

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

Original Application No. 193/2025/EZ

IN THE MATTER OF: -

Soubhagya Patra-----Appellant

Versus

Odisha State Pollution Control Board & Ors.-----Respondents

Affidavit on Behalf of the Opposite Party/Respondent No. 06 State Environment Impact Assessment Authority (SEIAA), Odisha

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Place: Bhubaneswar
Date: 17/01/2026

Shri Apurba Ghosh
Advocate for Respondent No.06
(SEIAA), Odisha
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17 JAN 2026

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

Original Application No. 193/2025/EZ

IN THE MATTER OF: -

Soubhagya Patra-----Appellant

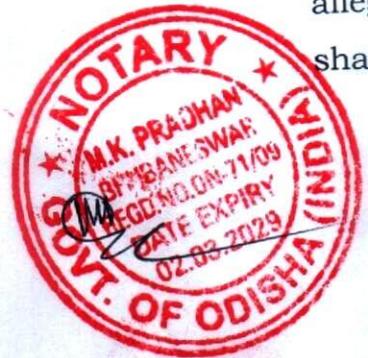
Versus

Odisha State Pollution Control Board & Ors.-----Respondents

Affidavit on Behalf of the Opposite Party/Respondent No. 06 State Environment Impact Assessment Authority (SEIAA), Odisha

1. Dr. Pradeept Kumar Nayak, son of Bhimasen Nayak aged 43 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opposite Party No.06 before this Hon'ble National Green Tribunal.
3. That, I have gone through the original appeal petition and Hon'ble Court order dated. 19.11.2025 and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.

Pradeept Kumar Nayak
Environmental Scientist
SEIAA, Odisha

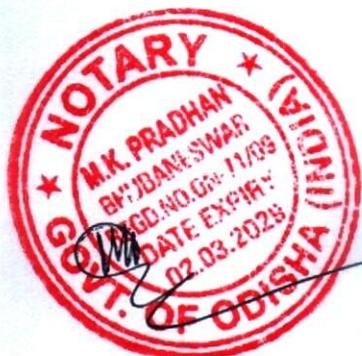


4. That, in reply to the averments made in the Para-01 to Para-03 and Para-5 (A and B) of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.

5. That in reply to the averments made in the Para-05 (C and D) of the original application, the deponent humbly submitted the following points for better appreciation of Hon'ble Tribunal as follows:

- (i) This is matter on Balada (Nainlo) Devi River Sand Bed over an area of 12.00 acres or 4.85 ha at village-Balada, Tahasil-Kanatapada, Dist.-Cuttack, Odisha. The project applicant, Tahasildar, Kantapada has submitted Environmental Clearance (EC) application dated 08.02.2021 to SEIAA, Odisha. The proposal was placed in State Level Expert Appraisal Committee (SEAC) held on 29.06.2021 and the SEAC recommended the proposal for grant of EC. As per the SEAC recommendation, the environmental clearance (EC) has been issued by SEIAA, Odisha vide EC letter No.-2042/SEIAA dated 05/08/2021 in favour of Tahasildar, Kantapada for extraction quantity of sand about 25,000 cum in 1st year subject to submission of replenishment study report by 15.10.2022 with stipulated conditions given in EC letter.

The copy of EC letter no. 2042/SEIAA dated 05/08/2021 is attached in **Annexure-I**.



Pradeept Kumar Nayak
Environmental Scientist
SEIAA, Odisha

- (ii) Further, transfer of EC was issued vide letter no.4868/SEIAA dated 13.07.2022 in favour of M/s. Suryavanshi Earth Movers, the successful bidder for the said sand bed with the same terms and condition of original EC letter.

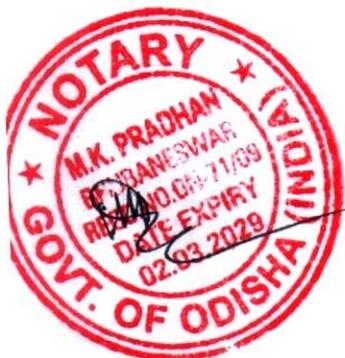
The copy of transfer of EC letter no. 4868/SEIAA dated 13.07.2022 is attached in **Annexure-II**.

- (iii) Again, based on the replenishment study report of said sand bed, the Project Proponent (PP) has submitted Amendment of EC application to SEIAA, Odisha vide proposal No. SIA/OR/MIN/470283/2024 dated 22/04/2024. The proposal was placed in State Level Expert Appraisal Committee (SEAC) held on 04.05.2024 and the SEAC recommended the replenished quantity of sand 22,009 cum for further period of mining and the Authority approved the SEAC recommendation in 167th SEIAA, Odisha meeting held on 03.06.2024 and accordingly, allowed Amendment of EC vide EC Identification No. EC24C0107OR5936577A dated 12.06.2024.

The copy of transfer of Identification No. EC24C0107OR5936577A dated 12.06.2024 is attached in **Annexure-III**.

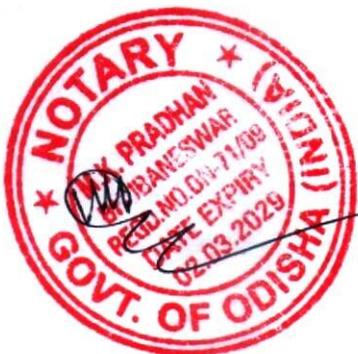
- (iv) During submission of Amendment of EC application to SEIAA, Odisha dated 22.04.2024, the project proponent has suppressed the

Pradip Kumar Nayak
Environmental Scientist
SEIAA, Odisha



information that a joint inspection was conducted on 01.03.2023 by the member of Tahasildar, Kantapada, Geologist, Cuttack, Mining Officer, Cuttack, SDO, Irrigation, Kantapada, Cuttack, Revenue Inspector, B.sailo Circle and Revenue Inspector, Kantapada and they highlighting the excess mining from the source. Further, Tahasildar Kantapada vide letter no. 692 dated 15.03.2023 has issued notice to the project proponent/lessee to deposit Royalty and Penalty for excess mining of sand about **13,078 cum** from Balada (Nainlo) Devi Sand Bed.

- (v) The SEIAA, Odisha has not received any communication from project proponent during EC and Amendment of EC application and from Tahasildar, Kantapada or Mining Officer, Cuttack on excess mining but the present petitioner has submitted attachment in the Original Application (OA) filed before Hon'ble NGT, EZ where it reveals that M/s. Suryavanshi Earth Movers, project proponent of Balada (Nainlo) Devi River Sand Bed has extracted **13,078 cum** of sand from the source as an excess mining. Hence, a Show Cause Notice No. 7008/SEIAA dated 17.01.2026 has been issued to M/s. Suryavanshi Earth Movers for non-compliance of EC conditions, suppression of information and excess mining i.e. 13,078 cum of sand as an over extraction from the mining lease area is mentioned in the letter no. 692 dated



Pradixpt Kumar Nayak
Environmental Scientist
SEIAA, Odisha

15.03.2023 of the Tahasildar, Kantapada.

The copy of the Show Cause Notice No....7008/SEIAA dated 17.01.2026 is attached in **Annexure-IV.**

6. That, in reply to the averments made in the Para-05 (d) of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
7. That, in reply to the averments made in the Para-05 (d to m) of the original application, deponent humbly submits that the details are mentioned in the Para-05 (iv and v) above.
8. That, in reply to the averments made in the Para-05 (j to q) of the original application, deponent humbly submits that the averments are matters on record and this deponent has no comments to offer.
9. That the deponent reserves the right to file further affidavit as and when necessary.
10. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

Pradeep Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha

17/01/26

MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

[Handwritten Signature]
17/1/26

VERIFICATION

17 JAN 2026

Verified at Bhubaneswar on this day of -----
that the contents of the above affidavits are true and correct on
the basis of the records maintained by the respondent in the daily
course of its business, no part of it is false and nothing has been
concealed therefore.

Place: Bhubaneswar

Date: *17/01/2026*

Pradeep Kumar Nayak
Deponent
Environmental Scientist
SEIAA, Odisha

SWORN BEFORE ME



[Handwritten Signature]
MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

[Handwritten Signature]
17/1/26



**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: 0674-2541029. E-mail-seiaaorissa@gmail.com

Letter No 2042/SE/IAA

Di. 5.8.2021

File No. SEIAA-1322/02-2021

To

The Tahasildar, Kantapada,
Tahasil-Kantapada
Dist-Cuttack

Sub: Proposal of Tahasildar, Kantapada for mining of sand from Balada Sand Quarry over an area of 12.00acres or 4.85ha at village- Balada, Tahasil- Kantapada, District- Cuttack - Environmental Clearance reg.

Ref: SEIAA File No: SEIAA-1322/02-2021 dated 08.02.2021

Sir,

This is with reference to the application dated 08.02.2021 for grant of environmental clearance (submitted in the offline mode) for the proposed activities mentioned above.

2. [The application has been submitted in the offline mode because there is no provision at present for filing EC application for such cases (minor mineral extraction involving area less than or equal to 5ha; i.e., B2 category projects) in the online mode before SEIAA in the PARIVESH portal. The relevant application Form-IM does not appear on the screen of the said portal when EC application is to be filed to SEIAA]. The applicant has submitted the application in Form-I, i.e. the Form in which applications for minor mineral projects were being submitted upto the year 2016 before SEIAA. The Form-I does not contain some of the situational information relating to environmental sensitivity, but much of the required information has been submitted by the applicant in the Checklist and also in the PFR.

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

1
DM

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

- a. This is a proposal for mining of sand from **Balada Sand Quarry** lying in the **Devi River** bed located at **village- Balada, Tahasil- Kantapada, District- Cuttack**, over lease area of **12.00acres or 4.85ha**.
 - b. The mine area is a part of the Survey of India Toposheet No.F45U/3, F45U/4 bounded by Latitude: 20°16'22.7" N to 20°16'28.1" N and Longitude: 86°02'53.1"E to 86°03'03.2" E.
 - c. The mining lease is an identified sairat source in the DSR. The Balada Sand Quarry sairat source will be leased out under the OMMC Rules,2016 by Tahasildar, Kantapada to the successful bidder(lessee) on the basis of public auction for a lease period of 5 years.
 - d. The mining plan along with the PMCP of the mining project prepared on behalf of successful bidder (lessee) has been approved by Deputy Director Geology, Directorate of Mines, Bhubaneswar on 11.06.2020.
 - e. As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 1,26,450 cum of sand, when extracted upto a depth of 3.0 m. No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
 - f. The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is at a distance of 5.68Km away from the mining lease area.
 - g. The cluster certificate has been furnished by the Tahasildar certifying that there is no other mine located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.
 - h. As per the approved mining plan, it is observed that sand from the quarry will be extracted upto a depth of 2.50 meter with annual extraction of sand not exceeding 25000 cum (maximum production capacity) during the valid lease period.
5. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B2 as the mining lease area is less than 5ha.

6. The proposal is duly appraised by the SEAC in its meeting held on 29.06.2021. The SEAC has submitted the appraisal report and recommended for grant of EC, vide their letter no. 422/SEAC-Misc-02 dated 02.07.2021.

7. The Environmental Clearance (EC) is accordingly granted to the proposed activity of sand mining subject to the following conditions and stipulations. The EC shall take effect from the date of registration of duly executed lease deed in this regard by the Tahasildar and shall be coterminous with the expiry of lease period.

8. The Tahasildar, Kantapada who is the lease granting authority in this case is responsible for monitoring strict compliance of the following conditions of grant of environment clearance, by the project proponent(lessee).

9. Stipulated Conditions:

- 9.1 The project proponent has to carry out by engaging appropriate consultant, a study of **the annual replenishment rate of sand** by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The replenishment rate of sand may be calculated by using the volumetric survey method or any other methods as laid down in Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area. **Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 15thOctober,2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand is obligatory for the project proponent.**
- 9.2 In the first year i.e. before the rainy season of 2022.the extraction of sand **shall not exceed 25000Cum**, calculated by multiplying the working area in sqmtr by **2.5 meter depth of excavation.**
- 9.3 **The project proponent should carry out River bed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.**
- 9.4 Any change in the plan or quantity to be produced shall require prior approval of SEIAA. **This EC shall not be transferred without the permission of SEIAA. In case, the lease is settled in favour of any lessee, the permission of SEIAA will be taken along with the deposit of scrutiny fee.**
- 9.5 There shall be a 'no working zone' to protect the embankment on both sides, road or rail bridge in the vicinity, if any, dam, weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. **10 % of the width of river shall be left intact along the embankments on both sides as 'no mining zone'.** Further, no mining shall be allowed within 200 m of any existing structures dam,

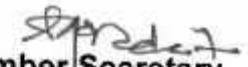
weir, water intake structure of irrigation or drinking water project, or any cross drainage structure. **In case of River Bridge, this no mining zone shall extend upto a minimum stretch of 200 meters from the bridge and it may extend upto 500 meters in sensitive locations.** The lease area shall be accordingly curtailed to carve out the actual sand mining area within the leasehold. Exact map of the lease area, and the 'no mining zone' shall be drawn to scale, showing the DGPS coordinates of all corner points, and the location of the bridge, embankment, extraction route & other structures; and such map has to be submitted to SEIAA by the project proponent through the Tahasildar within three months of the date of issue of the EC. The quantum of sand allowed to be extracted will be worked out on the basis of the actual working area.

- 9.6 The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.
- 9.7 The project proponent shall take prior statutory and regulatory clearance as required from the concerned authorities in respect of the project, before carrying out any operation.
- 9.8 Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
- 9.9 Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- 9.10 The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 9.11 **No transportation of the minerals shall ordinarily be allowed on any road passing through villages/habitations/forest land without prior explicit permission.** Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/Gram Panchayat and only after required strengthening, such that the carrying capacity of road is increased to handle the sand truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project. No movement on any road is allowed on existing village road network without appropriately increasing the carrying capacity of such roads. Project proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density. Plying of sand extraction trucks may be allowed on roads / path ways passing close to schools, temples, hospitals and such other public places only with prior written permission of competent authority.
- 9.12 Vehicles hired for transportation of sand from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.

- 9.13 The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of sand transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of sand trucks.
- 9.14 The project proponent shall take all precautionary measures against causing damage to flora and fauna of the locality. The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.
- 9.15 Water spray should be made on the road/extraction paths to control dust emission during transportation of sand.
- 9.16 The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
- 9.17 Environmental Management Plan (EMP) shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCC along with the compliance report.
- 9.18 The proponent shall take necessary measures to ensure that there is no adverse impact of the mining operations on the human habitation if any, existing nearby.
- 9.19 It shall be mandatory for the project management to submit quarterly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / SPCB, Odisha/ Regional Office of the MoEF&CC, Bhubaneswar, in hard and soft copies on 1st day of January, April, July, October of each calendar year, failing which EC is liable to be revoked.
- 9.20 At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 9.21 The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure that the project proponent submits quarterly compliance reports.
- 9.22 The concerned Regional Office of the MoEF&CC/ SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF&CC officer(s)/SPCC officer(s) by furnishing the requisite data / information / monitoring reports.
- 9.23 A copy of the clearance letter shall be sent by the proponent to concerned Gram Panchayat /Panchayat Samiti /ZilaParisad /Municipal Corporation / Urban Local Body as the case may be.
- 9.24 Project proponent shall obtain Consent to Operate from the OSPCC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the State Pollution Control Board.

- 9.25 The SEIAA, Odisha may revoke or suspend this 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.
- 9.26 **The Project Proponent (lease holder) shall inform the SEIAA of any change in ownership of the mining lease. In case, there is any change in ownership or mining lease is transferred, then mining operation can be carried out only after transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.**
- 9.27 Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this environment clearance besides attracting penal provisions in the Environment (Protection) Act, 1986.
- 9.28 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.
- 9.29 This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 9.30 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.

Memo No 2043/SEIAA Dt. 5.8.2021


Member Secretary

Copy to

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


Member Secretary



**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 4868/SEIAA

Dt. 13.07.2022

File No. **SIA/OR/MIN/281940/2022**

To M/s. Suryavanshi Earth Movers
Sri Bibekananda Dash (Authorized Person)
At-Swampatna, Sibanarayanpur,
Po-Keonjhar, Dist-Keonjhar, Pin-758030

Sub: Proposal for **Transfer of Environmental Clearance** of Balada river sand bed over an area of 12.00 Acres or 4.85 Hectares in village Balada under Kantapada Tahasil of Cuttack District from the name Tahasildar, Kantapada to M/s. Suryavanshi Earth Movers -reg.

Ref: (i) EC letter no. 2042/SEIAA dated 05.08.2021
(ii) Your letter no. 1701/Sairat dated 30.06.2022
(iii) Online proposal No. SIA/OR/MIN/281940/2022 dtd.06.07.2022

Sir

Kindly refer your online application on dated 06.07.2022, where in you have requested for transfer of environmental clearance granted by SEIAA, Odisha vide letter no. 2042/SEIAA dated 05.08.2021 issued earlier in favour of Tahasildar, Kantapada, Cuttack.

As submitted by the Tahasildar, it is noted that EC was obtained for Balada River Sand Bed for a period of 5 years in favour of Tahasildar, Kantapada vide the above mentioned EC letter under reference. Now, the said sairat source will be leased out under the OMMC Rules, 2016 by Tahasildar to the successful bidder (lessee) for a lease period of 5 years. Hence, the Tahasildar has requested for transfer of EC in favour of M/s. Suryavanshi Earth Movers, Successful Bidder under the provision of OMMC Rules, 2016 for operationalization of the sairat source.

The proposal was registered in PARIVESH Portal on dated 06.07.2022 with required documents and the Authority decided in the SEIAA meeting held on 08.07.2022 that EC be transferred favour of M/s. Suryavanshi Earth Movers as recommended by Tahasildar and the new Project Proponent has to submit the detailed compliance report on all EC conditions on half yearly basis.

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The SEIAA has no objection for transfer of environmental clearance accorded by SEIAA's letter no. 2042/SEIAA dated 05.08.2021 in the name of M/s. Suryavanshi Earth Movers with the same terms and conditions under which prior environmental clearance was initially granted and for the same validity period subject to satisfactory compliance to all the stipulated terms and conditions of EC along with the specific conditions mentioned below:

- 1) The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar and There are some organization in Odisha state who are empanel by ORSAC to conduct such survey. The details of UAV / Drone method is attached a separate sheet. The finding of the study shall be submitted to SEIAA to assess the rate of replenishment of mined out sand in the lease area.
- 2) Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31st December, 2022 if satisfactory replenishment study report is not submitted. The submission of study report of rate of annual replenishment of sand within one year is obligatory for the project proponent.
- 3) The PP is allowed to extract sand shall not exceed **25000 cum**, with depth **2.5 meter** in the first year. In case any change is proposed in the scope and limit of the project, the project proponent shall obtain fresh prior environmental clearance.
- 4) The Environmental Management Plan(EMP) shall be created for individual lease and the fund shall be kept in a single account and be implemented by the concerned Tahasildar to ensure the compliance with environmental conditions specified for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during

mining activity. All mining activity shall be done in scientific manner to safeguard degradation of environment. All the individual lease holders of the Tahasil shall implement the EMP as proposed. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.

- 5) The project proponent shall submit the real time photographs (geo-coordinate) of sand bed area, plantation activity (i.e. with mentioning no. of species and its survival rate), photographs during data collection for replenishment study of sand bed both pre and post monsoon period.
- 6) The project proponent shall submit half yearly compliance report of EC conditions with mentioning yearly production, replenishment rate of sand and geo-coordinate photographs of demarcated lease area and with details compliance of Environmental Management Plan (EMP).



Yours faithfully,



Member Secretary

Memo No 4869/SEIAA /Dt. 13.07.2022.

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, Chandrasekharapur, 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. **Copy to the Collector /Sub Collector, Cuttack and Tahasildar, Kantapada** 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.
10. Guard file for record.




Member Secretary

Annexure-1

The replenishment study for river bed sand is very essential in order to have a check on possible over exploitation. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. It is imperative to have a study of replenishment of sand material during a defined period for sustainable sand mining. As per the MOEF&CC, Govt. of India's Enforcement and Monitoring Guideline for Sand Mining, 2020, there are two methods prescribed for the study of rate of replenishment of sand on a stretch of river bed. These are (1) physical survey of the field by the conventional method and (2) use of UAV / Drone and other image data processing techniques. The second method UAV/ Drone method is the one which has been found suitable for the above purpose, and recommended by the ORSAC, Bhubaneswar.

The UAV / Drone method briefly is as follows:

The Drone /UAV is fitted with the advanced camera used for survey purposes. The survey is conducted using a set of instruments and compatible software to depict the topography of the study area (the lease area) by utilizing the properly referenced data.

After running the prescribed steps, the software shall automatically generate orthorectified imagery. Ground truthing is done at minimum 5 locations spread evenly across the lease area by using DGPS instruments. The readings from DGPS instruments are compared with the Drone Data for accuracy assessment.

The study shall have the details of establishment of bench mark by putting a number of pillar points and various Ground Control Points (GCP) at the site, observing by DGPS the various GCPs for permanent bench marks and control points. The summary of the elevation data from each session's profile based on the post monsoon survey is mentioned in the tabular form. A detailed comparison sheet of both pre-monsoon and post-monsoon elevation data is prepared. Cross sectional depiction of deposition and erosion for each section in pre and post deposition seasons shall be given.

Drone images are used to recreate highly accurate orthomosaic maps of mining sites and quarries. Each pixel contains 2D geo tagged information (X, Y), and can be used for distance and surface measurements. A densified point cloud can be generated from Drone images and data. Each point contains geospatial (X,Y,Z) information. It provides an accurate model of a site for precise volume measurements and visual insights. The drone data is processed to generate Digital Terrain Model (DTM) and assessment of progressive volumetric change.

Adequate number of geomatic grade ground control bench marks (X,Y,Z), depending on the size of the lease area, are to be maintained permanently around the lease area within a maximum distance of 500 meters from the lease area for the entire study period. There should be pre and post monsoon survey to assess the sand replenishment within the study area.

There are some organizations in Odisha state who are empaneled by ORSAC to conduct such survey.

DAG

Annexure-2**Essential Physical Criteria As Per Enforcement And Monitoring Guidelines For Sand Mining, January 2020 Of MoEF&CC, Govt. Of India**

Sl. No.	Essential Criteria	Reference
1.	"No Mining Zone": 1/4th the part of the river width (excluding 3/4th the central part of the river width) on both sides of the river towards the river bank	4.1.1 (Para - e) Page - 16
2.	a) Distance between two clusters: ≥ 2.5 km b) Area of mining lease area in a cluster: ≤ 10 ha. c)	4.1.1 (Para - k) Page - 19
3.	Concave River Bank: No extraction of sand	
4.	No mining if a) Upstream: Lease is 1 km from major Bridge and high ways or $5(x)$ of the Bridge / public civil structure / water intakes point subject to lease is located at a minimum 250 meters distance. Where $x =$ Span of the bridge. b) Downstream side: Lease is 1 km from the major bridge and Highways Or $10x$ of the bridge / public civil structure / water intake point Subject to lease is located at a minimum distance of 500 meter where $x =$ span of the bridge	4.3 (Para - h) Page - 23
5.	Mining depth: ≤ 3 meter (maximum 3 meter)	4.3 (Para - m) Page - 24
6.	Mining distance from river bank: $1/4^{\text{th}}$ of the river width, But subject to not less than 7.5 meter	4.31 (Para - m) Page - 24
7.	Area for removal of minerals: $\leq 60\%$ of mine lease area	4.3 (Para - s) Page - 25
8.	Minable sand per ha. Available for actual mining: $\leq 60,000$ MT/Annum	
9.	Regular replenishment study and replenishment rate	

DAI



सत्यमेव जयते

18
File No.: 470283/188-MIN/04-2024

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



Dated 12/06/2024



To,

GANESH KAR
GANESH KAR
Suryavanshi Earth Movers Sibanarayanpur, KENDUJHAR, ODISHA, 758030
ganeshpkarec@gmail.com

Subject: Amendment in Environmental Clearance (EC) 22/04/2024 granted to the project under the provision of the EIA Notification 2006 -regarding.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/OR/MIN/470283/2024 dated 22/04/2024 for grant of an amendment in prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0107OR5936577A
(ii) File No.	470283/188-MIN/04-2024
(iii) Clearance Type	Amendment in EC
(iv) Category	B2
(v) Schedule No./ Project Activity	1(a) Mining of minerals Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha
(vii) Name of Project	CUTTACK, ODISHA
(viii) Location of Project (District, State)	SEIAA
(ix) Issuing Authority	22/04/2024
(x) EC Date	NO
(xii) Applicability of General Conditions	
(xiii) Status of implementation of the project	

This has reference to your online application no. SIA/OR/MIN/470283/2024 dated 22.04.2024, wherein you have requested for amendment (i.e. amendment of EC regard to annual production of sand as per replenishment study report) of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC Identification No. 2042/SEIAA dt. 05.08.2021 in favour M/s. Suryavanshi Earth Movers, the successful bidder/lessee.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 167th meeting held on 03.06.2024 in accordance with the EIA Notification, 2006 as amended from time to time and the following points are noted;

(i) This is a proposal for amendment of EC of Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha.

(ii) The project proponent has obtained EC from SEIAA, Odisha vide EC letter no. /EC Identification No. – 2042/SEIAA dt. 05.08.2021 and EC transfer vide letter no.4868/SEIAA dt. 13.07.2022 for Balada Sand Quarry over an area of 12.00 Acre or 4.85 Ha. under Kantapada Tahasil of Cuttack district, Odisha.

(iii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand is 126450 cum with depth of sand deposition was 3.0 meter and proposed for annual extraction-25000 cum.

(iv) The SEIAA allowed 25000 cum of sand for 1st year production with depth of mining 2.5 meter.

(v) There is an EC conditions point no. 9.1 to 9.2 in page no. 03 that “Pending carrying out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after August 2021, if satisfactory replenishment study report is not submitted.”

(vi) The replenishment study was done by M/s. Geomac Solutions Pvt. Ltd, the (ORSAC Empanelment Agencies) with mentioned that Mineable Reserve during Pre-monsoon survey- 2023 = 50840Cum, Mineable Reserve during Post-monsoon survey-2023 = 72849Cum and quantity of sand replenished is 22009 cum and proposed production 22009 cum.

(vii) Documents submitted for amendment of EC;

3. The proposal was placed in SEAC meeting held on 04.05.2024 and the SEAC decided to recommend the proposal with following conditions.

(i) RS quantity derived is 22009 cum, which may be recommended as maximum qty subject to leaving safety zone as per guidelines.

(ii) Transport route to be decided with permission from the authority as the same is not clear from KML file.

4. Amendment of Environmental Clearance (EC) letter no./Identification no. 2042/SEIAA dt. 05.08.2021 issued for Balada River Sand Quarry in favour of M/s. Suryavanshi Earth Movers is **allowed** for extraction quantity of sand **22000 cum per annum** for the balance lease period. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with following additional stipulation mentioned below.

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. Copy to Director of Mines, Steel & Mines Dept., Govt. of Odisha for information and necessary action.

8. Copy to the Collector/Sub Collector, Cuttack, DFO, Cuttack and Tahasildar Kantapada /Mining Cuttack for information and necessary action.

9. Chairman/Member / Member Secretary, SEIAA for information.

10. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.

Annexure 1**Additional EC Conditions**

- (i) The PP is required to carry out the Annual rate of replenishment study (ARRS) through ORSAC empanel agency in subsequent year and submit the report to SEIAA, Odisha.
- (ii) The validity of EC is for validity of DSR or validity of lease period whichever is earlier.
- (iii) The Project Proponent (lease holder) shall deposit Rs.2,50,000/-, with the respective District Environment Society for raising 500 plants (minimum @100 trees per Ha) of native species within 2 years in a suitable location adjoining to quarry.
- (iv) The PP will implement the EMP with a budgetary allocation as proposed in the EMP report during EC application.
- (v) The Project Proponent shall uploaded/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of transfer of EC, falling which the EC is liable to revoked.
- (vi) In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:

seiaaodisha@gmail.com

(A statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)

Letter No. 7008/SEIAADated 17-01-2026

To

M/s. Suryavanshi Earth Movers
Sri Ganesh Kar, Power of Attorney
At-Subanarayanpur Sahi, Old Town, Dist.-Keonjhar
State-Odisha, Pin-758002
Email- ganeshpkarec@gmail.com

SUB: DIRECTIONS UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT, 1986- SHOW CAUSE NOTICE THEREOF

- Ref: 1. Order dated 19.11.2025 of Hon'ble NGT in Original Application No. 193 of 2025/EZ in the matter titled '*Soubhagya Patra Vrs Odisha State Pollution Control Board and Ors.*' pending before the NGT (EZ).
2. EC letter No. – 2042/SEIAA dated 05/08/2021 for Balada (Nainlo) Devi River Sand Bed over an area of 12.00 acres or 4.85 ha at village-Balada, Tahasil-Kanatapada, Dist.-Cuttack, Odisha in favour of Tahasildar, Kantapada.
3. Transfer of EC letter no. 4868/SEIAA dated 13.07.2022 in favour of M/s. Suryavanshi Earth Movers
4. Amendment of EC Identification No. EC24C0107OR5936577A dated 12.06.2024 in favour of M/s. Suryavanshi Earth Movers
5. Joint inspection report dated 28.02.2023 and Tahasildar, Kantapada letter no.692 dated 15.03.2023 on excess mining of 13078 cum of sand from the source

Sir/Madam,

WHEREAS, the Environment Clearance (EC) of Balada (Nainlo) Devi River Sand Bed over an area of 12.00 acres or 4.85 ha at village-Balada, Tahasil-Kanatapada, Dist.-Cuttack, Odisha has been issued by SEIAA, Odisha vide EC letter No.- 2042/SEIAA dated 05/08/2021 in favour of Tahasildar, Kantapada, as an applicant for extraction of sand about 25000 cum in 1st year subject to submission of replenishment study report by 15.10.2022 along with compliance of stipulated conditions given in EC letter. Further, transfer of EC was issued vide letter no.4868/SEIAA dated 13.07.2022 in favour of M/s. Suryavanshi Earth Movers, the successful bidder for the said sand bed with the same terms and condition of original EC letter.

WHEREAS, the Project Proponent (PP) has submitted Amendment of EC application to SEIAA, Odisha vide proposal no. SIA/OR/MIN/470283/2024 dated 22/04/2024 based on the replenishment study report of sand. The proposal was placed in State Level Expert Appraisal Committee (SEAC) held on 04.05.2024 and the SEAC recommended the replenished quantity of sand 22,009 cum for further period of mining and accordingly, the Authority approved the SEAC recommendation in 167th SEIAA, Odisha meeting held on 03.06.2024 and allowed Amendment of EC vide EC Identification No. EC24C0107OR5936577A dated 12.06.2024.

WHEREAS, the project proponent during submission of Amendment of EC application to SEIAA, Odisha dated 22.04.2024 has suppressed the information that a joint inspection was conducted on 01.03.2023 by the member of Tahasildar, Kantapada, Geologist, Cuttack, Mining Officer, Cuttack, SDO, Irrigation, Kantapada, Cuttack, Revenue Inspector, B.sailo Circle and Revenue Inspector, Kantapada and they highlighting the excess mining from the source. Further, Tahasildar Kantapada vide letter no. 692 dated 15.03.2023 has issued notice to the project proponent/lessee to deposit Royalty and Penalty for excess mining of sand about **13,078 cum** from Balada (Nainlo) Devi Sand Bed.

WHEREAS, conditions given in EC and Amendment of EC that the Project Proponent shall uploaded/submitted six monthly EC compliance in the Parivesh Portal of MoEF & CC., Govt. of India only within six months (06) from date of issue of amendment of EC, falling which the EC is liable to revoked. Also, as per the MoEF & CC, Govt. of India Office Memorandum (OM) dated 14.06.2024 and in accordance with EIA Notification 2006 and as amended, all the Project Proponents (PP) are required to submit their Half Yearly compliances in PARIVESH 2.0 on the environmental conditions stipulated in the Environmental Clearance (EC) letter in a timely manner on or before 1st June and 1st December of each calendar year. However, after verification in Parivesh Portal 2.0 and SEIAA, Odisha email as on dated 17.01.2026, it is found that the Project Proponent (PP) has not been submitted any compliance of environmental conditions stipulated in the Environmental Clearance (EC) letter No. 2042/SEIAA dated 05/08/2021 and Amendment of EC Identification No. EC24C0107OR5936577A dated 12.06.2024 issued for Balada

(Nainlo) Devi River Sand Bed neither in PDF/soft copy submitted through email nor by post/physically or any compliance submitted in PARIVESH 2.0 Portal.

WHEREAS, there is direction of Hon'ble NGT in its order dated 19.11.2025 of in Original Application No. 193 of 2025/EZ in the matter titled '*Soubhagya Patra Vrs Odisha State Pollution Control Board and Ors.*' pending before the NGT (EZ)' that all the respondents shall file their counter-affidavit within one month and the matter is pending before the NGT (EZ) and the next date of hearing is 19.01.2026.

WHEREAS, the SEIAA, Odisha has not received any communication from Tahasildar, Kantapda or Mining Officer, Cuttack on excess mining but the petitioner has submitted attachment in the Original Application (OA) was submitted before Hon'ble NGT, EZ where it reveals that M/s. Suryavanshi Earth Movers, project proponent of Balada (Nainlo) Devi River Sand Bed has extracted **13,078 cum** of sand as an excess mining.

WHEREAS, the EC stipulated conditions was issued vide EC letter no. 2042/SEIAA dated 05/08/2021 and Amendment of EC Identification No. EC24C0107OR5936577A dated 12.06.2024 issued for Balada (Nainlo) Devi River Sand Bed has not been complied by the project proponent and there is excess mining by the project proponent which violates EC conditions.

NOW THEREFORE, in view of the above context and in exercise of the powers vested with SEIAA, Odisha under section-5 of the Environment (Protection) Act, 1986 & amended therein, the Project Proponent/ lessee M/s. Suryavanshi Earth Movers is directed to reply in writing to the Member Secretary, SEIAA, Odisha office **within 15 days** from the date of receipt of this Show Cause Notice as to why the EC letter no. 2042/SEIAA dated 05/08/2021 and Amendment of EC Identification No. EC24C0107OR5936577A dated 12.06.2024 issued for Balada (Nainlo) Devi River Sand Bed shall not be abeyance/revoked due to violation of EC conditions in respect of non-compliance of EC conditions, excess mining and suppression of information.

In the event of failure to comply the Show Cause notice on non-compliance of EC conditions, suppression of information and excess mining i.e. **13,078 cum** of sand as an over extraction from the mining lease area is mentioned in the letter no. 692 dated 15.03.2023 of the Tahasildar, Kantapada within the stipulated time frame, action as deemed appropriate shall be initiate against the Project Proponent in accordance with the provision of the law.

By order and Authority of SEIAA, Odisha



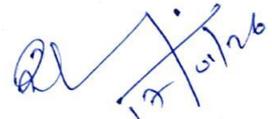
Member Secretary, SEIAA, Odisha

Memo No. 7009/SEIAA

Dated 17-01-2026

Copy forwarded for information and necessary action to

1. The Collector & District Magistrate, ADM, Cuttack; the Sub-Collector, Cuttack; the Deputy Director of Mines, Cuttack; the RO, SPCB, Cuttack; the DFO, Cuttack; the Mining Officer, Cuttack & Tahasildar, Kantapada, Dist-Cuttack for information and necessary action.
2. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
3. The Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
4. The Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar.



Member Secretary, SEIAA, Odisha

39 Annexure - D

Joint enquiry report of river sand excavation from the Balada-Nainlo Devi River Sand sairat source under Kantapada Tahasil of Cuttack District

In response to the Letter No-139, Dt-17-01-2023, Office of the Tahasildar, Kantapada, the field visit was conducted by Deputy Director of Mines, Cuttack, Geologist, Cuttack, SDO, Irrigation, kantapada, Cuttack and Tahasildar, Kantapada along with Revenue officials of Kantapada tahasil. The revenue officials have identified the lease boundary line. From the Survey, it is noticed that, Five patches of Sand area have been excavated from the balada-nainlo sand quarry of the kantapada Tahasil. To assess the excavation of minor mineral (Sand), The area was visited with the Cadastral map and the total excavated areas were surveyed through hand held GPS and measuring tape.

The tentative Quantity of sand excavated from the Balada-Nainlo lease area are given below.

PATCH	Average Length (m)	Average Width (m)	Average Thickness of excavation (in m)	Volume (In Cum)
PATCH-1	120	29	2	6960
PATCH-2	206	24	2	9888
PATCH-3	186	21	2	7812
PATCH-4	161.5	28	2	9044
PATCH-5	121.5	18	2	4374
Total				38078

CONCLUSION:-
From the above survey, it was concluded that, the total excavated sand from the Balada-nainlo sand quarry is approximately 38078 m³.

Anand
01/03/2023
Tahasildar, Kantapada

[Signature]
28/02/23
Geologist, Cuttack

[Signature]
28/02/23
Mining Officer, Cuttack

[Signature]
28/02/23
SDO, Irrigation, Kantapada, Cuttack

[Signature]
28/02/23
Revenue Supervisor, Kantapada

[Signature]
28/02/23
Revenue Inspector, Balaso Circle

[Signature]
Saha
Aurore

[Signature]
Representative Lesse

[Signature]
D.A(Touzi)

Annexure - E 40

By Speed Post

OFFICE OF THE TAHSILDAR, KANTAPADARef. No 609 Dt 04/03/23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhar
Dist- Keonjhar

Authorised Representative : Sri Jibananda Patra of Village Brahmanbati

Sub :- Stop the quarry operation of Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- Joint Enquiry Report dtd. 1.3.23 of Composite Team

With reference to the report on subject cited above, you are hereby directed to stop the quarry operation of Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) immediately until further order.

Further you are directed to deposit the "Y" form books bearing sl. No. 181 & 182 before the undersigned by today positively.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....610.....DT.....04/03/23
TAHASILDAR
KANTAPADA, CUTTACK

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack for kind information.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....611.....DT.....04/03/23
TAHASILDAR
KANTAPADA, CUTTACK

Copy submitted to the SDPO, Sadar, Cuttack / IIC, Olatpur PS / IIC, Govindpur PS for kind information and they are requested to close watch on the illegal transportation of sand from the said source.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

Memo No.....612.....DT.....04/03/23
TAHASILDAR
KANTAPADA, CUTTACK

Copy forwarded to the R.S, Kantapada / R.I, Brahmansailo / R.I Dhanamandal / R.I Adaspur for information and they are directed to regular check the source for any irregular sand extraction.

Handwritten signature
04/03/2023

Tahasildar, Kantapada

TAHASILDAR
KANTAPADA, CUTTACK

Handwritten signature
06/03/23

Handwritten signature
6.3.23

Received

Jibananda Patra
4.3.23

41 27

Annexure - F



88

OFFICE OF THE TAHSILDAR, KANTAPADA

Ref. No 692 Dt 15.3.23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjharagarh
Dist- Keonjhar, PIN-758002



Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairal Source (Sairat Case No-22/2020-21) .

Ref :- Joint Enquiry Report of Composite Team dt.01.03.23

With reference to the report on subject cited above, this is to inform you that the lease deed for the said source has been executed on dt.5.8.22 for operation of the Balada (Nainlo) Devi River Sand Sairal Source for five years from the date of agreement subject to maximum 25000 Cum of sand extraction in the first year. After receipt of public petitions the joint enquiry has been made by the composite team of Mining Officer, Cuttack, Geologist of Cuttack Dist, SDO, Irrigation, Pralapnagari Division and Revenue Officials of Kantapada Tahasil in presence of authorized representative of lessee Sri Jibananda Patra of Village Brahmanbati on 27.01.2023 and report submitted by the team on dt.1.3.23. From that joint enquiry report it reveals that you have extracted 38078 Cum of sand till date. As there is only 4 months passed from the date of lease deed out of first year, you have exceeded the limit of extraction given by SEIAA in the EC.

So following amount of Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining is imposed upon you for excess extraction of sand (38078-25000) = 13078 Cum as per OMMC Rule-2016.

i.	Royalty	= 13078 cum x Rs.35	= Rs. 4,57,730.00
ii.	Additional Charge	= 13078 cum x Rs.187	= Rs. 24,45,586.00
	Total		= Rs.29,03,316.00
iii.	DMF (10% of Royalty)	= Rs.29,03,316 x 10%	= Rs.2,90,332.00
iv.	EMF (5% of Royalty)	= Rs.29,03,316 x 5%	= Rs.1,45,166.00
v.	Penalty as per OMMC Rule 51 (1) (i)		= Rs. 5,00,000.00
	Total		= Rs. 38,38,814.00

(Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only)

So you are hereby directed to deposit the above amount for such illegal mining within a week from the date of issue of this letter positively otherwise action as per OMMC Rule will be initiated against you. Further you are directed to obtain revised Mining Plan for operation of the said source in future.

Memo No. 693DT. 15.3.23

Amal
15/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Amal
15/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack for kind information.

Annexure - G & B

42

By Regd. Post
ReminderOFFICE OF THE TAHSILDAR, KANTAPADARef. No. 852 Dt. 28/03/23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjharharh
Dist- Keonjhar, PIN-758002

Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- This office letter No.692 dt.15.03.23

With reference to the letter on subject cited above, this is to inform you that you have been directed to deposit Rs. 38,38,814.00 (Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only) towards Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source within a week from date of issue of the letter. But till date you have not deposited the required amount in our official account.

Further this is to inform you that one public strike was going in front of Tahasil office since 17.03.23 regarding Balada Sairat source and Sub Collector, Sadar, Cuttack was came to this office on 27.03.23 for discussion with them. As per order of Sub Collector, Sadar, Cuttack you are hereby directed to appear before the Sub Collector, Sadar, Cuttack on dt.04.04.23 (Tuesday) at 11.00 AM unfailingly.

So you are hereby directed to deposit the above amount by 30th March, 2023 positively otherwise action as per OMMC Rule will be initiated against you.

Amal
28/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Memo No. 852 Dt. 28/03/23

Copy submitted to the Sub - Collector, Sadar, Cuttack for favour of kind information.

Amal
28/03/2023
Tahasildar, Kantapada
TAHASILDAR
KANTAPADA, CUTTACK

Annexure - H

43

By E-mail
ReminderOFFICE OF THE TAHSILDAR, KANTAPADARef. No. 2088 Dt. 21/6/23

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhar, Dist- Keonjhar, PIN-758002



Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- This office letter No.692 dt.15.03.23 and No.852 dt.28.03.23, No.1030 dt.12.04.23

With reference to the letters on subject cited above this is to inform you that you have been directed to deposit Rs.38,38,814.00 (Rupees Thirty Eight Lakhs Thirty Eight Thousand Eight Hundred Fourteen Only) towards Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source within a week. But till date you have deposited Rs.8,00,000/- only in our office account.

Bank Name:- INDIAN BANK

Branch Name:- NIALI

A/c No:- 794962565

IFSC Code:- IDIB000N026

So you are again requested to deposit the balance amount of Rs.30,38,814.00 within a week from issue of this letter in our above official account positively otherwise action will be taken as per OMMC Rule.

Andal 21/06/2023

Tahasildar, Kantapada
KANTAPADA

Memo No. 2089 DT. 21/06/23

Copy submitted to the ADM(Revenue) / Sub-Collector, Sadar, Cuttack for favour of kind information.

Andal 21/06/2023

Tahasildar, Kantapada

K.

TAHASILDAR
KANTAPADA

Annexure - I

OFFICE OF THE TAHSILDAR, KANTAPADALetter No 1907 Dt 01/08/23

44

To

Sri Bibekananda Dash, Managing Partner
Suryavanshi Earth Moovers
At- Sibanarayanpur
Po- Keonjhargarh
Dist- Keonjhar, PIN-758002

Sub :- Deposit of Royalty and Penalty for excess extraction of sand from Balada (Nainlo) Devi River Sand Sairat Source (Sairat Case No-22/2020-21) .

Ref :- Letter No. 8996, Dt.31.07.2023 of Sub- Collector, Sadar, Cuttack

With reference to the report on subject cited above, this is to inform you that the lease deed for the said source has been executed on dt.5.8.22 for operation of the Balada (Nainlo) Devi River Sand Sairat Source for five years from the date of agreement subject to maximum 25000 Cum of sand extraction in the first year. After receipt of public petitions the joint enquiry has been made by the composite team of Asst. Collector, Office of the Sub- Collector, Sadar, Cuttack, Revenue Supervisor, Kantapada, RI Brahmansailo, RI Dhanamandal & Amins of Kantapada Tahasil on 28.06.2023 and report submitted by the team on dt.04.07.23. As per Letter No. 692, Dt. 15.03.23, the excess extraction of sand was 13078 cum. But as per the report submitted by the joint enquiry committee on 04.07.23 the amount of sand which used in that road is 11,000 cum .

So following amount of Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining is imposed upon you for excess extraction of sand (13078-11000) = 2078 Cum as per OMMC Rule

i.	Royalty	= 2078 cum x Rs.35	= Rs. 72,730.00
ii.	Additional Charge	= 2078 cum x Rs.187	= Rs. 3,88,586.00
	Total		= Rs.4,61,316.00
iii.	DMF (10% of Royalty)	= Rs.4,61,316 x 10%	= Rs.46,132.00
iv.	EMF (5% of Royalty)	= Rs.4,61,316x 5%	= Rs.23,066.00
v.	Penalty as per OMMC Rule 51 (1) (i)		= Rs. 5,00,000.00
	<u>Total</u>		= Rs. 10,30,514.00

Penalty paid by Lessee = Rs. 8,00,000.00

Total Balance = Rs. 2,30,514.00

So you are hereby directed to deposit the above amount towards Royalty, Additional Charge, DMF, EMF and Penalty for such illegal mining within a week from the date of issue of this letter positively otherwise action as per OMMC Rule will be initiated against you.

Tahasildar, Kantapada

Memo No.....1908.....DT.....01/08/23

Copy submitted to the ADM(Revenue) / Sub - Collector, Sadar, Cuttack/ Deputy Director, Mining, Cuttack for kind information.

Tahasildar, Kantapada

P.L.