

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Original Application No. 151/2025 /EZ)

IN THE MATTER OF:

DAMBARUDHAR RAMSINGH

...APPELLANT

VERSUS

STATE OF ODISHA & ORS.

...RESPONDENT(S)

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RESPONDENTS NO. 1 & 2

THROUGH:

**VARUN MISHRA (PANEL COUNSEL)****WITH SHREEYA SUD****(D/722/2011) & (D/2643/2021)**

A-21, BASEMENT,

HAKIKAT RAI MARG,

JANGPURA EXTENSION,

NEW DELHI – 110014.

PLACE: NEW DELHI**DATED:** 03.07.2026



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EASTERN ZONE BENCH, KOLKATA
(Original Application No. 151/2025 /EZ)



IN THE MATTER OF:

DAMBARUDHAR RAMSINGH

...APPLICANT

VERSUS

No. 3019 STATE OF ODISHA & OTHERS.

...RESPONDENT(S)

Date 02.07.26

Time 1.50 PM.

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 1 & 2

I, Shri Santanu Kumar Sahoo, aged about 27 years, S/o Sadananda Sahoo, presently working as Mining Office, Koraput at P.O. Lingaraj Nagar, Jayapur, District- Koraput, do hereby solemnly affirm and state as under:

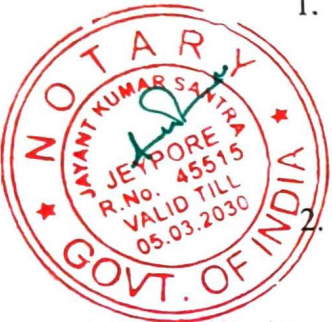
1. In the instant case, the Chief Secretary to Government of Odisha, Lokseva Bhawan, Bhubaneswar, Khurda and the Mining Officer, Koraput are arrayed as Respondents Nos. 1 & 2 respectively.

I am presently discharging my duties in the capacity of Mining Officer, Koraput and have been duly authorized to represent Respondent Nos. 1 & 2, and to affirm this Affidavit on their behalf, based on available the official records. Accordingly, I swear this common Counter Affidavit for and on behalf of Respondents No. 1 and 2 herein ("**Answering Respondents**").

I have gone through the Original Application under reply (the "O.A.") filed before the Hon'ble National Green Tribunal ("NGT") and am well conversant with the contents thereof. I am otherwise also fully acquainted with the facts and circumstances of the present case as revealed from the records.

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4. There is neither any infraction of statutory nor constitutional rights of the Applicant inasmuch as there are no lapses on the parts of the Answering Respondents in discharge of their lawful duties.
5. Before advertng to the para-wise reply to the O.A. it is humbly submitted that all averments, contentions or statements made therein which are not specifically admitted or traversed herein shall be deemed to have been specifically denied. Any such assertions which are inconsistent with or contrary to the official records and the position of the Answering Respondents shall not be deemed to have been admitted merely for want of specific denial, and the Applicant is put to strict proof thereof. The Answering Respondents crave leave of this Hon'ble Tribunal to file an additional counter affidavit or further the contentions in the present counter affidavit, if the circumstances so warrant.

The instant O.A. has been filed with the prayer to issue following directions to the Respondents:

- i) Direct the Mining Officer, Koraput to set aside and/or withdraw and/or quash the said Demand Notice dated 12.11.2024 issued by the Mining Officer, Koraput without further delay.
- ii) Mandatory injunction may kindly be granted directing the authorities concerned to allow the applicant to run and/or operate the sand mining for the survival.
- iii) Direct to declare the Certificate of the "Consent to Operate" has been deemed sanctioned by the concerned authority in the name of the applicant under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.
- iv) An order of Stay may be passed by the Hon' ble Tribunal against the operation of the said Demand Notice dated 12.11.2024 issued by the Mining Officer, Koraput till the disposal of the instant application.


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- v) Ad-Interim orders as prayed for in prayers (ii) and (iv) hereinabove.
vi) Pass such other orders/directions as this Hon'ble Tribunal may deem fit and proper.

7. The instant O.A. is misconceived, devoid of merit and liable to be dismissed as the Demand Notice No. 2099/Mines dated 12.11.2024 (the "**Impugned Notice**") was issued pursuant to the directions of this Hon'ble Tribunal in Order dated 09.08.2024 passed in O.A. No. 66/2024/EZ (arising out of O.A. No. 20/2024/PB titled *Pooja Phillo & Ors. v. Principal Secretary, Directorate of Geology & Ors.*) (hereinafter "**Order dt. 09.08.2024**"; See *ANNEXURE-7 to the O.A*) for computation and recovery of Environmental Compensation from persons found to have carried out mining operations without obtaining mandatory statutory clearances.

8. **BRIEF BACKGROUND & PRELIMINARY SUBMISSIONS**

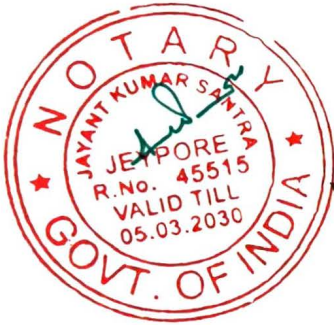
- i. The present O.A. has been filed by the Applicant challenging the Impugned Notice issued by Respondent No. 2, the Mining Officer, Koraput, whereby Environmental Compensation amounting to INR 41,91,754 (Indian Rupees Forty-One Lakhs Ninety-One Thousand Seven Hundred Fifty-Four) was assessed and demanded in respect of sand mining operations carried out at Galganda-Duruba Sand Sairat under Nandapur Tahasil on the basis of the findings of the Joint Committee.
- ii. The Galganda-Dhuruba Sand Sairat is spread over 11.59 hectares (28.65 acres) comprising of plot nos. 480, 481, 321 and 322 under khata No. 65 in Nandapur Tahasil, Koraput District (hereinafter referred to as the "**Leased Site**"). The Leased Site is recorded in the District Survey Report ("**DSR**") of Koraput, as the only sand bed.



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- iii. The Applicant is an ex-lessee of the Leased Site identified through the reports and official lease records as having illegally mined sand without statutory clearances.
- iv. The Leased Site was auctioned on 11.06.2018 by the then Competent Authority - Respondent No. 3 herein, the Tahasildar, Nandapur. Subsequently, *vide* letter no. 1161 dated 20.06.2018 whereby Respondent No. 3 invited the H1 bidder, Sri Dambarudhara Ramsingh (“Applicant”) to submit an approved mining plan to Respondent No. 7 - State Environment Impact Assessment Authority (“SEIAA”)- for EC. The letter no. 1161, dated 20.06.2018 is annexed herewith and marked as ANNEXURE R-1.
- v. On 27.03.2019, a lease deed (RMC No. 1/2018-19) (“Lease Agreement”) for the Leased Site was executed for a period of five years from 27.03.2019 to 31.03.2023. The Lease Agreement was later extended from 21.04.2023 to 26.03.2024 by way of another lease deed (RMC No. 836/2023) (“Extension Agreement”).
- vi. In the present case, neither the Competent Authority nor the Applicant obtained EC prior to execution of the Lease Agreement & Extension Agreement, which is a mandatory pre-requisite for quarry operations. The same must be obtained in accordance with Rules 29(2), 29(3) and 29(4) of OMMC Rules, 2016 & Amendments, read with the Environment (Protection) Act, 1986 and the EIA Notification, 2006 before operation of the quarry. Despite the aforementioned statutory requirements, the Applicant assumed mining operations without obtaining the EC.
- vii. The Environmental Compensation has been assessed in accordance with the Order dt. 09.08.2024.
- viii. *Vide* Order dated 09.08.2024, this Hon’ble Tribunal constituted a Joint Committee to conduct verification of the Leased Site on



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- 06.11.2024. The Joint Committee reported that mining operations on the Leased Site had been carried out without obtaining mandatory statutory clearances, namely EC, CTE and CTO.
- ix. Upon consideration of the Joint Committee Report dated 06.11.2024 ("JCR"), *vide* Order dt. 09.08.2024 this Hon'ble Tribunal directed the State Authorities to take appropriate legal action against illegal miners and to compute Environmental Compensation.
- x. In compliance with the aforesaid directions and in conformity with the principles laid down by this Hon'ble Tribunal in order dated 07.03.2022 passed in O.A. No. 150/2017/EZ read with Notification No. 9238 dated 25.10.2024 issued by the Government of Odisha, Steel & Mines Department, the competent authority assessed the Environmental Compensation and Respondent No. 2 raised the Impugned Notice.
- xi. Aggrieved thereby, the Applicant has filed the present O.A. seeking, *inter alia*, quashing of the Impugned Notice, declaration of deemed CTO and permission to continue mining operations.
- xii. The primary contention of the Answering Respondents is that it is settled law that Environmental Clearance ("EC"), Consent to Establish ("CTE") and Consent to Operate ("CTO") are mandatory pre-conditions for carrying out mining operations. Mere grant of lease, approval of mining plan or pendency of applications for statutory clearances does not authorize mining operations.

PARA-WISE REPLY

9. Paragraph 1 of the O.A. relate to the personal particulars of the Applicant and merits no response.



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10. The contents of Paragraph 2 of the O.A. are matters of record and merit no response.
11. The contents of Paragraphs 3 and 4 are admitted to the extent that the Applicant was granted a mining lease under RMC No. 1/2018-19 up to 31.03.2023 and, the Mining Plan dated 27.04.2018 was approved by the competent authority. In response to the averments made in Paragraphs 3 and 4 of the O.A., it is submitted that the Applicant was illegally extracting sand at the Leased Site. It is further submitted that:
- i. Vide Letter No. 1161 dated 20.06.2018, Respondent No. 3 had specifically instructed the Applicant to submit an approved Mining Plan and obtain EC from SEIAA prior to undertaking mining operations at the Leased Site.
 - ii. The lease was subject to compliance with all applicable statutory and environmental requirements. The Applicant was under a continuing obligation to obtain all requisite approvals, including an approved Mining Plan and EC, before commencing any mining operations.
 - iii. While the Mining Plan was approved by the competent authority- Respondent No. 4 herein- the Applicant began mining operations in June 2019 without obtaining the mandatory EC in clear violation of the statutory provisions governing minor mineral mining and environmental protection. Put tersely, the mere approval of the Mining Plan did not exempt the Applicant from complying with other provisions of law and obtaining mandatory EC before undertaking mining operations.
 - iv. In response to the averments in Paragraph 5, it is humbly submitted that there is no available record whatsoever with the Applicant to substantiate his claim that he had applied for EC before the Respondent No. 7 on 30.10.2018. The said assertion is, therefore, denied for want of proof. Furthermore, in Order dt. 09.08.2024 this Hon'ble Tribunal has specifically recorded that no EC had been



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obtained for the Leased Site and that Respondent No. 5- the State Pollution Control Board, Odisha- had no record of the grant of any EC to the Applicant [See paragraph 6 of ANNEXURE-7 to the O.A. which reproduces the JCR. In particular, see the observation of the Joint Committee at serial no. 2 w.r.t. to Averment-3]. This finding clearly establishes that mining operations were undertaken without obtaining the mandatory EC.

12. In response to the averments made in Paragraph 6, it is submitted that:
- i. Admittedly, on 27.03.2019, the Lease Agreement in lieu of the Leased Site was executed between Respondent No. 3 and the Applicant [See ANNEXURE-3 to the O.A.].
 - ii. The Lease Agreement specifically required the Applicant to comply with all applicable laws and regulations governing quarrying. [See Clause 14 of ANNEXURE-3 to the O.A.].
 - iii. By carrying out mining operations without obtaining EC, the Applicant violated the statutory provisions governing environmental protection and mining operations as recorded in Order dt. 09.08.2024 by this Hon'ble Tribunal.
 - iv. Clause 5 of the approved Action Plan for Remediation in the JCR submitted to this Hon'ble Tribunal in O.A. 66 of 2024 (EZ) mandates that mining operations shall be undertaken only after obtaining the approved Mining Plan, EC, and CTO from Respondent No. 5, and those competent authorities shall lease out sand sources only after verification of such statutory clearances. Clause 5 of the approved Action Plan for Remediation has been reproduced below for the ready reference of this Hon'ble Tribunal:

"6. Action plan for Remediation:

In view of the above observations, following action plan for remedial are proposed by the Joint Committee:

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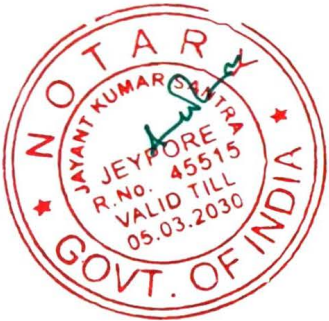
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(1 - 4) ...

5. Mining must be done only after obtaining Mining Plan, Environmental Clearance, and Consent to Operate from the State Pollution Control Board. Competent authorities shall lease out the sand sairat sources only after due verification of above statutory clearances."

13. In response to the averments made in Paragraph 7, it is vehemently denied that the Applicant continued sand mining as per the Mining Plan. The case records of the competent authority and the JCR conclusively establish that the Applicant extracted an excess of 25,590.3 Cubic Meters of sand in violation of the Mining Plan. A copy of the Committee Report containing the calculation of Environmental Compensation for unauthorized extraction of sand at Galganda-Duruba Sand Bed under Nandapur tahasil of Koraput District is annexed herewith and marked as **ANNEXURE R-2**.



14. The contents of Paragraphs 8 and 9 are admitted to the extent that the Applicant's Lease Agreement (RMC No. 1/2018-19) was later extended from 21.04.2023 to 26.03.2024 by way of the Extension Agreement (RMC No. 836/2023). It is humbly submitted that the Applicant operated under the Extension Agreement without EC. Under the amended OMMC Rules 2016, any mining activity without prior EC is illegal and attracts Environmental Compensation under the polluter pays principle.
15. In response to the averments made in Paragraph 10, it is reiterated that the Applicant has failed to produce any document evidencing his claim that he had applied to Respondent No. 5 for grant of CTE and CTO earlier. It is further submitted that EC is pre-requisite for grant of CTE and CTO. The Applicant commenced sand mining operations in June 2019. However, the

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application for CTE and CTO was filed only on 28.04.2023 - nearly four years after the commencement of operations. Rule 29(4) of the OMMC Rules, 2016 mandates that the lessee shall obtain all statutory clearances before commencement of mining operations. The belated post-facto application for CTE and CTO cannot cure or regularise the illegal mining conducted from 2019 to 2023 under the Lease Agreement.

16. In response to the averments made in Paragraph 11, it is vehemently denied that the applicant has completed the mining operation as per the Mining plan or the terms of the agreements as:

- i. The Applicant failed to obtain mandatory EC from Respondent No. 7-SEIAA -and statutory consent from Respondent No. 5 as required by the lease deed read with Rule 29(4) of the OMMC Rules, 2016.
- ii. The approved Mining Plan permitted extraction of only 9,540 Cubic Meter of sand for the entire lease period (2019-2024).
- iii. The Applicant's own signed Form-P for quarterly returns disclose total extraction of 23,610.3 Cubic Meters up to F.Y. 2022-23. The Applicant's extraction of sand from the Leased Site as disclosed in his Form-P against the total permitted excavation in the approved Mining Plan is tabulated below.

Year	Approved Annual Extraction as per Mining Plan (in m ³)	Sand Extracted by the Applicant as per Form-P (in m ³)
2018-19	1740	-
2019-20	1800	730
2020-21	1860	9085
2021-22	1920	10671.3
2022-23	1980	3124
TOTAL	9,300	23,610.30

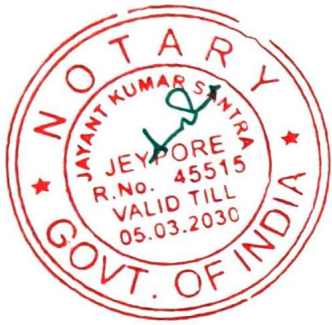
Pertinently, the Applicant's Form P carries a certification. The Applicant's Form-P for quarterly returns are annexed herewith and marked as ANNEXURE R-3.


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- iv. Furthermore, during its visit on 06.11.2024, the Joint Committee assessed the extraction till F.Y. 2023-24 (which includes the lease period for the Extension Agreement up to 26.03.2024) as 25,590.3 Cubic Meters as against the approved plan quantity of 9,540 Cubic Meters. The difference of 1,980 Cubic Meters (25,590.30 - 23,610.3) (approximately the approved annual extraction for F.Y. 2023-24) is consistent with extraction during the extended lease period.
- v. Respondent No. 3's Order dated 21.12.2021 records excess extraction of 5,012.3 Cubic Metres in F.Y. 2021-22 (from 01.04.2021 up to 20.11.2021) alone and has directed payment of Environmental Compensation accordingly.
- vi. Respondent No. 3's Order dated 02.11.2022 records further excess extraction of 870 Cubic Metres (i.e., 2,850 Cubic Metres extracted against plan of 1,980 Cubic Meters for F.Y. 2022-23), resulting in imposition of a penalty of INR 50,000 (Indian Rupees Fifty Thousand). A copy of Respondent No. 3's order sheets is annexed herewith and marked as ANNEXURE R-4.



Without admitting that the mining of the Leased Site was carried out in accordance with the Mining Plan by the Applicant, but assuming for the sake of arguments that the same is true, it is submitted that it is irrelevant that the mining operations were carried out in accordance with the approved Mining Plan.

It is further submitted that the approval of a mining plan does not imply that a mining lease holder can commence mining operations. By approving the Mining Plan the competent authority cannot be deemed to have approved mining operations. A mining leaseholder- the Applicant in the instant O.A. - is also required to comply with other statutory provisions such as the Environment (Protection) Act, 1986, the Air (Prevention and

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Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974 and the Forest (Conservation) Act, 1980, amongst others.

As observed by the Hon'ble Supreme Court in *Common Cause v. Union of India*, [2017] 13 S.C.R. 361 (See paragraph 86) in case of mining operations, EC shall be granted for a sanctioned capacity for a period of five years from commencement of mining operations. This implies that on receipt of EC a mining lease holder can extract a mineral only from a specified site, up to the sanctioned capacity and for a period of five years from the date of the grant of the EC. The quantum of permitted extraction in the mining plan or the mining lease and the duration of the mining lease have no bearing on the need to obtain an EC. Consequently, a mining lease holder would necessarily have to obtain a fresh EC every five years wherein they can also apply for an increase in the sanctioned capacity. It is pertinent to note that there is no concept of a retrospective EC, and its validity effectively starts only from the day it is granted. Thus, the EC takes precedence over the mining lease or to put it conversely, the mining operations under a mining lease are dependent on and 'subordinate' to the EC.

17. In response to the averments made in Paragraph 12 to 14, it is humbly submitted that *vide* Order dt. 09.08.2024 this Hon'ble Tribunal did not impose Environmental Compensation on any individual miner by name. It directed the State Government of Odisha to identify and proceed against all illegal miners and to compute Environmental Compensation payable by them. Accordingly, a Joint Committee was constituted to examine the allegation of illegal sand mining of the Leased Site. As mentioned in paragraph 9(iii) hereinabove, the Applicant has been identified as an ex-lessee of the Leased Site through official lease records and through reports for having conducted mining without statutory clearances. He is therefore



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covered by the direction of this Hon'ble Tribunal in Order dt. 09.08.2024 in his capacity as an identified illegal miner but not as a party to the earlier O.A.

18. In response to the averments made in paragraph 15, it is humbly submitted that the Answering Respondents have no specific comments to offer.
19. The averments made in Paragraph 16 have been responded to in paragraphs 13 and 17 hereinabove which have not been reproduced in the interest of brevity.
20. In response to the averments made in Paragraph 17, reference may be had to Paragraphs 13 and 17 herein. The same have not been reproduced in the interest of brevity. It is reiterated that in the absence of any record to prove the same, the Applicant's claim of compliance with the requirement of EC is untenable. It is further submitted that the demand for Environmental Compensation is legally justified as it is based on due assessment and has been levied in compliance with the directions of this Hon'ble Tribunal and the applicable statutory provisions. Regard may be had to the following facts:
 - i. Pursuant to the directions of the Hon'ble Tribunal and upon verification of records, a Committee was constituted to assess the environmental damage and determine the Environmental Compensation payable for the unauthorized extraction of sand from the Leased Site.
 - ii. The Joint Committee duly computed the Environmental Compensation in accordance with the applicable guidelines and submitted its report [See ANNEXURE R-2].
21. In response to the averments made in Paragraphs 18 of the O.A., reference may be had to Paragraphs 13, 17 and 23 herein, the contents of which have



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not been reproduced for the sake of brevity. It is added that, the plea of deemed CTO under Section 25(7) of the Water (Prevention and Control of Pollution) Act, 1974 (the “Water Act”) is misconceived, untenable in the facts of the present case, and is specifically denied. In any event, the absence of mandatory EC for the Subject Sand Source remains undisputed and any alleged application for consent under the Water Act cannot cure or regularize such non-compliance with the statutory environmental requirements governing mining operations.

22. The averments made in Paragraphs 19 & 20 are denied as:
- i. The same are directly contradicted by documentary evidence including the Applicant’s own records. Form-P quarterly returns submitted by the Applicant to Respondent No. 3 declare quarterly sand extraction totaling 23,610.3 Cubic Meters for F.Y. 2019-20 to 2022-23 as follows:

Financial Year (F.Y.)	Extraction of Sand (in m ³)
Q3/Q4 of 2019-20	730
2020-21	9,085
2021-22	10,671.3
2022-23	3,124

- ii. The quantity of sand extracted by the Applicant is duly supported by official records maintained by Respondent No. 3. Respondent No. 3’s Order dated 03.04.2023 tabulates the year-by-year extraction based on the Form-P returns and the official register of mineral dispatch (“Y Register”) and arrives at a grand total of 23,610.3 Cubic Meters as the total extraction up to F.Y. 2022-23. [For Order dated 03.04.2023 issued by Respondent No. 3 please see ANNEXURE R-4]
- iii. Reference may also be had to Paragraphs 18 and 19 hereinabove, the contents of which have not been reproduced for the sake of brevity.



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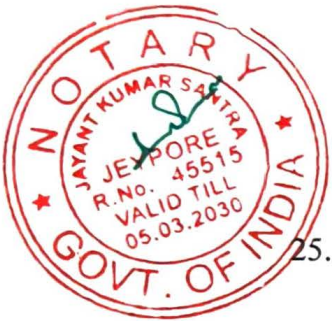
It is also significant that the Applicant does not specify or quantify what he claims the actual extraction has been. He merely makes a bald denial without producing any counter-evidence.

23. The contents of Paragraphs 21 and 22 are denied as being false. The findings regarding illegal sand mining were based on the Joint Committee's inspection and were duly recorded by this Hon'ble Tribunal in O.A. No. 66/2024/EZ. The extent of water-covered area within the Subject Sand Source is irrelevant and does not negate the absence of mandatory EC.

24. In response to the averments made in Paragraph 23, it is humbly submitted that pursuant to the directions issued, legal action has been initiated against the Applicant. Accordingly, Environmental Compensation in accordance with OMMC Rules, 2016 amounting to INR 41,91,754 (Indian Rupees Forty-One Lakhs Ninety-One Thousand Seven Hundred Fifty-Four) has been imposed for operating the sand bed from 23.03.2019 to 26.04.2025 without obtaining EC, CTE and CTO.

25. In response to the averments made in Paragraph 24, it is humbly submitted that:

- i. The Impugned Notice was issued pursuant to and in execution of the mandatory direction of this Hon'ble Tribunal contained in paragraph 29 of the Order dt. 09.08.2024.
- ii. The Order dt. 09.08.2024 constituted the jurisdictional foundation for the Impugned Notice. No fresh show cause or hearing was mandated therein for issuance of the said demand.
- iii. Environmental Compensation is not a penalty within the meaning of a punitive proceeding requiring a quasi-judicial hearing. It is a remedial and restorative measure, calculated to give effect to the polluter pays principle. The computation is based on objective

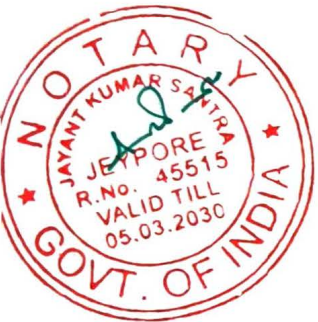


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parameters (quantity extracted, market value, risk factor). Notwithstanding the above, the Applicant served a representation dated 27.02.2025 on Respondent No. 2 herein. The Reply was duly received and has been placed on the case record. On fair consideration of the Applicant's representation, no basis exists to reduce or waive the Environmental Compensation, as the fundamental illegalities (absence of EC and CTE/CTO) are not disputed, and the quantity figures are supported by the Applicant's own Form-P returns.

26. In response to the averments made in paragraph 25, reference may be had to Paragraph 17 hereinabove, the contents of which have not been reproduced for the sake of brevity.
27. In response to the averments made in Paragraph 26 it is humbly submitted that the Applicant did not deposit the amount demanded by Respondent No. 2 herein vide the Impugned Demand Notice in accordance with the directions of this Hon'ble Tribunal and as per OMMC Rules, 2016. A reminder in this regard was also issued to the Applicant *vide* letter No. 43 dated 06.01.2025 by Respondent No. 2.
28. The contents of Paragraphs 27 to 30 merit no response.
29. That in reply to the grounds raised the Original Application, it is humbly submitted that:
- The Impugned Notice was issued in compliance with the directions of the Hon'ble NGT in Order dt. 09.08.2024 and is based on the findings of the Joint Committee.
 - The Applicant himself disclosed extraction of 23,610.3 Cubic Meters of sand in the Form-P returns submitted before the competent

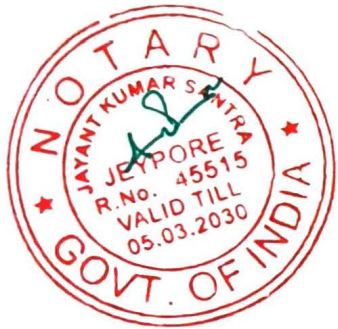


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Sunil Kumar Sahas

authority, while the remaining quantity was determined from official records.

- iii. The Applicant's representation dated 27.02.2025 was duly considered. The Environmental Compensation assessed is a remedial measure for environmental degradation and, in any event, any further opportunity of hearing, if considered necessary, may be confined to the determination of the quantum of compensation and not to the validity of the demand or the requirement of statutory clearances.
- iv. The Applicant applied for CTE and CTO only on 28.04.2023, long after commencement of mining operations. Under Rule 29(4) of the OMMC Rules, 2016, a lessee is required to obtain EC and all other statutory permissions prior to commencement of mining operations. Admittedly, no EC was obtained for the period of operation. Therefore, the mining activities carried out during the lease period were in violation of the statutory requirements.
- v. Any alleged deemed consent under Section 25(7) of the Water Act cannot retrospectively regularize mining operations carried out without mandatory EC or absolve the Applicant from liability towards Environmental Compensation for unauthorized extraction.
- vi. The Applicant's own Form-P returns disclose extraction of 23,610.3 Cubic Meters of sand, while the Joint Committee assessed the total extraction at 25,590.3 Cubic Meters, against the approved Mining Plan quantity of 9,540 Cubic Meters. In the absence of mandatory EC, the extraction was unauthorized, rendering the Applicant liable for Environmental Compensation.
- vii. The Environmental Compensation of INR 41,91,754 (Indian Rupees Forty-One Lakhs Ninety-One Thousand Seven Hundred Fifty-Four) has been computed strictly in accordance with Approach 2 (NPV-based computation) approved by this Hon'ble Tribunal in O.A. No. 150/2017/EZ (hearing dated 07.03.2022) and as adopted in O.A. No.



JAYANT KUMAR SANTRA
NOTARY (GOVT. OF INDIA)
 Regd. No. 45515
 JEYPORE, KORAPUT

Sanjane Kumar Sahoo

66/2024/EZ. The same methodology has been consistently followed by this Hon'ble Tribunal in similar matters and has been approved in its Special Bench order in O.A. No. 150/2017/EZ. A copy of Schedule of Rates 2022 issued by the Government of Odisha specifying market value of INR 75.86/Cubic Meters as applicable per Notification No. SM-MC3-NGT-0009-2023/01/2024 dated 25.10.2024 is annexed herewith and marked as ANNEXURE R-5.

30. In view of the facts delineated hereinabove, it is respectfully submitted that the present O.A. is devoid of merit, lacks legal sustainability and is, therefore, liable to be dismissed.
31. The present application involves the levy of Environmental Compensation for mining operations undertaken without EC and other mandatory statutory clearances under the environmental laws specified in Schedule-I of the NGT Act, 2010. Accordingly, this Hon'ble Tribunal has the jurisdiction to adjudicate the matter.
32. It is reiterated that the facts and averments made in the O.A., which are not specifically admitted herein, are hereby denied. The deponent craves leave of this Hon'ble Tribunal to file an additional affidavit, if so required, at the time of hearing or as may be directed by this Hon'ble Tribunal.

Sanjivan Kumar Sahoo
DEPONENT

Mining Officer
Koraput

VERIFICATION

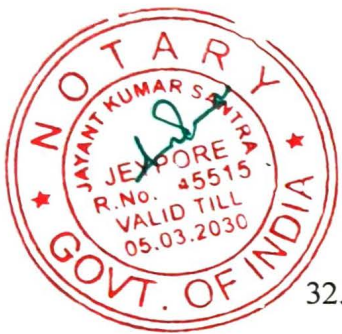
Verified at Jayapurn on this 2nd day of July 2026 that the contents of the above counter affidavit contained in Paragraph Nos. 1 to 32 are true and correct to the best of my knowledge derived from official records, no part of it is false and nothing material has been concealed therein. The Annexures to the Counter Affidavit are true copies of their respective originals.

Sanjivan Kumar Sahoo
DEPONENT

Mining Officer
Koraput

**Solemnly affirmed and
Signed before me.**

Jayant Kumar Santra
0210712
JAYANT KUMAR SANTRA
NOTARY (GOVT. OF INDIA)
JEYPORE, KORAPUT



ANNEXURE R-1

OMMC Case No 29/2018

OFFICE OF THE TAHASILDAR, NANDAPURL No 1161/18Date 20 / 06 / 2018

To

Sri Dambarudhar Ramsingh
 S/o- Damodar Ramsingh
 At- Banjalaput
 P.S- Paowa
 Dist-Koraput

Sub: - Submission of Mining plan duly approved by the Authorized Officer.

Sir,

You have been declared as the highest bidder in respect of sealed tender received by this office up to 11/06/2018 and opened on 18/06/2018 of sand bed on Long term lease basis i.e. for 5 years with effect from financial year 2018-19 to 2022-23. The sand bed situated on the following schedule of land as detailed below.

SCHEDULE OF LAND

Mouza	Sairat Case No	Name of the Sairat.Source	Khata No	Plot No	Total area in Ac	Royalty quoted by the highest bidder(Per Cum)
Galganda	29/18	Galganda Sand Bed	65	480	5.9	37/-
			65	481	2.93	
Durubha			78	321	8.42	
			78	322	11.40	

You are therefore directed to produce the mining plan duly approved by the authorized officer and Environment Clearance from SEIAA, Bhubaneswar or MOEF as the case may be as per the provisions contained in Notification No S.O.1533 dated 14/09/2006 with in a period of one month failing which the amount of EMD deposited by you will be forfeited and the lease will be Cancelled.

Tahasildar, Nandapur
 20/06/18
 TAHASILDAR
 NANDAPUR

ANNEXURE R-2**CALCULATION OF ENVIRONMENTAL COMPENSATION FOR UNAUTHORIZED EXTRACTION OF SAND AT GALGANDA- DURUBA SAND BED UNDER NANDAPUR TAHASIL OF KORAPUT DISTRICT.**

I. Introduction:

The Hon'ble NGT vide order dtd. 09.08.2024 in the matter of OA No. 66/2024/EZ has directed the State respondents for taking appropriate legal action against illegal miners as well as for computation of Environmental Compensation. In this regard, Member Secretary, SPCB, Odisha vide his letter No. 14208 dtd. 04.09.2024 has requested Director of Mines & Geology to initiate appropriate legal action & to calculate the Environmental Compensation on account of degradation of environment due to over extraction and illegal extraction of sand.

In pursuance to the above order, a site visit to Galganda- Duruba sand bed was conducted on dtd. 06/11/2024 in presence of Sri. D. K. Biswal, (Regional Officer, SPCB, Koraput), Sri S. Rout (Deputy Director of Mines, Jeypore Circle), Sri. K. C. Khuntia, (Mining Officer, Koraput) & Sri. T. K. Khadanga, (Asst. Env. Scientist, SPCB, Koraput) to assess severity of impact due to illegal sand mining and for computation of environmental compensation.

As per the case records of Galganda- Duruba sand bed, the Ex-lessee had only approved mining plan for extraction of 9,540 Cum of sand for the period 2019-2024. However, a total quantity of 25,590.3 cum of sand was extracted from the Galganda- Duruba sand bed by the Ex-lessee during that period. These extractions has been done by the ex-lessee without obtaining Environmental Clearance from State Environment Impact Assessment Authority (SEIAA, Odisha), Consent to Establish & Consent to Operate from State Pollution Control Board, Odisha which violates Rule-29 (4) of Odisha Minor Mineral Concession Rules (OMMC), 2016 and subsequent amendments. As per the OMMC Rules, "the lessee shall be responsible for obtaining Environmental Clearance and implementing the Environment Management Plan". So it was decided to impose Environmental compensation to the ex-lessee for illegal extraction of sand without obtaining requisite statutory clearances.

II. Approach adopted for calculation of Environmental Compensation:

In OA No. 150/2017/EZ (order enclosed as ANNEXURE-1), the Hon'ble NGT in its hearing dated 07.03.2022 accepted one of the approach out of two approaches for calculation of Environmental Compensation on polluter pay principle taking into account of the value of the illegality mined material and cost of restoration of the environment. Central Pollution Control Board had done the exercise by constituting an expert committee. The Tribunal had considered the report as follows.

- (i) **Approach 1:** Direct compensation based on the market value of extraction, adjusted for ecological damages.

In this approach, the criteria adopted are Exceedance Factor (EF), Risk Factor (RF), and Deterrence Factor (DF)

- (ii) **Approach 2:** Computing a simplified Net Present Value (NPV) for ecological damages.

Till such time as data and information for a comprehensive NPV is worked out in a site specific manner to account for all (or at least the major) ecological damages, a simplified NPV, proxied on the market value of the illegally extracted amount may be computed. In this case the NPV approach would imply that the total benefits from the activity of the mining (as represented by the market value of the extracted amount) be deducted from the total ecological costs imposed by the activity.

However, the final recommendation was "till date on site specific assessments becomes available, this approach i.e. 2nd approach may be adopted for the above case. So approach 2 was consideration for calculation of environmental compensation.

III. Finalization of market value of the sand:

For calculation of environmental compensation, order passed by Steel and Mines Department vide its letter No. 9238 dtd. 25/10/2024 (enclosed as ANNEXURE-II) was taken into consideration where it is stated that "the value of minerals shall be decided as per the latest Schedule of rate (SOR) published by Works Department for all minor minerals including sand". As per the market value fixed by Works Department, Odisha vide its office memorandum No. 6785 dtd. 20/04/2023 (enclosed as ANNEXURE-III), the market value of sand is Rs 75.86 for Koraput District which was finalized during meeting.

IV. Finalization of Risk factor:

For determination of Risk factor, the "Recommendation on scale of compensation to deal with the cases of illegal sand mining" published by Central Pollution Control Board, New Delhi and submitted to Hon'ble National Green Tribunal, Principal Bench, New Delhi on dtd. 29/01/2020 was taken into consideration. A site visit of Galganda- Duruba sand bed was conducted on dtd. 06/11/2024 and during visit it was observed that there is slight river bed degradation and river bank erosion due to unauthorized sand lifting. So the severity of impact was taken to be 'Significant'.

V. Calculation of Environmental Compensation of Sand as per Order Of Hon'ble Ngd dtd. 09.08.2024 in the matter of O.A. No. 66/2024/EZ:

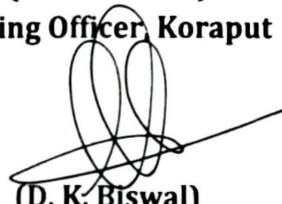
Environmental compensation was calculated for unauthorized extraction of 25,590.3 cum sand by Sri. Damburudhara Ramsingh (Ex-Lessee) without obtaining Environmental Clearance from State Environment Impact Assessment Authority (SEIAA), Consent to Establish & Consent to Operate from State Pollution Control Board, Odisha and incurring other environmental damages which is explained in the following table (next page):

<u>Approach#2</u>	<u>Quantity</u>	<u>Unit</u>	<u>Remarks</u>
Total Volume of mined out material (Y)	25590.3	Cum	As mentioned in the order sheet of case record of the source
Total Permitted Quantity in Environmental Clearance (X)	0	Cum	
Excess Extraction (Z=Y-X)	25590.3	Cum	
Market Value of Sand	75.86	Rs/ Cum	As per Schedule rate 2022 (Pg no.- 104), fixed by Works Deptt., Govt. of Odisha & Steel and Mines Deptt., letter no. 9238, dtd. 25.10.2024
Market Value of Illegally Mined Material (D = Z x Market Value)	1941280	Rs.	
Risk Factor (RF)	0.75	--	Significant
Annual Value of Foregone Ecological Values (D*RF)	1455960		
Present Value (PV) of Foregone Ecological Values (@ 7 % discount rate (r) and over 5 years) $PV = \sum_{t=1}^5 (D * RF) / (1 + r)^t$	0.06		
1st Year	1373547		
2nd Year	1295799		
3rd Year	1222452		
4th Year	1153257		
5th Year	1087978		
Total	6133034		
NPV = PV - D (Environmental Compensation)	41,91,754	Rs.	

Hence it was decided to impose **Rs. 41,91,754/- (Rupees Forty-One lakh Ninety One Thousand Seven Hundred Fifty Four) only** on Sri. Damburudhara Ramsingh (Ex-Lessee of Galganda- Duruba sand bed) as Environmental Compensation for illegal extraction of sand during the period 2019-20 to 2023-24 F.Y.


(K. C. Khuntia)

Mining Officer, Koraput


(D. K. Biswal)

Regional Officer, Koraput


(T. K. Khadanga)

Asst. Env. Scientist, SPCB,
Koraput


(S. Rout)

Deputy Director of Mines,
Jeypore

Item No.02

(Court No. 1)

**BEFORE THE NATIONAL GREEN TRIBUNAL
SPECIAL BENCH**

(By Video Conferencing)

Original Application No. 150/2017/EZ

Sasec Bhoosan Patnaik

Applicant

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 07.03.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE B. AMIT STHALEKAR JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA EXPERT MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Sankar Prasad Pani, Advocate

Respondent(s): Mr. Janmejaya Katikia, AGA for R-1 to 7 (State of Orissa)
Mr. Gora Chand Roy Choudhury, Advocate for R-9 & 11 (SEIAA & MoEF)
Mr. Dipanjan Ghosh, Advocate for R-8 (State PCB)
Mr. Debasish Kundu, Advocate for R-13 to 16 (Railways)

ORDER

1. Grievance in this application is against illegal extraction of soil/Morrum/earth and other minor minerals by - M/s Woodhill Hillways (JV) and M/s Hillways Construction Company Pvt. Ltd, contractors for executing work of Railways in connection with construction of Earth bed of Angul - Duburi-Sukinda Railway line, in the territory of Odisha State. The mining is being done without requisite EIA. The area is forest area and no clearance under the Forest (Conservation) Act, 1980 has been taken. Mining has been conducted without observing requisite safeguards.

2. The application was filed on 30.08.2017. The Tribunal issued notice on 22.09.2017. Respondents in the application include the State of Odisha and its officers, State PCB, SEIAA, MoEF, Railway Administration and the two companies (PP) who are said to have undertaken mining.

3. Replies have been filed by the contesting respondents. According to the affidavit of the State PCB, the quantity of mined material is 18,33,660 cubic meters. Reply of the Railways Administration is that EIA requirement does not apply to a Railway project. Judgement of this Tribunal dated 31.5.2016 in Vikrant Tongad (OA 478/2015) about EC for DMRC is pending consideration before the Hon'ble Supreme Court. It is further stated that quarrying operation for Railway Administration does not require any permit under the Mining Law in view of section 11 of the Railways Act, 1989. The Railway Administration has also annexed summary sheet of bill of quantities supplied to it. In respect of earth work, the quantity supplied is said to be 28,99,303 cum and the amount of bill is Rs. 33,32,74,879.8/-. The response of the Authorities in the State of Odisha is that royalty has been collected for mining amounting to Rs 3,02,41,811/- under the Mining Rules. The stand of the PPs is that the railway project is an important project and thus neither EIA nor Mining Rules apply.

4. The matter has been considered on several occasions earlier but we may only refer to the order dated 15.11.2021. The Tribunal held that mining has been done by the PPs illegally degrading the environment for which environmental compensation has to be recovered. Accordingly, the Tribunal directed the District Magistrate and the State PCB to take



further action in the matter and also clarify whether Forest Conservation Act, 1980 has been violated due to illegal mining.

5. Accordingly, affidavit dated 07.01.2022 has been filed by the State PCB and affidavit dated 11.01.2022 has been filed by the Collector, Dhenkanal. The stand of the State PCB is that compensation amount of Rs.47,60,000/- is liable to be paid for pollution caused as per methodology adopted by the CPCB which lays down a standard rate of per day pollution, multiplied by number of days for which such pollution took place. It is further mentioned that as per Notification dated 15.01.2016 issued by the MoEF&CC in view of judgement of the Hon'ble Supreme Court in *Deepak kumar v. State of Haryana & Ors.*, (2012) 4 SCC 629, EC for mining is mandatory. Stand of the Collector is identical.

6. We have heard learned counsel for the appearing parties and perused the record. None appears for the PP though earlier Mr. Rajat Kumar Das, Advocate had been appearing, who is not appearing since last some dates though reply has been filed on their behalf. Thus, the PPs have to be proceeded against ex parte.

7. As regards the plea of exemption from EC or other laws for executing the work of the Railway Administration, we find no merit therein. Requirement of EC for DMRC or such other project of Railways not specified in EIA Notification dated 14.09.2006 stands on a different footing than mining which is covered by the said notification. Section 11 of the Railways Act, 1989 empowering the execution of railway works do not in any manner exempt the requirement of environmental laws. The EP Act, 1986 has over-riding effect on the subject of environment norms. Moreover, in view of judgement of Hon'ble Supreme Court in *Deepak Kumar (Supra)* such requirement is part of sustainable development

principle which is part of Article 21. Further, in the present case, the mining in question has been undertaken not by Railways but by private contractor for commercial purpose. Mined material has been supplied to Railway against payment.

8. Learned Counsel for the applicant submitted that mining is patently illegal in absence of EC. Mineral vests in the State and extraction without State's permission is illegal and infact amounts to theft. Compensation assessed does not take into account the value of the mined material, cost of restoration, extent of damage to the environment and deterrent element, as required under the law. It is submitted that mining is a hazardous activity resulting, inter-alia, in degradation of environment on account of excavation, transportation and adverse effect on ground water. In view of such adverse impact, environment impact assessment is mandatory so as to mitigate the impact in an appropriate manner. In the course of impact assessment, mining plan and restoration post mining are to be ensured. This having not been done the PP has to be held accountable by way of compensation for damage to the environment as well as loss of the assets of the State. Reliance has been placed *inter alia* on *Goa Foundation v. Union of India & Ors (2014) 6 SCC 590* and *Common Cause v. Union of India & Ors (2017) 9 SCC 499*.

9. Reliance has also been placed on certain orders of this Tribunal to which reference may be made. Vide order of this Tribunal dated 26.02.2021 in *O.A No. 360/2015, NGT Bar Association v. Virender Singh (State of Gujarat) and other connected matters*, it was observed:-

“Scale of compensation for violations on polluter pays principle

10. Vide order dated 17.08.2020, the Tribunal considered the CPCB report dated 30.01.2020, in pursuance of earlier orders

on scale of compensation to be recovered for violation of norms for mining on polluter pays principle and the matter was deferred for further consideration of such scale and further orders in the light of the EMGSM 2020. **On the issue of scale of compensation for violations, the Tribunal held that the same has to be calculated having regard to the polluter pays principle and not mere loss of royalty. This requires taking into account value of the illegally mined material and cost of restoration of the environment.** CPCB did the exercise by constituting an expert Committee. The Tribunal considered the report as follows:-

8. The Committee considered two approaches:

- (I) **Approach 1: Direct Compensation based on the market value of extraction, adjusted for ecological damages.**
 (II) **Approach 2: Computing a Simplified NPV for ecological damages.**

9. In the first approach, the criteria adopted is:

- Exceedance Factor (EF).
- Risk Factor (RF).
- Deterrence Factor (DF).

10. Approach 1 is demonstrated by Table 1 as follows:

Permitted Quantity (in MT or m ³)	Total Extraction (in MT or m ³)	Excess Extraction (in MT or m ³)	Exceedance in Extraction:	Compensation Charge (in Rs.)
X	Y	Z = Y-X	Z/ X	$D * (1+RF + DF)$ Where D = Z x Market Value-of-the-material-per-MT-or-m ³
				$DF = 0.3$ if $Z/X = 0.11$ to 0.40 $DF = 0.6$ if $Z/X = 0.41$ to 0.70 $DF = 1$ if $Z/X > 0.71$
				$RF = 0.25, 0.50, 0.75, 1.00$ (as per table 2)

11. Approach 2 is demonstrated by following formula:

"Till such time as data and information for a comprehensive NPV is worked out in a site specific manner to account for all (or atleast the major) ecological damages, a simplified NPV, proxied on the market value of the illegally extracted amount may be computed. In this case the NPV approach would imply that **the total benefits from the activity of sand mining (as represented by the market value of the extracted amount) be deducted from the**

total ecological costs imposed by the activity. In the absence of data on benefits and costs separately, we recommend a modification of the formula as shown below:

Total Benefits(B) = Market Value of illegal extraction : D (refer Table 1)

Total Ecological Costs = Market Value Adjusted for risk factor: D *RF (refer Table1).

For present purposes, it is assumed that the Benefits would accrue only in the first year (in which the extraction of the illegally mined material takes place), while the ecological costs would continue to be felt over a period of time. NPV is to be calculated for a period of 5 years on the net value, $\Sigma (C-B)$, at a discount rate ranging from 8%-5%, varying in inverse with the risk factor. Thus, where the highest risk factor (say 1) is applicable, the discount rate applicable would be the lowest (say 5% in this case)."

12. Final recommendation is as follows:

"Thus, it is recommended that the annual net present value (NPV) of the amount arrived at after taking the difference between the costs and the benefits through the use of the above approach, maybe calculated for a period of 5 years at a discount rate of 5% for mining which is in a severe ecological damage risk zone. The rationale for levying this NPV is based on expert opinion that reversal and/or restoration of the ecological damages is usually not possible within a short period of time and rarely is it feasible to achieve 100% restoration, even if the sand deposition in the river basin is restored through flooding in subsequent years. The negative externalities of the mining activity are therefore to be accounted for in this manner. Ideally, the worth of all such damages, including costs of those which can be restored should be charged. **However, till data on site-specific assessments becomes available, this approach may be adopted in the interim.** In situations where the risk categorization charged. However, till data on site-specific assessments becomes available, this approach may be adopted in the interim. In situations where the risk categorisation is unavailable or pending calculation, the following Discount Rates may be considered:

Severity	Mild	Moderate	Significant	Severe
Risk Level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.0

Discount	8%	7%	6%	5%
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11. Annexure-A appended to the report gives the calculation as follows:

“Compensation Charge (Scenario II - explicit accounting of NPV)

Market Value of Illegally Mined Material (D) $5000 \times 400 = 2000000/-$

Annual Value of Foregone Ecological Values $D \times RF = 2000000/-$

• **Present Value of Foregone Ecological Values (@ 5% discount rate and over 5 years)**

$$PV = \sum_{t=1}^5 \frac{(D+RF)}{(1+r)^t}$$

$$= \frac{(2000000)}{(1+0.05)^1} + \frac{(2000000)}{(1+0.05)^2} + \frac{(2000000)}{(1+0.05)^3} + \frac{(2000000)}{(1+0.05)^4} + \frac{(2000000)}{(1+0.05)^5}$$

$$= \text{Rs. } 86,58,953/-$$

• **Net Present Value (after netting out market value of illegally mined material) - i.e., Total Compensation to be levied**

$$= NPV - PV - D$$

$$= \text{Rs. } 66,58,953/-$$

Compensation Charge in above case:

Approach 1 (no explicit accounting of NPV)	Approach 2 (explicit accounting of NPV)
$D \times (1+RF+DF)$	@ 5% discount rate and over 5 years
Rs. 46,00,000/-	Rs. 66,58,953/-

12. The Tribunal directed undertaking of scenario analysis, as suggested on behalf of the applicant and to furnish a further report accordingly. Further report dated 12.10.2020 has been filed by the CPCB reiterating its earlier report. **We propose to approve approach-2 in the report.** Apart from the above, a report dated 15.01.2021 has been filed by the Oversight Committee for the State of UP¹ to which reference will be made later.”

10. Vide order dated 24.12.2021 in O.A No. 54/2018/EZ, Bidu Bhusan Harichandan v. District Collector, Khurdha & Ors, it was observed:-

“6. Learned Counsel for the applicant submitted that there is large scale unregulated and unscientific illegal mining to the detriment of public revenue as well as environment and public health and those conducted mining are not being made

¹Constituted by this Tribunal to oversee compliance of environmental issues, on suggestions of the State Government.

accountable which is failure of rule of law. The mining has been conducted without any authority of owner - the Jagannath Temple Administration, Respondent No.4. In its affidavit in Para 5(iii), it is stated that Notice No. 2513, dated 08.03.2019 has been issued for auction of the said quarries which was duly published by the Sub-Collector, Khorda cum-Competent Authority of Shree Jagannath Temple administration. There is no clearance of environmental regulators, as stated by learned Counsel for SEIAA and State PCB. Still, no remedial action has been taken. Violation is of high magnitude. **From the estimate of cost of restoration, which is said to be around ₹12 Crores, illegal mining may be of several crores. As per law laid down inter alia in Common Cause v. Union of India² and as per Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957, the entire value of the mined mineral has to be recovered from the person undertaking illegal mining, apart from environmental compensation for damage to the environment, on restoration principle with deterrent element, having regard to the financial capacity of the law violators. Action has also to be taken against the vehicles used in the process of transportation of illegally mined material by way of forfeiture. It appears that there is all round failure of the Administration in safeguarding the public revenue as well as protecting the environment. This calls for remedial action, including action against the erring Officers who may either be involved in collusion or negligence. Illegal mining is not only an offence under the Mines and Minerals Act but also under the Environment (Protection) Act, 1986, Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974. Further, any person collecting proceeds of the crime under the said Acts automatically commits an offence under Section 3 of the Prevention of Money Laundering Act (PMLA), 2002. It is also an offence of theft under Indian Penal Code (IPC). Apart from statutory regulators, the Police Authorities as well as Enforcement Directorate (ED) have not taken any action in respect of such crimes."**

11. In view of the above, we constitute a joint Committee of CPCB, State PCB, SEIAA Odisha and District Magistrate, Dhenkanal to revisit the calculation of compensation. The State PCB will be the nodal agency for coordination and compliance. However, on data available before this Tribunal, it is clear that value of mined material is more than Rs. 20

²(2017) 9 SCC 499

Crores. The royalty collected itself is more than Rs. 3 Crores, which is said to be 10% of the value of the mined material which is said to be more than 1800000 cum. Thus, minimum value of mined material can safely be taken to be Rs. 20 Crores.

12. Accordingly, pending final calculation of compensation amount as per norms laid down by the Hon'ble Supreme Court, after giving due opportunity to the PP, taking into account the value of the mined material, cost of the environmental services forgone forever, deterrent element and cost of restoration, interim compensation assessed at Rs. 20 Crore be deposited by the PP within two months with the State PCB. If deposit as directed is not made, the District Magistrate may recover the amount by using coercive measures. The Joint Committee may also prepare a restoration plan for utilizing the amount recovered, taking into account the District Environment Plan of the area. The execution may be through an appropriate agency which may be decided and overseen by the Committee.

13. The Joint Committee may report status of action taken as on July 31, 2022 with the Registrar of Kolkata Bench by August 16, 2022. If any further direction appears to be necessary, the Registrar may place the matter before the Bench.

Subject to above, the Application is disposed of.

A copy of this order be forwarded to the CPCB, State PCB, SEIAA Odisha and District Magistrate, Dhenkanal by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

B. Amit Sthalekar, JM

Saibal Dasgupta, EM

Prof.A. Senthil Vel, EM

March 07, 2022
Original Application No. 150/2017/EZ
AB

GOVERNMENT OF ODISHA
STEEL AND MINES DEPARTMENT

NOTIFICATION

No. 9238 /SM, Bhubaneswar, dated the 25/10/2024

SM-MC3-NGT-0009-2023

Sub : Imposition of penalty on illegal extraction and transportation of minor minerals in consonance with NGT guidelines.

Pursuant to the order dated 26.02.2021 of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata Bench passed in O.A. No.360/2015 and in lieu of the fine and penal provision on seizure of vehicles and other properties for illegal extraction or transportation of minor minerals as stipulated in Rule 51 of OMMC Rules 2016, the following amount shall be recovered as penalties for release of the seized vehicles/equipment/minerals.

A. Penalty to be imposed on vehicle/equipment

Sl. No.	Category of Vehicle	Penalty amount
1	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and less than 5 years old</i>	<i>Rs. 4 lacs</i>
2	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and more than 5 years but less than 10 years old.</i>	<i>Rs. 3 lacs</i>
3	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and more than 10 years old.</i>	<i>Rs. 2 lacs</i>
4	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and less than 5 years old</i>	<i>Rs.2.5 lacs</i>
5	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and more</i>	<i>Rs. 2 Lacs</i>





	<i>than 5 years but less than 10 years old.</i>	
6	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and more than 10 years old.</i>	<i>Rs 1 Lac</i>
7	<i>Vehicles/Equipment/Excavators with showroom value less than 10 lacs and less than 5 years old.</i>	<i>Rs 2 Lacs</i>
8	<i>Vehicles/Equipment/Excavators with showroom value less than 10 lacs and more than 5 years but less than 10 years old.</i>	<i>Rs.75,000/-</i>
9	<i>Vehicles/Equipment/Excavators with showroom value less than 10 lacs and more than 10 years old.</i>	<i>Rs.50, 000/-</i>

B. Provision to realise cost of minerals

- i. The seized minor minerals shall be released after realization of the penalty amount as stipulated.
- ii. The realization cost of the seized minor minerals as mandated under Rule 51(4) and Rule 58(5) of OMMC Rules, 2016, shall be decided taking into account the basic rate of materials stipulated in the latest Schedule of Rate (SOR) published by Works Department which is in force.

C. Realisation of compensation towards environmental and ecological damage for illegal mining.

- i. The compensation towards environmental and ecological damage for illegal extraction and transportation shall be recovered for the seized minor minerals.
- ii. This compensation amount shall be determined @ 3.33 times of value of seized minor mineral.
- iii. As defied earlier, value of the minerals shall be decided as per latest Schedule of Rate (SOR) published by Works Department for all minor minerals including sand.

This Standard Operating Procedure (SOP) shall come into force from the date of its publication in the Gazette.


By order of the Governor


(Surendra Kumar)

Additional Chief Secretary


Memo No. 9239 ISM, Dt. 25/10/2024

Copy forwarded to the Officer-in-charge, Gazette Cell, Odisha, Government Press, Commerce & Transport (Commerce) Department, Odisha Secretariat, Bhubaneswar with a request to publish the said notification in the Extraordinary issue of the Odisha Gazette and supply ten copies to this Department for reference and record.


25.10.2024
Special Secretary to Government


Memo No. 9240 ISM, Dt. 25/10/2024

Copy forwarded to the Private Secretary Hon'ble Chief Minister, Odisha for kind information of Hon'ble Chief Minister, Odisha.


25.10.2024
Special Secretary to Government


Memo No. 9241 ISM, Dt. 25/10/2024

Copy forwarded to P.S to the Hon'ble Minister, Steel & Mines for kind information of the Hon'ble Minister, Steel & Mines.


25.10.2024
Special Secretary to Government


Memo No. 9242 ISM, Dt. 25/10/2024

Copy forwarded to OSD to the Chief Secretary, Odisha for kind information of Chief Secretary, Odisha.


25.10.2024
Special Secretary to Government


Memo No. 9243 ISM, Dt. 25/10/2024

Copy forwarded to Senior P.S to Additional Chief Secretary, Steel & Mines Dept. for kind information of Additional Chief Secretary, Steel & Mines Department.


25.10.2024
Special Secretary to Government


Memo No. 9244 ISM, Dt. 25/10/2024

Copy forwarded to Revenue & DM Department for information and necessary action.


25.10.2024
Special Secretary to Government

Memo No. 9245 ISM, Dt. 25/10/2024

Copy forwarded to all Departments (except Revenue & DM Department)/all RDCs/all Collectors for information and necessary action.


25.10.2024
Special Secretary to Government

649

~~35~~

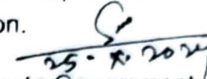
Memo No. 9246 /SM, Dt. 25/10/2024

Copy along with enclosure forwarded to DoMM/DoMG/all DDMs/MOs for information and necessary action.


25.10.2024
Special Secretary to Government

Memo No. 9247 /SM, Dt. 25/10/2024

Copy along with enclosure forwarded to all Additional Secretaries to Govt. Steel & Mines Department/FA-cum-Additional Secretary to Govt. Steel & Mines Department/all Sections of Steel & Mines Department for information and necessary action.


25.10.2024
Special Secretary to Government



SM-MC3-NGT-0009-2023/01/2024

GOVERNMENT OF ODISHA
WORKS DEPARTMENT

OFFICE MEMORANDUM

No. WORKS-FA-MISCSB-0015-2022

6785

/W Dated

20-4-2023

Sub:- Schedule of Rates-2022.

Consequent upon rise of market price of materials and enhancement of labour rate from time to time issued by Labour & ESI Department, Government after careful consideration and taking into account the basic rate of materials from 30 Revenue Districts, conveyance of materials, hire charges of plants and machineries, miscellaneous items, rate of labour, duly recommended by the Rate Board, have been pleased to revise the existing Schedule of Rate and introduce the Schedule of Rates-2022.

1. The new Schedule of Rate-2022 are effective from the date of issue of this Office Memorandum and it will be available in website of the Works Department.
2. This has been concurred in by Finance Department vide their file No.FIN-WF1-MISC-0035-2022.

By order of the Governor

(Vir Vikram Yadav)

Principal Secretary to Government

Memo No. 6786 /W., Dated. 20-4-2023

Copy forwarded to the Private Secretary to the Hon'ble Chief Minister, Odisha/Private Secretary to Hon'ble Minister, Steel & Mines, Works, Odisha for kind information of Hon'ble Chief Minister, Odisha & Hon'ble Minister, Steel & Mines, Works Odisha.

FA-cum-Special Secretary to Government

Memo No. 6787 /W., Dated. 20-4-2023

Copy forwarded to the OSD to Chief Secretary, Odisha /Sr. Private Secretary to the Development Commissioner-cum-Additional Chief Secretary, P&C Department/Sr. Private Secretary to the Principal Secretary, Finance Department for kind information of the Chief Secretary/Development Commissioner-cum-Additional Chief Secretary/Principal Secretary, Finance Department.

FA-cum-Special Secretary to Government

Memo No. 6788 /W., Dated 20-4-2023

Copy forwarded to the Principal Accountant General (A&E), Odisha, Bhubaneswar/Principal Accountant General (E&RSA), Odisha, Puri Branch, Puri for information.

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

Memo No. 6789 /W., Dated 20-4-2023

Copy forwarded to All Departments of Government for their information.

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

Memo No. 6790 /W., Dated 20-4-2023

Copy forwarded to the EIC (Civil)/EIC, Rural Works/EIC, Water Resources/EIC, PH/EIC, RWS&S/EIC, Electricity-cum-Chief Electrical Inspector/All Chief Engineers under the administrative control of Works Department/RD Department/Water Resources Department for their information

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

Memo No. 6791 /W., Dated 20-4-2023

Copy with soft copy of the Schedule of Rate-2022 forwarded to the OSWAS Control Room Lokseba Bhawan with a request to upload the Schedule of Rate-2022 in the website of Works Department.

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

Memo No. 6792 /W., Dated 20-4-2023

Copy with soft of copy of the Schedule of Rate-2022 forwarded to the Gazette Cell, Commerce & Transport (Commerce) Department, Bhubaneswar with a request to publish the Schedule of Rate-2022 in extra ordinary issue of Odisha Gazette and to supply 30 (Thirty) copies to this Department for official use.

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

Memo No. 6793 /W., Dated 20-4-2023

Copy forwarded to All Officers/All Sections of Works Department for information

[Signature]
20/04/2023
FA-cum-Special Secretary to Government

ANNEXURE R-3

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FORM - P

Quarterly return of Minor minerals other than specified minor minerals

(See rule 33(15))

For the quarter ending 31.12.19 ~~19~~ 31.12.19

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Ghatganda
 Name of the Quarry: Durba & Ghatganda
 Village: Durba & Ghatganda
 Post office: Padwa
 Tahasil: Mandla Pur
 District: Kora Pur (CediSha)
3. Name and address of lessee/Quarry owner: D. D. Ram Singh
 Name: Banjala Pur, Padwa, Kora Pur
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):

Items	Total in the quarter
Opening Stock	---
Production	173
Despatches	173
Closing Stock	---
Pit's Mouth Value (Rs.)	---

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any (Unit: cubic meter) 173
10. Particulars of machineries equipments used: Debar
11. Particulars of explosives used, if any

90

12. Average number of persons employed daily:

Male: 45 Female: 100 Total: 145

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length: Width: Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Banjala Put

Date:

Signature

Name (in full): D. D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.1.2020 to 31.3.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Kora Pur (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ramsingh
 Name: Bansala Pat. Padwa, Kora Pur
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Units tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	557
Despatches	557
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 557
10. Particulars of machineries equipments used: Debar
11. Particulars of explosives used, if any

90

12. Average number of persons employed daily:

Male: 160 Female: 304 Total: 464

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Part

Date:

Signature

Name (in full): D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.4.2020 to 30.6.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D.D. Ram Singh
 Name: Banjala Pat, Padwa, Koraput
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Units tonne/cubic meter):

Items	Total in the quarter
Opening Stock	-
Production	1510
Despatches	1510
Closing Stock	-
Pit's Mouth Value (Rs.)	-

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 1510
10. Particulars of machineries equipments used: Lebar
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 500 Female: 750 Total: 1250

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Banjala Pat

Date:

Signature

Name (in full): D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.7.2020 to 30.9.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Gialganda
 Name of the Quarry: Durba & Gialganda
 Village: Durba & Gialganda
 Post office: Padwa
 Tahasil: Mandapur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D.D. Ramsingh
 Name: Bansala Pat, Padwa, Koraput
 Address: Bansala Pat, Padwa, Koraput
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):
- | Items | Total in the quarter |
|-------------------------|----------------------|
| Opening Stock | — |
| Production | 1570 |
| Despatches | 1570 |
| Closing Stock | — |
| Pit's Mouth Value (Rs.) | — |
8. Quantity of waste and rejects generated, if any. (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 1570
10. Particulars of machineries equipments used: debor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 520 Female: 788 Total: 1308

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Pat

Date:

Signature

Name (in full): D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.10.2020 to 31.12.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Gialganda
 Name of the Quarry: Durba & Gialganda
 Village: Durba & Gialganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Kora Put (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ram Singh
 Name: Banjala Put, Padwa, Kora Put
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Units tonne/cubic meter):
- | Items | Total in the quarter |
|-------------------------|----------------------|
| Opening Stock | — |
| Production | 2.007 |
| Despatches | 2.007 |
| Closing Stock | — |
| Pit's Mouth Value (Rs.) | — |
8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any, (Unit: cubic meter) 2.007
10. Particulars of machineries equipments used: Labor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 668 Female: 1004 Total: 1672

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Pat

Date:

Signature

Name (in full):

D. D. Ram Singh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.1.21 to 31.3.21

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Alanda Pur
 District: Kora Put (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ramsingh
 Name: Banjela Put, Padwa, Kora Put
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	3998
Despatches	3998
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 3998
10. Particulars of machineries equipments used: labor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 1332 Female: 1998 Total: 3330

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansalapat

Date:

Signature

Name (in full): D. D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.4.2020 to 30.6.21

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nandapur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D.D. Ram Singh
 Name: Bansala Pat. padwa. Koraput
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Units tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	3366.8
Despatches	3366.8
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any. (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 3366.8
10. Particulars of machineries equipments used: labor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:
Male: 1120 Female: 1685 Total: 2805
13. Rents and royalty paid (Rs.):
14. Dimension of the quarry (in meter)
Length: Width: Depth (Maximum):
15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala put
Date:

Signature: 
Name (in full): D.D Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.7.2020 to 30.9.21

1. Name of the mineral: sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Kora Pur (Cudisha)
3. Name and address of lessee/Quarry owner: D.D Ramsingh
 Name: Banjala Pat, Padwa, Kora Pur
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):
- | Items | Total in the quarter |
|-------------------------|----------------------|
| Opening Stock | — |
| Production | 1860.5 |
| Despatches | 1860.5 |
| Closing Stock | — |
| Pit's Mouth Value (Rs.) | — |
8. Quantity of waste and rejects generated, if any. (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 1860.5
10. Particulars of machineries equipments used: debor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 620 Female: 930 Total: 1550

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Put

Date:

Signature

Name (in full): D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1:10:21 to 31:12:21

1. Name of the mineral: Sand
2. Name and location of the Quarry: Galganda Durba
 Name of the Quarry: Galganda Durba
 Village: Galganda Durba
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Koraput
3. Name and address of lessee/Quarry owner: D.D Ramsingh
 Name: Bansala Pat Padwa Koraput
 Address:
4. Lease details:
 Area in hectares: 26-85' Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	2759.5
Despatches	2759.5
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any. (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 2759.5
10. Particulars of machineries equipments used: Lebor
11. Particulars of explosives used, if any

90

12. Average number of persons employed daily:

Male: 916 Female: 1374 Total: 2290

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)


Length: Width: Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala put

Date:

Signature: 
Name (in full): D.D. Ramsingh

Designation: Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.1.2020 to 31.3.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durbas & Galganda
 Name of the Quarry: Durbas & Galganda
 Village: Durbas Galganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Kora Pur Odisha
3. Name and address of lessee/Quarry owner: D.D. Ramsingh
 Name: Bansala Pur, Padwa, Kora Pur
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):
- | Items | Total in the quarter |
|-------------------------|----------------------|
| Opening Stock | — |
| Production | 2684.5 |
| Despatches | 2684.5 |
| Closing Stock | — |
| Pit's Mouth Value (Rs.) | — |
8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 2684.5
10. Particulars of machineries equipments used: Lebos
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 892 Female: 1338 Total: 2230

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Mansala Put

Date:

Signature

Name (in full): D.D. Ramsing

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.4.2020 to 30.6.22

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda Pur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D.D. Ramsingh
 Name: Bansala Put, Padwa, Koraput
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):
- | Items | Total in the quarter |
|-------------------------|----------------------|
| Opening Stock | — |
| Production | 1955.5 |
| Despatches | 1955.5 |
| Closing Stock | — |
| Pit's Mouth Value (Rs.) | — |
8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 1955.5
10. Particulars of machineries equipments used: Labor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 648 Female: 972 Total: 1620

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Part

Date:

Signature

Name (in full):

D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.7.2020 to 30.9.20

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda pur
 District: Kora Pat (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ram Singh
 Name: Banjala Pat, Padwa, Kora Pat
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	740.5
Despatches	740.5
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any, (Unit: cubic meter) 740.5
10. Particulars of machineries equipments used: labor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 244 Female: 366 Total: 610

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Banjara Pat

Date:

Signature

Name (in full): D.D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.10.2020 to 31.12.22

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Galganda
 Name of the Quarry: Durba & Galganda
 Village: Durba & Galganda
 Post office: Padwa
 Tahasil: Nanda pur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ram Singh
 Name: Bansala put, padwa, Koraput
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):


Items	Total in the quarter
Opening Stock	—
Production	281
Despatches	281
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any. (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 281
10. Particulars of machineries equipments used: debor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:
Male: 92 Female: 138 Total: 230
13. Rents and royalty paid (Rs.):
14. Dimension of the quarry (in meter)
Length: Width: Depth (Maximum):
15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Banjara pat
Date:

Signature: 
Name (in full): D.D. Ram Singh
Designation: Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

FORM - P

Quarterly return of Minor minerals other than specified minor minerals

[See rule 33(15)]

For the quarter ending 1.1.2023 to 31.3.2023

1. Name of the mineral: Sand
2. Name and location of the Quarry: Durba & Gialganda
 Name of the Quarry: Durba & Gialganda
 Village: Durba & Gialganda
 Post office: Padwa
 Tahasil: Mandapur
 District: Koraput (Odisha)
3. Name and address of lessee/Quarry owner: D. D. Ramsingh
 Name: Bansala put, Padwa, Koraput
 Address:
4. Lease details:
 Area in hectares: 26.85 Date of Execution:
 Period (Years): 5 years Date of starting quarrying Operations: 19.06.2019
5. Number of days the quarry worked during the quarterly period:
6. Indicate reason(s) for work stoppage:
 Number of days:
 Reasons: (i)
 (ii)
7. Production, despatches, Stocks and Pit's mouth value (Unit: tonne/cubic meter):

Items	Total in the quarter
Opening Stock	—
Production	147
Despatches	147
Closing Stock	—
Pit's Mouth Value (Rs.)	—

8. Quantity of waste and rejects generated, if any, (Unit: cubic meter)
9. Quantity consumed in the quarry lease area, if any. (Unit: cubic meter) 147
10. Particulars of machineries equipments used: kebor
11. Particulars of explosives used, if any

12. Average number of persons employed daily:

Male: 119 Female: 73 Total: 122

13. Rents and royalty paid (Rs.):

14. Dimension of the quarry (in meter)

Length:

Width:

Depth (Maximum):

15. Any other information:

I certify that the information furnished above is correct and complete in all respects.

Place: Bansala Pat

Date:

Signature

Name (in full): D. D. Ramsingh

Designation-Owner/Agent/Manager

Note: The return shall be furnished by the 15th of the month succeeding the quarter.

66

ORDER SHEET

(See Para 20711 of Orissa Record Manual-1964)

Form d. Till d.
Tahasil... Naadapur... P.S. Village.....
No. Dist ... Koraput... Sub-division Koraput.....
No. Order sheet of ..
Nature of Case :- QUARRY Lease case No. QI.../18-19

Sl. No. of
Order and
date

Order of the Officer and signature

Notes of
action
Taken as
per order
with date

30 5 2018

This case is taken up today. This is in connection with long term lease of minor minerals (sand bed/ stone quarry) as per provisions of OMMC (Amendment) Rules, 2014. The Sairat source i.e. Sand Bed existing over the land as delineated in the land schedule given below is required to be leased out for a minimum period of five years as per Rule 8 (5) of the above Amendment Rules, 2014.





LAND SCHEDULE

Mouza	Khat a No.	Plot No	Total Area of the Plot	Proposed area to be lease out	Kissam	Nature of Quarry
Galganda	65	480	Ac 5.90	Ac 5.90	NadT	Sand Bed
		481	Ac 2.93	Ac 2.93	NadT	-do-
Dutubha	78	321	Ac 8.42	Ac 8.42	NadT	-do-
		322	Ac 11.40	Ac 11.40	NadT	-do-

It is an existing Sairat sources and feasible for long term quarry lease for five years and above. I have the site and the field vs attached to this case record. This source needs/ does not need expansion of area.


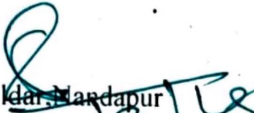

A notification to his effect inviting application in Form-J in triplicate accompanied by requisite documents (check list regarding documents to be submitted by the applicants as per Annexure-A enclosed in the case Record) from the intending applicants for grant of the above quarry lease is required to be published in two daily Newspaper as required under Rule 26(1) & (2) of the OMMC (Amendment) Rules, 2014. An Advertisement for the purpose of Notification has been prepared and attached to the case record. As per Rule 26(5) the selected lessee shall have to deposit the Earnest Money within seven days of the selected the finalization of the bid at the rate per hector of land to be fixed by the Competent Authority. Tahasildar being the Competent Authority for grant of quarry lease as per Rule-2, schedule-IV, column-3 of the OMMC Rules, 2004 read with OMMC (Amendment) Rules, 2014 the following principle is adopted to determine the Amount of EMD to be deposited by the lessee. "The EMD shall be 10% of the total amount derived by adding 10% to the last years Bid price of the quarry to be leased out". This will be converted to the rate as per hector of land.

(CONTINUATION OF ORDER SHEET)

Sl.No. of Order and date	Order of the Officer and signature	Date taken as per with
1	2	3
<p>12.6.18</p>	<p>Move the D.I.O., NIC, Koraput with a request to hoist the advertisement in the district website and publish the fact of such advertisement in two Daily Newspapers i.e. The <u>Samat</u> & the(Newspapers) on date..... fixing the date of scrutiny/opening of sealed applications for selection of successful lease holder on date <u>12.6.18</u>.....</p> <p>Put up the case record on <u>12.6.18</u>.....</p> <p>(To my dict.)</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  Tahasildar, Nandapur </div> <div style="text-align: center;">  Tahasildar, Nandapur </div> </div> <p>The case is put up today. In the mean time...<u>2</u>... no. of persons have applied in sealed cover for participating in the process of lease of the Sairat sources(specify the name <u>D. Dambardhar Ramsony @ Sachin M. M. L. T.</u> The list of the persons and the details of the documents submitted by them is attached to the case record at Annexure-B. Scrutiny of the documents submitted by the intending applicants was conducted and it was scrutinized. The list is attached at Annx-C. Sri <u>Dambardhar Ramsony</u> was found to have quoted the highest rate of royalty i.e. Rs...<u>371</u>.....(Rupees <u>Thirty seven</u>.....) only per cum. Therefore the quarry lease shall be granted in favour of Sri <u>Dambardhar Ramsony</u>... The highest successful bidder subject to deposit a sum of Rs. <u>83,424/-</u>..... (Rupees <u>Eighty Three Thousand Four Hundred Twenty Four</u>.....) only towards earnest money within 7 days i.e. by date <u>19.6.18</u>..... in shape of Demand Draft drawn in favour of the Tahasildar <u>Nandapur</u>.....</p> <p>Put up on dated <u>19.6.18</u>.....</p> <p>(To my dictn.)</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  Tahasildar, Nandapur </div> <div style="text-align: center;">  Tahasildar, Nandapur </div> </div> <p>The case is put up today. In the meanwhile a period of 7 days has elapsed. The highest successful bidder did not deposit the earnest money within the stipulated time. Therefore, the second highest bidder i.e. Sri Who has quoted a rate Rs..... (Rupees) only is hereby directed to deposit the earnest money within 7 days.</p> <p>Put up on dated.....</p> <p style="text-align: right;">Tahasildar, Nandapur</p>	

(See Para 207(1) of Orissa Record Manual-1964)

(CONTINUATION OF ORDER SHEET)

Sl.No. of Order and date	Order of the Officer and signature	Notes of action taken as per order with date																																										
<p>1</p> <p>19.6.18</p>	<p style="text-align: center;">3</p> <p>The case is put up today. The highest successful bidders appeared and submitted a draft for sum of Rs. <u>8,34,24/-</u> (Rupees <u>Eighty Three Thousand and Hundred Twenty Four</u>) only towards earnest money.</p> <p>He is directed to produce the mining plan duly approved by the Authorized officer and Environmental Clearance from SEIAA, Bhubaneswar or 1533 dated. 14.09.2006 of MOEF, Govt. of India. Issue him notice accordingly.</p> <p>Put up after receipt of the mining plan.</p> <p style="text-align: right;">  Tahasildar, Nandapur </p>	<p>3</p>																																										
<p>2.8.18</p>	<p>The case is taken up today. The Mining plan duly approved by the authorized Officer, i.e. <u>Joint Director Geology, D.O. No. 109/2018</u> is received. Send the case Record to the Chairman, SEIAA, Bhubaneswar for grant of Environment Clearance in favour Environment Clearance within the stipulated time.</p> <p>Put up the case record after obtaining Environmental Clearance from SEIAA, Bhubaneswar.</p> <p style="text-align: right;">  Tahasildar, Nandapur </p>																																											
<p>21.01.2019</p>	<p>The case is put up today. The highest successful bidder/ the second clearance. He is therefore directed to deposit the royalty amount and dues as calculated below seven days.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">a. Quantity of Minor Mineral to be removed</td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>As per Mining plan X Royalty amount quoted</td> <td>:</td> <td>64380.00</td> </tr> <tr> <td><u>1740 cum X 371/-</u></td> <td></td> <td></td> </tr> <tr> <td>b. Surface rent @ Rs. <u>274.40</u> per Ha. Per Annum</td> <td>:</td> <td><u>3181.00</u> 4173.00</td> </tr> <tr> <td>c. Dead Rent @ Rs. <u>13720/-</u> per Ha. Per Annum</td> <td>:</td> <td><u>95409.00</u></td> </tr> <tr> <td>For stone/ @ Rs. <u>8232/-</u> per Ha. per</td> <td></td> <td>1,21,695.00</td> </tr> <tr> <td>Annun for sand <u>10,500/-</u></td> <td>:</td> <td></td> </tr> <tr> <td>d. Fees for compensatory afforestation (Where applicable)</td> <td>:</td> <td>-</td> </tr> <tr> <td>e. 5% above royalty towards environment Management fund</td> <td>:</td> <td>3219.00</td> </tr> <tr> <td>f. 2% of royalty towards income tax</td> <td>:</td> <td>1288.00</td> </tr> <tr> <td>g. Proportionate advertisement cost</td> <td>:</td> <td>6438.00</td> </tr> <tr> <td>h. DMF 10%</td> <td>:</td> <td>2495.00</td> </tr> <tr> <td>i. <u>Advertisement cost.</u></td> <td>:</td> <td></td> </tr> <tr> <td style="text-align: right;">Total</td> <td>Rs.</td> <td><u>1,76,410.00</u> 2,03,688/-</td> </tr> </table> <p>Rupees (Two lakh three thousand six hundred ^{only} eighty eight) only.</p> <p style="text-align: right;">  Tahasildar, Nandapur </p>	a. Quantity of Minor Mineral to be removed			As per Mining plan X Royalty amount quoted	:	64380.00	<u>1740 cum X 371/-</u>			b. Surface rent @ Rs. <u>274.40</u> per Ha. Per Annum	:	<u>3181.00</u> 4173.00	c. Dead Rent @ Rs. <u>13720/-</u> per Ha. Per Annum	:	<u>95409.00</u>	For stone/ @ Rs. <u>8232/-</u> per Ha. per		1,21,695.00	Annun for sand <u>10,500/-</u>	:		d. Fees for compensatory afforestation (Where applicable)	:	-	e. 5% above royalty towards environment Management fund	:	3219.00	f. 2% of royalty towards income tax	:	1288.00	g. Proportionate advertisement cost	:	6438.00	h. DMF 10%	:	2495.00	i. <u>Advertisement cost.</u>	:		Total	Rs.	<u>1,76,410.00</u> 2,03,688/-	
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(See Para 207(1) of Orissa Record Manual-1964)

(CONTINUATION OF ORDER SHEET)

Sl.No. of Order and date	Order of the Officer and signature	Notes of action taken as per order with date
1	4	3
27.02.19	<p>The case is put up today. The highest successful bidder has deposited the amount suffested in the previous order within the stipulated time. Ask him to execute the lease, 2004 read with OMMC (Amendment) Rules, 2014 and get it registered as per registration Act 1904 immediately.</p> <p style="text-align: center;">Put up after production of the registered lease deed.</p> <div style="text-align: right; margin-right: 50px;"> <p>Tahasildar, Nandapur</p> </div> <p>The case is put up today. The lessee has executed the lease and produced it after getting it registered. The lessee is allowed to operate the quarry by adhering to the provision of Mines Act, 1952 and Rules and regulations framed there under, the explosive Act, 1884 and rules made there under for development of these source of Minor Minerals in workmen like manner and for avoidance of any danger arising out of wining of minor mineral from the source.</p> <p>The lessee is directed to abide by all the terms and conditions mentioned in Rule-29 of OMMC Rules, 2004 read with OMMC (Amendment) Rules, 2014 and the other conditions mentioned in the lease agreement as per Rule-27 of OMMC (Amendment) Rule, 2014.</p> <div style="text-align: right; margin-right: 50px;"> <p>Tahasildar, Nandapur</p> </div>	<p style="font-size: small; margin-top: 20px;">Collected Rs. 2,03,688/- only vide P.O NO. 731061 dtd 26.02.19 by file M.P. no. M 2478021 dtd 26.02.19</p>

(See paragraph 207 (1) of Odisha Record Manual, 1964)

CONTINUATION OF ORDER SHEET

SL. NO. OF ORDER & DATE	ORDER WITH SIGNATURE OF OFFICER	TYPE OF ORDER AND DATE																																													
1	2	3																																													
21.12.21	<p>The case is put up today. As per Mining plan of leased Sand Bed (Galganda & Durubha) the production of sand during the FY 2021-22 is - 1920 Cum. After verification of register ('Y' form) it is found that, he has extracted the minor minerals from 01.04.2021 to 20.11.2021 is - 6932.3 Cum.</p> <p>Excess extracted - 5012.3 Cum</p> <p>The details calculation is mentioned below.</p> <p style="text-align: center;">AMOUNT DETAILS</p> <table border="1" data-bbox="284 719 1342 1218"> <thead> <tr> <th>Sl No.</th> <th>Item</th> <th>Quantity to be removed in (cum)</th> <th>Amt of Royalty quoted (cum)</th> <th>Total amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quantity of Minor Mineral Removed upto 20.11.2021 * Royalty amount</td> <td>6932.3</td> <td>37/-</td> <td>256495.00</td> </tr> <tr> <td>2</td> <td>Surface Rent@ 360</td> <td>-</td> <td>-</td> <td>360.00</td> </tr> <tr> <td>3.</td> <td>Dead Rent @ Rs.10500/- Per Hec.11.59</td> <td>-</td> <td>-</td> <td>121695.00</td> </tr> <tr> <td>4</td> <td>Fees for compensatory afforestation</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>5</td> <td>5% of above Royalty towards environment Management fund</td> <td>-</td> <td>-</td> <td>12825.00</td> </tr> <tr> <td>6</td> <td>10% of the Royalty amount Towards District Mineral Foundation (DMF) fund</td> <td>-</td> <td>-</td> <td>25650.00</td> </tr> <tr> <td>7</td> <td>2% of Royalty towards income tax</td> <td>-</td> <td>-</td> <td>5130.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">Total</td> <td>422155.00</td> </tr> </tbody> </table> <p>Hence, he is directed to deposit the above calculated amount within 15 days positively from the date of receipt. (Type to my Dict.)</p> <p>Tahsildar, Nandapur</p> <p style="text-align: right;"><i>Talada</i> Tahsildar, Nandapur 21/12/21</p>	Sl No.	Item	Quantity to be removed in (cum)	Amt of Royalty quoted (cum)	Total amount (in Rs.)	1	Quantity of Minor Mineral Removed upto 20.11.2021 * Royalty amount	6932.3	37/-	256495.00	2	Surface Rent@ 360	-	-	360.00	3.	Dead Rent @ Rs.10500/- Per Hec.11.59	-	-	121695.00	4	Fees for compensatory afforestation	-	-	-	5	5% of above Royalty towards environment Management fund	-	-	12825.00	6	10% of the Royalty amount Towards District Mineral Foundation (DMF) fund	-	-	25650.00	7	2% of Royalty towards income tax	-	-	5130.00	Total				422155.00	
Sl No.	Item	Quantity to be removed in (cum)	Amt of Royalty quoted (cum)	Total amount (in Rs.)																																											
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(See paragraph 207 (1) of Odisha Record Manual, 1964)

CONTINUATION OF ORDER SHEET

SL. NO. OF ORDER & DATE	ORDER WITH SIGNATURE OF OFFICER	TYPE OF ORDER AND DATE																																													
1	2	3																																													
26.01.2022	<p>The case is put up today. The lessee of the Galganda & Durubha Sand Bed has deposited an amount of Rs. 1,00,000.00 vide MR No. P2269348, dt: 25.01.2022 which is enclosed herewith the part of the case record.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur</p>																																														
30.03.22	<p>The case is put up today. After verify the register with 'Y' form it is found that, the ^{lessee of} Galganda and Durubha Sand Bed has extracted 3678 Cum minor minerals for the period from 21.11.2021 to 29.03.2022.</p> <p>The details calculation is mentioned below.</p> <p style="text-align: center;">AMOUNT DETAILS</p> <table border="1" data-bbox="320 949 1361 1447"> <thead> <tr> <th>Sl No.</th> <th>Item</th> <th>Quantity to be removed in (cum)</th> <th>Amount of Royalty quoted (cum)</th> <th>Total amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quantity of Minor Mineral Removed from 21.11.2021 to 29.03.2022 * Royalty amount</td> <td>3678</td> <td>37/-</td> <td>136086.00</td> </tr> <tr> <td>2</td> <td>Surface Rent@ 360</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>3.</td> <td>Dead Rent @ Rs.10500/- Per Hec.11.59</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>4</td> <td>Fees for compensatory afforestation</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>5</td> <td>5% of above Royalty towards environment Management fund</td> <td>-</td> <td>-</td> <td>6804.00</td> </tr> <tr> <td></td> <td>10% of the Royalty amount Towards District Mineral Foundation (DMF) fund</td> <td>-</td> <td>-</td> <td>13608.00</td> </tr> <tr> <td>6</td> <td>2% of Royalty towards income tax</td> <td>-</td> <td>-</td> <td>2722.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: right;">Total</td> <td>159220.00</td> </tr> </tbody> </table> <p>The Lessee has deposited an excess amount in the FY - 2020-21 = 196968.00 As per last demand issued vide this office ltr. 268, dt: 21.12.2021, he has deposited an amount of = Rs. 1,00,000.00 (Total - 196968.00 + 1,00,000.00 = 296968.00) Last demand : 422155.00 + present demand: 159220.00 = 581375.00 Amount due = 581375.00 - 296968.00 = 284407.00 Further he has deposited an amount of Rs. 250000.00 vide MR No. P2269419, Dt: 29.03.2022 which is enclosed herewith the case record. Balance amount to be deposited for the FY 2021-22 = 284407.00 - 250000.00 = 34394.00</p> <p>Hence, the lessee is directed to deposit the above calculated amount i.e 34407.00 on or before 31.03.2022 positively from the date of receipt.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur</p>	Sl No.	Item	Quantity to be removed in (cum)	Amount of Royalty quoted (cum)	Total amount (in Rs.)	1	Quantity of Minor Mineral Removed from 21.11.2021 to 29.03.2022 * Royalty amount	3678	37/-	136086.00	2	Surface Rent@ 360	-	-	-	3.	Dead Rent @ Rs.10500/- Per Hec.11.59	-	-	-	4	Fees for compensatory afforestation	-	-	-	5	5% of above Royalty towards environment Management fund	-	-	6804.00		10% of the Royalty amount Towards District Mineral Foundation (DMF) fund	-	-	13608.00	6	2% of Royalty towards income tax	-	-	2722.00				Total	159220.00	
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CONTINUATION OF ORDER SHEET

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28.10.2022	<p>The case is taken up today. The lessee Galganda & Durubha Sand Bed has deposited an amount of Rs. 34407.00 vide MR No. P 2269531, dt:28.10.2022 for the year 2021-22. Due to he has deposited that amount after due period, therefore he has directed to pay 24% interest on delay payment i.e Rs. 8258.00.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur</p>																																																				
02.11.2022	<p>The case is taken up today. The lease holder Galganda & Durubha Sand Bed Sri Damburudhar Ramsing has applied this office for permission (application enclosed here with the part of the case record) for additional extraction of 1000 Cum sand which is deviated to his schedule quantity and issue "Y" form. But as per the Mining plan of leased Quarry (Galganda & Durubha Sand Bed) the proven reserve was 1980 cum for the year 2022-23, however after compare the "Y" form book with the register it is found that, he had already been extracted 2850 CUM from 30.03.2022 to 21.10.2022 from leased Sand Bed (Excess extracted - 870).</p> <p>The calculation is given below.</p> <table border="1" data-bbox="256 1106 1331 1648"> <thead> <tr> <th>Sl No.</th> <th>Item</th> <th>Quantity to be removed in (cum)</th> <th>Amount of Royalty quoted (cum)</th> <th>Total amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quantity of Minor Mineral as per mining plan X Royalty amount</td> <td>2850</td> <td>37/-</td> <td>105450.00</td> </tr> <tr> <td>2</td> <td>Surface Rent@ 360</td> <td>-</td> <td>-</td> <td>360.00</td> </tr> <tr> <td>3</td> <td>Dead Rent @ Rs.10500/- Per Hec.11.59</td> <td>-</td> <td>-</td> <td>121695.00</td> </tr> <tr> <td>4</td> <td>Fees for compensatory afforestation</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>5</td> <td>5% of above Royalty towards environment Management fund</td> <td>-</td> <td>-</td> <td>5273.00</td> </tr> <tr> <td>6</td> <td>10% of the Royalty amount Towards District Mineral Foundation (DMF) fund</td> <td>-</td> <td>-</td> <td>10545.00</td> </tr> <tr> <td>7</td> <td>2% of Royalty towards income tax</td> <td>-</td> <td>-</td> <td>2109.00</td> </tr> <tr> <td>8</td> <td>Penalty for excess extraction</td> <td></td> <td></td> <td>50000.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Total</td> <td>295432.00</td> </tr> </tbody> </table> <p>The bidder has Deposited only penalty of Rs. 50000/- vide MR No. P2269527, dt: 26.10.2022</p> <p>Balance amount to be deposited for the FY 2022-23= Rs. 295432.00 - Rs. 50000.00= 245432.00</p> <p>Interest on delay payment for 2020-21(24%) after due date= Rs. 8258.00</p> <p>Total to be deposited - Rs. 245432.00 + 8258.00= 253690.00</p> <p>Hence, the lessee is directed to deposit the above amount and other calculated amount within 7 days.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur</p>		Sl No.	Item	Quantity to be removed in (cum)	Amount of Royalty quoted (cum)	Total amount (in Rs.)	1	Quantity of Minor Mineral as per mining plan X Royalty amount	2850	37/-	105450.00	2	Surface Rent@ 360	-	-	360.00	3	Dead Rent @ Rs.10500/- Per Hec.11.59	-	-	121695.00	4	Fees for compensatory afforestation	-	-	-	5	5% of above Royalty towards environment Management fund	-	-	5273.00	6	10% of the Royalty amount Towards District Mineral Foundation (DMF) fund	-	-	10545.00	7	2% of Royalty towards income tax	-	-	2109.00	8	Penalty for excess extraction			50000.00				Total	295432.00	
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CONTINUATION OF ORDER SHEET

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15.03.2023	<p>The case is put up today. After verify the register with 'Y' form it is found that, the Galganda and Durubha Sand Bed has extracted 380 Cum minor minerals from 22.10.2022 to 27.02.2023.</p> <p>The details calculation is mentioned below.</p> <p style="text-align: center;">AMOUNT DETAILS</p> <table border="1" data-bbox="327 616 1364 1131"> <thead> <tr> <th>Sl No.</th> <th>Item</th> <th>Quantity to be removed in (cum)</th> <th>Amount of Royalty quoted (cum)</th> <th>Total amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quantity of Minor Mineral Removed from 22.10.2022 to 27.02.2023 * Royalty amount</td> <td>380</td> <td>37/-</td> <td>14060.00</td> </tr> <tr> <td>2</td> <td>Surface Rent@ 360</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>3.</td> <td>Dead Rent @ Rs.10500/- Per Hec.11.59</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>4</td> <td>Fees for compensatory afforestation</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>5</td> <td>5% of above Royalty towards environment Management fund</td> <td>-</td> <td>-</td> <td>703.00</td> </tr> <tr> <td></td> <td>10% of the Royalty amount Towards District Mineral Foundation (DMF) fund</td> <td>-</td> <td>-</td> <td>1406.00</td> </tr> <tr> <td>6</td> <td>2% of Royalty towards income tax</td> <td>-</td> <td>-</td> <td>281.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Total</td> <td>16450.00</td> </tr> </tbody> </table> <p>The Bidder has deposited an amount of Rs. 100000.00 out of 253690.00 which is the last demand for the FY-2022-23. Balance amount to be deposited - Rs. 153690.00 Present Demand- Rs. 16450.00 Total amount to be deposited- Rs. 153690.00 + Rs. 16450.00= 170140.00</p> <p>Hence, the lessee is directed to deposit the above calculated amount i.e 170140.00 on or before 20th March'2023 positively.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur Tahsildar, Nandapur</p>		Sl No.	Item	Quantity to be removed in (cum)	Amount of Royalty quoted (cum)	Total amount (in Rs.)	1	Quantity of Minor Mineral Removed from 22.10.2022 to 27.02.2023 * Royalty amount	380	37/-	14060.00	2	Surface Rent@ 360	-	-	-	3.	Dead Rent @ Rs.10500/- Per Hec.11.59	-	-	-	4	Fees for compensatory afforestation	-	-	-	5	5% of above Royalty towards environment Management fund	-	-	703.00		10% of the Royalty amount Towards District Mineral Foundation (DMF) fund	-	-	1406.00	6	2% of Royalty towards income tax	-	-	281.00				Total	16450.00	
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22.03.2023	<p>The case is put up today. The lessee Galganda & Durubha Sand Bed has deposited an amount of Rs. 199200.00 vide MR No. P2269614, dt:22.03.2023. He has deposited excess amount i.e Rs. 29060.00 (199200.00 - 170140.00).</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur Tahsildar, Nandapur</p>																																															

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03.04.23	<p>The case is put up today. The bidder of Galganda and Durubha Sand Bed has requested for extension of lease for a period of 01.04.2023 to 26.03.2024 of the leased Sand Bed which is situated at the following land as the lease period in not covered 5 Yrs.</p> <p style="text-align: center;">LAND SCHEDULE</p> <table border="1" data-bbox="341 703 1353 931"> <thead> <tr> <th>Mouza</th> <th>Khata No.</th> <th>Plot No.</th> <th>Kissam</th> <th>Area in Ac.</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Galganda</td> <td rowspan="2">65</td> <td>480</td> <td rowspan="2">Nadii</td> <td>5.90</td> </tr> <tr> <td>481</td> <td>2.93</td> </tr> <tr> <td rowspan="2">Durubha</td> <td rowspan="2">78</td> <td>321</td> <td rowspan="2">Nadii</td> <td>8.42</td> </tr> <tr> <td>322</td> <td>11.40</td> </tr> </tbody> </table> <p>After declared as a successful bidder the lessee has deposited the leased amount for the year 2018-19 and submitted the lease deed agreement on 27.03.2019.</p> <p>Further, the lessee has also submitted the Quarterly report / yearly report on extraction in Form No. -P and Form No.- K from 01.11.2019 to Feb'2023 on dt: 17.03.2023 at a time which is violated the mining condition. Further, verified the quarterly report as well as yearly report and found that the quantity excavated from area concerned is given below.</p> <table border="1" data-bbox="316 1323 1382 1818"> <thead> <tr> <th rowspan="3">Year</th> <th rowspan="3">Total Production in CUM as per Mining Plan</th> <th colspan="5">Excavated by the lessee in CUM</th> </tr> <tr> <th rowspan="2">Yearly</th> <th colspan="4">Quarterly</th> </tr> <tr> <th>1st</th> <th>2nd</th> <th>3rd</th> <th>4th</th> </tr> </thead> <tbody> <tr> <td>2018-19</td> <td>1740</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2019-20</td> <td>1800</td> <td>730</td> <td>-</td> <td>-</td> <td>173</td> <td>557</td> </tr> <tr> <td>2020-21</td> <td>1860</td> <td>9085</td> <td>1510</td> <td>1570</td> <td>2007</td> <td>3998</td> </tr> <tr> <td>2021-22</td> <td>1920</td> <td>10671.3</td> <td>3366.8</td> <td>1860.5</td> <td>2759.5</td> <td>2684.5</td> </tr> <tr> <td>2022-23</td> <td>1980</td> <td>3124</td> <td>1855.5</td> <td>740.5</td> <td>281</td> <td>147</td> </tr> <tr> <td>G. Total</td> <td>-</td> <td>23610.3</td> <td>6732.3</td> <td>4171</td> <td>5220.5</td> <td>7386.5</td> </tr> </tbody> </table>	Mouza	Khata No.	Plot No.	Kissam	Area in Ac.	Galganda	65	480	Nadii	5.90	481	2.93	Durubha	78	321	Nadii	8.42	322	11.40	Year	Total Production in CUM as per Mining Plan	Excavated by the lessee in CUM					Yearly	Quarterly				1 st	2 nd	3 rd	4 th	2018-19	1740	-	-	-	-	-	2019-20	1800	730	-	-	173	557	2020-21	1860	9085	1510	1570	2007	3998	2021-22	1920	10671.3	3366.8	1860.5	2759.5	2684.5	2022-23	1980	3124	1855.5	740.5	281	147	G. Total	-	23610.3	6732.3	4171	5220.5	7386.5	
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CONTINUATION OF ORDER SHEET

SL. NO. OF ORDER & DATE 1	ORDER WITH SIGNATURE OF OFFICER 2	TYPE OF ORDER AND DATE 3
03.04.23	<p>Further, the clarification communicated on revised period for quarry Operation due to late execution of lease deed agreement by the lessee of Minor Mineral Sairat Sources by the Addl. District Magistrate, Koraput vide memo No. 1327, dtd: 12.05.2020 for necessary follow-up action as per Ltr. No. 15040, dtd: 02.05.2020 of Govt. R & DM Department. The clarification stated that,</p> <p>Sl. No. 2- Rule 27 of OMMC Rules, 2004 as amended by OMMC (Amendment) Rules 2014 and Rule 8(4) of OMMC Rules, 2016 provide that "minimum period of lease shall be five years" Rule 61(2) of OMMC Rules, 2004 and Rule 43(2) of OMMC Rules, 2016 stipulate "the date of commencement of period for which the quarry lease is granted shall be the date on which duly executed deed is registered".</p> <p>Sl. No. 3- Rule 27(13) of OMMC Rules 2016 provided that the selected bidder shall be required to execute quarry lease in Form- N three weeks from the date of intimation of his selection, if the approval of mining plan and environmental clearance has been obtained before auction and in all other cases, three months from the date of intimation, failing which the intimation shall stand cancelled and the security deposit shall stand forfeited.</p> <p>Provided that the Controlling Authority may for genuine and sufficient reason, extend the said period, if it is satisfied that the delay in execution of lease is not due to reasons attributed to the selected bidder.</p> <p>Sl. No. 4- Keeping the above provisions of rules in view it is clarified that</p> <p>(a) The lease period shall be computed from the date of registration of the lease deed.</p> <p>(b) In case of delay in execution of lease deed resulting from delay in obtaining clearances like approval of mining plan and grant of environmental clearance which is not attributable to the selected bidder lease deed, where if the lease period has wrongly been mentioned till end of financial year 2019-20 may be rectified in due process mentioning the lease period from the date of registration of the original lease deed.</p> <p>(c) Operation of the quarry for the lease period beyond 31.03.2020 shall be subject to approval of mining plan as may be necessary under the Rules.</p> <p>After verify the records, it is found that, the lessee has declared as a successful bidder for 5 yrs. long term lease from the year 2018-19 and accordingly he has deposited the required amount. The bidder has executed lease deed agreement on 27.03.2019.</p> <p>Hence, due to the lease period not completed 5 Yrs, and the lessee not started removal during the FY-2018-19, so that the lease period is further extended from 01.04.2023 to 26.03.2024 and accordingly the bidder is directed to prepare and submit the revised mining plan from the authorized RQP for further action.</p> <p>(Type to my Dict.)</p> <p>Tahsildar, Nandapur</p>	

Tahsildar, Nandapur



GOVERNMENT OF ODISHA

SCHEDULE OF RATES

2022

WORKS DEPARTMENT

Sl. No.	Name of items	Unit	Kandhamal	Boudh	Koraput	Malkangiri	Nawarangpur
13	Surki of Kiln burnt bricks.	1 Cum	493.85	493.85	493.85	493.85	493.85
14	Screen washed gravel for concrete (12mm. to 20mm.)	1 Cum	183.35	170.00	183.35	180.00	183.35
15	Gravel or moorum	1 Cum	65.88	65.88	64.29	65.88	64.52
16	Stone screened Dust passing through 2.36 mm sieve and retained on 0.075 mm sieve	1 Cum	136.33	136.33	129.86	136.33	130.31
17	River single or Bajri (12mm. to 20mm.)	1 Cum	131.14	131.14	131.14	131.14	131.14
18	Screened and washed sharp sand for mortar	1 Cum	76.88	76.88	75.86	76.88	76.13
19	Sand for filling and road blinding	1 Cum	70.00	71.94	71.94	71.94	71.94
20	Clay mortar for masonry work with admixture of sand.	1 Cum	65.00	65.65	65.57	65.65	65.65
21	Stone lime unslaked.	1 Kg.	21.88	21.88	21.86	21.88	21.88
22	Ghooting lime unslaked.	1 Kg.	26.94	26.94	26.94	26.94	26.94
23	Shell lime unslaked.	1 Kg.	24.19	24.19	24.19	24.19	24.19
24 a	Granite broken stone of size not less than 0.0025 Cum. Stacked	1 Cum.	291.96	291.96	291.96	291.96	291.96
b	Granite stone of size not less than 0.0025 Cum. picked up.	1 Cum.	272.26	272.26	271.17	272.26	272.12
25	Stone other than granite quarried, broken and staked 0.0015 Cum to 0.003 Cum	1 Cum.	263.50	263.50	254.57	263.50	255.46
26	Stone other than granite picked up and staked 0.0015 Cum. to 0.003 Cum	1 Cum.	236.25	236.25	236.25	236.25	236.25
27	Stone other than granite quarried, broken and staked above 0.003 Cum	1 Cum.	242.43	242.43	242.43	242.43	242.43

GOVERNMENT OF ODISHA
STEEL & MINES DEPARTMENT

No. 6025 /SM., Bhubaneswar, Dated 17-06-2026

SM-MC3-NGT-0009-2026

From

Sri Rajesh Prasad Nayak,
Deputy Secretary to Government

To

The Mining Officer-Cum-Competent Authority, Koraput

Sub: Approved Counter Affidavit in OA No. 151 of 2025/EZ, filed by Dambarudhar Ramsingh-versus-State of Odisha & Others Reg.

Sir,

In inviting a reference to the subject cited above, I am directed to send herewith the Counter Affidavit duly approved by this Department basing on the Para-Wise Comments and other documents submitted by your office in OA No. 151 of 2025/EZ, filed by Dambarudhar Ramsingh-versus-State of Odisha & Others for filing of Counter Affidavit before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

Further, you have been authorized to file Counter Affidavit on behalf of the Chief Secretary, Odisha, arrayed as OP No.1.

A copy of the counter so filed may be furnished to this Department (steelmimesmc3@gmail.com) for reference and record.

This may please be treated as "Urgent".

Yours faithfully,

Rajesh 17.06.2026
Deputy Secretary to Government

Memo No. 6026 /SM, Bhubaneswar Dated 17.06.2026

Copy with enclosure forwarded to O/o, the Advocate General, Odisha, Cuttack/ DoMM, Odisha, Bhubaneswar/DDM, Jeypore for information and necessary action.

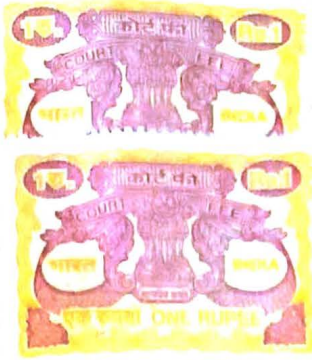
Rajesh 17.06.2026
Deputy Secretary to Government

Memo No. 6027 /SM, Bhubaneswar Dated 17.06.2026

Copy with enclosure forwarded to Ms.S.Sahoo, LC /Ms.S.S. Dash, ADL /Legal Section/MC-III (steelmimesmc3@gmail.com) for information and necessary follow-up action.

Rajank 17.06.2026
Deputy Secretary to Government





**IN THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

(Original Application No. 151/2025 /EZ)

IN THE MATTER OF:

DAMBARUDHAR RAMSINGH

...APPELLANT

VERSUS

STATE OF ODISHA & ORS.

...RESPONDENT(S)

VAKALATNAMA

KNOW ALL to whom these present shall come that I, Shri Santanu Kumar Sahoo, aged about 27 years, S/o Sadananda Sahoo, presently working as Mining Office, Koraput at P.O. Lingaraj Nagar, Jayapur, District- Koraput, in my official capacity as authorized do hereby appoint:

VARUN MISHRA

(D/722/2011)

A-21, Basement, Hakikat Rai Marg,

Jangpura Extension, New Delhi-110014.

+91-9953325221; Email: varun@vmchambers.com

(hereinafter called the advocate(s)) to be my Advocate in the above-noted case and authorize him:-

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 courts including the High Court subject to payment of fees separately for each court by me.

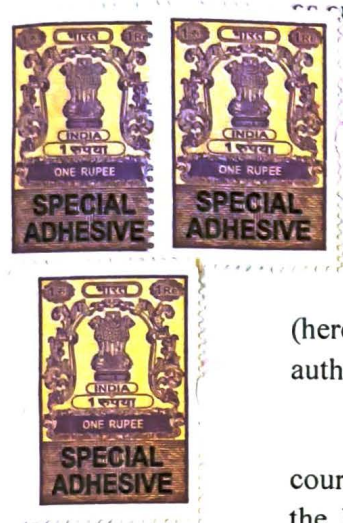
To sign, file, verify and present all pleadings, replications, rejoinders, appeals, cross-objections or petitions for execution, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of the opposite part.

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.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and



to do all other acts and things which may be necessary to be done for the progress of 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 fit to do so and to sign the Power of Attorney on my behalf.

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

And I, the undersigned, do hereby undertake that I or my duly authorized agent would appear in the Court on all hearings and will inform the Advocate for appearance when the case is called.

And I, the 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, the undersigned, do hereby agree that in the event of the whole or part of the fee agreed by me 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 hereby agree that the fee is paid. I will not be entitled to refund of the same in any case whatsoever.

IN WITNESS WHEREOF I do hereunto set my hand to these presents, the contents of which have been understood by me on 2nd July 2026.

Accepted subject to the terms of fees.

I IDENTIFIED



ADV. VARUN MISHRA
(D/722/2011)



CLIENT

Mining Officer
Koraput

696

**Proof of Service**

Shreeya Sud <shreeya@vmchambers.com>

O.A., No. 151/2025/EZ: Dambarudhar Ramsingh v. State of Odisha & Ors.

Shreeya Sud <shreeya@vmchambers.com>

3 July 2026 at 11:50

To: csori@nic.in, ddm-joyporomn@gov.in, tah.nandapur@nic.in, jdg_kpt@yahoo.co.in, "paribesh1@ospcboard.org" <paribesh1@ospcboard.org>, mefcc@gov.in, seiaaodisha@gmail.com, "Panthahang R." <panthu92@gmail.com>
Cc: Varun Mishra <varun@vmchambers.com>

Dear Ma'am / Sir,

We appear for the Respondents No. 1 & 2 in the captioned matter. The Counter Affidavit on behalf of Respondents No. 1 & 2 can be accessed from the link below:

[Dambarudhar Ramsingh-v-State of Odisha w Annexures-3.pdf](#)

Please note that this will be treated as proof of service of the same.

Regards,

Shreeya Sud,*Associate*

VM Chambers

A-21, Basement,

Hakikat Rai Marg,

Jangpura Extension,

Delhi-110014;

D-6, BJB Nagar,

Bhubaneshwar, 751014

Mob: +91 9810392431