

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION No. 03 of 2022**

Pushpakanta Nayak ... **Applicant.**

-Versus-

State of Odisha and Others ... **Respondents..**

**I N D E X**

<u>Sl. No.</u>	<u>Description of documents.</u>	<u>Pages</u>
1.	Counter Affidavit filed by Opp. Party No. 2	1-12
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3.	<b><u>Annexure-B/2</u></b> Copy of the relevant pages of Ming Plan of Pankapal-I	22-34
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5.	<b><u>Annexure-D/2</u></b> Copy of the field visit Memorandum dated 21.2.2022	-48-
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*[Handwritten signature]*

7. **Annexure-F/2**  
Copy of the Compliance  
Of allegations.

51-53

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CUTTACK

*Prasanna Kumar*  
DATE-21-03-2022 ADDL. GOVT. ADVOCATE



**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION No. 03 of 2022**

**In the matter of :**

Pushpakanta Nayak

**Applicant.**

**-Versus-**

State of Odisha and Others

**...Respondents.**

**COUNTER AFFIDAVIT FILED BY THE  
DISTRICT COLLECTOR, JAJPUR,  
RESPONDENT NO. 2,**

I, Chakravarti Singh Rathore, aged about 33 years, Son of Harisingh Rathore, at present working Collector of Jajpur district, Odisha, do hereby solemnly affirm and state as follows:

1. That I am working as the Collector, Jajpur, Odisha, Respondent No.2.
2. That I am competent to swear and affirm this affidavit. I have gone through the present original application and understood the contents thereof.
3. That the present original application as laid is not maintainable and is liable to be dismissed.
4. That the present original application is also devoid of merit and is therefore liable to be dismissed with compensatory costs.

*Chakravarti Singh Rathore*

*[Handwritten signature]*

5. That at the outset, I deny all the allegations, averments and contentions urged in the present original application individually and collectively, save and except to the extent specifically admitted by me here in below. Any allegations, averments and/or contentions not specifically admitted, though not traversed, shall be deemed to have denied.

6. That the present original application was filed by the Applicant in this Hon'ble Tribunal praying for a direction to the Tahasildar, Dangadi and District Collector Jajpur not to extend the mining lease in favor of private Respondent No.10 and further prayed for to assess the environment compensation and enquire into the illegalities of mining, accountability of Government respondents and to seize the excavators used for sand mining in Pankapal sand quarry.

7. That on 12.03.2015, the Tahasildar, Dangadi, Respondent No.3 issued an auction notice inviting applications from the interested bidders to participate in auction of Pankapal 1 and Pankapala 2 sand quarry as per Odisha Minor Mineral Concession (Amended) Rule, 2014. Respondent No.10 had submitted his bids in respect of both the sand quarry along with other bidders and after scrutiny of all the bids, it was found that the bid of Respondent No.10 was the highest bid in respect of both the sand quarry. Due to delay in obtaining the approval of mining plan and environmental clearance, the lease deed for Pankapala

Chakravart Singh Rathor

  
D.S.R.

1 was executed on 08.10.2015 and lease deed for Pankapala 2 was executed on 21.12.2016. As per the Revenue and Disaster Management Department, Government of Odisha letter no RDM-MMS-CLRFIC-0003-2020-15040/ R&DM dated 02 May 2020, it was clarified that the lease period should be attributed to 5 years from the date of execution of the lease deed as per Rule 27 and 43 (2) of Odisha Minor Mineral Concession (amended) Rules, 2014. Accordingly the lease period the sand quarry of Pankapat-2 was extended, whereas the lease period of Pankapal 1 was expired on 05.10.2020 and the source is not operational since 18.03.2020 due to water logging and Covid'19. The lease period of Pankapal-2 was expired on 21.12.2021 and is not operational since then. The Respondent No.10 had approved mining plan, environment certificate and consent to operate etc. till the expiry of both the lease. After expiry of lease period, the Respondent No.10 has not operating both the sand quarry i.e. Pankapal 1 and Pankapal 2.

Copy of the lease deed dated 19.8.2020, of Pankapal-2 Sand Quarry, Copy of the relevant pages of Mining Plan of Pankapal-I and Modified Mining Plan of Pankapal-2 are enclosed herewith and marked as Annexure-A/2 ,B/2 and C/2 respectively.

8. That pursuant to the order/directions dated 17.01.2022 of this Hon'ble Tribunal, on 21.02.2022, the Collector, Jajpur, Respondent No.2 has visited both

Chakravarti Singh Rathore

*[Handwritten signature]*

the sand quarry i.e. Pankapal 1 and Pankapal 2 around 11.00 A.M. along with Tahasildar, Dangadi, Respondent No.3. At the time of visit, this deponent found that the sand bed of Pankapal 1 quarry is water logged and the sand bed of Pankapal 2 quarry is not operational.

Copy of the field visit memorandum dated 21.02.2022. Factual details in respect of both the sand quarry and Compliance of allegations are enclosed here with and marked as **Annexures-D/2, E/2 and F/2** respectively.

9. That your deponent craves leave to deal with the averments/allegations made in the Original Application in seriatim :-

A. That the averments made in paragraph No.1 of the original application are disputed and denied. It is also disputed and denied that the Respondent N0.10 was operating both the sand quarry as on the date of filing of present original application in this Hon'ble Tribunal. It is humbly submitted that the lease period of Pankapal 1 was expired on 05.10.2020 and the source is not operational since 18.03.2020 due to water logging and Covid'19. The lease period of Pankapal-2 was expired on 21.12.2021 and is not operational since then.

B) That the averments made in paragraph No.2 of the original application are disputed and denied. The

Chokranvili Singh Rastogi

Dr  
01/02

Environmental clearance was issued in favor of the lessee Sri Hemanta Kumar Sahoo, Respondent No. 10. Lessee is responsible for compliance of terms and conditions of Environment clearance.

C) That the averments made in paragraphs No. 3 of the Original Application are disputed and denied. It is also disputed and denied that the lessee had extracted the sand with excavator.

D) That the averments made in paragraph No.4 of the original application are disputed and denied. As per the advertisement of Tahasil office letter dated 12.3.2015, Pankapala 1 and 2 were auctioned as per Odisha Minor Mineral Concession (amended) RULES 2014. However the lease deed for Pankapala 1 was executed on 08.10.2015 and lease deed for Pankapala 2 was executed on 21.12.2016. As per the Revenue and Disaster Management Department, Government of Odisha letter No. RDM-MMS-CLRFIC-0003-2020-15040/ R&DM dated 02 May 2020, it was clarified that the lease period should be attributed to 5 years from the date of execution of the lease deed as per the Rule 27 and 43 (2) of Odisha Minor Mineral Concession (amended) RULES 2014. Accordingly the lease period of Pankapala 2 was extended up to 21.12.2021. Hence there is no mining beyond the period of lease.

Chakraborty Singh Rathore

*[Handwritten signature]*  
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All other allegations and averments made in this paragraph are hereby disputed and denied.

E) That the averments made in paragraph No.5 of the original application are disputed and denied. No extension of lease period of any minor mineral source has been done violating odisha Minor Mineral Concession Rules 2016. It is also disputed and denied that the Tahasildar, Dangadi, Respondent No. 3 has attempted to extend the lease in question.

F) That the averments made in paragraph No.6 of the original application are disputed and denied .The details of the lease were displayed in the lease area.

G) That the averments made in paragraph No.7 of the original application are disputed and denied. The bridges is in safe distance from the lease hold area.

H) That the averments made in paragraph No.8 of the original application are disputed and denied .As now both the Sand beds are not operational, no transportation is being carried out on the embankment. Further it is submitted that no violation to embankment zone has been done during operation of both the Sand Quarries.

I) That the averments made in paragraph No.9 of the original application are disputed and denied The safe distance from embankment is maintained and no

*Chakravarti Singh Rathore*

*AS*  
*07/08*

violation to embankment zone has been done during operation.

All other allegations and averments made in this paragraph are hereby disputed and denied

J) That the averments made in paragraph No.10 of the original application are disputed and denied The claim is purely speculative and without any factual merit.

K) That the averments made in paragraph No.11 of the original application are disputed and denied. The allegations are false, baseless, concocted and fabricated and purely speculative. The applicant is put to strict proof of the same.

L) That the averments made in paragraph No.12 of the original application are disputed and denied. It is also disputed and denied that the lessee had lifted the sand in stream of river.

M) That the averments made in paragraph No.13 of the original application are disputed and denied. It is also disputed and denied that only a single Y form was used for transportation of sand for whole day. The petitioner required to put strict proof of the same.

N) That the averments made in paragraph No.14 of the original application are disputed and denied . Regular monitoring has been done by Tahasil administration as well as the district administration.

Chakravarti Singh Rathore

*ABR*

O) That the averments made in paragraph No. 15.16.17 and 18 of the original application are disputed and denied. As per mining plan manual, mining was done. Sometimes machines were being engaged for making and maintenance of haul roads and pulling sand loaded vehicles, which were trapped in sand. Hence, it is disputed and denied that the lessee had used machines for excavation of sand.

All other allegations and averments made in this paragraph are hereby disputed and denied..

P) That the averments made in paragraph No.19 of the original application are disputed and denied. No temporary permit was issued for mining of both the sand Quarry and the Applicant is put to strict proof of the same.

Q) That the averments made in paragraph No.20 of the original application are disputed and denied The claim is purely speculative and without any factual merit. The applicant has deliberately suppressed the period of leases in question.

R) That the averments made in paragraph No.21 of the original application are disputed and denied. The Replenishment study has been made mandatory in 2021, as per the Revenue and Disaster Management Department, Govt of Odisha letter no. RDM-MMS-MISC-0089-2021/R&DM 33966 dated 11.11.2021. Accordingly the action has been taken by Tahasil office for first sampling and geo-referencing have already been completed with regards to Pankapala 2. However the study is an annual

Udharanath Singh Rathore

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process with mandatory four sampling for final observation ,which will be completed in due time.

All other allegations and averments made in this paragraph are hereby disputed and denied.

S) That the averments made in paragraph No.22 of the original application are disputed and denied .The applicant has filed petition against illegal mining in Pankapala 1, Which is not operational since march 2020 and the operation of Pankapal-2 was closed since 21.12.2021.

All other allegations and averments made in this paragraph are hereby disputed and denied.

T) That the averments made in paragraph No.23 of the original application are disputed and denied. Regular monitoring and enforcement has been done by district administration as well as the office of Tahasil, Danagadi.

U) That the averments made in paragraph No.24 of the original application are disputed and denied. The allegations are false, baseless, fabricated and purely speculative.

V) That the averments made in paragraph No.25 of the original application, this deponents has nothing to comments.

W) That the averments made in paragraph No. 26 and 27 of the original application shall be dealt with at the time of hearing.

Chakravarti Singh Rishon

*[Handwritten signature]*

X) That the averments made in paragraph No.28 of the original application are disputed and denied. Regular Night time enforcement activities have been conducted and no quarry operation has been observed during those visits.

Y) That the averments made in paragraph No.29 of the original application are disputed and denied .The allegations are false, baseless, fabricated and purely speculative.

Z). That the averments made in paragraph No.30 of the original application are disputed and denied. Though the advertisement was published for FY 2015-16 to 2019-2020 but due to delay in obtaining the mining plan approval and Environmental clearance from the competent authorities, the lease deed for Pankapala 2 was executed on 21.12.2016. As per the Revenue and Disaster Management Departmen, Government of Odisha letter no RDM-MMS-CLRFIC-0003-2020-15040/ R&DM dated 02 May 2020, it was clarified that the lease period should be attributed to 5 years from the date of execution of the lease deed as per the Rule 27 and 43 (2) of Odisha Minor Mineral Concession (amended) RULES 2014. Accordingly the lease period of Pankapala 2 was extended, which expired on 21 december 2021. No illegal mining has been carried out as alleged by the Applicant.

All other allegations and averments made in this paragraph are hereby disputed and denied.

Chakravarti Singh Rathore

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Z.1) That the averments made in paragraph No.31 of the original application are disputed and denied. In Odisha the Paper Transit pass printed by Govt press having Govt of Odisha Hologram are issued to lessee as per the prescribed format of OMMC Rules 2016.

Initiative for technical intervention for illegally tracking will be immensely beneficial. the Detail Guidelines for implementation is under consideration and will soon be implemented.

All other allegations and averments made in this paragraph are hereby disputed and denied.

Z. 2) That the averments made in paragraph No.32 of the original application are disputed and denied . In Odisha the Paper Transit pass printed by Govt press having Govt of Odisha Hologram are issued to lessee as per the prescribed format of OMMC rules 2016.

Initiative for technical intervention for illegally tracking will be immensely beneficial. The Detail Guidelines for implementation is under consideration and will soon be implemented.

All other allegations and averments made in this paragraph are hereby disputed and denied.

Z.3) That the averments made in paragraph No. 33 of the original application are disputed and denied The Detail Guidelines for implementation is under consideration and will soon be implemented.

10. That the averments which have not been specifically denied by this deponent are hereby denied.

Chakravarti Singh Kumar

B  
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11. That the deponent carves leave of this Hon'ble Court to file additional affidavit, documents etc., if any, at the time of hearing.

12. That the facts stated above are true to the best of my belief and knowledge and based on official records.

**IDENTIFIED BY**

*Chakravarti Singh Rathore*

**DEPONENT**

**Advocate's Clerk**

**A.G. Office.**

**CERTIFICATE**

Certified that due to non-availability of cartridge papers, this counter affidavit has been typed on thick white papers, which may kindly be accepted.

**Place: Cuttack**

*Pradeep Kumar*

**Addl. Govt. Advocate**

**Date: 21.3.2022**

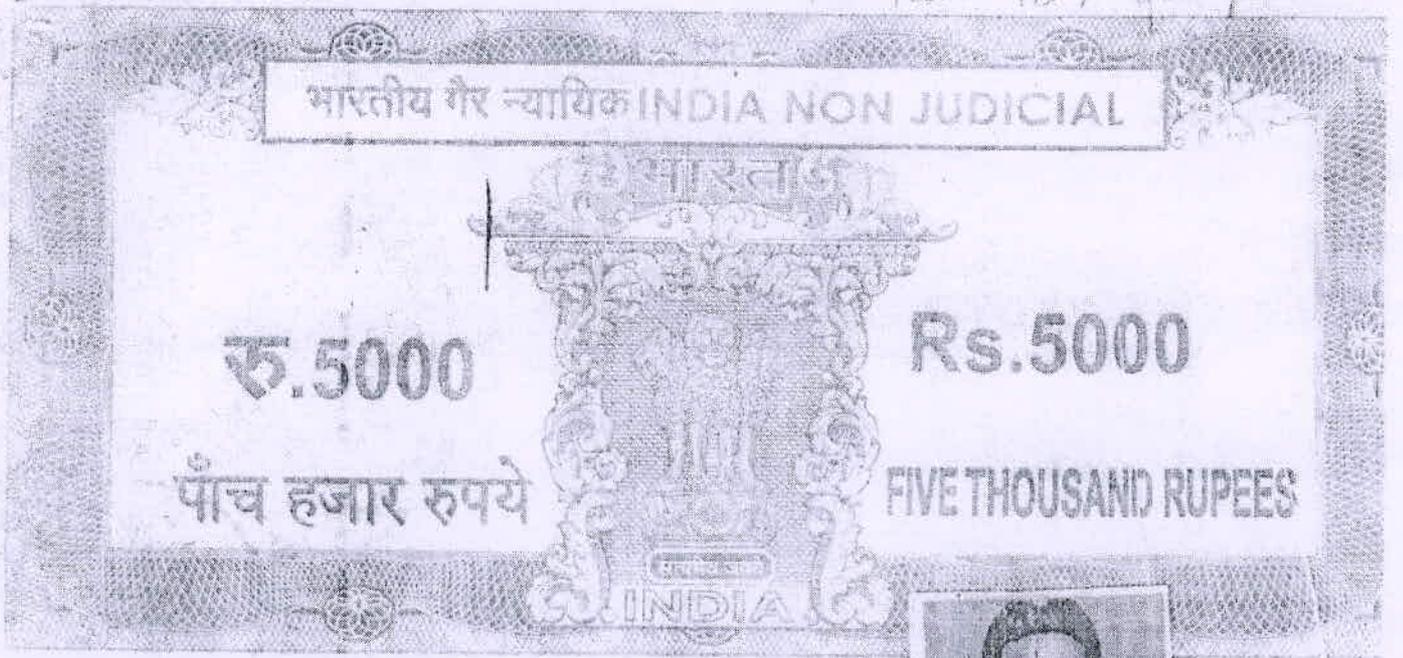
.....60...../Dt. 21.03.2022  
 Sr/Smt./Ku Chakravarti Singh Rathore  
 S/o/D/o/W/o Harisingh Rathore  
 Village.....P.S.....  
 Dist.....Age.....33.....Year.....  
 being identified as Sr.....  
 Advocate, do hereby solemnly affirm and state on  
 this 21 day of March 2022  
 that the above contents of this affidavit  
 are true & correct to the best of his  
 knowledge and belief.

*Advocate*  
 21/3/22

*Executive Magistrate*  
 21.3.22

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FORM - N

Form of Quarry Lease [See rule 27(13)]



THIS INDENTURE made this 10<sup>th</sup> day of August 2020 between the GOVERNOR OF ODISHA Represented through Tahasildar Danagadi Namrata Modi(OAS-I)(JB) (Hereinafter called the "Lessor") of the one part

AND

Hemanta Kumar Sahoo aged about 54 years S/o- Late Bauribandhu Sahoo of Vill/Po/PS- Jakhapura District Jajpur Odisha and occupation:-Business (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 ordinary river 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 to deposit a sum of Rs 4, 87,350/- for one year as Royalty, Surface Rent & Dead Rent

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 as follows

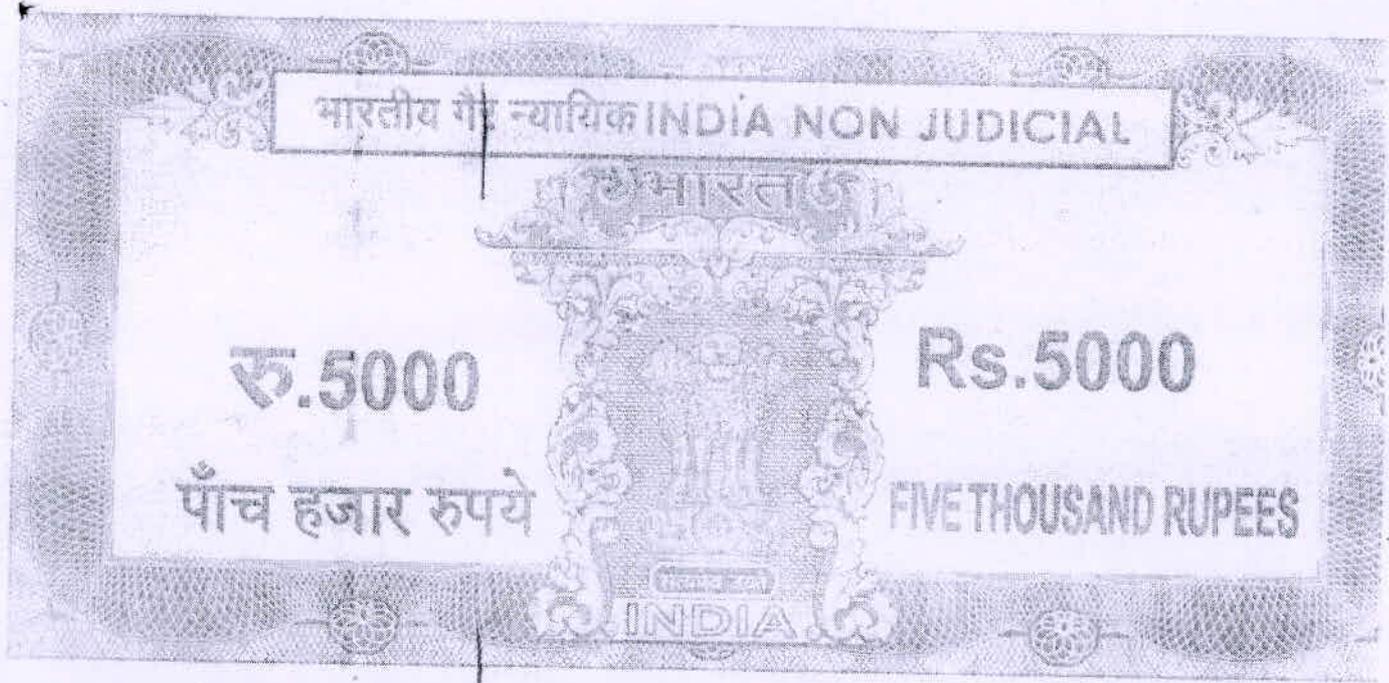
The Lessor hereby demises to the lessee the land described in Part I of the Schedule hereunder written and delineated in the map hereunto annexed

TRUE COPY ATTESTED

*Namrata Modi*  
Tahasildar, DANAGADI  
15.08.2020

*[Signature]*  
COLLECTOR  
JAIPUR

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The said demised pieces of land shall be held by the lessee for a term of balance period from 01/04/2020 to 20/ 12/2021 from the date on which this executed deed is registered under Indian Registration Act and Odisha Registration Manual, subject to the terms, convents, conditions hereinafter provided.

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

The schedule above referred to

PART-I

Location and area of the lease

Mouza :-Pankapal, Teana No.198 ,Khata No.224, Plot No.1075 area Ac.15.00 out of Ac.245.58

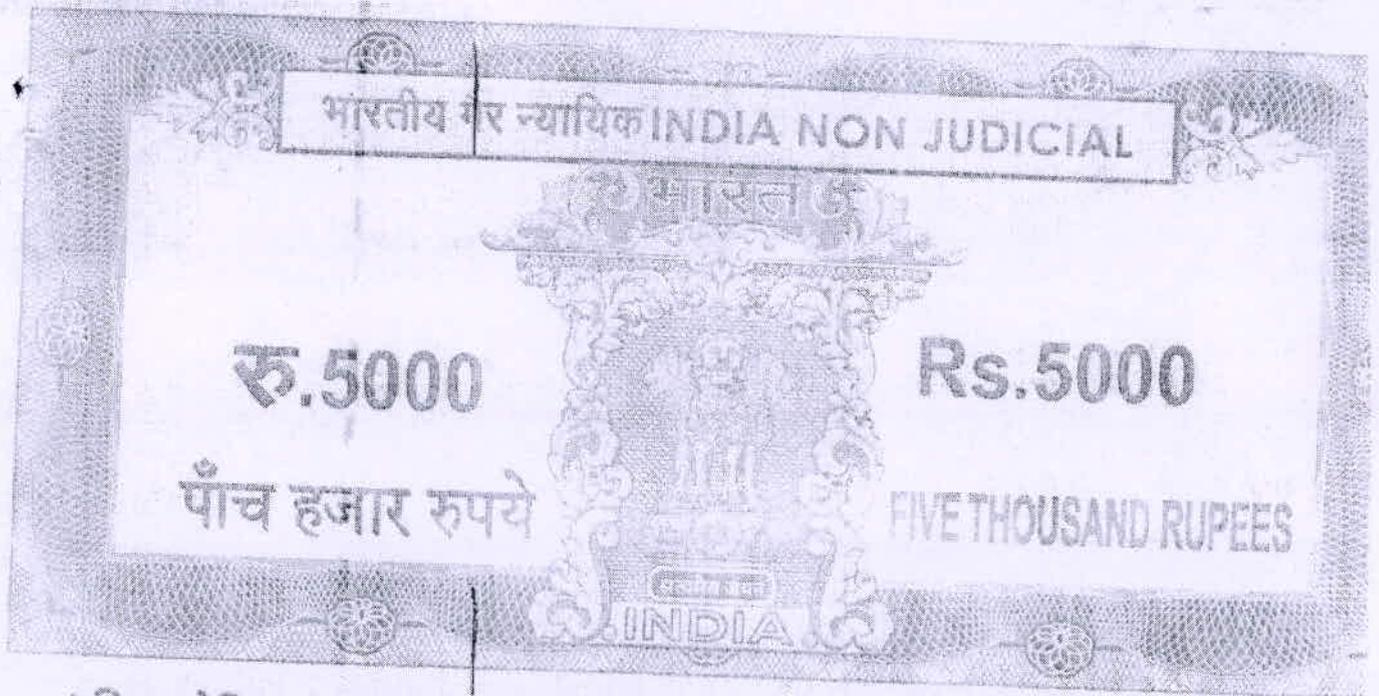
*Kesam-Nandi*

- As per plan annexed and bounded
- On the North by :-Govt. land
- On the South by : Govt Land
- On the East by :-Govt. land
- And on the West by -Govt land
- hereinafter called as "said lands"

*True Copy Attached*

*Winkles*  
16/06/2020  
ANASUDAN DANAGADI

*Collector*  
COLLECTOR  
JAJPUR



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PART-II

Terms and conditions of the lease

This lease is subject to the conditions laid down in rule 33 and also all other conditions pertaining to lease as provided in the Rules.

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 lands.
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.

SHASILU  
20/05/2020  
J. NAGAR

True Copy  
attached

COLLECTOR  
JASPUR



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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

#### 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

*W. K. S. S.*  
 12/04/2020  
 Tree Copy  
 Attached  
 COLLECTOR  
 JAIPUR



भारतीय गैर न्यायिक INDIA NON JUDICIAL

₹.5000

Rs.5000

पाँच हजार रुपये

FIVE THOUSAND RUPEES

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 and surface rent at the rate prescribed in Schedule I.
2. All payments relating to rents, 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 & 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 15<sup>th</sup> January and 15<sup>th</sup> July of each year.

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Signed by Competent Authority

For and on behalf of Governor of Odisha, *Munda*  
MUNASILDAR, DANABADI

In the presence of

1. Subram Munda, S/O - Late Munda  
A/P DANABADI
2. Nirod Kumar Samal

Signed by *Heranta Kumar Samal* Lessee

In the presence of

1. Baladhar Samal
2. Dipak Kumar Chahoo

*Munda*  
MUNASILDAR, DANABADI  
16

True Copy  
Attested

9  
COLLECTOR  
JAJPUR

19/08/2020

Handwritten text in Odia script, including 'ଶ୍ରୀ ହେମାନ୍ତ କୁମାର ସାହୁ' and '୧୫୦୦୦/-'.



Ac/B/S Seal

Hemanta Kumar School

HEMANTA KUMAR SAHOO		 242263556		19-Aug-2020
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Identified by SIBARAM MUNDA Son/Wife of LALDEO MUNDA of AT- TAHASIL OFFICE DANAGADI, PO- DANAGADI, JAJPUR by profession Cultivation

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
SIBARAM MUNDA		 41558852		19-Aug-2020

Date: 19/08/2020

Signature of Registering officer

Endorsement of certificate of registration under section 60

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

Book Number : 1 || Volume Number : 10

Document Number : 10842000457

For the year . 2020

Seal :

Signature of Registering officer

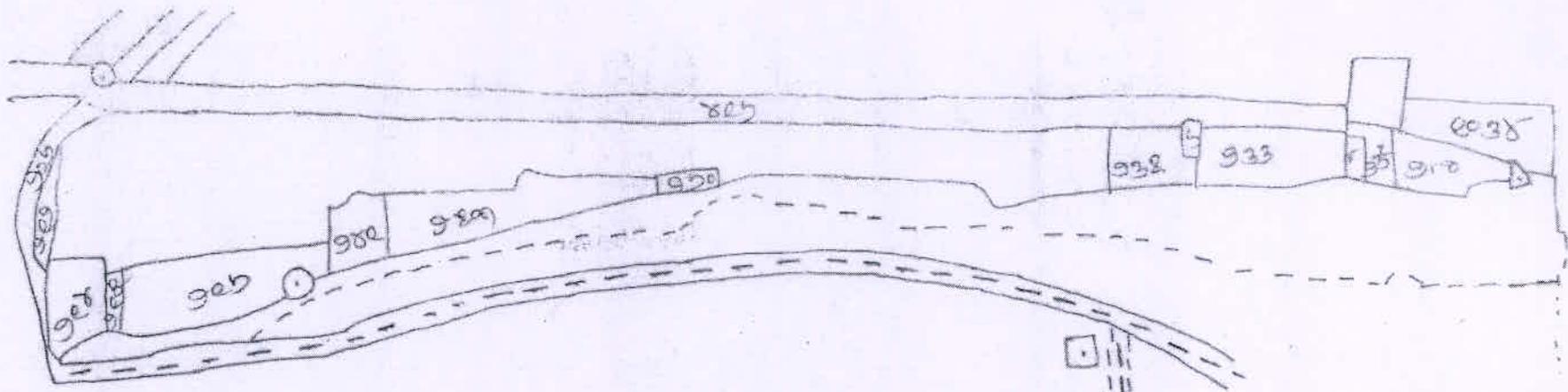
Date: 19/08/2020

Print

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True Copy Master

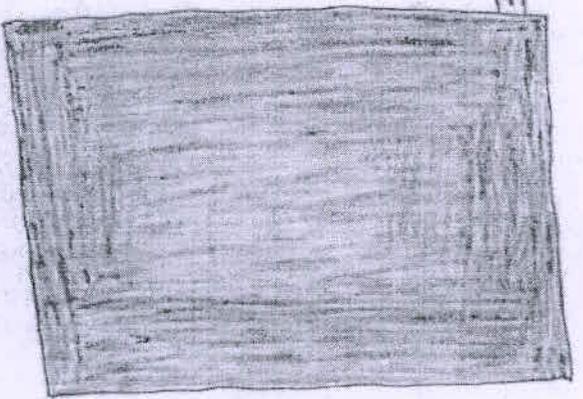
Collector JAJPUR



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ଗ୍ରାମା - ବଜ୍ରବାଜ ବିଟିଲ  
 ଧାନା - ବୁଝିନା ନଂ-୧୮  
 ବହୁଳି - ବୁଝିନା ନଂ-୧୮  
 ହାତୁଳୁ - ବାଜରାମୀ  
 ଚଢ଼ା - ୧୨୭୫ - ୧୨୭୬  
 ଚଢ଼ା - ଚଢ଼ା - ହାତୁଳୁ ବାଜରାମୀ  
 ସନ. ୧୮୮୧-୮୨

୧୦୩୫



ହାତୁଳୁ ବାଜରାମୀ - ୨୨୪ - ପା.ପ.ପ  
 ସୂଚି - ୧୦୩୫ ୧୦୩୬ ୧୦୩୭ ୧୦୩୮ ୧୦୩୯ ୧୦୪୦  
 ବାହୁଳି ହାତୁଳୁ ବୁଝିନା ନଂ-୨ ମାଲିଆନାମ  
 ବାଜି ଧାନା ନଂ ୨ ହାତୁଳୁ

ANASIL WADIA  
 20/05/2020  
 DANAGAB

Traced by

Collector

Date  
 20/05/2020

COLLECTOR  
 JASPUR



**RECEIPT UNDER SECTION 52 CLAUSE (B) (Original)**

Registration Office : SUKINDA

Year : 2020

Application id : 842030457

Book No. :

Executant Name  
GOVT OF ODISHA REPRESENTED BY  
TAHASILDAR DANAGADI(GOVT)

Presenter Name  
GOVT OF ODISHA REPRESENTED BY  
TAHASILDAR DANAGADI(GOVT)

Claimant Name  
HEMANTA KUMAR SAHOO

Fee Details

Total Registration Fees Paid :

A5(b)

Incidental

Fee Details

User Charges

Expected date of return of document :

Received the document mentioned in this receipt

Date: 19-Aug-2020

Signature of the Registering Officer

9997

9747

250

19-Aug-2020

Date

Signature of the Receiver

*Trace Copy  
Attached*

*Collector  
JASPUR*

**FORM - ZB**

(Under Rule 27-A(1) of OMMC (Amendment) Rules, 2014)

**MINING PLAN***of***PANKAPAL-1 SAND QUARRY(BRAHMANI RIVER)**

Over an area of 18.00 acres or 7.284 hectares in  
Village Pankapal under Danagadi Tahasil of Jajpur District,  
Odisha

**(PLAN PERIOD-2015-16 to 2019-20)**

*For & on behalf of*

**SHRI HEMANTA KUMAR SAHOO**

(Applicant)

Village/Po/Ps- Jakhapura  
Tahasil-Danagadi,  
Dist- Jajpur, Odisha



APPROVED

*Prepared by*

**Sri T.P. Mohanty**

RQP/CAL/261/97-A

Bank Colony, Kanehipur,

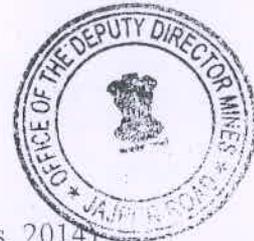
Jajpur Road, Jajpur

Mob: 9437379242

*22/1/16*  
Deputy Director Mines  
Jajpur Road

*True Copy  
Attached*

*Collector*  
COLLECTOR  
JAJPUR



### FORM-ZB

(See Rule 27-A (3) of the Odisha Minor Mineral Concession (Amendment) Rules, 2014)

**MINING PLAN FOR WINNING OF RIVER SAND ( RIVER SAND/LATERITE SLABS/MORRUM/ORDINARY CLAY/ROADMETAL etc.) FROM BRAHMANI RIVER SAND BED PANKAPAL-I UNDER PANKAPAL PANCHAYAT, DANAGADI TAHASIL OF JAJPUR DISTRICT.**

(Category: B2)

1. Name & Address of the Lessee : Sri Hemanta Kumar Sahoo  
S/o.Sri.Bauribandhu Sahoo  
At/P.O.- Jakhapura, Tahasil- Danagadi  
Dist – Jajpur  
State- Odisha  
Email:hemantakumar@rediffmail.com  
Ph:9438569240(M)
2. Particulars of the area (Acreage, Boundary Description & Land Schedule): (Attach location map and surface plan showing the existing features of the area with counters at 2 m interval) : Name of the Quarry-  
Pankapal-I (Brahmani River) Sand Quarry  
Area – 18 acres or 7.284 hectares  
Land schedule is attached as Annexure-IV,  
Boundary description is attached as Annexure- V,  
Location Map- Ref. Plate no- V  
Surface Plan:-Ref Plate No.II
3. Status of the Lessee : Private individual  
(Private individual/ Private Company/  
Public sector Undertaking/ Joint sector  
Under taking/ Others)
4. Period of Concession : 2015-16 to 2019-20(Five years from date of grant/execution.
5. Mineral intended to be won : River Sand
6. Name, Address & Regn. No. of RQP preparing the mining plan with validity of Recognition : Sri.T.P.Mohanty,  
Bank Coloney ,Kancheipur  
Jajpur Road, Jajpur,  
Phone: 9437379242  
Registration No : RQP/CAL/261/97-A  
Date of Grant : 19.05.1997  
Valid Up to : 17.05.2021

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- 7. Order No. & date of Competent Authority granting the Concession (Copy of the Order to be attached) : 748 of dated 30.03.2015  
: Copy attached as Annexure-I
- 8. If, forest area, whether forest clearance Obtained: (attach copy of forest clearance): : The Quarry lease area comprises of revenue land, so no forest clearance is required.
- 9. Reserve (Estimation to be based on the exploration, If any, carried out in the area or on local Parameters)

The area under reference featured in the Survey of India Toposheet No. 73L/1 and the area bounded between the latitudes 20°53'08.51"N to 20°53'15.79"N and longitudes of 86°01'34.16 " E to 86°01'49.26"E . The area is located at a distance of 59 Km from the district head quarter Jajpur and is at a distance of 91 Km from the state capital Bhubaneswar. The quarry lease area belongs to recent quaternary River bed deposits consisting of sand, silt, clay, gravel and alluvial deposits.

**a. Physiography:**

The Sand bed is on the River Brahmani. The River Brahmani rises near Nagri Village in Ranchi district of Jharkhand at an elevation of 600 m and has a total length of 799 km. The river Brahmani and combined with river Baitrani forms a basin which extends over 51822 sq.Km. The independent drainage of Brahmani is 39033 sq.km. The river system outfall into the Bay of Bengal forming a common delta area in the coastal plains. The important tributaries of Brahmani are the Karo, the Sankh and the Tirka. The Brahmani River bed deposits near Pankapal represents a gently sloping terrain to almost flat with highest altitude of 22 mRL towards northern part where as the south-eastern most corner shows the lowest altitude of 20 mRL having an elevation difference of 2 m. The general slope is towards South-east. There is no human settlement within the quarry lease area.

**b. Regional Geology:**

Geologically, the auction area belongs to Quaternary deposit from Holocene period which located in the Brahmani River bed at Pankapal village, Tahasil- Danagadi, District- Balasore. The quaternaries overlie directly on the Tertiaries and are composed of younger and older alluvia. The sediments of older alluvia are grayish to brownish in colour, unfossiliferous, but

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T. P. Mohanty



contain calcareous concretions. Thin younger alluvial deposits of recent age are found in the flood plains and by the side of the river. They also consist of sand, silt, clay and gravel.

The quaternary consists of both the Pleistocene and Holocene formations spanning over a period of about 1.8 million years up to the present time. They occur either exposed on the surface or hidden beneath recent deposits. Devdas and Meshram (1990, 1991) have attempted to prepare a generalized stratigraphic overview of the fluvial deposits in the inland and upland river basins. Working in the deltaic and coastal regions, Roy et al. (1988) have built up morphostratigraphic units for the fluvial regimes and correlated them with their marine counterparts to evolve some standard stratigraphic column.

Based on many earlier works e.g. Bharali et.al. (1991), Dash (2000), Mahalik (2000), Niyogi (1970, 1975) a stratigraphic sequence of the Cenozoic group of rocks in Orissa, both in inland and offshore areas is presented below:-

#### Stratigraphic sequence of Cenozoic deposits

	Age	Nature of Deposits
Quaternary	Holocene	Recent Deposits, beach sand, younger alluvium, older alluvium, residual soils etc.
	Pleistocene	Laterite, Bauxite, China clay, Residual deposits, marine and fluvial deposits of Mahanadi delta, Toba Ash bed.
Tertiary	<b>UNCONFORMITY</b>	
	Mio-Pliocene	Baripada bed, Tolapada Bed (in Puri Dist)
	<b>UNCONFORMITY</b>	
	Oligocene	Offshore areas, not present in onshore areas
	<b>UNCONFORMITY</b>	
	Eocene and Paleocene	Limestones and clastics in offshore areas and Puri-Konark onshore basin
		Gondwana and Eastern Ghats rocks

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c. **Local Geology**

The sand deposit in Brahmani River near Pankapal belongs to recent deposits of Holocene age. Beach sand, younger and older alluvium also belongs to the same age. The quarry lease area is occupied by a gently sloping to almost flat deposits of sand. The basement consists of Tertiary deposits and the sequence of litho-units encountered in the auction hold area is as follows:

Sand

Alluvium

d. **Lithology:**

The characteristic features of the litho units of the area are described below:

**Sand:** Grey to white sand deposits is mainly covered with 1.2 to 1.8m thickness throughout the quarry lease area and the average thickness of sand bed 0.5m. Sand by definition is a loose, incoherent mass of mineral materials and is a product of natural processes. These processes are the disintegration of rocks and corals under the influence of weathering and abrasion. When sand is freshly formed the particles are usually angular and sharply pointed but they grow gradually smaller and more rounded as they become constantly worn down by the wind or water. Clean sand is indeed a rare commodity on land, but common in sand dunes and beaches.

The composition of sand is highly variable depending on the local rock sources and conditions, but the most common constituent of sand in inland continental settings and non-tropical coastal settings is silica (silicon dioxide or  $\text{SiO}_2$ ), usually in the form of quartz which because of its chemical inertness and considerable hardness, is the most common mineral resistant to weathering.

**Alluvium:** Alluvial deposits sometimes underlain by the sand bed with some clayey matter.

e. **Reserve**

The area is totally inside the river during rainy season for which the total area is deposited by sand in each and every year. The reserve is considered through the deposit in the total area after the water bodies. Normally the river water level is at 18 mRL in the area.

The sand are deposited on alluvial deposit which extend to a maximum depth of 1 to 1.5 meter intercalated with clay. Depending on the situation at places the clay are more which are not considered as reserve. The minimal clay & others are win during the extent of sand and it is difficult to segregate on the other particle contain only 4 to 5%. Hence

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there is no waste during mining. However the clay so mined in a layer 5% are kept in the mine area. The reserve calculated is given below:

Total area:- 7.284 hectares. After deducting the safety zone area (0.825 ha), the effective area is 6.459 ha. About 30 meters of area at the beginning is consisting of a small nala and water and clay for which the effective area (6.459-3.459) = 3ha. The sand is occurring as heaps and sand deposit is spread over around 3 hectares. The sand concentration is 1.5 meters.

Total Geological Reserve: 30000 sq.mt x 1.5 m = 45000 Cu.m

Recovery 80% considering the others as waste.

Mineable Reserve = 45000 x 80% = 36000 Cu.m

Hence the reserve per annum is around 36000 cu.m. The reserve may increase /decrease in subsequent years depending on the disposition of sand by the river.

#### 10. Mining :

a. Whether manual or semi-mechanized or mechanized

: The mining will be done by manual opencast mining by using manual labourers

#### Existing Mining Method:

The mining operation at Pankapal-I Sand quarry has been started earlier and as a result of which pit have been developed. The mode of the deposits, geomorphology of the area and its hydrological condition are some of the factors that favours the open cast method of mining. In this deposit, the mining is done by opencast mining method by deploying the man power and along with trucks. The sands are extracted, loaded and transferred from pits to the users through trucks. The mining is done on single shift basis.

The local man power has been engaged in the mine for mining and sorting purpose. The machine is also used for road making.

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- b. If semi-mechanized or mechanized, number, type and capacity of machines to be used: Mnnual method
- c. Whether drilling and blasting will be made use of, If yes, state monthly quantity of explosive consumed : No
- d. Benching pattern (Height x Width) : No bench as the heaps are maximum 2 m height & mining is to remove heaps.
- e. Face lay out (attach development plan):

The mining will be carried out from north to south gradually removing the heaps from north to south. The method will be continued each subsequent year. If the sands are heaped in each year by the river there is no such & to excavate from different sector or from different benches. The work will be stopped during rainy season when the river is flooded with water. The working is considered from October to mid June each year or it may extend depending on the inrush of water. The development for the ensuing five years period (2015-16 to 2019-20) has been proposed in the quarry. The year wise development plan & sections for five years have been provided on a scale 1:1000 in plate- IV respectively.

- f. Quarry Floor Level (RL) at the end of the year or period of the concession:

During plan period, the quarry will be developed in the north part of the lease area and the mining will be progressed towards south from first year to 5<sup>th</sup> year. The production has been proposed in the quarry with a production target of 36,000 cu.m /annum. The proposed pit dimension of quarry will be 312 m x 178 m x 1.5 m. The quarry floor will be 20 mRL. The proposed pit lay out have been shown in the development plan and also in environment management plan (ref Plate IV & Plate - VI).

- g. Quantity of mineral to be won (Annual Level of Production) :

Based on the present market demand, the year wise production schedule for ensuring five years has been formulated at a steady and uniform rate of 36,000 cu.m for sand. The production has been calculated and represented in cubic meter for all purpose. Based on the past

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experience, the geo-mining parameters taken in to consideration for mine planning are as follows:

Geo-Mining parameters	Quantitative Description
Sand recovery factor	80 %
Generation of waste/rejects/mining loss	Balance 20% waste inclusive of 5% clay which shall be generated during mining and will be placed in quarry area itself.
Bench height	Benching pattern is not feasible in case of sand mining .The maximum depth of mining is 1.5m



On the basis of the above data, year wise production of sand is estimated as per the following formula:  $M = CLI$

Where,

- M = Quantity of sand in Cu.m
- C = Cross sectional area in square meters.
- L = Length of influence in meters.
- I = Recovery factor of sand deposits.

The year wise production of sand and generation of waste during plan period are given in table no.3 and table no.4 as follows:

Table No.3 YEAR WISE PRODUCTION OF SAND DURING PLAN PERIOD

Year	Area covered with sand heaps in sq.mt	Thickness Sand bed in m	Volume in cu.m	Recovery factor (80%)	Production of sand in Cu.m	Total Production of sand in cu.m
1 <sup>st</sup> Yr. 2015-16	30000	1.5	45000	0.80	36000	36000
2 <sup>nd</sup> Yr. 2016-17	30000	1.5	45000	0.80	36000	36000
3 <sup>rd</sup> Yr. 2017-18	30000	1.5	45000	0.80	36000	36000
4 <sup>th</sup> Yr. 2018-19	30000	1.5	45000	0.80	36000	36000
<b>TOTAL</b>						1,80,000

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- h. Quantity of overburden to be removed  
(Show location of such disposal in development plan) : Nil
- i. Whether heavy blasting to be adopted : No blasting will be required.  
If yes, location of nearest habitation  
(to be shown in the surface plan)
- j. Safety precautions to be adopted : Safety equipments will provide to all  
man power engaged.
- k. Brief description on the method of  
Procurement and storage of explosives : Not applicable
11. Waste disposal:
- a. Location (show in development Plan) : Not applicable
- b. Area covered : Not applicable
- c. Environmental safeguards for such disposal : Not applicable
12. Mine drainage: Not applicable  
(Give details of total make of water during dry and rainy season and its method of handling)
13. Mineral Processing  
(Give details of processing including sizing, Sorting,  
generation of rejects/fines etc) : Not applicable
14. (a) No. of trees to be uprooted due to  
mining operation : Nil
- (b) Programme of Plantation : The area is inside river so there is no  
plantation in the area. However plantation  
will be done in both side of the road passing  
through village to quarry.
15. Manpower : All-total 40 persons inclusive all.
- a. Supervisory (inclusive of statutory  
personnel) : Three numbers of supervisory personnel  
will be employed. The details are given as  
follows:

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Tree Copy  
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Management (Supervising personnel):

Designation	Qualification	Nos.	Total
Head mines	Astt manager / Geologist as per MCDR 1988	1	3
Supervisor	-do-	1	
Office staff	-do	1	

b. Non- Supervisory (skilled, semi-skilled & unskilled) : Around 37 numbers of non-supervisory personel's will be employed. The details are given as follows:

(ii) LABOURERS(Skilled/Semi-Skilled/Un-Skilled)

Category	Post	Nos.	Total
Skilled	Loading Supervisor	2	2
Semi-Skilled	Asst. loading supervisor	2	2
Unskilled	Labourers	33	33
Total	---	37	37

c. OMS  
 Average production of sand /annum : 36,000 cum  
 Working days in the year : 210 days (in an average)  
 Production per day : 36000 / 210 = 171.42 Cu.m or say 172 cu.m  
 Output per man shift (O.M.S.) : 5 Cu.m  
 (Expected) Assuming the-O.M.S. as 5 cu.m the man power requirement will be 172 cu.m/5 cu.m = 34.4 or say 35. Leave and other vacancy=2. So the total 37.

16. Use of Mineral :  
 (Specification and monthly quantity to be dispatched be furnished)

a. For domestic use : Used for construction purpose, the sand of Pankapal-I will be sold to local market for construction of different upcoming infrastructure in Kalinga Nagar Industrial

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 Deputy Director Mines  
 Jajpur Road

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area. Around 5000 cu.m of sand on monthly basis will be sold in domestic market.

b. For export

No material will be exported at present

17. Mine Closure Plan:

(a) Describe the process/activities to be Undertaken for reclamation and

Rehabilitation in respect of the following: Not required.

Mined out land: During plan period the mined out land will be 3.00 ha including road. The safety zone all along the quarry lease area will be maintained so that the mining will not be done outside the lease area. The sand heaps which are above 20 mRL are mined out throughout the total area in working months of a year then again after the refilling during rainy season the mining will be taken up in subsequent year over total area. The area will reclaimed naturally every year during rainy season. The river will carry sand and sediments which will be eventually filled in the pits. No further reclamation proposal is required.

The existing land use as well as proposed land use of the area is given as below:

Sl. No.	Type of Land Use	Area in Hectares	
		At Present (Existing)	At the end of Plan Period
1	Area under excavation including quarry road	---	3.000
2	Nala, water and clay area	3.459	3.459
3	Safety zone.	0.825	0.825
4	Unutilized land	3.000	---
	<b>Total</b>	<b>7.284</b>	<b>7.284</b>

ii Waste/reject dump: Not required

iii. Topsoil stack and its utilization: Not required

(b) Financial assurance:

(To be furnished as a bank guarantee in respect of the area to be put to use at the rate of Rs. \_\_\_\_\_ per hectare)

The financial assurance will be submitted as decided by the competent authority. An undertaking by the applicant is enclosed for the purpose.

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*[Signature]*  
Deputy Director Mines  
Jajpur Road

17.

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*[Signature]*  
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18. Certificate:

I/We the holder of Pankapal-I Bramhani River Sand (type of concession) for River Sand over 7.284 hec. of Pankapal under Danagadi Tahasil of Jajpur District hereby solemnly affirm that the plans and programmes in this will be scrupulously implemented by me/ we and I/we will be strictly held responsible for any deviation thereof. I/we also hereby certify that the provisions of Mines Act, 1952 and Rules and regulations made there under along with the provisions of Orissa Minor Mineral Concession Rules, 2004 will be strictly adhered to while implementing this mining plan and wherever specific permissions will be required I/ will approach the concerned authorities of Directorate General of Mines Safety and the State Government as the case may be.

*Hemanta Kumar Sahoo*  
(Signature of the Concessionaire)

(HEMANTA KUMAR SAHOO)  
S/o-Sri.Bauribandhu Sahoo  
At/Po/P.S -Jakhapura,  
Via/Tahasil: Danagadi  
Dist- Jajpur

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*[Signature]*  
Deputy Director Mines  
Jajpur Road

*[Signature]*  
T. P. Mohanty  
RQP/CAL/261/97-A

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Attached

*[Signature]*  
COLLECTOR  
JAJPUR



UNDERTAKING

I hereby undertake to submit the financial assurance as decided by the competent authority in form bank guarantee from any nationalized bank as and when required by the competent authority.

Place: Jakhapura

Date: 12/04/15

*Hemanta Kumar Sahoo*  
Signature of the Applicant in full

(HEMANTA KUMAR SAHOO)  
S/o-Sri.Bauribandhu Sahoo  
At/Po/P.S -Jakhapura,  
Via/Tahasil: Danagadi  
Dist- Jajpur

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*25/3/15*  
Deputy Director Mines  
Jajpur Road

*T. P. Mohanty*  
RQP/CAL/261/97  
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# FORM - O

(Under Rule 28 (8) of OMMC Rule, 2016)

## MODIFICATION OF APPROVED MINING PLAN

*of*

## PANKAPAL - II SAND QUARRY

Over an area of 15.00 acres or 6.070 hectares in  
Village - Pankapal, Tahasil-Dangadi  
of Jajpur District, Odisha

**PLAN PERIOD- 2020-21 to 2021-22**

*For & on behalf of*

**SHRI HEMANTA KUMAR SAHOO**

At/Po/Ps- Jakhpura  
Dist- Jajpur,  
Odisha

**APPROVED**

*Baral*  
*7/3/2020*

Deputy. Director Geology  
Directorate of Geology  
Bhubaneswar

*Prepared by*

**AMIYA KUMAR BARAL**

RQP/OD/004/2015

**PLOT NO.: 304/2296, MRUTYUNJAYA VIHAR  
NEAR INDIRA COLONY, SAMANTARAPUR  
BHUBANESWAR-751002**

*Three copy  
Attested*

*Collector*  
**COLLECTOR**  
**JAJPUR**

**FORM-O**

Preparation of Mining Plan For Quarry Lease by RQP

(See Rule 28 (4))

**MINING PLAN FOR WINNING OF RIVER SAND (RIVER SAND/LATERITE SLABS/MORRUM/ORDINARY CLAY/ROADMETAL etc.) FROM PANKAPAL-II (BRAHMANI) SAND BED UNDER PANKAPAL PANCHAYAT TAHASIL OF DANAGADI, JAJPUR DISTRICT.**

(Category: B2)

1. Name & Address of the Lessee : Sri Hemanta Kumar Sahoo  
At/Po- Jakhapura  
Tahasil-Danagadi  
Dist – Jajpur  
State- Odisha
2. Particulars of the area (Acreage, Boundary Description & Land Schedule): (Attach location map and surface plan showing the existing features of the area with counters at 2 m interval) : Name of the Quarry-  
Pankapal-II Sand Quarry  
Area – 15 acres or 6.070 hectares  
Land schedule is attached as AnnexureIV,  
Location Map is attached as Plate no- I,  
Surface Plan is attached as Plate no- III
3. Status of the Lessee : Private individual  
(Private individual/ Private Company/  
Public sector Undertaking/ Joint sector  
Under taking/ Others)
4. Period of Concession : 21.12.2016 to 20.12.2021 (five years from  
date of grant/execution)
5. Mineral intended to be won : Ordinary river Sand
6. Name, Address & Regn. No. : Amiya Kumar Baral  
of RQP preparing the mining plan with  
validity of Recognition  
Plot No.304/2296,  
Mrutyanjaya Vihar,Near Indira Coloney  
Samantarapur, Bhubaneswar-751002  
Phone: 9778650348  
Registration No : RQP/OD/004/2015  
Date of Grant : 23.09.2015  
Valid Up to : 22.09.2025
7. Order No. & date of Competent Authority granting the Concession : Lett No.747 dtd.30.03.15 & 90dtd.07.01.2020  
(Copy of the Order to be attached) : Copy attached as Annexure-I & XII

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*7/3/2020*  
Deputy. Director Geology  
Directorate of Geology  
Bhubaneswar

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*A*  
COLLECTOR  
JAJPUR  
*Amiya Kumar Baral*  
A. K. Baral  
RQP/OD/004/2015



8. If, forest area, whether forest clearance : The Quarry lease area comprises of  
Obtained: (attach copy of forest revenue land, so no forest clearance is  
clearance): required.
9. Reserve :  
(Estimation to be based on the exploration,  
If any, carried out in the area or on local  
Parameters)

The area under reference featured in the Survey of India Toposheet No. 73L/1 and bounded between the latitudes of 20°53'10" N to 20°53'17" N and longitudes of 86°01' 19" E to 86°01'31" E. and is located at a distance of 59 Km from the district head quarter Jajpur and is at a distance of 91 Km from the state capital Bhubaneswar. The quarry lease area belongs to recent quaternary River bed deposits consisting of sand, silt, clay, gravel and alluvial deposits.

**a. Physiography:**

The Sand bed is on the River Brahmani. The Brahmani River bed deposits near Pankapal represents a gently sloping terrain to almost flat with highest altitude of 22 mRL towards northern part where southeast corner the lowest altitude. The general slope is towards South east. There is no human settlement within the quarry lease area.

**b. Regional Geology:**

Geologically, the auction area which is located in the Brahmani River bed in Pankapal of Tahasil-Danagadil, District- Jajpur belongs to Quaternary deposit from Holocene period. The quaternaries overlies directly on the Tertiaries and are composed of younger and older alluvia. The sediments of older alluvia are grayish to brownish in colour. Thin younger alluvial deposits of recent age are found in the flood plains and by the side of the river. They also consist of sand, silt, clay and gravel.

The quaternary consists of both the Pleistocene and Holocene formations spanning over a period of about 1.8 million years up to the present time. They occur either exposed on the surface or hidden beneath recent deposits. Devdas and Meshram (1990, 1991) have attempted to prepare a generalized stratigraphic overview of the fluvial deposits in the inland and upland river basins. Working in the deltaic and coastal regions, Roy et al. (1988) have built up morphostratigraphic units for the fluvial regimes and correlated them with their marine counterparts to evolve some standard stratigraphic column. Based on many earlier works e.g. Bharali et al. (1991), Dash

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*Baral*  
7/3/2020

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Directorate of Geology  
Bhubaneswar

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Collector  
JAJPUR

*Alleya Kuyam Baral*  
**A. K. Baral**  
RQP/OD/004/2015



(2000), Mahalik (2000), Niyogi (1970, 1975) a stratigraphic sequence of the Cenozoic group of rocks in Orissa, both in inland and offshore areas is presented below

### Stratigraphic sequence of Cenozoic deposits

	Age	Nature of Deposits
Quaternary	Holocene	Recent Deposits, beach sand, younger alluvium, older alluvium, residual soils etc.
	Pleistocene	Laterite, Bauxite, China clay, Residual deposits, marine and fluvial deposits of Brahmani delta, Toba Ash bed.
Tertiary	<b>UNCONFORMITY</b>	
	Mio-Pliocene	Baripada bed, Tolapada Bed (in Puri Dist)
	<b>UNCONFORMITY</b>	
	Oligocene	Offshore areas, not present in onshore areas
	<b>UNCONFORMITY</b>	
	Eocene and Paleocene	Limestones and clastics in offshore areas and Puri-Konark onshore basin
	Gondwana and Eastern Ghats rocks	

#### c. Local Geology

The sand deposit in Brahmani River near Pankapal belongs to recent deposits of Holocene age. Beach sand, younger and older alluvium also belongs to the same age. The auction area is occupied by a gently sloping to almost flat deposits of sand.

Sand  
Alluvium

#### d. Lithology:

The characteristic features of the litho units of the area are described below:

**Sand:** Grey to white sand deposits is mainly covered with 1m thickness throughout the quarry lease area. Sand by definition is a loose, incoherent mass of mineral materials and is a product of natural processes. These processes are the disintegration of rocks. When sand is freshly formed the particles are usually angular and sharply pointed but they grow gradually smaller and more rounded as they become constantly worn down by the river water.

The composition of sand is highly variable, depending on the local rock sources and

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conditions, but the most common constituent of sand in inland continental settings and non-tropical coastal settings is silica (silicon dioxide or  $\text{SiO}_2$ ), usually in the form of quartz which because of its chemical inertness and considerable hardness, is the most common mineral resistant to weathering.

**Alluvium:** Alluvial deposits sometimes underlain by the sand bed with some clayey matter.

e. **Reserve:**

The reserve has been estimated by considering the following parameters.

- i) Surface area method has been adopted for estimation of reserve of sand in Cu.m.
- ii) The reserve has been calculated under proved category only
- iii) Recovery factor is established as per the actual field practice as follows.

<u>Parameters</u>	<u>Quantity</u>
Recovery factor: -	100%

- iv) Out of total volume of excavation i.e. 100% is sand assumed to be marketable as construction material.

Based on the above consideration & chosen local parameter, the reserve has been calculated for sand by surface area method by multiplying total effective area with thickness of sand in lease area to attain the volume and there by multiplying recovery factor to attain the geological reserves in cu.m. The mineable reserve has been estimated in same manner as geological reserve after allowing for loss due to mining, and safety of mine working including 7.5m safety zone barrier all along the sand bed. Thus the mineable reserve for Sand bed works out to 24540 cu.m. This quantity is existing quantity and the same quantity will be replenished during subsequent flood/rainy season.

The total area is 15 acres or 6.070 ha. Out of total area an area of 1.82 ha is covered under water So the effective surface area considered for geological reserve is 4.25 ha. After excluding safety zone area 0.16 ha the surface area considered for mineable reserve is 4.09 ha. The thickness of sand zone varies from 0.4m to 0.8 m at places. So the average thickness of sand bed is considered as 0.6 m for estimation of reserve. The geological reserve & mineable reserve of sand quarry calculated under various categories are given in table no.1&2 respectively as follows:

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Table.No.1

## GEOLOGICAL RESERVE OF SAND BED (EXISTING AT PRESENT)

Category	Surface area in Sq.mt	Thickness of sand in mtr	Volume of sand in Cu.m	Recovery Factor (100%)	Reserve in Cu m	Total Reserve in Cum/Annum
Proved	42500	0.6	25500	1	25500	25500
<b>Total</b>						<b>25500</b>

Table.No.2

## CATEGORY WISE MINEABLE RESERVE OF SAND BED

Category	Surface area in Sq.mt	Thickness of sand in mtr	Volume of ore in Cu.m	Recovery Factor (100%)	Reserve in Cu m	Total Reserve in Cum/Annum
Proved	40900	0.6	24540	1	24540	24540
<b>Total</b>						<b>24540</b>

## 10. Mining :

- a. Whether manual or semi-mechanized or mechanized

: The mining will be done by open cast dry pit mining method.

The mining operation at Pankapal (Brahmani) Sand bed has been done earlier. The mode of the deposits, geomorphology of the area and its hydrological condition are some of the factors that favours the open cast method of mining. In this deposit, the mining will be done by opencast dry pit mining method by deploying the manpower. The sands are extracted, loaded and transferred from quarry to the users through trucks. The mining is done on single shift basis. The local man power has been engaged in the mine.

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b. If semi-mechanized or mechanized, number, type and capacity of machines to be used:

In this deposit, the mining is done by manual opencast dry pit mining method.

c. Whether drilling and blasting will be made use of, If yes, state monthly quantity of explosive consumed

: Not applicable

d. Benching pattern (Height x Width)

: Benching pattern is not feasible in case of sand mining. The maximum depth of mining will be of 0.6 m or up to water table whichever is less.

e. Face lay out (attach development plan):

The development for the ensuing two years period (2020-21 to 2021-22) has been proposed in the quarry. The composite year wise development plan for two years have been provided on scale 1:1000 in plate IV respectively. The overall progress in mining will be from south east to north west direction).

f. Quarry Floor Level (RL) at the end of the year or period of the concession:

During plan period from 2020-21 to 2021-22 the production has been proposed in the quarry. The average production for these years will be around 12060 cu.m. At the end of the plan period the quarry floor will be 21.4 mRL. The proposed pit lay out have been shown in the development plan and also in environment management plan (ref Plate IV, & VI).

g. Quantity of mineral to be won (Annual Level of Production):

The applicant intent to excavate around 12 000 cu.m per annum basing on the logistic and with availability work force/ laboureres. Based on the present market demand, the year wise production schedule for ensuring five years has been formulated at a steady and uniform rate of 12060 cu.m/annum for sand. As the sand sized particles will be produced, the production has been calculated and represented in cubic meter irrespective of the tonnage factor, to facilitate to get the correct quantity of sand. Based on the past experience, the geo-mining parameters taken in to consideration mine planning are as follows:

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Geo-Mining parameters	Quantitative Description
Sand recovery factor	100%
Bench height	Benching pattern is not feasible in case of sand mining .The maximum depth of mining is 0.6m

On the basis of the above data, year wise production of sand is estimated as per the following formula:  $M = CLI$

Where,

M = Quantity of sand in cu.m.

C = Cross sectional area in square meters.

L = Length of influence in meters.

I = Recovery factor of sand deposit

The year wise production of sand during plan period are given in table no.3 as follows:

**Table No.3**  
**YEAR WISE PRODUCTION OF SAND DURING PLAN PERIOD**

Year	Surface area in sq.mt	Thickness of sand in mtr	Volume in cu.m	Recovery factor (100%)	Production of sand in cu.m /Annum
4 <sup>th</sup> year 2020-21	20100	0.6	12060	1	12060
5 <sup>th</sup> year 2021-22	20100	0.6	12060	1	12060
Total					24120

The average production /excavation sand is 12060 Cu.m/ annum.

- h. Quantity of overburden to be removed (Show location of such disposal in development plan) : Nil
- i. Whether heavy blasting to be adopted: No blasting will be required.  
If yes, location of nearest habitation (to be shown in the surface plan)
- j. Safety precautions to be adopted : Safety equipments will be provided to workers.

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k. Brief description on the method of Procurement and storage of Explosives

: Explosives are not used.

11. Waste disposal:

- a. Location (show in development Plan): No proposed dump has been suggested in the quarry as there will no significant quantity of waste.
- b. Area covered : There will be no provision for dumping within the quarry or river.
- c. Environmental safeguards for such disposal : River sand will be automatically reclaimed during flood or rainy season.

12. Mine drainage :

(Give details of total make of water during dry and rainy season and its method of handling)

The surface run-off and drainage of the river will not be disturbed. Shallow depth excavation towards the river has been proposed which will have negligible or no impact on the mining process. Abandoned stream channels or terrace and inactive flood plains has been chosen for mining. Stream will not be diverted to form inactive channel.

13. Mineral Processing

(Give details of processing including sizing, Sorting, eneration of rejects/fines etc) :

Mineral processing is not required in case of Pankapal sand mining . The sand excavated from the Pankapal sand will be used as construction material. The sand will be supplied directly to the user as per the demand of construction materials.

14. (a) No. of trees to be uprooted due to mining operation : Nil

(b) Programme of Plantation : Nil

15. Manpower

: All total 9 persons will be employed in this quarry.

a. Supervisory: (inclusive of statutory personnel's)

: Two numbers of supervisory personel

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*7/3/2020*

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Bhubaneswar

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will be employed. The details are given as follows



Table.No.4

Management (Supervising personnel):

Designation	Qualification	Nos.	Total
Manager	As per DGMS norm	1	2
Foreman cum Mining Mate	-do-	1	

- b. Non- Supervisory (skilled, semi-skilled & unskilled) : Around 7 numbers of non-supervisory personnel's will be employed. The details are given as follows:

(ii) LABOURERS(Skilled/Semi-Skilled/Un-Skilled)

Category	Post	Nos.	Total
Skilled	Loading supervisor	1	1
Semi-Skilled	Assistant Loading supervisor	1	1
Unskilled	Labourers	5	5
Total	---	7	7

- c. OMS : 9cu.m  
Total production during plan period : 24120 cum  
Average production of sand /annum : 12060 cum  
Working days in the year : 270 days (in an average)  
Production per day :  $12060 / 270 = 44.66$  Cu.m or say 45 cu.m  
Output per man shift (O.M.S.) : 9Cu.m

Assuming the O.M.S. as 9 cu.m the man power requirement will be  $45 \text{ Cu.m} / 9 \text{ cu.m} = 5$

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16. Use of Mineral :

(Specification and monthly quantity to be dispatched be furnished)

- a. For domestic use : For construction purpose the sand of Pankapal will be used. Around 320cu.m of sand on monthly basis will be sold in domestic market.
- b. For export : No material will be exported at present

17. Mine Closure Plan:

(a) Describe the process/activities to be Undertaken for reclamation and Rehabilitation in respect of the following

- i. Mined out land: During plan period the mined out land will be 4.02 ha. The safety zone all along the sand bed will be maintained as 7.5 meter width and which will cover 0.16 ha. The area will reclaimed naturally every year during rainy season .The river will carry sand and sediments which will be eventually filled in the quarry . No further reclamation proposal is required.

The existing land use as well as proposed land use of the area is given in table no.5 as below

Table.No.5

LAND USE

Sl. No.	Type of Land Use	Area in Hectares	
		At Present (Existing)	At the end of Plan Period
1	Area under excavation including roads	2.18	4.200
2	Area Covered under water	1.820	1.820
3	Safety zone.	0.160	0.160
4	Unutilized land	1.910	0.110
	<b>Total</b>	<b>6.070</b>	<b>6.070</b>

ii. Waste/reject dump:

There will be no proposed dump during the plan period so no reclamation and rehabilitation measures have been suggested.

iii. Topsoil stack and its utilization

There will be no generation of top soil in this quarry since the mining will be carried out in river bed sand.

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*Handwritten signature and date: 7/3/2010*

Deputy. Director Geology  
Directorate of Geology  
Bhubaneswar

*Handwritten signature: Ajeeya Kumar Baral*  
**A. K. Baral**  
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## (b) Financial assurance:

(To be furnished as a bank guarantee in respect of the area to be put to use at the rate of Rs. \_\_\_\_\_ per hectare)

: The financial assurance will be submitted as decided by the competent authority, if required an undertaking by the applicant is enclosed for the purpose.

## 18. Certificate:

I/We the holder of Pankapal Sand quarry (type of concession) for River Sand over 5.058 hect. of Pankapal under Danagadil Tahasil of Jajpur District hereby solemnly affirm that the plans and programmes in this will be scrupulously implemented by me/ we and I/we will be strictly held responsible for any deviation thereof. I/we also hereby certify that the provisions of Mines act, 1952 and Rules and regulations made there under along with the provisions of Orissa Minor Mineral Concession Rules, 2004 will be strictly adhered to while implementing this mining plan and wherever specific permissions will be required I/ will approach the concerned authorities of Directorate General of Mines Safety and the State Government as the case may be.

(Signature of the Concessionaire)

*Hemanta Kumar Sahoo*  
(HEMANTA KUMAR SAHOO)  
S/o-Bauribandhu Sahoo  
Village/P.O: Jakhapura  
Tahasil: Danagadi  
Dist-Jajpur

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Directorate of Geology  
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## UNDERTAKING

I hereby undertake to submit the financial assurance as decided by the competent authority in form bank guarantee from any nationalized bank as and when required by the competent authority.

Place: Jakhapura  
Date: 07/02/2020.

Signature of the Applicant in full

*Hemanta Kumar Sahoo*

Full name in block letters:

(HEMANTA KUMAR SAHOO)

S/o-Bauribandhu Sahoo

Village/P.O: Jakhapura

Tahasil: Danagadi

Dist-Jajpur

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**COLLECTOR**  
**JAJPUR**

Field visit memorandum in connection with OA No 03/2022 of National Green Tribunal Eastern Bench, Kolkata

On dated 21.02.2022 around 11.00 Am I, the Collector and District Magistrate Jajpur accompanied by Tahasildar Danagadi visited Pankapala 1 and Pankapala 2 sand bed on Brahmani River system under Dnagadi Tahasil. Based on my Visit I have made following observations:

**Pankapala 1 Sand bed**

The sand bed is water logged, so no further observation could be made.

• **Pankapala 2 Sand bed**

1. The sand bed is not operational now, so it is not possible in my part to ascertain the use of mechanical (excavators) in mining now.
2. The sand bed is not operational, so it is not possible in my part to ascertain the allegation of mining beyond lease area.
3. The allegation of transportation of sand by 200 Hywa truck per day could not be ascertained as the sand bed is not operational.

Memo No ... 3303 ..... Date 16.3.2022

Copy forwarded to Tahasildar, Danagadi for information and necessary action.

CL

Collector and DM  
Jajpur.

Memo no 3304. Date 16.3.2022

Copy submitted to Additional Government Advocate, (Prabhu Prasad Mohanty) O/o the A.G, Odisha, Cuttack for information and necessary action.

CL

Collector and DM  
Jajpur.

Memo no 3305. Date 16.03.2022

Copy submitted to the Registrar, Hon'ble NGT, Eastern Bench, Kolkata for favour of kind information and necessary action.

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Collector and DM  
Jajpur.

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**Compliance report of O.A.NO. 03/2022/EZ**  
**filed by Pushpakanta Nayak Vrs. State of Odisha**

**FACTUAL DETAILS REGARDING PANKAPALA 1 & PANKAPALA 2 SAND**  
**BED UNDER DANAGADI TAHASIL , DISTRICT-JAJPUR**

There are 02 sand beds on Brahmani River system in Pankapala village under Danagadi Tahasil named as

1. Pankapala 1

Land schedule

Mouza	Khata no	Plot no	Kisama	Area
PANKAPALA	224	1089	Nadi	Acre 18.00

2. Pankapala 2

Land schedule

Mouza	Khata no	Plot no	Kisama	Area
PANKAPALA	224	1075	Nadi	Acre 15.00

Both the sand beds were auctioned by Tahasildar Danagadi as per Odisha Minor Mineral Concession (amended) RULES 2014 on 18.05.2015 for 05 year long term lease (FY 2015-16 TO 2019-20) and Shri Hemanta Kumar Sahoo At/po/ps-Jakhapura, Dist- Jajpur, Odisha was selected as the successful bidder and was granted 05 year long term lease as per the Rule. Due to delay in obtaining the mining plan approval and Environmental clearance from the competent authorities the lease deed were executed on 08.10.2015 for Pankapala 1 and 21.12.2016 for pankapala 2. Where as per the Revenue and Disaster management Department

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Government of odisha letter no RDM-MMS-CLRFIC-0003-2020-15040/ R&DM dated 02 May 2020 it was clarified that the lease period should be attributed to 5 years from the date of execution of the lease deed as per the Rule 27 and 43 (2) of Odisha Minor Mineral Concession (amended) RULES 2014. Accordingly the lease period of Pankapala 2 was extended which expired on 21 December 2021.

The lease period of **Pankapala 1** was expired on 05.10.2020 but the source is not operational since 18<sup>th</sup> march 2020 as the sand bed is water logged and Covid-19 lockdown. The pankapala 1 sand bed is water logged till now. The lease period of **Pankapala 2** expired on 21<sup>st</sup> December 2021 and is not operational since then.

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Compliance report of NGT O.A.NO. 03/2022/EZ  
filed by Pushpakanta Nayak Vrs. State of Odisha  
In National Green Tribunal Eastern Bench, Kolkakta

Compliance of allegation of non-compliance of environmental norms as made by petitioner is as under

1. Use of mechanical (excavators) when the permission is only for manual mining (only through labour and no machine to be used for mining the sand)

Reply-

I visited the sand beds along with Tahasildar Danagadi and other tahasil field staffs on 21.02.2022 and found that as both the sand beds Pankapala 1 and 2 over Brahmani River system are not operational now it is not possible in my part to ascertain Use of mechanical (excavators) in mining now.

2. Excess Mining than the permissible limit.

Reply -As per the Revenue and disaster management department Government of Odisha letter no. RDM-MMS-MISC-0089-2021/R&DM 33966 dated 11.11.2021 first sampling and geo-referencing have already been completed with regards to Pankapala 2 sand bed of Danagadi tahasil on 17.02.2022 and as per first sampling and geo-referencing conducted on 17.02.2022 report total minable reserve of pankapal 2 sand bed is 22730cum. While according to mining plan of the pankapal 2, the total minable reserve was 24540 and lessee was allowed to excavate 24120 between the period of FY 2020-21to 2021-2022. On such available data it is not possible in my part to ascertain the excess mining allegation of the petitioner. The study is an annual process with mandatory four sampling for final observation which will be completed in due time. After completion of all the four samplings the scientific proof can be submitted.

The petitioner is required to put strict proof of the same.

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### 3. Mining Beyond designated Area of Lease

Reply— As on my visit on date 21.02.2022 the sand beds are not operational so it is not possible in my part to ascertain the allegation if mining beyond lease area. Further as per the report submitted by Tahasildar Danagadi there is no mining beyond lease area reported.

4. Sand mining close to embankment in violation of safety zone which is usually 1/5 of the width of the River so as to protect the embankment from the erosion and breach excess mining to the tune of more than 200 hywa truck load /day (one hywa is having load capacity of 16 cubic meter of sand ) and around 100 trips tractors (1 tractor is of cubic meters) which is 3200 cm/Day

Reply-No violation to embankment safety zone has as reported by Irrigation Division.

As on my visit the claims made above regarding vehicles cannot be ascertained as the sand beds are now not operational. The petitioner required to put strict proof of the same.

5. Daily mining Register not maintained and Transit Permits (Form Y) not given to every vehicle and in few where Y form is issued are only to carry 3CM load tractors while the Hywa Trucks used to carry 16 cm and this is being done is collusion with Tahasildar and Revenue inspector

Reply- As on my visit the claims made above regarding vehicles and Y forms cannot be ascertained as the sand beds are now not operational

Further it is submitted that as per the report of Tahasildar Danagadi the claim is purely speculative and without any factual merit. Y forms of correct quantity were found in vehicles during enforcement by Tahasil enforcement squad.

6. Mining Without annual Replenishment study and pre monsoon assessment has not been done.

Reply- The Replenishment study has been made mandatory in 2021 as per the Revenue and disaster management department Govt of Odisha letter no. RDM-

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MMS-MISC-0089-2021/R&DM 33966 dated 11.11.2021 and accordingly the steps have been taken by Tahasil office Danagadi and first sampling and geo-referencing have already been completed with regards to Pankapala 2 sand bed. However the study is an annual process with mandatory four sampling for final observation which will be completed in due time.

Further it is submitted that **Pankapala 1** sand bed is water logged till now so the replenishment study could not be carried out in this sand bed.

7. **There has been no effective monitoring of quantity of sand excavated and GPS tracking of vehicles, electronic Transit Pass, CCTV camera in mining site as prescribed in sand Mining Enforcement and Monitoring Guidelines 2020.**

Reply- In Odisha the Paper Transit pass printed by Govt press having Govt of Odisha Hologram are issued to lessee as per the prescribed format of OMMC rules 2016.

Though Sand Mining Enforcement and Monitoring Guidelines 2020 has been formulated by Government of India, formulation of detail implementation guidelines is under active consideration and is soon to be implemented.

In conclusion, I would submit that since the lease has already expired, some elements of allegation could not be verified. But with the initiation of replenishment studies, we will be in a position to submit scientific figures, but the same can be done only after completion of 4 rounds of survey is completed.

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# VOKALATNAMA

IN THE COURT OF THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA, No. 03 of 2022

Between

P. S. Palomka W. S. Pal

Plaintiff  
Appellant/Petitioner

State of Odisha & others

- Versus -

Defendant/Opposite party/  
Respondent/Counter Petitioner.

Know all men by these presents that by this Vokalatnama I/We Charanvarni Singh Rathore son of  
33 year son of Hanishah Rathore  
as collector, Jaipur, Odisha. Respondent (2)

Plaintiff/Defendant/Appellant/Respondent/Petitioner/Opposite party in the aforesaid Suit/Appeal/Case do hereby appoint and retain Sri PRASHU PRASHU MONAWTY, A.S.A.

Advocate(s) to appear for me/us in the above case and to conduct and prosecute or defend the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or receipt of any money that may be payable to me/us in the said case and also in application for review in appeals under Odisha High Court order and in application or leave to appeal to Supreme Court.

I/We authorized my/our advocate(s) to admit any compromise lawfully entered in the said case.

Dated the 21/3/22  
Received from the Executant(s).  
Satisfied and accepted as I hold  
no brief for the other side.

[Signature]

Advocate  
Accepted

Advocate  
Accepted

Advocate  
Accepted

Advocate



[Signature]

SIGNATURE OF THE EXECUTANT(S)