

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

ORIGINAL APPLICATION NO. 142/2025/EZ

IN THE MATTER OF :-

Manas Ranjan Barik & and another APPLICANTS

VRS.

State of Odisha & othersRESPONDENTS

Counter Affidavit on behalf of M/s Akhandaleswar Stone Crusher (Respondent- 11) represented by its proprietor Sri Adikanda Biswal before the Hon'ble National Green Tribunal, Eastern Zone Bench at-Kolkata.

Legal Practitioner;-Mr. Ajit Kumar Sahoo, Adv, Sri Gopal Krushna Nanda Adv. and Sri Gopal Prasad Jena, Advocate Odisha High Court, Cuttack

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Cuttack/Date • 18-11-25 Advocate for Respondent-11

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**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH AT -KOLKATA
ORIGINAL APPLICATION NO. 142/2025/EZ**

IN THE MATTER OF :-

Manas Ranjan Barik & another APPLICANTS

VRS

State of Odisha & othersRESPONDENTS

Adikanda Biswal

Counter Affidavit on behalf of M/s Akhandaleswar Stone Crusher (Respondent- 11) represented by its proprietor Sri Adikanda Biswal before the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata.

I, Sri Adikanda Biswal aged about 70 years son of Late Udaya Nath Biswal of at present At- Malyani Po- Kharadiha Ps -Nilgiri Dist- Balasore Proprietor of M/s Akhandaleswar Stone Crusher Respondent-11 in the present Original Application do hereby Solemnly Affirm as follows;-

1. That Deponent is Respondent-11 and the proprietor of M/s Akhandaleswar Stone Crusher.

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2. That Deponent has gone through the Original Application no 142/2025/EZ and has understood the contents thereof. Being acquainted with the facts of the case and contents of the Petition, Deponent is filing this Affidavit.

3. That applicants filed the present application OA-142/2025 taking the stand as follows;-

(i) That the Stone Crusher exists on Forest Land and illegal Quarry has an impact on the Human Habitation and Movement of Wild Animals. The Quarry is within 10 kms radius of Kuldhia wild Life Sanctuary and within 2 Kms to the sensitive Zone at which the Radar Station is under construction by Ministry of Defense. Govt. of India over Nilgiri Hills. (Synopsis)

(ii) The Respondent-11 (Deponent) is operating the Morum Quarries and stone crushers in violation of the conditions of Consent to Establish (CTE) and of Consent to Operate (CTO) and other environmental norms. Even though villagers have represented time and again on dt 23.12.24, 15.01.25 and on 24.03.25 but no action has been taken on it. Para -1.

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(iii) That the respondent-11 is operating mega stone crusher over plot no 4108/4896 khata no 1066/627 measuring an area of Ac1.50 dec. (From Rakhita Khata no 1167 Plot no 3652/4108 Kisam Jungle/Gram Jungle at Jamudiha with production capacity of 2, 00,000 TPA of stone chips for which consent to establish has been granted by the state pollution control Board on dt 17.03.25 vide **Annexure 2** to the O.A. Para -2

(iv) That the land over which the Res-11 is operating his crusher was of Kisam jungle as per 1921 settlement recorded in the name of Shri Jaganath Jew and in the year of 1976 the land was also of kisam Jungle recorded in the name of same deity. Even though the land was recorded in the name of Res-11 in the year of 2004 but after the forest conservation Act came into force in the year of 1980, the said land should not have been transferred in the name of Private respondent. Para-3

(v) That jungle land was transferred without permission of the Central Govt. which is totally illegal. **Annexure -3** to the O.A. Para- 4

(vi) That the consent to establish was granted basing on a sitting clearance issued by the Collector and District Magistrate vide letter

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No 4672 dt 13.12.04 for a capacity of 1550 MT / Month and now based on same certificate, capacity of stone crusher has been increased without taking into consideration of the negative impact of the stone crusher Vide **Annexure -4** to the O.A. **Para-5**.

(vii) That even though it has been mentioned in the siting certificate that nearest inhabitation is more than 1 km from the stone crusher but from the Google earth Image, it is clear that there exist houses within 200 meter radius from the stone crusher. **Para-6**

(viii) That the private respondent is using old sitting clearance issued by the collector Balasore just to eye wash and increase the capacity of stone crusher in the middle of village. **Para- 7**

(ix) That even though CTE is valid for raw material, Product, Manufacturing Process and capacity, nowhere the new CTE permitted M/s Akhandaleswar Stone Crusher for establishing a new Set up for the stone crusher which is totally illegal. **Para -8**

(x) That the present stone crusher is a new one with capacity 200000TPA which is ten times from the earlier capacity of the old crusher. So the sitting clearance should have been as per the guidelines framed by state of Odisha in the year of 2006 and revised in the year

Akhandaleswar

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of 2010. Moreover there are human habitations within 100 meter of the present stone crusher and there is prohibition of any kind of stone crusher within 500 meters from any kind of village boundary/human inhabitation. More so in the notice no 2003 dt 01.02.07 (Annexure 11), it was specifically directed to stop or to shift the stone crushers units which were operating within 1 km from the village boundary. But no step was taken by the District administration in the matter. **Para-9**

(xi) That the jungle land has been transferred to Proprietor of Akhandaleswar Stone crusher illegally. **Para -10**

(xii) That from time to time the consent to operate of the Akhandaleswar Stone crusher has been renewed by state pollution Board without verifying the compliance of the earlier CTO Conditions and without verifying and visiting the site. **Para-11**

(xiii) That on 31.03.21 one CTO was issued to Respondent 11 for production capacity of 1550 MT/Month but without verifying the compliances of that CTO, the State Pollution Control Board has granted new CTE to the Respondent no 11 on 17.03.25 **Annexure 5** to the OA. **Para-12**

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(xiv) That the conditions of the CTO dt. 31.03.21 were summarized vide paragraph 13 as follows.

- (i) Unit shall provide adequate dust containment –Cum – Suppression system at all potential dust generating points to minimize fugitive emission.
- (ii) The unit shall provide wind breaking walls of adequate height both in down-wind and up-wind directions.
- (iii) The unit shall carry regular cleaning and wetting of the ground within premises. Fixed type water sprinklers shall be installed within crusher premises and along the side of the internal roads
- (iv) The unit shall develop thick green belt along the periphery of the premises.
- (v) The unit shall provide metaled road inside the premises
- (vi) The suspended Particulate Matter (SPM) concentration should be handled properly to minimize the fugitive dust emission
- (vii) The unit shall submit the point wise compliances by the last week of the last month

Rajiv Kantu Prasad

A.K. Sahay



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(viii) If any public complaint is received from the public and is found genuine, the unit shall stop operation and inform the status of compliances and action taken for control of pollution. **Para -13**

(ix) The unit has not submitted point wise compliances with the consent order. **Para-14**

(xv) The point no -2 of the order dt 06.08.10 issued by the Forest and Environment Department prescribes the criteria that no stone crusher shall be allowed within 500 meters from the established authorized inhabitation, educational Institution, Hospitals, Courts and public Offices. The point no 3 also stipulates that no stone crusher shall be established within 200 meters from the state highway and national Highway the distance as per crow fly principle. However the present unit is operating the crusher violating the guidelines. **Annexure -6** to the O.A. **Para -15.**

(xvi) That the guidelines issued by the Central Pollution Control Board on July 2023 mentioned vide paragraph 16 as follows;-

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- (i) Wind breaking wall GI/MS/Bricks should be provided along the periphery of the crusher. Height of the wall should be 3-ft. more than the highest node of the crusher.
- (ii) Metal/concrete Roads should be provided within the premises and entire ground area within the premises should be metaled.
- (iii) Water sprinkling system /fogger/anti-Smog gun for rotating water sprinkling which will produce tiny droplet of water should be installed to curb air pollution in the crusher premises.
- (iv) Tall trees should be planted around the periphery of the crusher in 2-3 rows.
- (v) Housing should be open for movement of mechanical drivers and conveyor belts should be sealed properly with flexible rubber flaps.
- (vi) Name of the unit, contact details of the owner and address of the unit, capacity of plant and date of issue of CTE/CTO from the SPCB/PCCC should be displayed on the display board at the entrance.

Rajendra Bhusari

A.K. - school



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- (vii) Regular wetting of the road should be done to suppress the dust within the premises to control dust emission
- (viii) Unit should install tanks of appropriate size and for recycle and reuse of the water in process .In case of extract of ground water, permission from the central Ground water Authority /Ground water Department should be obtained .Unit should maintain proper log book of consumption of fresh water. Efforts should be made to use STP treated water instead of ground water to control emission from process activities.**Annexure-7 to the O.A. Para- 16**

Rajendra Mishra

(xvii) There has been gross violation as within 100 meters there exist habitation as revealed from Google earth Image. **Annexure -8 to the O.A Para- 17**

(xviii) It was further submitted that the private respondent is extracting Murom from the Govt. land and jungle kism land (khata no 1167,plot no 3652/4108,3994,3923,3993 which were earlier under the kism Gramya Jungle recorded in the name of Lord Shri Jaganath Jew. The land subsequently kept under Rakhit Khata without permission from

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competent authorities. Photograph regarding extraction of Murom from Govt. land placed at **Annexure -9 to the O.A Para -18**

(xix) Nearby agricultural lands have been made barren due to dust.

Para-19

(xx) Because of illegal query, the water level have gone down and irrigation points are also not working. **Para-20**

(xxi) The local tahasildar has not taken any action. **Para-21**

(xxii) The revenue and Disaster Management department resolution dt 28.06.2018 to curb illegal mining has not been followed by the Administration and no action has been taken in the matter. **Annexure 10 to the O.A. Para-22**

(xxiii) The pre-requisite for processing the application of consent to operate is that the site should be inspected and there must be compliance of CTE condition. But in this case there has been gross violation to it. **Annexure-12 to the O.A Para-22**

4. That the date chart and events of the case summarized hereunder will clarify the factual aspects on the issue.

A.K. Singh



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- (i) 1921-22 Lands were in the name of Shri Jagannath Jew
Seva in khata no 69/2 and plot no 3218 in the
Kisam Jungle as per 1921-1922 Settlement as
per Tahasildar Report
- (ii) 1976-77 The ROR of the above lands were recorded as
village forest under Rakhita Khata No 1167.
- (iii) 1984 Those lands were mutated and settled by the
then Tahasildar Nilgiri in the year of 1984 in
favour of 36 land-less persons classifying
Lands as **Sarad- III**
- (iv) 31.12.84
To 08.02.84 Copy of one of the mutation record filed by
Ram Chandra Pradhan where-in Tahasildar
Nilgiri has reported that there were no growth
of tree and land was lying barren Annexure
R-11/A-6
- (v) 20.06.95 Competent Authority- Cum -Tahasildar Nilgiri
cancelled the lease of father of Applicant no 2.
- (vi) 12.01.96 Copy of the rejection order passed by the
Appellate Authority i.e Learned Collector

R. K. Mishra

R. K. Mishra



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rejecting the appeal filed by father of Applicant

No 2 **R-11/A-1 Series**

(vii) 1997-98

Res-11 purchased some of the lands from ST and Non -ST persons after getting due permissions of Sub -Collector Nilgiri.

(viii) 08.09.03

Copy of the status report submitted by the Tahasildar Nilgiri on the complaint by the villagers **R-11/A-2**

(ix) 2004

Lands were mutated in the name of Res-11 and his son. **R-11/A-7**

(x) 13.12.04

Sitting Certificate dt 13.12.2004 was issued by Collector under **Annexure 4**.

(xi) 19.09.06

The Enquiry report submitted by the Tahasildar Nilgiri on the allegation regarding illegal transfer of lands allotted in favour of SC&ST persons.. **R-11/A-3**

(xii) 05.12.11

Copy of the enquiry report submitted by the Revenue Inspector Nilgiri addressed to Tahasildar Nilgiri pursuant to letter of Addl. District Magistrate Balasore dt 05.12.11 along

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R. K. Mishra

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with English Translation copy of such report is filed herewith as Annexure **R-11/A-10**

(xiii) 18.12.18 Copy of the dismissal order dt. 18.12.18 passed in WP© 7547/2003 filed by father of Applicant no 2 **R-11/A-4**

(xiv) 02.10.24 Copies of No objection dt.02.10.24 issued by the **Gram Sabha of Jamudiha Grama Panchayat** and No objection certificates issued by Sarapanch and Panchayat Samiti Member **Annexure R-11/A-12 series**

(xv) 17.03.25 In the year of 2025 due to renovation of Old Crusher unit the capacity of the crusher unit was increased as per Consent to Establish order dt 17.03.25 Annexure 2 to the O.A and **R-11/A-8.**

(xvi)02.04.25 Photographs showing plantation of Trees in and around the plant periphery filed as Annexure **R-11/A-11/1.**

A.K. Sahay



Rajiv Kumar Mishra

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Copies of Photographs dt 02.04.25 showing making of DG Silencer as per required height formula filed as Annexure **R-11/A-11/2**.

Copies of Photographs showing installation of CCTV Surveillance filed as Annexure **R-11/A-11/3**.

Copy of the Photograph dt 02.04.24 showing construction of Metal road inside the premises filed as Annexure **R-11/A-11/4**.

Copy of the Photograph dt 02.04.25 of Dust Covering shed of both Vibrator Screen filed as Annexure **R-11/A-11/5**.

Copy of the Photograph dt 02.04.25 of wind breaking wall in dust production point filed as Annexure **R-11/A-11/6**.

Copies of the Photographs of wind breaking wall in and around the premises filed as Annexure **R-11/A-11/7**.

Copy of the photograph of Public Information Board filed herewith as Annexure **R-11/A-11/8**.

(xvii)07.04.25

Tahasildar Nilgiri submitted report to the

A.K. Sen



D. K. Sen

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Collector and District Magistrate Balasore on
07.04.25 regarding land status on the basis of
allegation of the applicants **R-11/A-5**

(xviii) 08.04.25 Consent to operate order was issued on
08.04.25, **R-11/A-9**

5. That at the outset, it is submitted that the above Original Application has been filed after 20 years of operation of Crusher Unit by the Res-11 which is not maintainable in the eye of Law as it is too belated and time barred. The unit started operation in the year of 2004 on the basis of Sitting Certificate dt 13.12.2004 issued by the Collector Balasore under Annexure 4. Due to satisfactory compliances, the consent order was being renewed from time to time till 2023. Applicants had never approached the Hon'ble Tribunal during that period from 2004 to 2023 alleging violation of the terms and conditions of CTE and CTO. In the year of 2025 due to renovation of old crusher Unit, the capacity of the crusher unit was increased as per consent order dt 17.03.25. So the Present original application filed in the year of 2025 alleging violations relating the year from 2004 to 2023 is grossly barred by Law of Limitation and as

Handwritten signature/initials

A.K. Singh



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such the present application is not maintainable as no suitable reason has been indicated therein. There also does not exist any continuing cause of action to file the present Application. Since the allegation of violation if any was never raised for last 20 years and the crusher unit was partially closed for about two years due to illness of the proprietor and also due to machinery defect and the present CTE was issued on 17.03.25 and CTO was issued on 08.04.25, as such there are no cause of action of alleging any violations relating from the year of 2004 to the year of 2025. So the present O.A is liable to be dismissed with cost.

Rajiv Mishra

6(a). That as regards the averments of the Applicants that the Stone Crusher exists on Forest Land and illegal Quarry has an impact on the Human Habitation and Movement of Wild Animals and that the Quarry is within 10 kms radius of Kuldhia wild Life Sanctuary and within 2 Kms. to the sensitive Zone at which the Radar Station is under construction by Ministry of Defense. Govt. of India over Nilgiri Hills, The Crusher unit is situated over the purchased land of Respondent-11 and does not exist on any forest land. Besides, the crusher unit does not come within the forest land earmarked for

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movement of wild animals and also not coming within the radius of Kuldhia wild Life Sanctuary. The notification dt. 19.02.16 issued by the Govt. of India for kuldhia wild life sanctuary also does not cover the village Malyani or Jamudhia within its ambit. The village Malyani or Jamudhia even does not come within 10 kms of the outer boundary of the sanctuary. Besides it is submitted that the crusher unit is also not coming under the sensitive zone of the RADAR Station under construction of the Govt. of India over Nilgiri Hills. The crusher unit is at a distance of 5 to 6 kms from the Radar Zone. So the averments are totally false and misleading.

M. K. Sahas

Copy of the notification for Kuldhia wild life sanctuary is filed herewith as ANNEXURE Res-11/A.

6(b) That in reply to averments of paragraph 1 of the Original Application, it is submitted that there has been neither any violation to environmental norms nor to the terms and conditions stipulated in the consent to establish (CTE) and consent to operate (CTO) of the stone crusher industry. It is pertinent to mention here that no Morum Quarry is being operated by the Respondent 11. It has been closed since last 10 to 15 years back. Regarding operation of Morum Quarry,

M. K. Sahas



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it is submitted that Late Bhagaban Parida father of Applicant No 2 was lifting Morum from Govt. land and beyond the leased area and from the land of those ST Landless persons to whom the lands were allotted for which complaints were filed by those people and after spot verification and report of R.I Sajanagarh, the permission to grant Morum Quarry in favour of father of Applicant no 2 was cancelled by the Tahasildar which was ultimately upheld by the collector in rejecting the appeal filed by Bhagaban Parida . Since then there is private dispute in between Applicant no 2 and Respondent no- 11. This application is the result of the same. It is most important to submit that Respondent -11 is not operating any morum quarry and also nor extracting morum from any Quarry for last 10 to 15 years. The Applicants have annexed photographs under **Annexure- 9** to the O.A showing extracting of Morum to which Respondent-11 is not related at all and there is no recent extraction of any morum and photographs under Annexure -9 are of old photos. It is completely false to say that the Res-11 is extracting the morum from Jungle Kisam Land and Govt. Land as Res-11 is not extracting any morum from any corner more than 10 to 15 years .

D. K. Mishra

A. K. Saha



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Copy of the cancellation order dt 20.06.95 issued by Competent Authority- Cum -Tahasildar Nilgiri cancelling lease of father of Applicant no 2 and copy of the rejection order dt..12.01.96 passed by the Appellate Authority i.e Learned Collector rejecting the appeal filed by father of Applicant No 2 are filed herewith as Annexure **R-11/A-1 Series.**

(6)(c) That as regards operation of stone quarry by the Respondent no- 11, some of the villagers including ex- M.L.A Sri Chittaranjan Sarangi filed one complaint that Res-11 is creating trouble to General Public for their journey from one village to another village and blasting the stone quarry and using blasting materials and that Sri Biswal is encroaching the Govt. Land. On inquiry and after verification the complaint was found false and dropped.

Copy of the status report submitted by the Tahasildar Nilgiri dt. 08.09.03 on the complaint submitted by the villagers is filed herewith as Annexure **R-11/A-2.**

6(d) That regarding illegal transfer of the lands belonging to the S.T and SC persons allotted under the Integrated Tribal Development

A. K. Sahas



A. K. Sahas

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Programme, one allegation petition was filed by the then Sarapanch, Naib Sarapanch and some other persons of Jamudiha G.P. and on the basis of the letter dt 10.04.06 of the collector Balasore, the Tahasildar Nilgiri caused due enquiry on spot and came to finding that the lands were allotted in favour of SC and ST persons but after enjoying the land for 15 to 20 years, the SC and ST persons have sold the lands. The Tahasildar also came to conclusion that even though the kism of the lands were **Sarad three** but those lands are high Lands and cannot be suitable for agriculture. Hence the allottee have sold those lands and some petitioners on this ground are regularly filing the petitions at different point of time.

Copy of the enquiry report submitted by the Tahasildar Nilgiri dt 19.09.06 is filed herewith as Annexure **R-11/A-3**.

6(e) That since complaint filed by the villagers did not yield any result one writ petition bearing no W.P© 7547/2003 was filed by some of the villagers whose lease were cancelled including father of Applicant no 2 against Respondent -11, taking the stand that Res-11 is using the agriculture land for commercial purpose and that Res-11 has purchased the lands from the land-less person who were allotted the

A.K. Zahedi



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lands under Integrated Tribal Development Programme by preparing fake sale deeds and that under temporary permit the Res -11 is transporting the minerals and preventing the villagers to use the Govt. land and that the Res-11 is transporting the morum through restricted road etc. The said Writ petition was ultimately dismissed on 18.12.18.

Copy of the dismissal order dt. 18.12.18 passed in WP© 7547/2003 is filed herewith as Annexure R-11/A-4

6(f) That again grievance/Complaint petitions were filed under the leadership of Manas Ranjan Barik (Applicant no 1) and Sri Manoj Kumar Parida (Applicant no- 2) on dt 23.12.24 and 15.01.25 alleging that there has been illegal and fraudulent transfer of ST and Non -ST lands and illegal running of one Crusher unit by the Respondent -11. The said matter was duly enquired by the Tahasildar Nilgiri and report was submitted to the Collector and District Magistrate Balasore vide letter no 1902 dt 07.04.25. The signatures appended there, in the said representations are not signature of the some of the signatories. Those persons have also given Affidavits in this regard. However the findings of the report of the Tahasidar Nilgiri is submitted hereunder;-

A. K. Sahas



Rajiv Kumar Barik

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- (i) There was an area of Ac.84.20 dec. of land recorded in the name of Shri Jagannath Jew Seva in khata no 69/2 and plot no 3218 in the forest Kisam as per 1921-1922 Settlement. During 1976-77 an area of Ac 48.00 dec out of Ac 84 .00 dec. was allotted in favour of 38 ST and Non -ST persons under Integrated Tribal Development Programme but the cadastral map of the concerned village was not corrected. During major settlement the settlement Authorities did not recognize the claims of the 38 persons in favour of whom the lands were settled and as such the ROR of the above lands were recorded as village forest under Rakhita Khata No 1167.
- (ii) In the year of 1984, the then tahasildar settled those plots measuring Ac 48 .00 dec again in favour of those persons stating the reason that those persons were allotted the lands previously. From 1994 some allottee sold those lands to one Purna Chandra Palei (ST) and subsequently Respondent no-11 purchased those lands after taking permission of sub-collector Nilgiri under section 3(i) of regulation 2 of 1956 in

Rajiv Kumar

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the year of 1997 and 1998 and after mutation those lands were recorded in the name of Res-11 in the year of 2004.

Copy of the report of the Tahasildar Nilgiri dt. 07.04.25 is filed herewith as Annexure **R-11/A-5**

7. That the land was originally in the name of Shri Jagannath Jew Seva in khata no 69/2 and plot no 3218 in the Kisam Jungle as per 1921-1922 Settlement. During 1976-77, the ROR of the above lands were recorded as **village forest under Rakhita Khata No 1167**. Those lands were mutated and settled by the then Tahasildar Nilgiri in the year of 1984 in favour of those 38 land-less persons arriving at conclusion that those lands were totally barren and there was no trace of any tree growth. The lands leased out were classified as **Sarad-III** from category of **Village Jungle**.

Copy of one of the mutation record filed by Ram Chandra Pradhan where-in Tahasildar Nilgiri has reported vide order dt 08.02.84 that there were no tree and land was barren is filed herewith as Annexure **R-11/A-6**.

A.K. Sahodra



A.K. Sahodra

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8. That in reply to averments of paragraph 2 of the Original Application, it is submitted that Respondent no- 11 (present Deponent) was operating one Stone Crusher over plot no 4108/4896 of Khata no 1066/627 (now under Khata No 1164/2 by way of mutation and conversion to Home Stead land) measuring an area of Ac1.50 dec. which the Res-11 purchased from one Chunu Bindhani. Due to old machinery and health Ground (Kidney Problem) the crusher unit was not functional for more than two years and after renovation of the said crusher unit, Res-11 applied for increasing production capacity of the existing Crusher unit which was allowed. For establishing the Crusher unit with production capacity of 2,00,000 MTA of stone chips for which consent to establish and consent to operate were also obtained. There are no illegalities in this regard.

Copies of the ROR of the land standing in favour of Res-11 and copy of Consent to establish and copy of Consent to operate are filed herewith as Annexure R-11/A-7 and R-11/A-8 and R-11/A-9 respectively.

9. That in reply to averments of paragraph 3 & 4 of the present Original Application, it is submitted that in the year of 1976 lands

A.K. Sahoo



Rajkumar Mishra

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measuring Ac. 48 .00 dec. out of Ac.84 .00 dec. were settled in favour of 38 land less person under the Integrated Tribal Development Programme. Even though in 1976 settlement, the status of the lands were kept as Gramya Jungle but lands were again mutated in the name of those 38 land-less persons in the year of 1988 which is approx. 37 years ago. Respondent no 11 purchased some of the lands in the year of 1998 after due permission from competent authority under regulation 1956 and the lands were also mutated in the name of Res-11 in the year of 2004 which is also 20 years ago. The report of the Tahasildar Nilgiri dt.19.09.06 R-11/A-3 and copy of the report of Tahasildar dt. 07.04.25 under Annexure R-11/A-5 clarifies the status of the land. It is further submitted that the land over which the crusher unit has been established was purchased land of Res-11 which was purchased by Res-11 from one Chunu Bindhani a general Caste People..

Rajiv Kumar Mishra

10. That in reply to averments of paragraph 5,6,7 & 8 of the Original Application, it is submitted that Respondent- 11 is operating the Stone Crusher Industry since 2004 at that place and sitting clearance dt 13.12.04 never indicate any quantity of production. The land

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particulars were verified and other documents were examined and thereafter the sitting clearance was granted. In the sitting clearance quantity of production are not required to be mentioned. In the meantime 20 years have passed from the date of sitting clearance was obtained and Respondent-11 is satisfactorily complying the terms and conditions of the CTE and CTO issued in the year of 2004. The application to increase the production capacity of the present crusher for production of 2,00,000 MT per annum was approved vide letter dt 17.03.25 (CTE) under Annexure 2 to the O.A. (R-11/A-8) and Consent to operate was also granted on 08.04.25. (R-11/A-9) There has been no violation to the term and condition stipulated in the CTE dt 17.03.25 and CTO dt 08.04.25 under Annexure R-11/A-8 and R-11/A-9 by this respondent No -11 by any way/means. It is pertinent to mention that the target of production of 2,00,000 MT per annum is the upper limit fixed in the clearance certificate but not the actual production. The actual production is far from the upper limit fixed in the clearance certificate.

Dilip Kumar Mishra

11. That in reply to averments of paragraph 9 of the Original Application, it is submitted that after making satisfactory compliance

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to the term and condition of the CTE and CTO, Res-11 is operating the Crusher unit and has started production. There is no habitation within one kms of village boundary of any authorized village. However there are 8 to 10 houses of the villagers who have their own land and residence in the village Malyani but they are residing by encroaching the Govt. land about 4 to 5 years back.. Out of them some persons are also working in the industry of the Res-11. The said habitation cannot be termed as authorized Village. There is no name of such habitation. Previously one allegation petition was filed with **false signature** taking the stand that stone dusts are being accumulated on the top of the thatched roofs where they are residing. The same was also found to be false on due spot inquiry .Individual houses were verified and the habitants clearly stated that the allegation are totally false.

Copy of the enquiry report submitted by the Revenue Inspector Nilgiri addressed to Tahasildar Nilgiri pursuant to letter of Addl. District Magistrate Balasore dt 05.12.11 along with English Translation copy of such report is filed herewith as Annexure R-11/A-10

A. K. Sahay



D. K. Mishra

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12. That in reply to averments of paragraphs 10 to 12 of the Original Application, it is submitted that in the year of 1921-22 i.e 96 years ago the kism of the land was jungle and recorded in the name of Shri Jagannath Jew Seva. In the year of 1976 i.e 48 years ago, the land was kept recorded in the Rakhita Khata as Gramya Jungle by the settlement Authorities as per Law and those lands were allotted to 36 individuals and Kism was changed from Village Jungle to Sarad -III by the tahasildar in the year of 1983. Some of those allottee sold their lands to different ST and non- ST persons. Petitioner in the year of 1997-1998 purchased some of the lands belonging to ST and Non-ST persons but after taking due permission from the Learned Sub-Collector Balasore as per Regulation 1956. There has been no illegality in the matter. The said facts has been set at rest and cannot be reopened at present in the year of 2025 as there are no involvement of Res- 11 in the above matter and Res-11 has purchased those lands with due permission.

Rajendra Kumar

13. That in reply to averments of paragraph 13 of the Original Application, it is submitted that the Res-11 has taken effective steps for remission / reduction and accumulation of stone dust by planting

A.K. Sahay



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huge trees in and around the industry. Moreover the Industry has installed the sprinkling system which reduces the accumulation of dust or spreading of the dust. All the premises are being cleaned/ wetted regularly. Res-11 is repairing the road including village road also.

Copies of the photographs showing plantation of Trees in and around the plant periphery are filed herewith as Annexure **R-11/A-11/1**. Copies of Photographs showing making of DG Silencer on 02.04.25 as per required height formula are filed herewith as Annexure **R-11/A-11/2**. Copies of Photographs showing installation of CCTV Surveillance is filed as Annexure **R-11/A-11/3**. Copy of the Photograph dt 02.04.25 showing construction of Metal road inside the premises is filed herewith as Annexure **R-11/A-11/4**. Copy of the Photograph dt 02.04.25 of Dust Covering shed of both Vibrator Screen are filed herewith as Annexure **R-11/A-11/5**. Copy of the Photograph dt 02.04.25 of wind breaking wall in dust production point is filed herewith as Annexure **R-11/A-11/6**. Copies of the Photographs of wind breaking wall in and around the premises are filed herewith as Annexure **R-11/A-11/7**. Copy of the photograph of

Dr. V. K. Mishra

A. K. Sahoo



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Public Information Board is filed herewith as **Annexure R-11/A-11/1**

14. That in reply to averments of paragraph 14 of the Original Application, it is submitted that point wise compliances are being submitted in time and CTO is being renewed in every year since 2004.

15. That in reply to averments of paragraph 15 of the Original Application, it is submitted that there are no habitation within one kms of village boundary of village Jamudiha / Malyani. Eight to Ten unauthorized encroachers in order to grab the Govt. lands are now residing there along with others and some of them are also working in the industry of Res-11 but those houses cannot be said to be authorized habitation/village. Those encroachers are residing over the Govt. land and much after the Sitting clearance was issued. There is no name of such habitation. Previously one allegation petition was filed with false signature taking the stand that stone dusts are being accumulated on the top of the thatched roofs where they are residing and residents are suffering.. The same was found to be false on due inquiry. Individual houses were verified and the habitants clearly

Di Kanta Bhai

A.K. Sahar



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stated that the allegations are totally false. The enquiry report of Revenue Inspector in this regard has been filed as **Annexure R-11/A-5**.

16. That in reply to averments of paragraph 16 of the Original Application, it is submitted that the Res-11 has taken effective steps for remission /reduction and accumulation of stone dusts by planting huge trees in and around the industry. Moreover the Industry has installed the sprinkling system which reduces the accumulation of dust or spreading of the dust. All the premises are being cleaned / wetted regularly. The relevant photographs have been filed herewith as **Annexure R-11/A-11/1 to R-11/11/8**.

17. That in reply to averments of paragraph 17 of the Original Application, it is submitted that there are no authorized habitation and there are also no violation to the guidelines.

18. That in reply to averments of paragraph 18 of the Original Application, it is submitted that the Applicants have stated that Res-11 is lifting the Morum which is totally false .Lifting of Morum have been stopped 10 to 15 years ago. Applicants having vested interest

Rajkumar Bera

H. K. Sahas



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and being hench man of political parties and out of previous Grudge have filed the petition only for the purpose of filing such petition without any basis. The lands were settled in the name of 36 persons in the year of 1976. Even though in the ROR prepared as per the settlement of 1976-1977, the land was kept as Gramya Jungle in Rakhita Khata but the Tahasildar again allotted those lands in favour of those 38 persons and classified the lands as Sarad III as per Revenue Law.. In due passage of time some persons have sold the land to ST and Non-ST persons. During 1997-1998 Petitioner purchased some of the lands after obtaining permission from sub-Collector and the lands were also mutated in the year of 2004 in the name of Res-11 and his son. There has been no illegality as due procedure and due permission have been obtained.

Dikshita Mishra

19. That in reply to averments of paragraph 19 & 20 of the Original Application, it is submitted that since sufficient protection has been taken by Res-11, accumulation of dust in the adjoining agricultural lands does not arise. Moreover the allegation that local farmers are facing huge loss due to illegal operation of the stone crusher by Res-11 is also totally false and based on suspicion and surmise. It is also

A.K. Sah 08/06



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false to state that due to deep illegal quarry, the water level in the village has gone down and lift irrigation points are also not working and there was water scarcity in the village. Since the crusher unit has been set up at a distance of more than 1 kms from the authorized village boundary of village Malyani and Jamudiha and over the barren land which cannot be used for Agriculture Purpose, So question of decrease in the water level does not arise. The applicants and other villagers have also dug deep wells of more than 150 ft. for their personal/commercial use

Rajendra Kumar

20. That in reply to averments of paragraph 21 of the Original Application, it is submitted that there has been no violation to the terms and conditions of CTE and CTO and the order dt 06.08.2010 issued by the Forest and Environment Department Govt. of Odisha and guidelines issued by the Central Pollution Control Board in July 2023 and resolution dt 28.06.18 issued by the Revenue and Disaster Management Department. In this regard it is submitted that the Panchayat Samiti member of Jamudiha Grama Panchayat and the Sarapanch of Jamudiha Grama Panchayat have issued No objection

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Certificate and the Gram Sabha of Jamudiha Gram Panchayat also has approved regarding operation^{of} the said crusher unit by the Res-11.

Copies of No objection dt.02.10.24 issued by the **Gram Sabha of Jamudiha Grama Panchayat** and No objection certificates issued by Sarapanch and Panchayat Samiti Member are filed herewith as Annexure R-11/A-12 series.

21. That in reply to averments of paragraph 24 to 26 of the Original Application, it is submitted that in this case the allegation of extracting Morum is totally *false* and without any Basis. Moreover in the present case there has been approval by the State Pollution Control Board and year to year the CTO is being renewed from the year 2004 till 2022 and on the basis of Siting certificate the permission for establishment of crusher unit with capacity of 2,00,000 MT per annum was also allowed as per environment Law. The Res-11 has not committed any violation to the terms and condition of the CTE or CTO or the guidelines issued by the Authorities.

REPLY TO GROUNDS

A. K. Sahasrabudhe



Discomiser

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- (i) That in reply to the ground no I of the Original Application, it is submitted that the allegation of extraction of morum is totally false.
- (ii) That in reply to the ground no II of the Original Application it is submitted that the stone crusher unit is complying the terms and condition, there has been no violation to the terms and conditions of CTE and CTO and the order dt 06.08.2010 issued by the Forest and Environment Department Govt. of Odisha and guidelines issued by the Central Pollution Control Board in July 2023 and resolution dt 28.06.18 issued by the Revenue and Disaster Management Department.
- (iii) That in reply to the ground no III of the Original Application it is submitted that there is no illegal quarry. The allegation that the abandoned pits are causing danger to live stock of the local resident is also totally false.
- (iv) That in reply to the ground no IV of the Original Application it is submitted that the stone crushing unit has not been established within the prohibited distance and there has been no violation to any guidelines of July 2023.

Discharge Order

A.K. Saha



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- (v) That in reply to the ground no V of the Original Application it is submitted that there is no habitation within 500 metres of the authorized village boundary.
- (vi) That in reply to the ground no. VI of the Original Application it is submitted that after due verification and visiting the site time and again and after satisfactory compliances, the CTE & CTO were issued and time to time renewed. The allegation in this regard is totally baseless and not based on any record.
- (vii) That in reply to the ground no VII of the Original Application, it is submitted that there has been no violation to the Consent to operate and it's time to time renewal.
- (viii) That in reply to the ground no VIII of the Original Application, it is submitted that Consent to operate is only granted under section 21 of the Air (PCP) Act. There is no pollution to clean Air and water.
- (ix) That in reply to the ground no IX of the Original Application it is submitted that there has been no destruction of ecological balance .It is submitted that the Respondent -11

R.C. Mishra

A.K. Sahasra



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has planted number of trees in and around the crusher as per Annexure R-11/A-11/1 to 11/8 series.

- (x) That in reply to the ground no X of the Original Application it is submitted that there has been no violation to the terms and conditions of CTE and CTO and the order dt 06.08.2010 issued by the Forest and Environment Department Govt. of Odisha and guidelines issued by the Central Pollution Control Board in July 2023 and resolution dt 28.06.18 issued by the Revenue and Disaster Management Department
- (xi) That in reply to the ground no XI of the Original Application it is submitted that the apprehension of the Applicants are totally baseless. There has been no damage to any base station of any RADAR system which is being constructed over Nilgiri Hills.
- (xii) That in reply to the ground no XII of the Original Application it is submitted that it is not a new set up. The production capacity of the existing crusher unit was increased and the compliances as stipulated under the CTE and CTO have been complied with. There does not exist any

R.C. Mishra

A.K. Sahas



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violation to the term and conditions and guidelines of SPCB
or of Govt. so far the present crusher is concerned.

22. That as regards filing of the present Original Application alleging violations of the year 2004-2023 it is submitted that, the Original Application has been filed after 20 years of operation of Crusher Unit by the Res-11. The unit started operation in the year of 2004 on the basis of Sitting Certificate dt 13.12.2004 under Annexure 4. Due to satisfactory compliances the consent order was being renewed from time to time till 2023. Applicants had never approached the Hon'ble Tribunal during that period from 2004 to 2023 alleging violation of the terms and conditions of CTE and CTO. In the year of 2025 due to renovation of old crusher Unit , the capacity of the crusher unit was increased as per consent order dt 17.03.25. So the Present original application filed in the year of 2025 alleging violations relating the year from 2004 to 2023 is grossly barred by Law of Limitation and as such the present application is not maintainable. The present Application motivated and is the result of old Grudge and due to cancellation of morum quarry Lease.

R. C. Mishra

M. K. Sahar



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23. That there is no merit in the above Original Application and the same is liable to be dismissed with heavy cost.

24. That the facts stated above are true to the best of my knowledge and belief and based on records and nothing materials have been concealed from and the answering Respondent -11 reserve the right to file any further Affidavit as and when required by the Hon'ble Tribunal.

26. That in view of the facts mentioned above, the Hon'ble Tribunal may graciously be pleased to pass any order/orders as it deems fit in the interest of Justice and in the facts and circumstances of the case.

A.K. Sahas
Identified by Advocate

Adikanda Biswal
DEPONENT

Adikanda Biswal

VERIFICATION

I, Sri Adikanda Biswal aged about 70 years son of Late Udaya Nath Biswal of at present At- Malyani Po- Kharadiha Ps -Nilgiri Dist- Balasore Proprietor of M/s Akhandaleswar Stone Crusher Respondent-11 do hereby verify and state that:-

A.K. Sahas



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1. That the contents of the above Affidavit are true and correct to the best of my knowledge and based on records available and no facts and materials have been concealed from.

2. That the facts stated above are true to the best of my knowledge and based on record.

A.K. Saha
Identified by Advocate

Ajit Kumar Saha
VERIFICANT

Deponer's Signature

CERTIFICATE

Due to non-availability of cartridge papers this counter has been typed on thick white papers.

A.K. Saha
Advocate
AJIT KUMAR SAHA
Advocate -
ORISSA HIGH COURT.
EN. NO - 0-91199
MO - 9487378527
E-mail - advajitsaha@gmail.com

solemnly affirm on in Oath by the Deponer
at Cuttack on 18-11-25 being identified
by A.K. Saha
Advocate/Adv's Clerk/S.O., AG's office/Notary
personally, that the facts stated above are
true to the best of his/her knowledge.
R
RAMA CHANDRA MISHRA, NOTARY
CUTTACK TOWN, REGD. No-21/88

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R-11/A

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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नई दिल्ली, बुधवार, फरवरी 24, 2016/फाल्गुन 5, 1937

No. 490]

NEW DELHI, WEDNESDAY, FEBRUARY 24, 2016/PHALGUNA 5, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 19 फरवरी, 2016

का.आ. 569(अ).—निम्नलिखित प्रारूप अधिसूचना, जिसे केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2) के खंड (v) और खंड (xiv) तथा उप-धारा (3) के साथ पठित उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जारी करने का प्रस्ताव करती है, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार, जनसाधारण की जानकारी के लिए प्रकाशित की जाती है; जिनके उससे प्रभावित होने की संभावना है, ; और यह सूचना दी जाती है कि उक्त प्रारूप अधिसूचना पर, उस तारीख से, जिसको इस अधिसूचना वाले भारत के राजपत्र की प्रतियां जनसाधारण को उपलब्ध करा दी जाती हैं, साठ दिन की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा ;

ऐसा कोई व्यक्ति, जो प्रारूप अधिसूचना में अंतर्विष्ट प्रस्तावों के संबंध में कोई आक्षेप या सुझाव देने में हितबद्ध है, इस प्रकार विनिर्दिष्ट अवधि के भीतर, केन्द्रीय सरकार द्वारा विचार किए जाने के लिए, आक्षेप या सुझाव सचिव, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भवन, जोर बाग रोड, अलीगंज, नई दिल्ली-110003 या ई-मेल पते: esz-mef@nic.in पर लिखित रूप में भेज सकेगा ।

प्रारूप अधिसूचना

उड़ीसा राज्य के बालासोर, मयूरभंज और क्यौंझार जिलों में अवस्थित कुलधिया वन्यजीव अभयारण्य 272.75 वर्ग किलोमीटर क्षेत्र में फैला हुआ है ;

और, इस अभयारण्य में समृद्ध वनस्पति और जीवजन्तु का प्रतिनिधित्व है;

S.O. 569(E).—The following draft of the notification, which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), read with clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi-110003, or send it to the e-mail address of the Ministry at:—esz-mef@nic.in.

Draft Notification

Whereas, the Kuldiha Wildlife Sanctuary located in Balasore, Mayurbhanj and Keonjhar Districts in the State of Odisha is spread over an area of 272.75 square kilometres.

And Whereas, the flora and fauna represent rich biological significance of this Sanctuary.

As regards biodiversity of this sanctuary, it harbors 32 species of mammals, 134 species of birds, 40 species of reptiles, 5 species of amphibians, with many species of insects like Butterflies and Odonates and the flora of this protected area is represented by mixed deciduous forest;

And whereas, the mammals are represented by Asiatic Elephant (*Elephas maximus*), Gaur (*Bos gaurus*), Sloth Bear (*Melurnus ursinus*), Wild pig (*Sus scrofa*), Chital (*Axis axis*), Sambar (*Rusa unicolor*), Hanuman langur (*Semnopithecus entellus*), Rhesus macaque (*Macaca mulatta*), Indian Porcupine (*Hystrix indica*), Indian giant squirrel (*Ratufa indica*), Indian pangolin (*Manis crassicaudata*) etc. The carnivores are represented by Leopard (*Panthera pardus*), Jungle Cat (*Felis chaus*), Indian Wolf (*Canis lupus*), Jackal (*Canis aureus*), Bengal Fox (*Vulpes bengalensis*), Leopard cat (*Felis bengalensis*) etc;

And whereas, the sanctuary is falling in Balasore district and surrounded by forest and villages of Mayurbhanj district in the west, village boundary line adjoining to Tenda Reserve Forest and Bishnupur Protected Forest in the east, Nilgiri ex-state boundary line adjoining to Devagiri Protected Forest and Devagiri Reserve Forest in the south, Kaptipada-Udala-Jharanaghati-Sajanagarh-Nilgiri state highway in the north;

And Whereas, it is necessary to conserve and protect the area surrounding the protected area of the Kuldiha Wildlife Sanctuary as Eco-sensitive Zone from ecological, environmental and biodiversity point of view;

NOW THEREFORE, in exercise of the powers conferred by sub-section(1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area with an extent upto 7.0 kilo metre around the boundary of Kuldiha Wildlife Sanctuary in the State of Odisha as the Kuldiha Wildlife Sanctuary Eco-sensitive Zone (herein after referred to as the Eco-sensitive Zone) details of which are as under, namely:-

1. **Extent and boundaries of Eco-sensitive Zone.**—(1) The Eco-Sensitive Zone shall be of 234.48 square kilometres with an extent upto 7.0 kilometre around the Kuldiha Wildlife Sanctuary.
 - (2) List of villages falling in the in Eco-sensitive Zone are given at Annexure-I.
 - (3) The GPS Co-ordinates of points along the boundary of Kuldiha Wildlife Sanctuary are given at Annexure-II.
 - (4) The map of the Eco-sensitive Zone along with boundary details and latitudes and longitudes is appended as Annexure-III.
2. **Zonal Master Plan for the Eco-sensitive Zone.**—(1) The State Government shall, for the purpose of the Eco-sensitive Zone prepare, a Zonal Master Plan, within a period of two years from the date of publication of final notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification.
 - (2) The said Plan shall be approved by the competent authority in the State Government.
 - (3) The said Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such a manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
 - (4) The said Master Plan shall be prepared in consultation with all concerned State Departments, namely:-
 - (i) Environment;
 - (ii) Forest;

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- (iii) Urban Development;
- (iv) Tourism;
- (v) Municipal;
- (vi) Revenue;
- (vii) Agriculture;
- (viii) Odisha State Pollution Control Board;
- (ix) Irrigation; and
- (x) Public Works Department .

for integrating environmental and ecological considerations into it.

(5) The said Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the said Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and Eco-friendly.

(6) The said Master plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that needs attention.

(7) The said Master Plan shall demarcate all the existing worshipping places, village and urban settlements, types and kinds of forests, tribal areas, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies.

(8) The said Master Plan shall regulate development in Eco-sensitive Zone so as to ensure Eco-friendly development for livelihood security of local communities.

3. **Measures to be taken by State Government.**-The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

(1) **Land use.**—Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or industrial related development activities:

Provided that the conversion of agricultural lands within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the State Government, to meet the residential needs of local residents, and for the activities listed against the serial numbers 10, 21, 32, 36 and 37 in column (2) of the Table in paragraph 4, namely:-

- (i) Eco-friendly cottages for temporary occupation of tourists, such as tents, wooden houses, etc. for Eco-friendly tourism activities;
- (ii) Widening and strengthening of existing roads and construction of new roads;
- (iii) Small scale industries not causing pollution;
- (iv) Rainwater harvesting; and
- (v) Cottage industries including village industries, convenience stores and local amenities:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the State Government and without compliance of the provisions of article 244 of the constitution or the law for the time being in force, including the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of the Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the above correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

Provided also that there shall be no consequential reduction in green area, such as forest area and agricultural area and efforts shall be made to reforest the unused or unproductive agricultural areas.

(2) **Natural springs.**-The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the

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State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.

(3) **Tourism.**—(a) The activity relating to tourism within the Eco-sensitive Zone shall be as per the Tourism Master Plan, which shall form part of the Zonal Master Plan.

(b) The Tourism Master Plan shall be prepared by Department of Tourism, in consultation with Department of Forests and Environment of the State Government.

(c) The activity of tourism shall be regulated as under, namely:-

(i) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change with emphasis on eco-tourism, eco-education and eco-development and based on carrying capacity study of the Eco-sensitive Zone;

(ii) new construction of hotels and resorts shall not be permitted within one kilometer from the boundary of the Kuldiha Wildlife Sanctuary except for accommodation for temporary occupation of tourists related to eco-friendly tourism activities;

Provided that beyond the distance of the one kilometer from the boundary of the protected area till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be permitted only in pre-defined and designated areas for Eco-tourism facilities as per Tourism master Plan;

(iii) till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee.

(4) **Natural heritage.**—All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and preserved and plan shall be drawn up for their protection and conservation, within six months from the date of publication of this notification and such plan shall form part of the Zonal Master Plan.

(5) **Man-made heritage sites.**—Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and plans for their conservation shall be prepared within six months from the date of publication of this notification and incorporated in the Zonal Master Plan.

(6) **Noise pollution.**—The Environment Department of the State Government or Odisha State Pollution Control Board shall draw up guidelines and regulations for the control of noise pollution in the Eco-sensitive Zone in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981(14 of 1981) and the rules made thereunder.

(7) **Air pollution.**—The Environment Department of the State Government or Odisha State Pollution Control Board shall draw up guidelines and regulations for the control of air pollution in the Eco-sensitive Zone in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.

(8) **Discharge of effluents.**—The discharge of treated effluent in the Eco-sensitive Zone shall be in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the rules made thereunder.

(9) **Solid wastes.**— Disposal of solid wastes shall be as under:-

(i) the solid waste disposal in Eco-sensitive Zone shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 published by the Government of India in the erstwhile Ministry of Environment and Forests *vide* notification number S.O. 908 (E), dated the 25th September, 2000 as amended from time to time;

(ii) the local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components;

(iii) the biodegradable material shall be recycled preferably through composting or vermiculture;

(iv) the inorganic material may be disposed in an environmentally acceptable manner at site(s) identified outside the Eco-sensitive Zone and no burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.

(10) **Bio-medical waste.**—The bio-medical waste disposal in the Eco-sensitive Zone shall be carried out as per the provisions of the Bio-Medical Waste (Management and Handling) Rules, 1998 published by the Government of India in the erstwhile Ministry of Environment and Forests *vide* Notification number S.O. 630(E), dated the 20th July, 1998 as amended from time to time.

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(11) **Vehicular traffic.**—The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master Plan is prepared and approved by the competent authority in the State Government, Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(12) **Industrial Units.**—(a) No establishment of new wood based industries within the proposed Eco-sensitive zone shall be permitted except the existing wood based industries set up as per the law.

(b) No establishment of any new industry causing water, air, soil, noise pollution within the proposed Eco-sensitive Zone shall be permitted.

4. **List of activities prohibited or to be regulated within the Eco-sensitive Zone.**—All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and the rules made thereunder, and be regulated in the manner specified in the table below, namely:-

TABLE

S.I. No.	Activity	Remarks
(1)	(2)	(3)
Prohibited activities		
1.	Commercial mining, stone quarrying and crushing units.	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units shall be prohibited except for the domestic needs of <i>bona fide</i> local residents including digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal consumption. (b) The mining operations shall strictly be in accordance with the orders of the Hon'ble Supreme Court dated the 4th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. Union of India in Writ Petition (Civil) No.202 of 1995 and order of the Hon'ble Supreme Court dated the 21st April, 2014 in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.435 of 2012.
2.	Setting up of saw mills.	No new or expansion of existing saw mills shall be permitted within the Eco-sensitive Zone.
3.	Use or production of any hazardous substances.	Prohibited (except as otherwise provided) as per applicable laws.
4.	Setting up of industries causing water or air or soil or noise pollution.	No new or expansion of polluting industries in the Eco-sensitive Zone shall be permitted.
5.	Establishment of new major thermal and hydro-electric projects.	Prohibited (except as otherwise provided) as per applicable laws.
6.	Commercial use of firewood.	Prohibited (except as otherwise provided) as per applicable laws.
7.	Use of plastic bags.	Prohibited (except as otherwise provided) as per applicable laws.
8.	Undertaking activities related to tourism like over-flying the national park area by aircraft, hot-air balloons.	Prohibited (except as otherwise provided) as per applicable laws.
9.	Discharge of untreated effluents and solid waste in natural water bodies or land area.	Prohibited (except as otherwise provided) as per applicable laws.
Regulated activities		
10.	Establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the protected area except for accommodation for temporary occupation of tourists related to Eco-friendly tourism activities.

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		However, beyond one kilometer and upto the extent of the Eco-sensitive Zone all new tourism activities or expansion of existing activities would in conformity with the Tourism Master Plan.
11.	Construction activities.	(a) No new commercial construction of any kind shall be permitted within one kilometer from the boundary of the protected area: Provided that, local people shall be permitted to undertake construction in their land for their residential use including the activities listed in subparagraph (1) of paragraph 3: Provided further that the construction activity related to small scale industries not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any. Further, beyond one kilometer upto the extent of Eco-sensitive Zone construction for bone fide local needs shall be allowed and other construction activities shall be regulated as per Zonal Master Plan.
12.	Trenching ground.	Establishing of new trenching ground is prohibited. Old trenching grounds are to be regulated under applicable laws.
13.	Discharge of treated effluents and solid waste in natural water bodies or land area.	Regulated under applicable laws.
14.	Air and vehicular pollution.	Regulated under applicable laws.
15.	Noise pollution.	Regulated under applicable laws.
16.	Extraction of ground water.	Regulated under applicable laws.
17.	Felling of trees.	(a) There shall be no felling of trees in the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government. (b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Acts and the rules made thereunder. (c) In case of Reserve Forests and Protected Forests the Working Plan prescriptions shall be followed.
18.	Migratory graziers.	Regulated under applicable laws and as per Zonal Master Plan.
19.	Existing establishments.	Regulated under applicable laws
20.	Insulation of electric lines.	Promote underground cabling. All existing electric lines passing through the Eco-sensitive Zone shall be adequately insulated in the time frame prescribed under the Zonal Master Plan.
21.	Widening and strengthening of existing roads.	Shall be done with proper Environment Impact Assessment and mitigation measures, as applicable.
22.	Fencing of existing premises of hotels and lodges.	Regulated under applicable laws. In order to allow free movement of wildlife, hotels or other commercial establishments within the Eco-sensitive Zone shall not fence their properties with barbed wire and no fence shall be higher than 1 meter. Any existing fence not complying with this stipulation shall be modified as per the time lines mentioned in the Zonal Master Plan.
23.	Public rights.	Regulated under applicable laws.
24.	Collection of small Fodder.	Regulated under applicable laws.
25.	Drastic change of agriculture system.	Regulated under applicable laws.
26.	Commercial use of Natural water Resource including Ground water harvesting.	Regulated under applicable laws.
27.	Movement of vehicular traffic at night.	Regulated under applicable laws.

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28.	Introduction of exotic species.	Regulated under applicable laws.
29.	Sign board and hoardings.	Regulated under applicable laws.
30.	Protection of hill slopes and river banks.	No construction activity unless otherwise permitted by under the Zonal Master Plan shall be undertaken on the hill with slopes more than 1 to 10 and also upto 100 meters from the banks of any river, and natural nallah.
31.	Small scale industries not causing pollution.	Non-polluting, non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous goods from the Eco-sensitive Zone, and which do not cause any adverse impact on environment shall be permitted.
Promoted activities		
32.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Shall be actively promoted.
33.	Organic farming.	Shall be actively promoted.
34.	Adoption of green technology for all activities.	Shall be actively promoted.
35.	Rain water harvesting.	Shall be actively promoted.
36.	Cottage industries including village artisans.	Shall be actively promoted.
37.	Use of renewable energy sources.	Shall be actively promoted.

5. Monitoring Committee.—(1) The Central Government hereby constitutes a Monitoring Committee for effective monitoring of the Eco-sensitive Zone, which shall comprises the following namely :—

Monitoring Committee for the State of Odisha comprising of the following members, namely:-

- | | |
|--|--------------------|
| (i) District Collector, Balasore | - Chairman |
| (ii) An expert in the area of ecology and environment to be nominated by the Government of Odisha for a period of one year in each case. | -Member |
| (iii) One representatives of Non-governmental Organisation (working in the field of environment including heritage conservation) to be nominated by the Government of India for a period of one year in each case. | -Member |
| (iv) Regional Officer, Odisha State Pollution Control Board | -Member |
| (v) Divisional forest Officer cum WL Warden, Baripada | -Member |
| (vi) Sub-Collector, Kaptipada (Udala) | -Member |
| (vii) Supt. of Police, Balasore | -Member |
| (viii) Supt. of Police, Udala | -Member |
| (ix) Divisional Forest Officer-cum-WL Warden, Balsore | -Member-Secretary. |

- 6. Terms of Reference.**—(1) The Monitoring Committee shall monitor the compliance of the provisions of this notification.
- (2) The Monitoring Committee shall monitor the compliance of the provisions of this notification.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533(E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except the prohibited activities as specified in column(3) of the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forest and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533(E), dated the 14th September, 2006 but are falling in the Eco-sensitive Zone, except the prohibited activities as specified in column (3) of the Table under paragraph 4

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- thereof, shall be scrutinized by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.
- (5) The Member-Secretary of the Monitoring Committee or the concerned District Collector or the concerned park in-charge shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 against any person who contravenes the provisions of this notification.
 - (6) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from industry associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
 - (7) The Monitoring Committee shall submit the annual action taken report of its activities as on 31st March of every year by 30th June of that year to the Chief wildlife warden of the State as per pro forma given in Annexure III.
 - (8) The Central Government in the Ministry of Environment, Forest and Climate Change may give such such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.
7. The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this function.
8. The provisions of this Notification are subject to the orders, if any, passed, or to be passed, by the Hon'ble Supreme Court of India or the High Court or National Green Tribunal (NGT).

[F. No.25/189/2015-ESZ-RE]

Dr. T. CHANDINI, Scientist 'G'

Annexure-I**List of villages falling in Eco -sensitive Zone**

Sl. No.	District	Tahasil	Name of Village	Type of Village	Latitude	Longitude
1	Mayurbhanj	Kaptipada	Adharpada	Revenue Village	21° 22' 29.864" N	86° 26' 37.724" E
2	Balasore	Oupada	Aghashul	Revenue Village	21° 20' 7.003" N	86° 33' 58.018" E
3	Balasore	Oupada	Aghirapada	Revenue Village	21° 20' 32.153" N	86° 32' 6.172" E
4	Balasore	Khaira	Aithasahi	Revenue Village	21° 19' 46.742" N	86° 31' 24.301" E
5	Mayurbhanj	Kaptipada	Ambadahi	Revenue Village	21° 20' 17.524" N	86° 24' 45.202" E
6	Balasore	Khaira	Ambagadia	Revenue Village	21° 19' 53.366" N	86° 34' 4.642" E
7	Balasore	Nilgiri	Ambajhar	Revenue Village	21° 28' 33.961" N	86° 41' 46.154" E
8	Mayurbhanj	Kaptipada	Andhari	Revenue Village	21° 24' 17.812" N	86° 30' 37.472" E
9	Balasore	Khaira	Asurkhunta	Revenue Village	21° 19' 47.391" N	86° 25' 43.909" E
10	Balasore	Oupada	Atasahi	Revenue Village	21° 21' 13.507" N	86° 29' 35.237" E
11	Balasore	Nilgiri	Babandha	Revenue Village	21° 27' 18.119" N	86° 43' 52.072" E
12	Balasore	Oupada	Badapokhari	Revenue Village	21° 20' 8.752" N	86° 34' 49.539" E
13	Balasore	Oupada	Badhi	Revenue Village	21° 20' 10.900" N	86° 35' 30.560" E
14	Balasore	Oupada	Baghampada	Revenue Village	21° 21' 39.832" N	86° 37' 18.879" E
15	Balasore	Oupada	Bahasahi	Revenue Village	21° 28' 29.295" N	86° 44' 46.363" E
16	Balasore	Nilgiri	Baligura	Revenue Village	21° 26' 9.183" N	86° 45' 40.167" E
17	Balasore	Oupada	Balimundali	Revenue Village	21° 21' 3.478" N	86° 35' 6.416" E
18	Balasore	Nilgiri	Bankisal	Revenue Village	21° 27' 58.642" N	86° 43' 33.628" E
19	Balasore	Oupada	Bansapal	Revenue Village	21° 21' 43.831" N	86° 37' 47.132" E
20	Balasore	Nilgiri	Banthiapada	Revenue Village	21° 28' 31.459" N	86° 42' 53.408" E
21	Balasore	Nilgiri	Banusabania	Revenue Village	21° 25' 37.621" N	86° 45' 26.529" E

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22	Balasore	Oupada	Barabhagi	Revenue Village	21° 19' 49.209" N	86° 26' 51.189" E
23	Mayurbhanj	Kaptipada	Basanaga	Revenue Village	21° 23' 19.047" N	86° 28' 44.490" E
24	Balasore	Nilgiri	Batsahi	Revenue Village	21° 29' 31.115" N	86° 34' 54.956" E
25	Balasore	Nilgiri	Baulagadia	Revenue Village	21° 21' 20.065" N	86° 42' 13.091" E
26	Balasore	Nilgiri	Belapada	Revenue Village	21° 22' 24.695" N	86° 42' 37.977" E
27	Balasore	Khaira	Benagaria	Revenue Village	21° 19' 29.467" N	86° 27' 22.101" E
28	Balasore	Nilgiri	Betasul	Revenue Village	21° 27' 8.843" N	86° 44' 34.236" E
29	Balasore	Nilgiri	Bhalukasuni	Revenue Village	21° 29' 23.413" N	86° 42' 22.929" E
30	Balasore	Oupada	Bharadabhati	Revenue Village	21° 21' 29.386" N	86° 29' 2.016" E
31	Balasore	Nilgiri	Bhutasahimil	Revenue Village	21° 27' 50.936" N	86° 43' 10.379" E
32	Balasore	Khaira	Biriha	Revenue Village	21° 20' 22.200" N	86° 29' 46.109" E
33	Mayurbhanj	Kaptipada	Bramhanipal	Revenue Village	21° 23' 22.340" N	86° 29' 45.605" E
34	Balasore	Oupada	Budakhunta	Revenue Village	21° 20' 34.140" N	86° 35' 45.171" E
35	Balasore	Khaira	Chahapur	Revenue Village	21° 19' 55.704" N	86° 31' 38.134" E
36	Balasore	Khaira	Chahapur Sasan	Revenue Village	21° 20' 5.834" N	86° 30' 41.634" E
37	Balasore	Nilgiri	Chakamara	Revenue Village	21° 28' 46.353" N	86° 40' 13.392" E
38	Balasore	Nilgiri	Chandrapur	Revenue Village	21° 29' 34.150" N	86° 40' 52.183" E
39	Balasore	Oupada	Chatrishul	Revenue Village	21° 21' 36.907" N	86° 35' 2.655" E
40	Balasore	Nilgiri	Chintamanipur	Revenue Village	21° 21' 42.468" N	86° 42' 50.085" E
41	Balasore	Oupada	Chirandeipur	Revenue Village	21° 19' 55.444" N	86° 29' 2.371" E
42	Balasore	Nilgiri	Chota Kanhupur	Revenue Village	21° 26' 33.195" N	86° 45' 23.290" E
43	Balasore	Oupada	Dagarpara	Revenue Village	21° 19' 48.885" N	86° 33' 24.508" E
44	Balasore	Nilgiri	Daldali	Revenue Village	21° 23' 23.382" N	86° 42' 26.091" E
45	Balasore	Oupada	Daripokhari	Revenue Village	21° 20' 42.462" N	86° 35' 15.753" E
46	Balasore	Nilgiri	Darkholi	Revenue Village	21° 29' 50.545" N	86° 36' 16.648" E
47	Balasore	Oupada	Darkhuli	Revenue Village	21° 20' 51.294" N	86° 29' 40.557" E
48	Balasore	Nilgiri	Dasarathapur Sasan	Revenue Village	21° 24' 36.836" N	86° 44' 13.665" E
49	Balasore	Nilgiri	Dholpur	Revenue Village	21° 26' 2.728" N	86° 45' 6.180" E
50	Balasore	Soro	Digibhanra	Revenue Village	21° 21' 4.606" N	86° 37' 38.645" E
51	Balasore	Nilgiri	Dwarika	Revenue Village	21° 23' 17.542" N	86° 44' 5.677" E
52	Balasore	Nilgiri	Dwarikasuni	Revenue Village	21° 28' 46.503" N	86° 38' 48.060" E
53	Balasore	Oupada	Gadasahi	Revenue Village	21° 22' 0.034" N	86° 29' 28.550" E
54	Balasore	Oupada	Gajamaba	Revenue Village	21° 21' 1.360" N	86° 34' 33.866" E
55	Balasore	Oupada	Garudahata	Revenue Village	21° 20' 15.965" N	86° 33' 30.353" E
56	Balasore	Soro	Gobindpur	Revenue Village	21° 20' 44.799" N	86° 40' 53.190" E
57	Balasore	Nilgiri	Gohalia	Revenue Village	21° 25' 15.996" N	86° 45' 13.087" E
58	Balasore	Nilgiri	Gohira	Revenue Village	21° 29' 39.890" N	86° 38' 20.963" E
59	Balasore	Soro	Gopalpur	Revenue Village	21° 21' 50.650" N	86° 39' 45.196" E
60	Balasore	Soro	Gujadiha	Revenue Village	21° 22' 45.054" N	86° 39' 52.207" E
61	Balasore	Soro	Gulunia	Revenue Village	21° 20' 22.200" N	86° 35' 50.042" E
62	Mayurbhanj	Kaptipada	Haladipokhari	Revenue Village	21° 24' 36.772" N	86° 30' 51.889" E

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63	Balasore	Oupada	Halapur	Revenue Village	21° 20' 31.094" N	86° 27' 25.280" E
64	Balasore	Oupada	Hariharpur	Revenue Village	21° 19' 54.664" N	86° 28' 4.443" E
65	Balasore	Nilgiri	Harikrushnapur	Revenue Village	21° 21' 14.608" N	86° 42' 59.242" E
66	Balasore	Nilgiri	Hatasahi	Revenue Village	21° 25' 5.086" N	86° 45' 34.322" E
67	Mayurbhanj	Kaptipada	Hatimanda	Revenue Village	21° 24' 32.820" N	86° 30' 3.113" E
68	Mayurbhanj	Kaptipada	Hinjuliduba	Revenue Village	21° 26' 49.285" N	86° 31' 45.981" E
69	Balasore	Nilgiri	Hsiasahi	Revenue Village	21° 24' 2.936" N	86° 44' 38.797" E
70	Balasore	Nilgiri	Iswarpur	Revenue Village	21° 21' 6.815" N	86° 42' 57.293" E
71	Balasore	Oupada	Jadgaria	Revenue Village	21° 20' 10.250" N	86° 29' 4.709" E
72	Balasore	Nilgiri	Jaganathpur	Revenue Village	21° 27' 23.054" N	86° 44' 40.648" E
73	Balasore	Oupada	Jalapank	Revenue Village	21° 20' 6.614" N	86° 29' 44.453" E
74	Balasore	Nilgiri	Jamaghatai	Revenue Village	21° 28' 7.907" N	86° 43' 11.072" E
75	Balasore	Nilgiri	Jampada	Revenue Village	21° 21' 18.115" N	86° 41' 11.309" E
76	Balasore	Nilgiri	Jamudihi	Revenue Village	21° 28' 29.035" N	86° 44' 3.502" E
77	Balasore	Nilgiri	Jamuna	Revenue Village	21° 29' 4.998" N	86° 35' 17.311" E
78	Balasore	Oupada	Janhidpada	Revenue Village	21° 20' 1.159" N	86° 28' 38.992" E
79	Balasore	Oupada	Janikapal	Revenue Village	21° 20' 21.998" N	86° 31' 26.876" E
80	Balasore	Oupada	Jatapada	Revenue Village	21° 21' 37.325" N	86° 36' 58.195" E
81	Balasore	Oupada	Jayanarayanpur	Revenue Village	21° 19' 58.821" N	86° 35' 20.624" E
82	Balasore	Nilgiri	Jharanaghatai	Revenue Village	21° 29' 30.697" N	86° 34' 15.676" E
83	Mayurbhanj	Kaptipada	Jhilibani	Revenue Village	21° 27' 54.076" N	86° 33' 8.365" E
84	Balasore	Nilgiri	Jokagadia	Revenue Village	21° 22' 55.332" N	86° 43' 20.088" E
85	Balasore	Oupada	Jokagaria	Revenue Village	21° 20' 17.719" N	86° 34' 28.411" E
86	Balasore	Nilgiri	Jokananda	Revenue Village	21° 27' 34.224" N	86° 44' 49.740" E
87	Balasore	Nilgiri	Junia	Revenue Village	21° 25' 33.013" N	86° 44' 39.436" E
88	Balasore	Nilgiri	Juriapatna	Revenue Village	21° 23' 56.702" N	86° 44' 8.405" E
89	Balasore	Oupada	Kaashigaria	Revenue Village	21° 20' 51.423" N	86° 30' 9.293" E
90	Balasore	Nilgiri	Kadamsul	Revenue Village	21° 27' 27.470" N	86° 43' 9.730" E
91	Mayurbhanj	Kaptipada	Kaijhati	Revenue Village	21° 28' 57.782" N	86° 42' 40.593" E
92	Balasore	Oupada	Kaithagaria	Revenue Village	21° 18' 54.139" N	86° 25' 33.259" E
93	Mayurbhanj	Kaptipada	Kaladahi	Revenue Village	21° 29' 46.224" N	86° 33' 16.975" E
94	Balasore	Nilgiri	Kalakad	Revenue Village	21° 29' 33.803" N	86° 40' 21.358" E
95	Mayurbhanj	Kaptipada	Kalia buru	Revenue Village	21° 20' 52.592" N	86° 25' 54.040" E
96	Mayurbhanj	Kaptipada	Kaliachaturi	Revenue Village	21° 26' 12.672" N	86° 31' 30.750" E
97	Balasore	Nilgiri	Kaligari	Revenue Village	21° 22' 39.941" N	86° 43' 28.076" E
98	Balasore	Oupada	Kamarpal	Revenue Village	21° 20' 19.570" N	86° 33' 6.662" E
99	Balasore	Nilgiri	Kamediha	Revenue Village	21° 24' 6.097" N	86° 43' 25.892" E
100	Balasore	Nilgiri	Kandagaradi	Revenue Village	21° 23' 10.010" N	86° 42' 14.576" E
101	Balasore	Oupada	Kandipur	Revenue Village	21° 20' 35.643" N	86° 34' 48.672" E
102	Balasore	Nilgiri	Kanhupur	Revenue Village	21° 22' 9.938" N	86° 43' 6.840" E
103	Balasore	Nilgiri	Kanshipal	Revenue Village	21° 22' 47.724" N	86° 42' 32.034" E
104	Balasore	Nilgiri	Kantabania	Revenue Village	21° 23' 33.908" N	86° 44' 3.729" E

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105	Mayurbhanj	Kaptipada	Kantamari	Revenue Village	21° 20' 36.747" N	86° 25' 54.560" E
106	Mayurbhanj	Kaptipada	Kantamati	Revenue Village	21° 20' 27.395" N	86° 25' 15.075" E
107	Balasore	Nilgiri	Kanthiatikar	Revenue Village	21° 24' 14.431" N	86° 44' 40.551" E
108	Balasore	Khaira	Kasapa	Revenue Village	21° 19' 28.428" N	86° 26' 58.202" E
109	Mayurbhanj	Kaptipada	Kendughati	Revenue Village	21° 27' 39.726" N	86° 32' 14.278" E
110	Balasore	Nilgiri	Keshugadia	Revenue Village	21° 21' 8.958" N	86° 41' 48.520" E
111	Balasore	Nilgiri	Keshuripur	Revenue Village	21° 20' 29.798" N	86° 41' 36.051" E
112	Balasore	Oupada	Ketakijhuri	Revenue Village	21° 19' 45.573" N	86° 27' 32.751" E
113	Mayurbhanj	Kaptipada	Khadikhania	Revenue Village	21° 27' 8.157" N	86° 32' 30.173" E
114	Balasore	Khaira	Khadipad	Revenue Village	21° 18' 55.178" N	86° 26' 32.226" E
115	Balasore	Soro	Khogabani	Revenue Village	21° 21' 50.066" N	86° 40' 13.251" E
116	Balasore	Oupada	Khunta	Revenue Village	21° 20' 25.310" N	86° 36' 41.025" E
117	Balasore	Oupada	Khuntadihatpatna	Revenue Village	21° 20' 21.680" N	86° 28' 49.902" E
118	Balasore	Soro	Khuntapatna	Revenue Village	21° 20' 45.579" N	86° 36' 52.971" E
119	Balasore	Oupada	Krushnadaspur	Revenue Village	21° 20' 34.928" N	86° 29' 29.127" E
120	Mayurbhanj	Kaptipada	Kuanrpur	Revenue Village	21° 29' 13.772" N	86° 32' 37.679" E
121	Balasore	Nilgiri	Kumbakuntia	Revenue Village	21° 24' 23.978" N	86° 45' 9.580" E
122	Balasore	Soro	Kumbi	Revenue Village	21° 21' 46.949" N	86° 39' 9.543" E
123	Balasore	Nilgiri	Kunchibania	Revenue Village	21° 29' 50.775" N	86° 40' 24.129" E
124	Balasore	Oupada	Kushadiha	Revenue Village	21° 21' 23.536" N	86° 30' 13.889" E
125	Balasore	Nilgiri	Kusumia	Revenue Village	21° 28' 19.683" N	86° 43' 20.077" E
126	Balasore	Oupada	Kusundasapur	Revenue Village	21° 20' 14.017" N	86° 30' 31.114" E
127	Balasore	Nilgiri	Madhuban	Revenue Village	21° 26' 54.529" N	86° 45' 33.227" E
128	Balasore	Nilgiri	Mahulbani	Revenue Village	21° 29' 18.997" N	86° 37' 1.151" E
129	Balasore	Khaira	Mahulgaria	Revenue Village	21° 19' 53.755" N	86° 32' 1.902" E
130	Balasore	Oupada	Maisadali	Revenue Village	21° 20' 20.229" N	86° 26' 34.928" E
131	Balasore	Oupada	Majhisahi	Revenue Village	21° 21' 5.985" N	86° 30' 8.039" E
132	Balasore	Nilgiri	Managarh	Revenue Village	21° 24' 58.469" N	86° 44' 38.694" E
133	Mayurbhanj	Kaptipada	Mankadapada	Revenue Village	21° 25' 38.747" N	86° 30' 23.233" E
134	Balasore	Oupada	Mantachua	Revenue Village	21° 21' 1.180" N	86° 31' 8.003" E
135	Balasore	Oupada	Marapatna	Revenue Village	21° 19' 56.093" N	86° 34' 23.345" E
136	Mayurbhanj	Kaptipada	Mayurahuda	Revenue Village	21° 24' 58.710" N	86° 31' 10.379" E
137	Balasore	Nilgiri	Mirigini	Revenue Village	21° 26' 46.186" N	86° 45' 13.237" E
138	Balasore	Nilgiri	Moshasuria	Revenue Village	21° 20' 50.839" N	86° 42' 13.263" E
139	Balasore	Nilgiri	Mukundapur	Revenue Village	21° 21' 42.351" N	86° 42' 8.262" E
140	Mayurbhanj	Kaptipada	Natapara	Revenue Village	21° 25' 34.594" N	86° 31' 23.072" E
141	Balasore	Nilgiri	Nijgarh	Revenue Village	21° 27' 17.660" N	86° 44' 14.965" E
142	Balasore	Khaira	Nuagaon	Revenue Village	21° 20' 4.860" N	86° 34' 14.968" E
143	Balasore	Nilgiri	Nuagaon	Revenue Village	21° 30' 36.494" N	86° 35' 40.810" E
144	Balasore	Soro	Nuasahi	Revenue Village	21° 22' 6.821" N	86° 38' 27.266" E
145	Balasore	Nilgiri	Nuashi	Revenue Village	21° 28' 51.894" N	86° 43' 10.033" E
146	Mayurbhanj	Kaptipada	Padmapokhari	Revenue Village	21° 23' 42.084" N	86° 29' 8.937" E

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147	Balasore	Oupada	Paikapada	Revenue Village	21° 19' 45.337" N	86° 26' 6.931" E
148	Balasore	Nilgiri	Panchalingeswar	Revenue Village	21° 24' 34.896" N	86° 43' 20.787" E
149	Balasore	Oupada	Pandua	Revenue Village	21° 20' 35.685" N	86° 31' 27.097" E
150	Balasore	Nilgiri	Parasul	Revenue Village	21° 27' 54.746" N	86° 45' 8.703" E
151	Balasore	Nilgiri	Patanapada	Revenue Village	21° 23' 6.048" N	86° 43' 11.516" E
152	Balasore	Nilgiri	Patasahi	Revenue Village	21° 29' 29.443" N	86° 35' 49.278" E
153	Balasore	Oupada	Patharpada	Revenue Village	21° 21' 22.401" N	86° 30' 35.400" E
154	Balasore	Khaira	Patna	Revenue Village	21° 19' 24.012" N	86° 25' 23.647" E
155	Balasore	Soro	Phataamba	Revenue Village	21° 22' 12.217" N	86° 37' 52.726" E
156	Balasore	Oupada	Potrokhunta	Revenue Village	21° 18' 44.008" N	86° 25' 17.933" E
157	Balasore	Khaira	Pramanandpur	Revenue Village	21° 19' 33.104" N	86° 28' 7.041" E
158	Balasore	Oupada	Pratappur	Revenue Village	21° 20' 34.474" N	86° 30' 46.310" E
159	Balasore	Nilgiri	Puniduria	Revenue Village	21° 28' 25.225" N	86° 39' 57.806" E
160	Balasore	Oupada	Purusottampur	Revenue Village	21° 19' 47.716" N	86° 32' 51.777" E
161	Balasore	Oupada	Radhaballabhpur	Revenue Village	21° 19' 55.119" N	86° 36' 15.564" E
162	Balasore	Nilgiri	Raipal	Revenue Village	21° 30' 21.254" N	86° 38' 26.714" E
163	Balasore	Nilgiri	Raipur	Revenue Village	21° 26' 22.821" N	86° 45' 38.633" E
164	Balasore	Khaira	Rairamchandrapur	Revenue Village	21° 19' 43.494" N	86° 28' 27.043" E
165	Balasore	Oupada	Rangamatia	Revenue Village	21° 20' 52.614" N	86° 28' 54.704" E
166	Balasore	Soro	Rangamatia	Revenue Village	21° 22' 34.352" N	86° 40' 14.231" E
167	Balasore	Khaira	Ranigaria	Revenue Village	21° 20' 3.497" N	86° 32' 43.595" E
168	Balasore	Soro	Ranpur	Revenue Village	21° 20' 3.886" N	86° 35' 47.315" E
169	Balasore	Khaira	Rodanpur	Revenue Village	21° 19' 34.078" N	86° 34' 13.604" E
170	Balasore	Nilgiri	Sabjapur	Revenue Village	21° 23' 3.904" N	86° 42' 55.735" E
171	Balasore	Nilgiri	Sana Patpur	Revenue Village	21° 25' 20.477" N	86° 45' 32.374" E
172	Balasore	Nilgiri	Santagadia	Revenue Village	21° 22' 44.812" N	86° 43' 23.010" E
173	Balasore	Soro	Saralia	Revenue Village	21° 22' 28.276" N	86° 39' 0.328" E
174	Balasore	Nilgiri	Saruchampa	Revenue Village	21° 29' 38.427" N	86° 37' 22.880" E
175	Balasore	Khaira	Sason	Revenue Village	21° 19' 31.545" N	86° 25' 55.858" E
176	Balasore	Nilgiri	Shialomalsahi	Revenue Village	21° 29' 2.631" N	86° 40' 25.168" E
177	Balasore	Nilgiri	Shymsundarpur	Revenue Village	21° 23' 28.258" N	86° 44' 13.665" E
178	Balasore	Nilgiri	Siadimal	Revenue Village	21° 27' 47.472" N	86° 44' 9.216" E
179	Balasore	Nilgiri	Siadimala	Revenue Village	21° 27' 2.587" N	86° 43' 8.859" E
180	Balasore	Nilgiri	Sikidia	Revenue Village	21° 21' 58.323" N	86° 42' 22.377" E
181	Balasore	Soro	Simulikhola	Revenue Village	21° 23' 40.178" N	86° 39' 19.224" E
182	Balasore	Oupada	Simulipall	Revenue Village	21° 20' 51.423" N	86° 34' 58.024" E
183	Balasore	Soro	Sindhua	Revenue Village	21° 23' 12.429" N	86° 39' 27.702" E
184	Balasore	Soro	Singakhanta	Revenue Village	21° 22' 35.265" N	86° 39' 17.921" E
185	Balasore	Oupda	Singarpur	Revenue Village	21° 20' 13.627" N	86° 32' 1.707" E
186	Balasore	Nilgiri	Sirsa	Revenue Village	21° 29' 25.265" N	86° 35' 20.028" E
187	Balasore	Oupda	Sorisapal	Revenue Village	21° 20' 14.492" N	86° 28' 25.849" E

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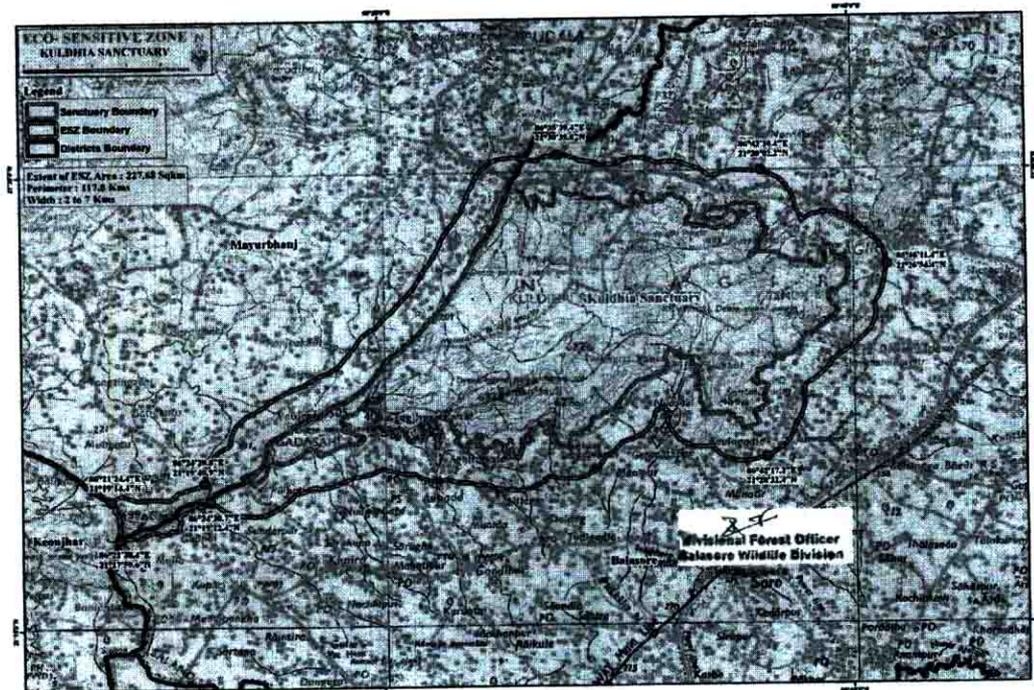
188	Balasore	Khaira	Sujagarla	Revenue Village	21° 18' 58.035" N	86° 25' 55.079" E
189	Balasore	Nilgiri	Talagarla	Revenue Village	21° 29' 43.024" N	86° 36' 25.841" E
190	Mayurbhanj	Kaptipada	Tangiria	Revenue Village	21° 28' 46.839" N	86° 32' 59.314" E
191	Balasore	Nilgiri	Tartari	Revenue Village	21° 29' 54.097" N	86° 36' 51.122" E
192	Balasore	Nilgiri	Telipal	Revenue Village	21° 29' 32.368" N	86° 39' 14.450" E
193	Balasore	Nilgiri	Tenda	Revenue Village	21° 27' 25.004" N	86° 42' 28.995" E
194	Balasore	Nilgiri	Tiakata	Revenue Village	21° 28' 17.779" N	86° 40' 32.591" E
195	Mayurbhanj	Kaptipada	Tulagarla	Revenue Village	21° 21' 13.374" N	86° 25' 16.634" E
196	Balasore	Khaira	Ugalpur	Revenue Village	21° 19' 15.440" N	86° 26' 52.228" E
197	Balasore	Soro	Upargar	Revenue Village	21° 22' 5.322" N	86° 37' 32.877" E
198	Balasore	Khaira	Sarisua Kapilajhari Badhanata	Revenue Village	21° 19' 15.816" N	86° 22' 12.756" E
199	Balasore	Khaira	Gagua	Revenue Village	21° 18' 26.388" N	86° 23' 32.5352" E
200	Balasore	Khaira	Kadaligadia	Revenue Village	21° 19' 1.236" N	86° 24' 9.72" E
201	Balasore	Khaira	Kuturipal	Revenue Village	21° 18' 7.128" N	86° 22' 58.908" E
202	Balasore	Khaira	Budeisul	Revenue Village	21° 18' 16.236" N	86° 23' 17.448" E
203	Mayurbhanj	Kaptipada	Kathachua	Revenue Village	21° 19' 37.236" N	86° 25' 1.524" E
204	Mayurbhanj	Kaptipada	Dugdha	Revenue Village	21° 19' 7.392" N	86° 21' 22.032" E
205	Balasore	Khaira	Rugudi	Revenue Village	21° 18' 57.132" N	86° 21' 12.132" E

ANNEXURE-II**Geo-coordinates at Four Corners along Boundary of Eco-sensitive Zone.**

The boundary line of Eco-sensitive Zone starts from a point with G.P.S. reading N 21° 17' 59.6" E 86° 21' 38.4" on the Keonjhar – Balasore inter district boundary line and moves in northern direction on the boundary line of Keonjhar district till it reaches another point on Keonjhar – Mayurbhanj inter district boundary line with G.P.S. reading N 21° 19' 14.4" E 86° 21' 24.4". Then it turns in North.—East direction and moves in a zigzag manner including forested areas in Mayurbhanj district within the Eco-sensitive Zone over a distance of about 5.5 kilometre up to a point with GPS reading N 21° 19' 49.9" E 86° 24' 20.8". Then the boundary line moves in North.—East direction in Mayurbhanj district at a parallel distance of 2 kilometre from the inter district boundary line of Mayurbhanj and Balasore district. Then turns east to cross inter district boundary line and enters Balasore district near Tangana Nala. Then moves in east direction maintaining the same parallel distance of 2 kilometre from the Kuldiha Wildlife Sanctuary boundary line up to Podasul and crosses Kaptipada – Nilgiri State High way No. 19 near Nilgiri, and runs in Southern direction up to Keshuripur. Then runs in west direction maintaining the same parallel distance of 2 kilometre from the Sanctuary boundary line in a zig-zag manner touching the point with G.P.S. reading N 21° 19' 12.4" E 86° 24' 30.7". Then it turns towards South – West direction in Balasore district moves over a distance of about 7 kilometre in a zigzag manner and touches the starting point. The Eco-sensitive Zone of Kuldiha Wildlife Sanctuary includes corridor linking between Kuldiha of Balasore district and Hadgarh Wildlife Sanctuary of Keonjhar district,

ANNEXURE-III**MAP OF ECO-SENSITIVE ZONE OF KULDIHA WILDLIFE SANCTUARY WITH LATITUDES AND LONGITUDES**

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**ANNEXURE-IV****Performa of Action Taken Report:—Eco-sensitive Zone Monitoring Committee.-**

1. Number and date of meetings.
2. Minutes of the meetings: mention main noteworthy points. Attach minutes of the meeting as separate Annexure.
3. Status of preparation of Zonal Master Plan including Tourism Master Plan.
4. Summary of cases dealt for rectification of error apparent on face of land record (Eco-sensitive Zone wise).
[Details may be attached as Annexure]
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment notification, 2006.
[Details may be attached as separate Annexure]
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment notification, 2006.
[Details may be attached as separate Annexure]
7. Summary of complaints lodged under section 19 of the Environment (Protection) Act, 1986;
8. Any other matter of importance.

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IN THE COURT OF COLLECTOR, BALASORE

In the matter of gairat Appeal No. 1/95

Shri Bhagaban Parida S/o. Ganeswar Parida
village Maliani, P.S. Nilgiri,
Dist. Balasore.

Vrs.

Tehsildar, Nilgiri and others.

PRESENT:†

1. Shri H.P. Mohapatra, I.A.S.,
Collector, Balasore.
2. Shri L.K. Parida, Advocate
for the appellant Shri Bhagaban Parida
3. None appeared on behalf of Respondent.

ORDER

This is an appeal against the order of Tehsildar, Nilgiri dated 26.6.95 in gairat Lease Case No. 170/92-93 i.e. Jamudih Morrum Quarry No.3.

The brief history of the case is that Shri Bhagaban Parida was granted with lease of Jamudih Morrum Quarry No.3 situated over Plot No. 3991 Ac.1.13 dec. under Khata No. 1134 (Ahadijoga Anabadi) Plot No. 3992 Ac.1.72 dec. (Gochar) Plot No. 3993 Ac.1.42 dec. Gramya Jungle for a period of 3 years from the year 1992 to 1995 for extraction and removal of 80000 M.T. Morrum annually with annual lease of value of Rs. 22,987/- subsequently the Tehsildar on the application of the present appellant excluded Plot No. 3993 (Gramya Jungle) and allowed to operate the other two plots vide his order

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dated 6.10.94 on payment of the above lease money, which the appellant deposited and thereafter operated the quarry. This lease period was over on 31.3.95. The present appellant filed a petition in Form-E for renewal of Jamudih^a Murrum quarry No.3 for a further period of 3 years from 1995-96 to 1997-98 for extraction of the same quantity of murrum. On this application the R.I. sajanagarh recommended for grant of lease. Thereafter an objection petition was filed by the local people against settlement of this quarry and accordingly the Tehsildar after due enquiry stopped further renewal and rejected the petition. Hence the present appeal.

I have gone through the connected Lower Court record and gone through the submission of the Advocate carefully.

It appears from the case record that Plot No.3992 is Gochar which form a part of this Sairat under consideration. Initially such Gochar land should not have been leased out as a sairat without providing alternative land of equal quantity else where. This communal land has, thus been misused may be for earning revenue when another land is given thereof has been left for use by the community. The objection of people referred to by the Tehsildar is an outcome of this alternative use of Gochar land. When the Sairat in question misuses a gochar land, it is not desirable to use this land for quarrying operation further due to continuous extraction the leased out area looks like a big sea and the depth of the quarry is more than 12 feet. Besides the frequent plying of Trucks also hampers the studies of the students reading in

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primary, M.E. and High School. The Tahasildar after visiting the spot has observed that the allegation of the local people bears truth and there may be public agitation if the quarry is leased out for ^{any} further period. But the report of the R.I. available in the case record shows that there is no Govt. institution on the quarry side and there is no forest growth on the land applied for. The report of R.I. regarding absence of institutions on the plot may be correct. But the report of Tahasildar is given confidence and taking into consideration the observation made above I do not feel any necessity to interfere in the orders of Tahasildar, Bilgiri cancelling further lease of the quarry. Hence the appeal filed by Shri Bhagaban Parida has no merit and therefore the appeal is rejected.

Pronounced in the Open Court today, the

12th January, 1996.

Collector, Balasore.

Typed to my dictation
and corrected by me.

Collector, Balasore.

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R-11/A-2¹⁵⁸

OFFICE OF THE TAHASILDAR, NILGIRI.

No. 6348 / Dated, 8.9.03

To

The Addl. District Magistrate,
Balasore.

Subj:- Submission of Enquiry report on the allegation
petition filed by Sri Chitaranjan Sarangi,
ex-M.L.A. Nilgiri and others against Sri Adikanda
Biswal of Malyani.

Ref:- Your letter No. 2842/^{Judl} Dated 17.10.02 and last
Reminder No. 1173/Judl. Dated 7.4.2003.

Sir,

In inviting a reference to the above cited
correspondence, I am to say that the allegation made by the
ex-M.L.A. Nilgiri and others was enquired ^{in the field} by the Revenue
supervisor Nilgiri and submitted a detailed and pointwise
report in his letter No. 99 dated 9.6.03. A copy of his
enquiry report is enclosed herewith.

My view in each point is as follows:-

1. It is a fact that Sri Adikanda Biswal has taken
Stone quarry from this Tahasil and not creating trouble to
General public for their journey from one village to another
village situated near Stone quarry. Although the blasting is
going on in the Stone quarry but not in any time as alleged
in the allegation petition. He has got the licence from the
competent authority for blasting and using blasting material
according to provision of rule. The villagers present at the
time of enquiry of the Revenue Supervisor opined that Sri
Biswal is not creating any trouble to the public.

Contd.....P/2.

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2. As regards operation of Morrum quarry in village Jamudiha situated in Plot No.3991, 3992 under Khata No.1164 and Plot No.3993 under Khata No. 1167 it is stated that the quarry is not being operated. But the quarry situated in private land was being operated by the lessees who were granted temporary permitted, after realisation of Govt. dues as clarified vide Dist. Office Letter No.820 dated 28.7.01.

3. It is a fact that, patta was granted to the beneficiaries. The villagers present at the time of enquiry stated that the trees which was planted previously by Social Forest Department was subsequently lost.

4 & 5 . Although the land was leased out in favour of the beneficiaries, subsequently they have sold their land. Sri Adikanda Biswal and two others have purchased Ac.22.71 dec. of land in which the farm is situated, out of which Sri Biswa has purchased Ac.19.60 dec. after obtaining permission from the Sub-Collector, Nilgiri as required U/s. 3(1) of Regulation 2/56 Act. But Sri Biswal has not occupied the Govt. land. The balance land is in the name of Sri Purna Chandra Palei and Baidhar Palei who are S.T. persons. Hence there is no irregularities in this case.

6. During enquiry it has not been proved that, the unauthorised quarrying operation is being made.

7. As it appears, Sri Biswal has not occupied any Govt. land and the land occupied by him have been purchased according to provision of rule. The details of land particulars in which Sri Biswal is occupier has been reflected in the enquiry report.

Previously the name of Sri Purna Ch. Palei was in

the B.P.L. list. But subsequently his name has been deleted.

8. It is a fact that Sri Banoj Biswal S/o- Adikanda Biswal ^{Ashok Kumar Biswal} have got permission of Tahasildar Nilgiri vide lease Case No. 3/03 and 5/03 to lease out their land for quarrying operation to use the land for agriculture purpose as admissible vide District Office Letter No. 820 dated 28.7.01.

9. In view of the enquiry it is clearly indicated that Sri Adikanda Biswal has not ^{been} operating quarry unauthorisedly and not encroached any type of Govt. land and not cutting the trees from Govt. land.

10. Sri Biswal has constructed the road to his quarry area in his private land. The detailed land particulars have been shown in point -I of the report of the Revenue Supervisor enclosed herewith. Sri Biswal is taking interest to repair the Govt. ^{road} land as and when required from his own cost.

In view of the above circumstances, the allegation ^{seems to have} has no merit for taking action against Sri Biswal.

This is for your kind consideration and necessary action. ^{The original petition received with your above letter is returned herewith.}

Yours faithfully,

sd/-
Tahasildar, Nilgiri.

Memo No. 6349 /Dt. 8.9.03

Copy to Sub-Collector, Nilgiri for information and necessary action with reference to his letter No. dated 3878 dt. 20/9/02

sd/-
Tahasildar, Nilgiri.

OFFICE OF THE TAHASILDAR, NILGIRI.No. 10060 / Dated- 19/7/56

To

* The Sub-Collector, Nilgiri.

Sub:- Submission of report on the petition of Sri Laxman Singh, District President, Jharkhand Mukti Morcha, Bangalore.

Ref:- Letter No. 513/Res. Dt. 10.4.56 of the P.A. to Collector, Bangalore.

Sir,

In inviting a reference to the letter on the subject cited above, I am to say that Sarpanch, Naib-Sarpanch and some other persons under Jamudiha G.P. have filed petition about purchase of land by Sri Purna Ch. Palei, Saichar Palei of Malyani and Krushna Ch. Patra of Padasul beyond their income. The petitioners have alleged that during 1976-77 Govt. had allotted A. 48.12 dec. of Gramya Jungle Kism land to 36 S.T. and S.C. persons after conversion of the same to agricultural land through dereservation proceedings. Although they got "Patta", they did not possess or cultivate the land. Out of them 19 persons sold their land to Sri Purna Ch. Palei. The petitioners had raised that Sri Purna Ch. Palei is a B.P.L. Card holder and how he could be able to purchase such huge extent of land.

On this issue, I conducted enquiry in village-Malyani samil Jamudiha in presence of Sri Purna Ch. Palei, Saichar Palei and some other persons of Malyani.

Sri Purna Ch. Palei expressed that he was residing in a joint family having 8 to 10 earning members. They were working as labourers in agricultural field, stone quarries, Murrum quarries and cultivating

K.T.O.

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(2)

8 to 10 Acres of agricultural land on Bhag Chasi basis. Besides they were preparing "Khali Patra" at ever times. They had kept number of cattle and goats. From all the above sources they were earning Rs.8,000/- to Rs.10,000/- per month. By saving of earned money from the above sources he purchased A.9.25 dec. at Rs.1,23,500/- during 1994, A.2.62 dec. at Rs.35,230/- during 1995. During 1997 he sold A.1.50 dec. inconvenient land at Rs.21,000/- and purchased A.3.75 dec. at Rs.52,500/- by the sale money and earned money. During 2000 he sold A.4.50 dec. at Rs.1,23,000/- and made agreement with Sri Ashok Ku. Biswal of Malyani for extraction and transportation of Murrum from his land and got Rs.1,20,000/- from Sri Biswal. From the above money he purchased A.3.75 dec. at Rs.67,500/- during 2000. By the balance amount and earned money he purchased A.4.56 dec. at Rs.1,20,000/- during 2001 and A.1.47 dec. at Rs.73,500/- during 2002. Sri Palei has given statement in writing. A Xerox copy of his statement is enclosed herewith for reference. He produced the sale deeds towards purchase and sale of his land. As per verification, a statement showing the yearwise purchase and sale of land is shown in the enclosed statement. During enquiry the villagers present expressed the statement of Sri Purua Ch. Palei to be true. It is not possible to assess exact income from different sources by which he could be able to purchase the huge extent of land. As per his statement he has no B.P.L. Card at present.

K.T

- 3 -

(3)

Sri Baidhar Palei gave statement during enquiry. As per his statement and sale deeds produced he has purchased A.4.00 at Rs. 53,500/- during 1996, A.3.00 at Rs. 42,000/- during 1997 and sold A.3.00 at Rs. 48,000/- during 2000. He expressed that by means of Bhagachasa, working as labourer in quarries, Sala leaf business etc. he purchased the land. The exact income from the above sources could not be assessed during enquiry. The villagers present also expressed his statement to be genuine. A Xerox copy of statement showing the land purchased and sold by Sri Baidhar Palei is enclosed herewith for reference.

As regards Krishna Ch. Patra it is known that he is dead. The villagers present during enquiry expressed that he has A.3.00 of land approximately. He has sold the entire A.3.00. Since, he is dead the sale deed towards purchase of land by him could not be produced by his family members.

The plots purchases by Sri Purua Ch. Palei and Baidhar Palei were allotted to S.C. and S.T. persons by Govt. After enjoying the land for 15 to 20 years they have sold it. On the spot visit it is seen that although the kisan of the allotted plots are Sarad these are high land and not suitable for agriculture. Hence, the allottees have sold the allotted plots. As per enquiry and statement it is known that the purchasers are the owner of the purchased land. These petitioners are regularly filing petitions at different quarters on political ground.

K.T.O:

- 69 -

(4)

This is for favour of your information and
 necessary action.

Yours faithfully,

Mem. No. 10064 /

Dated- 19/9/06

OC

Tahsildar, Nilgiri.

Copy forwarded to the P.A. to Collector,
 Bangalore for information and necessary action with
 reference to his memo. No. 514 dt. 10.4.06.

OC

Tahsildar, Nilgiri.

-65-

R-11-A-4
50
YEARS OF CELEBRATING THE MANTRA

IN THE HIGH COURT OF ORISSA : CUTTACK.

ORIGINAL JURISDICTION CASE.

W.P.(C) NO. 7547/2003.

Code No. 200800

IN THE MATTER OF

A petition under Articles 14 and 226 of the Constitution of India ;

AND

IN THE MATTER OF

Orissa Land Reforms Act, 1960 ;

AND

IN THE MATTER OF

Orissa Minor Minerals Concession Rules, 1990 ;

AND

IN THE MATTER OF

Orissa Scheduled Areas Transfer of Immoveable Property by (Scheduled Tribes) by Amendment Regulations 1/2002 ;

AND

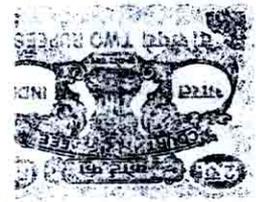
IN THE MATTER OF

1. Purna Chandra Mohanty, aged about 62 years, S/o Late Lakmichar Mohanty, At-Malyani (Hamlet of Jamadhi), PO-Kharadiha, Dist. Balasore.
2. Bhagaban Parida, aged about 52 years, S/o Late Ganeswar Parida, At-Malyani, PO-Kharadiha, Dist. Balasore.
3. Kamalashanta Parida, aged about 43 years, S/o Late Ganeswar Parida, At/PO-Podasole, Dist. Balasore.
4. Jagabandhu Muni, aged about 36 years, S/o Bhikani Chandra Muni, At-Saligandhi, PO-Saligandhi, Dist. Balasore.

Mangal Parida
S/o. Bhagaban Parida

Bo

Presented In Court
B.O



Handwritten signature or initials.

- 66 -
5. Debananda Das, aged about 35 years,
S/o Ganganarayan Das,
At-Chatagnan-sahi, PO-Milagiri, Dist. Balasore.
... Petitioners.

Vrs

1. State of Orissa, through Secretary,
Revenue Department, Orissa Secretariat,
Bhubaneswar, Dist. Khurda.
2. Collector, Balasore,
Dist. Balasore.
3. Sub-Collector,
At/PO-Milagiri, Dist. Balasore.
4. Project Officer,
Integrated Tribal Development Programme (ITDP),
At/PO- Milagiri, Dist. Balasore.
5. Tahasildar,
At/PO- Milagiri, Dist. Balasore.
6. Adikanda Biswal, aged about 45 years,
S/o Late Udayanath Biswal.
7. Banoj Kumar Biswal, aged about 25 years,
S/o Adikanda Biswal.
8. Purna Chandra Palai, aged about 50 years,
S/o Jatia Palai.
9. Balidhar Palai, aged about 62 years,
S/o Sambhanshi Palai.

Opp. party Nos. 6 to 9 are at-Malyani,
PO-Kharadia, Dist. Balasore.
10. Prakash Singh, aged about 25 years,
S/o Rama Chandra Singh,
At/PO-Podasola, Dist. Balasore.
11. Daitari Khandai, aged about 65 years,
S/o Late Mukha Khandai,
At-Jamudi, PO-Sojanagoda, Dist. Balasore.
12. Narahari Jena, aged about 25 years,
S/o Madhusudan Jena,
At-Jokanada, PO-Podasola, Dist. Balasore.



Dr. A. S.



Dr.

~~82~~

W.P.(C) No. 7547 of 2003

O. H. C.-98]

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
12.	18.12.2018	<p>On perusal of the record, it is seen that on last three occasions, the matter was not attended by learned counsel for the petitioners.</p> <p>Earlier also on 16.08.2018, the matter was adjourned. Prior thereto, on 21.11.2016, learned counsel for the petitioners has sought for adjournment.</p> <p>Even today, learned counsel for the petitioners is not present.</p> <p>In view of the above, the writ petition stands dismissed for default.</p> <p>All connected Misc. Cases/I.A stand disposed of accordingly.</p> <p style="text-align: right;">Sd/- K. S. Thaveri, C.J. Sd/- B. Rath, J.</p> <p style="text-align: center;"></p> <p style="text-align: right;">Comp. by  21.12.18</p>	





OFFICE OF THE TAHASILDAR, NILGIRI
 Email:-tah.nilgiri-od@nic.in Telephone-06782-233233

Letter No....1902..../

Date..07.04.25...../

To

**The Collector & District Magistrate,
 Balasore.**

Sub:- Submission of the interim enquiry report regarding allegation petition of villagers of Malyani samil Jamudiha.

Ref: Grievance petitions of villagers of Malyani dtd 24.12.2024, 15.01.2025,
 Letter No: 301 dtd. 21.01.2025 and 451 dtd 03.02.2025 of Sub- Collector, Nilgiri.

Sir,

In inviting a kind reference to the subject cited supra, I am to say that the allegation of the villagers of Malyani namely Manas kumar Barik and others regarding fraudulent transfer of immovable properties of ST & non-ST persons and running of an illegal crusher unit was duly enquired by the undersigned through the available records in this office. The brief fact of the case is that an area of Ac 84.20 dec of land was recorded in the name of Shri Jagannath Jew seba, Shri patta samanta having khata No 69/2 and plot No 3218 in forest Kissam in the year 1921-22 (copy enclosed). As averred from one of the retrieved case record, in 1976-77 out of three plots i.e. 3652/4108, 3923 and 3994 under khata No 1167 of village Jamudiha having area A48.00 dec was settled in favour of 38 nos of ST and Non ST persons. Those case records are not traceable on which basis the land was settled. The cadastral map of the concerned village has also not been corrected. Meanwhile the Major Settlement published final ROR in 1976, however the settlement authority didn't recognize their claims rather recorded it as village forest under Rakhita khata No. 1167. Again in the year 1980 Forest Conservation Act came and the cutoff date was declared as 25.10.1980.

Thereafter, in the year 1884, the then tahasildar again settled those plots measuring an area of A48.00dec in favor of those 38 persons stating the reason that they had previously got those lands. From 1994 onwards those 38 persons eventually sold those settled land to one Sri Purna Chandra Palei S/ O – Jatia Palei (ST to ST transaction) violating the provision of rule 3(1) first proviso of the regulation 2, 1956 in scheduled areas which is reproduced as – *“Notwithstanding anything contained in any law for the time being in force any transfer of immovable property by a member of a Scheduled*

- 69 -

Tribe, except by way of mortgage executed in favour of any public financial institution for securing a loan granted by such institution for any Agricultural purpose, shall be absolutely null and void and of no force or effect whatsoever, unless such transfer is made in favour of another member of a Scheduled Tribe: Provided that:- (i) nothing in this sub-section shall be construed as to permit any member of a Scheduled Tribe or his successor-in-interest to transfer any immovable property which was settled with such member of Scheduled Tribe by or under any authority of the State or the Central Government or under any law for the time being in force". In due course of time he sold (ST to Non ST) those properties to Adikanda and Banoja Biswal. (Father n Son) after taking permission from the Sub Collector, Nilgiri u/s 3(1) of Regulation 2 of 1956 in the year 1997 and 1998. Afterwards Mutation has been applied by the Adikanda Biswal and Banoja Biswal in the year 2004 onwards and RoR have been corrected in their favor.

For better appreciation the events may be represented as below:-

Chronology of Events

Date	Year	Events
	1921-22	Land was recorded in the name of Sri Radha Kishore Jew as forest.
	1976	Major Settlement recorded the land in favour of Govt. Rakhit Khata as forest.
	1976-77	Land was settled in favor of 38 ST/ non ST person persons by the Tahasildar.
25.10.1980	1980	Forest Conservation Act came into force.
	1984 (only one Record retrieved)	Land was again settled in favour of those 38 ST and non ST persons stating the reason that the settlement did not recognize their previous pattas. Also the map has not been corrected.
	1994	7 Nos of deeds executed in favour of the Purna Chandra Palei and Baidhar Palei.
12.12.1996	1996	Hon'ble Supreme court verdict on T.N Godavaran vrs Union of India wherein the Hon'ble court directed that irrespective of the ownership the land which are recorded as forest in Govt records will be constued as "Forest land".
	1997	3 nos of deeds executed in favour of the Purna Chandra Palei
07.04.1997	1997	5 nos of Permission granted u/s 3(1)of Regulation 2 of 1956 by Sub-collector, Nilgiri in favour of Purna Chandra Palei. Area Ac 07.00 dec
29.12.1998	1998	4 nos of Permission granted u/s 3(1)of Regulation 2 of 1956 by Sub-collector, Nilgiri in favour of Purna Chandra Palei, Baidhar palei and others. Area Ac15.25dec
	2000	4 nos of deeds executed in favour of the Purna Chandra Palei and Baidhar Palei.

- 70 -

	2001	3 nos of deeds executed in favour of the Purna Chandra Palei and Baidhar Palei.
--	------	---

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

Encl:- As above.

[Signature]
07/04/25
Tahasildar, Nilgiri

Memo No. 1903 / Date 07.04.25
Cop to the ADM (Revenue), Balasore/Sub-Collector, Nilgiri for kind information & necessary action.

[Signature]
07/04/25
Tahasildar, Nilgiri

Memo No. 1904 / Date 07.04.25
Cop to Manas kumar Barik & others of village Malyani for information.

[Signature]
07/04/25
Tahasildar, Nilgiri

~~71~~

R-11/A-6



In the court of the Tahasildar Nilgiri

Mutation case No 2949/83

Ram Chandra Pradhan S/o Kima of Jamudika

P.S. Nilgiri Dist- Balasore -- Applicant

VRS
stateOrder Sheet

31.12.83

The managing Director Orissa
Industrial Infrastructure Development
Corporation Bhubaneswar as requisitioned
for alienation of the following lands
in village Jamudika for establishment of
industries.

Khata No	Plot No	Area	Kisam
1167	3652/4108	Ac 47.63 dec	village jungle
to -	3994	Ac 17.12 dec	to -
to -	3923	Ac 7.19 dec	to -

26/18

26/18

- 22 -

It is revealed from the records available in office that an area of Ac 48.12 dec in Sabik plot no 3015, 3165 & 3218 corresponding to tal plot no 3652/4108, 3994 & 3923 were leased out to 36 land less persons in lease cases in the year 1976.

Pattas were issued to the persons accordingly, but the Sabik R.O.R was not corrected as a result of which the entire land of Ac 48.12 dec.

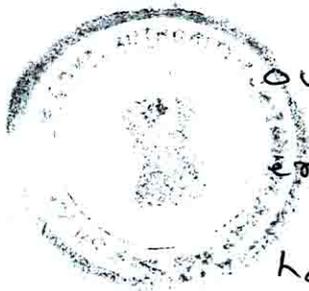
leased out earlier has been shown as Govt land Kisam village Jungle in the tal R.O.R published in the year 1976.

Verified the lease case No 47/76-77 of one Sri Ram Chandra Pradhan s/o Kima of village - Jamudika who was leased

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AN 6/8

Bongu
20/8

~~73~~ -



out with an area of Ac. 1.00 of land
 in Sabik Plot No ³⁰¹⁵ 6912 under Sabik
 holding no 6912 corresponding to hal
 Plot No 3652/4108 under hal khata No 1167
 of village Jamudika. The present kisan
 of the land is "village Jungle" and recorded
 under Rakhita holding. The order of
 the Tahasildar dated 16.10.76 in lease
 case no 44/76-77 was not given effect
 to and record of rights not corrected.
 This needs change in the entry of
 R.O.R start a case under rule 35
 of O.S.S rule 1962. Ask Amin Sui B. Barin
 to visit the spot and submit a detailed
 report with sketch maps. Issue General
 Notice inviting objection if any from the
 interested public.

To 28.1.84

26/18

[Signature]

—sd—
 Tahasildar Nilgiri

- 75 -

28.1.84

G.N and G.N ~~has~~^{has} been served and S.P
back. The lessee Sri Ram Chandra Pradhan
is present today. Heard him. He has
started that he is on physical
possession of the case land.

No objection has been
received from any quarter. The report
of the Amin as called for has not
been received yet. Remind him and
put up on 8.2.84.

—sd—
Tatasildar Nilgiri

8.2.84

visited the spot along with Amin.
Report of the Amin submitted soon. The
land as seen in the field is a barren
land with no trace of tree growth

WFO BY
M 26/8
WFO BY

10/2/84
96/8

- 75 -



there on. The suit land is recorded as "village Jungle" in the tal R.O.R which was leased out to the land less person Ram chandra pradhan in the year 1976. From the Patta issued it is seen that the land leased out has been classified as Sarad III. Thus the character of the land was changed from "village Jungle" to Sarad as such no further change of classification is necessary.

Record of rights there fore be corrected as per the order of the Tahasildar

26/8

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- 76 -

dt 16.12.76 in lease case NO46/76-77

Put up on 26.3.84.

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100308

—sd—
Tahasildar Nilgiri

Certified to be true copy
Rajendra Prasadhu
Res. Clerk 27/8
Authority Sec. Section-76
Act. I of 1872.

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False

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Record Room
100308

Schedule I Form No.39-A

Khatian

Mouza: Jamudiha

Tehsil : Nilgiris

Station: Nilgiris

Tehsil Number: 70

Police Station Number: 47

District : Baleswar

~~77~~

R-11/A-7

Name of the landlord and serial number of the Khewat or Khatian		Odisha Government Khewat No.				
1) Serial number of the invoice		1066/627				
2) Name of the person, father's name, caste and place of residence		Adikanda Viswal P:Udayanath Viswal Ja: Khandayat Ba: Malyani Sahib Nigaon				
3) Village		Rayati				
4) Payment:	light up	Guess	Sess	Disposal cess and other cesses, if any	total	5) Progressive payment system
		37.30	27.80		65.10	
6) Special attachments, if any		<p>By order of the petition No. 162/95, account 1066/126 plot number 4108/4896 was cancelled and a new plot number 4108/4896 was registered in the new account 1066/627. By order of the petition No. 137/95, account 6 plot number 3676 was cancelled and a new account 1066/627. By order of the petition No. 91/95, account 332 plot number 3660 was cancelled and a new account 1066/627. Account 347 Plot No. 3675/4423 A 0.22 D. Account 634 Plot No. 3766 A 0.10 D. Account 634 Plot No. 3766 A 0.10 D. Account 634 Plot No. 3766 A 0.10 D. Account 634 Plot No. 3766 A 0.2</p> <p>The plot number 3766/5260 has been changed to a new account number 1066/627. By virtue of the order of the petitioner's case number 92/95, the account number 332, plot number 3765, has been changed to A 0.15 D. Dismissed as new plot number 3765/5249 and registered in new account 1066/627 OLR Case No 409/04 U/S 8 (A) Hu m Plot No. 2164/5414 was converted into a house OLR Case No 512/04 U/S 8 (A) Hu m Plot No. 4108/4896 was submitted to Kha 1164/2 Dismissed as per order No. 2196/2024 Plot No. 3912/5415 area 0.10000d Plot No. 4108/4888 area 0.10000d, Plot No. 4108/4895 area 11.5000 दे त्त क* 1066/1533 कु</p>				
BLANK SPACE FOR STAMPING						
Final Release Date -						
Due date for payment -						

- 78 -

Invoice Serial No.: 1066/627		Mouza: Jamudiha			District: Baleswar
Plot number and wheel name	Varieties and planter fees	Detailed description of the variety and its characteristics	Stop 6.		ମିମିମି
			A.	Hector	
7	8	9	10	11	12
3766/5260	Sharad two		0	1000	Accounts Receivable 634
3765/5249	Sharad two		0	1500	Accounts Receivable 332
3660	Sharad two		0	0400	Accounts Receivable 332
	Sharad two	A. Somnath Das D. Gopinath Das Oger	0	3300	ମିମିମି ନଂ 1186/06 Huh, I'm from Kha Kha 444.
4108/4897	Sharad three		1	5000	No. My No. 11784/06 8, Ga Ma 1066/127 see.
4917/5416	Sharad three		0	7500	ମିମିମି ନଂ 1178/06 Huh Mu, Kha Kha 1066/146 See
4108/4903	Sharad three		1	5000	No, my number is 1180/06, yes, I am, look at 1180/133.
4108/4890	Sharad three		1	5000	No, my number is 1181/06, it's me, look at 1066/120.
2164/5414	Homely		0	0600	ମିମିମି ନଂ 1177/06 Huh, I'm from Kha Kha 1056.
3676	Nest	Aqueduct	0	0500	Accounts Receivable 66
3675/4423	Nest		0	2200	Accounts Receivable 347
2165	Swamp two	Gadiya	0	1000	No, my number is 1177/06. Huh, I'm from Kha Kha 1056.
12 plots			6	3000	

At K Witak Du 14/09/2025 05:44:20 IP : 49.37.112.193

- 7A -

KHATIAN

Mouza-Jamudiha
Thana-Nilgiri
Thana No. 49

Tahasil -Nilgiri
Tahasil No.70
District-Baleswar

Name of Jamindar & Khewat/Khatian No.		Government of Odisha Khewat No.1				
1) Sl.No. of Khatian		1164/2				
2) Name of tenant, father's name, caste & residence.		Adikanda Biswal, S/o. Udayanath Biswal, Caste-Khandayat, Res-Nijigan Samil Malyani.				
3) Title		Stitiban				
4) Payable	Water Tax	Rent	Cess	Nistar Cess & other cess if any	Total	5) Description of Inceasable Khajana
	0.00	355.00	266.25	0.00	621.25	
6) Special Instruction if any.		Nil				
BLANK SPACE FOR STAMING						

- 80 -

Khatian Sl.No.1164/2		Mouza-Jamudiha				Dist-Baleswar
Plot No. & Name of Chaka	Kissam	Enhanced description of kissam and boundary	Rakaba			Remark
			Ac.	Dec.	Hec.	
7	8	9	10		11	12
<u>4108/4896</u>	Gharabari	Crosser	1	500	0.000	As per order passed in OLR Case No.512/04 U/S.8(A) from Mutation Khata No.1066/627
1 Plot			1	500	0.000	

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R-11/A-8

Tel.: 06782-265110

Website: www.ospcboard.org

E-mail: rospcb.balasore@ospcboard.org



REGIONAL OFFICE, BALASORE
STATE POLLUTION CONTROL BOARD, ODISHA
(FOREST, ENVIRONMENT & CLIMATE CHANGE DEPT., GOVT. OF ODISHA)
Plot No. 1602, Ganeswarpur, Balasore - 756019

No. 1020 / CTE-432 (Expansion)

dt. 17/02/2025
By Regd. Post

OFFICE MEMORANDUM

In consideration of the online application No.6034157 for obtaining Consent to Establish of M/s Akhandaleswar Stone Crusher and the siting clearance issued by the Collector and District Magistrate, Balasore vide his letter No.4672, dt.13.12.2004, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 21 of Air (Prevention and Control of Pollution) Act, 1981 for the following plant facilities and production capacities at an additional investment of Rs.1,40,00,000 /-:

Stone Chips - 2,00,000 TPA

At Jamudiha, Mouza under Nilgiri Tahasil over Plot No. 4108 / 4896 of Khata No.1066 / 627 measuring an area Ac.1.50 Dec.(mentioned as per application form) in the district of Balasore 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.

④
- 82 -

SPECIAL CONDITIONS:

A. GENERAL

1. The industry shall put a sign board over the plot indicating clearly the name of the crusher unit, proprietor, plot number, full address and demarcate the land by boundary wall of adequate height.
2. The industry shall develop greenbelt by planting indigenous species along the boundary and available vacant spaces inside the factory premises @ 1000 trees per acre over 1/3rd of the total area.
3. The industry shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
4. The ambient air quality inside the factory premises which shall conform to the National Ambient Air Quality Standards.
5. The industry shall abide by the provisions of E (P) Act, 1986 and the Rules framed there under.
6. The Board may impose further condition or modify the conditions stipulated in this order during installation and / 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.

B. AIR POLLUTION :

1. Dust containment-cum-suppression shall be provided at all the potential dust generating points.
2. Wind breaking wall(s) of adequate height shall be constructed at the potential dust generating points.
3. The unit shall carry out regular cleaning and wetting of the ground within the industry premises.
4. Minimum drop height shall be provided at discharge chute to minimize fugitive dust emission.
5. The unit shall construct metalled road inside the premises.
6. The suspended particulate matter measures between 3 m to 10 m from any process equipments of stone crushing unit shall not exceed 600 µg/m³.
7. The stone dust generated shall be handled properly to minimize fugitive dust emission. Transportation of the stone dust shall be carried out by covered trucks in moist condition.
8. The height of the stack attached to DG Set shall be as per the formula; $H=h+0.2\sqrt{KVA}$; where H= Total height of the stack attached to the DG Set, h=height of the building in m where DG set is installed, KVA= Capacity of the DG Set in KVA.
9. The unit shall take steps to implement all the measures as mentioned in the guidelines issued by CPCB.

50
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C. SOLID WASTE:

1. The solid wastes, rejects/dust generated from the plant shall be collected & suitably disposed off in an environment friendly manner so that there shall not be washout of solids during rain or any dust nuisance due to wind action.


17/03/2025
REGIONAL OFFICER

To,

Sri Adikanda Biswal, Proprietor
M/s Akhandaleswar Stone Crusher
At. Malyani, Kharadiha, Nilgiri
Dist. Balasore

Memo No: 1021 ^(y), dt. 17/03/2025

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Balasore.
3. The GM, DIC, Balasore
4. Copy to Guard file


17/03/2025
REGIONAL OFFICER

- 84 -

R-11/A-9



REGIONAL OFFICE, BALASORE
STATE POLLUTION CONTROL BOARD, ODISHA
[FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA]
Plot No.1602, Ganeswarpur, Balasore -756019, Odisha

Page-1
Tel : 06782-244110
E-mail: rospcb.balasore@ospcbboard.org
Website: www.ospcbboard.org

CONSENT ORDERNo. 1436, CTO- 607 (Expansion)Date 08/04/2025
BY REGD.POSTCONSENT ORDER NO. 11 /2024-25 (APC)

Sub: Consent to operate under section 21 of Air (PCP) Act, 1981 and the Rules framed thereunder for existing/new operation of the plant.

Ref: Your online consent to operate application No: 6195133 dtd. 19.02.2025.

Consent is hereby granted under Section 21 of Air (Prevention & Control of Pollution) Act.1981 and rules framed there under.

Name of the Industry: M/s Akhandaleswar Stone Crusher

Name of the Occupier & Designation: Sri Adikanda Biswal, Proprietor

Address: Over Plot No. 4108/4896 of Khata No.1066/627 total measuring area Ac.1.50 at Malyani under Tahasil Nilgiri, Dist. : Balasore

This consent order is valid for the period upto 31.03.2026.

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

A. Details of Products Manufactured

SL.No	Product	Quantity
1	Stone Chips	2,00,000 MT/ Annum

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 in mg/l except pH			
				pH	TSS	BOD	O&G
1	--	--	--	--	--	--	--

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 in mg/Nm ³			
				PM	SO ₂	NO _x	H ₂ S
-	-	-	-	-	-	-	-

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	Crusher dust	--	--	--	--	Shall be reused in construction & filling activities

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 mine/industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms 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.



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CONSENT ORDER

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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.
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.
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 occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as not to cause fugitive emission, dust problems through leaching etc., of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
 - 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.



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CONSENT ORDER

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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 the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/ stipulate additional conditions as deemed appropriate.

F. SPECIAL CONDITIONS**A. GENERAL**

1. The industry shall put a signboard over the plot indicating clearly the name of the crusher unit, proprietor, plot number, full address and demarcate the land by boundary wall of adequate height.
2. The industry shall provide adequate sanitation facilities for its workers to avoid any open defecation and unhygienic condition in the surrounding areas.
3. The unit shall abide by the E (P) Act, 1986 and Rules framed there under.
4. The Consent order has been issued without prejudice to any legal dispute arises in future with respect to the ownership of the land and other land disputes.
5. The industry shall develop greenbelt by planting indigenous species at least two rows along the boundary and available vacant spaces inside the factory premises.
6. Good housekeeping practice shall be followed to improve the work environment.
7. No further expansion/modernization shall be carried out by the unit without prior approval of the Board.
8. The unit shall follow Environmental guidelines for stone crushing units of July, 2023 issued by CPCB in addition to the following conditions.

B. AIR POLLUTION

1. Adequate Dust extraction/suppression system shall be provided & maintained at all transfer points of feeding, Jaw crushers, Screen, Belt conveyors & other dust generating points to minimize fugitive dust emissions in order to maintain the prescribed AAQ standard .



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2. Wind breaking walls of adequate height shall be maintained along the conveyors to avoid spreading of crusher dust in surrounding areas.
 3. Flexible Telescope chute from top of discharge point to ground level should be provided to minimize the fugitive dust emission.
 4. The suspended particulate matter measured between 6.0 meters and 10.0 meters from any process equipment of the stone crusher shall not exceed $600 \mu\text{g}/\text{m}^3$.
 5. Regular cleaning and wetting of the ground shall be under taken within the premises.
 6. Metallic road shall be constructed inside the premises.
 7. The minimum drop height shall be maintained at discharge chute in order to minimize fugitive dust generation.
 8. Crusher dust generated shall be properly stored & handled to minimize fugitive dust emission

C. SOLID & HAZARDOUS WASTE

1. The solid wastes, rejects/dust generated from the plant shall be collected and suitably disposed off in an environmental sound manner and in no case such wastes shall be disposed of outside its premises.

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 Adikanda Biswal, Proprietor

M/s Akhandaleswar Stone Crusher

AT: Malyani, PO : Kharadiha, Via : Sajnagarh

Dist.: Balasore -756041, Odisha

08/04/2025
REGIONAL OFFICER

Memo No. _____ / Date _____ /

Copy forwarded to

1. The Member Secretary SPC Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Balasore
3. The D.F.O., Balasore
4. The Asst. Director, Factories & Boiler, Balasore
5. The General Manager, D IC, Balasore
6. Copy to Guard File.

REGIONAL OFFICER

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R-11/A-10

PROGRAMS

14 DEC 2011

Administration Grievance Abstract Monitoring Desk Correspondence Letters
Search Reports Logout

Welcome Collector and DM Balasore

Collectorate Balasore

New Grievance(s) | Pending Grievance(s) | Disposed Grievance(s) | Action Taken Report Sent |
All Grievances

Details :

Registration No.	CMOFF/D/2011/01134	Received By	
Name	Suniti Singh	Received Date	
Address	At-Tend Post-Sajanagarh District-Balasore	Attachment	
Contact No	91	Mobile No	91
Email Address		Current Status	
Grievance Details	The petitioners allege illegal lifting of morum and chips by one Adikanda Biswal fr Prays for inquiry and action.		

Target Date

Remedial Action Sought

MEMO NO. 5947 dt. 05.12.11
Tahasildar, Nilgiri to take immediate necessary action and report compliance.

[Signature]
Addl. District Magistrate
Balasore

Forwarding Remarks

Take Action

Decision

Examined at our Level

Remarks

Handwritten notes:
14/12/11
19/12/11
25
19/12/11

Handwritten notes:
2599
13/12/11



Action Date	Description	Sent By	Case Presently Dealt	Action Taken Report Attachment
28-11-2011	TAKEN UP WITH SUBORDINATE ORGANISATION	Office of the Chief Minister	Collectorate Balasore	
28-11-2011	RECEIVED THE GRIEVANCE	Citizen	Office of the Chief Minister	

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English translated Copy

RS, NILGIRI (Page-1)

To the Tahasildar Nilgiri

Sub;- Enquiry report regarding Grievance petition of Smt. Sumit Sing and others of villager Tenda, Baghmara Samil, Jamudiha

Ref;- Tahasil Memo No -5185 dt 6.12..11

(C.M OFF/D/2011/01134)

Sir,

As per your direction, I had visited Baghamara-Samil, Jamudiha, Tenda villages and enquired into the allegations submitted by Smt. Sunit Sing and others and submit the Enquiry report as follows;-

1. It reveals from the field enquiry that some Rayat after taking permission from Govt. and after depositing the Govt. due as per law are extracting Morum and cutting the stones from Stone quarry. Now Sri Sanatan Palai is cutting stone from his land by paying the Govt. revenue. There is no stone cutting in the Govt. land or extraction of any morum from Govt. Land. The Complainant could not intimate and identify the Govt. land where persons are extracting Morum or cutting stone. When Smt. Suniti Singh, the complainant, was asked about the allegation, she expressed that she has not given any complaint and the signature in the complaint is also not her. Some persons by forging her signature have submitted the above allegation. The Complainant also stated that Sri Adikanda Biswal as per her knowledge has not extracted any Morum nor cutting any stone from any Rayat or Govt. land illegally in Baghamara Samil, Jamudiha villages. Smt. Sumiti Singh expressed the above thing before me and also has submitted one statement in this regard which has been enclosed with it.

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2. Regarding Brick kiln of Manu Pothal;- It was ascertained from enquiry that Sri Manoranjan Pothal is making bricks by obtaining Permission from Pollution Control Board and has also obtained NOC from Collector Balasore.

3. Crusher Unit; Regarding

On enquiry it was ascertained that Sri Adikanda Biswal for establishment of Crusher Unit in the village Jamudiha has obtained permission from Pollution Control Board and also has obtained NOC from Collector Balasore.

It is to mention here that in the complaint it has been indicated that the crusher dust from the crusher unit of Adikanda Biswal is being deposited on the roofs of Sri Ganesh Mallick, Naba Mallick, Giri Mallick, Kartik Mallick and Bancha Mallick.

On field enquiry, I had visited the individual houses and verified that there is no stone dust on any of the house as alleged. At the time of enquiry son of Bancha Barik namely Sri Bhabesh Barik , Sri Ganeswar Mallick, Naba Mallick and Kartik Mallick have taken me to their houses and have shown me that there are no stone dust deposited on the roofs of their houses and they have also given one written statement which is enclosed herewith. They also expressed that their names in the complaint being forged have been submitted.

This report is being submitted herewith for your kind information and subsequent follow up action.

RS, Nilgiri

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R-11/A-11/2

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Latitude: 21.484369
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Elevation: 11.02±10 m
Accuracy: 7.8 m
Time: 02-04-2025 17:31
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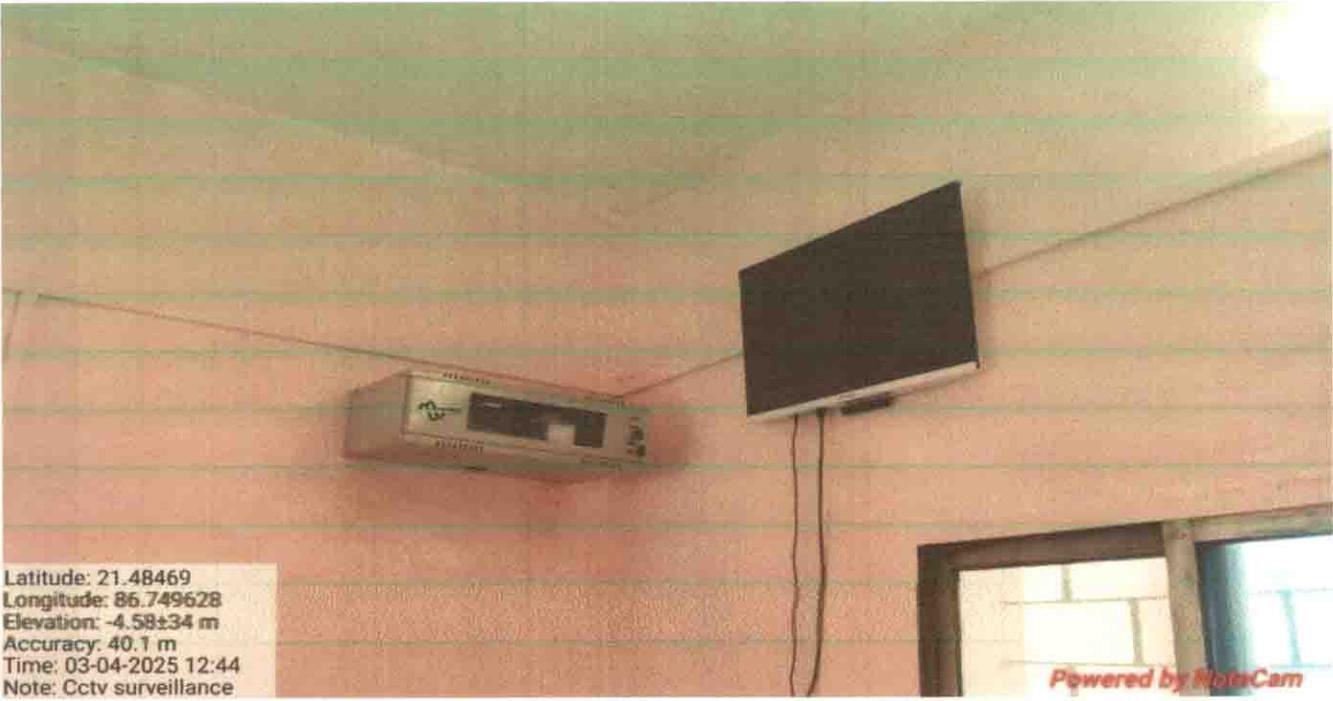


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Powered by NoteCam

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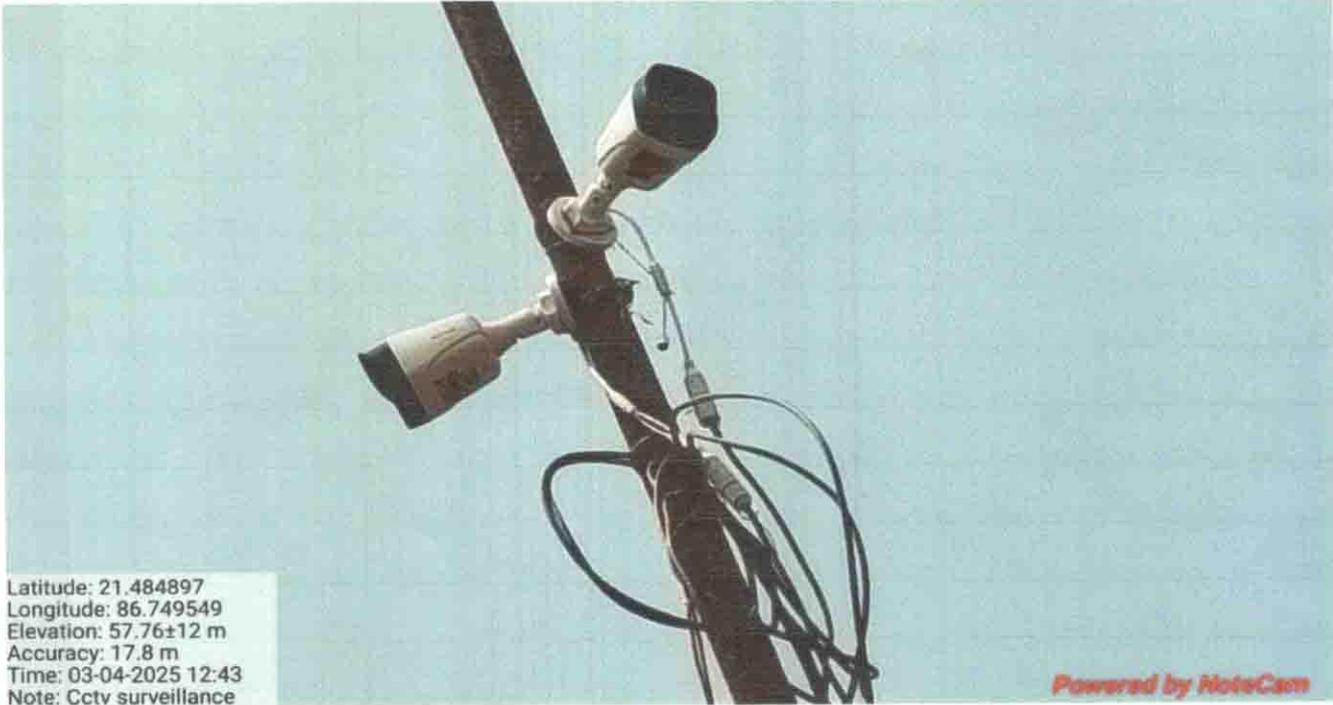
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Accuracy: 40.1 m
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Note: Cctv surveillance

Powered by NoteCam

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Latitude: 21.484897
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Elevation: 57.76±12 m
Accuracy: 17.8 m
Time: 03-04-2025 12:43
Note: Cctv surveillance

Powered by NoteCam

R-11/A-11/4

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Latitude: 21.484876
Longitude: 86.749117
Elevation: 16.79±16 m
Accuracy: 8.6 m
Time: 02-04-2025 17:10

Note: Construction of Metal road inside the permits

Photograph by: www.123.com

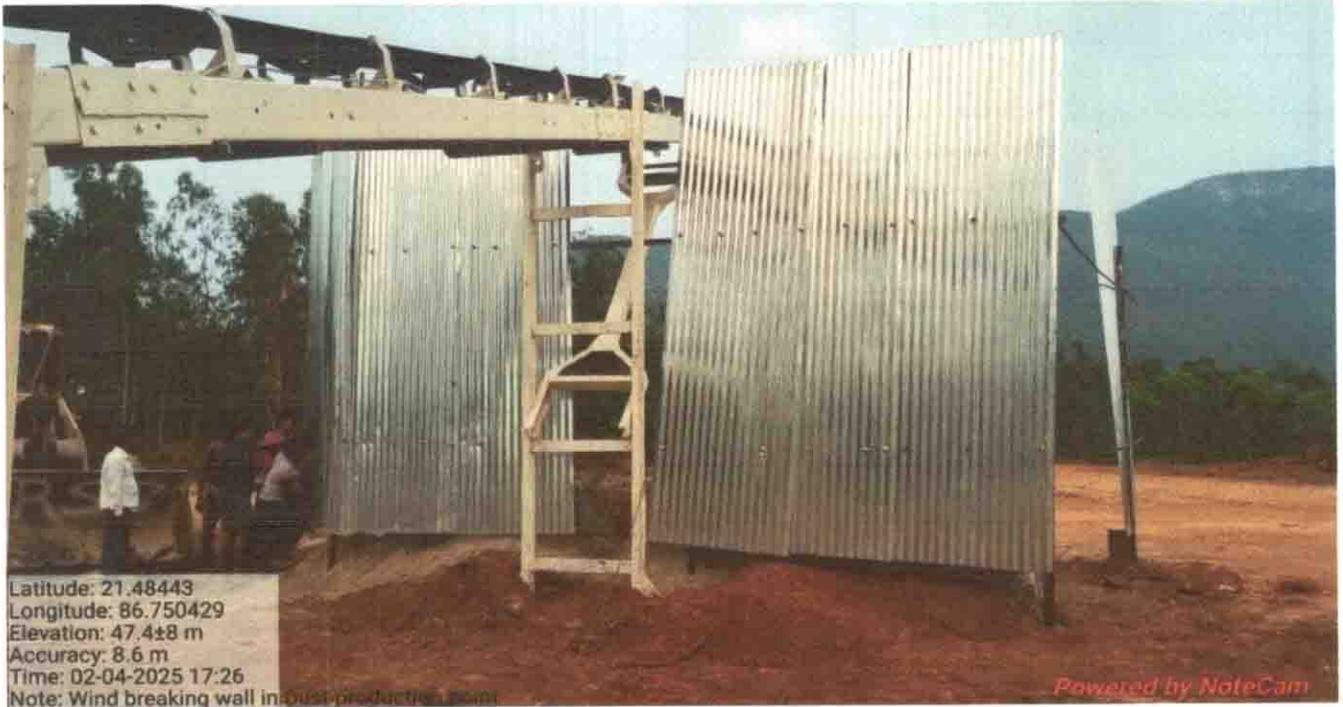
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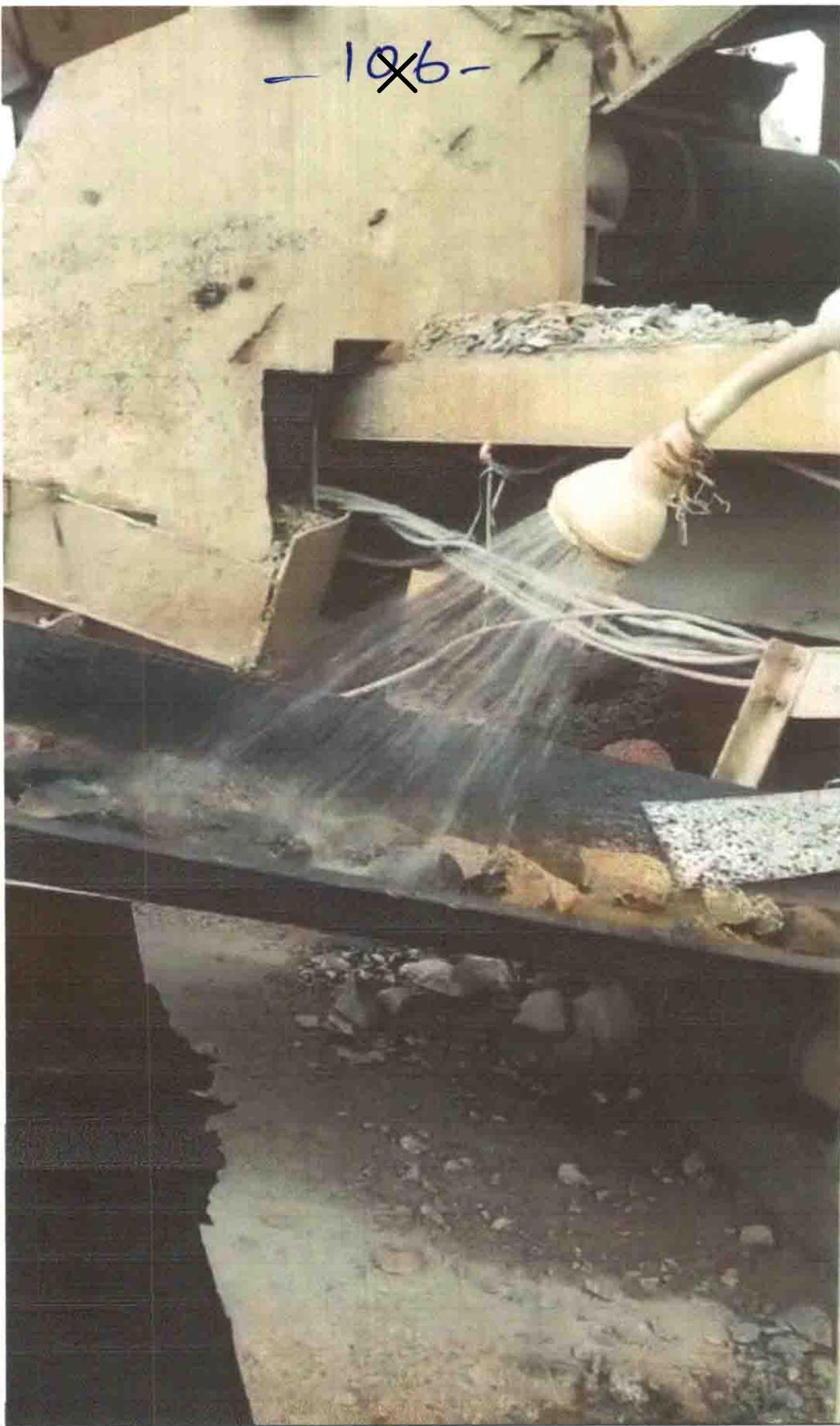
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ସ୍ଥାନ - ଗ୍ରା.ପା କାର୍ଯ୍ୟାଳୟ
ତାରିଖ 9/20/98
ସମ୍ପର୍କ ବିଧି ୧୦ ଧିନିକା

ଅନ୍ୟତାପାଠ୍ୟ ବିଷୟରେ ୧୦ ଧିନିକା ସମୟରେ ଜାମାତି ଗ୍ରା.ପା କାର୍ଯ୍ୟାଳୟରେ
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୧) Chondamani Meena (Sarpoch)

୨) ବିଜୟ କୁମାର ରାଉଲ

୩) ବିଜୟ କୁମାର ରାଉଲ

୪) ମନୋଜୟ ରାଉଲ

୫) monorendra Rout

୬) R. Mohanta Singh

୭) Ragnu Bisai Maghi

୮) A Shok Ku. Nayak.

୯) Anjan Ranjan Rout

୧୦) Ananta Mohapatra

୧୧) Gusanakumar Singh

୧୨) Hemanshu Sahu

୧୩) Chyama Singh

୧୪) Shiba Prasad Meena

୧୫) ଜାଣିନିଧି ପ୍ରଧାନ

୧୬) J. Pradhan (M.B.K)

୧୭) Anandea Singh

୧୮) Haraprasad Rout

୧୯) Kalpana Rout

୨୦) Santyanta Rout

୨୧) Pukhi Mahi

୨୨) Banalaxmi Singh

- 92) Binori mati jena
- 93) Sandhya rani sing
- 94) Anandhathi Biswal (Ch. 4AM, Jamuti/ka)
- 95) Suman to Kumar sing
- 96) 219 no 20
- 97) Mones Kumar (2)
- 98) Shyama Swastika
- 99) Khageswar Debbari
- 100) Pradapta Kishore yadav
- 101) 219 no 20
- 102) Basantaku Barah
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- 207) [Redacted]
- 208) [Redacted]
- 209) [Redacted]
- 210) [Redacted]

୪୯) Ramakrishna Mohapatra

୫୦) Rashmita Mohapatra

୫୧) Prasanta Kumar Patra

୫୨) ଶରଣେଶ୍ୱର ଦେବେରୀ

୫୩) ଲକ୍ଷ୍ମୀନାଥ ଦେବେରୀ

୫୪) ସୁଧାକର

୫୫) ଦେବେଶ୍ୱର ଦେବେରୀ

୫୬) ଭକତ ଭଗବାନ ସାହୁ

୫୭) ମନୋଜିତ ମହାନ୍ତି

୫୮) ପ୍ରକାଶ ମହାନ୍ତି

୫୯) ସୁଧାକର ସାହୁ

୬୦) ମନୋଜିତ ମହାନ୍ତି

୬୧) Tinku Mishra

୬୨) Kanchana Mishra

୬୩) Rohan Singh

୬୪) ବିନୟ

୬୫) Dilip Singh

୬୬) Bhaskar Biswal

୬୭) Binayak Das

୬୮) Raghav Mishra

୬୯) ଶ୍ରୀମତୀ ସୁଧାକର ଦେବେରୀ

୭୦) ସୁଧାକର ଦାଶ

୭୧) ଶ୍ରୀମତୀ ଲକ୍ଷ୍ମୀ ଦେବେରୀ

୭୨) ସୁଧାକର ଦେବେରୀ

୭୩) Likhansingh

୭୪) Sumanta Baral

୭୫) Chayanika Kumar

୭୬) ଭକତ ଭଗବାନ

ସମ୍ପାଦକ : ପ୍ରଫୁଲ୍ଲ ଶ୍ରୀମତୀଙ୍କୁ ବିକଳତା ପୀଡ଼ିତ କରିବାକୁ

ଅନୁପ୍ରାଣେ ପ୍ରାଣାପଣେ ଗୋପନୀୟ। ସାମ୍ବାଦିକ ନିର୍ଦ୍ଦେଶାଳିକା ପୂର୍ବରୁ ଗୋପନୀୟ।
ଅଥା ୧୫/୦୮/୨୪ ରୁ ଗ୍ରାମ ସଭା ବର୍ଷକେତୁ ବିକଳତା ପୀଡ଼ିତ କରିବାକୁ
ପ୍ରୋତ୍ସାହଣ କରାଯାଇଛି। ତଦ୍ୱଳରେ ସାମ୍ବାଦିକ ଗ୍ରାମ କାର୍ଯ୍ୟକୁ ସ୍ୱାଗତ କରିବାକୁ
୪୯୯ ୨ ହାତୀମଣ୍ଡଳ ଜାତି ଗୋଟିଏ ସମ୍ପ୍ରଦାୟରୁ ବିକଳତା ପୀଡ଼ିତ
କରିବାକୁ ସମ୍ପ୍ରଦାୟରୁ ବିକଳତା ପୀଡ଼ିତ କରିବାକୁ

- 1X3 -

English Translation of Odiya. Annexure R-11/A-12 SERIES

GRAMA SABHA (JAMUDIHA G.P)

PLACE G.P OFFICE

DATE 02.10.24

TIME 10 AM

Today on 02.10.24 at about 10 Am one Special GRAM SABHA was held in presence of following signatories. The meeting was organised under the chairmanship of Sarpanch Smt. Chandmani Murmu. In the above meeting discussion were made on "swachata is service" and "P.M Biswakarma", "Har Ghar Water Movement" and Preparation of GPDP under the CFC /SFC and on NRGPA. Thereafter discussion was made regarding development works in the village and proceedings of the meeting were recorded.

SIGNATURE OF VILLAGERS in English
 I/ Chandramani Murmu (Sarpanch)

2. Parichandani Sani
3. Gajendra Sahu
4. Biju Kumar Paul
5. Saralata Paul
6. Sd. Manoj Kumar Paul -
7. Sd. Illegible
8. Raghunath Sahu
9. Ashok Kumar Sahu
10. Gyanendra Paul
11. Ananta Mahapatra
12. Suresh Kumar Singh
13. Hiranandini Sahu
14. Shyama Singh
15. Siba Prasad Tripathy
16. Kishore Pradhan
17. J. Pradhan (N.B.K)

18. Gajendra Singh
19. Harapada Paul
20. Sd. Illegible
21. Saralata Paul
22. Prulmi Sahu
23. Saralaxari Singh

24.

25. Sandhya Devi Singh
 26. Anandhathi Deswal (C/o Anji Sambhita)
 27. Susanta Kumar Singh
 28. Ramachandra Singh
 29. Anand Kumar Singh
 30. Shekhar Sunder Sethy
 31. Khageswar Sahu
 32. Poojita Kishore Yadav
 33. Purnachandra Singh
 34. Basanta Ku. Bera
 35. 2d 1 - Illegible
 36. Jarnajani Nayak
 37. Hanikonda Singh
 38. Anand Anand
 39. Sunia Bera
 40. Rajiv Anand
 41. Anand Anand
 42. Raju Halda
 43. Anand Anand
 44. Thumpu Mathi
 45. Jyoti Prakash Saha
 46. Rama Ch. Saha
 47. Prava Saha
 48. Anand Anand
 49. Anand Anand
 50. Anand Anand
 51. Anand Anand
 52. Anand Anand
 53. Anand Anand
 54. Anand Anand
 55. Anand Anand
 56. Anand Anand
 57. Akhila Ku. Saha
 58. Anand Anand

- 59 - Ramakrishna Sathapala
- 60 - Ramesh Sathapala
- 61 - Prasanta Kumar Patra
- 62. Ganeshwar Behem
- 63. Kamala Kanta Behem
- 64. Bal Singh
- 65. Deben Behem
- 66 - Bijay Kumar Saut
- 67 - Manoj Kumar Sathary
- 68. Anil Sathary
- 69. Sumit Swain
- 70. Manoj Kumar Sathary
- 71. Trilok Singh
- 72 - Rajkumar Singh
- 73. Sarvesh Singh
- 74. Gitan Singh
- 75. Dhan Singh
- 76. Bhaskar Sathary
- 77. Girish Kumar Sathary
- 78. Raju Swain
- 79. Gopendra Behem
- 80 - Anil Patra
- 81 - Kamal Kanta Behem
- 82. Suman Behem
- 83. Anil Kumar Sathary
- 84. Srushti Sathary
- 85. Jayanta Kumar Sathary
- 86. Divyanshu Nayak

Proposal No:-1;- Reading over and confirmation of earlier Grama Sabha proceedings -

At first as per direction of the sarapanch the proceedings of meeting held on 15.08.24 was read over in the Grama Sabha. Thereafter welcoming to the villagers present in the committee, memories of Father of Nation Mahatma Gandhi were recollected on his date of Birth i.e Oct. 2 .

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Proposal No:-2;-

Xx xx xxxxxxx xx xx

Proposal No-3

Land Schedule			
Mouza	Khata no	Plot no	Area
Jamudiha	1164/2	4108/4896	Ac1.50 dec
Jamudiha	1066/627	4108/4897	Ac0.50 dec
Jamudiha	1066/627	4108/4903	Ac1.50 dec
Jamudiha	1066/628	4108/4899	Ac1.50 dec
Jamudiha	1066/895	4108/4902	Ac1.00 dec
Total			Ac 6.00 dec

The proposal of Sri Adikanda Biswal for construction of 1 no's. of 200/250 TPH (Fixed Stone Crusher Unit), 1 no's, of 200/250 TPH Mobile Crusher Unit, 1no's.of WMM-Plant (Wet Mix Macadam) and 1 no's. of HSD/Diesel storage unit upto 40 kl, and establishment of Concrete Mix Batching plant (Hot Mix / Drummix) or construction of 1 no's. of Asphalt Plant was discussed and since there was no objection from villagers it was approved and the proceedings were recorded.

Proposal no 4;-

xxxx xxxx xxxx xxxx

At last the chairman of the meeting Sarapanch Madam gave thanks to villagers present and meeting was ended with thanks.

Sd/-

SARAPANCH



ଶ୍ରୀମତୀ ଚାନ୍ଦନୀ ମୁନୁ

ନା. - ୭୮୧୫୮୫୨୧୨୫

୯୩୪୮୭୦୧୭୭୯

ସରପଞ୍ଚ

ଜାମୁଡ଼ିହା ଗ୍ରାମପଞ୍ଚାୟତ, ବ୍ଲକ୍ - ନୀଳଗିରି, ଜିଲ୍ଲା - ବାଲେଶ୍ଵର

NO OBJECTION CERTIFICATE

ଠିକଣା.....

ତାରିଖ.....

I do hereby issue **NO OBJECTION CERTIFICATE** to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal of Malyani, PO: Karadiha, PS: Nilgiri, Dist: Balasore, over the mention land in the below table, to erect/install/expansion 1 Nos of 200/250TPH Fixed Stone Crusher Unit, 1 Nos of 200/250TPH Mobile Crusher Unit, 1 Nos WMM Plant (Wet Mix Macadam), 1 Unit of HSD/Diesel Storage upto 40KL, 1 Nos Concrete Mix Batching Plant, Hot Mix/Drum Mix or Asphalt Plant, under **JAMUDIHA GRAMPANCHAYAT**, Village/Mouza:-Jamudiha, Block/Tahasil/PS: Nilgiri, Dist: Balasore, Odisha, 756058.

So, I hereby verify the above said location and issuing the NOC to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal for the above mention Units/Plants along with the connecting roads.

LAND SCHEDULE

MOUZA	KHATA NO.	PLOT NO.	AREA
Jamudiha	1164/2	4108/4896	Ac. 1.50 dec.
Jamudiha	1066/627	4108/4897	Ac. 0.50 dec.
Jamudiha	1066/627	4108/4903	Ac. 1.50 dec.
Jamudiha	1066/628	4108/4899	Ac. 1.50 dec.
Jamudiha	1066/895	4108/4902	Ac. 1.00 dec.
TOTAL			Ac. 6.00 dec.

Chandana
Sarapanch
Jamudiha C.P

SARAPANCH

9348701679

JAMUDIHA GRAMPANCHAYAT, BLOCK-NILGIRI, DIST-BALASORE

NO OBJECTION CERTIFICATE

.....

.....

I do hereby issue **NO OBJECTION CERTIFICATE** to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal of Malyani, PO: Karadiha, PS: Nilgiri, Dist: Balasore, over the mention land in the below table, to erect/install/expansion 1 Nos of 200/250TPH Fixed Stone Crusher Unit, 1 Nos of 200/250TPH Mobile Crusher Unit, 1 Nos WMM Plant (Wet Mix Macadam), 1 Unit of HSD/Diesel Storage upto 40KL, 1 Nos Concrete Mix Batching Plant, Hot Mix/Drum Mix or Asphalt Plant, under **JAMUDIHA GRAMPANCHAYAT**, Village/Mouza:-Jamudiha, Block/Tahasil/PS: Nilgiri, Dist: Balasore, Odisha, 756058.

So, I hereby verify the above said location and issuing the NOC to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal for the above mention Units/Plants along with the connecting roads.

LAND SCHEDULE

MOUZA	KHATA NO.	PLOT NO.	AREA
Jamudiha	1164/2	4108/4896	Ac. 1.50 dec.
Jamudiha	1066/627	4108/4897	Ac. 0.50 dec.
Jamudiha	1066/627	4108/4903	Ac. 1.50 dec.
Jamudiha	1066/628	4108/4899	Ac. 1.50 dec.
Jamudiha	1066/895	4108/4902	Ac. 1.00 dec.
TOTAL			Ac. 6.00 dec.


 Sarapanch
 Jamudiha G.P

— ✕ —

OFFICE OF THE P.S. MEMBER JAMUDIHA GRAMPANCHAYAT

AT/PO- JAMUDIHA, BLOCK - NILGIRI, DIST.- BALASORE, ODISHA - 756058

MOB: 9853285345

Ref No.....

Date.....

NO OBJECTION CERTIFICATE

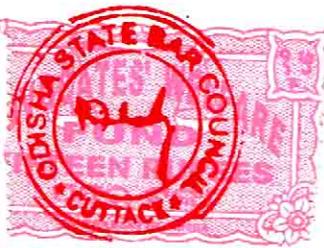
I do hereby issue **NO OBJECTION CERTIFICATE** to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal of Malyani, PO: Karadiha, PS: Nilgiri, Dist: Balasore, over the mention land in the below table, to erect/install/expansion 1 Nos of 200/250TPH Fixed Stone Crusher Unit, 1 Nos of 200/250TPH Mobile Crusher Unit, 1 Nos WMM Plant (Wet Mix Macadam), 1 Unit of HSD/Diesel Storage upto 40KL, 1 Nos Concrete Mix Batching Plant, Hot Mix/Drum Mix or Asphalt Plant, under **JAMUDIHA GRAMPANCHAYAT**, Village/Mouza:-Jamudiha, Block/Tahasil/PS: Nilgiri, Dist: Balasore, Odisha, 756058.

So, I hereby verify the above said location and issuing the NOC to M/s Akhandaleswar Stone Crusher, Prop: Shri Adikanda Biswal for the above mention Units/Plants along with the connecting roads.

LAND SCHEDULE

MOUZA	KHATA NO.	PLOT NO.	AREA
Jamudiha	1164/2	4108/4896	Ac. 1.50 dec.
Jamudiha	1066/627	4108/4897	Ac. 0.50 dec.
Jamudiha	1066/627	4108/4903	Ac. 1.50 dec.
Jamudiha	1066/628	4108/4899	Ac. 1.50 dec.
Jamudiha	1066/895	4108/4902	Ac. 1.00 dec.
TOTAL			Ac. 6.00 dec.

Rasmita Monopatra
P.S. Member
Jamudiha G.P.
Nilgiri Block



FORM OF VAKALATNAMA
BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE
BENCH, AT-KOLKATA.

ORIGINAL APPLICATION NO.142 OF 2025/EZ

Manas Ranjan Barik & Another.....APPLICANTS

-- Versus --

State of Odisha & Others.....RESPONDENTS

KNOW ALL MEN BY THESE PRESENTS, THAT BY THIS VAKALATNAMA

I/We-Sri Adikanda Biswal aged about 70 years Son of Late Udaya Nath Biswal of at present At- Malyani, Po- Kharadiha, Ps-Nilgiri Dist-Balasore, Proprietor of M/s Akhandaleswar Stone Crusher, Respondent-11, Plaintiff / Defendant /Appellant/ Respondent/ Petitioner/ Opposite Party in the aforesaid Suit / appeal / Case do hereby appoint and retain

- AJIT KUMAR SAHOO, EN NO.O-91/1999, Mobile No.9437378527**
- GOPAL PRASAD JENA, EN NO.O-329/1984, Mobile No.9437632218**
- GOPAL KRUSHNA NANDA, EN NO.1038/91, MOBILE .9861259337**
- RASHMI RANJAN DAS, EN NO.446/1995, MOBILE NO.9090536992**

Advocate(s) to appear for me / us, in the above case, and to conduct and prosecute (or defend) the same and all proceeding that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or receipt of any moneys that may payable to me/ us in the said case and also in applications for review in appeals under Orissa High Court Order and in application for leave to appeal to Supreme Court I / We authorized my /our Advocate(s) to admit any compromise lawfully enter in the said case.

Date. **5.10.2025**

Received from the Executants(s)

Satisfied and accepted as I hold

Advocate Advocate

[Signature] *[Signature]*
A.K.Sahoo 0-91/99

Accepted as above Accepted as above

[Signature] *[Signature]*
Advocate Advocate
0-91/95

[Signature]
Adikanda Biswal

Accepted as above Accepted as above

Advocate

Advocate **SIGNATURE OF EXECUTANTS**