

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO----- of 2024/EZ

IN THE MATTER OF**BHAGABAT SAHOO AND OTHERS****APPLICANTS**

Versus

STATE OF ODISHA &Ors ...**RESPONDENTS****INDEX**

SI NO	PARTICULARS	PAGE NO
1	Original Application	1-34
2	Copy of the CTO letter dated 19/03/2019 is annexed here unto as <u>ANNEXURE-1</u>	35-41
3	Copy of the FIR dated 14/12/2022 as ANNEXURE-2.	42-46
4	Copy of the FIR dated 07/04/2022 as ANNEXURE-3	47-57
5	Photographs of illegal sand mining using machines as ANNEXURE-4	58-63
6	Copy of complaint letter dated 22/09/2022 as ANNEXURE-5	64-72
7	Copy of the letter dated 03/10/2022 as ANNEXURE-6	73
8	Copy of the letter dated 31/10/2022 as ANNEXURE- 7	74
9	Copy of the Y form dated 07/04/2022 as ANNEXURE-8	75
10	Copy of the Government order dated 26/04/2019 as ANNEXURE-9	76-80

11	Copy of Odisha Sand Mining Policy dated 02/09/2021 as ANNEXURE-10	81-86
12	Copy of the google earth image as ANNEXURE-11.	87-90
13	Copy of the proceedings of the meeting dated 22/09/2018 as ANNEXURE-12.	91-94
14	Vaklatnama and Authorisation	96-96

PLACE: Bhubaneswar

SANKAR PRASAD PANI

DATE: 26/02/2024

ASHUTOSH PADHY



ADVOCATES

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002

Cell-9437279278,

Email:

sankarprasadpani@gmail.com

SYNOPSIS

Application is being filed challenging the illegal operation of sand mine by the private respondent Sarat Chandra Majhi, the lessee of Uteipur Sand Quarry² under DHAMNAGAR Tahasil of BHADRAK District and the said sand mining operation is in violation of Environment Clearance Conditions, Consent To Operate (CTO) Conditions, Sustainable Sand Mining Guideline 2016 and Enforcement and Monitoring of Sand Mining Guidelines 2020, Odisha Sand Policy 2021, Sand Mining Framework 2018(Ministry of Mines Govt of India) EIA Notification 2006 and Amendment 2016, Odisha Minor Minerals Concession Rules 2016 and Supreme Court Order in Deepak Kumar Case and Order of Hon'ble NGT in Sudarsan Das Case(OA 173 of 2018/PB). To summarise the violation of environment norms it may be listed as follows

- i) Illegally extracting sand without valid EC, CTO, Mining plan.
- ii) Use of heavy machines (Excavators) and Hyva when Mechanical Mining and use of Machine in sand Mining is prohibited. Earlier five machines used and now two machines are used for sand mining and loading
- iii) As per the Mining Plan the depth of mining will be **1 Metres but on ground its exceeding beyond 10 metres by using excavators**

- iv) **Mining carried out in Safety Zone and on River Bank which is prohibited as per the mining plan**
- v) Daily Mining Register not maintained
- vi) No Pillar Posting and Demarcation of Lease Area in the mining site
- vii) Annual replenishment study and Pre monsoon and Post Monsoon assessment has not been conducted while allowing the mine to operate
- viii) Half yearly compliance reports were not submitted and not in public domain, No greenbelt developed along the roadside or near mining site by the proponent.
- ix) Tahasildar and local administration are hand in glove with the lessee and wilfully violating the order of Honble NGT as well as flouting the conditions of Mining Lease, Mining Plan, EC and CTO.
- x) Operating the Sand Mine even after completion of the lease period that was up to 2021-22 financial year ended on 31st March 2022. Also the present ongoing mining is without consent to operate and valid environment clearance which is no more in force after 31st March 2022.

- xi) There has been no monitoring of quantity of sand excavated and GPS Tracking of vehicles, Electronic Transit Pass, CCTV camera in mining site as prescribed in EIA Notification dated 15th January 2016 and Sand Mining Enforcement and Monitoring Guideline 2020
- xii) Vehicular Transportation through densely populated villages and Rural Roads constructed by the Pradhan Mantri Gram Sadak Yojana (PMGSY) and on basis of the pavement strength and carrying capacity, Rural Development Department has fixed signage as “**Heavy Vehicles Prohibited**”. Further the carrying capacity of the roads has not been assessed and as such the existing road cannot withstand the pressure of hundreds of sand loaded heavy vehicles.
- xiii) Sand mining operation during Monsoon seasons while the same is prohibited as per sustainable sand mining guideline 2016.
- xiv) Vehicles engaged in mining are overloaded and not covered with tarpaulin and the spill over of wet sands on road makes the road muddy and accident prone during rainy days and cause air pollution during non-monsoon days.

LIST OF DATES

- 27/02/2012 Hon'ble Supreme Court dated the 27th February, 2012 in I.A.No. 12- 13 of 2011 in Special Leave Petition (C) No. 19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease.
- 15/01/2016 Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on **Sustainable Sand Mining** detailing the provisions on environmental clearance for cluster, District Survey Report and proper monitoring of sand mining using information technology enabled services to track the mined out material from source to destination This amended notification was notified by Central Government in Gazette of India under Section 3 of EP Act 986 and Sub-rule 3, Rule 5 of EP Rules 1986 as per the power conferred with
- 16/02/2018 Mining Plan Prepared by a Private Consultant and approved by Mining Officer Baripada for 7880 CM per annum

- 22/09/2018 Environment clearance granted by DEIAA Bhadrak to Lessee for Uteipur sand quarry-2, under Dhamnagar Tahasil over an area of 4.86 Ha **for 7880 CM per annum**
- 19/03/2019 Consent to Operate (CTO) granted by SPCB with validity up to 31/03/2022 and further the CTO has condition no 16 stating that the permission will be revoked in case of violation of conditions. Violation of condition no 5 that says sand mining shall not be carried out within 1/5th width of stream bed and from the bank.
- 02/09/2021 Odisha Sand Policy 2021 brought in shape of resolution dated 2/09/2021 by Revenue and Disaster Management Department, Government of Odisha for stricter monitoring of sand mining in a sustainable manner
- 07/04/2022 FIR filed by the lessee against the persons who came to stop him from illegal sand mining and transportation through the village road.
- 07/04/2022 Y form issued by the Tahasildar Dhamnagar to the lessee for transportation of sand though the CTO was expired from 31/03/2022.

- 22/09/2022 Complaint to all the concerned authorities through email by the villagers regarding the illegal mining and transportation of heavy loaded vehicles plying through the village road.
- 03/10/2022 Pursuant to the email complaint dated 22/09/2022 govt. of India steel and mines department forwarded the complaint to the Principal Secretary, Department of Steel and Mines Government of Odisha for appropriate action.
- 31/10/2022 MOEF&cc wrote a letter to the Tahasildar Dhamnagar to take appropriate action against the lessee for illegal mining even after expiry of CTO.
- 14/12/2022 FIR filed by applicant no 2 against the lessee and tahasildar.
- 22/12/2023 Complaint by the petitioner along with villagers to District Magistrate Bhadrak, Chief Minister and minister of steel and mines through speed post to take immediate action against illegal sand mining.
- 21/02/2024 Photographs of sand mining which shows that the lessee is extracting sand from the Uteipur sand quarry² by using heavy machines without required permissions.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

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

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

1. Bhagabat Sahoo, S/o Krupasindhu Sahoo, aged about 43 years, At- Pahadpur, Anandpur Panchayat, PS- Dhamnagar, Dist- Bhadrak 756117, Odisha
2. Manoj Kumar Das S/o Bijay Kumar das Aged about 42years PS- Dhamnagar, Dist- Bhadrak 756117
3. **Pramod Andia, S/o Late Gobardhan Andia, Aged about 56 years, At- Anandpur, PS- Dhamnagar, Dist- Bhadrak 756117, Odisha**
4. **Basudeb Pagal, S/o Ramachandra Pagal aged about 44years, At- Anandpur, PS- Dhamnagar, Dist- Bhadrak 756117, Odisha**
5. **Ramesh Chandra Pati, S/o Late Siba Charan Pati, aged about 54yaers PS- Dhamnagar, Dist- Bhadrak 756117, Odisha**

.....APPLICANTS

VERSUS

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

2. Principal Secretary, Revenue and Dissaster Management, Government of Odisha, Lokaseva Bhawan, Bhubaneswar, 751001, revsec.od@nic.in
3. Principal Secretary, Water Resource Department, Government of Odisha, Lokaseba Bhawan, Bhubaneswar, Odisha 751001, Email: wrsec.od@nic.in
4. **Member Secretary**, Odisha State Pollution Control BoardA/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha
Email: paribesh1@ospcboard.org
5. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022, email: seiaaorissa@gmail.com
6. The Collector and District Magistrate, Bhadrak, Office of the Collector & DM, Bhadrak. At/PO/DIST:- Bhadrak, Odisha, PIN-756100, dm-bhadrakh@nic.in
7. Tahsildar, Dhamnagar, At/PO/PS-Dhamnagar, Dist-Bhadrak, Pin-756100 tah.dham-od@nic.in
8. Mining Officer, Baripada Circle, Baripada Dist.- Mayurbhanj, Odisha, Pin 770048. mo.baripada@orissaminerals.gov.in

9. Regional Transport Officer Bhadrak, At 2G65+W26, Balajitpada, Ananda bazar, Odisha 756116 rto_bhadrakh@yahoo.co.in
10. The Superintendent of Police, Bhadrak, 3F7X+53H, Naripur, Bhadrak, Odisha 756100, spbhc.orpol@nic.in
11. **Executive Engineer**, Salandi canal division, Bhadrak, At- 3GC5+9HV, Balasore - Bhadrak - Cuttack Rd, Bankashi, Bhadrak, Odisha 756100, Email- N/A
12. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032
Email: mscb.cpcb@nic.in, ccb.cpcb@nic.in
13. The Secretary, Ministry of Environment and Forest Climate Change, Indira Paryavaran Bhawan, Jorbag, Newdelhi 110003, secy-moef@nic.in
14. 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
15. Sub collector cum Member secretary DEIAA Bhadrak, Office of the Sub Collector, Bhadrak, AT/PO-Bhadrak Email- subcoll.bhadrak@nic.in
16. Sri Sarat Chandra Majhi, At-Uteipur, Po-Dihidi anandpur, Dist-

Bhadrak, Odisha, Lessee Uteipur sand quarry 2.

RESPONDENTS

MOST RESPECTFULLY SHOWETH:

- I. The address of the Applicants are given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. That the present Application is being filed challenging the inaction of the government respondents in curbing the illegalities and violation of Sustainable Sand Mining Guidelines 2016, environment norms by the private respondent in operating the **UTEIPUR SAND QUARRY-2**, At- Uteipur, Dhamnagar Tahasil of Bhadrak District and the said sand mining operation is in violation of Standard Environment Clearance Conditions and CTO Conditions, Sustainable Sand Mining Guideline 2016 and 2020, Odisha Sand Policy 2021, EIA Notification 2006 and Supreme Court Order and Order of Hon'ble NGT.

FACTS

1. That the applicants are the villagers of Anandpur Panchayat, PS-Dhamnagar, Dist- Bhadrak and is concerned with the illegalities in Uteipur sand quarry-2 by the excess sand mining, obstruction of river, Mechanical Mining and transport of sand loaded heavy vehicles through village road and there by damaging the road, causing inconvenience, environmental pollution, health hazards and disrupting the public order and causing loss to the public exchequer.

2. The present application challenges the violation of sustainable sand mining guideline in Uteipur sand quarry-2, in Baitarani River at Village –Uteipur, Khata No.479, Plot No.208, and Area of 12.02 Acres for the mineable reserve sand of 28916 Cubic Meters.

3. It is pertinent to mention here that the lessee is also illegally extracting sand from the Uteipur sand quarry-1 which is in Anandpur mouza and the sand quarry is locally known as Anandpur sand quarry..

4. That the Mining Plan was granted on 16/02/2018 in favour of Sri Sarat Chandra Majhi for Sand Mining of 7880 CM/annum with conditions to plant 150 saplings, but as of now no plantation has been done by the lessee.

5. The CTO letter restricts sand mining within 500 metres from Bridge, near bank stream with in strip of 1/5 of width of the stream bed, 200 metres from embankment. Further the vehicles engaged for mining and transportation must have pollution check certificate and confirm to noise emission standards, should not be overloaded and shall be covered with tarpaulin. Water spray should be in village road and no adverse impact of nearby human habitations. Noncompliance of any of the conditions will result in withdrawal of Consent and attract action under provisions of EP Act 1986. Copy of the CTO letter dated 19/03/2019 is annexed here unto as **ANNEXURE-1**

6. That the present applicant could not able to find the Consent to Establish from the website of the Board. However Consent to Operate (CTO) was granted by Regional Office of SPCB on 19/03/2019 without compliance of standard conditions of Consent to establish. The condition no 16 says power to revoke the consent in case any violation is observed. In the present case the mining operator is violating conditions no 3 by obstructing the free flow of river and constructing a road inside the river

bed and violation of condition no 5 that says sand mining shall not be carried out within 1/5th width of stream bed and from the bank. **The validity of CTO is up to 31/03/2022** and there has been no revalidation of CTO after expiry of this CTO.

7. It is pertinent to mention here that though the CTO was expired from 31st March of 2022, it is illegal to operate mining or lifting of sand from the said sand quarry. But, with the help of the then Tahasildar, Dhamnagar Mr. Khirod Kumar Panda and then Addl. Tahasildar Mr. Anup Kumar Behera, Mr. Sarat Chandra Majhi the lessee was lifting the sand from river bed till onset of Monsoon and Flood comes in River Baitarani. For which on dated 14/12/2022 the applicant no2 lodged a FIR against the lessee and then Tahasildar Khirod Kumar Panda, copy of the FIR dated 14/12/2022 is here unto annexed as **ANNEXURE-2**.
8. That the lessee is extracting sand from the said quarry through mechanical means even after the After CTO was expired from 31/03/2022. To stop the illegal sand mining, on 7th April of 2022 some of villagers went to the Uteipur- Sand quarry 2 and tried to stop the Illegal mining. But, Mr. Majhi attacked the villagers and went to police station with counter FIR to save him. So, the then IIC of Dhamnagar registered 2 cases based on complaint of both the parties. In his FIR Mr. Sarat Chandra Majhi admitted that he was lifting sand on 7th April 2022. Copy of the FIR dated 07/04/2022 is here unto annexed as **ANNEXURE-3**.
9. That the lessee is illegally extracting sand with the help of earth movers (machine) mainly from Uteipur Mouza and illegally transporting about more than 200 trips per day in trucks and tractors. After excavating the sand from Uteipur (Uteipur-1& Uteipur-2), Manalapur (Kacheri Badi) and Anandapur Mouza the lessee is transporting the same through the Baitarani River left embankment, further from the narrow road (10ft

width) of Uteipur Majhi Sahi, Jena sahi and Patra Sahi village and further on Uteipur-Manalapur PMGSY Road.

10.It is pertinent to mention here that the route in which the sand is transporting is not the route permitted or approved by the Tahasildar. That the lessee is forcefully and illegally lifting sand by using muscle power and by threatening the innocent people to kill them by using goons. With the help of police, forcefully he has made road on the flood plain area to lift the sand from river bed. The local police instead of taking action against this illegal mining became a mute spectator of sand theft. It is very shocking to the villagers that how the so-called lessee is illegally extracting sand from the said sand quarry without any permission more than 200 trips of sand from Uteipur-1, Uteipur-2 sand quarry on daily basis. Local Tahasildar and the Police are supporting this illegal work for which the innocent peoples are suffering. The auction holder is a rowdy goon type man who always threats to kill the people by way of road accident and he is running his sand business by terrorizing the people. Photographs of illegal sand mining dated 01/03/2023, 14/01/2024 & 21/02/2024 using machine is annexed here unto as **ANNEXURE-4**

11.That the Consent to Establish granted to Uteipur-2 Sand quarry is to remove 7880 cum /Annum(maximum) in an area of 4.86 ha. (12.02 acre) of Plot No. 208 in Khatiyani No. 479 of Uteipur Mouza under Sodha RI Circle of Dhamnagar Tahasil in Bhadrak district of Odisha, though the lessee is illegally extracting sand from the said sand quarry and adjoining areas even after expiry of the CTO.

12.Illegal transportation of sand by the lessee should be stopped in the Baitarani River left embankment and through the narrow village road which is the only road of the village and which connects to the school, college and the farmers also use the same road for commuting to their

land for farming. As the village road passes through the School and Anganawari, accident may occur which will also affect the education of children as trucks and tractors are regularly passing through the road. Due to excess horn blow, people of heart and neurological disease may face many health problems.

13. That the lessee is plying his heavily loaded vehicles through the PMGSY road which connects to the nearby village called Sendhpur.
14. As PMGSY is a village road therefore heavy vehicles should not be allowed to run in this road as it is damaging the road and for which it become very difficult to use by the villagers to and further the PMGSY road is not meant to carry the truckloads of sand mining, hence same should be immediately stopped.
15. That there is clear violations of Mining Plan, lease Conditions, Consent Letter of OSPCB and while operating the sand quarry. In this regard Tahasalidar Dhamnagar has also been informed and requested to take action, but no action has been taken as of now. The details are as follows
 - i) Sand Lifting outside the lease area in Uteipur-2 Sand quarry in Uteipur Mouza (Anandapur GP) of Sodhar RI circle of Dhamnagar Tahasil.
 - ii) Use of machines(excavators) when permission is only for manual mining (only through labour and no machine to be used for mining the sand
 - iii) Excess mining beyond the permissible limit and mining throughout day and night and beyond the designated lease area. As per approved mining plan for the sand quarry the lease area is having Latitude: N20° 51' 33.22" to N20° 51' 39.12" Longitude: E86° 24' 15.73" to E86° 24' 24.35". But Mr. Sarat Chandra Majhi lifting and extracting sand from 300 mtr east of

said location. He has theft all the sands deposited in this area, which is beyond lease area.

- iv) Mining during Monsoon season while the same is banned.
- v) NO monitoring by the revenue officials to ensure the lease conditions are complied in letter and spirit.
- vi) No pillar posting in lease area.
- vii) The CTO of the said Uteipur-2 sand quarry is expired on 31st March of 2022. As per guidelines, the lease holder should apply for CTO 90 days before expire of previous CTO. OSPCB had issued the CTO on 2019 March 19 vide letter no.490/CTO-3194/2019 and CTO no. 165/2018-2019.

16. That the permitted quantity to lift only 7880 cubic meter/annum of sand from the quarry. But, the lessee is lifting more than 200 tractor trips of sand from river bed on daily basis.

17. He was awarded lease of Sand quarry on 29th December 2017. But the Tahasildar delayed to engage in lease deed for 2 year. It is a conspiracy to loot the sand for more than 2 years. Another thing, Mr. Sharat ch. Majhi signed lease deed on December of 2019. But, he was extracting the sand from 2017 December.

18. That the lease holder and concerned authorities violated the Enforcement & Monitoring Guidelines for Sand Mining. (4.3 Mining Plan. River bed sand mining shall be restricted within the central 3/4th width of the river/rivulet or 7.5 meters (inward) from river banks but up to 10% of the width of the river, as the case may be and decided by regulatory authority while granting environmental clearance in consultation with irrigation department. Regulating authority while regulating the zone of river bed mining shall ensure that the objective to minimize the effects of riverbank erosion and consequential channel migration are achieved to the extent possible. In general, the area for removal of minerals shall not

exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report.)

- 19.** That the Villagers have complained time and again to the concerned authorities about the illegalities in mining and transportation of sand. That there is use of Machine in the sand Sairat, wet sand with water transported in the vehicles make the road muddy, damages to river embankment, heavy vehicles use to ply on village road carrying over loaded sand. Protesting against the inaction of Tahasildar and other authorities the villagers have obstructed the sand loaded vehicles time and again but no action by the Tahsaildar who has the responsibility to see the mining operation takes place in accordance with mining plan and EC letter. Copy of complaint letter dated 22/09/2022 is here unto annexed as **ANNEXURE-5**
- 20.** It is pertinent to mention here that pursuant to the email complaint dated 22/09/2022 govt. of India steel and mines department forwarded the complaint to the Principal Secretary, Department of Steel and Mines Government of Odisha on dated 03/10/2022. Copy of the letter dated 03/10/2022 is here unto annexed as **ANNEXURE-6**.
- 21.** That the applicant no. 2 on dated 20/09/2022 made a complaint to the regional office of Forest Environment & Climate Change Govt of Odisha regarding the illegal mining by the private respondent in Uteipur sand quarry 2, in response to that complaint on dated 31/10/2022 the regional officer wrote a letter to the Tahasildar Dhamnagar to take appropriate action against the private respondent for illegal extraction of sand from the Uteipur sand quarry 2 without valid CTO. Copy of the letter dated 31/10/2022 is here unto annexed as **ANNEXURE- 7**
- 22. Mining without valid CTO:** That the CTO has been **expired since 31/03/2022** but the mining continues in absence of a valid CTO. As such the Role of Tahasildar in issuing Y form without valid CTO is an offence

under E P Act as well as Water Act 1974 and Air Act 1981. In a similar case in OA 67 of 2020, Order dated 07/07/2021, Hon'ble NGT directed the District Collector Ganjam to register FIR against the Tahasildar Belaguntha and Lessee of the sand source and FIR was registered under section 420, 379, 34 of Indian Penal Code along with Section 51 of Odisha Minor Mineral Concession Rules 2016.

23. Mechanical Mining: It is humbly submitted that the mining is supposed to be of Dry Pit and Manual means of mining and loading. However the mining is done by engaging Earth Mover/Machines of different capacity which is strictly prohibited and not approved by any of the regulating authorities. The machine used for sand mining is with Model No **Hundai 215, JCB 205, JCB 81 AND JCB 140** with 5.7m Boom length and 2.9m Arm length. The Bucket capacity is around 1.22 Cubic Meter.

24. Mining beyond 1 metre depth: In the present case sand mining up to only 1 meter (around 3 foot) is permissible as per the Mining Plan. However the private respondent is mining up to 30 feet (around 10 meters) and photographs suggests the mining leading to pond like structures touching the water level and the use of machine with arm length of 2.9 meters and boom length of 5.7 meters has been taken into account to arrive at the depth of the sand bed because of mining operation.

25. Excess Mining and Transportation: Around 200 Tractor having 3 CM capacity each are transporting sand from source.

Total Extraction of Sand per day: 600CM

For 210 Days: 1,26,000 CM

When the daily mining permissible limit is only 37.52 CM as per mining plan and annual sand Mining capacity is only 7880 CM, the lessee is

extracting around 600 CM per day and 1.26Lakh Cubic Meters per year which is around 16 Times of the permissible limit.

- 26. No Pillar posting in the lease area:** Though the mining plan suggests that the lease area has been demarcated by the Revenue Inspector but on ground there has been no demarcation and no distinct pillar posting allowing the mining to spread randomly all across the riverbed.
- 27. No display board (information details) of statutory clearances** in the lease area: The details of environment clearance are supposed to be displayed in the lease area by the lessee and no such information of statutory clearance has been displayed in the mining lease area.
- 28. Mining in Safety Zone and Close to River Bank:** The Google Earth Image and photographic evidences confirms that the mining operation is violating the safety Zone and 1/5 width of stream bed from the River Bank.
- 29. Sand Mining during Monsoon Period:** It is humbly submitted that the normal dates for onset of monsoon for Odisha state is 5th June and withdrawal date is 15th October and same has been considered in the Sustainable Sand Mining Management Guideline 2016. The River Bed mining should only be allowed during the dry season. No River bed mining should be permitted during rainy season (Appendix 9). That the data suggest the mining was done during the Monsoon Period. However no action has been taken by any of the Authorities.
- 30. Illegal Hoarding and Stockpile:** The extracted sand is required to be sent directly to the destination point and there is no provision for illegal hoarding and stock pile. However the lessee use to hoard and stock the sand near to area and all these stock piles are illegal.
- 31. Revenue loss to state exchequer and Corruption by the Dhamnagar Tahasildar :** That the Tahasildar Dhamnagar, in connivance with the

lessee have been causing huge amount of loss to the state exchequer by not measuring the post monsoon sand deposition and monitoring extracting hundreds of times more than the permitted quantity without paying the Royalty for the entire extracted quantity.

32. It is pertinent to mention here that though the CTO was expired from 31/03/2022 still the Tahasildar Dhamnagar issued Y form in favor of the private respondent for transportation of sand on dated 07/04/2022 which shows that the Tahasildar and private respondent are in connivance with each other. Copy of the Y form dated 07/04/2022 is here unto annexed as **ANNEXURE-8**

33. Replenishment Study and Pre and Post Monsoon Assessment Not conducted: There has been no replenishment study conducted as required after every monsoon season and assessment of extraction prior to monsoon were also not conducted by the Mining Department and thereby allowing the excess mining to be covered up and resulting in loss of revenue and deep sand mining.

34. That in order to check the illegal sand mining, Government of Odisha has come out with a guideline dated 26/04/2019 where instructions for prevention of illegal sand quarrying 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. Despite of the illegal mining takes place since April 2022, no action has been taken as on date while action should

have been taken within 72 hours and to this effect responsibility of the officers may be fixed. Copy of the Government order dated 26/04/2019 is annexed here unto as **ANNEXURE-9**

35. That Odisha Sand Policy 2021 brought in shape of resolution dated 2/09/2021 by Revenue and Disaster Management Department, Government of Odisha for stricter monitoring of sand mining in a sustainable manner but there has been no implementation of the policy on the ground there by confining the policy to papers without any action. Copy of Odisha Sand Mining Policy dated 2/09/2021 is annexed here unto as **ANNEXURE-10**.

36. Sand Mining beyond Lease Area: it is submitted that sand extraction is ongoing beyond mineable reserve area of 28916 SqMtre (7.14Acres) and lease area of 12 acres and spread in an area of more than 25 Acres as evident from Google earth images. That the lessee is illegally extracting sand from Uteipur mauza as well as from the Anandpur mauza also. Copy of the google earth image is here unto annexed as **ANNEXURE-11**.

37. It is pertinent to mention here that the DEIAA Bhadrak on dated 22/09/2018 held a meeting under the Chairmanship of Collector Bhadrak. Purpose of the meeting is to grant environmental clearance to the minor mineral proposals. Copy of the proceedings of the meeting dated 22/09/2018 is here unto annexed as **ANNEXURE-12**.

38. The vehicles carrying the sand do not cover with tarpaulin and being overloaded and thereby causing air/dust pollution. It is humbly submitted that the local people have to face many inconvenience because of uncovered tractors carrying the sand from the mining site through busy streets and populated village road of the petitioners.

39. That there has been no sprinkling of water on Road and because of transportation of heavy vehicles it causes more air and dust pollution. It

is further submitted that the vehicles use to operate even in Peak hour which is a violation of the Environment Clearance Condition

40.It is further submitted that there has been no plantation activity carried out by the Private Respondent along the roadside near the Mining site where their vehicles are plying or near the quarry area. Though the mining plan has mandate to plant 150 saplings of indigenous species in 5 year and every year 30 saplings, as of now not even a single sapling has been planted though the lease period of 5 years has already ended.

41. Carrying capacity of the road and impact of plying of sand loaded heavy vehicles on local population has not been studied: Transporting sand loaded heavy vehicles through the village, very close to the house, resulted in serious damage and directly effecting to the safety of the villagers. Many houses are located very close vicinity to the village road and the heavy vehicles were frequently running just in front of house with a distance of around 20 feet distance.

42. Transporting sand loaded heavy vehicles through the Village roads (PMGSY) resulted in complete damage and local peoples are suffering: The village road constructed under Pradhan Mantri Gram Sadak Yojana (PMGSY). This road provides connectivity for the villagers for their educational, health and marketing facilities etc. On the basis of the pavement strength and carrying capacity, has affixed a signage stating “**Heavy Vehicles Prohibited**” through this village road. Due to continuous plying of sand loaded heavy vehicles the PMGSY road is fully damaged and *in view the quantum of the traffic and plying of heavily loaded sand transporting vehicles, the crust of the road is completely damaged.* This is certainly violating the regulation of PMGSY.

- 43.** That **failure to submit of Half yearly compliance report** by the project proponent for last five years in a row and to that effect no action taken indicates lack of sincerity and due diligence on the part of the Regulatory authorities for which the Hon'ble Tribunal may seek explanation and appropriate action against the authorities for their failure to discharge the statutory obligation.
- 44.** That the measurement and replenishment study should have been conducted by Tahasildar at the beginning of the every financial year and prior to grant of work order for the next year and same has not been done.
- 45.** The villagers have represented many times to all the concerned authorities including Tahasildar Dhamnagar against illegal transportation of sand loaded vehicles but no action has been taken by the authorities. On dated 22/09/2022 the petitioner along with the villagers wrote an email to all the concerned authorities regarding this illegal mining.
- 46.** It is pertinent to mention here that again on dated 22/12/2023 the petitioner along with villagers wrote an application to the District Magistrate, Chief Minister and minister of steel and mines to check the illegal mining and not to permit any new sand quarry .
- 47.** It is submitted that the EIA Notification Amendment dated 15th January 2016 suggests that A survey shall be carried out by the DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district. A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

- 48.** It is pertinent to mention here that mining was allowed without a proper District Survey Report as required to be done by Geology Department, Mining Department Irrigation Department, Forest Department, Public Works Department, Ground Water Boards and Remote Sensing Department as prescribed in Appendix X (procedure for preparation of DSR) and Paragraph 7(iii) of EIA Notification Amendment dated 15th January 2016. Possibly the EC has been granted in absence of Joint inspection report from Sub-Divisional Committee comprising of Sub Divisional Magistrate, State Pollution Control Board, Forest Department, Irrigation Department and Mining Officer.
- 49.** There is No monitoring of compliance of Conditions of CTO by the Regional Office of SPCB, Balasore Considering the threat to the embankment, loss of revenue, violation of mining plan and standard environment clearance conditions, damages to the riparian ecology, the applicants have requested the authority to immediately enquire into the matter and take appropriate action against the Tahsildar and Revenue Staff for their dereliction in duty and apparent corruption and involvement in revenue loss to the exchequer by conducting the ground assessment of sand mining on weekly basis and obtaining the satellite information from ORSAC. It is submitted that as per Govt of Odisha Revenue Disaster and Management Department letter dated 26/04/2019, the illegal sand extraction are required to be enquired by the Sub-Collector/Tahasildar within 72 Hours of the complaint and same has not been followed here indicating the connivance of the authorities with the lessee. The officers have failed in discharging his duties for not taking legal action to restrain the mechanical mining and plying of heavy vehicles through the village road and for that appropriate disciplinary proceedings is needed after due inquiry.

50. That the Deputy Director of Mines, Baripada who approves the mining plans of Sand Beds with conditions has a duty to monitor if the conditions are complied and not violated. Also while submitting the annual return in Form Z for the mining circle for every financial year has to state the quantity of mineral extracted and not just rely on the statement of lessee. In this regard also no such measurement takes place for sand mining in the mining circle.
51. That the Regional Transport Officer, Bhadrak has the duty to monitor that the vehicles running should have fitness and pollution under control certificate. Further have the duty to monitor the traffic density and that heavy vehicles do not run on the rural roads, hence the concerned authority has failed in discharging the responsibilities and warrants appropriate action.
52. That the Executive Engineer Irrigation department failed to monitor the safety of river embankment as well as the damages to flood plain area and river bed, hence appropriate action may be taken against the authority for failure to discharge the duties.
53. It is pertinent to mention here that the lessee is illegally extracting sand from the sources only in the garb of lease agreement, The lessee don't have any valid CTO or EC to operate the quarry.
54. 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. Further **the CTO and CTE is issued mechanically without any inspection of the site**. Copy of the guideline and checklist prepared by the Board and the link to the site is as follows, <http://ospcboard.org/wp-content/uploads/2017/03/09-Jun-2016PROCEDUREFORCTOAPPLICATION1.pdf>

55.That after issuing CTO, the state pollution control board did nothing to ensure if the conditions in the Consent to Operate were complied in letter and spirit. The violations continue unabated and no action has been taken by the pollution control board to revoke the consent to operate and ensure that the mining activity stops.

56.Mining should be restricted to single shift only that is for 8 hours (7am to 12noon and 2pm to 5PM) however it takes place all though out day and night using high-power excavators. No qualified Mines Manager, Foreman and Mate with certificate of competency as per mines act.

57. That the sustainable Sand Mining Guideline 2016 suggests a Standard Environment Clearance Conditions and the measures to be adopted to check illegal mining, **however none of the measures have been adopted** such as “(i) Project Proponent must ensure that the security features of Transport Permission viz. (a) Printed on Indian Bank Association (IBA) approved Magnetic Ink Character Recognition Code (MICR) paper; (c) Unique Barcode; (d) Unique Quick Response Code (QR); (e) Fugitive Ink Background; (f) Invisible Ink Mark; (g) Void Pantograph; (h) Watermark. (ii) Project Proponent must ensure that the CCTV camera, Personal Computer (PC), Internet Connection, Power Back up, access control of mine lease site; and arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used at mine lease site are available. (iii) Project Proponent must ensure the Scanning of Transport Permit or Receipt and uploading on Server. (iv) The State Mines and Geology Department should print the Transport Permits/Receipt with security features enumerated at Paragraph (i) above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice is generated, the particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused. (v) The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS. (vi) In case the Vehicle

breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call center, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server/call center. (vii) The route of vehicle from source to destination should be tracked through the system using check points, Radio-frequency identification (RFID) Tags, and Global Positioning System (GPS) tracking. (viii) The system shall enable the Authorities to develop periodic report on different parameters like daily lifting report, vehicle log/history, lifting against allocation, and total lifting. The system can be used to generate auto mails/SMS. This will enable the District Collector/Magistrate to get all the relevant details and will enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle should be tracked.

58. That the Chief Secretary, Government of Odisha on 11/11/2020 has discussed about the technical intervention such as I4MS in the line of I3MS (a software to track illegal mining in Major Minerals) to monitor the actual quantum of extraction and transportation minor minerals from source but same has been just confined to discussion and no action has been taken despite of the mandate in Sustainable Sand Mining Guideline 2016 and 2020.

59. The Hon'ble Apex Court in Deepak Kumar Case has observed that "We are of the considered view that it is highly necessary to have an effective framework of Mining plan which will take care of all environmental

issues and also evolve a long term rational and sustainable use of natural resource base and also the bio-assessment protocol. Sand Mining, it may be noted, may have an adverse effect on bio-diversity as loss of habitat caused by Sand Mining will affect various species, flora and fauna and it may also destabilize the soil structure of river banks and often leaves isolated islands. We find that, taking note of those technical, scientific and environmental matters, MoEFCC, Government of India, issued various recommendations in March 2010 followed by the Model Rules, 2010 framed by the Ministry of Mines which have to be given effect to, inculcating the spirit of Article 48A, Article 51A(g) read with Article 21 of the Constitution.

- 60.** That Rule 37 specifies Conditions of quarry permit:— (1) The holder of a quarry permit shall obey the following conditions, namely:— (e) The holder of the quarry permit shall maintain complete and correct accounts of the minor mineral excavated and quantity removed from the area; (2) The holder of the quarries shall allow the Director, Controlling Authority and Competent Authority or any officer authorized by any of them to inspect the quarrying operations and to check the accounts and verify the details of dispatches from the registers maintained by him. (3) If any minor mineral is removed in excess of the quantity permitted, such material shall be confiscated and the holder of the quarry shall be liable for punishment under the provisions of the Indian Penal Code 1860, Act and these rules. (4) As soon as removal of the mineral granted under the permit is completed, the holder of the quarry permit shall surrender the permit to the Competent Authority and furnish the particulars of permit contained in Form-S indicating the quantities of minor minerals removed and other information as may be required by the Competent Authority.

GROUND

- A. That the Sand mining is permissible only by Manual Method but the use of mechanical methods/earth movers are in violation of the Mining plan, EC Conditions and Consent to Operate conditions and Sustainable Sand Mining Management Guideline 2016 and Enforcement and Monitoring of Sand Mining Guidelines 2020, Odisha Minor Mineral Concession Rules 2016, EIA Notification 2006 and Amendment 2016, Sand Mining Framework 2018 by Ministry of Mines, Govt of India
- B. That the mining is illegal in absence of valid Consent to Operate and Environment Clearance after 31st March 2022
- C. That the unscientific mining by obstructing the free flow of river by creating artificial bunds in the river is violation of approved mining plan and warrants revocation of lease agreement and suspension of mining
- D. That the ongoing sand mining is against the Precautionary Principle and Environment Impact Assessment Notification 2006 and subsequent amendments.
- E. That the private respondent has mined out more sand than the permissible limit and hence warrants stoppage of mining with recovery of Environment compensation.
- F. That transportation of sand loaded heavy vehicles through villages jeopardizing the safety of thousands of people and school going children warrant prohibition of such transportation. Further road not meant for heavy vehicles requires carrying capacity study of the road and particularly stoppage of such vehicular transportation.
- G. Mining during monsoon season is against the sustainable sand mining guideline 2016 and standard river bed mining conditions.
- H. That the State Respondents and the Regulatory Authorities like state Pollution Control Board and SEIAA have failed to discharge their duties and hence requires intervention of this Hon'ble Tribunal for an appropriate order to check the illegal mining

- I. That the Tahasildar being hand in glove with the lessee has resulted in huge loss of revenue to the state exchequer and warrants appropriate action
- J. That violation of EC condition is an offence under Section 15 of EP Act and warrants prosecution against the Lessee and the Tahasildar under Section 19 of EP Act 1986

LIMITATION

That since there is a continuing cause of action arose due to the illegal mining even after expiry of the CTO from 31st march 2022 and the illegal mining which is clear from the photographs dated 14/01/2024 and 21/02/2024, hence the present application is not barred by limitation

INTERIM PRAYER

The Hon'ble Tribunal may constitute a High level Independent Committee to assess a) Cost of river bed material 'illegally mined' b) Cost of ecological restoration and environment compensation. c) Net present value of the future ecosystem services foregone and restrain the Private Respondent from mining in river bed till disposal of the application

PRAYER

The applicants humbly prays the Hon'ble Tribunal to issue following directions to the respondents

- I. Permanently Restrain the Private Respondent from sand mining by use of machine and excavator.
- II. Direct the District Collector to initiate Criminal Proceedings against Pvt Respondent and Tahasildar Dhamnagar for causing loss to the exchequer and violation of EC Norms.
- III. Impose exemplary penalty on the private respondent for violation of Environment Clearance and Consent to Operate conditions

- IV. Fix the accountability of Government Respondents such as Tahasildar Dhamnagar and Irrigation Department for lapses on their part for their inaction in enforcing the laws regulating the sand mining.
- V. Direct the private respondent to restore the damages caused to the river bank and river bed.
- VI. Direct the State Respondents to seize the Excavators used for Sand Mining in Uteipur Sand Quarry 2.
- VII. Call for a status report from Revenue Secretary on implementation Sand Mining Policy 2021 and mechanism to monitor exact quantity of sand extracted and transported from a source
- VIII. Direct the Chief Secretary to make sure GPS TRACKING OF VEHICLES AND E TRANSIT PASS MANDATORY FOR MINING OPERATION for all sand mining leases
- IX. Direct the Mining department to conduct Drone Survey to assess the mining beyond lease area and excess mining.
- X. Any other relief as the Hon'ble Tribunal dim fit.

UNDERTAKING

That I undertake to file the English translation of vernacular documents as and when directed by the Hon'ble Tribunal.

PLACE- BHUBANESWAR

SANKAR PRASAD PANI

DATE-26/02/2024

ASHUTOSH PADHY

S.Pani *A.Padhy*

APPLICANTS THROUGH ADVOCATES

26 FEB 2024

BEFORE THE NATIONAL GREEN TRIBUNAL AT KOLKATA

Original Application No.....of 2024

BHAGABAT SAHOO&OTHERS

APPLICANTS

VERSUS

STATE OF ODISHA&ORS ...

RESPONDENTS

AFFIDAVIT

I, Manoj Kumar Das S/o Bijay Kumar das Aged about 42years, At/Po- Anandpur, Ps- Dhamnagar, Dist- Bhadrak, 756117 do hereby solemnly affirm and declare as under:



- 1. That I am one of the Applicants in the abovementioned application and I am fully conversant with the facts and circumstances of the case and authorized by other applicants 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.

IDENTIFIED BY
A. Padhi
ADVOCATE

Manoj Kumar Das
DEPONENT
26/2/24
JITENDRA DAS
NOTARY PUBLIC BHUBANESWAR
GOVT. OF ODISHA(INDIA)
REGD NO.-84/2012

VERIFICATION

I,do hereby solemnly affirm verify that the contents of the above application are true and correct to the best of my knowledge and belief and nothing material has been concealed there from. Verified at *Bhubaneswar* on *26/02/2024*

Manoj Kumar Das
VERIFICANT

The deponent above named being identified by *Sh. A. Padhi* Advocate Bhubaneswar appears before me on *26/2/24* at about *12-30* AM/PM and Swear on oath that the Contents of the affidavit are true to the best of his/her knowledge



Tel.: 06782-265110
 Website: www.ospcboard.org
 e-mail: rospcb.balasure@ospcboard.org



REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA

(DEPT. OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)

Plot No. 160, Sabadevkhunta, Balasure - 756001

No. 490 / CTO - 3194 / 2019

Date 19.03.2019

BY REGD. POST

CONSENT ORDER NO. 165 / 2018-19 (WPC & APC)

Sub: Consent to operate for existing / new operation of the mines u/s 25/26 of Water (PCP) Act, 1974 & 21 of Air (PCP) Act, 1981

Ref: Your online application no. 2329558.

Consent to operate is hereby granted u/s 25/26 of Water (PCP) Act, 1974 & 21 of Air (PCP) Act, 1981 and rules framed there under to:

Name of the Industry: **M/s Utelpur Sand Quarry - 2**

Name of the Occupier & Designation: **Sarat Chandra Majhi, Lessee**

Factory address: **Mouza - Uteipur (Plot No. 208), Tahasll - Dhamnagar, Dist. - Bhadrak**

This consent order is valid for the period up to **31.03.2022** (subject to validity of mining lease deed).

This consent order is valid for the product quantity, specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

A. Details of Products Manufactured:

Sl. No.	Product	Quantity (cu. meters / annum)			
		2018-19	2019-20	2020-21	2021-22
1	Sand	<u>7880</u>	7880	7880	7880

Record No.

B. Discharge permitted through the following outlet subject to the standard

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr	Prescribed standard				

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

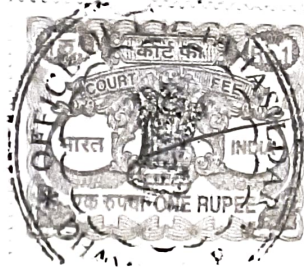
Chimney Stack No.	Description of Stack	Stack height (m)	Quantity of emission	Prescribed Standard				
				PM	SO ₂	NO _x		

D. Disposal of solid waste permitted in the following manner

Sl. No.	Type of Solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site.

Record Keeping





E. GENERAL CONDITIONS:

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
2. The industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity / quality of the effluent rate of emission / air pollution control equipment / system etc.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose
 - c) Process

[Handwritten signature]

13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.


Record Keeper



27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as no to cause fugitive emission, dust problems through leaching etc., of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
- i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/helrs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.

Record Keep



39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/ stipulate additional conditions as deemed appropriate

F. SPECIAL CONDITIONS:

1. Mining shall be done over the proposed lease hold area of 4.86 hectares in Mouza – Uteipur under Tahasil – Dhamnagar of Bhadrak district as per the approved mining plan and tentative lease deed vide memo no. 3844 dated 31.10.2018 of the Tahasildar.
2. Stipulated conditions of SEIAA in the environmental clearance shall be abided.
3. Mining activity shall not disturb flow pattern of river water.
4. Sand mining operation shall not affect the existing sources of irrigation or drinking water or industrial purpose.
5. Sand mining shall not be carried out in streams within 1/5 of the width of the stream bed from the bank.
6. Sand mining shall not be carried out within 200 meters of any existing structure such as bridges, dams, weirs, intake structure (s) either for irrigation or drinking water purposes or any other cross drainage structure.
7. Depth of sand mining shall not exceed 3 meters or water level whichever is less or as per the approved mining plan.
8. Transport vehicles shall possess PUC, not overloaded and covered with tarpaulin.
9. Mined out area shall be leveled and free of foreign debris and materials.



10. Occupational safety measures like nose masks shall be provided to the working personnel of the mines.
11. Necessary permission from the competent authority shall be taken for drawal of surface / ground water.
12. Waste oil and used oil generated from mining machineries shall be disposed to authorized recyclers.
13. The mines shall maintain the ambient noise standards under Noise Pollution (Regulation & Control) (Amendment) Rules, 2010.
14. Ambient air quality inside the mine premises shall be maintained so as to confirm the National Ambient Air Quality Standards prescribed under the Environment (Protection) Rules, 1986.
15. The unit shall abide by provisions of the Environment (Protection) Act, 1986, amendments made thereof and rules framed there under.
16. The Board reserves the right to revoke/refuse consent at any time during this period incase any violation is observed and to modify / stipulate additional conditions as deemed appropriate.

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

To

Sri Sarat Chandra Majhi, Lessee (tentative),
M/s Uteipur Sand Quarry - 2,
(S/O - Batu Majhi)
AVPO - Uteipur, Dihidia Anandpur,
Via - Dhamnagar, Dist. - Bhadrak



19/03/16
REGIONAL OFFICER

Memo No. 491(3) / Date 19.03.2017

Copy forwarded to

- i) Chief Environmental Engineer (Mines), S. P. C. B., Bhubaneswar &
- ii) Collector, Bhadrak &
- iii) Tahasildar, Dhamnagar, Dist. - Balasore for information.


19/03/16
REGIONAL OFFICER


Record Keeper

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): BHADRAK P.S. (थाना): DHAMANAGAR Year (वर्ष): 2022
 FIR No. (प्र.सू.रि. सं.): 0449 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 14/12/2022 22:03 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	379

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Date from (दिनांक से): Date To (दिनांक तक):
 Time Period (समय अवधि): Time From (समय से): Time To (समय तक):

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 14/12/2022 Time (समय): 19:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 014 Date and Time (दिनांक और समय): 14/12/2022 21:32 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH-WEST, 12 Km(s) Beat No. (बीट सं.):

(b) Address (पता): UTEIPUR ,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): MANOJ KUMAR DAS -41

(b) Father's Name (पिताका नाम): BIJAY KUAMR DAS

(c) (d) Nationality (राष्ट्रीयता): INDIA

Date/Year of Birth (जन्म तिथि / वर्ष):

1981

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

(h) Occupation (व्यवसाय):

(i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	DEHUDI -ANANADAPUR , DHAMANAGAR, BHADRAK, ODISHA, INDIA
2	Present Address	DEHUDI -ANANADAPUR , DHAMANAGAR, BHADRAK, ODISHA, INDIA
3	Permanent Address	DEHUDI -ANANADAPUR , DHAMANAGAR, BHADRAK, ODISHA, INDIA
4	Permanent Address	DEHUDI -ANANADAPUR , DHAMANAGAR, BHADRAK, ODISHA, INDIA

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.):

91-9989978306

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	SARAT CHANDRA MAJHI -61		Father's Name: BATU MAJHI	1. UTEIPUR, DHAMANAGAR, BHADRAK, ODISHA, INDIA
2	KHIROD KUMAR PANDA -50			1. TAHASILDAR DHAMNAGAR, DHAMANA GAR, BHADRAK, ODISHA, INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

On 14.12.2022 at 7 P.M IIC registered Dhamnagar PS case no 449/22 U/s 379 IPC on receipt of Complpt petitioner of petitioner Manoj Kumar Das of village Dehudi Anandapur PS-Dhamnagar Dist- Bhadrak and directed SI K Ch Parida to take up investigation of the case . Furnished a copy of FIR to the Complpt in free of cost.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

I.I.F.-I (एकीकृत जाँच फार्म-I)

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Kailash Chandra Parida Rank (पद): SI (Sub-Inspector) No. (सं.): 62554 Mobile No. (मोबाइल नंबर): 919938686322 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): BANAMALI BARIK

Rank (पद): I (Inspector)

No. (सं.): BPNPB43352

Mobile No. (मोबाइल सं.):

919439116620

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1961		-		Is Proxitted: No
2	Male	1972		-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)**प्रथम सूचना रिपोर्ट**
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): BHADRAK P.S. (थाना): DHAMANAGAR Year (वर्ष): 2022
FIR No. (प्र.सू.रि. सं.): 0131 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 07/04/2022 14:15 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	341
2	IPC 1860	294
3	IPC 1860	325
4	IPC 1860	506
5	IPC 1860	379
6	IPC 1860	34

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Thursday Date from (दिनांक से): 07/04/2022 Date To (दिनांक तक): 07/04/2022
Time Period (समय अवधि): Pahar 4 Time From (समय से): 10:00 hrs Time To (समय तक): 10:40 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 07/04/2022 Time (समय): 14:15 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 002 Date and Time (दिनांक और समय): 07/04/2022 23:36 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH-EAST, 8 Km(s) Beat No. (बीट सं.):

(b) Address (पता): UTEIPUR,MALLIMAHARA,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

- 6.

Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

- (a) **Name (नाम):** BASUDEB PAGAL - 42
- (b) **Father's Name (पिताका नाम):** RAMA CHANDRA PAGAL
- (c) **Date/Year of Birth (जन्म तिथि / वर्ष):** 1980 (d) **Nationality (राष्ट्रीयता):** INDIA
- (e) **UID No. (यूआईडी सं.):**
- (f) **Passport No. (पासपोर्ट सं.):**

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

- (g) **ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))**

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

- (h) **Occupation (व्यवसाय):**

- (i) **Address (पता):**

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
2	Present Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
3	Present Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
4	Present Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
5	Permanent Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
6	Permanent Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
7	Permanent Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA
8	Permanent Address	CHAMPABAG, DHAMANAGAR, BHADRAK, ODISHA, INDIA

- (j) **Phone number (दूरभाष सं.):** **Mobile (मोबाइल सं.):**
91-6371015109

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	MANOJ MOHANTY ALIAS KALIA		Father's Name: NARENDRA MOHANTY	1. UTEIPUR,DHAMANAGAR, BHADRAK,ODISHA,INDIA
2	ABHAYA MOHANTY		Father's Name:	1. UTEIPUR,DHAMANAGAR, BHADRAK,ODISHA,INDIA
3	SANJEEB TARAI		Father's Name:	1. UTEIPUR,DHAMANAGAR, BHADRAK,ODISHA,INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

ON DT 07.04.2022 AT 02.15 PM BASUDEB PAGAL (42),S/O - RAMA CHANDRA PAGAL OF VILL - CHAMPABAG,PO - DEHUDI ANANDAPUR,PS - DHAMNAGAR ,DIST - BHADRAK ,PRESENTED A WRITTEN REPORT AGAINST MANOJ MOHANTY @ KALIA,S/O - NARENDRA MOHANTY AND OTHERS OF VILL -CHAMPABAG,PS DHAMNAGAR, DIST - BHADRAK, ON THIS REPORT I REGD PS CASE NO 131 / 2022,U/S - 341,294,325,506,379,34 IPC AND DIRECTDE TO SI R . BESHRA TO TAKE UP ITS INVESTIGATION.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): RAMDAS BESHRA Rank (पद): SI (Sub-Inspector) No. (सं.): Mobile No. (मोबाइल नंबर): 919658220394 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): SRIBALLAVA SAHU

Rank (पद): I (Inspector)

No. (सं.): 68207

Mobile No. (मोबाइल सं.):

919437297466

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

I.I.F.-I (एकीकृत जाँच फार्म-I)

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1988		-		Is Proxitted: No
2	Male	1987		-		Is Proxitted: No
3	Male	1986		-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट**(धारा 154 दंड प्रक्रिया संहिता के तहत)**

1. District (जिला): BHADRAK P.S. (थाना): DHAMANAGAR Year (वर्ष): 2022
- FIR No. (प्र.सू.रि. सं.): 0130 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 07/04/2022 13:00 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	341
2	IPC 1860	294
3	IPC 1860	323
4	IPC 1860	506
5	IPC 1860	379
6	IPC 1860	34
7	THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) Act, 1989 (AMENDMENT ACT, 2018)	3(1)(r)
8	THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) Act, 1989 (AMENDMENT ACT, 2018)	3(1)(s)
9	THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) Act, 1989 (AMENDMENT ACT, 2018)	3(2)(va)

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Thursday Date from (दिनांक से): 07/04/2022 Date To (दिनांक तक): 07/04/2022
Time Period (समय अवधि): Pahar 3 Time From (समय से): 07:00 hrs Time To (समय तक): 07:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 07/04/2022 Time (समय): 13:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 001

I.I.F.-I (एकीकृत जाँच फार्म-I)

Date and Time

(दिनांक और

समय):

07/04/2022

23:09 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH-EAST, 8 Km(s)

Beat No. (बीट सं.):

(b) Address (पता): UTEIPUR,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): SHARAT CHANDRA MAJHI -61

(b) Father's Name (पिताका नाम): LT -BATU MAJHI

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1961 (d) Nationality (राष्ट्रीयता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की
दिनांक):

Place of Issue (जारी करने का स्थान):

(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)
(पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन
कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

(h) Occupation (व्यवसाय):

(i) Address
(पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	UTEIPUR, DHAMANAGAR, BHADRAK, ODISHA, INDIA

I.I.F.-I (एकीकृत जाँच फार्म-I)

2	Present Address	UTEIPUR, DHAMANAGAR, BHADRAK, ODISHA, INDIA
3	Permanent Address	UTEIPUR, DHAMANAGAR, BHADRAK, ODISHA, INDIA
4	Permanent Address	UTEIPUR, DHAMANAGAR, BHADRAK, ODISHA, INDIA

- (j) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.):
91-9437241095

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	MANOJ DAS		Father's Name: BIJAYA KUMAR DAS	1. ANANDAPUR,DHAMANAG AR,BHADRAK,ODISHA,IN DIA
2	BASUDEB PAGAL		Father's Name: RAMA CHANDRA PAGAL	1. ANANDAPUR,DHAMANAG AR,BHADRAK,ODISHA,IN DIA
3	BHAGABAT SAHU		Father's Name: KRUPA SAHU	1. PAHADPUR,DHAMANAGA R,BHADRAK,ODISHA,INDI A
4	PARSURAM MISHRA		Father's Name: LT- PRAFULLA MISHRA	1. PAHADPUR,DHAMANAGA R,BHADRAK,ODISHA,INDI A

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

ON DT 07.04.2022 AT 1.00.P M SHARAT CHANDRA MAJHI (61)S/O -LT BATU MAJHI OF VILL -UTEIPUR,PO - DEHUDI ANANDAPUR,PS - DHAMNAGAR , DIST - BHADRAK, PRESENTED A WRITTEN REPORT AGAINST MANOJ DAS,S/O -BIJAYA KUMAR DAS OF VILL -ANANDAPUR,PS -DHAMNAGAR, DIST - BHADRAK AND OTHERS ,ON THIS REPORT I REGD PS CASE NO 130 / 2022,U/S 341,294,323,506,379,34 IPC ,SEC 3(1)(r.s),3(2) (v,a)SC/ST(PA)ACT AND REQUESTED TO SRI B.K MOHAPATRA OPS.SDPO. DHAMNAGAR FOR INVESTIGATION .

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): BIJAYA KRUSHNA MOHAPATRA Rank (पद): Dy. SP (Deputy Superintendent of Police) No. (सं.): 63804 Mobile No. (मोबाइल नंबर): 919437200221 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)

(4) Transferred to P.S. (थाना): District (ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

--

I.I.F.-I (एकीकृत जाँच फार्म-I)

**Signature of Officer in charge, Police
Station (थाना प्रभारी के हस्ताक्षर)**

14. **Signature / Thumb
impression
of the complainant /
informant (शिकायतकर्ता /
सूचनाकर्ता के हस्ताक्षर
/अंगूठे का निशान)**

Name (नाम): SRIBALLAVA SAHU

Rank (पद): I (Inspector)

No. (सं.): 68207

Mobile No. (मोबाइल सं.):

919437297466

15. **Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक
और समय):**

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1987		-		Is Proxitted: No
2	Male	1984		-		Is Proxitted: No
3	Male	1986		-		Is Proxitted: No
4	Male	1985		-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

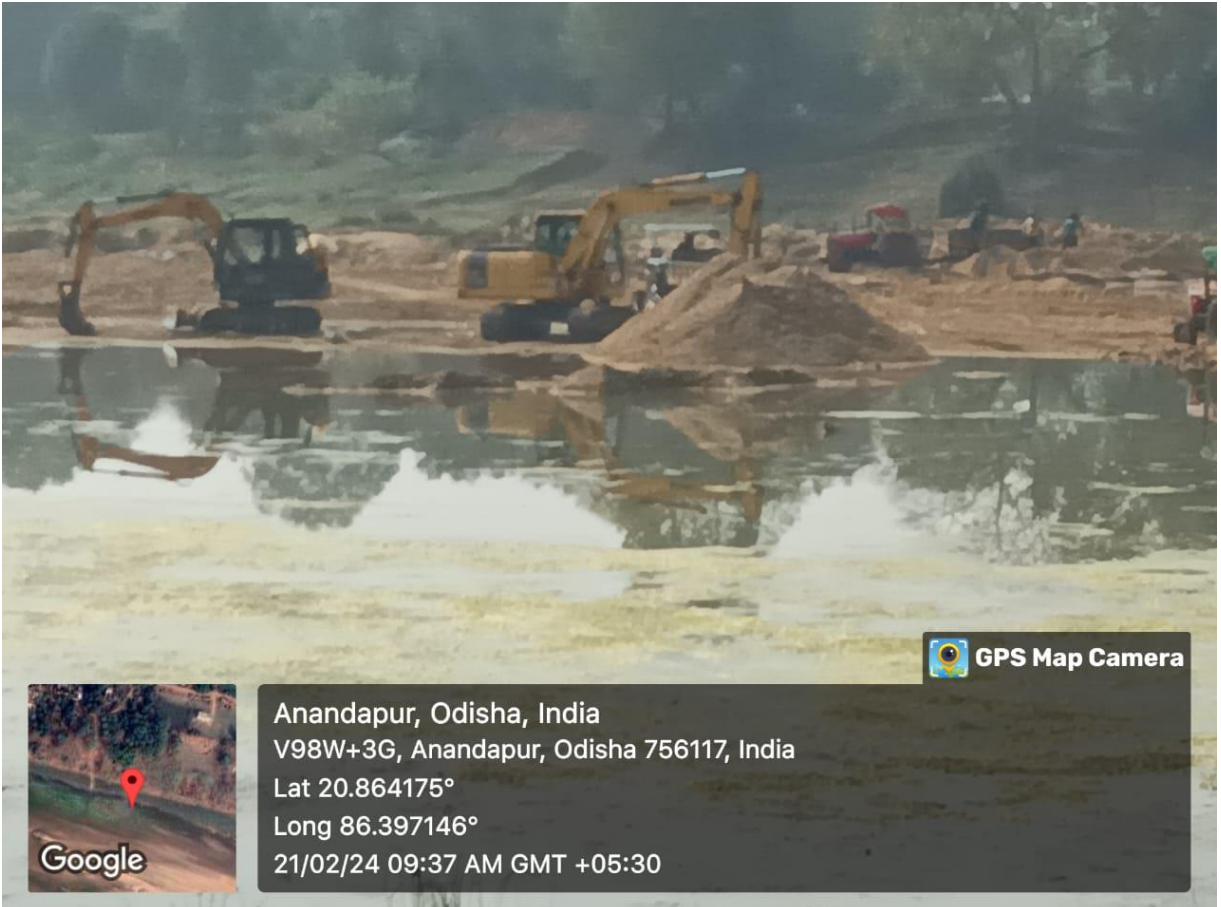
PHOTOGRAPHS DATED 01/03/2024,14/01/2024&21/02/2024 WHICH SHOWS HEAVY MACHINES ARE BEING USED FOR MINING



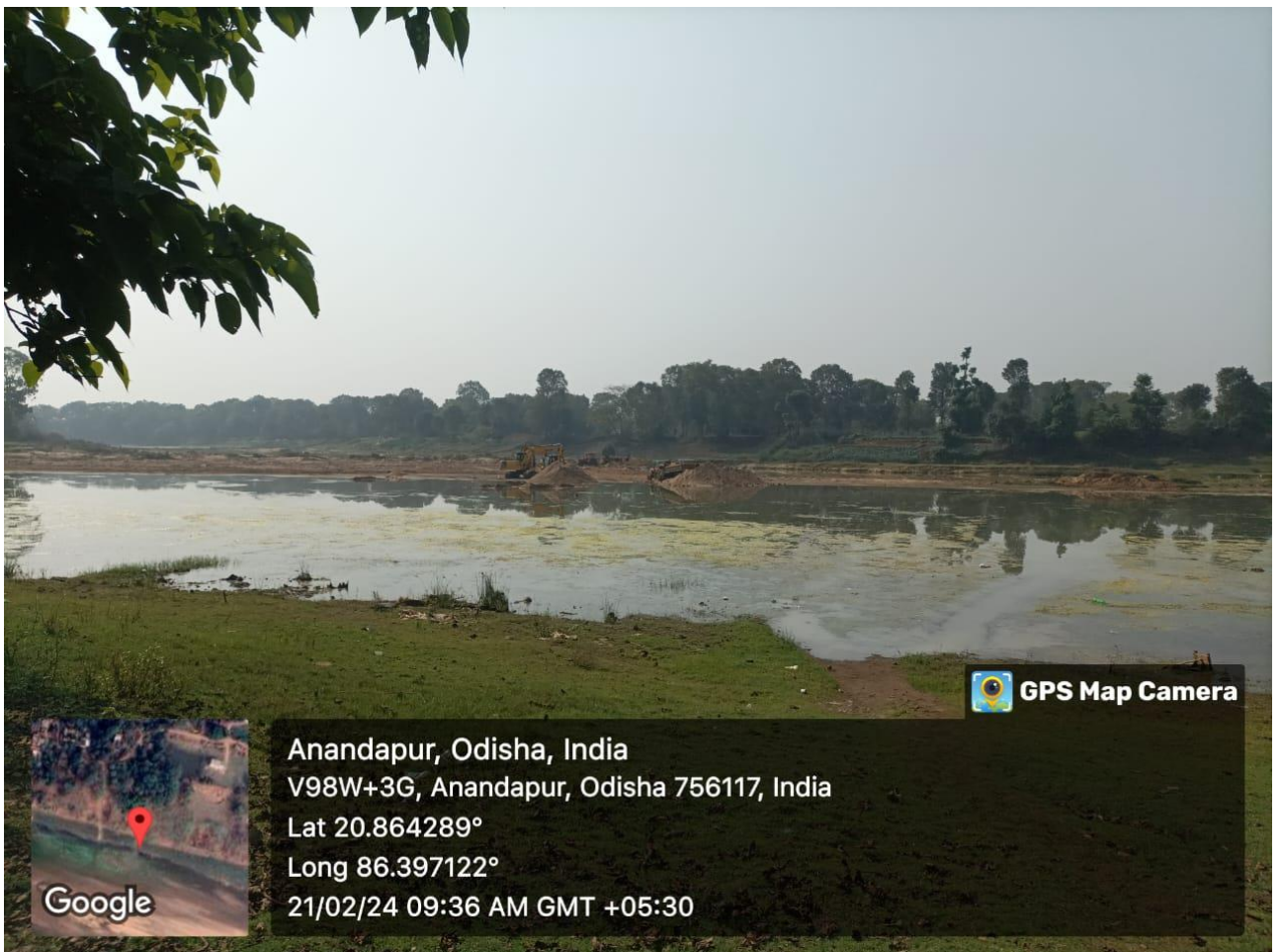
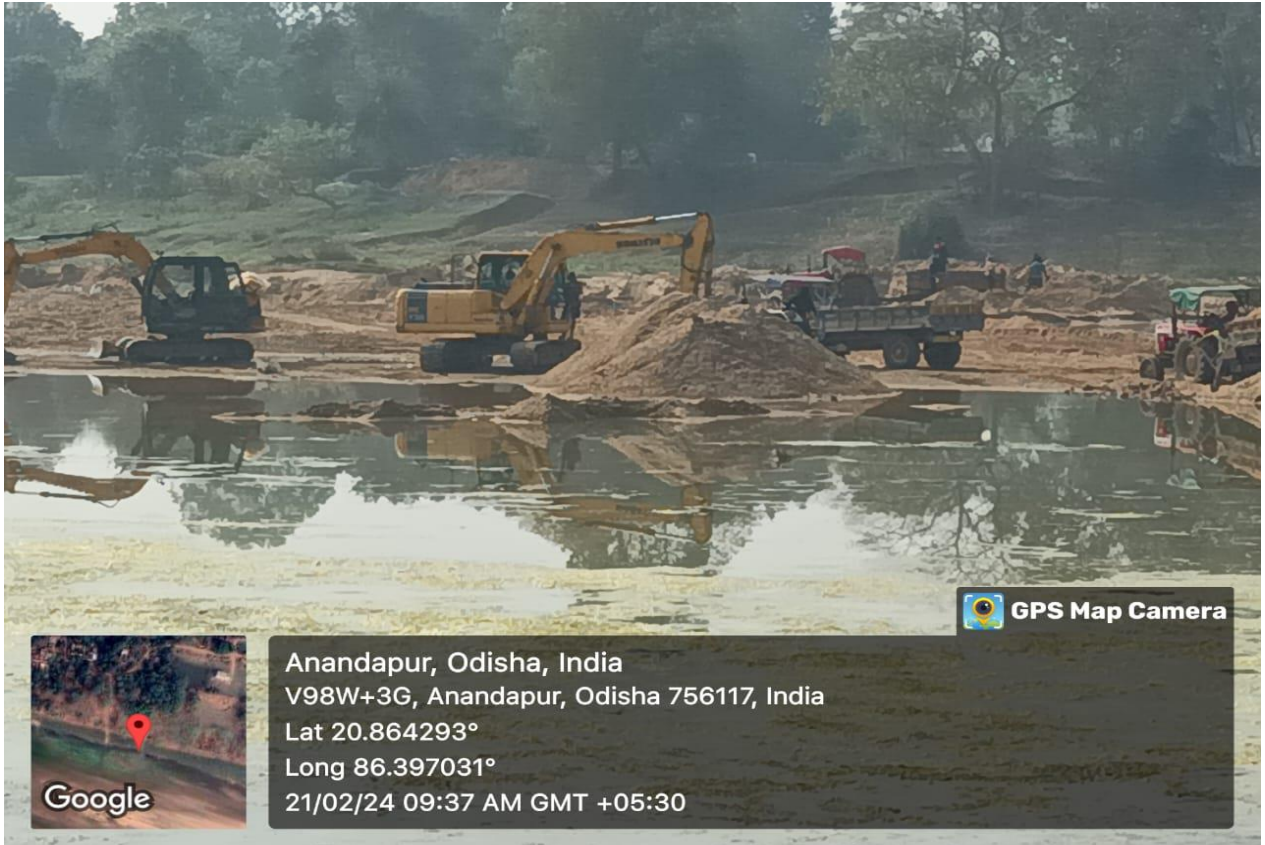
PHOTOGRAPHS SHOWING THAT THE PRIVATE PROPONENT IN THE GARB OF LEASE ILLEGALLY EXTRACTING SAND FROM THE RIVER WITHOUT VALID PERMISSIONS













Sankar Pani <sankarprasadpani@gmail.com>

Fwd: To stop Illegal SandMining at Uteipur-2 Sand quarry In Anandapur Panchayat of Dhamnagar Tahasilunder Bhadrak district of Odisha

1 message

Manoj Das <manojjourn@gmail.com>
To: sankarprasadpani@gmail.com

Tue, Sep 27, 2022 at 5:40 PM

----- Forwarded message -----

From: **Manoj Das** <manojjourn@gmail.com>

Date: Thu, 22 Sep, 2022, 08:57

Subject: To stop Illegal SandMining at Uteipur-2 Sand quarry In Anandapur Panchayat of Dhamnagar Tahasilunder Bhadrak district of Odisha

To: <cmo@ori.nic.in>

Cc: <csori@ori.nic.in>, <revsec.od@nic.in>, <dm-bhadrah@nic.in>, <subcoll.bhadrak@nic.in>, <tah.dham-od@nic.in>, <direnvodisha@gmail.com>, <dirvig@nic.in>, <dir.geology@orissaminerals.gov.in>, <directorgeology_orissa@yahoo.co.in>, <directorgeology_orissa@yahoo.in>, <adm-bdk.od@nic.in>, <adm-bhc@nic.in>, <paribesh1@ospcboard.org>, <secy-mines@nic.in>

To

**The Chief Minister
Lokaseva Bhawan, Bhubaneswar
Odisha**

Sub: ଧାମନଗର ଡହସିଲ ଅଧିନ ଉତ୍ତେଇପୁର-2 ବାଲିଘାଟ ଓ ଆଖପାଖ ଅଞ୍ଚଳରୁ ବେଆଇନ ଭାବେ ଚାଲିଥିବା ବାଲି ଉତ୍ତୋଳନ ଓ ବାଲିଘାଟକୁ ବନ୍ଦ କରାଯାଉ ।

ମହାଶୟ,

ଆମ ପଞ୍ଚାୟତ ଗ୍ରା.ପ- ଆନନ୍ଦପୁର ଅଧିନ ଉତ୍ତେଇପୁର ମୌଜାରେ ଥିବା ବୈତରଣୀ ନଦୀରୁ ବେଆଇନ ଭାବେ ବାଲି ଉତ୍ତୋଳନ କରାଯାଇଛି, କରାଯାଉଛି ଓ କରାଯିବାକୁ ଯୋଜନା ହେଉଛି । ଏହା ଫଳରେ ରାଜ୍ୟ ସରକାରଙ୍କୁ କୋଟି କୋଟି ଟଙ୍କା ରାଜସ୍ୱ ହାନୀ ହୋଇଛି । ବିଶେଷ କରି ଉତ୍ତେଇପୁର-2 ବାଲିଘାଟ ନାଁରେ ବୈତରଣୀ ନଦୀରୁ ବ୍ୟାପକ ବାଲି ଚୋରି ହୋଇଛି ଓ ମୌସୁମୀ ପରେ ଆହୁରି ମଧ୍ୟ ବାଲି ଚୋରି ହେବାର ଆଶଙ୍କା ରହିଛି । ଏହି ଘାଟକୁ ନିଲାମ ନେଇଥିବା ଶରତ ଚନ୍ଦ୍ର ମାଝି, ପିତା- ବାଟୁ ମାଝି, ନିଜ ଲିଜ୍ ଅଞ୍ଚଳ ବାହାରୁ ଓ ଲିଜ୍ ଅଞ୍ଚଳରୁ ଧାର୍ଯ୍ୟ ପରିମାଣଠାରୁ ବହୁ ଅଧିକ ବାଲି ଉଠାଉଛନ୍ତି । ଏହି ଘାଟଟି N20.513322 TO N20513912/ E86.241573 TO E86.242435 ଯାଏ ପରିବ୍ୟାପ୍ତ । ହେଲେ ଶରତ ଏହାର ପୂର୍ବ ଦିଗକୁ ଲକ୍ଷ ଲକ୍ଷ କ୍ୟୁବିକ୍ ମିଟର ବାଲି ଉଠାଇ ଚାଲାଇ କରିଛନ୍ତି । ଖାଲି ଏତିକି ନୁହେଁ, ଲୋକଙ୍କ ଦ୍ୱାରା ବାଲି ଉତ୍ତୋଳନ କରିବା ବଦଳରେ ସେ ମେସିନ ଲଗାଇ ବାଲି ଉଠାଇ ବିକିଛନ୍ତି । ବାଲି ଚୋରି ସଂପର୍କରେ ତଳେ ବିସ୍ତୃତ ବିବରଣୀ ଦିଆଯାଇଛି ।

. ନିଲାମ ଡକ୍ୱାସିବା ତାରିଖ- ଧାମନଗର ଡହସିଲ ପକ୍ଷରୁ 2017 ଡିସେମ୍ବର 12ରେ ସୈରାତ ନିଲାମ ପାଇଁ ଚିଠି ସଂଖ୍ୟା 5473ରେ ବିଜ୍ଞାପନ ବାହାରିଲା । ସମାନ ତାରିଖରେ ଚିଠି ସଂଖ୍ୟା

5475ରେ ଟେଣ୍ଡର ନୋଟିସ ପ୍ରକାଶ ପାଇଲା

. ନିଲାମରେ ବିଜୟୀ ଘୋଷଣା ତାରିଖ- 2017 ଡିସେମ୍ବର 29 ତାରିଖ ସକାଳ 11ଟା 30ରେ ନିଲାମ ଖୋଲାଗଲା । 2017 ଡିସେମ୍ବର 30ରେ ଧାମନଗର ତହସିଲ ପକ୍ଷରୁ ଟିଠି ସଂଖ୍ୟା 5670ରେ ଶରତ ଚନ୍ଦ୍ର ମାଝି, ପିତା- ବାଟୁ ମାଝିଙ୍କୁ ନିଲାମ ପ୍ରକ୍ରିୟାରେ ବିଜୟୀ ହୋଇଥିବା ନେଇ ଜଣାଇ ଦିଆଗଲା ବା ଇଣ୍ଟିମେସନ ଟୁ ସକସେସଫୁଲ୍ ବିଡର ଭାବେ ଅବଗତ କରାଗଲା ।

. କ୍ୟୁବିକ ମିଟର ପ୍ରତି 323 ଟଙ୍କାରେ ବାଲିର ଦର ଧାର୍ଯ୍ୟ କରାଯାଇଥିଲା । ଅର୍ଥାତ ଶରତ ଚନ୍ଦ୍ର ମାଝି ରାଜ୍ୟ ସରକାରଙ୍କୁ କ୍ୟୁବିକ ମିଟର ପ୍ରତି 323 ଟଙ୍କା ଦେବାକୁ ଘୋଷଣା କରି ଟେଣ୍ଡର ପକାଇଥିଲେ ।

. 2017 ଡିସେମ୍ବର 12ରେ ସୈରାତ ନିଲାମ ପାଇଁ ବିଜୟ ପ୍ରକାଶ କରିଥିଲେ ହେଁ, ଧାମନଗର ତହସିଲଦାର 2018 ଫେବୃଆରି 16 ତାରିଖରେ ବାରିପଦା ସକଲ ଖଣି ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରୁ ଟିଠି ସଂଖ୍ୟା- XXB-08/2017 ଓ ମେମୋ ନଂ. 683ରେ ମାଇନିଂ ପ୍ଲାନ ଆପ୍ରୁଭାଲ୍ ମିଳିଥିଲା ।

. ଏହାର ଦୀର୍ଘଦିନ ପରେ 2018 ଅକ୍ଟୋବର 31 ତାରିଖରେ ଭଦ୍ରକ ଉପଜିଲ୍ଲାପାଳ ବା ଜିଲ୍ଲା ପରିବେଶ ପ୍ରଭାବ ସମୀକ୍ଷା କର୍ତ୍ତୃପକ୍ଷଙ୍କ ସଦସ୍ୟ ସଚିବଙ୍କଠାରୁ ଉତ୍ତେଇପୁର-2 ସୈରାତ ଉତ୍ତର ପରିବେଶ ଅନୁମତି ମିଳିଯାଇଛି ବୋଲି ଧାମନଗର ତହସିଲଦାରଙ୍କ କାର୍ଯ୍ୟାଳୟରୁ ଟିଠି ସଂଖ୍ୟା- 3843ରେ ନିଲାମ ବିଜୟୀ ହୋଇଥିବା ଶରତ ଚନ୍ଦ୍ର ମାଝିଙ୍କୁ ଜଣାଇ ଦିଆଯାଇଥିଲା । ଏହାସହ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡରୁ ତୁରନ୍ତ କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟ ଆଣି ଦାଖଲ କରିବା ଲାଗି ମଧ୍ୟ କୁହାଯାଇଥିଲା ।

. ଏହାପରେ ନିଲାମଧାରୀ ଶରତ ଚନ୍ଦ୍ର ମାଝି ଅନଲାଇନ୍ ଆବେଦନ ପ୍ରକ୍ରିୟାରେ ଆପ୍ଲିକେସନ ଫର୍ମ ନଂ. 2329558ରେ କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟ ପାଇ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡଙ୍କ ପାଖରେ ଆବେଦନ କରିଥିଲେ । ଏହାକୁ ବିଚାର କରି ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ 2019 ମାର୍ଚ୍ଚ 19 ତାରିଖରେ 490/CTO- 3194/2019ରେ କନସେଣ୍ଟ୍ ଅର୍ଡର ନଂ. 165/2018-2019ରେ କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟ୍ ପ୍ରଦାନ କରିଥିଲେ । କନସେଣ୍ଟ୍ ଅର୍ଡରର ବୈଧତା 2022 ମାର୍ଚ୍ଚ 31 ଯାଏ ରଖିଥିଲେ ।

. ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ ପକ୍ଷରୁ ପ୍ରଦାନ କରାଯାଇଥିବା କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟରେ ସର୍ତ୍ତ ରଖାଯାଇଥିଲା ଯେ, କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟର ବୈଧତା ସରିବାର 90 ଦିନ ପୂର୍ବରୁ ପୁଣିଥରେ କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟ୍ ପାଇ ଆବେଦନ କରାଯିବା ଉଚିତ । ଏହାସହ ଖଣି ଖନନ ପାଇ ଅନୁମତି ବା କନସେଣ୍ଟ୍ ମିଳିଛି ବୋଲି ଏହା ସର୍ବସାଧାରଣରେ ପ୍ରଦର୍ଶନ କରିବାକୁ ହେବ ବୋଲି ସର୍ତ୍ତ ରଖାଯାଇଥିଲା । ହେଲେ ଶରତ ମାଝି କିମ୍ବା ଧାମନଗର ତହସିଲ ପକ୍ଷରୁ ଆଉ କନସେଣ୍ଟ୍ ଟୁ ଅପରେଟ୍ ଅଣାଯାଇନାହିଁ । ଏହାସତ୍ତ୍ୱେ ଗତ ଜୁନ୍ ମାସରେ ମୌସୁମୀ ଜନିତ ବର୍ଷା ହେବା ଯାଏ ସେ ବାଲି ଉଠାଉଥିଲା । ଏନେଇ ଗାଁ ଲୋକେ ଏପ୍ରିଲ 7 ତାରିଖରେ ତାକୁ ବିରୋଧ କରିବାରୁ

ସେ ଓ ତାର ସମର୍ଥକମାନେ ଗାଁ ଲୋକଙ୍କୁ ଆକ୍ରମଣ କରିଥିଲେ । ଯାହାକୁ ନେଇ ଧାମନଗର ଥାନାରେ ମାମଲା ରୁଦ୍ଧ ହୋଇଛି । ନିଜ ଏତଲାରେ ଶରତ ଦର୍ଶାଇଛନ୍ତି ଯେ, 2024 ପର୍ଯ୍ୟନ୍ତ ତାଙ୍କର ନିଲାମ ଅବଧି ରହିଛି ।

. ଉତ୍ତେଜପୁର-2 ବାଲିଘାଟ ପାଇଁ 2019 ମାର୍ଚ୍ଚ ମାସରେ କନସେଣ୍ଟ୍ରୁ ଅପରେଟ୍ ମିଳି ସାରିଥିଲା । ହେଲେ ଧାମନଗର ତହସିଲ କାର୍ଯ୍ୟାଳୟ ପକ୍ଷରୁ ଅତିରିକ୍ତ ତହସିଲଦାର ଲଗ୍ନିଜିତ ବେହେରା 2019 ଡିସେମ୍ବର 21 ତାରିଖରେ ଖଣି ଲିଜ୍ ପାଇ ନିଲାମଧାରୀ ଶରତ ଚନ୍ଦ୍ର ମାଝିଙ୍କ ସହ ଲିଜ୍ ଏଗ୍ରିମେଣ୍ଟ କରିଥିଲେ । ଓଡ଼ିଶା ମାଇନର ମିନେରାଲ୍ କନସେସନ ଆମେଣ୍ଟମେଣ୍ଟ ରୁଲସ-2016ର ରୁଲ୍ ନଂ. 27(13) ଅନୁଯାୟୀ ଏହି ଚୁକ୍ତିନାମା ସ୍ୱାକ୍ଷର କରାଯାଇଥିଲା ।

. 2018 ଜାନୁଆରୀ 18 ତାରିଖରେ ଶରତ ଚନ୍ଦ୍ର ମାଝି ଧାମନଗର ତହସିଲର ରସିଦ୍ ପୁସ୍ତକ 12ର ରସିଦ୍ ନମ୍ବର 718165ରେ ସିକ୍ୟୁରିଟି ଡିପୋଜିଟ୍ ବାବଦରେ 7 ଲକ୍ଷ 74 ହଜାର 800 ଟଙ୍କା ପ୍ରଦାନ କରିଥିଲେ । ତେବେ ଏହା ପୂର୍ବରୁ 2018 ଜାନୁଆରୀ 8 ତାରିଖରେ ଧାମନଗର ତହସିଲଦାରଙ୍କ ପକ୍ଷରୁ ନିଲାମଧାରୀ ଶରତ ଚନ୍ଦ୍ର ମାଝିଙ୍କୁ କୁହାଯାଇଥିଲା କି, ଆପଣ ନିଲାମରେ ବିଜୟୀ ହେବା ସହ ସର୍ଭାବଳୀ ଗ୍ରହଣ କରିଥିବାରୁ ସିକ୍ୟୁରିଟି ଡିପୋଜିଟ୍ କରନ୍ତୁ ।

. ଓଡ଼ିଶା ମାଇନର ମିନେରାଲସ କନସେସନ ରୁଲସ-2016ର ରୁଲ୍ ନଂ- 27କୁ ସଂପୂର୍ଣ୍ଣ ଖୁଲାପ କରାଯାଇଛି । କାରଣ, ଏହି ସୈରାତ ଉତ୍ତରକୁ ଲାଗିକି ଆଉ ଜଣେ ବ୍ୟକ୍ତି ସୈରାତ ନିଲାମ ନେଇଛନ୍ତି । ସେହି ଖାଦାନର ନାଁ ଉତ୍ତେଜପୁର-1 ରହିଛି । ଏପରିକି ଦୁଇଟି ଯାକ ସୈରାତ ଉତ୍ତର ମାଇନିଂ ପ୍ଲାନରେ ପ୍ରଦାନ କରାଯାଇଥିବା ଅକ୍ଷାଂଶ ଓ ଦ୍ରାଘିମା ଅନୁସାରେ ଉତ୍ତେଜପୁର-1 ଖାଦାନର କିଛି ଅଂଶ ଉତ୍ତେଜପୁର-2 ଖାଦାନରେ ରହିଛି । ଏଣୁ ଅନ୍ୟ ଜଣକ ଖାଦାନ ଭିତରୁ ଆଉ ଜଣେ କିପରି ଖଣି ଲିଜ୍ ନେବ । ତା ଛଡ଼ା ଏହାକୁ ଗୋଟିଏ କ୍ଲଷ୍ଟର କାହିଁକି କରାଗଲା ନାହିଁ ।

. ନିଲାମ ପୂର୍ବରୁ ଯଦି ମାଇନିଂ ପ୍ଲାନ ଓ ଏନଭାଇରନମେଣ୍ଟ କ୍ଲିଅରାନସ ଆସିଥାଏ, ତା ହେଲେ ଓଡ଼ିଶା ମାଇନର ମିନେରାଲସ କନସେସନ ରୁଲସ-2016ର ରୁଲ୍ ନଂ- 27ର ସବ୍ ରୁଲ୍ ଅନୁସାରେ ସକସେସପୁଲ୍ ବିଡର ଭାବେ ଇଣ୍ଟିମେସନ ପାଇବାର 3 ସପ୍ତାହ ବା 21 ଦିନ ମଧ୍ୟରେ ସେ ବାଲି ଖାଦାନରୁ ବାଲି ଉତ୍ତୋଳନ କରିବା କଥା ।

. ଓଡ଼ିଶା ମାଇନର ମିନେରାଲସ କନସେସନ ରୁଲସ-2016ର କ୍ଲଷ୍ଟର ନିୟମାବଳୀରେ ଖୁଲାପ କରାଯାଇଛି । ଏଥିରୁ ସ୍ପଷ୍ଟ ହେଉଛି ଯେ, ଧାମନଗର ତହସିଲଦାର ନିଲାମଧାରୀ ଶରତ ଚନ୍ଦ୍ର ମାଝିଙ୍କ ପ୍ରତି ଅନୁକଂପା ପ୍ରଦର୍ଶନ କରିଛନ୍ତି । 2017 ଡିସେମ୍ବର 30ରେ ଶରତ ମାଝିଙ୍କୁ ଖଣି ନିଲାମ ପାଇଥିବାରୁ ସକସେସପୁଲ୍ ବିଡର ଭାବେ ଅବଗତ କରାଯାଇଥିଲା । ହେଲେ ତାଙ୍କ ସହ ଲିଜ୍ ଡିଡ୍ ବା ଲିଜ୍ ଏଗ୍ରିମେଣ୍ଟ 2019 ଡିସେମ୍ବର 21ରେ କରାଗଲା । କିନ୍ତୁ, ନିୟମ ଅନୁସାରେ ଇଣ୍ଟିମେସନ ପାଇବାର 21 ଦିନ ମଧ୍ୟରେ ଖଣି ଖାଦାନ ଆରମ୍ଭ ନ କଲେ, ତାଙ୍କ ନିଲାମ ବାତିଲ କରିଦିଆଯିବ । ତହସିଲଦାର ଏହା କରିନଥିଲେ ।

. ଏନେଇ ଡହସିଲଦାର, ଧାମନଗରକୁ ଯୁକ୍ତ ଯେ, ଶରତଙ୍କ ପାଖରେ ମାଲନିଂ ପ୍ଲାନ ନଥିଲା। ତେବେ ଏହା ଗ୍ରହଣୀୟ ନୁହେଁ। ଓଡ଼ିଶା ମାଲନର ମିନେରାଲସ କନସେସନ ରୁଲସ-2016 ଅନୁସାରେ ଉତ୍ତେଇପୁର-2 ବାଲି ଖାଦାନ ପାଇ ନିଲାମ ପୂର୍ବରୁ ଡହସିଲଦାର ନିଜଆଡୁ ମାଲନିଂ ପ୍ଲାନ ଆଣିବା କଥା। ହେଲେ ଶରତଙ୍କୁ ନିଲାମ ଦେବା ଲାଗି ଡରବରିଆ ଭାବେ ଏହାକୁ ଏକ ସୈରାତ ଉତ୍ତ ଦର୍ଶାଇ, ନିଲାମ ତକାୟାକଥିଲା। ତେବେ 2018 ପୂର୍ବରୁ ଡିଷ୍ଟ୍ରିକ୍ଟ ସର୍ଭେ ରିପୋର୍ଟ ନେଇ କୌଣସି ବ୍ୟବସ୍ଥା ନଥିବାରୁ ଧାମନଗର ଡହସିଲଦାର ଏହାର ଫାଇଦା ନେଇ ଶରତଙ୍କୁ ସହଯୋଗ କରିଛନ୍ତି। ବଡ଼କଥା ହେଉଛି, ନୂଆ ବାଲିଘାଟ ଚିହ୍ନଟ ପାଇ ଲୋକମାନଙ୍କ ବା ପଞ୍ଚାୟତର ପରାମର୍ଶ ଗ୍ରହଣ କରିବାର ଥିଲା। ଜଳ ସଂପଦ ବିଭାଗ ଓ ଡହସିଲ ପକ୍ଷରୁ ଯୌଥ ଅନୁଧ୍ୟାନ କରିବାର ଥିଲା। ଏସବୁ ନ କରି ଧାମନଗର ଡହସିଲଦାର, ଉତ୍ତେଇପୁର-2କୁ ଏକ ସୈରାତ ଉତ୍ତ ଘୋଷଣା କରିଥିଲେ। ଉତ୍ତେଇପୁର-2 ବାଲିଘାଟ ପାଇ ଯେଉଁସ୍ଥାନ ଦର୍ଶାଯାଇଛି ବା ଚିହ୍ନଟ ହୋଇଛି, ତାହାର ପୂର୍ବକୁ ଏକର ଏକର ଜମିରୁ ବାଲି ଉତ୍ତୋଳନ କରିଛନ୍ତି ଶରତ ମାଝି। ଏଥିଲାଗି ଧାମନଗର ଡହସିଲଦାର ସହଯୋଗ କରିଛନ୍ତି। ରାଜ୍ୟ ସରକାରଙ୍କ ରାଜସ୍ୱ ବିଭାଗର ଚିଠିସଂଖ୍ୟା. **RDM-MMS-EXINST-0001-2019-12611/R&DM Dated 26.04.2019**କୁ ବି ବାଲିଘାଟ ପାଇ ଏଗ୍ରିମେଣ୍ଟ ବେଳେ ଅଣଦେଖା କରାଯାଇଛି। ଏଥିରେ ସୈରାତ ଉତ୍ତ ଚିହ୍ନଟ ପାଇ ଥିବା ନିୟମାବଳୀକୁ ଡହସିଲଦାର ମାନି ନାହାନ୍ତି।

. ଖାଲି ଏତିକି କଥା ନୁହେଁ, ଶରତ 2019 ଡିସେମ୍ବର 21ରେ ଉତ୍ତେଇପୁର ବାଲିଘାଟରୁ ବାଲି ଉଠାଇବା ଲାଗି ଲିଜ୍ ଏଗ୍ରିମେଣ୍ଟ କରିଥିଲେ। ହେଲେ ଏହା ପୂର୍ବରୁ ସେ ଉତ୍ତେଇପୁର-2 ଓ ଏହାର ଆଖପାଖ ଅଞ୍ଚଳରୁ ଏପରିକି ଲିଜ୍ ଅଞ୍ଚଳର ବାହାରୁ ସେ ବାଲି ଉଠାଉଥିଲେ। ଗୁଗୁଲ୍ ଆର୍ଥର ଫଟୋ ଅନୁସାରେ ଶରତ ଉତ୍ତେଇପୁର-2 ବାଲିଘାଟର ତଳକୁ ବା ପୂର୍ବ ଦିଗରେ ଥିବା ପର୍ଯ୍ୟାପ୍ତ ବାଲିକୁ ସେ ଉଠାଇ ନେଇଛନ୍ତି।

. ବଡ଼କଥା ହେଲା, ଉତ୍ତେଇପୁର-2 ବାଲି ଖାଦାନର ଅଞ୍ଚଳ, ଯାହାକି ମାଲନିଂ ପ୍ଲାନରେ ଦର୍ଶାଯାଇଛି, ସେହି ଅଞ୍ଚଳର ପୂର୍ବତୁରେ ଥିବା ପ୍ରାୟ 10ରୁ 12 ଏକର ଅଞ୍ଚଳରୁ ସେ ବାଲି ଉଠାଉଛନ୍ତି। ଏସବୁ ଭିତରେ ଗାଁ ଲୋକେ ଏହି ବେଆଇନ ବାଲିଘାଟ ସଂପର୍କରେ ଡହସିଲଦାର, ଉପଜିଲ୍ଲାପାଳ ଓ ଜିଲ୍ଲାପାଳଙ୍କୁ ଅବଗତ କରାଯାଇଛି। ହେଲେ ତିନି ଅଧିକାରୀ ସଂପୂର୍ଣ୍ଣ ନିରବ ରହିଛନ୍ତି।

. କେନ୍ଦ୍ର ସରକାରଙ୍କ ପରିବେଶ, ଜଙ୍ଗଲ ଓ ଜଳବାୟୁ ପରିବର୍ତ୍ତନ ବିଭାଗ ପକ୍ଷରୁ ଅଣାଯାଇଥିବା Enforcement & Monitoring Guidelines for Sand Mining ନିୟମାବଳୀକୁ ମଧ୍ୟ ଅଣଦେଖା କରାଯାଇଛି। ଏହାକୁ ଧାମନଗର ଡହସିଲଦାର ଆଦୌ ପାଳନ କରିନାହାନ୍ତି। ନିୟମିତ ବ୍ୟବଧାନରେ ରିପ୍ଲେନିସମେଣ୍ଟ ଷ୍ଟଡି କରିବା ପାଇ ଥିବା ନିୟମକୁ ଉଲ୍ଲଙ୍ଘନ କରିଛନ୍ତି ଡହସିଲଦାର। ଫଳରେ ବୈତରଣୀ ନଦୀରେ ଏବେ ଉଚ୍ଚ ସ୍ଥାନରେ ଆଦୌ ବାଲି ନାହିଁ।

. ସେହିଭଳି Enforcement & Monitoring Guidelines for Sand Miningରେ 4.3 ମାଲନିଂ ପ୍ଲାନ ରୁଲ୍ ଭିତରେ ଥିବା ସବ୍ ରୁଲ୍ (R)ରେ ଥିବା ନିୟମକୁ ଗ୍ରହଣ କରାଯାଇନାହିଁ।

ଏଠାରେ ନଦୀର ଚଉଡ଼ା 300ରୁ 350 ମିଟର ଥିବାବେଳେ ଶରତ ମାଝି ବାଲି ଉଠାଇବା ଲାଗି ଯାଜପୁର ସୀମାକୁ ମଧ୍ୟ ମାଡ଼ି ଯାଇଛନ୍ତି । ଯାହାକି ଗୁଗୁଲ୍ ଆର୍ଥ୍ ସ୍ଵାରା ଉଭୋଲିତ ଫଟୋରେ ସ୍ପଷ୍ଟ ଦୃଶ୍ୟମାନ ହୋଇଛି ।

. ଉତ୍ତେଇପୁର-2 ବାଲିଘାଟର ପ୍ରତିବର୍ଷ ଏନଭାଇରନମେଣ୍ଟ୍ ସ୍ଵତି ହେବାକୁ ଥିଲେ ବି ତହସିଲଦାର, ଉପଜିଲ୍ଲାପାଳ, ଜିଲ୍ଲାପାଳ କିମ୍ବା ପରିବେଶ ବିଭାଗ ପକ୍ଷରୁ ଏଡ଼ା କରାଯାଇ ନାହିଁ ।

ଏଣୁ ବିନୀତ ଅନୁରୋଧ କରୁକି, ବାଲି ଚୋରି କରିବା ଓ ସରକାରଙ୍କ ରାଜସ୍ଵହାନୀ, ପରିବେଶକୁ କ୍ଷତି ପହଞ୍ଚାଇବା ଆଇନରେ ଲିଭି ନେଇଥିବା ଶରତ ମାଝି, ତହସିଲଦାରଙ୍କ ବିରୋଧରେ ଆଇନଗତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନେବା ହେବେ । ଏହାସହ ଉତ୍ତେଇପୁରରେ ଚାଲିଥିବା ବେଆଇ ବାଲି ଖାଦାନକୁ ବନ୍ଦ କରିବା ହେବେ ।

**ବିଶ୍ଵମ୍ଭଦ
ମନୋଜ କୁମାର ଦାସ**

**ସ୍ଥାନ-ବିଛୁଡ଼ିଆନନ୍ଦପୁର
ତାରିଖ-22.09.2022**



ENGLISH TRANSLATION OF COMPLAINT LETTER DATED 22/09/2022

Sub: Dhamnagar Tehsil under Utteipur-2 Sand Ghat and the illegal extraction of sand from the surrounding area should be stopped.

Sir

There is a sand quarry under our gram panchayat, in Baitarani River which is in Anandpur under Utteipur Mauza there is a continue illegal sand mining is happening. As a result, the state government has lost billions of rupees in revenue. In particular, in the name of Uveipur-2 Sand Ghat, extensive sand has been stolen from Baitarani river and there is a threat of more sand theft after monsoon. Sharat Chandra Majhi, father of Batu Majhi, who has auctioned the ghat, is taking sand from outside his lease area and from the lease area much more than the stipulated amount. This ghat runs N20.513322 TO N20513912/, E86.241573 TO E86.242435. In autumn, millions of cubic meters of sand have been transported to its eastern side. It is clear that instead of people lifting the sand, he has installed machines to lift the sand and sell it. Details regarding sand theft are given below.

Date of Calling of Auction- Dhamnagar Tehsil has issued advertisement on 12th December 2017 for Sairat auction in letter number 5473. No. On the same date vide letter no 5475 tender notice was published.

Announcement of winner in the auction - Auction was opened on 29th December 2017 at 11:30 am On 30th December 2017, Sharat Chandra Majhi, son of Batu Batu Majhi was announced as the successful bidder in the auction process under letter number 5670 from Dhamnagar Tehsil.

The price of sand has been fixed at Rs 323 per cubic meter. That is, Sharat Chandra Majhi announced to the state government to pay Rs 323 per cubic meter and floated the tender.

Although a notice for auction of Sairat had issued on 12 December 2017, the Dhamnagar Tehsildar on 16 February 2018 send a letter to Baripada Circle Mines office for approval of mining plan.

After a long time, on October 31, 2018, Sarat Chandra Majhi, the winner of the auction, was informed by letter No. 3843 from the office of Dhamnagar Tehsildar

that environmental clearance of Uteipur-2 Sairat source has been obtained from Bhadrak sub collector or Member Secretary of District Environmental Impact Assessment Authority and also immediate consent to operate from Pollution Control Board. It was also asked to bring and submit.

Then the auctioneer Sarat Chandra Majhi in the online application process submitted application form no. 2329558 applied to Pollution Control Board for consent to operate. Considering this, the State Pollution Control Board dated March 19, 2019 2 490/CTO- 3194/201962 c. 165/2018-201962 granted consent to operate. Validity of Consent Order till 31st March 2022 I

In the Consent to Operate issued by the Pollution Control Board, it was mentioned that the consent to operate should be applied for again 20 days before the expiry of the Consent to Operate. In addition, it was stated that permission or consent for mining has been obtained and it has to be publicly displayed. In case no consent to operation has been brought from Sharat Majhi or Dhamnagar Tehsil. However, he was picking up sand until the monsoon rains last June. And the people of the village protested against him on April 7

He and four supporters attacked the villagers. A case has been filed in Dhamnagar. In his statement, Sharat has indicated that his auction has expired till 2024.

Consent to operate was already obtained for Uteipur-2 Balighat in March 2019. On behalf of the Dhamnagar Tahasil Office, Additional Tehsildar Lagnjit Behera entered into a lease agreement with Sarat Chandra Majhi, the auctioneer, for mining lease on December 21, 2019. Odisha Major Mineral Concession Amendment Rules-2016 Rule no. 27(13) of this Agreement was signed.

On January 18, 2018, Sharat Chandra Majhi paid 7 lakh 74 thousand 800 rupees as security deposit in receipt number 718165 of receipt book 12 of Dhamnagar Tehsil. However, earlier on January 8, 2018, the auctioneer Sharat Chandra Majhi was told by Dhamnagar Tehsildar that you have won the auction and accepted the tender to deposit the security.

Rule No. 27 has been fully amended in Orissa Mines Minerals Concession Rules-2016. Because of this source, another person has auctioned the source. The name of that Khadan is Uteipur. Even part of Uteipur-Khadan is in Uveipur-2 Khadan as

per the latitude and longitude given in mining plan of two separate sources. So how can the other person live in Khadan and another mining lease. Also why not make it a cluster.

If the mining plan and environment clearance comes before the auction, then as per the sub-rule of rule no-27 of Odisha Miner Minerals Concession Rules-2016, he should extract sand from the sand pit within 3 weeks or 21 days of receiving intimation as a successful bidder.

Orissa Mines Minerals Concession Rules-2016 has been opened in cluster regulations. It is clear that Dhamnagar tehsildar has shown favor to the auctioneer Sharat Chandra Majhi. On December 30, 2017, Sharjah Majhi was notified of the successful auction of the mine. A lease or lease agreement was signed with him on December 21, 2019. But, as per the rules, if the mine owner does not open within 21 days of receiving the intimation, his auction will be cancelled. The Tahsildar did not do this.

Tehsildar, Dhamnagar argued that Sarat had no mining plan. However, it is not acceptable for to come up with its own potato mining plan before the auction for Uteipur-2 sand pit as per Orissa Miner Mineral Concession Rules-2016. It was hastily called Nilam, a Sarat source, to pay for Sarat. However, since there was no provision for district survey report before 2018, Dhamnagar Tahasildar took advantage of this and joined Sharat. Importantly, people's of panchayat's suggestions for identifying new sand dunes were to be canvassed. The Department of Economic Affairs and Tehsil to study youth. Without doing all this, Dhamnagar Tehsildar declared Uteipur-2 as a source of sand. Dhamnagar Tehsildar has cooperated with this. State Govt letter no , RDM-MMS-EXINST-0001-2019-12611/R&DM Dated 26.04.2019 In this, Tahasildar does not follow the rules for the Sirat source mark I Obviously, Sarat signed a lease agreement on December 21, 2019 to lift sand from the Utteipur Sand Ghat. Earlier, he had taken sand from Uteipur-2 and its surrounding areas and even outside the lease area. According to the Google Earth photo, Sarat Uteipur-2 has picked up the movement of sand or enough sand in the east.

- The big thing is that the area of Utteipur-2 sand khadan, which is mentioned in the mining site, he is picking up sand from about 10 to 12 acres area in the east of

the area. Among these, the villagers have informed the Tehsildar, Sub collector and Collector about this illegal mining.

-Enforcement & Monitoring Guidelines for Sand Mining brought by the Department of Environment, Forest and Climate Change of the Central Government have been ignored. The Dhamnagar Tehsildar has not followed this at all. The Tehsildar has violated the rules for conducting replenishment studies at regular intervals. As a result, there is no sand in the Baitarani river at all.

- Enforcement & Monitoring Guidelines for Sand Mining⁶⁶ 4.3 The rules contained in sub-rule (R) within the Mining Scan Rules have not been adopted

Here, the river is 300 to 350 meters wide, and the autumn monsoon has crossed the border of Jajpur to pick up sand, which can be seen in the photos uploaded by Google Earth.

Environment Study of Uveipur-2 Balighat is to be conducted every year by Tehsildar, Sub collector and Collector or Environment Department.

Therefore, we requests, legal action will be taken against Sharat Majhi, Tahsildar, who has taken the lease under the law of stealing sand and defrauding the government, harming the environment. In addition, the illegal mining in Uteipur will be stopped.

F.No. M.V-10/81/2022-MinesV
Government of India
Ministry of Mines

Shastri Bhawan, New Delhi
Dated the 03 October 2022

To,

Shri Deoranjjan Kumar Singh, IAS
The Principal Secretary,
Department of Steel and Mines
Government of Odisha,
Bhubaneswar-751001(Odisha)
E-mail:dsmsec.or@nic.in

Sub: Stop illegal sand mining at Uteipur-2 sand quarry in Anandapur Panchayat of Dhamnagra Tahasil under Bhadrak district of Odisha-reg.

Sir,

Please find attached herewith a complaint e-mail dated 22nd September 2022 regarding illegal sand mining at Uteipur-2 sand quarry in Anandapur Panchayat of Dhamnagra Tahasil under the Bhadrak district of Odisha. You are requested to take appropriate action in this matter.

Enclosure: As above

Yours faithfully,

(Dheeraj Kumar)
Deputy Secretary to the Government of India
Email : dheeraj.kumar83@gov.in

Copy to:-

1. manojjourn@gmail.com: Mining Surveillance System Mobile App available on Google Play Store can also be used to raise any illegal mining complaint.

Signed by Dheeraj Kumar
Date: 03-10-2022 11:40:46
Reason: Approved



No. _____ / Estt. 176 (Part-II)

Dt. _____
E-mail / Speed Post

To

The Tahasildar, Dhamnagar
At / Po :- Dhamnagar
Dist : Bhadrak, Odisha.

Sub : Illegal sand mining at Uteipur -2 Sand Quarry – reg

Sir,

With reference to subject cited above, this office has received a petition dated 20.09.2022 filed by Manoj Kumar Das, At/Po – Dehury Anandpur, P.S – Dhamnagar, Dist :-Bhadrak regarding illegal mining of Uteipur Sand quarry -2 in Anandpur Panchayat of Dhamnagar tahsil (Copy enclosed). It may be mentioned here that Sri Sarat Chandra Majhi, lessee was granted CTO up to 31.03.2022 vide this office letter no – 490, dt - 19.03.2019. The lessee has not obtained any consent beyond that period.

Therefore it is requested to take appropriate action as per law and the undersigned may be intimated action taken report for record.

Encl: As above

Yours faithfully

REGIONAL OFFICER

Memo No : 2300 / Date: 31/10/2022

Copy forwarded to Manoj Kumar Das, At/Po – Dehury Anandpur, P.S – Dhamnagar, Dist :-Bhadrak for information.


REGIONAL OFFICER



GOVERNMENT OF ODISHA
DEPARTMENT OF STEEL & MINES

FORM-Y

[See rule 58(I)]

TRANSIT PASS
FOR MINOR MINERALS

Pass No. 0503764

- 1. Book No. 10076 Date 7/4/2022 Time.....AM/PM
- 2. Circle Mining Office Dhamanagar
- 3. Name of the Quarry/Lease/Source of Auction
- 4. Name of the Licensee/Lessee/Permit Holder/Auction Holder/ Auction Purchaser.....
Sarat Ch-mohti
- 5. Destination Do bal. Route Khadi Pada
- 6. Minor mineral Sand
- 7. Permit No..... Date.....
- 8. Quantity permitted (Cum/Tonnes) 3 Cum
- 9. Measurement of mineral in carrier (in meter)

Length	Breadth	Height
OD22L-7001	SAND SOURCE NO- 35/17-18 NAME- UTEIPUR II MZ- UTEIPUR TAHASIL DHAMNAGAR	

- 10. Cubic content (cum.) 3 cum
- 11. Weight of the vehicle (Tonnes) Gross..... Tare.....
- 12. Weight of the mineral..... Tonnes

Amulya
Signature of the person Issuing with date
Signature of the carrier Driver with date
Signature of the checking staff with date

Signature of the person receiving at the destination with date
Signature of the inspector I/C with date & time



Handwritten signature and date 29

By e-Mail/Fax

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

RDM-MMS-EXINST-0001-2019-

12611

/R&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.

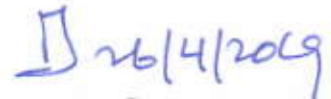
D. Steps for prevention of illegal sand quarrying/mining:

- 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,



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

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

RESOLUTION

No. 26372 / R & DM, Bhubaneswar, dated the 02 SEP 2021
(RDM-LRGEC-POLICY-0004-2018)

Sub: Odisha Sand Policy, 2021.

Odisha has a number of river systems flowing into the Bay of Bengal. Majority of rivers as well as their tributaries and distributaries create and deposit sufficient sand in river beds making it a sand sufficient State. Heavy demand of sand in different parts of the State for developmental and welfare projects and demand of quality sand in neighbouring states may create a scope for unsustainable mining of sand. Illegal and unscientific mining of sand may adversely affect the river morphology. There is need for stricter monitoring of sand mining in a sustainable and scientific manner without causing damage to embankments, bridges and hydraulic structures or adversely affecting the river morphology.

In order to streamline the process, it is felt necessary to ensure a holistic process-chain with sustainable and scientific mining and management of sand with IT-enabled monitoring of its movement from the source to the end-user. The Odisha Sand Policy, 2021 proposes to systematize the process chain of river sand mining so as to ensure scientific and sustainable sand mining and to meet the requirement of the river sand.

1. Objectives:

- a. Identification and Quantification of all potential sand sources and its optimal utilization, ensuring availability of sand commensurate with reducing demand supply gap, bringing professionalism in sand mining.
- b. Regulate the sand mining in the State from its identification to its final end-use.

- c. Ensure greater transparency through e-auction.
- d. Develop scientific sand mining giving due weightage to safety, conservation, cost-effectiveness, environmental and social sustainability.
- e. To bring in greater efficiency, responsibility, responsiveness and effective management of sand mining with technology based management system like i4MS.
- f. To bring in place a robust system of enforcement to curb illegal mining of sand by use of IT enabled services and latest technologies for surveillance of the sand mining at each step.
- g. Development of procedure for replenishment study of sand mining.
- h. Post Environmental Clearance Monitoring and Environmental Audit.
- i. To protect the environment and the right of the population to live in clean and safe surroundings, with the need to use natural resources in a way that will make a positive and sustainable contribution to the economy.

2. Demand-Supply Estimation

District Survey Report (DSR) for demand-supply estimation and gap assessment of every district shall be prepared by the competent authority for sustainable sand mining, as per the guidelines issued by MoEF & CC which inter alia includes the following:

- a. Inventory of river bed material and other sand sources in the district;
- b. Periodical auditing of rivers;
- c. Identification of Mining and no mining zones considering various environmental and social factors;

- d. Future demand for successive five years needs to be incorporated in the District Survey Report (DSR);
- e. Mining lease area should be so selected as to cover the entire deposition area excluding the safety zones; and
- f. Transportation route with its carrying capacity to be selected in such a way that the movement of vehicles through the villages/ habitation can be avoided to the extent possible.

3. Identification of sources:

- i. Revenue and Disaster Management Department through the field functionaries and in consultation with Water Resources Department and Odisha Space Application Centre (ORSAC) shall identify the potential sand sources suitable for mining operation and such identified sources be made part of the DSR.
- ii. To ensure better management of sand mining public consultation with comments of the various stakeholders shall be sought on the list of mining lease to be auctioned.
- iii. To ensure scientific exploration, large stretches of river sand beds vis-à-vis- river morphology in relation to the local geomorphology situation in all the river systems, sand beds shall be identified by using remote sensing technology through ORSAC or any other qualified agency with assistance from Water Resources Department who in turn may conduct a study by taking technical support from reputed specialists/ institutions like IITs, while deciding locations of sand mining, the existing geomorphology, its impact on river morphology and hydrology, embankment and river flow etc.

4. DGPS Survey of sand sairat sources

On completion of pillar posting and on requisition by Revenue and Disaster Management Department, Odisha Space Application Centre (ORSAC) will take up Differential Global Positioning System (DGPS) survey of the source boundaries. It would provide improved location accuracy.

5. Auction of Sand Mining Rights

Auction of Sand mining shall be done as per Odisha Minor Mineral Concession Rules, 2016 and where sources exist in clusters as defined under Odisha Minor Mineral Concession Rules, 2016, cluster mining shall be given priority over individual mines.

6. Eligibility

Eligibility of the bidder or applicant shall be decided as per the criteria specified under Mines and Minerals (Development and Regulation) Act, 1957 & Odisha Minor Mineral Concession Rules, 2016.

7. Mining Plan, Environment Clearance (EC) and other statutory clearance:

All the statutory clearance shall be obtained by concerned Tahasildar beforehand, prior to putting any source into auction to facilitate seamless operation and the expenditure incurred for obtaining such approvals or clearances shall be raised against the prospective lessees.

- i. Calculation of annual rate of replenishment and allowing time for replenishment after mining in the area.
- ii. A reclamation plan including baseline survey, the proposed mining cross-section data, a planting plan and a monitoring plan can be a part of the mining plan.

8. Quarrying Operation

- i. Quarry –operation shall be carried out as per the approved mining plan duly adhering to the provisions of Odisha Minor Mineral Concession Rules, 2016 and terms or conditions of the respective statutory clearances & approvals.
- ii. No quarrying of sand shall be allowed through mechanized suction method and with blasting in any form.
- iii. No mining operation shall be carried out in the safety zone and any other prohibitory areas as prescribed under Odisha Minor Mineral Concession Rules, 2016.

- iv. A bench mark (BM) with respect to mean sea level (MSL) should be made essential to in mining channel reaches (MCR). Below which no mining shall be allowed.

9. Inter -State transportation of sand

Inter-state transportation of sand may be allowed as per the provisions of Odisha Minor Mineral Concession Rules, 2016 considering the demand for consumption of sand in the State.

10. Monitoring & Enforcement

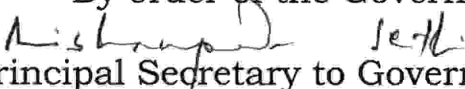
- i. Robust mechanism shall be put up in place by use of modern technology including IT enabled technology for the purpose of monitoring quarrying activities of the sources and making enforcement activities effective.
- ii. Mining Surveillance System (MSS) for Minor Minerals shall be implemented with technical assistance from Odisha Space Application Centre to curb illegal mining.
- iii. Customer Grievance Redressal Centre shall be established to inquire into and address the grievances faced by the sand consumers.

11. Implementation:

- i. The Policy shall come into force with immediate effect.
- ii. Government in Revenue and Disaster Management Department shall formulate the detailed guidelines for implementation of this policy.
- iii. Government may from time to time review this policy and make amendments as it may deem fit.

This will come into force with immediate effect from date of issue of this Resolution in Odisha Gazette.

This has got the approval of the Cabinet in their 33rd meeting held on 27th August, 2021.

By order of the Governor

 Principal Secretary to Government

29/8/2021

ORDER: Ordered that the Resolution be published in the extraordinary issue of the Odisha Gazette for general information and copies thereof be sent to all Departments of Government/ all Heads of Department/ Board of Revenue, Odisha, Cuttack/ Inspector General of Registration, Odisha, Cuttack/Director of Land Records & Surveys, Odisha, Cuttack/all Revenue Divisional Commissioners/all Collectors for information.

Mishra
Principal Secretary to Government
29/9/2021

Memo No. 26373 /RDM Dated 02 SEP 2021

Copy along with soft copy forwarded to Odisha Secretariat Gazette Cell, C/o Commerce Department for information and necessary action. They are requested to publish the resolution in an extraordinary issue of the Odisha Gazette and supply 50 (fifty) copies to this Department for use.

SB

Under Secretary to Government

Memo No. 26374 /RDM Dated 02 SEP 2021

Copy forwarded to Accountant General (A&E), Odisha, Bhubaneswar for information and necessary action.

SB

Under Secretary to Government

Memo No. 26375 /RDM Dated 02 SEP 2021

Copy forwarded to Additional Secretary to Chief Minister, Odisha/ P.S to Minister, Revenue and DM for kind information of Hon'ble Chief Minister and Hon'ble Minister, Revenue and DM respectively.

SB

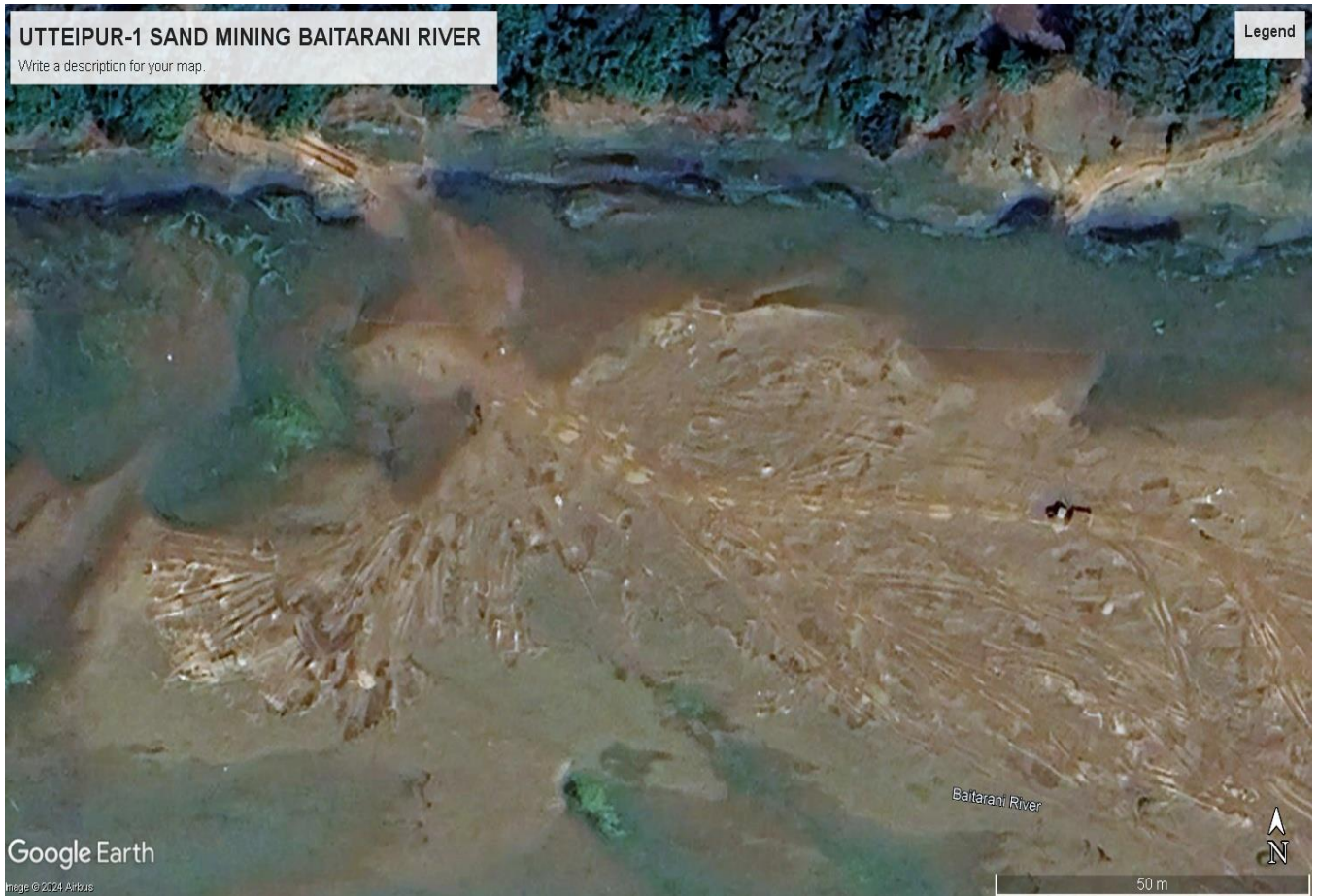
Under Secretary to Government





SATELLITE IMAGE DATED 22/01/2024





PROCEEDINGS OF THE MEETING OF DISTRICT LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (DEIAA) HELD ON 22.09.2018 AT 1.30 P.M. UNDER THE CHAIRMANSHIP OF COLLECTOR, BHADRAK FOR ISSUE OF ENVIRONMENT CLEARANCE FOR MINING OF MINOR MINERALS UNDER B-2 CATEGORY SAIRAI SOURCES IN RESPECT OF BHADRAK DISTRICT.

Date: 22.09.2018

The meeting of the District Level Environment Impact Assessment Authority (DEIAA) was held on 22.09.2018 at 1.30 P.M. under the Chairmanship of Collector, Bhadrak, in the conference hall of Collectorate, Bhadrak (Sadbhabana Sabhagrabha). The following members were present in the meeting. (Annexure-D).

1. Shri Gyana Das, IAS, Collector-cum- Chairperson, DEIAA, Bhadrak.
2. Shri Sucharu Bal, OAS (SB), Sub-collector, Bhadrak-cum Member Secretary, DEIAA, Bhadrak.
3. Shri Biraj Mohan Mohanty, Asst. Conservator of Forest, (W) Divn. Bhadrak.
4. Shri Kartik Nath Mandal, ORS, Deputy Collector, (Rev), Collectorate, Bhadrak.

In the outset, the Collector-cum- Chairperson, DEIAA, Bhadrak welcomed all members present in the meeting. The Sub-collector-cum-Member Secretary, DEIAA, Bhadrak started discussion and streamlined the process of grant of environment clearance in favour of the projects for mining of minor minerals. Govt. of India, Ministry of Environment, Forest & Climate Change in their Notification S.O. No. 141(F) dt. 15.01.2016 have clarified that projects belong to category B-2 which are less than 5 (five) hectares shall require prior Environment Clearance from District Level Environment Impact Assessment Authority (DEIAA). The District Level Expert Appraisal Committee (DEAC) headed by Executive Engineer, Salandi Canal Division, Bhadrak during the meeting held on 09.08.2018 recommended 6 (six) proposals (Sand bed) of lease which are less than or equal to 5 (five) hectares for verification of the DEIAA. It shall base its decision on the recommendation of District Level Expert Appraisal Committee (DEAC). The Mining Officer-cum-Member Secretary, DEAC, Bhadrak vide his Letter No. 53/DEAC dt. 16.05.2018 has recommended 6 (six) proposals of lease after verification of the District Level Expert Appraisal Committee (DEAC) for issue of Environment Clearance as per D.O. No. 24/4/FF dt. 08.02.2016 issued by Principal Secretary to Govt., Forest & Environment Department, Odisha. After discussion, District Level Environment Impact Assessment Authority (DEIAA), Bhadrak decided to issue necessary Environment Clearance for the following 6 (six) mineral proposals.

List of Proposals

1. Sundarpur Sand Quarry over an area of Ac.7.00 dec. under Chandbadi Taluka.
2. Nalagara Sand Quarry over an area of Ac.9.49 dec. under Bhadrak Taluka.
3. Edadei Sand Quarry over an area of Ac.10.69 dec. under Bhadrak Taluka.
4. Nalagara (new) sand quarry over an area Ac.8.70 dec. under Bhadrak Taluka.
5. Arjunpur Sand Quarry over an area of Ac. 12.36 Dec. under Dhananagar Taluka.
6. Kteipur Sand Quarry (2) over an area of 12.02 Dec. under Dhananagar Taluka.



Sub-collector-cum-
Member Secretary
DEIAA, Bhadrak

Collector-cum-
Chairperson DEIAA,
Bhadrak

Record No. 22/9/18

11211
DISTRICT OFFICE, BHADRAK
(TOUZI SECTION)

Memo No. 692 /Touzi.

Dtd. 09.10.2018

Copy submitted to Tahasildar, Bhadrak/Dhamnagar/Chandabbi information and necessary action. They are requested to follow the clarification of Steel Mines Department, Govt. of Odisha issued vide their Letter No. 6607/SM dt. 20.08 and execute the lease deed as per schedule-IV of OMMC Rule-2016. The Mining PL respective Quarries are enclosed herewith.

SIL
9/10/18
Sub-collector-cum-
Member Secretary,
DEIAX, Bhadrak

Memo No. 693 /Touzi.

Dtd. 09.10.2018

Copy submitted to the P.A. to Collector, Bhadrak for kind information of Collector.

SIL
9/10/18
Sub-collector-cum-
Member Secretary,
DEIAX, Bhadrak

Memo No. 694 /Touzi.

Dtd. 09.10.2018

Copy submitted to D.F.O. (WL), Bhadrak/ Mining Officer, Banpada Member Secretary, DEAC, Bhadrak/ Shri Satya Narayan Satpathy, Botany Kanchi, for information and necessary action.

SIL
9/10/18
Sub-collector-cum-
Member Secretary,
DEIAX, Bhadrak

Memo No. 695 /Touzi.

Dtd. 09.10.2018

Copy submitted to the Joint Secretary to Govt., Revenue & De Management Deptt./Steel & Mines Deptt./ Forest & Environment Deptt., Odisha for of kind information.

SIL
9/10/18
Sub-collector-cum-
Member Secretary,
DEIAX, Bhadrak

Memo No. 696 /Touzi.

Dtd. 09.10.2018

Copy submitted to the lessee concerned information and necessary action

SIL
9/10/18
Sub-collector-cum-
Member Secretary,
DEIAX, Bhadrak

JA
Record Copy



RE-TYPE COPY OF DEIAA PROCEEDINGS DATED 22/09/2018

ROCEEDINGS OF THE MEETING OF DISTRICT LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY(DEIAA) HELD ON 22.09.2018 AT 1 P.M. UNDER THE CHAIRMANSHIP OF COLLECTOR, BHADRAK TO ISSUE OF ENVIRONMENT CLEARANCE FOR MINING OF MINOR MINERALS UNDER B-2 CATEGORY SAIRAT SOURCES IN RESPECT OF BHADRAK DISTRICT.

Date: 22.09.2018

The meeting of the District Level Environment Impact Assessment Authority (SEIAA) was held on 22.09.2018 at 1.30 P.M. under the Chairmanship of collector, Bhadrak. At the conference hall of Collectorate, Bhadrak (Sadbhaban Subhugraha) The members were present in the meeting. (Annexure-1).

1. Shri Gyana Das, IAS, Collector cum Chairperson, DEIAA. Bhadrak.
2. Shri Sucharu Bal, OAS (SB), Sub-Collector, Bhadrak-cum Member Secretary DEIAA, Bhadrak.
3. Shri Biraj Mohan Mohanty, Asst, Conservator of forest , Bhadrak
4. Shri Kartik Nath Mandal, ORS, Deputy Collector,(REV) Collectorate, Bhadrak

In the outset, the Collector-cum Chairperson DEIAA Bhadrak welcomed all the members present in the meeting. The Sub-collector-cum-Member Secretary, DEIAA, Bhadrak starting discussion and streamlined the process of grant of environment clearance in favor the projects for mining of minor minerals. Govt. of India Ministry of Environment Forest Climate Change in their notification S.O. No.141(E) dated 15/01/2016 have clarified that project belong to category B-2 which are less than 5(five) hectors shall require the Environmental clearance from the District Level Environment Impact Assessment Authority (DEIAA). The District Level Expert Appraisal Committee (DEAC) headed by Executive Engineer, Salandi Canal Division, Bhadrak during the meeting held on 09.08.2018 recommended 6 (six) proposals (Sand bed) of lease which are less than or equal to 5 hectors for verification of the DEIAA. It shall base its decision on the recommendation of District Level Expert Appraisal Committee. The Mining

Officer-Cum-Member Secretary DEAC, Bhadrak vide his Letter No. 53/DEAC dt 16/08/2018 has recommended six proposals of lease after clarification of the District Level Expert Appraisal Committee (DEAC) for issue of Environmental Clearance as per D.O Dt 08.02.2016 Principal Secretary to Govt. Forest & Environment Department Odisha after discussion District Level Environment Impact Assessment Authority (DEIAA) Bhadrak decided to issue necessary Environmental Clearance for the following six minor proposals.

List of Proposals

1. Sundarpur Sand (Quarry over an area of Ac, 7.00 under Chandbali Tahasil
2. Nalagara Sand Quarry over an area of Ac 9.49 Dec under Bhadrak. Tahasil
3. Edadei Sand Quarry over an area of Ac 10.69 Dec under Bhadrak Tahasil
4. Nalagara (new) sand quarry over an area of Ac 8.80 dec, under Bhadrak Tahasil
5. Arjunpur Sand (Quarry over an area of Ac. 12.36 Dec, under Dhamnagar Tahasil
6. Uteipur Sand Quarry (2) over an area of 12.02 Dec under Dhamnagar, Tahasil

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

Original Application No. of 2022/
 BHAGABAT SAHOO & OTHERS APPLICANTS

VERSUS

STATE OF ODISHA AND OTHER

Respondents

KNOW ALL to whom these present shall come Bhagabat Sahoo, S/o Krupasindhu Sahoo, aged about 43 years, At- Pahadpur Manoj Kumar Das S/o Bijay Kumar das Aged about 42years, Pramod Andia, S/o Late Gobardhan Andia, Aged about 56 years Basudeb Pagal, S/o Ramachandra Pagal aged about 44years, At- Anandpur Ramesh Chandra Pati, S/o Late Siba Charan Pati, aged about 54yaers Utteipur all are Resident of Anandpur Panchayat, PS- Dhamnagar, Dist- Bhadrak 756117, Odisha the above named APPLICANTs 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, Mob- 9437279278, Ashutosh Padhy, Enrolment no O-1018/23

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 Practioner, 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 25th day of Feb 2024. Accepted subject to the terms of fees.

Sankar Prasad Pani
 Advocate

Bhagabat Sahoo
 Client

Manoj Kumar Das
 Client

Pramod Andia

Ramesh Chandra Pati

Basudeb Pagal

AUTHORISATION

We Bhagabat Sahoo, S/o Krupasudhu Sahoo, aged about 43 years, At- Pahadpur, Pramod Andia, S/o Late Gobardhan Andia, Aged about 56 years, years At- Anandpur, Basudeb Pagal, S/o Ramachandra Pagal aged about 44years, At- Anandpur, Ramesh Chandra Pati, S/o Late Silba Charan Pati, aged about 54yaers authorize Manoj Kumar Das S/o Bijay Kumar das Aged about 42years PS- Dhamnagar, Dist- Bhadrak 756117 the applicant No 2, to swear the affidavit on behalf of us for filing the original application.

DATE-25/02/2024

SIGNATURE

Bhagabat Sahoo
Pramoda Andia
Basudeb Pagal
Ramesh Chandra Pati