

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.-180 OF 2025

IN THE MATTER OF:

URBASHI JENA

APPLICANT

VERSUS

STATE OF ODISHA AND ORS

RESPONDENTS

INDEX

SL No	Description of Document	Page No
1	Original Application	1-41
2	Copy of the representation dated 09/04/2025 as ANNEXURE-1.	42-52
3	Copy of the Environmental clearance dated 03/06/2022 been granted in favor of one SARAT CHANDRA BEHERA as ANNEXURE-2.	53-63
4	Copy of the CTE dated 10/02/2023 granted in favor of Sri Sarat Chandra Behera Lessee of M/s Bajabati Black Stone Quarry No.2 (Cluster Serial No-3 B/2) as ANNEXURE-3.	64-65
5	Copy of the CTO dated 28/03/2025 grated in favor of Sri Sarat Chandra Behera Lessee of M/s Bajabati Black Stone Quarry No.2 (Cluster Serial No-3 B/2) as ANNEXURE-4.	66-72
6	Copy of the DGMS report dated 25/10/2024 as ANNEXURE-5	73-76

7	Copy of the letter dated 15/11/2024 and 23/11/2024 written by Sarpanch of Pakhara and Thanual grampanchayat respectively as ANNEXURE-6.	77-78
8	Copy of the CPCB guideline dated 12/05/2020 as ANNEXURE-7.	79-86
9	Copy of the google earth image as ANNEXURE-8.	87-88
10	Copy of the photographs of the quarries in question as ANNEXURE-9.	89-93
11	Copy of the resolution dated 28/06/2018 as ANNEXURE-10.	94-100
12	Copy of the order passed by Hon'ble NGT in OA 105/2025 as ANNEXURE-11.	101-103
13	VAKALATNAMA	104

PLACE: Bhubaneswar

DATE: 06/09/2025

SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE

Plot 2132/4814, Nageswartangi, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

SYNOPSIS

That the present application challenges the illegal operation of Road Metal Quarry in BAJABATI under Dharmasala Tahasil of Jajpur district in Odisha. There are 6 stone quarries exist in the Cluster 3 of Bajabati, among those **Bajabati Black stone quarry-2** (hereafter referred as Bajabati BSQ-2) is operating in violation of environmental norms. That the BAJABATI BSQ-2 exists over (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha respectively. That the above mentioned quarry is operated by the lessees namely Sarat Chandra Behera in violation of conditions of Environment clearance and mining plan. Apart from this the quarry is operating using explosives with in 200meters from the residential houses. There has been no monitoring of compliance of conditions and the requirement of submission of quarterly compliance report has not been furnished and uploaded by the project proponent as well as Tahasildar for which the EC is liable to be cancelled as per condition no 8.51 of EC letter. Violations of the quarries are summarized below

- I. Mining beyond lease area
- II. Mining beyond the permissible depth of 6 meter in violation of EC condition No. 8.7

- III. Safety zone has not been maintained by the lessee
- IV. Quarrying activity within safety zone
- V. Excess mining beyond the permissible quantity
- VI. Mining is being done in an unscientific manner
- VII. Inaction of SEIAA authority even after public complaint dated 09/04/2025
- VIII. Violation of Environmental Clearance conditions.
- IX. Quarrying activity in violation of CPCB citing criteria guideline dated 12/05/2020
- X. Blasting without any permission from the competent authority.
- XI. District Survey report of the Jajpur District has not been approved by SEIAA.

LIST OF DATES

- | | |
|------------|---|
| 03/06/2022 | Environment Clearance granted in favor of Bajabati Black Stone quarry No-02 over (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha. |
| 10/02/2023 | Consent to establish granted in favor of Bajabati Black Stone quarry No-02 over (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under |

Dharmasala Tahasil of Jajpur District, Odisha for Excavation/Quarrying of Road Metal of quantity 72872 Cum during approved mining plan period of 05 years with maximum annual production 14590 Cum.

07/03/2024 Consent to Operate granted in favor of Bajabati Black Stone quarry No-02 over (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha for Excavation/Quarrying of Road Metal of quantity 14590 Cum. and the same is valid up to 31/03/2025

28/03/2025 Subsequent Consent to Operate granted in favor of Bajabati Black Stone quarry No-02 over (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha for Excavation/Quarrying of Road Metal of quantity 14568 Cum. and the same is valid up to 31/03/2026

09/03/2025 Complaint to all the concerned authorities regarding the violations of environmental norms and illegal operation of stone crusher in Bajabati Stone quarries

09/04/2025

Complaint to all the concerned authorities through email regarding the violations of environmental norms and illegal mining in Bajabati Stone quarries.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

*(Under Section 14, 15, 20 r/w. Section 18(1) & (2) of the National
Green Tribunal Act, 2010)*

ORIGINAL APPLICATION NO.- OF 2025

IN THE MATTER OF:

Urbashi Jena D/o Haramohan Bala, Aged about 55 years At- Thannual, Po-
Kanpur, Dist-Jajpur, Odisha, 755024 **APPLICANT**

VERSUS

1. State of Odisha represented by Chief Secretary, Government of Odisha,
Lokaseva Bhawan,751001 Bhubaneswar csori@nic.in
2. Additional Chief Secretary, Revenue and Dissaster Management
Department, Government of Odisha, Lokaseva Bhawan, Bhubaneswar,
751001, revsec.od@nic.in
3. Additional Chief Secretary, Forest Environment and Climate Change
Department, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha,
751001, Email: fesec.or@nic.in

4. Collector & Dist. Magistrate Jajpur, At/PO/Dist- Office of the Collector and District Magistrate,Jajpur-755001, Email- dm-jajpur@nic.in
5. Superintendent of Police, Jajpur, AT/PO-Panikioili, Jajpur, Pin-755043
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6. Director of Mines, Directorate of Mines, Bhubigyan Bhawan ,
Bhubaneswar, Khordha, PIN-751001 dirmines_odisha@rediffmail.com
7. Tahasildar Dharmasala, At/Po/PS- Office of Tahsildar,Dharmasala, Pin-755008, Email- tdrdharmasala@gmail.com
8. Deputy Director of Mines, At/Po Jajpur Road, Dist-japur Email:
ddm.jajpurroad@orissaminerals.gov.in Pin- 755019
9. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office (EZ), A/3,
Chandersekharpur, Bhubaneswar – 751023, Email: roez.bsr-mef@nic.in
10. **Member Secretary**, Odisha State Pollution Control Board
A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha
Email: member.secy@ospcboard.org
11. **Regional Officer, Odisha State Pollution Control Board**, Kalinga nagar,
At- Dhabalagiri, Po – F.C Project, Jajpur Road, Dist – Jajpur – 755020.
Email: rospcb.kalinganagar@ospcboard.org

12. **Member Secretary, State Environment Impact Assessment Authority** (SEIAA), Odisha, Bhubaneswar, 5RF-2/1, Acharya Vihar, Unit – IX, 751022 Email: ms-seiaa-or@gov.in
13. **Regional Director, Central Ground Water Board**, South Eastern Region, Bhubaneswar At/Po- Bhujal Bhawan, Khandagiri, Bhubaneswar, Pin- 751030, Email: rdser-cgwb@nic.in
14. Director General of Mine Safety, Office of Directorate General of Mines Safety, Government of India, HEAD OFFICE, DHANBAD (Jharkhand), PIN: 826001, Email- dg@dgms.gov.in dgmsindia@gmail.com
15. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 Email: mascb.cpcb@nic.in,
16. Sarat Chandra Behera, At-Khunta, Ps-Dharmasala, Dist-Jajpur -755024, (Lessee of Bajabati BSQ-2) **.....RESPONDENTS**

- I. The address of the Counsel of Applicant is given for the service of notices of this APPLICATION.
- II. The addresses of the Respondents are given above for the service of notices of this APPLICATION. Private Respondent is the lessees of Bajabati BSQ -2, Regional office of MoEFCC and SEIAA has a duty to monitor the compliance of EC conditions.

III. The Present Application Challenges the inaction of the state respondents against illegal operation by lessee in violation of environment clearance conditions.

IT IS MOST RESPECTFULLY SHOWETH

1. That the applicant is the villager of Thannual under Dharmasala Tehsil of the Jajpur District where the private respondent is operating the stone quarry in violations of the conditions imposed by Environmental clearance, Consent to establish and other environmental norms. In this particular case the applicant along with the villagers of Bajabati, Thannual, Kahnupur, Nuakhunta, Jharsohal and Kantamalia has sent a detailed complaint to the authorities for violation of environment norms by the quarry operator through email on 09/04/2025 but no action has been taken as on date for which the present application is filed. That the present application challenges the illegal operation of stone quarry No. 2 exists in Bajabati Cluster **located at Village-Bajabati, Tahasil-Dharmasala, Dist- Jajpur**, by the private respondent in violation of conditions of Environment clearance, CTO and the mining plan. Copy of the representation dated 09/04/2025 is annexed here unto as **ANNEXURE-1**.

2. That the Environmental clearance of Bajabati Black Stone quarry No-02 (Cluster Serial No 3B/2), (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha, has been granted in favor of one SARAT CHANDRA BEHERA on dated 03/06/2022. Copy of the Environmental clearance dated 03/06/2022 been granted in favor of one SARAT CHANDRA BEHERA is annexed here unto as **ANNEXURE-2**.
3. That the lessee of Bajabati Black Stone quarry No-02 is operating the quarry in violation of Environmental Clearance conditions as follows,
 - I. 8.2- The lessee shall implement the pollution control measures and safeguards as proposed in the approved EIA/EMP in the cluster approach.
 - II. 8.4 - Demarcation of the quarry lease area by posting durable concrete pillars of 1m height above ground is a must prior to starting the quarry operation. Photographs of proof showing the demarcation of the quarry lease shall be submitted along with compliance report.
 - III. 8.6 - Under no circumstances, the lessee shall use wagon drilling blasting during mining activity.
 - IV. 8.7- Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The Rule

37(1)(a) of the OMMC Rule, 2016 stipulates that the depth of the quarry below the surface shall not exceed 6 meters. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously. Maximum depth from the top surface, at any point on the hill, upto which quarrying may be permitted shall be 6 meters. The total expected quantity of stone material to be exploited by operating in the above manner shall be calculated, which is the maximum quantity that is allowed to be extracted.

- V. 8.8- Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is 14590Cum in a full year (January to December) during the valid lease period. During the plan period of 5years, the total production from the quarry shall be 72872Cum as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- VI. 8.9- Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed

production of road metal from the lease area of each year shall be submitted in tabular form during submission of compliance report.

- VII. 8.13- The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.
- VIII. 8.15- It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted depth, then also quarrying shall be stopped.
- IX. 8.17- No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO and only after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying 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.

- X. 8.18- Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The lessee shall obtain NOC of Panchayat for usage of haulage road/Panchayat road.
- XI. 8.19- All the lease holders in a cluster should join hand for grading of the main haulage road to maintain the gradient facilitating smooth movement of vehicles.
- XII. 8.23- The lessee shall not store and use blasting materials/explosives inside the lease area without obtaining license/permission/authorization from competent Authority as per Indian Explosives Rules, 1983.

- XIII. 8.24- Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.
- XIV. 8.25- **Blasting has to be strictly regulated for safety of village road situated at. 130m distance.** Blasting will be carried out after making adequate announcement to the local inhabitants through public address system. Warning siren half an hour prior to blasting activity will be sounded adequately for alerting everybody around before the blast is detonated to avoid any accident. The nearby inhabitants shall be informed one day before the actual time of blasting. Blasting is permissible at fixed hour in day time only, after blowing the siren intermittently for 10 minutes before the actual start, for safety of the inhabitants. Blasting shall be carried out in such a manner that the splinters/debris generated shall not fall beyond the mining lease area.
- XV. 8.26- Water spray should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

- XVI. 8.30- The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- XVII. 8.31- The lessee shall ensure the safeguard and well being of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the MoEF & CC, Govt. of India and SEIAA, Odisha.
- XVIII. 8.32- All the lease holders in a cluster should join hand for development of green belt all around the cluster area. Plantation of 5000 saplings shall be carried out in the 1st year of quarry operation in the peripheries of the quarry area by making planting pits of 1 meter depth at suitable spots along the approach road and in village common lands, within 1km belt of the quarry. The PPs shall submit real time photographs on latitude longitude grid at six monthly intervals to monitor the status of the plantation. Total Plantation shall be carried out within 2-3 years of mining activity and maintenance shall be continued in remaining years. Trees present in mining area shall be uprooted & transplanted in safety zone.

- XIX. 8.37 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.
- XX. 8.38 Staggered contour trenches shall be dug out to cover all sloping area and the hill surface in general, within a 1km belt of the quarry lease.
- XXI. 8.42 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.
- XXII. 8.43 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 1 day of January, April, July, October of each calendar year, failing which EC is liable to be revoked. The proponent shall upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The concerned Tahasildar shall ensure the uploading of EC compliance report in the parivesh portal by the project proponent.

XXIII. 8.46 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.

4. **That quarry no 2 has already reached a depth of 60 feet (20 meter) which is much more beyond the permissible limit of 6 meter** and operating in violation of EC condition no 8.15 which states that “It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs intervenes within the permitted depth, then also quarrying shall be stopped.” As evident from the physical site there is no minable reserve exist in the quarry and the lessee is operating the stone quarry by dewatering.
5. That the quarry no 2 and 6 in close proximity (within 100 meter) from the public road connecting from Bajabati to Kanpur and same is prohibited, however in the present case EC, CTE and CTO has been granted in favor of the private respondent by violating the Environmental norms.
6. That the Consent to Establish was granted by SPCB Regional office Kalinganagar to the Bajabati Stone quarry-2 on dated 10/02/2023 and the first CTO was granted on dated 15/02/2023. Copy of the CTE dated

10/02/2023 granted in favor of Sri Sarat Chandra Behera Lessee of M/s Bajabati Black Stone Quarry No.2 (Cluster Serial No-3 B/2) is annexed here unto as **ANNEXURE-3**.

7. That further the CTO was renewed on dated 07/03/2024 and subsequently on 28/03/2025 without inspecting compliance of the previous CTO which was granted by the Board on dated 10/02/2023. Copy of the CTO dated 28/03/2025 granted in favor of Sri Sarat Chandra Behera Lessee of M/s Bajabati Black Stone Quarry No.2 (Cluster Serial No-3 B/2) is annexed here unto as **ANNEXURE-4**.

8. That the lessee is excavating stones beyond the lease area as well as from the safety zone and in complete violation of the mining plan needless to say that for mining operation they use to dewater the pits and the contaminated mine water is being left to the adjoining agricultural lands practically there is no safety distance between quarry no 2 and 6 hence the entire ongoing quarry operation in quarry no 2 and 6 are illegal in violation of Mining Plan, EC and CTO condition for which the mining operation need to be stopped immediately

9. Needless to state that the Director General of the Mines safety on dated 24th 25th and 26th of September 2024 conducted an inspection in the Dharmasala Tahasil of Jajpur District Odisha and during the inspection observed major

contraventions throughout the Tahasil. DGMS has also issued a stop work order for violation of Mines Act 1952, Metaliferous Mines Regulations 1961 & Mines Rules. Copy of the DGMS report dated 25/10/2024 is here unto annexed as **ANNEXURE-5**

10. That the DGMS had observed following contraventions during the inspection are as follows,

- I. “ Section 16 of Mines Act, 1952 read with Reg. 3 of MMR, 1961:
Notice of opening of the mine was not submitted to this Directorate by the owner before commencement of mining operations in the mine.
- II. Section 17(1) of Mines Act, 1952 read with Reg. 34(1) of MMR, 1961: Manager was not appointed in the mine. Mining operation shall not be carried out in the mine unless the mine is kept under the sole control of a manager, being a person duly appointed and possessing the prescribed qualifications, to physically exercise his personal supervision and perform his duties under the Mines Act, 1952 and the rules and regulations made thereunder
- III. Reg. 39 read with Regulation 160(1) of MMR, 1961: tester was not appointed in the mine to exercise his personal supervision for the preparation of charges and the charging and stemming of blast holes and to carry out his duty in accordance with the provisions of the

Regulations and of any order made thereunder and most to the transport and use of explosives.

- IV. Reg. 106(2)(a) & (3) of MMR, 1961 The mines were not kept adequately benched, sloped or secured so as to prevent danger from fall of sides. **The mines were made about 20m to 50m deep** nearly vertical without forming any benches in height about 20m-50m, as **against the maximum permissible bench height of 6m.**
- V. Reg. 106(2)(b) of MMR, 1961: Permission for use of heavy earth moving machinery (HEMM) and deep hole blasting was not obtained, however, the signs and impressions of carrying out deep hole drilling & blasting and of using excavator and tippers were observed in the mine. No HEMM or deep hole drilling & blasting shall be used in the mine without obtaining permission from this Directorate.
- VI. Reg. 111(1) of MMR, 1961: **The boundary of the lease/mine was not found demarcated**/fixed on the ground by providing permanent pillars.
- VII. Reg. 115(1)(a) of MMR, 1961: The top edges of the opencast workings were not kept securely fenced to prevent any person from entering or falling therein.

- VIII. Rule 29(B) of Mines Rules, 1955: Persons employed in the mine had not undergone Initial or periodical medical examination.
- IX. Section 48(1) of Mines Act, 1952 and Rule 77 of the Mines Rules 1955 read with the Ease of Compliance to Maintain Registers under Various Labour Laws Rules, 2017: Particulars of employees of the mine were not found maintained in Form-A register.
- X. Section 48(4) of Mines Act, 1952 and Rule 78 of the Mines Rules 1955 read with the Ease of Compliance to Maintain Registers under Various Labour Laws Rules, 2017: Attendance of persons employed in the mine was not found maintained in Form-D register.”
11. Needless to state that quarry operation with blasting is prohibited from within 200 meter from road, school, structure as per the CPCB guideline but in the present case both the quarry operators are extracting stones by blasting and don't have permission for the same.
12. It is further submitted that the Bajabati Gram Panchayat road and Kanpur Bajabati RD road is in close proximity (within 100 meter) from the Bajabati Quarry No-2.
13. Because of the deep quarry, the water table in the village has gone down. The quarry depth should not be more than 6metre but here it has exceeded more than 15 meters. This is in violation of EC condition 8.7. Because of the

deep quarries the lift irrigation points for agricultural purposes have also failed and the water table in and around the villages of the quarry have drastically gone down resulting a water scarcity in the area.

14. That the local Sarpanch of the Pakhara and Thanual grampanchayat vide letter dated 15/11/2024 and 23/11/2024 respectively also confirmed the water scarcity and failure of the borewells under their jurisdiction due to inadequate water yield on. Copy of the letter dated 15/11/2024 and 23/11/2024 written by Sarpanch of Pakhara and Thanual grampanchayat respectively is annexed here unto as **ANNEXURE-6**.

15. It is pertinent to mention here that due to the water scarcity in the area on dated 17/10/2023 a farmer of the village Bajabati died by committing suicide after his paddy crop failed. That the farmer committed suicide as his paddy crop damaged completely by the illegal stone quarrying near his agricultural land, and the fact behind the crop damage is absence of water in his farm land due to the illegal and uncontrolled deep quarrying activities in the locality. The death of the farmer was also published on various leading English newspapers. On dated 17/10/2023 The New Indian Express also published a news article regarding the farmer's death in Bajabati.

16. It is needless to mention here that due to the deep quarry activities the depth of the quarry has already exceeded the permissible limit i.e. 6 meter depth

from the ground level and it is also categorically mentioned in the EC letter that it shall be declared as no mining zone if the mining touches the water table of the area but in the present cluster due to lack of enforcement by the authorities the lessees are illegally extracting stones beyond 6 meter depth.

17. That the lessee of Bajabati BSQ-2 have not obtained any permission from ground water authority and same is in violation of EC and CTO condition.

18. That the applicant had verified the website of Central Ground Water Authority

<https://cgwa-noc.gov.in/Sub/Report/NOCIssuedLetter/NOCIssusedLetterToExtUserPage.aspx>

and could not find any permission if any granted to the quarries and the crushers located in Bajabati mouza, hence this also confirms that the quarry and crushers are extracting ground water through borewells without any valid NOC from the Central Ground Water Authority (CGWA).

19. That the ground water of the adjoining area is contaminated because of the infiltration of the explosive materials and urea used for the blasting purpose.

The water during summer gets contaminated mostly and smells from the water makes it unfit for drinking. It is pertinent to mention the **quarry is operating without valid explosive license.**

20. It is pertinent to mention here that the lessee of Bajabati BSQ 2 is using illegal explosives to loosen the stones from the quarry and in this regard

the PP does not have any permission from the concerned authorities, and the lessee also does not have any blasting permission from the District collector and illegally extracting stones by way of blasting.

21.No green belt around the quarry though the operation is ongoing since 2005 and there by the dust from quarry use to affect the adjoining agricultural fields, human habitation and commuters on the road.

22.There has been no plantation and green belt done by the project proponent and the progressive mine closure and phased reclamation has not been followed as it should have started once one pit is completed. Currently there are more than 10 different pits on which quarrying activities are going.

23.There has been no authorization under Hazardous Waste Management Rules 2016 for disposal of waste oils, used oils generated from machines and mining operation.

24.That the stone loaded vehicles of Bajabati BSQ 2 use to ply on PWD road and village road through densely populated villages in violation of EC condition. **The vehicles use to cause air pollution and noise pollution while plying on the road.** There is noise and air pollution because of the movement of hundreds of vehicles from the quarry to crusher.

25. That there are number of illegal stone crushers also exists within the cluster though there is a prohibition of establishment of crushers inside any quarry/cluster but the mining mafias has established crushers inside the cluster and operating those illegal crushers in violation of citing criteria.

26. It is pertinent to mention here that due to the illegal and uncontrolled blasting in the entire cluster 3B of Bajabati nearby houses of the cluster developed cracks.

27. It is submitted that there has been no measures taken to mitigate the Air Pollution such wet drilling, the stone is cut in dry method, No water sprinkling in the quarry area as well as the roads, overloading vehicles are rampant, roads are already damaged and not graded to mitigate the dust emission, no water sprinklers in the mining site, the quarrying activity does not meet the ambient air quality standard, loading and unloading areas do not have dust suppression measures, Mining beyond 6metres, six monthly environmental statement has not been submitted and no green belt developed by the lessee.

28. It is humbly submitted that because of the illegal deep quarrying the water that use to flow from upper elevation to the agricultural land is being obstructed in the quarries and the villagers are facing water scarcity for their

agricultural land. The animals are severely affected being trapped in the deep quarries.

29. That the CPCB on 12/05/2020 issued a notice regarding the siting criteria for stone quarry, however in the present case the quarry operation is ongoing in violation of the citing criteria fixed by the CPCB and the same also admitted in the EC letter in condition No. 8.35. Copy of the CPCB guideline dated 12/05/2020 is annexed here unto as **ANNEXURE-7**.

30. That the Order dated 6th August 2010 of Forest and Environment Department, Government of Odisha prescribing the siting criteria for stone crusher units, the point no 2 of the order says that “No stone crusher unit shall be allowed to operate within 500mtres from the established authorized habitations, education institutions, hospitals, courts and public offices and point no 3 says that no stone crusher unit shall be established within 200mtres from state highway and national highway. *Further the order clarifies that the distance will be measured point to point as the crow flies.*

31. That the google earth image of the Bajabati cluster also suggests that there are many stone crushers exists within the cluster and also exists between 500

meter radius from the Kantamalia, Thanual and Bajabati village. Copy of the google earth image is annexed here unto as **ANNEXURE-8**.

32. Prima facie the quarry is operating in violation of CPCB guideline suggesting 200 meter minimum distance from residential/ public buildings, inhabited sites, protected monuments, Heritage sites, National/State Highway, District roads, public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dam, Reservoirs, river, Canals, lakes or Tanks. In the present case the following public roads are within 200 meter from the quarry,

Sl No.	Name of the Road	Distance from the Quarry
1	Bajabati Village Road	Approximately 160 meter from Bajabati BSQ2, and 6
2	Bajabati Village Road	Approximately 170 meter from Bajabati BSQ-6
3	Snake Bridge	Approximately 370 meter from Bajabati BSQ-2
5	Idco Road	Approximately 96 meter Bajabati BSQ-2

6	Kanpur- Bajabati RD road	Approximately 97 meter from Bajabati BSQ-6
7	Kanpur-Gadmadhupur RD road	Approximately 190 meter from Bajabati BSQ-6

Copy of the google earth image suggesting the distance of the roads from the quarry is annexed as ANNEXURE-8.

33. It is further submitted that the Bajabati BSQ-2 and 6 are having public roads from each sides and admittedly this fact is also acknowledged by the SEIAA in its EC condition No. 8.25 of Bajabati BSQ-2 and by the Collector Jajpur in his citing certificate granted in favor of M/s Gayatri Crusher. It is very surprising that even after knowledge of the public utility roads the Collector Jajpur is allowing the lessees of Bajabati BSQ 2 and 6 to extract stones by blasting in the prohibited areas and in no mining zone.

34. That the photographs of the quarries in question is also suggests that the lessee of the stone quarry is extracting stones beyond the mining lease area and the depth of the quarries has also reached beyond the permissible depth and no mining zone has not been maintained by the quarry operators and also there is no green belt cover in the quarries so as to control the fugitive

dust emission. Copy of the photographs of the quarries in question is annexed here unto as **ANNEXURE-9**.

35. That the Tahasil authorities have obligation to ensure implementation of laws & entrusted to protect govt. assets but in this case the concerned authorities have grossly failed to discharge their duty. They never filed any complaint or filed any FIR with police station or exercise their power to desist an offender from unauthorized extraction of minor minerals rather supported it to continue such illegal lifting of minor minerals by becoming mute spectator.

36. That the Revenue and Dissaster Management, Odisha has come out with the resolution dated 28th June 2018 to adopt the technologies to check the illegal mining and responsibilities of authorities to be fixed for failure to curb illegal mining, but no action has been taken as on date. In fact, the authorities who has duty to check illegal mining are becoming partner in the crime to loot illegal minerals and thereby causing the loss to state exchequer and damage to environment. Copy of the resolution dated 28/062018 is annexed here unto as **ANNEXURE-10**.

37. It is not out of place to mention here that as on date the District Survey Report (herein after referred as DSR) of the Jajpur district has not approved by SEIAA as evident from the Parivesh Portal and no mining should take

place in absence of a valid DSR, however in the present case the mining is ongoing in absence of the valid/approved DSR.

38. It is further submitted that the Applicant has earlier approached this Hon'ble Tribunal vide OA No. 105/2025/EZ, with multiple issues involved in a single petition and the Hon'ble Tribunal has dismissed the aforesaid OA with liberty to file separate OA with separate cause of action. Copy of the order dated 05/08/2025 passed by this Hon'ble Tribunal is annexed here unto as **ANNEXURE-11**.

PREVIOUS ORDERS OF HON'BLE NGT IN MATTERS RELATING TO MINING

39. That Hon'ble NGT EZ in OA 83 of 2022 has directed the Director of Geology to measure the Morrur quarries in Mayurjhalia Mouza. Pursuant to the direction, Geology department with help of ORSAC and Mining Consultant, a detailed scientific measurement was carried out.

40. That in Original Application No 54 of 2018 EZ, Hon'ble Tribunal vide order dated 24th Dec 2021, has directed the Home Secretary, Government of Odisha to constitute a **Special Task Force** to look into the illegal morrum mining in Nijigarh Tapang Panchayat of Khordha District. The relevant para 7 of the order is reproduced as follows

“Para-7: In view of above, we direct Home Secretary, DGP and Chairman, State PCB, Odisha to hold a joint meeting within two weeks and constitute an appropriate Special Task Force (STF) to consider registering a criminal case for investigation of the crime in question to identify the violators and bring them to justice. Apart from such action, there is need for further preventive and remedial action for protection of environment and enforcement of environmental laws, including recovery of compensation and restoration measures. A joint Committee comprising of MoEF&CC (Regional Office at Bhubaneswar), CPCB, State PCB, SEIAA, Odisha and District Magistrate, Khurda may meet within two weeks to plan remedial action in this regard. The State PCB will be the nodal agency for coordination and compliance. The Committee may undertake visit to the site, interact with the stakeholders and plan further action. The Committee may also ascertain the identity of the law violators in coordination with the investigators or otherwise and proceed against them for enforcement of environmental norms, including action of stopping the illegal mining. It may furnish its action taken report within four months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. The report may also be uploaded on the website of CPCB to enable any of

the parties to file response thereto. List for further consideration on 25.04.2022”

41. That the Hon'ble Tribunal in Original Application No. 837/2018 vide order dated 31/07/2020 (**Sandeep Mittal vs MOEFCC**) in Para 2 there was flagrant violation of conditions of Environmental Clearance and adequate monitoring was not taking place, vide order dated 30.10.2018, the Tribunal observed that compliance of conditions of Environmental Clearance must be monitored on periodical basis, **at least once in a quarter**. Accordingly, the Ministry of Environment, Forest and Climate Change (MoEF&CC) was directed to review and strengthen the mechanism for the purpose and furnish a report.

Para3. The matter has thereafter been considered on several dates including 29.04.2019, 23.07.2019 and 22.11.2019. It has been repeatedly found that the mechanism for monitoring environmental norms is inadequate, as a result of which there is rampant violation of Environmental Clearance (EC) conditions, as noted by this Tribunal in several cases. The Tribunal also noted the observations in the Judgments of the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad Vs. Union of India & Ors. (2014) 4 SCC 61 and Lafarge Umiam Mining Private Limited Vs. Union of India, (2011) 7 SCC 338 that power of the

regulator under Section 3(3) of the Environment (Protection) Act, 1986 is **coupled with duty and there is a need for effective monitoring mechanism.** The Hon'ble Supreme Court also observed that there is poor monitoring and there are huge gaps in laying down of conditions and enforcement thereof. Such observations have also been made by the Comptroller and Auditor General of India (CAG), pointing out deficiencies on this aspect.

42. That Extraction of Minor Minerals without prior Environment Clearance is an offence under Section 15 of the Environment Protection Act 1986 **and same is reproduced as follows**

“(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.”

- a) That on dated 07/07/2021 Government of India came with an office memorandum which states about the standard operating procedure for identification and handling of violation cases under EIA notification 2006.

48. That District Collector is the authority under the Environment Protection Act 1986 to initiate criminal prosecution under Section 19 of Environment Protection Act 1986 and the District Magistrate, Dhenkanal in the present case failed to discharge the duties and hence the Hon'ble Tribunal may call for a satisfactory reply and direct the Chief Secretary for necessary action to that effect.

49. That while upholding the Criminal Prosecution in an illegal sand mining case namely Jayant Etc Vs State of Madhya Pradesh, Criminal Appeal No 824-825 of 2020, Hon'ble Supreme Court on 3rd December 2020 has opined that violators can not be permitted to go scot free on payment of penalty only. There must be some stringent provisions which may have deterrent effect so that the violators think twice before committing such offence and before causing damage to the earth and nature.

“It might be true that by permitting the violators to compound the offences under the MMDR Act or the rules made thereunder, the State may get the revenue and the same shall be on the principle of person who causes the damage shall have to compensate the damage and shall have to pay the penalty like the principle of polluters to pay in case of damage to the environment. However, in view of the large scale damages being caused to the nature, the policy and object of MMDR Act and Rules are the result of an increasing awareness of the compelling need to restore the serious ecological imbalance and to stop the damages being caused to the nature”

50. Illegal mining of minor minerals is not only theft of Govt. revenue inviting prosecution under the appropriate provisions of the IPC/BNSS but also invites prosecution under the provisions of **the Prevention of Money Laundering Act, 2002.**

51. That Section 3 of the Prevention of Money-Laundering Act, 2002, reads as under: - “3. Offence of money-laundering- Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming it is untainted property shall be guilty of offence of money-laundering.”

52. Section 4 of the Act which prescribes the punishment for money laundering, reads as under: - “4. Punishment for money-laundering- Whoever commits the offence of money-laundering shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

GROUND

- A. That the Quarry is operating in violation of Siting Criteria fixed by CPCB, Hence liable to be closed.
- B. That the past violations of EC conditions such as mining exceeding the approved quantity in EC letter and same need to be taken into account prior to allowing the quarry to be operated by the private respondent
- C. That the illegal quarry by the private respondent in collusion with Tahasildar, Dharmasala resulted in abandoned pits and same is endangering life and livestock of local residents.
- D. That in the present case the lessee of the BAJABATI BSQ-2 already in violation of EC condition hence the EC needs to be withdrawn as per EC condition No- 8.51.

- E. That the quarry operation is being done within prohibited distance and in violation of citing criteria as prescribed by CPCB in its guideline dated 12/05/2020 hence the mining activity should be stopped immediately.
- F. That the lessee of the Bajabati BSQ-2 is not maintaining the safety zone and mining activity is being done beyond the lease area.
- G. That the Petitioners and other residents of locality have a right to Clean Air and Water which is guaranteed by expanding the scope of Article 21 of Constitution of India and same has been violated.
- H. That the ongoing illegal quarrying destroying the local ecology is against the spirit of Article 48A and 51A(g) that mandates for protection of environment
- I. That the present illegal quarrying is against the principle of Sustainable Development, Precautionary Principle and attracts the Polluters Pay Principle.

LIMITATION

That there is a subsisting cause of action because of the ongoing illegal quarrying activity in violation of EC conditions on day-to-day basis and inaction of state respondents pursuant to the complaint dated 09/04/2025. As such the limitation for restoration is 5 years and there are evidences of mining exceeding the EC limit, hence the application is not barred by limitation.

INTERIM PRAYER

Hon'ble Tribunal may please to constitute a high-level committee comprising of responsible officers from SEIAA, MoEFCC, CPCB, Director of Mining and District Collector to inquire into the allegations such as excess mining and violations of EC conditions, compute the environmental compensation and in case of violations confirmed direct the District Collector Jajpur to immediately stop the operation of Bajabati Cluster 3B pending final disposal of the Original Application.

PRAYER

The Hon'ble Tribunal may please to consider to pass the following directions.

- I. Direct the SEIAA and SPCB to withdraw the environment clearance and CTO for violation of EC conditions and non-filing of quarterly environment compliance report
- II. Direct the Committee to ascertain if the quarry is in compliance of CPCB guideline dated 12/05/2020
- III. Show cause the SEIAA authority and SPCB for inaction despite of complaint dated 09/04/2025 and fix the responsibility of the erring officer

- IV. Direct the Director of Mines, Government of Odisha to assess the extent/quantum of Minor Minerals/Stone from the Bajabati BSQ-2 excavated illegally taking help of ORSAC and its market value, **cost of restitution and environmental compensation and recover the same from the private respondent, along with criminal prosecution**
- V. Fix the accountability/responsibilities of the concerned Govt. authorities and Tahasildar Dharmasala for their inaction and wilful dereliction of duties causing loss to the state exchequer and damage to the environment
- VI. Direct the mining officer jajpur for reclamation of mining voids.
- VII. Pass such other orders/directions as may be deemed fit and proper in the bonafide interests of justice.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

Bhubaneswar

**By the Applicant
Through**

S. Pami → *A. P. Pathy*

ADVOCATE

FILED ON: 06/09/2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.- ___ OF 2025

IN THE MATTER OF:

URBASHI JENA

APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS

RESPONDENTS

AFFIDAVIT

06 SEP 2025

I, Urbashi Jena D/o Haramohan Bala, Aged about 55 years At- Thannual, Po-
Kanpur, Dist-Jajpur, Odisha, 755024, do hereby solemnly affirm, and declare as
under:

1. That I am the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying Original Application and the same is true and correct and is drafted on my instruction.

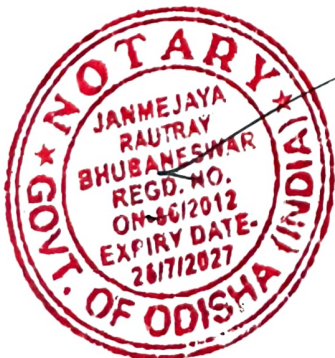
x Urbashi Jena
DEPONENT

VERIFICATION

Verified on this _____ day of 06 SEP 2025 at _____ that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Advocate

x Urbashi Jena
DEPONENT



The above named deponent(s) being duly identified by Sri... Advocate, Bhubaneswar appears before me on _____ day of 06 SEP 2025 at _____ A.M./P.M. on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief

JANMEJAYA RAUTRAY
NOTARY GOVT OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-7978581217

Deponent(s) Notary, Bhubaneswar

DATE-09/04/2025

To

1. Member Secretary, State Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar 5RF-2/1, Acharya Vihar,
Unit – IX, Bhubaneswar, Odisha 751022
Email: seiaaodisha@gmail.com
2. Member Secretary, Odisha State Pollution Control Board, A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, Email: paribesh1@ospboard.org
3. District Collector, Jajpur At/Po/Dist- Jajpur Email dm-jajpur@nic.in
4. Tahasildar, Dharmasala At/Po/PS- Dharmasala 756032 Email:
tldrtharmasala@gmail.com
5. Deputy Director of Mines, Jajpur ddm.jajpurroad@orissaminerals.gov.in Pin- 758001
6. Deputy Director General of Forests, Ministry of Environment and Forests, Climate Change, Integrated Regional Office, Bhubaneswar, A/3, Rail Vihar,
Chandrasekharpur, Bhubaneswar, Odisha 751023, email- roe.z.bsr-mef@nic.in
7. Director General of Mine Safety, Government of India, Dhanbad, Jharkhand
dgmsindia@gmail.com
- 8. Regional Officer, Odisha State Pollution Control Board, Kalinga nagar, At-Dhabalagiri, Po – F.C Project, Jajpur Road, Dist – Jajpur – 755020. Email:**
rospcb.kalinganagar@ospboard.org

Ref; i) Villagers complaint letter dated 02/12/2024 and reminder letter dated 20-12-2024.

ii) Villagers complaint letter dated 09/03/2025

SUB-ILLEGAL OPERATION OF BAJABATI STONE QUARRIES IN DHARMASALA
TAHASIL JAJPUR IN VIOLATION OF ENVIRONMENTAL CLEARANCE
CONDITIONS.

Dear Sir,

1. We the villagers of Bajabati, Kahnupur, Nuakhunta, Jharsohal and Kantamalia Village affected by the stone quarry operation in Bajabati Mouza wish to bring your kind attention to stop the quarry operation in Bajabati.
2. That the Environmental clearance of Bajabati Black Stone quarry No-02 (Cluster Serial No 3B/2), (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha, has been granted in favor of one SARAT BEHERA on dated 03/06/2022.
1. That the Environmental clearance of Bajabati Black Stone quarry No-06 in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha, has been granted in favor of one SAMARENDRA NAYAK on dated 07/06/2022.
2. That the lessees of Bajabati Black Stone quarry No-02 and 6 are operating the quarry in violation of Environmental Clearance conditions such as,
 - I. Safety zone is not maintained by the lessees
 - II. Proper demarcation of the quarries are not done prior to grant of EC
 - III. Mining beyond lease area
 - IV. Mining beyond permissible limit
 - V. Mining by dewatering the mine pits
 - VI. Mining in violation of CPCB distance criteria

- VII. Transportation of the minerals through the village road
 - VIII. No monitoring by the concerned authorities
 - IX. Quarterly compliance report has not been filed by the lessees of Bajabati BSQ 2 and 6
3. That quarry no 2 and 6 has already reached a depth of 60 feet (20 meter) which is much more beyond the permissible limit of 6 meter and operating in violation of EC condition no 8.15 which states that “It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs intervenes within the permitted depth, then also quarrying shall be stopped.” As evident from the physical site there is no minable reserve exist in the quarry and the lessee is operating the stone quarry by dewatering.
 4. It is pertinent to mention here that in the EC letter of Bajabati BSQ-6 there is a specific condition in 8.37 which says that “8.37 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.” But in the present case the lessee of Bajabati BSQ-6 has leased a piece of his private land to one M/s. AGRAWAL INFRABUILD PVT LTD for establishment of stone crusher over Plot No. 984 & 985 of Khata No-210/36 over an area of 0.55 Ac), At Mouza- Bajabati which is completely illegal as per the EC condition.

5. It is further submitted that the NOC for establishment of stone crusher has not given by the Pakhara panchayat and Thannual panchayat which is a pre requisite for establishment of Stone crusher. Copy of the certificate issued by both the panchayat is annexed for better appreciation.
6. That the lessees are excavating from beyond lease area as well as from the safety zone and in complete violation of the mining plan needless to say that for mining operation they use to **dewater the pits** and the contaminated mine water is being left to the adjoining agricultural lands practically there is no safety distance between quarry no 2 and 6 hence the entire ongoing quarry operation in quarry no 2 and 6 are illegal in violation of Mining Plan, EC and CTO condition for which the mining operation need to be stopped immediately.
7. Needless to state that the Director General of the Mines safety on dated 24th 25th and 26th of September 2024 conducted an inspection in the Dharmasala Tahasil of Jajpur District Odisha and during the inspection observed major contraventions throughout the Tahasil. DGMS has also issued a stop work order for violation of Mines Act 1952, Metaliferous Mines Regulations 1961 & Mines Rules. And these two quarries namely Bajabati BSQ-2 and 6 are operating the quarries violating the stop work order issued by the DGMS.
8. Needless to state that quarry operation with blasting is prohibited within 200 meter from road, school, structure as per the CPCB guideline but in

the present case both the quarry operators are extracting stones by blasting and don't have permission for the same. Needless to state that there are various roads exist within 200 meters from the quarries in question i.e. **Bajabati BSQ-2 and 6**, roads such as Kanpur-Bjabati RD road, Bajabati Village road, Kanpur- Gadamadhapur RD road, IDCO road, Bajabti village Road.

9. That the Consent to Establish was granted by SPCB Regional office Kalinganagar to the Bajabati Stone quarry-2 on dated 10/02/2023 and the first CTO was granted on dated 15/02/2023.
10. That further the CTO was renewed on dated 07/03/2024 without inspecting compliance of the previous CTO which was granted by the Board on dated 10/02/2023.
11. It is pertinent to mention here that the lessee of Bajabati BSQ-6 was granted CTE on dated 01/03/2023 by the SPCB Regional office Kalinganagar and the first CTO was granted on dated 03/03/2023 with a permissible extraction limit of 20036 cum of stones from the Bajabati Stone Quarry-06. That the CTO was granted with 43 number of general conditions and 13 number of special conditions. That on dated 30/03/2024 the CTO was renewed by the SPCB regional Office Kalinganagar without inspecting compliance of the previous CTO which was granted by the Board on dated 01/03/2023.

12. That quarry no 2 and 6 has already reached a depth of 60 feet (20 meter) which is much more beyond the permissible limit of 6 meter and operating in violation of EC condition no 8.15 which states that “It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs intervenes within the permitted depth, then also quarrying shall be stopped.” As evident from the physical site there is no minable reserve exist in the quarry and the lessee is operating the stone quarry by dewatering.
13. That because of deep quarry the water level in adjoining villagers are depleting and drying rapidly. The mining operation is taking by pumping out the mine water and discharging the same to adjoining agricultural fields. The farmers are getting skin irritation after coming in contact with the mine discharge water. The quarry depth in some case is more than 40metres and mostly the borewell in the locality are failing because of the depletion of ground water.
14. Because of the deep quarries the water from the uplands that use to flow downwards and irrigate the agricultural lands are now got stuck in the quarries and the agricultural lands are no more getting any water.
15. Similarly because of high power blasting in the quarry operation the houses in Bajabati village gets cracked and damaged. There use to be a layer of dust

in houses and trees because of the dust generated from quarry, crusher and transportation.

16.The overloading of vehicles and plying on the R and B Road are affecting the local villagers and school going children. The road do not have the carrying capacity to sustain the pressure of overloaded vehicles in hundreds of number every day. There is no measurement of quarry and this goes on unabated with impunity.

17.That because of dust and contaminated water there is increasing number of Kidney patients in Bajabati village. The situation is worsening day by day

18.The possibility of Silicosis which occurs due to dusts from the crusher and quarries have also not been medically examined on workers as well as the residents staying close to crushers and quarry

19.That the quarry activity having adverse impact on the human habitation is against the principle of sustainable development. That the quarry operation is threatening and endangering the life and property of adjoining villagers. That because of the ongoing quarry activity is against the Precautionary Principle and Inter-generational equity warrants closure of all such activities.

That the proposed mining is against the spirit of Article 48A and 51A(g) that mandates for protection of environment and Article 21 of Constitution of India

For the above reasons, mostly operation of quarry with in prohibited distance and non-compliance of EC conditions, we request you to withdraw the environment clearance to the Bajabati Cluster Stone Quarry No. 2 and 6 and direct the lease holders to comply the Mining plan and Environment clearance conditions by reclaiming the land to its original condition and also compute and collect Environmental compensation from the lessees for violating the environmental norms.

Subas Ch Jena

ସୁବର୍ଣ୍ଣା ଚେନା

ସୁଧାଂଶୁ ଚେନା

Kandambati Jena

Arnapurna Jena

Li Jankani Jena

Laxmi Jena

Sakhi Jena

① PANTI

ମନରୁ ବାସି ପିଣ୍ଡ
କାଳୀ ମତ୍ରେ ଦେହ ପୁରୁ
PANTA RORAH
ପ୍ରକାଶାସନ
ସାବର ଦୋରା

ଫୁଲି ବଣି ଯାମଲ

ମଞ୍ଜୁର ଯାମଲ

କି-ଟା/ଦେହୁରୀ

କାଳୀ କ୍ଷିତ ପଦ୍ମରୀ

ମିଳାଲି ଦେହୁରୀ

~~କାଳୀ ମତ୍ରେ~~

କାଳୀ ତିଳକ

କିଶୋରୀ ମନିମତ୍ରେ

Brown Prater Kanyas

Pura Chakra Dora

କାଳୀକୃତ ସାମଲ

କାଳୀକୃତ ଦେହୁରୀ

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(1) Pannagar Malik

(2) ଦୁଃି ମାଲିକ

(3) ସିଂହ ମାଲିକ

(4) Pratap malik

(5) Manas malik

(6) ଦୁଃି ମାଲିକ

(7) ଅଞ୍ଜଳି ମାଲିକ

(8) ସିଂହ ମାଲିକ

(9) ~~ଅ~~ ଦାସ ମାଲିକ

(10) ମାମୁଲ ମାଲିକ

(11) ଚିତ୍ରାଳୟ ମାଲିକ

(12) ରାମା ମାଲିକ

(13) ମାମୁଲ ମାଲିକ

(14) dhan malik

(15) ଦାମୁଲ ମାଲିକ

(16) ନାମ ମାଲିକ

(17) ସୁଧାମାଲିକ



Ashutosh Padhy <sagarasutosh369@gmail.com>

Complaint petition on behalf of Bajabati, Kahnupur, Nuakhunta, Jharsohal and Kantamalia Villagers.

1 message

Ashutosh Padhy <sagarasutosh369@gmail.com>

9 April 2025 at 16:21

To: SEIAA Odisha <seiaaodisha@gmail.com>, roez.bsr-mef@nic.in, ddm.jajpurroad@orissaminerals.gov.in, dm-jajpur@nic.in, dgmsindia@gmail.com, tdrdharmasala@gmail.com, paribesh1@ospcboard.org, rospcb.kalinganagar@ospcboard.org

Dear Sir/Madam, please find the attachment.



BAJABATI 2 AND 6 COMPLAINT.pdf

1394K

ENVIRONMENTAL
CLEARANCE

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

To,

The Lessee
 SARAT BEHERA
 At-Khunta, Ps-Dharmasala, Dist-Jajpur -755024

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/OR/MIN/75335/2020 dated 16 Apr 2022. The particulars of the environmental clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC22B001OR171481 |
| 2. File No. | 75335/650-MINB1/04-2022 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | For the grant of EC of Bajabati Black Stone quarry No-02 (Cluster Serial No-3B/2), (Khata No-215, Plot No-1050(p)) over an area of 5.00 acres or 2.023 hacters in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha. |
| 7. Name of Company/Organization | SARAT BEHERA |
| 8. Location of Project | Orissa |
| 9. TOR Date | 03 Jun 2020 |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 03/06/2022

(e-signed)
 Sri Susanta Nanda
 Member Secretary
 SEIAA - (Orissa)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

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PARIVESH

*(Pro-Active and Responsive Facilitation by Interactive,
 and Virtuous Environmental Single-Window Hub)*





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

SEIAA File No: 75335/650-MINB1/04-2022

Project: Proposal of Sri. Sarat Chandra Behera for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha,consisting of 6nos.of Quarries) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur- Environmental Clearance reg.

Ref: Your online application dated 16.04.2022 for issue of EC vide File No: SIA/OR/MIN/75335/2020

Sir,

This has reference to your online application seeking environmental clearance of the mining project for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur. The proposal falls in the category 1(a)- 'Mining of minerals' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as Form-2, form-1, supported by other necessary documents, namely the PFR, DSR, EMP, Approved Mining Plan, cluster EIA/EMP and Checklist.

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

- a. This is a proposal for mining of road metal from Bajabati Black Stone Quarry No-2 over an area of 5.00 acres or 2.023Ha(Total Cluster-3 Area-35.66 Acres or 14.43Ha) at village- Bajabati, Tahasil- Dharmasala, District- Jajpur.
- b. The mine area is a part of the Survey of India Toposheet No. 73L/1&73L/2 bounded by Latitude: 20°46'03.90"N to 20°46'08.96"N and Longitude: 86°06'30.43"E to 86°06'24.72" E .
- c. The mining lease is an identified sairat source in the DSR. The Bajabati Black Stone Quarry No-2 sairat source will be leased out under the OMMC Rules,2016

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by Tahasildar, Dharmasala to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.

- d. The mining plan of the mining project prepared has been approved by Deputy Director Geology, Directorate of Geology, Bhubaneswar on 31.03.2022.
- e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 85015 cum of building stone/road metal.
- f. The project proponent has not furnished the alignment of the extraction path for road metal transportation. As reported by the Tahasildar/PP in the checklist, the village road is at a distance of 1.0Km away from the mining lease area.
- g. The cluster certificate has been furnished by Tahasildar Dharmasala certifying that this sairat source is a part of a cluster. There are 06 nos. of mines(including this lease) located within 500m radius of lease area confirming to cluster situation and EIA/EMP study has already been carried out for the entire cluster. The SEAC have approved the cluster EIA/EMP prepared for the entire cluster in its meeting held on 03.08.2021.
- h. The Tahasildar vide letter dated 04.04.2022 has submitted that the proposed quarry is situated on non-forest land, even after verification of the DLC report.
- i. As per the approved mining plan submitted, it is observed that road metal from the quarry will be extracted by semi-mechanized method with annual extraction of road metal not exceeding 14590cum, maximum production capacity during the valid lease period.

3. 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 in cluster falls under Category B1 as the mining lease area in cluster is more than 5 ha.

4. The proposal in cluster was duly appraised by the SEAC in its meeting held on 03.08.2021. The SEAC has approved the EIA/EMP report in cluster approach and recommended that the SEIAA may consider to grant Environmental Clearance to individual lease in cluster after the lessee in cluster submit individual applications. The lessee has already submitted the individual EC application in the Parivesh portal.

5. The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Environmental Clearance in favour of the project valid upto the lease period under the provisions of

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EIA Notification 2006 and subsequent amendments thereto subject to strict compliance of all stipulated conditions as mentioned below.

6. The Environmental Clearance (EC) is accordingly granted to the proposed activity of road metal mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.
7. The Tahasildar, Dharmasala who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

8. Stipulated Conditions:

- 8.1 This Environmental Clearance is given with a specific condition for compliance as follows that "from the google map it appears there is rampant mining and quarrying within and around the proposed lease area, and Tahasildar has to report if any of this is unauthorised / illegal and in violation of MoEF & CC Notification dated 18.05.2012. If some of it is found to be in violation of EIA Notification, 2006, a remediation plan for mitigating the adverse impact of violations committed has to be submitted by Tahasildar within a period of 2 months. In addition, quantum of illegal quarrying in this hill block has to be estimated, and economic as well as environmental losses have to be reported in monetary terms, with proposal made for assessing penalty / compensation".
- 8.2 The lessee shall implement the pollution control measures and safeguards as proposed in the approved EIA/EMP in the cluster approach.
- 8.3 All the individual quarry lessee holders coming under the tahasil, Dharmasala jurisdiction shall create a common forum in coordination with the Tahsildar and contribute funds to it for grading, compaction and maintenance of common haulage road, provision of piped water with semi-circle Sprinkler system for suppression of dust on the common haulage road, 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 the individual lease holders shall implement the cluster EMP as proposed. All mining activity shall be done in scientific manner to safeguard degradation of environment. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his tahasil.
- 8.4 Demarcation of the quarry lease area by posting durable concrete pillars of 1m height above ground is a must prior to starting the quarry operation. Photographs of proof showing the demarcation of the quarry lease shall be submitted along with compliance report.

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- 8.5 No mining activities shall be allowed in forest area, if any, for which the Forest Clearance is not available.
- 8.6 Under no circumstances, the lessee shall use wagon drilling blasting during mining activity.
- 8.7 Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The Rule 37(1)(a) of the OMMC Rule, 2016 stipulates that the depth of the quarry below the surface shall not exceed 6 meters. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously. Maximum depth from the top surface, at any point on the hill, upto which quarrying may be permitted shall be 6 meters. The total expected quantity of stone material to be exploited by operating in the above manner shall be calculated, which is the maximum quantity that is allowed to be extracted.
- 8.8 Maximum quantity of quarry material that can be permitted by the lessor to be removed from the quarry area is **14590Cum** in a full year (January to December) during the valid lease period. During the plan period of 5years, the total production from the quarry shall be **72872Cum** as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 8.9 Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of road metal from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 8.10 It shall be ensured that quarrying is not carried out within 500 m of structures, bridges, embankment, dams, weirs, ground water extraction points, water supply head works, extraction points for irrigation and any other cross drainage structures. Pursuant to Hon'b'e NGT in its Order dated 21.07.2020 in OA No-304/2019 in the matter of M.Haridasan & Ors. Vrs State of Kerala and to comply with the direction made therein "No stone quarry involving blasting will be operated within 200m (minimum distance criteria) from Residential/public buildings, inhabited sites, other location, etc."
- 8.11 The lessee shall obtain NOC from CGWA and permission from WR department, Govt. of Odisha for use of ground water/surface water if any, required for the project.
- 8.12 Protection of vegetation in the surrounding areas, and proper storage of solid waste, subgrade ore and their use has to be given priority during mining operation.
- 8.13 The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/

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- masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.
- 8.14 No mining shall be carried out in the vicinity of natural /manmade archeological sites.
 - 8.15 It shall be ensured that quarrying shall not be carried out below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted depth, then also quarrying shall be stopped.
 - 8.16 Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
 - 8.17 No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission. Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO and only after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying 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.
 - 8.18 Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The lessee shall obtain NOC of Panchayat for usage of haulage road/Panchayat road.
 - 8.19 All the lease holders in a cluster should join hand for grading of the main haulage road to maintain the gradient facilitating smooth movement of vehicles.
 - 8.20 Vehicles hired for transportation of minor mineral 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. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
 - 8.21 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The competent lease granting authority may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral 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 mineral carrying trucks.
 - 8.22 Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.

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- 8.23 The lessee shall not store and use blasting materials/explosives inside the lease area without obtaining license/permission/authorization from competent Authority as per Indian Explosives Rules, 1983.
- 8.24 Drilling and blasting (wherever required) shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities.
- 8.25 Blasting has to be strictly regulated for safety of village road situated at 130m distance. Blasting will be carried out after making adequate announcement to the local inhabitants through public address system. Warning siren half an hour prior to blasting activity will be sounded adequately for alerting everybody around before the blast is detonated to avoid any accident. The nearby inhabitants shall be informed one day before the actual time of blasting. Blasting is permissible at fixed hour in day time only, after blowing the siren intermittently for 10 minutes before the actual start, for safety of the inhabitants. Blasting shall be carried out in such a manner that the splinters/debris generated shall not fall beyond the mining lease area.
- 8.26 Water spray should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.
- 8.27 Issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CSR shall be complied with. All the lease holders in a cluster to join hand through a registered MOU on cluster to cluster basis for implementation of the same as per the provision of OM dated 30.09.2020 of MoEF&CC, Govt. of India. All the commitments made during the Public Hearing/Public Consultation meeting shall be satisfactorily implemented within the first three years and for this adequate budget provision shall be collectively made by all holders in the cluster.
- 8.28 The lessee shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; all the old age people of the surrounding villages may be provided medical facilities.
- 8.29 Pursuant to MoEF & CC, O.M No 22-34/2018-1A.111dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No.114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

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- 8.30 The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- 8.31 The lessee shall ensure the safeguard and well being of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the MoEF & CC, Govt. of India and SEIAA, Odisha.
- 8.32 All the lease holders in a cluster should join hand for development of green belt all around the cluster area. Plantation of 5000 saplings shall be carried out in the 1st year of quarry operation in the peripheries of the quarry area by making planting pits of 1 meter depth at suitable spots along the approach road and in village common lands, within 1km belt of the quarry. The PPs shall submit real time photographs on latitude longitude grid at six monthly intervals to monitor the status of the plantation. Total Plantation shall be carried out within 2-3 years of mining activity and maintenance shall be continued in remaining years. Trees present in mining area shall be uprooted & transplanted in safety zone.
- 8.33 Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
- 8.34 Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- 8.35 The soil to be generated during mining activity shall be stacked in the earmarked temporary soil stack and shall be utilized for the plantation purpose to be undertaken around the respective hill/patch and adjacent to haul roads of the same in lease area.
- 8.36 The abandoned mine pit shall be converted to rain water storage tank and the rain water stored in pit shall be utilized for plantation as well as dust suppression.
- 8.37 Stone Crusher unit shall not be set up within 1km of the quarry site, and any crusher to be set up (beyond 1km) has to be with prior permission and after obtaining of license and consent as per law.
- 8.38 Staggered contour trenches shall be dug out to cover all sloping area and the hill surface in general, within a 1km belt of the quarry lease.
- 8.39 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and complete this work before abandonment of mine; and has to submit a detailed plan of action in this regard within six months, indicating definite timelines and physical outcomes. Photographs showing the reclamation & restoration of the mined out area shall be submitted along with compliance report at the end of lease period.
- 8.40 Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.

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- 8.41 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.
- 8.42 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.
- 8.43 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. The proponent shall upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The concerned Tahasildar shall ensure the uploading of EC compliance report in the parivesh portal by the project proponent.
- 8.44 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.
- 8.45 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 compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 8.46 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.
- 8.47 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat / Panchayat Samiti / Zila Parishad / Municipal Corporation / Urban Local Body as the case may be.
- 8.48 A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- 8.49 The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry. The advertisement shall be made within seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.

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- 8.50 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.
- 8.51 The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 8.52 The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 8.53 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environmental clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 8.54 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
- 8.55 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 8.56 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,


Member Secretary

Copy to

1. Additional Chief Secretary, Forests & Environment Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.



4. Deputy D.G.Forest., Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Principal Secretary, Revenue and DM Department, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Jajpur/Sub Collector, Jajpur/Tahasildar, Dharmasala for Information and necessary action.
7. Guard file for record/Website/Parivesh Portal.

D.G.


Member Secretary

Signature Not Verified

Digitally signed by Sri Susanta
Nanda
Member Secretary

Date: 6/3/2022 12:21:55 PM



REGIONAL OFFICE, KALINGANAGAR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

AT- DHABALAGIRI, NEAR OMC OFFICE, J.K Road, PO: Ferro Chrome Plant, Jajpur
 DIST- JAJPUR-755019, ODISHA, INDIA

No. 357 / KNG/BSQ/89

Date 10.02.2023

OFFICE MEMORANDUM

In consideration of the online application No. **4697361** of M/s. Bajabati Black Stone Quarry No. 2 (Cluster Serial No-3 B/2) for obtaining Consent to Establish, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention and Control of Pollution) Act, 1981, for excavation/quarrying of Road Metal as follows:

Excavation/Quarrying of Road Metal of quantity 72872 Cum during approved mining plan period of 05 years with maximum annual production 14590 Cum.

At Bajabati under Dharmasala Tahasil over Plot No. 1050 (P) of Khata No. 215 measuring an area 5.00 Acres (**2.023 Ha**) as mentioned in application form) in the district of **Jajpur** with the following conditions.

GENERAL CONDITIONS:

1. This consent to establish is valid for the raw materials, product, manufacturing process and capacity mentioned in the application form. This order is valid for five years, which means the proponent shall commence construction of the project within a period of five years from the date of issue of this order. If the proponent fails to do substantial physical progress of the project within five years, then a renewal of this consent to establish shall be sought by the proponent.
2. The industry shall comply to the provisions of Environment Protection Act, 1986 and the Rules made there under with their amendments from time to time such as Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016, as amended from time to time, Hazardous Chemical Rules/Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 etc. and the amendments there under. The industry shall also comply to the provisions of Public Liability Insurance Act, 1991, if applicable.
3. The industry is to apply for grant of consent to operate under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for at least 3 (three) months before the commercial production and obtain consent to operate from this Board.
4. **The consent to establish is subject to statutory and other clearances from Govt. of Odisha and/ or Govt. of India as and when applicable.**

SPECIAL CONDITIONS:

1. This consent to establish granted under Section 25 of Water (P&CP) Act, 1974 and Section 21 of Air (P&CP) Act, 1981 shall be subject to the mining plan approved by the Deputy Director Geology, Directorate of Geology, Bhubaneswar, Environment Clearance issued by SEIAA and Lease to be granted under O.M.M.C Rules, 2016.
2. The accumulated water in the quarry pit during monsoon shall be treated in series of settling tanks before discharge to natural drainage systems.
3. Garland drain shall be constructed on the hill slope and shall be channelized to settling tanks for treatment of runoff.



CONSENT ORDER

4. The water sprinkling systems shall be provided in the haul road, transportation roads, quarry areas, stockpiled areas and other dust generating areas to control the fugitive dust emission.
5. The Lessee/Project Proponent shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
6. Wet drilling method shall be adopted to control fugitive dust emission. Delay detonators and shock tube initiation system for blasting shall be adopted so as to reduce dust emission.
7. Vehicles hired for transportation of minor mineral from the site shall be in good condition and shall have PUC Certificate. Vehicles shall conform to the air & noise emission standards and shall be operated during non-peak hours.
8. The vehicles in which soil is to be transported shall be covered with tarpaulin to prevent spillage and getting minor mineral airborne.
9. The mines shall undertake plantation as mentioned in the mining plan.
10. The top soil shall be stored in earmarked area and shall be utilized for nearby avenue plantation after separated from the mixed rock boulders and pebbles.
11. The project proponent shall obtain NOC from CGWA for withdrawal of groundwater required for the project, if any.
12. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards.
13. The mine shall abide by the provisions of E (P) Act 1986 and Rules framed thereunder.
14. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and/or at the time of obtaining consent to operate and may revoke this order in case the stipulate conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.


To,

**Sri Sarat Chandra Behera, Lessee
M/s Bajabati Black Stone Quarry No.2
(Cluster Serial No-3 B/2)
At – Khunta, PS-Dharmasala
Dist-Jajpur**

Memo No. 358 Dt. 10.02.2023

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Jajpur.
3. The Dy. Director Geology, Directorate of Geology, Bhubaneswar
4. The Tahasildar, Dharmasala
5. Copy to Guard file


10.02.23
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur


10.02.23
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur

o/c



ANNEXURE-4

Tel : 06726-221153

E mail : rospcb.kalinganagar@ospcbboard.orgWebsite : www.ospcbboard.org**REGIONAL OFFICE, KALINGANAGAR****STATE POLLUTION CONTROL BOARD, ODISHA****[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]**AT- DHABALAGIRI, NEAR OMC OFFICE, J.K Road, PO: Ferro Chrome Plant, Jajpur
DIST- JAJPUR-755019, ODISHA, INDIA**CONSENT ORDER**No 1101 //KNG/BSQ/89Date 28.03.2025**CONSENT ORDER NO. /RO-SPCB/KALINGA NAGAR (APC &WPC)****Sub: Consent to operate under section 25/26 of Water (PCP) Act, 1974 and under section 21 of the Air (PCP) Act, 1981.****Ref : Your online application No. 4697417 & This Office consent to operate order granted vide letter no 777/KNG/BSQ/89 Dtd 07.03.2024**

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

Name of the Mine

**M/s. BAJABATI BLACK STONE QUARRY NO 2
(Cluster Serial No-3 B/2)**

Name of the Occupier & Designation

Sri Sarat Chandra Behera, Lessee

Address

**At- Village Bajabati (Plot No- 1050 (P) of Khata No.
215 over an area of 5.00 Ac.(2.023 Ha)), Tehsil :
Dharmasala Dist- Jajpur,Odisha**

This consent order is valid for the period from **01.04.2025** up to **31.03.2026**.

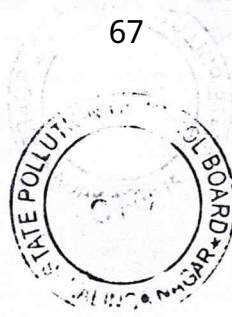
(This consent to operate is granted based on environmental clearance issued vide SEIAA Identification no EC22B001OR171481 dtd 03.06.2022 and subjected to validity of mining lease)

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

A. Details of Products Manufactured.

Sl. No.	Product.	Quantity (in cu meters)/Annum
1	Excavation of Granite Stone for the year 2025-26	14568 m³

P.T.O



CONSENT ORDER

B. Discharge permitted through the following outlet subject to the standard.

Outlet No.	Description of outlet.	Point of discharge.	Quantity of discharge KLD or KL/hr	Prescribed standard.				
				pH	SS mg/l	O&G mg/l		
1	Domestic waste water	Soak pit via septic tank.	-	5.5 – 9.0	100	10	-	-
2	-	-	-	-	-	-	-	-

C. 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. mg/Nm ³				
				PM	SO ₂	NO _x		
1	-	-	-	-	-	-	-	-

The Unit shall maintain within its premises the prescribed Ambient Noise Level for Residential Area.

D. 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	Overburden/Top soil	-	-	-	-	Shall be stored as per approved mining plan
2	-	-	-	-	-	-

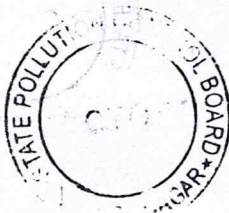
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E. GENERAL CONDITIONS FOR ALL UNITS

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 as deemed fit for the purpose of the Acts.
2. The industry would immediately submit revised application for consent to establish and 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 and 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.

Contd...



CONSENT ORDER

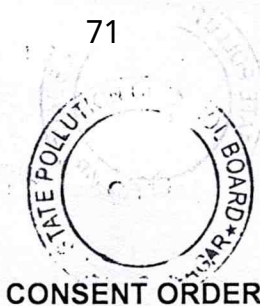
12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose
 - c) Process
13. The applicant shall display suitable caution board at the place where 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 discharged 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 provision of the Act or Rules made therein.

Contd...

**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 and 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 occurence.
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.

Contd...



CONSENT ORDER

35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
- 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 detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons 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 21 A 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 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.

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CONSENT ORDER**E. SPECIAL CONDITIONS**

1. The accumulated water in the quarry pit during monsoon shall be treated in series of settling tanks before discharge to natural drainage systems.
2. Garland drain shall be constructed on the hill slope and shall be channelized to settling tanks for treatment of runoff.
3. The water sprinkling systems shall be provided in the haul road, transportation roads, quarry areas, stockpiled areas and other dust generating areas to control the fugitive dust emission.
4. The Lessee/Project Proponent shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
5. Wet drilling method shall be adopted to control fugitive dust emission. Delay detonators and shock tube initiation system for blasting shall be adopted so as to reduce dust emission.
6. Vehicles hired for transportation of minor mineral from the site shall be in good condition and shall have PUC Certificate. Vehicles shall conform to the air & noise emission standards and shall be operated during non-peak hours.
7. The vehicles in which soil is to be transported shall be covered with tarpaulin to prevent spillage and getting minor mineral airborne.
8. The mines shall undertake plantation as mentioned in the mining plan..
9. The project proponent shall obtain NOC from CGWA for withdrawal of groundwater required for the project, if any.
10. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards
11. This unit has to abide by the provisions of E (P) Act, 1986 and rules framed there under.
12. The Board may impose further condition or modify the conditions as stipulated in this order during installation / or at the time of obtaining consent to operate 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.
13. The Board reserves the right to revoke / refuse consent at any time during this period incase 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.

To

Sri Sarat Chandra Behera, Lessee
M/s BAJABATI BLACK STONE QUARRY NO 2
(Cluster Serial No-3 B/2)
At: Khunta, PS-Dharmasala
Dist-Jajpur, Odisha

Memo No. 1102 / **Dt.** 28-03-2025

Copy forwarded to

1. The Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar.
2. The District Collector **Jajpur**
3. The Deputy Director of Mines,(Minor Mineral), **Jajpur**
4. The Tahasildar, Dharmasala, **Jajpur**
5. Guard File.

M. M. Behera
28/03/25
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur

M. M. Behera
28/03/25
REGIONAL OFFICER

Regional Officer
State Pollution Control Board, Odisha
Kalinga Nagar, Jajpur



सत्यमेव जयते

भारत सरकार/Government of India

श्रम एवं रोजगार मंत्रालय/Ministry of Labour & Employment

खान सुरक्षा महानिदेशालय/Directorate General of Mines Safety

भुवनेश्वर क्षेत्र-1/Bhubaneswar Region-1

7
आज़ादी का
अमृत महोत्सव

सं. BBR-1/NGT/BSQ/2024/ 103 /भुवनेश्वर, दिनांक- 25 /10/2024

प्रेषक:

खान सुरक्षा निदेशक,

भुवनेश्वर क्षेत्र-1 ।

सेवा में,

The District Magistrate,
Jajpur district.

विषय: Contraventions observed during inspection of quarries operating in Dharmasala Tahasil of Jajpur district in respect of NGT case No.147/2024 made by Shri K. Mondal, Director of Mines Safety and Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region 1, DGMS, Bhubaneswar on 24.09.2024, 25.09.2024 & 26.09.2024 - reg.

महोदय,

An Order of original application No.147/2024/EZ before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata enclosing therewith original application filed by Shri Shantanu Kumar Bhukta, President, Youth United for Sustainable Environment Trust was received in this office on dated 13.08.2024. The application was made under Section 14, 15, 20 read with Section 18 of the National Green Tribunal Act, 2010 in respect of violations of environmental norms and illegal mining operation of rampant stone quarries in Dharmasala Tahasil particularly and unscientific stone quarries in the entire Jajpur district in general.

Applicant, Shri Shantanu Kumar Bhukta, President, on behalf of registered trust, namely Youth United for Sustainable Environment Trust, has made prayer to Hon'ble tribunal to give direction to the DGMS for safety audit of quarries operating in Dankari Cluster.

As per Section 16 of the Mines Act, 1952 and Regulation 3 of the Metalliferous Mines Regulations, 1961, after getting lease from the state government, the lessee/owner of the mines are required to submit Notice of Opening of the mine to the Directorate General of Mines Safety (DGMS) along with surface plan of the mine and other mine details for registration in online Shram Suvidha portal. However, the details in respect of lessee and mines operating in Dankari Cluster are also not available in this office, as "Notice of Opening" from lessee of any quarry operating in Dankari Cluster was not received. Hence, vide this office letter No. BBR1/Minor Mineral/2024/711, dated 20.08.2024, Dy. Director of Mines(DDM, Minor Mineral), Govt. of Odisha, Jajpur Circle, was requested to provide a list of quarries in Dankari Cluster and in reply thereof, a list of 83 quarries(operating & non-operating) were received from Dy. Director of Mines(DDM, Minor Mineral), Govt. of Odisha, Jajpur Circle, vide letter no. 3578, dated 18.09.2024.

Based on the information of operating quarries provided by DDM(Minor Minerals), Jajpur and District Mining Officer(on deputation: Minor Minerals), inspection was undertaken in those mines of Dankari Cluster, of Dharmasala Tahasil by the undersigned and Shri T. Hariprasad, Dy. Director of Mines Safety and following officers of state government namely S/Shri Jay Prakash Nayak, Dy. Director of

Mines(DDM, Minor Mineral), Govt. of Odisha, Jajpur Circle, Indramani Rout, District Mining Officer(DMO), (on deputation: Minor Minerals) other state government officers were present during inspection and enquiry on 24th, 25th & 26th September, 2024.

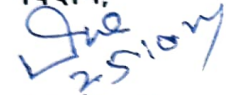
As per discussion with DDM(Minor Minerals), Jajpur and District Mining Officer(on deputation: Minor Minerals), 26 mines (list enclosed as Annexure-A) under Dharmasala Tahasil were operative, which were chosen for inspection.

During the inspection and enquiry, some serious contraventions under Mines Act, 1952, Metalliferous Mines Regulations (MMR), 1961 and Mines Rules (MR), 1955 which were common in all the mines were observed, as enclosed in Annexure-B (copy enclosed).

In view of the above, serious contraventions mentioned in Annexure-B found in mines mentioned in Annexure A are hereby being brought to your kind attention and you are requested to direct the lessees/Mine Owners (copy enclosed) to rectify above serious contraventions at the earliest. You are also requested to direct lessees to stop mining operations till the time all the serious contraventions mentioned in Annexure B are complied with.

This is for your information and necessary action please.

भवदीय,



(कृष्णोदु मंडल)

खान सुरक्षा निदेशक,

मुवनेश्वर क्षेत्र-1 ।

Encl: Annexure 'A' & 'B'

**List of quarries operating in Dharmasala Tahasil of Jajpur district in which
Inspection was made**

Sl. No	Name of Quarry	Name of Lessee/Owner	Inspection made by	Date of Inspection
1	Bajabati Black Stone Quarry-2	Sarat Chandra Behera	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	24.09.2024
2	Bajabati Black Stone Quarry-6	Samarendra Nayak	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	24.09.2024
3	Rahadpur Black Stone Quarry-4	Sarat Chandra Sahoo	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
4	Rahadpur Black Stone Quarry-3/4	Sandeep Chandak	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
5	Rahadpur Black Stone Quarry-9/5	Niranjan Rout	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
6	Dankari Black Stone Quarry-5/10	Narayan Rout	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
7	Dankari Black Stone Quarry- 2/3	Jayanti Jena	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
8	Dankari Black Stone Quarry- 5	M/s.Laxmi Export, PoA Agnibesh Swain	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
9	Baramana Black Stone Quarry-2	Kuna Pradhan	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
10	Bichhakhandi Black Stone Quarry-6	Ajaya Agarwal	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
11	Bichhakhandi Black Stone Quarry-8	Hemant Kumar Jena	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
12	Bichhakhandi Black Stone Quarry-17	Gynaranjan Mahapatra	Shri Krishnendu Mondal, Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
13	Rahadpur Black Stone Quarry-1	Gynaranjan Mahapatra	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	24.09.2024
14	Bajabati Black Stone Quarry-5	Sudhansu Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	24.09.2024
15	Rahadpur Black Stone Quarry-7	Utkal Highways	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
16	Rahadpur Black Stone Quarry-8	Sandeep Chndak	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
17	Rahadpur Black Stone Quarry- 6AC	Jagdish Shankar Sahoo	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
18	Rahadpur Black Stone Quarry-10 AC	Mahendra Swain	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
19	Dankari Black Stone Quarry- 14	Jayanti Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	25.09.2024
20	Dankari Black Stone Quarry-16	Jayanti Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
21	Dankari Black Stone Quarry-17	Prasant Kumar Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
22	Dankari Black Stone Quarry- 7/12	Narayan Rout	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
23	Dankari Black Stone Quarry- 6/11	Mahendra Swain	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
24	Bichhakhandi Black Stone Quarry-16	Sandip Barun Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
25	Bichhakhandi Black Stone Quarry-21	Debendra Kumar Jena	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024
26	Bichhakhandi Black Stone Quarry-22	Gynaranjan Mahapatra	Shri T. Hariprasad, Dy. Director of Mines Safety, Bhubaneswar Region-1.	26.09.2024

Serious contraventions observed under Mines Act, 1952, Metalliferous Mines Regulations, 1961 & Mines Rules, 1955 during inspection made on 24th, 25th & 26th September, 2024.

1. **Section 16 of Mines Act, 1952 read with Reg. 3 of MMR, 1961:** Notice of opening of the mine was not submitted to this Directorate by the owner before commencement of mining operations in the mine.
2. **Section 17(1) of Mines Act, 1952 read with Reg. 34(1) of MMR, 1961:** Manager was not appointed in the mine. Mining operation shall not be carried out in the mine unless the mine is kept under the sole control of a manager, being a person duly appointed and possessing the prescribed qualifications, to physically exercise his personal supervision and perform his duties under the Mines Act, 1952 and the rules and regulations made thereunder.
3. **Reg. 39 read with Regulation 160(1) of MMR, 1961:** Blaster was not appointed in the mine to exercise his personal supervision for the preparation of charges and the charging and stemming of blast holes and to carry out his duty in accordance with the provisions of the Regulations and of any order made thereunder with respect to the transport and use of explosives.
4. **Reg. 106(2)(a) & (3) of MMR, 1961:** The mines were not kept adequately benched, sloped or secured so as to prevent danger from fall of sides. The mines were made about 20m to 50m deep nearly vertical without forming any benches in height about 20m – 50m, as against the maximum permissible bench height of 6 m.
5. **Reg. 106(2)(b) of MMR, 1961:** Permission for use of heavy earth moving machinery (HEMM) and deep hole blasting was not obtained, however, the signs and impressions of carrying out deep hole drilling & blasting and of using excavator and tippers were observed in the mine. No HEMM or deep hole drilling & blasting shall be used in the mine without obtaining permission from this Directorate.
6. **Reg. 111(1) of MMR, 1961:** The boundary of the lease/mine was not found demarcated/fixed on the ground by providing permanent pillars.
7. **Reg. 115(1)(a) of MMR, 1961:** The top edges of the opencast workings were not kept securely fenced to prevent any person from entering or falling therein.
8. **Rule 29B of Mines Rules, 1955:** Persons employed in the mine had not undergone initial or periodical medical examination.
9. **Section 48(1) of Mines Act, 1952 and Rule 77 of the Mines Rules 1955 read with the Ease of Compliance to Maintain Registers under Various Labour Laws Rules, 2017:** Particulars of employees of the mine were not found maintained in Form-A register.
10. **Section 48(4) of Mines Act, 1952 and Rule 78 of the Mines Rules 1955 read with the Ease of Compliance to Maintain Registers under Various Labour Laws Rules, 2017:** Attendance of persons employed in the mine was not found maintained in Form-D register.

ପାଖର ଗ୍ରାମପଞ୍ଚାୟତ କାର୍ଯ୍ୟାଳୟ

ସା.- ପାଖର, ପୋ.- ଥାନୁଆଳ, ବ୍ଲକ୍- ଧର୍ମଶାଳା, ଜି.- ଯାଜପୁର, ପିନ୍- ୭୫୫୦୨୪
(ଧର୍ମଶାଳା ପଞ୍ଚାୟତ ସମିତି)

କ୍ର. ନଂ. 171/24

ତାରିଖ 15.11.2024

TO WHOMEVER IT MAY CONCERN

This is to certify that No Objection Certificate to the Establishment and Operation of Stone Crusher by the Agarwal Infra Build Pvt Ltd at Bajabati has not been issued from the Office of Pakhar Gram Panchayat, Bajabati Village located within 500 metres of the Stone Crusher, Villagers are facing problems due to plying of vehicles of the Stone Crusher and Pollution caused by it.

Sabyasachi Das

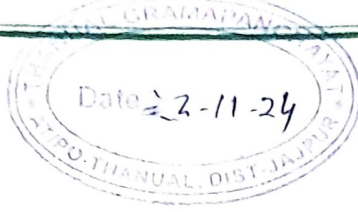
Sarapanch
Pakhar G.P.
Pakhar Gram Panchayat

Office of the

THANUAL GRAMA PANCHAYAT

AT/P.O.-THANUAL, VIA-HARIDASPUR, DIST.-JAJPUR, PIN-755024

Ref. No. 3305/24



Date 23-11-2024

Office of the Sarpancha
THANUAL GRAM PANCHAYAT

Certificate

Date: 23/11/24

Place: Thanual Gram Panchayat

TO WHOMEVER IT MAY CONCERN

This is to certify that the Thanual Gram Panchayat, under my jurisdiction, has recorded the failure of seven borewells in the following villages: 1. Kantamalia Thauval Village – 7 borewells 2. Kanpur Village – 4 borewells . These borewells were installed to provide drinking water and agricultural support to the residents of the respective villages. However, they have become non-functional due to technical issues and inadequate water yield. This certificate is being issued upon request for necessary actions and solutions to address the water scarcity in these areas.

Narmada Swain,

Signature:

Sarpancha Thanual Gram Panchayat

Sarpancha
Thanual G.P.



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

E-Mail

No. CPCB/IPC-II/NGT-OA 304 of 2019/2020/

May 12, 2020

To,
The Member Secretary,
State Pollution Control Boards / Pollution Control Committees,
(As per list enclosed)

Sub.: In reference to Hon'ble NGT OA No. 304/2019 order dated-28.02.2020-reg.

Sir/Ma'am,

Hon'ble NGT in its order dated-09.10.2019 in OA No. 304/2019 observed that the Kerala SPCB has permitted stone quarrying beyond 50 m from residence and public roads, and directed the SPCB to revisit the existing criterion based on an appropriate study. Further, in its order dated-28.02.2020 the NGT noted that "a report has been filed by the Kerala State PCB on 17.12.2019 reiterating the distance criteria of 50 mtrs. and mentioning that no study is available with the CPCB", and the NGT expressed that "We are of the view, as earlier observed that the distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health.", and directed CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.

Accordingly, in compliance of Hon'ble NGT Order dt.-28.02.2020 in OA No. 304/2019, CPCB has examined the matter and prepared a report on Distance Criteria for Permitting Stone Quarrying, which is enclosed for consideration and adoption by SPCB in consent mechanism.

Yours faithfully,

Nazimuddin

(Nazimuddin)

Additional Director &
Divisional Head - IPC - II

Encl.: As above

DISTANCE CRITERIA FOR PERMITTING STONE QUARRYING

1.0 Preamble:

Hon'ble National Green Tribunal vide order dated-28.02.2020 in the matter of M. Haridasan & Ors. Vs. State of Kerala in OA No. 304/2019 observed that a distance of 50 metres for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health and accordingly, directed Central Pollution Control Board (CPCB) to examine and lay down more stringent conditions and appropriately longer distance.

2.0 Stone Quarrying:

Stone is classified as minor minerals under Section 3(e) of the Mines and Minerals (Development and Regulations) Act, 1957. As per provisions of MMDR Act, the administrative and legal control over minor minerals vests with State Governments and empowered to make rules to govern minor minerals.

Stone Quarrying / Mining is an activity where extraction of stone is done from hillocks or mountain or ground surface having geological mineral deposits. The stone extracted from stone quarry are used either as construction materials or in stone crushers to produce rori/bajri and dust.

Systematic Mining (formation of benches) is done by blasting and drilling, to loosen up the rock materials followed by fragmentation of large size into smaller size. The reduced size material is then loaded and transferred to stone crushers for further processing in order to obtain necessary sizes required for final use. The blasting and drilling during mining operation have environmental impacts and requires mitigation measures to minimise the impacts on environment and nearby habitations.

3.0 Minor Mineral Concession Rules

As per sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), State Government has to make Rules for regulating the grant of quarry lease, mining lease/permit, mineral concessions and purposes connected in respect of minor minerals.

Accordingly, State Governments have framed rules and defined the criteria of minimum distance of minor mineral mining from different locations based on the type of mining used. (Annexure I).

Minimum distance prescribed by various states is vary with respect to mining operation of minor mineral involved. In general, minimum distance prescribed by states such as Rajasthan, Madhya Pradesh, Punjab, Tamil Nadu, Orissa, Bihar, Uttar Pradesh, Himachal Pradesh, West Bengal, Sikkim, Meghalaya and Manipur are:

- In the range of **45 - 200 m** from any reservoir, canal, public works such as public roads and **buildings**
- In the range of **45 - 100 m** from any railway line / area
- In the range of **60 - 100 m** from National Highway, State Highway and other roads and **10 m** from village roads

Various states have further prescribed minimum distance based on the use of blasting in mining operation of minor mineral, as follow:

Kerala:

When blasting is involved, no mining within a range of **50 – 100 m** from the boundary line of any railway line, bridges, reservoirs, tanks, **residential buildings**, Government protected monuments, canals, rivers, public roads having vehicular traffic, any other public works or the boundary walls of places of worship whereas, when no blasting is involved, range of **50-75 m** is prescribed as minimum distance.

Karnataka, Maharashtra, Goa, Gujarat:

When blasting is involved, no mining within a distance of **200 m** from the boundary line of any railway line reservoir, tank bund, canal, or other public works and **public structures** or any public road or building whereas, when no blasting is involved, minimum distance of **50 m** is defined.

Jammu & Kashmir:

When blasting is involved, no mining within a distance of **500 m** from the outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs) whereas, when no blasting is involved, minimum distance of **150 m** is defined.

Assam:

When blasting is involved, no mining within a distance of **250 m** from the outer periphery of the defined limits of any **village habitation**, National Highway, State Highway and other roads whereas, when no blasting is involved, minimum distance of **50 m** is defined.

Note: Distance criteria defined by various states, has been defined from the outer edge of the cutting or outer edge of the bank, as the case may be and in the case of a building horizontally from the plinth thereof.

4.0 Criteria of Danger Zone: Directorate General of Mines Safety

As per Directorate General of Mines Safety circular no. - DGMS (SOMA)/ (Tech) Cir No. 2 of 2003 Dt. 31/01/2003 (Annexure II), on subject of **Dangers due to blasting projectiles**, all places within the radius of **500 m** from the place of firing to be treated as danger zone and accordingly, all person in danger zone to take protection in substantially built shelter at the time of blasting.

Further, mine manager to control the throw and to prevent ejection of flying fragments within a safe distance with the use of refined blasting practices as well as developed explosives and accessories such as controlled blasting Technique with milli-second delay detonators / electric shock tubes/ cord relays or use of sequential blasting machines or by adequately muffling of holes etc.

5.0 Criteria of no blasting distance around blast sites: Indiana Department of Natural Resource, USA

(Source: Citizen Guide to Coal Mine Blasting in Indiana)

Indiana Department of Natural Resource, USA has stated that the blasting not to be conducted within **300 feet (~ 91 m)** of an **occupied dwelling** or school, church or hospital, public building, community or institutional building.

6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining Type		Minimum Distance	Locations
A.	When Blasting is not involved	100 m	Residential/Public buildings, Inhabited sites, Protected monuments, Heritage sites, National / State Highway, District roads, Public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dams, Reservoirs, River, Canals, of Lakes or Tanks, or any other locations to be considered by States.
B.	When Blasting is involved	200 m **	

****Note:** The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.

Annexure I

State	Type of Mining	Distance	Location	Remarks	
Kerala	Quarry	100 m	Minimum distance from boundary of quarry operation area to residential buildings, places of worship, public buildings, public road, river or lake, railway line and bridges.	Quarry distance as per SPCB circular no. PCB/TAC/WP/236/2006 dated 13-6-2007.	
	Laterite Quarry	50 m	Minimum distance to residences and other establishments (m)	Laterite Quarry distance as per SPCB circular no. PCB/T4/115/97 dated 20-7-2011	
	Quarrying where explosives are used	100 m	Minimum distance from any railway line, bridges, reservoirs, tanks, residential buildings, Government protected monuments, canals, rivers, public roads having vehicular traffic, any other public works or the boundary walls of places of worship	Kerala Minor Mineral Concession Rules 1967	
		50 m	Minimum distance from any burial grounds or burning ghats or forest lands		
	Quarrying where explosives are not used	75 m	Minimum distance from any railway line and any bridge on National Highway		
		50 m	Minimum distance from any reservoir, tanks, canals, rivers, bridges, public roads, other public works, residential buildings, the boundary walls of places of worship, burial grounds, burning ghats or any Government protected monuments or forest lands		
Karnataka	Blasting is involved	200 m	Minimum distance from the boundary line of any railway line reservoir, tank bund, canal, or other public works and public structures or any public road or building.		Karnataka Minor Mineral Concession Rules 1994
	No blasting is involved	50 m			
Maharashtra	Blasting is involved	200 m	Minimum distance from the boundary of any railway line, any reservoir, canal, road, river, nallah, irrigation works or public works or building.	Maharashtra Minor Mineral Extraction (Development and Regulation) Rules 2013	
	No blasting is involved	50 m			
Goa and Daman & Diu	Blasting is involved	200 m	Minimum distance from the boundary of any railway line, any reservoir, canal, road or public works or buildings	The Goa, Daman and Diu Minor Mineral Concession Rules 1985	
	No blasting is involved	50 m			
Gujarat	Blasting is involved	200 m	Minimum distance from any road, notified reservoirs, canal, national highway, state highway, boundary of any railway line, public works, cities, towns, villages and other approved continuous habitations.	Gujarat Minor Mineral Concession Rules 2017	
	No blasting is involved	50 m	Minimum distance from any road (excluding a village road or other district road), notified reservoirs, canal, national highway, state highway, boundary of any railway line, public works, cities, towns, villages and other approved continuous habitations.		

Rajasthan	Minor Mineral Mining	45 m	Minimum distance from any railway line, under or beneath any ropeway or ropeway trestle or station or from any public roads (excluding mines approach road or village roads), reservoir, canal or other public place or buildings, pillars of railway and road bridge or inhabited site.	Rajasthan Minor Mineral Concession Rules 2017
Madhya Pradesh	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, canal or other public works such as public roads and buildings or inhabited site	Madhya Pradesh Minor Mineral Rules 1996
Punjab	Minor Mineral Mining	75 m	Minimum distance from any railway line or bridges	Punjab Minor Mineral Concession Rules 1964
		60 m	Minimum distance from national highway	
		50 m	Minimum distance from any reservoir tank canal roads or other public works or buildings or inhabited sites	
Tamil Nadu	Minor Mineral Mining	50 m	Minimum distance from any railway line or under or beneath any ropeway or any ropeway trestle or station or from any reservoir, canal or other public works such as public roads and buildings	Tamil Nadu Minor Mineral Concession Rules 1959
Orissa	Minor Mineral Mining	100 m	Minimum distance from any railway line, National Highway, late Highway or any reservoir	Orissa Minor Minerals Concession Rules 2004
		50 m	Minimum distance from any tank, canal, road (other than a National or State Highway or other public works of buildings or inhabited sites), public roads, public buildings, temples, reservoirs, dams, burial ground, railway track monuments, heritage sites, etc.	
Chhattisgarh	Minor Mineral Mining	300 m	Minimum distance from sensitive area like radio station, doordarshan kendra, defence establishment etc. of the Central and State Government	Chhattisgarh Minor Mineral Rules 1996
		100 m	Minimum distance from abadi, school, hospital and other public places, buildings and habited sites	
		75 m	Minimum distance from any railway line, bridge or highway	
		50 m	Minimum distance from tank, river banks, reservoir, canal	
		10 m	Minimum distance from grameen kachcha road	
Bihar	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, public road, canal or other public work or buildings or inhabited site	Bihar Minor Mineral Concession Rules 1972
		10 m	Minimum distance from any village roads	
Uttar Pradesh	Minor Mineral Mining	50 m	Minimum distance from any railway line or from any reservoir, canal or other public works, such as public roads and buildings or inhabited site	Uttar Pradesh Minor Minerals (Concession) Rules 1963
		10 m	Minimum distance from any village roads	
Himachal Pradesh	Minor Mineral Mining	75 m	Minimum distance from any railway line or bridges	Himachal Pradesh Minor Minerals (Concession) Revised Rules 1971
		60 m	Minimum distance from National Highway	
		50 m	Minimum distance from any reservoir, tank, canal, roads or other public works or buildings or inhabited sites	
		50 m	Minimum distance for all type of mining from any river banks (except in cases of ordinary sand)	

Jammu & Kashmir	Mining where excavation require use of explosives	500 m	Minimum distance from outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs)	Jammu & Kashmir Minor Mineral Concession Rules, 1962
	Mining where excavation does not require use of explosives	150 m	Minimum distance from outer periphery of the defined limits of a National Highway, Railway line, State Highway, Major District Roads (MDR) and Other District Road (ODRs)	
	Minor Mineral Mining	100 m	Minimum distance from any other public roads	
		50 m	Minimum distance from upstream as well as downstream of water works, head works or hydraulic works as defined under the J&K Water Resources (Regulation and Management) Act, 2010.	
		25 m	Minimum distance from any 'embankment' or 'flood embankment' as defined under the J&K Water Resources (Regulation and Management) Act, 2010.	
West Bengal	Minor Mineral Mining	5000 m	Minimum distance from a barrage axis or dam or a river	West Bengal Minor Minerals Rules 2002
		200 m	Minimum distance from any hydraulic structure, reservoir, bridge, canal, road and other public works or buildings	
		200 m	Minimum distance from both sides of any river bridge or culvert over any waterway or from any embankment and structural works of the Irrigation and Waterways Department	
		100 m	Minimum distance from any Railway land	
Sikkim	Minor Mineral Mining	60 m	Minimum distance from bridges oh highways	Sikkim Minor Mineral Concession Rules 2016
		50 m	Minimum distance from any railway line or any reservoirs, canals or other public works, or buildings	
Assam	Mining where excavation require use of explosives	250 m	Minimum distance from the outer periphery of the defined limits of any village habitation, National Highway, State Highway and other roads	Assam Minor Mineral Concession Rules 2013
	Mining where excavation does not require use of explosives	50 m	Minimum distance from outer periphery of the defined limits of any village habitation, National Highway, State Highway and other roads	
	Minor Mineral Mining	500 m	Minimum distance from major structures like R.C.C. bridges, Guide bund etc.	
75 m		Minimum distance from any railway line or bridges		
Meghalaya	Minor Mineral Mining	50 m	Minimum distance from any railway line or under or beneath any rope way or any ropeway trestle or station, or from any reservoir, canal or other public works such as public roads and buildings or inhabited site	Meghalaya Minor Mineral Concession Rules 2016
		10 m	Minimum distance from any village roads	
Manipur	Minor Mineral Mining	50 m	Minimum distance from any reservoir, canal or other public works, or buildings.	Manipur Minor Mineral Concession Rules 2012

Annexure II

No.DGMS (SOMA)/(Tech)Cir.No.2 of 2003

Dhanbad, Dated the 31st January 2003.

To All Owners, Agents & Managers of mines.

Subject: Dangers due to blasting projectiles.

Accidents due to projectiles ejecting from blasting had been a major source of accident in both below ground and opencast workings. Under the existing provisions of Coal Mines Regulations, 1957 and the Metalliferous Mines Regulations, 1961, before a shot is charged, stemmed or fired the shotfirer/blaster is required, amongst other things to ensure that all persons within a radius of 300m from the place of firing (referred to hereinafter as danger Zone) have taken proper shelter, apart from giving sufficient warning by efficient signals or other means approved by the manager over the entire zone. There had been, however, a number of instances where flying fragments due to blasting had ejected not only within but also beyond the danger Zone, resulting into serious and even fatal accidents.

This Directorate from time to time had drawn the attention of all concerned about the dangers from flying projectiles through issue of DGMS Circulars Viz. Circular Tech. 15/1977 and 8/1982. Recently, however, another fatal accident occurred due to same reason.

Enquiry into the accident revealed that in an open cast coal mine, overburden had been kept dumped against the free face of OB bench, 12 No. first row of holes were left uncharged because of spontaneous heating in the seam below, 17 holes of 150mm 6.5m Depth drilled in 7m x 5m Pattern (spacing & burden) charged with 75 kg/hole and 42 holes of 6.5m depth 250mm dia drilled in 6m x 6m pattern charged with 130 kg/hole were blasted. The projectiles ejected due to blasting travelled for a distance of about 412m in the reverse direction away from the free face and hit a mechanical supervisor. The enquiry further revealed that the deceased had taken proper shelter in a blasting shelter but had come out of the shelter immediately on hearing to the sound of blast and was subsequently hit by the projectiles.

Over years there had been refinement of blasting practices as well as development in explosives and accessories, whereby it is possible to control the throw and prevent ejection of flying fragments within a safe distance, with relative ease. There is, therefore, no reason why such type of accident should continue to occur.

The matter is brought to your attention so that following corrective measures are taken in case similar conditions exists in any mine under your control.

(1) In the interest of safety to treat all the places within a radius of 500m of the place of firing as the danger zone, all persons who are required to remain within the danger zone at the time of blasting should take protection in substantially built shelter.

(2) Formulate a code of practice for controlled blasting Technique with milli-second delay detonators/ electric shock tubes/ cord relays or use of sequential blasting machines or by adequately muffling of holes including precautions to be taken during blasting operation until all clear signal given by blaster.

(3) Training of persons and their helpers engaged in such blasting operation.

(Dashrath Singh)
Director-General of Mines Safety.

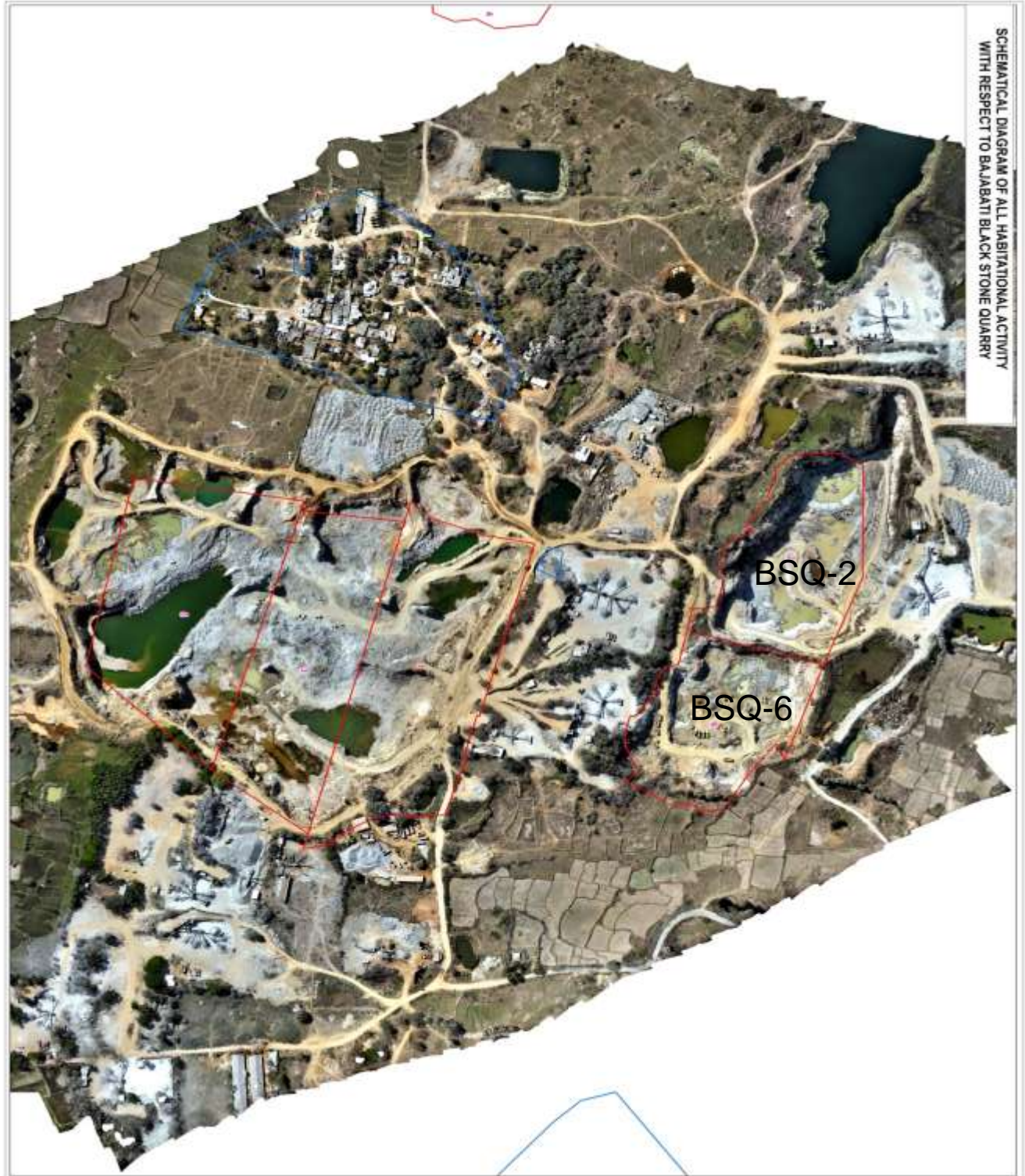
That the below attached google earth Image dated 06/12/2023 suggests that the Lessee of Bajabati BSQ-2 has already extracted stones beyond the permissible area and there also exist public roads within 200 meter from the lease area and there is no greenbelt exists over the allged quarries



THAT THE BELOW ATTACHED GOOGLE EARTH IMAGE DATED 06/12/2023 CLEARLY SUGGESTS THE LESSEE HAS EXTRACTED STONES BEYOND THE LEASE AREA AND NOT MAINTAINING THE SAFETY ZONE AND ALSO THERE EXISTS PUBLIC ROADS WITHIN 200 METER RADIUS FROM THE LEASE BOUNDARY.



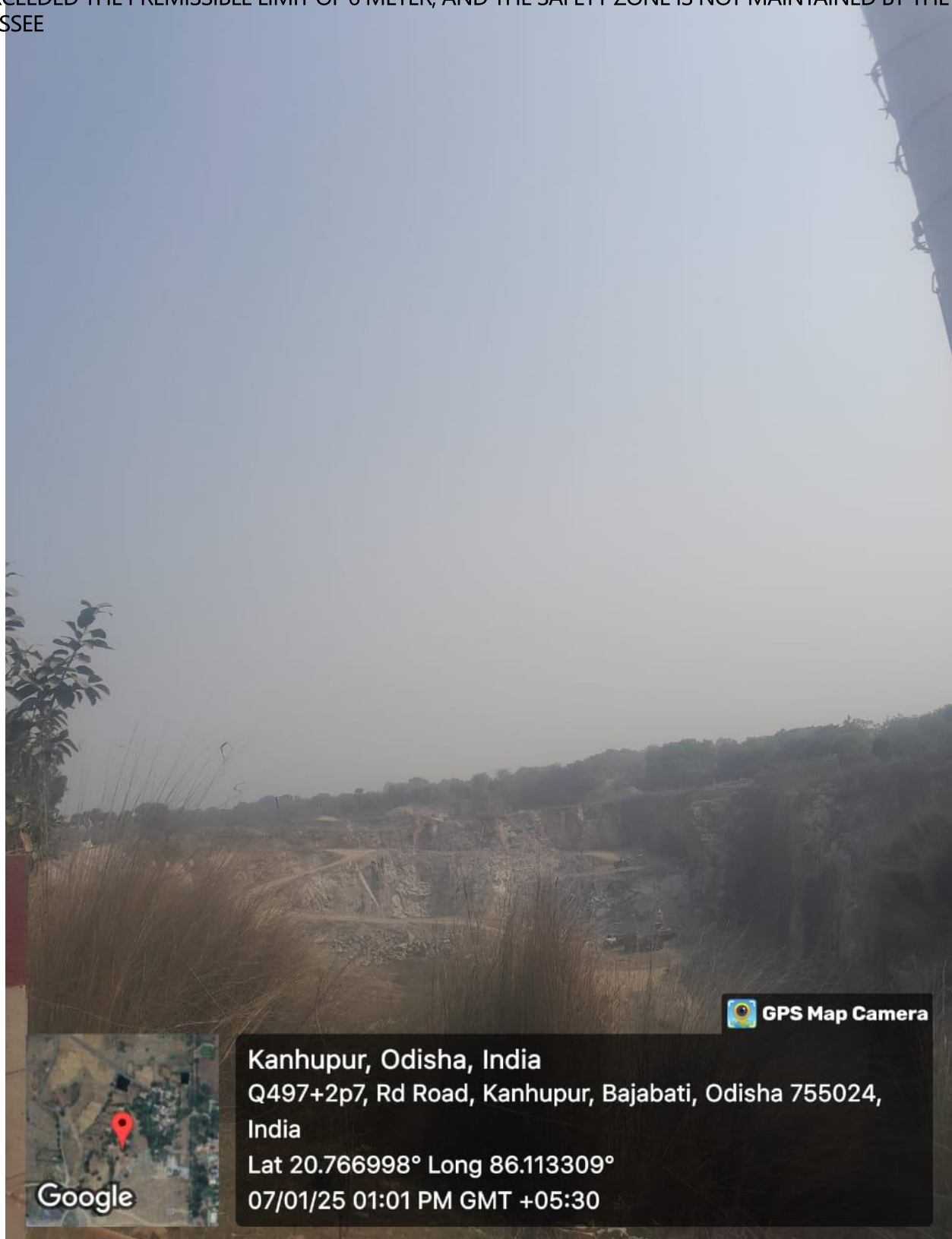
THAT THE BELOW ATTACHED PHOTOGRAPH OF BAJABATI BSQ SUGGESTS THE LESSEE OF BAJABATI-2 HAS EXTRACTED STONES BEYOND THE MINING LEASE AND THERE IS ALSO A VILLAGE ROAD ADJACENT TO THE MINING LEASE AREA AND SAFETY ZONE HAS NOT BEEN MAINTAINED BY THE LESSEES OF BAJABATI BSQ2 &6 AND THERE IS ALSO NO GREEN BELT AROUND THE QUARRIES.



THAT THE BELOW ATTACHED PHOTOGRAPHS OF BAJABATI BSQ-2 SHOWS THAT THE LESSEE IS EXTRACTING STONES IN AN UNSCIENTIFIC MANNER AND THE DEPTH OF THE WUARRY HAS ALREADY EXCEEDED THE PREMISSIBLE LIMIT OF 6 METER, AND THE SAFETY ZONE IS NOT MAINTAINED BY THE LESSEE.



THAT THE BELOW ATTACHED PHOTOGRAPHS OF BAJABATI BSQ-2 SHOWS THAT THE LESSEE IS EXTRACTING STONES IN AN UNSCIENTIFIC MANNER AND THE DEPTH OF THE WUARRY HAS ALREADY EXCEEDED THE PREMISSIBLE LIMIT OF 6 METER, AND THE SAFETY ZONE IS NOT MAINTAINED BY THE LESSEE



GPS Map Camera

Google

Kanhupur, Odisha, India

Q497+2p7, Rd Road, Kanhupur, Bajabati, Odisha 755024,
India

Lat 20.766998° Long 86.113309°

07/01/25 01:01 PM GMT +05:30

THAT THE BELOW ATTACHED PHOTOGRAPHS OF BAJABATI BSQ-2 SHOWS THAT THE LESSEE IS EXTRACTING STONES IN AN UNSCIENTIFIC MANNER AND THE DEPTH OF THE WUARRY HAS ALREADY EXCEEDED THE PREMISSIBLE LIMIT OF 6 METER, AND THE SAFETY ZONE IS NOT MAINTAINED BY THE LESSEE



THAT THE BELOW ATTACHED PHOTOGRAPHS OF BAJABATI BSQ-2 SHOWS THAT THE LESSEE IS EXTRACTING STONES IN AN UNSCIENTIFIC MANNER AND THE DEPTH OF THE WUARRY HAS ALREADY EXCEEDED THE PREMISSIBLE LIMIT OF 6 METER, AND THE SAFETY ZONE IS NOT MAINTAINED BY THE LESSEE



**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

RESOLUTION

No. 23225 / R&DM, Bhubaneswar, Dated the **28 JUN 2018**
RDM-LRGEC-MISC-0012-2018

Sub: Principles/Procedure for implementation of the scheme "Prevention of theft of Minor Minerals and eviction activities".

Minor Minerals are the gift of nature, which needs to be exploited scientifically through sustainable mining, without incurring damage to environment. Since mineral reserves is under the administrative control of the State Government, it is the primary responsibility of the Government to ensure scientific mining and to maintain continuous supply of minor minerals to all developmental projects including infrastructure and welfare scheme projects like NH, SH and Housing projects and to private projects in a transparent manner in the supply chain from the source to the end users. But it is often reported that due to unscientific mining and illegal lifting of minor minerals by unscrupulous mineral mafias, huge amount of revenue loss has been caused to the State Exchequer. Illegal lifting and theft of minor minerals has been a continuous challenge for the Revenue Administration.

2. In order to curb such illegal lifting and transportation of minor minerals, squads have been constituted at district / sub division levels. But these squads, due to lack of police assistance and lack of proper coordination, have not been very effective to face such a large challenge. In many occasions, the Tahasildars/ Addl. Tahasildars and other Revenue Officials are being manhandled by miscreants during raids. Police personnel are not being readily available at the time of need. Adequate funds for incurring expenditure for enforcement activities are not available with district administration in order to handle the situation. Allegedly, it is going on unabatedly despite all efforts to check the same. Protection of mineral reserves as well as its sustainable exploitation for developmental use is one of the concerns of the State Government. As land and the mineral reserves thereon is the most important capital asset, protection of such capital asset would be a legitimate plan activity.

3. In careful consideration of the above facts, in order to ensure scientific mining, transparent distribution system and to prevent illegal lifting/ theft of minor minerals, the State Government have been pleased to implement a new Scheme namely "**Prevention of theft of Minor Minerals and eviction activities**" from the current financial Year 2018-19 under Programme Expenditure.

4. BROAD OBJECTIVES:

The broad objectives of the scheme namely "Prevention of theft of Minor Minerals and eviction activities" are as below;

- i. To ensure adequate and uninterrupted supply of minor minerals for all infrastructure and other developmental projects
- ii. To ensure uninterrupted supply of sand to all rural housing and other welfare scheme projects
- iii. To prevent illegal lifting/ theft of minor minerals from unscrupulous mineral mafias.
- iv. To put in place robust monitoring mechanism to prevent illegal lifting of minor minerals.
- v. For optimal mobilization of revenue so that mineral revenue inflow is maintained to the State exchequer.
- vi. To induct technological intervention in every stage of process chain.
- vii. To ensure sustainable mining without compromising with environment, without damage to roads, river embankments etc.

5. ACTIVITIES TO BE COVERED UNDER THE SCHEME:

The following activities will be covered under the scheme.

- i. Demarcation of Minor mineral sources, Pillar posting on the perimeter of the sources, erection of signboards depicting the details of source, quantum of deposits, area and details of the license etc.
- ii. Implementation of all activities specifically suggested under the Odisha Sand Policy, Odisha Minor mineral Concession Rules, 2016 or any other policy decision of the Government.
- iii. Expenditure incidental to constitution of teams for survey, field survey and preparation of District Survey Reports. Remuneration and other expenditure for such survey shall be met out of this Scheme.
- iv. DGPS survey, pillar posting and web-based monitoring of the sources.

- v. Setting up of weigh bridges/ check gates at square points of Blocks/ Tahasils and at lifting point to verify the actual quantity of minor minerals.
- vi. IT intervention like installation of CCTV Camera and DGPS etc shall be made to ensure transparency in operationalisation of sources and transportation of materials.
- vii. Constitution of task force/flying squads for prevention of illegal mining at the State/sub-division/ District/Tahasil level with adequate retired police / ex-army personnel.
- viii. Remuneration of the retired personnel for squads/ survey teams etc engaged on out sourcing basis.
- ix. Hiring of equipment / machinery / private vehicles with cost of fuel to be used for survey teams/ police forces, enforcement squad and eviction activities.
- x. Real- time monitoring of the transport vehicles like trucks with GPS enabling from source to the end user.
- xi. Hosting of information regarding minor mineral quarry leases on website to make mining operations more transparent.
- xii. Purchase of IT machineries like computers & printers, consumables, development of web-based applications, mobile apps for online requisition and monitoring of delivery materials.
- xiii. Disclosure of relevant information for each lease on the State/ District website with various terms and conditions to which the lessee shall be adhered to at the time of lifting the Minor Minerals
- xiv. Implementation of futuristic technological intervention like i4MS.
- xv. Setting up State level/ District level PMUs and expenditure incidental to such PMUs including remuneration of IT professionals and other staff.
- xvi. One Deputy/ Asst. Collector in the District shall remain in charge of the District PMU, who will report to the ADM(Rev) of the District.
- xvii. Expenditure pertaining to deployment of police personnel their transportation etc.
- xviii. Online requisition and monitoring of delivery of materials to the end users.
- xix. Preparation and publication of Standard Operation Procedures & Operation Manuals for various minor minerals with safety and environmental clauses.



- xx. Expenditure incidental to seizure, disposal and eviction activities relating to minor minerals.
- xxi. Any other activity for prevention of illegal lifting or theft specifically approved by Government.

Provided that, if expenditure regarding any of the items above is borne by any other Department like the cost of pillar posting is borne by Steel and Mines Department, Deployment of Police personnel is borne by Home (Police) Department, then no funds out of this scheme shall be utilized for such items of work to avoid duplicity.

6. AREA OF OPERATION OF THE SCHEME:

- i. The scheme will be implemented in all the Districts of the State. However, more emphasis shall be given to the high value and high risk sources coming under sensitive Tahasils of the District. The Collector of the District shall identify and prioritize the high risk and sensitive sources and ensure immediate implementation of measures for prevention of theft of Minor Minerals.
- ii. District surveys shall be conducted in all districts for various minor minerals to assess the demand and supply and Gap analysis.
- iii. The Collector of the District shall prepare the list of sensitive tahasils / list of sensitive sources after realistically assessing the risk and sensitivity.

7. IMPLEMENTING AUTHORITIES:

- i. Tahasildar is the competent authority for minor minerals, who will implement the scheme under supervision of Sub-Collector and ADM(Rev) of the district. The scheme shall be implemented in the district level with approval of Collector. The execution of hardware activities like eviction, pillar posting, construction of boundary walls, fencing, erecting signboards etc for protection of valuable Government land and mineral reserves may be taken up by the Tahasildar of respective Tahasil through his field functionaries or through any other agency identified by Tahasildar following due procedure of law with prior approval of Collector and with technical support from the JE of the respective Block or RW Department, who will check measure the same.

- ii. The Collector of the respective District may issue further instruction to standardize the procedure in the matter for proper implementation of the Scheme in conformity with financial rules/instructions.
 - iii. Enforcement squads shall be formed by the Collector under the direct control of the Sub-Collector concerned. In the event of requirement, the Tahasildar/ Tahasildars concerned shall make a requisition to the sub-collector concerned specifying the date of raid/operation for arrangement of squad, who shall intimate the fact to the Collector of the District for constitution of the squad.
 - iv. The squad shall strictly follow the standard operating procedure for the purpose.
8. **MODE OF EXPENDITURE:**
- i. All financial rules and accounting procedure as provided in the OGFR, Odisha Treasury code and instructions issued by the Finance Department from time to time for incurring expenditures of Government funds shall be followed.
 - ii. All receipts and expenditure shall be entered in the Cash Book and a separate subsidiary Cash Book may be maintained for the purpose of keeping proper accounts.
 - iii. No amount should be withdrawn from the Bank if not required urgently. Drawal of money from the Bank account for keeping it in shape of cash is strictly prohibited. All expenditures should be limited to the funds available only.
 - iv. A Flexi Account shall be maintained in any eligible scheduled/ Nationalized Bank.
 - v. All expenditure shall be made with prior approval of Collector of the District as per the power delegated for incurring expenditure under Delegation of Financial Power Rules.
 - vi. For all types of unusual expenditure or new type of expenditures, approval of Government should be obtained.
 - vii. Monthly expenditure report with item-wise details shall be furnished to the District office by concerned Tahasildars by 10th of the next month. The ADM/



Nodal Officer of the district shall furnish the compiled expenditure statement of the District to R&DM Department by 15th of the next month.

9. SUBMISSION OF UTILIZATION CERTIFICATE:

Necessary Utilization Certificate in respect of the expenditure incurred out of the funds under the scheme for the preceding Financial Year shall be furnished by the District Collector in the form prescribed under OGFR to R&DM Department by 30th April of the succeeding Financial year.

10 LEGAL SAVINGS:

This implementation procedure of the scheme shall not have any overriding effect on any statutory laws for the time being in force like the OPLE Act, 1972, the OGLS Act, 1962 and Rules made there under / Financial procedures like OGFR & Odisha Treasury Codes / instructions issued by the Finance Department from time to time.

ORDER- Ordered that the Resolution be published in the Extra-ordinary issue of the Odisha Gazette and copies thereof be forwarded to Revenue & DM Department/ Board of Revenue, Odisha, Cuttack/ All RDCs/ All Collectors for information.

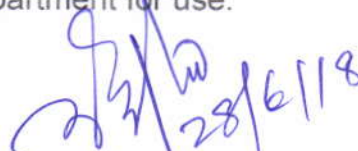
By order of the Governor



(Dr. C.S. Kumar)
Principal Secretary to Government

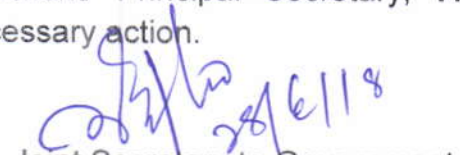
Memo No. 23226 / RDM Dated 28 JUN 2018

Copy forwarded to Odisha Secretariat Gazette Cell, C/o Commerce and Transport (Commerce) Department for information and necessary action. They are requested to publish the Resolution in an extraordinary issue of the Odisha Gazette and supply 10 (ten) copies to this Department for use.


28/6/18
Joint Secretary to Government

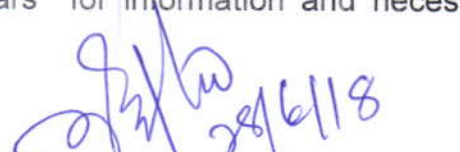
Memo No. 23227 / RDM Dated 28 JUN 2018

Copy forwarded to Addl Chief Secretary, Forest and Env. Department / Addl Chief Secretary, Home Department/ Principal Secretary, Finance Department/ Principal Secretary, Steel and Mines Department/ Principal Secretary, Water Resources Department for information and necessary action.


28/6/18
Joint Secretary to Government

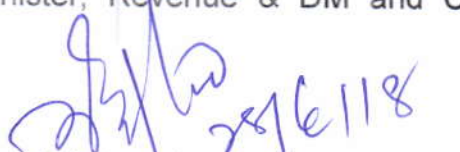
Memo No. 23228 / RDM Dated 28 JUN 2018

Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ All RDCs/ All Collectors/ All Sub-Collectors/ All tahasildars for information and necessary action.


28/6/18
Joint Secretary to Government

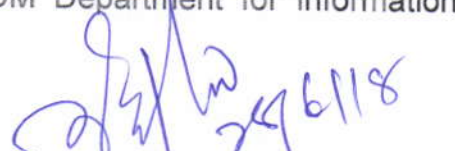
Memo No. 23229 / RDM Dated 28 JUN 2018

Copy forwarded to P.S to Minister, Revenue & DM, Odisha/ OSD to Chief Secretary for kind information of Hon'ble Minister, Revenue & DM and Chief Secretary respectively.


28/6/18
Joint Secretary to Government

Memo No. 23230 / RDM Dated 28 JUN 2018

Copy forwarded to FA-cum- Addl. Secretary/ Joint Secretary (in charge of IMU Cell) / Budget Branch of Revenue & DM Department for information and necessary action.


28/6/18
Joint Secretary to Government

Item No.01

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.105/2025/EZ

IN THE MATTER OF

Urbashi Jena,
D/o Haramohan Bala,
Aged about 55 years,
R/o Thannual, P.O.- Kanpur, Dist-Jajpur,
Odisha, 755024

.....Applicant(s)

Versus

- 1. State of Odisha,**
represented by Chief Secretary,
Government of Odisha,
Lokaseva Bhawan,
Bhubaneswar - 751001
- 2. Additional Chief Secretary,**
Revenue and Dissaster Management Department,
Government of Odisha,
Lokaseva Bhawan,
Bhubaneswar - 751001
- 3. Additional Chief Secretary,**
Forest Environment and Climate Change Department,
Govt. of Odisha,
Kharavela Bhawan, Bhubaneswar,
Odisha - 751001
- 4. Collector & Dist. Magistrate Jajpur,**
PO/Dist- Office of the Collector and District Magistrate,
Jajpur - 755001
- 5. Superintendent of Police, Jajpur,**
AT/PO-Panikioili, Jajpur,
Pin-755043
- 6. Director of Mines, Directorate of Mines,**
Bhubigyan Bhawan. Bhubaneswar, Khordha,
PIN-751001
- 7. Tahasildar Dharmasala,**
At/Po/PS- Office of Tahsildar, Dharmasala,
Pin-755008

- 8. Deputy Director of Mines,**
At/Po Jajpur Road,
Dist-Jajpur
- 9. Deputy Director General of Forests (C),**
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office (EZ), A/3, Chandrasekharpur,
Bhubaneswar-751023
- 10. Member Secretary, Odisha State Pollution Control Board,**
A/118, Unit-VII, Nilakantha Nagar,
Bhubaneswar, PIN-751012, Odisha
- 11. Regional Officer, Odisha State Pollution Control Board,**
Kalinga nagar, At- Dhabalagiri, P.O. - F.C Project,
Jajpur Road, Dist Jajpur-755020
- 12. Member Secretary,**
State Environment Impact Assessment Authority (SEIAA), Odisha,
Bhubaneswar, 5RF-2/1, Acharya Vihar,
Unit IX, 751022
- 13. Regional Director, Central Ground Water Board,**
South Eastern Region, Bhubaneswar
At/Po- Bhujal Bhawan, Khandagiri,
Bhubaneswar, Pin-751030
- 14. Director General of Mine Safety,**
Office of Directorate General of Mines Safety, Government of India,
HEAD OFFICE, DHANBAD (Jharkhand),
PIN: 826001
- 15. The Member Secretary, Central Pollution Control Board,**
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032
- 16. AGRAWAL INFRABUILD PRIVATE LIMITED,**
Represented through Director,
At/Po-1" Floor, V.R. Plaza, Link Road,
Bilaspur (C.G) 495001,
BILASPUR, CHHATTISGARH
- 17. Sarat Chandra Behera,**
At-Khunta, Ps-Dharmasala, Dist-Jajpur -755024,
(Lessee of Bajabati BSQ-2)
- 18. Samarendra Nayak,**
At: Kantamalia, PO-Thanual,
Dist-Jajpur, Odisha
(Lessee of Bajabati BSQ-6).

.....Respondent(s)

Date of hearing: 05.08.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate a/w
Mr. Ashutosh Padhy, Advocate

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel assisted by Mr. Ashutosh Padhy, learned Counsel is present for the Applicant. Learned Counsel submits that he may be permitted to withdraw this Original Application with liberty to file fresh Original Applications in respect of fresh separate cause of actions which have been raised jointly in this petition.
2. The Original Application No.105/2025/EZ is therefore dismissed with the aforesaid liberty.
3. I.As., if any, stand disposed of accordingly.
4. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

August 05, 2025,
Original Application No.105/2025/EZ
OM

NGT

BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application No. _____ of 2025

In re:

URBASHI JENA

APPLICANT

Versus

STATE OF ODISHA AND OTHERS

RESPONDENTS

KNOW ALL to whom these present shall come I Urbashi Jena D/o Haramohan Bala, Aged about 55 years At- Thannual, Po- Kanpur, Dist-Jajpur, Odisha, 755024 applicant in the , above named APPLICATION do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email-sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy** Enrollment no.O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

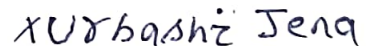
And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this — 6TH — day of September 2025.

Accepted subject to the terms of fees.


Advocate


Urbashi Jena

Client