

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 68/2025/EZ**

IN THE MATTER OF:

DUSMANT KUMAR BAL

...APPLICANT

VERSUS

STATE OF ODISHA & ORS.

...RESPONDENTS

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Jajpur, Odisha

Dtd. 18/02/2026

Through

padmesh mishra

Padmesh Mishra
Advocate for Respondent/
Government of Odisha
office@padmeshmishra.com
Mob-9958230144

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

ORIGINAL APPLICATION NO. 68/2025/EZ

IN THE MATTER OF:

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VERSUS

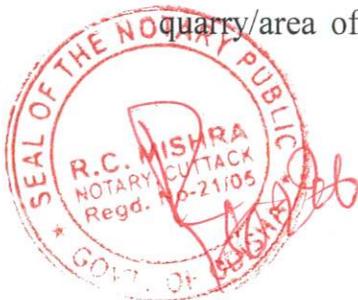
STATE OF ODISHA & ORS.

...RESPONDENTS

COUNTER AFFIDAVIT TO IA No. 02/2026/EZ BY DEPUTY DIRECTOR
OF MINES (I/C), JAJPUR CIRCLE - RESPONDENT NO. 13

I, Jayaprakash Nayak, aged about 36 years, S/o- Subash Chandra Nayak, at present working as Deputy Director of Mines (I/C), Jajpur Circle, at O/o the Deputy Director of Mines, Jajpur Circle, Jajpur, do hereby solemnly affirm and state as follows:

1. That, I am arrayed as the Respondent No. 13 in the above-mentioned Original Application, in my official capacity. I have gone through the said application and understood the contents thereof. I am also well acquainted with the facts of the present case as derived from the official records and as such I am competent to swear the present affidavit.
2. That, the present IA has been filed by the applicant for direction to the deponent herein to furnish the total volumetric assessment of the quarry no.2/5 (Aruha BSQ 20 Acre) and 2/3 (Aruha BSQ 18.88 Acre) from the date of grant of Environmental Clearance till today, indicating details of overburden and top soil exists at the quarry site, violation of mining plan, lease conditions and EC conditions.
3. That it is humbly submitted that for the assessment of extraction of minor minerals for a period between **two particular date**, Ortho-image/high resolution satellite imageries/drone image/contour-based surface plan of that particular quarry/area of the above two dates are required. In this case, considering the



Jayaprakash Nayak
DEPUTY DIRECTOR OF MINES(I/C)
JAJPUR CIRCLE, JAJPUR

present IA in which the applicant has sought for direction to the deponent to furnish the total volumetric assessment of the quarry no.2/5 (Aruha BSQ 20 Acre) and 2/3 (Aruha BSQ 18.88 Acre) from the date of grant of Environmental Clearance till today indicating details of overburden and top soil exists at the quarry site, violation of mining plan, lease conditions and EC conditions, the Chief Executive, Orissa Space Application Centre (ORSAC), Bhubaneswar was requested vide this office Letter No. 469, dated 27/01/2026 for volumetric assessment of Aruha BSQ Nos 2/5 and 2/3 for compliance of the order of the Hon'ble Tribunal.

True Copy of the Letter No. 469, dated 27.01.2026 is annexed and marked herewith as **ANNEXURE- A.**

4. That, in reply to the above letter, ORSAC vide its Letter No.286, dated 30.01.2026 sought clarification regarding conducting the survey and data processing cost. Further, vide Letter No.287, dated 30.01.2026, ORSAC sought clarification regarding the period/date (from and to) of the assessment of the extent/quantum of minor minerals/stones from Aruha BSQ Nos 2/5 and Aruha BSQ 2/3 excavated illegally and the type of data required.

True Copy of the Letter No. 286 & No. 287, dated 30.01.2026 is annexed and marked herewith as **ANNEXURE- B Series.**

5. That, in reply to the above two letters, this deponent vide its office Letter No.654, dated 03.02.2026 once again intimated the ORSAC to furnish whether satellite imagery on the date of issuance of Environmental Clearances i.e. 02.09.2022 (Aruha BSQ 20 Acre) and 17.01.2023 (Aruha BSQ 18.88 Acre) or nearby dates to it of that particular area is available or not as there was no Ortho-image/high resolution satellite imageries/drone image/contour based surface plan available at this end to take initial reference on the date of issuance of Environmental Clearance.

Jayprakash Nayak
DEPUTY DIRECTOR OF MINES(IIC)
JAJPUR CIRCLE, JAJPUR



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In reply to the above letter, ORSAC vide letter No.418, dated 05.02.2026 has intimated that no stereo satellite imageries on the above two dates or nearby dates to it are available. Hence, assessment of the above two quarry from the date of approval of E.C is not possible.

True Copy of the Letter No. 654, dated 03.02.2026 & Letter No. 418, dated 05.02.2026 is annexed and marked herewith as **ANNEXURE- C Series**.

6. That, it is submitted that prior to the filing of the present OA, an assessment via Drone Mapping/ETS survey by an ORSAC Empanelled Technical Expert (RQP) was conducted on 10.03.2023 by the Tahasildar, Dharmasala w.r.t Quarry No.2/5 (Aruha BSQ 20 Acre), which revealed extraction of 80112 Cu m of black stone beyond the permissible quantity extracted in the period from 31.05.2022 (date of lease deed agreement) to 10.03.2023 (date of survey). Accordingly, the lessee Sri Manoj Kumar Samal (Respondent No.16 in the present case) was imposed with a penalty amount of Rs.4,20,47,585/- by the Tahasildar vide Letter No.2244, dated 25.04.2024 and the same has been realised from the lessee after transfer of the case Record from the O/o the Tahasildar, Dharmasala to the office of the deponent.

7. That, similarly, an assessment w.r.t Quarry No.2/3 (Aruha BSQ 18.88 Acre) was conducted on 06.07.2023 by Tahasildar, Dharmasala which revealed unauthorised extraction of 24899 Cu m of black stone in the period from 22.03.2023 (date of lease deed agreement) to 06.07.2023 (date of survey). It is noteworthy that while the lessee had been granted permission to extract 42,034 cubic meters of black stone, no Y-Form (Transit Pass) was issued by the Tahasildar and therefore the extraction was considered unauthorized and liability

Jayaprakash Nayak
DEPUTY DIRECTOR OF MINES(IIC)
JAJPUR CIRCLE, JAJPUR





was imposed on the lessee by the Tahasildar to pay compensation for the above unauthorised extraction. After receipt of the case record from the O/o the Tahasildar, Dharmasala to the O/o the Deputy Director of Mines, Jajpur Circle, Jajpur, the lessee was allowed to operate the quarry by the Mining Officer-cum-Competent Authority, Jajpur district after realising the entire amount against the permitted quantity of 42,034 cubic meters, though he had extracted only 24899 Cu m of black stone.

8. That, as per the order dated 15.04.2025 of this Hon'ble Tribunal in the present O.A, further assessment was conducted w.r.t the above two stone quarries and the vetted assessment report obtained from the ORSAC along with the action taken report thereof has already been placed before this Hon'ble Tribunal vide Counter Affidavit dated 03.12.2025 by the Collector & D.M, Jajpur.

9. That, the statements made in the present affidavit are true to the best of my knowledge and belief as per information derived from the official records and statements.

10. This is for humble submission before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata.

Jayaprakash Nayak
18.02.26

DEPONENT
DEPUTY DIRECTOR OF MINES (I/C)
JAJPUR CIRCLE, JAJPUR

VERIFICATION

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

Verified at Cuttack on this 18th day of February 2026.

Jayaprakash Nayak
18.02.26

DEPONENT
DEPUTY DIRECTOR OF MINES (I/C)
JAJPUR CIRCLE, JAJPUR

I solemnly affirm on oath by the Deponent at Cuttack on 18.02.26 being identified by *hansubh...* 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.

Rama Chandra Mishra
RAMA CHANDRA MISHRA, NOTARY
CUTTACK TOWN, REGD. No-21196





GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR

E - mail: ddmjajpur.mm@gov.in

Letter No. 469 /MM, Jajpur/ Date 27.01.2026

To

The Chief Executive,
Odisha Space Applications Centre (ORSAC), Bhubaneswar

Sub: Request for volumetric assessment of Aruha BSQ Nos. 2/5 & 2/3 for compliance of Order dated 12.01.2026 of Hon'ble NGT in OA No. 68/2025.

Ref: 1. Order dated 12.01.2026 of Hon'ble Tribunal, passed in OA No. 68/EZ/2025 (Dusmant Kumar Bal Vs State & Others).

2. I.A. No. 2/2026/EZ filed by the applicant.

Sir,

With reference to the subject, I am directed to state that the Hon'ble National Tribunal order dated 12.01.2026 has directed the Respondent No 13 i.e. the Deputy Director Mines to **furnish the total volumetric assessment in respect of Aruha Quarry No. 2/5 and Quarry No. 2/3 from the date of grant of Environmental clearance to till today indicating details of overburden and top soil exists at the quarry site, Violations of Mining Plan, Lease Conditions and EC conditions.**

In this connection, it is requested to conduct the volumetric assessment and submit report as per the direction of Hon'ble Tribunal for early submission of same before the Hon'ble NGT. The matter is listed on **20.02.2026** for further hearing.

Yours faithfully,

Encl: Copy of Environment Clearance

Memo No 470 /MM, Jajpur/ Date 27.01.2026
Copy submitted to the Deputy Director of Mines, Jajpur Circle for kind information.

Memo No 471 /MM, Jajpur/ Date 27.01.2026
Copy submitted to the Collector & DM, Jajpur for kind information.

Mining Officer (I/C), Jajpur district



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ANNEXURE- B 979

ODISHA SPACE APPLICATIONS CENTRE (ORSAC)

Department of Science & Technology, Govt of Odisha

ORSAC/PR/1327/2026/ 286 Dt.- 30/1/2026.

To,
The Deputy Director of Mines (I/C)
Jajpur Circle, Jajpur

Sub: Request for volumetric assessment of Aruha BSQ Nos 2/5 & 2/3

Ref: Your Letter No. 469/MM, Dated on 27.01.2026

Sir,

With reference to subject mention and letter under reference, it is to inform you that the letter, it is not clear form your letter regarding the conducting the survey and data processing cost.

Therefore you are requested to kindly give clarification on the above matter urgently. After receiving clarification from your end, necessary step will be taken at ORSAC end.

Thanking you.

Yours Faithfully,

Scientist "D"



ODISHA SPACE APPLICATIONS CENTRE (ORSAC)

Department of Science & Technology, Govt of Odisha

ORSAC/PR/1327/2026/ 287 Dt.- 30/1/2026.

To,
The Deputy Director of Mines (I/C)
Jajpur Circle, Jajpur

Sub: Request for volumetric assessment of Aruha BSQ Nos 2/5 & 2/3

Ref: Your Letter No. 469/MM, Dated on 27.01.2026

Sir,

With reference to subject noted above and letter under reference, it is to inform you that the following information may please be provided for taking necessary action at our end.

1.It is not clear regarding the period/ date (from & to) of the assessment of the extent/ quantum of minor minerals/ stone from Aruha BSQ Nos 2/5 & 2/3 excavated illegally.

2.The type of data (High Resolution Stereo Satellite, if available for the period/ drone survey at present date) to be used.

Therefore, it is requested to give clarification on the above matter through a written communication or attend a meeting on the above matter with the team of ORSAC.

Thanking you.

Yours Faithfully,

Scientist "D"



GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR

E - mail: ddmjajpur.mm@gov.in

Letter No. 654 /MM, Jajpur/ Date 03-02-2026

From

Deputy Director of Mines,
Jajpur Circle, Jajpur.

To

The Chief Executive,
ORSAC, Odisha.

Sub: Request for volumetric assessment of Aruha BSQ Nos 2/5 & 2/3-regarding.

Ref: Your Letter No.286 & 287, dated 30.01.2026.

Sir,

Enclosed please find herewith the order dated 12.01.2026 of the Hon'ble NGT passed in O.A No.68/2025/EZ, Kolkata, wherein the Hon'ble Tribunal has mentioned that "I.A. No. 2/2026/EZ has been filed by the applicant for direction to respondent no.13 to furnish the total volumetric assessment of the quarry No. 2/5 and 2/3 from the date of grant of Environmental Clearance to till today indicating details of overburden and top soil exists at the quarry site, violations of mining plan, lease conditions and EC conditions". In this regard the Hon'ble Tribunal in the said order has directed the respondents to reply to the same within four weeks.

In this regard, I am to submit that;

1. Date of issuance of E.C w.r.t Aruha BSQ 2/5 (20 Acre) & Aruha BSQ 2/3 (18.88 Acre) is **02.09.2022 and 17.01.2023** respectively. So, the period of assessment may be considered from the date of issuance of E.C to the present date of survey.
2. It is requested to intimate the undersigned regarding the availability of high-resolution stereo satellite imageries during the dates on 09.02.2022 & 17.01.2023 or nearby dates.
3. Further, if the above imageries are available the procurement cost of the same including data processing cost may be intimated to this office for obtaining prior approval from the department regarding procurement of the same.
4. In addition to this, suggestion if any w.r.t the order dated 12.01.2026 may please be intimated to the undersigned for necessary compliance to the order of the NGT.

Encl: E.Cs and order dated 12.01.2026 of the Hon'ble NGT in O.A No.68/2025/EZ, Kolkata.

Your faithfully,

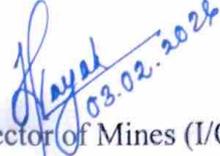
Deputy Director of Mines (I/C),
Jajpur Circle, Jajpur.

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Memo No. 655, M.M, Jajpur, Date. 03-02-2024 /

Copy to the Mining Officer, Jajpur for information and necessary follow-up action with the ORSAC.


Deputy Director of Mines (I/C),
Jajpur Circle, Jajpur.

Item No.11

Court No.1

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

Original Application No.68/2025/EZ
(I.A. No.112/2025/EZ)

Dusmant Kumar Bal

Applicant

Versus

State of Odisha & Ors.

Respondents

Date of hearing: 12.01.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Mr. Sankar Prasad Pani and Mr. Ashutosh Padhy, Advocates for the applicant (through VC).

Respondents: Mr. Padmesh Mishra, AGA for respondents no.1 to 5, 9, 10 and 13 (through VC).

Ms. Papiya Banerjee Bihani, Advocate for respondent no.6 (through VC).

Mr. Ashok Prasad, Advocate for respondents no.12 and 14 (physically in EZB).

Mr. Prabhu Prasad Mohanty, Advocate for respondents no.15 and 16 (physically in EZB).

(Respondent no.7 has been deleted vide order dated 15.04.2025).

None for respondent no.8 and 11.

ORDER

1. A written request for adjournment has been made on behalf of the Mr. Apurba Ghosh, learned Counsel for respondent no. 8 on ground of personal difficulty.

2. Additional Affidavit dated 09.01.2026 has been filed by respondent no. 15, which is taken on record.

3. Additional Affidavit dated 09.01.2026 has been filed by respondent no. 16, which is taken on record.

4. Reply/objection dated 09.01.2026 to I.A. No.112/2025/EZ has been filed by respondent no. 16, which is taken on record.
5. I.A. No. 2/2026/EZ has been filed by the applicant for direction to respondent no.13 to furnish the total volumetric assessment of the quarry No. 2/5 and 2/3 from the date of grant of Environmental Clearance to till today indicating details of overburden and top soil exists at the quarry site, violations of mining plan, lease conditions and EC conditions.
6. Reply to the same may be filed by the respondents within four weeks.
7. Written request for adjournment made on behalf of Mr. Apurba Ghosh, learned Counsel for respondent no. 8 is not opposed and is, therefore, allowed.
8. List on 20.02.2026 for further hearing.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

January 12th, 2026
Original Application No.68/2025/EZ
(I.A. No.112/2025/EZ)
R



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, E-mail-seiaaorissa@gmail.com

Letter No 5094/SEIAA

Dt. 02.09.2022

File No. SIA/OR/MIN/284399/2022

To

Sri Manoj Kumar Samal
At-Aruha, Ps-Dharmasala
Dist-Jajpur, Odisha

Sub: Proposal for **Corrigendum of Environmental Clearance** of Aruha Black Stone Quarry over an area of 20.00 Acres or 8.09 Hectares (total lease area under cluster-2 is 148.00 acres/59.89 Ha) in village-Aruha, Tahasil-Dharmasala, District-Jajpur of Sri Manoj Kumar Samal-reg.

Ref: (i) EC letter no. EC22B001OR164789 dated 11.05.2022
(ii) Your letter no. 3122 dated 15.07.2022
(iii) Online proposal No. SIA/OR/MIN/284399/2022 dtd. 20.07.2022

Sir

Kindly refer your online application on dated 20.07.2022, wherein you have requested for Corrigendum of environmental clearance granted by SEIAA, Odisha vide letter no. EC22B001OR164789 dated 11.05.2022 issued earlier in favour of Sri Manoj Kumar Samal.

As submitted by the Tahasildar, Dharmasala, it is noted that EC was obtained for Aruha Black Stone Quarry for a period of 5 years in favour of Sri Manoj Kumar Samal vide the above Corrigendum EC letter under reference. Now, the lessee has requested for corrigendum of EC on point no. 2i of Page no. 03), point no.9.7 of page no.04 be modified as there are some typological error during drafting of EC application.

The proposal was registered in PARIVESH Portal on dated 20.07.2022 with required documents and was placed in the SEIAA, Odisha meeting held on 23.08.2022 and the Authority decided that corrigendum of EC be as per the above mentioned point as follows the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC.

Point No. 2-i.(Page no.03).As per the approved mining plan the maximum annual extraction of road metal is corrected to **42,000 cum/annum** instead of **14,000 cum/annum**.

Pont No. 9.7(page no. 04). Maximum quantity of quarry material is corrected to **42,000 cum/annum** instead of **14,000 cum** in a full year (January to December) and total production from the quarry is **2,10,000 cum** during the valid lease period of five years as per the approved mining plan. Any flouting of this quantitative restriction shall make this EC liable to cancellation.



Yours faithfully,


Member Secretary

Memo No 5395/SEIAA /Dt. 02.09.2022
Copy to

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




Member Secretary

ENVIRONMENTAL
CLEARANCE



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

To,

The Lessee
SARAT JENA
At/Po- Aruha, Tehsil-Dharmasala, Jajpur -755024

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/OR/MIN/76469/2020 dated 03 May 2022. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|--|
| 1. EC Identification No. | EC23B001OR163112 |
| 2. File No. | 76469/662-MINB1/05-2022 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | For the grant of EC of Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No -779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 hacters in village Aruha under Dharmasala Tahasil of Jajpur District, Odisha. |
| 7. Name of Company/Organization | SARAT JENA |
| 8. Location of Project | Orissa |
| 9. TOR Date | 03 Jun 2020 |

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

Date: 17/01/2023

(e-signed)
Dr. K. Murugesan, IFS
Member Secretary
SEIAA - (Orissa)

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

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PARIVESH

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





**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

ENVIRONMENTAL CLEARANCE FOR STONE QUARRY

Subject: Application of Sri Sarat Kumar Jena for mining of road metal from Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No-779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 ha in village- Aruha, Tahasil-Dharmasala, District- Jajpur submitted under cluster approach(Total ML area under cluster-148.00 Acres or 59.89Ha, consisting of 5Nos. of Individual Quarries) -Environmental Clearance reg.

The Project Proponent Sri Sarat Kumar Jena has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC,GOI vide online application no. SIA/OR/MIN/76469/2022 dated 03.05.2022 for mining of road metal from Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No-779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 ha in village- Aruha, Tahasil- Dharmasala, District- Jajpur, Odisha submitted under cluster approach(Total ML area under cluster-148.00 Acres or 59.89Ha, consisting of 5Nos. of Individual Quarries) in terms of the provisions of the Environment Impact Assessment(EIA) Notification, 2006 & subsequent amendments thereto under the Environment(Protection) Act,1986.

2. Proposal in brief:

Proposal No.	SIA/OR/MIN/76469/2020
Date of application	03.05.2022
File No.	76469/662-MINB1/05-2022
Project Type	EC
Category	B1(Individual Lease area),B1(Cluster Lease area)
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for grant of EC of for the grant of EC of Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No-779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 ha in village- Aruha, Tahasil-Dharmasala, District- Jajpur, Odisha.
Name of the company/Organization	Sri Sarat Kumar Jena S/o-Hrudananda Jena At/Po-Dharmasala Dist-Jajpur
Location of Project	village- Aruha, Tahasil- Dharmasala, District- Jajpur, Odisha
ToR date	03.06.2020

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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

3. **Project details:** The highlights of the project, as ascertained from the application and as revealed from the proceedings/ discussions held during the meetings of SEAC/SEIAA, are given as under:
- (i) This is a proposal for mining of Stone from Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No-779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 Ha in village- Aruha, Tahasil- Dharmasala, District- Jajpur, Odisha.
 - (ii) The mining area is a part of Survey of India Toposheet No. F45U1 bounded by Latitude: 20°44'48"N to 20°45'01"N and longitudes of 86°06'04"E to 86°06'15"E.
 - (iii) The mining lease is an identified sairat source in the DSR. Aruha Black Stone quarry (Cluster Serial No-2/3) sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar, Dharmasala to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years. The lease period of 5 years shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar.
 - (iv) The cluster certificate has been furnished by Tahasildar Dharmasala certifying that this sairat source is a part of a cluster. There are 05 nos. of mines(including this lease) located within 500m radius of lease area confirming to cluster situation.
 - (v) The Terms of Reference (ToR) was granted by SEIAA vide letter no 8344/SEIAA dated 03.06.2020 for Aruha Stone Quarry Cluster for undertaking detailed EIA studies.
 - (vi) **Location & Connectivity:** The total area is Govt. land comprising of 5 nos. quarry leases covering a total mineralized area of 59.89Ha or 148.00 Acres located in village/Mouza - Aruha of Dharmasala Tahasil of Jajpur District, Odisha. The project site is located in survey of India toposheet no. 73L/1 and bounded between the latitudes 20°44'32.54"N to 20°44'12.94"N and Longitudes 86°05'53.25"E to 86°06'43.76"E as per survey. The cluster is well accessible through NH 200 which is located at a distance of about 0.5km and NH-5 is about 3.5km from the cluster. The area is at a distance of 4 km from Chandikhole town. The nearest railway siding is at Haridashpur railway station located at a distance of about 2km from the cluster area. Nearest Airport is Biju Patnaik International Airport is at a distance of approx. 60 km from the project site. Kapilash wildlife sanctuary is located at a distance of 15Km from the cluster area. Nearest river is Brahmani River- 4 Km. Nearest Reserve forest is Mahabinayak RF - 4 Km. No state or national boundary exists within 10 Km radius of the project. Nearest habitation is Aruha village.
 - (vii) The baseline data has been collected from March'2020 to May'2020 (Summer season) for the cluster project.
 - (viii) The public hearing for the said project was conducted on 26.08.2020 at 10.30 AM at Dharmasala Bhawan, Chandikhole, Jajpur and the issues raised by the public were on Environment Employment Other local Development activity & the issues of public

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STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
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- has been address in the EIA/EMP report and an amount of Rs.21.00/-Lakhs has been earmarked for peripheral developmental activities as per public demand.
- (ix) The project proponent along with the consultant M/s Kalyani Laboratories, Bhubaneswar made a detailed presentation on the cluster proposal on 06.04.2021.
 - (x) The project proponent has submitted Additional documents/information to SEAC on the project on 09.07.2021.
 - (xi) The proposal in cluster was duly appraised by the SEAC in its meeting held on 03.08.2021. The SEAC has approved the EIA/EMP report in cluster approach and recommended that the SEIAA may consider to grant Environmental Clearance to individual lease in cluster after the lessee in cluster submit individual applications. The lessee has submitted the individual EC application in the Parivesh portal
 - (xii) Documents submitted: -Form-1, D.L.C., PFR, EMP, checklist, Mining Plan and approval letter, DSR, Village sheet, Cluster certificate from Tahasildar, topo map etc.
 - (xiii) Whether submitted KML file of the lease area-Yes
 - (xiv) Distance from nearest sanctuary/ESZ- Kapilash WLS-23.0 Km
 - (xv) Whether the lease area coming in DLC report-No, It has been clarified by the Tahasildar, Dharmasala, vide letter Nil dated 20.08.2022.
 - (xvi) Whether the lease area reflecting in DSR-Yes
 - (xvii) Method of mining-Semi-mechanized
 - (xviii) Distance from nearest road bridge-6.20 km, village road-0.02 km
 - (xix) Whether it is part of cluster -Yes, total lease area under cluster-2 is 59.89 Ha for which already EIA and EMP approved by SEAC on 03.08.2021 and in this regards a letter was issued by SEIAA, Odisha vide letter no. 2340/SEIAA dated 31.08.2021 for individual application with required documents and now individual application applied by PP.
 - (xx) Whether EC obtained earlier-Yes
 - (xxi) Date of approval of mining plan- the Deputy Director of Geology, O/o Directorate of Geology, Bhubaneswar on 08.03.2022.
 - (xxii) Production capacity per annum-42034 cum/annum (max.), total production in 5 years period-210170 cum, Geological reserve-3131289 cum and Mineable reserve-2638853 cum.
 - (xxiii) Water Requirement: - The total water requirement will be 3.5 KLD for different purposes like Domestic, Dust suppression, plantation purposes. Source: Nearby village with the help of tankers.
 - (xxiv) Power Requirement: -No use of electric power as the operation will be done in the day time. DG set will be used as source of power.
 - (xxv) Employment Potential - A total of 18 nos. of workers are to be employed during mining operation.

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- (xxvi) Green Belt Development: Greenbelt plantation will be done by planting 1025 nos. saplings of suitable species by the lessee as per EMP submitted.
- (xxvii) The project cost is estimated to be Rs. 26.00 lakhs and there is a budgetary provision of Rs.2.00 lakhs as capital cost and Rs.40,000/-as recurring cost towards environmental protection measures.
- (xxviii) Whether the DSR has been prepared as per the MoEF& CC, Govt. of India Notification S.O. 3611(E) dated 25.07.2018, Sustainable sand mining guidelines-2016 and Enforcement & Monitoring Guideline for sand mining-2020- **No**
4. This proposal conforms to the project/activity in item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B1 as the mining lease area is more than 5 ha & the cluster proposal also falls under Category B1 as the mining lease area is more than 5 ha.
5. The proposal in cluster was duly appraised by the SEAC in its meeting held on 03.08.2021. The SEAC has approved the EIA/EMP report in cluster approach and recommended that the SEIAA may consider to grant Environmental Clearance to individual lease in cluster after the lessee in cluster submit individual applications. The lessee has also submitted the individual EC application in the Parivesh portal.
6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 103rd meeting held on 15.12.2022 in accordance with the EIA Notification, 2006 and further amendments thereto.
7. **Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for Aruha Black Stone quarry (Cluster Serial No-2/3), (Khata No-779, Plot No-2807,2808,2811) over an area of 18.88 acres or 7.64 ha in village- Aruha, Tahasil- Dharmasala, District- Jajpur submitted under cluster approach(Total ML area under cluster-148.00 Acres or 59.89Ha, consisting of 5Nos. of Individual Quarries) with the following stipulations, environmental conditions and safeguards.**

A: Stipulations:

Sl.	Descriptions	Stipulation
(i)	Total ML Area in Cluster	148.00 Acres or 59.89Ha
(ii)	Individual Lease Area:	18.88 Acres or 7.64 Ha
(iii)	No Mining Zone:	7.5meter safety zone from all along the lease boundary.
(iv)	Maximum Depth of Mining:	6.00 Mtr.as per approved mining plan

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(v)	Permitted Quantity:	1 st year: 42034 cum/per year 2 nd year: 42034 cum/per year
(vi)	Validity Period of EC:	Two years from date of issue

B: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR BEFORE EXECUTING LEASE AGREEMENT:

- 7.1 **Specific Condition:** (i) The village road is at 0.02Km distance from the lease area. A non-mineable zone/safety zone of 200 meters from road shall be strictly maintained and mining activity shall be carried out beyond 200meters from the road. The proponent shall earmark the safety zone in concrete pillar before carrying out any mining activity. The Tahasildar shall ensure the safety of village road during blasting by the PP.
- (ii) The PP will implement the EMP with a budgetary allocation of Rs.2.00Lakhs as Capital Cost & Rs.40000/- as Recurring Cost, as proposed within the first three years of start of mining activities.
- 7.2 **Boundary Demarcation:-** The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.
- 7.3 **Digital Map:-** A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at info.seiaaodisha@gmail.com.
- 7.4 **Intimation of EC:-** The copies of the EC shall be sent to the Sarpanch(s) of the concerned Gram Panchayat(s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- 7.5 **Tree Plantation:-** Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs. 3,60,000/- with the respective District Environment Society for raising 800 plants of native species within 2 years in a suitable location adjoining to quarry.
- 7.6 **State EMF Fund:-** An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.

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- 7.7 **Condition by Collector:-** Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.
- 7.8 **Compliance report for transfer of EC:-** Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards.
- C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT:**
- 7.9 **Maximum permissible depth:-** Quarry excavation shall not proceed below a level on the hill slope, and shall not touch the base of the hill in any case. The exploitation of stone material from the hill shall be carried out in a systematic manner, spreading the quarrying activity to cover all the economic veins of mineral and proceeding uniformly to more and more depths from all sides simultaneously. Maximum depth from the top surface, at any point, up to which quarrying may be permitted shall be 6 meters as stipulated in rule 37(1) (a) of the OMMC Rule, 2016.
- 7.10 **Maximum permissible quantity:** Maximum quantity of material permitted to remove from the quarry area is 42034 cum in a full year (January to December). Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.11 **District Survey Report:** In view of likely revision of District Survey Report (DSR) as per the Ministry guidelines on DSR, the mention of this deposit in DSR with final coordinates shall be ensured by Tahasildar within two years. The District Survey Report (DSR) shall be prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611 (E) dated 25.07.2018 and Enforcement & Monitoring Guidelines for Sand Mining-2020.
- 7.12 **EC Extension:** - Any further extension of EC beyond two years shall be considered only with submission of duly approved District Survey Report.
- 7.13 **Any change in mining plan requires fresh EC:** - Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of laterite stone from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.14 **Environmental Management Plan:** EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in coordination with Tahasildar. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.15 **No Mining Zone:** The lessee shall ensure that no quarrying or mining is carried out in the areas as specified below:-

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- a) 7.5 meter safety zone shall be kept from all side of the lease boundary as per the approved mining plan.
- b) within 100m (minimum distance criteria when blasting is **not involved**) and within 200m (minimum distance criteria when blasting is **involved**) from residential/ public buildings, inhabited sites, protected monuments, Heritage sites, National/State Highway, District roads, public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dam, Reservoirs, river, Canals, lakes or Tanks, or any other locations etc.
- c) below ground water table under any circumstances. If ground water table occurs /intervenes within the permitted mining depth, then the quarrying shall be stopped immediately;
- d) in the vicinity of natural /manmade archeological sites;

7.16 Transport Safeguards:

- a) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- b) Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
- c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- e) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks.
- f) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

7.17 Other Environmental Conditions:-

- a) Under no circumstances, the lessee shall use wagon drilling blasting during mining activity.
- b) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- c) Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.

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- d) Dumping of quarry material is in no case permissible on any forest land; and all dump yard shall be on duly permitted non forest land.
 - e) Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans-boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by SPCB, Odisha.
 - f) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
 - g) Permanent barricading/barbed wired fencing of the mining lease area site shall be done after completion of mining activities to prevent any danger for stray animals and human habitations from accidents.
 - h) The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine. Filling of the ditch by fly ash is to be ensured by the lessee, as also fencing the area, guard wall for safety of cattle & traffic.
 - i) The illumination and sound at night at the lease area disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.
- 7.18 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
- 7.19 **Public Hearing Compliance:-**The activities proposed in action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the action plan and within a stipulated time frame as submitted in the Final EIA/EMP Report. The Status Report on implementation of action plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration. The project proponent shall comply in true spirit all the issues raised and recorded in proceedings of public hearing w.r.t. environment / pollution / CER shall be complied by the Mining Authority as per OM F. No. 22-65/2017-IA.III, dated 30.09.2020 of MoEF&CC, Govt. of India.
- 7.20 **Reclamation & Restoration:** Pursuant to MoEF & CC, O.M No 22-34/2018-1A.III dated 16.01.2020 and in compliance to the directions dated 8th January 2020 of Hon'ble Supreme Court in W.P. (Civil) No.114/2014 in the matter of Common

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- Cause vs Union of India, the mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The Project Proponent shall submit a detailed plan of action in this regard to Tahasildar within six months, indicating definite timelines and physical outcomes for the reclamation & restoration of the mined out area. The Tahasildar shall submit a compliance report to SEIAA, Odisha at the end of lease period.
- 7.19 **Half-yearly Compliance Report:-** It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF & CC, Bhubaneswar in soft copies on 1st day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 7.20 **Concomitant Monitoring:-** The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 7.21 **Independent Monitoring:-** The concerned Regional Office of the MoEF & CC/SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.22 **Revocation of EC:-** The SEIAA, Odisha may revoke or suspend the EC, if implementation of any of the above conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter /modify the above conditions or stipulate any further condition in the interest of environment protection.
- 7.23 **Change in Ownership of Lease:-** This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 8 The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.

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- 9 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
- 10 Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,

Member Secretary

Copy to

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

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Member Secretary

**ODISHA SPACE APPLICATIONS CENTRE (ORSAC)**

Department of Science & Technology, Govt of Odisha

ORSAC/PR/1327/2026/ 418 Dt. 5/2/2026

To,
The Deputy Director of Mines (I/C)
Jajpur Circle, Jajpur

Sub: Request for volumetric assessment of Aruha BSQ Nos 2/5 & 2/3

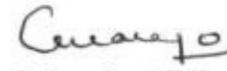
Ref: Your Letter No. 654/MM, Dated on 03.02.2026

Sir,

In inviting a reference in the subject mentioned above and the letter cited under reference, the high resolution stereo satellite imageries during the dates on 9.02.2022 & 17.01.2023 or nearby dates are not available as enquired. Hence forth you are requested to kindly suggest any alternate method for undertaking the volumetric assessment of Aruha BSQ Nos 2/5 & 2/3.

Thanking you.

Yours Faithfully,


Scientist "D"