

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA**

O.A. No.60/2025/EZ

Jhadeswar Pradhan Petitioner

-Versus-

State of Odisha & others Opposite Parties

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Cuttack
Date: 02.07.2025


Addl. Government Advocate



BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

OA No- 60/2025/EZ

Jhadeswar Pradhan

....Petitioner

-Vrs-

State of Odisha & Others

....Opp. Parties

COUNTER AFFIDAVIT FILED ON BEHALF OF THE
OPPOSITE PARTY NO- 3

I, Sri Manoj Satyawan Mahajan aged about 33 years,
S/o:- Sri Satyawan Shamrao Mahajan, at present serving as
Collector and District Magistrate, Sundargarh, At/Po/Dist:-
Sundargarh, do hereby solemnly affirm and state as follows:-

1. That I am the Opp. party No- 3 in the Original Application and have gone through the contents and purport thereof and has filed this Counter Affidavit for opp party No-3 being authorised for proper and effective adjudication of this case.
2. That the brief fact of the case in nutshell is that the villagers of Tendra being affected by the excess sand mining, obstruction of river, Mechanical Mining and transport of sand loaded heavy vehicles through their village road and through private plot bearing **Khata No.- 13, Plot No-3976** and there by damaging the cultivable land, road, causing inconvenience, environmental pollution, health hazards and disrupting the public order for which filed this Application before this Hon'ble

Manoj
Collector & District Magistrate
Sundargarh



Tribunal u/s 14 & 15 read with Section 18 of the NGT Act with a prayer to initiate proceeding against the private parties i.e Respondent No-6 through violation of the condition of operation.

3. That it will not be out of place to mention here that on 04.04.2025 while considering the prayer of the applicant this Hon'ble Tribunal has been pleased to issue notice to the Respondents and also passed an order to constitute a committee comprising of the following members

1. **Sri Abhimanyu Majhi, OAS (S), Additional District Magistrate, Sundargarh,** representing Collector & District Magistrate, Sundargarh.
2. **Dr. A. K. Mallick, Addl. Chief Environmental Scientist & Regional officer,** Regional Office, Rourkela
3. **Dr. Pradepta Kumar Nayak, Sr. Scientist** from State Environmental impact Assessment Authority (SEIAA), Odisha.

The committee was also accompanied by the members like **Sri Bimbadhar Sethi, Deputy Director of Mines, Rourkela,** representative of Koira Circle and **Sri Sambit Dash, (OAS), Tahsildar, Bonai** and jointly inspected M/s Tendra Sand Bed-II, Bonai, Sundargarh to ascertain the allegations made against the Sand Bed unit. On 02.05.2025 the Committee visited the site and also discussed with the husband of the lessee Mr Karunakar Sahoo and came to a conclusion that the bed site is

Abhimanyu Majhi
Collector & District Magistrate
Sundargarh



situated over the plot No- 149/P and 151/P in Khata No- 1, Kissam-Nadi and Mouza- Brahmani Nadi (Kha) (Tendra) over an area of 5.00 hector or 12.35 acer under Bonei Tahasil of Sundargarh district. The sand unit has not been provided environmental display board in respect to air and water and there is no source of withdrawal of water for irrigation, drinking water and other industrial purpose near the mining lease area as observed during the inspection and also no natural dunes observed within the ML area. It is also ascertained that certain deviation in carrying out the mining outside the lease area which disturbed the flow pattern of the river. In this regard the committee as constituted vides order dtd. 04.04.2025 has submitted a report along with the details of data which is enclosed herewith as **Annexure-A** for kind perusal.

4. That it is also noteworthy to mention here that the State Pollution Control Board, Orissa also inviting the reference in respect of the operation of the mining lease area, it is clearly observed that the application for renewal of consent to operate could not be considered due to persisting violation of the conditions as per the amended Rules, hence the same is rejected vide its letter No- 2448 dtd. 05.05.2025.

The copy of the letter No- 2448 dtd. 05.05.2025 is annexed herewith as **Annexure-B** for kind perusal.

D. S. Jais
Collector & District Magistrate
Sundargarh



5. That the in response to the averments made in the OA, it is appropriate to mention here that the Respondent No- 12 being the lessee for extracting sand from the schedule ML Area has executed the work for extraction of sand prior to that she has got the clearance from the appropriate authority but subsequently the same has been violated and some essential conditions have been violated which has been clearly reflected in the joint inspection report annexed to this Counter Affidavit. The Grounds as stated in the OA are not all convincing but however after thorough inspection of the spot some of the deviations have been noticed by the committee which is enclosed herewith for kind reference.
6. That it is respectfully submitted here that the committee also recommend for compliance of certain modalities and also suggest for imposition of penalty towards the environmental compensation which needs to be recovered from the lessee i.e Respondent No- 12.
7. That it is appropriate to mention here that while the constituted committee has visited the spot i.e tenders and bed No-II Tendra, Bonaigarh, Sundargarh on 02.05.2025, the work was not in process due to closure of lifting of sands, however after careful consideration of the situation and the available relevant records it is opined that there is a violation in the process of execution of the work in the lifting of sand from the schedule river bed.
8. That the respondent reserves rights to file additional affidavit if required for the just decision of the case.

Mubjan
Collector & District Magistrate
Sundargarh



9. That the facts which are not specifically denied are deemed to have been denied and further the Respondent No-3 craves leave of this Hon'ble Tribunal to submit the additional facts if necessary, for the proper and effective adjudication of the issues.
10. That the Original Application as such is not maintainable either in fact or in law which is liable to be dismissed at the threshold in the interest of justice.
11. That the facts stated above are all true to the best of my knowledge and belief.

Kolkata

Date

Prabhat
Deponent
Collector & District Magistrate
Sundargarh

CERTIFICATE FOR CARTRIDGE PAPER

Certified that due to non-availability of cartridge papers the petition has been typed out in thick white papers.

Cuttack

Date

Advocate



Before SMT. PRAVATI JOSHI
NOTARY, SUNDARGARH

AFFIDAVIT

I, Sri Manoj Satyawan Mahajan aged about 33 years,
S/o:- Sri Satyawan Shamrao Mahajan, at present serving as
Collector and District Magistrate, Sundargarh, At/Po/Dist:-
Sundargarh, do hereby solemnly affirm and state as follows:-

1. That I am the Respondent No. 03 in this case
and duly authorised to swear this affidavit on
behalf of the other Respondents.
2. That the facts stated above are all true to the
best of my knowledge and beliefs.

Identified by

Advocate

Deponent

Collector & District Magistrate
Sundargarh

deponent(s) being personally known
to me Solemnly Affirmed and
Declared the truthness of the contents

Smt. Pravati Joshi, Notary
Sundargarh, Govt. of Odisha
REGD. No. ON-08/2018



CERTIFICATE

That due to non-availability of cartridge papers
this petition has been typed in thick white
papers.

Kolkata

Date

Advocate

Smt. Pravati Joshi, Notary
Sundargarh Govt. of Odisha
REGD No. ON-08/2018
EXP. ONDT- 21/11/2028

SI. No. 1979... Date. 11/11/2025



	ଜିଲ୍ଲାପାଳ ଓ ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ୍ କ୍ଷେତ୍ର କାର୍ଯ୍ୟାଳୟ, ସୁନ୍ଦରଗଡ଼ OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, SUNDARGARH (JUDICIAL SECTION) E-mail: dm-sundargarh@nic.in , djudicialang@gmail.com , FAX-06622-273166, PIN-770001	
	No.1566	Date. 06.04.2025

ORDER

In pursuance of order dated 04.04.2025 in Original Application No.60/2025/EZ filed before the Hon'ble National Green Tribunal, Eastern Zone bench, Kolkata, the committee has been constituted comprising the following members:

1. Additional District Magistrate, Revenue, Sundargarh (Representative of Collector & District Magistrate, Sundargarh)
2. Senior Scientist, RO, SPCB, Rourkela
3. Member, State Environment Impact Assessment Authority (SEIAA), Odisha
4. Deputy Director of Mines, Koira Circle
5. Tahasildar, Bonai

The committee will visit the site in question & submit its inspection report to the undersigned within four weeks unflinching with regard to the allegation made in the original application.

Mahajan
Collector, Sundargarh

Memo No.1567/Judl

Date: 06.04.2025

Copy to Officers concerned for information & necessary action. Addl. District Magistrate (Revenue), Sundargarh is requested to fix a date for inspection by the committee to the site in question with in stipulated time frame.

Copy to Member Secretary, SEIAA, Odisha for information & necessary action. He is requested to depute a representative for the aforesaid purpose.

True Copy attested
Kefw
30/06/25

Assistant Collector Judicial
Collectorate, Sundargarh

Mahajan
Collector, Sundargarh



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Annexure

E-mail: rospcb.rourkela@ospceboard.or
Website: www.ospceboard.or

STATE POLLUTION CONTROL BOARD, ODISHA
DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA)
REGIONAL OFFICE, ROURKELA

At-Near Hockey Chowk, P.O.-Panposh, Rourkela, Dist-Sundargarh-769004

1405
21/05/25

No. 2674...../

Date..20.05.2025

From

Dr. Anup Kumar Mallick,
Addl. Chief Env. Scientist & Regional Officer

To

The Collector & District Magistrate,
At/PO/Dist- Sundargarh

Sub: Submission of enquiry report of the joint committee vide Case No. 60/2025/EZ filed before NGT, Eastern Zone Bench, Kolkata.

Ref: Order No. 1566 dtd 06.04.2025 of office of Collector & District Magistrate, Sundargarh

Sir,

In inviting reference to the subject and reference cited above, it is to intimate that a M/s Tendra Sand Bed-II, Tendra, Bonai, Sundargarh was jointly inspected on dtd, 02.05.2025 by the joint committee comprising of Additional District Magistrate, Sundargarh, Senior Scientist, SEIAA, Regional officer, SPCB, Odisha, Rourkela, Deputy Director of Mines, Rourkela & Tahsildar, Bonai. The joint committee has visited the alleged site of Tendra Sand Bed-II draft joint inspection report is submitted for finalization of same. This is for your information and necessary action.

Yours faithfully,

Encl: - As Above

Regional officer

Memo No. 2675..... Dtd. 20/05/2025

Copy forwarder to Member Secretary, State Pollution Control Board, Odisha-12 for kind information

Regional officer

Memo No. 2676..... Dtd. 20/05/2025

Copy forwarder to Legal Consultant/Sr. Law Officer, Legal Cell, State Pollution Control Board-12, Odisha for kind information.

Regional officer

True copy attested

Kashw
30/06/25
Assistant Collector Judicial
Collectorate, Sundargarh

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**REPORT OF COMMITTEE CONSTITUTED BY HON'BLE NGT (EZ), KOLKATA
VIDE ORDER DATED 04-04-2025 IN O.A. NO. 60/2025/EZ ON
M/s TENDRA SAND BED-II, TENDRA, BONAIGARH, SUNDARGARH (ODISHA)**

Eastern Zone Bench, Kolkata of Hon'ble National Green Tribunal constituted a committee with the following personnel vide order dated 04-04-2025 in O.A. No. 88/2020/EZ filed by Sri Jhadeswar Pradhan,

1. **Sri Abhimanyu Majhi, OAS (S), Additional District Magistrate, Sundargarh,** representing Collector & District Magistrate, Sundargarh.
2. **Dr. A. K. Mallick, Addl. Chief Environmental Scientist & Regional officer,** Regional Office, Rourkela representing Sr. Scientist from Odisha State Pollution Control Board.
3. **Dr. Pradeepta Kumar Nayak, Sr. Scientist** from State Environmental impact Assessment Authority (SEIAA), Odisha.

The committee was also accompanied by the following members to ascertain the fact raised in OA No.60/2025/EZ.

4. **Sri Bimbadhar Sethy, Deputy Director of Mines, Rourkela,** representative of Koira Circle.
5. **Sri Sambit Dash, (OAS), Tahsildar, Bonai.**

The Committee as per the order was jointly inspected M/s Tendra Sand Bed-II, Tendra, Bonai, Sundargarh to ascertain the allegation made against the same bed unit and submit its report with regard to the allegations made in the original application. The Committee members conducted a site visit on dtd.02.05.2025 and discussed with the husband of Lessee Mr. Karunakar Sahu. The observations and findings of the joint committee members are mentioned below based on the order of Hon'ble NGT.

Consent Status of the unit: -

The unit has obtained Consent to Operate for excavation of minor mineral sand 1st year @30,000 cubic meter and 2nd year @7,500 Cubic meter from Board vide its letter No.13 dtd.02.01.2024 which was valid up to 31.03.2025. Further the unit was applied for grant of consent to Operate (renewal) beyond 31.03.2025 and the online application was refused for the year 2025-26 vide Board's letter No.2448 dtd. 05.05.2025 due to noncompliance to the special condition of CTO order observed during inspection on dtd.02.05.25 by the officials of Board and non-submission of requisite information and documents. **Copy of the same is enclosed for reference as Annexure-I.**

True Copy attested
KSPW
20/06/25
Assistant Collector Judicial
Collector, Sundargarh

Compliance status of Environmental Clearance conditions on Paragraph no. 10 to 20:

- i. There is a provision in Parivesh Portal 2.0 for uploading compliance report of EC condition but the project proponent has not uploaded the half yearly EC compliance in Parivesh Portal 2.0 rather to submitted EC compliance as an attachment during amendment of EC application only.
- ii. In the EC compliance report, the PP has mentioned that the boundary demarcation has been done in presence of Mining Department and Revenue Dept. but in the filed visit it is observed that there was no boundary pillar posting around the area. The lease holder has informed the joint committee that the pillar posting has been removed and taken by the local villagers.
- iii. In the EC compliance report, the PP has not mentioned the quantity of sand extracted from source in year-wise against the approved quantity in EC, Mining Plan & CTO and also not furnished the depth of mining during quarry operation.
- iv. In this case, the project proponent (PP) has submitted the replenishment study report to SEIAA, Odisha through online Amendment of EC application vide application no. SIA/OR/MIN/516323/2024 dated 27/12/2024 has been placed in 196th SEIAA, Odisha meeting held on 19.04.2025 and after detailed deliberation, the authority decided to reject the amendment of EC as recommended by SEAC as Annual Rate of Replenishment Study (ARRS) report was not done as per MoEF & CC, Govt. of India. Further, the project proponent (PP) has submitted a fresh Amendment of EC application to SEAC based on replenishment study report vide online application no. SIA/OR/MIN/532368/2025 dated 01.04.2025 which is under consideration of SEAC.
- v. The District Administration has submitted only the revised DSR vide application no. SIA/OR/MIN/516323/2024 dated 27.12.2024 for Dolomite (Specified Minor Mineral) of Sundargarh District for approval of SEAC & SEIAA but no other DSR of Sand, Stone, Morrum & Brick Earth has yet to submitted to SEAC & SEIAA approval.
- vi. The PP has obtained Consent to Establish (CTE) obtained from SPCB, Rourkela vide letter no. 5327 dated 22.12.2023 and Consent to Operate (CTO) has been obtained vide letter no. 13 dated 02.010.2024.
- vii. There was excess mining of quantity of sand **5399.45 cum** out side of the lease area was observed during joint visit.

Over all observation made by the Committee as mentioned below:

True copy attested
K. S. J.
25/10/25
Assistant Collector Judicial
Collectorate, Sundargarh

- The Sand bed is situated over plot no. 149/P & 151/P of khata no. 1, Kisam – Nadi, Mouza- Bramhani Nadi Kha (Tendra) over an area 5.00 ha or 12.35 Acre under Bonai Tahsil of Sundargarh District.
- During joint team inspection it was observed that no mining activity going on at the alleged site. As intimated by the Lessee the mining operation was stopped since 31.03.2025.
- During inspection there was no deployment of Hyvas or any other mechanical equipment's for mechanical mining.
- There was no transportation of sand was observed during inspection.
- The sand bed unit has conducted sand replenishment study for pre-monsoon and post monsoon for the year 2024 and submitted to this office with a copy on dtd.27.03.2025 **Copy of the same is enclosed for reference (Annexure-II).**
- The industry has not provided any dust suppression measures for control of dust generated during transportation of heavy vehicles.
- The sand unit has not provided environmental display Board for display environmental information with respect to air, water etc.,
- The approved EC quantity for 1st year is 30,000 Cum & 2nd year is 7500 Cum.
- There are no sources for withdrawal of water for irrigation, drinking water and other industrial purposes near the ML area as observed during inspection.
- There was no natural dunes observed within the ML area.
- During inspection it was observed that the lease holder has extracted sand outside the lease area approx. 5339.784 Cum.
- The lessee has extracted about 20616 cum sand in financial year 2024-25.
- The Leese has carry out mining outside the lease area and disturbing the flow pattern of river and photographs of the same is enclosed for reference.

Details calculations of sand mining outside the ML area as below;

Extracted sand outside the lease area.					
SI No.	Sections	Length in (Metre)	Width (Metre)	Height (Metre)	Volume in (Cum)
1	Section-1	48	37	0.9	1598.4
2	Section-2	45	67.5	0.9	2733.75
3	Section-3	41.05	40	0.65	1067.3

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 20/06/25
 Assistant Collector Judicial
 Collectorate, Sundargarh

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Total volume of sand	5399.45
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- Pillar posting not done and safety zone not maintained the lease holder.
- The unit has not conducted compensatory tree plantation with minimum @100 trees per Ha. Of lease area. Adequate plantation has not been conducted by the lessee.
- The unit has not obtained modified mining plan as the unit has conducted mechanical mining as intimated by the husband of Lessee.
- No steps has been taken for river bank stabilization which is leading to degradation of river bank.
- During joint team inspection it was observed that no mining activity going on at the alleged site. Therefore, ambient air quality monitoring in the area couldn't be conducted.
- The joint team also interact with few villagers of Tendra village namely Sri Janmenjay Sahu, Sri Duryodhan Sahu, Purushottam Pradhan, Lambodar Swain and Sri Lokanath Sahu were present during inspection. As stated by them no agricultural land was damaged by the abovesaid mine quarry. Further they stated that no dust pollution due to transportation activity during mining of abovesaid quarry.
- The photographs of joint committee visit were annexed as **Annexure-III**.
- The sand bed mine unit has conducted illegal mining on the outside mine lease area. The environmental compensation calculated as below are;

ASSESSMENT OF ENVIRONMENTAL COMPENSATION

- The committee has finalized the Environmental Compensation based on the methodologies formulated by the above-mentioned committee constituted in the

True Copy attested
Assistant Collector Judicial
Collectorate, Sundargarh

matter of Hon'ble NGT OA No. 360 of 2015.

- The environmental compensations shall be calculated based on the following formula;
- As per recommendation of the committee constituted in the matter of Hon'ble NGT OA No. 360 of 2015 on dt.30.01.2020, since the risk categorisation is unavailable, following Risk Factor and Discount Rates may be considered:

Severity	Mild	Moderate	Significant	Severe
Risk Level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.0
Discount Rate	8%	7%	6%	5%

- NB:- In the present case Risk Factor is considered as 1.0.

Violation with respect to Quantity / Production: As observed during inspection the unit has carried out illegal mining outside the ML area.

EC Calculation:

Market Value of illegally Mined Material (D) : ₹ 763239.00
(As per report of Mining Officer, DDM Rourkela

Copy of same is annexed in Annexure-IV)

Risk Factor (RF) : 1

Annual Value of Foregone Ecological Values (D*RF) : ₹763239.00

Present Value (PV) of Foregone Ecological Values (@ 5% discount rate (r) and over 5 years) = ₹33,04,427.00

True Copy attested

K. P. W.
30/06/25
Assistant Collector Judicial
Collectorate, Sundargarh

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$$PV = \sum_{t=1}^5 \frac{(D * RF)}{(1 + r)^t}$$

$$= \sum (763239.00/(1+0.05)^1 + 763239.00/(1+0.05)^2 + 763239.00/(1+0.05)^3 + 763239.00/(1+0.05)^4 + 763239.00/(1+0.05)^5)$$

Net Present Value (after netting out market value of illegally mined material)

i.e., Total *Environmental* Compensation to be levied:

$$NPV = PV - D$$

$$= ₹25,41,188.00$$

Conclusion:

The Committee recommends that the alleged sand bed unit may be complied to take up following necessary compliance as per Hon'ble National Green Tribunal order.

1. The sand bed unit may be imposed environmental compensation as calculated by joint committee as about **Rs.25,41,188.00/- (Rupees Twenty-Five Lakhs Fourty One Thousand one hundred eighty-eight only)**. Hence Environmental Compensation may be recovered from the Lessee of M/s. Tendra Sand Bed-II.
2. The sand bed unit shall not conduct mining without prior obtaining Consent to Operate from Board and revised mining plan from concerned authority.
3. The project Proponent shall erect permanent pillar posting around the lease, if pillar posting is not possible in river bed, then it should be place in river embankment for identification of lease boundary.
4. Measure to be taken for safety of river embankment at entry point from River embankment to quarry area through river bed.
5. For safety of river embankment, plantation shall be done by project proponent as part of EC conditions.
6. Method of mining should be adopted as per the approved mining plan and EC & CTO conditions.

True Copy attached
 K. J. W.
 20/06/25
 Assistant Collector Judicial
 Collectorate, Sundargarh

S Dash

Sri Sambit Dash, (OAS), Tahsildar, Bonai

[Signature]

Dr. Pradeep Kumar Nayak,
Environmental Scientist,
State Environment Impact Assessment
Authority, (SEIAA), Bhubaneswar, Odisha

[Signature]

Sri Bimbadhar Sethi, Deputy Director of Mines,
Rourkela, representative of Koira Circle

[Signature]

Dr. A. K. Mallick, ACES & Regional Officer
State Pollution Control Board, Rourkela, Odisha

Deputy Director Mines
Rourkela

Regional Officer
S.P.C. Board, Rourkela

[Signature]

Sri Abhimanyu Majhi, OAS (S),
Additional District Magistrate, Sundargarh

True Copy attached

[Signature]
21/06/20
Assistant Collector Judicial
Collectorate, Sundargarh

SAND REPLENISHMENT STUDY REPORT For Year: 2024 (Brahmani River)

(As Per Enforcement & Monitoring Guidelines for Sand 2020, MoEF)

**(Use of UAV/Drone & other image data
processing techniques adopted)**

of

Tendra-II Sand Bed

**(Over 12.35 Acres/5.00 Hectares in Tendra village,
Under Bonai Tahasil of Sundargarh District, Odisha)**

Applicant

**Smt. Rashmi Rekha Sahu
At-Singsal , Po-Amgaon
Dist-Deogarh, Odisha-768110**

Report Prepared by

Zinu Sh. Sathua

RQP/OD/064/2016

DGCA Approved Drone Pilot

Certificate No. PC0622000005J



**Zinu Sh. Sathua
RQP/OD/064/2016**



ZEOTEK
MINING SOLUTIONS PVT LTD.

ISO 9001:2015 ISO/IEC 27001:2013

(ORSAC EMPANELLED AGENCY)

Jagamara, Bhubaneswar-751030

Contact-9439553684

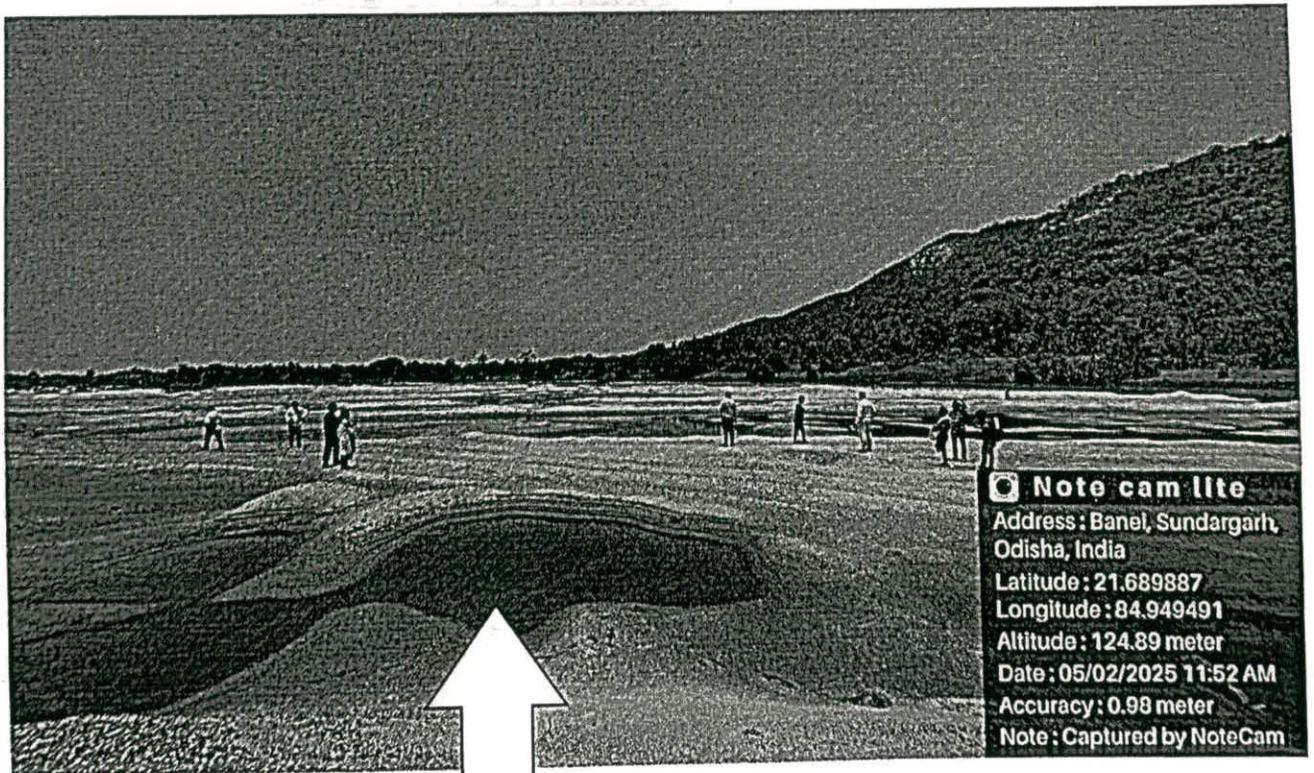
zeotekmining@gmail.com

February 2025

True copy attested

Karim
20/06/25
Assistant Collector Judicial
Collectorate, Sundargarh

Annexure-III

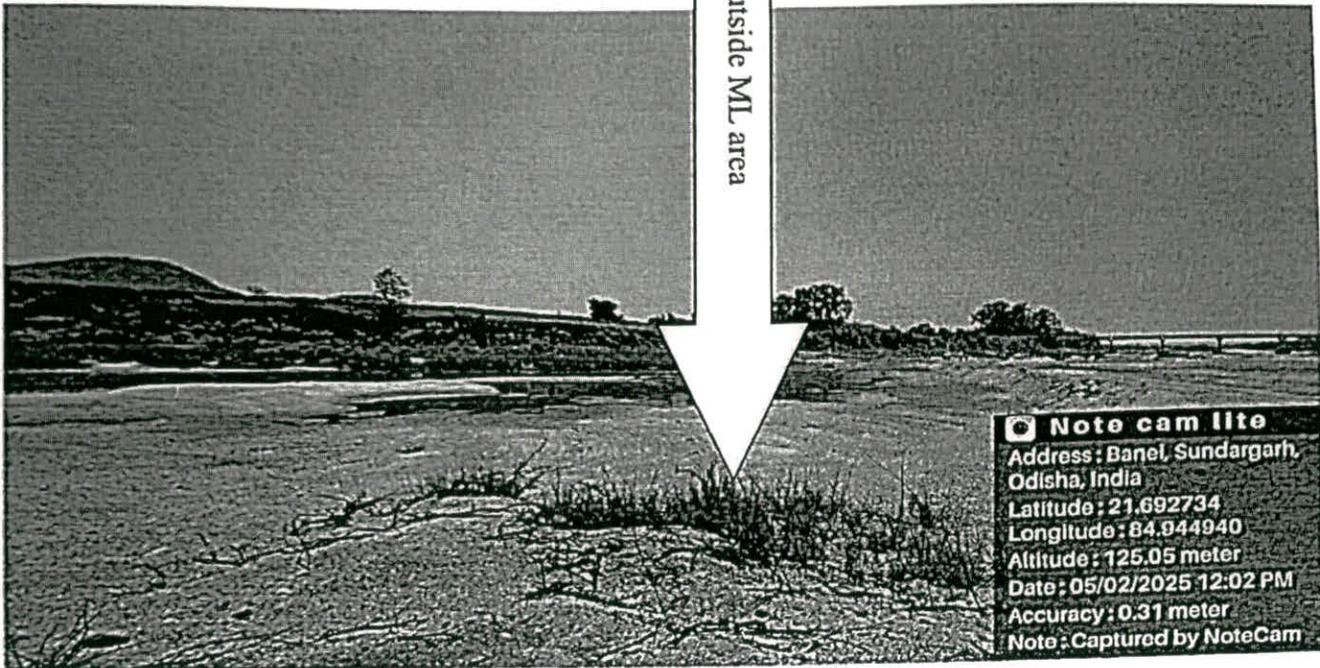


illegally
Mined are

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KJ/W
30/06/25
Assistant Collector Judicial
Collectorate, Sundargarh

-18-

Mining outside ML area



Note cam lite
 Address: Banel, Sundargarh, Odisha, India
 Latitude: 21.692734
 Longitude: 84.944940
 Altitude: 125.05 meter
 Date: 05/02/2025 12:02 PM
 Accuracy: 0.31 meter
 Note: Captured by NoteCam



Deoposh, Odisha, India
 Village Rd, Deoposh, Odisha 770044, India
 Lat N 21° 41' 23.982" Long E 84° 57' 1.35"
 02/05/25 11:27 AM GMT +05:30

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KJFW
 30/06/25
 Assistant Collector Judicial
 Collectorate, Sundargarh

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Assistant Collector Judicial
Collectorate, Sundargarh

-20-

STATE POLLUTION CONTROL BOARD, ODISHA
DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA)
REGIONAL OFFICE, ROURKELA
At-Near Hockey Chowk, P.O.-Panposh, Rourkela, Dist-Sundargarh-769004

No. 2448 Legal file-049 Date. 05/05/2025

To

Smt Rashmi Rekha Sahu, Lessee
M/s Tendra-II Sand Bed
At- Singsal, PO- Amgaon
Dist- Deogarh-768110

Sub: Refusal of Consent to operate u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 and as amended thereof and rules framed thereunder -reg

Madam,

In inviting reference to the subject cited above, it is to intimate that, you have applied for renewal of Consent to operate u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder vide application No. 6253799 Dtd 22.03.2025. During the processing of your application this office has received an order vide letter No 1566 dtd 06.04.2025 of O/o the Collector & District Magistrate, Sundargarh regarding the joint committee to visit the alleged site in pursuance to the order dated 04.04.2025 in original application No. 60/2025/EZ filed before the Hon'ble National Green Tribunal, East Zone Bench, Kolkata.

A joint visit was conducted at the alleged site on dtd 02.05.2025 and following non-compliances were observed,

1. You have not demarcated the lease hold area by pillar posting and safety zone has not been maintained.
2. You haven't provided Environmental Information Board regarding the information of Air, Water, CTO validity, Name of Lessee, Mining Lease, EC validity etc.
3. You have extracted sand outside the leasehold area with approximate volume of 5339.784 cum.
4. You are transporting the minerals through village roads without prior explicit permission.

Now therefore, after careful consideration of the situation and all other relevant records available in this office, your application for renewal of Consent to operate could not be considered with the persisting violation & hereby refused. You are directed not to operate the quarry without obtaining valid Consent to Operate from the Board.

Yours faithfully,

M. Mallick
85-05-25
Regional Officer

o/c

True Copy attached

Ksfw
30/06/24

Assistant Collector Judicial
Collectorate, Sundargarh

-21-

Memo No. 2449 Dtd. 05/05/2025

Copy forwarder to Collector & District Magistrate, Sundargarh for kind information.

Mallick
05-05-25
Regional officer

Memo No. 2450 Dtd. 05/05/2025

Copy forwarder to Divisional Forest officer, Bonai for kind information.

Mallick
05-05-25
Regional officer

Memo No. 2451 Dtd. 05/05/2025

Copy forwarder to Deputy Director of Mines, Rourkela for kind information.

Mallick
05-05-25
Regional officer

Memo No. 2452 Dtd. 05/05/2025

Copy forwarder to Legal Consultant, State Pollution Control Board, Odisha for kind information.

Mallick
05-05-25
Regional officer

True Copy attached

K. S.
30/06/25
Assistant Collector Judicial
Collectorate, Sundargarh