATE KHORDHA</p>	<p>The land in question was measured by RI and Amin of Khordha Tahasil in presence of Tahsildar, Khordha. Tahasildar have stated that 50 plots are coming within the radius of 50 meters from the lease boundary of Narangarh Khondalite mines. Out of 50 plots, 45 plots are recorded in favour of private persons under the Khewat (Land lord) Shree Jagannath Mahaprabhu Bije Puri Taraf Administrator, Shree Mandir Parichalana Committee, Puri and rest 5 plots are under Govt Khata. Out of 50 plots, 44 plots are recorded in Ghara bari kisam, One plot is agricultural plot. Within 44 private plots, 19 plots have existing structures with dwelling houses and rest 25 plots have no structures. All these private plots are recorded under khewatship of Shree Jagannath Mahaprabhu Bije, Puri Taraf Administrator Jagannath Mandira Parichalana Committee Puri, khewat no-1.1. The detailed habitation list along with land schedule which is coming within the radius of 50 meters from lease boundary is enclosed at Annexure-I.</p>























<p>2 There is allegation that more than three schools/ Anganwadis are existing within a 200 meters radius of the quarry.</p> <p><i>True only certified</i></p>  <p>COLLECTOR & DISTRICT MAGISTRATE KHORDHA</p>	<ul style="list-style-type: none"> • In Bhogapur mouza one UP School is existing within a distance of 160 meters from the mining lease boundary and one anganwadi centre is located within a distance of 166 meters from lease boundary. Further, one Saraswati Sishu Mandir, Bhogapur is situated at a distance of 110 meters from the lease boundary • In Narangarh mouza, one Ashram school and one high school named Chintamani Vidya Niketan are located within a distance of 85 meters and 120 meters from lease boundary respectively as per report of Tahasildar, Khordha.
<p>3. The quarry is said to fall within human habitation and involves operation of huge machinery for drilling and cutting which create significant amount of noise as well as air pollution. It is further stated that Bhogapur is a densely populated village and the layer of dust generated from mining and its allied activities are dispersed over nearby houses and leaves of vegetation. Because of noise pollution, both during day and night the villagers are not able to have peaceful sleep. Study of children and also ailing senior citizens a adversely affected.</p>	<p>RO, SPCB Bhubaneswar reported that both ambient air quality and ambient noise monitoring were conducted for about 24 hours. The average data of Particulate Matter (PM)₁₀ in the atmosphere at 3 locations are below 100 ug/M³ per meter within prescribed standard of board and ambient noise intensity at 4 different locations are below prescribed standard w.r.t. industrial & residential area for day time i.e. 75 & 55 dB(A) respectively.</p> <ul style="list-style-type: none"> • No high level or intensity of noise generating drilling machine was used for drilling of stone at the quarry area. • Wire saw cutting machine was used for cutting Khondalite stone which was not generating high intensity of sound. Usually during cutting, the water sprinkling was observed for

[Handwritten signatures and initials]

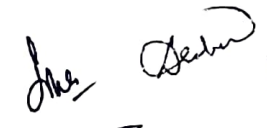
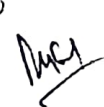


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	<p>suppression and dispersion of fugitive dust to nearby areas/locations.</p> <ul style="list-style-type: none"> Noise intensity was not so loud towards nearby areas/school during the day of monitoring No dust deposit were observed on the leaves surface area of the trees existing nearby to mining lease area. The report of RO, SPCB, Bhubaneswar is enclosed at Annexure-II.
<p>4. It is alleged that during the mining operation 39 mango trees, 22 jackfruit trees along with other associate plants have been completely uprooted.</p> <p><i>70 ne way attached</i></p> <p></p> <p>COLLECTOR & DISTRICT MAGISTRATE KHORDHA</p>	<ul style="list-style-type: none"> Necessary permissions has been sought from DFO, Khordha for cutting of 137 nos. standing tress over plot no 2166,1851,1850,1745 under khata no 532/2 of Mouza - Narangarh, Khordha vide letter no-14484, dated. 01.12.2020 of Regional Officer, Khondalite Group of Mines. The DM, OFDC Ltd. Bhubaneswar (C) Division was requested to estimate the cost of felling of 137 nos of different species by DFO, Khordha Division vide letter no 8179, dated. 21.12.2020. An estimate of Rs. 2,40,088 has been submitted by OFDC Ltd, Bhubaneswar and the Rs. 2,37,036/- has been deposited after deducting TDS @ 1.5% by Regional Manager, KHondalite Group of Mines on dated. 20.02.2021 through RTGS.

70 ne way attached



		<ul style="list-style-type: none"> Accordingly Permission has been accorded to take up felling of trees through OFDC Ltd. Vide letter no. 1381, dated 01.03.2021 of DFO, Khordha. The above report received from Mines Manager, K.K Khondalite Mines, Naranagarh is enclosed at Annexure-III.
5.	<p>It is alleged that two deep borewell in the quarry caused the depletion of ground water in the residential school and village tanks for which it get dried in the month of February.</p>	<p>NOC has been obtained from Central Ground Water Authority, New Delhi for ground water abstraction and its validity period is from 06.05.2023 to 05.05.2025 as per report of Odisha Mining Corporation Limited which is enclosed at Annexure-IV.</p> <p>There is no such evidence that establishment of two deep borewell in the quarry area for industrial purpose has led to depletion of ground water in the residential school and village tanks. As reported by BDO, Khordha, Bhogapur village under Narangagrh GP area faces water scarcity during summer season for which water tankers are deployed to meet the demands of local people. The report of BDO, Khordha is enclosed at Annexure-V.</p>
6.	<p>It is stated that no consultation with village assembly/palli sabha prior to operation of quarry</p> <p><i>To be WAO attested</i></p> <p><i>[Signature]</i></p> <p>COLLECTOR & DISTRICT MAGISTRATE KHORDHA</p>	<p>As per sub section (6) of Section 4 of OMMC Rules 2016, no prospecting license -cum-mining lease or mining lease or quarry lease shall be granted in Schedule Areas without recommendation of concerned GP. As Khordha is a non-schedule area, it is not mandatory to have palli sabha prior to operation of quarry.</p>

[Handwritten signatures and initials]

Over all observations:

The committee members observed the followings at the time of inspection:-

- Narangarh Khondalite Stone quarry is operating over plot no 1745, 1850, 1851& 1747/2166 pertaining to Khata no. – 532/2 of an Area Ac. 11.545 dec. of Mouza Narangarh.
- E.C was granted in favour of M/s Odisha Mining Corporation Limited vide SEIAA Odisha letter no. 8881/ SEIAA dated. 04.09.2020.
- Consent to Establish (CTE) and Consent to Operate (CTO) were issued by SPCB, Odisha, Bhubaneswar vide letter no 2957/RO, dated 05.10.2020 and letter no 3432/RO dated 18.11.2020 respectively.
- The committee suggested that Deputy Director, Mines, Circle- Cuttack & Mining Officer, Cuttack shall assess the quantum of minor minerals extracted by the M/s Odisha Mining Corporation Ltd from Narangarh Khondalite stone quarry as per OMMC rules and stipulated conditions by SEIAA and SPCB, Odisha, BBSR along with Deputy Director, Mines, Circle- Khordha. They will also scientifically calculate the volume of minor mineral extracted along with imputation of penalty, environmental compensation and remedial measures, in case there is evidence of mining beyond permissible limits/quantity as per the existing order and guidelines. within a period of one month so as to submit the compliance before the Hon'ble NGT.



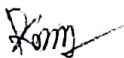
Mining Officer, Cuttack



Deputy Director of Mines,
Cuttack Circle, Cuttack



Senior Scientist, Odisha,
State Pollution Control Board



Senior Scientist, SEIAA, Odisha



Tahsildar, Khordha



RO, SPCB, Bhubaneswar



Deputy Director, Mines,
Khordha Circle, Khordha

Senior Scientist,
Central Pollution Control Board



BDO, Khordha



Sub-Collector, Khordha

Addl. District Magistrate, Khordha

True copy attached



COLLECTOR & DISTRICT MAGISTRATE
KHORDHA



English A - || A +

12 Nov , 2024 9:52:04

[Employee Login \(RMSEmployeeLogin.aspx\)](#)

Select District	<input type="text" value="KHORDHA"/>
Select Date	<input type="text" value="12/11/2024"/>
<input type="button" value="Search"/> <input type="button" value="Reset"/>	

District :KHORDHA
for the given RR Stations on date :- 26/06/2024

RR Station	Rain (in mm.)
Balianta	32
Balipatna	15
Bhubaneswar	11.08
Jatani	5
Banapur	44
Begunia	36
Bolagarh	11
Chilika	36
Khordha	30
Tangi	2
BMC HQ, Satya Nagar	7
South East Zone Office, BMC, Kalapana Square	7
South West Zone Office, BMC, Rental Colony	6
North Zone Office, BMC, Samanta Vihar, Chandrasekharpur	2

NR - Rainfall data Not Reported

Note- Rainfall figures can only be used after validation



Odisha Rainfall Monitoring System.

Site best viewed in ie 8.0+ and Mozilla Firefox 23+

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ANNEXURE-3

PHOTOGRAPH DATED 25/06/2024 SHOWS THAT THERE IS NO MINING ON THE DAY OF MONITORING OF AIR POLLUTION AND NOISE POLLUTION.






 GPS Map Camera



Bhubaneswar, Odisha, India
Narangarh, khordha
Lat 20.289364°
Long 85.860226°
25/06/24 05:50 PM GMT +05:30



 GPS Map Camera



Bhubaneswar, Odisha, India
Narangarh, khordha
Lat 20.289364°
Long 85.860226°
25/06/24 05:50 PM GMT +05:30

**OFFICE OF THE PANCHAYAT SAMITI, KHORDHA**

AT/PO-PALLAHAT ,DIST-KHORDHA,STATE-ODISHA,PIN-752056

Email-ori-bkharda@nic.in

Letter No. 2467Date. 19/07/24

To

The Additional District Magistrate(Revenue),
Collectorate, Khordha.

Sub:: Regarding shortage of Drinking water in village, Bhogapur.

Sir,

In inviting a kind reference to the subject cited above I am to intimate that Village Bhogapur is coming under Naranagarh GP of Khordha Block . It has a population of 656 as per 2011 census . Every year the village was facing drinking water problem since long. GP as well as Local NGOs provide water tankers to meet local needs of people during summer season.

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

Yours faithfully,


Block Development Officer,
Khorha.

True copy attested.


COLLECTOR & DISTRICT MAGISTRATE
KHORDHA



ମାନନୀୟ

ଜିଲ୍ଲାପାଳ ଓ ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ୍, ଖୋର୍ଦ୍ଧା

ବିଷୟ:- ଓଡ଼ିଶା ଖଣି ନିଗମ (OMC) ଦ୍ୱାରା ଆମ୍ଭ ଗ୍ରାମ ଭୋଗପୁରର ଉତ୍ତର ପାର୍ଶ୍ୱରେ ଅବସ୍ଥିତ ପାହାଡ଼ରେ ଖନନ କାର୍ଯ୍ୟ ନେଇ ଶବ୍ଦ, ବାୟୁ ଏବଂ ସାମ୍ବ୍ୟ ନିରୀକ୍ଷଣ କରାଯାଇ ପ୍ରତି ଛଅ ମାସରେ ପରିବେଶ ମଞ୍ଜୁରୀ ପତ୍ରରେ ସମ୍ପୂର୍ଣ୍ଣ ମିଥ୍ୟା ତଥ୍ୟ ବିଭିନ୍ନ ସଂସ୍ଥାନକୁ ପ୍ରଦାନ କରିବା ନେଇ ଅଭିଯୋଗ ପତ୍ର

ମହାଶୟ,

ନିବେଦନର ଅଭିପ୍ରାୟ ଏହି କି ଯେ ଆମ୍ଭେ ଖୋର୍ଦ୍ଧା ବ୍ଲକ୍ ଅଧିନସ୍ଥ ନରଣଗଡ଼ ଗ୍ରାମ ପଞ୍ଚାୟତ ଭୋଗପୁର ଗ୍ରାମର ଜନସାଧାରଣ ଅଟୁ । ଆମ୍ଭ ଗ୍ରାମର ଉତ୍ତର ପାର୍ଶ୍ୱରେ ଅବସ୍ଥିତ କୁଣ୍ଡାକୁଣ୍ଡି କୁଣ୍ଡ ପାହାଡ଼କୁ ଓଡ଼ିଶା ଖଣି ନିଗମ (OMC) ଦ୍ୱାରା ଖନନ କାର୍ଯ୍ୟ କରାଯାଉଅଛି । ଉକ୍ତ ଖନନ କାର୍ଯ୍ୟ ନେଇ ହେଉଥିବା ସମସ୍ୟା ବାବଦରେ ଆପଣଙ୍କୁ ପୂର୍ବରୁ ପତ୍ର ମାଧ୍ୟମରେ ଏବଂ ସାକ୍ଷାତରେ (Letter Dated 12/12/2023 and Grievance Dated 01/01/2024) ଅବଗତ କରାଇଅଛୁ ।

ବର୍ତ୍ତମାନ ଆମ୍ଭେ ଜଣିବାକୁ ପାଇଲୁ ଯେ ଓଡ଼ିଶା ଖଣି ନିଗମ ଦ୍ୱାରା ଜାରି କରାଯାଇଥିବା Environmental Clearance ର ସମସ୍ତ ସର୍ତ୍ତ ମଧ୍ୟରୁ ଏହି ତିନୋଟି ସର୍ତ୍ତ ଯଥା:-

- ୧. ଶବ୍ଦ ଏବଂ ବାୟୁ ପ୍ରଦୂଷଣର ମାନ ପରୀକ୍ଷା କରାଯିବ ।
- ୨. ନିକଟସ୍ଥ ଗ୍ରାମର ବୃକ୍ଷ ଲୋକଙ୍କୁ ଚିକିତ୍ସା ଯୋଗାଇ ଦିଆଯିବ ।
- ୩. ନିକଟବର୍ତ୍ତୀ ଗ୍ରାମ ଜନସାଧାରଣଙ୍କ ନିୟମିତ ସାମ୍ବ୍ୟ ନିରୀକ୍ଷଣ କରାଯିବ ।

ଉପରୋକ୍ତ ସମସ୍ତ ସର୍ତ୍ତକୁ ମାନିନେବା ସହ ନିୟମିତ ଭାବେ କାର୍ଯ୍ୟକାରୀ କରୁଥିବା ନେଇ OMC ପକ୍ଷରୁ ପତ୍ର ମାଧ୍ୟମରେ (Environmental Clearance Letter No. 8881/SEIAA, Dated- 04/09/2024) ପ୍ରତି ଛଅ ମାସ ବ୍ୟବଧାନରେ ରାଜ୍ୟ ପରିବେଶ ପ୍ରଭାବ ଆକଳନ କର୍ତ୍ତୃପକ୍ଷ (SEIAA), ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ (OSPCB), କେନ୍ଦ୍ର ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ (CPCB) ସମତେ ଅନ୍ୟ କେତେକ ସଂସ୍ଥାନକୁ ମିଥ୍ୟା ତଥ୍ୟ ପ୍ରଦାନ କରୁଅଛି ।

ଶବ୍ଦ ଏବଂ ବାୟୁର ମାନ ପରୀକ୍ଷଣ ନେଇ OMC ଏକ ବେସରକାରୀ ସଂସ୍ଥା ଯାହା ନାମ Visiontek Consultancy Services Pvt. Ltd.କୁ ଦାୟିତ୍ୱ ଅର୍ପଣ କରିଅଛି । ଉକ୍ତ ସଂସ୍ଥା ଦ୍ୱାରା ମାସିକ ଏବଂ

ସାଶସ୍ତିକ ଶବ୍ଦ ଏବଂ ବାୟୁ ପରୀକ୍ଷଣର ନେଇ Roof of Saraswati Vidya Mandir ସ୍ଥାନ ଦର୍ଶାଯାଇଅଛି । କହିରଖୁକି ନରଣଗଡ଼ ଗ୍ରା.ପ. ରେ ଏକମାତ୍ର ସରସତୀ ଶିଶୁ ବିଦ୍ୟା ମନ୍ଦିର ନାମକ ଶିକ୍ଷାନୁଷ୍ଠାନ ଆମ୍ଭ ଗ୍ରାମ ଭୋଗପୁରରେ ଅବସ୍ଥିତ । ଉକ୍ତ ଶିକ୍ଷା ସଂସ୍ଥାନର ଛାତ୍ରପଢ଼ରେ ଶବ୍ଦ ଏବଂ ବାୟୁର ମାନ ପରୀକ୍ଷଣ ହେଉଥିବା ନେଇ ଆମ୍ଭେ ଗ୍ରାମବାସୀ କେବେହେଲେ ଦେଖୁନାହିଁ । ପୁନଶ୍ଚ ଶିକ୍ଷାନୁଷ୍ଠାନର ସଂସ୍ଥାପକ ତଥା ପରିଚାଳକ ଆମ୍ଭ ଗ୍ରାମର ବାସିନ୍ଦା ହୋଇଥିବାରୁ ତାଙ୍କୁ ଉକ୍ତ ପରୀକ୍ଷଣ ବାବଦରେ ଅବଗତ କରାଇବାରୁ ସେ ଏହାକୁ ଖଣ୍ଡନ କରିବା ସହ ଉକ୍ତ ପରୀକ୍ଷଣରେ ଆଦୌ ସତ୍ୟତା ନଥିବା ନେଇ ଆମ୍ଭକୁ ଜଣାଇଥିଲେ । ସେହିପରି ଓଡ଼ିଶା ଖଣି ନିଗମ (OMC) ପାହାଡ଼ର ଖନନ କରିବା ନେଇ କାର୍ଯ୍ୟଭାର ଗ୍ରହଣ କରିବା ଦିନଠାରୁ ଆଜି ପର୍ଯ୍ୟନ୍ତ ଆମ୍ଭ ଗ୍ରାମର ଛୋଟ ଶିଶୁ ଠାରୁ ଆରମ୍ଭକରି ବୃଦ୍ଧ ପର୍ଯ୍ୟନ୍ତ କୌଣସି ସାମ୍ପ୍ରଦାୟିକ ସେବା ନଯୋଗାଇ ମିଥ୍ୟା ତଥ୍ୟ ବର୍ଷ ବର୍ଷ ଧରି ବିଭିନ୍ନ ସଂସ୍ଥାନକୁ (SEIAA, OSPCB, CBCB.... Etc.) ପତ୍ର ମାଧ୍ୟମରେ ଅବଗତ କରାଇ ସବୁଜ ସଙ୍କେତ ହାସଲ କରିବା ସହ ଖନନ କାର୍ଯ୍ୟ ଜାରି ରଖିଛି ।

ଏଣୁ ଆପଣଙ୍କୁ ବିନୀତ ଅନୁରୋଧ କରୁକି ଆପଣ ଉପରୋକ୍ତ ଅଭିଯୋଗର ସତ୍ୟାସତ୍ୟକୁ ଅନୁସନ୍ଧାନ କରି OMC ବିରୋଧରେ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କଲେ ଆମ୍ଭେ ଭୋଗପୁର ଗ୍ରାମବାସୀ ଆପଣଙ୍କ ନିକଟରେ ଚିରଉପକୃତ ହେବୁ ।

ଇତି

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ
 ଭୋଗପୁର ଗ୍ରାମବାସୀ

ତାରିଖ: 22-06-2024
 ଭୋଗପୁର, ନରଣଗଡ଼

- ୧. Seedipta Raufaraj/patrasani(w.m)
- ୨. Aruna kumar kodamasingh(w.m)
- ୩. Ranajat Kumar Kodamasingh
- ୪. Anusaya Kodamasingh
- ୫. Sandilata Arisai
- ୬. Sathya sani Nishanka
- ୭. ସୁମିତ୍ରା କି ଦୁଲ୍ଲଭୀ ଦୁଲ୍ଲଭୀ
- ୮ ମାରି ମାଧୀ
- ୯. ଯତ୍ୟ ଭୂମା, ଯାତ୍ୟା, ଯାତ୍ୟା
- ୧୦. ବିଲସା ମଦାସାତ

୧୭. ପଞ୍ଚମ ସ୍କାନ୍ଦ

୧୮. ଦ୍ଵିତୀୟ ସ୍କାନ୍ଦ

୧୯. ତୃତୀୟ ସ୍କାନ୍ଦ

୨୦. ଚତୁର୍ଥ ସ୍କାନ୍ଦ

୨୧. ପଞ୍ଚମ ସ୍କାନ୍ଦ

୨୨. ଷଷ୍ଠ ସ୍କାନ୍ଦ

୨୩. ସପ୍ତମ ସ୍କାନ୍ଦ

୨୪. ଅଷ୍ଟମ ସ୍କାନ୍ଦ

୨୫. ନବମ ସ୍କାନ୍ଦ

୨୬. ଦଶମ ସ୍କାନ୍ଦ

୨୭. ଶତାବ୍ଦୀ

୨୮. ଦ୍ଵିତୀୟ ସ୍କାନ୍ଦ

୨୯. ତୃତୀୟ ସ୍କାନ୍ଦ

୩୦. ଚତୁର୍ଥ ସ୍କାନ୍ଦ

୩୧. ପଞ୍ଚମ ସ୍କାନ୍ଦ

୩୨. ଷଷ୍ଠ ସ୍କାନ୍ଦ

୩୩. ସପ୍ତମ ସ୍କାନ୍ଦ

୩୪. ଅଷ୍ଟମ ସ୍କାନ୍ଦ

୩୫. ନବମ ସ୍କାନ୍ଦ

୩୬. ଦଶମ ସ୍କାନ୍ଦ

୩୭. ଶତାବ୍ଦୀ

୩୮. ଦ୍ଵିତୀୟ ସ୍କାନ୍ଦ

୩୯. ତୃତୀୟ ସ୍କାନ୍ଦ

୪୦. ଚତୁର୍ଥ ସ୍କାନ୍ଦ

୪୧. ପଞ୍ଚମ ସ୍କାନ୍ଦ

m. 32 - मठवादा वादाकवि

m. 31 - वादी वादी वादी

m. 30 - Satyabadi patelasingh.

m. 29 - Tarapur...

m. 28 - ...

m. 27 - ...

m. 26 - Thuna matha

m. 25 - ...

m. 24 - ...

m. 23 - ...

m. 22 - ...

m. 21 - ...

m. 20 - ...

m. 19 - ...

m. 18 - ...

m. 17 - ...

m. 16 - ...

m. 15 - ...

m. 14 - ...

m. 13 - ...

m. 12 - ...

m. 11 - ...

m. 10 - ...

m. 9 - ...

m. 8 - ...

m. 7 - ...

m. 6 - ...

m. 5 - ...

m. 4 - Ladu Kishore Anised

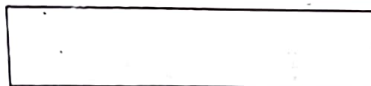
m. 3 - ...

m. 2 - ...

m. 1 - ...

- ~~3~~ ବିଦିଷ୍ଟ ନାଗରିକଙ୍କ ସ୍ମାରଣ
- P- RAMESH CH. RATH
- ୨- ସର୍ବୋତ୍ତମ ଉପସ୍ଥିତ
- ୩- ରାମକିଶୋର ଚନ୍ଦ୍ରାବତୀ
- ୪- ସିନ୍ଧୁ ସ୍ମରଣ ରଥ
- ୫- ଚଣ୍ଡୀରାୟଣ ସ୍ମରଣ
- ୬- ମୈତ୍ରୀଚନ୍ଦ୍ରଚାର୍ଯ୍ୟ
- ୭- ପ୍ରତିମା ଦେବୀ
- ୮- ଚନ୍ଦ୍ରମଣି ନିଶାଙ୍କ
- ୯- ଜାନିକା ସାମଲ, ସାଲୁ
- P୦- ~~ସୁଧୀ ସାମଲ~~
- PP- ସ୍ଵାସ୍ଥ୍ୟ ବାଦକମ୍ପିତ
- P୨- ଭ୍ରମରା କୁମାରୀ
- P୩- ଭଜନୀ ପ୍ରମୋଦିନୀ
- P୪- ଚର୍ଚ୍ଚିତ୍ରମଣି ଦେବୀ
- P୫- ରଞ୍ଜନାଧରାଣୀ
- P୬- ~~ସୁଧୀଚନ୍ଦ୍ରଚାର୍ଯ୍ୟ~~
- P୭- ଅପରାଜିତା ଦାଶ
- P୮- B.C. Kulkarni
- P୯- ଦୁର୍ଲ୍ଲଭା ଦେବୀ
- ୨୦- ସାଂସ୍କୃତିକ କାମାକ୍ଷୀ
- ୨୧- କାମିନୀ ସଂସ୍କୃତି
- ୨୨- ଦୁର୍ଲ୍ଲଭା ଦେବୀ
- ୨୩- କୁମାରୀ ଦେବୀ

FD135544521IN ITR:8277138534921
34 PALLAHAT S.O (752056)
 Counter No:3.22/06/2024.10:29
 To:COLLECTOR AND,PALLA
 PIN:752056, Pallahat S.O
 From:NILAMANI MAHAPATRA,HADAFADA
 Wt:26gms Ack Fees:3.00,REG=17.0
 Amt:35.40,Tax:5.40,Amt.Paid:35.00(Cash)
 <Track on www.indiapost.gov.in>



प्रेषक डाकघर की नाम-मोहर
 Name-stamp of office of posting

To

डाक सेवार्थ
 On Postal
 Service

Nilamani Mahapatra
At - Bhogapur, Po-Hadafada
Dist - Khordha, P-8249043-
984

पिन / PIN

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 Pin - 752018

आर. पी. -54/R.P.54

भारतीय डाक विभाग
 DEPARTMENT OF POSTS, INDIA
 प्राप्ति स्वीकृति / ACKNOWLEDGEMENT

Pq / 3-179 / 07-08 Dt. 11 12.07.18 000 Pads MKSW
 अनवश्यक को काट दिया जाए
 * Strike out if not relevant

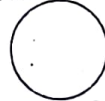
रजिस्ट्री-पत्र / पार्सल प्राप्त हुआ
 Received Registered Letter / Parcel /

क्रमांक/No.	तारीख / Dated	का / of

* वॉमे का मूल्य रुपये में
 * Insured for Rupees

गाने वाले Collector and D.M. Khordha

Addressed to Palla, Khordha
Pin - 752056
 को/ on Collector, Khordha



वितरण डाकघर की तारीख-मोहर
 Date stamp of office of delivery

हस्ताक्षर और नाम / Signature and Name

(Signature)
 24.6.24
 Receiving Officer
 Collector, Khordha

ENGLISH TRANSLATION OF ANNEXURE-5

To

District Magistrate and Collector, Khurda

Subject:- Complaint letter regarding noise, air and health monitoring conducted by Odisha Mining Corporation (OMC) in the hilly areas of our village Bhogapur and providing false information in the environmental clearance every six months.

sir

The intention of the petition is that we are the people of Narangarh Gram Panchayat Bhoagpur Village under Khodha Block. The Kundakundi Kund hill is located on the north side of our village have been mined by Odisha Mining Corporation (OMC). We have already informed you to all our problems vide (Letter Dated 12/12/2023 and Grievance Dated 01/01/2024).

Now we have come to know that out of all the Environmental Clearance conditions issued by Odisha Mining Corporation, these three conditions namely:-

1. Noise and air pollution standards will be tested.
2. Treatment will be provided to the elderly people of nearby villages.
3. Regular health check-up of nearby village public will be done.

That the OMC in all his compliance reports stated that they are complied with all the conditions and recently intimated to the EC issuing authority (Environmental Clearance Letter No. 8881/SEIAA, Dated- 04/09/2024) that the OMC is providing false information to State Environment Impact Assessment Authority(SEIAA), State Pollution Control Board(SPCB), Central Pollution Control Board (CPCB) and to all other authorities also.

The OMC has given responsibility to a private company called Visiontek Consultancy Services Pvt. Ltd. for monitoring of Air pollution and Noise pollution. And in the monthly and half yearly compliance report it is stated that they have installed their devices in the roof of Saraswati Vidya Mandir school. It is mentioned here that there is only one Saraswati Vidya Mandir school exist in the whole GP in our village only, and we the villagers never seen such device

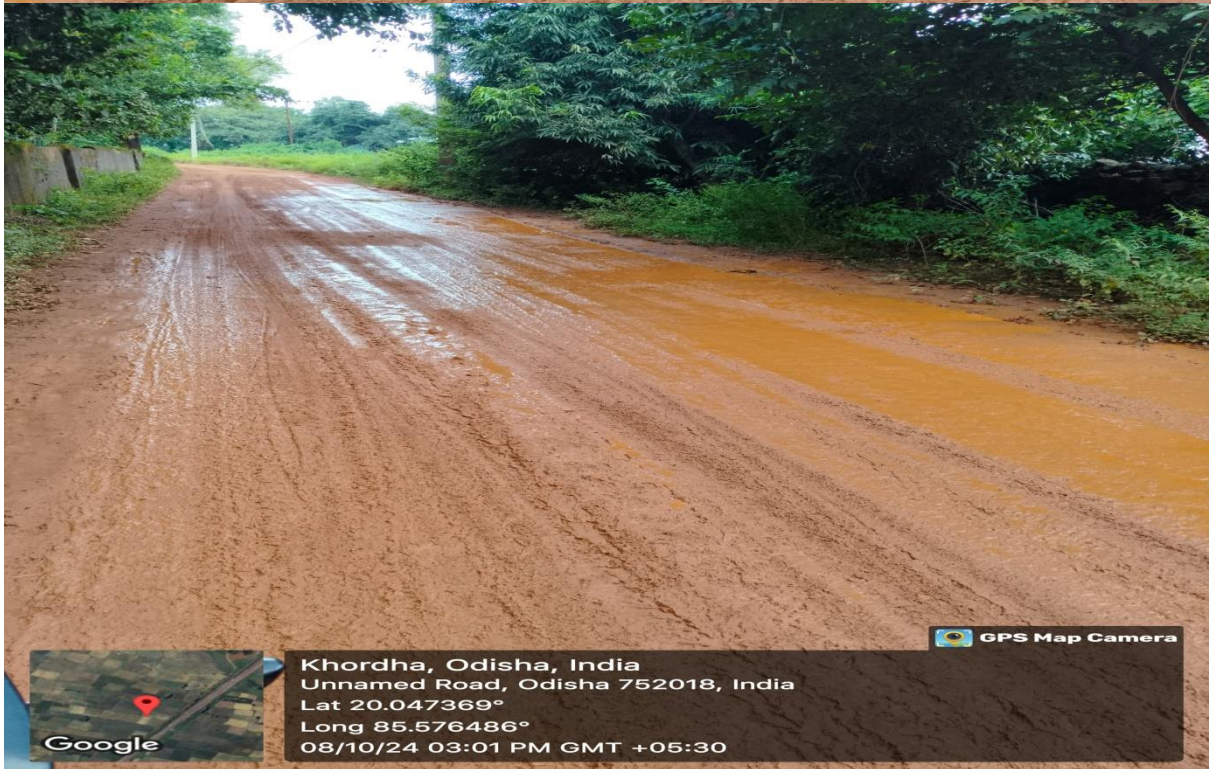
installation in the roof of Saraswati Vidya Mandir school. Also the manger of the school is from our village when we inquired about this matter he stated that no such device is installed in roof of their property, also the OMC from the day of execution of mining never provided any health facility to our villagers and by filing false compliance reports to (SEIAA, SPCB, CPCB....Etc.) taking green signals for mining.

Therefore, we request you to investigate the truth of the above allegations and take action against OMC.



ANNEXURE-6

PHOTOGRAPH DATED 08/10/2024 SHOWING CONDITION OF THE ROAD





ANNEXURE-7

PHOTOGRAPH SHOWING VEHICLE NOT COVERED BY TARPAULIN





Fax: 2564573/2562822
EPABX-2561909/2562847
Tel:2564033/2563924

STATE POLLUTION CONTROL BOARD, ODISHA
(Department of Forest & Environment, Govt. of Odisha)
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012
email:Paribesh1@dataone.in, website:www.ospcboard.org

No. 10280 / Ind-II/NOC-M-196 Dt. 22-06-15
To

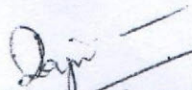
All Regional Officers
State Pollution Control Board
Odisha

Sub: Procedural guideline for conducting inspection in connection with grant of Consent to Operate.

Sir,

Please find enclosed herewith the "procedural guideline for conducting inspection in connection with grant of Consent to Operate" prepared by the Board for information and reference of all inspecting officers of the Board. The points contained in the guideline should be scrupulously followed while conducting inspection of the industries and mines in connection with grant of CTO.

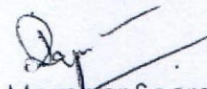
Yours faithfully,


Member Secretary

Encl: As above

Memo No. 10281 /Dt. 22-06-15

Copy alongwith the enclosures forwarded to All Sr. Env. Engineers/Sr. Env. Scientists/All EEs/All ESs/All DEEs/All DESs/All AESs/All AEEs/Administrative Officer/Sr. Law Officer/Law Officer, S.P.C. Board, Odisha, Bhubaneswar for information & necessary action.


Member Secretary

Encl: As above

PROCEDURAL GUIDELINE FOR CONDUCTING INSPECTION IN CONNECTION WITH GRANT OF CONSENT TO OPERATE.

A programme for inspection of any industry is to be made only if order/instruction from appropriate authority has been obtained in writing. If there is a verbal order, it needs to be recorded in the concerned file.

Preparedness before proceeding for inspection.

- ☞ Prepare the tour programme and get it approved by concerned authority.
- ☞ Go through the concerned file (and CTO order in particular) in detail and have a comprehensive idea on actions/ activities/ monitoring to be carried out during inspection.
- ☞ Prepare notices of inspection and sample collection.
- ☞ Carry photocopies of the latest consent order, latest show cause notice/ directions/ Bank guarantee other statutory clearances or any other important documents.
- ☞ Mobilize Lab. Personnel for stack and/or AAQ Monitoring and effluent sample collection. Check the fitness of stack monitoring kits, high volume samples etc.
- ☞ Carry sufficient thimbles/filter papers/chemical solutions etc. after conditioning in lab. Ensure that the chemical solutions are freshly prepared.
- ☞ Take the assistance of other officials/ staff for inspection/ monitoring if, felt necessary with consent of the concerned authority.
- ☞ In normal circumstances, conduct inspection without prior intimation. In case prior intimation is felt essential, then the intimation should be made with a shortest notice time. In case of surveillance inspection, always maintain confidentiality.
- ☞ Plan the travel and overnight stay.

Activities during inspection.

- ☞ Before entering in to the plant, have a visual look around the plant periphery from outside and assess emission status from the stacks as well as on fugitive emission. Have a look on effluent discharge channel to ascertain any abnormality in the flow and discharge.
- ☞ Serve the notices of inspection to the person in-charge of the Plant/in the helm of the affairs of pollution control matters immediately after entering into the plant. Get acknowledgement of receipt of notices from the concerned person of the industry on the body of office copy (of notices).
- ☞ Take stock of operational status of various process units which are potentially polluting and have relevance to pollution.
- ☞ Based on operational status, decide and plan the details of stack & AAQ Monitoring activities to be conducted. Mobilize the logistics by taking assistance of manpower of the plant and their monitoring equipment, if required. Form teams and assign specific jobs of monitoring to each team with proper instruction.
- ☞ Proceed to the effluent treatment plant (ETP) or any such treatment facilities and verify the operational status. Verify the log book on discharge quantity and inspect the flow measuring device, if any available to confirm it.
- ☞ Verify the log book on ETP operation to ascertain it's operational status on the preceding days/weeks and also ask for any other document, as felt necessary to ascertain it's functioning in the preceding period. Collect grab samples from the inlet, outlet and any other intermediate point(s) of ETP to ascertain the efficacy of ETP and compliance to discharge norms stipulated in the consent order. Procedure circulated by the Central Lab. needs to be followed scrupulously while collecting and preserving the samples.
- ☞ Inspect the key process areas which have the potential of air emission, fugitive emission or effluent generation or solid waste generation.
- ☞ Verify the status of process/operations from the control room to ascertain the rate of production and collect information relevant for the purpose of monitoring/ sampling.

- ☞ Visit the vital process areas to verify if there is any fugitive emission or leakage/discharge of any effluent taking place bypassing the ETP.
- ☞ Evidence of discharge of process effluent, if any, found to be taking place, then the point of final discharge needs to be verified and sample of such discharge needs to be collected as per the procedure prescribed by Central Lab.
- ☞ Inspect storm water drainage network and collect samples, if discharge of effluent to outside is taking place.
- ☞ Verify the water management aspects to verify the water consumption figures. Water drawal aspects like water meter readings are to be checked for it's correctness in connection with water cess as well as CTO.
- ☞ Move around the solid waste disposal site(s) and verify the compliance status of consent conditions. Verify the log book if dispatch or utilization of waste is taking place.
- ☞ Inspect the areas where the hazardous waste are stored / disposed and verify the compliance status of the conditions stipulated in the authorization.
- ☞ Ask for the documents in support of hazardous waste generation, storage, processing and disposal. Obtain copies of relevant documents as felt necessary for record in this regard.
- ☞ Collect the operational condition with emission and effluent discharge.
- ☞ Verify the conditions stipulated in the consent order and make specific observations.
- ☞ Verify the status of plantation programme.
- ☞ All the air and water samples so collected during the inspection are to be properly secured and sealed in a manner as prescribed by the Central Laboratory and submitted to the Regional Office Lab/Head Office Lab at the shortest possible time.
- ☞ Get the acknowledgement of the industry's representative on the body of notices intended for sample collection in respect of air / effluent samples so collected.
- ☞ Take photographs for better comprehension and corroboration.

In case of inspection of mines the following specific activities should also be verified in detail;

- ☞ Whether wet drilling/drilling with dust extractor system in place
- ☞ Controlled blasting practice followed or not
- ☞ Dust suppression facilities available for haulage roads, mineral handling plants, mineral stack yard, railway siding and internal mineral transportation roads etc.
- ☞ Verify whether the haulage road/ internal transportation roads are devoid of ruts and potholes and properly graded for prevention of dust emission.
- ☞ In order to assess the adequacy of air pollution control systems
 - (ii) Fugitive emission (SPM) monitoring need to be conducted at a distance of 25+ 2m from the sources of pollution in case of iron mines and 500m from the sources of pollution in case of coal mines for SPM,RSPM,SO₂, NO_x (as per the stipulated conditions of consent order).
 - (iii) Ambient air quality monitoring for the parameters such as PM₁₀ and PM_{2.5} shall also be conducted at suitable locations (locations decided on the basis of condition stipulated in CTO order) for other categories of mine as well as Iron and Coal mines.
- ☞ Verify the top soil and OB management facility
- ☞ Nos. of active and in-active top soil and OB dumps.
- ☞ Stabilization practices.
 - Coir mats with plantation
 - Only with plantation
- ☞ Retention wall to prevent the washout during monsoon around top soil and OB dumps.
- ☞ Garland drain terminating with settling pond around the top soil/OB dumps for surface runoff management.
- ☞ Verify whether check dams and catch drains are constructed at the appropriate places of the mine (Preferably natural drainage channels of the mine) for surface runoff management during monsoon.

- ☞ Verify the adequacy of surface runoff management system of entire mining area.
- ☞ Collect the surface runoff water of the mine discharged through the various facilities available to assess the compliance of standards stipulated in consent order.
- ☞ Verify the treatment facilities/management facilities available for mine drainage water/domestic effluent/ workshop effluent/ effluent generated from beneficiation plants etc. and collect the treated wastewater discharge if any for verification of compliance to the stipulated standards.
- ☞ Verify the impact of surface runoff, mining activities on the water bodies, streams, rivers etc. situated in & around the mining area.

Winding-up activities.

- ☞ After completion of the inspection, conduct a brief meeting with the senior level officials and management representative and apprise them of all major deficiencies/ lapses/ non-compliances observed during inspection and suggest remedial measures.
- ☞ Instruct them to take immediate corrective actions without waiting for communication/ direction from the Board and report compliance.

Report Preparation :

- ☞ An inspection report needs to be prepared containing the following:
 1. Date and time of inspection
 2. Constitution of team
 3. Representatives of the industry accompanied/ discussed.
 4. Background of inspection in brief containing status of CTO, show cause notices/directions/restriction, if, any in force, Bank Guarantee conditions pending if any etc.
 5. Production process/facilities granted under CTO, visa-a-vis operational status during inspection.
 6. Name and designation of inspecting officer.
- ☞ Process area wise observations made in respect of air pollution, water pollution, solid waste generation etc. are to be mentioned.. Deficiencies/ lapses/non-compliances in respect of pollution control measures leading to issues of pollution, if any, are to be reflected under the respective process area.

- ☞ Description of water/waste water samples, stack emission and AAQ Monitoring etc. collected during inspection are to be made in detail. Attach copies of analysis reports of all the samples collected during inspection.
- ☞ Make a clear cut observation if there was production in excess of consented quantity, emission/ effluent discharge made through any unauthorized outlet (i.e. not granted under CTO) or discharge/emission made in excess of permitted quantity. This is to be reflected in the report as “non-compliance”.
- ☞ Analyze and discuss the monitoring results on the context of production load, ETP operational status etc. and draw a conclusion.
- ☞ Detail compliance status on hazardous waste management and specific comments on non-compliance, if any.
- ☞ Target and achievement made on plantation.
- ☞ Selected photographs, which are felt necessary to support the observations.
- ☞ A separate paragraph containing summary of salient observations highlighting the non-compliances and issues leading to problems of environmental pollution needs to be prepared. Specific achievements in respect of environmental management and pollution control are to be highlighted.
- ☞ Report on any other activities to be taken up for further improvement of environment.
- ☞ Point wise compliance status to the direction if issued by the Board.
- ☞ Point wise compliance status on Bank guarantee conditions if imposed by the Board.
- ☞ A paragraph on recommendations containing specific actions required to be taken by the industry to remove the non-compliances / lapses (if any). Actions required to be taken by the Board on the above context as well as on disposal of CTO needs to be made clearly.
- ☞ The inspection report is to be submitted on-line within 72 hrs. after completion of the inspection if there is no Lab. analysis work is involved. In case Lab. analysis work is involved, then the complete report is to be submitted within 72 hrs. from the time of receipt of analysis report from the Lab.
- ☞ The inspection report is to be signed by the all the inspecting officers clearly mentioning their name, designation and the date.



Sankar Pani <sankarprasadpani@gmail.com>

REJOINDER ONBELAF OF APPLICANT ON OA104 OF 2024, NGT EZ

1 message

Sankar Pani <sankarprasadpani@gmail.com> Mon, Nov 18, 2024 at 12:27 PM
To: Dipanjan Ghosh <dpnjnghsh0@gmail.com>, apurba ghosh <apu7law@gmail.com>, Ashok Prasad <Ashokadvhc@gmail.com>, Sibojyoti Chakrabarti <subho.advocate@gmail.com>, Pravat Muduli <pravatmuduli2007@gmail.com>, ADVOCATE GENERAL ODISHA <advgenodisha@gmail.com>

Dear Sir/Madam please find the attachment.

--

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



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