

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 604 of 2018

Sarbeswar Behura

...Applicant

- Versus -

Union of India & Others

...Respondents

**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT/
STATE OF ODISHA**

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

ADVOCATE FOR PETITIONERS: SOM RAJ CHOUDHURY

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COUNTER AFFIDAVIT FILED BEFORE THE HON'BLE NGT IN I.A
No.385of 2024 & M.A of 2024 IN O.A NO 604/2018 FILED BY
SARBESWAR BEHERA -VRS- UNION OF INDIA & OTHERS.

Mrs. P. Anvesha Reddy, aged about 33 years, W/o-Tejas Kulkarni, at present working as Collector & DM, Jajpur, At/Po/Ps/Dist-Jajpur, do hereby solemnly affirm and stated as follows:-

1. That, I am working as Collector & D.M, Jajpur herein after referred to as the answering Respondent No.8 and as such I am competent and have been duly authorized by Respondent No.3and to swear this affidavit on their behalf also.
2. That, I have gone through the contents of the Original Application as well as the annexures appended thereto along with the Order dtd.20.08.2024,I.A No.385 of 2024& M.A of 2024 and have understood the contents thereof. I am well acquainted with the facts of the case.
3. That the applicant has filed the aforesaid Original Application before the Hon'ble Tribunal alleging in respect of operation of unauthorized quarries, stone crushers, wagon drilling. The applicant has also further alleged that due to this illegal mining and quarrying activities, many innocent villagers are suffering health issues concerning kidney ailments, Tuberculosis and drinking contaminated water & also alleged that due to dreadful vibration caused by the wagon drilling and blasting, the surrounding houses have developed cracks in the walls.
4. That this deponent is filing this affidavit in a summary manner instead of para-wise reply for just and effective adjudication of the case.
5. That, at the outset, the deponent denies each and every averment /assertion/contention raised by the applicant unless the same is

P. ANVESHA REDDY
COLLECTOR
JAJPUR

JAJATI JANGIK PANDA
Advocate, Jajpur,
LS No.:462/2002

26/11/24
OK ZAHIRUDDIN
Notary, Jajpur

admitted specifically hereinafter. No averment or assertion or contention raised by the applicant should be deemed to have been admitted on the ground of non-traverse.

6. That it is humbly submitted that the OMMC Rules 2016 have been amended wherein Tahasildar and Collector of the District have been substituted with Mining Officer and Deputy Director Mines as the Competent Authority and Controlling Authority respectively.

As per the Revenue & Disaster Management Department Letter No.15325 dtd.29.04.2023, the instruction was given to transfer the Sairat sources to the Steel and Mines Department and accordingly vide Letter No.240 dtd.16.01.2024 of Dharmasala Tahasil, the Dankari Sairat sources were transferred to Deputy Director Mines, Jajpur by Tahasildar, Dharmasala.

7. That, there are 18 Nos. of Black stone quarries leased out by the Tahsildar, Dharmasala and present operational status of each source as reported by the Mining Officer, Jajpur are marked as Annexure-1.

8. That different enforcement activities are conducted at Dankari Hill by the revenue Officials and the Mining Officials as well. Also, frequent enforcement activities have been conducted in the capacity of the Tahasildar, Dharmasala during which penalties have been collected and DGPS survey of the quarry areas have been conducted based on which penalties were imposed on the lease holders of Dankari BSQ No. 5 and BSQ No. ¼. Subsequently upon non payment of penalties OPDR cases also being initiated. Also, several FIRs have been lodged against the illegal lifting/ transportation of minor minerals. Annexure-2.

9. That it is humbly submitted that on 16.05.2024 in the early morning, a landslide occurred at Dankari in the BSQ No-5/10 under

P. AJVESHHA REDDY
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AJAYI JANGIK PANDA
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LS No.:462/2002

JK ZAHIRUDDIN
Notary, Jajpur

Dharmasala Tahasil. Vide letter No. 2686/21.05.2024, a detail report has been submitted by the Tahasildar Dharmasala and are annexed herewith as Annexure3.

Further, an F.I.R in this regard was lodged by the Mining Officer, Jajpur on 17.05.2024 along with supplementary information mentioning the unscientific method of mining at Dankari BSQ No-5/10 causing land slide vide letter No.2492 dtd.30.07.2024. A tripod mounted DTH(Down-The-Hole) Lond Hole Drilling Machine has been seized from the spot. After such incident, a Prohibitory Order at Dankari BSQ 5/10 was also passed by the Sub-Collector & SDM, Jajpur U/s.144 Cr.P.C vide Order No. 1392 dtd.18.05.2024 and the order is annexed herewith as Annexure-

4. Further, a demand notice has been issued to the lessee of above BSQ for payment of Rs. 3,81,39,725/- towards royalty and penalty for extraction of black stone beyond the permissible limit. Annexure-5.

Also, Notice has been served to the Lessee of the BSQ-5/10 for realisation of Environmental Compensation by the R.O SPCB which is annexed herewith as Annexure-6

10. That in view of the facts and submissions made above regarding the allegation that many innocent villagers are suffering health issues concerning kidney ailments & Tuberculosis and are drinking contaminated water due to operation of quarries in the Dankari Hill, there are no such evidence-based reporting either from the local people or District Public Health Officials.

11. That in view of the facts and submissions made regarding Mining activities and transportation being done without any legitimate

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Notary, Jajpur

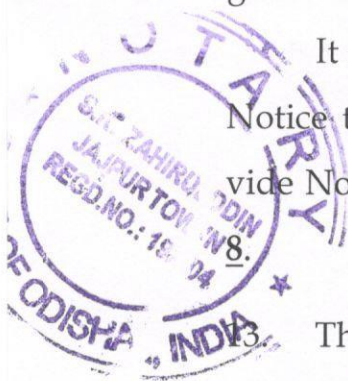
permission from any Competent Authority, it is humbly mentioned here that Y- forms were issued by the Tahasildar and at present Online T.P being issued for 06 no. of operational Sources in Dankari Cluster by the Mining Officer, Jajpur (Annexure-7).

12. That regarding the illegal Stone Crusher Unit on a patch of government land at Dankari Hill area, it is humbly submitted that Eviction Case No.02 of 2023-24 has been initiated against M/s ARSS Infrastructure Project Ltd. That add to it, penalty was also imposed on M/s ARSS Infrastructure Project Ltd. through Odisha Prevention of Land Encroachment Act, 1972 and recovered as well. Further, as per the letter No.6175/16.11.2024 of the Tahasildar, Dharmasala, M/s ARSS Infrastructure Project Ltd. has been issued Notice to vacate the government plots within 15 days.

It is pertinent to mention here that SPCB has issued Show Cause Notice to M/s ARSS Infrastructure Project Ltd. for revocation of CTO vide Notice No. 2049/05.06.2023 which is annexed hereto as Annexure:

That it is humbly submitted that, previously, Sri Sribash Jena S/O Late Muralidhar Jena of Village Saroi has got the long-term lease of Dankari Black Stone Quarry No. 1 (over an area of Ac 41.50 out of Ac 773.60, plot No.600, khata No.221 of Dankari village) for the period of five years. The lease agreement for the same was executed for a period of 05 years i.e , 26.11.2012 to 25.11.2017. Based on the letter of the R.O, SPCB, the Tahasildar, Dharmasala vide letter No. 3408 dt.26.11.2015 has directed Sri Sribash Jena to stop mining activities until receipt of Environmental Clearance. Further since then, no such permission was

P. ANVESHA REDDY
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MAO
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Advocate, Jajpur,
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Notary, Jaipur

accorded in favour of Sri Sribash Jena for mining operation of Ac 41.50 Dankari Black Stone Quarry and the source is non-operational.(Annexure-9)

14. That Sri Sribash Jena has also been imposed penalties amounting Rs.58,62,79,635.50/- by the Tahasildar, Dharmasala for over extraction of black stones from Ac 41.50 Dankari Black Stone Quarry and the lease holder filed a case in the Hon'ble High Court, Orissa vide WP(C) No. 9885 of 2016. The Hon'ble Court in their order dt. 28.09.2016 have quashed the order of the Tahasildar, Dharmasala with a direction of giving opportunity of hearing to the concerned parties.

15. That it is a fact that, the Government in Forest & Environment Department of Odisha vide their letter No.4363 dt 02.03.2017 directed the Collector, Jajpur to file a case against one of the lease holders Sri Sribash Jena under Section 15 & 19 of EP Act, 1986 for extraction of minor minerals from Dankari Black Stone Quarry over an area 41.50 acres without obtaining Environment Clearance from State Environment Impact Assessment Authority. The above case is sub-judice in the Court of the J.M.F.C Chandikhole.(Annexure-10)

16. That, it is a fact that as per the recommendation of the joint Enquiry team, the Director Environment -cum- Special Secretary to Government in Forest and Environment Department has instructed to the Collector Jajpur to revoke the environmental clearance issued by the DEIAA, Jajpur, since there is a separate procedure for issue of environment clearance as it falls in category of B1.(Annexure-11)

P. ANVESHA REDDY
COLLECTOR
JAJPUR



26/11/24
S.K. ZAHIRUDDIN
Notary, Jajpur

That, it is a fact that as per instruction of the Govt. in Forest & Environment Department, communicated vide letter No 22184 dt. 12.10.2018 the Collector, Jajpur has revoked all the Environmental Clearance issued in favour of all the lessee of Dankari hill area vide his office Order No.2598 dt. 12.10.2018.(Annexure-12)

17. That Sri Sribash Jena has also filed SLP No 10113/18 before the Hon'ble Supreme Court of India challenging the order passed by the Hon'ble National Green Tribunal Dt. 31.08.2018. The Apex Court in their order dt. 19.03.2024 have set-aside the impugned order dtd. 31.08.2018 and restore the OA No. 604/2018 along with Miscellaneous Application No. 1286/2018. (Annexure-13)

18. That it is also pertinent to mention here that the Black stone quarries in the Dankari Cluster are now made operationalized through due auction process only and the administration have been taking strong action against the illegal operation beyond lease area and upon the unscientific method of extraction of the Black stone as and when found.

19. Further, it is humbly stated here that around six nearby Districts are depending on the Black Stone Quarries under the jurisdiction of Dharmasala Tahasil for fulfilling their requirement. There are requirements of Black Stones for many vital Central and State Government infrastructure projects in the state like N.H, Railways, PMGSY, PMAY, Geo-Synthetic wall for checking coastal erosion etc. which depend upon the Black Stone Quarries under the jurisdiction of Dharmasala Tahasil and the Dankari Hill (sairat cluster) is one of them.

P. ANVESHA REDDY
COLLECTOR
JAJPUR

Advocate
LS No. 462/2002
Jajpur



26/11/24
S.R. ZAHIRUDDIN
Notary, Jajpur

20. Consequently, the Original Application being bereft of substance and devoid of any merit, hence liable to be dismissed.

21. That the deponent reserves the right to file further affidavit, if required by this Hon'ble Tribunal further.

22. That the facts stated above are to the best of my knowledge and based upon official records available.

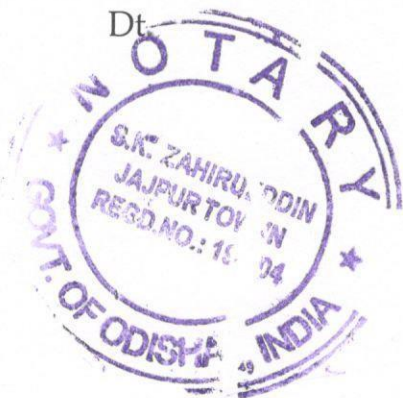
Identified by :

[Signature]
JANGIK PANDA
 Advocate,
 Advocate, Jaipur,
 LS No.:462/2002

P. ANVESHA REDDY
 DEPONENT
COLLECTOR
JAJPUR

Certified that cartridge papers are not readily available.

[Signature]
 Som Raj Choudhury
 Advocate-on-Record
 For State of Odisha



[Signature]
 26/11/20
 the Executants solemnly declare
 sign & Signed in presence of
 identified by Sr. *J. J. Panda* **S.K. ZAHIRUDDIN**
 Notary, Jaipur

DANKARI BSQ STATUS REPORT IN RESPECT TO D.D MINES, JAJPUR UNDER THE JURISDICTION OF DHARMASALA TAHASIL

SI	Source Name	Village Name	Lessee Name	Remarks
1	DANKARI BSQ NO.	DANKARI	MAHENDRA SWAIN	Online TP issued
2	DANKARI BSQ -01	DANKARI	SRIBASH JENA	Subjudice (Supreme Court Case)
3	DANKARI BSQ -02	DANKARI	SRIBASH JENA	EC Pending
4	DANKARI BSQ -05	DANKARI	M/S LAXMI EXPORTS	OPDR Case filed against Ranjan Kumar Jena <i>Online TP issue for LaxmiExports</i>
5	DANKARI BSQ -15	DANKARI	JAYANTI JENA	Subjudice
6	DANKARI BSQ -16	DANKARI	JAYANTI JENA	Online TP issued
7	DANKARI BSQ -17	DANKARI	PRASANT KUMAR JENA	Online TP issued
8	DANKARI BSQ -18	DANKARI	M/S LAXMI EXPORTS	Pending dues
9	DANKARI BSQ -3/9	DANKARI	NIRANJAN ROUT	Subjudice (revised demand)
10	DANKARI BSQ NO 14	DANKARI	JAYANTI JENA	Online TP issued
11	DANKARI BSQ NO 5 5/10	DANKARI	NARAYAN ROUT	Operation Stopped (Landslide site) 14A - Imposed by SDM
12	DANKARI BSQ NO 7 7/12	DANKARI	NARAYAN ROUT	Online TP issued
13	DANKARI BSQ NO. 1/4	DANKARI	JYOTSHNA JENA	Subjudice (Over extraction) OPDR Case filed against Jyotsna Jena
14	DANKARI BSQ NO. 2/3	DANKARI	JAYANTI JENA	Online TP issued
15	DANKARI BSQ NO. 4/7	DANKARI	NIRANJAN ROUT	Agreement yet to be done
16	DANKARI BSQ NO. 6	DANKARI	RANGADIHAR PRADHAN	Subjudice (Stay order not to proceed)
17	DANKARI BSQ NO. 8/13	DANKARI	RASMIRANJA N PANDA	EC Pending
18	DANKARI BSQ NO.9 9/8	DANKARI		Subjudice (Cancellation of Lease process)

P. ANVESHA CADDY
COLLECTOR
JAJPUR


22/11/24



Annexure-2

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OFFICE OF THE TAHASILDAR, DHARMASALA

Tel:-06725-273036 Web:- tdrdharmasala.in Email:-tdrdharmasala@gmail.com

Letter No.

3638

Date 12.08.2022

9

DEMAND NOTICE

To

Sri Ranjan Kumar Jena S/o- Late Surendranath Jena of village Saroi PO- Haridaspur
PS- Dharmasala Dist- Jajpur

Sub:- **Deposit of demand amount for over extraction**

This is to inform you that the lease agreement executed in your favour for operation of Dankari BSQ No. 5 ended on 05.05.2022. A scientific assessment was conducted by employment of DGPS/ETS/Drone in the supervision of the members of the technical assessment team, Jajpur on 05.05.2022 in your presence (or representatives). As per the assessment report, recommendation of the team and final order of the Collector-Cum-Controlling Authority, Jajpur the final assessment is as follows.

Total quantity extracted in Cum	Quantity to be extracted as per the lease deed in Cum	Net quantity extracted beyond the permission in Cum	Royalty and Additional Charge	Total amount of royalty and addl. Charged liable to pay by the lessee in Rs.	Penalty is to be levied in Rs. (As per the order of the Collector, Jajpur)	Total in Rs.
701724	112883	448496.2	260	116609012	116609012	233218024

P. ANVESHA REDDY
COLLECTOR
JAJPUR

Hence, you are hereby directed to deposit an amount of **Rs. 23,32,18,024.00 (Rupees Twenty-three crores thirty-two lakhs eighteen thousand and twenty-four only)** towards royalty and penalty within 15 days from the date of receipt of this letter failing which action will be taken as per law.


Tahasildar, Dharmasala

Memo No. 3639 Date 12.08.2022.

Copy submitted to the Collector, Jajpur/ ADM(Rev), Jajpur/ Sub-Collector, Jajpur for favour of your information.


Tahasildar, Dharmasala

**260****OFFICE OF THE TAHASILDAR, DHARMASALA**

Tel:-06725-273036 Web:- tdrdharmasala.in Email:-tdrdharmasala@gmail.com

10**DEMAND NOTICE**

No. 1526 Date: 13.04.2023

Smt. Jyotshna Jena W/o-Prasanta Kumar Jena
AT-HIG-C/48, Baramunda HB Colony, PS-KhandagiriSub: **Demand for extraction beyond the permissible quantity**
Ref: Show Cause notice No 1077 dated 16.03.2023
Sir,

With reference to the notice cited above, it is to inform you that no reply has been received by this office as on 11.04.2023. Therefore, as per the decision of the Joint District Assessment Committee under the Chairmanship of Sub-Collector, Jajpur, communicated to this office vide letter No 3879 Dt 13.04.2023 the following demand amount is hereby imposed for the unauthorized extraction of blackstones beyond the permitted quantity as per the Lease deed agreement executed in your favour:

Total quantity extracted (in Cum)	Quantity permitted to extract as per lease deed (in Cum)	Net Unauthorized extraction (in Cum)
1581000	55268	1525732

The detail calculation of the royalty and penalty (100% as royalty) is as follows: -

Sl. No.	Item	Amount in Rs.
1	Royalty @ 240 for 1525732 Cum	366175680
2	DMF @ 10%	36617568
3	EMF @ 5%	18308784
5	IT @ 2%	7323513.6
6	Penalty(@100% of royalty)	366175680
	TOTAL	794601226.00

Hence, you are hereby directed to deposit an amount of **Rs. 794601226.00** (*Rupees seventy-nine crores forty-six lakhs one thousand two hundred twenty-six only*) towards royalty and penalty within 15 days from the date of receipt of this letter failing which action will be taken as per law. In the mean time, it is directed to **immediately stop the quarrying operation.**

Further, it must be noted here that, this over-extraction assessment has been made with regards to the Approved Mining Plan till the date of survey ie **24.09.2022** In the meantime, you have extracted for **201** days more as on today. This additional extraction assessment is underway and will be subsequently notified.

Sin
13.04.2023
Tahasildar, Dharmasala
Tahasildar
Dharmasala



Letter No. 6174

Date : 16.11.2024

From Subhankar Mohanty, OAS (JB)
Tahasildar & Executive Magistrate, Dharmasala

To
The ADM (Rev.)
Collectorate, Jajpur.

Sub: - Submission of information regarding collection towards penalty through enforcement in Dankari Hill.

Ma'am,

With reference to the subject cited above, I am to submit herewith the year wise enforcement details with regards to penalty collection through enforcement in Dankari Hill conducted by Dharmasala Tahasil.

Enforcement in Dankari Hill		
SL No	Year	Penalty collection through Enforcement (Rs.)
1	2019-2020	505000.00
2	2020-2021	275000.00
3	2021-2022	1442700.00
4	2022-2023	684000.00
5	2023-2024	604000.00

This information furnished for your kind information.

Yours faithfully,


Tahasildar, Dharmasala



262



DY-NO-197

01/08/24

12

GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddmjajpur.mm@gov.in

Letter No. 2505 /MM, Jajpur/ Date 30-07-2024

From

Mining Officer-cum-Competent Authority, Jajpur District,
O/o the Deputy Director of Mines,
Jajpur Circle, Jajpur.

To

Sri Narayan Rout-Lessee, Dankari BSQ-5/10,
S/o-Hrudananda Rout,
At-Taranjia, Po-Aruha, Dist-Jajpur,
Pin-755024.

Sub: Notice for over-extraction of black stone with respect to Dankari BSQ-5/10.

Sir,

As per the case record & i4MS date base, you were eligible to extract a quantity of 68000 Cu m of black stone for the period from 17.05.2022 to 16.05.2024 with respect to Dankari BSQ-5/10.

However, as per the resource assessment conducted on 17.05.2024, you have over extracted a quantity of **79999.41 Cu m** of black stone from Dankari BSQ-5/10.

Hence, you are directed to produce show-cause within 7 days of receipt of this notice that, why an amount of **Rs.3,81,39,725/- (Three Crore Eighty-one Lakh Thirty-nine Thousand Seven Hundred Twenty-five)** only as calculated below will not be penalised against you for violating OMMC Rules, 2016 & Amendments.

1	Royalty @ 130/Cu m for 79999.41 Cu m	Rs.1,03,99,924
2	Additional Charges @ 295 / Cu m for 79999.41 Cu m	Rs.2,35,99,826
3	DMF 30% of Royalty	Rs.31,19,978 /-
4	EMF 5% of Royalty	Rs.5,19,997 /-
5	Penalty	Rs.5,00,000 /-
Total Amount =		Rs.3,81,39,725/-

Yours faithfully,

Mining Officer (I/C), Jajpur



Letter no- 2150 /Date- 07.06.21

From Devi Prasad Mohanty, ORS
Tahasildar & Executive Magistrate, Dharmasala (I/C)
To,
The I.I.C., Jenapur P.S., Dist-Jajpur
Sub: - ***Request for enquiry into theft of Blackstones at Dankari***

Sir,

With reference to the subject cited above, I am to submit that a **truck with Regd No. OR 04 E 8496** was stopped near Dankari hill area at around 3: 30 pm today while it was carrying blackstones without any valid transit pass.

Therefore, it is requested to kindly conduct an enquiry and lodge FIR against the vehicle operator for theft of minor minerals.

Yours faithfully,

Dev
7.6.21

Tahasildar, Dharmasala



Letter No.2383 Date 05.06.2023

From : Swagat Das, OAS(I)SB
Tahasildar & Executive Magistrate, Dharmasala

To
The Inspector-in-Charge, Jenapur PS, Jajpur

Sub:- ***Request for enquiry for theft of minor minerals in Dankari Cluster.***

Sir,

It is to intimate you that, during his field visit to Dankari Cluster area, our Dankari RI- Sri Manas Ranjan Bej found **01 hyva with Regd No. OD 19D 8272** loading stone boulders in the Plot No.45, Khata No.465, Mouza Dankari adjoining to the Dankari Blackstone Quarry 7/12 (beyond the leasehold area), who couldnot produce any Y-form. This vehicle was subsequently apprehended and has been kept within the premises of your good office at 4:45 pm today with seizure list handed over to Sri. S.K. Singh, ASI

Therefore, it is requested to kindly conduct an enquiry and take necessary action as per law against the vehicle for involvement in the theft of minor minerals and resulting loss of govt revenue as well as damage to the environment.

Yours faithfully,

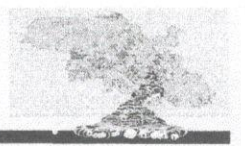

Tahasildar, Dharmasala

Memo No. 2384 Date 05.06.2023

Copy forwarded to RI Dankari for kind information and necessary action.


Tahasildar, Dharmasala

o/c



Letter No. 2854 Date 12.07.2023

15



From: Swagat Das, OAS (A)SB
Tahasildar & Executive Magistrate, Dharmasala
To: The IIC, Jenapur Police Station, Jajpur

Sub: **Enquiry into the unauthorized extraction of blackstone at Dankari Cluster Area**

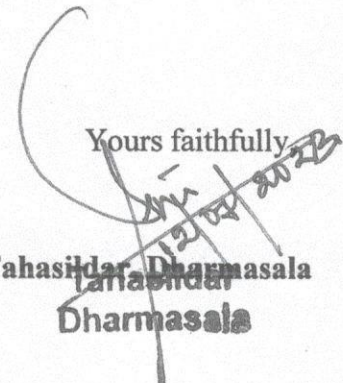
Sir,

With reference to the subject cited above, I am to inform you that, two hyvas with **Regd Nos. OD 04 C 4557 and OD 19 D 8844** were found today by the RI Dankari while transporting blackstones within Dankari Cluster Area near the Durgadevi temple around 12:15 pm (**photograph attached**). On enquiry, the operators could not produce any valid transit pass.

In this regard, it is requested to cause an enquiry against the vehicle owner and take necessary action against them for their involvement for theft of minor minerals and loss of govt revenue.

Encl : As above

Yours faithfully


Tahasildar, Dharmasala
Dharmasala

o/c



To

The IC, Jenapur

Sub: Lodging of FIR against the vehicles
for illegal extraction of soil.

Sir,

With reference to the subject cited above,
I would like to inform you that, during my
fort night field visit to village: Jamushari on dt. 12.12.2022
3 nos of tractors (bearing no: OR 04 M 4058, OD 04 Q 8
and Engine no: RMD2KBA¹⁶⁵⁹ and one Paktin machine (owner -
Dillip Kumar Das) were found illegally carrying soil.

Therefore it is requested to book
FIR against the vehicle owners for theft of
soil.

This is for your kind information
and necessary action.

Yours faithfully
Anand Kumar Chhapre.
R.I. Talagarkh
dt 12/12/22

Manoj Ranjan Bej.
12/12/2022
R.I. Daryari.



Letter No.858 Date 02.03.2023

From: Swagat Das, OAS (A)SB
Tahasildar & Executive Magistrate, Dharmasala

To

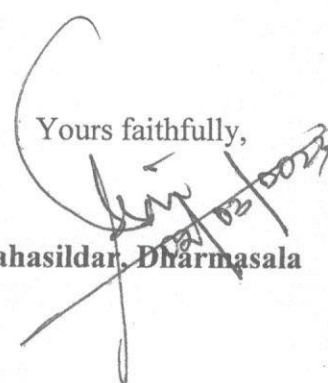
The IIC, Jenapur Police Station.

Sub: *Unauthorized blackstone extraction from Dankari BSQs*
Sir,

With reference to the subject cited above, I am to submit that, during our quarry visit, two trucks with regd No. OR 02 AR 5593 and OR 19 D 6134 were found transporting blackstones from Dankari area at around 8 pm yesterday ie 01.03.2023.

In this regard, it is requested to cause an enquiry and lodge FIR against the vehicle owners as per the enquiry.

Yours faithfully,


Tahasildar, Dharmasala

CRIMINAL MISC CASE No. 67 /2023, u/s 144 CrPC

State

-Vrs-

Others

Whereas it has been made to appear to the undersigned that, some of miscreants are illegally extracting minor minerals violating the provisions under OMMC Rules 2016. Further it is reported that the illegal quarrying operation is going on without any permission from the Competent Authority, for which there is apprehension of serious breach of peace in the locality and *it may lead to bloodshed and loss of human life*, in addition to the loss of revenue and damage to the environment.

I do hereby order U/S 144 of Cr.PC and prohibit to enter into the following schedule land and not to extract/remove/lifting/digging/transporting of minor minerals etc from the suit land until further orders. Any objection to this order may be filed with relevant documents in the Court of the undersigned on 05.06.2023 at 11.00 AM

LAND SCHEDULE

MOUZA	KHATA NO	PLOT NO	AREA	STATUS	KISAM
Dankari	465	128	Ac 5.00 out of Ac 67.35	AAA	Parbata (patch 1)
		128	Ac 4.00 out of Ac 67.35		Parbata (patch 2)
		45	Ac3.00 out of Ac 434.81	AJA	Parbata (patch 3)
		45	Ac3.00 out of Ac 434.81	AJA	Parbata (patch 4)
TOTAL AREA			Ac 15.00 out of Ac 502.16		

Given under my hand and seal of the Court this the day of 29th May, 2023

Executive Magistrate
Dharmasala

Memo No. 2249 Date 29.05.2023

Copy forwarded to IIC, Jenapur P.S. for information and necessary action. He is directed to promulgate the order in the locality after observing all formalities within 7 days. R.I Dankari is directed to identify the suit land at the time promulgation with assistance of beat of Drum.

Executive Magistrate
Dharmasala

To

The Tahasildar Dharmasala

Sub: - Fortnightly Visit Report

Sir

During my Fortnightly field visit to the Dankari Cluster area of Dankari Village on Dated:-22.05.2023 at around 10.00AM, I found some fresh evidence of fresh extraction in different patches beyond the lease quarry area of Dankari Quarry Cluster Area, from local enquiry it is ascertained that some persons are regularly engaged in this illegal extraction however due to heavy involvement of the local villages with the illegal extractor I am unable to nab any vehicles for initiating criminal action Hence this may be recommended for 144 Crpc. Details of the Land Schedule given below.

LAND SCHEDULE

MOUZA	KHATA NO	PLOT NO	AREA	STATUS	KISAM	REMARKS
Dankari	465	128	Ac 5.00 out of Ac 67.35	AAA	PARBATA	TRACE MAP ENCLOSED
		128	Ac 4.00		PARBATA	TRACE MAP ENCLOSED
		45	Ac3.00	AJA	PARBATA	TRACE MAP ENCLOSED
		45	Ac3.00	AJA	PARBATA	TRACE MAP ENCLOSED
TOTAL						

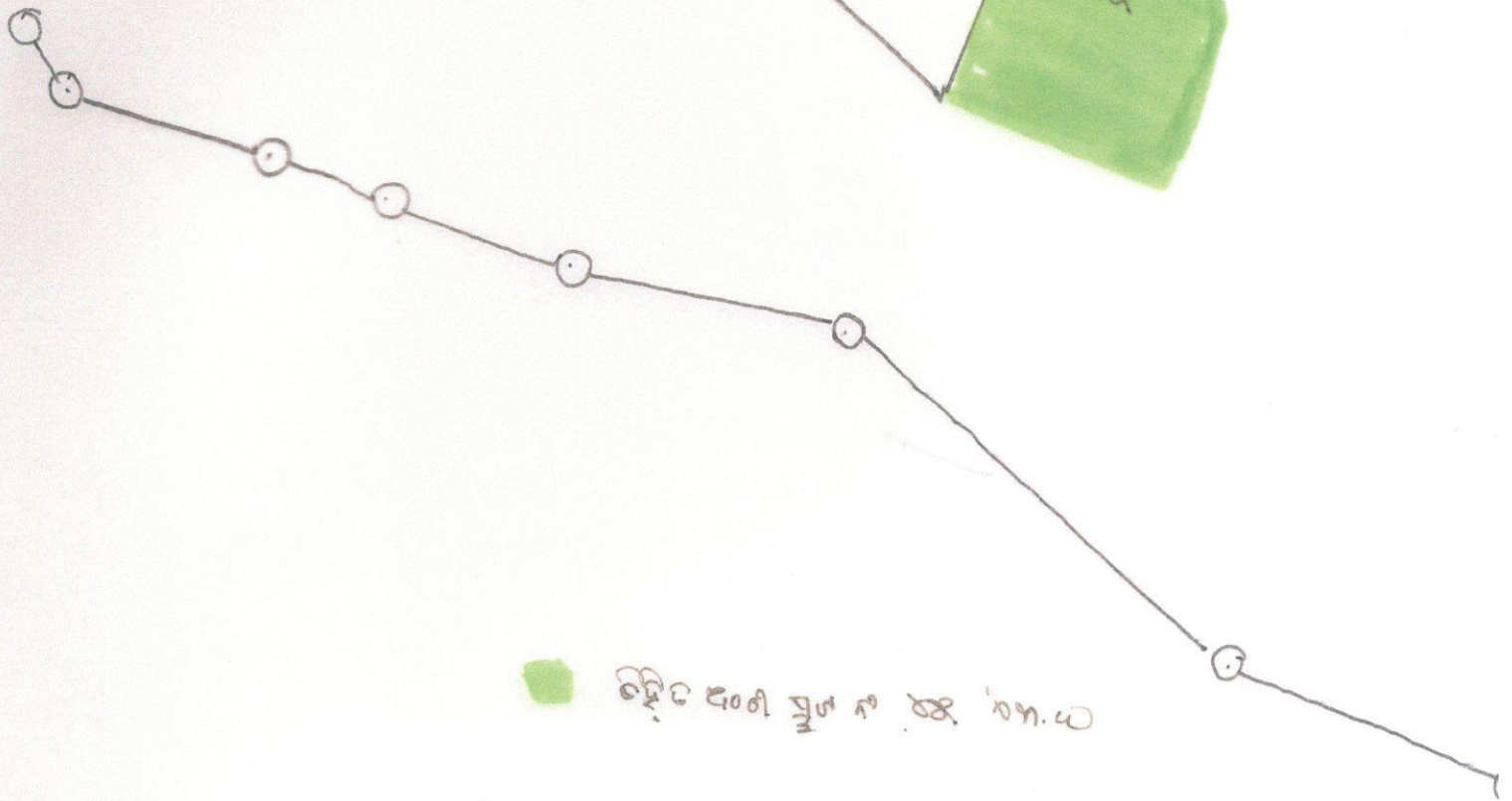
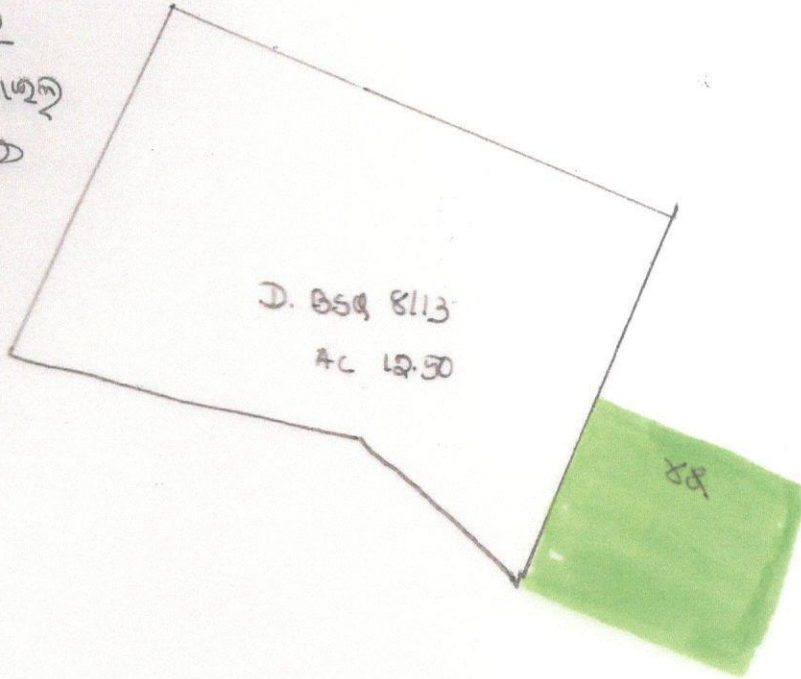
This is for your kind information and necessary action.

Yours faithfully,

Manoj
22.05.2023
Revenue Inspector
Dankari Circle

ପ୍ରକାର: ଲାକ୍ଷ୍ମୀ
ପ୍ରା. ନଂ: ୩୨୬

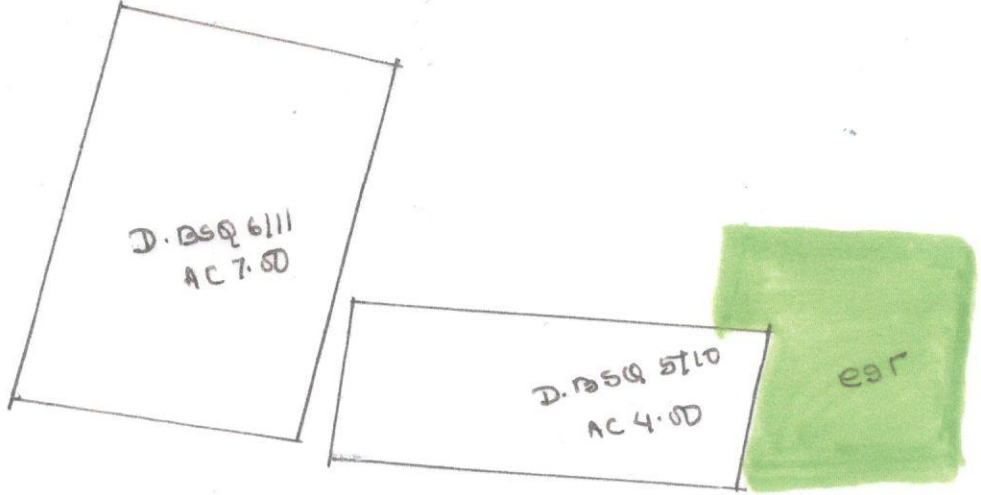
କର୍ତ୍ତା: ଉତ୍ତମ
ପିଲା: ପୂର୍ବିକାଳ ନଂ ୩୨୬
ଦେଶ: ପୂର୍ବିକାଳ ନଂ ୩୨୬
କର୍ତ୍ତା: ମାଧୁ ୨
ଫ୍ଲୋର ୧୨" = ୧୨.୫୦
ସିନ ଉପର - ୩



ପୂର୍ବିକାଳ ନଂ ୩୨୬ ନମ୍ବର

Manas
22.05.2023
Rajasthan University
Jaipur

ଠିକଣା: ଓଡ଼ିଶା
 ପିନ୍: ପିର୍ମିଟାଲ ନଂ ୨୨୨
 ଦସ୍ତଖତ: ପିର୍ମିଟାଲ ନଂ ୨୨୨
 ଜିଲ୍ଲା: ମାଜାପୁର
 ଗ୍ରାମ: ଧନ - ଓଡ଼ିଶା
 ସଂଖ୍ୟା: ୨୨୨-୨୨



Manas
 22.05.2023

IN THE COURT OF THE EXECUTIVE MAGISTRATE,
DHARMASALA

CRIMINAL MISC CASE No. 158 /2022, u/s 144 CrPC

State

-Vrs-

Others

Whereas it has been made to appear to the undersigned that, some of miscreants are illegally extracting minor minerals violating the provisions under OMMC Rules 2016. Further it is reported that the illegal quarrying operation is going on without any permission from the Competent Authority, for which there is apprehension of serious breach of peace in the locality and *it may lead to bloodshed and loss of human life*, in addition to the loss of revenue and damage to the environment.

I do hereby order U/S 144 of Cr.PC and prohibit to enter into the following schedule land and not to extract/remove/lifting/digging/transporting of minor minerals etc from the suit land until further orders. Any objection to this order may be filed with relevant documents in the Court of the undersigned on 03.11.2022 at 11:00 AM

LAND SCHEDULE

MOUZA	KHATA NO	PLOT NO	AREA	STATUS	KISAM
Dankari	465	128	Ac 5.00 out of Ac 67.35	AAA	Parbata (patch 1)
		128	Ac 4.00 out of Ac 67.35		Parbata (patch 2)
		45	Ac3.00 out of Ac 434.81	AJA	Parbata (patch 3)
		45	Ac3.00 out of Ac 434.81	AJA	Parbata (patch 4)
TOTAL AREA			Ac 15.00 out of Ac 502.16		

Given under my hand and seal of the Court this the day of 3rd November, 2022

~~Executive Magistrate
Dharmasala~~

Memo No. 4860 Date 03.11.2022

Copy forwarded to IIC, Jenapur P.S. for information and necessary action. He is directed to promulgate the order in the locality after observing all formalities within 7 days. R.I Dankari is directed to identify the suit land at the time promulgation with assistance of beat of Drum.

~~Executive Magistrate
Dharmasala~~

Letter No.2686

Annexure-3

Dt.21.05.2024

To
The Collector & D.M
Jajpur.

Sub:- Detail report on the death of some persons in the Dankari Quarry Area
Ref :- Your office letter no 5289 dt 16-05-2024

Sir,

With reference to the subject cited above, I am to intimate you that on Dt.16-05-2024 early morning, a landslide occurred at Dankari in the BSQ No. 5/10 under Dharmasala Tahasil. The 3rd Battalion NDRF, Cuttack, Fire personnel, Mining Officer, Dy. Director of Mines, IIC, Jenapur, SDPO & other police personnel, Asst. Labour Officer & Revenue Officials were present during the rescue operation. The rescue operation continued from Dt.16-05-2024 to Dt.19-05-2024.

Three nos. of dead bodies buried under the debris were rescued. The dead bodies were identified by their relatives in presence of the Asst. Labour Officer & Dy. Director of Mines, Jajpur. Labour Insurance could not be produced by the Lessee. The details of the deceased are mentioned below:

1. Jagabandhu Majhi S/o Laxminath Majhi, At-Bhamini, Pujariguda, Bhamini Umarkote, Dist-Nabarangapur
2. Nalla Umapathi S/o Nalla Divakar, Indira Colony, Ichhapuram, Tulasigam, Srikakullam, Andhra Pradesh
3. Suresh Gaud S/o Dhanasiram Gaud, At-Singisari, CTC Jholla, PO- Singisari, Dist-Nabarangapur

One Chain Mounted Excavator was also buried under the debris which could be recovered partly. The photos of detail of the machine and its insurance are enclosed.

The Dankari in the BSQ No. 5/10 (Land Schedule: Khata No.221, Plot No.600(P), Ac 4.00, Kisam-Pahad A.A.A, Mouza-Dankari) was leased in favour of Sri Narayan Rout S/o Hrudananda Rout of Vill. Taranjia, Po-Aruha, Ps-Dharmasala, Dist-Jajpur. The lease deed agreement was executed between the Government of Odisha represented through the Tahasildar, Dharmasala and Narayan Rout on Dt.21st day of June 2023 for term of 5 years.

The landslide site was also enquired by R.I, Dankari, Revenue Supervisor, Additional Tahasildar of Dharmasala Tahasil. (Report Enclosed)

A scientific team by the police inspected the site and enquired on this matter. A drone survey of the site was also conducted by the Mining Officer for assessment. An FIR in this regard has been lodged by the Mining Officer, Jajpur. Prohibitory order at Dankari BSQ 5/10 was also passed by the Sub-Collector & SDM, Jajpur U/s-144 CrPC.

P. ANVESHA REDDY
COLLECTOR
JAJPUR

The following observations are found at the site of Landslide:


1. There was rain just previous day of the incident.
2. Use of one Tripod Mounted DTH(Down-The-Hole) long hole drilling machine. Multiple drill deep holes of diameter approx. 5 inches were marked at the site.
3. A road found atop the quarry (Landslide) edge where there was mark of movement of heavy machineries like Chain Mounted Excavator
4. There was almost vertical escarpment of rock at quarry site without maintenance of proper slope & bench ratio.
5. The area was fragile due to multiple cracks.

Different photos of the sites and findings are enclosed for reference.

Further enquiry to ascertain the cause of landslide at Dankari BSQ 5/10 can be possible by scientific investigation through a technical team.

This is for favour of your kind information and necessary action.

Yours faithfully,


21/05/2024
Tahasildar
Tahasildar, Dharmasala
Dharmasala

Memo No: 2687 /Dt.21.05.2024

Copy submitted to the IIC Jenapur/ Mining Officer/Dy. Director of Mines, Jajpur for information and necessary action.


21/05/2024
Tahasildar
Tahasildar, Dharmasala
Dharmasala

Memo No: 2688 / Dt.21.05.2024

Copy submitted to the Superintendent of Police, Jajpur for kind information and necessary action.


21/05/2024
Tahasildar
Tahasildar, Dharmasala
Dharmasala

Received
28/6/24



GPS Map
Camera Lite

Quarry Road, Dankari, Odisha 755023, India

Latitude
20.77730925°

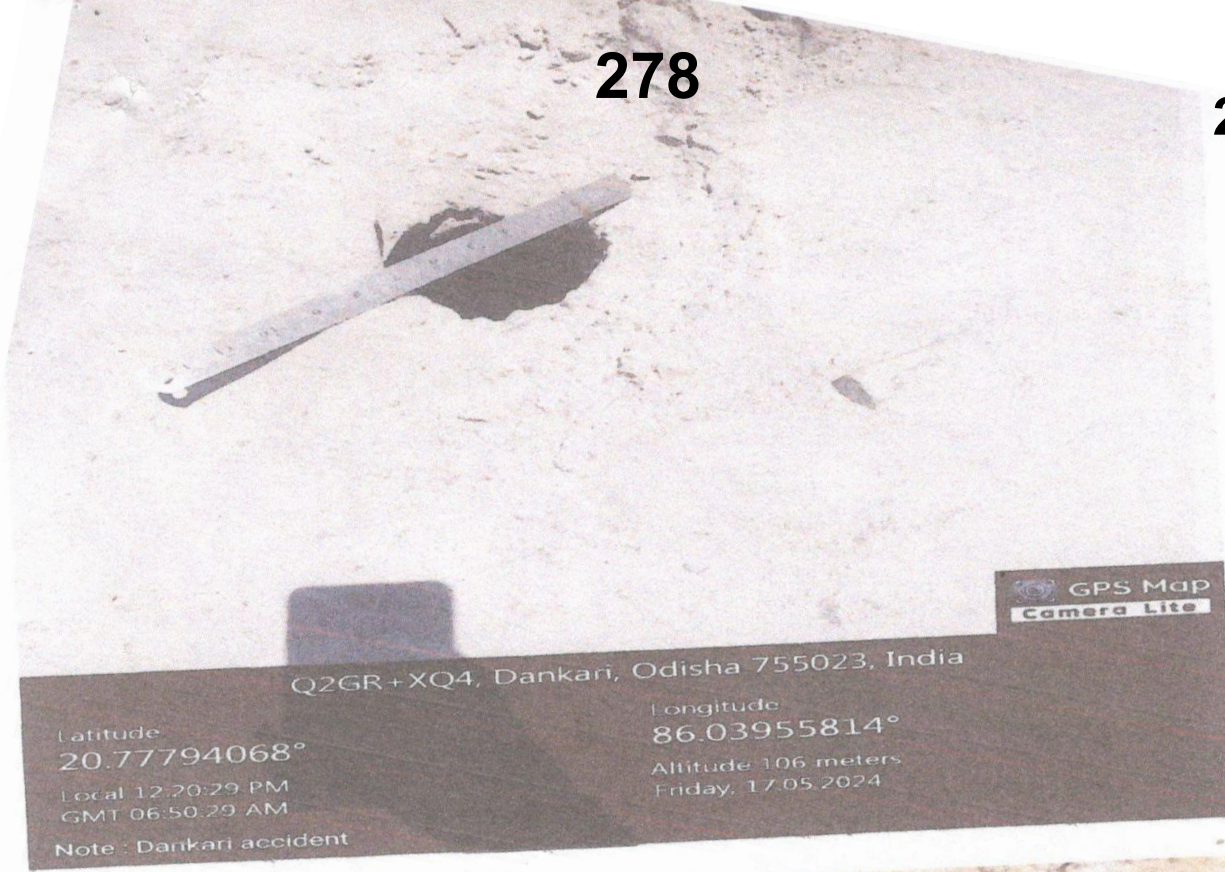
Longitude
86.0388275°

Local 12:57:20 PM
GMT 07:27:20 AM

Altitude 60 meters
Sunday, 19.05.2024

Note : Redcross fund to Lakshinath Maji

Chain Mounted Excavator Recovered from debris at the landslide site in Broken Condition



Q2GR+XQ4, Dankari, Odisha 755023, India

Latitude 20.77794068° Longitude 86.03955814°
 Local 12:20:29 PM Altitude 106 meters
 GMT 06:50:29 AM Friday, 17.05.2024

Note : Dankari accident



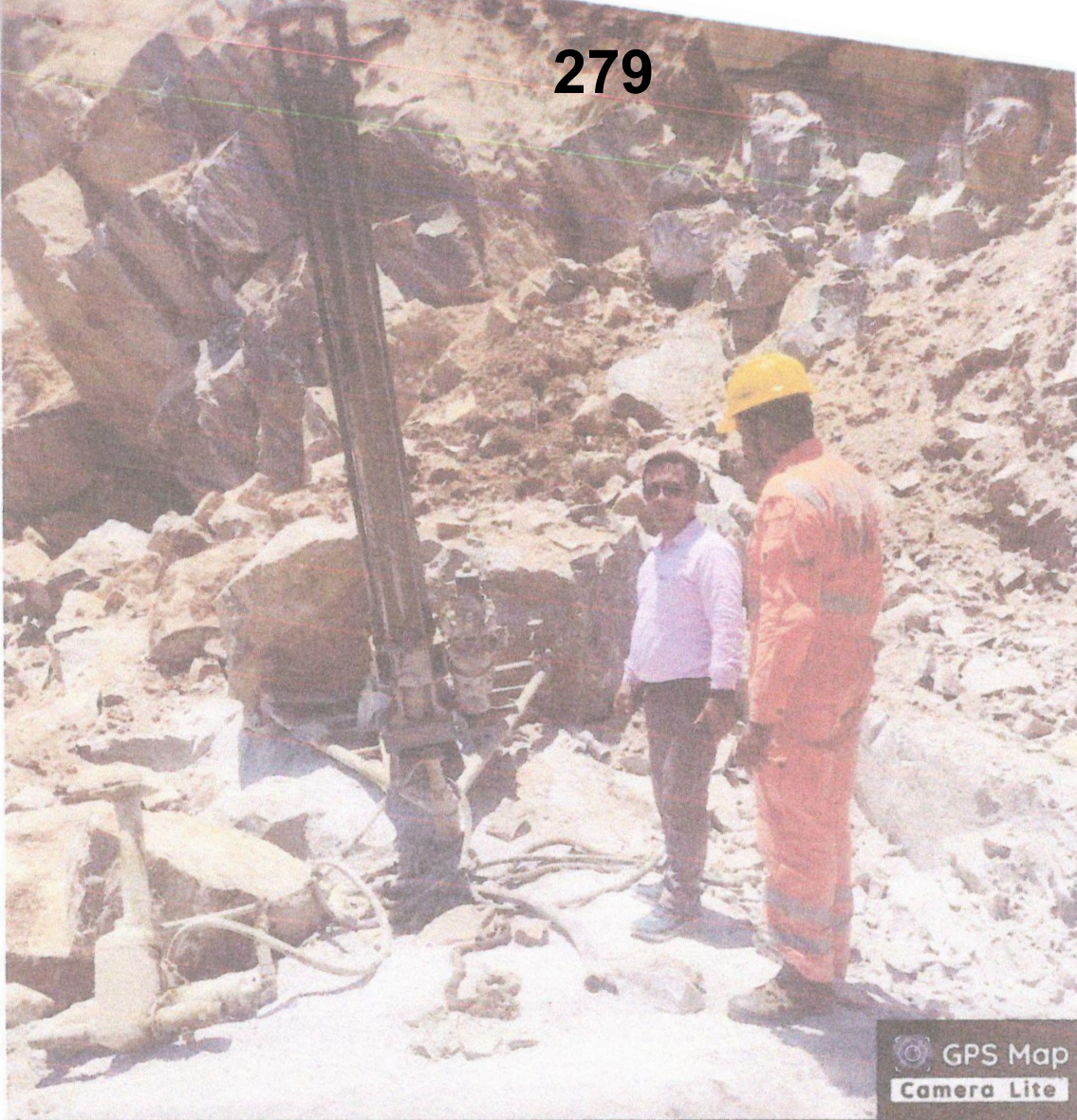
Q2GR+XQ4, Dankari, Odisha 755023, India

Latitude 20.77800505° Longitude 86.03972766°
 Local 12:18:09 PM Altitude 106 meters
 GMT 06:48:09 AM Friday, 17.05.2024

Note : Dankari accident

Multiple Drill holes of diameter around 5 Inches each

(Handwritten signatures)



GPS Map
Camera Lite

Q2GR+XQ4, Dankari, Odisha 755023, India

Latitude
20.77806383°

Longitude
86.0395864°

Local 12:21:12 PM
GMT 06:51:12 AM

Altitude 106 meters
Friday, 17.05.2024

Note : Dankari accident

Tripod mounted DTH(Down-The-Hole) Long Hole Drilling Machine



Q2GR+XQ4, Dankari, Odisha 755023, India

Latitude
20.7781239°

Longitude
86.03957572°

Local 12:23:54 PM
GMT 06:53:54 AM

Altitude 106 meters
Friday, 17.05.2024

Note : Dankari accident

Joint Inspection by the Revenue Officials, Mining Officer & NDRF Staff

Dt.21.05.2024

REPORT ON LANDSLIDE & DEATH CASES AT DANKARI QUARRY AREA

Ref: Office Order No.2607 Dt.16.05.2024

On Dt.16-05-2024 early morning, a landslide occurred at Dankari in the BSQ No. 5/10 under Dharmasala Tahasil. The 3rd Battalion NDRF, Cuttack, Fire personnel, Mining Officer, Dy. Director of Mines, police personnel, Asst. Labour Officer & Revenue Officials were present during the rescue operation.

Rescue operation continued for 04 days. 03 nos. of dead bodies buried under the debris were rescued. The dead bodies were identified by their relatives in presence of the Asst. Labour Officer & Dy. Director of Mines, Jajpur. Labour Insurance could not be produced by the Lessee. The details of the deceased are mentioned below:

1. Jagabandhu Majhi S/o Laxminath Majhi, At-Bhamini, Pujariguda, Bhamini Umakote, Dist-Nabarangapur
2. Nalla Umapathi S/o Nalla Divakar, Indira Colony, Ichhapuram, Tulasigam, Srikakullam, Andhra Pradesh
3. Suresh Gaud S/o Dhanasiram Gaud, At-Singisari, CTC Jholla, PO- Singisari, Dist- Nabarangapur

One Chain Mounted Excavator was also buried under the debris which could be recovered partly.

There was rain just previous day of the incident. One Tripod Mounted DTH(Down-The-Hole) long hole drilling machine was found at the site which was seized by the Mining Officer and handed over to the IIC, Jenapur. Multiple drill deep holes of diameter approx. 5 inches were found on the rock at the site.

A road opened at the top of the quarry (Landslide) edge where there are marks of movement of heavy machineries like Chain Mounted Excavator which made the spot fragile. Proper slope & bench ratio also not maintained at the quarry site. Further enquiry can be possible after going through details of the Mining Plan by the Mining Officials.

Revenue Inspector, Dankari
Circle, Dharmasala Tahasil
Revenue Inspector
Dankari Circle

Revenue Supervisor
Dharmasala Tahasil
Revenue Supervisor
Dharmasala Tahasil

Additional Tahasildar
Dharmasala Tahasil
Additional Tahasildar
Dharmasala

Tahasildar
Dharmasala

Annexure

-Vrs-
General Public

Extract of Order on Dated 18.05.2024

Perused the report of the Deputy Director, Mines, Jajpur Circle, Jajpur vide his Letter No.1610/dt.18.05.2024 regarding declaration of prohibitory order U/s-144 CrPC at-Dankari BSQ 5/10.

Heard App.

Whereas, it appears from the DDM, Jajpur circle that two causalities have been reported due to landslide in Dankari BSQ 5/10 on 16.05.2024 morning under Dharmasala Tahasil and more bodies is suspected to have buried under the debris and the rescue operation is going on. Moreover, there is chance of further landslide in the quarry and anticipation of loss of life and property and also chance of law & order situation in and around the quarry area.

I am satisfied that there is apprehension of serious breach of peace. Hence, I do hereby ordered U/s-144 CrPC that the general public be restrained to enter upon the Dankari BSQ 5/10 quarry area until further orders.

Further the IIC, Jenapur PS is directed to promulgate the order in the prohibited areas and keep close watch over the untoward situation.

The Deputy Director Mines, Jajpur Circle, Jajpur is instructed to contact with the Local Police for the above purpose.

Any objecting to this order to appear in my Court on 28.05.2024 and file show cause regarding the allegation with documentary evidence. As I consider the case as emergent in nature.

Khata No	Plot No	Area (in AC)	Area (in Hec)	Kisam	Tenant
221	600(P)	4.00	1.618	Pahad	A.A.A

P. ANVESH A REDDY
COLLECTOR
JAJPUR

Memo No. 6758 / Date **18.05.2024**

Copy to IIC, Jenapur PS for information and follow up action. He is instructed to promulgate the order in the declared places & report compliance.

[Signature]
18.5.2024
Sub-Collector & SDM, Jajpur

Memo No. 6759 / Date **18.05.2024**

Copy to Tahasilidar, Dharmasala/SDPO, Jajpur Road for information and follow up action.

[Signature]
18.5.2024
Sub-Collector & SDM, Jajpur

Memo No. 6760 / Date **18.05.2024**

Copy submitted to the SP, Jajpur for kind information & necessary action.

[Signature]
18.5.2024
Sub-Collector & SDM, Jajpur

Memo No. 6761 / Date **18.05.2024**

Copy submitted to the Collector & DM, Jajpur for favour of kind information.

[Signature]
18.5.2024
Sub-Collector & SDM, Jajpur

[Signature]
18.5.2024
Sub-Collector & SDM, Jajpur

1459
18.05.2024



283

33

GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddmjajpur.mm@gov.in

Letter No. 1589 /MM, Jajpur/ Date 17.05.2024

From

Mining Officer,
Jajpur District.

To

The IIC, Jenapur,
Dist-Jajpur.

Sub: **Lodging of F.I.R**

Sir,

I, Sri Jhasaketan Sethy, Mining Officer (I/C), Office of the Deputy Director of Mines, Jajpur Circle, Jajpur hereto inform you that, one casualty has been reported due to accidental landslide at Dankari BSQ-5/10 of Dharmasala Tahasil, Lessee Sri Narayan Rout which comes under the jurisdiction of Jenapur Police Station. We came to know about the accident on 16.5.2024 morning. It is suspected to have more casualties buried under the debris. Till now one dead body has been recovered from the debris who is identified as Jagabandhu Majhi, S/o-Laxminath Majhi, Dist- Nabarangapur. The rescue operation is still going on by the Fire Staff and NDRF Team.

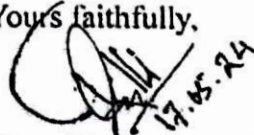
A tripod mounted DTH (down-the-hole) Long Hole Drilling Machine has been seized from the spot. In addition to this multiple drill holes having diameter of around 5 inches are noticed inside the quarry. Also, one chain mounted excavator is found buried inside the debris. The detailed enquiry report about the accident will be submitted subsequently.

Hence, you are requested to investigate into the matter and take legal action as per law.

This may be treated as F.I.R.

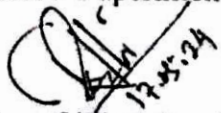
Encl: Seizure list.

Yours faithfully,


Mining Officer (I/C), Jajpur District

Memo No. 1590 /MM, Jajpur, Date. 17.05.2024 /

Copy submitted to the Collector & D.M Jajpur District / Superintendent of Police, Jajpur for favour of kind information.


Mining Officer (I/C), Jajpur District



34

GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddmjajpur.mm@gov.in

Letter No. 2492 /MM, Jajpur/ Date 30-07-2024

From

Jhasaketan Sethy, Mining Officer (I/C), Jajpur district
O/o the Deputy Director Mines, Jajpur Circle, Jajpur.

To

Inspector-in-Charge,
Jenapur Police Station, Jajpur.

Sub: **Supplementary information in continuation to the FIR Lodged on 17.05.2024 and Complaint against one Narayan Rout (Lessee of Dankari BSQ No. 5/10)**

Ref: This office Letter No. 1589/MM, Jajpur 17.05.2024

Sir,

In continuation to this office letter cited above, I, Jhasaketan Sethy, Mining Officer (I/C), Jajpur district, O/o the Deputy Director Mines, Jajpur Circle, Jajpur, hereto inform that, a land slide occurred in Dankari BSQ No. 5/10, Dharmasala Tahasil on 16.05.2024 in which three persons working in the said quarry lost their life. In this regard, the Tahsildar, Dharmasala had submitted a detailed inquiry report which clearly reveals, there were sufficient man-made errors which resulted in such land slide i.e.,

1. The lessee couldn't produce the required labour insurance for the deceased persons due to landslide.
2. There was rain just previous day of the incident.
3. Use of one Tripod Mounted DTH (Down the Hole) long drilling machine. Multiple deep drill holes of diameters measuring 5 inches were marked at the site.
4. A road found atop the quarry (Landslide) edge where there was mark of movement of heavy machineries like Chain Mounted Excavator.
5. There was almost vertical escarpment of rock at quarry site without maintenance of proper slope and bench ratio.
6. The entire was very fragile due to multiple cracks.

In addition to this, a detailed scientific investigation was conducted by a Technical Team on 18.07.2024 to ascertain the cause of landslide at Dankari BSQ – 5/10 which says,

1. Proper benching pattern has not been followed as per the mining plan.
2. Drill holes upto a diameter of 5 inches have been noticed under rock locks.
3. A haul road is passing above the over burden on which traces of heavy vehicular movement is observed.
4. Extraction beyond the lease area was noticed and safety zone has not been maintained as per the drone surveyed map.
5. The report concludes, non-adoption of scientific method of mining, violation of drilling and blasting guidelines, movement of heavy earth mover vehicle on the overburden surface and negligence of prescribed norms as per mining plan are the reason for the mishap.

From the above findings i.e. the report of the Tahasildar, Dharmasala and Technical team, a clear picture is carved out as follows:

1. The land slide which took the life of the human beings referred in the said letter was purely a man-made one.
2. The methods of mining adopted by the lease holder in execution of mining were purely unscientific.
3. The lease holder was involved in illegal blasting in the quarry which has resulted in creation of large gaps between the rocks making them more fragile and vulnerable violating the terms and conditions of The Mines and Minerals (Development and Regulation) Act, 1957.
4. The usage of road for the movement of Chain Mounted Excavators at the edge of the quarry on the Overburden surface has also made the blasted area fragile which has resulted in the occurrence of land slide.
5. That, although there was rain just the day before the incident resulting in creation of moisture and making the soil damp, still mining activity was carried out by the lease holder making the situation graver and serious for such land slide to occur.

In view of the above facts and circumstances it can be clearly made out that

1. The landslide took place in Dankari BSQ no. 5/10 resulting in loss of human life was purely man-made which was due to adoption of unscientific method of mining by the Lessee and violation of the terms and conditions of the Mining plan.

In addition to this.

2. Blasting permission required for extraction of blackstones from the quarry was not obtained from the Dist. Magistrate which may be examined.
3. The activities for extraction of black stones were sublet to another agency by the lessee named Sri Sai Balaji Constructions which may be examined.
4. The said agency couldn't produce the required labour license and insurance for the deployed labourers in mining activities which may be examined
5. Insurance certificate of the excavator engaged at the quarry on that day was obtained just the night before the incident of landslide which may also be examined.

Hence, it is requested you to take necessary steps prevailing under the law in order to apprehend the culprits and punish them under the expressed provisions of law in the interest of justice and equity.

Encl. 1. Report of the Tahasildar, Dharmasala
2. Technical committee report

Yours faithfully

J.K Sethy

Mining Officer (I/C), Jajpur district

Memo No. 2493 /MM, Jajpur/ Date 30-07-2024

Copy to Deputy Director Mines, Jajpur Circle, Jajpur for information & necessary action.

J.K Sethy

Mining Officer (I/C), Jajpur district

Memo No. 2494 /MM, Jajpur/ Date 30-07-2024

Copy Submitted to the Collector & D.M. Jajpur district // Superintendent of Police, Jajpur district for favour of kind information.

J.K Sethy

Mining Officer (I/C), Jajpur district

Memo No. 2495 /MM, Jajpur/ Date 30-07-2024

Copy Submitted to the Director, Minor Minerals, Odisha for favour of kind information

J.K Sethy

Mining Officer (I/C), Jajpur district

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

9.
18

strict (जिला): JAJPUR

P.S. (थाना): JENAPUR

Year (वर्ष): 2024

R No. (प्र.सू.रि. सं.): 0183

Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 17/05/2024 21:00 hrs

S.No. (क्र. Acts (अधिनियम)

Sections (धारा(एँ))

1 IPC 1860

304A

a) Occurrence of offence (अपराध की घटना):

i. Day (दिन): Thursday

Date From (दिनांक से): 16/05/2024 Date To (दिनांक तक): 16/05/2024

Time Period (समय अवधि): Pahar 1 Time From (समय से): 00:00 hrs Time To (समय तक): 00:00 hrs

(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई): Date (दिनांक): 17/05/2024 Time (समय): 21:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 012 Date & Time: 17/05/2024 21:02 hrs

. Type of Information (सूचना का प्रकार): Written

. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH, 10 Km(s)

Beat No. :

(b) Address (पता): Dankari BSQ No-5/10

(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो):

Name of P.S. (थाना का नाम):

District(State) (ज़िला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name (नाम): Sri Jhasaketan Sethy

(b) Father's/Husband's Name (पिता / पति का नाम):

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1990

(d) Nationality (राष्ट्रियता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

S.No. (क्र. सं.) Id type (पहचान पत्र का प्रकार)

Id Number (पहचान संख्या)

1

(h) Address (पता):

S.No. (क्र. सं.) Address Type (पता का प्रकार) Address (पता)

1 Present Address

Mining officer, Jajpur, JAJPUR, JAJPUR, ODISHA, INDIA

2 Permanent Address

Mining officer, Jajpur, JAJPUR, JAJPUR, ODISHA, INDIA

(i) Occupation (व्यवसाय): SERVICE

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-7328866700

7. Details of known/suspected/unknown accused with full particulars (जात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	Unknown1			

8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S.No. (क्र.सं.)	Property Category (संपत्ति श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))
--------------------	------------------------------------	------------------------------------	---------------------	------------------------------------

10.Total value of property (In Rs/-)-सम्पत्ति का कुल मूल्य(रु में):

11.Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S.No. (क्र.सं.) UIDB Number (यू.डी.प्रकरण सं.)

12.First Information contents (प्रथम सूचना तथ्य):

On 17.05.2024 at 09.00 PM complt Jhasaketan Sethy, Mining Officer, Jajpir Circle, Jajpur reported at PS to the effect that one casualty has been reported due to accidental land slide at Dankari BSQ No-5/10 of Dharmasala Tahasil. Lessee Narayan Rout which comes under this PS jurisdiction. They came to know about the accident on 16.05.2024 morning. It is suspected to have more causalities buried under the debris. Till now one dead body has been recovered from the debris who is identified as Jagabandhu Majhi, S/o-Laxminath Majhi of Vill-Pujarigoda, PS-Umarkot, Dist-Nabarangpur. The rescue operation is still going on by the Fire staff and NDRF Team. During investigation requisition has been sent to S.P, Jajpur with prayer to move District Magistarate and Collector, Jajpur to conduct autopsy over the above noted deceased in between sunset to sunrise.

13.Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2,

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है।)

(1) Registered the case and took up the investigation: Suwendu Kumar Sahoo(I (Inspector)) / or (या)
(प्रकरण दर्ज किया गया और जांच के लिए लिया गया): 110041598357

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद):

No.(सं.): Mobile No.(मोबाइल सं.): 9439813001 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए):

Anexure-5



GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddmjajpur.mm@gov.in

Letter No. 2505 /MM, Jajpur/ Date 30-07-2024

From

Mining Officer-cum-Competent Authority, Jajpur District,
O/o the Deputy Director of Mines,
Jajpur Circle, Jajpur.

To

Sri Narayan Rout-Lessee, Dankari BSQ-5/10,
S/o-Hrudananda Rout,
At-Taranjia, Po-Aruha, Dist-Jajpur,
Pin-755024.

Sub: Notice for over-extraction of black stone with respect to Dankari BSQ-5/10.

Sir,

As per the case record & i4MS date base, you were eligible to extract a quantity of 68000 Cu m of black stone for the period from 17.05.2022 to 16.05.2024 with respect to Dankari BSQ-5/10.

However, as per the resource assessment conducted on 17.05.2024, you have over extracted a quantity of **79999.41 Cu m** of black stone from Dankari BSQ-5/10.

Hence, you are directed to produce show-cause within 7 days of receipt of this notice that, why an amount of **Rs.3,81,39,725/- (Three Crore Eighty-one Lakh Thirty-nine Thousand Seven Hundred Twenty-five) only** as calculated below will not be penalised against you for violating OMMC Rules, 2016 & Amendments.

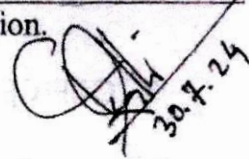
1	Royalty @ 130/Cu m for 79999.41 Cu m	Rs.1,03,99,924 /-
2	Additional Charges @ 295 / Cu m for 79999.41 Cu m	Rs.2,35,99,826 /-
3	DMF 30% of Royalty	Rs.31,19,978 /-
4	EMF 5% of Royalty	Rs.5,19,997 /-
5	Penalty	Rs.5,00,000 /-
Total Amount =		Rs.3,81,39,725/-

Yours faithfully,

Mining Officer (I/C), Jajpur

P. ANVESHA REDDY
COLLECTOR
JAJPUR

Memo No. 2506, MM, Jajpur, Date. 30-07-2024
Copy to the Tahasildar, Dharmasala for kind information.



Mining Officer (I/C), Jajpur

Memo No. 2507, MM, Jajpur, Date. 30-07-2024 /

Copy submitted to the Deputy Director of Mines, Jajpur Circle, Jajpur for favour of kind information.



Mining Officer (I/C), Jajpur

Memo No. 2508, MM, Jajpur, Date. 30-07-2024 /

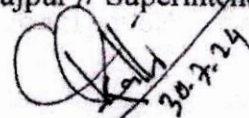
Copy to the Regional Officer, Kalinga Nagar, State Pollution Control Board, Odisha for kind information and necessary action.



Mining Officer (I/C), Jajpur

Memo No. 2509, MM, Jajpur, Date. 30-07-2024 /

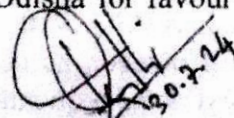
Copy submitted to the Collector & District Magistrate, Jajpur // Superintendent of Police, Jajpur for favour of kind information.



Mining Officer (I/C), Jajpur

Memo No. 2510, MM, Jajpur, Date. 30-07-2024 /

Copy submitted to the Director of Minor Minerals, Odisha for favour of kind information.



Mining Officer (I/C), Jajpur



41

GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddrnjajpur.mm@gov.in

Letter No. 2731 /MM, Jajpur/ Date 17-08-2024

From

Mining Officer-cum-Competent Authority, Jajpur District,
O/o the Deputy Director of Mines,
Jajpur Circle, Jajpur.

To

Sri Narayan Rout-Lessee, Dankari BSQ-5/10,
S/o-Hrudananda Rout,
At-Taranjia, Po-Aruha, Dist-Jajpur,
Pin-755024.

Sub: **Imposition of penalty** and other Govt. dues along with Environmental Compensation for over-extraction of black stone with respect to Dankari BSQ-5/10.

Ref: (1) This office Letter No.2505, dated 30.07.2024.
(2) Your Letter dated 09.08.2024.
(3) Letter No.2991, dated 17.08.2024 of the R.O, SPCB, Kalinganagar.

Sir,

You were directed to produce show-cause vide this office letter under reference, why an amount of **Rs.3,81,39,725/- (Three Crore Eighty-one Lakh Thirty-nine Thousand Seven Hundred Twenty-five) only** will not be penalised against you for over extraction of black stone in Dankari BSQ-5/10, violating OMMC Rules, 2016 & Amendments thereof. In response, the letter submitted by you on dated 09.08.2024 is unjustified and fictitious.

Hence, an amount of **Rs.7,38,42,818/- (Seven Crore Thirty-eight Lakh Forty-two Thousand Eight Hundred Eighteen) only** as calculated below including Environmental Compensation of **Rs.3,57,030,93/-** calculated by R.O, SPCB, Kalinganagar is hereby imposed upon you for over extraction of black stone from Dankari BSQ-5/10. You are directed to deposit the same in the respective heads / accounts as mentioned in the calculation table within 15 days of receipt of this letter, failing which appropriate action as deemed fit under OMMC Rules, 2016 and Amendments shall be initiated against you without further notice.

Sl No.	Type of dues / penalty imposed	Amount	Accounts details
1	Royalty @ 130/Cu m for 79999.41 Cu m	Rs.1,03,99,924 /-	0853-00-102-0217-02021-000 Under OMMC Rules
2	Additional Charges @ 295 / Cu m for 79999.41 Cu m	Rs.2,35,99,826 /-	
3	DMF 30% of Royalty	Rs.31,19,978 /-	State Bank of India, Jajpur Name- Collector, Jajpur Ac No.-35618440771. IFSC Code-SBIN0012064
4	EMF 5% of Royalty	Rs.5,19,997 /-	UCO Bank, Govt. Secretariate Name- Odisha Environmental Management Trust (OMEF) Ac No.-06640100956287 IFSC Code-UCBA0000664
5	Penalty	Rs.5,00,000 /-	0853-00-102-0217-02021-000 Under OMMC Rules
Total Amount =		Rs.3,81,39,725/-	
6	E.C as imposed by R.O, SPCB, Kalinganagar	Rs.3,57,030,93/-	UCO Bank, Govt. Secretariate Name- Odisha Environmental Management Trust (OMEF) Ac No.-06640100956287 IFSC Code-UCBA0000664
All Total =		Rs.7,38,42,818/-	

Yours faithfully,

Mining Officer (I/C), Jajpur

Memo No. 2732, MM, Jajpur, Date. 17-08-2024

Copy to the Tahasildar, Dharmasala // Deputy Director of Mines, Jajpur Circle, Jajpur for kind information.

Mining Officer (I/C), Jajpur

Memo No. 2733, MM, Jajpur, Date. 17-08-2024

Copy to the Regional Officer, Kalinga Nagar, State Pollution Control Board, Odisha for kind information and necessary action.

Mining Officer (I/C), Jajpur

Memo No. 2734, MM, Jajpur, Date. 17-08-2024

Copy submitted to the Collector & District Magistrate Jajpur Superintendent of Police, Jajpur for favour of kind information.

Mining Officer (I/C), Jajpur

Memo No. 2735, MM, Jajpur, Date. 17-08-2024

Copy submitted to the Director of Minor Minerals, Odisha for favour of kind information.

Mining Officer (I/C), Jajpur



www.ospcboard.org

**REGIONAL OFFICE, KALINAGANAGAR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
AT- Dhabalagiri, P.O.: F.C. Project, Jajpur Road
Dist- Jajpur-755020, Odisha, India.**

No. 2991/Gen/03

Dt. 17.08.2024

E-dispatch/e-mail (ddmiajpur.mm@gov.in)

From,

Er. P.K. Behera
Regional Officer

To,

The Mining Officer (I/C)
Office of the Deputy Director of Mines
Jajpur Circle, Jajpur

Sub: Intimation for realization of Environmental compensation from Sri Narayan Rout, Lessee, Dankari BSQ-5/10, S/o-Hrudananda Rout, At-Taranjia, P.O.-Aruha, Dist-Jajpur for over extraction of Black Stone.-reg.

Ref: Your Office letter no. 2511 dtd. 30.07.2024.

Sir,

With reference to the subject cited above, Environmental Compensation for over extraction of Black Stone by Sri Narayan Rout, Lessee, Dankari BSQ-5/10 under Dharmasala Tahasil of Jajpur District has been calculated based on Approach 2 methodology as per order dtd. 07.03.2022 of the Hon'ble NGT in the matter of OA No. 150/2017/EZ and detailed calculation sheet is enclosed for your information and necessary action.

Encl: As above

Yours faithfully,


17.08.24
Regional Officer

P. ANVESHA REDDY
COLLECTOR
JAJPUR

CALCULATION OF ENVIRONMENTAL COMPENSATION FOR OVER EXTRACTION OF BLACK STONE BY SRI NARAYAN ROUT, LESSEE, DANKARI BSQ-5/10 UNDER DHARMASALA TAHASIL OF JAJAPUR DISTRICT.

Introduction:

The Mining Officer, (I/C), Office of the Deputy Director of Mines, Jajpur Circle, Jajpur has intimated the undersigned vide letter no. 2511 dtd. 30.07.2024 for calculation of Environmental Compensation for over extraction of Black Stone of quantity 79999.41 Cum by Sri Narayan Rout, Lessee, Dankari BSQ-5/10 under the jurisdiction of Dharmasala Tahasil of Jajpur District.

Background of the approach adopted for calculation, of Environmental Compensation:

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

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

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

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

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

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

Calculation of Environmental Compensation over extraction of Black Stone of quantity 79999.41 Cum by Sri Narayan Rout, Lessee, Dankari BSQ-5/10 under the jurisdiction of Dharmasala Tahasil of Jalour District :

District :

1. Environmental compensation calculation for over extraction of Black Stone by Sri Narayan Rout, Lessee from Dankari BSQ-5/10.

Approach#2	Quantity	Unit	Remarks
Total Volume of mined out material (Y)	79999.41	Cum	
Total Permitted Quantity in Environmental Clearance (X)	0	Cum	
Excess Extraction (Z=Y-X)	79999.41	Cum	
Market Value of Black Stone	425	Rs/Cum	
Market Value of Illegally Mined Material (D = Z x Market Value)	33999749	Rs.	
Risk Factor (RF)	0.50	-	Moderate
Annual Value of Foregone Ecological Values (D*RF)	16999875		
Present Value (PV) of Foregone Ecological Values (@ 7% discount rate (r) and over 5 years)	0.07		
1 st Year	15887733		
2 nd Year	14848349		
3 rd Year	13876962		
4 th Year	12969123		
5 th Year	12120676		
Total	69702842		
NPV = PV - D (Environmental Compensation)	35703093	Rs.	


17.08.24
Regional Officer,
SPCB, Kalinganagar



GOVERNMENT OF ODISHA
OFFICE OF THE DEPUTY DIRECTOR OF MINES
JAJPUR CIRCLE, JAJPUR
E- mail: ddmjajpur.mm@gov.in

Letter No. 2511 /MM, Jajpur/ Date 30-07-2024

To

The Regional Officer, Kalinganagar,
State Pollution Control Board, Odisha.

* Sub: Intimation for realisation of Environmental Compensation from Sri Narayan Rout-Lessee, Dankari BSQ-5/10, S/o-Hrudananda Rout, At-Taranjia, Po-Aruha, Dist-Jajpur for over-extraction of black stone.

Sir,

With respect to the subject cited above, I am to intimate you that, the resource assessment conducted on 17.05.2024 with respect to Dankari BSQ-5/10 reveals over-extraction of **79999.41 Cu m** of black stone by the lessee Sri Narayan Rout-Lessee, Dankari BSQ-5/10, S/o-Hrudananda Rout, At-Taranjia, Po-Aruha, Dist-Jajpur.

Hence, you requested to initiate necessary action to realise the Environmental Compensation as applicable under intimation to this office.

Yours faithfully,

Mining Officer (I/C), Jajpur

Memo No. 2512, MM, Jajpur, Date. 30-12-2024
Copy to the Tahasildar, Dharmasala for kind information.

Mining Officer (I/C), Jajpur

Memo No. 2513, MM, Jajpur, Date. 30-12-2024
Copy submitted to the Deputy Director of Mines, Jajpur Circle, Jajpur for favour of kind information.

Mining Officer (I/C), Jajpur

Memo No. 2514, MM, Jajpur, Date. 30-12-2024
Copy submitted to the Collector & District Magistrate, Jajpur // Superintendent of Police, Jajpur for favour of kind information.

Mining Officer (I/C), Jajpur

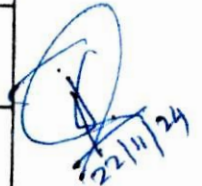
Memo No. 2515, MM, Jajpur, Date. 30-12-2024
Copy submitted to the Director of Minor Minerals, Odisha for favour of kind information.

Mining Officer (I/C), Jajpur

DANKARI BSQ STATUS REPORT IN RESPECT TO D.D MINES, JAJPUR UNDER THE JURISDICTION OF DHARMASALA TAHASIL

Sl	Source Name	Village Name	Lessee Name	Remarks
1	DANKARI BSQ NO.	DANKARI	MAHENDRA SWAIN	Online TP issued
2	DANKARI BSQ -01	DANKARI	SRIBASH JENA	Subjudice (Supreme Court Case)
3	DANKARI BSQ -02	DANKARI	SRIBASH JENA	EC Pending
4	DANKARI BSQ -05	DANKARI	M/S LAXMI EXPORTS	OPDR Case filed against Ranjan Kumar Jena <i>Online TP issue for LaxmiExports</i>
5	DANKARI BSQ -15	DANKARI	JAYANTI JENA	Subjudice
6	DANKARI BSQ -16	DANKARI	JAYANTI JENA	Online TP issued
7	DANKARI BSQ -17	DANKARI	PRASANT KUMAR JENA	Online TP issued
8	DANKARI BSQ -18	DANKARI	M/S LAXMI EXPORTS	Pending dues
9	DANKARI BSQ -3/9	DANKARI	NIRANJAN ROUT	Subjudice (revised demand)
10	DANKARI BSQ NO. 14	DANKARI	JAYANTI JENA	Online TP issued
11	DANKARI BSQ NO. 5/10	DANKARI	NARAYAN ROUT	Operation Stopped (Landslide site) 14- imposed by SDM
12	DANKARI BSQ NO. 7/12	DANKARI	NARAYAN ROUT	Online TP issued
13	DANKARI BSQ NO. 1/4	DANKARI	JYOTSHNA JENA	Subjudice (Over extraction) OPDR Case filed against Jyotsna Jena
14	DANKARI BSQ NO. 2/3	DANKARI	JAYANTI JENA	Online TP issued
15	DANKARI BSQ NO. 4/7	DANKARI	NIRANJAN ROUT	Agreement yet to be done
16	DANKARI BSQ NO. 6	DANKARI	RANGADIAR PRADHAN	Subjudice (Stay order not to proceed)
17	DANKARI BSQ NO. 8/13	DANKARI	RASMIRANJAN PANDA	EC Pending
18	DANKARI BSQ NO. 9/8	DANKARI		Subjudice (Cancellation of Lease process)

COLLECTOR
 JAJPUR
 ANJVES HA REDDY


 22/11/24



Anexure-8

OFFICE OF THE TAHSILDAR, DHARMA

Tel:-06725-273036 Web:- tdrdharmasala.in Email:-tdrdharmasala@gm

48

LETTER NO:- 6175

DATE:- 16.11.2024

From: Subhankar Mohanty, OAS
Tahasildar & Executive Magistrate, Dharmasala

To
M/s ARSS Infrastructure Projects Ltd,
Plot No- 30, Sector-A-Zone, Mancheswar Industrial Estate,
Bhubhaneswar (presently operational at Mouza-Dankari).



P. COLLECTOR
IA IDIR

Sub: - Eviction of the crusher unit from the Govt. land at Mouza-Dankari.

Ref :- Notice No-1546 for eviction dated :-21.04.2023 and this office letter No:- 1892 dated;-06.05.2023

Sir/Madam,

With reference to the notice cited above, it is observed that after issue of several notice along with reminders you have not complied the order of the undersigned passed in Encroachment Case No:- 02 of 2023-2024 and not deposited the daily fine amount levied on you and also not vacated the land within the given timeframe.

Therefore , you are once again directed to vacate the Government land in question within 15 days without any further delay otherwise action shall be taken as per the provision of O.P.L.E Act and also O.P.D.R Act respectively.

This may be treated as Most Urgent.

Yours Faithfully,

Memo*No:- 6176

Date:- 16.11.2024

Copy submitted to the Sub-Collector & S.D.M., Jajpur for favour of information.

Tahasildar, Dharmasala
Tahasildar
Dharmasala

Tahasildar, Dharmasala
Tahasildar
Dharmasala

OFFICE OF THE TAHASILDAR, DHARMASALA

Tel:-06725-273036 Web:- tdrdharmaasala.in Email:-tdrdharmaasala@gmail.com

Letter No 1892 Date 06.05.2023



From: Sr. J. Das, OAS(A)SB
Tahasildar & Executive Magistrate, Dharmasala

TO
M/S ARSS Infrastructure Projects Ltd.
Plot No. 38, Sector-A-Zone, Mancheswar Industrial Estate, Bhubaneswar
(presently operational at Mouza- Dankari)

Sub: *Eviction of the crusher unit from the Govt land at mouza- Dankari*

Ref: Notice No 1546 for Eviction dated 21.04.2023

Sir/Ma'am,

With regards to the Eviction Notice cited above, it is once again reminded that, your crusher unit is operating on a patch of Govt Land (land details as mentioned below). In this regard, no proof of any permission granted could be produced during the field enquiry. Further, it must also be mentioned here that, a case for encroachment (Case No 02/2023-24) of Govt Land has also been booked against you under the Odisha Prevention of Land Encroachment, 1972 wherein notice for eviction under Form-B has also been served in the premises of the crusher unit on 10.04.2023.

Land details of encroached area

Mouza	Khata No.	Plot No.	Area in Ac.	Kisam	
Dankari	468	35	2.45	Parbat	
		33	0.53	Parbat	
		31	1.20	Parbat	
		23	0.28	Patita	
		24	0.55	Patita	
		25	0.14	Jungle	
		26	0.32	Jungle	
		27	0.16	Jungle	
		30	0.41	Parbat	
		29	0.30	Parbat	
		22	1.56	Parbat	
		28	0.33	Parbat	
		32	0.58	Parbat	
		465	16	0.40	Parbat
			17	0.30	Parbat



However, it is observed that, even though the notice was served at your premises by the RI, Dankari but till date, neither have you evicted the specified Govt Land patch nor made any correspondence with this office in the matter. In the meantime, more than 15 days have elapsed. Therefore, it is directed to vacate the Govt. land within 15 days of receipt of this notice that includes clearing all infrastructure and accompanying setup. This must be treated as the last notice in this regard, failing which, order will be passed for eviction with the help of police personnel including other action as per law.

This must be treated as **MOST URGENT**

Yours faithfully,

[Signature]
06/05/2023
Tahasildar, Dharmasala
Dharmasala

Memo No. 1893 Date 06.05.2023
Copy forwarded to IIC, Jenapur for kind information

[Signature]
06/05/2023
Tahasildar, Dharmasala
Dharmasala

Memo No 1894 Date 06.05.2023
Copy forwarded to the Regional Officer, SPCB, Kalinganagar for kind information

[Signature]
06/05/2023
Tahasildar, Dharmasala
Dharmasala

Memo No. 1895 Date 06.05.2023
Copy forwarded to the Collector & DM, Jajpur for kind information

[Signature]
06/05/2023
Tahasildar, Dharmasala
Dharmasala

[Signature]
07/07/23
Received on behalf of ARS

301

OFFICE OF THE TAHASILDAR, DHARMASALA
Tel:-06725-273036 Web:- tdrdharmaasala.in Email:-tdrdharmaasala@gmail.com

19 51

However, it is observed that, even though the notice was served at the Unit premises by the RI, Dankarl but till date, the land has not been physically evicted. Therefore, u/s 7(3) of Odisha Prevention of Land Encroachment, 1972, the Crusher Unit is liable for daily fine until the encroachment is removed, which attracts a fine at the rate of Rs 500 per day from 11.04.2023 to till date amounting to Rs 15,500/-, and will continue to accumulate till the removal of all encroachment. Further, it is also directed to immediately arrange for removal all infrastructure from the suit land.

This must be treated as **MOST URGENT**

Received on behalf of IIR
[Signature]
11/07/22

Yours faithfully,
[Signature]
11/06/2023
Tahasildar, Dharmasala
Tahasildar
Dharmasala

Schedule XIV—Form No. 176

ଫାରମ ସଂ. XII ରହିକ ପୁସ୍ତକ
(ନିୟମ ୬୬)



ପଞ୍ଜୀକୃତ ବ୍ୟକ୍ତିର ନାମ: ଅନିଲ କୁମାର ମହାପାତ୍ର ପଞ୍ଜୀକୃତ ସଂଖ୍ୟା: 0541933
 ଠିକଣା: ପୁରୀ, ଗାଁ, ଗୋବିନ୍ଦପୁର
 ଠିକଣା: ପୁରୀ, ଗାଁ, ଗୋବିନ୍ଦପୁର

୧। ପ୍ରକାର ନାମ: ଅନିଲ କୁମାର ମହାପାତ୍ର
 ୨। ଜମାକରି ନମ୍ବର: ୦୦୨/୨୦୧୯
 ୩। ବାର୍ଷିକ ପାଉଣା, ଚଳିତ ବର୍ଷର ବକେୟା ଓ ହାଲ ପାଉଣାର ବିବରଣ (ଟଙ୍କା ଓ ପଇସାରେ):

ପେଇଁ ବାବଦ ପାଉଣା	ବାର୍ଷିକ	ବକେୟା				ମୋଟ ପାଉଣା
		୩ ବର୍ଷରୁ ଉର୍ଦ୍ଧ	ପ୍ରତ୍ୟକ୍ଷ ବର୍ଷ	ଦ୍ୱିତୀୟ ବର୍ଷ	ଶତ ବର୍ଷ	
ଭୁମି କର ..		OPDR Case NO-20/2008 09				୨୫୫୮୮.୦୦
ଜଳ କର ..						୨୫୫୮୮.୦୦
ବନ କର ..						୨୫୫୮୮.୦୦
ଅନ୍ୟାନ୍ୟ କର (ସେସ)						୨୫୫୮୮.୦୦
ବିବିଧ ..						୨୫୫୮୮.୦୦
*ପୁଧ ..						
ଗାଏ ମୋଟ						୧୨୬୪୯୦.୦୦
ଭୁମି କର ..		ଅନିଲ କୁମାର ମହାପାତ୍ର - ୧୨୬୪୯୦.୦୦				୧୨୬୪୯୦.୦୦
ଜଳ କର ..						୧୨୬୪୯୦.୦୦
ବନ କର ..						୧୨୬୪୯୦.୦୦
ଅନ୍ୟାନ୍ୟ କର (ସେସ)						୧୨୬୪୯୦.୦୦
ବିବିଧ ..						୧୨୬୪୯୦.୦୦
*ପୁଧ ..						
ଗାଏ ମୋଟ						୧୨୬୪୯୦.୦୦

୪। ସର୍ବମୋଟ ବାଖଲ ଟଙ୍କା (ଅକ୍ଷରରେ) ଅନିଲ କୁମାର ମହାପାତ୍ର ୧୨୬୪୯୦.୦୦
 ୫। ଯାହାଦ୍ୱାରା ବାଖଲ ହେଲା ଅନିଲ କୁମାର ମହାପାତ୍ର
 ୬। ମୋଟ ବେତେ ବକେୟା ରହିଲା ଅନିଲ କୁମାର ମହାପାତ୍ର

ସ୍ୱାକ୍ଷର: ଅନିଲ କୁମାର ମହାପାତ୍ର ଅଧିକାରୀଙ୍କ ସାମ୍ମୁଖ
 *ଅପୂର୍ଣ୍ଣ ବର୍ଷ ମଧ୍ୟରେ ଆଦାୟ ନ ହୋଇ ବକେୟା ଥିବା ଖଜଣା ଉପରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ଓ ବକେୟା ଜମକର ବାବଦରେ ଶତକଡ଼ା ବାର୍ଷିକ ୬ ହାରରେ ପୁଧ ଲାଗିବ ।

ଫାରମ ସଂଖ୍ୟା XII ରସିଦ ପୁସ୍ତକ
(ନିୟମ ୭୭)
ଖଜଣା ପାତ୍ରତି



ରସିଦ ସଂଖ୍ୟା AAA

5716446

ମାଜୁରୀ କଲ୍ୟାଣ ଉପକ୍ରମ
ଉପକ୍ରମ ଉପକ୍ରମ
ଉପକ୍ରମ ଉପକ୍ରମ

୧. ପ୍ରକାର ନାମ : ଉପକ୍ରମ ଉପକ୍ରମ (199)
୨. ଖର୍ଚ୍ଚିଆନ ନମ୍ବର : ୪୭୮, ୪୭୯ ଜମିର ପରିମାଣ : ଏକର ୧୦୦ ବର୍ଗ
୩. ଦାବିର ବିବରଣୀ :

ପେଟି ବାବଦ ପାତ୍ରଣୀ	ବକେୟା	ହାଲ (ବଳିତ)	ମୋଟ ପାତ୍ରଣୀ
ଭୂମିକର	୩୫୭ (32)		
ଅନ୍ୟାନ୍ୟ କର (ସେସ)			
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)	Volishha presentation of Land Encroachment 1972 clay fine		
ଜଳକର (ରବି ଜଳକର)	for the period 11.04.2023 to		
ବନକର	11.05.2023 (Ref: Letter no: 1987		
ବିବିଧ	and 11.05.2023)		
ସୁଧ			
ସର୍ବମୋଟ			15500.00

୪. ଖଜଣା ଦାଖଲ ବିବରଣୀ :

ପେଟି ବାବଦ ପାତ୍ରଣୀ	ବକେୟା	ହାଲ (ବଳିତ)	ଅନ୍ୟାନ୍ୟ	ମୋଟ ପାତ୍ରଣୀ
ଭୂମିକର				
ଅନ୍ୟାନ୍ୟ କର (ସେସ)				
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)	ଉପକ୍ରମ	ଉପକ୍ରମ	ଉପକ୍ରମ	ଉପକ୍ରମ
ଜଳକର (ରବି ଜଳକର)				
ବନକର				
ବିବିଧ				
ସୁଧ				
ସର୍ବମୋଟ				ଉପକ୍ରମ

୫. ସର୍ବମୋଟ ଦାଖଲ ବାକୀ (ବଙ୍କା ଓ ପଇସାରେ) : ୧୫୫୦୦.୦୦
୬. ଯାହାଦ୍ୱାରା ଦାଖଲ ହେଲା :
୭. ତାରିଖ : ୧୨/୦୫/୨୦୨୩

ରାଜସ୍ୱ ନିଗାହରୀଙ୍କ ଦ୍ୱାରା

Schedule XIV Form No. 176

ଫାରମ ସଂଖ୍ୟା XII ରସିଦ ପୁସ୍ତକ
(ନିୟମ ୭୭)
ଖଜଣା ପାତ୍ରଟି



ରସିଦ ସଂଖ୍ୟା AAA

5716403

ନାମ : ଜିଲ୍ଲା :
 ଠିକଣା : ସରକାର :
 ତାରିଖ : ମୌଜା : ୨୦୩୩୨୦୧୫

୧. ପ୍ରକାର ନାମ :
 ୨. ଖର୍ଚ୍ଚ ଆନ ନମ୍ବର : ଜମିର ପରିମାଣ : ଏକର
 ୩. ଦାବିର ବିବରଣୀ :

ପେଟି ବାବଦ ପାତ୍ରଣା	ବକେୟା	ହାଲ (ଚଳିତ)	ମୋଟ ପାତ୍ରଣା
ଭୂମିକର			
ଅନ୍ୟାନ୍ୟ କର (ସେସ)	ଅନୁଭୂତି	ରଞ୍ଜନ ନା ପାତ୍ରଣା କର	
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)	ନାସନା	ଅବଶିଷ୍ଟ, ଉପ	୧୦,୦୦୦.୦୦
ଜଳକର (ରବି ଜଳକର)	୦		
ବନକର			
ବିବିଧ			
ସୁଧ			
ସର୍ବମୋଟ			

୪. ଖଜଣା ଦାଖଲ ବିବରଣୀ :

ପେଟି ବାବଦ ପାତ୍ରଣା	ବକେୟା	ହାଲ (ଚଳିତ)	ଅନ୍ୟାନ୍ୟ	ମୋଟ ପାତ୍ରଣା
ଭୂମିକର				
ଅନ୍ୟାନ୍ୟ କର (ସେସ)				
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)				
ଜଳକର (ରବି ଜଳକର)	ଉପରୋକ୍ତ ନାସନା	ଅବଶିଷ୍ଟ	ଅନୁଭୂତି	୧୦,୦୦୦.୦୦
ବନକର				
ବିବିଧ				
ସୁଧ				
ସର୍ବମୋଟ				୧୦,୦୦୦.୦୦

୫. ସର୍ବମୋଟ ଦାଖଲ ଟଙ୍କା (ଟଙ୍କା ଓ ପଇସାରେ) :
 ୬. ଯାହାଦ୍ୱାରା ଦାଖଲ ହେଲା :
 ୭. ତାରିଖ : ୧୧/୦୪/୨୦୨୩

ରାଜସ୍ୱ ନିୟନ୍ତ୍ରଣ ବିଭାଗ

Schedule XIV Form No. 176

ଫାଉନ ଫାଉଣ୍ଡେସନ୍ ଆ ରସିଦ ପୁସ୍ତକ
(ନିୟମ ୭୭)
ଖଜଣା ପାତ୍ର



ରସିଦ ଫାଉଣ୍ଡେସନ୍ AAA

5716401

ନାମ: ପ୍ରମୋଦ କୁମାର ମହାପାତ୍ର
ପିତା: ପ୍ରମୋଦ କୁମାର ମହାପାତ୍ର
ମାତା: ସୁମିତ୍ରା ଦେବୀ
ମୌଜା: ୨୦୨୩/୩୪

୧. ପ୍ରକାର ନାମ : ୨. ଖର୍ଚ୍ଚିଆନ ନମ୍ବର : ୩. ଦାବିର ବିବରଣୀ :

ଯେଉଁ ଦାବତ ପାତ୍ରଣା	ବକେୟା	ହାଲ (ବଳିତ)	ମୋଟ ପାତ୍ରଣା
ଭୂମିକର	Office of the Tahasildar		
ଅନ୍ୟାନ୍ୟ କର (ସେସ)	Dharmasala No. 1289		
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)	Dated: 27.03.2023.		
ଜଳକର (ରବି ଜଳକର)	ଫୁଲୁ ଫୁଲୁ ମଧ୍ୟରୁ ରକ୍ଷାକ୍ରମ ଦାବି		
ବନକର	ଫୁଲୁ ଫୁଲୁ ମଧ୍ୟରୁ ବାଦଦତ୍ତ ମଧ୍ୟ		
ବିକିଧ			
ସୁଧ			
ସର୍ବମୋଟ			Penalty: 80,080.00 Total: 2,19,900.00

୪. ଖଜଣା ଦାଖଲ ବିବରଣୀ :

ଯେଉଁ ଦାବତ ପାତ୍ରଣା	ବକେୟା	ହାଲ (ବଳିତ)	ଅସ୍ତାମ	ମୋଟ ପାତ୍ରଣା
ଭୂମିକର	DHARMASALA			
ଅନ୍ୟାନ୍ୟ କର (ସେସ)	WITHOUT PREJUDICE			
ଜଳକର (ବାଧତାମୂଳକ ମୌଳିକ ଜଳକର)	ଫୁଲୁ ଫୁଲୁ ମଧ୍ୟରୁ ଅନୁ			
ଜଳକର (ରବି ଜଳକର)				
ବନକର				
ବିକିଧ				
ସୁଧ				
ସର୍ବମୋଟ				9,00,000.00

୫. ସର୍ବମୋଟ ଦାଖଲ ଟଙ୍କା (ଟଙ୍କା ଓ ପଇସାରେ) : ୯,୦୦,୦୦୦.୦୦
୬. ଯାହାଦ୍ୱାରା ଦାଖଲ ହେଲା :
୭. ତାରିଖ : ୦୩/୦୪/୨୦୨୩

ରାଜ୍ୟ ନିର୍ବାହକଙ୍କ ଦ୍ୱାରା

ପାରମ୍ପରା ସଂ. XII ରହିତ ପୁସ୍ତକ
(ନିୟମ ୭୭)

ଖଜଣା ପାଠକ



୦୫୩୨୨ ସର୍କର ଓଡ଼ିଶା ଥାନା ମିଳିତା
୨୦୧୫-୧୬ ବର୍ଷ AAJ 4958881
୧। ପ୍ରକାର ନାମ... ଡ. ଧୀର ଚନ୍ଦ୍ର ମୋହନ
୨। କମାଦି ନମ୍ବର... ଜମିର ପରିମାଣ...
୩। ବାର୍ଷିକ ପାଠକ, ଚଳିତ ବର୍ଷର ବକେୟା ଓ ହାଲ ପାଠକର ବିବରଣ (କୋ ଓ ପଲସାରେ):-

ପ୍ରକାର ବାବଦ ପାଠକ	ବାର୍ଷିକ	ବକେୟା				ହାଲ	ମୋଟ ପାଠକ
		୩ ବର୍ଷରୁ ଉର୍ଦ୍ଧ୍ୱ	ତୃତୀୟ ବର୍ଷ	ଦ୍ୱିତୀୟ ବର୍ଷ	ଗତ ବର୍ଷ		
ଭୁମି କର							
ଜଳ କର							
ବନ କର							
ଅନ୍ୟାନ୍ୟ କର (ସେସ)					5%:-	9,000/-	
ବିବିଧ					ଡେପୋଜିଟ:-	30,000/-	
*ପୁଧ							
ଗାଏ ମୋଟ						50,000/-	

୪। ଖଜଣା ଦାଖଲ ବିବରଣ:-

ପ୍ରକାର ବାବଦ ପାଠକ	ବାର୍ଷିକ	ବକେୟା				ହାଲ	ଅଗ୍ରମ	ମୋଟ ପାଠକ
		୩ ବର୍ଷରୁ ଉର୍ଦ୍ଧ୍ୱ	ତୃତୀୟ ବର୍ଷ	ଦ୍ୱିତୀୟ ବର୍ଷ	ଗତ ବର୍ଷ			
ଭୁମି କର								
ଜଳ କର								
ବନ କର								
ଅନ୍ୟାନ୍ୟ କର (ସେସ)						50,000/-		
ବିବିଧ								
*ପୁଧ								
ଗାଏ ମୋଟ							50,000/-	

୫। ସର୍ବମୋଟ ଦାଖଲ ରକା (ଅନ୍ତରରେ) ଡ. ଧୀର ଚନ୍ଦ୍ର ମୋହନ
୬। ପାହାଚୁରା ଦାଖଲ ହେଲା...
୭। ମୋଟ କେତେ ବକେୟା ରହିଲା...
ଡାରିଙ୍ଗ... ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ମାଧ୍ୟମିକ ଶିକ୍ଷା ଖାତାରେ ପ୍ରସ୍ତୁତ
(ନିୟମ ୭୭)



ରହିତ ସଂଖ୍ୟା AAA 5718230 ଖଜଣା ପାତ୍ର

ମାଧ୍ୟମିକ ଶିକ୍ଷା ଖାତାରେ ପ୍ରସ୍ତୁତ
ନିୟମ ୭୭
ନିୟମ ୭୭

୧. ପ୍ରକାର ନାମ : ଭୁବନେଶ୍ୱର ନିର୍ବାସନ ନିତୀ (IRP)
୨. ଖର୍ଚ୍ଚିଆକ ନମ୍ବର : ୪୫୩, ୪୫୪
୩. ଦାବିର ବିବରଣୀ : ଜମିର ପରିମାଣ : ୧୦୦ ବର୍ଗ ଫୁଟ

କାର୍ଯ୍ୟ ବିବରଣୀ	ତାରିଖ	ମାତ୍ରା (ବର୍ଗ ଫୁଟ)	ମୋଟ ପାତ୍ର
ଭୂମିକର	୧୫.୭.୨୩	୦୦୫୩୨	
ଅନ୍ୟାନ୍ୟ କର (ସେସ)			
ଜଳକର (ବାଧ୍ୟତାମୂଳକ ମୌଳିକ ଜଳକର)			
ଜଳକର (ରବି ଜଳକର)	୧୧.୦୫.୨୦୨୩	୦୧.୦୭.୨୦୨୩	
ବନକର			
ବିବିଧ			
ସୁଧ			
ସର୍ବମୋଟ			୨୨୨୦୦.୦୦

୪. ଅନ୍ୟାନ୍ୟ ଦାଖଲ ବିବରଣୀ :

କାର୍ଯ୍ୟ ବିବରଣୀ	ତାରିଖ	ମାତ୍ରା (ବର୍ଗ ଫୁଟ)	ଅନ୍ୟାନ୍ୟ	ମୋଟ ପାତ୍ର
ଭୂମିକର				
ଅନ୍ୟାନ୍ୟ କର (ସେସ)				
ଜଳକର (ବାଧ୍ୟତାମୂଳକ ମୌଳିକ ଜଳକର)	୨୩.୦୫.୨୩	୦୩୦୦୦	୧୫୦୦	୨୪,୫୦୦.୦୦
ଜଳକର (ରବି ଜଳକର)				
ବନକର				
ବିବିଧ				
ସୁଧ				
ସର୍ବମୋଟ				୨୪,୫୦୦.୦୦

୫. ସର୍ବମୋଟ ଦାଖଲ ଟଙ୍କା (ଟଙ୍କା ଓ ପଇସାରେ) : ୨୪,୫୦୦.୦୦
 ୬. ଯାହାଦ୍ୱାରା ଦାଖଲ ହେଲା :
 ୭. ତାରିଖ : ୩୧/୦୭/୨୦୨୩

REGIONAL OFFICE OF THE
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA)
Common Facility Center, JCC, Kalinganagar
Old - Jaipur 751022, Odisha, India

P. ANJVEENA REDDY
COLLECTOR
JAJPUR

OFFICE OF THE TAHASILDAR, DHARMASALA

No 3408 Date 27/11/2015

Sri Sribash Jena
S/o Late Muralidhar Jena
of Village Saroi P.O Haridaspur Dist. Jajpur

Sub - Operation of illegal stone quarries of Jajpur District without obtaining consent to establishment and operate without submission of Environment Clearance in Sairat Case No 91/2C12-13 Dankari Black Stone Quarry

Ref - This office letter No. 3386 dated. 26.11.2015.

In continuance of this office letter under reference I am to say that, in the meantime in response to this office letter No. 3225 dated 6.11.2015 Regional Officer, SPCB, Common Facility Center, JCC Kalinganagar, Jajpur has been pleased to intimate vide his letter bearing No. 3349 dated 26.11.2015 address to the Collector, Jajpur (Copy enclosed) that the stone quarry should not be operating without having necessary Environmental clearances and Consent to operate issued from the Board with a request to take necessary action against Dankari Black Stone Quarry of Sri Sribash Jena and to stop mining activities forthwith.

Hence, you are further directed to stop mining activities forthwith until received of the Environment Clearance

Memo No. Date.

[Signature]
Tahasildar, Dharmasala
27/11/15

Copy submitted to the Sub-Collector, Jajpur for favour of kind information and necessary

action.

[Signature]
Tahasildar, Dharmasala

Memo No. Date.

Copy submitted to the Collector & D.M., Jajpur for favour of kind information and necessary

action.

[Signature]
Tahasildar, Dharmasala

Memo No. Date.

Copy to the Regional Officer, SPCB Common Facility Center, JCC Kalinganagar, Jajpur for information and necessary action

[Signature]
Tahasildar, Dharmasala

REGIONAL OFFICE OF THE
 STATE POLLUTION CONTROL BOARD, ODISHA
 DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA
 Common Facility Centre, JCD, Kalinga Nagar,
 Dist- Jajpur-755026, Odisha, India

E-mail: respco.kalinganagar@spcbodisha.org
 Website: www.spcbodisha.org

REGIONAL OFFICE OF THE
 STATE POLLUTION CONTROL BOARD
 JAJPUR

Date 26-11-2012

To, Collector & District Magistrate
 Jajpur
 Dist- Jajpur

Operation of Black Stone Quarry without obtaining Consent to Operate. reg.

With reference to the above cited subject, it is to intimate you that as the order of the High Court of Orisha vide case no. W. P. (C) No 10886/2012 and 9876/2012 and as per the Board for grant of consent for Dankari stone quarry (minor mineral) of Khata No. 211 plot no. 600 of Jajpur District. It is also mention here that the Board in its Board meeting held on 23.03.2012 decided that the minor mineral having lease hold area 5 ha or more should obtain consent from the Board under section 25 of Water (PCP) Act, 1974 and section 21 of (PCP) Act 1981. Accordingly Sri Sribash Jena has been directed to apply consent to establish in a prescribed application form vide letter no. 22109 dtd. 01.11.2012.

M/s Dankari Black Stone Quarry of Sri Sribash Jena, At- Dankari, Po- Mahisara, P.S- Mahasala, Dist- Jajpur has obtained Consent to Establish from SPCB, Regional Office Jajpur vide letter no 3517 dtd. 26.11.2012 for production of Boulders of quantity 5000 MT/Month. Subsequently, Consent to Establish for expansion proposal has been granted vide letter no. 3517 dtd. 17.01.2013 for manufacture/production of Granite Boulders of quantity 100 MT/Month at Dankari. It was mentioned in the Consent to Establish order that the consent to establish is granted subject to other statutory clearances from Government of Odisha and Government of India as and when applicable.

Till date the mine authority has not applied for Consent to operate to the Board. Further, the total lease hold area of the mine is 16.6 ha. As per the EIA Notification, 2006, the mine is required to obtain Environmental clearance which has also been not submitted to the Board.

The stone quarry should not be operating without having necessary Environmental clearances and Consent to operate issued from the Board.

Therefore it is requested that necessary action may be taken against Dankari Stone Quarry of Sri Sribash Jena to stop mining activities forthwith.

As above

Yours faithfully
 Regional Officer

REGIONAL OFFICE OF THE
 STATE POLLUTION CONTROL BOARD
 JAJPUR

REGIONAL OFFICE OF THE
 STATE POLLUTION CONTROL BOARD
 JAJPUR

2738

311

भारत 00888 ओडिशा ओडिशा
148157 DEC 05 2012
R.0060000 PB1055
NON-JUDICIAL STAMP
INDIA ORISSA S.R. DHARMASALA - 29

10811202968 61
201

[Handwritten signature]

SUB-REGISTRAR
DHARMASALA



[Handwritten signature]

DEPUTY REGISTERING OFFICER
DHARMASALA

911/10

Fees paid
AD 24000.00
GC 240.00
Rs 24240.00

AGREEMENT BOND

(See Rule-53 of OMMC Rule-2004)

SAIRAT SOURCE NO.91/ 2012-13

This agreement is made the 5th day of December 2012.

BETWEEN

The Governor of Orissa represented by Sub-Collector, Jajpur,
District- Jajpur (here in after called the Competent Authority)

And

Sri Sribash Jena Aged about 49 years S/o Late Muralidhar Jena
Village:- Saroi P.O. Haridaspur P.S: Dharmasala in the District of
Jajpur by caste khandayat occupation business, (hereinafter referred to
as the auction holder) which expressed shall where the context so admits
be deemed to include his heirs, executors, administrators and permitted
assignees of the other part.

[Handwritten signature]
5
Sub. Collector, Jajpur

[Handwritten signature]
Sribash Jena
05/12/12

WHERE AS the auction holder has taken the above Sairat source from Competent Authority in accordance with the provisions of the Orissa Minor Minerals Concession Rule-2004 and as per order passed by the Hon'ble High Court in W.P.(C) 20799 of 2011 , W.P.(C) 10886/2012 & W.P.(PIL) No. 9876 of 2012 in respect of the lands described in Part-I of the Schedule and has deposited a sum of Rs.12,00,000/- (Rupees Twelve Lakhs) only towards bid amount.

Now this agreement witness as follows: -

The Auction holder here by demises to the auctioned Sairat and the land described in Part-I of the Schedule here under written and delineated in the Map hereunto annexed. The auction holder shall hold the said demises pieces of Land from **26.11.2012 to 25.11.2017** subject to the terms covenants, conditions herein proved. In witness where of these presents have been executed in manner here under appearing the day and year first above written.

26.11.12
Sub-Collector, Jajpur

The Schedule above referred to:

PART-I

LOCATION AND AREA OF THE AUCTIONED SAIRAT SOURCE

Mouza	Khata No	Plot No	Kisam	Area
Dankari	221	600	PAHADA	Ac.41.50

Srikant Singh



ADIT ROY

S. Sushil
5/12/12

PART-II**TERMS AND CONDITIONS OF AUCTION**

This lease is subject to the conditions laid down in Rule-56 along with all other conditions pertaining to auction sale of Sairat source as provided in OMMC Rule-2004. Besides, terms and conditions laid down in Office Memorandum of State Pollution Control Board vide letter No. 3517/ SQ-02 dt. 26.11.2012 along with order passed in W.P.(C) 20799 of 2011 , W.P.(C) 10886/2012 & W.P.(PIL) No. 9876 of 2012

Terms and conditions as per Rule 56- of OMMC Rule-2004

- (I) The auction agreement is not transferable.
- (II) The minor mineral other than for which auction is confirmed shall not be removed from auctioned area.
- (III) If any major mineral is found during the quarrying operation, the auction holder shall report the matter to the competent authority and the Director forthwith shall not work or remove the same
- (IV) The auction holder shall immediately report all accidents to the Competent Authority and the Collector of the District
- (V) The auction holder shall have no right over the quarried material and other properties lying in the auction area after expiry of the term of auction and shall deemed to be the

6/5-12-12
Sub-Collector, Jalpur

Srijesh Jha

Properties of Government and may be disposed of by public auction.

- (VI) The auction holder shall not under take any operation in any forest area without obtaining prior permission from the concerned authority of the Forest Department.
- (VII) The auction holder shall pay to the occupier of the surface of the land just a reasonable compensation as may be agreed up on by the auction holder and owner of the land.
- (VIII) The auction holder shall not carry on quarrying operation within a distance of 50 meters from any public road, public building, temple, reservoir, dam, play ground, railway track etc. and not cause any damage to the public and private property.
- (IX) The auction holder shall, at his own expense, erect and at all time maintain and keep in good condition boundary mark and pillars necessary to delineate the auction area.
- X) The auction holder shall abide by the provisions of Mines and Minerals (Development and Regulation) Act.1957; Mines Act.1952; Explosive Act. 1884; Explosive substances Act.1908 and rules made there under and all other laws the time being in force relating to the working of quarries and matters affecting safety, health, and conveniences of persons working for quarrying operation Public.

Sub. Collector, Jayapur
12-12-12

Sub. Collector, Jayapur

S. S. S. S. S.

- XI) The auction holder shall obey all existing rights of way, water and other case mention.
- XII) The auction holder shall keep correct monthly account of minor minerals quarried and dispatched and furnish a monthly return in Form-Y to the competent authority by 15th of succeeding month. He shall furnish an annual return in Form-Z to the competent authority and the Director, Odisha for the financial year or part there of within a week of the close of the financial year or expiry of the term of the auction.
- XIII) The auction holder shall allow the Director, Controlling authority and competent authority or any officer authorised by any of them to inspect the quarrying operation and to check the accounts of production and dispatches from the register maintained by him.
- XIV) The auction holder shall not remove any minor form the area without obtaining prior permission from the competent authority or any other officer authorised by him. No minor mineral shall be dispatched from the area without valid transit pass issued by such officer.
- XV) In case of literate quarry, the auction holder shall not use power cutter or any such machinery for excavation of literate.
- XVI) The auction holder shall take all possible precaution for protection of environment and control of pollution including reclamation of the quarried out area.
- XVII) If in any event the orders of the competent authority is revised, reviewed or cancelled by the concerned controlling authority or the auction holder fails to fulfill the terms and conditions of the auction sale due to force Majeure such as act of God, War, insurrections, riot, civil commotion, strike, earth quake, storm, tidal wave, flood, lighting, explosion fire and any other happening beyond control of auction holder, delay in development of

12-12-12
5

Sub-Collector, Jh-14

Sri badek Jh.

- infrastructure, acquiring of land for quarrying operation and for use of land for public purpose, the auction holder shall not claim for any compensation.
- XVIII) The auction holder shall not use explosive in any manner without obtaining an explosive license from the appropriate authority.
- XIX) The auction holder shall pay a wage no less than the minimum wage prescribed by the State Government from time to time under the Minimum Wages Act-1948.
- XX) Competent authority may impose such further condition as he may think necessary in the interest of mineral development.

Terms and conditions as per Office Memorandum of State Pollution Control Board issued vide letter No. 3517/SQ-02 dated 26.11.2012

1. This consent to establish is valid for the product, quantity manufacturing process and raw materials as mentioned in the application for a period of five years from the date of issue of this letter, provided commencement of production of the proposed project has not taken place in the meantime.
2. If the stone quarry fails to start operation of the project but substantial physical progress has been made then renewal of this consent shall be sought by the proponent.
3. If the stone quarry fails to initiate construction of the project and no significant physical progress is made then, the stone quarry has to apply for consent to establish afresh after expiry of 05 years from the date of issue of this order.
4. Adequate effluent treatment facilities are to be provided such that the quality of sewage and mine drainage water satisfies the standards as prescribed under Environment protection Rule, 1986 or as prescribed by the Central Pollution Control Board and/or State Pollution Control Board or otherwise stipulated in the special conditions.

26.11.12
G.S.

Sub-Collector In-charge

Srihasthi

5. All emissions from the stone quarry as well as the ambient air quality and noise are to conform to the standards as laid down under Environment (Protection) Act, 1986 or as prescribed by Central Pollution Control Board or otherwise stipulated in the special conditions.
6. Adequate method of disposal of solid waste is to be adopted to avoid environmental pollution.
7. The stone quarry is to comply to the provisions of Environmental Protection Act, 1986 and the rules made thereunder with their amendments from time to time such as the Hazardous Waste (Management & Handling) Rules, 1989, Hazardous Chemical Rules, /Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 etc. and amendment there under. The quarry is also to comply to the provisions of public liability Insurance Act, 1991, if applicable.
8. The quarry is to apply for grant of consent to operate under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 at least 03 (three) months before operation of the stone quarry and obtain consent to operate from this Board.

12.12
19

Sis. Collector, Jajpur

SPECIAL CONDITIONS:

1. This consent to establish is granted subject to execution of Dankari Black Stone Quarry lease in favour of Sri Sribash Jena at Saroi, Post- Haridaspur in the district of Jajpur.
2. Domestic wastewater shall be discharged to soak pit via septic tank constructed as per BIS specification.
3. Blasting shall be adopted as per the specification of the explosive license from the Authorised Department.

Sribash Jena

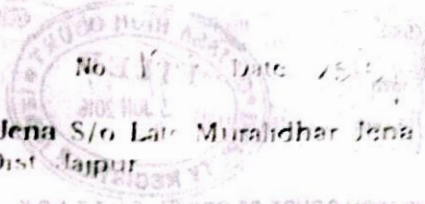
4. Drilling machines shall be fitted with proper dust collection, suppression and disposal arrangement.
5. Workers shall be provided with ear muffs and noise mask as safe guards against environmental hazards.
6. Water sprinkling arrangements shall be provided at all haul road, transportation roads, quarry areas, stock yard, and other dust generating points to control fugitive dust emission.
7. Ambient air quality shall be maintained in order to meet the prescribed standard as per National Ambient Air Quality Standard.
8. Rejected stones shall be disposed off on low lying area inside the mine leasehold area in proper manner without causing any environmental pollution.
9. No stone crusher shall be installed inside the lease hold area without obtaining clearance from appropriate authority.
10. After the completion of the mining operations or on expiry of lease period, the mine authority shall fill and level the quarry area in order to make safe for the inhabitants.
11. The unit shall abide by the provisions under E.P Act, 1986 and other rules framed there under.
12. The Board may impose further conditions or modify the condition as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in application form.

Terms and Conditions in W.P.(C) 20799 of 2011

The period of auction may be renewed at least for a period of 5 years in terms of the observation made by the Hon'ble Supreme Court in

15.12.12
Sub-Collector, Jharkhand

Sajibhushan



Sri Sribhash Jena S/o Late Muralidhar Jena of Village Saroi P.O. Haridaspur Dist. Jajpur

Deposit of differential royalty for extraction of Black Stone from Dankari Black Stone Quarry vide Sairat Case No. 970/2012-13

On allegation, the Deputy Director, Mines, Jajpur-Road was requested by the District Administration vide District Office letter No. 5547 dated 03.12.2015 to make enquiry in to sairat source through his Mining Officer to assess the volume of Black Stone extracted since operation of the Dankari Black Stone Quarry. Accordingly he has submitted his report vide his letter No. 514 dated 15.08.2016 to the District Administration. As per his report about 73,38,012.50 Cu.M of Black Stone have already been extracted from the above sairat source.

It is revealed from the record that, you have taken the said source from year 2002-03 to 2015-16 (up to November 2015) and deposit a sum of Rs. 6,64,89,908.00 towards royalty against an extraction of Rs. 14,15,996.00 Cu.M of Black Stone as per return submitted by you. As the source was lease out since 2002-03 to 2015-16 only in your favour, you are hereby directed to deposit the differential royalty as calculated below:-

i)	Black Stone extracted (up to Nov.2015)	73,38,012.5 Cu.M
ii)	Payment made for	<u>14,15,996 Cu.M</u>
iii)	Balance to be paid @ 99/- per Cu.M for	59,22,016.5 Cu.M

59,22,016.50 Cu.M x Rs. 99.00 = Rs 58,62,79,633.50 (Rupees: Fifty eight crore sixty two lakh seventy nine thousand six hundred thirty three & fifty paise) only.

Hence, you are directed to deposit differential royalty of Rs. 58,62,79,633.50 within 15 days after received of this demand notice. Failing which action will be taken as per provision of law.

Devi
28/5/16
91 Tahasildar, Dharmasala

Memo No. 1879 (9) Date. 28/5/2016

Copy submitted to the Collector & D.M., Jajpur/ Sub-Collector, Jajpur for favour of kind information and necessary action with reference to the District Office letter No. 2262 dated 18.05.2016.

*Received letter on behalf of Sri Sribhash Jena
Mohan Behara
dt. 31-05-16*

Devi
Tahasildar, Dharmasala

*P. ANVESHA REDDY
COLLECTOR
JAJPUR*

31/05/16

NOTIFICATION
RUPALAL



B.C. Touzi

Put up with all relevant records immediately

IN THE HIGH COURT OF ORISSA, CUTTACK
(ORIGINAL JURISDICTION CASE)

P. (C) NO. 9865 OF 2016

Code: 270000

IN THE MATTER OF

An Application under Articles 226 and 227 of the

Constitution of India;

AND

IN THE MATTER OF: An application challenging the Order dated 28.5.2016

Presented on

[Signature]
Deputy Registrar (Judicial)

issued by the Tahasildar, Dhamrasala, thereby making illegal demand for deposit / payment of differential royalty;

AND

IN THE MATTER OF: An Application under the provisions of The Orissa

Minor Minerals Concession Rules, 2004

AND

IN THE MATTER OF:

Sribash Jena, aged about 53 years,

S/o - Muralidhar Jena,

At - Village Sarol, P.O. Haridaspur,

P.S.- Dhamrasala, District - Jajpur.

PETITIONER



[Handwritten notes and signatures]
Dhamrasala Tahasildar

W.P. (C) No. 2822 of 2016

10/11/2016

ORDER WITH SIGNATURE Placed on Order	VERSUS -	Date of Order	Sl No of Order
---	----------	------------------	-------------------

STATE OF ORISSA,

Represented through -

Principal Secretary to Govt. of Orissa

Revenue Department, Orissa Secretariat

Bhubaneswar, District - Khurda

2. Collector - cum - District Magistrate, Jaipur,

At / PO / Town / District - Jaipur.

3. Sub-Collector, Jaipur,

At / PO / Town / District - Jaipur

4. Tahasildar, Dharmashala,

At/PO - Dharmasala, District - Jaipur

5. Deputy Director of Mines, Jaipur Road,

At/PO - Jaipur Road, District - Jaipur.

.....OPPOSITE PARTIES



W.P. (C) No. 2822 of 2016

W.P.(C) No.9885 of 2016

[O. H. C.-98]

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
07	28.09.2016	<p>The submission of the learned counsel for the petitioner is that the demand notice dated 28.05.2016 has been issued to the petitioner without any prior notice to him.</p> <p>In the counter affidavit, the said position is not disputed.</p> <p>In view of the aforesaid and keeping in view the judgment of this Court in the case of Shri Upendranath Mohanty v. State of Odisha and 2 others, 2016 (III) OLR-502, we are of the opinion that the order dated 28.05.2016 (Annexure-7) passed by the <u>Tahasildar-opp. party no.4</u> deserves to be quashed.</p> <p>Accordingly, the writ petition stands allowed and the order dated 28.05.2016 (Annexure-7) passed by the <u>Tahasildar-opp. party no.4</u> is quashed. However, the opp. parties shall have liberty to pass fresh orders in accordance with law after giving opportunity of hearing to the concerned parties.</p>	

Sd/- V. Saran, C.J

Sd/- Dr. B.R. Sarangi, J

coop. by

28-9-16

COLLECTORATE, JAJPUR

Ph 06728-222001(O) 222330(R) Fax -222087
E-mail: dm-jajpu@nic.in web site: www.jajpur.nic.in
[Revenue Section]

Letter No. 2428 Date 14.09.2017

P. ANVESHA LEDDY
COLLECTOR
JAJPUR

To


The Sub-Collector, Jajpur


Sub. Filing of case in the court of J.M.F.C, Chandikhole

Sir,

In enclosing herewith the original plaint copy and along with its enclosures, I am directed to request you file a case under section 15 and 19 of E.P Act, 1986 in the Court of J.M.F.C, Chandikhole against the project proponent Sri Sribash Jena for violation of provisions of Environment (Protection) Act, 1986

Yours faithfully


Public Information Officer
Collectorate, Jajpur


Additional District Magistrate
Jajpur



OFFICE OF THE TAHASILDAR, DHARMASALA

No 2011

Date 10/4/2017

To

The Collector and District Magistrate Jajpur

Sub:

Violation of the provisions of environment clearance and conditions of the consent to operate by one Sri Sribas Jena in respect of Dankari Blackstone Quarry pertaining to an area Ac. 41.50 dec in Village Dankari under the provisions of EIA Notification

Ref:

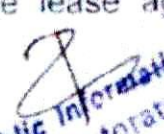
District Office Letter No 883 Dt. 27.03.17 and Letter No 1018 Dt. 06.04.17.

Sir,

With reference to the subject cited above, I am to report that Dankari Black Stone Quarry pertaining to an area Ac. 41.50 has been knocked in favour of one Sribash Jena S/O Muralidhar Jena Village Saroi District Jajpur in Sairat Case No 91/12-13 on Dt. 18.02.12 against the highest bid price offered i.e. Rs. 12,00,000.00 (Rupees Twelve lakhs only) in the Court of the Sub-Collector, Jajpur.

That, in order dated 18.10.2012, the Sub-Collector, Jajpur in obedience to the orders in W.P.(C) No 20799/2011 and W.P.(C) No 5754/2011 of the Hon'ble High Court Odisha and in the orders of Apex Court in the Case of Deepak Kumar -Vrs- State of Haryana, has allowed the successful bidder to execute lease agreement for a period of five years. The successful bidder is liable to deposit the bid price increased by 15 % in every succeeding years and the successful bidder shall execute the lease agreement only after obtaining clearance from State Pollution Control Board as has been envisaged by the Hon'ble Supreme Court in Deepak Kumar Vrs- State of Haryana Case.

That, on 26.10.2012, the successful bidder was asked to obtain consent to operate from the State Pollution Control Board. That in order dated 01.12.2012 the Sub-Collector, Jajpur has directed to precede with lease agreement with the successful bidder by receipt of memorandum in letter No 3517 Dt. 26.11.12 from the State Pollution Control Board. The said memorandum has only sanctioned for consent to establish the quarrying activities by the successful bidder. That the lease agreement between the bidder and Sub-


Public Information Officer
Collectorate, Jajpur

Collector, Jajpur as Competent Authority was duly registered before the Sub-Registrar, Dharmasala on 5th December 2012. That after execution of lease agreement, the successful bidder has operate the quarry up.to Dt. 27.11.15 by depositing the bid price increased by 15 % every succeeding year along with the differential royalty amount. That in order dt. 27.11.2015 the successful bidder was asked to stop operation the quarry in response to the letter No 3225 dT. 06.11.15. of the Regional Officer, State Pollution Control Board, Kalinganagar Jajpur


That, the successful bidder operated the quarry from 05.12.2012 to 27.11.2015 without obtaining necessary environment clearance from State Pollution Control Board in violation of the orders of Hon'ble Supreme Court in Deepak Kumar -Vrs State of Haryana Case.

That, the successful bidder has extracted 147800 Cum of black stone from 20.12.2012 to 27.11.2015 and the bidder has deposited Rs. 1,41,61,800.00 (Rupees one crore forty one lakhs sixty one thousand eight hundred) as per the prevailing rate of royalty in schedule II of OMMC Rules 2004.(Annexure-I)

In view of the facts stated above, necessary legal action may be initiated against the quarry owner for violating the orders of the Hon'ble Supreme Court and as per the provisions of Environment Protraction Act 1986.

This is for favour of kind information and necessary action.

Enclosures - As above


Public Information Officer
Collectorate, Jajpur

Yours faithfully,


Tahasildar, Dharmasala

IN THE COURT OF J.M.F.C., CHANDIKHOLE
2(C) C.C. No.

1. Name of the Complainant

Sri Narayan Chandra Dhal, OAS(1)/SB,
Sub-Divisional Magistrate (S.D.M.), Jajpur, Dist.
Jajpur

2. Name & other Description of the
Accused Person

- (1) Sri Sribas Jena,
S/O Muralidhar Jena
Village-Saroi, PO-Haridaspur
PS-Dharmasala, Dist. Jajpur
- (2) Molun Behera, S/O Bishnu Ch. Behera
Village-Sundaria
PS-Dharmasala, Dist. Jajpur.

3. Date, Time & Place of Occurrence

2002-03 to 2015-16, At: Dankari
Black stone quarry, Dankari, PS-Jenapur
Under Dharmasala Tahasil, Dist. Jajpur

4. Name of the Witness

- (1) Tahasildar, Dharmasala, Dist: Jajpur
(2) Director, Environment-Cum-Special Secretary to
Govt., Forest & Environment Department, Odisha,
Bhubaneswar
(3) Regional Officer, State Pollution Control Board,
Odisha, Kalanganagar
(4) Deputy Director, Mines, Jajpur Road

5. Name of the offence with state
Protection

Punishable U/S 15 of the Environment

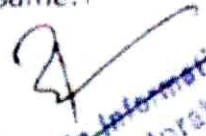
Act, 1986 & violation of order of Hon'ble High
Court, Odisha by extracting blackstone without
obtaining Environment clearance from OSPCB
& SEIAA.

6. Whether any information was given
to any Police Station & if so, action
taken thereon.

No information was given at any Police Station
and as such taking of action by Police does not arise.

7. Whether any previous complaint regarding
the same occurrence was filed. If so the
name of the Court and date and manner
of disposal of the same.

Previously no complaint is filed for the present
alleged offence.


Public Information Officer
Collectorate, Jajpur

Annexure-11

327
COLLECTORATE, JAJPUR

77

Ph 06728-222001(O) 222330(R) Fax -222087
E-mail: dm-jajpu@nic.in. web site: www.jajpur.nic.in
[Revenue Section]

OFFICE ORDER

No 2611 Date 14.10.2018

As per discussion in the meeting held on 13.10.2018 in the Residential office Chamber of the Collector & D.M, Jajpur, the squads have been constituted comprising the following Officers and staffs for taking up enforcement activities on dt. 15.10.2018 and 16.10.2018 in and around the Danakri Hill area to measure all the stocked quarry materials, disconnection of electricity and also seizure of the machinery etc. in quarry area under Dharmasala Tahasil.

I. TEAM NO.1	II. TEAM NO. 2
<ol style="list-style-type: none">1. Sweta Kumar Dash, OAS, Deputy Collector, Revenue, Collectorate, Jajpur.2. Deviprasad Mohanty, ORS, Addl. Tdr, Dharmasala.3. Sushanta Kumar Swain, Rev. Inspector, Dankari4. Hitesh Samal, Amin, Dharmasala Tahasil.5. Madan Mohan Barik, Peon, Dharmasala Tahasil.6. Sunil Kumar Meher, OAS, Tahasildar, Jajpur, Executive Magistrate of the Team.	<ol style="list-style-type: none">1. Sheetal Agarwal, ORS, Tdr. Dharmasala (I/C)2. Jagabandhu Jena, Asst. R.I, Aruha3. Manas Kumar Bej, Amin, Dharmasala Tahasil.4. Abhimanyu Barik, P.S, Dharmasala Tahasil.5. Nimain Charan Das, Peon, Dharmasala Tahasil.6. Umesh Chandra Lenka, ORS, Asst. Collector, Collectorate, Jajpur, Executive Magistrate of the Team.
III. TEAM NO. 3	IV. TEAM NO. 4
<ol style="list-style-type: none">1. Saroj Kumar Panda, OAS, Tahasildar, Rasulpur2. Birakishore Maharana, Rev Inspector, Talagarah3. Ranjan Kumar Biswal, Rev Inspector, Salepur4. Nilalohita Nath, ARI, Badakaima5. Ananta Charan Mohanty, P.S Dharmasala.6. Anup Kumar Behera, ORS, Asst. Collector, Collectorate, Jajpur, Executive Magistrate of the Team.	<ol style="list-style-type: none">1. Ashok Kumar Das, OAS, Tahasildar, Darpan2. Manoj Kumar Mohapatra, Rev Inspector, Neulpur3. Soumya Ranjan Jena, Rev Inspector, Bankasahi4. Biranchi Boitei, Rev Inspector, Badakaima5. Hemanta Kumar Nanda, P.S, Dharmasala6. Kshirod Kumar Dash, ORS, Addl Tdr, Jajpur, Executive Magistrate of the Team.

The team will work under the direct supervision of the Additional District Magistrate, Jajpur and the Sub-Collector, and SDM, Jajpur. The order shall come into force with immediate effect with a direction to submit time to time progress report on the matter for information of Collector, Jajpur.

By order of the Collector, Jajpur.


Additional District Magistrate, Jajpur.

P. ANVESHA REDDY
COLLECTOR
JAJPUR

Annexure-12

328

COLLECTORATE, JAJPUR

54 78

Ph 06728-222001(O) 222330(R) Fax -222087
E-mail: dm-jajpu@nic.in. web site: www.jajpur.nic.in
[Revenue Section]
OFFICE ORDER

No 2598 Date 12.10.2018

In pursuant to the instruction of Director, Environment-Cum-Special Secretary to Govt. in Forest & Environment, Department, Odisha, Bhubaneswar communicated vide letter No 27184/F&E Dated 12.10.2018, the Environment Clearance of the following Minor Mineral Sources of Dankari Hill under Dharmasala Tahasil granted by the DEIAA, Jajpur are hereby cancelled, with immediate effect.

P. ANVESHYA REDDY
COLLECTOR
JAJPUR

Sl No	Name of the Minor Mineral source	Area in Ac	Name of the lessee	Order No and date
1	Dankari Black Stone Quarry No 6/11	7.00	Sri Mahendra Swain At-Khapuria, P.S-Madhupatna, Cuttack	1469 dt 22.03.2016
2	Dankari Black Stone Quarry No 6	9.00	Sri Sribash Jena ,MD M/S Jena Minerals Pvt Ltd , At-Saroi, Post- Haridaspur, Jajpur	1553 dt 30.03.2016
3	Dankari Black Stone Quarry No 1/04	8.00	Smt Jyotshna Jena W/O Prasanta Kumar Jena At-HIG-C/48, Baramunda HB, Bhubaneswar, Khurda	1560 dt 31.03.2016
4	Dankari Black Stone Quarry No 02	12.00	Sri Sribash Jena S/O Late Muralidhar Jena At-Saroi, Post- Haridaspur, Jajpur	3175 dt 29.11.2017

Collector & District Magistrate
Jajpur
12/10/2018

329

P.R.No. 1677
20.X.18

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Government of Odisha
Forest and Environment Department

BY FAX/EMAIL

No. ENV I (L) 43/2018

22/84

/F&E

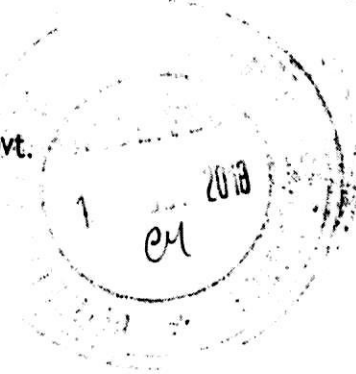
Dated 12th October, 2018

From

Dr. K. Murugesan, IFS
Director, Environment
-cum-Special Secretary to Govt.

To

The Collector, Jajpur



Sub: Inquiry regarding illegal mining activities in and around Dankari Hills forest area as per orders of the Hon'ble NGT in OA No. 604 of 2018 (MA No. 1286/2018)

Sir,

This is to bring to your notice that the Hon'ble NGT vide their order dated the 31st August 2018 in OA No. 604 of 2018 (MA No. 1286/2018) have directed the Secretary Department of Forest & Environment, Govt. of Odisha to constitute a Joint inspection team comprising representatives of the SPCB, SEIAA, Collector, Jajpur and the Forest Deptt. to ascertain the facts by visiting the site and take appropriate steps in accordance with law, within one month from the date of order. The application seeks direction of the NGT to close down illegal mining activities in and around Dankari Hills forest area.

In pursuance of the direction of the Hon'ble NGT a committee was constituted with Chairman, SEIAA as Chairman; and Collector Jajpur; DFO, Cuttack, representative of State Pollution Control Board as members and Senior Scientist (E&E), Forest & Environment Dept as Member Convener.

The committee visited the site on 5th October, 2018 and the Chairman has submitted the report. Some of the recommendations are given below:

1. Collector, Jajpur will be requested to revoke all the ECs which have been granted by the DEIAA in favour of the stone quarries in Dankari hills area forthwith, because all these quarries together constitute a cluster of above 50 Ha in area; and therefore fall into Category B-1, for which there is a separate procedure for grant of EC.

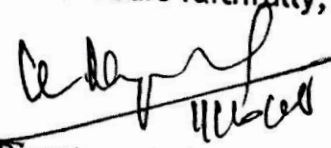
2. Collector, Jajpur will be requested to file prosecution against the violators who have been operating the quarries illegally without obtaining EC from the SEIAA.
3. The Sub-Collector has to measure all the stocked quarry materials on war footing and royalty at appropriate penal rates may be assessed and demanded from the quarry operators or stone crushers as the case may be.
4. Electricity to the quarries shall be stopped.

It is therefore requested to kindly take necessary steps to revoke all ECs granted in favour illegal quarry operators, file prosecution against them/ stone crushers under section 15 and 19 of the Environment (Protection) Act, 1986 before the concerned SDJM immediately. You may also take action to stop electricity to the violating quarries. It may please be informed that delay in submission of report may attract adverse report from the Hon'ble NGT.

Regarding providing additional police force, Home Dept/ D.G. Police are being requested separately to provide adequate police force to put an end to the illegal quarry operation. District Police authorities with the special police to be provided will be requested to monitor all the exit routes for plying of loaded trucks, and seize the trucks if they are seen taking minerals illegally. For the time being, it is requested to mobilize your existing force to stop illegal operation of stone quarries.

THIS MAY BE CONSIDERED AS TOP PRIORITY

Yours faithfully,



Director, Environment
-cum-Special Secretary to Govt.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 10113 OF 2018

P. ANVESHA REDDY
COLLECTOR
JAJPUR

SRIBASH JENA ... APPELLANT(S)

Versus

SARBESWAR BEHURA & ORS. ... RESPONDENT(S)

O R D E R

The impugned order passed by the National Green Tribunal (NGT) is an ex parte order without issuing notice and without hearing the affected parties i.e. the appellant.

2. In that view of the matter, we set aside the impugned order dated August 31, 2018 and restore the Original Application No. 604 of 2018 along with Miscellaneous Application No. 1286 of 2018.

Validity unknown
Digitally signed by
SONIA P. SINGH
Date: 2023.03.21
11:07:42 IST
Reason:

3. The NGT is free to pass fresh orders in accordance to law, after taking into consideration the respective arguments that may be raised by the learned counsel for the parties and material placed on record.

4. The appeal is allowed accordingly.

5. Pending application(s), if any, shall stand disposed of.

..... J.
[VIKRAM NATH]

..... J.
[SATISH CHANDRA SHARMA]

NEW DELHI;
MARCH 19, 2024.

ITEM NO.33

COURT NO.9

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 10113/2018

SRIBASH JENA

Appellant(s)

VERSUS

SARBESWAR BEHURA & ORS.

Respondent(s)

(IA No. 142797/2018 - EX-PARTE STAY IA No. 142799/2018 - EXEMPTION
FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 19-03-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Appellant(s) Mr. P. N. Misra, Sr. Adv.
Mr. Mukul Kumar, AOR

For Respondent(s) Mr. Ashok Kumar Panda, Sr. Adv.
Mr. Tejaswi Kumar Pradhan, AOR
Mr. Manoranjan Paikaray, Adv.
Mr. Shashwat Panda, Adv.
Mr. Ritwik Kumar, Adv.
Mr. Aniket Gupta, Adv.

Mr. D. Bharat Kumar, Adv.
Mr. Aman Shukla, Adv.
Mr. Pulimamidi Shashidhar Reddy, Adv.
Mr. Chalasani Venkat, Adv.
Mr. Dasari Muralee Mohan, Adv.
Mr. M. Chandrakanth Reddy, Adv.
Mr. Gopal Jha, AOR

Mr. Som Raj Choudhury, AOR
Ms.S. Aradhana, Adv.
Mr. Prashant Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)

(RANJANA SHAILEY)
COURT MASTER (NSH)

[Signed Order is placed on the file]

**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI
ORIGINAL APPLICATION NO 604 OF 2018**

IN THE MATTER OF:

SARBESWAR BEHURA

.....APPLICANT

Versus

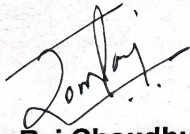
UNION OF INDIA & ORS.

.....RESPONDENTS

I, Mrs. P. Anwasha Reddy, presently working as Collector & DM, Jajpur, State of Odisha (Respondent No 2,6,7,8,9 and 11) in the above Application do hereby appoint and retain **Mr. Som Raj Choudhury**, Advocate-on-Record, Supreme Court, New Delhi to act and appear for me/us in the above Petition/Appeal and on my/our behalf to conduct and prosecute or defend or withdraw 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 proceedings in taxation and application for Review, to file and obtain return documents and receive money in my/our behalf in the said Application and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/we agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Dated 27th day of November, 2024

ACCEPTED & IDENTIFIED/CERTIFIED



Som Raj Choudhury (AOR)



Respondent
**COLLECTOR
JAJPUR**

**(RESPONDENT - 3,4,7,8,
9 AND 10)**

MEMO OF APPEARANCE

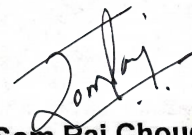
To,

The Registrar
National Green Tribunal,
New Delhi.

Sir,

Please enter my appearance for the abovenamed Appellant(s) /Petitioner(s) / Respondent(s) in the abovementioned matter.

Dated 27th day of November, 2024



Som Raj Choudhury (AOR)

335

85



Lex Rex Associates <lexrex.associate@gmail.com>

REPLY ON BEHALF OF RESPONDENT -STATE OF ODISHA-OA 604 OF 2018

Lex Rex Associates <lexrex.associate@gmail.com>

Wed, Nov 27, 2024 at 3:28 PM


To: "Adv. Manoranjan Paikaray" <mpaikray@gmail.com>, "Isha.Arora@gmail.com" <Isha.Arora@gmail.com>, secy-moef@nic.in, dir.m-png@gov.in, "seiaaodisha@gmail.com" <seiaaodisha@gmail.com>, "chairman.seiaaodisha@gmail.com" <chairman.seiaaodisha@gmail.com>, kalyanilab@yahoo.co.in

Dear Sir /Madam,

Kindly find attached the Reply of the State of Odisha in the above captioned subject matter.

This may be considered as an advance service on your goodself. Kindly acknowledge the receipt of the same.

Thanking You
Office of Shri Som Raj Choudhury,
Advocate on Record
State of Odisha

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11929K