

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

Rajani Kanta Padhy

...Applicant

VERSUS

State of Odisha & Others.

...Respondents

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By the Respondent No.7

Through

Kolkata
Date:

Sri Dipanjan Ghosh,
Advocates for the Respondent No.7
(State Pollution Control Board, Odisha)
e-mail: dpnjnghsh0@gmail.com
Phone No.:990308097

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
R.NO.7.**

I, Dr. Manoj V. Nair, IFS, son of N. Vasudevan Nair aged around 52 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of the Respondent No.7 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.



18 MAY 2025

2. That this OA has been filed challenging the illegal operation of sand mine by the private R.No.9 for operating the Kharida Sand Bed Mining Project on junction of Rushikulya and Ghorahara river over an area of 5.261 hectare at Khata No.554, Plot No.4553/1 and 4532/1, village - Kharida, Tahasil-Hinjlicut, Dist-Ganjam, Odisha. It is alleged that the said mining operation is in violation of condition of environmental clearance and consent to operate for which prayer has been made to direct the R-7 & 8 to revoke the Consent to Operate and Environmental Clearance respectively.
3. That the R-9, Lessee of M/s Kharida Sand Bed had submitted online application for Consent to Establish and Consent to Operate for the period 2024-25 to 2025-26 with prescribed consent fees and required statutory clearances like Environmental Clearance, approved modified Mining Plan and lease agreement with the concerned Mining Officer, Berhampur, Dist-Ganjam. The copies of Environmental Clearance has already been annexed as Annexure-1 in the OA.



4. That MoEF&CC, Govt. of India vide Office Memorandum dtd.14.01.2025 has streamlined the implementation of notification G.S.R. 702 & G.S.R. 703 dtd. 12.11.2024. As per this Environmental Safeguards were stipulated to R-9, Lessee of M/s Kharida Sand Bed over Plot No. 4532/1 under Khata No. 554 Mine lease area of 13.00 Acres/ 5.261 Ha., Village/Mouza- Kharida, Tahasil- Hinjilicut, Dist- Ganjam vide this Office letter No. 199 dtd. 16.01.2025 to be appended to the Environmental Clearance. A copy of Office Memorandum dtd.14.01.2025 of the MoEF&CC to this effect detailing the Standard Operating Procedure (SOP) and letter No.199 dtd.16.01.2025 referred above are annexed to this affidavit and marked as **ANNEXURE - R7/1** and **ANNEXURE-R7/2** respectively.

5. That Consent to Operate U/s-25/26 of Water (PCP) Act, 1974 & under Sec 21 of Air (PCP) Act, 1981 was granted in favour of R-9 vide this Office letter No. 205 dtd. 16.01.2025 valid up to 31.03.2026 or validity of Environmental Clearance or till validity of District Survey Report (DSR), whichever is earlier for Mining of Sand @



15,500 CuM/Annum (Maximum) with strict compliance of consent conditions over Plot No.4532/1, Khata No.554 in village / mouza - Kharida, Tahasil-Hinjilicut. A copy of consent to operate order dtd.16.01.2025 has already been annexed as Annexure-2 to the OA.

6. That this R-7 Board has received a public complaint of the Applicant duly forwarded by the MoEF&CC, Govt. of India vide their letter dtd.16.02.2026 alleging illegal sand mining and noise pollution caused due to operations/transportation etc. by R-9. The Dy Director of Mines, Berhampur was requested vide letter No. 565 dtd. 20.02.2026 of the Regional Officer, Berhampur of R-7 Board to constitute a committee comprising of Officials of Mining Deptt. Berhampur, Regional Transport Office, Ganjam and SPC Board, Berhampur and District Administration, Ganjam to verify the allegation made in the complaint petition were mostly related to illegal mining. The copies of complaint petition forwarded by MoEF&CC vide letter dtd.16.02.2026 and letter to Dy Director of Mines, Berhampur are annexed to this



affidavit and marked as ANNEXURE-R7/3 Colly and ANNEXURE - R7/4 respectively.

7. That the R-9, Lessee of M/s Kharida Sand Bed was directed vide letter no. 1435 dtd. 31.03.2026 not to operate M/s Kharida Sand Bed from 01.04.2026 onwards till valid Consent to Operate is obtained from the R-7 Board. Simultaneously, a memo copy was provided to the Dy. Director of Mines, Berhampur with a request to constitute a committee to verify the allegations made in the complaint petition as requested earlier vide letter dtd.20.02.2026 at Annexure-R7/4 of this present affidavit. A copy of letter dtd.31.03.2026 is annexed to this affidavit and marked as ANNEXURE - R7/5.

8. That in response to the letter at Annexure-R7/4, the Dy Director of Mines, Berhampur has constituted a joint committee vide Office order No. 1418 dtd. 02.04.2026 to verify allegation regarding illegal sand mining due to operations/transportation etc. by M/s Kharida Sand Bed and accordingly, joint verification by the joint committee was conducted on 07.04.2026. A copy of Office Order



dtd.02.04.2026 is annexed to this affidavit and marked as **ANNEXURE-R7/6.**

9. That in furtherance to letter dtd.31.03.2026 at Annexure-R7/5, the Mining Officer, Berhampur Circle, Ganjam vide his letter No.1687 dtd.29.04.2026 has clarified that the consent to operate in respect of R-9 unit over an area of 5.261 ha. bearing Khata No.554, Plot No.4532/1 has been examined and it is stated that no excess excavation has been observed in the said sand source within the lease area and the findings of the drone survey indicates that the extraction activities are within the permissible limited and in compliance with the approved conditions. And accordingly recommendation has been made in the said letter dtd.29.04.2026 to consider the application of consent to operate in favour of R-9 beyond 01.04.2026. The said view has also been reiterated by the Mining Officer, Berhampur Circle in his letter No.1711 dtd.30.04.2026 addressed to the Regional Officer, Berhampur of the R-7 Board. It is pertinent to mention here that the consent to operate has earlier granted in favour of R-9 vide Annexure-2 of the OA over Plot



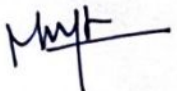
No.4532/1, Khata No.554 in village/mouza - Kharida, Hinjilicut Tahasil, Ganjam. A copy of letter No.1687 dtd.29.04.2026 and letter No.1711 dtd.30.04.2026 of the Mining Officer addressed to the Regional Officer, Berhampur of R-7 Board is annexed to this affidavit and marked as ANNEXURE-R7/7 and ANNEXURE - R7/8 respectively.

10. That it is further humbly submitted that the Regional Officer, Berhampur of the R-7 Board on due consideration of the clarification at Annexure-R7/7 and Annexure-R7/8 of this affidavit, has renewed the consent granted earlier vide Annexure-2 of the OA vide consent order No.1772 dtd.02.05.2026 upto 31.03.2027 or till validity of Environmental Clearance or validity of Draft Survey Report, whichever is earlier. Further, a condition has also been imposed that the said consent to operate order is subject to final outcome of the aforesaid OA pending before this Hon'ble Tribunal. A copy of consent to operate order No. 1772 dtd.02.05.2026 is annexed to this affidavit and marked as ANNEXURE - R7/9.



11. That all the allegations, averments contentions and / or statement as contained in the OA which may not have been specifically denied or traversed herein but are in essence, contrary to the substance of this affidavit should not be deemed to be admitted by reason of mere non-traverse, but should be treated as expressly denied and the applicant should be put to strict proof in respect thereof.
12. That the Respondent No.7 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.
13. That the Annexures annexed to the present affidavit are true and correct copies of their originals.
14. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.




DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

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

VERIFICATION:

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

Verified at Bhubaneswar on this the 18th day of May, 2026.

SWORN BEFORE ME

DEPONENT

Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar



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

File No. Q-15012/2/2022-CPW-Part(1)/e-240741
 Government of India
 Ministry of Environment, Forest and Climate Change
 (CP Division)

Indira Paryavaran Bhawan
 Jor Bagh Road, Aliganj,
 New Delhi – 110003

Dated: 14th January, 2025

OFFICE MEMORANDUM

Subject: Streamlining the implementation of Notifications G.S.R. 702 and G.S.R. 703 dated 12th November 2024 – regarding.

The Ministry has issued notifications vide G.S.R. 703 (E) dated 12.11.2024 and G.S.R. 702 (E) dated 12.11.2024 regarding exemption of certain categories of industries from the application of the sub-section (1) of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and sub-section (1) of section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

2. As per the above referred notifications, the project / activities requiring prior EC as per the Environmental Impact Assessment Notification, 2006 (as amended from time to time) under Environment (Protection) Act, 1986 are exempted from obtaining previous Consent To Establish (CTE) separately.

3. The Ministry has issued a Standard Operating Procedure (SOP) dated 14th November 2024 for implementing the notifications mentioned above. In the SOP, it has been, inter-alia, provided that, for the projects / activities requiring prior EC, the exemption provided from obtaining CTE is subject to obtaining necessary EC and the conditions of CTE, as may be required, will be integrated in the conditions of EC itself.

4. The matter has been examined in the Ministry and it has been decided to further streamline the procedure in partial modification of the Standard Operating Procedure dated 14th November 2024, with regard to the projects / activities requiring prior EC which are exempted from obtaining CTE as per the aforesaid Notifications G.S.R. 702 and G.S.R. 703 dated 12th November 2024:

A. Obtaining comments from the State Pollution Control Boards (SPCBs) / Pollution Control Committees (PCCs)

i. In all cases where ToR is applicable (i.e. Category A and B1 Projects except projects that apply for expansion under para 7 (ii) (a) of EIA Notification 2006 and category B2 projects), the concerned Regulatory Authority while granting ToR shall forward the ToR in parallel to the concerned SPCBs/PCCs, through the PARIVESH portal with a request to upload their comments.

ii. In all such cases where ToR is not applicable (i.e. projects that apply for expansion under para 7 (ii) (a) of EIA Notification 2006 and category B2 projects), a copy of the proposal that was submitted for seeking EC shall be forwarded to the Member Secretary, SPCB/PCC through PARIVESH, with a request to upload their comments.

iii. In both the scenarios mentioned above, the SPCB/PCC shall carry out site inspection, if required, before furnishing their comments. The comments shall have the details of the project site, the feasibility of the project and the environmental safeguards prescribed for the concerned project.

B. Payment of requisite fees

i. Once the copy of the ToR or the proposal that was submitted for seeking EC (in cases where ToR is not applicable) is forwarded to the Member Secretary, SPCB/PCC through PARIVESH, the Member Secretary, SPCB/PCC shall raise the demand for applicable fee within seven days which shall be paid by the project proponent through the prescribed payment gateway of SPCB/PCC or in the interim through the method prescribed by the respective SPCB/PCC.

ii. Once the fee payment receipt is uploaded by the project proponent on PARIVESH, comments shall be uploaded by the SPCB/PCC within the prescribed timeframe mentioned below, as the case may be.

C. Timeframe prescribed for the SPCBs/PCCs to provide their comments

i. In all cases where ToR is applicable, the comments shall be uploaded on the PARIVESH portal by the concerned SPCBs/PCCs within thirty days from the date on which the fee payment receipt is uploaded by the project proponent on PARIVESH.

ii. In all such cases where ToR is not applicable, the comments shall be uploaded on the PARIVESH portal by the concerned SPCBs/PCCs within fifteen days from the date on which the fee payment receipt is uploaded by the project proponent on PARIVESH.

D. Non-receipt of comments within prescribed timeframe

i. In case the comments are not received within the prescribed timeframe, a representative from the concerned SPCB/PCC shall be invited to the next EAC/SEAC meeting for furnishing comments. However, within this period, SPCB/PCC may also provide their comments on PARIVESH.

ii. In the event that the representative from the concerned SPCB/PCC does not participate in the EAC/SEAC or their comments are not provided within the prescribed timeframe, it shall be deemed that the concerned SPCB/PCC has no

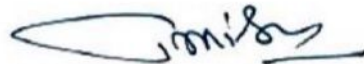
objection/comments to offer and the EAC/SEAC may take the decision on merit stipulating environmental safeguards in the form of conditions as applicable for the establishment of the Project/Activity, based on the details submitted by the project proponent as a part of EC application.

E. Projects which have already been granted EC after 12th November 2024 but for which CTE has not been granted

Such projects shall obtain the environmental safeguards required for the establishment of the Project/Activity, from the concerned SPCB/PCC within 30 days of this OM, after payment of requisite fees. The same shall be appended to the EC later and the project proponent shall file six monthly compliance for the safeguards also, along with the EC conditions.

5. The Projects / Activities exempted from obtaining CTE as per the procedure mentioned at para-4 above, shall be required to obtain CTO separately from the SPCBs / PCCs and any other statutory authorization /permission, wherever required as per the prevailing rules and regulations.

6. This is issued with the approval of the Competent Authority.



(Ved Prakash Mishra)
Joint Secretary

To

1. Chairman/Member Secretary, CPCB.
2. Chairperson/Member Secretaries of all the State/UT, PCBs/PCCs
3. Chairperson/Member Secretaries of all the EACs.
4. Chairperson/Member Secretaries of all the SEIAAs/ SEACs.
5. All Officers of IA Division

Copy to:

1. PS to Hon'ble MEFCC
2. PS to Hon'ble MoS (EF&CC)
3. Sr PPS to Secretary (EF&CC)
4. Sr PPS to DGF&SS (EF&CC)
5. Sr PPS to AS(AG)/ Sr PPS to JS(RA)
6. Website, MoEF&CC/Guard File

ANNEXURE-R7/2

E-mail: rospcb.berhampur@ospcbboard.org

Website: www.ospcbboard.org

**REGIONAL OFFICE OF THE
STATE POLLUTION CONTROL BOARD, ODISHA**
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
2nd Floor, New Division Office, IDCO, Berhampur Division,
Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 199/CTO-1160/2016Dt. 16/01/2025**By E-despatch/E-mail**

To

Sri Kiran Kumar Panda, Lessee,
M/s Kharida Sand Bed,
At- Khalasi Sahi, PO-Berhampur, Dist- Ganjam.

Sub: Environmental Safeguards required for establishment of M/s Kharida Sand Bed, over plot no. 4532/1 under Khata No. 554 Mine lease area of 13.00 Acres/5.261 Hectares, Village/Mouza- Kharida, Tahasil-Hinjilicut, Dist.-Ganjam -reg.

Ref: MoEF& CC, Government of India Office Memorandum dtd. 14.01.2025 and SPCB, Bhubaneswar letter no. 1032 dtd. 16.01.2025.

Sir,

With reference to your online CTE application no. 6092499 (Rs. 20000/- fees paid towards CTE vide receipt no. 747990099 dtd. 04.01.2025), it is to intimate that EC has been granted for this project by SEIAA, Odisha on dtd. 13.12.2024 which is after 12th Nov, 2024 and CTE has not been granted by the Board. Therefore, as per MoEF& CC, Government of India Office Memorandum dtd. 14.01.2025 following Environmental Safeguards were stipulated:

A. GENERAL

1. The mine shall abide by the stipulated conditions of Environmental Clearance obtained from the State Environmental Impact Assessment Authority (SEIAA) vide EC Identification No. EC24B001OR111384 dtd. 13.12.2024.
2. Mining of sand from the sand quarry shall be as per approved mining plan and valid environmental clearance. The production shall be restricted to the lowest approved quantity among EC & Mining plan.
3. The lessee shall undertake study of annual replenishment rate of sand as per condition stipulated in EC.
4. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
5. The mine shall maintain the ambient noise standards as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 and amendment made there under.
6. The mine shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use if applicable.
7. The mine shall adopt adequate safety measures inside the mine / quarry premises including fire safety and obtain necessary permission from the competent authorities.

8. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
9. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
10. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
11. Greenbelt shall be developed as per approved Mining Plan and Environmental Clearance.
12. The Project Proponent should carry out Riverbed sand mining manually by engaging local laborers in force to check over exploitation of sand at the source.
13. There shall be no mining zone and no working zone as per condition no. 7A (ii) and 7.14 stipulated in the EC vide EC identification No. EC24B001OR111384 dtd. 13.12.2024
14. The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.
15. The proponent shall take necessary measures to ensure no adverse impact caused due to mining activities on the human habitations existing nearby.
16. The unit shall pay differential fees if any as per the Odisha Gazette Notification dtd. 16.07.2012 of Forest and Environment Department, Government of Odisha
17. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.
18. The following measures are to be implemented to reduce noise pollution.
 - i. Regular maintenance of vehicles and other equipment.
 - ii. Limiting time of exposure of workers to excessive noise.
 - iii. The workers employed shall be provided with protection equipment and earmuffs etc.
 - iv. Speed of trucks entering or leaving the mine is to be limit to moderate speed of 25 km/h to prevent undue noise from empty trucks

B. WATER POLLUTION:

1. The mining shall not affect the existing sources of irrigation or drinking water.
2. Surface runoff shall be allowed to flow through garland drains and the accumulated water in the garland drains shall be passed through settling ponds to allow the silt to be settled before final discharge to surrounding environment.
3. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
4. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

C. AIR POLLUTION:

1. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard prescribed in the Environment (Protection) Rules, 1986 and amended thereof.
2. Water sprinkling shall be done on internal transport roads and working area to suppress fugitive dusts generated.
3. Loading and unloading activities including all transfer points should have efficient dust control system arrangements. These should be properly maintained and operated.

4. The following measures are to be further implemented to reduce air pollution during transportation of mineral.
- a) Road shall be graded to mitigate the dust emission.
 - b) Overloading of tippers and consequent spillage on the road shall be avoided. The trucks shall be covered with tarpaulin.
 - c) Vehicles to be used for transportation should have valid PUC.

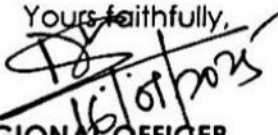
D. SOLID & HAZARDOUS WASTE:

1. Topsoil, if any shall be stacked properly with proper slope with adequate measures and should be used for plantation purposes.
2. The OB, if any shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems
3. Mineral rejects, if any shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.
4. Waste, oils, used oils generated from the EM machines, mining operations, if any shall be disposed as per the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.
5. The unit shall abide by the provisions of Plastic Waste Management Rules, 2016 and amended thereafter. The unit shall also abide by the notification published by Ministry of Environment, Forest & Climate Change vide no. G.S.R.571 (E) dated 12th August 2021 which prohibits manufacture, import, stocking, distribution, sale and use of identified single use plastic (SUP) items with effect from 1st July 2022.

The above stipulated Environmental Safeguards shall be appended to the EC.

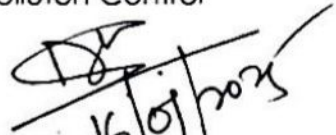
This is for your kind information and necessary action.

Encl: As above

Yours faithfully,

 REGIONAL OFFICER

Memo no 200 / Date 16/01/2025

Copy forwarded to the Chief Environmental Scientist (SWM), State Pollution Control Board, Odisha, Bhubaneswar for kind information and necessary action.


 REGIONAL OFFICER

Memo no 201 / Date 16/01/2025

Copy forwarded to the Addl. Chief Environmental Engineer (CTE Cell), State Pollution Control Board, Odisha, Bhubaneswar for kind information and necessary action.


 REGIONAL OFFICER

Memo no 202 / Date 16/01/2025

Copy forwarded to the Legal Consultant/ Senior Law Officer (L-II), State Pollution Control Board, Odisha, Bhubaneswar for kind information and necessary action.


 REGIONAL OFFICER



भारत सरकार / Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change

क्षेत्रीय कार्यालय, भुवनेश्वर / Regional Office, Bhubaneswar

ए/३, चंद्रसेखरपुर / A/3, Chandrasekharpur

भुवनेश्वर - ७५१ ०२३ / Bhubaneswar - 751 023

आज़ादी का
अमृत महोत्सवLIFE
Lifestyle for
EnvironmentTelephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 106.7B (2026) Vol. 07 (Kharida, Ganjam)

Date: 16th February, 2026

To

The Member Secretary,
State Level Environment Impact Assessment Authority,
SRF-2/1, Acharya Vihar, Unit - IX,
OPTCL Colony, Anand Bazar, Bhoi Nagar,
Bhubaneswar, Odisha 751022.

Sub: Complaint received of alleged illegal sand mining in Kharida Sand Bed, Ganjam district - reg.

Sir,

Your kind attention is invited to the enclosed complaint dated 01.02.2026 received from Shri Rajani Kanta Padhy alleging large-scale illegal sand mining in the Kharida Sand Bed mining project located at the confluence of Rushikulya and Ghorahara rivers in village Kharida, Hinjilicut Tehsil, Ganjam district.

In this regard, you are requested to examine the matter and take necessary action in accordance with the applicable rules and regulations. Further, an Action Taken Report may kindly be submitted to this office for further action at this end.

Yours faithfully,

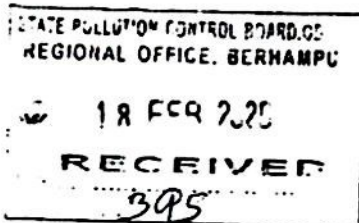
(M.R. Prasad)
Scientist 'C'.

Encl: As above (Copy of Complaint and other documents).

Copy To:

Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar - 751012, Odisha. (For your kind information).

2. Rajani Kanta Padhy, e-mail: rajnipadhy@gmail.com (For your kind information).



Scientist 'C'.

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

<

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Sun, 01 Feb 2026 3:40:21 PM +0530

To

Tags

■ Not in Contacts

>

To,

DATE- 01/02/2026

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

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

Dear Sir,

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

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

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

2. That in the environmental clearance it is categorically mentioned that the lessee is allowed to extract 15501 cum of sand each year, however the lessee is extracting beyond the permissible limit by using heavy machineries like excavators.
3. It is submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that *"No stream should be diverted for the purpose of sand mining. No natural water course and/or water resources are obstructed due to mining operations."* However in the present case the PP has obstructed the natural flow of the river (photographs attached for better appreciation).
4. It is further submitted that in the Environmental clearance letter dated 13/12/2024 under the heading of stipulation it is mentioned that *"The PP shall carryout the ARRS study in subsequent year through a NABET or ORSAC empanelled agency and submit to SEIAA, Odisha by 31 December 2025."* However in the present case no such ARSS report has been filed by the PP as verified by me from the website of PARIVESH portal.
5. It is not out of place to mention here that under the heading of **Specific Stipulation in condition No. x.** it is specifically mentioned that *"Project Proponent shall not disturb the water course during mining."* However in the present case the PP is obstructing the free flow of water by stockpiling the sand within the water channel.
6. It is further submitted that in the Environmental clearance dated 13/12/2024 in condition No. 7.1 it is specifically mentioned that *"The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance*

from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC." however in the present case no such pillars has been posted by the lessee.

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

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

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

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

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

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

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

10. It is further submitted that in the environmental clearance condition NO. 7.16 a) it is categorically mentioned that "*No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.*" However the lessee is transporting sand loaded heavy vehicles trough densely populated villages namely Sikiri and Kharida without any prior permission from the competent authorities.

11. It is not out of place to mention here that in the environmental clearance condition No. 7.17 e) it is categorically mentioned that the vehicles shall not be overloaded and shall be covered with tarpaulin, however in the

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

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

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

Yours faithfully

Rajani Kanta Padhy

Rajani Kanta Padhy

N.B.

For better appreciation photographs of the mining is attached.



ANNEXURE-R7/4

Email-rospcb.berhampur@ospcbboard.orgwww.ospcbboard.org

**REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)**

2nd Floor, New Division Office, IDCO, Berhampur Division
Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 565 /10 (I)/2014Dt. 20/02/2026

By e-mail/e-dispatch

To

The Deputy Director of Mines, Berhampur
At/PO- Berhampur, Dist- Ganjam

Sub: Public complaint alleging illegal sand mining & noise pollution from M/s Kharida Sand Bed, Hinjilicut Tahasil, Dist. - Ganjam -reg.

Sir,

With reference to the subject cited above, this is to inform you that, this Office has received a public complaint, alleging illegal sand mining & noise pollution from M/s Kharida Sand Bed, Tahasil - Hinjilicut, Dist. - Ganjam (**copy of complaint petition is enclosed, which is self-explanatory**).

In view of the above, it is requested to constitute a committee comprising of Officials of your Department, Regional Transport Office, Ganjam, Regional Office, State Pollution Control Board, Berhampur and District Administration, Ganjam for joint enquiry of M/s Kharida Sand Bed, Tahasil - Hinjilicut, Dist. - Ganjam to verify the allegations made in complaint petition. This is for your kind information and necessary action.

Encl: As above

Yours faithfully,


Regional Officer
Memo No 566 /Dt. 20/02/2026

Copy is forwarded to the P.S. to M.S. for kind information of Member Secretary, SPC Board, Bhubaneswar.


Regional Officer
Memo No 567 /Dt. 20/02/2026

Copy is forwarded to Sri M.R. Prasad (Scientist - C), Regional Office, Bhubaneswar, MoEF & CC, Govt. of India for kind information w.r.t. File No. 106.7B (2026) Vol. 07 (Kharida, Ganjam)/117 dtd. 16th February, 2026.


Regional Officer
Memo No 568 /Dt. 20/02/2026

Copy is forwarded to Shri Rajani Kanta Padhy (rajnipadhy@gmail.com, Cont. No. - 7008623499) for information.


Regional Officer



**REGIONAL OFFICE OF THE
STATE POLLUTION CONTROL BOARD, ODISHA**
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
2nd Floor, New Division Office, IDCO, Berhampur Division,
Industrial Estate, Berhampur, Dist- Ganjam - 760008, Odisha, India

No. 1435 /CTO-1160/2016

Dt. 31/03/2026

By Speed Post/E-despatch/E-mail

To

Sri Kiran Kumar Panda, Lessee,
M/s Kharida Sand Bed,
At- Khalasi Sahi, PO-Berhampur, Dist- Ganjam

Sub: Consent to Operate of M/s Kharida Sand at Village/Mouza- Kharida, Tahasil- Hinjilicut, Dist- Ganjam - reg.

Ref: Consent Order No. 205 dtd. 16.01.2025.

Sir,

With reference to above, Consent to Operate under section 25/26 of Water (PCP) Act, 1974 and under section 21 of Air (PCP) Act, 1981 of M/s Kharida Sand Bed at Village/Mouza- Kharida, Tahasil- Hinjilicut, Dist- Ganjam was valid upto 31.03.2026. Subsequently, you have failed to apply for renewal of Consent for further period for operation of aforesaid sand bed.

In view of the above, you are hereby directed not to operate M/s Kharida Sand Bed from 01.04.2026 onwards, till valid Consent to Operate is obtained from the Board.
This is for your information and necessary action.

Yours faithfully,

[Signature]
31/03/2026
REGIONAL OFFICER

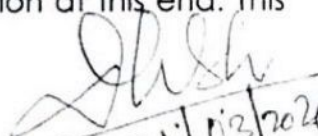
Memo no 1436 / Date 31/03/2026

Copy forwarded to the Collector & District Magistrate, Ganjam, Chatrapur for kind information and necessary action.

[Signature]
31/03/2026
REGIONAL OFFICER

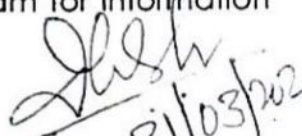
Memo no 1437 / Date 31/03/2026

Copy forwarded to the Deputy Director of Mines, Berhampur, Dist- Ganjam for kind information and necessary action. It is once again requested to constitute a committee as proposed vide this Office letter no. 565 dtd. 20.02.2026 to enquire the allegations made in the public complaint. If you have already enquired the matter then it is requested to submit the action taken report for further action at this end. This may be treated as **most urgent**.


31/03/2026
REGIONAL OFFICER

Memo no 1438 / Date 31/03/2026

Copy forwarded to the Mining Officer, Berhampur, Dist- Ganjam for information and necessary action.


31/03/2026
REGIONAL OFFICER



ANNEXURE-R7/6

**OFFICE OF THE DEPUTY DIRECTOR OF MINES GANJAM CIRCLE
STEEL AND MINES DEPARTMENT, GOVT. OF ODISHA
BERHAMPUR -760011**

Email: ddm.berhampur@orissaminerals.gov.in

No. 1418 / MinesDt. 02/04/26**OFFICE ORDER**

In pursuance of Letter No. 565/10(I)/2014 dated 20.02.2026 of the Regional Officer, State Pollution Control Board (SPCB), Berhampur Division, Ganjam District regarding a public complaint alleging illegal sand mining and noise pollution by M/s Kharida Sand Bed, Tahasil - Hinjilicut, District - Ganjam, a Joint Committee is hereby constituted with the following members for the purpose of conducting a detailed enquiry and verification of the allegations mentioned in the complaint petition.

The Committee members are:

1. Mining Officer (I/C)-Cum-Competent Authority, Berhampur-Chatrapur sub-Division, Ganjam District.
2. Regional Transport Officer (RTO), Ganjam.
3. Regional Officer, State Pollution Control Board, Regional Office, Berhampur.
4. Deputy Collector (Revenue), Collectorate, Ganjam, Chatrapur.

The Committee shall conduct a joint field inspection of M/s Kharida Sand Bed, Hinjilicut Tahasil on dt.07.04.2026 to verify allegations regarding Illegal sand mining activities, Violation of environmental norms Noise pollution caused due to operations/transportation etc. and submit a detailed report with findings, recommendations and necessary action points.

[Signature]
Deputy Director of Mines
Ganjam Circle, Berhampur

Dt. 02/04/26Memo No. 1419 / Mines,

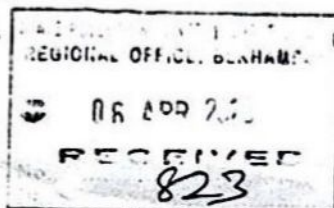
Copy forwarded to the Mining Officer(I/C)-Cum-Competent Authority, Berhampur-Chatrapur sub-division, Ganjam District/ Regional Transport Office (RTO), Ganjam / Regional Officer, State Pollution Control Board, Regional Office, Berhampur / Deputy Collector, (Revenue- Ganjam District) for kind information and necessary action.

[Signature]
Deputy Director of Mines
Ganjam Circle, Berhampur

Dt. 02/04/26Memo No. 1420 / Mines,

Copy submitted to the Collector & District Magistrate, Ganjam for kind information.

[Signature]
Deputy Director of Mines
Ganjam Circle, Berhampur



ANNEXURE-R7/7



**OFFICE OF THE MINING OFFICER,
BERHAMPUR & CHATRAPUR SUB- DIVISION, GANJAM DISTRICT
STEEL AND MINES DEPARTMENT, GOVT. OF ODISHA
BERHAMPUR -760011**

Email: mo.ganjam1@gmail.com

No. 1-687 / Salrat

Dt. 29.04.24

From

The Mining Officer,
Berhampur Circle, Ganjam.

To

The Regional Officer,
Regional Office State Pollution Control Board,
Odisha, New Division Office, IDCO, Berhampur Division

Sub: Revised letter for Grant of Consent to Operate (CTO) for M/s Kharida Sand Bed under Hinjilicut Tahasil, Dist - Ganjam -reg.

Ref: ROSPCB Memo No.1438 Date: 31.03.2026
DDM Memo No.738/Mines Date: 17.04.2026

Sir,

In inviting reference to the subject cited above, it is to inform that the matter regarding grant of Consent to Operate (CTO) in respect of Kharida Sand Bed over an area of 5.261 Hectares bearing Khata no. 554, Plot no. 4532/1 under Hinjilicut Tahasil has been examined.

In this connection, it is submitted that a drone survey was conducted by M/s Zeotek Mining Solution Pvt Ltd. Bhubaneswar empanel agency of ORSAC on date: 06.04.2026 and as per the survey report, no excess excavation has been observed in the said sand source within the lease area. The findings of the drone survey indicate that the extraction activities are within the permissible limits and in compliance with the approved conditions.

In view of the above, it is therefore requested to kindly consider and grant Consent to Operate (CTO) in favour of Sri Kiran Kumar Panda for operation of the Kharida Sand Bed under Hinjilicut Tahasil.

This for your kind information and necessary action.

Yours faithfully,

[Signature]

Mining Officer, Ganjam

ABE
[Signature]
28/04/2026



Memo No. 1688

Dt. 29.04.26

Copy submitted to the Deputy Director of Mines, Ganjam Circle, Berhampur for information.


29/4/26

Mining Officer, Ganjam

Memo No. 1689

Dt. 29.04.26

Copy submitted to Sri Kiran Kumar Panda, lessee of Kharida Sand Bed under Hinjilicut Tahasil for information and necessary action.


29/4/26

Mining Officer, Ganjam



ANNEXURE-R7/8

**OFFICE OF THE MINING OFFICER,
BERHAMPUR & CHATRAPUR SUB- DIVISION, GANJAM DISTRICT
STEEL AND MINES DEPARTMENT, GOVT. OF ODISHA
BERHAMPUR -760011
Email: mo.ganjam1@gmail.com**

No. 171 / SairatDt. 30/04/26

From

The Mining Officer,
Berhampur Circle, Ganjam.

To

The Regional Officer,
Regional Office State Pollution Control Board,
Odisha, New Division Office, IDCO, Berhampur Division

Sub: Grant of Consent to Operate (CTO) for Kharida Sand Bed under
Hinjlicut Tahasil, Dist-Ganjam.

Ref: ROSPCB Memo No.1438 Date: 31.03.2026
DDM Memo No.738/Mines Date: 17.04.2026
Memo No. 1532 Date: 10.04.2026
No. 1610/Sairat Date: 23.04.2026
No. 1687/Sairat Date: 29.04.2026
ROSPCB Letter No. 1752/CTO-1160/2016 Date: 30.04.2026

Sir,

In inviting a reference to the letter cited above, It is to state that the matter has been examined with due diligence.

As per the drone survey conducted on dated 06.04.2026, It is found that a total quantity of 6944.8Cum of sand has been extracted from the lease area with an average thickness of 1.1 meter.

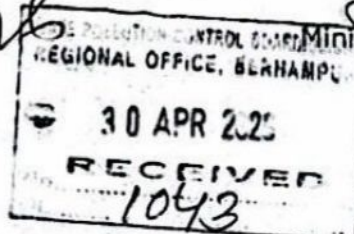
Further, as per the joint inquiry conducted on dated 07.04.2026, it is observed that no excess excavation has been carried out within the lease area. On verification, It is confirmed that there is no over-extraction of sand and no violation of Environmental Clearance (EC) conditions has been noticed. The mining activity has been confined strictly within the approved lease area.

This is for your kind information and necessary action for grant of Consent to operate in favour of Sri Kiran Kumar Panda for operation of the Kharida Sand Bed under Hinjlicut Tahasil.

Yours faithfully,

Mining Officer, Ganjam

ARB
Dushu
30/04/2026



Memo No. 1712Dt. 30/04/26

Copy submitted to the Deputy Director of Mines, Ganjam Circle, Berhampur for information.


30/4/26
Mining Officer, Ganjam

Memo No. 1713Dt. 30/04/26

Copy submitted to Sri Kiran Kumar Panda, lessee of Kharida Sand Bed under Hinjilicut Tahasil for Information and necessary action.


30/4/26
Mining Officer, Ganjam

ANNEXURE-R7/9



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

REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA

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

CONSENT ORDER

No. 1772 / CTO-1160/2016

By Regd. Post

Date 02/05/2026

CONSENT ORDER NO. 1775 /2026-27

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

Ref: Your online Consent to Operate application ID No: 7764954

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

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

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

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

This consent order is valid for the period up to 31.03.2027 or validity of EC or validity of DSR, whichever is earlier.

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

A. Details of Minerals:

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

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

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



CONSENT ORDER

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

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

D. Disposal of solid waste permitted in the following manner

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

E. GENERAL CONDITIONS FOR ALL UNITS

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



CONSENT ORDER

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



CONSENT ORDER

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

F. SPECIAL CONDITIONS

A. GENERAL

1. This Consent to Operate order is subject to final order/outcome of the case pending before The Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata vide original Application No.54/2026/EZ -Rajani Kanta Padhy Vs State of Odisha & Ors. The lessee shall abide by the final order/outcome in the aforesaid matter.
2. The mine shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA) vide EC identification No. EC24B001OR111384 dtd. 13.12.2024.
3. As per MoEF & CC, Office Memorandum dtd. 14.01.2025, the project proponent shall append the Environmental Safeguards (as stipulated by this Office letter no. 199 dtd.16.01.2025) in the Environmental Clearance issue by the SEIAA, Odisha.



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



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- ii. Limiting time of exposure of workers to excessive noise.
- iii. The workers employed shall be provided with protection equipment and earmuffs etc.
- iv. Speed of trucks entering or leaving the mine is to be limit to moderate speed of 25 km/h to prevent undue noise from empty trucks

B. WATER POLLUTION:

1. The mining shall not affect the existing sources of irrigation or drinking water.
2. Surface runoff shall be allowed to flow through garland drains and the accumulated water in the garland drains shall be passed through settling ponds to allow the silt to be settled before final discharge to surrounding environment.
3. Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river.
4. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

C. AIR POLLUTION:

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

D. SOLID & HAZARDOUS WASTE:

1. Topsoil, if any shall be stacked properly with proper slope with adequate measures and should be used for plantation purposes.
2. The OB, if any shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems
3. Mineral rejects, if any shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.
4. Waste, oils, used oils generated from the EM machines, mining operations, if any shall be disposed as per the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.
5. The unit shall abide by the provisions of Plastic Waste Management Rules, 2016 and amended thereafter. The unit shall also abide by the notification published



CONSENT ORDER

by Ministry of Environment, Forest & Climate Change vide no. G.S.R.571 (E) dated 12th August 2021 which prohibits manufacture, import, stocking, distribution, sale and use of identified single use plastic (SUP) items with effect from 1st July 2022.

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

To,

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


 02/05/2026
 Regional Officer
 State Pollution control Board, Odisha
 Berhampur

Memo No. 1773 / Dt. 02/05/2026

Copy forwarded to:

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


 02/05/2026
 Regional Officer
 State Pollution control Board, Odisha
 Berhampur



CONSENT ORDER

ANNEXURE – I

EFFLUENT QUALITY STANDARDS

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



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18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Se) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Ni) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride (as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C6H5OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curie/ml. b. Beta emitter micro curie/ml.	10 ⁻⁷ 10 ⁻⁶	10 ⁻⁷ 10 ⁻⁶	10 ⁻⁸ 10 ⁻⁷	10 ⁻⁷ 10 ⁻⁶
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l



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ANNEXURE - II

NATIONAL AMBIENT AIR QUALITY STANDARDS

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

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

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