

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE
BENCH, KOLKATA,

ORIGINAL APPLICATION NO. OF 2025/EZ

(Under Section 18 read with Sections 14, 15 of National Green
Tribunal Act 2010)

IN THE MATTER OF:

Girija Prasad Patra

... Applicant

VERSUS

State of Odisha, And Ors

.....Respondents

INDEX

1-3

S.L No	Particulars	
1.	Synopsis	4
2.	List of dates	5-7
3.	Application	8-22
4.	Verification and Affidavit	23-24

5.	<p style="text-align: center;">ANNEXURE - 1</p> <p>A copy of the letter dated 05.08.21 and Form-O submitted with regards to Balada (Nainlo) Quarry is annexed herewith as ANNEXURE-1.</p>	25-30
6.	<p style="text-align: center;">ANNEXURE - 2</p> <p>A copy of the letter dated 13.07.22 is annexed herewith as ANNEXURE - 2</p>	31-35
7.	<p style="text-align: center;">ANNEXURE - 3</p> <p>A copy of the letter dated 01.10.22 is annexed herewith as ANNEXURE - 3</p>	36-42
8.	<p>ANNEXURE-4</p> <p>A copy of the Joint Enquiry dated 01.03.23 is annexed herewith as ANNEXURE - 4</p>	43-
9	<p>ANNEXURE- 5, 6 & 7</p> <p>Copy of the letter dated 04.03.23, letter dated 15.03.23 and letter dated 28.03.23 are annexed herewith as ANNEXURE-5, ANNEXURE-6 & ANNEXURE-7</p>	44-46
10	<p>ANNEXURE-8</p> <p>A copy of the letter dated 21.06.23 is annexed herewith as ANNEXURE-8</p>	47

11.	ANNEXURE -9 A copy of the letter dated 01.08.23 is annexed herewith as <u>ANNEXURE-9</u>	48
12.	ANNEXURE-10 A copy of the letter dated 30.11.24 is annexed herewith as <u>ANNEXURE-10</u>	49-52
13.	ANNEXURE-11 Copies of the representations are annexed herewith as <u>ANNEXURE-11</u> Series	53-60
14.	Copy of Amended EC Dated 12.06.2024 annexed herewith as <u>ANNEXURE-12</u>	61-63
15.	ANNEXURE-12 Copies of the Photographs of illegal mining using heavy machineries are annexed herewith as <u>ANNEXURE-13</u>	64-66
16.	Vakalatnama	67

Paushali Banerjee
Advocate
7A Kiron Shankar Roy Road
Kolkata-700001

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

ORIGINAL APPLICATION NO. OF 2025/EZ

(Under Section 18 read with Sections 14, 15 of National Green
Tribunal Act 2010)

IN THE MATTER OF:

Girija Prasad Patra

..... Applicant

VERSUS

State of Odisha, And Ors

..... Respondents



SYNOPSIS

That the Applicant States that your Applicant is a law abiding citizen of India permanently residing at the respective addressee mentioned in the cause title hereinabove. The applicant is interested in the protection of the environment and in protection of the right to a clean environment guaranteed to them by the Constitution of India under Article 21 and in performance of his duty under Article 51. It is submitted that the present application has been seeking appropriate directions to protect the Balada (Nainlo) Devi River running through the District of Cuttak and other areas within Odhisa from illegal sand mining being carried out by the private respondent

Paushali Banerjee

Advocate

7 A, Kiron Shankar Roy Road,
Kolkata - 700001

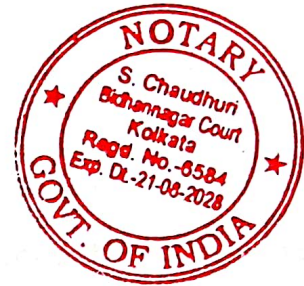
**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA,
ORIGINAL APPLICATION NO. OF 2025/EZ**

(Under Section 18 read with Sections 14, 15 of National Green Tribunal Act 2010)

IN THE MATTER OF:

Girija Prasad Patra

.... Applicant



VERSUS

State of Odisha, And Ors

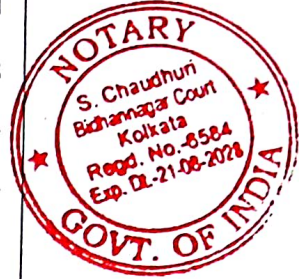
.....Respondents

LIST OF DATES

1.	05.08.21	Environmental clearance granted for a period of 5 years for sand mining activity at Balada (Nainlo) Sand Quarry lying at Devi River at Village Balada under Kantapada Tahasil over an area of Ac. 12.00 or 4.85 Ha
2.	17.07.2022	The private respondent being the successful bidder under the provisions

		of OMMC Rules, 2016 had filed an application for transfer of EC granted by State Environment Impact Assessment Authority Odisha, Bhubaneswar (SEIAA) in its favour pursuant to which the Tahasildar, Kantapada had requested SEIAA to transfer the EC in favour of the private respondent
3.	28.02.2023	on a complaint received regarding illegal and excess mining, a joint enquiry was conducted by a team comprising of Tahasildar, Kantapada, Deputy Director of Mines, Cuttack, Geologist Cuttack amongst others on 27.01.23 which submitted its report dated 28.02.23 wherein it was concluded, upon survey, that the private respondent has excavated approximately 38078 m ³ of sand which is beyond the limit
	12/04/24	That inspite of the fact that penalty was imposed on the private respondent for illegal extraction of sand, the Environmental clearance was amended based on the replenishment study done by M/s Geomac Solutions

		<p>amended based on the replenishment study done by M/s Geomac Solutions Pvt Ltd that envisaged quantity of sand replenished is 22009 cum, it was recommended and stipulated that only 22009 cum is the maximum quantity of sand that can be extracted.</p>
	<p>9/12/24 & 29/12/24</p>	<p>That the aggrieved villagers submitted representations stating the fact that the illegal sand mining is causing flood destroying the property and lives of innocent villagers. The villagers also submitted that the private respondent is mining illegally in excess of 22009 cum sand as specified in the EC and outside the designated plot throughout the day by using heavy machines and illegally transporting sand through the narrow embankment road of the village. Till date no action taken by the respondent authorities</p>



BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA,

ORIGINAL APPLICATION NO. OF 2025/EZ

(Under Section 18 read with Sections 14, 15 of National Green Tribunal Act 2010)

IN THE MATTER OF:

Girija Prasad Patra, Brahmanbati, P.O. Badamulai, P.S. : Gobindpur,

Town/District : Cuttack, Odisha -754018

.....APPLICANT

VERSUS

1. State of Odisha, represented through the Additional Chief Secretary to Govt. of Odisha, Forest Environment and Climate Change Department, Kharavel Bhavan, Bhubaneswar, District : Khordha, PIN – 751001, Email – fsec.or@nic.in
2. Collector & District Magistrate, Cuttack, At/P.O./District : Cuttack.
PIN – 753002, Email – dm.cuttack@nic.in
3. Tahasildar Kantapada, At/P.O. Kantapada, P.S. Olatpur, District :
Cuttack Collectorate, PIN–754018,
Email–tahasildarkantapada@gmail.com
4. Deputy Director of Mines, Cuttack, At/P.O./District : Cuttack.
PIN – 754021, Email – mo.cuttack@orissaminerals.gov.in
5. Odisha State Pollution Control Board, through the Member Secretary, Paribesh Bhawan, A/118, Nilkantha Nagar, Unit – VIII, Bhubaneswar, Odisha, PIN – 751012, Email – member.secy@ospcboard.org
At/P.O./District : Cuttack.





6. State Environment Impact Assessment Authority, through the Member Secretary Odisha, SRF – 2/1, Acharya Vihar, Unit – IX, OPTCL Colony Ananda Bazar, Bhoi Nagar, Bhubaneswar, Odisha, PIN – 751022, Email – ms-seiaaor@gov.in

7. M/s. Suryavanshi Earth Movers, Represented through its Managing Partner, Mr. Bibekananda Dash, Office, At-Sibanarayanpur, P.O/District- Keonjhar, PIN – 758022.

THE HUMBLE APPLICATION OF THE APPLICANT ABOVENAMED

MOST RESPECTFULLY SHOWETH:

1. THAT the address of the Applicants is as given above for the service of notice of this Application.
2. THAT the addresses of the Respondents are as given above for the service of notice of this Application.
3. THAT the Present Application is being filed Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act 2010 (hereinafter, the 'NGT



Act') by the aggrieved persons, being person interested in the protection of the environment and ecology.

4. That the Applicant States that your Applicant is a law abiding citizen of India permanently residing at the respective addressee mentioned in the cause title hereinabove. The applicant is interested in the protection of the environment and in protection of the right to a clean environment guaranteed to them by the Constitution of India under Article 21 and in performance of his duty under Article 51. It is submitted that the present application has been seeking appropriate directions to protect the Balada (Nainlo) Devi River running through the District of Cuttak and other areas within Odhisa from illegal sand mining being carried out by the private respondent.

5. BRIEF FACTS OF THE CASE:

(a) The Tahasildar, Kantapada, being the lease granting authority, had applied to the State Environment Impact Assessment Authority Odisha, Bhubaneswar (SEIAA) for grant of Environmental Clearance (EC). Accordingly SEIAA submitted the appraisal report and recommended for grant of EC vide its letter dated 02.07.21. Thereafter State Environment Impact Assessment Authority Odisha, Bhubaneswar (SEIAA) vide its letter dated 05.08.21 granted Environmental Clearance for a period of 5 years for sand mining activity at Balada (Nainlo) Sand Quarry lying at Devi River at Village Balada under



Kantapada Tahasil over an area of Ac. 12.00 or 4.85 Ha. The OP.No.7 has further submitted a form-O under rule 28(4) of the Odisha Minor Mineral Concession Rule 2016 wherein it is clearly declared at para-10 that the mining shall be done by open cast pit manual method and transportation would be undertaken through dumper and tractor. It is further prescribed therein that extraction and loading of sand into truck and tractor will be done by manual means.

A copy of the letter dated 05.08.21 and Form-O submitted with regards to Balada (Nainlo) Quarry is annexed herewith as ANNEXURE-1

b) It is relevant to state that amongst other conditions, one of the primary stipulated condition as mentioned in clause 9.2 was that in the first year i.e. before the rainy season of 2022, the extraction of sand **shall not** exceed 25000 Cum.

c) The private respondent being the successful bidder under the provisions of OMMC Rules, 2016 had filed an application for transfer of EC granted by State Environment Impact Assessment Authority Odisha, Bhubaneswar (SEIAA) in its favour pursuant to which the Tahasildar, Kantapada had requested SEIAA to transfer the EC in favour of the private respondent. Accordingly the SEIAA vide its letter dated 13.07.2022 had approved transfer of EC in favour of the OP.No.7. It is relevant to state that the condition with regard to quantity of

extraction of sand as mentioned in Clause 9.2 in the letter dated 05.08.21 under Annexure-1 was also stipulated in letter dated 13.07.22 in Clause 3.

A copy of the letter dated 13.07.22 is annexed herewith as **ANNEXURE - 2**.

d) The Respondent No.6 - State Pollution Control Board vide its letter dated 22.09.22 had granted the Consent to Operate in favour of the private respondent. Thereafter vide its letter dated 01.10.22, Respondent No. 7 granted Consent to Operate as stipulated under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 in favour of the Respondent No.7, with conditions stipulated therein, which is valid till 31.03.2025. The consent was granted by the State Board at Village Balada (Plot No. 128 of Khata No. 331, lease hold area of 12 Acres (4.85 Ha.) Kisam Nadi, P.S.: Gobindpur, Tahasil – Kantapada, District: Cuttack, Odisha.

A copy of the letter dated 01.10.22 is annexed herewith as **ANNEXURE-3**.

e) As the matter stood thus, on a complaint received regarding illegal and excess mining, a joint enquiry was conducted by a team comprising of Tahasildar, Kantapada, Deputy Director of Mines, Cuttack, Geologist Cuttack amongst others on 27.01.23 which submitted its report dated 28.02.23 wherein it was concluded, upon survey, that the private respondent has excavated approximately 38078 m3 of sand which is beyond the stipulated

condition as mentioned in clause 9.2 i.e. the extraction of sand shall not exceed 25000 Cum.

A copy of the Joint Enquiry dated 01.03.23 is annexed herewith as ANNEXURE - 4

f) Pursuant to the above, the Tahasildar, Kantapada, vide its letter dated 04.03.23 directed the private respondent to stop the quarry operation until further orders. Thereafter vide letter dated 15.03.23, the Tahasildar, Kantapada intimated the private respondent to deposit a sum of Rs. 38,38,814/- which included the Royalty, Additional charge, DMF, EMF and penalty s per the OMMC Rules,2016 owing to the excess sand mining within a week with a direction to obtain revised mining plan for operation. In spite of the above letter, the private respondent did not make the deposit for which a reminder was issued vide letter dated 28.03.23 by the Tahasildar, Kantapada to deposit the same by end of March 2023.

Copy of the letter dated 04.03.23, letter dated 15.03.23 and letter dated 28.03.23 are annexed herewith as ANNEXURE-5, ANNEXURE-6 & ANNEXURE-7 respectively.

g) The OR No 7 deposited only an amount of Rs. 8,00,000/- for which the Tahasildar, Kantapada, vide its letter dated 21.06.23 directed the private respondent to deposit the balance amount within a week.

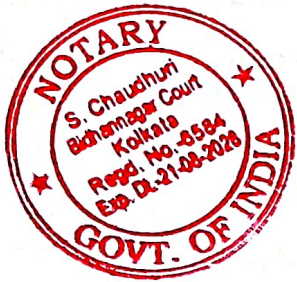
A copy of the letter dated 21.06.23 is annexed herewith as **ANNEXURE-8**.

h) Thereafter on receipt of public petitions, a joint enquiry was again conducted on 28.06.23 and a report was submitted on 04.07.23 wherein surprisingly, the excess amount of sand extracted was limited to 2078 cum as 11,000 cum of sand was used in that road. Accordingly recalculation was done and the private respondent was called upon to deposit an amount of Rs. 2,30,514 (balance amount after deducting Rs. 8,00,000/- already paid).

A copy of the letter dated 01.08.23 is annexed herewith as **ANNEXURE-9**.

i) The Applicant submits that the conditions of the Environmental clearance dated 05/08/2021 stipulates as follows:

9.1 "The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year

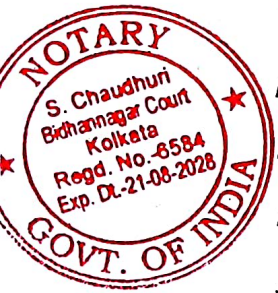


i.e. after 15hOctober,2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand is obligatory for the project proponent.

9.3 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.

9.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.

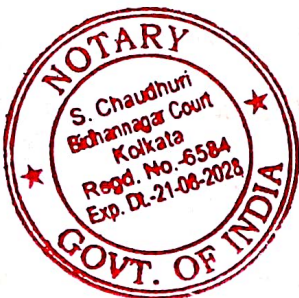
9.11. *No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately*



increasing the carrying capacity of such roads Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools temples, hospitals and such other public places only with prior written permission of competent authority.

9.12. Vehicles hired for transportation of sand from the site-should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and *should be operated only during non-peak hours.*

The Applicant submits that these clauses and conditions regulate the plying of vehicle within the villages/habitations/forest land are the conditions laid down in the Environmental Clearance in the manner in which it is to be done. However the private respondent is possibly hand in glove with the state authorities and are openly flouting the conditions of the Environmental Clearance and continuing with the illegal mining as well as transportation of the same which is illegal and arbitrary.



j) That the petitioners most humbly and respectfully submits that the lessee of the Balada (Nainlo) Sand Quarry in utter disregard to the mining plan have been engaging heavy machinery / excavator and using mechanized means for loading of the sand into multi axle heavy vehicles though it is settled position that the loading shall be done manually and only tractors and trucks are to be engaged for the purpose of transportation from the sairat source.

k) Pursuant to a joint enquiry, a report was submitted on 04.07.23 whereby surprisingly, the excess amount of sand extracted was limited to 2078 cum as 11,000 cum of sand was used in that road. In this regard it is submitted that it is well settled a law that in case of mining of minor minerals, the project proponent has to utilize the extracts only for the purpose for which it has been extracted and no other ancillary purpose. In the present case, possibly, the private respondent, in order to escape/reduce the liability towards penalty and additional cost has made an attempt to camouflage the total amount extracted by utilizing the minerals for the road which in itself is illegal.

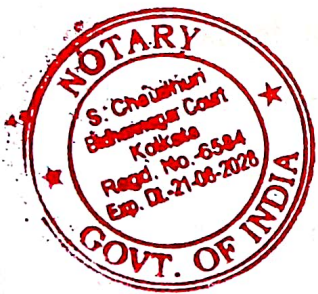
l) That inspite of the fact that penalty was imposed on the private respondent for illegal extraction of sand, the Environmental clearance was amended on 12/06/24 based on the replenishment study done by M/s Geomac Solutions Pvt Ltd that envisaged quantity of sand replenished is 22009 cum, it was recommended and stipulated that only 22009 cum is the maximum quantity of sand that can be extracted, conditions of the original EC remaining the same. Copy of the Amended EC is annexed herewith and marked as annexure 12.

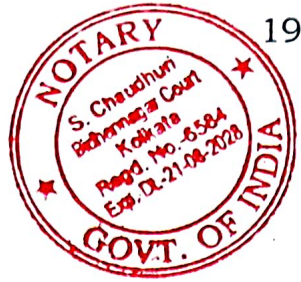
m) That the villagers submitted several written representations before the respondent authority to bring forth the illegal operation of the sand mine by the private respondent and the fact that illegal mining is causing flood destroying the property and lives of innocent villagers, moreover illegal plying of heavy machineries and trucks, causing difficulties for the villagers for which the local Sarpach of Jharapada Grama Panchayat made a representation to the Hon'ble Chief Minister and various other state authorities.

A copy of the letter dated 30.11.24 is annexed herewith as ANNEXURE-10.

n) That the aggrieved villagers submitted representations dated 9/12/24 and 29/12/24 stating the fact that the illegal sand mining is causing floods destroying the property and lives of innocent villagers. The villagers also submitted that the private respondent is mining illegally in excess of 22009 cum sand as specified in the EC and outside the designated plot through out the day by using heavy machines and illegally transporting sand through the narrow embankment road of the village. The villagers approached various state authorities ventilating their grievances about the illegal plying of vehicle and pollution caused thereof, but till date there is no relief is granted, no action is taken by the respondent authorities.

Copies of the representations are annexed herewith as ANNEXURE-11
Series





j) That there is no other alternative legal remedy and the remedy sought for herein would be adequate full and complete.

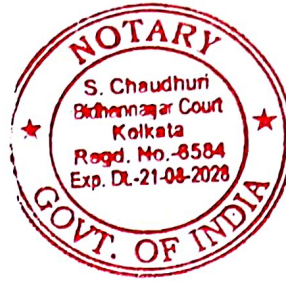
k. The balance of convenience lies in favour of the Applicant and the Applicant shall suffer irreparable loss and injury if the relief as prayed before this Hon'ble Tribunal is not granted.

6. GROUNDS :

i. For that owing to the illegal operation of the sand mine and illegal plying of heavy machineries and trucks, the villagers faced lot of difficulties in their day to day living as well as environmental hazards, including air and water pollution, and hence warrants interference of this Hon'ble Court.

ii) For that the private respondent have excavated approximately 38078 m³ of sand which is beyond the stipulated condition as mentioned in clause 9.2 i.e. the extraction of sand shall not exceed 22009 cum which in itself is illegal and goes beyond the scope of lease agreement as well as the Environmental Clearance for which the private respondent is liable to be held responsible.

iii) For that The respondent authority failed to appreciate that e private respondent is engaging heavy multi axle vehicles for transportation of sand,



(Mines & Minerals) from the sairat source by using village road, which is not equipped to bear such traffic and neither same is permitted under the rules;

iv) For that though the sairat source is in village Balada which is in the district of Cuttack but there is no road for said source and the private respondent is using the road through Nainlo in the District of Jagatsinghpur creating danger to the only narrow village embankment road

v) For that the respondent authorities failed to address the grievances of the aggrieved villagers who submitted representations dated 9/12/24 and 29/12/24 stating the fact that the illegal sand mining is causing flood destroying the property and lives of innocent villagers. The villagers also submitted that the private respondent is mining outside the designated plot through out the day by using heavy machines and illegally transporting sand through the narrow embankment road of the village

vi). FOR THAT the acts and conducts of the respondent authorities are arbitrary, malafide and vexatious inasmuch as in violation to the guidelines provided by the MoEF&CC in the Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020.

viii. FOR THAT the manner, in which the Respondent authorities have deliberately abused their respective delegated powers by indiscriminate river

sand mining directly, influences the shape of the riverbed. This often results in many indirect and cumulative effects on the physical characteristics and the dynamic equilibrium of erosion and sedimentation of a river, and will cause an adverse impact over the ecological balance. Copy of the Photographs of illegal mining using heavy machineries is annexed herewith and marked as **Annexure – 13**.

7. LIMITATION

The Applicant declares that the cause of action in the instant case, accrues and continues from day-to-day, Such cause of action is renewing on a day-to-day basis and as such the question of applicability of the limitation prescribed in Section 14 (3) of the National Green Tribunal Act, 2010 does not arise.

8. INTERIM RELIEF:

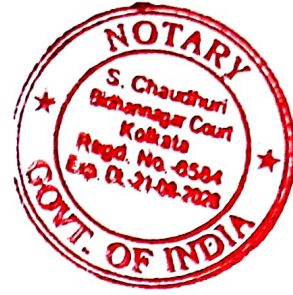
Pending disposal of the application, under the circumstances as aforesaid the applicant most humbly prays before this Hon'ble Tribunal may be pleased to:

- 1a. Direct the Private Respondent to Stop extracting sand from village Balada, Plot No. 128 of khata No. 331, Tahasil- Kantapada, P.S. Gobindapur, District Cuttack, Odisha till the disposal of this Application.
- 1b. And such further order or orders as may be fit proper and necessary in the facts and circumstances of the case.

9. PRAYER

In view of the above facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- A. Direct the respondent authorities to conduct a spot enquiry along with an expert team to redress the grievances of the villagers
- B. Direct the respondent authorities to restrain the private respondent from extracting sand from village Balada, Plot no.128 of khata No.331, Tahasil- Kantapada, P.S. Gobindapur, District Cuttack, Odisha
- C. Direct the Respondent Authorities to restrain the private respondent from using the village road for illegal transportation of sand.
- D. Any other order/s as this Hon'ble Tribunal may deem fit & proper.



BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS

VERIFICATION

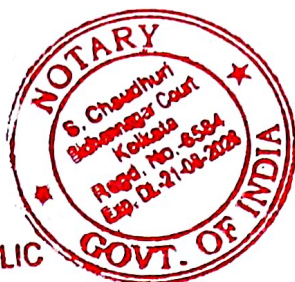
I, Girija Prasad Patra, Son of Gokulchandra Patra, aged about 49 years,
by occupation- Business; residing at Brahmanbati, P.O. Badamulai, P.S.
:Gobindpur, Town/District : Cuttack, Odisha -754018
, do hereby verify that the contents of paras 1 to 6 are true to my
personal knowledge and rest of the paragraphs are my humble
submissions and that I have not suppressed any material fact;

MY SEAL
Date: 17th day of May, 2025,
Place: Kolkata

Girija Prasad Patra
Signature of the applicant

S. Chaudhuri
S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-6504
Bidhannagar Court
Dist.-North 24 Pgs.

17 JUN 2025



BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS

AFFIDAVIT

I, I, Girija Prasad Patra, Son of Gokulchandra Patra, aged about 49 years, by occupation- Business; residing at Brahmanbati, P.O. Badamulai, P.S. :Gobindpur, Town/District : Cuttack, Odisha -754018, do hereby solemnly affirm and say as follows:-

1. That I am the petitioner in this case and I am well acquainted with the facts and circumstances of this case and I am competent to swear this affidavit.
2. That the circumstances made in paragraphs 1 to 6 are true to my knowledge and the rest are my humble submissions before this Hon'ble Court.

Prepared in my Office

Depankar Thakur

Advocate

Girija Prasad Patra

The deponent is known to me,

Solemnly affirmed before me

This the ^{17th} day of ~~May~~ ^{Jun}, 2025,

S. Chaudhuri
S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-8584/08
Bidhannagar Court
Dist.-North 24 Pgs.

17 JUN 2025

Annexure-1

Annexure-1

25



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
ODISHA, BHUBANESWAR

Established under the E.P. Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India,
Bhubaneswar-751022, Tel: 0674-2541924, E-mail: seiaaodisha@gmail.com

2042/SEIAA

01 5.8.2021

File No. SEIAA-1322/02-2021

To

The Tahasildar, Kantapada,
Tahasil-Kantapada
Dist-Cuttack

Sub: Proposal of Tahasildar, Kantapada for mining of sand from Balada Sand Quarry over an area of 12.00 acres or 4.85ha at village- Balada, Tahasil- Kantapada, District- Cuttack - Environmental Clearance reg.

Ref: SEIAA File No: SEIAA-1322/02-2021 dated 08.02.2021

Sir

This is with reference to the application dated 08.02.2021 for grant of environmental clearance (submitted in the offline mode) for the proposed activities mentioned above.

2 [The application has been submitted in the offline mode because there is no provision at present for filing EC application for such cases (minor mineral extraction involving area less than or equal to 5ha; i.e., B2 category projects) in the online mode before SEIAA in the PARIVESH portal. The relevant application Form-IM does not appear on the screen of the said portal when EC application is to be filed to SEIAA]. The applicant has submitted the application in Form-I, i.e. the Form in which applications for minor mineral projects were being submitted upto the year 2016 before SEIAA. The Form-I does not contain some of the situational information relating to environmental sensitivity, but much of the required information has been submitted by the applicant in the Checklist and also in the PFR.

3. The application in Form-I is supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan and Checklist.

1
SM

4. The proposed activities in a nut shell are as follows: -

- a. This is a proposal for mining of sand from Balada Sand Quarry lying in the Devi River bed located at village- Balada, Tahasil- Kantapada, District- Cuttack, over lease area of 12.00 acres or 4.85 ha.
 - b. The mine area is a part of the Survey of India Toposheet No.F45U/3, F45U/4 bounded by Latitude: 20°16'22.7" N to 20°16'28.1" N and Longitude: 86°02'53.1"E to 86°03'03.2" E.
 - c. The mining lease is an identified sairat source in the DSR. The Balada Sand Quarry sairat source will be leased out under the OMMC Rules,2016 by Tahasildar, Kantapada to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.
 - d. The mining plan along with the PMCP of the mining project prepared on behalf of successful bidder (lessee) has been approved by Deputy Director Geology, Directorate of Mines, Bhubaneswar on 11.06.2020.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 1,26,450 cum of sand, when extracted upto a depth of 3.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
 - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 5.68Km away from the mining lease area.
 - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mine located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
 - h. As per the approved mining plan, it is observed that sand from the quarry will be extracted upto a depth of 2.50 meter with annual extraction of sand not exceeding 25000 cum (maximum production capacity) during the valid lease period.
5. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5ha.

6. The proposal is duly appraised by the SEAC in its meeting held on 29.06.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 422/SEAC-Misc-02 dated 02.07.2021.

7. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.

8. The Tahasildar, Kantapada who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

9. **Stipulated Conditions:**

9.1 The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15thOctober,2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand is obligatory for the project proponent.

9.2 In the first year i.e. before the rainy season of 2022 the extraction of sand shall not exceed 25000Cum, calculated by multiplying the working area in sqmtr by 2.5 meter depth of excavation.

9.3 The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.

9.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.

9.5 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. 10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'. Further, no mining shall be allowed within 200 m of any existing structures dam,


weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations. The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

- 9.6 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
- 9.7 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 9.8 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 9.9 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 9.10 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 9.11 No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 9.12 Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.

- 9.13 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
- 9.14 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
- 9.15 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 9.16 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 9.17 Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report.
- 9.18 The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation if any, existing nearby.
- 9.19 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF&CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC is liable to be revoked.
- 9.20 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 9.21 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 9.22 The concerned Regional Office of the MoEF&CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF&CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 9.23 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be.
- 9.24 Project proponent shall obtain Consent to Operate from the OSPCB and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.

- 9.25 The SEIAA, Odisha may revoke or suspend this EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 9.26 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 9.27 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.28 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
- 9.29 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 9.30 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.


Member Secretary

Memo No 2043/SEIAA dt. 5.8.2021 

Copy to

1. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31 Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Cuttack/ Sub Collector, Athagad / Tahasildar, Kantapada for Information and necessary action.
7. Guard file for record.


Member Secretary



31

**STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
ODISHA, BHUBANESWAR**

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
SRF-2/1, Unit-IX, Bhubaneswar-751022. Tel: 0674-3510075. E-mail:soiaaorissa@gmail.com

Letter No 4868/SEIAA

Di. 13.07.2022

File No. SIA/OR/MIN/281940/2022

To M/s. Suryavanshi Earth Movers
Sri Bibekananda Dash (Authorized Person)
At-Swampatna, Sibanarayanpur,
Po-Keonjhar, Dist-Keonjhar, Pin-758030

Sub: Proposal for **Transfer of Environmental Clearance** of Balada river sand bed over an area of 12.00 Acres or 4.85 Hectares in village Balada under Kantapada Tahasil of Cuttack District from the name Tahasildar, Kantapada to M/s. Suryavanshi Earth Movers -reg.

Ref: (i) EC letter no. 2042/SEIAA dated 05.08.2021
(ii) Your letter no. 1701/Sairat dated 30.06.2022
(iii) Online proposal No. SIA/OR/MIN/281940/2022 dtd.06.07.2022

Sir

Kindly refer your online application on dated 06.07.2022, where in you have requested for transfer of environmental clearance granted by SEIAA, Odisha vide letter no. 2042/SEIAA dated 05.08.2021 issued earlier in favour of Tahasildar, Kantapada, Cuttack.

As submitted by the Tahasildar, it is noted that EC was obtained for Balada River Sand Bed for a period of 5 years in favour of Tahasildar, Kantapada vide the above mentioned EC letter under reference. Now, the said sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of M/s. Suryavanshi Earth Movers, Successful Bidder under the provision of OMMC Rules, 2016 for operationalization of the sairat source.

The proposal was registered in PARIVESH Portal on dated 06.07.2022 with required documents and the Authority decided in the SEIAA meeting held on 08.07.2022 that EC be transferred favour of M/s. Suryavanshi Earth Movers as recommended by Tahasildar and the new Project Proponent has to submit the detailed compliance report on all EC conditions on half yearly basis.

1

209 . - .
32

The SEIAA has no objection for transfer of environmental clearance accorded by SEIAA's letter no. 2042/SEIAA dated 05.08.2021 in the name of M/s. Suryavanshi Earth Movers with the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC along with the specific conditions mentioned below:

- 1) The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar and There are some organization in Odisha state who are empanel by ORSAC to conduct such survey. The details of UAV / Drone method is attached a separate sheet. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area.
- 2) Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31st December, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 3) The PP is allowed to extract sand shall not exceed 25000 cum, with depth 2.5 meter in the first year. In case any change is proposed in the scope and limit of the project, the project proponent shall obtain fresh prior environmental clearance.
- 4) The Environmental Management Plan(EMP) shall be created for individual lease and the fund shall be kept in a single account and be implemented by the concerned Tahasildar to ensure the compliance with environmental conditions specified for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during

mining activity. All mining activity shall be done in scientific manner to safeguard degradation of environment. All the individual lease holders of the Tahasil shall implement the EMP as proposed. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.

- 5) The project proponent shall submit the real time photographs (geo-coordinate) of sand bed area, plantation activity (i.e. with mentioning no. of species and its survival rate), photographs during data collection for replenishment study of sand bed both pre and post monsoon period.
- 6) The project proponent shall submit half yearly compliance report of EC conditions with mentioning yearly production, replenishment rate of sand and geo-coordinate photographs of demarcated lease area and with details compliance of Environmental Management Plan (EMP).

[Signature]

Yours faithfully,

[Signature]
Member Secretary

Memo No 4869/SEIAA /Dt. 13.07.2022

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. **Copy to the Collector /Sub Collector, Cuttack and Tahasildar, Kantapada for information and necessary action.**
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.

[Signature]

[Signature]
Member Secretary

Annexure-1

34

The replenishment study for river bed sand is very essential in order to have a check on possible over exploitation. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. It is imperative to have a study of replenishment of sand material during a defined period for sustainable sand mining. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar.

The UAV / Drone method briefly is as follows:

The Drone /UAV is fitted with the advanced camera used for survey purposes. The survey is conducted using a set of instruments and compatible software to depict the topography of the study area (the lease area) by utilizing the properly referenced data.

After running the prescribed steps, the software shall automatically generate orthorectified imagery. Ground truthing is done at minimum 5 locations spread evenly across the lease area by using DGPS instruments. The readings from DGPS instruments are compared with the Drone Data for accuracy assessment.

The study shall have the details of establishment of bench mark by putting a number of pillar points and various Ground Control Points (GCP) at the site, observing by DGPS the various GCPs for permanent bench marks and control points. The summary of the elevation data from each session's profile based on the post monsoon survey is mentioned in the tabular form. A detailed comparison sheet of both pre-monsoon and post-monsoon elevation data is prepared. Cross sectional depiction of deposition and erosion for each section in pre and post deposition seasons shall be given.

Drone images are used to recreate highly accurate orthomosaic maps of mining sites and quarries. Each pixel contains 2D geo tagged information (X, Y), and can be used for distance and surface measurements. A densified point cloud can be generated from Drone images and data. Each point contains geospatial (X,Y,Z) information. It provides an accurate model of a site for precise volume measurements and visual insights. The drone data is processed to generate Digital Terrain Model (DTM) and assessment of progressive volumetric change.

Adequate number of geomatic grade ground control bench marks (X,Y,Z), depending on the size of the lease area, are to be maintained permanently around the lease area within a maximum distance of 500 meters from the lease area for the entire study period. There should be pre and post monsoon survey to assess the sand replenishment within the study area.

There are some organizations in Odisha state who are empaneled by ORSAC to conduct such survey.

DH

Annexure-2Essential Physical Criteria As Per Enforcement And Monitoring Guidelines For Sand Mining, January 2020 Of MoEF&CC, Govt. Of India

Sl. No.	Essential Criteria	Reference
1.	"No Mining Zone": 1/4th the part of the river width (excluding 3/4th the central part of the river width) on both sides of the river towards the river bank	4.1.1 (Para - e) Page - 16
2.	a) Distance between two clusters: ≥ 2.5 km b) Area of mining lease area in a cluster: ≤ 10 ha. c)	4.1.1 (Para - k) Page - 19
3.	Concave River Bank: No extraction of sand	
4.	No mining if a) Upstream: Lease is 1 km from major Bridge and high ways or $5(x)$ of the Bridge / public civil structure / water intakes point subject to lease is located at a minimum 250 meters distance. Where x = Span of the bridge. b) Downstream side: Lease is 1 km from the major bridge and Highways Or $10x$ of the bridge / public civil structure / water intake point Subject to lease is located at a minimum distance of 500 meter where x = span of the bridge	4.3 (Para - h) Page - 23
5.	Mining depth: ≤ 3 meter (maximum 3 meter)	4.3 (Para - m) Page - 24
6.	Mining distance from river bank: $1/4^{\text{th}}$ of the river width, But subject to not less than 7.5 meter	4.31 (Para - m) Page - 24
7.	Area for removal of minerals: $\leq 60\%$ of mine lease area	4.3 (Para - s) Page - 25
8.	Minable sand per ha, Available for actual mining: $\leq 60,000$ MT/Annum	
9.	Regular replenishment study and replenishment rate	



(36)

OFFICE OF THE REGIONAL OFFICER, CUTTACK
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA)
586, SURYAVIHAR, LINK ROAD, CUTTACK-753012

No. 1889 / 2575Dt. 01.10.2022**CONSENT TO OPERATE ORDER****CONSENT ORDER NO. RO/CTC/CTO. 188 /2022/ WPC/APC**

Sub: Consent for discharge of sewage and trade effluent under Section 25/26 of the Water (PCP) Act, 1974 and under Section 21 of Air (PCP) Act, 1981 for existing/new operation of the plant.

Ref: Your Online Application No. 4340726 and this Office Consent to Establish order issued vide letter No. 1816/2575, dtd. 22.09.2022.

Consent to Operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & control of Pollution) Act, 1981 and rules framed thereunder to:

Name of the Mines: M/s. BALADA RIVER SAND BED

Name of the Occupier & Designation: Sri Bibekananda Dash (Authorised Person),

Address of the unit: At Village: Balada (Plot No. 128 of Khata No. 331, lease hold area of 12.00 Acres (4.85 Ha.), Kisam: Nadi), Ps: Govindpur, Tahasil- Kantapada, Dist: Cuttack, Odisha

This consent order is valid for the period up to 31.03.2025

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

A. Details of Products Manufactured:

Sl. No.	Product	Quantity
1.	Mining of River Sand	25,000 Cubic Meter per Annum

P.T.O.



37

Page 3

CONSENT ORDER

E. GENERAL CONDITIONS FOR ALL UNITS.

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

CONSENT ORDER

38

Page 7

12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose.
 - c) Process.
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharge is not fit for the domestic use / bathing.
14. Storm water shall not be allowed to mix with the trade and / or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys / stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provisions of the Act or Rules made therein.

**CONSENT ORDER**

24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and / or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention & Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge / emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions / stop the operation of the plant. Report of such accidental discharge / emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks / chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at ail times.
32. Any upset condition in any of the plant / plants of the factory which is likely to result in increased effluent discharge / emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board so as no to cause fugitive emission, dust problems through leaching etc. of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :

Cnrd...



CONSENT ORDER

40

Page 1

- i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be de-toxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The de-toxication or sealing and burying shall be carried out in the presence of Board's authorized person only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his / heirs / legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and / or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke / refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify / stipulate additional conditions as deemed appropriate.

Contd...

F. SPECIAL CONDITONS:

1. The project proponent shall take statutory clearance/ approval/ permission for the concerned authority in respect of his project as and when required.
2. Any change in mining technology/ scope of working shall not be made without prior approval of the State Environment Impact Assessment Authority (SEIAA).
3. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made and also shall comply with the stipulated conditions specified in the Environmental Clearance order issued by SEIAA.
4. Mining activity shall be carried out as per approved mining plan prepared for this project.
5. An Annual Return of the production undertaken shall be submitted at the end of financial year.
6. Domestic effluent if any from mine shall be discharged to soak pit via septic tank constructed as per BIS specification.
7. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards, 2009 (As per enclosed Annexure-II).
8. Dust suppression on mine haul roads shall be carried out by spraying water through mobile/fixed water sprinklers.
9. Regular collection of spilled over raw material from haul roads shall be practiced to prevent the generation of dust due to movement of dumpers / trucks.
10. The transportation vehicles shall be covered with tarpaulin cover to control generation of any fugitive emission during transportation.
11. The Lessee shall undertake plantation as mentioned in the Mining Plan.
12. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary line of mine lease area shall not exceed 75 dB(A) during day time (6.00 AM to 10.00 AM) and 70 dB(A) during night time (10.00 PM to 6.00 AM).
13. The mine shall abide by all the provisions of E (P) Act 1986 and Rules framed there under.
14. The Board may impose further condition or modify the conditions as stipulated in this order during operation and may revoke this order in case the stipulated conditions are not implemented and/or information is found to have been suppressed/wrongly furnished in the application form.

- 15. If it is found that the sand quarry is operated without adequate pollution control measures direction for closure shall be issued under section 31(A) of Air PCP) Act.1981 and/or under section 33(A) of Water (PCP) Act, 1974 as the case may be without any further notice
- 16. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.

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

Banshi
REGIONAL OFFICER

To,
Sri Bibekananda Dash (Authorised Person),
M/s. Balada River Sand Bed,
M/s. Suryavanshi Earth Movers,
At: Swampatna, Sibanarayanpur,
Po/ Dist: Keonjhar- 758030,
Odisha

Memo No: _____ Dtd. _____

- Copy forwarded to:
- 1. Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar.
 - 2. Collector & District Magistrate, Cuttack
 - 3. Mining Officer, Cuttack Circle, Cuttack
 - 4. Tahasildar, Kantapada
 - 5. Copy to Guard file.

REGIONAL OFFICER

**Joint enquiry report of river sand excavation from the Balada-Nainlo Devi
River Sand sairat source under Kantapada Tahasil of Cuttack District**

In response to the Letter No-139, Dt-17-01-2023, Office of the Tahasildar, Kantapada, the field visit was conducted by Deputy Director of Mines, Cuttack, Geologist, Cuttack, SDO, Irrigation, Kantapada, Cuttack and Tahasildar, Kantapada along with Revenue officials of Kantapada tahasil. The revenue officials have identified the lease boundary line. From the Survey, it is noticed that, Five patches of Sand area have been excavated from the balada-nainlo sand quarry of the kantapada Tahasil. To assess the excavation of minor mineral (Sand), The area was visited with the Cadastral map and the total excavated areas were surveyed through hand held GPS and measuring tape.

The tentative Quantity of sand excavated from the Balada-Nainlo lease area are given below.

PATCH	Average Length (m)	Average Width (m)	Average Thickness of excavation (in m)	Volume (In Cum)
PATCH-1	120	29	2	6960
PATCH-2	206	24	2	9888
PATCH-3	186	21	2	7812
PATCH-4	161.5	28	2	9044
PATCH-5	121.5	18	2	4374
Total				38078

CONCLUSION:-

From the above survey, it was concluded that, the total excavated sand from the Balada-nainlo sand quarry is approximately 38078 m³.

Amal
01/02/2023
Tahasildar, Kantapada

[Signature]
28/02/23
Geologist, Cuttack

[Signature]
28/02/23
Mining Officer, Cuttack

[Signature]
28/02/23
SDO, Irrigation, Kantapada, Cuttack

[Signature]
28/02/23
Revenue Supervisor, Kantapada

[Signature]
28/02/23
Revenue Inspector, Balilo Circle

[Signature]
Saba
Revenue Inspector

[Signature]
Representative of Lesse

[Signature]
D.A.(Touz)

Annexure - 544

By Speed Post

OFFICE OF THE TAHSILDAR, KANTAPADA

Ref. No 609 Dt 04/03/23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhar
Dist- Keonjhar

Authorised Representative : Sri Jibananda Patra of Village Brahmanbati

Sub :- Stop the quarry operation of Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21).

Ref :- Joint Enquiry Report dtd. 1.3.23 of Composite Team

With reference to the report on subject cited above, you are hereby directed to stop the quarry operation of Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) immediately until further order.

Further you are directed to deposit the "Y" form books bearing sl. No. 181 & 182 before the undersigned by today positively.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....610.....DT.....04/03/23.....
TAHASILDAR
KANTAPADA, CUTTACK

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack for kind information.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....611.....DT.....04/03/23.....
TAHASILDAR
KANTAPADA, CUTTACK

Copy submitted to the SDPO, Sadar, Cuttack / IIC, Olatpur PS / IIC, Govindpur PS for kind information and they are requested to close watch on the illegal transportation of sand from the said source.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....612.....DT.....04/03/23.....
TAHASILDAR
KANTAPADA, CUTTACK

Copy forwarded to the R.S, Kantapada / R.I, Brahmanailo / R.I Dhanamandal / R.I Adaspur for information and they are directed to regular check the source for any irregular sand extraction.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

TAHASILDAR
KANTAPADA, CUTTACK

Handwritten signature
03/03/23

Handwritten signature
6.3.23

Received

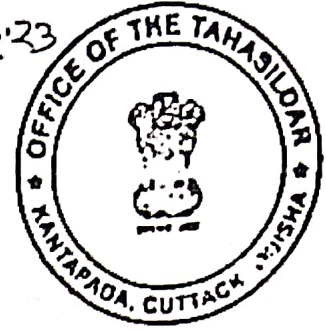
Jibananda Patra

4-3-23

Annexure - 645

OFFICE OF THE TAHSILDAR, KANTAPADA

Ref. No. 692 Dt. 15.3.23



To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjharhar
Dist- Keonjhar, PIN-758002

Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- Joint Enquiry Report of Composite Team dt.01.03.23

With reference to the report on subject cited above, this is to inform you that the lease deed for the said source has been executed on dt.5.8.22 for operation of the Balada (Nainlo) Devi River Sand Sairat Source for five years from the date of agreement subject to maximum 25000 Cum of sand extraction in the first year. After receipt of public petitions the joint enquiry has been made by the composite team of Mining Officer, Cuttack, Geologist of Cuttack Dist, SDO, Irrigation, Pratapnagari Division and Revenue Officials of Kantapada Tahasil in presence of authorized representative of lessee Sri Jibananda Patra of Village Brahmanbati on 27.01.2023 and report submitted by the team on dt.1.3.23. From that joint enquiry report it reveals that you have extracted 38078 Cum of sand till date. As there is only 4 months passed from the date of lease deed out of first year, you have exceeded the limit of extraction given by SEIAA in the EC.

So following amount of Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining is imposed upon you for excess extraction of sand (38078-25000) = 13078 Cum as per OMMC Rule-2016.

i.	Royalty	= 13078 cum x Rs.35	= Rs. 4,57,730.00
ii.	Additional Charge	= 13078 cum x Rs. 187	= Rs. 24,45,586.00
	Total		= Rs.29,03,316.00
iii.	DMF (10% of Royalty)	= Rs.29,03,316 x 10%	= Rs.2,90,332.00
iv.	EMF (5% of Royalty)	= Rs.29,03,316 x 5%	= Rs.1,45,166.00
v.	Penalty as per OMMC Rule 51 (1) (i)		= Rs. 5,00,000.00
	Total		= Rs. 38,38,814.00

(Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only)

So you are hereby directed to deposit the above amount for such illegal mining within a week from the date of issue of this letter positively otherwise action as per OMMC Rule will be initiated against you. Further you are directed to obtain revised Mining Plan for operation of the said source in future.

Memo No. 693 DT. 15.3.23
Tahasildar, Kantapada
TAHSILDAR
KANTAPADA, CUTTACK

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack for kind information.

Tahasildar, Kantapada
TAHSILDAR
KANTAPADA, CUTTACK

Annexure - 7

46

By Regd. Post
Reminder

OFFICE OF THE TAHSILDAR, KANTAPADA

Ref. No. 853 Dt 28/03/23

To
Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhar, PIN-758002

Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- This office letter No.692 dt.15.03.23

With reference to the letter on subject cited above, this is to inform you that you have been directed to deposit Rs. 38,38,814.00 (Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only) towards Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source within a week from date of issue of the letter. But till date you have not deposited the required amount in our official account.

Further this is to inform you that one public strike was going in front of Tahasil office since 17.03.23 regarding Balada Sairat source and Sub Collector, Sadar, Cuttack was came to this office on 27.03.23 for discussion with them. As per order of Sub Collector, Sadar, Cuttack you are hereby directed to appear before the Sub Collector, Sadar, Cuttack on dt.04.04.23 (Tuesday) at 11.00 AM unfliningly.

So you are hereby directed to deposit the above amount by 30th March, 2023 positively otherwise action as per OMMC Rule will be initiated against you.

Md 28/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Memo No.....853.....DT..28/03/23

Copy submitted to the Sub - Collector, Sadar, Cuttack for favour of kind information.

Md 28/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Annexure - 8

47

By E-mail
Reminder

OFFICE OF THE TAHSILDAR, KANTAPADA

Ref. No. 2088 Dt. 21/6/23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhargarh
Dist- Keonjhar, PIN-758002



Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- This office letter No.692 dt.15.03.23 and No.852 dt.28.03.23, No.1030 dt.12.04.23

With reference to the letters on subject cited above this is to inform you that you have been directed to deposit Rs.38,38,814.00 (Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only) towards Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source within a week. But till date you have deposited Rs.8,00,000/- only in our office account.

Bank Name:- INDIAN BANK

Branch Name:- NIALI

A/c No:- 794962565

IFSC Code:- IDIB000N026

So you are again requested to deposit the balance amount of Rs.30,38,814.00 within a week from issue of this letter in our above official account positively otherwise action will be taken as per OMMC Rule.

Handwritten signature
21/06/2023
Tahasildar, Kantapada

Memo No. 2089 DT. 21/06/23

Copy submitted to the ADM(Revenue) / Sub-Collector, Sadar, Cuttack for favour of kind information.

Handwritten signature
21/06/2023
Tahasildar, Kantapada

Handwritten signature
Tahasildar, Kantapada

OFFICE OF THE TAHSILDAR, KANTAPADALetter No. 1907 Dt. 01/08/23

48

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhar, PIN-758002

Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- Letter No. 8996, Dt.31.07.2023 of Sub- Collector, Sadar, Cuttack

With reference to the report on subject cited above, this is to inform you that the lease deed for the said source has been executed on dt.5.8.22 for operation of the Balada (Nainlo) Devi River Sand Sairat Source for five years from the date of agreement subject to maximum 25000 Cum of sand extraction in the first year. After receipt of public petitions the joint enquiry has been made by the composite team of Asst. Collector, Office of the Sub- Collector, Sadar, Cuttack . Revenue Supervisor, Kantapda, RI Brahmansailo, RI Dhanamandal & Amins of Kantapada Tahasil on 28.06.2023 and report submitted by the team on dt.04.07.23. As per Letter No. 692, Dt. 15.03.23. the excess extraction of sand was 13078 cum. But as per the report submitted by the joint enquiry committee on 04.07.23 the amount of sand which used in that road is 11,000 cum .

So following amount of Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining is imposed upon you for excess extraction of sand (13078-11000) = 2078 Cum as per OMMC Rule

i.	Royalty	= 2078 cum x Rs.35	= Rs. 72,730.00
ii.	Additional Charge	= 2078 cum x Rs.187	= Rs. 3,88,586.00
	Total		= Rs.4,61,316.00
iii.	DMF (10% of Royalty)	= Rs.4,61,316 x 10%	= Rs.46,132.00
iv.	EMF (5% of Royalty)	= Rs.4,61,316x 5%	= Rs.23,066.00
v.	Penalty as per OMMC Rule 51 (1) (i)		= Rs. 5,00,000.00
	Total		= Rs. 10,30,514.00

Penalty paid by Lessee = Rs. 8,00,000.00

Total Balance = Rs. 2,30,514.00

So you are hereby directed to deposit the above amount towards Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining within a week from the date of issue of this letter positively otherwise action as per OMMC Rule will be initiated against you.

Tahasildar, Kantapada

Memo No.....1908.....DT. 01/08/23

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack/ Deputy Director, Mining, Cuttack for kirrd information.

Tahasildar, Kantapada

OFFICE OF THE JHARAPADA GRAMA PANCHAYAT

At/P.O : Jharapada, P.S. : Govindpur, Dist. : Cuttack

Smt. Itishree Behera
Sarapanch, Jharapada Grama Panchayat

Mob. : 7855032622

Ref. No. 289

Date 30/11/2024

ସମ୍ମାନୀୟ,

ଶ୍ରୀମୁକ୍ତ ମାତ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀ ଓଡ଼ିଶା ସରକାର

ବିଷୟ- (ବାଲିଘାଟ ବନ୍ଦ ସମ୍ବନ୍ଧେ)

ମହାଶୟ,

ଆମେ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀ ବଡ଼ଖରମଙ୍ଗା ଗ୍ରାମବାସୀ ବୃନ୍ଦ ଆପଣଙ୍କ ସଦୟ ବିଚାର ନିମନ୍ତେ ଜଣାଉ ଅଛୁ କି ? ଆମେମାନେ ବେବା କନ୍ଦଳ ନଦୀର ମୁହାଣରେ ପ୍ରାୟ ୧୦୦ ରୁ ଊର୍ଦ୍ଧ୍ଵ ପରିବାର ବସବାସ କରୁଛୁ ଯାହାର କି ଏକ ଘେରିବନ୍ଧ ନାହିଁ । ଆମ ମାନଙ୍କର ସୁରକ୍ଷା ପାଇଁ ସରକାରଙ୍କ ତରଫରୁ ଯେଉଁ ନଦୀବନ୍ଧ ନିର୍ମାଣ ହୋଇଛି ତାହା ଅତି ଅଣଓସାରିଆ ରାସ୍ତା । ଏହି ରାସ୍ତା ଦେଇ ବଜ୍ର ନଳିଲୋ ବାଲିଘାଟରୁ ଦୈନିକ ବାଲି ବୋଝେଇ ୧୦ ଟକିଆ, ୧୨ ଟକିଆ, ୧୨ ଟକିଆ ଭାରି ହାଲୁକାରେ ୧୦୦ ଟ୍ରପ ବାଲି ବାହାରକୁ ଯିବା ଆସିବା ଦ୍ଵାରା ନଦୀ ବନ୍ଧ ରାସ୍ତାଟି ଦୁର୍ବଳ ହେଉଛି । ବିଗତ ଦିନରେ ଏଠାରେ ଦୁଇଟି ଘାଲ ହୋଇ ଆମର ବ୍ୟାପକ କ୍ଷତି ହୋଇଥିଲା, ଯାହା ଫଳରେ ଆମ ଅଞ୍ଚଳବାସୀଙ୍କ ଧନଜୀବନ ପ୍ରତି ବିପଦର ଆଶଙ୍କା ଦେଖା ଦେଉଛି ଏବଂ ରାତ୍ର ସମୟରେ ହଠାତ ବେହ ଅସ୍ତ୍ରୁ ହେଲେ ମେଡ଼ିକାଲକୁ ଆମୁଲାନ୍ତୁ କି ଗାଡ଼ି ମାଧ୍ୟମରେ ଯିବା ଆସିବା ଅସୁବିଧା ହେଉଅଛି । ଏହି ସମସ୍ୟା ଗୁଡ଼ିକୁ ବିଚାରକୁ ନେଇ ଆମ ଅଞ୍ଚଳବାସୀଙ୍କ ଧନ ଜୀବନ ପ୍ରତି ଥିବା ବିପଦରୁ ରକ୍ଷା କରିବା ପାଇଁ ଏହି ବଳବା (ନଳିଲୋ) ବାଲିଘାଟକୁ ବନ୍ଦ କରାଯାଉ ।

ଏଣୁ ବିନୀତ ଅନୁରୋଧ କରୁକି ଆମମାନଙ୍କୁ ଉଚିତ ନ୍ୟାୟ ପ୍ରଦାନ କରାଗଲେ ଆମେମାନେ ବେଶେଷ ଚୀରୋପକୃତ ହେବୁ ।

(ଇତି)

ଆପଣଙ୍କର ବିଶ୍ଵସ୍ତ

ବି.ସ୍ଵ. :- ଏହାର ଏକ ନକଲ

ଜିଲ୍ଲାପାଳ କଟକ, SP କଟକ, DDM କଟକ, S.D.P.O ସଦର କଟକ

IIC ଗୋବିନ୍ଦପୁର ଏବଂ ସମସ୍ତ ଗଣମାଧ୍ୟମ ପ୍ରତିନିଧି

ମାନଙ୍କ ଅବଗତ ନିମନ୍ତେ ପ୍ରେରଣା କରାଗଲା ।

J. Behera
Sarapanch
Jharapada G.P.
Prashant Patra

50

SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: HON'BLE CHIEF, LOK SANGRAHALAYA
 PIN: 751071, Chabaneswar G.P.O.
 From: ITI SIKHEE DE, JHANSADA SAILD J
 Wt: 20gms
 Amt: 41.30, Tax: 1.30, Amt. Paid: 41.30 (Cash)
 (Track on www.indiapost.gov.in)



EO649960105IN IVR: 6979649960105
 SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: THE COLLECTOR, CHANDINCHAK H.O
 PIN: 753002, Chandinchak H.O
 From: ITI SIKHEE DE, JHANSADA SAILD J
 Wt: 20gms
 Amt: 41.30, Tax: 1.30, Amt. Paid: 41.30 (Cash)



EO649960305IN IVR: 6979649960305
 SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: SPT POLICE, BUXI BAZAR
 PIN: 753001, Cuttack G.P.O.
 From: ITI SIKHEE DE, JHANSADA SAILD J
 Wt: 20gms
 Amt: 41.30, Tax: 1.30, Amt. Paid: 41.30 (Cash)
 (Track on www.indiapost.gov.in)
 (Dist: 753001) (Post Office: Buxi Bazar, Stay Safe)



EO649960256IN IVR: 6979649960256
 SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: THE SPS CUTTA, JAGATPUR IND EST
 PIN: 754021, JAGATPUR S.O
 From: ITI SIKHEE DE, JHANSADA SAILD J
 Wt: 20gms
 Amt: 41.30, Tax: 1.30, Amt. Paid: 41.30 (Cash)
 (Track on www.indiapost.gov.in)
 (Dist: 754021) (Post Office: Jagatpur, Stay Safe)



EO649960075IN IVR: 6979649960075
 SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: SPO SADR, CUTTACK, ADASPUR
 PIN: 754011, Adaspur S.O
 From: ITI SIKHEE DE, JHANSADA SAILD J
 Wt: 20gms
 Amt: 17.70, Tax: 2.30, Amt. Paid: 19.30 (Cash)
 (Track on www.indiapost.gov.in)
 (Dist: 754011) (Post Office: Adaspur, Stay Safe)



EO649960067IN IVR: 6979649960067
 SP ADASPUR S.O (754011)
 Counter No:1, 16/12/2024, 12:47
 To: THE IIC GOVIN, GOVINDPUR
 PIN: 754003, Govindpur S.O (Cuttack)
 From: ITI SIKHEE DE, JHANSADA SAILD J



OFFICE OF THE

SI

JHARAPADA GRAM PANCHAYAT

At/PO: Jaharapada, PS: Govindpur, Dist.: Cuttack

Smt. Itishree Behera,

Sarpanch, Jahrapada Gram Panchayat
7855032622

Mob:

Ref No.: 289

30/11/2024

Date.

Respected,

Hon'ble Chief Minister, Government of Odisha.

Sub: (Regarding closure of Sand Sariyat)

Respected Sir,

We, the undersigned villagers of Badakharamanga Village want to bring your kind attention that, we are living 100 families near the bank of Devi Kandala River where there is no embankment. The embankment road which has been constructed for our safety consists of a very narrow road. Everyday due to continuous passage of 10 wheelers, 12 wheelers, and 16 wheelers Hywa carrying around 100 trips of sand from the Balada Nainlo sand sairat the said road is becoming weak. In past, twice the river breached into the land area through the embankment during the time of flood and we had sustained extensive damage, as a result there is a fear of loss of lives and properties of the local people and it is becoming more difficult to take someone to hospital by ambulance or any other vehicle in case some of the local people fall sick. Considering the problems as described above and in order to safeguard the lives and properties of the local people necessary steps may be taken to close the Balada (Nainlo) sand sairat.

52

Therefore, it is our request that we shall remain obliged forever if justice may be served.

Yours Faithfully

N.B.: A copy of this letter is hereby forwarded to the Collector, Cuttack; S.P., Cuttack; DDM, Cuttack; SDPO, Cuttack Sadar; IIC, Govindpur PS; and all the print and electronic media for information.

CERTIFICATE

Certified that all endeavour have been taken to translate the document from Odia to English by me and typed in front of me.

Cuttack

Date: 24.02.25

Debashis Samantaray

DEBASHIS SAMANTARAY
Advocate

E.No-O-42/2024
Ph-7978814485

ତା. ୦୨. ୧୨. ୨୦୨୫.....

ପ୍ରମାଣାୟ

ଶ୍ରୀଯୁକ୍ତ ଜିଲ୍ଲାପାଳ, କଟକ

ବିଷୟ- (ବେଆଇନ ବାଲି ଚୋରା ଚାଲାଣ ସମ୍ବନ୍ଧେ)

ମହାଶୟ

ଆମେ ଦୀପାଞ୍ଚଳବାସୀ ଆପଣଙ୍କ ବିଚାର ନିମନ୍ତେ ଜଣାଉ ଅଛୁ କି ବଳଦା (ନଇଁଲୋ) ବାଲିଘାଟରେ ଲିଜ୍ ଧାରୀ ଜୋର ଜବରଦସ୍ତ ମେସିନ ସାହାଯ୍ୟରେ ସୁଦୁସାଇଲୋ ଅଞ୍ଚଳରୁ ବାଲି ଚୋରା ଚାଲାଣ କରୁଅଛି । ତାର ଲିଜ୍ ଏରିଆରୁ ନଉଠାଇ ଫୁଁ ମୁଖ୍ୟମନ୍ତ୍ରୀଙ୍କ ଲୋକ ଯେଉଁଠାରୁ ଚାହିଁବି ସେଠୁ ଉଠାଇବି ତମେ ଯେତେ ଲେଖୁକି ନେଲେ ମଧ୍ୟ ଖଣି ବିଭାଗ କିଛି ଶୁଣିବେ ନାହିଁ । ପ୍ରକାଶ ଥାଉକି ଉକ୍ତ ଲିଜ୍ ଧାରୀଙ୍କର ଏରିଆ ବଳଦା (ନଇଁଲୋ) ସେ ତାଙ୍କ ସାମାଜିକ ନିୟମ ତାଙ୍କ ମାଜିନିଙ୍ଗ ପ୍ଲାନ ନଇଁଲୋ ମୌଜା ଖାତା ନମ୍ବର ୩୩୩, ପ୍ଲଟ ନମ୍ବର- ୧୧୩, ୧୧୧ ରେ ସରକାରୀ ନିୟମ ଅଛି ଏବଂ ଟ୍ରେସମ୍ୟାପ ଉକ୍ତ ପ୍ଲଟ ନମ୍ବର ଓ ଖାତା ନମ୍ବରରେ ଉଲ୍ଲେଖ ଅଛି ଏବଂ ମେସିନରେ ଲୋଡ ନହେବା ପାଇଁ ୧୦ ଟକିଆ, ୧୨, ୧୨ ଭାରିୟାନରେ ନଦୀବନ୍ଧରେ ନଯିବା ପାଇଁ ସରକାରୀ ନେଇଥିବା ଲିଜ୍ ପେପରରେ ଉଲ୍ଲେଖ କରିଛନ୍ତି । କିନ୍ତୁ ଏତେ ଗୁଡାଏ ସରକାରୀ ନିୟମକୁ ବେଖାତିର କରି କିପରି ନଦୀ ବନ୍ଧରେ ଭାରିୟାନ ସାହାଯ୍ୟରେ ବାଲି ଚାଲାଣ କରୁଛି ? ବିଗତ ଦିନରେ ଏହି ଆଞ୍ଚଳ ବାସୀଙ୍କ ଅଭିଯୋଗକୁ ବିଚାରକୁ ନେଇ ସାଇଲୋ ବଡ଼ବିଲ ବାଲିଘାଟକୁ ବନ୍ଦ କରାଯାଇଅଛି, କାରଣ ଉକ୍ତ ରାସ୍ତା ଦେଇ ଆମ ଦୀପାଞ୍ଚଳ ଏରିଆକୁ ଏକ ପୁରାତନ ସାଇପନ ନଦୀବନ୍ଧ ତଳେ ପ୍ରଭାସିତ ହୋଇଅଛି ଯାହା ଫଳରେ କି ଦୀପାଞ୍ଚଳବାସୀ କେନାଲ ପାଣି ସୁବିଧା ପାଉଛନ୍ତି ସେଥିପାଇଁ ଅଞ୍ଚଳରେ ବହୁତ ବୁଦ୍ଧିଜୀବୀ ଏବଂ ଅଞ୍ଚଳବାସୀ ସରକାରଙ୍କୁ ଜଣାଇଥିଲେ । ସରକାର ଏହାକୁ ବିଚାରକୁ ନେଇ ଅଞ୍ଚଳର ଚାଷୀ ମାନଙ୍କର ସୁବିଧା ପାଇଁ ଉକ୍ତ ବଡ଼ବିଲ ଘାଟଟିକୁ ବନ୍ଦ କରିଥିଲେ ଏବଂ ବଳଦା (ନଇଁଲୋ) ଘାଟଟି ପାଇଁ ଯେତେବେଳେ ବିଜ୍ଞପ୍ତି ଜାରୀ କଲେ ସେହି ସମୟରେ ତହସିଲଦାର କଣ୍ଟ୍ରୋଲ ପୂର୍ବ ଅଭିଯୋଗକୁ ବିଚାରକୁ ନେଇ ବଳଦା (ନଇଁଲୋ) ଘାଟର ରାସ୍ତା ନଇଁଲୋ ମୌଜାରେ ଯିବା ପାଇଁ ମ୍ୟାପରେ ଉଲ୍ଲେଖ କଲେ । ଏବେ କିପରି ଭାବେ ଉକ୍ତ ଲିଜ୍ ଧାରୀ ଜୋରଜବରଦସ୍ତ ଉକ୍ତ ସାଇପନ ଉପରେ ଭାରିୟାନରେ ବାଲି ଚାଲାଣ କରୁଛନ୍ତି ତାହାର ଏକ ଉଚ୍ଚ ସ୍ତରୀୟ ତଦନ୍ତ କରି ଅଭିଯୋଗକାରୀଙ୍କୁ ନ୍ୟାୟ ପ୍ରଦାନ କରିବା ପାଇଁ ଜଣାଉ ଅଛୁ । ବାରମ୍ବାର ମାଜିନିଙ୍ଗ ଅଫିସରଙ୍କୁ ଜଣାଇବା ସତ୍ତ୍ୱେ ସେ ଏହାର କିଛି ପଦକ୍ଷେପ ନେଉ ନାହାନ୍ତି । କିଛିଦିନ ତଳେ ଦୀପାଞ୍ଚଳବାସୀ ଧାରଣାରେ ବସିଥିବା ସମୟରେ ଗୋବିନ୍ଦପୁର IIC, SDPO ସଦର ଉଭୟ ପ୍ରତିଶ୍ରୁତି ଦେଇଥିଲେ ଯେ ଏହାର କିଛି ସମାଧାନ କରବେ ବୋଲି କିନ୍ତୁ କିଛି ସମାଧାନ ହୋଇ ପାରିନଥିଲା । ଏଣୁ ଆମ ଅଞ୍ଚଳବାସୀଙ୍କ ଧନଜୀବନ ପ୍ରତି ବିପଦ ଥିବାରୁ ଆସନ୍ତା ତା. ୧୧.୧୨.୨୦୨୪ ରିଖ **ସୁଧବୀର** ଠାରୁ କନ୍ଦଳ ନଦୀବନ୍ଧ ବଡ଼ବିଲ ଠାରେ ଅହୋରାତ୍ର କାଳ ଅନିର୍ଦ୍ଦିଷ୍ଟ କାଳ ପର୍ଯ୍ୟନ୍ତ ଧାରଣାରେ ବସି ରହିବୁ ।

(ଇତି)

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ

ବି.ପ୍ର- ଏହାର ଏକ ନକଲ

SP କଟକ, DDM କଟକ, SDPO ସଦର କଟକ, IIC ଗୋବିନ୍ଦପୁର ଏବଂ ସମସ୍ତ

ଗଣମାଧ୍ୟମ ପ୍ରତିନିଧି ମାନଙ୍କୁ ଅବଗତ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

TAPAN PARIKH
 Sakot Ku Behera
 Sanyu Ku Ry
 Brahma nanda patra
 Sushan for Patner
 Brahma nanda Patra
 ଦ୍ରୁତ ପତ୍ର

Ninanan padma

Asutakhy tene
atraying 0119

Bulca Patra

Ninanan padma

श्रीमद्देव

Panakesh padma

HEMANT DATRA

Dipak Jena

Yashobanta Ray

Pradeep Ku Ray

Laxmi Shan Behera

Manish Chandra Ray.

T. Jay Paul

Ranjana Parida

DEEPAK PATRA

Pradipati Patra

Jayadev Patra

ଶ୍ରୀମତୀ ୦୧୧୭

ଶ୍ରୀମତୀ ୦୧୧୭

Kailash Ch. Behera

शुभाचरानेन पाद्रे

श्रीमद्देव

Pranav Ch. Patra

Dipti Ranjan Patra

Sangam Bhoi

Subho Kanta Das

English Translation -

55

Date. 09/12/2024

Respected,

District Collector, Cuttack

Sub: (Regarding illegal sand mining)

Respected Sir,

We, the undersigned villagers for your kind consideration want to bring your attention that, the lessee of Balada (Nainlo) sand sairat forcibly doing illegal sand mining from Sudusailo using various machines. Instead of the allotted area he is doing the illegal mining from various other portions stating that "I am a man of Chief Minister and I can do mining from anywhere as per my will, and Mining Department will not listen to anything no matter how many times you people will give written complaints to them". It is pertinent to mention here that the allotted mining area of the lessee is Balada (Nainlo), but instead of mining in the allotted area as per rules of the Government policy the allotted mining plan is coming under Nainlo Mauza Khata No. 333, Plot Nos. 113, 111 and the trace map has been mentioned in the said Khata and Plot number and further it has been mentioned in the lease document that no machines shall be used for loading and no 10, 12 and 16 wheelers shall be used for transportation of sand using the embankment road. But without following the government rules how is he transporting the sands through the embankment road using heavy vehicles? In past days considering the complaints of the local people Sailo Badabil sand sairat has been closed, as there is a siphon is flowing to the island villages beneath the river embankment road as a result the villagers of the island villages are benefitted by getting water through a canal for which intellectuals and local people

56

2

intimated the government regarding the same. Taking into consideration of the said fact, Government closed the Badabil sairat for the welfare of the local farmers and when the notification was issued for the Balada (Nainlo) Sand sairat, during that time Tahasildar, Kantapada considering the previous complaints of local villagers, mentioned in the Map that the road will pass through Nainlo Mauza for the Balada (Nainlo) Sand sairat. So, we are demanding for justice by enquiring the matter by a high level committee regarding how the lessee is transporting the sand using road above the siphon using heavy vehicles. The Mining Officer is not taking any kind of actions even after repeated intimations. In past few days while the island villagers were protesting regarding the same at that time both the IIC, Govindpur and the SDPO, Cuttack Sadar and promised them to settle the matter finding out a solution, but unfortunately the matter was not settled. Hence, we will sit in protest at Badabil near Kandala embankment for indefinite period since 11/12/2024 (Wednesday) as there is threat to our lives and properties.

Yours Faithfully

N.B.: A copy of this letter is hereby forwarded to the S.P., Cuttack; DDM, Cuttack; SDPO, Cuttack Sadar; IIC, Govindpur PS; and all the print and electronic media for information.

CERTIFICATE

Certified that all endeavour have been taken to translate the document from Odia to English by me and typed in front of me.

Cuttack

Date:

OFFICE OF THE JHARAPADA GRAMA PANCHAYAT

At/P.O : Jharapada, P.S. : Govindpur, Dist. : Cuttack

Smt. Itishree Behera
Sarapanch, Jharapada Grama Panchayat

Mob. : 7855032622

Ref. No. 319

Date 29.12.2021

ମାନନୀୟ,

ଶ୍ରୀଯୁକ୍ତ ଖଣି ଅଧିକାରୀ, କଟକ

ବିଷୟ- (ବଳଦା ନଇଁଲୋ ବାଲିଘାଟ ସମ୍ବନ୍ଧେ)

(ଖଣିବିଭାଗ କଟକରୁ ଚିଠି ନମ୍ବର- ୪୪୧୪/୨୭.୧୨.୨୦୨୪ ର ପ୍ରତି ଉତ୍ତର)

ମହାଶୟ,

ନିବେଦନର ଅଭିପ୍ରାୟ ଏହିକି ଯେ ମୁଁ ଇତିଶ୍ରୀ ବେହେରା, ସ୍ୱାମୀ- ଦିଲ୍ଲୀପ କୁମାର ବେହେରା, ସା/ପୋ- ଶାରପଡ଼ା, ଥାନା- ଗୋବିନ୍ଦପୁର, ଜିଲ୍ଲା- କଟକ ମୁଁ ଶାରପଡ଼ା ଗ୍ରା.ପ. ର ସରପଞ୍ଚ ଅଟେ । ଗତ ତା- ୩୦.୧୧.୨୦୨୪ ରିଖରେ ବଳଦା (ନଇଁଲୋ) ବାଲିଘାଟ ବନ୍ଦ ସମ୍ବନ୍ଧେ ମାନ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀଙ୍କ ନିକଟକୁ ଏକ ପତ୍ର ନଂ- ୨୮୯/୩୦.୧୧.୨୦୨୪ ରେ ଅଭିଯୋଗ କରିଥିଲି ଏହାକୁ ବିଚାରକୁ ନେଇ ମାନ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀଙ୍କ ଚିରଫରୁ ଏକ ଚିଠି ୪୪୧୪/୨୭.୧୨.୨୦୨୪ ଖଣି ଅଧିକାରୀ କଟକ ମାଧ୍ୟମରେ ପାଇଅଛି । ଗୋଟେ କାର ଗଲେ ଆଉ ଗୋଟେ ସାଇକେଲ ମଧ୍ୟ ପାସ୍ କରି ପାରିବ ନାହିଁ ତାହା ଅତି ଅଣଓସାରିଆ ଚାହା ହୋଇଥିବାରୁ । ଏହି ଚାହା ମଝିରେ ଏକ ସାଇପନ୍ ଥିବାରୁ ସଂପୂର୍ଣ୍ଣ ଏହା ଦ୍ୱିପାଞ୍ଚଳ ବାସିକୁ ଚାଷ ଜମିକୁ ଚାଷ ପାଇଁ ପାଣି କେନାଲ ମାଧ୍ୟମରେ ଯୋଗାଇ ଦିଆଯାଏ ଏହାକୁ ଦୃଷ୍ଟିରେ ରଖି ସରକାର ବଡ଼ବିଲ କମଳ ବାଲିଘାଟକୁ ରଦ୍ଦ କରିଥିଲେ । ବିଗତ ଦିନରେ ବଡ଼ବିଲ ଏବଂ ଅଣ୍ଡେଇସାହିରେ ଦୁଇଟି ଘାଇ ହୋଇଥିଲା । ମୋ ଗ୍ରାମ ପଞ୍ଚାୟତବାସୀ ନଦୀ ଗୋଛୁରେ ରହୁଥିବାରୁ ଗୋଟେ ଆଡ଼ିବନ୍ଧ ମଧ୍ୟ ନାହିଁ । ଏହି ବନ୍ଧରେ ବାଲିଗାଡ଼ି ଯିବା ଫଳରେ ଗୋଟେ ଆୟୁଲାନ୍ତ ମଧ୍ୟ ଯାଇ ପାରୁନାହିଁ ଏବଂ ମାନ୍ୟବର ହାଇକୋର୍ଟ ନିର୍ଦ୍ଦେଶକୁ ଅବମାନନା କରି ଏହି ବଳଦା (ନଇଁଲୋ) ବାଲିଘାଟଟି ବିବାରାଡ଼ି ଚାଲୁଥିବାରୁ ଛୋଟପିଲା ସ୍କୁଲ ଓ ଅଙ୍ଗନୱାଡ଼ି ଯିବା ଆସିବା କରିବାରେ ଅସୁବିଧା ହେଉଅଛି । ମୁଁ ଜଣେ ଜନ ପ୍ରତିନିଧି ହୋଇଥିବାରୁ ସାଧାରଣ ଲୋକଙ୍କ ସ୍ୱାର୍ଥକୁ ଦୃଷ୍ଟିରେ ରଖି ଏହି ବଳଦା (ନଇଁଲୋ) ବାଲିଘାଟଟି ସଂପୂର୍ଣ୍ଣ ବନ୍ଦ କରିବା ପାଇଁ ମୁଁ ପୁଣି ଆପଣଙ୍କୁ ଅନୁରୋଧ କରୁଅଛି । ମୁଁ ଭୟଭୀତ ଥିବାରୁ ଏବଂ ମୋର ଜୀବନ ପ୍ରତି ବିପଦ ଥିବାରୁ ମୁଁ ଏହି ଚାରିଖରେ ଯୋଗ ଦେଇପାରୁନାହିଁ ।

(ଇତି)

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ

ବି.ପ୍ର.- ଏହାର ଏକକିତା ନକଲ ମାନ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀ, ଓଡ଼ିଶା ସରକାର
ଖଣି ନିର୍ଦ୍ଦେଶକ, ଜିଲ୍ଲାପାଳ କଟକ, ଆରକ୍ଷ ଅଧକ୍ଷ କଟକ ଗ୍ରାମାଞ୍ଚଳ
ଅତିରିକ୍ତ ଜିଲ୍ଲାପାଳ (ରାଜସ୍ୱ) କଟକ, ଖଣି ଉପ ନିର୍ଦ୍ଦେଶକ କଟକ

J. Behera
Sarapanch
Jharapada G.P.



58

EG12211347K IVR:697512211347
SP BANWANSALO S.O (754016)
Counter No:1,30/12/2024,13:03
To:ADITYA, DISTRI,CHANDINCHAMK.
PIN:733002, Chandinchamk H.O
From:ITISWEE BE,AT BANWANSALO

Rs:20000
Amt:41.30, Tax:6.30, Amt.Paid:47.60
(Track on www.indiapost.gov.in)
(Dial 18002666822) Clear Marks



EG12211350H IVR:697512211350
SP BANWANSALO S.O (754016)
Counter No:1,30/12/2024,13:03
To:NONO,SUSIRAM,CHANDINCHAMK.
PIN:733002, Chandinchamk H.O
From:ITISWEE BE,AT BANWANSALO

Rs:20000
Amt:41.30, Tax:6.30, Amt.Paid:47.60
(Track on www.indiapost.gov.in)
(Dial 18002666822) Clear Marks



EG12211351H IVR:697512211351
SP BANWANSALO S.O (754016)
Counter No:1,30/12/2024,13:03
To:ADITYA, DISTRI,CHANDINCHAMK.
PIN:733002, Chandinchamk H.O
From:ITISWEE BE,AT BANWANSALO

Rs:20000
Amt:41.30, Tax:6.30, Amt.Paid:47.60
(Track on www.indiapost.gov.in)
(Dial 18002666822) Clear Marks



EG12211346H IVR:697512211346
SP BANWANSALO S.O (754016)
Counter No:1,30/12/2024,13:03
To:ADITYA, DISTRI,CHANDINCHAMK.
PIN:733002, Chandinchamk H.O
From:ITISWEE BE,AT BANWANSALO

Rs:20000
Amt:41.30, Tax:6.30, Amt.Paid:47.60
(Track on www.indiapost.gov.in)
(Dial 18002666822) Clear Marks



EG12211348H IVR:697512211348
SP BANWANSALO S.O (754016)
Counter No:1,30/12/2024,13:03
To:ADITYA, DISTRI,CHANDINCHAMK.
PIN:733002, Chandinchamk H.O
From:ITISWEE BE,AT BANWANSALO

Rs:20000
Amt:41.30, Tax:6.30, Amt.Paid:47.60
(Track on www.indiapost.gov.in)
(Dial 18002666822) Clear Marks



~~55~~
59

OFFICE OF THE

JHARAPADA GRAM PANCHAYAT

At/PO: Jahrapada, PS: Govindpur, Dist.: Cuttack

Smt. Itishree Behera,

Sarpanch, Jahrapada Gram Panchayat
7855032622

Mob:

Ref No.: 319

Date. 29/12/2024

Respected,

Deputy Director of Mines, Government of Odisha.

Sub: (Regarding Balada Nainlo Sand Sariyat)

(Reply to the Letter No. 4414/ 27.12.2024 issued by Mining Department, Cuttack)

Respected Sir,

With all due respect I want to state that I, Smt. Itishree Behera, W/o.: Dillip Kumar Behera, At/PO: Jharapada, PS: Govindpur, Dist.: Cuttack. I am the Sarpanch of the Jharapada Gram Panchayat. On dated 30/11/2024 I have sent a written complaint vide letter no. 289 / 30.11.2024 regarding closure of Balada (Nainlo) Sand sariyat to the Hon'ble Chief Minister and considering the same a letter has been issued from the Hon'ble Chief Minister vide letter no. 4414/ 27.12.2024 through the DDM, Cuttack. It is pertinent to mention here that the road which is being used for Balada Nainlo Sand sariyat is very narrow as a result if one car goes through that road, then even a cycle won't be able to pass through that road and in between 10/12/16 wheelers hywa also going through that road. There is a siphon passing through the said road as a result of which the entire island villagers get water supply through a canal for the purpose of cultivation, considering the same the Government has closed the Badabil Kandala Sand sairat. In past days, the river breached into the land

area through the embankment during the time of flood at Badabil and Andeisahi. There is no small embankment as the villagers under my Grampanchayat are living near the riverside. Due to continuous passage of heavy vehicles carrying sand it is becoming for an ambulance to pass through this road and violating the directions of the Hon'ble High Court this Balada (Nainlo) sand sairat is operating both during day and night hours as a result the children are facing difficulties while going to the school and anganwadi. Keeping in view of the interest of the common people and being a people's representative, I am requesting you to completely close the Balada (Nainlo) sand sairat. I am unable to remain present on the same date as I am frightened and there is threat to my life.

Yours Faithfully

N.B.: A copy of this letter is hereby forwarded to the Hon'ble Chief Minister, Government of Odisha, DM, Cuttack; Collector, Cuttack; S.P. (Rural), Cuttack; Assistant Collector (Revenue), Cuttack; DDM, Cuttack; for information.

CERTIFICATE

Certified that all endeavour have been taken to translate the document from Odia to English by me and typed in front of me.

Cuttack

Date: 24.02.25

Debashis Samantaray

DEBASHIS SAMANTARAY
Advocate

E.No-O-42/2024
PH-7978814485

Annexure - 12

File No.: 470283/188-MIN/04-2024

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority (SEIAA),
ODISHA)



Dated 12/06/2024



To,

GANESH KAR
GANESH KAR
Suryavanshi Earth Movers Sibanarayanpur, KENDUJHAR, ODISHA, 758030
ganeshpkarec@gmail.com

Subject:

Amendment in Environmental Clearance (EC) 22/04/2024 granted to the project under the provision of the EIA Notification 2006 -regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/OR/MIN/470283/2024 dated 22/04/2024 for grant of an amendment in prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0107OR5936577A
(ii) File No.	470283/188-MIN/04-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha
(vii) Name of Project	CUTTACK, ODISHA
(viii) Location of Project (District, State)	SEIAA
(ix) Issuing Authority	22/04/2024
(x) EC Date	NO
(xii) Applicability of General Conditions	
(xiii) Status of implementation of the project	

58
62

This has reference to your online application no. SIA/OR/MIN/470283/2024 dated 22.04.2024, wherein you have requested for amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC Identification No. 2042/SEIAA dt. 05.08.2021 in favour M/s. Suryavanshi Earth Movers, the successful bidder/lessee.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 167th meeting held on 03.06.2024 in accordance with the EIA Notification, 2006 as amended from time to time and the following points are noted;

(i) This is a proposal for amendment of EC of Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha.

(ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No. – 2042/SEIAA dt. 05.08.2021 and EC transfer vide letter no.4868/SEIAA dt. 13.07.2022 for Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha.

(iii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand is 126450 cum with depth of sand deposition was 3.0 meter and proposed for annual extraction-25000 cum.

(iv) The SEIAA allowed 25000 cum of sand for 1st year production with depth of mining 2.5 meter.

(v) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that "Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after August 2021, if satisfactory replenishment study report is not submitted."

(vi) The replenishment study was done by M/s. Geomac Solutions Pvt. Ltd, the (ORSAC Empanelment Agencies) with mentioned that Mineable Reserve during Pre-monsoon survey- 2023 = 50840Cum. Mineable Reserve during Post-monsoon survey-2023 = 72849Cum and quantity of sand replenished is 22009 cum and proposed production 22009 cum.

(vii) Documents submitted for amendment of EC;

3. The proposal was placed in SEAC meeting held on 04.05.2024 and the SEAC decided to recommend the proposal with following conditions.

(i) RS quantity derived is 22009 cum, which may be recommended as maximum qty subject to leaving safety zone as per guidelines.

(ii) Transport route to be decided with permission from the authority as the same is not clear from KML file.

4. Amendment of Environmental Clearance (EC) letter no./Identification no. 2042/SEIAA dt. 05.08.2021 issued for Balada River Sand Quarry in favour of M/s. Suryavanshi Earth Movers is **allowed** for extraction quantity of sand **22000 cum per annum** for the balance lease period. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with following additional stipulation mentioned below.

Copy To

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.
3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.
8. Copy to the Collector/Sub Collector, Cuttack, DFO, Cuttack and Tahasildar Kantapada /Mining Cuttack for information and necessary action.
9. Chairman/Member / Member Secretary, SEIAA for information.
10. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.

11. Guard file for record.

63 89

Annexure I

Additional EC Conditions

- (i) The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.
- (ii) The validity of EC is for validity of DSR or validity of lease period whichever is earlier.
- (iii) The Project Proponent (lease holder) shall deposit Rs.2,50,000/- with the respective District Environment Society for raising 500 plants (minimum @100 trees per Ha) of native species within 2 years in a suitable location adjoining to quarry.
- (iv) The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application
- (v) The Project Proponent shall upload/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of transfer of EC, failing which the EC is liable to revoked.
- (vi) In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Signature Not Verified

Digitally Signed by : K Murugesan
Member Secretary, SEIAA

Date: 13/06/2024

Annexure 13 6064

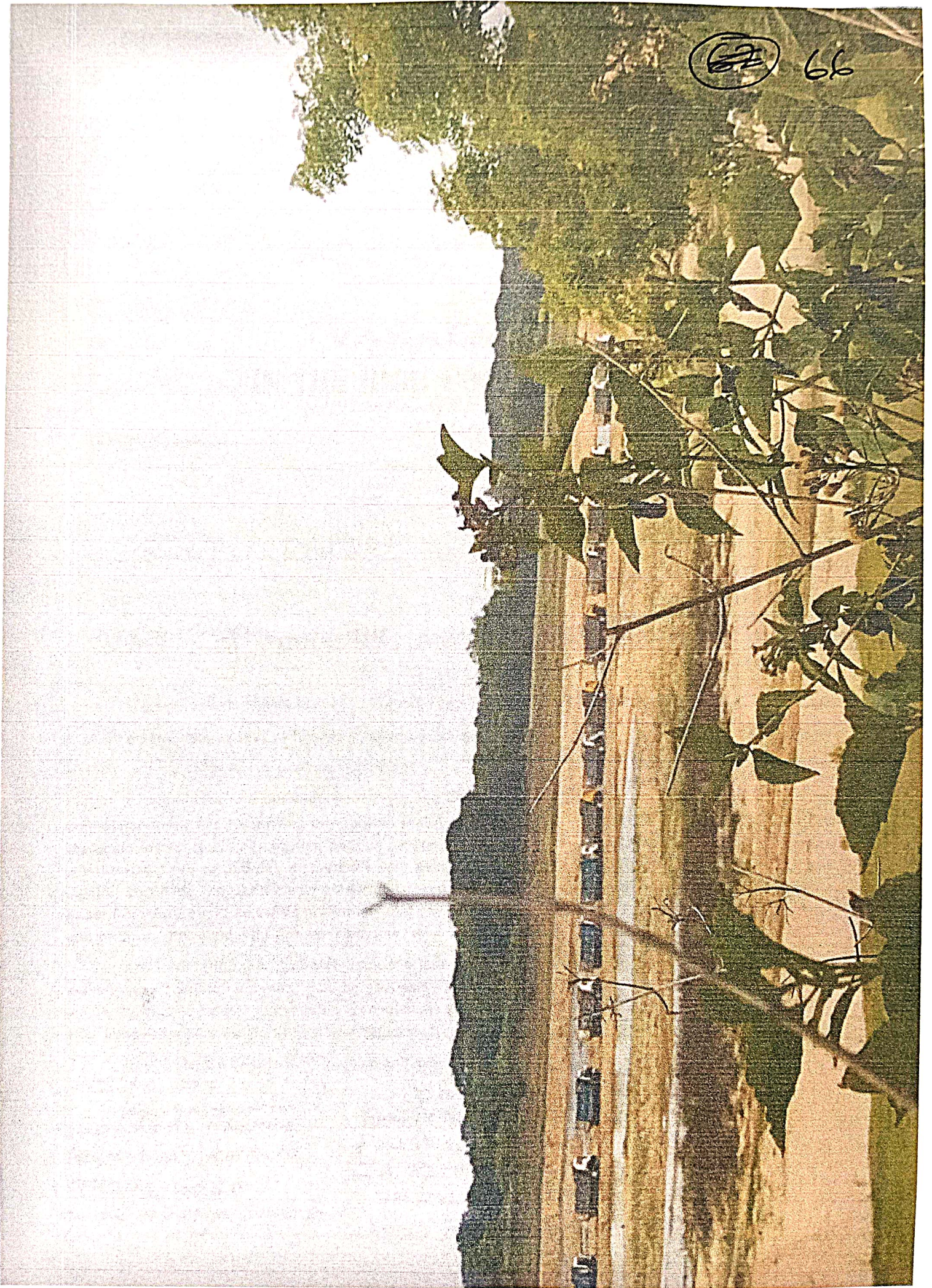


65



(62)

66



Girija Prasad Patra

67

VAKALATNAMA
IN THE HIGH COURT AT CALCUTTA
NATIONAL GREEN TRIBUNAL
KOLKATA

DISTRICT: _____
Constitutional Writ Civil ~~Criminal Revisional~~
Appellate Jurisdiction

O.A No. Of 2025/E2

Girija Prasad Patra Appellant
Petitioner

-Versus-

State of odisha, and or's Respondent
Opposite party

Vakalatnama on behalf of Girija Prasad Patra Knows all

men be these presents that by this Vakalatnama I/We appoint the Advocates Pleadors noted below or any one of them as my/our lawful Advocate or Advocates for filing the memorandum of appeal or petition in the above matter for appearing and conducting and arguing the same for depositing or Withdrawing any money in connection therewith, for moving the Court in any matter connected therewith for preparing the Paper Book in the case and for putting in papers, petition etc. on my/our behalf for filing or taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits, appeals, petition etc. for signing and filing the petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I/We further say that any act done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocate or Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me/us will be at liberty to withdraw from the further conduct of the case.

IN WITNESS WHEREOF I/we sign and execute this vakalatnama, on this the 20 day of

5/1/2025
Dipankar Thakur
Rajarhat, Kolkata
9434214268
dipak1989thakur@gmail.com

Paushali Banerjee
NAME OF THE ADVOCATE
Paushali Banerjee
7A, Kiron Sankar Roy Road
9433253274
paushali_b@yahoo.com