

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Appeal No. 10 /2024/ EZ**

In the matter of:

Sukanta Kumar Nayak

... Appellant

-Versus-

State of Odisha & Ors.

... Respondents

**Counter Affidavit on behalf of Respondent No.9
(Subarnarekha Port Private Ltd.)**

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Place: Bhubaneswar

Date 28.01.2025

Jenoreni

Advocate for Respondent/ Opp. Party No. 9



Prasantika Kumari Nanda
**PRASANTIKA KUMARI NANDA
NOTARY PUBLIC
BHUBANESWAR
PH. 0674-2561188
Regd. No-93/2009**

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**COUNTER AFFIDAVIT ON BEHALF OF
 SUBARNAREKHA PORT PRIVATE LTD. (RESPONDENT NO. 9)**

I, Sushanta Kumar Mishra, son of Late Narayana Mishra, aged about 54 years, by faith Hindu, by occupation – Service, working for gain at Subarnarekha Port Private Ltd., DCB 414-417, 4th Floor, DLF Cybercity, Chandaka Industrial Estates, Bhubaneswar, Orissa, Pin – 751024 and residing at Flat No. 501, Block-1, Club Town Apartment, Damana, Bhubaneswar, Odisha-751016, do hereby solemnly affirm and state as follows: -

1. That, I am the Executive Director of Subarnarekha Port Private Ltd. (Respondent No.9) and I have been duly authorized by the respondent No.9 (“**Answering Opp. Party**”) to swear and file this Affidavit for and on its behalf. I am aware of the facts of the case as per the records available and I have been duly authorized to swear this affidavit.
2. That I have gone through the contents of the Memo of Appeal as filed by Sri Sukanta Kumar Nayak as well as the documents annexed thereto and understood the contents and purport thereof. I am otherwise well acquainted with the facts of the



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present case as per the records available and competent to make and affirm this affidavit.

3. That the contents of the present appeal are denied *in toto* as though specifically traversed, unless specifically admitted hereinafter, nothing shall be deemed to be admitted for want of specific denial.
4. It is submitted that the appellant has filed this Memo of Appeal challenging the Environmental Clearance granted on June 25, 2024 by State Environment Impact Assessment Authority, Odisha (SIEAA) in favour of the Answering Opp. Party, Subarnarekha Port Private Ltd. for extraction of stone from Mirigini Stone Quarry-1, over an area of 2.55 ha or 6.30 acres which is located in Mirigini Mouza, of Nilagiri Tahasil of District-Balasore, Odisha.
5. That before dealing with the para-wise reply to averments made in the Memo of Appeal as filed by the Appellant, the Answering Opp. Party would prefer to submit the following preliminary objections before this Hon'ble Tribunal. It is averred that the submissions made hereunder are without prejudice to each other. It is therefore submitted that all averments made by the Appellant in the instant Memo of Appeal, which are not specifically traversed, unless specifically admitted hereinafter, nothing shall be deemed to be admitted for want of specific denial.

PRELIMINARY SUBMISSIONS:

6. That, the Government of Odisha has executed a concession agreement with Creative Port Development Private Ltd in



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January 2008 for development of an all-whether, deep-water port adjacent to the mouth of Subarnarekha River near Chaumukh village at Baliapal Block in Balasore District of Odisha. Pursuant to the provisions of the said concession agreement, Subarnarekha Port Private Ltd i.e. the Answering Opp. Party no. 9 was incorporated to spearhead the development of the port. For construction of the said port the Answering Opp. Party on 01.02.2022 applied to the Tahsildar, Nilgiri for quarry permit for extraction of the stone in the prescribed Form Q and subsequently deposited the required fees for the same.

Copy of Form Q dated 01.02.2022 submitted by the Answering Opp. Party and the challan for payment of the application fee dated 04.02.2022 are annexed and marked as **Annexure 1 and Annexure 2** respectively.

7. That, upon due consideration of the request, the Tahasildar, Nilgiri vide permit no 3335 dated 26.12.2022 in the prescribed form-R, issued the quarry permit in favour of the Answering Opp. Party (Subarnarekha Port Private Ltd) for extraction of 21252 cum of stone (minor mineral) from the said Mirigini Stone Quarry-1 for a period of 1 year.

Copy of the quarry permit dated 26.12.2022 is annexed and marked as **Annexure 3**.

8. That it is submitted that, on the earlier occasion, one Sukanta Behera had instituted an Original Application registered as O.A No. 80/2023/EZ (hereinafter referred as Original Application) before this Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata alleging that, the Tahsildar, Nilgiri has issued permit to Mirigini Stone quarry dated December 26, 2022 which



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is situated within one kilometer radius of Kuldhia Wildlife Sanctuary, thus it is illegal. It was alleged that the proposed stone quarry at Mirigini Khandia Hudi is a mono block and blasting at any point of the hill will have an impact on the adjoining sanctuary and human habitation. It was further alleged that Anganwadi, Primary School, Health and Wellness Centre, Community Centre and many houses under the Prime Minister Awas Yojana have been constructed in the close vicinity of the proposed quarry and blasting activities will have serious impact on the habitation and structure and that quarry activities will deplete the ground water level in the adjoining area leading to water scarcity.

9. That during the pendency of the Original Application, in order to verify the allegations levelled in the OA No. 80 of 2023, a joint inspection was carried out on 18.11.2023 and 21.11.2023, wherein the Deputy Environmental Scientist, Asst. Environmental Scientist of Regional office, Balasore, Additional Tahasildar, Nilgiri Tahasil and Revenue Inspector, Nilgiri Sadar Circle visited proposed Mirigini Stone Quarry to ascertain the allegations of the applicant.
10. In the meanwhile, the Answering Opp. Party applied for Environment Clearance (EC) in Parivesh portal vide application no. SIA/OR/ MIN/445171/2023 dated December 11, 2023 for Mirigini Stone Quarry 1 over an area 2.55 Hectares or 6.30 Acres in Village Mirigini, under Nilgiri Tahasil, District - Balasore.
11. After completion of the joint inspection (as stated in Para no. 9 above), the Regional Office, Balasore SPCB submitted its reports



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on December 16, 2023 to the Member Secretary, OSPCB, Bhubaneswar, the relevant observations are stated herein below: -

OBSERVATIONS:

1. The alleged stone quarry (Stone Quarry No. 01) has not been started for extraction of minor minerals by M/s Subarnarekha Port Pvt. Ltd.

2. There exists a road leading to the alleged stone quarry (Stone Quarry No.1) from Nilgiri- Panchalingeswar road.

3. The nearest authorized human habitation (House of Smt. Anjana Singh, W/o Sri Narayan Singh of Chaturi Sahi (Khandiahudi Sahi) is 220 meters from the alleged stone quarry (Stone Quarry No. 01) on West side.

4. There is a Angandadi Centre at 320 meters from the proposed stone quarry (Stone Quarry No. 01), on South-West direction in Chaturei Sahi (Khandiahudi Sahi,) but no Primary School, Health and Wellness centre exist in this village.

5. The nearest authorized human habitation (House of Smt. Ratnamani Singh, W/o Sri Padan Singh of Dhada Sahi (also known as Kaparabani) is 140 meters from the alleged stone quarry (Stone Quarry No. 01) on South-East direction. There are also 04 Nos. of houses adjacent to the House of Smt. Singh.

6. The Anganwadi Centre at Dhada Sahi is 390 meter from the alleged stone quarry (Stone Quarry No.01) on South direction.

7. The Primary School named as Mirigini Upgraded U.P. School at village Mirigini is 780 meter and Urban Health and Wellness Centre situated at Mirigini is 750 meter from the alleged proposed stone quarry (Stone Quarry No. 01).



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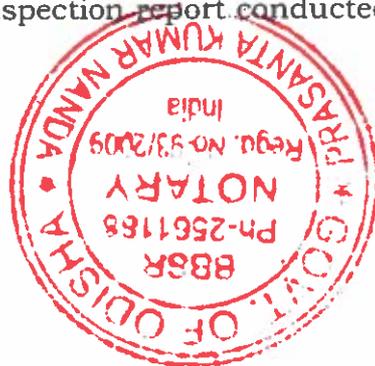
8. The Salabandha hamlet is 730 meter from the alleged stone quarry (Stone Quarry No. 01) on South-West direction.

REMARKS:

1. M/s Subarnarekha Port Pvt. Ltd. has been accorded Quarry Permit vide Quarry Permit No. 3335, dt.12.02.2022 of Nilgiri Tahasil conditionally with a validity period of 01 year.
2. There exists another minor mineral source i.e. Stone Quarry no. 02 towards South of Stone Quarry No.01 at the same plot.
3. The proposed Mirigini Stone Quarry of M/s Subarnarekha Port Pvt. Ltd. has not obtained Consent to Establish or Consent to Operate from the SPCB.
4. The proposed stone quarry has also not started any extraction of stone/mining activities till date as observed during the joint verification."

Copy of the joint enquiry report dated 16.12.2023 has been annexed to the Appeal Memo as Annexure 4.

12. That on March 4, 2024, the Hon'ble Tribunal disposed of the OA No. 80 of 2023, with a direction to SEIAA, Odisha to consider all the facts noted therein with regard to site specification, and the fact that Answering Opp. Party is not having Consent to Establish (CTE) or Consent to Operate (CTO), while considering the proposal of the Answering Opp. Party for grant of Environment Clearance (EC). While disposing the OA No. 80 of 2023, this Hon'ble Tribunal has also taken note of all the above-mentioned observations and remarks stipulated in the said inspection report conducted by the competent authorities. Copy



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of the order dated March 4, 2024, on OA No. 80 of 2023 has been annexed to the Appeal memo as Annexure 5.

13. That the respective authorities including Respondent no 3 (SEIAA), in compliance with the directions contained in the Judgment dated March 4, 2024 of this Hon'ble Tribunal, has considered the Answering Opp. Party to be eligible to be granted EC. Thus, upon considering all the points and directions of this Hon'ble Tribunal, on June 25, 2024, the Respondent no. 3, the State Environment Impact Assessment Authority, Odisha has the Environment Clearance to the Answering Opp. Party. The said granted Environment Clearance was subject to a condition that the mining shall not involve blasting.

Copy of the Environment Clearance dated June 25, 2024, is annexed to the Appeal memo as Annexure 6.

14. That the appellant has misconstrued that the EC was granted to the Answering Opp. Party in a middle of densely populated area. At the cost of repetition, it is humbly submitted that pursuant to the joint enquiry report submitted by the SPCB, Balasore, vide its letter dated 16.12.2023, it could be inferred that the nearest human habitant to the proposed stone quarry is of one Smt. Ratnamani Singh, approx. 140 meters in the south east direction and there are 4 (four) houses adjacent to the house of Smt. Singh. Further, approx. at 390 meters there is a Anganwadi Centre at Dhada Sahi (South direction). Thus, it can be inferred that there is no human habitant getting disturbed within 140 meters to the proposed stone quarry. Since there exist a road leading from Nilgiri Panchalingeswar road, so no reliance can be taken into consideration on its aerial distance to the proposed stone quarry.



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15. That the authority, after due consideration of the distance to the proposed stone quarry has granted EC to the Answering Opposite Party. The EC that has been granted to the Answering Opposite Party does not permit it to carry out the quarrying operations involving blasting method. The Answering Opposite Party is committed to strictly comply with this condition and such other conditions as stipulated under the said environment clearance. The appellant on its own fancies and whims apprehend that the respondent would fail to comply with the terms of the EC, which is totally absurd and unwarranted.
16. That, it is reasonably clarified by the competent authorities that, the shortest distance of the proposed Mirigini Stone Quarry Pillar No.1 to Kuldiha Wildlife Sanctuary Pillar No. 382 is 1006 meters and the proposed Mirigini Stone Quarry is outside the limit of Eco Sensitive Zone around Kuldiha Wildlife Sanctuary. The allegations levelled by the appellant is incorrect and without any basis. Further, the said quarry is not within DLC Forest or Mirigini Village Forest or Tenda Reserve Forest which is part of the Kuldiha Wildlife Sanctuary. Further, the Answering Opp. Party craves leave to rely upon the affidavit(s) filed by the authorities, at the time of hearing, if necessary. This has also been clarified by DFO, Balasore in its letter dated 30.05.2024 and such fact will be evident from the affidavit affirmed by SIEAA, the respondent no.3 in the instant case.
17. That Plot No.572 and Khata No.453 includes total land area of 35.5881 hectare out of which only 5 hectare is notified village forest, and 7.25 hectare is identified DLC forest. The Mirigini Stone Quarry applied to this Answering Opp. Party stands on



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the remaining non-forest area of plot no. 572. That on 24.06.2022 a joint enquiry report of forest and revenue officials in compliance with the points raised by the State Level Expert Appraisal Committee, Odisha was conducted. As per the said report, it was categorically found that out of the total area of 35.5881 H of Plot no 572, khata no 453, area of 05 Hector is notified u/s Orissa Forest Act as forest category land and area of 7.25 hector was identified as proposed DLC forest land. Thus, it can be seen that, apart from this 12.55 (i.e. 5 h notified forest and 7.25 proposed DLC forest area) rest area of plot no 572 is non forest area and the proposed Mrigini Stone Quarry allotted to this Answering Opp. Party falls in the said non forest area and not under any forest notified area.

18. That, the Tahsildar, Nilgiri vide its letter no 3268/Tz, dated 15.11.2023 has submitted DGPS surveyed Map (prepared by ORSAC, which has been depicted with the geo-referred polygon of proposed Mirigini Stone Quarry, Mirigini village Forest notified under section 30 of the Orissa Forest Act, 1972) and identified District Level Committee (DLC) forest vis-à-vis boundary of Kuldiha Wildlife Sanctuary and its Eco Sensitive Zone. As per the said DGPS map, the shortest distance of proposed Mirigini Stone Quarry Piller no 01 to Kuldhia wildlife Sanctuary Piller no 382 is 1006 meter (more than 1 km) and therefore, the proposed Mirigini Stone Quarry is outside the limit of Eco Sensitive Zone around Kuldiha Wildlife Sanctuary. Same has been also confirmed by the DFO, Balasore vide its letter dated 30.05.2024 addressed to the Environment Scientist, SEIAA, Odisha which is enclosed as Annexure-I along with the counter submitted by SEIAA in the instant proceeding.



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Copy of letter no 3268/Tz, dated 15.11.2023 of the Tahsildar Nilgiri and the DGPS surveyed map are annexed and marked as **Annexure 4 and Annexure 5** respectively.

19. That all the allegations made by the Petitioner in the petition with respect to distance of the stone quarry from the Eco Sensitive Zone, sanctuary, human habitation, Anganwadi, primary school, health and wellness center have been duly considered by the authority while granting the Environment Clearance dated 25.06.2024 in favour of the Answering Opp. Party. Moreover, the authority has also diligently considered the directions of this Hon'ble Tribunal in its order dated 04.03.2024 in OA No. 80 of 2023. There is no violation of any of the pre-requisite as provided under the Environment Protection Act and relevant notifications and guidelines issued thereunder by the Govt of India, and observations and guidelines passed by Hon'ble Supreme Court of India in T N Godavarman case. All the allegations to that effect are baseless and imaginary and Answering Opp. Party denies the same in totality.
20. That the present appeal is nothing but an abuse of process of law and is liable to be dismissed in totality. The appellant is not entitled to any relief as claimed in the Appeal, as the authorities have already considered the directions of this Hon'ble Tribunal in its true spirit while grant of EC dated June 25, 2024 to the Answering Opp. Party. The appellant has intentionally suppressed such material facts from this Hon'ble Tribunal.
21. That all other allegations which are not specifically admitted herein are deemed to have been denied and the deponent reserves the right to file further affidavit, as and when required.



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22. That, in view of the facts stated above, the prayers made in the Memo of Appeal are devoid of merit, hence liable to be dismissed with cost.
23. That, the Answering Opp. Party craves leave of this Hon'ble Tribunal to file further Affidavit and documents, if required, at the time of hearing of the instant matter.
24. That, the facts stated above are true to the best of my knowledge and belief and based on official record.

For SUBARNAREKHA PORT PRIVATE LTD

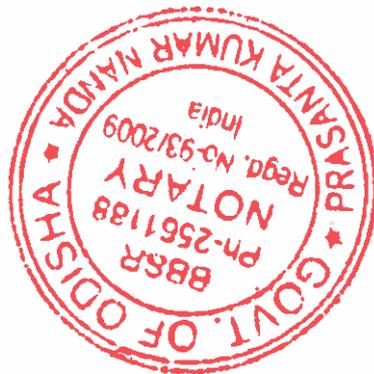
J. n. s. s.
Authorised Signatory(ies)

Prepared in my office:

J. n. s. s.
Advocate

Deponent

Identified by me
Advocate



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FORM – Q
Application for Quarry Permit
[See rule 34]

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To

The Tahasildar,
 Nulgera

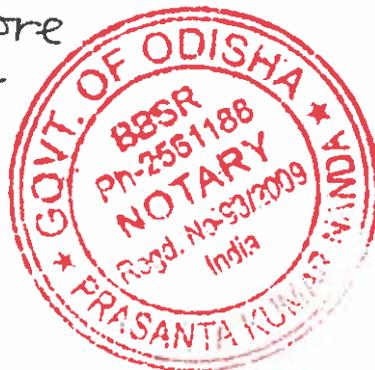
Sir,

1. I/We submit an application for quarry permit for Stone (mineral) a term of60..... months over 2.55.....hectares of land in the area specified in item 3(viii) below.
2. A sum of Rs 200 (non-refundable) payable as fee for grant of such permit under rule 34 of OMMC Rule, 20..... has been paid in the Government Treasury at and the receipted challan is enclosed.
3. The required particulars are given below.
 - (i) Name and address of the applicant: Subarnarekha Port Private Limited
 DCB-917, DLF Cybercity, Chandrasekharpur
 - (ii) Nationality of the applicant: Bhubaneswar, Odisha - 751024
 Indian
 - (iii) Profession of the applicant:
 - (iv) Quantity of minor mineral required to be extracted and removed (in tonnes/ cubic metres): 5 lakh cubic meter
 - (v) Minor mineral is to be raised manually or mechanically: Mechanically
 - (vi) Manner in which the minor mineral raised is to be utilised: For Port construction at Chandrasekhar
 - (vii) Particulars of the receipted treasury challan for the fee: 200/-
 - (viii) Plan in 16"=1 mile scale (Cadastral village map) and Land Schedule of the area from which the minor mineral are to be extracted and removed is to be enclosed :
 - (ix) If the land applied for belongs to private land owners, written consent of the owners permitting diversion of his land for extraction of minor mineral under quarry permit to be enclosed :
 - (x) An undertaking by the applicant that he agrees to abide by the conditions governing extraction and removal of minor mineral under a quarry permit to be enclosed :
 - (xi) Any other particulars which the applicant wishes to furnish:

I/We hereby declare that the particulars furnished above are correct and undertake to furnish any other details, plan etc., as may be required by you.

Place: Bala sore
 Date: 1/2/22

Yours faithfully,



[Signature]
 Signature of the applicant

Rs. 200/- Rupees Two Hundred Only

CHALAN No.

ORIGINAL

Cost: Scrip No. 42/22
Date: 4/2/22

Uco Bank Nalgiri

| To be filled in by the remitter | | | | To be filled in by the Departmental Officer of the Treasury | |
|---------------------------------|--|--|--------|---|--|
| Sl. No. | Title (or designation) and branch of the person or office to which money is paid | Full particulars of the receipt and of authority (if any) | Amount | Head of account | Order to the bank |
| | Subsaranekha Port Private Limited DCB, 917, SRF Cybercity, Chandrasekhara Bhubaneswar Odisha 751024 04 FEB 2022 | Extraction of Stone for use in construction work of Phase-1 Development of Subsaranekha Port | 200 | 0853 (Odisha Minor Minerals) | Prasanta Kant Full Signature and Designation of the Officer authorized to issue this order. Date: 4/2/22 |
| | | | 200 | | |

Subsaranekha Port
Private Limited

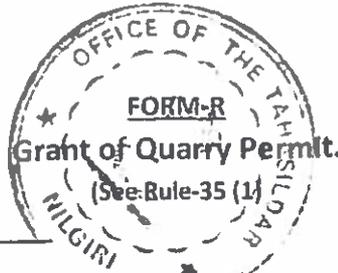
CASH RECEIVED

Remittance to bank through an officer of the Government
Two Hundred Only

Signature: _____ Date: 4/2/22
(See instructions on overleaf)



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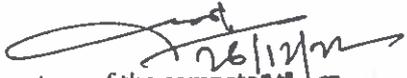


Quarry Permit No. 2325

Date 26/12/22

Whereas M/S Subarnarekha Port Private Limited, developer of all weather, deep water, multi user port adjacent to Subarnarekha River Mouth near Choumukh village at Baliapal Block in Balasore District of Odisha (Port) under a concession from Government of Odisha on Build, Own, Operate, Share and Transfer (BOOST) basis for grant of quarry permit for extraction and removal of 21252 Cubic meter of Stone (Minor Mineral) from plot No-572 Khata No 453, Area-A6.30, Kisam-Hudi, of Mirigini Village under rule 34 of the Odisha Minor Mineral Concession Rules-2016 and has paid an application fee of Rs 200/-. Permission is hereby granted to quarry, collect and remove 21252 Cubic Meter of Stone (Minor Mineral) from the aforesaid area or areas Indicated on the the plan annexed hereto on the following condition and on payment of advance royalty amounting to Rs 1,25,54,333/- including (I. Tax, Dead rent, Surface Rent, DMF fund, Environment management fund, demarcation fee) calculated at the rate of Rs 503/- per Cubic meter (as specified in Schedule I to the Orissa Minor Mineral concession Rule-2016 and amendment dated 19.04.2022)

- (1) The permit holder shall prepare and submit approved Mining Plan and Environment Clearance within three months from the date of issuance of this permit as per rule 27, sub rule (13) of OMMC rule 2016.
- (2) The Permit shall be valid for 01 year.
- (3) The permit holder/s shall abide by the conditions provided in rule-37 of the Odisha Minor Minerals concession Rules, 2016.


Signature of the competent Authority/authorized officer.
Tahasildar, Nilgiri

Memo No 2336 /Tz

Date 26/12/22

Copy submitted to the Collector, Balasore/Divisional Forest Officer, Balasore/Director of Mines Odisha, BBSR for information & necessary action.


Signature of the competent Authority/authorized officer.
Tahasildar, Nilgiri

Memo No 3337 /Tz

Date 26/12/22

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

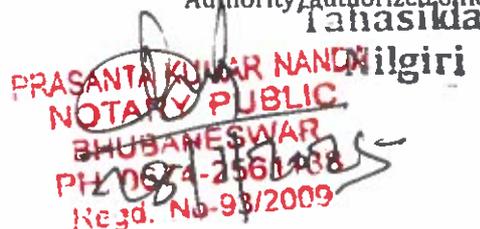

Signature of the competent Authority/authorized officer.
Tahasildar, Nilgiri

Memo No 3338 /Tz

Date 26/12/22

Copy forwarded to R.I. concerned for information and necessary action. He is instructed to keep close watch over illegal extraction/Unauthorized manufacture and removal of the minor mineral beyond the quarry are granted under the order/permit. Any violation of conditions should be reported to the undersigned and dealt suitably.


Signature of the competent Authority/authorized officer.
Tahasildar, Nilgiri



**OFFICE OF THE TAHASILDAR, NILGIRI**

Email – tah.nilgiri-od@nic.in

Telephone – 06782-233233

Letter No. 3268 /Tz. Date 15/11/23

To

**The Divisional Forest Officer
Balasore Wildlife Division, Balasore****Sub: Submission of DGPS Map of ORSAC depicting Kuldaha WL Sanctuary boundary & its ESZ,
Notified Village Forest, DLC forest and geo-referenced coordinates****Ref: This office Letter no: 2629, dated 01.09.2023
Balasore Wildlife Division letter no 7631/3P lease, dated 19.10.2023**

Sir,

With reference to the letters on the subject cited above, I am to inform you that, ORSAC team had concluded DGPS survey for the requirements raised by your good office on 8th and 9th October 2023 in presence of forest and revenue officials.

The findings and final map depicting the following requisites is hereby submitted from our end for your necessary approval and issuance of ESZ clearance certificate for obtaining environment clearance.

1. Boundary of Kuldaha WL Sanctuary as per S.O. 2539 (E) dated 09.08.2017, published in the Gazette of India, extraordinary vide no 2231 dated 09.08.2017
2. ESZ Boundary of Kuldaha WL Sanctuary as per S.O. 2539 (E) dated 09.08.2017, published in the Gazette of India, extraordinary vide no 2231 dated 09.08.2017
3. Notified Village Forest (5 Ha) as per joint survey conducted on 24.06.2022
4. Identified DLC Forest (7.25 Ha) as per joint survey conducted on 24.06.2022
5. Quarry area (2.57 Ha)
6. Shortest Distance of quarry from Sanctuary Boundary – 1006 meters

All the geo-coordinates are illustrated on the submitted map as per the field survey conducted on 8th and 9th Nov 2023.

It is requested that, a certificate may please be issued whether the proposed quarry is outside the safety zone and ESZ boundary of Kuldaha Wildlife Sanctuary as required to comply the EDS raised by SEAC for environment clearance application submitted vide application No:SIA/OR/MIN/4451711/2023, dated September 21,2023 by project proponent (M/s Subarnarekha Port Private Limited).

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

Yours Faithfully

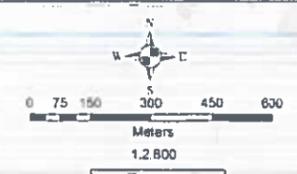
Tahasildar Nilgiri

Encl: Hard copies two (02) nos of DGPS survey Map from ORSAC


PRASANTA KUMAR NANDA
NOTARY PUBLIC
BHUBANESWAR
PH. 0674-2561188
Regd. No-93/2009

DGPS SURVEYED MAP SHOWING

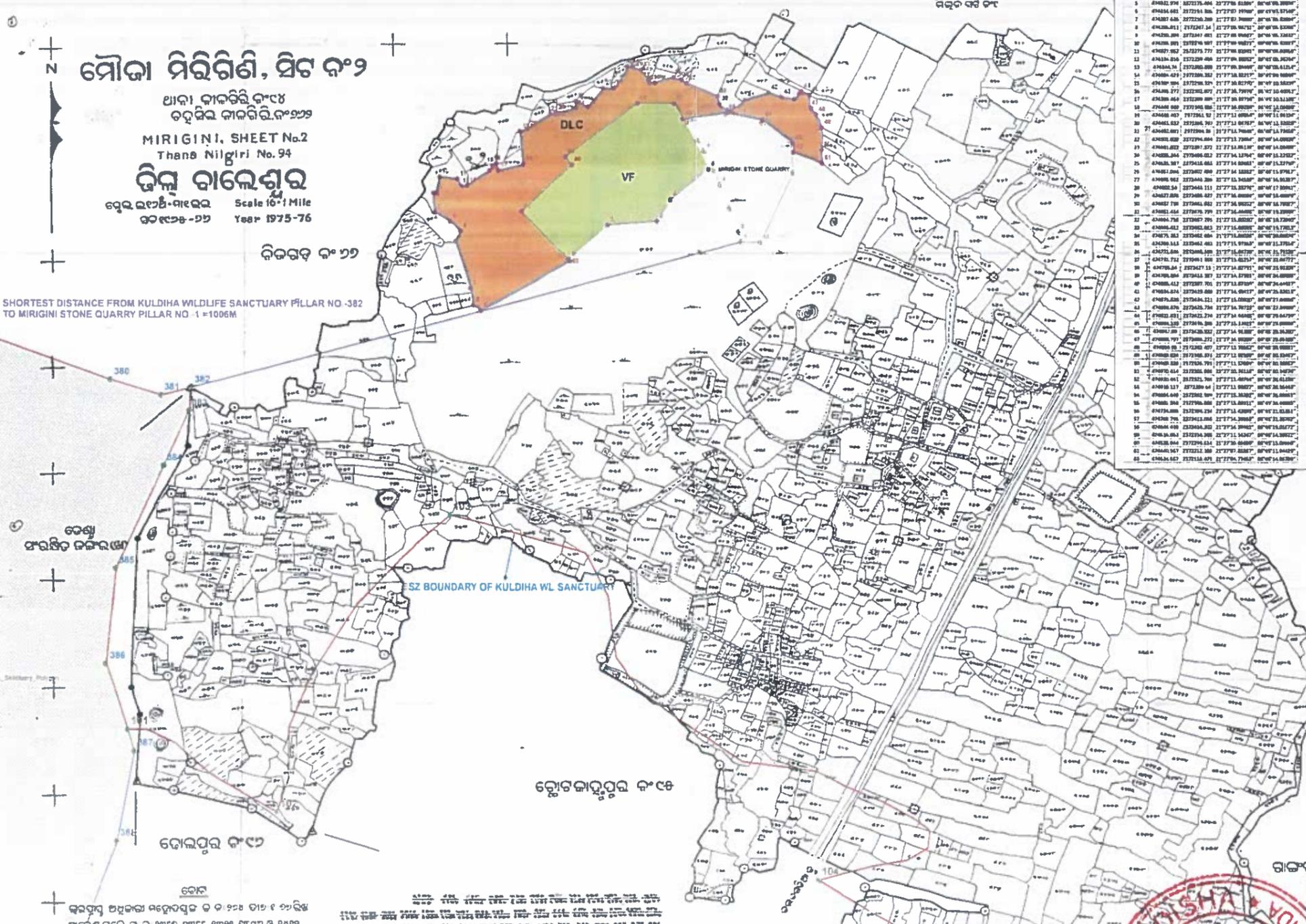
- A. THE SHORTEST DISTANCE FROM MIRIGINI STONE QUARRY PILLAR NO.-1 TO KULDIHA WILDLIFE SANCTUARY PILLAR NO.-382 (1006M).
 - B. BOUNDARY OF KULDIHA WILDLIFE SANCTUARY AS WELL AS ITS ESZ WITH ITS PILLAR NO & CO-ORDINATES AS PER S.O 2539 [E] DATED-09.08.2017 PUBLISHED IN THE GAZETTE OF INDIA , EXTRA-ORDINARY VIDE NO. 2231 DATED-09.08.2017
 - C. BOUNDARY OF IDENTIFIED DLC FOREST & NOTIFIED VILLAGE FOREST WITH ITS BOUNDARY CO-ORDINATES.
- MIRIGINI STONE QUARRY UNDER NILAGIRI TAHASIL OF BALESORE DISTRICT, ODISHA.



ମୌଜା ମିରିଗିନି, ପିଟ ନଂ ୨

ଆକା କାକଡ଼ି କଲକ
ଚତୁର୍ଥ କାକଡ଼ି କଲକ
MIRIGINI, SHEET No.2
Thans Nilgiri No.94
ଜିଲ୍ଲା ଚାଲେଶ୍ୱର
ସ୍କେଲ ୧୦:୧ ମାଇଲ
ବର୍ଷ ୧୯୭୫-୭୬ Year 1975-76

SHORTEST DISTANCE FROM KULDIHA WILDLIFE SANCTUARY PILLAR NO -382 TO MIRIGINI STONE QUARRY PILLAR NO -1 =1006M



DGPS SURVEYED DLC FOREST PILLAR CO-ORDINATES

| POINT ID | EASTING | NORTHING | LATITUDE | LONGITUDE |
|----------|----------|----------|--------------|--------------|
| 1 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 2 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 3 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 4 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 5 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 6 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 7 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 8 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 9 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 10 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 11 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 12 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 13 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 14 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 15 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 16 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 17 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 18 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 19 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 20 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 21 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 22 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 23 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 24 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 25 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 26 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 27 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 28 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 29 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 30 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 31 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 32 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 33 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 34 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 35 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 36 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 37 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 38 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 39 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 40 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 41 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 42 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 43 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 44 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 45 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 46 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 47 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 48 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 49 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 50 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 51 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 52 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 53 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 54 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 55 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 56 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 57 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 58 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 59 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 60 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 61 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 62 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 63 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 64 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 65 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 66 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 67 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 68 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 69 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 70 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 71 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 72 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 73 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 74 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 75 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 76 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 77 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 78 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 79 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 80 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 81 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 82 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 83 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 84 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 85 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 86 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 87 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 88 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 89 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 90 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 91 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 92 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 93 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 94 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 95 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 96 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 97 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 98 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 99 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |
| 100 | 42468.00 | 23704.00 | 21°27'00.00" | 86°45'00.00" |

DGPS SURVEYED MIRIGINI STONE QUARRY PILLAR CO-ORDINATES

| PILLAR NO. | EASTING | NORTHING | LATITUDE | LONGITUDE |
|------------|-----------|-----------|---------------|---------------|
| 1 | 47827.583 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 2 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 3 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 4 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 5 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 6 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 7 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 8 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 9 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 10 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 11 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 12 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |
| 13 | 47822.684 | 23713.236 | 21°27'05.877" | 86°45'25.384" |

KULDIHA WILDLIFE SANCTUARY PILLAR CO-ORDINATES NEAR MIRIGINI AS PER S.O 2539 [E] DATED-09.08.2017 PUBLISHED IN THE GAZETTE OF INDIA , EXTRA-ORDINARY VIDE NO. 2231 DATED-09.08.2017

| PILLAR NO. | EASTING | NORTHING | LATITUDE | LONGITUDE |
|------------|-----------|-----------|---------------|---------------|
| 385 | 47372.009 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 386 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 387 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 388 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 389 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 390 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 391 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 392 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 393 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 394 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 395 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 396 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 397 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 398 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 399 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |
| 400 | 47371.128 | 23715.922 | 21°26'45.852" | 86°44'47.184" |

KULDIHA WILDLIFE SANCTUARY ESZ PILLAR CO-ORDINATES NEAR MIRIGINI AS PER S.O 2539 [E] DATED-09.08.2017 PUBLISHED IN THE GAZETTE OF INDIA , EXTRA-ORDINARY VIDE NO. 2231 DATED-09.08.2017

| POINT ID | EASTING | NORTHING | LATITUDE | LONGITUDE |
|----------|-----------|-----------|---------------|---------------|
| 100 | 47799.311 | 23706.908 | 21°27'35.500" | 86°44'14.870" |
| 101 | 47799.311 | 23706.908 | 21°27'35.500" | 86°44'14.870" |
| 102 | 47799.311 | 23706.908 | 21°27'35.500" | 86°44'14.870" |
| 103 | 47799.311 | 23706.908 | 21°27'35.500" | 86°44'14.870" |
| 104 | 47799.311 | 23706.908 | 21°27'35.500" | 86°44'14.870" |

DGPS SURVEYED VILLAGE FOREST PILLAR CO-ORDINATES

| POINT ID | EASTING | NORTHING | LATITUDE | LONGITUDE |
|----------|-----------|-----------|---------------|---------------|
| 1 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 2 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 3 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 4 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 5 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 6 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 7 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 8 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 9 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 10 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 11 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 12 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 13 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 14 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 15 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 16 | 47452.281 | 23721.853 | 21°27'04.883" | 86°45'14.788" |
| 17 | 47452.281 | | | |

PRASANTA KUMAR NANDA
NOTARY PUBLIC
BHUBANESWAR
PH. 0674-2561188
Regd. No. 93/2009

BEFORE THE HONBLE NATIONAL
GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Appeal No. 10 /2024/ EZ

In the matter of:

Sukanta Kumar Nayak

... Appellant

-Versus-

State of Odisha & Ors.

.... Respondents

COUNTER AFFIDAVIT ON BEHALF
OF SUBARNAREKHA PORT PRIVATE
LTD. (RESPONDENT NO. 9)

JAYDEB GHORAI
ADVOCATE
12/1, OLD POST OFFICE STREET
GROUND FLOOR
KOLKATA - 700001
Mobile No. : 9831336884
e-mail :jghorai@gmail.com
Enrolment No. : WB/707/88



PRASANTA KUMAR NANDA
NOTARY PUBLIC
BHUBANESWAR
PH. 0674-2561188
Regd. No. 93/2009