

- 1 -
BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

(Original Application No.40/2022/EZ)

In the matter of:

Radha Mohan Singh

...Applicant

Versus

State of Odisha and others

...Respondents

INDEX

SL. No.	Particular	Annexure	Page No.
1.	Affidavit		3-8
2.	Verification		8
3.	Copy of the lease deed and work order dated 01/07/17	A	9-19
4.	The Photocopy of the letter dated 8/04/21 and 24/11/21	B	20-21
5.	The Photocopy of the letter dated 2/02/22	C	22-23
6.	The Photocopy of the letter dated 17/03/22	D	24
7.	The Photocopy of the Letter dated 22/03/22	E	25

8.	The Photocopy of Copy of letter dated 30/04/22	F	26

Ms. Paushali Banerjee
Advocate
NPS Chambers, Ground Floor
7A, K. S. Roy Road, Kolkata - 700001

S.I. No. 40/22

-3-

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

(Original Application No.40/2022/EZ)

In the matter of:

Radha Mohan Singh

...Applicant

Versus

State of Odisha and others

...Respondents

Affidavit -in-reply on behalf of the Respondent no.16.

I, KripaSindhu Singh , son of Son of late Shyam Suindar Singh, aged about -
77 years, by religion Hindu, by occupation-business, residing at P.S.
Baripada, District – Mayurbhanja, Odisha, do hereby solemnly affirm and
say as follows: -

1. I am appended as respondent no. 16, in the Original application affirmed by one Radha Mohan Singh on 25/03/22, I have read the copy of the Original application (hereinafter referred to as the said application)

11.11.2022

know the facts and circumstances of the case. I am competent to affirm this affidavit on its behalf.

2. Before dealing with the said application I say that I was granted by the competent authority of Odisha Government a lease for Sand quarry for 5.54 hectars, in plot no 253, Khata no 175, village- Mahupura, for a period of five years from 23/06/17 for a period of five years. A workorder was granted on 1/07/17 by the Tahasildar dated for five years. was granted Copy of the lease deed along with work order is annexed herewith and marked as annexure A.
3. I say that Environmental Clearance dated 04/02/17 which is annexed with the Original Application clearly states that the Environmental Clearance will subsists the entire period of lease.
4. I say that the validity of Environmental Clearance is therefore for five years till 22/06/22, the Original Application was affirmed on 25/03/22, when the Environmental Clearance was valid.
5. I say that the Consent to Operate was granted on 15/05/17 and was valid till 31/03/21, upon and before the expiry of the Consent order, I made several applications before the Tehsildar requesting the Tehsildar on 8/04/21 and 24/11/21 stating that I am not undertaking any kind of sand mining in the said sand mine leased to me by the State authorities, requesting the authorities to cancel

the lease agreement granted to me. Copies of the letter dated 8/04/21 and 24/11/21 are annexed herewith and marked as Annexure B.

6. I say that the authorities sat tight on the letters inspite of several requests of cancellation of the lease agreement.
7. I say that on 2/02/22 I informed the Tahasildar that even though I have stopped operating some miscreants are lifting sand from the leased sand quarry granted to me. This illegal lifting of sand is happening at night time, the sand bed (Mahapura) is located 60 kilometers away from my house and it is next to impossible to keep a close vigil at the place where I am no more quarrying . Copy of the letter dated 2/02/22 is annexed herewith and marked as annexure C.
8. I say that instead of canceling my lease agreement and inspite of the information that I have stopped mining sand, I received a letter dated 17/03/22 asking me to stop operation of the sand mine. It is pertinent to mention here that similar letters are received by other sand miners and the authority without application of mind served me the letter dated 17/03/22. Copy of the letter dated 17/03/22 is annexed herewith and marked as Annexure D
9. I say that on 2/03/22 the Tahalisdar requested the State Board to issue consent order to Mahapura Sand Block as the EC was still

subsisting. Copy of the Letter dated 22/03/22 is annexed herewith and marked as annexure E.

10. I say that on 30/04/22 I received a letter from the State Board stating that my application for consent to operate for by the Mahupura sand bed cannot be considered as OA 40/2022/EZ is pending before this Hon'ble Tribunal. Copy of letter dated 30/04/22 is annexed herewith and marked as Annexure F.
11. I say that as my agreement was not cancelled and request was not heeded by the authority and being a bonafide sand miner I applied for necessary consent under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 on 19/04/22 with all necessary papers and documents along with the fees prescribed for obtaining the same. But the State board did not consider my application as the Original Application is pending in this Hon'ble Tribunal.
12. I say that I started my mining activity in the said sand plot in compliance to the condition prescribed under Environmental Clearance granted in my favour and in strict adherence to the condition set forth in sustainable Sand Mining Managing Management Guideline, 2016.

13. Now dealing with the Original Application I say with reference to paragraph Nos. 1, 2, 3, 4, 5, 6, 7, and 8, of the said Application, save and expect what will appear in the record I deny and dispute each and every allegation made in the said paragraph. I say that I have not mined in excess of the permissible limit. I say that I have been leased and allotted the area for mining by the State authorities inconsonance with the sand mining guidelines therefore the area is well within the restrictions and is not near bank stream within 1/5th width of stream bed. I have planted more than 250 plants in accordance with the conditions of EC.

14. I say that with regard to paragraphs 9,10,11,12,13,14,15,16,17,18,19,20 to 48 of the said Application, save and expect what will appear in the record I deny and dispute each and every allegation made in the said paragraph. At the cost of repetition I say that I have mined in accordance with the sand mining guidelines 2016. I have stopped mining operation as and when my CTO expired and thereafter wrote several letters to cancel my lease agreement for the sand Block. Illegal mining was done during that period and it was not done by me, I have rather reported the illegal mining to the Tehesildar but no steps were taken by the authority. I again say that according to Section 25(7) of the Water (Prevention and Control of Pollution) Act, 1974 I had deemed consent. I say that I have not used Mechanical Machines or suction pumps, nor mined beyond 1 m depth or obstructed river. I have not violated the EC conditions or the Consent Conditions.

15. I say that the pictures annexed by the applicant with the Original Application are mostly of mouza-Dariha and not of mouza-mahupura, where the sand quarry of respondent no.16 is located.

16. I say that no case has been made out in the said Application and therefore the relief as prayed in the said Application may be denied.

17. That the statements made in paragraphs 1,2,3,4,5,6,7,8,9,10,11, ~~12, 13, 14 and 15~~ are true to my knowledge, and those made in paragraph ~~12, 13, 14~~ ^{12, 13, 14 & 15} are my humble submissions before this Hon'ble Tribunal.

Verification

I, Krupasindhu Singh, Son of late Shyam Suindar Singh, aged about -77 years, by faith – Hindu, by Occupation – Business , residing at PO & P.S.- Baripada, District- Mayurbhanja, Odhisa- do hereby verify that the statements made in paragraphs No. 1 to ~~10~~ are true to my information as derived from the records of the case and the contents of the paragraph Nos. ~~7, 13, 14 & 15~~ ^{12, 13, 14 & 15} are my humble submission before this Hon'ble Tribunal and I have signed this verification on this 11th day of July, 2022 at my residence.

Solely Affirmed and
Declared before me U/S 139
CPC, (C) CRPC

Sumitra Bhattacharyya
Notary

Krupasindhu Singh
(Signature of the deponent)

GOVERNMENT OF WEST BENGAL
NOTARY PUBLIC
SUMITRA BHATTACHARYYA
Regd. No. 065 of 2022
City Civil Court, Calcutta
Expiry date of Notary
No. 14 of 2022
Prepared in my office
Identified by

Sumitra Bhattacharyya
Notary, Dist. of W.B.
Regd. No. 065 of 2022
City Civil Court, Calcutta

Pankaj Singh
Advocate
Schroter

11 JUL 2022

- 9 -

GOVT. OF ODISHA

DSR MAYURBHANJ

BARIPADA

LICENSE NO. MB/PRAD/

HTH



INDIA

'A'

17/06/17

FF0000

NON MEDICAL

0193404

35518

2022-2023

Accepted
22.6.17

1261701497
1261701468

Rs. 77362.00
Life 2001.00
77562.00

Rol 23.6.17
D.S.R. & Proper Officer
(Stamp), Baripada

18,61,600
16,000
2,02,122
8,46,920
4,28,450
33,68,072
SD 3,00,000
30,68,072

Krupasindhu Singh
22/6/17



Krupasindhu Singh

FORM-N

Form of quarry lease

[See Rule 27(13)]

Agreement

THIS INDENTURE made this 23rd day of JUNE 2017.

Between

The GOVERNOR OF ODISHA Represented through Smt. Urmi Prava Maharana, OAS(I) JB Tahasildar, Badasahi, the competent Authority (hereinafter called the "Lessor") of the one part.

AND-

Sri Krupasindhu Singh age about 77 year S/O. Late Shyama Sundar Singh, At: Ward No-07 Madhuban, Baripada, P.O/P.S. - Baripada town, Dist -Mayurbhanj and by caste- Khandayat occupation Legal, Aadhar No.854777027319, Mob No. 9853544441 (hereinafter called the "lessee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, assignees) of the other part.

WHEREASE the lessee has applied to the competent authority concerned for a quarry lease for Sand (Minor mineral) in accordance with the provisions of the Odisha Minor minerals Concession Rules, 2016 in respect of the lands described in PART-I of the schedule and has deposited a sum of Rs 5,00,000 (Rupees Five Lakhs) only towards E.M.D converted to security & deposited in the Postal Savings Account duly

Rol 22/6/17
TAHASILDAR
RADASAH, MAYURBHANJ

Jamini Kanta Baidya
S/O - Hara Krishna Baidya
At: 23.6.17
Apex Kumar - Jera 22.6.17

Subject to Krupasindhu Singh Print Endorsement No. 7 Madhuban
 Sl. No - 2542 dt. 23.06.2017 P. 193404/- F.No. 25426

- 10 -

23/6/2017

Krupasindhu Singh

Endorsement of the certificate of admissibility

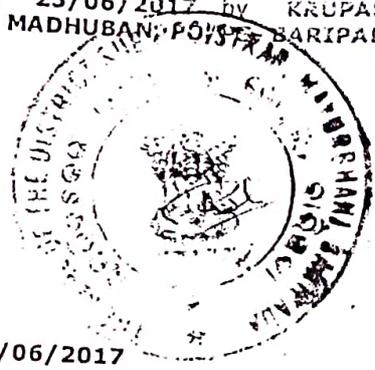
Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment act 1 of 2008) Act 1899, Schedule 1-A No. 35@ Fees Paid : A5(b)-77362 ,, User Charges-200 ,Total 77562

Date: 23/06/2017

Signature of Registering officer
 Registering Officer,
 Baripada

Endorsement under section 52

Presented for registration in the office of the Sub-Registrar District Sub-Registrar MAYURBHANJ between the hours of 10:30 AM and 2:30 PM on the 23/06/2017 by KRUPASINDHU SINGH, son/wife of LATE SHYAMA SUNDAR SINGH, of AT- W.NO-7, MADHUBAN, PO/ST BARIPADA, by caste General, profession Cultivation and finger prints affixed.



Krupasindhu Singh

Signature of Presenter / Date: 23/06/2017

Signature of Registering officer.
 Registering Officer,
 Baripada

Endorsement under section 58

Execution is admitted by :

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
THE GOVERNOR OF ODISHA REPRESENTED THROUGH TAHASILDAR SMT URMI PRAVA MAHARANA OAS I(GOVT)	Execution By THE GOVERNOR OF ODISHA REPRESENTED THROUGH TAHASILDAR SMT URMI PRAVA MAHARANA OAS I(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By THE GOVERNOR OF ODISHA REPRESENTED THROUGH TAHASILDAR SMT URMI PRAVA MAHARANA OAS I(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By THE GOVERNOR OF ODISHA REPRESENTED THROUGH TAHASILDAR SMT URMI PRAVA MAHARANA OAS I(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer	—
KRUPASINDHU SINGH		 240978542	Krupasindhu Singh	23-Jun-2017

pledged in favor of the Competent Authority And Royalty of 16,35,900/- (Rupees Sixteen Lakhs Thirty Five Thousand and Nine hundred) Only.

AND WHEREAS the Competent authority has communicated his approval to the grant of lease on the terms, covenants and conditions hereinafter contained.

NOW THIS INDENTURE witnesseth (witness) as follows:

The lessor hereby demises to the lessee the land described in PART-I of the schedule hereunder written and delineated in the map hereunto annexed.

The said demised pieces of land shall be held by the lessee for a term of 05 (five) years from the date on which this executed deed is registered under Indian Registration Act and Odisha Registration Manual from dated. 10/6/2017 subject to the terms, covenants, conditions hereinafter provided.

IN WITNESS WHEREOF these presents have been executed in manner here under appearing the day and year first above written.

The schedule above referred to

PART - I

Location and area of the lease

Village: Mahupura, P.S.-No 170

Village	Khata no	Plot No	Kissam	Area
Mahupura	175	253	Nadi	(Ac. 13.72 Dc)
				Ac 13.72 or 5.554 hectares

Village/Forest Block : Mahupura

Tahasil/Forest Range : Badasahi

Area (in hectares): 5.554 Hec

As per Plan annexed and bounded on the

On the North by Mouza-Sarbeswarpur

On the South by Plot No-768

On the East by Balanga River

And on the West by Plot No - 375

hereinafter called as "said lands"

The occurrence of lease area proposed has been demarcated / identified on the lease / geological plan (Plate No., II, IV)

PART-II

Term and conditions of the lease

The lease is subject to the condition laid down in Rule 33 and also all other conditions pertaining to lease as provided in the Rules. vide O.M.M.C Rules, 2016 (E.C. Authority) under the provisions of EIA Notification, 2006 & 2009 with subsequent amendments there to up to the end of lease period.

Public Information Office
Tahsil Office, Badasahi

Krupasri Singh
22/6/17

TAHASILDAR
22/6/17

Jyoti Kantar Biswal
22.6.17

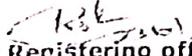
Abhis Kumar Jana Tahsil Badasahi, MAYURBHANJ

- 12 -

Identified by **JAMINI KANTA BISWAL** Son/Wife of **HARE KRUSHNA BISWAL** of **ADVOCATE BARIPADA** by profession **Others**

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
JAMINI KANTA BISWAL		----- 40504790	Jamini Kanta Biswal	23-Jun-2017

Date: 23/06/2017


Signature of Registering officer
Registering Officer,
Baripada

Endorsement of certificate of registration under section 60

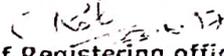
Registered and true copy filed in : Office of the District Sub-Registrar, MAYURBHANJ

Book Number : 1 || Volume Number : 31

Document Number : 11261701467

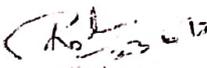
For the year : 2017

Seal :


Signature of Registering officer
Registering Officer,
Baripada

Date: 23/06/2017




Registering Officer
Baripada

PART-III

Liberties, powers and privileges to be exercised and enjoyed by the lessee

1. To enter upon and use the land described in Part-I of the Schedule during the term hereby demised to carry on all operations necessary for extraction, collection, stacking, processing, transport and disposal of minor mineral/minerals leased in natural or in processed/converted form.
2. To make roads, tram ways, install machineries, lay electric and telephone line, on and over the said land.
3. To use water from streams, watercourses and springs in and upon the said lands in natural state or by means of impounding with the written permission of the collector of the district

PART-IV

Restrictions and conditions as to the exercise of liberties, powers, and privileges in

Part-II

1. No land shall be used for surface operations if objection is raised by the Competent Authority or the Collector of the district to the effect that use of the land will be detrimental to public interest.
2. The Lessee shall not cut or injure any tree in the leased area falling within Reserved / Protected forest without prior permission of the Divisional Forest Officer or the officer Authorized by him in this behalf and upon payment of royalty and fees for compensatory afforestation as may be specified.
3. The lessee shall undertake mining operation only in accordance with approved mining plan or scheme of mining, as the case may be.
4. The lessee shall not transport or store or cause to be transported or stored any specified minor mineral for the purpose of selling or trading otherwise than in accordance with these rules and as may be specified under Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, storage, Trading and Transportation) Rules, 2007.

Additional Condition

1. The lessee shall abide by the restriction imposed by the Executive Engineer Irrigation Division.
The boundary of quarry shall be demarcated by fixing pillar at a regular interval to maintain
Transparency in each financial year. The display board showing the details of 5 years plan should be fixed at site to avoid any confusion to the public..

Kamleshwar Singh
22/6/17


22/6/17
TAHASILDAR
BADASAHI, MAYURBHANJ

Jay Kumar Jena
22.6.17
22/6/17

~14-

2. The lessee shall abide by the terms and conditions imposed by SEIAA while granting in environment clearance
3. The lessee shall abide by the term and conditions imposed by Mining officer Baripada while approving the mining plan .
4. The Lessee will prepare Mining plan, environment clearance for the remaining period after validity of Mining plan and environment clearance up to 31/03/2021 is over.

PART-V

Liberties, powers and privileges reserved to the State Government

The State government or any officer, or persons authorized by it in that behalf has the liberty and power to enter into and upon the leased area to carry on any operation in connection with survey, sampling, testing, quarrying, processing, stacking and transportation of mineral as may be deemed necessary.

PART-VI

Provision regarding Rents and Royalties

1. The lessee shall, during the subsistence of this lease pay to Government royalty in respect of the minor mineral removed by him from the leased area at the rates prescribed in Schedule II and surface rent at the rate prescribed in Schedule-I or at the rate quoted by him i.e. Rs 779/-per cum.
2. All Payments relating to rent, royalties, fees etc. as provided under these rules shall be paid to the State Government free from all deductions at the District Treasury /Sub-Treasury and in such manner as the Competent Authority may prescribe..
3. For the purpose of computing the royalty, the lessee shall keep correct account of the mineral produced, stacked and removed from the lease area and submit a return to the competent authority and Director in FORM - 'K' and Form 'P'.
4. The lessee shall pay royalty in advance and the differential amount, if any on computation shall be paid by the end of the first fortnight of each half-yearly period during the subsistence of the lease.
5. The lessee shall pay surface rent in advance and not later than 15th January and 15th July of each year.

As per the Mining Plan mentioned in col.10(g) the year wise production quantity of sand and the rent & Royalties is given below:

[Signature]
PUBLIC INFORMATION OFFICE
Subsidiary Office, Badassahi

Krupasimukhu Singh
22/6/17

Janini Kunder
22-6-17
TAHASILDAR
BADASSHI, MAYURBHANJ
BAJAPASANI, MAYURBHANJ

	Sand bed volume (Cum)	Royalty Amount @ R.s.779/- per cum.	Surface Rent Amount @R.s 360/-per hec (Area 5.554 hec.)	Dead Rent Amount @ R.s. 10500/- per hec. (Area 5.554 hec.)	Income Tax(TCS) @ 2%of Total Amount	District Mineral Foundation (DMF) @10% of Royalty amount	Environment Management Fund @ 5% Royalty Amount	Total Amount in R.S
1 st Year 2017-18	2100	16,35,900	2000	58,317	38,833	1,63,590	81,795	19,80,435
2 nd Year 2018-19	2200	17,13,800	2000	58,317	40,624	1,71,380	85,690	20,71,811
3 rd Year 2019-20	2300	17,91,700	2000	58,317	42,416	1,79,170	89,585	21,63,188
4 th Year 2020-21	2400	18,69,600	2000	58,317	44,208	1,86,960	93,480	22,54,565
5 th Year 2021-22	2000 approx	15,58,000	2000	58,317	37,041	1,55,800	77,900	18,89,058
Total	11,000	85,69,000	10,000	2,91,585	2,03,122	8,56,900	4,28,450	1,03,59,057

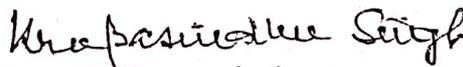
As per the Mining Plan, the reassessment on reserve of sand bed shall be taken up after the rainy season. In view of this it is decided to take up re-assessment of said reserve after the rainy season. The Govt. royalty assessed and re assessed approved by the authorized officer, the SR,DR and other fees will be paid year to year from time to time within stipulate period.

Signed by.....

TAHASILDAR
BADASAH, MAYURBHANJ

For and on behalf of Govt. of odisha, in presence of

1. Sandhya Smita Behera, Junior clerk
2. Sushanta K. Behera, Senior clerk


 Signed by Lessee in the presence of 22/6/17

1. Jamini Kanta Biswal Adv. B.P.A.
 S/o - Hare Krishna Biswal
 of Vill/PO - Sansha Ps - Belnoti
 Dist - Mayurbhanj 22.6.17
2. Ajay Kumar Jena

S/o Lt. Pradyuman Jena
 At - Madhuban
 W. No. 7
 Po - Baripada,
 Dist - Mayurbhanj

Public Information Officer
 Tahasildar Office, Badasa

TAHASILDAR
 BADASAH, MAYURBHANJ

Attd by no
 22/6/17



(Bl)
22618
Registering Officer
Baripada

Book No. 1 Vol No.
ID No. 1261701497
Document No. 1261701467
For the year 20. 17

(Bl)
23618
Registering Officer
Mayurbhanj Baripada

Registered Lease with Advance only (Immovable) Deed

Document : LEASE WITH ADVANCE ONLY (IMMOVABLE) Volume Number : 31
 Execution : 23/06/2017 Place of Execution : MAYURBHANJ
 Number : 11261701467 Registration Date : 23/06/2017

FIRST PARTY DETAILS

Name	Photo	Thumb Impression	Signature
THE GOVERNER OF ODISHA REPRESENTED THROUGH TAHASILDAR SMT URMI PRAVA MAHARANA OAS I (GOVT)	—	—	—

SECOND PARTY DETAILS

Name	Photo	Thumb Impression	Signature
KRUPASINDHU SINGH			

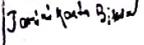
PROPERTY DETAILS

Sl.No.	District	Village/Thana	Khata	Plot	Property Area	Kisam	Market Value	Sabak Khata No.	Sabak Plot No.
1	MAYURBHANJ	MAHUPURA-170	175	253	13.72 Acre	NADI	0	Not Available	Not Available

Property Transaction Details

East	West	North	South
NA	NA	NA	NA

IDENTIFIER DETAILS

Name	Father's / Husband's Name	Identifier Address	Profession
JAMINI KANTA BISWAL	HARE KRUSHNA BISWAL	ADVOCATE BARIPADA	Others
Name	Photo	Thumb Impression	Signature
JAMINI KANTA BISWAL		—	

REMARK DETAILS

Remark



- 18 -

Mail Id- Tah.bars-od@nic.in

OFFICE OF THE TAHASILDAR, BADASAH

WORKORDER

No. 3594 // Date 01.07.17

Whereas, in pursuance of the provision contained in the O.M.M.C. Rules, 2016, permission is hereby granted the quarry lease for extraction and removal of the Minor Minerals (sand) as per of schedule -IV 2a (i) envisaged to said Rules on the land scheduled below in respect of sairat source, Balanga river sand Bed, Mahupura.

Whereas, Sri Krupasindhu Singh, S/O- Late Shyam Sundar Singh, Ward No.7 At/PO-- Madhuban, PS- Baripada, Dist- Mayurbhanj has executed Registered lease Agreement bearing No..... on Date-23.06.2017 and he is hereby allowed to operate the quarry for a period of 5 (Five) years accordingly i.e. from the date of execution of lease deed. The Lessee shall operate the quarry within the area identified by the R.I. Kuradiha/ R.S. Badasahi followed with the terms and conditions vide the lease agreement as executed.

LAND SCHEDULE

Name of the village-Mahupura

P.S. No-170

Khata No.	Plot No.	Area(in Ha.)	Kisam
175	253	5.554 Ha	Nadi


Tahasildar Badasahi
TAHASILDAR
BADASAH, MAYURBHANJ

Memo No. 3595 /Dt 01.07.17 //

Copy to person concerned for information and necessary action. He is directed to submit the return in Form-K and FORM-P quarterly and annually without fail as per Rule-29(14) of OMMC Rules.

Copy to R.S., Badasahi/R.I., Kuradiha for information. They are directed to demarcate the lease area in presence of the Lessee for specific identification of the operational area and submit badar and tracemap accordingly.

Copy submitted to the Divisional Forest Officer, Baripada /Mining Officer, Baripada for information.

Copy submitted to the Additional District Magistrate, Mayurbhanj/ Sub-Collector, Baripada for favour of kind information.


Public Information Officer
Tahasildar Office, Badasahi


Tahasildar Badasahi
TAHASILDAR
BADASAH, MAYURBHANJ

ok received.



-19-

'A'

Mail Id: Tah,bars.od@nic.in

OFFICE OF THE TAHASILDAR, BADASAH

WORK ORDER

No. 3594 // Date 01.07.17

Whereas, In pursuance of the provision contained in the O.M.M.C. Rules, 2016, permission is hereby granted the quarry lease for extraction and removal of the Minor Minerals (sand) as per of schedule -IV 2a (i) envisaged to said Rules on the land scheduled below in respect of salcat source, Balanga river sand Bed, Mahupura.

Whereas, Sri Krupasindhu Singh, S/O- Late Shyam Sundar Singh, Ward No.7, At/PO- Madhuban, PS- Baripada, Dist- Mayurbhanj has executed Registered lease Agreement bearing No..... on Date-23.06.2017 and he is hereby allowed to operate the quarry for a period of 5 (Five) years accordingly i.e. from the date of execution of lease deed. The Lessee shall operate the quarry within the area identified by the R.I. Kuradiha/ R.S. Badasahi followed with the terms and conditions vide the lease agreement as executed.

LAND SCHEDULE

Name of the village-Mahupura P.S. No-170

Khata No.	Plot No.	Area (in Ha.)	Kisam
175	253	5.554 Ha	Nadi

[Signature]
13/10

Tahasildar Badasahi
TAHASILDAR
BADASAH, MAYURBHANJ

Memo No. 3595 // Dt 01.07.17 //

Copy to person concerned for information and necessary action. He is directed to submit the return in Form-K and FORM-P quarterly and annually without fail as per Rule-29(14) of OMMC Rules.

Copy to R.S., Badasahi/R.I. Kuradiha for information. They are directed to demarcate the lease area in presence of the Lessee for specific identification of the operational area and submit badar and tracemap accordingly.

Copy submitted to the Divisional Forest Officer, Baripada /Mining Officer, Baripada for information.

Copy submitted to the Additional District Magistrate, Mayurbhanj/ Sub-Collector, Baripada for favour of kind information.

Public Information Officer
Tahasildar Badasahi

[Signature]
13/10
TAHASILDAR
BADASAH, MAYURBHANJ

[Handwritten mark]

To

The Tahasildar, Badsahi, Mayurbhanj

Sub:- (Cancellation of Agreement for the period from 01.04.2021)

Respected Sir/Madam

In respect of the caption subject, I Sri Krupasindhu Singh, resident of Madhuban, P.O/P.s-Baripada, Dist- Mayurbhanj hereby submit that I was a lease holder of Mahupura Sand bed for the period of 2016 to 2021 being a highest bidder in auction process. The agreement for operation of Mahupura sand bed was executed on 22.06.2017 in my favour for a period of five years. As per the financial session computing the period from the year of auction, the five years lease period is completed by the end of 31st March 2021 but as the agreement executed on 20.06.2017, the extended period shall be ended on 21st June 2022 or 31st March 2022. Accordingly, I have operated the sand Mahupura bed till 31st March 2021. From 1st April 2021, I have not operated the sand bed in any manner as the auction sand is far away from my permanent residence and I am aged about 84 years and have gone through the surgery of my heart so my body and circumstance does not permit me for operating the sand Bed further period i.e from 1st April 2021 even though the environment clearance has been already been obtained by your authority concerned. So the extended period as per the agreement is liable to be cancelled and I have also not deposited the required money for such period. The Sand bed is out of my operation since 1st April 2021.

Under the above circumstance it is humbly prayed for greater interest of state, the Agreement for the remaining period from 1st April 2021 be cancelled considering the above mention hurdles on my part for which I shall ever grateful to you and obliged

Yours faithfully

Received
[Signature]
6/4/21

[Signature]
Krupasindhu Singh

Dt.08.04.2021

'B'

To

- 21 -

The Tahasildar, Badsahi, Mayurbhanj

Sub:- (Illegally theft of minor mineral by miscreants, local villagers & some unknown persons)

Respected Sir/Madam

In respect of the caption subject, I Sri Krupasindhu Singh, resident of Madhuban, P.o/P.s-Baripada, Dist- Mayurbhanj hereby submit that I was a lease holder of Mahupura Sand bed for the period of 2016 to 2021 being a highest bidder in auction process. The agreement for operation of Mahupura sand bed was executed on 22.06.2017 in my favour for a period of five years. As per the financial session computing the period from the year of auction, the five years lease period is completed by the end of 31st March 2021 but as the agreement executed on 20.06.2017, the extended period shall be ended on 21st June 2022 or 31st March 2022. Accordingly, I have operated the sand Mahupura bed till 31st march 2021. From 1st April 2021, I was unable to operate the sand bed in any manner as the auction sand is far very away from my permanent residence and I am aged about 84 years and have gone through the surgery of my heart so my body and circumstance does not permit me for operating the sand Bed further period i.e from 1st Arpil 2021 onward. From reliable sources it came my knowledge, that some miscreants, local villager and unknown persons are indulged themselves to lift illegally the sand from the Mahupura sand bed without my knowledge which is amounted to theft. Prior that I have already intimated to your authority by a written letter dt Dt.08.04.2021 for cancellation of the agreement due to my ill health and other reasons but as yet not step has been taken by your authority for cancellation of agreement. As such I have no responsibility if any miscreants, local villagers or unknown persons illegally lift the sand from the Mahupura sand bed. It is intimated to make necessary enquiry regarding theft of sand from the Mahupura sand bed without my knowledge. And necessary action as per law may kindly taken against them who are indulged in theft of minor mineral from the Mahupura Sand bed.

Under the above circumstance it is humbly prayed for greater interest of state, necessary enquiry may kindly be conducted for theft of sand from the Mahupura Sand bed and legal action be taken against them, considering the above mention hurdles on my part for which I shall ever grateful to you and obliged

Received
CP
24/11/21

Yours faithfully

Krupasindhu Singh

Krupasindhu Singh

Dt.24th day of November 2021

'C'

- 22 -

To

The Tahasildar, Badsahi, Mayurbhanj

Sub:- (Illegally theft of minor mineral by miscreants, local villagers & some unknown persons so request to cancel the agreement dt.22.06.2017)

Respected Sir/Madam

In respect of the caption subject, I Sri Krupasindhu Singh, resident of Madhuban, P.o/P.s- Baripada, Dist- Mayurbhanj hereby submit that I was a lease holder of Mahupura Sand bed for the period of 2016 to 2021 being a highest bidder in auction process. The agreement for operation of Mahupura sand bed was executed on 22.06.2017 in my favour for a period of five years. As per the financial session computing the period from the year of auction, the five years lease period is completed by the end of 31st March 2021 but as the agreement executed on 20.06.2017, the extended period shall be ended on 21st June 2022 or 31st March 2022. Accordingly, a request letter dt.08.04.2021 has been given to your authority for cancellation of agreement dt.22.06.2017 but your authority has directed me to deposit the calculated money as per the revised mining Plan worth of Rs.23,45,941/- .Accordingly on dt.12.04.2021 aforesaid amount was deposited. After deposit, your authority has issued Transit permit Book bearing No.15412 on dt.12.04.2021, 15417 dt.24.05.2021, 15431 dt.16.11.2021, 15433 dt.06.12.2021 and 15436 dt.06.01.2022

That after 5 P.M of the day, the lifting of sand is closed by the lease holder on each day during the lease period but I came to know at night hour some miscreants, local villager and unknown persons are indulged them to lift illegally the sand from the Mahupura sand bed without my knowledge which is amounted to theft. Prior that I have already intimated to your authority by a written letter dt Dt.08.04.2021 for cancellation of the agreement due to my ill health and other reasons but as yet no step has been taken by your authority for cancellation of agreement. As such I have no responsibility if any miscreants, local villagers or unknown persons illegally lift the sand from the Mahupura sand bed during night hour. The Mahupura sand bed is located at a distance of 60 K.M from my resident and it was / is not possible on my part to look the sand bed at night hour and also due to surgery of heart, my body did not permit me to look after the sand bed. It is intimated to make necessary enquiry regarding theft of sand from the Mahupura sand bed without my knowledge. And necessary action as per law may kindly be taken against them who are indulged in theft of minor mineral from the Mahupura Sand bed at night hour.

Under the above circumstance it is humbly prayed for greater interest of state, necessary enquiry may kindly be conducted for theft of sand from the Mahupura Sand bed and legal action be taken against them, considering the above mention hurdles on my part for which I shall ever grateful to you and obliged

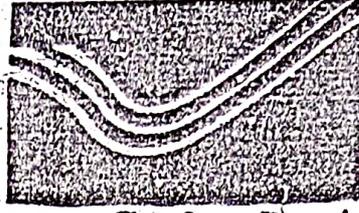
Yours faithfully

Krupasindhu Singh

Dt.2nd day of February 2022

Track on www.indiapost.gov.in

भारतीय डाक



India Post

RD556743657IN INR:8279556743657

RL BARIPADA STG COUNTER (757001)

Counter No:1, 02/02/2022, 17:43

To: THE TAHASILDA, BARASANI

PIN: 757026, Barasani S.O

From: KRUPASINDHU, RAJHUBAN # H 7

Weight: 10gms

Amnt: 25.00 (Cash)

Track on www.indiapost.gov.in

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'D'

-24-

OFFICE OF THE TAHASILDAR, BADASAH

No. 547 / Dt. 17.3.22

To

Sri Krupasindhu Singh S/o Late Shyamsundar Singh At- W.No. -7, Madhuban,
P.S. - Baripada, Lessee Mahupura sand bed.

It has come to the knowledge of under signed that the valid period for consent to
operate against Mahupura sand bed was Dt. 31.03.2021 which has already been expired.
Hence you are directed to stop operation of sand until submission of CTO and return the
T.P issued earlier in favour of your sand bed immediately. Deviation of this order will be
viewed seriously.


Tahasildar, Badasahi

Memo No. _____ / Dt. _____ /

Copy submitted to Deputy Collector, Touzi, Collectorate, Mayurbhanj for kind
information.


Tahasildar, Badasahi.

Memo No. _____ / Dt. _____ /

Copy to IIC Badasahi P.S for information and necessary action.


Tahasildar, Badasahi.

-25-



OFFICE OF THE TAHASILDAR, BADASAH

Email ID-tahasilda_badasahi@gmail.com

Letter No- 563

Date- 22/03/22

To

The Regional Officer, State Pollution Control Board,
Sahadevkhunta, Balasore.

Sub- Issue consent order for remaining period in favour of Dingira, Arapata and
Mahupura Sand Bed.

Sir,

With reference to the subject cited above, I am to intimate that, the consent order of the Dingira, Arapata and Mahupura Sand bed have been expired on 31.03.2021 due to extension one year lease period considering from date of execution of lease deed. In the meantime the Modified Mining plan for the extended period have already been prepared and EC is in voke for remaining period upto 11-06-2022, 23-04-2022, 21-06-2022 for Dingira, Arapata and Mahupura respectively

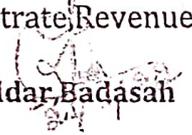
Therefore you are requested to issue consent order in favour of Dingiria, Arapata and Mahupura sand bed up to the above said time period for smooth operation of sand beds namely Dingira, Arapata and Mahupura.

Yours Faithfully,


Tahasildar, Badasahi

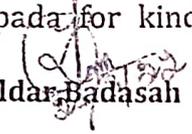
Memo No. 568 / Date. 22/3/22

Copy Submitted to the Sub-Collector Bariapada/Addl District Magistrate, Revenue for kind information and necessary action.


Tahasildar, Badasahi

Memo No. 569 / Date. 22/3/22

Copy Submitted to the District Mining Officer, Mayurbhanj, Bariapada for kind information and necessary action.


Tahasildar, Badasahi



- 26 -

1 F 1
Tel.: 06782-244100
Website: www.ospcbboard.org
e-mail: ospcb.balasure@ospcbboard.org

REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPT. OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No.1602, Ganeswarpur, Balasore - 756019

No. 835 / CTO/2840

Date 30/04/22

By Speed Post/E-Dospatch/E-mail

To

Sri Krupasindhu Singh, Lessee
M/s Balanga Sand Bed, Mahupura
At-Word No-7, Madhuban, Baripada
PO/P.S-Baripada, Dist-Mayurbhanj.

Sub: Grant of Consent to operate to M/s Balabga Sand Bed, Mahipura- reg.

Ref: Your online application dated.04.04.2022.

Sir,

With reference to the subject cited above, this is to inform you that, you have applied for consent to operate for your M/s Balanga Sand Bed, Mahupura, At-Mahupura, Tahasil- Badasahi, Dist- Mayurbhanj for grant of consent to operate for the period 2022-23. However in the mean time the matter is subjudice before the Hon'ble NGT, EZB, Kolkata, vide O.A.No-40/2022/EZ- Radha Mohan Singh vs State of Odisha & Other. In view of the above your application for grant of consent to operate is hereby not considered, till final order of the Hon'ble Tribunal. This is for your kind information and necessary action.

Yours faithfully,


30/04/22

REGIONAL OFFICER

Memo No _____ Date _____

Copy forwarded to the Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar, for kind information and necessary action.

REGIONAL OFFICER