

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO-54 of 2026/EZ**

IN THE MATTER OF

RAJANI KANTA PADHY

APPLICANT

Versus

STATE OF ODISHA &Ors ...

RESPONDENTS

INDEX

SI NO	PARTICULARS	PAGE NO
1	Original Application	1-26
2	Copy of the Environmental clearance dated 13/12/2024 as ANNEXURE-1.	27-40
3	Copy of the CTO dated 16/01/2025 as ANNEXURE-2.	41-50
4	Copy of the photographs suggesting free flow of the river is obstructed and mechanical mining as ANNEXURE-3.	51-56
5	Copy of the CCTV photographs dated 08/02/2026 suggesting the overloaded vehicles transported through village as ANNEXURE-4.	57-58
6	Copy of the google earth image suggesting the distance and photographs of the barrage as ANNEXURE-5.	59-61
7	Copy of the photographs suggesting the damaged condition of the road as ANNEXURE-6.	62-65
8	Copy of the letter dated 08/01/2026 of Collector & District Magistrate Ganjam as ANNEXURE-7.	66
9	Copy of the letter dated 12/01/2026 as ANNEXURE-8.	67
10	Copy of the representation dated 01/02/2026 sent on 02/02/2026 as ANNEXURE-9.	68-86
11	Copy of the ROR suggesting Plot No. 4603 of Khata No. 556 is recorded under Gramya Jungle kissam as ANNEXURE- 10.	78-87
12	Copy of the RTI response dated 06/01/2026 as ANNEXURE-11.	88

13	Copy of the transit pass bearing pass no. A2512060005/1/37 as ANNEXURE-12.	89-90
14	Copy of the Government order dated 26/04/2019 as ANNEXURE-13.	91-96
15	Copy of the letter dated 28/01/2022 as ANNEXURE-14.	97
16	Copy of the letter dated 08/12/2025 written by Tahasildar Hinjilicut as ANNEXURE-15.	98
17	Vakalatnama	99

PLACE: Bhubaneswar

SANKAR PRASAD PANI

ASHUTOSH PADHY



DATE: 09/02/2026

ADVOCATE

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

3

SYNOPSIS

Application is being filed challenging the illegal operation of sand mine by the private respondent Kiran Kumar Panda, the lessee of Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village Kharida, Tehsil Hinjilicut, District- Ganjam, Odisha and the said sand mining operation is in violation of Environment Clearance Conditions, Consent To Operate (CTO) Conditions, Sustainable Sand Mining Guideline 2016 and Enforcement and Monitoring of Sand Mining Guidelines 2020, Odisha Sand Policy 2021, Sand Mining Framework 2018(Ministry of Mines Govt of India) EIA Notification 2006 and Amendment 2016, Odisha Minor Minerals Concession Rules 2016 and Supreme Court Order in Deepak Kumar Case and Order of Hon'ble NGT in Sudarsan Das Case(OA 173 of 2018/PB). To summarise the violation of environment norms it may be listed as follows

- i) **Use of heavy machines (Excavators) and Hyva when Mechanical Mining and use of Machine in sand Mining is prohibited.**
- ii) Mining beyond the lease area
- iii) Mining beyond the permissible limit
- iv) **Obstructing free flow of water**
- v) **Mining carried out in Safety Zone and on River Bank which is prohibited as per the mining plan**

4

- vi) **cutting the River Bank** for transportation vehicle
- vii) Satisfactory Annual replenishment study and Pre monsoon and Post Monsoon assessment has not been submitted by the lessee
- viii) Tahasildar and local administration are hand in glove with the lessee and wilfully violating the order of Hon'ble NGT as well as flouting the conditions of Mining Lease, Mining Plan, EC and CTO.
- ix) There has been no monitoring of quantity of sand excavated and GPS Tracking of vehicles, Electronic Transit Pass, CCTV camera in mining site as prescribed in EIA Notification dated 15th January 2016 and Sand Mining Enforcement and Monitoring Guideline 2020
- x) Vehicular Transportation through densely populated villages and Rural Roads not meant for over loaded heavy vehicles. Further the carrying capacity of the roads has not been assessed and as such the existing road cannot withstand the pressure of hundreds of sand loaded heavy vehicles.
- xi) Vehicles engaged in mining are overloaded and not covered with tarpaulin and cause air pollution during non-monsoon days.
- xii) Vehicles transportation though Irrigation Road on the River Bank

5

LIST OF DATES

- 15/01/2016 Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on **Sustainable Sand Mining** detailing the provisions on environmental clearance for cluster, District Survey Report and proper monitoring of sand mining using information technology enabled services to track the mined out material from source to destination This amended notification was notified by Central Government in Gazette of India under Section 3 of EP Act 986 and Sub-rule 3, Rule 5 of EP Rules 1986 as per the power conferred with.
- 26/04/2019 in order to check the illegal sand mining, Government of Odisha has come out with a guideline.
- 13/12/2024 Environmental clearance granted in favor of private Respondent for operation of Kharida sand bed.
- 16/01/2025 CTO granted by SPCB in favor of Private Respondent for extraction of 15500 cum of sand per year from Kharida sand bed.
- 06/01/2026 RTI response received from the DFO Berhampur Division

6

- 08/01/2026 Collector & District Magistrate Ganjam, wrote a letter to the Deputy Director of Mines Berhampur to inquire into the matter and to take appropriate action as per law within 7 days
- 12/01/2026 Applicant wrote a letter to the Collector & District Magistrate Ganjam requesting to cancel the mining lease of the Kharida sand bed as the lessee has not taken any kind of permission from the irrigation department
- 02/02/2026 Applicant approached all the concerned authorities stating the violations of Environmental clearance conditions by the lessee of the Kharida sand bed mining project

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

(Under Section 14, 15 read with Section 18 of the National Green Tribunal Act)

Original Application No----- OF 2026/EZ

Rajani Kanta Padhy, C/o- Hadu Padhy, aged about 58 years, At - Sikiri,
Po- Hinjilicut, Dist- Ganjam, Pin- 761102 **APPLICANT**

VERSUS

- 1. State of Odisha** represented by Chief Secretary, Government of Odisha,
Lokaseva Bhawan, Bhubaneswar csori@nic.in
- 2. District Collector, Ganjam,** At/Po- Office of the Collector and District
Magistrate, Ganjam, At/Po- Chatrapur, District- Ganjam, PIN - 761020,
Odisha: dm-ganjam@nic.in
- 3. Deputy Director of Mines (Ganjam Circle)** Berhampur, At/Po- near
Baidyanathpur Police Station/Post Office, Berhampur, District Ganjam,
Odisha, 760004, Email- mo.berhmapur@orissaminerals.gov.in
- 4. Divisional Forest Officer,** Brahmapur Division, At/Po- Courtpetta
Square, Brahmapur, Pin- 760004, Dist- Ganjam, Email-
dfo.berhampur@odisha.gov.in, dfobhmpr@yahoo.co.in

8

5. **Superintending Engineer**, Berhampur Irrigation Division, Berhampur.
At/Po- Berhampur - 760004, Ganjam district, Odisha, Email-
eebam_irr@yahoo.com
6. Tahasildar Hinjilicut, At/Po- Tahasil Office, Hinjilicut, Dist: Ganjam,
State: Odisha, Pin: 761102, Email- tah_hinjili@yahoo.in
7. **Member Secretary**, Odisha State Pollution Control BoardA/118, Unit-
VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha
Email:paribesh1@ospcboard.org.
8. **Member Secretary**, State Environment Impact Assessment Authority
(SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX,Bhubaneswar,
Odisha 751022, email: seiaaorissa@gmail.com
9. **Kiran Kumar Panda**, (Lessee of Kharida sand bed) At/Po- KHALASI
SAHI, NEAR BERHAMPUR STADIUM-760001
10. Odisha Space Application Centre (ORSAC), represented through its
Chief Executive, At/Po- Plot no. 45/48 (Part), Jayadev vihar, Near
Gopabandhu Academy of Administration Unit-16, Bhubaneswar- 751
023, Odisha, Email- orsac.od@od.gov.in orsac@odisha.gov.in

.....**RESPONDENTS**

MOST RESPECTFULLY SHOWETH:

- I. The address of the Applicant is given above for the service of notices of this Application.

- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. That the present Application is being filed challenging the inaction of the government respondents in curbing the illegalities and violation of Sustainable Sand Mining Guidelines 2016, environment norms by the private respondent in operating the Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village Kharida, Tehsil Hinjilicut, District- Ganjam, Odisha and the said sand mining operation is in violation of Standard Environment Clearance Conditions and CTO Conditions, Sustainable Sand Mining Guideline 2016 and 2020, Odisha Sand Policy 2021, EIA Notification 2006 and Supreme Court Order and Order of Hon'ble NGT.

FACTS

1. That the present applicant is a Resident of Sikiri village and deeply engaged with conservation and environmental issues of Ganjam District. That the village of the applicant is adjoining to the quarry in question and all the transportation of the sand loaded heavy vehicles are plying through the village road of the Applicant.
2. That the applicant is concerned with the illegalities in Kharida sand bed mining project by the excess sand mining, obstruction of river, Mechanical Mining and transport of sand loaded heavy vehicles through village road and there by damaging the road, causing inconvenience, environmental pollution, health hazards and disrupting the public order and causing loss to the public exchequer.
3. The present application challenges the violation of sustainable sand mining guideline in Kharida Sand Bed Mining Project on junction of

Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village Kharida, Tehsil Hinjilicut, District-Ganjam, Odisha.

4. That the Environmental clearance for the project in question has been granted on dated 13/12/2024 in favor of the Private Respondent namely Kiran Kumar Panda for operation of Kharida Sand Bed on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District-Ganjam. Copy of the Environmental clearance dated 13/12/2024 is annexed here unto as **ANNEXURE-1**.
5. That the Private Respondent on dated 16/01/2025 obtained CTO from the State Pollution Control Board for extraction of 15500 cum sand in a full year and the same is valid up to 31/03/2026. Copy of the CTO dated 16/01/2025 is annexed here unto as **ANNEXURE-2**.
6. That as per the environmental clearance the lessee is allowed to extract **15501** cum of sand each year, **however the lessee is extracting beyond the permissible limit by using heavy machineries like excavators.**
7. It is submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that ***“No stream should be diverted for the purpose of sand mining. No natural water course and/or water resources are obstructed due to mining operations.”*** However in the present case the PP has obstructed the natural flow of the river. Photographs of various dates suggests the Private Respondent has obstructed the free flow of water by stacking sand in the water course of the river. Further the lessee use to operate the quarry by using heavy machines/ JCB. Copy of the photographs suggesting free flow of the river is obstructed and mechanical mining is annexed here unto as **ANNEXURE-3**.

8. It is further submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that *“The PP shall carryout the ARRS study in subsequent year through a NABET or ORSAC empanelled agency and submit to SEIAA, Odisha by 31 December 2025.”* However in the present case **no such ARSS report has been filed by the PP** as verified from the website of PARIVESH portal.
9. It is further submitted that in the Environmental clearance dated 13/12/2024 in condition No. 7.1 it is specifically mentioned that *“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.”* However in the present case **no such pillars has been posted by the lessee.**
10. It is most humbly submitted that in the Environmental clearance dated 13/12/2024 in **condition No. 7.7** it is specifically mentioned that *“This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.5 m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.”* However in the present case the lessee is excavating sands by using JCB machine to a depth of around 5 metre depth, and as on date no action has been taken by the competent authorities even after complaints.
11. It is needless to mention here that in **condition No. 7.8** it is categorically mentioned that *“Maximum yearly quantity of extraction from the quarry shall not exceed annual limit as specified above under stipulation in Table 'A stipulations-sl. A(v) le. 15500 cum/annum. Any flouting of this quantitative restriction shall make this EC liable to cancellation”* however in the present case the **lessee is extracting sands much beyond**

the permissible quantity. That the lessee is extracting more than 100 hyvas and 100 tractors a day and the carrying capacity of a hyva is 14 cum whereas the carrying capacity of a tractor is 3 Cum and a bare calculation of this suggests the lessee is extracting 1700cum of sand per day and in less than 10 days the permissible quantity for the whole year is extracted by the lessee.

12. That in the condition No. 7.14 it is specifically mentioned that

The lessee shall ensure that no sand mining is carried out in the areas as specified below: -

a) During the rainy season:

b) Within the water channel or stream flow area throughout the year:

c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line. 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.

d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during tile non-monsoon period

e) No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.

f) Sand mining operations shall not affect the existing sources for irrigation/drinking water industrial purpose.

g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.

However in the present case the lessee is extracting sands from the No Working Zones as prescribed in the Environmental clearance by obstructing the free flow of water and also doing in-stream mining by engaging heavy machines.

- 13.** It is further submitted that in the environmental clearance **condition No. 7.16 a)** it is categorically mentioned that *“No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.”* **However the lessee is transporting sand loaded heavy vehicles through densely populated villages namely Sikiri and Kharida without any prior permission from the competent authorities.** Copy of the CCTV photographs dated 08/02/2026 suggesting the overloaded vehicles transported through village is annexed here unto as **ANNEXURE-4.**
- 14.** It is not out of place to mention here that in the environmental clearance **condition No. 7.16 e)** it is categorically mentioned that the vehicles shall not be overloaded and shall be covered with tarpaulin, **however in the present case the lessee is transporting the overloaded vehicles without covering with tarpaulin through densely populated villages.** Photographs attached in **annexure-4** suggests the lessee is not covering the sand loaded vehicles with tarpaulin.
- 15.** It is further submitted that in Condition No. 7.18 it is categorically mentioned that *“It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental. The project authority mandatory to upload the compliance report of EC conditions including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, No hard copy and soft copy required to submit to SEIAA, Odisha, failing which EC is liable to be revoked.”* **However in the present case no such half yearly compliance report has been filed by the PP as verified by the complainant from the parivesh portal.**
- 16.** It is not out of place to mention here that the lessee is extracting the sands from the quarry in question by engaging 4-5 numbers of

poclain machines and transporting through overloaded hyvas and tractors through densely populated villages. Further the lessee is operating the quarry in question during night time and during operating excessive noise is generated for which the local villagers are suffering a lot.

17. It is most humbly submitted that **there exist a water barrage namely Hiradharabati Irrigation Project having catchment area of 5800Sq K.M. at around 462 meter away from the mining lease area**, and the mechanical mining **poses significant risks to the structural integrity of the infrastructure and the surrounding ecosystem**, hence the **mining in close proximity to the water barrage needs to be stopped immediately**. Copy of the google earth image suggesting the distance and photographs of the barrage is annexed her unto as **ANNEXURE-5**.
18. It is further submitted that in the Environmental Clearance letter dated 13/12/2024 under the **heading of NO MINING ZONE in point No. c** it is categorically mentioned that **Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge**. However in the present case the lessee is carrying out mining activities **within 500 meters** of the water barrage.
19. It is not out of place to mention here that in the Environmental Clearance dated 13/12/2024 under the heading of Transportation Safeguards in condition No. 7.16 b) it is categorically mentioned that *“Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat BDO afñer 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”*, however in the present case **Private Respondent has not taken any steps for**

strengthening the village road rather due to plying of heavy sand loaded vehicles of Private Respondent village road has damaged completely for which the villagers are facing huge inconvenience while using the road. Photographs of the road also shows the damaged condition of the road. Copy of the photographs suggesting the damaged condition of the road is annexed here unto as **ANNEXURE-6**.

20. That the Applicant for time and again approached the concerned authorities regarding the illegal mining, transportation through village, threat to the water barrage however as on date no action has been taken by the concerned authorities. That acting upon the complaint of Applicant the Collector & District Magistrate Ganjam, on dated 08/01/2026 wrote a letter to the Deputy Director of Mines Berhampur to inquire into the matter and to take appropriate action as per law within 7 days however as on date no action has been taken though more than one month has passed. Copy of the letter dated 08/01/2026 of Collector & District Magistrate Ganjam is annexed here unto as **ANNEXURE-7**.

21. It is pertinent to mention here that again on dated 12/01/2026, the Applicant wrote a letter to the Collector & District Magistrate Ganjam requesting to cancel the mining lease of the Kharida sand bed as the lessee has not taken any kind of permission from the irrigation department, however as on date no action has been taken by the Collector & District Magistrate Ganjam. Copy of the letter dated 12/01/2026 is annexed here unto as **ANNEXURE-8**.

22. It is further submitted that again on dated 01/02/2026 Applicant wrote a letter to all the concerned authorities and sent on dated 02/02/2026 stating the violations of Environmental clearance conditions by the lessee of the Kharida sand bed mining project, **however the concerned authorities acted nothing on the complaint of Applicant**. Copy of the

representation dated 01/02/2026 and sent on 02/02/2026 is annexed here unto as **ANNEXURE-9**.

23. It is not out of place to mention here that the **Private Respondent has illegally encroached a piece of forest land over Khata No. 556, Plot No. 4605 in Mouza- Kharida, Under Hinjilicut Tahasil of Ganjam district and over the said land constructed his camp office, vehicle parking yard and also piling the illegally extracted sands.** Copy of the ROR suggesting Plot No. 4603 of Khata No. 556 is recorded under **Gramya Jungle** kissam is annexed here unto as **ANNEXURE- 10**.

24.It is further submitted that the Private Respondent has **illegally felled the trees existed over the Gramya Jungle kissam land** bearing Khata No. 556, Plot No. 4605 in Mouza- Kharida, Under Hinjilicut Tahasil of Ganjam district and the same is **evident from the RTI response** dated 06/01/2026 received from the DFO Berhampur Division. Copy of the RTI response dated 06/01/2026 is annexed here unto as **ANNEXURE-11**.

25.It is further submitted that the **Private Respondent is engaged in the fabrication of counterfeit Transit Permits (Form-Y) to facilitate the illegal transportation of sand from the Kharida Sand Bed. A specific instance of this malpractice was observed on 05/01/2026, involving the blatant duplication of Transit Pass No. A2512060005/1/37. This single permit was used concurrently for two distinct vehicles: vehicle OR 16 D 1096 (carrying 6 CUM) and vehicle OD 07 BA 9500 (carrying 16 CUM).** Copy of the transit pass bearing pass no. A2512060005/1/37 is annexed here unto as **ANNEXURE-12**.

26.It is not out of place to mention here that the Mining should be restricted to single shift only that is for 8 hours (7am to 12noon and 2pm to 5PM) however in the present case the mining takes place all though out day and night using high-power excavators.

27. Illegal Hoarding and Stockpile: The extracted sand is required to be sent directly to the destination point and there is no provision for illegal hoarding and stock pile. However the lessee use to hoard and stock the sand over illegally encroached **gramya jungle kissam** land bearing Khata No. 556, plot No. 4603 of Mouza- Kharida and near to lease area and all these stock piles are illegal.

28. That in order to check the illegal sand mining, Government of Odisha has come out with a guideline dated 26/04/2019 where instructions for prevention of illegal sand quarrying issued from time to time. The instructions include robust monitoring mechanism, revenue and police administration shall seize the machine and vehicles, criminal proceedings, temporary check gates, squads should be constituted, technical support of ORSAC may be taken for satellite based monitoring, all complaints of unauthorized quarrying be inquired **by Sub-Collector/Tahasildar within 72 hours** and prompt remedial measures be taken and monthly review of violation cases are suggested in the guideline and none of the points have been followed by the District Administration and Tahasildar. Copy of the Government order dated 26/04/2019 is annexed here unto as **ANNEXURE-13**.

29. It is not out of place to mention here that on dated 28/01/2022 Superintending Engineer, Berhampur Irrigation Division, wrote a letter to Sub- Collector Chatrapur, regarding the threat to the Hiradharabati Anicut, relevant portion of the letter is reproduced below,

“In inviting a kind reference to the subject cited above, it is to intimate that the Hiradharabati Anicut across river Rushikulya near village Hanumanpalli feeds the Hiradharabati Main Canal, irrigating an ayacut of 6278 Ha. of Purushottampur and Ganjam Block. In the recent times, it is observed that due to operation of sand quarry at the downstream of the

Anicut, severe scouring has been occurring near the downstream apron of the structure thereby damaging the foundation of the structure. This may lead to damage of the Anicut thereby disrupting the irrigation to the Ayacut. In view of the above it is requested that no further lease for the sand quarry at the downstream of the Hiradharabati Anicut may be allowed for the safety of the Anicut” however in the present case prior to grant of Environmental clearance, CTO concern of the Superintending Engineer, Berhampur Irrigation Division, has not taken into consideration. Copy of the letter dated 28/01/2022 is annexed here unto as **ANNEXURE-14.**

30. It is pertinent to mention here that acting upon the complaint of Applicant regarding tree felling from Plot No.- 4603, the Tahasildar Hinjilicut has informed the DFO Berhampur for inquiry, however as on date no action has been taken by the DFO Berhampur. Relevant portion of the letter dated 08/12/2025 is reproduced below,

“Regarding the felling of trees at Kharida Mouza plot no 4603 it has been intimated to DFO, Berhampur for joint inquiry.” Copy of the letter dated 08/12/2025 written by Tahasildar Hinjilicut is annexed here unto as **ANNEXURE-15.**

31. That Odisha Sand Policy 2021 brought in shape of resolution dated 2/09/2021 by Revenue and Disaster Management Department, Government of Odisha for stricter monitoring of sand mining in a sustainable manner but there has been no implementation of the policy on the ground there by confining the policy to papers without any action.

32. Further the environmental clearance letter/Consent to Operate restricts that there should not be any in stream mining and in the present case the private respondent is lifting the sand from in stream of the river and obstructing the free flow of the river.

33. The vehicles carrying the sand do not cover with tarpaulin and being overloaded and thereby causing air/dust pollution. It is humbly submitted that the local people have to face many inconvenience because of uncovered tractors carrying the sand from the mining site through busy streets and populated village road of the petitioners.
34. That there has been no sprinkling of water on Road and because of transportation of heavy vehicles it causes more air and dust pollution. It is further submitted that the vehicles use to operate even in Peak hour which is a violation of the Environment Clearance Condition
35. There is No monitoring of compliance of Conditions of CTO by the Regional Office of SPCB, Berhampur Considering the threat to the embankment, loss of revenue, violation of mining plan and standard environment clearance conditions, damages to the riparian ecology, the applicants have requested the authority to immediately enquire into the matter and take appropriate action against the Tahsildar and Revenue Staff for their dereliction in duty and apparent corruption and involvement in revenue loss to the exchequer by conducting the ground assessment of sand mining on weekly basis and obtaining the satellite information from ORSAC. The officers have failed in discharging their duties for not taking legal action to restrain the mechanical mining and plying of Hyvas and for that appropriate disciplinary proceedings is needed after due inquiry.
36. That the Procedure for Processing of Consent to Operate (CTO) Application by State Pollution Control Board, Odisha as uploaded in website of Odisha State Pollution Control Board says that **inspection of the site and compliance of CTE condition is pre-requisite**. The relevant portion is reproduced as follows:

“5. The concerned officers at HO / RO shall scrutinize the application and raise clarification to the industry online, if any deficiency / discrepancies are observed in respect of consent application or its accompaniments or fees. **Simultaneously, they will take steps for getting inspection report** so as to avoid delay and early disposal of the case.

6-The concerned officers of Regional office of OSPCB shall **conduct inspection of the industries and mines**, conduct monitoring of stack emission, ambient air quality, analysis of effluent samples etc. as per the standard procedure prepared for Air and Water sampling and analysis. They should also **verify compliance to the Consent conditions** (directions, if any) and **upload the detailed observations (inspection and monitoring reports) online”**

Further the check list prepared the board also requires compliance status of consent to establish for issuing consent to operate to a unit and the same has not been followed in the present case. Further **the CTO and CTE is issued mechanically without any inspection of the site.** Copy of the guideline and checklist prepared by the Board and the link to the site is as follows. <http://ospcboard.org/wp-content/uploads/2017/03/09-Jun-2016PROCEDUREFORCTOAPPLICATION1.pdf>

37.That after issuing CTO, the state pollution control board did nothing to ensure if the conditions in the Consent to Operate were complied in letter and spirit. The violations continue unabated and no action has been taken by the pollution control board to revoke the consent to operate and ensure that the mining activity stops.

38. That the sustainable Sand Mining Guideline 2016 suggests a Standard Environment Clearance Conditions and the measures to be adopted to check illegal mining, **however none of the measures have been adopted** such as “(i) Project Proponent must ensure that the security features of Transport Permission viz. (a) Printed on Indian Bank Association (IBA) approved Magnetic Ink Character Recognition Code (MICR) paper; (c) Unique Barcode; (d) Unique Quick Response Code (QR); (e) Fugitive Ink Background; (f) Invisible Ink Mark; (g) Void Pantograph; (h) Watermark. (ii) Project Proponent must ensure that the CCTV camera, Personal Computer (PC), Internet Connection, Power Back up, access control of mine lease site; and arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used at mine lease site are available. (iii) Project Proponent must ensure the Scanning of Transport Permit or Receipt and uploading on Server. (iv) The State Mines and Geology Department should print the Transport Permits/Receipt with security features enumerated at Paragraph (i) above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice is generated, the particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused. (v) The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS. (vi) In case the Vehicle

breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server/call centre. (vii) The route of vehicle from source to destination should be tracked through the system using check points, Radio-frequency identification (RFID) Tags, and Global Positioning System (GPS) tracking. (viii) The system shall enable the Authorities to develop periodic report on different parameters like daily lifting report, vehicle log/history, lifting against allocation, and total lifting. The system can be used to generate auto mails/SMS. This will enable the District Collector/Magistrate to get all the relevant details and will enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle should be tracked.

39.That the Chief Secretary, Government of Odisha on 11/11/2020 has discussed about the technical intervention such as I4MS in the line of I3MS (a software to track illegal mining in Major Minerals) to monitor the actual quantum of extraction and transportation minor minerals from source but same has been just confined to discussion and no action has been taken despite of the mandate in Sustainable Sand Mining Guideline 2016 and 2020.

40.It is further submitted that Sand Mining in Kharida sand bed at Kharida has caused serious environmental degradation and ecological impact and Riparian ecology have been badly affected by the alarming rate of

unrestricted Sand Mining which damage the river ecosystem, destruction of natural habitats of organisms living on the river beds, affects fish breeding and migration, the associated riparian habitat. It has been further submitted that there has been no monitoring by any of the respondents whether the conditions are being complied or not and that allows the private respondent to violate the norms in broad day light

41.The Hon'ble Apex Court in Deepak Kumar Case has observed that "We are of the considered view that it is highly necessary to have an effective framework of Mining plan which will take care of all environmental issues and also evolve a long term rational and sustainable use of natural resource base and also the bio-assessment protocol. Sand Mining, it may be noted, may have an adverse effect on bio-diversity as loss of habitat caused by Sand Mining will affect various species, flora and fauna and it may also destabilize the soil structure of river banks and often leaves isolated islands. We find that, taking note of those technical, scientific and environmental matters, MoEFCC, Government of India, issued various recommendations in March 2010 followed by the Model Rules, 2010 framed by the Ministry of Mines which have to be given effect to, inculcating the spirit of Article 48A, Article 51A(g) read with Article 21 of the Constitution.

GROUND

A. That the Sand mining is permissible only by Manual Method but the use of mechanical methods/earth movers are in violation of the Mining plan, Environmental Clearance Conditions and Consent to Operate conditions and Sustainable Sand Mining Management Guideline 2016 and Enforcement and Monitoring of Sand Mining Guidelines 2020, Odisha Minor Mineral Concession Rules 2016, EIA Notification 2006 and Amendment 2016, Sand Mining Framework 2018 by Ministry of Mines, Govt of India

- B. That the unscientific mining by obstructing the free flow of river by creating artificial bunds in the river is violation of approved mining plan and warrants revocation of lease agreement and suspension of mining
- C. That the ongoing sand mining is against the Precautionary Principle and Environment Impact Assessment Notification 2006 and subsequent amendments.
- D. That the private respondent has mined out more sand than the permissible limit and hence warrants stoppage of mining
- E. That transportation of sand loaded heavy vehicles through village jeopardizing the safety of thousands of people and school going children warrant prohibition of such transportation. Further road not meant for heavy vehicles requires carrying capacity study of the road and particularly stoppage of such vehicular transportation.
- F. Mining during monsoon season is against the sustainable sand mining guideline 2016 and standard river bed mining conditions.
- G. That the State Respondents and the Regulatory Authorities like state Pollution Control Board and SEIAA have failed to discharge their duties and hence requires intervention of this Hon'ble Tribunal for an appropriate order to check the illegal mining
- H. That the Tahasildar being hand in glove with the lessee has resulted in huge loss of revenue to the state exchequer and warrants appropriate action
- I. That violation of EC condition is an offence under Section 15 of EP Act and warrants prosecution against the Lessee and the Tahasildar under Section 19 of EP Act 1986

LIMITATION

That there is a continuing cause of action due to the ongoing illegal sand mining, and the Applicant has approached all concerned authorities on dated 02/02/2026 hence the present application is not barred by limitation

INTERIM PRAYER

The Hon'ble Tribunal may please to constitute a High level Independent Committee with the help of ORSAC to assess a) Cost of Sand b) Cost of ecological restoration and environment compensation. c) Net present value of the future ecosystem services foregone and **restrain the Private Respondent from mining in river bed till disposal of the application**

PRAYER

The applicants humbly prays the Hon'ble Tribunal to issue following directions to the respondents

- i. Direct the SEIAA and SPCB to revoke the EC and CTO for violation of Environment Clearance and Consent to Operate conditions
- ii. Direct the DM Ganjam to evict the Private respondent from illegally encroached **Gramya Jungle land** bearing Khata No.- 556, Plot No.- 4603, Mouza- Kharida And to inquire into the fake/ counterfeit transit pass created/manufactured/fabricated by the Private Respondent transportation of sand from the sand source.
- iii. Direct the District Collector to initiate Criminal Proceedings against the Private Respondent for causing loss to the exchequer and violation of terms of mining lease and realise the environment compensation and cost of the mined out sand from the private respondent(lessee).
- iv. Fix the accountability of Government Respondents for lapses on their part for their inaction in enforcing the laws regulating the sand mining.
- v. Call for a status report from Chief Secretary on implementation of **Enforcement and Monitoring Guidelines for sand mining 2020**, and mechanism to monitor exact quantity of sand extracted and transported from a source
- vi. Direct the Chief Secretary to make sure GPS TRACKING OF VEHICLES and CCTV at the sand sources connected to a central server MANDATORY FOR MINING OPERATION for all sand mining leases.

And may further be pleased to pass any other order(s) as deemed fit and proper;

BHUBANESWAR

09/02/2026

Applicant Through



Advocate

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.- OF 2026

IN THE MATTER OF:

RAJANI KANTA PADHY...

APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS....

RESPONDENTS

AFFIDAVIT

09 Feb 2026

I, Rajani Kanta Padhy, C/o- Hadu Padhy, aged about 58 years, At - Sikiri, Po- Hinjilicut, Dist- Ganjam, Pin- 761102, do hereby solemnly affirm, and declare as under:

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

* Rajani Kanta Padhy
DEPONENT

VERIFICATION

Verified on this 09 day 2026 at BBSR that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
R. Padhy 0-10/23
Advocate

* Rajani Kanta Padhy
DEPONENT



Notary, Bhubaneswar
09 FEB 2026
I, Notary, Bhubaneswar, do hereby certify that the above named person(s) has/have been duly identified by me and has/have appeared before me on oath the contents of the affidavit are true to the best of his/her/his knowledge and belief.

JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-7878581217

ENVIRONMENTAL
CLEARANCE

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

To,

The LESSEE
 KIRAN KUMAR PANDA
 AT/PO - KHALISH STREET, NEAR BERHAMPUR STADIUM -760001

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/406591/2022 dated 07 Sep 2023. The particulars of the environmental clearance granted to the project are as below.

1. EC Identification No.	EC24B001OR111384
2. File No.	406591/833-MINB1/09-2023
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Kharida Sand Bed Mining Project
7. Name of Company/Organization	KIRAN KUMAR PANDA
8. Location of Project	ODISHA
9. TOR Date	N/A

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

Date: 13/12/2024

(e-signed)
 Sri Prem Kumar, IFS
 Member Secretary
 SEIAA - (ODISHA)

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

ENVIRONMENTAL CLEARANCE FOR SAND MINING

Subject: Application of Sri Kiran Kumar Panda for extraction of Sand from Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam-Environmental Clearance (EC)-Reg.

The project proponent Sri Kiran Kumar Panda, has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC, GOI vide online application no. SIA/OR/MIN/406591/2022 dated 07.09.2023 for mining of Sand from Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam.

2. Proposal in brief:

Proposal No.	SIA/OR/MIN/406591/2022
Date of application	07.09.2023
File No.	406591/833-MINB1/09-2023
Project Type	Proposal for EC
Category	B1
Project/Activity including Schedule No.	1(a) Mining of Minerals
Name of the Project	Proposal for EC for Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam, Odisha
Name of the company/Organization	Sri Kiran Kumar Panda
Location of Project	Village- Kharida, Tehsil Hinjilicut, District- Ganjam
ToR Date	27.12.2021
Name of the Consultant	M/s Cognizance Research India Pvt. Ltd., Noida
Whether submitted scrutiny fee (Yes/No)	Yes, Rs. 2000/- vide e Challan Reference Id No. 311B703695 dated 13.09.2021

(Signature)



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 sand from Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam, Odisha.
- (ii). The mining area is a part of Survey of India Toposheet No. E45A10, E45A11, E45A14 & E45A15 and is bounded between the Latitude-19°30'.70"N to 19°29'52.56"N, Longitude-84°46'40.02"E to 84°46'40.19"E bearing Khata No-554, Plot No-4553/1 & 4532/1, Kissam-Nadi
- (iii). The mining lease is an identified sairat source in the DSR. The Kharida Sand Bed Mining Project sairat source will be leased out under the OMMC Rules, 2016 by Mining Officer, Ganjam to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
- (iv). Documents submitted: -Form-1, EMP, PFR, EIA & EMP, checklist, Mining Plan and approval letter, DSR, Village sheet, Cluster certificate from Mining Officer, Ganjam, topo map etc.
- (v). Whether submitted KML file of the lease area-Yes
- (vi). Whether submitted scrutiny fee-Yes of 2000/- vide e Challan Reference Id No. 311B703695 dated 13.09.2021
- (vii). Distance from nearest sanctuary/ESZ- Lakahri valley WLS-40.00 Km
- (viii). Whether the lease area coming in DLC report-No N/A
- (ix). Whether the lease area reflecting in DSR-Yes
- (x). Method of mining- Semi-mechanized as per approved modified mining plan
- (xi). River- Rushikulya & Ghorahara, Depth of sand deposition-1.5 meter and postposed depth of mining 1.5 meter
- (xii). Distance from nearest road bridge-2.60 km, village road-1.30km
- (xiii). Whether it is part of cluster – No, as the Mining Officer, Ganjam and Tahasildar, Hinjilicut has certified that there are no other quarries within 500-meter radius of proposed quarry.
- (xiv). Whether EC obtained earlier-Yes from SEIAA, Odisha vide letter no.202/SEIAA dated 14.01.2016 and submitted EC copy and the earlier EC compliance.
- (xv). Date of approval of mining plan-Yes, approved by the Deputy Director of Geology, South Zone, Berhampur vide letter no.1274 dated 06.10.2020 and further Mining plan modified on 06.09.2024 by Deputy Director of Mines, Ganjam.
- (xvi). Production capacity per annum-15501 cum/annum (max.), total production in 5 years period-77505 cum, Geological reserve-48729 cum and Mineable



reserve-41779 cum and depth of mining as per approved mining plan is 1.5 meter.

- (xvii). **Reserves and production:** The total Geological reserves is 48729 cum and Mineable Reserves is 41779 cum and the Proposed Production for the Proposed Project is 15501 cum /year.

Year	Surface area in Sq.mt	Thickness of sand in mtr.	Volume of sand in cu.m	Recovery Factor (100%)	Production of sand in cu.m/Ann um
i)	10334	1.5	15501	1	15501
ii)	10334	1.5	15501	1	15501
iii)	10334	1.5	15501	1	15501
iv)	10334	1.5	15501	1	15501
v)	10334	1.5	15501	1	15501
Total					77505

- (xviii). **TOR details:** The Terms of Reference (TOR) letter was issued by SEIAA, Odisha vide letter No.3683/SEIAA Dated 27.12.2021.
- (xix). **Public hearing details:** Public Hearing was conducted on 09/09/2022 at Debastali, Shri Maa KureisuniThakurani Hata (Over Plot No.4728 in Khata No. 555) in Village Kharida under HinjilicutTahasil of Ganjam district. Issues raised during public hearing are environmental protection, covering of loaded transporting vehicles, local employment, local development and development of temple.
- (xx). **Replenishment study details:** The Replenishment study was done during Pre- and Post-Monsoon Period (May2022 &November 2022) by Physical Method Survey which was conducted with the help of Total Station Survey Instrument and two numbers of GPS (GARMINeTrex10) hand held GPS. After the Replenishment study it was found that 27,853 cum of sand have been proposed to be replenished annually.
- (xxi). **Greenbelt development:** 250Plantsareproposedtobeplantedforthe Proposed project.

Year	No. of plants
1 st	50
2 nd	50
3 rd	50
4 th	50
5 th	50
Total	250

R



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- (xxii). **Manpower requirement:** 18 nos of manpower are required for the proposed project.
- (xxiii). **Project cost:** Estimated Project Cost is 55.90 lakh while EMP Cost is Rs 9,47,500.

Table- Budget for occupational health

S. No	Activity	Amount
i)	Doctors Visit	500*18*2= 18,000
ii)	Medicine Budget	500*18*2= 18,000
iii)	Quarterly pulmonary function test	600*4*18= 43,200
iv)	Extra Budget for medical test if required as per doctor's recommendation	60,000
Tot al		1,39,200/-

Table: Budget for environmental protection

Activities to be done		Amount
Haulage Road Repair & Maintenance <ul style="list-style-type: none"> Filling, Leveling and widening of the road up to width of 5m and length of 900 m. Setting & Fixing of Cut Stone on the leveled road. 	900 m (L) x 5 m (W)	1,00,000 (P.A)
Water Sprinkling on Haulage Road for Dust Suppression	Assuming Rs.1200/day for 260 days of working Tanker Cost: Rs. 600/Tanker Tanker Capacity: 4500 liter, No. of Tankers required: 2	3,12,000 (P.A)
Plantation along the road side & post plantation care	Plantation@100/sapling g (50 sapling/Year) Post plantation care	5000 (P.A) 1,30,000 (P.A)

[Handwritten signature]



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Activities to be done		Amount
	@500/day Note: Annual cost will increase with increase in no. of sapling.	
Environmental Monitoring & Compliances.	<ul style="list-style-type: none"> ➤ Half Yearly Monitoring of Environmental Parameters viz. Air, water, Noise & Soil. ➤ Half Yearly Submission of Compliances. 	4,00,000 (P.A)
➤ TOTAL		9,47,000

Table: CER Budget

Sr. No.	Activity	Capital Cost (In Rs.)
	Development of Temple in Kharida Village	1,12,000/-

- (xxiv). The DSR has not 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 and as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others).
- (xxv). The cluster certificate has been furnished by the Tahasildar, certifying that there are no other sand quarries coming within the radius of 500meter of the proposed quarry. Hence, it is not coming cluster proposal.
- (xxvi). The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation.
4. 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 B1 as the mining lease area is more than 5 ha.
5. The proposal was placed in the SEAC meeting held on 01.12.2023 and the SEAC recommended to grant EC valid from the date of EC accorded upto the lease period with specific conditions stipulated for sand mine along with additional conditions.

The proposal was placed in 151st SEIAA meeting held on 11.01.2024 & 12.01.2024. The Authority peruse the reply dt. 21.11.2023 of the Tahasildar,



Hinjilicut enclosing an action plan for protection of River channel in confluence point which is very sketchy and devoid of any technical details and measurement. After detailed deliberation in the matter, the Authority decided that the PP should prepare a concrete plan and estimate for protection of river channel in the confluence point of River Ghodahada and River Rusikulya and obtain NOC from the Water Resource Dept. for the mining proposal along with technical approval of the action plan. Accordingly, ADS letter was issued to the PP dated 05.02.2024. Now, the PP has submitted clarification dated 24.07.2024 with mentioned that based on the SEIAA dated 05.02.2024, modified mining plan has been prepared and approved dated 06.09.2024 with mentioned that the lease area falls at the confluence point of River Ghodahada and River Rushikulya. But after field verification by the Tahasildar and Revenue team with mining officer it is observed that the mining should be confined without touching the confluence point zone, Hence, the plot no. 4531/1 which was actually situated at the confluence point zone has been eliminated and plot no. 4532/A has been proposed for mining. Hence, the modification mining plan has been prepared and approved.

6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 177th meeting held on 28.10.2024 & 29.10.2024 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2nd February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore). After detailed deliberations in the matter, the Authority decided to grant Environmental Clearance with usual stipulated conditions as applicable for sand quarry.
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 mining of Sand from Kharida Sand Bed Mining Project on junction of Rushikulya & Ghorahara River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam with the following stipulations, environmental conditions and safeguards.**

A: Stipulations:

Sl.	Descriptions	Stipulation
(i)	Lease Area:	13.00 Acres or 5.261 Ha.
(ii)	No Mining Zone:	(i). The PP shall maintain safety and stability of Riverbanks i.e. 3 meter or 10% of river width whichever is more for protection of river bank and (ii). 7.5-meter safety zone from all side of lease boundary.



		(iii). No stream should be diverted for the purpose of sand mining. No natural water course and/or water resources are obstructed due to mining operations.
(iii)	Maximum Depth of Mining:	1.5 meter as per the approved mining plan
(iv)	Method of Mining:	Semi-mechanized as per approved modified mining plan
(v)	Permitted Quantity:	15,500 cum/annum
(vi)	Validity Period of EC:	The EC valid upto the lease period subject to the quantity prescribed in the revised DSR or modified Mining Plan (approved by the competent authority) whichever is less.
(vii)	ARRS report	The PP shall carryout the ARRS study in subsequent year through a NABET or ORSAC empanelled agency and submit to SEIAA, Odisha by 31 st December 2025.

Specific Stipulations

- i) Maximum quantity of extraction shall be limited to **15,500/annum** valid upto the lease period subject to the quantity prescribed in the revised DSR or modified Mining Plan (approved by the competent authority) whichever is less.
- ii) The PP shall carryout the ARRS study in subsequent year through a NABET or ORSAC empanelled agency and submit to SEIAA, Odisha by 31st December, 2025.
- iii) The PP will implement the EMP with a budgetary allocation of Rs.9.47 Lakh (Capital cost) and CER cost of Rs. 1.12 Lakhs (capital cost).
- iv) The PP shall plant **250 no. of tree species** like Banyan, Peepal, Neem, Jamun, Mango, Karanj, Arjun etc. as part of tree plantation campaign "**Ek Ped Maa Ke Naam**" and the details of the same shall be uploaded in the MeriLiFE Portal (<https://merilife.nic.in>).
- v) The PP shall not extract sand from the plot no. 4531/1 which was actually situated at the confluence point zone has been eliminated and plot no. 4532/A has been proposed for mining. Hence, the modification mining plan has been prepared and approved.
- vi) Revision of DSR the mention of this deposit with final coordinates is to be ensured.
- vii) The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map.
- viii) The Project proponent shall follow Sustainable Sand Mining Guidelines, 2020.
- ix) The proponent shall provide Bio- toilet for the workers.
- x) Project Proponent shall not disturb the water course during mining.



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

- 7.1 **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.
- 7.2 **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/Mining Officer shall be submitted to SEIAA, Odisha through email at seiaaodisha@gmail.com.
- 7.3 **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. The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEF&CC Regional Office for compliance and record.
- 7.4 **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar/ Mining Officer 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.
- 7.5 **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.
- 7.6 **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/ Mining Officer concerned of the above environmental conditions and safeguards.

C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT

- 7.7 **Maximum permissible depth:** This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.5 m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.



- 7.8 **Maximum permissible quantity:** Maximum yearly quantity of extraction from the quarry shall not exceed annual limit as specified above under stipulation in Table 'A stipulations'-sl. A(v) i.e. 15500 cum/annum. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.9 **Annual Replenishment Rate Study of Sand:** -The Project Proponent shall carry out Annual Rate of Replenishment study of sand by ORSAC empanel agency or NABET Consultant as per prescribed drone method of MoEF & CC, Govt. of India 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 detailed methodology for finding the rate of replenishment study of sand is laid down in the 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 actual rate of replenishment of mined out sand in the lease area. PP shall carry out Annual Rate of Replenishment Study (ARRS) through ORSAC empanel agency in every year and submit the report to SEIAA, Odisha during submission of EC compliance with attaching real-time geo-coordinating photographs both pre and post monsoon data collection time.
- 7.10 **District Survey Report:** In view of likely revision of DSR as per the Ministry guidelines, the mention of this deposit in DSR with final coordinates is to be ensured by Tahasildar/Mining Officer **before expiry of the existing current DSR.** The boundary area of the deposit as per the updated DSR defined by geo coordinates based on DGPS survey be superimposed on the cadastral map. The ARRS quantity shall be updated during revision of DSR.
- 7.11 **No change in the mining plan without prior approval of SEIAA:** - 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 sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.12 **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 EMP. The PP will implement the EMP with a budgetary allocation of Rs.9.47 Lakh (Capital cost)



- and CER cost of Rs. 1.12 Lakhs (capital cost). Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCCB along with the compliance report. The Tahasildar/ Mining Officer shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.13 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar/ Mining Officer 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.
- 7.14 **No Working Zone: -** The lessee shall ensure that no sand mining is carried out in the areas as specified below: -
- During the rainy season;
 - Within the water channel or stream flow area throughout the year;
 - Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
 - The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
 - No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
 - Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
 - The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
- 7.16 **Transport Safeguards:**
- No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
 - Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO 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/ Mining Officer 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: -The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

- a) The Tahasildar/ Mining Officer shall take adequate measures to prevent unauthorized mining;
- b) The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source;
- c) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.
- d) 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.

7.18 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. The project authority mandatory to upload the compliance report of EC conditions including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. No hard copy and soft copy required to submit to SEIAA, Odisha, failing which EC is liable to be revoked.

7.19 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/mining officer, 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 half yearly compliance reports.

Handwritten signature


STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com

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

- 7.20 **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.
- 7.21 **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.
- 7.22 **Change in Ownership of Lease:** - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar/ Mining Officer 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.
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. Principal 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. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.





STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com

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

4. Additional Principal Conservator of Forests, Integrated Regional Office (IRO), 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. Chairman/Member/Member Secretary, SEIAA for information
7. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
8. Collector & DM, Ganjam, Sub-Collector, Ganjam, DDM, Ganjam, DFO, Ganjam, RO, SPCB, Ganjam, Tahasildar, Hinjilicut /Mining Officer, Ganjam for Information and necessary action.
9. Guard file for record/Website/Parivesh Portal

R

[Signature]

Member Secretary





E-mail: rospcb.berhampur@ospboard.org
 Website: www.ospboard.org

REGIONAL OFFICE
 STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
 2nd Floor, New Division Office, IDCO, Berhampur Division, Industrial Estate, Berhampur,
 Dist- Ganjam - 760008, Odisha, India

CONSENT ORDER

No. 205 / CTO-1160/2016

By Regd. Post
 Date 16/01/2025

CONSENT ORDER NO. 1779 /2024-25

Sub: Consent to Operate U/S 25/26 of Water (PCP) Act, 1974 and U/S 21 of Air (PCP) Act, 1981

Ref: Your online Consent to Operate application ID No: 6092606

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

Name of the Mine: **M/s Kharida Sand Bed of Sri Kiran Kumar Panda over Plot Nos. 4532/1, Khata No. 554 (Minor Mineral), Mine lease area of 13.00 Acres/5.261 Hectares, Village/Mouza- Kharida, Tahasil-Hinjicut, Dist.-Ganjam, Odisha**

Name of the Occupier & Designation: **Sri Kiran Kumar Panda, Lessee**

Address: **At: Khalasi Sahi, Berhampur, Dist.-Ganjam, Odisha**

This consent order is valid for the period up to 31.03.2026 or validity of EC or validity of DSR, whichever is earlier.

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

A. Details of Minerals:

Sl.No.	Mineral	Quantity
1	Mining of Sand	Maximum: 15,500 Cum/Annum.

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

Outlet no	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr.	Prescribed standard in mg/l except pH			
				pH	TSS	BOD	COD
1	Domestic waste water	Soak pit via septic tank	--	-	-	-	-

C. Emission permitted through the following stack subject to the prescribed standard

Chimney Stack No	Description of Stack	Stack height (m)	Quantity of emission	Prescribed Standard in mg/Nm ³			
				PM	SO ₂	NO _x	H ₂ S
-	-	-	-	-	-	-	-

D. Disposal of solid waste permitted in the following manner

Sl. No	Type of solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site
1	Over burden/ Top soil	As per the approved mining plan	-	-	-	As per approved mining plan

E. GENERAL CONDITIONS FOR ALL UNITS

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
2. The mine/industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. . In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been taped by the consumer for utilization for any purposes whatsoever.



CONSENT ORDER

12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose
 - c) Process
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.

32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 100 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as not to cause fugitive emission, dust problems through leaching etc., of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
 - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse Consent to Operate at any time during period for which consent is granted in case any violation is observed and to modify/ stipulate additional conditions as deemed appropriate.

F. SPECIALCONDITIONS

A. GENERAL

1. **The mine shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA) vide EC identification No. EC24B001OR111384 dtd. 13.12.2024.**
2. **As per MoEF & CC, Office Memorandum dtd. 14.01.2025, the project proponent shall append the Environmental Safeguards (as stipulated by this Office letter no. 199 dtd.16.01.2025) in the Environmental Clearance issue by the SEIAA, Odisha.**
3. **Mining of sand from the sand quarry shall be as per approved mining plan and valid environmental clearance. The production shall be restricted to the lowest approved quantity among EC & Mining plan.**
4. **The lessee shall intimate the status of amendment of EC if any and accordingly amend the CTO.**



CONSENT ORDER

5. **The lessee shall undertake study of annual replenishment rate of sand as per condition stipulated in EC.**
6. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
7. The mine shall maintain the ambient noise standards as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 and amendment made there under.
8. The mine shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use if applicable.
9. The mine shall adopt adequate safety measures inside the mine / quarry premises including fire safety and obtain necessary permission from the competent authorities.
10. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
11. The annual production shall not exceed the consented quantity. Copy of the annual return (Annual return submitted to DGM/IBM) shall be submitted every year to the Board. Environmental statement report shall also be submitted every year to the Board in prescribed format.
12. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
13. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
14. Greenbelt shall be developed as per approved Mining Plan and Environmental Clearance.
15. The Project Proponent should carry out Riverbed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
16. There shall be no mining zone and no working zone as per condition no. 7A (ii) and 7.14 stipulated in the EC vide EC identification No. EC24B001OR111384 dtd. 13.12.2024
17. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
18. The proponent shall take necessary measures to ensure no adverse impact caused due to mining activities on the human habitations existing nearby.
19. The unit shall pay differential fees if any as per the Odisha Gazette Notification dtd. 16.07.2012 of Forest and Environment Department, Government of Odisha
20. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.
21. If any public complaint is found and would be verified and if it has adverse impact on nearby villagers then consent to operate would be revoked and legal action would be undertaken.
22. The following measures are to be implemented to reduce noise pollution.
 - i. Regular maintenance of vehicles and other equipment.
 - ii. Limiting time of exposure of workers to excessive noise.
 - iii. The workers employed shall be provided with protection equipment and earmuffs etc.

- iv. Speed of trucks entering or leaving the mine is to be limit to moderate speed of 25 km/h to prevent undue noise from empty trucks

B. WATER POLLUTION:

1. The mining shall not affect the existing sources of irrigation or drinking water.
2. Surface runoff shall be allowed to flow through garland drains and the accumulated water in the garland drains shall be passed through settling ponds to allow the silt to be settled before final discharge to surrounding environment.
3. 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.
4. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

C. AIR POLLUTION:

1. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard prescribed in the Environment (Protection) Rules, 1986 and amended thereof.
2. Water sprinkling shall be done on internal transport roads and working area to suppress fugitive dusts generated.
3. Loading and unloading activities including all transfer points should have efficient dust control system arrangements. These should be properly maintained and operated.
4. The following measures are to be further implemented to reduce air pollution during transportation of mineral.
 - a) Road shall be graded to mitigate the dust emission.
 - b) Overloading of tippers and consequent spillage on the road shall be avoided. The trucks shall be covered with tarpaulin.
 - c) Vehicles to be used for transportation should have valid PUC.

D. SOLID & HAZARDOUS WASTE:

1. Topsoil, if any shall be stacked properly with proper slope with adequate measures and should be used for plantation purposes.
2. The OB, if any shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems
3. Mineral rejects, if any shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.
4. Waste, oils, used oils generated from the EM machines, mining operations, if any shall be disposed as per the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.
5. **The unit shall abide by the provisions of Plastic Waste Management Rules, 2016 and amended thereafter. The unit shall also abide by the notification published by Ministry of Environment, Forest & Climate Change vide no. G.S.R.571 (E)**



CONSENT ORDER

dated 12th August 2021 which prohibits manufacture, import, stocking, distribution, sale and use of identified single use plastic (SUP) items with effect from 1st July 2022.

The occupier must comply with the conditions stipulated in section A, B, C, D, E and F to keep this consent order valid.

To,

Shri. Kiran Kumar Panda, Lessee
M/s Kharida Sand Bed,
At- Khalasi Sahi, Berhampur,
Dist- Ganjam (Odisha) Pin-760001


Regional Officer
State Pollution control Board, Odisha
Berhampur

Memo No. 206 / Dt. 16/01/2025 /

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Ganjam
3. The D.F.O, Ganjam
4. The Mining Officer, Berhampur, Ganjam
5. The Tahasildar, Hinjilicut, Ganjam
6. Copy to Guard file/ Consent to Operate register


Regional Officer
State Pollution control Board, Odisha
Berhampur

EFFLUENT QUALITY STANDARDS

SI.No.	Parameters	Standards			
		Inland surface	Public sewers	Land for irrigation	Marine Coastal Areas
		(a)	(b)	(c)	(d)
1.	Colour & odour	Colourless /Odourless as far as practicable	-----	See 6 of Annex-1	See 6 of Annex-1
2.	Suspended Solids (mg/l)	100	600	200	a. For process wastewater – 100 b. For cooling water effluent 10% above total suspended matter of influent.
3.	Particular size of SS	Shall pass 850	-----	-----	
5.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	Shall not exceed 5°C above the receiving water temperature	-----	-----	Shall not exceed 5°C above the receiving water temperature
7.	Oil & Grease mg/l max.	10	20	10	20
8.	Total residual chlorine	1.0	---	-----	1.0
9.	Ammoniacal nitrogen (as N) mg/l max.	50	50	-----	50
10.	Total Kjeldahl nitrogen (as NH ₃) mg/1 max.	100	---	-----	100
11.	Free ammonia (as NH ₃) mg/1 max.	5.0	---	-----	5.0
12.	Biochemical Oxygen Demand (5 days at (20°C) mg/1 max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/1 max.	250	---	-----	250
14.	Arsenic (as As) mg/1 max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg) mg/1 max.	0.01	0.01	-----	0.001
16.	Lead (as Pb) mg/1 max.	01.	1.0	-----	2.0
17.	Cadmium (as Cd) mg/1 max.	2.0	1.0	-----	2.0



CONSENT ORDER

18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Sc) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Nil) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride (as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C ₆ H ₅ OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curie/ml. b. Beta emitter micro curie/ml.	10 ⁻⁷ 10 ⁻⁶	10 ⁻⁷ 10 ⁻⁶	10 ⁻⁸ 10 ⁻⁷	10 ⁻⁷ 10 ⁻⁶
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l



ANNEXURE - II

NATIONAL AMBIENT AIR QUALITY STANDARDS

Sl. No.	Pollutants	Time Weighed Average	Concentrate of Ambient Air		
			Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual * 24 Hours **	40 80	30 80	- Modified Jacob &Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM ₁₀ µg/m ³	Annual * 24 Hours **	60 100	60 100	-Gravimetric - TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5µm) or PM _{2.5} µg/m ³	Annual * 24 Hours **	40 60	40 60	-Gravimetric - TOEM - Beta Attenuation
5.	Ozone (O ₃) µg/m ³	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m ³	Annual * 24 Hours **	0.50 1.0	0.50 1.0	-AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m ³	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH ₃) µg/m ³	Annual* 24 Hours**	100 400	100 400	-Chemiluminescence - Indophenol Blue Method
9.	Benzene (C ₆ H ₆) µg/m ³	Annul *	05	05	-Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10.	Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³	Annual*	01	01	-Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m ³	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni),ng/m ³	Annual*	20	20	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

** Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

BELOW ATTACHED PHOTOGRAPHS DATED 24/01/2026 SUGGESTS THE LESSEE IS OBSTRUCTING FREE FLOW OF WATER BY STOCKPILING SANDS.



BELOW ATTACHED PHOTOGRAPHS DATED 24/01/2026 SUGGESTS THE LESSEE IS OBSTRUCTING FREE FLOW OF WATER BY STOCKPILING SANDS



BELOW ATTACHED PHOTOGRAPHS DATED 24/01/2026 SUGGESTS THE LESSEE IS OBSTRUCTING FREE FLOW OF WATER BY STOCKPILING SANDS



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE LESSEE IS EXTRACTING SANDS BY USING 2 NUMBER OF EXCAVATORS AND LOADING IN HYVASHAVING CAPACITY OF 16CUM.



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE LESSEE IS EXTRACTING SANDS BY USING 2 NUMBER OF EXCAVATORS AND LOADING IN HYVASHAVING CAPACITY OF 16CUM.



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE LESSEE IS EXTRACTING SANDS BY USING 4 NUMBER OF EXCAVATORS AND LOADING IN HYVASHAVING CAPACITY OF 16CUM.



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE LESSEE IS EXTRACTING SANDS BY USING 4 NUMBER OF EXCAVATORS AND LOADING IN HYVASHAVING CAPACITY OF 16CUM.



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE LESSEE IS EXTRACTING SANDS BY USING 4 NUMBER OF EXCAVATORS AND LOADING IN HYVASHAVING CAPACITY OF 16CUM.



BELOW ATTACHED PHOTOGRAPH DATED 08/02/2026 SUGGEST THE LESSEE IS TRANSPORTING OVERLOADED VEHICLES THROUGH DENSELY POPULATED VEHICLES WITHOUT COVERING



BELOW ATTACHED PHOTOGRAPH DATED 08/02/2026 SUGGEST THE LESSEE IS TRANSPORTING OVERLOADED VEHICLES THROUGH DENSELY POPULATED VEHICLES WITHOUT COVERING



BELOW ATTACHED PHOTOGRAPH DATED 03/02/2026 SHOWS THE HIRADHARBATI IRRIGATION PROJECT WHICH IS AT 462 METER AWAY FROM THE MINING SITE IN QUESTION



BELOW ATTACHED PHOTOGRAPH DATED 03/02/2026 SHOWS THE HIRADHARBATI IRRIGATION PROJECT WHICH IS AT 462 METER AWAY FROM THE MINING SITE IN QUESTION



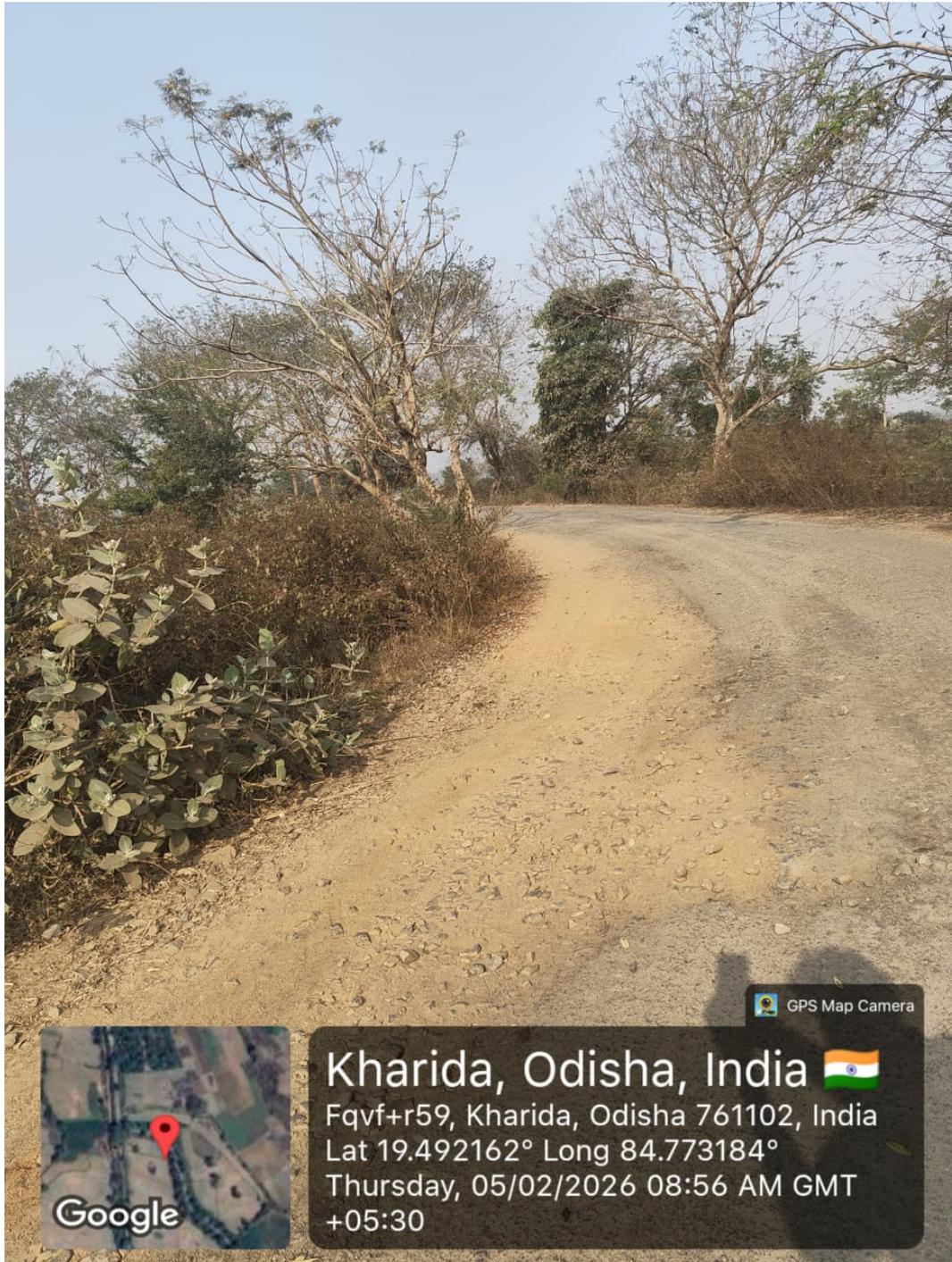
BELOW ATTACHED GOOGLE EARTH IMAGE SHOWS THE HIRADHARBATI IRRIGATION PROJECT IS AT 462 METER AWAY FROM THE MINING SITE IN QUESTION



BELOW ATTACHED PHOTOGRAPHS SUGGEST THE DAMAGED CONDITION OF VILLAGE ROAD DUE TO PLYING OF HEAVY SAND LOADED VEHICLES



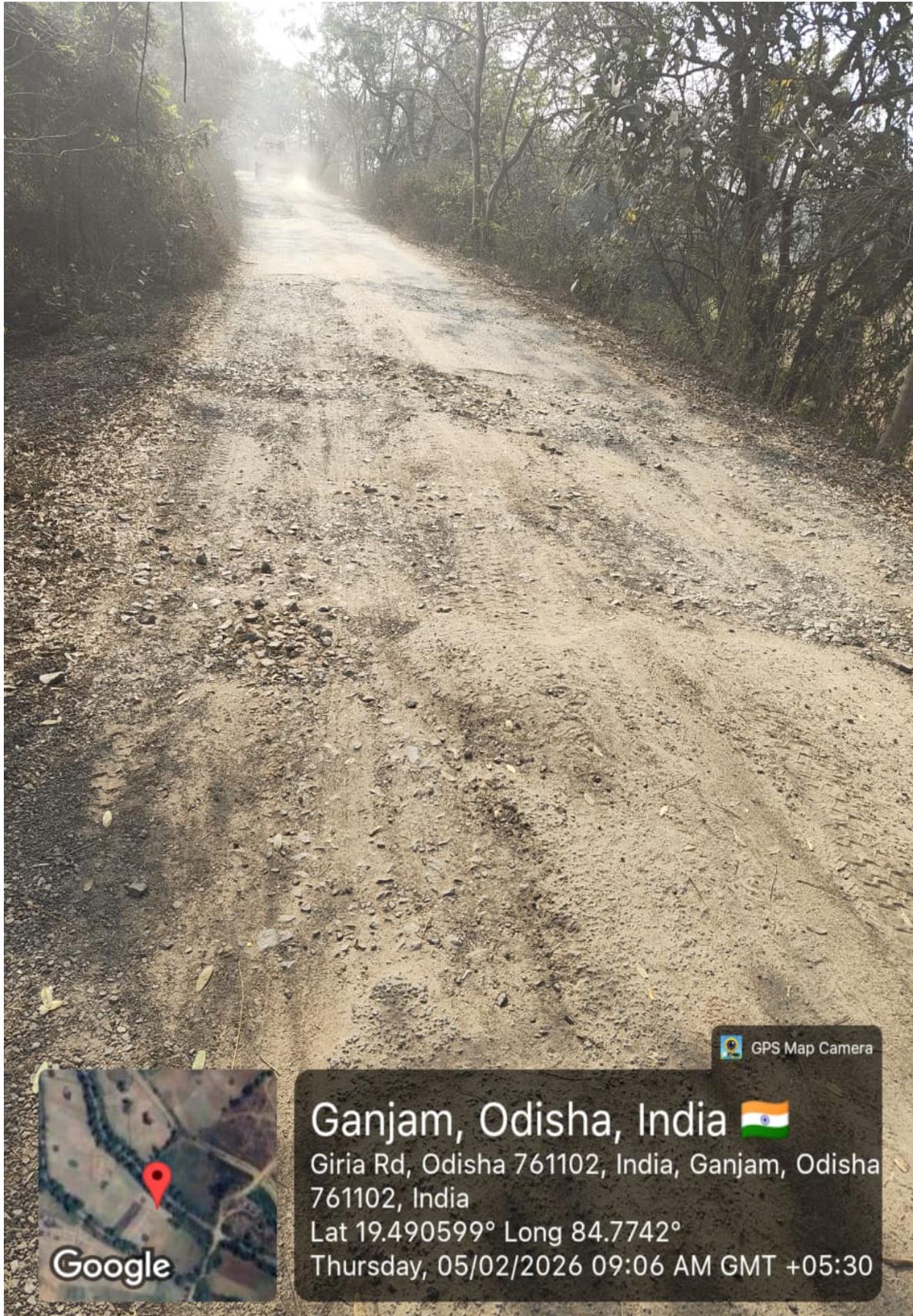
BELOW ATTACHED PHOTOGRAPHS SUGGEST THE DAMAGED CONDITION OF VILLAGE ROAD DUE TO PLYING OF HEAVY SAND LOADED VEHICLES



BELOW ATTACHED PHOTOGRAPHS SUGGEST THE DAMAGED CONDITION OF VILLAGE ROAD DUE TO PLYING OF HEAVY SAND LOADED VEHICLES



BELOW ATTACHED PHOTOGRAPHS SUGGEST THE DAMAGED CONDITION OF VILLAGE ROAD DUE TO PLYING OF HEAVY SAND LOADED VEHICLES





OFFICE OF THE
COLLECTOR & DISTRICT MAGISTRATE GANJAM, CHATRAPUR
(Grievance Cell)

L.NO.: ୨୫ /Grievance

DATE: 8.1.2026

XXXXV- 25/2026

To, **The Deputy Director, Mines**
Berhampur

Sub: Regarding grievance petition filed by Sri Rajani Kanta Padhy C/O- Late Sri Hadu Padhy, At/Po-Sikiri, PS-Hinjilicut, Pin-761102, Dist.- Ganjam.

Sir,

Enclosed please find herewith the grievance petition filed by Sri Rajani Kanta Padhy C/O- Late Sri Hadu Padhy, At/Po-Sikiri, PS-Hinjilicut, Pin-761102, Dist.-Ganjam which is self explanatory.

You are requested to cause an enquiry in to the matter and take appropriate action as per law & report compliance along with your views/comments thereon to dispose off the petition on its merit with in 07 days under intimation to the petitioner.

This is for your information and necessary action.

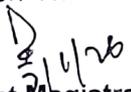
Yours faithfully,

Encl: As above.


Addl. District Magistrate
Ganjam, Chatrapur.

Memo No. 29 ✓ Dated. 8.1.2026

Copy to Sri Rajani Kanta Padhy C/O- Late Sri Hadu Padhy, At/Po-Sikiri, PS-Hinjilicut, Pin-761102, Dist.-Ganjam for information.


Addl. District Magistrate
Ganjam, Chatrapur



To

The collector, Ganjam, Chatrapur

(Through The Deputy Director,

mining officer cum competent authority, Berhampur,
Chatrapur Subdivision,

Department of Steel and Mines, Berhampur Division, Ganjam)

Sub: - Requesting to cancel Kharida sand bad permission which downstream of Hiradhar Barikā barrage and without getting permission irrigation department.

Respected Sir

With due respect I Sri Rajani Kanta Padhy Vill/Po-Sikiri, PS-Hinjili here with inform that without getting permission from irrigation department Kharida sand bad lessee Sri Kiran Kumar Panda managed to get permission from your office. After getting permission that sand bad most of times found inactive but regularly lifting sand using 5 JCB with duplicate Y form (one duplicate Y form enclosed here with). In this regard numbers time I informed you but you never listen my complain and on dt 08/01/2026 Collector office has gave a latter with latter no.28 memo no 29 dt 08/01 /2026.and latter no 26 with memo no 27 dt 08/01/2026.

But now sir for the last time request you to cancel his lease and make a strict drown enquire to punish for his illegal work .If you remain silence to co operate him I will be bound to go for hunger strike before your office from dt 19/01/2026

Yours faithfully

Rajani Kanta Padhy
(Rajani Kanta Padhy)
12/01/2026
Mobile 9692926169

Copy to:-

1. IIC, ^{Gopalpur} Baidyanathpur Police Station.
2. SP, Berhampur.
3. Local media

To,

DATE- 01/02/2026

1. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, Bhubaneswar, 5RF-2/1, Acharya Vihar, Unit – IX, 751022 Email: seiaaodisha@gmail.com, MS-SEIAA-OR@gov.in
2. **Member Secretary**, Odisha State Pollution Control Board, At/Po- A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha Email: paribesh1@ospcboard.org, member.secy@ospcboard.org
3. **District Collector, Ganjam**, At/Po- Office of the Collector and District Magistrate, Ganjam, At/Po- Chatrapur, District- Ganjam, PIN - 761020, Odisha: dm-ganjam@nic.in
4. **Deputy Director of Mines (Ganjam Circle)** Berhampur, At/Po- near Baidyanathpur Police Station/Post Office, Berhampur, District Ganjam, Odisha, 760004, Email- mo.berhmapur@orissaminerals.gov.in
5. **Deputy Director General of Forests (C)**, Ministry of Environment, Forest and Climate Change, Integrated Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar – 751023, Email: roez.bsr-mef@nic.in,

Sub:- Illegal sand mining in Kharida Sand bed mining project by Sri Kiran kumar Panda, in Violation of order of Honble NGT Principal Bench, Environment Clearance Conditions and Sustainable sand Mining Guideline 2016 and 2020.

Dear Sir,

In the interest of public at large and to control illegal sand mining, loss to public exchequer I Rajani Kanta Padhy wish to bring your kind attention to the following few points for urgent action.

1. That the Environmental clearance for the project in question has been granted on dated 13/12/2024 in favor of one Kiran Kumar Panda for operation of Kharida Sand Bed on junction of Rushikulya & Ghorahara

River over an area 5.261 ha at Khata No-554, Plot No-4553/1 & 4532/1, Village- Kharida, Tehsil Hinjilicut, District- Ganjam.

2. That in the environmental clearance it is categorically mentioned that the lessee is allowed to extract 15501 cum of sand each year, however the lessee is extracting beyond the permissible limit by using heavy machineries like excavators.
3. It is submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that *“No stream should be diverted for the purpose of sand mining. No natural water course and/or water resources are obstructed due to mining operations.”* However in the present case the PP has obstructed the natural flow of the river (photographs attached for better appreciation).
4. It is further submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that *“The PP shall carryout the ARRS study in subsequent year through a NABET or ORSAC empanelled agency and submit to SEIAA, Odisha by 31 December 2025.”* However in the present case no such ARSS report has been filed by the PP as verified by me from the website of PARIVESH portal.
5. It is not out of place to mention here that under the heading of **Specific Stipulation in condition No. x.** it is specifically mentioned that *“Project Proponent shall not disturb the water course during mining.”* However in the present case the PP is obstructing the free flow of water by stockpiling the sand within the water channel.
6. It is further submitted that in the Environmental clearance dated 13/12/2024 in condition No. 7.1 it is specifically mentioned that *“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.” however in the present case no such pillars has been posted by the lessee.

7. It is most humbly submitted that in the Environmental clearance dated 13/12/2024 in **condition No. 7.7** it is specifically mentioned that *“This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.5 m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.”* However in the present case the lessee is excavating sands beyond the permissible depth, and as on date no action has been taken by the competent authorities even after complaints.
8. It is needless to mention here that in **condition No. 7.8** it is categorically mentioned that *“Maximum yearly quantity of extraction from the quarry shall not exceed annual limit as specified above under stipulation in Table 'A stipulations-sl. A(v) le. 15500 cum/annum. Any flouting of this quantitative restriction shall make this EC liable to cancellation”* however in the present case the **lessee is extracting sands much beyond the permissible quantity. That the lessee is extracting more than 100 hyvas and 100 tractors a day and the carrying capacity of a hyva is 14 cum whereas the carrying capacity of a tractor is 3 Cum and a bare calculation of this suggests the lessee is extracting 1700cum of sand per day and in less than 10 days the permissible quantity for the whole year is extracted by the lessee.**
9. That in the condition No. 7.14 it is specifically mentioned that The lessee shall ensure that no sand mining is carried out in the areas as specified below: -
 - a) During the rainy season:
 - b) **Within the water channel or stream flow area throughout the year:**

c) Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line. 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.

d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during tile non-monsoon period

e) No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.

f) Sand mining operations shall not affect the existing sources for irrigation/drinking water industrial purpose.

g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.

However in the present case the lessee is extracting sands from the No Working Zones as prescribed in the Environmental clearance by obstructing the free flow of water and also doing in-stream mining by engaging heavy machines.

- 10.** It is further submitted that in the environmental clearance **condition NO. 7.16 a)** it is categorically mentioned that *“No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.”* **However the lessee is transporting sand loaded heavy vehicles trough densely populated villages namely Sikiri and Kharida without any prior permission from the competent authorities.**
- 11.** It is not out of place to mention here that in the environmental clearance **condition No. 7.17 e)** it is categorically mentioned that the vehicles shall not be overloaded and shall be covered with tarpaulin, **however in the**

present case the lessee is transporting the overloaded vehicles without covering with tarpaulin through densely populated villages.

12. It is further submitted that in Condition No. 7.18 it is categorically mentioned that “It shall be mandatory for the project management to submit half yearly *compliance reports on the status of implementation of the above stipulated environmental. The project authority mandatory to upload the compliance report of EC conditions including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, No hard copy and soft copy required to submit to SEIAA, Odisha, failing which EC is liable to be revoked.*” **However in the present case no such half yearly compliance report has been filed by the PP as verified by the complainant from the parivesh portal.**
13. **It is not out of place to mention here that the lessee is extracting the sands from the quarry in question by engaging 4-5 numbers of poclain machines and transporting through overloaded hyvas and tractors through densely populated villages. Further the lessee is operating the quarry in question during night time and during operating excessive noise is generated for which the local villagers are suffering a lot.**

In view of the aforementioned paragraphs it is most humbly prayed before your good office to look into the matter and to take necessary action against the lessee for violation of environmental clearance conditions and environmental laws.

Yours faithfully



Rajani Kanta Padhy

N.B.

For better appreciation photographs of the mining is attached.



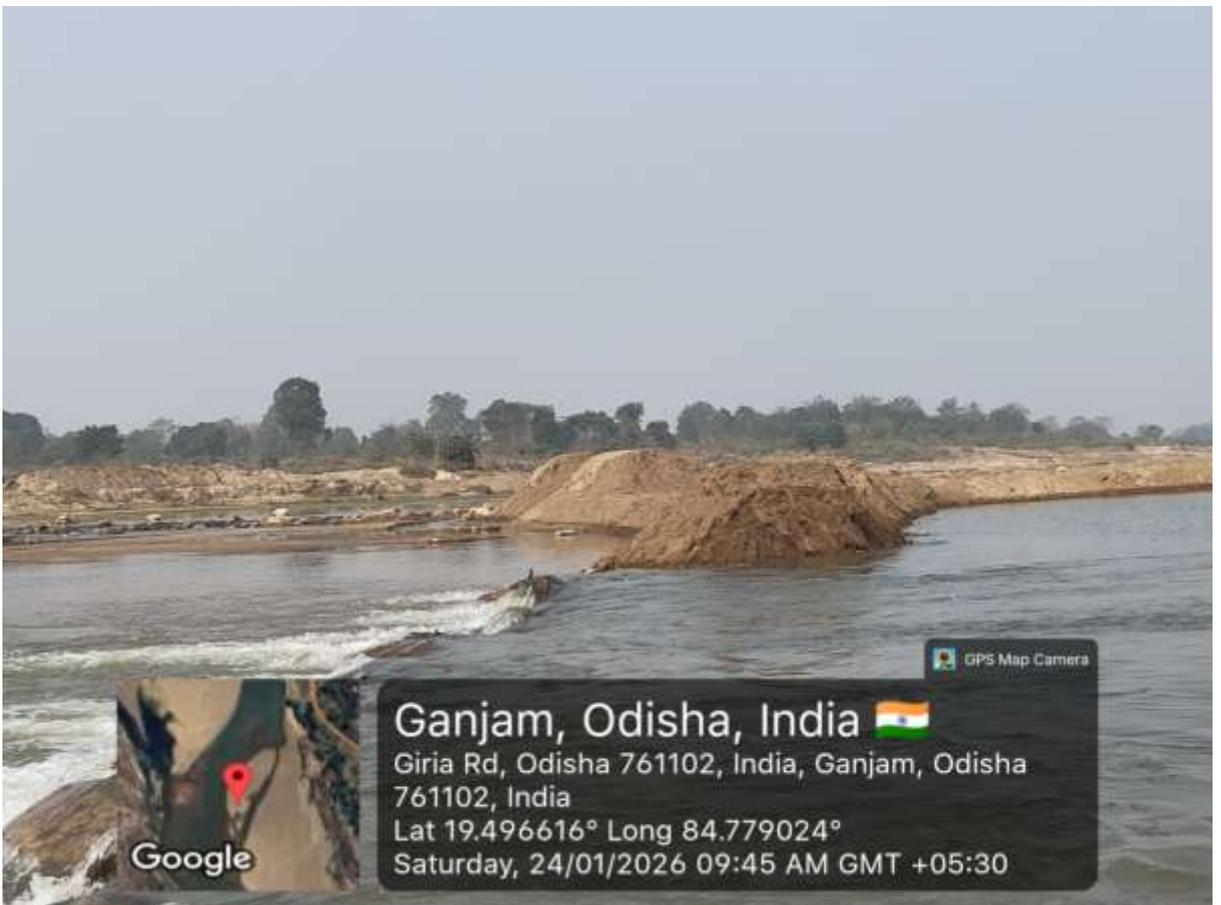


GPS Map Camera
Ganjam, Odisha, India 
Giria Rd, Odisha 761102, India, Ganjam, Odisha
761102, India
Lat 19.498188° Long 84.777646°
Sunday, 01/02/2026 10:34 AM GMT +05:30



GPS Map Camera
Ganjam, Odisha, India 
Giria Rd, Odisha 761102, India, Ganjam, Odisha
761102, India
Lat 19.495769° Long 84.778737°
Saturday, 24/01/2026 09:55 AM GMT +05:30







Sankar Pani <sankarprasadpani@gmail.com>

Fwd: Illegal sand mining in Kharida Sand bed mining project by Sri Kiran kumar Panda, in Violation of order of Honble NGT Principal Bench, Environment Clearance Conditions and Sustainable sand Mining Guideline 2016 and 2020. For better appreciation photographs of the mining is attached.

1 message

Maasaraswatisumandir Group of schools of India <rajnipadhy@gmail.com>
To: Sankar Pani <sankarprasadpani@gmail.com>

Mon, Feb 2, 2026 at 12:11 PM

----- Forwarded message -----

From: **Maasaraswatisumandir Group of schools of India** <rajnipadhy@gmail.com>

Date: Sun, 1 Feb, 2026, 15:42

Subject: Illegal sand mining in Kharida Sand bed mining project by Sri Kiran kumar Panda, in Violation of order of Honble NGT Principal Bench, Environment Clearance Conditions and Sustainable sand Mining Guideline 2016 and 2020. For better appreciation photographs of the mining is attached.

To: <member.secy@ospboard.org>

Cc: <seiaaodisha@gmail.com>, <MS-SEIAA-OR@gov.in>, <paribesh1@ospboard.org>, <member.secy@ospboard.org>, <dm-ganjam@nic.in>, <mo.berhmapur@orissaminerals.gov.in>, <roez.bsr-mef@nic.in>



KHARIDA COMPLAINT.pdf

Schedule I Form No.39-A

ଖତିୟାନ

ମୌଜା : ଖରିଡ଼ା

ତହସିଲ : ହିଞ୍ଜିଳିକାଟୁ

ଥାନା : ହିଞ୍ଜିଳି

ତହସିଲ ନମ୍ବର : 6

ଥାନା ନମ୍ବର : 7

ଜିଲ୍ଲା : ଗଞ୍ଜାମ

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତ୍ର ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		ଓଡ଼ିଶା ସରକାର ଖେତ୍ର ନମ୍ବର 1				
1) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		556				
2) ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ		ରକ୍ଷିତ				
3) ସ୍ୱତ୍ୱ						
4) ଦେୟ :	ଜଳକର	ଖଜଣା	ସେସ୍	ନିସ୍ତାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	5) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ
6) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ						
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ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ - 20/03/1976						
ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ -						

ଖତିୟାନର କ୍ରମିକ ନଂ : 556		ମୌଜା : ଖରିଡ଼ା			ଜିଲ୍ଲା : ଗଂଜାମ	
ପୁଟ ନମ୍ବର ଓ ଚକର ନାମ	କିସମ ଓ ପୁଟର ଖଜଣା	କିସମର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଗୌହଦି	ରକବା			ମତ୍ରବ୍ୟ
			ଏ.	ଡି.	ହେକ୍ଟର	
7	8	9	10		11	12
2866	ନାଳ	ପାଣିନାଳ	0	2900		ବେଆଇନ ଦଖଲ: ଭୀମ ବେହେରା,, ପିତା: ଗୋବିନ୍ଦ ବେହେରା,, ଜାତି: କୁସ୍ତାର, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ୍ତ 1955 ଠାରୁ, ହାଲ କିସମ ପଦର ଏକ।
2867	ନାଳ	ପାଣିନାଳ	0	1180		ବେଆଇନ ଦଖଲ: ଶ୍ରୀ କୁନ୍ତୀ, ଠାକୁରାଣୀ ବିଜେ: ନିଜଗାଁ, ଡରଫେ- ଅରକ୍ଷିତ ନାହାକ, ପିତା:, କାଳୁ ନାହାକ, ଜାତି: ବାଉରି,, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ୍ତ 1950, ଠାରୁ ହାଲ କିସମ ବିଲ ଦୋଫସଲି, ଏକ।
4312	ନାଳ	ପାଣିନାଳ	0	6630		ବେଆଇନ ଦଖଲ: ଆନନ୍ଦ, ପ୍ରଧାନ, ପିତା: ବାଉରି, ପ୍ରଧାନ, ଜାତି: ଓଡ଼ିଆ,, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ୍ତ 1958, ଠାରୁ, ହାଲ କିସମ ପଦର ଏକ।
4957	ନାଳ	ପାଣିନାଳ	0	0550		ବେଆଇନ ଦଖଲ: ବେଲା ବେହେରା,, ପିତା: ବଳି ବେହେରା, ଜାତି:, କୁସ୍ତାର, ବାସସ୍ଥାନ: ନିଜଗାଁ,, ସ୍ତ 1950 ଠାରୁ, ହାଲ କିସମ, ପଦର ଏକ।
3956	ନାଳ	ପାଣିନାଳ	0	1120		ବେଆଇନ ଦଖଲ: ଛଞ୍ଜାଣ, ବେହେରା, ଗନ୍ଧା ବେହେରା,, ପିତା: ଅର୍ଜୁନ ବେହେରା, ଜାତି:, କୁସ୍ତାର, ବାସସ୍ଥାନ: ନିଜଗାଁ,, ସ୍ତନ 1950 ଠାରୁ, ହାଲ କିସମ, ପଦର ଏକ।

3955	ନାଳ	ପାଣିନୀଳ	0	0630	ବେଆଇନ ଦଖଲ: ଅନନ୍ତ ସାହୁ,, ଗୋବିନ୍ଦ ସାହୁ, ପିତା: ନଟବର, ସାହୁ, ଜାତି: ବ୍ରାହ୍ମଣ,, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ 1948, ଠାରୁ, ହାଲ କିସମ ପଦର ଏକ।
4404	ନାଳ		2	1640	ବେଆଇନ ଦଖଲ: ନରସିଂହ ସାହୁ,, ପିତା: ଲକ୍ଷ୍ମନ ସାହୁ, ଜାତି:, ବ୍ରାହ୍ମଣ, ବାସସ୍ଥାନ: ନିଜଗାଁ,, ସ 1965 ଠାରୁ, ହାଲ କିସମ, ବଗାୟତ ଏକ।
4247	ନାଳ		1	1030	ବେଆଇନ ଦଖଲ: ଆନନ୍ଦ, ପ୍ରଧାନ, ପିତା: ବାଉରି, ପ୍ରଧାନ, ଜାତି: ଓଡ଼ିଆ,, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ 1958, ଠାରୁ, ହାଲ କିସମ ପଦର ଏକ।
3959	ନାଳ		0	5980	ବେଆଇନ ଦଖଲ: ଶ୍ରୀ କୁଢ଼ି, ଠାକୁରାଣୀ ତରଫେ- ତୋରି ଗଉଡ଼,, ପିତା: ଭୀମ ଗଉଡ଼, ଜାତି:, ଗଉଡ଼, ବାସସ୍ଥାନ: ନିଜଗାଁ,, ସ 1960 ଠାରୁ, ହାଲ କିସମ, ପଦର ଏକ।
3811	ନାଳ		0	0740	ବେଆଇନ ଦଖଲ: ଅନନ୍ତ ସାହୁ,, ଗୋ..... ସାହୁ, ପିତା: ନଟବର, ସାହୁ, ଜାତି: ବ୍ରାହ୍ମଣ,, ବାସସ୍ଥାନ: ନିଜଗାଁ, ସ 1948, ଠାରୁ, ହାଲ କିସମ ପଦର ଏକ।
4598/5440	ଗୋତର		2	4850	
4246	ଗୋତର		5	4250	
4548	ଗୋତର		0	6050	ବେଆଇନ ଦଖଲ: ରଘୁ ଗଉଡ଼,, ପିତା: ମାଗତା ଗଉଡ଼, ଜାତି:, ଗଉଡ଼, ବାସସ୍ଥାନ: ନିଜଗାଁ,, ସ 1950 ଠାରୁ, ହାଲ କିସମ, ପଦର ଏକ।

4531	ଗୋଚର		15	2500		
4555	ଗୋଚର		4	4200		
4603	ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ		7	6350		
4621	ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ		0	2750		
4737/5433	ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ		0	1550		
4627	ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ		1	3340		
268	ସର୍ବ ସାଧାରଣ ଯୋଗ୍ୟ		0	0640		ମୃତ୍ୟୁ ପଶୁଙ୍କର ଚମଡ଼ା, ଉତାରିବା ସ୍ଥାନ।
233	ସର୍ବ ସାଧାରଣ ଯୋଗ୍ୟ		0	1400		ମୃତ୍ୟୁ ପଶୁଙ୍କର ଚମଡ଼ା, ଉତାରିବା ସ୍ଥାନ।
4754	ସର୍ବ ସାଧାରଣ ଯୋଗ୍ୟ		0	4660		ଶୁଣାମ ପାଇଁ ସଂରକ୍ଷିତ।
22 plots			43	4940		

ରାଷ୍ଟ୍ରୀୟ ସୂଚନା ବିଜ୍ଞାନ କେନ୍ଦ୍ର 10/02/2026 12:08:32 IP :49.37.115.45

ENGLISH TRANSLATION OF ANNEXURE-10

Khatian

Mouza: Kharida
 Thana: Hinjili
 Thana Number: 7

Tahasil: Hinjilicut
 Tahasil Number: 6
 District: Ganjam

Name of the Jamidar and Khewat or Khatian serial number					Odisha Government Khewat number 1	
1) Khatain Serial no					556	
2) Name of the Tenant, Father's name, caste and residence					Rakhita	
3) Satwa						
4) Payable	Water Tax	Khajana	Cess	Nistar Cess and other cess if any	Total	5) Cumulative Khajana description
6) Special annexure if any						
BLANK SPACE FOR STAMPING						
Last publication date- 20/03/1976						
Khajana date -						

Khatian Serial number- 556		Mouza -Kharida			District - Ganjam	
Plot no & Chaka name	Kisam & Plot Name	Detail description of the Kisam & Chouhadi	Area			Remark
			Acres	Decimal	Hectares	
2866	Nala	Pani Nala	0	2900		Illegal possession; Bhima Behera, Father- Gobonda Behera, Caste- Kumbhara, village- own village, since 1955, Hal kissam- Padara ek.
2867	Nala	Pani Nala	0	1180		Illegal possession; Sri Budhi thakurani Bije, own village, tarafe- Arakhita Nahak, Father- Kalu Nahak, caste- Bauri, Village- own village, since 1950, Hal kissam- Bila do fasali ek
4312	Nala	Pani Nala	0	6630		Illegal possession; Ananda Pradhan, Father- Bauri Pradhan, Caste-

						Odia, village- own village, hal kissam- Padara ek
4957	Nala	Pani Nala	0	0550		Illegal possession; Bela Behera, Father- Bali Behera, Caste- Kumbhara, village- own village, since 1950, Hal kissam- Padara ek
3956	Nala	Pani Nala	0	1120		Illegal possession; Chanchana Behera, Ganta Behera, Father- Arjun Behera, Caste- Kumbhara, Village- own village, since 1950, Hal kissam- Padara ek
3955	Nala	Pani Nala	0	0630		Illegal possession; Ananta Sahu, Gobinda Sahu, Father- Natabara Sahu, Caste- Bramhin, Village-

						own village, since 1948, Hal Kisam-Padara ek
4404	Nala		2	1640		Illegal possession; Narasingh Sahu, father- Lachaman Sahu, Caste- Bramhin, Village- Own village, since 1965, Hal kissam-Bagayat ek
4247	Nala		1	1030		Illegal possession; Anand Pradhan, Father- Bauri Pradhan, Caste- Odia, village- Own village, since 1958, Hal kissam Padara ek.
3959	Nala		0	5980		Illegal possession; Sri Budhi, Thakurani, Tarafe- Chori Gouda, F- Bhim Gouda, caste- Gouda, village- own village, since 1960, Hal kissam-

						Padara ek
3811	Nala		0	0740		Illegal possession; Ananta Sahu, Go.....SAhu, Father- Natabar SAhu, Caste- Bramhin, Village- own village, since 1948, Hal Kissam- padara ek
4598/5440	Gochara		2	4850		
4246	Gochara		5	4250		
4548	Gochara		0	6050		Illegal possession; Raghu Gouda, S/o- Magata Gouda, Caste- Gouda, Village- own village, since 1950, Hal Kissam- Padara eka
4531	Gochara		15	2500		
4555	Gochara		4	4200		
4603	Gramya Jungle		7	6350		

4621	Gramya Jungle		0	2750		
4737/5433	Gramya Jungle		0	1550		
4627	Gramya Jungle		1	3340		
268	Sarba Sadharan Yogya		0	0640		Reserved for for skinning dead animals
233	Sarba Sadharan Yogya		0	1400		Reserved for for skinning dead animals
4754	Sarba Sadharan Yogya		0	4660		Reserved for Crematorium
22 Plots			43	4940		



OFFICE OF THE DIVISIONAL FOREST OFFICER, BRAHMAPUR DIVISION
At Courtpeta Square, Brahmapur, Pin-760004, Phone-0680-2280421
E-mail- dfo.berhampur@odisha.gov.in & dfobhmpr@yahoo.co.in

Memo No- 193 / RTI -107/2025
 Dated, Brahmapur the 06 January 2026.

To

Sri Rajani Kanta Padhy
 S/o Late Hadu Padhy
 At/Po- Sikiri, Via- Hinjilicut,
 Dist-Ganjam, Pin-761102

Sub: RTI application date- 10.12.2025 of Sri Rajani Kanta Padhy under section 6(1) of RTI Act, 2005.

Sir,

With reference to your RTI application dt.10.12.2025. I am enclosing herewith 1 (one) no. of page of information pertaining to this Division as supplied by the Dealing Assistant, Miscellaneous Section of this Division. No such cutting permission of village Forest at Kharida, Ganjam plot number- 4603 & Khata number 556.

Hence your RTI application dt.10.12.2025 is disposed off.

Yours faithfully,

Encl: As above.

First Appealing Authority
 O/o the Divisional Forest Officer
 Brahmapur Forest Division

83



ORIGINAL COPY

GOVERNMENT OF ODISHA
DEPARTMENT OF STEEL & MINES

FORM-V

[See rule 58(1)]

Pass **A2512060005/1/37**

No.

TRANSIT PASS
FOR MINOR MINERALS

1. Book No. _____ Date & Time : **05-Jan-2026 08:01:30 PM - 06-Jan-2026 08:01:30 AM**
2. Circle Mining Office : **BERHAMPUR**
3. Name of the Quarry/Lease/Source of Auction : **Long term lease of sand bed, kharida**
4. Name of the Licensee/Lessee/Permit Holder/Auction Holder/Auction Purchaser : **Sri. Kiran Kumar Panda**
5. Destination : **SAKTI SAHU, GIRISOLA** Route : **SIKIRI**
6. Minor Mineral : **SAND**
7. Permit No. : **NA** Date : **NA**
8. Quantity Permitted (Cum/Tonnes) : **6.00Cum**
9. Measurement of Mineral in Carrier (in meter): **OR16D1096**
- | Length | Breadth | Height |
|--------|---------|--------|
| NA | NA | NA |
10. Cubic Content (Cum) : **6.00**
11. Weight of the Vehicle (Tonnes) Gross : **NA** Tare : **NA**
12. Weight of the Mineral : **NA**



Signature of the person issuing with date

Signature of the carrier Driver with date

Signature of the checking staff with date

Signature of the person receiving at the destination with date

Signature of Inspector I/C with date & time

Office Seal

A2512060005/1/37

Expired

←

Name of the Lessee : Sri. Kiran Kumar Panda

Pass no. : A2512060005/1/37

Minor Mineral : SAND

Pass Validity : 05-Jan-2026 07:15:30 PM - 06-Jan-2026 04:15:30 AM

Destination : GIRISOLA

Route : SIKIRI

Cubic Content : 16.00

Carrier : OD07BA9500

Registration No.

Mineral Wt : 16.00

Driver Name : dillip

Source Name : Long term lease of sand bed,kharida

Circle Name : BERHAMPUR

District Name : GANJAM

Tahasil Name : HINJILICUT

Gross Weight : NA

Tare Weight : NA

Carrier Type : Hiwa - 10 Wheel - 16 CuM

Measurement of Mineral Carrier(in Meter) : NA

By e-Mail/Fax

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

RDM-MMS-EXINST-0001-2019- ¹²⁶¹¹ /R&DM Dated 26.04.2019

From

Shri Nikunja B. Dhal, IAS
Principal Secretary to Government

To

All Collectors

Sub: Guidelines for regulating the sand quarrying in the State.

Madam/Sir,

Sand is the most important minor mineral used for various development projects and construction of buildings. Increase in demand of sand has put immense pressure on the sand sources, at times leading to illegal quarrying activities.

Unscientific sand quarrying and illegal lifting not only causes revenue loss to the state exchequer but also distorts the natural equilibrium of rivers. Indiscriminate sand mining may also lead to change of the course of rivers and embankment cave-in thereby threatening the life of inhabitants of villages situated along the river bank.

A number of instructions/guidelines have been issued by this Department from time to time to prevent illegal lifting of minor minerals. Grant of quarry lease is regulated as per the provisions of Chapter-IV of OMMC Rules, 2016.

To ensure scientific quarrying, transparent distribution and to prevent illegal lifting / theft of minor minerals, a scheme namely '*prevention of theft of minor minerals and eviction activities*' was launched during 2018-19 vide Resolution No. 23225/R&DM dated 28.06.2018. To implement the scheme, funds to the tune of Rs. 5.00 Crore was initially placed with Collectors vide this Department sanction order no. 25548 dated 11.07.2018.

In continuation of various instructions issued in the past, the following guidelines and instructions are issued for streamlining the process of sand quarrying and preventing illegal lifting of sand:

A. Identification of sources:

- i. Tahasildar shall conduct joint verification with Assistant Executive Engineer/ Executive Engineer of Water Resources Department for identification of specific river stretches having proper access for grant of quarry leases.
- ii. The boundaries of sand sources should be properly demarcated by pillar posting as instructed vide this Department letter No.15640 dtd. 15.05.2017.
- iii. In no case the lessee should be allowed to extract sand beyond the lease area.

B. Mining plan and environment clearances / approvals:

- i. Tahasildar (Competent Authority) shall get the mining plans prepared in advance through Registered Qualified Persons (RQP) in respect of the sources within his jurisdiction.
- ii. While preparing mining plan the distance of hydraulic structures including dams, barrages, check dams, bridges etc., location from habitations, heritage sites, monuments and public infrastructure facilities should be taken into consideration. Sand quarrying operation should not endanger the safety of these structures & imperil the lives of the people.
- iii. The Tahasildar shall apply for and obtain the Environmental Clearance (EC). The selected bidder shall bear cost of the preparation of mining plan and also the costs incurred for obtaining the EC.
- iv. In case the approval of mining plan and the Environmental Clearance have not been obtained by the Competent Authority, the selected bidder shall obtain the same before executing the lease deed.
- v. State Pollution Control Board (SPCB), Odisha vide their Notice dated 12.05.2016 (copy enclosed) have informed all concerned that the lease holders of all minor mineral mines (irrespective of lease hold area) in the State are brought under the consent administration of the Board under the Water (PCP) Act, 1974 and Air (PCP) Act, 1981 and that for

operation of any minor mineral mines in the State, consent from the SPCB shall be obtained. The operation of any minor mineral mines in the State without obtaining consent from the SPCB will be considered as violation under section 25 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 and would lead to initiation of appropriate legal action.

- vi. It shall be the responsibility of the lessee to obtain the Consent to Operate (CTO) from State Pollution Control Board (SPCB) before commencement of the quarrying operation.
- vii. Care should be taken to follow all the environmental norms issued from time to time by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India and Forest & Environment Department, Govt. of Odisha prior to lease of any sand source and during operation of the same. The lessee shall be responsible for implementing the Environment Management Plan (EMP).

C. Quarrying/Mining operation:

- i. Quarrying operation should be done strictly within the mining area as per the Mining plan. It should be undertaken only after putting in place the required environmental safeguards.
- ii. The depth of the quarry shall be restricted to three meters or water level, whichever is less.
- iii. The lessee shall not damage the embankment of the river.
- iv. No quarrying operation of sand shall be allowed through mechanized means and suction method.
- v. The lessee shall not dispatch the sand without a valid transit pass in Form-Y issued by the Tahasildar.
- vi. Since Hon'ble High Court in the order dated 19.07.2012 in WP (C) No. 12232 of 2012 have observed that the transport permit is issued only to transport the sand extracted from the sand sairat within the state of Odisha, the lessees should be instructed not to transport sand outside the State. Clarification in this regard has already been issued from this Department vide letter No. 36404 dated 02.12.2014.

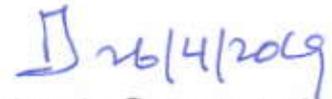
D. Steps for prevention of illegal sand quarrying/mining:

- i. District Administration shall put in place a robust monitoring mechanism to continuously monitor the quarrying activities of sand sources.
- ii. If any incidence of extraction of sand beyond the lease area by lessee is found, the same shall be treated as unauthorized and the lessee be penalized as per section 21(5) of MMDR Act, 1957 and the provisions of Rule 51 of OMMC Rules, 2016.
- iii. If any damage to embankments of the rivers comes to the notice, the lease shall be cancelled on obtaining the report from Assistant Executive Engineer / Executive Engineer of Water Resources Department.
- iv. The Revenue Administration and Police Administration shall seize all machines, vehicles, etc. used for carrying out illegal sand quarrying.
- v. Apart from instituting appropriate criminal proceedings against those carrying out illegal quarrying activities and transporting sand without valid 'Y' Form, maximum penalty should be imposed against them.
- vi. The District Administration should remain vigilant to prevent any incidence of interstate transportation of sand. If any such incidence comes to notice, the lease should be cancelled.
- vii. Temporary check gates may be set up during peak constructions season at common exit points to be decided by the Collectors. Care should be taken not to set up these posts on the National Highways and State Highways so that the general vehicular traffic is not affected and the commuters are not put to trouble.
- viii. Squads should be constituted at district and sub-divisional levels to conduct surprise checks in the sand quarrying areas and check the vehicles transporting sand. Raid/checking should always be done with adequate security arrangement to ward off any untoward situation.
- ix. Technical support of ORSAC may be taken for satellite based monitoring of very important sand sairats.

- x. All the complaints of unauthorized sand quarrying should be enquired by the Sub-Collector/ Addl. Sub-Collector/Tahasildar within 72 hours and remedial measures should be taken promptly.
- xi. Status of cases detected and action taken thereon for violation of provisions of OMMC Rules, 2016 and the Environmental Regulations should be reviewed in the monthly district level revenue meetings, and the issues arising thereon should be sorted out.

You are, therefore, advised to take all necessary measures for enforcing the above mentioned guidelines for preventing illegal and unauthorised sand quarrying in the State. Any deviation in implementation and enforcement of the provisions of the OMMC Rules, 2016 and the environmental regulations shall be viewed seriously and action deemed proper shall be initiated against the erring officer(s).

Yours faithfully,



Principal Secretary to Government

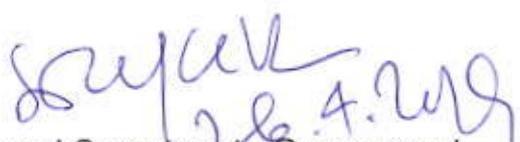
Memo No. 12612 /R&DM Dated 26.04.2019

Copy forwarded to Steel & Mines Department / Forest and Environment Department / Water Resources Department / Member Secretary, SPCB / CEO, ORSAC for information and necessary action.


26.4.2019
Additional Secretary to Government

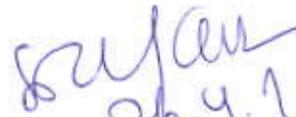
Memo No. 12613 /R&DM Dated 26.04.2019

Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ All Revenue Divisional Commissioners for information and necessary action.


26.4.2019
Additional Secretary to Government

Memo No. 12614 /R&DM Dated 26.04.2019

Copy forwarded to all Sub-Collectors/ all Tahasildars for information and necessary action.


26.4.2019

Additional Secretary to Government

Memo No. 12615 /R&DM Dated 26.04.2019

Copy forwarded to e-Governance Branch of this Department for uploading the same in the Department Website.


26.4.2019

Additional Secretary to Government

Office of the Superintending Engineer,
Berhampur Irrigation Division, Berhampur.

Phone No-0680 2281983 Email: eebam_irr@yahoo.com

No. 426 / Dated, Berhampur, the 28-01-2022
To

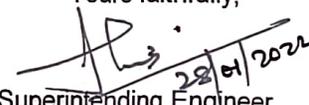
The Sub-Collector,
Chatrapur.

Sub:- Regarding lease of sand quarry at downstream of Hiradharabati Anicut under Purushottampur Tahasil.

Sir,

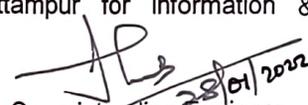
In inviting a kind reference to the subject cited above, it is to intimate that the Hiradharabati Anicut across river Rushikulya near village Hanumanpalli feeds the Hiradharabati Main Canal, irrigating an ayacut of 6278 Ha. of Purushottampur and Ganjam Block. In the recent times, it is observed that due to operation of sand quarry at the downstream of the Anicut, severe scouring has been occurring near the downstream apron of the structure thereby damaging the foundation of the structure. This may lead to damage of the Anicut thereby disrupting the irrigation to the Ayacut. In view of the above it is requested that no further lease for the sand quarry at the downstream of the Hiradharabati Anicut may be allowed for the safety of the Anicut.

Yours faithfully,


28/01/2022
Superintending Engineer,
Berhampur Irrigation Division,
Berhampur

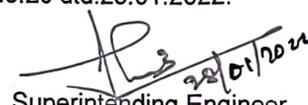
Memo No. 427 / Dated 28-01-2022

Copy forwarded to Tahasildar, Purushottampur for information & necessary action.


28/01/2022
Superintending Engineer,
Berhampur Irrigation Division

Memo No. 428 / Dated 28.01.2022

Copy forwarded to SDO, Rushikulya Irrigation Sub-Division, Humma for information & necessary action with reference to his Letter No.20 dtd.25.01.2022.


28/01/2022
Superintending Engineer,
Berhampur Irrigation Division

98

ANNEXURE-15



OFFICE OF THE TAHASILDAR, HINJILICUT

Letter No. 10478

Date - 8/12/25

To

**The Collector,
Ganjam, Chatrapur.**

Sub: Grievance petition filed by Rajani Kanta Padhy.

Sir,

With reference to the letter on the subject cited above, I am to submit herewith the detailed information as detailed below regarding grievance petition filed by Rajani Kanta Padhy, Advocate, MLA Candidate 2024 Hinjili Assembly Constituency.

1. In reference to the Para-1, I am to say that under Vasundhara Scheme a total number of 282 applications was received out of which we have identified for 74 No.s eligible beneficiaries after due inquiry and 40 No.s of ROR has been corrected. Apart from that Column-2 correction drive and inheritance case also carried out.
2. In reference to Para-2, relates to H & FW Deptt.
3. In reference to Para-3, I am to say that, On verification of the ROR of Plot No. 3081, Khata No. 1553 of Mouza - Hinjili, it is found that the kissam of the plot is "Bastijogya" with an area of Ac. 0.147. On further enquiry, it has been ascertained that Hinjilicut Municipality has settled land in favour of eligible beneficiaries under the "Jaga Mission" for sium dwellers on the said plot. Regarding other encroachers, this office has already issued show-cause notices and enforced stay of construction (Form-C) as per the provisions of the OPLE Act.
- 4.5 In reference to Para-4-5, Administration Control of Minor Mineral have been transferred to Steel and Mines Deptt. In all Tahasil level committee, instruction has been issued to Junior Mining Officer for immediate taking necessary action and drone enquiry. Regarding the felling of trees at Kharida Mouza plot no 4603 it has been intimated to DFO, Berhampur for joint inquiry.
6. In reference to para-5, In this connection one Junior Mining Officer has been appointed in this Tahasil. Joint enforcement has been done and it is a continuous process.

Yours faithfully,

[Signature]
for Tahasildar, Hinjilicut

Memo No: 10479 Dated:- 8/12/25

Copy submitted to the Sub-collector, Chatrapur for favour of kind information and necessary action.

[Signature]
for Tahasildar, Hinjilicut.

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

Original Application No.- of 2026

In re:

Rajani Kanta Padhy

APPLICANT

Versus

State Of Odisha & Ors

... **RESPONDENTS**

KNOW ALL to whom these present shall come We, **Rajani Kanta Padhy, C/o- Hadu Padhy**, aged about 58 years, At - Sikiri, Po- Hinjilicut, Dist- Ganjam, Pin- 761102. Applicant in the above mentioned matter, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email- sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

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

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

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

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

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

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

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 9th day of February 2026.

Accepted subject to the terms of fees.


Advocate


Client