

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.108 OF 2025 / EZ
(Earlier OA No.224/2025/PB)**

News item titled "Sand Smuggling Rampant in Odisha's Cuttack as Officials turn blind to the Meance" appearing in the Indian Express dated 26.04.2025.

...Applicant

VERSUS

Member Secretary, OSPCB
& Others

...Respondents

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By the Respondent No.1

Through

Kolkata
Date:

Sri Dipanjan Ghosh,
Advocates for the Respondent No.1
(State Pollution Control Board, Odisha)
e-mail: dpnjnghsh0@gmail.com
Phone No.:990308097

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.108 OF 2025 / EZ
(Earlier OA No.224/2025/PB)

15 JUL 2025

IN THE MATTER OF :

News item titled "Sand Smuggling Rampant in Odisha's Cuttack as Officials turn blind to the Meance" appearing in the Indian Express dated 26.04.2025.

...Applicant

VERSUS

Member Secretary, OSPCCB
& Others

...Respondents

**AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA, R.NO.1**

I, Smt. Uma Nanduri, IFS, wife of Sri Prem Kumar Jha, IFS aged around 58 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist - Khurda, Odisha-751012, do hereby solemnly affirm and state as under:



1. That I am the Member Secretary of the Respondent No.1 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.
2. That the Hon'ble NGT, Principal Bench, New Delhi has registered suo motu a case vide OA No.224/2025 on the basis of the news item titled "Sand Smuggling Rampant in Odisha's Cuttack as Officials turn blind to the menace" appearing in the English daily, The Indian Express published on 26.04.2025.
3. That in the news item, it is published that there is widespread illegal sand mining in Cuttack district of Odisha and it further states that sand mafias have constructed an embankment to block the Devi River's flow and have built a road from Nati Balighat under Niali Tahasil to facilitate unauthorised sand transportation etc.
4. That the Hon'ble NGT, Principal Bench while adjudicating the matter vide their order dtd.07.05.2025 has impleaded this Board along with other authorities as respondents and directed for filing response / reply by way of affidavit before



the EZB of the Tribunal at Kolkata, which will be listed for hearing on 17.07.2025.

5. That the Registrar, EZB, Kolkata has issued notice by renumbering the OA as OA No.108/2025/EZ to the respondents including this Board as R-1 indicating therein that the matter will appear in the list on 17.07.2025.
6. That it is humbly submitted that soon after receipt of the notice the R-1 Board has directed the Regional Officer, Cuttack vide letter No.12286 dtd.02.07.2025 for a detail report on the allegation raised in the paper clipping, if required, by associating the district administration and mining officials. A copy of the letter No.12286 dtd.02.07.2025 is annexed to this affidavit and marked as **ANNEXURE – R1/1**.
7. That in response to the letter at Annexure-R1/1 read with the letter dtd.05.07.2025 of the ADM, Cuttack, the Regional Officer, Cuttack of this Board along with Mining Officer, Cuttack Circle and Tahasildar, Niali have visited the site on 07.07.2025 and submitted a detail report by



dealing with the allegations raised in the paper clipping with a remarks which is as follows:

The embankment road constructed illegally on the river bed of Devi River by the lessee has been demolished by the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack alongwith the enforcement team. There was no embankment/road was observed on river bed during inspection. The lessee should deposit the pending government dues to the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack. The Mining Officer, Cuttack Circle, Cuttack vide Letter No.2330/Mines, Dt.02.07.2025 has given an opportunity for final hearing scheduled on Dt.14.07.2025 prior to cancellation of mining lease of the said sand source.

Copy of the inspection report of the site visit on dtd.07.07.2025 referred above along with its enclosure is annexed to this affidavit and marked as **ANNEXURE – R1/2 Colly.**

8. That the Respondent No.1 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.



- 9. That the annexures annexed to the present affidavit are true and correct copies of their originals.
- 10. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.



DEPONENT
 Member Secretary
 State Pollution Control Board
 Odisha, Bhubaneswar

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 15th day of July, 2025.

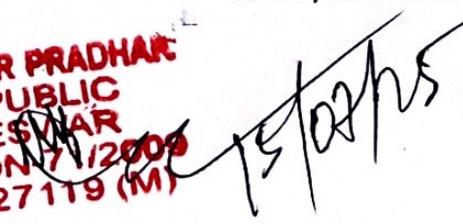
SWORN BEFORE ME



MANJULA KUMAR PRADHAN
 NOTARY PUBLIC
 BHUBANESWAR
 REGD. NO. ON 7/1/2009
 PH - 9437627119 (M)



DEPONENT
 Member Secretary
 State Pollution Control Board
 Odisha, Bhubaneswar





EPABX: 2561909/2562847

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STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]
Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII,
Bhubaneswar - 751 012, INDIA

No. 12286

VII - L - Misc - 1225

Date: 2-7-25

E-mail / Speed Post

To

The Regional Officer
SPC Board, Cuttack

Sub: OA No.108/2025/EZ (earlier OA No.224/2025/PB) - News item titled "Sand Smuggling rampant in Odisha's Cuttack as officials turn blind to the menace" appearing in The Indian Express dtd.26.04.2025.

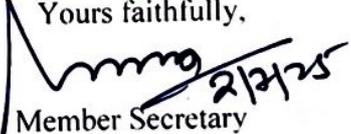
Ref: E-mail dtd.26.06.2025 received from Judicial Section, NGT, EZB, Kolkata communicating the notice along with copy of order dtd.07.05.2025 of the Hon'ble NGT, PB, New Delhi in OA No.224/2025/PB.

Madam,

The Hon'ble NGT, PB, New Delhi on the basis of a news item published in The Indian Express dtd.26.04.2025 under the caption titled "Sand Smuggling rampant in Odisha's Cuttack as officials turn blind to the menace" has been pleased to take cognizance of the same and registered a case vide OA No.224/2025 and impleaded the Board as R.No.1 and issued notice fixing 17.07.2025 for filing affidavit before the NGT,EZB, Kolkata. In the meantime, e-mail dtd..26.06.2025 has been received from the Judicial Section, NGT, EZB, Kolkata wherein the Board has been directed to take steps for compliance of the order dtd.07.05.2025 of the Principal Bench referred above. Copy of the e-mail dtd.26.06.2025 referred above along with its enclosure is forwarded for reference.

In view of the above, it is requested to please submit a detail report by 10.07.2025 on the allegation raised in the paper clipping if required by associating the district administration and mining officials so that step will be taken by the Board for filing affidavit before the Hon'ble Tribunal.

Encl: As above.

Yours faithfully,

Member Secretary

INSPECTION REPORT OF THE SITE VISIT IN THE MATTER OF ORIGINAL APPLICATION NO. 108/2025/EZ (EARLIER AS OA NO. 224/2025/PB)–NEWS ITEM TITLED "SAND SMUGGLING RAMPANT IN ODISHA'S CUTTACK AS OFFICIALS TURN BLIND TO THE MENACE" APPEARING IN THE INDIAN EXPRESS DATED 26.04.2025

I. NEWS ITEM APPEARED IN THE INDIAN EXPRESS DATED 26.04.2025 AND ORDER OF HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI PASSED ON 07.05.2025

The Hon'ble NGT, Principal Bench, New Delhi on the basis of the news item titled "sand smuggling rampant in Odisha's Cuttack as officials turn blind to the menace" appearing in The Indian Express dated 26.04.2025 took cognizance into the matter and initiated a Suo-Motu case vide OA No. 224/2025/PB. The Original Application No. 224/2025/PB subsequently re-numbered as OA No. 108/2025/EZ by the Hon'ble NGT, EZB, Kolkata. The relevant part of the news item is reproduced as follows:

"The news item relates to the widespread illegal sand mining in Odisha's Cuttack district. The news item states that sand mafias have constructed an embankment to block the Devi river's flow and have built a 1.5 kilometers road from Nati Balighat under Niali tehsil to facilitate unauthorized sand transportation. The news article mentions that these activities went unnoticed by Steel and Mines Department for nearly two weeks until locals reported them."

In this matter the Hon'ble NGT Principal Bench, New Delhi has passed order on dtd.07.05.2025 to implead the followings as respondents in the matter;

1. Member Secretary, Odisha State Pollution Control Board, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar- 751012, Odisha.
2. Member Secretary, Central Pollution Control Board, Paribesh Bhawan, East Arjun Nagar, Delhi- 110032.
3. Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Bhubaneswar, A/3, Chandrasekharapur, Bhubaneswar-751023, Odisha.
4. District Magistrate (Collector), Cuttack, Office of the Collector and District magistrate, Collectorate, Cuttack – 753002, Odisha.

The Hon'ble NGT has directed to the above respondents for filling their response/ reply by way of affidavit before the Eastern Zonal Bench.

II. ABOUT M/S. NATI DEVI RIVER SAND QUARRY, AT: VILLAGE NATI, TAHASIL NIALI, DIST: CUTTACK

- i. The Nati Devi River Sand Quarry is located on Plot No. 2510 of Khata No. 604 over area Ac. 12.00 dec. (4.856 Ha.) at: village Nati, Tahasil Niali in Cuttack district.
- ii. The sand mine has obtained Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar vide letter No. 870/SEIAA, Dt. 09.03.2021 for extraction of 4,000 Cubic meter sand for 1st year, vide letter No. 5390/SEIAA, dtd. 02.09.2022 for extraction of 4,000 Cubic meter sand for 2nd year and vide EC Identification No. EC24C0107OR5355205A, dtd. 13.03.2024 for extraction of 4,067.20 Cum/year for 3rd, 4th and 5th year of the lease period. Copy of the Environmental Clearance order is enclosed as **Annexure-I, II & III**.
- iii. Shri Benudhar Patra, Lessee of the sand mine has made a lease agreement executed on 4th May, 2021 with the Tahasildar, Niali which is valid for 5 years from the date on which the executed deed is registered. Copy of the lease deed is enclosed as **Annexure-IV**.
- iv. Consent to operate of the sand mine was granted upto 03.05.2025 by the State Pollution Control Board, Regional Office, Cuttack vide letter No. 1379/2394, dtd. 08.05.2024 for mining of river sand of quantity 4,000 Cubic Meter/Annum. Copy of the Consent to operate is enclosed as **Annexure-V**. The sand mine has not applied for further renewal of Consent to Operate to the Board.
- v. M/s. Nati Devi River Sand was taken over by the Mining Officer-Cum-Competent Authority, Cuttack District on Dt.01.08.2023 from the Tehsildar, Niali, Dist-Cuttack.
- vi. The said sand source was provided with user-id and password on Dt.23.11.2023 for generation of e-Transit Pass by the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack. However, the

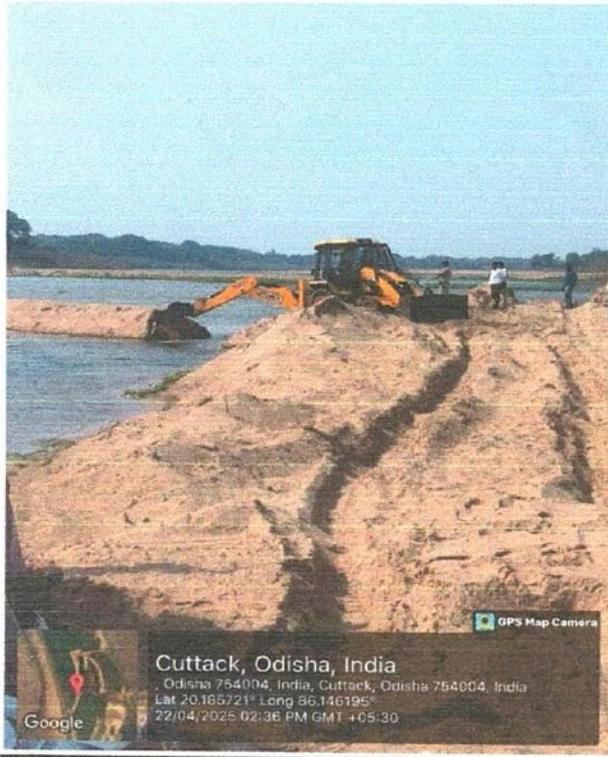
source has remained non-operational since the date of handover i.e. dtd. 23.11.2023.

- vii. A letter was issued by the Mining Officer, Cuttack Circle, Cuttack to the Lessee for payment of total pending dues of Rs. 91,31,190/- (i.e, Rs. 88,24,750/- as royalty, additional charges, surface rent and deed rent, Rs. 14,000/- in DMF, Rs. 7,000/- in EMF and Rs. 2,85,440/- in TCS) vide letter No. 1062/Mines, dt. 30.03.2024. Copy of the letter is enclosed as **Annexure-VI**.
- viii. Subsequently the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack gave an opportunity of hearing to the lessee on 01.03.2025 vide Letter No. 643/Mines, dt.20.02.2025 as to why the mining lease should not be cancelled due to the non-payment of outstanding government dues of Rs. 36,72,916.91 for 2021-22 to 2023-24 and Rs. 1,46,31,190 for 2024-25 financial year. Copy of the letter is enclosed as **Annexure-VII**.

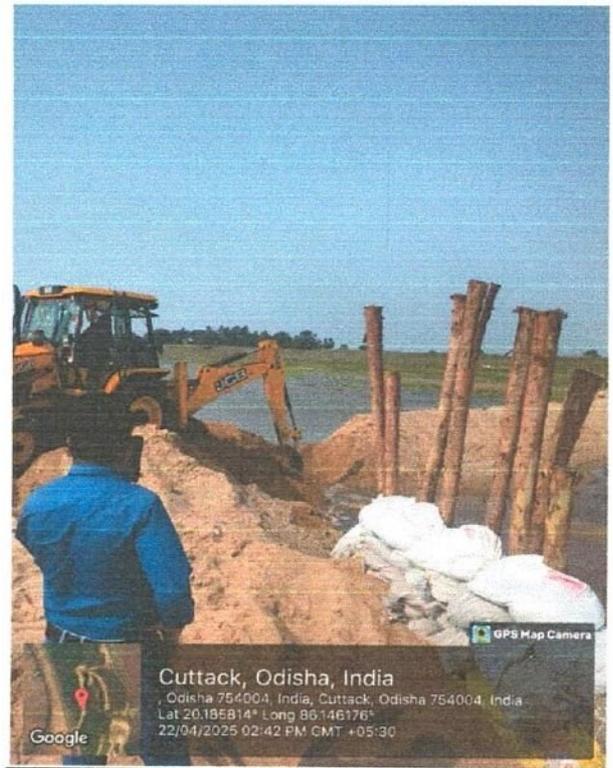
III. ACTION TAKEN BY THE OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK IN THE MATTER OF ILLEGAL CONSTRUCTION OF ROAD/EMBANKMENT ON THE RIVER BED OF DEVI RIVER

- i. On receiving information regarding construction of an illegal road at M/s. Nali Devi River Sand which was blocking the natural flow of the Devi River, the Mining officer, Cuttack Circle, Cuttack sought the assistance of the IIC, Niali Police Station, Niali and the Tehsildar, Niali vide Letter No.1514/Mines and memo No. 1515/Mines, Dt.21.04.2025 respectively for an enforcement at the aforesaid sand source which was scheduled for Dt.22.04.2025. (Copy of the Letter is enclosed as **Annexure-VIII**)
- ii. On Dt.22.04.2025, a joint team consisting the officials from Tehsil office, Niali, Police Station, Niali and the office of the Deputy Director of Mines, Cuttack, carried out an enforcement at the said sand source and demolished the aforesaid illegally constructed road. Geo-Tagged and time stamped Photographs taken during the said enforcement activity are given below as **Fig: 1 & 2**.





(Fig:1)



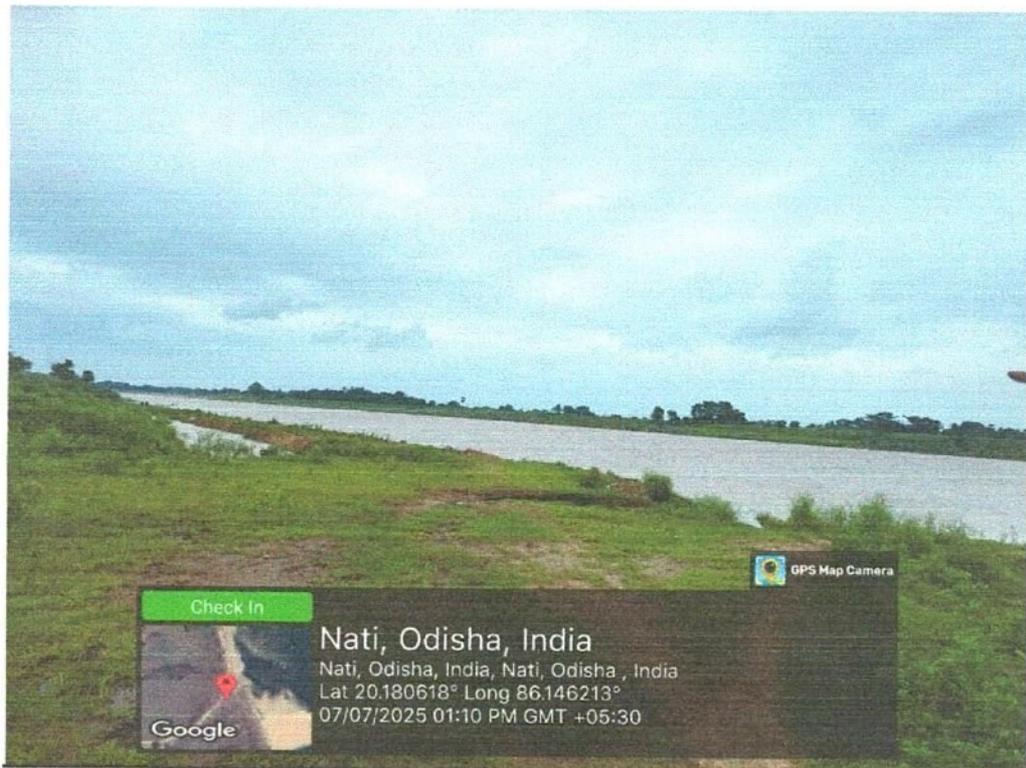
(Fig:2)

- iii. On Dt.02.07.2025, vide Letter No.2330/Mines, the Mining Officer, Cuttack Circle, Cuttack has intimated the Lessee of the aforesaid sand source that, a final hearing on the violation of the statutory conditions (Mining Plan, Environmental Clearance and Consent to Operate conditions) by constructing an illegal road at the said sand source blocking the natural flow of the river and non-payment of government dues has been scheduled for Dt.14.07.2025, 04.00P.M. A copy of the letter is enclosed herewith as **Annexure-IX**.

IV. SITE VISIT

1. In compliance to the order of the Hon'ble NGT, the Additional District Magistrate, Cuttack sought for a joint enquiry report vide letter No. 1918/Judicial, dt. 05.07.2025 from the Regional Officer, State Pollution Control Board, Odisha, Cuttack, Tahasildar, Niali and Mining Officer, Cuttack. Accordingly, the following officials visited the Nati Devi River Sand Quarry at: village Nati, Tahasil Niali in Cuttack district on 07.07.2025;

- i. Er. Rashmita Priyadarshini, Regional Officer, State Pollution Control Board, Odisha, Cuttack.
 - ii. Shri Tarini Ranjan Ray, Tahasildar, Niali
 - iii. Shri Sambit Sahoo, Mining Officer, Cuttack Circle, Cuttack
2. As observed the mine lease area of the said sand source was submerged in water due to continuous heavy rainfall over the past week, resulting in a strong water flow in the river. The sand Quarry was not in operation and no sand transportation vehicles were observed at the site. No embankment/road was observed on river bed during inspection. An earthen road exists on the bank of the river for connectivity to the mine lease area as per approved mining plan. Photograph of the said sand mine taken on 07.07.2025 is given below as **Fig: 3**



(Fig:3)

3. About 12000CuM of sand was stacked near the M/s. Nati Devi River Sand source. The Mining officer informed that it is an unclaimed stacked and has been seized and it will be auctioned after due process.

REMARKS:

The embankment road constructed illegally on the river bed of Devi River by the lessee has been demolished by the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack alongwith the enforcement team. There was no embankment/road was observed on river bed during inspection. The lessee should deposit the pending government dues to the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack. The Mining Officer, Cuttack Circle, Cuttack vide Letter No.2330/Mines, Dt.02.07.2025 has given an opportunity for final hearing scheduled on Dt.14.07.2025 prior to cancellation of mining lease of the said sand source.



Shri Sambit Sahoo,
Mining Officer,
Cuttack Circle,
Cuttack

Shri Tarini Ranjan
Ray, Tahasildar, Niali

Er. Rashmita
Priyadarshini
Regional Officer,
State Pollution Control
Board, Odisha, Cuttack

Regional Officer
State Pollution Control Board
Cuttack



1/13/11

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)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2540669, E-mail-seiaaorissa@gmail.com

Letter No 870/SEIAA

Dt. 09.03.2021

File No. SEIAA-1013/12-2020

To

Sri. Benudhar Patra
At-Daraji Sahi, Old Town,
Dist-Khordha

Sub: Proposal for mining of sand from Nati Devi River Sand Quarry over an area 12.00 acres or 4.856ha at village- Nati, Tahasil- Niali, District- Cuttack of Sri. Benudhar Patra - Environmental Clearance reg.

Ref: Proposal No: SEIAA-1013/12-2020 dated 15.12.2020

Sir,

This is with reference to the application dated 15.12.2020 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 it is a case of minor mineral extraction involving area of less than 5ha. (a B2 category project), and there is no provision at present for filing EC application for such cases 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. The State Govt. vide their letter no. 21253/F&E dated 05.11.2019 have requested the MoEF&CC to make necessary provision in the PARIVESH portal to facilitate filing of environmental clearance applications for minor mineral projects before SEIAA in the online mode; but so far the necessary provision has not been given in the said portal.

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

4. The Tahasildar, Niali who is the lease granting authority in this case is responsible for monitoring strict compliance by the project proponent with the following conditions of grant of environment clearance.

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

- a. (This is a proposal for mining of sand from Nati Devi River Sand Quarry lying in the Devi River bed located at village- Nati, Tahasil- Niali, District- Cuttack, over lease area of 12.00 acres or 4.856ha.
- b. The mine area is a part of the Survey of India Toposheet No. F45U4 bounded by Latitude: 20°10'45.90" N to 20°11'04.99" N and Longitude: 86°08'47.95"E to 86°08'59.33" E.
- c. The mining lease is an identified sairat source in the DSR. The Nati Devi River Sand Quarry sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Niali to Sri. Benudhar Patra on the basis of public auction for a lease period of 5 years.
- d. The mining plan of the mining project prepared on behalf of successful bidder (lessee) has been approved by Deputy Director Geology, Directorate of Geology, Bhubaneswar on 28.08.2020.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 41013 cum of sand, when extracted upto a depth of 1.0 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 12.12.2018 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 2.75Km away from the mining lease area.
- g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mines 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 1.0 meter with annual extraction of sand not exceeding 4000 cum (maximum production capacity) during the valid lease period.
6. 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).
7. The proposal is duly appraised by the SEAC in its meeting held on 10.02.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 133/SEAC-Misc-02 dated 10.02.2021.
8. The Environmental Clearance is accordingly granted to the proposed activity of sand mining / quarrying which 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.

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 15th May, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand is obligatory.
- 9.2 In the first year i.e. before the rainy season of 2022, the extraction of sand shall not exceed 4000cum, calculated by multiplying the working area in sqmtr by 1.0 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.
- 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 at his own cost.
- 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 State 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.



ANNEEXURE-~~II~~^{IX}

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)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075. E-mail-seiaaorissa@gmail.com

Letter No 5390/SEIAA

DI. 02.09.2022

File No. SIA/OR/MIN/287410/2022

To

Sri Benudhar Patra
At-Daraji Sahi, Old Town,
Dist-Khordha

Sub: Proposal for **Amendment of Environmental Clearance (EC)** of Nati River Sand Bed over an area of 12.00 or 4.856 ha bearing khata no. 604, Plot No.2510 at Village-Nati, Tahasil-Niali, District-Cuttack, Odisha of Sri Benudhar Patra-reg.

Ref: (i) EC letter no. 870/SEIAA dated 09.03.2021
(ii) Letter of concerned Tahsildar vide letter no. 2458 dated 26.07.2022
(iii) Online proposal No. SIA/OR/MIN/287410/2022 dtd.06.08.2022

Sir

Kindly refer your online application on dated 06.08.2022, whereas you have requested for amendment of environmental clearance granted by SEIAA, Odishavide letter no. 870/SEIAA dated 09.03.2021 issued earlier in favour of Sri Benudhar Patra.

As submitted by the Tahasildar, Niali, Dist-Cuttack, it is noted that EC was obtained for Nati River Sand Bed for a period of 5 years in favour of Sri Benudhar Patra vide the above mentioned EC letter under reference. There is EC conditions in point 9.1 and 9.2 on page no. 3 it was mentioned that Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and liable to be revoked after one year i.e. after **15th May 2022**, if satisfactory replenishment study is not submitted. In the **1st year i.e. before rainy season of 2022** and the extraction of sand shall not exceed **4000 cum** with maximum depth of mining **1.0 meter**. Now, the Tahsildar has submitted replenishment study report of sand done by Recognized Qualified Person (RQP) with mentioning that the mineral reserve in pre-monsoon period is **25,432 cum** with depth 1.0 meter and after post-monsoon the mineral reserve is **22321 cum** with 1.0 meter depth, sand extracted during 1st lease period-not mentioned and the concerned Tahasiladr has request for amendment of EC for next year production-**4000 cum** as per the replenishment rate study of sand.

 1

The proposal was registered in PARIVESH Portal on dated 06.08.2022 with required documents and was placed in the SEIAA, Odisha meeting held on 23.08.2022 and the Authority decided that "EC be given with usual conditions. Maximum production is approved at 4000 cum in the 2nd year. Maximum depth permissible is 1.0 meter. Rate of replenishment study be carried out by November 2023. Full scale earlier EC compliance with production details be submitted within 2 months period positively". The amendment of EC is granted 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) Full scale earlier EC compliance with production details be submitted within 2 months period positively.
- 2) 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.
- 3) The replenishment study be repeated this year by employing the drone method. The quantity of **4000 cum sand extraction for 2nd year** is approved. The project proponent has to submit rate of replenishment study report **by November 2023** through the above mentioned method.
- 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).

[Handwritten signature]

Yours faithfully,

[Handwritten signature]
Member Secretary

Memo No 5091/SEIAA /Dt. 02.09.2022

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, JorBagh 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, ManSingh Road, New Delhi-110011 for information.
7. Collector & DM, Cuttack/ Sub Collector, Cuttack/Tahasildar, Niali 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.

[Handwritten signature]

[Handwritten signature]
Member Secretary

Annexure-1

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-2**Essential 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 is 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 | |

DH



30
File No.: 459031/06-MIN/01-2024

ANNEXURE-1B*

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), ODISHA)



Dated 13/03/2024



To,

Benudhar Patra
BENUDHAR PATRA
At-plot no-837, Daraji sahi, Bbsr, old town, Khordha , KHORDHA, ODISHA, , 751002
benudharpatra2022@gmail.com

Subject: Amendment in Environmental Clearance (EC) of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack of Sri Benudhar Patra 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/459031/2024 dated 17/01/2024 for grant of an amendment in prior Environmental Clearance (EC) issued by SEIAA, Odisha vide letter no.870/SEIAA dt. 09.03.2021 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. | EC24C0107OR5355205A |
| (ii) File No. | 459031/06-MIN/01-2024 |
| (iii) Clearance Type | Amendment in EC |
| (iv) Category | B2 |
| (v) Schedule No./ Project Activity | 1(a) Mining of minerals Proposal for Amendment of EC of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack based on Replenishment Study Report.. |
| (vii) Name of Project - | |
| (viii) Location of Project (District, State) | CUTTACK, ODISHA |
| (ix) Issuing Authority | SEIAA |
| (x) EC Date | 17/01/2024 |
| (xi) Applicability of General Conditions | NO |
| (xiii) Status of implementation of the project | |

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A and B) were submitted to the SEAC for an appraisal by the State Level Expert Appraisal Committee (SEAC) under the provision of EIA notification 2006 and its subsequent amendments for grant of amendment of EC.
2. The above-mentioned proposal has been considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 29.01.2024. The minutes of the meeting and all the Applications and documents submitted [(viz. Form-2(Part A and B))] for EC are available on PARIVESH portal which can be accessed by scanning the QR Code above or through the following web link [click here](#).
3. The brief about the reasons for an amendment requested along with comparison table illustrating the details of amendments are annexed to this letter as Annexure (2)
4. The SEAC, in its meeting held on 29.01.2024, based on information & clarifications provided by the project proponent and after detailed deliberations in the matter & the SEAC recommended the proposal for amendment of **Environmental Clearance** under the provision of EIA Notification, 2006.
5. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 157th meeting held on 22.02.2024 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2nd February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore) and based on the recommendation of SEAC hereby accords amendment in Environment Clearance of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack of Sri Benudhar Patra under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of EC conditions, general instructions issued vide EC letter no./EC Identification number 870/SEIAA dt. 09.03.2021 and following additional specific conditions as mentioned below:

Additional Specific Condition:

- Maximum quantity of extraction of sand shall be allowed to 4067.20 cum per year for the rest of the lease period i.e. for the 3rd year, 4th year and 5th year.
- 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.
- The validity of EC is valid till validity of DSR or validity of lease period whichever is earlier.
- 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.
- The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.

The Project Proponent shall comply the above conditions and also to uploaded/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, falling which the EC stands automatically revoked.

This issues with the approval of the Competent Authority.

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,

- mandrasekharpur, 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. Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.
 8. Collector/Sub Collector, Cuttack and Tahasildar Niali/Mining Officer, 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.

Annexure 2

Amendment Logs

| Description | Reference | Existing | Proposed / Amendment | Reason |
|-------------|-----------|----------|----------------------|--------|
| NA | NA | NA | NA | NA |

| | |
|---|--|
| Proposal No. | SIA/OR/MIN/ 459031/2024 |
| Date of application | 17.01.2024 |
| File no. | 459031/06-MIN/01-2024 |
| Project Type | Proposal for Amendment of EC |
| Category | B2 |
| Project/Activity including Schedule No. | 1(a) Mining of minerals |
| Name of the Project | Proposal for Amendment of EC of Nati Devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack |
| Name of the company/Organization | Sri Benudhar Patra |
| Location of Project | Village-Nati, Tahasil-Niali, Dist-Cuttack |

1. Proposal in brief:

The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

- (i) This is a proposal for amendment of EC of Nati devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack.
- (ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. EC Identification No. – 870/SEIAA dt. 09.03.2021.2021 & Amedment of EC letter issued vide letter no. 5390/SEIAA dt. 02.09.2022 for Nati devi river sand over an area of 12Ac. or 4.856Ha at Village-Nati, Tahasil-Niali, Dist-Cuttack.
- (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 was 41013 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-4000 cum.
- (iv) The SEIAA allowed 4000 cum of sand for 1st year production with depth of mining 1.0 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 15th May 2022, if satisfactory replenishment study report is not submitted.”
- (vi) The PP has mentioned the quantity of sand extracted 3921.5 cum in the year 1st year & 2350.5 cum in 2nd year.
- (vii) The replenishment study was done by the AREAL CONSTRUCTIONS & GEO-INDIA SERVICES, the ORSAC Empanelment Agency with mentioned that the pre-monsoon standard elevation 7.776234 and post-monsoon standard elevation 7.903473 and quantity of sand replenished is 4067.2183 cum and proposed production is 4067 cum/annum.
- (viii) Both Pre monsoon (05.06.2023) and Post Monsoon (18.10.2023) has been carried out by Drone survey method.
- (ix) Available replenishment mineable reserve after post monsoon in common workable area of 31,965.186sqm i s 4067.2183cum and 60% of replenishment mineable reserve is 2440.33098cum of sand.
- (x) Any deficiencies/omission have been noticed in the above documents-Nil

2. Whether SEAC recommended the proposal – The proposal was placed in the SEAC meeting held on 29.01. 2024 and The SEAC observed the following:

- a) The replenishment studies show the volume of sand deposited is 4067 cum after post monsoon. But as per existing rule 60% of sand quantity i.e., 2440.33 cum is permitted.
- b) It is observed from KML file & pictures from the report, the land mass are around 50% of lease area. i.e., ar ound 24000 sq. meter. There has been deep excavation in the lease area.

c) The lessee has excavated only 3921.5cum during 1st year and 2350.5cum during 2nd year. The lessee has requested to reduce the MGQ, since there is no sufficient deposit of sand during monsoon.

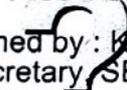
After detailed deliberations, the SEAC decided to recommend the proposal as per the replenished value of sand i.e., **4067.21 cum of sand.**

Decision of Authority: Approved

After detailed deliberation in the matter, the Authority decided to allow amendment of EC as per the SEAC recommendation with the following specific condition:

- Maximum quantity of extraction of sand shall be allowed to **4067.20 cum per year** for the rest of the lease period i.e. for the 3rd year, 4th year and 5th year. 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.
- The validity of EC is valid till validity of DSR or validity of lease period whichever is earlier.
- 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.
- The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.

Signature Not Verified

Digitally Signed by:  Murugesan
Member Secretary, SEIAA

Date: 13/03/2024

462150971
GOVT OF ODISHA

SR NIALI
CUTTACK



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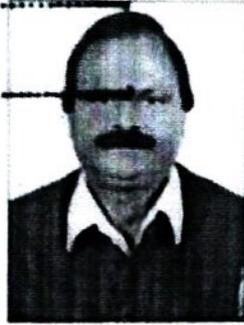
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4

Date 4-5-21 2021



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Handwritten signature of Benudhar Patra

Registering Officer
Niali

Benudhar Patra

OFFICE OF THE TAHASILDAR, NIALI

RS-287011
J-007993781

Benudhar Patra
4.5.21

Lesser : Tahasildar, Niali, At/PO/PS- Niali, Dist- Cuttack (on Behalf of State of Odisha)

Lessee: Sri Benudhar Patra, S/o- Biswanatha Patra, At- Daraji Sahi, Old Town, Shree Lingaraj, Bhubaneswar.

Sairat Source: Nati Devi River Sand Sairat Source for the year 2021/22 to 2025/26 for 5 years.

Lease Value for One Year i.e. 2021/22

| | | |
|------------------------------------|---|--------------------------|
| 1. Royalty : 4000CumX35/- | = | Rs. 1,40,000/- |
| 2. Addl. Changes: 4000cum X 3533/- | = | Rs.141,32,000/- |
| 3. Surface Rent @ 360/- | = | Rs.1,750/- |
| 4. Dead Rent @ 10,500/- per hector | = | Rs. 51,000/- |
| 5. DMF =10% of Royalty | = | Rs. 14,000/- |
| 6. EMF = 5% of Royalty | = | Rs. 7,000/- |
| 7. Income Tax 2% of Royalty | = | Rs. 2,800/- |
| | = | <u>Rs.1,43,48,550.00</u> |

Tahasildar, Niali

Nature of Agreement : Lease Agreement as per Rule 13 of OMMC Rules 2016.

Handwritten notes:
Kachhwa Royon Milliro, Adv.
4.5.21
4.5.21

Ramchar Patre
 At: Dargy, Niali, Dist. Niali
 Social No 82 Place No 10427 R. No. 17,428/-
 Amount General cash amount of Rs. four hundred twenty eight only.

Signature of the mortgagee: *Ramchar Patre*
 04/05/21



[Signature]
 Registering Officer
 Niali

92

FORM-N
Form of Quarry Lease
[See Rule 27(13)]

THIS INDENTURE made this 30th day of April 2021 between the Governor of Odisha and on whose behalf Tahasildar, Niali & Competent Authority, OMMC Rules, 2016 (here in after called the "Lesser") of the one part and (Name of person) Sri Benudhar Patra , S/o: Biswanath Patra , At/ Po- Darajisahi, Unit- 27 Bhubaneswar Ps. Lingaraj, Dist-Khordha State: Odisha aged about 61 years, S Profession-Business (hereinafter called "Lessee" which expression shall where the contest so admits be deemed to include his heirs, executors, administrators assignees) of the other part.

WHEREAS the lessee has applied to the Competent Authority concerned for a Sand lease for Nati Devi River Sand (minor mineral) in accordance with Provisions of the Odisha Minor Minerals Concession Rules, 2016 in respect of the lands described in Part-I of the Schedule and has deposited a sum of Rs.35,82,000/- as security. (Refundable).

AND WHEREAS the Competent Authority has communicated his approval to the grant of lease on the terms, covenant and conditions hereinafter contained.

NOW THIS INDENTURE witness as follows:-

The lesser hereby demises to the lessee the land described in Part-I of the Schedule hereunder written and delineated in the map here unto annexed.

The said demised pieces of land shall be held by lessee for a term of 5 years from the date on which this executed deed is registered under Indian Registration Act and Odisha Registration Manual, subject to the terms, convents & conditions hereinafter provided.

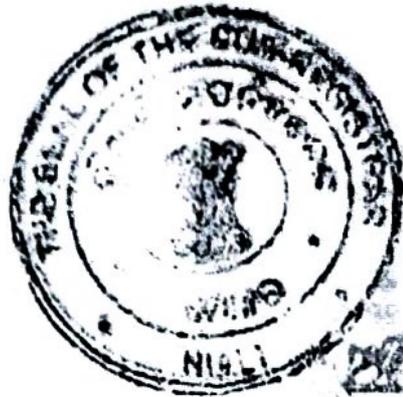
IN WITNESS WHEREOF these presents have been executed in manner hereunder appearing the day and year first above written.

The Schedule above referred to

[Signature]
Tahasildar, Niali

[Signature]
Benudhar Patra
27/5/21

[Signature]
Krishna Rajan Mishra, Adu
27/5/21



Endorsement of the certificate of admissibility

Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment act 1 of 2008) Act 1899, Schedule 1-A No. 35© Fees Paid : A5(b)-287011 ,, User Charges-340 ,Total 287351

Date: 04/05/2021

[Signature]
 Signature of Registering Officer
 Registering Officer
 Niali

Endorsement under section 52

Presented for registration in the office of the Sub-Registrar Sub-Registrar NIALI between the hours of 7:30 AM and 10:00 AM on the 04/05/2021 by TAHASILDAR NIALI(GOVT) , son/daughter/wife of , of AT/PO/PS-NIALI,CUTTACK , by caste , profession and finger prints affixed.

Signature of Presenter / Date: 04/05/2021

[Signature]
 Signature of Registering officer.
 Registering Officer
 Niali

Endorsement under section 58

Execution is admitted by :

| Name | Photo | Thumb Impression | Signature | Date of Admission of Execution |
|-------------------------|---|---|---|--------------------------------|
| TAHASILDAR NIALI (GOVT) | Execution By TAHASILDAR NIALI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by | Execution By TAHASILDAR NIALI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by | Execution By TAHASILDAR NIALI (GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer | --- |

(91)

PART-1**Location and Area of the Lease**

Village Plot Nos. 2510, Khata No. 604, Kissam – Nadi (Abada Ajogya Anabadi)

Village - Nati,

Tahasil - Niali

Area (in Ac) Ac 12.00 out of Ac 42.83

Hereinafter called as "said lands"

As per plan annexed and bounded

On the North by River

On the South by River

On the East by River

And on the West by River

PART-II**TERMS AND CONDITIONS OF THE LEASE**

This lease is subject to the conditions laid down in Rule 33 of OMMC Rule, 2016 and also all other conditions pertaining to lease as provided in the rules, that is as under-

01. The lessee shall pay to the State Government surface rent before the execution of the lease deed for the remaining period of the year and thereafter pay such yearly rent on or before the 15th January of every year.
02. The lessee shall pay dead rent for the remaining period of the year before the execution of the lease deed and thereafter pay yearly dead rent on or before the 15th January of every year and an account of the royalty payable by him shall be kept by the competent Authority and as soon as the royalty payable by him becomes equal to or in excess of the dead rent already paid by him, he shall remove the minor minerals only after payment of the royalty and in such cases advance dead rent paid by him shall be deemed to have been merged into the amount of royalty that he was liable to pay.
03. The lessee shall pay to the Government, compensation for all damages, injuries or disturbances which has been caused by him in the course of mining

Ajogya
Tahasildar, Niali

Benu Shor Patteda

w. Krishna Rajan Mijere. Adu
v. Guchy Dy Cat 4-5-94

BENUDHAR PATRA



242669657

[Signature]

04-May-2021

Identified by **KRUSHNA RANJAN MISHRA ADV** Son/Wife of **BANSHIDHAR MISHRA** of **AT/PO/PS-NIALI,CUTTACK** by profession **Advocate**

| Name | Photo | Thumb Impression | Signature | Date of Admission of Execution |
|---------------------------|-------|------------------|--------------------|--------------------------------|
| KRUSHNA RANJAN MISHRA ADV | | | <i>[Signature]</i> | 04-May-2021 |

41876012

Date: 04/05/2021

Endorsement of certificate of registration under section 60

Registered and true copy filed in : Office of Sub-Registrar, NIALI

Book Number : 1 || Volume Number : 17

Document Number : 10462100810

For the year : 2021

Seal :

Date: 05/05/2021

Print



[Signature]
Signature of Registering officer
Registering Officer
Niali

[Signature]
Signature of Registering officer
Registering Officer
Niali

operation and shall indemnify the government against all claims which may be made by third parties in respect of such damage, injury or disturbances.

04. The lessee shall commence quarrying operations within three months from the date of execution of the lease deed which shall be carried on in a proper, skilful and workman-like manner and the lessee shall send to the Director and Deputy Director or Mining Officer concerned, under whose jurisdiction the area is located and to the Director of Mines Safety, Bhubaneswar and intimation in form H of the opening or reopening of the quarry so as to reach them within a period of fifteen days from the date of such commencement.
05. If the lessee does not work upon the quarry for a continuous period of six months, the lease shall be liable to be cancelled, unless prior permission has been granted by the competent Authority for such stoppage on reasonable grounds.

Provided that the competent Authority may, on an application made by the lessee before it is cancelled and on being satisfied that it will not be possible for the lessee to undertake mining operations or to continue such operations for reasons beyond his control, make an order within a period of one month from the date of receiving such application and subject to such conditions as may be specified to the effect that such lease shall not be cancelled.

06. The lessee shall allow reasonable facilities of access to other concessionaires of major and minor minerals, as may be directed by the Competent Authority.
07. If any minor minerals not specified in the lease deed is discovered in the leased area, the lessee shall report it forthwith to the Competent Authority and the Director and the lessee shall not win or dispose of any such minor mineral unless such minor minerals is included in the lease deed or a separate prospecting license-cum-mining lease or mining lease or mining lease or

B. S. M. Patra

13/4/22
Tahasildar, Niali

Dr. Krishna Ranjan Mishra, Adv.
N. S. M. Patra

quarry lease, as the case may be, to extract the newly discovered minor mineral within three months from the date of discovery or if he declares his intention not to work upon the discovered minor mineral, the State Government or the competent Authority, as the case may be, may grant prospecting license-cum-mining lease or mining lease or quarry lease in respect of that minor mineral to any other person after observing the procedure specified under these rules for the purpose:

Provided that, if the mineral discovered is not a minor mineral, the lease shall not be entitled to any preference for the purpose of obtaining a lease for the new mineral, by reason only of the lands being included in his earlier lease for extraction of minor mineral.

08. The lessee shall not carry on or allow to be carried on, any quarrying operation at any point within a distance of:-
- a. One hundred meters from any railway line (except under and in accordance with the written permission of the railway Administration concerned) and in case of National Highway, State Highway; monuments, heritage sites, or any reservoir; except in accordance with the previous permission of the Collector.
 - b. Fifty meters from any tank, canal; road (other than a National or State Highway or other public works or buildings or inhabited sites), except under in accordance with the previous permission of the collector.
09. The Railway Administration or the Collector, as the case may be, may grant such permission as required under clause (a) or (b) of Sub-Rule (8) on such conditions as may be specified.
10. The State or Central Government shall have right to construct any road, railway or canal or reservoir or to lay electric or telephone lines in or over the lands held under the lease.

By
In-charge
Tahasildar, Niali

Beem Jhar Patra

Knushna Ranjan Mishra, ADU
4-5-21



Provided that the lease shall be given at least sixty days prior notice before the right is exercised and the area thus utilized shall be excluded from the area held under lease.

11. The lessee, with prior written permission of the competent authority, can erect at his own cost, temporary structure including buildings required for the purpose of quarrying operation within the leased area, without violating any law or obstructing any natural flow, community access or without causing damage to any embankment or public property, which shall be dismantled by the lessee at his own cost or completion of the lease term or on determination of the lease. The competent Authority can pass orders to dismantle such structures if found erected illegally or causing damage to public.
12. The lessee shall, at his own expense, erect and at all times maintain and keep in good condition boundary marks and pillars necessary to delineate the leased area.
13. The lessee shall obtain permission of the competent authorities of the Forest Department, Odisha to carry on any operation in forest area.
14. The lessee shall abide by the provisions of all laws for the time being in force, relating to the working of quarries and matters affecting the safety, health and convenience of the persons employed for quarrying and of the public and he shall also obey all existing laws of way, water and other easements.
15. The lessee shall keep correct accounts of minor minerals other than specified minor minerals quarried and dispatched and shall furnish a quarterly return in Form-P and annual return in Form-K to the Competent Authority and the Director.
16. The lessee shall afford reasonable facilities for inspection of the quarries, accounts and records pertaining to quarrying operation, to the Competent

Ranajit Kumar Patra

Abhishek
Tahasildar, Niali

U. Krishna Rajan Mishra, Addl
Secretary

Authority and Director or any other officer authorized by any of them and such officer may issue directions to prevent wasteful extraction of minerals and to ensure observance of the provisions of rules and specify the time limit not exceeding sixty days within which the directions shall be complied with.

17. If the lessee does not allow the inspecting officer reasonable facilities for inspection or fails to comply with the directions within the specified time limit, the Competent Authority may forfeit the whole or part of the security deposit paid by the lessee or impose penalty not exceeding rupees fifty thousand and may cancel the lease and forfeit the security deposit.
18. The lessee shall report about all accidents involving injury or loss of life or loss or damage to property forthwith to the concerned Competent Authority and Collector of the District.
19. If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the nonpayment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area or re-entry without prejudice to such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the provisions of the Odisha Public Demands Recovery Act. 1962 for recovery of such dues.

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Tahasildar, Niali

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W. Krishna Rajan Mishra, Adv.

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20. The Controlling Authority shall have the right to pre-emption at current market rates over all minor minerals extracted or collected by the lessee and shall be indemnified by the lessee against the claims of any third party in respect of such minerals.
21. The lessee shall remove all minor minerals extracted before the end of the lease period or of its determination, if it is determined earlier, and all other materials and structures within such reasonable period not exceeding two months or as the Competent Authority may allow.
22. All minor minerals, materials, machineries, buildings and other structures, left in the leased area after the date line fixed or time allowed by the Competent Authority shall be deemed to be the property of the Government and the competent Authority may dispose of such property by public auction and the sale-proceeds shall be credited to Government account with the approval of controlling Authority.
23. If any mineral other than minor minerals is found in the area in course of quarrying of minor minerals, the lessee shall intimate in writing the fact to the Competent Authority and the Director forthwith and the lease shall be determined without payment of any compensation to the lessee.
24. The lessee shall ensure proper maintenance of hill slopes so as to prevent major erosion and observe all such safeguards as provided in the Mines Act, 1952 and the rules and regulations framed there under from time to time.
25. The lessee shall carry out quarrying operation with appropriate environment safeguards and shall take such steps for reclamation and rising of plantations in the lease area in line with the prescriptions under rules 29 to 37 of the Granite Conservation and Development Rules, 1999.

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Tahasildar, Nali

Krishna Rajan Milanco, Adv.



- 26. The lessee shall keep the Government indemnified from any liability, compensation damage etc., arising out of his acts omissions as a lessee during the subsistence of the lease.
- 27. No rejected / off grade major mineral shall be removed on payment of royalty as minor mineral, under this rule.
- 28. The Competent Authority may include such other conditions in the lease deed with the approval of the Controlling Authority.
- 29. The lessee shall abide by the provisions of the Mines Act, 1952 and rules and regulations framed there under, the Explosives Act, 1884 and rules made, there under for development of the source of minor minerals in workman like manner and for avoidance of any danger arising out of such winning of mining mineral.
- 30. The lessee shall be liable to pay royalty or dead rent, surface rent, additional charge, amount of contribution payable to the District Mineral Foundation, amount of Contribution payable to the environment Management Fund and fees for Compensatory Afforestation as may be determined or specified by the Govt. from time to time.
- 31. If in any event the orders of the competent authority is revised, reviewed or cancelled by the concerned controlling authority or the auction holder fails to fulfill the terms & conditions of the auction sale due to force majeure such as act of God, War, Insurrection, riot, civil, commotion, strike, earthquake, storm, tidal, wave, flood, lightening, explosion, fire & any other happening beyond control of auction holder delay in development of infrastructure acquiring of and for quarrying operation & for use of land of public purpose the auction holder shall not claim for any compensation.

B. S. J. Patil

Tahasildar. Nial

*w- Krishna Rajan Mishra, Adv.
M. S. J. Patil*

PART-III**Liberties, power & privileges to be exercised and enjoyed by the lessee**

1. To enter upon and use the land, described in Part-I of the Schedule ring the term here by demised to carry on all operations necessary extraction, collection, stacking, processing, transport and disposal of minor mineral/minerals leased in natural or in processed/converted form.
2. To make roads, team ways, install machineries, lay eclectic and telephone line, on and over the said lands.
3. To use water Form streams, watercourses and springs in and upon the said lands in natural state or by means of impounding with the written permission of the Collector of the district.

Banshan Patra

PART-IV**Restrictions and conditions as to the exercise of liberties, power and privileges in Part-II**

1. No land shall be used for surface operations if objection is raised by the competent Authority or the Collector of the district to the effect that use of the land will be detrimental to public interest.
2. The lessee shall not cut or injure ant tree in the leases area falling whining Reserved/protected forest without prior permission of the Divisional Forest Officer or the officer authorized by him in this behalf and upon payment of royalty and fees for compensatory a forestation as may be specified.
3. The lessee shall undertake mining operation only in accordance with approved mining plan or scheme of mining, as the case may be. 8-64
4. The lessee shall not transport or store or cause to be transported or stored any specified minor mineral for the purpose of selling or trading otherwise than in accordance with these Rules and as may be specified under Odisha Minerals (Prevention of Theft, Smuggling and illegal mining and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007.

Tahasildar, Niali

w- Krishna Rajan Mishra, Adik
Dr. Pradyumn Chandra Singh



08. The minimum guaranteed quantity for the quarry lease shall be 4000 cum per annum.

Signed by
(Tahasildar, Niali & Government Authority)

For on behalf of Governor of Odisha, in the presence of

1. Sangram Mohanty, S/o, Revenue Assistant.
2. Smantikanjan Patra, SRA

Signed by
Benudhar Patra

(Sri Benudhar Patra , S/o: Biswanath Patra , At/ Po- Darajisahi, Unit- 27 Bhubaneswar Ps. Lingaraj, Dist-Khordha State: Odisha) Lessee in the presence of

1. Kamal Kanta Mishra, Adv.
S/o Bankehalal Mishra
At/ Po- Niali Dist. Cuttack
01/05/2021
2. Sudhakar Kumar
S/o. Dibakar Kumar
At/ Po. Pungu
01/05/2021

PERMANENT ACCOUNT NUMBER

AGJPP2648E

NAME
BENUDHAR PATRA

FATHER'S NAME
BISWANATH PATRA

DATE OF BIRTH
24-06-1960

SIGNATURE

Benudhar Patra

Benudhar Patra

COMMISSIONER OF INCOME TAX, BHUBANESWAR

COMMISSIONER OF INCOME TAX, BHUBANESWAR

Government of India

Benudhar Patra
DOB: 24/06/1960
MALE

Mobile No: 9337882182

6710 6720 6347



मेरा आधार, मेरी पहचान

Benudhar Patra

Enrollment No 0-2001-1995

23-1-1995

ORISSA STATE BAR COUNCIL
CUTTACK 753002



1 Name Krishna Ranjan Mishra

2 Father's Name Sri D. Mishra

3 Place of Practice Cuttack

4 Address At/Po-Pahanga,
Dist-Cuttack.

5 Phone No

Signature

of Advocate Krishna Ranjan Mishra

7 Date of Birth 20-01-1972

*Krishna Ranjan Mishra, Adv.
04/05/2021*



भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

ଠିକଣା:
S/O Biswanath Patra, Plot No-837, Daraji
Sahi, Bhubaneswar, Old Town, Khordha,
Orissa - 751002



Address:
S/O Biswanath Patra, Plot No-837, Daraji
Sahi, Bhubaneswar, Old Town, Khordha
Orissa - 751002

6710 6720 6347



इस कार्ड के खो / मिल जाने पर कृपया जारी करने
वाले प्राधिकारी को सूचित / वापस कर दें
आयकर आयुक्त,
15, उद्यान मार्ग,
भुवनेश्वर - 751 009.

In case this card is lost/found, kindly inform/return to
the issuing authority :
Commissioner of Income-tax,
15, Udyan Marg,
Bhubaneswar - 751 009.

of the Doc
Execution
at Number

Registered Lease with Advance only (Immovable) Deed

of the Document : LEASE WITH ADVANCE ONLY (IMMOVABLE) Volume Number : 17
 Execution : 04/05/2021 Place of Execution : NIALI
 Document Number : 10462100810 Registration Date : 05/05/2021



FIRST PARTY DETAILS

| Name | Photo | Thumb Impression | Signature |
|-------------------------|-------|------------------|-----------|
| TAHASILDAR NIALI (GOVT) | | | |

SECOND PARTY DETAILS

| Name | Photo | Thumb Impression | Signature |
|----------------|---|---|-----------|
| BENUDHAR PATRA |  |  | |

PROPERTY DETAILS

| Sl.No. | District | Village/Thana | Khata | Plot | Property Area | Kisam | Market Value | Sabak Khata No. | Sabak Plot No. |
|--------|----------|---------------|-------|------|---------------|-------|--------------|-----------------|----------------|
| 1 | CUTTACK | NATI-128 | 604 | 2510 | 12Acre | NADI | 3300000 | Not Available | Not Available |

| East | West | North | South | Property Transaction Details |
|-------|-------|-------|-------|------------------------------|
| RIVER | RIVER | RIVER | RIVER | |

IDENTIFIER DETAILS

| Name | Father's / Husband's Name | Identifier Address | Profession |
|------------------------------|---------------------------|-------------------------|------------|
| KRUSHNA RANJAN MISHRA ADV | BANSHIDHAR MISHRA | AT/PO/PS-NIALI, CUTTACK | Advocate |

| Name | Photo | Thumb Impression | Signature |
|---------------------------|---|---|-----------|
| KRUSHNA RANJAN MISHRA ADV |  |  | |

REMARK DETAILS

Remark
APPROVED



TEL/ FAX: 0671-2314255
E-mail: rospcb.cuttack@ospcbboard.org
Website: www.ospcbboard.org

OFFICE OF THE REGIONAL OFFICER, CUTTACK
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
586, SURYAVIHAR, LINK ROAD, CUTTACK-753012

No. 1379 / 2394

Dt. 08.05.2024

CONSENT TO OPERATE ORDER

CONSENT ORDER NO. RO/CTC/CTO/ 34 /2021/ 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. 5555883, Dt. 28.03.2024 this Office earlier Consent to Operate order issued vide letter No. 905/2394, dtd. 13.05.2022, Revocation of Consent of Operate order dtd. 13.05.2022 vide letter No. 3165/2394, dtd. 28.11.2023.

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. NATI DEVI RIVER SAND QUARRY**

Name of the Occupier & Designation: **Sri Benudhar Patra, Lessee**

Address of the unit: **At: Village Nati, on Plot No. 2510 of Khata No. 604, Area Ac. 12.00 Dec. (or 4.856 Ha.), Tahasil: Niali Dist.: Cuttack, Odisha.**

This consent order is valid for the period up to **03.05.2025**.

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:

| SI. No. | Product | Quantity |
|---------|----------------------|-------------------------------|
| 1. | Mining of River Sand | 4000.00 Cubic Meter per Annum |

P.T.O.

**A. Discharge permitted through the following outlets subject to the standard**

| Outlet No. | Description of outlet | Point of discharge | Quantity of discharge KLD or KL/hr | Prescribed standard | | | |
|------------|---------------------------------|--------------------|------------------------------------|---------------------|----------|------------|----------|
| | | | | pH | TSS mg/l | O & G mg/l | BOD mg/l |
| 01. | Septic Tank (Domestic effluent) | Soak pit | | - | - | -- | - |

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

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

C. Disposal of solid waste permitted in the following manner

| Sl. No. | Type of Solid Waste | Quantity generated (TPD) | Quantity to be reused on site (TPD) | Quantity to be reused off site (TPD) | Quantity disposed off (TPD) | Description of disposal site. |
|---------|----------------------|-----------------------------|-------------------------------------|--------------------------------------|-----------------------------|-------------------------------|
| 1. | Top soil/over burden | As per approved mining plan | -- | -- | -- | As per approved mining plan |



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.

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**CONSENT ORDER**

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.

Cntd...

**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 all times.
32. Any upset condition in any of the plant / plants of the factory which is likely to result in increased effluent discharge / emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board so as no to cause fugitive emission, dust problems through leaching etc. of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :

Cntd...



CONSENT ORDER

- 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...



 CONSENT ORDER

F. SPECIAL CONDITONS:

1. The mine shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Bhubaneswar vide SEIAA File No. SIA/OR/MIN/459031/2024, dtd. 13.03.2024 (EC Identification No. EC24C0107OR5355205A).
2. The Lessee shall intimate the status of amendment of Environmental Clearance if any and accordingly amend the Consent to Operate.
3. The Lessee shall undertake study of annual replenishment rate of sand as per condition stipulate in Environmental Clearance.
4. The validity of the consent to operate order is subject to the validity of Environmental Clearance and shall be coterminous with the expiry of Environmental clearance.
5. The project proponent shall take statutory clearance/ approval/ permission for the concerned authority in respect of his project as and when required.
6. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
7. Mining activity shall be carried out as per the Environmental Clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), vide SEIAA File No. SIA/OR/MIN/459031/2024, dtd. 13.03.2024 (EC Identification No. EC24C0107OR5355205A).
8. The project proponent should carry out River bed sand mining manually by engaging local labors in force to check over exploitation of sand at the source.
9. This Consent to Operate order is subject to final decision of competent legal forum, if any.
10. An Annual Return of the production undertaken shall be submitted at the end of financial year.
11. Domestic effluent if any from mine shall be discharged to soak pit via septic tank constructed as per BIS specification.
12. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards, 2009 (As per enclosed Annexure-II).
13. Dust suppression on mine haul roads shall be carried out by spraying water through mobile/fixed water sprinklers.
14. The sand loaded vehicles shall be covered with tarpaulin cover to control fugitive emission during transportation.
15. Dust/ sand deposited on haul roads due to movement of sand loaded vehicles shall be cleaned regularly to control fugitive emission.

Contd....



CONSENT ORDER

Page 8

16. The Lessee shall undertake plantation as mentioned in the Mining Plan.
17. 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).
18. The mine shall abide by all the provisions of E (P) Act 1986 and Rules framed there under.
19. 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.
20. 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.
21. 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.
22. The Board reserves the right to revoke /refuse consent at any time during this period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

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

Roashini
REGIONAL OFFICER

To,
Sri Benudhar Patra, Lessee,
M/s. Nati Devi River Sand Quarry,
At: Darajisahi, Unit-27, P.O.: Bhubaneswar, P.S.: Lingaraj,
Dist.: Khordha, Odisha.

Memo No: 1380 Dtd. 08.05.2024

Copy forwarded to:

1. The Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Cuttack.
3. The Mining Officer, Cuttack Circle, Cuttack.
4. Copy to Guard file.

Roashini
REGIONAL OFFICER



CONSENT ORDER

**GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENT POLLUTANTS PART - A :
EFFLUENTS.**

| Sl. No. | Parameters | Standards | | | |
|---------|---|---|---------------|---------------------|--|
| | | Inland surface | Public sewers | Land for Irrigation | Marine Coastal Areas |
| 1 | 2 | 3 | | | |
| | | (a) | (b) | (c) | (d) |
| 1 | Colour & odour | Colourless /Odourless as far as practicable | ----- | See 6 of Annex. 1 | See 6 of Annex.1 |
| 2 | Suspended solids (mg/l) | 100 | 600 | 200 | a. For process wastewater - 100 b. For cooling water effluent 10% above total suspended matter of influent. |
| 3 | Particular size of SS | Shall pass 850 | ----- | ----- | |
| 4 | ----- | ----- | ----- | ----- | |
| 5 | pH value | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 |
| 6 | Temperature | Shall not exceed 5°C above the receiving water temperature. | ----- | ----- | Shall not exceed 5°C above the receiving water temperature. |
| 7 | Oil & Grease mg/l max. | 10 | 20 | 10 | 20 |
| 8 | Total residual chlorine | 1.0 | ----- | ----- | 1.0 |
| 9 | Ammonical nitrogen (as N) mg/l max. | 50 | 50 | ----- | 50 |
| 10 | Total Kjeldahl nitrogen (as NH ₃) mg/l max. | 100 | ----- | ----- | 100 |
| 11 | Free ammonia (as NH ₃) mg/l max. | 5.0 | ----- | ----- | 5.0 |
| 12 | Biochemical Oxygen Demand (5 days at 20°C) mg/l max. | 30 | 350 | 100 | 100 |
| 13 | Chemical Oxygen Demand mg/l max. | 250 | ----- | ----- | 250 |
| 14 | Arsenic (as As) mg/l max. | 0.2 | 0.2 | 0.2 | 0.2 |
| 15 | Mercury (as Hg) mg/l max. | 0.01 | 0.01 | ----- | 0.001 |
| 16 | Lead (as pb) mg/l max. | 0.01 | 1.0 | ----- | 2.0 |
| 17 | Cardmium (as Cd) mg/l max. | 2.0 | 1.0 | ----- | 2.0 |
| 18 | Hexavalent chromium (as Cr ⁺⁶) mg/l max. | 0.1 | 2.0 | ----- | 1.0 |
| 19 | Total Chromium (as Cr) mg/l max. | 2.0 | 2.0 | ----- | 2.0 |

| | | | | | |
|----|--|--|--|--|--|
| 20 | Copper (as Cu) mg/l max. | 3.0 | 3.0 | ----- | 3.0 |
| 21 | Zinc (as Zn) mg/l max. | 5.0 | 15 | ----- | 15 |
| 22 | Selenium (as Se) mg/l max. | 0.05 | 0.05 | ----- | 0.05 |
| 23 | Nickel (as Ni) mg/l max. | 3.0 | 3.0 | ----- | 5.0 |
| 24 | Cyanide (as CN) mg/l max. | 0.2 | 2.0 | 0.2 | 0.02 |
| 25 | Fluoride (as F) mg/l max. | 2.0 | 15 | ----- | 15 |
| 26 | Dissolved Phosphates (as P) mg/l max. | 5.0 | ----- | ----- | ----- |
| 27 | Sulphide (as S) mg/l max. | 2.0 | ----- | ----- | 5.0 |
| 28 | Phenolic compounds (as C ₆ H ₅ OH) mg/l max. | 1.0 | 5.0 | ----- | 5.0 |
| 29 | Radioactive Materials a) Alpha emitter micro curie/ml. b) Beta emitter micro curie/ml. | 10 ⁷ 10 ⁶ | 10 ⁷ 10 ⁶ | 10 ⁸ 10 ⁷ | 10 ⁷ 10 ⁶ |
| 30 | Bio-assay test | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent | 90% survival of fish after 96 hours in 100% effluent |
| 31 | Manganese (as Mn) | 2 mg/l | 2 mg/l | ----- | 2 mg/l |
| 32 | Iron (as Fe) | 3 mg/l | 3 mg/l | ----- | 3 mg/l |
| 33 | Vanadium (as V) | 0.2 mg/l | 0.2 mg/l | ----- | 0.2mg/l |
| 34 | Nitrate Nitrogen | 10 mg/l | ----- | ----- | 20 mg/l |



CONSENT ORDER

NATIONAL AMBIENT AIR QUALITY STANDARDS

| Sl. No. | Pollutants | Time Weighed Average | Concentrate of Ambient Air | | |
|---------|---|----------------------|--|--|---|
| | | | Industrial Residential, Rural and other Area | Ecologically Sensitive Area (notified by Central Government) | Methods of Measurement |
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | Sulphur Dioxide (SO ₂) µg/m ³ | Annual * | 50 | 20 | -Improved west and Gaeke |
| | | 24 Hours ** | 80 | 80 | - Ultraviolet fluorescence |
| 2. | Nitrogen Dioxide (NO ₂) µg/m ³ | Annual * | 40 | 30 | - Modified Jacob & Hochheiser (Na-Arsenite) |
| | | 24 Hours ** | 80 | 80 | - Chemiluminescence |
| 3. | Particulate Matter (size less than 10 mm) or PM ₁₀ µg/m ³ | Annual * | 60 | 60 | - Gravimetric TOEM |
| | | 24 Hours ** | 100 | 100 | - Beta Attenuation |
| 4. | Particulate Matter (size less than 2.5 mm) or PM _{2.5} µg/m ³ | Annual | 40 | 40 | - Gravimetric TOEM |
| | | 24 Hours | 60 | 60 | - Beta Attenuation |
| 5. | Ozone (O ₃) µg/m ³ | 8 Hours ** | 100 | 100 | - UV Photometric |
| | | 1 Hours ** | 180 | 180 | - Chemiluminescence - Chemical Method |
| 6. | Lead (Pb) µg/m ³ | Annual * | 0.50 | 0.50 | - AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. |
| | | 24 Hours ** | 1.0 | 1.0 | - ED-XRF using Teflon filter |
| 7. | Carbon Monoxide (CO) mg/m ³ | 8 Hours ** | 02 | 02 | - Non Dispersive Infra Red (NDIR) |
| | | 1 Hours ** | 04 | 04 | Spectroscopy |
| 8. | Ammonia (NH ₃) µg/m ³ | Annual * | 100 | 100 | - Chemiluminescence |
| | | 24 Hours ** | 400 | 400 | - Indophenol Blue Method |
| 9. | Benzene (C ₆ H ₆) µg/m ³ | Annual | 05 | 05 | - Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis |
| 10. | Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³ | Annual * | 01 | 01 | - Solvent extraction followed by HPLC/GC analysis |
| 11. | Arsenic (As), ng/m ³ | Annual * | 06 | 06 | - AAS/ICP method after sampling on EPM 2000 or equivalent filter paper. |
| 11. | Nickel (Ni), ng/m ³ | Annual * | 20 | 20 | - AAS/ICP method after sampling on EPM 2000 or equivalent filter paper. |

** Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.



ANNEXURE-VI 58
REGISTERED POST /MAY

OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH: 06712490357

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No.....1062/Mines, dt. 30/03/24

From,

The Mining Officer,
Cuttack Circle, Cuttack.

To,

Sri Benudhar Patra,
S/o-Biswanath Patra, Plot No-837
Daraji Sahi, Old town Bhubaneswar,
Khordha, Odisha-751002. Tel- 9337882182.

Sub: Payment of pending dues against "NATI DEVI RIVER SAND SAIRAT SOURCE".

Sir,

With reference to the subject cited above, I am to inform you that an amount of Rs.91,31,190.00 is pending against the aforementioned sand source calculated up to 31st March, 2024. Appropriate action shall be taken in case of non-payment of aforementioned amount, before 31st of March, 2024, as per rule no.47 of the OMMC rules, 2016 (Amendment up to 2023) which states the following;

*"47. Interest on delayed payment: — If the holder of prospecting license-cum-lease or mining lease or quarry lease fails to make payment of royalty, rent, fee or any sum payable by him under these rules within the due time, **simple interest at the rate of twenty-four per centum** per annum on such dues shall be charged until payment of such dues is made."*

I, I therefore request you to pay Rs.91,31,190.00 at the earliest under the following Heads of Account.

- A payment of **Rs.88,24,750.00** as Royalty, Additional Charge, Surface rent and Dead rent in following Treasury Head of Account.

TREASURY HEAD -:

"0853-102-0217-02021"

"0853-Non-Ferrous Mining and Metallurgical Industries-102- Mineral Concession Fees, Rents and Royalties-0217-Receipts under Odisha Minor Minerals Concession Rules-02021-Collection of Fees Rents and royalty"

A payment against DMF of **Rs. 14,000.00** in DMF S/B accounts no. 35591549944 with IFSC Code- SBIN0000059 In State Bank of India. A receipt of the above transaction against DMF should be deposited before the office of the undersigned.

A payment of **Rs. 7,000.00** towards EMF as a demand draft, pledged in favour of Odisha Environment Management Fund (OEMF) Trust or via the UCO bank, Govt. Secretariat Branch account having account no.- 06640100956287, IFSC Code- UCBA0000664, Customer name- Odisha Environment Management Trust (OEMF Trust). The Demand Draft should be submitted before the office of the undersigned.

An amount of **2,85,440.00** towards TCS either with the help of the online income tax portal or by offline.

Yours faithfully

for

S
30.08.24

Mining Officer,
Cuttack Circle, Cuttack.



**OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR,P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357**

E-mail: ddm.cuttack@orissaminerals.gov.in

Letter No. 643 / Mines, Dt. 20.02.2025

Lease Cancellation Notice

From,

The Mining Officer,
Cuttack Circle, Cuttack.

To,

Sri. Benudhar Patra, (**Lessee of Nati Devi River Sand**)
S/o-Biswanath Patra, Plot No-837,
Daraji Sahi, Old town Bhubaneswar,
Khordha, Odisha-751002, Tel- 9337882182.

Sub: Hearing Regarding Cancellation of Mining Lease Due to Non-Payment of
Government Dues.

Sir,

With reference to the subject cited above, I am to inform you that as per the records maintained in this office regarding the non-payment of outstanding government dues of Rs.36,72,916.91 for 2021-22 to 2023-24 and Rs. 1,46,31,190 for 2024-25 financial year against Nati Devi River Sand under Lease Agreement No. 10462100810 Dt. 05.05.2021.

It has been observed that, despite the details available in the iAMS portal, the outstanding dues for the period 2021-22 to 2024-25 financial year has remained unpaid. As per the Mineral Concession Rules, 1960, and the Odisha Minor Minerals Concession Rules 2016(Amendment upto 2023), non-payment of dues is a breach of the terms of the lease agreement, which can lead to the cancellation of the mining lease.

In view of this, you are hereby informed that a hearing will be conducted on **Dt.01.03.2025 at 11.30A.M.** at the office of the Deputy Director of Mines, Cuttack Circle, Cuttack as to why your mining lease should not be cancelled due to non-payment of the pending government dues. You are requested to be present in person or be represented by a duly authorized representative at the hearing to



explain the reasons for the non-deposition of the dues and to provide any supporting documents if applicable.

Please note that failure to attend the hearing without submitting a valid explanation may result in the cancellation of your mining lease, along with further legal proceedings as per the applicable laws.

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

Enclosures:

Statement of Outstanding Dues

Yours faithfully,

Mining Officer,
Cuttack Circle, Cuttack.

| Sl. | Year | Grant Order No. | Mineral | Base Price | Addition al Charge | MGQ | Royalty | Total Additional Charge | DMF | EMF | IT | Dead Rent | Surface Rent | Payment Status | Amount to be Pay | Paid Amount | Balance Amount |
|--------------|---------|-----------------|---------|------------|--------------------|----------|-------------|-------------------------|-----------|----------|-------------|-----------|--------------|----------------|-----------------------|-----------------------|-----------------------|
| 1 | 2021-22 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 3,666.67 | 1,28,333.45 | 1,29,54,345.11 | 12,833.35 | 6,416.67 | 2,61,653.57 | 46,750.00 | 1,604.17 | Partially Paid | 1,34,11,936.32 | 1,31,52,849.41 | 2,59,086.91 |
| 2 | 2022-23 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 4,000.00 | 1,40,000.00 | 1,41,32,000.00 | 14,000.00 | 7,000.00 | 2,85,440.00 | 51,000.00 | 1,750.00 | Partially Paid | 1,46,31,190.00 | 1,43,48,550.00 | 2,82,640.00 |
| 3 | 2023-24 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 4,000.00 | 1,40,000.00 | 1,41,32,000.00 | 14,000.00 | 7,000.00 | 2,85,440.00 | 51,000.00 | 1,750.00 | Partially Paid | 1,46,31,190.00 | 1,15,00,000.00 | 31,31,190.00 |
| 4 | 2024-25 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 4,000.00 | 1,40,000.00 | 1,41,32,000.00 | 14,000.00 | 7,000.00 | 2,85,440.00 | 51,000.00 | 1,750.00 | Pending | 1,46,31,190.00 | 0 | 1,46,31,190.00 |
| 5 | 2025-26 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 4,000.00 | 1,40,000.00 | 1,41,32,000.00 | 14,000.00 | 7,000.00 | 2,85,440.00 | 51,000.00 | 1,750.00 | Pending | 1,46,31,190.00 | 0 | 1,46,31,190.00 |
| 6 | 2026-27 | LOI/2023/0622 | SAND | 35 | 3,533.00 | 333.33 | 11,666.55 | 11,77,654.89 | 1,166.66 | 583.33 | 23,786.43 | 4,250.00 | 145.83 | Pending | 12,19,253.69 | 0 | 12,19,253.69 |
| Total | | | | | | | | | | | | | | | 7,31,55,950.01 | 3,90,01,399.41 | 3,41,54,550.60 |


 Mining Officer
 Cuttack Circle, Cuttack



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ANNEXURE - VIII

**OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357**

E-mail: mo.cuttack@orissaminerals.gov.in

Letter No. 1514 / Mines, Dt. 21.04.25

From:

The Mining Officer,
Cuttack Circle, Cuttack.

To,

The IIC,
Nilai Police Station,
Cuttack District.

Sub: Deputing necessary police force for enforcement at Nati Devi River Sand, Plot No.2510, Khata No.604 of Mouza-Nati.

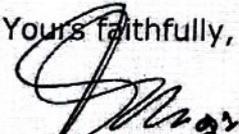
Sir,

With reference to the subject cited above, I am to inform you that, the Junior Mining Officers of this office have reported before the undersigned that an illegal/unauthorized road has been constructed at the aforesaid sand source which is a violation of Mining Plan condition.

In view of the above, you are requested to depute necessary police force on Dt.22.04.2025, 11.00A.M. for trenching of the aforesaid road.

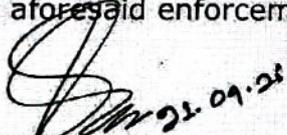
This is for favour of your kind information and necessary action.

Yours faithfully,


Mining Officer,
Cuttack Circle, Cuttack.

Memo No.: 1515 /Mines, Dt: 21.04.25

Copy submitted to the Tahasildar, Niali for favour of kind information. He is requested to depute concerned revenue officers during the aforesaid enforcement.


Mining Officer,
Cuttack Circle, Cuttack.



**OFFICE OF THE DEPUTY DIRECTOR OF MINES, CUTTACK CIRCLE, CUTTACK
AT- NIMPUR, P.O-JAGATPUR, CUTTACK - 754021, PH.: 06712490357**

E-mail: ddm.cuttack@orissaminedeals.gov.in

Letter No... 2330...../Mines, Dt... 02.07.2025

NOTICE

From:

The Mining Officer,
Cuttack Circle.

To,

Sri Benudhar Patra, (Lessee of Nati Devi River Sand, Tehsil-Niali)
S/o Biswanath Patra, Plot No-837
Daraji Sahi, Old town Bhubaneswar,
Khordha, Odisha-751002. Tel- 9337882182.

Sub- Notice regarding violation of statutory conditions and non-payment of Govt. dues.

Sir,

With reference to the subject cited above, I am to inform you that, vide this office Letter No 643/Mines, Dt.20.02.2025, a hearing was scheduled for Dt.01.03.2025 regarding non-payment of Govt. dues which you have failed to attend (Copy enclosed). Further, on Dt.22.04.2025, an illegal road constructed by you at the leasehold area, blocking the natural flow of the river was dismantled by the officers of this office along with the officials from the Office of the Tehsildar, Niali and Niali Police Station.

In view of the above, you are provided with a final opportunity to put forward your defense against the aforesaid violation of statutory condition (Mining Plan, EC and CTO conditions) and non-payment of Govt. dues. In this regard, a hearing which shall be a final one is hereby scheduled on Dt.14.07.2025, 4.00P.M. at the office of the undersigned.

This must be treated as **extremely urgent**.

Yours faithfully,

[Signature]
Mining Officer,

Cuttack Circle, Cuttack.

[Date Stamp]
02.07.2025