

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 05/2024/EZ**

**IN THE MATTER OF:**

MADHUSUDAN PALAI

...APPLICANT

Vs.

STATE OF ODISHA & Ors.

...RESPONDENTS

**INDEX**

Sr. No.	Description	Pages
1.	Counter Affidavit filed by Collector & District Magistrate, Khordha – <b>Respondent No. 4</b> & Addl. Chief Secretary, Revenue & Disaster Management Department, Odisha – <b>Respondent No. 2.</b>	<b>1-12</b>
2.	<b>ANNEXURE- A</b> True copy of Show Cause Notice No. 18956 dtd. 05.12.2024.	<b>13-14</b>
3.	<b>ANNEXURE- B</b> True copy of letter No. 6907/Touzi Dtd. 15.04.2025.	<b>15</b>
4.	<b>ANNEXURE- C</b> True copy of letter No. 3695 dtd. 07.04.2025 of Sub-Collector, Khordha	<b>16-17</b>
5.	<b>ANNEXURE- D</b> True copy of letter No. 5970/Touzi dtd. 28.03.2025	<b>18</b>

6.	<b>ANNEXURE- E (Colly)</b> True copy of the FIRs.	<b>19-22</b>
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Collector & District Magistrate, Khordha

Government of Odisha/Deponent

THROUGH

*Padmesh Mishra*

D/5258/2019

**PADMESH MISHRA**

Advocate for the Respondent

Government of Odisha

office@padmeshmishra.com

9958230144

Khordha, Odisha

Dtd. 22.05.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**EASTERN ZONE BENCH, KOLKATA**  
**ORIGINAL APPLICATION NO. 05/2024/EZ**

**IN THE MATTER OF:**

MADHUSUDAN PALAI

...APPLICANT

Vs.

STATE OF ODISHA & ORS.

...RESPONDENTS

**COUNTER AFFIDAVIT ON BEHALF OF "DISTRICT MAGISTRATE,**  
**KHORDHA" & "ADDL. CHIEF SECRETARY, REVENUE & DISASTER**  
**MANAGEMENT DEPARTMENT, ODISHA" - RESPONDENT NO. 4 & 2**  
**RESPECTIVELY IN THE PRESENT O.A.**

I, Chanchal Rana, aged about 36 years, S/o- Anil Kanta Rana, at present working as Collector & District Magistrate, Khordha, At/PO/Dist.- Khordha do hereby solemnly affirm and state as follows:

1. That, I am working as above and have been arrayed as Respondent No. 4 in the aforesaid Original Application. I have also been authorized by the Revenue & Disaster Management Department, Odisha, Bhubaneswar to file Affidavit on behalf of Addl. Chief Secretary, Revenue & Disaster Management Department, Odisha which has been arrayed as Respondent No. 2. I have gone through the Original Application, relevant records and understood the contents thereof. I am well acquainted with the facts of the case and competent to swear this affidavit in my official capacity.

2. That the present Original Application has been filed by the Applicant alleging illegal operation of Laterite stone quarries in Mouza- Bariko and Ramchandrapur, Tahasil- Tangi, District-Khordha by the lessee i.e. the Respondent No.11 (M/s Bariko Laterite Stone Quarry) in violation of

Chanchal Rana.



conditions of environment clearance and is excavating laterite stone beyond the lease area.

3. That the Applicant has further alleged that the said Respondent No.11 is illegally operating the above stone quarry in Bariko Mouza from Plot No.665 Khata No.268 (Kissam-Rakhita) which is a Government land, Plot No.765 Khata No.231 (Kissam-Fasala 2), Plot No.630 Khata No.204 (Kissam- 2 Fasala 2), Plot No.631 Khata No.219 (Kissam-Fasala 2), Plot No.663 Khata No.105 (Kissam-Fasala 2), in Mouza-Ramchandrapur and from Khata No.463 Plot No.430 (Kissam-Chota Jungle), Khata No.463 Plot No.428 (Kissam-Chota Jungle), Plot No.679/1 Khata No.575/57, Plot No.679/85 Khata No.575/78, Plot No.649 Khata No.04/12, Plot No.650 Khata No.405 & Plot No.652 Khata No.372/8, all of which are private lands. It is alleged that the quarry area has been developed after felling about 100 trees from the Gochar Plot as well as from the private plots.

**PARAGRAPH WISE REPLY**

4. That in reply to the averment made in Paragraph No. 1 of the Original Application, no response is warranted from the answering respondent.

5. That in reply to the averments made in Paragraph Nos. 2 to 4 of the Original Application, it is submitted that pursuant to the interim order dated 22.01.2024 passed by the Hon'ble NGT in the above case, the Committee constituted by the Hon'ble Tribunal had visited the spot and enquired into the matter in presence of the applicant & Giridhari Das, the Lessee of Bariko Laterite Stone Quarry, Respondent No. 11, on 19.02.2024, wherein the following emerged:

(a) During inspection the committee observed that the lease holder has been allotted Plot No.673 having an area of Ac. 2.173 decimal in Mouza-



Chandhar Kene

Bariko for mining operation. Lease Agreement in respect of the above quarry has been executed on 28.01.2021 and EC was obtained in favor of Tahsildar, Tangi on 17.12.2020 which was subsequently transferred in the name of the lessee on 02.06.2022.

(b) During inspection it has also been found that the lease area has been properly demarcated in the field and boundary corner pillar points have been clearly delineated at the site. All the plots which are mentioned by the applicant in his petition have been verified, based on available revenue records. Some old quarry pits (tentatively 10 to 12 years old) were also found over Plot No.665 of Mouza-Bariko and Plot No.430, 428, 679/1, 649, 650 and 652 of Mouza-Ramachandrapur in Tangi Tahasil. It has also been found that Plot No. 665 of Mouza-Bariko and Plot No. 430 & 428 of Mouza-Ramachandrapur is recorded in the name of Anabadi Khata, whereas, the Plot Nos. 679/1, 649, 650 & 652 of Mouza-Ramachandrapur are recorded in the name of private persons.

6. In order to measure the quantum of illegal extraction of minor minerals from the above alleged plots, drone survey was conducted on 23.02.2024 by an ORSAC empaneled agency namely Zeotek Mining Solutions Pvt. Ltd and it has been ascertained that from the above said plots, Morrums and Laterite to the tune of 38632.7 cum has been excavated illegally from the above said plots.

7. Accordingly, the Deputy Director of Mines & Mining Officer, Khordha has scientifically calculated the volume of minor minerals excavated illegally from the above said plots along with calculation of royalty, additional charges, penalty and environment compensation as per the existing orders/guidelines and issued demand notices to such private land owners/legal heirs as per the provisions under Rule 51(4) of the

Charicial here -



OMMC Amendment Rules, 2023 on 16.05.2025. Further, in respect of the illegal extraction made from the alleged Govt. plots, the Mining Officer, Khordha has requested the Inspector in Charge, Tangi Police station to lodge FIR against the private individuals responsible and accountable for the theft of Morrum and Laterite from the said alleged Govt. plots vide letter No. 1049 dtd. 16.05.2025. A brief summary of the alleged private plots and corresponding demand is provided as under:

Sl. No	Mouza & Tahasil	Alleged plots	Laterite (In cum)	Morrum (In cum)	Demand (In Rs)
1	Ramchandrapur	679/1	9862.2	6574.8	1,71,54,263/-
2	Tangi	649	1306.1	1220.6	30,17,774/-
3		650	5425.8	3860.6	98,79,647/-
4		652	1104	1196	27,74,663/-

8. In relation to the alleged Plot No.765 under Khata No.231 of Mouza-Bariko, it is submitted that as per the Settlement map, the last plot of Bariko Mouza is 727. Hence, the alleged plot No. 765 does not exist in the above said Mouza. Similarly, on verification of revenue records, it has been found that the last sub-plot of original Plot No. 679 is 679/16. Hence, the alleged Plot No. 679/85 under Khata No.575/78 does not exist in Mouza-Ramchandrapur. Further, it was revealed that no excavation has been made over Plot No.630, 631, 663 of Mouza-Bariko which are recorded in the name of private persons. During enquiry, the Committee did not find any sign of felling of trees from Gochar plot as well as from private plots as alleged by the applicant.

9. That in reply to the averments made in Paragraph No. 5 of the Original Application, it is submitted that as per the approved mining plan, a total of 15000 cum of material is mentioned as mineable resource which includes 7500 cum of usable rock mass and 7500 unusable rock mass. The



*Ranchal Kamei*

15,000 cubic meter represent the cumulative total over five years, amounting to 3,000 cubic meters per annum and includes both usable and unusable rock mass.

**10.** That the Deputy Director of Mines, Khordha and the Mining Officer, Khordha with the help of technical team of ORSAC have already assessed the quantum of excavation of minor minerals made from the alleged stone quarry scientifically and as per the report of ORSAC, a quantum of 6107.622 cum of material has been excavated from Bariko Laterite quarry during the period from between 21.12.2020 to 01.12.2023. However, considering the period from the date of agreement of the quarry dated 28.01.2021 to 01.12.2023, the excavation period is considered to be 2 years & 10 months.

**11.** That according to the approved mining plan, during the period of 2 years and 10 months, the lessee was entitled to excavate nearly 9,000 cubic meters including both usable and unusable rock mass, but, it has been ascertained from the case record of Tahasil, Tangi and from the "i4MS portal", that total 4394 cum of laterite has been transported by the lessee during the period of lease. The rest 1713 cum is considered as over burden material which is about 28% of total extracted volume of 6107.622 cum.

**12.** That as revealed from the report of ORSAC, Deputy Director of Mines, Khordha and the records available in Tahasil, Tangi and as per the approved Mining Plan, no excess excavation of mines has occurred from the alleged Boriko Laterite quarry during the lease period.

**13.** That the averments made from Paragraph No. 6 to 9 of the Original Application is nothing but repetition of earlier paras and as such, the same

*Chanchal Kaa.*



may be deemed to have been replied in terms of submissions made herein above from Paragraph No. 7 to 10 of this Counter Affidavit.

14. That in reply to the averments made from Paragraph No. 10 to 12 of the Original Application, it is submitted that the lease holder has been allotted Plot No.673 having an area of Ac. 2.173 decimal in Mouza-Bariko for mining operation. Lease Agreement in respect of the above quarry was executed on 28.01.2021. The E.C was obtained in favour of Tahasildar, Tangi on 17.12.2020 which was subsequently transferred in the name of the lessee on 02.06.2022. CTE was issued on 03.12.2022 and CTO was issued on 05.01.2023.

15. That during inspection of records, it came to the knowledge that transit permits were issued by the Tahasildar, Tangi in favor of the lessee prior to receipt of statutory clearances, for which the lessee had operated the source during the financial year 2020-21 violating the provisions of OMMC Rules, 2016. Hence, Show-Cause Notice was issued to the concerned Tahsildar by this deponent vide Dist. Office Notice No. 18956 dtd. 05.12.2024.

True copy of Show Cause Notice No. 18956 dtd. 05.12.2024 is annexed as **ANNEXURE-A**.

16. That considering reply to the show-cause submitted by the Tahasildar, Tangi, the Deputy Director of Mines, Khordha was instructed vide office letter No. 6907/Touzi dtd. 15.04.2025 to take appropriate action against the Tahasildar, Tangi for committing irregularities in supply of transit pass in favor of the lessee without obtaining necessary clearances violating the provisions of OMMC Rules and Environmental Act.

*Chanchal Kaur*



True copy of letter No. 6907/Touzi Dtd. 15.04.2025 is annexed as **ANNEXURE-B.**

17. That vide order dated 03.03.2025 passed in OA No. 05/2024/EZ, the Hon'ble NGT observed as under:

*"5. We find that this issue has not been addressed by the District Magistrate even though the 'Y' forms are issued by the Tahasildar, Tangi.*

*6. We, therefore, direct the District Magistrate, District-Khordha to file fresh affidavit giving not only a para-wise reply to the Original Application but also explaining as to whether 'Y' forms issued on 04.03.2021 have been used by the lessee, i.e. Respondent No.11 prior to 05.01.2023.*

*7. The District Magistrate, District-Khordha shall inquire into the issue and in case it is found that mining has been carried out and 'Y' forms have been used by the lessee prior to 05.01.2023, he shall explain in his affidavit as to what action has been taken against the lessee".*

18. That pursuant to the above observation of the Hon'ble Tribunal, the Sub-Collector, Khordha was instructed to enquire into the matter and to submit report to the deponent vide letter No. 5968 dtd. 28.03.2025. In response, the Sub-Collector, Khordha vide his letter No. 3695 dtd. 07.04.2025 has submitted that 13 (Thirteen) numbers of 'Y' forms Books (containing 50 'Y' forms in each Booklet) have been issued in favor of the lessee prior to issue of CTO and the same have been used fully by the said lessee during that time. It is also reported that the lessee has lifted 2550 cum of materials in total by using those 650 numbers of 'Y' forms as ascertained from the triplicate receipts submitted by the lessee to the Tahsildar, Tangi.

*Charish Ran.*



True copy of letter No. 3695 dtd. 07.04.2025 of Sub-Collector, Khordha is annexed as **ANNEXURE-C**.

19. That based upon the report of Sub-Collector, Khordha, the Deputy Director of Mines, Khordha was reminded vide office letter No. 5970/Touzi dtd. 28.03.2025 to take appropriate legal action including initiation of criminal action against the lessee and others involved in illegal operation of the alleged source. He was also instructed to initiate criminal action against the officer responsible for issuing the transit permits before the grant of statutory clearances causing wrongful gains to the lessee at the cost of the state exchequer.

True copy of letter No. 5970/Touzi dtd. 28.03.2025 is annexed herewith as **ANNEXURE-D**.

20. That in response, the Deputy Director of Mines, Khordha vide letter No. 846/Mines, Khordha dtd. 21.04.2025 intimated that he has already requested the Inspector in Charge, Tangi Police Station for filing of First Information Report (FIR) against Sri Giridhari Das, Lessee of Bariko Laterite Quarry and Sri Jugal Kishore Mishra, Ex-Tahasildar, Tangi vide letter No. 777/Mines, Khordha dtd. 10.04.2025 and letter No. 837/Mines, Khordha dtd. 19.04.2025 respectively. Accordingly, FIRs have already been lodged against the above persons vide No. 0323 dtd. 05.05.2025 and No. 0324 dtd. 05.05.2025 respectively.

True copy of the FIRs is annexed herewith as **ANNEXURE-E (Colly)**.

21. That in reply to the averment made in Paragraph No. 13 of the Original Application, no response is required to offer in this regard.

*Charuchal Rane*





22. That in reply to the averment made in Paragraph No. 14 of the Original Application, the deponent submits that the same is within the purview of the answering respondents and such no response is required. The said paragraph relates to and needs to be replied by the Regional Officer, State Pollution Control Board, Odisha, Respondent No. 8.

23. That in reply to the averment made in Paragraph No. 15 of the Original Application, it is submitted that on examination of records it has been found that extraction of mining from the alleged quarry has been made by the respondent No. 11 before availing statutory clearances from the concerned authorities. Therefore, necessary legal action as deemed has already been taken against the above Respondent as per law.

24. That in respect of the averments made in Paragraph No. 16 of the Original Application, the the Regional Officer, State Pollution Control Board, Odisha, Respondent No. 8 is the appropriate authority in respect of the same.

25. That in respect to the averments made in Paragraph No. 17 of the Original Application, it is submitted that the Tahsildar, Tangi was instructed to conduct regular enforcement at the site in question and to seize the vehicles engaged in illegal mining operation imposing penalty and royalty as per law.

26. That the Contents of Paragraph No. 18 of the OA is denied for want of knowledge. However, it is submitted that the Applicant may be put to strict proof of the same.

27. That in reply to the averments made in Paragraph No. 19 of the Original Application, it is submitted that during inspection of the site in

*Charchal Kaveri*



question, the Committee did not find any sign of felling trees from Gochar Plot as well as from private plots.

28. That in respect to the averments made from Paragraph No. 20 to 25 of the Original Application, it is submitted that in order to prevent illegal mining from the alleged quarry, the Tahsildar, Tangi had conducted enforcement several times and had seized a number of vehicles and imposed heavy penalty and royalty. Further, as ascertained from Tahsildar, Tangi, that on seizure, vehicles were being handed over to the local police of Tangi for further action at their end, if the owner of the seized vehicles failed to pay penalty. It is further submitted that Govt. guidelines towards prevention of illegal theft of minor minerals were being followed regularly by the then enforcement team comprising of Revenue staff of Tahsil, Tangi and local police which now is being conducted at regular intervals by the Team comprising of Mining officials and Police personnel of Khordha District.

29. That in reply to the averments made from Paragraph No. 26 to 32 of the Original Application, it is submitted that no response is required from the present deponent.

30. That in reply to the averments made in Paragraph No. 33 of the Original Application, it is submitted that as per the report of ORSAC and the Deputy Director of Mines, Khordha, no excess excavation of mines has been made by the lessee from the alleged Bariko Laterite Stone quarry during the lease period. However, during inspection of records, it has come to light that transit permits were issued by the Tahsildar, Tangi in favor of the lessee prior to receipt of statutory clearances, violating the provisions of OMMC Rules, 2016. Hence, necessary legal action has already been taken

*Chandhal Kana*



against the lessee as well as the concerned Tahsildar in accordance with law.

31. That in reply to the averments made from Paragraph No. 34 to 37 of the Original Application, it is submitted that no response is required from the answering respondents.

32. That the contents of the above paragraphs are true and correct to the best of my knowledge as derived from the official records and that nothing material has been concealed there from and the deponent reserves the right to file further affidavit as and when required and directed by this Hon'ble Tribunal.

*Chanchal Rana*

**DEPONENT**  
COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

#### VERIFICATION

I, Chanchal Rana, aged about 36 years, S/O- Anil Kanta Rana, at present serving as Collector and District Magistrate, Khordha, do hereby verify that the contents of the above affidavit are true & correct to the best of my knowledge & nothing material has been concealed therefrom.

Verified at Collectorate, Khordha on this 22<sup>nd</sup> day of May, 2025.

*Chanchal Rana*

**DEPONENT**  
COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA



**AFFIDAVIT** NO.1579/22.5.25

The above deponent being personally known to me appears before me on 22.05.2025 at 9.40 AM / ~~PM~~ and states on oath that the contents of the affidavit are true to the best of his knowledge based on official records.

*Chandhal Kave*  
Deponent

COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

*Kmudra*  
22.05.2025

Executive Magistrate, Khordha.

Executive Magistrate  
Khurda



## OFFICE OF THE COLLECTOR &amp; DISTRICT MAGISTRATE: KHORDHA

Letter No. 18956 /Touzi, Dated. 05.12.2024

To

Sri Jugal Kishore Mishra,

Ex-Tahasildar, Tangi,

At-Ladukesharpur, PO-Bhatasahi,

Block/Tahasil- Nayagarh,

Dist- Nayagarh

Sub: Show cause notice called for regarding irregularities in supply of "Y" forms in favour of the lessee Giridhari Das in Bariko Laterite Stone Quarry in connection with NGT in O.A No. 5/2024 filed by Madhusudan Palei Vrs. State.

Sir,

In inviting a reference to the subject cited above, I am to intimate that, on verification of transit register of Bariko Laterite Stone Quarry, it has come to the notice of the undersigned that, you have issued transit permit to lessee on dated.04.03.2021 vide Book No. 10626 from Sl. No. 0531251 to 05312300 as reported by the Tahasildar, Tangi vide her letter No. 3699 Dated 12.11.2024. On verification of the records it is seen that the E.C was transferred in the name of the lessee on 02.6.2022 and CTE & CTO were issued by SPCB Odisha Bhubaneswar on 03.12.2022 and 05.01.2023 respectively .

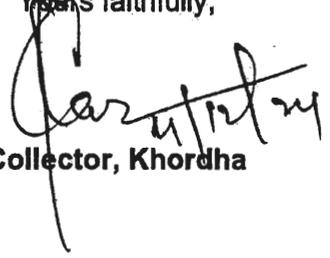
Hence, it is observed that the transit permits to operate the source was issued illegally to lessee Sri Giridhari Das before the receipt of the statutory clearances. As such, the lessee operated the source during the financial year 2020-21 as reported by Dy. Director of Mines, Khordha vide letter no. 1513 dated 30.10.2024 before the issue of statutory clearances which violates the relevant provisions of Rules, 27 to 33 under chapter - IV of OMMC Rules-2016 & committing an offence under Rule 51 of the said rules in illegal extraction of minor mineral from the source without any valid permits and license. It is crystal clear that you have shown undue favour to the lessee in illegal extraction of minor mineral causing huge loss to the State exchequer. Further, allowing the source to operate without valid statutory

*True copy attested*  
COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

clearances contravenes the provisions of Section 25 of water (PCP) Act, 1974 & Section-21 of Air (PCP) Act, 1981 which warrants to initiate appropriate legal action as per the letter no. 12611/ dtd. 26.04.2019 of Govt. in R&DM Department .Such acts of omission & lapses on the part of a Tahasildar - cum - Revenue officer proves the instances of gross misconduct, negligence in govt. duty and disobedience of orders of higher authority.

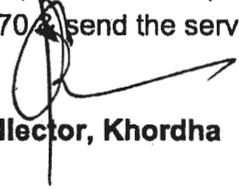
Therefore, you are directed to submit your show cause reply to this office within seven days from the date of receipt of this letter why necessary criminal prosecution under OMMC Rules ,Air PCP Act, 1981, Water PCP Act, 1974 & all other legal provisions should not be taken against you for such lapses in your duties, failing which action will be taken against you as deemed proper.

Yours faithfully,

  
Collector, Khordha

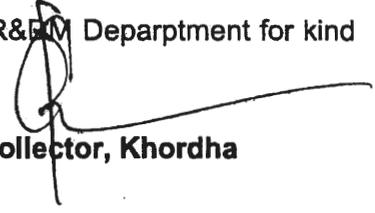
Memo No. 18957 Dtd. 05.12.2024

Copy submitted to the Collector, Nayagarh for kind information. He is requested to serve the notice upon Sri Jugal Kishore Mishra, Ex-Tahasildar, Tangi, At-Ladukesharpur, PO-Bhatasahi, District- Nayagarh, Pin-752070 & send the served copy to this office for needful action at this end.

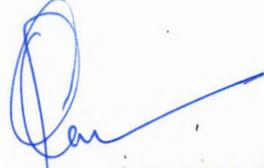
  
Collector, Khordha

Memo No. 18958 Dtd. 05.12.2024

Copy submitted to the Addl. Secretary to Govt. R&DM Department for kind information.

  
Collector, Khordha

*True copy attested*

  
COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA



## OFFICE OF THE COLLECTOR &amp; DISTRICT MAGISTRATE; KHORDHA

Letter No. 6907 /Touzi, Dated. 15.04.2025

To

The Deputy Director of Mines, Khordha Circle, Khordha.

Sub: Regarding action taken against Shri Jugal Kishore Mishra, Ex-Tahasildar Tangi for violation of OMMC Rules &amp; environmental Acts.

Sir,

In inviting a reference to the subject cited above, I am directed to say that Shri Jugal Kishore Mishra, Ex- Tahasildar, Tangi has submitted his reply against show cause notice issued by this office vide Letter No.18956, Dated.05.12.2024 regarding irregularities in supply of "Y" forms in favour of the lessee Giridhari Das in Bariko Laterite Stone Quarry in connection with O.A No. 05/2024 filed by Madhusudan Palei Vrs. State of Odisha.

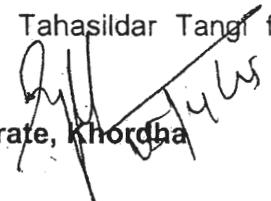
Since, the issue of Y forms was done without obtaining necessary environmental clearances, FIR should be lodged by the DDM against Shri Jugal Kishore Mishra for violation of OMMC Rules & environmental Acts as a part of criminal conspiracy to cause wrongful gain to the lessee.

You are therefore requested to take necessary action against the Shri Jugal Kishore Mishra, Ex- Tahasildar, Tangi for violation of OMMC Rules & environmental Acts under intimation to this office for kind information of undersigned.

Yours faithfully,

  
 Addl. District Magistrate, Khordha
Memo No. 6908 /Touzi, Dated. 15.04.2025

Copy forwarded to the Sub-Collector Khordha / Tahasildar Tangi for information.

  
 Addl. District Magistrate, Khordha

True copy attested

  
 COLLECTOR & DISTRICT MAGISTRATE  
 KHORDHA




## OFFICE OF THE SUB-COLLECTOR &amp; SDM, KHORDHA

Letter No. 3695 /Dt. 07/04 | 2025

To

The Collector, Khordha.

Sub : Enquiry report on O.A. No.05/2024 filed by Madhusudan Palai vrs State of Odisha and others.

Ref : District Office letter No.5968/Touzi dtd.28.03.2025.

Sir,

Inviting kind reference to the subject cited above, I am to intimate that after a detailed enquiry, it is found that 13 (Thirteen) nos. of 'Y' Form Booklets (details in Annexure-A) have been issued to the Bariko LSQ (Respondent No.11 in O.A. No.05/2024/EZ) prior to 05.01.2023 and the same have been used fully by the lessee during that time. The lessee has lifted 2550 cum of material in total by using those 13 (Thirteen) 'Y' Form Booklets as ascertained from the triplicate receipts submitted by the Lessee to the Tahasildar, Tangi. The detailed report in this regard is attached herewith as Annexure-A. The same is also corroborated by the 'Y' Form issue register of Tahasil, Tangi. A copy of the same duly attested by the Tahasildar, Tangi is attached herewith as Annexure-B.

In this regard, the Mining Officer, Khordha has issued show cause notice vide letter No.1850/Mines Dtd.26.12.2024 (attached as Annexure-C) to the lessee as to why mining has been carried out during the above period prior to issue of CTO by SPCB, Odisha. To which, the lessee has responded through his reply dated 13.01.2025 stating that as per ORSAC report he has excavated only 6107.622 cum of material from the quarry against an approved total of 15000 cum of material which includes 7500 cum of usable rock mass and 7500 cum of unusable rock mass as per the Mining Plan for the entire lease period. He also claimed that though he operated the quarry before granting of the CTO and CTE, the Govt. exchequer have not suffered any financial loss because of his action. Finding his reply as unsatisfactory, the Mining Officer, Khordha has issued him a second show cause vide his letter No.736/Mines dtd.03.04.2025 (attached as Annexure-D) to which no reply has been received from the lessee till date.

This is for favour of kind information and necessary action.

End. : Details of 'Y' Form issued (Annexure-A)  
Copy of 'Y' Form Register of Tahasildar, Tangi (Annexure-B)  
Copy of Show Cause Notices (Annexure-C & D)  
Copy of Reply dated 13.01.2025 from the lessee (Annexure-E)

True copy attested

COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

Yours faithfully,

Sub-Collector &amp; SDM, Khordha.

Annexure-ADetails of 'Y' Form Issued between 04.03.2021 to 05.01.2023

Sl. No.	Date of Issue	Book No.	Pass No.	Quantity Permitted (Qty in CM)	Whether Used (yes/No)	Remarks
1.	04.03.2021	10626	0531251 to 0531300	297	Yes	
2.	24.03.2021	10645	0532201 to 0532250	261	Yes	
3.	04.05.2021	18835	0941701 to 0941750	249	Yes	
4.	04.05.2021	18836	0941751 to 0941800	261	Yes	
5.	03.06.2021	18876	0943751 to 0943800	267	Yes	
6.	25.06.2021	18889	0944401 to 0944450	165	Yes	
7.	10.12.2021	18927	0946301 to 0946350	150	Yes	
8.	10.12.2021	18928	0946351 to 0946400	150	Yes	
9.	10.03.2022	19019	0950901 to 0950950	150	Yes	
10.	10.03.2022	19020	0950951 to 0951000	150	Yes	
11.	10.03.2022	19021	0951001 to 0951050	150	Yes	
12.	19.05.2022	19122	0956051 to 0956100	150	Yes	
13.	08.06.2022	19068	0953351 to 0953400	150	Yes	
<b>Total Quantity Lifted</b>				<b>2550</b>		

*SO*  
*07/04/25*  
 Sub-Collector  
 Khurda

*Jagab*  
*07.04.25*  
 Mining Officer  
 Khordha

*True copy attested*

*[Signature]*  
 COLLECTOR & DISTRICT MAGISTRATE  
 KHORDHA

Reminder-1

## OFFICE OF THE COLLECTOR &amp; DISTRICT MAGISTRATE: KHORDHA

Letter No. 5970 /Touzi, Dated. 28.03.2025

To

The Deputy Director of Mines, Khordha Circle, Khordha.

Sub: O.A. No.05/2024 filed by Madhusudan Palai vrs State of Odisha and others.

Ref: This office Letter No.18959/Touzi, Dated.05.12.2024.

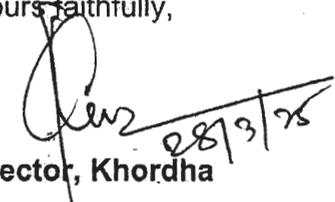
Sir,

In inviting a reference to the letter on the subject cited above, I am to say that you have been directed to take appropriate legal action against the lessee who operated the source illegally before grant of statutory clearance in his favour and intimate to the Collector, Khordha at the earliest for taking needful action at this end. But till date no reply has been received by this office.

You are therefore, once again requested to take appropriate legal action including initiation of criminal action against the lessee & others involved for operationalisation of the source illegally before grant of statutory clearance in his favour in respect to Bariko Laterite Stone Quarry. Criminal action must be initiated against the officer responsible for issuing the transit permits before the grant of statutory clearance illegally before receipt of the statutory clearance as a part of criminal conspiracy ,causing wrongful gains to the lessee at the cost of the state exchequer. The action taken report should be submitted to the undersigned within 7 days for filing affidavits before the Hon'ble NGT.

This may be treated as "Extremely Urgent"

Yours faithfully,

  
Collector, Khordha

True copy attested

  
COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

**FIRST INFORMATION REPORT**

(Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट  
(धारा 173 बी एन एस एस के तहत)

1. District (ज़िला) KHURDA

FIR No. (प्र.सू.रि. 0323

2. S.No. (क्र. Acts (अधिनियम)

- |   |                                                     |        |
|---|-----------------------------------------------------|--------|
| 1 | THE BHARATIYA NYAYA SANHITA (BNS), 2023             | 305(e) |
| 2 | ENVIRONMENT (PROTECTION) ACT, 1986                  | 39     |
| 3 | AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 |        |

P.S. TANGI

Year 2025

Date and Time of FIR (प्र.सू.रि. की दिनांक 05/05/2025 18:20 hrs

Sections (धारा(एँ))

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

1. Day (दिन): Intervening Day

Date From (दिनांक से ): 16/03/2021 Date To ( दिनांक तक ): 05/05/2025

Time Period (समय अवधि):

Time From (समय से ): 00:00 hrs Time To (समय तक): 00:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई ): Date (दिनांक ): 05/05/2025 Time (समय): 18:20 hrs

(c) General Diary Reference (रोजनामचा संदर्भ ): Entry No. (प्रविष्टि सं.): 009 Date &amp; Time: 05/05/2025 18:20 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): WEST, 06 Km(s)

Beat No. :

(b) Address (पता): BARIKO LATERITE STONE QUARRY

(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो):

Name of P.S. (थाना का नाम):

District(State) (ज़िला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name (नाम): JAGAN BEHERA

(b) Father's Name (पिता का नाम):

SURENDRA BEHERA

(c) Date/Year of Birth (जन्म तिथि / वर्ष ): 1995

(d) Nationality (राष्ट्रीयता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

S.No. (क्र. सं.) Id Type (पहचान पत्र का प्रकार)

Id Number (पहचान संख्या)

1

(h) Address (पता):

S.No. (क्र. सं.) Address Type (पता का प्रकार) Address (पता)

1

Present Address

DISTRICT MINING OFFICER ,KHORDHA ,KHURDA,KHURDA,  
ODISHA,INDIA

True copy attested

COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

2 Permanent Address NOT NOTED ,KHURDA,ODISHA,INDIA

(i) Occupation (व्यवसाय):

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-8458028890

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

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	GIRIDHARI DAS		Father's Name : LATE. RADHA CHARAN DAS	1. BADAPARI ,TANGI, KHURDA,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 (श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))
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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.05.05.2025 RECEIVED A LETTER FROM MINING OFFICER KHORDHA VIDE LETTER NO- 980 DT.05.05.2025 IN WHICH COMPLT. JAGAN BEHERA , S/O- SURENDRAS BEHERA , A/P- MINING OFFICER KHORDHA ALLEGED THAT ONE GIRIDHARI DASH, S/O-RADHA CHARAN DAS OF VILL- BADAPARI, PS-TANGI, KHORDHA THE LEAGE HOLDER OF BARIKO LATERITE STONE QUARRY HAS VIOLATED OF GOVT GUIDE LINE AND EXCAVATED LATERITE STONES APPROX. 2550 LATERITE STONE ILLEGALLY.

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: Rabintra kumar Bhujabal(I (Inspector)) / or (या) (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): 110093911335

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद):

No.( सं.): Mobile No.(मोबाइल सं.): 9437232780 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):

True copy attested



COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

**FIRST INFORMATION REPORT**

(Under Section 173 B.N.S.S)

पथम सूचना रिपोर्ट  
(धारा 173 बी एन एस एस के तहत)

1. District (जिला) KHURDA P.S. TANGI Year 2025  
FIR No. (प्र.सू.रि. 0324 Date and Time of FIR (प्र.सू.रि. की दिनांक 05/05/2025 19:30 hrs
2. S.No. (क्र. Acts (अधिनियम) Sections (धारा(एँ))  
1 THE BHARATIYA NYAYA SANHITA 316(4)  
(BNS). 2023
3. (a) Occurrence of offence (अपराध की घटना):  
1. Day (दिन): Intervening Day Date From (दिनांक से ): 04/03/2021 Date To ( दिनांक तक ): 05/05/2025  
Time Period (समय अवधि): Time From (समय से ): 00:00 hrs Time To (समय तक): 00:00 hrs  
(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई ): Date (दिनांक ): 05/05/2025 Time (समय): 19:30 hrs  
(c) General Diary Reference (रोजनामचा संदर्भ ): Entry No. (प्रविष्टि सं.): 010 Date & Time: 05/05/2025 19:30 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. 0.5 Km(s) Beat No. :  
(b) Address (पता): TAHASIL OFFICE TANGI  
(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो):  
Name of P.S. (थाना का नाम): District (State) (जिला (राज्य)):
6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):  
(a) Name (नाम): DILLIP KUMAR SAHOO  
(b) Father's Name (पिता का नाम): LATE. RAGHUNATH SAHOO  
(c) Date/Year of Birth (जन्म तिथि / वर्ष ): 1990 (d) Nationality (राष्ट्रीयता): INDIA  
(e) UID No. (यूआईडी सं.):  
(f) Passport No. (पासपोर्ट सं.): Date of Issue (जारी करने की तिथि):  
Place of Issue (जारी करने का स्थान):  
(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)  
S.No. (क्र.सं.) Id Type (पहचान पत्र का प्रकार) Id Number (पहचान संख्या)  
1  
(h) Address (पता):  
S.No. (क्र.सं.) Address Type (पता का प्रकार) Address (पता)  
1 Present Address DEPUTY DIRECTOR OF MINES ,KHORDHA ,KHURDA,  
KHURDA,ODISHA,INDIA  
2 Permanent Address NOT NOTED ,KHURDA,ODISHA,INDIA

True copy attested


COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA

(i) Occupation (व्यवसाय):

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-8458028890

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

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	JUGAL KISHORE MISHRA			1. EX-TAHASILDAR TANGI, TANGI, KHURDA, 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 (संपत्ति श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value (In Rs/-) (मूल्य (रु में))
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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.05.05.2025 RECEIVED A LETTER FROM DEPUTY DIRECTOR OF MINES I/C KHORDHA VIDE LETTER NO- 981 DT.05.05.2025 IN WHICH COMPLT. DILLIP SAHOO. S/O- RAGHUNATH SAHOO DEPURY DIRECTOR OF MINES I/C KHORDHA ALLEGED THAT THE SRI. JUGAL KISORE MISHRA EX-TAHASILDAR TANGI REGARDING IRREGULARITY IN SUPPLY OF Y FORM IN FAVOUR OF LESSEE HOLDER GIRIDHARI DAS OF BARIKIO LATERITE STONE QUARRY UNDER TANGI TAHASIL KHORDHA I.C.W O.A NO- 5/24/EZ OF NGT.

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: Rabindra kumar Bhujabal(I (Inspector)) / or (या) (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): 110093911335

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद):

No.( सं.): Mobile No.(मोबाइल सं.): 9437232780 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):

True copy attested



COLLECTOR & DISTRICT MAGISTRATE  
KHORDHA