

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

**Original Application No.208/2024/EZ**

**In the matter of:**

Youth United for Sustainable Environment Trust  
..... Applicant

**VERSUS**

State of Odisha & Ors.  
..... Respondents

**INDEX**

Sl. No.	Description of documents	Page No.
1	Counter Affidavit filed on behalf of the Respondent Nos.3 and 10.	1- 11
2	<u>Annexure-A/10 Series</u> Copies of the orders of the Sub-collector, Dhenkanal.	12-24

**By the Respondent Nos.3 & 10 through**



**CUTTACK**  
**DATE: 22.08.2025**

**ADDL. GOVT. ADVOCATE**  
**(JATESWAR NAYAK)**  
**MOB NO.7008352307/9437196265 (w)**  
*adv.jateswar@gmail.com*



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

**Original Application No.208/2024/EZ**

**In the matter of:**

Youth United for Sustainable Environment Trust  
..... Applicant

VERSUS

State of Odisha & Ors.  
..... Respondents

**COUNTER AFFIDAVIT FILED ON BEHALF OF  
THE RESPONDENT Nos.3 and 10.**

I, Sri Suvendra Kumar Samal, aged about 58 years, S/o- Late Gourhari Samal, at present working as Deputy Director of Mines, Talcher, At/PO- Talcher, Dist.- Angul, Odisha, do hereby solemnly affirm and state as follows: -

1. That, I have been arrayed as the Respondent No.10 in the aforementioned Original Application. I have been duly authorized to swear this affidavit on behalf of the Respondent No.3.

2. That, I have gone through the contents of the Original Application as well as the Annexures appended thereto and understood the contents thereof. I am otherwise well acquainted with the facts of the case to swear this Affidavit in my official capacity.

3. That, the Applicant has filed the aforementioned Original Application before this Hon'ble Tribunal seeking following reliefs:-

*Pradipta Kumar Mohanti*  
**PRADIPTA KUMAR MOHANTI**  
Notary, Cuttack Town  
Regd.No-ON-04/1995

*Suvendra Kumar Samal*

*hsl*  
*Asst*

*"I. Direct the state respondents to identify and prosecute the mining mafia's who are operating the stone quarries and stone crushers in and around the Nischinta hill in Gondia Tahasil of Dhenkanal district.*

*II. Director of Mines and Geology, Government of Odisha to assess the extent/quantum of Minor Minerals including black stone excavated illegally and its market value, cost of restitution and environmental compensation and recover from the persons involved in it.*

*III. Fix the accountability/responsibilities of the concerned Govt. authorities for their inaction and willful dereliction of duties causing loss to the state exchequer and damage to the environment.*

*IV. Direct the District Collector to initiate criminal proceedings U/s 19 of Environment Protection Act 1986 against the mining mafia's.*

*V. The applicant prays before this Hon'ble Tribunal for constitution of court monitored special task force for stringent enforcement of mining and environment laws against the mafias and restoration of the illegal quarries and pits with plantations and other remedial measures.*

*VI. Pass such other orders/directions as may be deemed fit and proper in the bonafide interests of justice."*

4. That, this Hon'ble NGT, vide order dated 17.10.2024, has directed the State Respondents to constitute a Joint Committee in order to verify the factual position and also take appropriate remedial action. Pursuant to the said order of this Hon'ble Tribunal, a Joint Committee was constituted comprising of representatives of Regional Officer, MoEF & CC at Bhubaneswar, Principal Chief Conservator of Forests, Government of Odisha, Director of Mines and Geology, Bhubigyan Bhawan, Bhubaneswar, Khordha, Odisha

*L.S. A.P.*

*Surendra Kumar Samal*

Pollution Control Board and District Magistrates, Dhenkanal and Jajpur. The Odisha State Pollution Control Board was the National Agency for coordination & compliance.

5. That, it is humbly submitted that the Joint Committee visited the alleged sites on 26.11.2024 at 10 AM in presence of the present Applicant and representative of the stone crusher units i.e. M/s Shri Durga Condev Pvt. Ltd., M/s GNS Stone Crusher, M/s Sri Sai Stone Crusher, Aruni Stone Crusher, M/s Maa Chandi Stone Product and M/s PRMM Stone Crusher etc. The observations of the Committee is as follows-

- i. It was observed that the Nischinta Hill is located at the common boundary of Dhenkanal and Jajpur district, Odisha. It was observed that extraction of stone has been done in patches at multiple portions of the Nischinta Hill. Demarcation of district and forest boundary is required to ascertain the portion that fall under Jajpur & Dhenkanal district respectively.
- ii. It was observed that the extraction of stone in the Nischinta Hill has been done illegally without obtaining Environmental Clearance (EC), Consent to Operate (CTO), Blasting License, Forest Clearance etc. & Clearances from the concerned Departments. However, there was no machineries observed to be deployed during the visit.
- iii. The quantum of mineral excavated from the above quarries could not be assessed due to non-availability of ORSAC

  
PRADIPTA KUMAR MORANTY  
Notary, Cuttack Town  
Regd.No-ON-04/1995

*Sumantra Kumar Samal*

empanelled agency with scientific instruments during the inspection.

- iv. The joint committee visited the nearby stone crushers under the jurisdiction of Dhenkanal district namely 1. PRMM Crusher, 2. Maa Chandi Stone Crusher, 3. Aruni Stone Crusher, 4. Sri Sai Stone Crusher, 5. Sri Durga Stone crusher & 6. GNS Stone Crusher. Although they have obtained Consent to Establish (CTE) and Consent to Operate (CTO) from SPCB but on the date of verification except Aruni Stone crusher, others Proprietors could not produce any documents regarding linkage & maintenance of Stock Register. However, the crushers have been verified by the team of the SPCB and based on the non-compliance to the consent conditions the crusher units have been served Show Cause Notice (SCN) under section 31(A) of the Air (PCP) Act, 1981.

Consequently the Committee recommended that:-

- a) A joint visit may again be conducted comprising of Revenue Authorities of Jajpur & Dhenkanal Districts. Forest Officials of Jajpur & Dhenkanal Districts. The Director of Mines & Geology along with the present members of the Joint committee for demarcation of forest & revenue boundary.
- b) Restriction shall be imposed in the alleged site in order to check the theft of minor mineral by providing suitable cordons/barriers and shall be kept under strict vigilance of the District Administration.

*Sanjiv Kumar Samal*

*Sanjiv Kumar Samal*

- c) The forest department shall assess the quantum of deforestation caused due to the said stone quarries.
- d) Quantification of the minerals excavated shall be carried out by Orissa Remote Sensing Application Center (ORSAC) empanelled agencies in consultation with the Director of Mines & Geology. Subsequently penal action shall be taken on responsible person after due enquiry.
- e) District Administration of Dhenkanal & Jajpur shall demarcate the district boundary by posting pillar so that the quantum of mineral excavated in their respective revenue districts can be assessed and environmental compensation can be computed thereafter.

#### PARAWISE REPLIES

6. That, the contents of the Paragraph Nos.1 and 2 of the Original Application are formal in nature and the same needs no reply from this deponent.

7. That, in reply to the averments made in Paragraph Nos.3 of the Original Application, it is humbly submitted that he alleged sites (i.e. Nischinta Hill surrounding area) have been frequently visited by the District Administration as well as Mining Officer Dhenkanal. It has been come to notice that illegal mining of black stone have been carried out from Plot no. 6168 & No.6232 of Khata No.1513 and Plot no-6986 of Khata no.1510. Thereafter, the Mining Officer-Cum-Competent Authority, Minor Mineral, Dhenkanal, requested the Sub-Collector, Dhenkanal to take appropriate action against such illegal mining and subsequently, the

*Pradipta Kumar Mohanty*  
**PRADIPTA KUMAR MOHANTY**  
 Notary, Cuttack Town  
 Regd.No-ON-04/1995

*Sumendra Kumar Samal*

*Pradipta*

Sub-Collector, Dhenkanal has initiated Criminal Misc. Cases under section 163 of BNSS (earlier, under section 144(2) Cr.P.C 1973) and also passed orders whereby the general public are refrained from entering into the case land.

Copies of the orders of the Sub-collector, Dhenkanal, are annexed herewith as Annexure-A/10 Series.

8. That, in reply to the averments made in Paragraph No.4 of the Original Application, it is humbly submitted that the alleged area has not been put in auction for last 10 years due to the strict Govt. guidelines as the Forest land is objectionable for carrying out mining activities.

9. That, in reply to the averments made in Paragraph No.5 of the Original Application, it is humbly submitted that the Mining Officer Dhenkanal vide letter No.410, Dt. 27.06.2024 intimated the Collector & District Magistrate, Dhenkanal that the complaints have been received regarding illegal extraction and transportation of Minor Mineral like morrum, laterite, black stone in Mouza Nihalprasad. Thereafter, by virtue of the directions of the Collector, Dhenkanal, the matter was enquired by the Tahasildar Gondia, Mining Officer Dhenkanal & IIC Nihalprasad and they observed that the illegal extraction sites are at remotely located places and easily inaccessible. Further, the mafias have established cunning communication system with help of local people who regularly aware them about the presence of Govt. Officials for enforcement activities in the site. Further, it is ascertained that mafias are extracting Minor Minerals in night hours with help of local

*L.S.*  
*O.A.S.*

*Sarwada Kumar Samal*

residents. Most of the illegally extracted Minor Minerals are being transported to neighboring District i.e., JAJPUR to escape from clutches of law as the Nischinta hill is the border boundary of both Dhenkanal and Jajpur District.

10. That, in reply to the averments made in Paragraph No.6 of the Original Application, it is humbly submitted that restrictions under Section 163 BNSS (earlier section 144 Cr.P.C) has been imposed in the area refraining the local people to enter into the site. However, as per the allegations received, the mafias are operating the quarries stealthily at night hours with help of local people and vigilant communication system over telephone.

11. That, in reply to the averments made in Paragraph No.7 of the Original Application, it is humbly submitted that basing on report of Mining Officer Dhenkanal, the Collector Dhenkanal requested the DFO Dhenkanal for fencing around the alleged sites by barbed wire, making trenches and plantation as the alleged sites are Forest kissam. So, the Forest Department is competent to take remedial measures.

12. That, in reply to the averments made in Paragraph Nos.8 to 15 of the Original Application, it is humbly submitted that as per report of Additional District Magistrate Dhenkanal 10 nos. of crusher units were operating in and around village Nihalprasad of Gondia Tahasil of Dhenkanal District. The Sub-Collector Dhenkanal has formed a committee vide Order No.3799, dated 27.06.2024 to take legal action against the crusher units those are

  
  
PRADIPTA KUMAR MONANDA  
Notary, Cuttack Town  
Regd.No-ON-04/1995

*Sumanta Kumar Samal*

violating conditions of NOC and sitting criteria. Further, raids are frequently conducted by District Administration as well as Mining Officer Dhenkanal but no notable result is seen due to geological presence of the sites as well as involvement of local people with unknown mafias & their illegal communication system.

13. That, in reply to the averments made in Paragraph No.16 of the Original Application, it is humbly submitted that the Ex-MLA of Dhenkanal has filed an Appeal No.05/2025/EZ before National Green Tribunal Eastern Zone Kolkata for illegal mining in a site adjacent to Nischinta Hill and the same is subjudice before this Hon'ble Tribunal.

14. That, in reply to the averments made in Paragraph No.17 of the Original Application, it is humbly submitted that the DFO, Dhenkanal has issued land Suitability Certificate for 37 ha. of degraded forest land in Nischinta Reserve Forest between reserve forest pillar No 18 to 66 under Sadangi Range of Dhenkanal Forest Division for compensatory afforestation.

15. That, in response to the Paragraph No.18 of the Original Application, this deponent has no comments to offer.

16. That, in reply to the averments made in Paragraph No.19 of the Original Application, the RO SPCB Angul has issued show cause notice to M/s Shri Durga Condev Pvt. Ltd., M/s GNS Stone Crusher, M/s Sri Sai Stone Crusher, Aruni Stone Crusher, M/s Maa Chandi Stone Product and M/s PRMM Stone Crusher for non-

*Pradipta Kumar Mohanty*  
 PRADIPTA KUMAR MOHANTY  
 Notary, Cuttack Town  
 Regd.No-ON-04/1995

compliance of condition stipulated in Consent to Operate the stone crushers.

17. That, in response to the Paragraph Nos.20 to 22 of the Original Application, this deponent has no comments to offer.

18. That, the averments made by the Applicant in Paragraph No.23 of the Original Application regarding least enforcement against the mining mafias is not correct. Frequent raids are being conducted by District Administration as well as Mining Officer Dhenkanal but no notable results is seen due to geological presence of the sites as well as involvement of local people with unknown mafias & their established communication system over telephone.

19. That, in reply to the averments made in Paragraph No.24 of the Original Application, it is humbly submitted that the Collector & District Magistrate Dhenkanal has requested the Superintendent of Police Dhenkanal for re-operationalization of the inter District check post situated at Nihalprasad to check illegal transportation of minor minerals from legal & illegal sairat sources under Gondia Tahasil of Dhenkanal District.

20. That, in reply to the averments made in Paragraph Nos.25 to 29 of the Original Application, it is humbly submitted that raids are being conducted by District Administration as well as Mining Officer Dhenkanal but no notable results is seen due to geological presence of the sites as well as involvement of local people with

  
  
**PRADIPTA KUMAR MOHANTY**  
 Notary, Cuttack Town  
 Regd.No-ON-04/1995

*Sumantra Kumar Sengupta*

unknown mafias & their established communication system over telephone.

21. That, in response to the averments made in Paragraph Nos.30 to 37 of the Original Application, the deponent has no comments to offer.

22. That, in view of the aforesaid facts and circumstances, the prayers made in the Original Applications are devoid of merit and the same is liable to be disposed of as per law.

23. That, the Deponent further craves leave of this Hon'ble Tribunal to make further submissions and to file further Affidavit / Counter, if the same is deemed necessary for an effective adjudication.

24. That, the facts stated above are based on the official documents / records which are true to the best of my knowledge & belief.

**Identified by:**

  
Advocate

Sri Jateswar Nayak  
Addl. Government Advocate

  
Deponent

Deputy Director Mines  
Talcher Circle, Talcher

solemnly sworn before S.K. Samant  
me by..... S. Nayak Alwest  
being identified by.....  
at Cuttack Town Dated 22/08/2025  
22/08/2025  
P.K. MOHANTY, Notary, Cuttack Town  
Regd. No-ON-04/1995

**VERIFICATION**

I, Sri Suvendra Kumar Samal, aged about 58 years, S/o- Late Gourhari Samal, at present working as Deputy Director of Mines, Talcher, At/PO- Talcher, Dist.- Angul, do hereby solemnly affirm and verify the contents of Paragraph nos.01 to .... of the present affidavit are true to my knowledge and Paragraph Nos..... to .... are my humble submissions before this Hon'ble Tribunal and that I have not suppressed any material facts.

I sign this Verification at **CUTTACK** on 22<sup>nd</sup> day of **August, 2025**.

**Place: CUTTACK**

**Date: 22.08.2025**

*Suvendra Kumar Samal*

**VERIFICANT**

Deputy Director Mines  
Talcher Circle, Talcher

*Not 22-08-2025*

**PRADIPTA KUMAR MOHANTI**  
Notary, Cuttack Town  
Regd.No-ON-04/1995



-12-

Annexure - A/10  
Sivies

## OFFICE OF THE MINING OFFICER, DHENKANAL DISTRICT

E-mail: mo.dhenkanal@gov.in

Letter No. 1447 /MM, Dhenkanal

Date. 19/07/2025

To,

The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

Sub:- Regarding illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of  
Khata No- 1513 in village Nihalprasad of Gondia, Tahasil.  
Sir,

With reference to the subject cited, it is to bring your kind information that illegal extraction of minor mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia Tahasil was going on by some miscreants for last couple of months. Previously, u/s 163 of BNSS-2023 was imposed over the said plots & now the period in already expired on dt-11/07/2025. So, it is badly required to impose u/s 163 of BNSS-2023 to curb the illegal activities for the revenue interest of the state over the said land.

This is for your kind information & necessary action.

Yours faithfully,

Mining officer- cum-Competent Authority  
Dhenkanal

Memo No. 1448 /MM, Dhenkanal

Date. 19/07/2025

Copy forward to Collector & District Magistrate, Dhenkanal for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

Memo No. 1449 /MM, Dhenkanal

Date. 19/07/2025

Copy forward to Deputy Director of Mines (I/c), Talcher Circle, Talcher for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

Memo No. 1450 /MM, Dhenkanal

Date. 19/07/2025

Copy forward to Director of Minor Minerals, Bhubaneswar for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

True Copy

Deputy Director Mines  
Talcher Circle, Talcher





**OFFICE OF THE MINING OFFICER, DHENKANAL DISTRICT**

E-mail: [mo.dhenkanal@gov.in](mailto:mo.dhenkanal@gov.in)

Letter No. 906 / MM, Dhenkanal

Date. 03/05/2025

*Received*  
*B. Ganade*  
*03-05-2025*

To,  
The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

Sub:- Regarding illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia, Tahasil.

Sir,

With reference to the subject cited, it is to bring your kind information that illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia Tahasil was going on by some miscreants for last couple of months. Previously, u/s 163 of BNSS-2023 was imposed over the said plots & now the period will be expired on dt-06/05/2025. So, it is badly required to impose u/s 163 of BNSS-2023 to curb the illegal activities in the revenue interest of the state over the said land.

This is for your kind information & necessary action.

Yours faithfully,

Mining officer- cum-Competent Authority  
Dhenkanal

Date. 03/05/2025

Memo No. 907 /MM, Dhenkanal

Copy forward to Collector & District Magistrate, Dhenkanal for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

Date. 03/05/2025

Memo No. 908 /MM, Dhenkanal

Copy forward to Deputy Director of Mines (I/c), Talcher Circle, Talcher for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

*o/c*  
*True copy*

**Deputy Director Mines  
Talcher Circle, Talcher**





-16-

**OFFICE OF THE MINING OFFICER, DHENKANAL DISTRICT**

E-mail: [mo.dhenkanal@gov.in](mailto:mo.dhenkanal@gov.in)

Letter No. 212 / MM, Dhenkanal

Date. 07/02/2025

To,

The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

Sub:- Regarding illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia, Tahasil.

Sir,

With reference to the subject cited, it is to bring your kind information that illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia Tahasil was going on by some miscreants for last couple of months. Previously, u/s 163 of BNSS-2023 was imposed over the said plots & now the period has expired on dt-20/01/2025. So, it is badly required to impose u/s 163 of BNSS-2023 to curb the illegal activities in the revenue interest of the state over the said land.

This is for your kind information & necessary action.

Yours faithfully,

Mining officer- cum-Competent Authority  
Dhenkanal

Date. 07/02/2025

Memo No. 213 / MM, Dhenkanal

Copy forward to Collector & District Magistrate, Dhenkanal for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

Date. 07/02/2025

Memo No. 214 / MM, Dhenkanal

Copy forward to Deputy Director of Mines, Talcher Circle Talcher for kind information & necessary action.

Mining officer- cum-Competent Authority  
Dhenkanal

True copy  
[Signature]

Deputy Director Mines  
Talcher Circle, Talcher





-18-

**OFFICE OF THE MINING OFFICER, DHENKANAL DISTRICT**

E-mail: mo.dhenkanal@gov.in

Letter No. 910 / MM, Dhenkanal

Date. 12/11/2024

To,

The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

Sub:- Regarding illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia, Tahasil.

Sir,

With reference to the subject cited, it is to bring your kind information that illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia Tahasil was going on by some miscreants for last couple of months. Previously, u/s 144 of Cr.P.C was imposed over the said plots & now the period will be expired on dt 16.11.2024. So, it is badly required to impose u/s 163 of BNSS to curb the illegal activities in the revenue interest of the state over the said land.

This is for your kind information & necessary action.

Yours faithfully,

  
Mining Officer Cum- Competent Authority  
Dhenkanal

Memo No. 911 / MM, Dhenkanal

Date. 12/11/2024

Copy forward to Collector & District Magistrate, Dhenkanal for kind information & necessary action.

  
Mining Officer Cum- Competent Authority  
Dhenkanal

Memo No. 912 / MM, Dhenkanal

Date. 12/11/2024

Copy forward to Deputy Director of Mines, Talcher Circle Talcher for kind information & necessary action.

  
Mining Officer Cum- Competent Authority  
Dhenkanal

*True copy*  
  
Deputy Director Mines  
Talcher Circle, Talcher

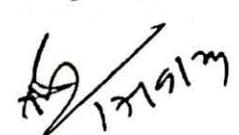


**COURT OF THE SUB-COLLECTOR & SDM, DHENKANAL**

**Memo No. 5350 /Judl. Dated. 17.9.24**

Copy forwarded to the Tahasildar, Gondia/Inspector In Charge. Nihalprasad Police Station for information and immediate necessary action.

Copy submitted to the Collector & District Magistrate, Dhenkanal/ Superintendent of Police, Dhenkanal for kind information and necessary action.

  
Sub-Collector & SDM, Dhenkanal

*True copy*  
*M. M.*  
Deputy Director Mines  
Talcher Circle, Talcher



-21-

**OFFICE OF THE MINING OFFICER, DHENKANAL DISTRICT**

E-mail: [mo.dhenkanal@gov.in](mailto:mo.dhenkanal@gov.in)

No. 569 / MM, Dhenkanal

Date. 28/08/2024

To,

The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

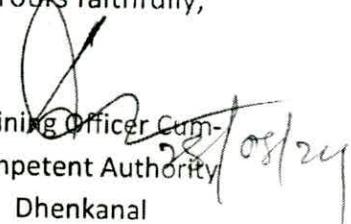
Sub:- Regarding illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia, Tahasil.

Sir,

With reference to the subject cited, it is to bring your kind information that during surprise checking in dt.28-07-2024 it is ascertained that illegal extraction of Minor Mineral from Plot No- 6168 & 6232 of Khata No- 1513 in village Nihalprasad of Gondia Tahasil is going on by some miscreants. Previously, u/s 144 of Cr.P.C was imposed over the said plots & now the period has expired. So, it is badly required to impose u/s 144 of Cr. P.C to curb the illegal activities in the revenue interest of the state.

This is for your kind information & necessary action.

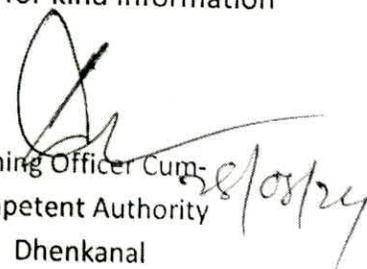
Yours faithfully,

  
Mining Officer Cum-  
Competent Authority  
Dhenkanal

Memo No. 570 / MM, Dhenkanal

Date. 28/08/2024

Copy forward to Collector & District Magistrate, Dhenkanal for kind information & necessary action.

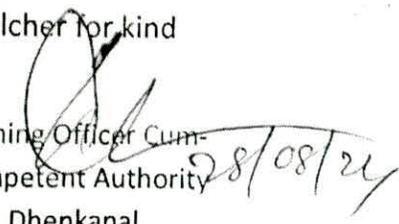
  
Mining Officer Cum-  
Competent Authority  
Dhenkanal

Memo No. 571 / MM, Dhenkanal

Date. 28/08/2024

Copy forward to Deputy Director of Mines, Talcher Circle Talcher for kind information & necessary action.

*True copy*  
  
Deputy Director Mines  
Talcher Circle, Talcher

  
Mining Officer Cum-  
Competent Authority  
Dhenkanal



*Sub-Collector's office*

1700  
03.07.2024  
L2

**Extract of orders passed by Sub-Collector & Sub-Divisional Magistrate, Dhenkanal in Criminal Misc. Case No. 718/2024 U/S 144 of Cr. P.C.**

X-----X-----X-----X-----X-----X-----X-----X-----X  
**1<sup>st</sup> party** Mining Officer Cum Competent Authority Dhenkanal Vrs- **2<sup>nd</sup> party** General Public.  
X-----X-----X-----X-----X-----X-----X-----X-----X  
**Order dt. 27.06.2024**

Perused the letter No. 404/dt.26.6.2024 submitted by the Mining Officer Cum Competent Authority Dhenkanal. It has been reported that illegal extraction of minor minerals under Gondia Tahasil is going over plot No- 6168 & 6232 under holding no-1513 situated at Mouza Nihalprasad by some miscreants. So the Mining Officer Cum Competent Authority Dhenkanal has requested for promulgation of under Section 144 Cr.P.C to prevent illegal extraction and not to create any kind of disturbances over the govt. land given above. So it is highly necessary, to prevent illegal extraction/ activities over Govt. land and to pass order to restrain miscreants / General Public to enter into the scheduled land and also stop the illegal extraction.

Accordingly, keeping in view urgency of the matter, I am of the view that General Public have to restrain from entering in to the Govt. land given in the schedule below and it is being issued ex-parte.

*Recd  
02-07-24*

Hence, it is hereby ordered U/S 144(2) Cr. P.C., 1973 that General Public are restrained for a period of two months i.e. till 26.8.2024 from entering into the case land. The IIC. Nihalprasad, P.S is directed to promulgate the court's order & serve the copy of this order upon the parties concerned immediately.

*2300  
02/07/24*

Further, the Tahasildar, Gondia and IIC. Nihalprasad P.S are to keep close watch on the situation. Provided that, the above order shall not apply to the Government employees/servants on official duties.

*Thrup  
27/7/24*

Put up on 26.08.2024  
Given under my hand and seal of the court on this 26<sup>th</sup> day of August, 2024.

**Land Schedule**

Mouza- Chandrasekharprasad			
<u>Khata No.</u>	<u>Plot No.</u>	<u>Area</u>	<u>Kissam</u>
1510	6986	A.0.12dec.	GB
Dictated			



Sd/-  
Sub-Collector & SDM, Dhenkanal

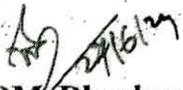
*Tone copy*  
*[Signature]*  
Deputy Director Mines  
Talcher Circle, Talcher

**COURT OF THE SUB-COLLECTOR & SDM, DHENKANAL**

Memo No. 3803 /Judl. Dated. 27.6.2024

Copy forwarded to the Tahasildar, ~~Gondia~~ Inspector In Charge Nihalprasad Police Station for information and immediate necessary action.

Copy submitted to the Collector & District Magistrate, Dhenkanal/ Superintendent of Police, Dhenkanal for kind information and necessary action.

  
Sub-Collector & SDM, Dhenkanal

**DISTRICT OFFICE, DHENKANAL**

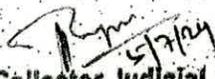
Memo No. 7003 /Judl. Dt. 05.07.2024

Copy forwarded to the Mining Officer - Cum - Competent Authority

Dhenkanal / Dy. Collector, Puzi

Collectorate, Dhenkanal.

for information and necessary action.

  
Assistant Collector, Judicial  
Collectorate, Dhenkanal

True copy



Deputy Director Mines  
Talcher Circle, Talcher

694) Collector &  
D.M.



**OFFICE OF THE MINING OFFICER, DHENKANAL**

Email-mo.dhenkanal@gov.in

No. 404 / MM, Dhenkanal,

Date. 26/06/24

To,  
The Sub-Collector & Sub-Divisional Magistrate,  
Dhenkanal.

Sub: Regarding Illegal extraction of Minor Mineral from Plot No.-6168 & 6232 of Khata No. 1513 in Village-Nihalprasad of Gondia Tahasil.

Sir,

With reference to the subject cited above, it is being your kind information that a surprise checking was conducted on 24.06.2024 by the joint team comprising of Tahasildar, Gondia, Mining Officer, Dhenkanal, Junior Mining Officer & RI Nihalprasad to the alleged Nihalprasad area of illegal extraction of Minor Mineral under Gondia, Tahasil. It is ascertained that illegal extraction of Minor Mineral from Plot No.-6168 & 6232 of Khata No. 1513 in Village-Nihalprasad of Gondia Tahasil is going on by some miscreants. Previously, u/s 144 of Cr.P.C was imposed over the said plots & now the period has expired. So, it is badly required to impose u/s 144 of Cr.P.C to curb the illegal activities in the revenue interest of the State.

This is for your kind information & necessary action

Yours Faithfully

Mining officer cum  
Competent Authority  
Dhenkanal  
Date. 26/06/24

Memo No. 405 / MM, Dhenkanal

Copy forwarded to Collector & District Magistrate, Dhenkanal for kind information & necessary action

Mining officer cum  
Competent Authority  
Dhenkanal  
Date. 26/06/24

Memo No. 406 / MM, Dhenkanal

Copy forwarded to Deputy Director Mines, Talcher Circle Talcher for kind information & necessary action

Mining officer cum  
Competent Authority  
Dhenkanal.

*True copy*

**Deputy Director Mines  
Talcher Circle, Talcher**