

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

Original Application No. 84/2023/EZ

ABANI KUMAR SAHOO

.....APPELLANT

Versus

STATE OF ODISHA AND OTHERS

... RESPONDENTS

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CUTTACK

DATE-05.12.2023

Pratik Dash

PRATIK DASH

ADVOCATE

Office: Srivihar Colony, Tulsipur,
Cuttack, Odisha-753008 Ph No-
9853847414

Email- pratik.dashadv@outlook.com

leave of the Hon'ble Tribunal with respect to the findings in Joint Committee Report dated 18.09.2023 and Counter affidavit of Collector, Balsore at Para 3. The operative portion of the Para 3 which is also the finding of the committee is quoted below for ready reference:

“ In reply to the averment made in Para-1, it is humbly submitted that as per report of the Committee, presently, the source is not in operation as the river is flowing over the lease area. The village will no way be affected as it remains more than one kilometer from the sand bed/lease area. The river embankment is safe and there is no possibility of Damage of it if the source is operated keeping in view of the stipulations of EC and Mining Plan. Further, it is observed that the river is flowing in its regular course.

In the KML file of Google earth map (for the period i.e. May 2017, December 2017, July 2018) it appears that there was sufficient sand both inside and outside the lease area. Due to the passage of time, the river course changed and from February 2019 onwards till date, half of the lease area got covered with grass and looks like a River bank. The mining plan was prepared based on earlier sand deposition with proposed annual production quantity i.e. 5500 cum and accordingly, Environmental Clearance (EC) was allowed for the said quantity vide EC letter no. 3278/SEIAA dated 13.07.2017 as per approved mining plan. Later, the aforesaid EC was amended as per annual rate of replenishment rate of sand and SIEAA allowed extraction quantity of sand 4283.5 cum/annum.”

Therefore, the contents of Para 1 of the O.A. is unfounded and only to mislead this Hon'ble Tribunal on the admitted position of law.

5. That in further reply to Para 1 of the O.A., it is submitted that the Applicant named Abani Kumar Sahoo is a repeated offender who has committed theft of sand regularly. There are criminal cases lodged against him at Jaleswar Police Station. One Jaleswar P.S. Case no.129 of 2022 for commission of offence U/s. 379/411/34 of IPC and Section 51 (1) (i) of the OMMC Rules, 2004 and P.S. Case No. 390 of 2023 for commission of offence U/s. 379/294/506/34 are pending against the applicant. Even after being enlarged on bail in the first case i.e. P.S. Case No.129 of 2022, he has further indulged himself in such criminal activities. Further, the applicant has not come in clean hands, he has no legal right with respect to enforcement of environment protection and therefore, the applicant doesn't come under the purview of an 'aggrieved person' under Section 14 r/w Section 16 of NGT Act, 2010.

Copies of the FIRs and Final Form against the applicant are marked and annexed herewith as **ANNEXURE- R-8/A SERIES.**

6. That the respondent no. 8 has been awarded with the work and subsequently the Environment clearance has been issued in his favor on 09.03.21 and on the basis of the order passed by Hon'ble High Court of Orissa dated 08.12.2020 in I.A. No. 9911/2020 arising out of W.P.(C) No. 16117/2020, the respondent had carried out sand mining. However, it was stopped due to the pendency of the present matter before this Hon'ble Tribunal.

 7. That the entire issue is sub-judice before the Hon'ble High Court and hence the present application may not be entertained in order to avoid the multiplicity of litigation. The entire crux of the litigation pertaining to the Rayan Ramachandra pur sand sairat vis-a vis the present respondent is ***mentioned at Serial No. 2 of the Joint Committee Report, under Annexure-A/2 of Counter Affidavit filed by the Collector, Balasore.*** True Copies of the Orders of the Hon'ble High Court of Orissa and the Hon'ble NGT in Appeal No.03/2021 is annexed herewith as **ANNEXURE-R-8/B SERIES.**

8. That as regards to the averments made in Para-3 of Application, It is humbly submitted that in *Para 5 and 6 of the Counter affidavit* submitted by the Collector, Balasore (Respondent No.2), as well as Para 3 of the Joint Committee Report under Annexure A/2 may kindly be referred.

9. That in further reply to the contention that EC will be revoked if there is no replenishment study furnished, it is submitted that replinshment study was furnished by the Respondent and accordingly amended EC was issued on 28.04.2023 with an extraction limit of 4283.5 cum per annum for remaining period of lease. Copy of the replenishment study furnished and prepared with assistance of ORSAC is marked as **ANNEXURE -R-8/C SERIES**

10. That in reply to Para 4 , it is submitted that the Respondent No.8 has been issued an extended CTO and EC granted by the competent authority for remaining lease period which is up to 31.05.2026. Copy of the renewed EC and CTO are marked herewith as **ANENXURE- R-8/D SERIES.**

11. That as regards to the averments made in the Para- 5 of Application, with regards to inclusion of Rayan Ramchandrapur Sairat in DLC forest list. It is humbly submitted that the contents of *Para 8 of the Counter Affidavit filed by Collector (Respondent no.2) and Column 5 of the Joint Verification report under Annexure-A/2* may kindly be referred.

 It is further submitted that the Respondent is continuing the operation of sand sairat and the continuance of existence of sand sairat is pending consideration before the Hon'ble High Court of Orissa in W.P.(c) No. 16117 of 2020 and there is an interim order in force. Copy of the pending status of the W.P.(c) No. 16117 of 2020 is marked herewith as **ANNEXURE-R-8/E SERIES.**

12. That the averments made in Para- 6 & 7, the answering respondent submits that he has been issued an extended CTO and EC granted by the competent authority for remaining lease period which is up to 31.05.2026. Therefore, no illegalities have been committed by the respondent in carrying out mining operations. It is also noteworthy to mention that ***Para 9 of the Counter Affidavit filed by Collector (Respondent no.2) and Column 6 of the Joint Verification report under Annexure-A/2*** may kindly be referred. Therefore it is crystal clear that, the Application with an ill intention with suppression of the material facts only for the reasons best known to the applicant.

13. That the contents of Para 8 to 20 is answered in the Counter ***Counter Affidavit filed by Collector (Respondent no.2) and Column 8 to 32 of the Joint verification report under Annexure-A/2.***

14. That in reply to Para 13, it is answered that Green belt and plantation has been complied as per the approved mining plan and it clearly indicated in Column 13 of ***the Joint verification report under Annexure-A/2.*** Copies of the compliance report of Rayan Ramchandarpur Sand quarry and photographs are marked as **ANNEXURE-R-8/F series**

15. That the Applicant has not approached this Hon'ble Tribunal with clean hands and it is a well settled principle of law that a party who makes false allegations and doesn't approach the Tribunal with clean hands is not entitled to any relief as prayed.

16. That the Respondent reserves the right to file additional counter affidavit if necessary.

17. That the facts and the averments taken in the Appeal which are not specifically denied are deemed to have been denied.

18. That the affidavit filed by the State Government (Respondent No.2 and 3) is clear and unambiguous. Thus the averments made in those affidavits which are favoring the answering respondents may be treated as the response filed by the present answering respondent.

19. That the Original Application is not maintainable and is liable to be dismissed with costs in view of the factual disclosure made under Annexure R-8/A which reveals that the applicant is criminal offender and has been regularly indulging into activities of the sand theft and transportation illegally which also consequently affects the river ecology and environment inter alia causing loss to the state revenue. It is also worthwhile to mention that the applicant is levied with penalty for illegal transportation of sand by the Revenue Authorities.

20. That it is submitted that the petitioner is continuing to operate in pursuance of the order dated 08.12.2020 directing therein the award of the work in favour of the Respondent No.8 shall remain subject to outcome of the writ petition bearing W.P.(c) No. 16117 of 2020 in I.A. No. 9911 of 2020.

21. That the respondent is a law abiding citizen and has never intended to cause damage to environment as well as the river ecology system of Subranrekha River. Further, the respondent prays for an expeditious disposal of the present matter and further prays for allowing the respondent to carry out the operations after cessation of the pre monsoon period.

22. The present affidavit is filed bona fide and in the interest of justice.

23. That the facts stated above are true to the best of knowledge and based upon official records.

Place: Cuttack

Date: 05.12.2023

By Respondent No.8


Through Advocate



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA.
ORIGINAL APPLICATION NO. 84 OF 2023.

IN THE MATTER OF:

ABANI KUMAR SAHOO

...APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS

...RESPONDENTS

SI No. 1469
Jot No. (XII) dt. 04/12/2023

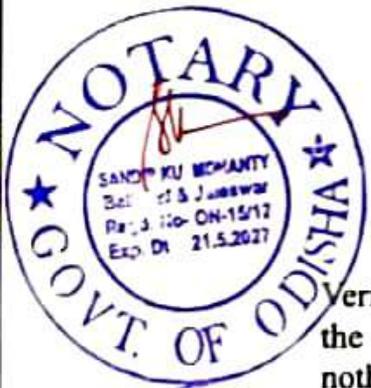
AFFIDAVIT

SANDIP KU. MOHANTY
Notary. ON 15/12

I, Asit Kumar Parida, aged about 44 years, S/o- Late Umakanta Parida, At- Sanroutpada, Po- Jamalpur, Ps- Jaleswar, Dist- Balasore Pin-756086, State Odisha do hereby solemnly affirm and declare as under: -

- 1. That I have been impleaded as RESPONDENTS NO 08 in the abovementioned original application and competent to swear this affidavit.
- 2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Asit Kumar Parida
DEPONENT



VERIFICATION

Verified on dated 04/12/2023 at Jaleswar that the contents of the above affidavit are true and correct. No part of it, is false and nothing material has been concealed there from.

Identified By

Advocate

Asit Kumar Parida
being identified by Mr. ...
Kanta. Behera, Adv
on dt. 04.12.23 at 03:52 PM
Sandip Kumar Mohanty
Notary. ON-15/12 04.12.2023

Asit Kumar Parida
DEPONENT

FORM OF ORDER SHEET
IN THE COURT OF J.M.F.C., JALESWAR.
Misc. case No.36 of 2022

TRUE COPY
OCC/M/12

Abani Kumar Sahoo, aged 37 years,
S/o- Surendra Sahoo,
At/PO- Jamalpur,
PS- Jaleswar, Dist- Balasore, Odisha.

.....Petitioner

Vrs.

State of Odisha.

Represented by IIC, Jaleswar, PS.

.....OP

Misc. case no.36 of 2022

13.05.2022

This order arises out of the petition u/s.457 of Cr.PC filed by the petitioner with prayer to release the seized Tractor bearing registration number OD01S6794, Engine No 475003SWL12777 and Chassis No-WYCL1918127178 in his favour. He has filed the original R.C, and smart card of the seized vehicle. I have already heard on the petition from both sides.

It is submitted by the learned counsel for the petitioner that, the above mentioned Tractor bearing registration number ODO1S6794 has been seized in connection with Jaleswar PS. case No.129/2022. The present petitioner is the owner of the alleged vehicle. The petitioner further contended that, the seized vehicle is lying in an open place at PS being exposed to sun and rain, for which the condition of the vehicle will be deteriorated. He also submitted that, the vehicle is no more required for further investigation. Hence, he prayed for release of the seized vehicle in favour of the present petitioner.

On the contrary, learned A.PP orally objected to such prayer of the petitioner.

On perusal of the case record CT-147/2022, it is seen that, the petitioner who has filed this present Misc. case



claiming to be the owner of the seized vehicle and for release of the same in his favour, is one of the accused in CT-147/2022 as per the F.I.R. Also, the report called for from the IO vide DR No.883/PS, dtd.13.04.2022 reveals that, no confiscation proceeding has been initiated in this case. Further, the IO, Jaleswar PS submitted in the report to the effect that the alleged vehicle is not required for further investigation of the case. The valuation report called for from the RTO, Balasore vide letter no 1927/RTA dtd.30.04.2022 reveals that the up set price of the seized vehicle bearing regd no OD01S6794 is 2,80,000,- So, at this stage no useful purpose will be served, if the alleged vehicle is detained further, rather it will junk and ultimately the petitioner will be prejudiced. Now it is to verify that if the petitioner is the rightful claimant. The documents submitted by the petitioner i.e. original R.C. and smart card appear to be genuine and the same reveals that the petitioner is the registered owner of the vehicle i.e. "Tractor" bearing registration number ODO186794, Engine No 475003SWL12777 and Chassis No-WYCL51918127178. The registration certificate submitted by the petitioner also reveal that the Registration No, Engine No, Chassis No are ^{same as} mentioned in the seizure list submitted by the I.O. Thus, the Petitioner, in view of the above discussion, is "entitled to possess" the said Tractor on behalf of him. No useful purpose will be served if the said vehicle is kept in the police outpost premises being exposed to sun and rain and unless the same be released, the condition of the said vehicle will be and the deteriorated petitioner will be prejudiced.

At this juncture, I rely on the ^{dictum} ~~Court in the matter~~ of Hon'ble Supreme ^{in the matter} of Sundar Bhai Ambalal Desai Vs State of Gujrat reported in (2003) 24 OCR (SC)-444 that "Scope and powers of the Magistrate to be exercised regarding ^{articles, currency} order for custody and disposal of valuable ~~notes, motorcycles,~~ liquors ~~articles, currency~~ and narcotic drugs-The powers to be exercised promptly and judiciously and the articles should not be kept in the police station for more than 15 days to one month."



PROCEEDING
PESKAR

I also relied on the decision of Hon'ble High Court in the matter of Ashis Ranjan Mohanty vrs State and others reported in (2022) 85 OCR 705.

Keeping in view of the aforesaid decisions as the present petitioner is the owner of the seized vehicle, this Court is inclined to release the seized vehicle on interim basis in favour of the petitioner. Accordingly the present petition filed U/s. 457 of Cr.PC is allowed.

ORDER

Let the seized Tractor only bearing Registration No.ODO1S6794, Engine No-475003SWL12777 and Chassis No.WYCL51918127178 be released in favour of the petitioner on executing an indemnity bond of Rs.2,80,000/- (Rupees Two Lakhs eighty thousand only) with one solvent surety for the like amount subject to the following conditions that :

- (i) Preparing detailed panchanama;
- (ii) Taking digital photographs and a video clip of not more than 1 minute duration of the vehicle from all angles and also produce photographs of the said vehicle from different angles for future reference.
- (iii) Encrypting both digital photograph and video clip with a hashtag with date and time stamp with the hash value noted.
- (iv) Preserving the encrypted digital photograph and video clip on a pendrive, cost bearing by the petitioner, to be kept in a secure cover in the file. The file type of the images should be in JPG/JPEG/PNG format and the video should be of MP4/MOV/AVI etc. format.
- (v) Every digital photograph and video clip should carry date and time stamp with regard to their origin.
- (vi) The hash value of every digital photograph and video should be calculated and the same should be noted for further recording of the same in order sheet.
- (vii) The digital photographs should clearly show the registration number, engine number, and chasis number.
- (viii) Petitioner to file an indemnity bond of the approved value with one property surety.



TRUE COPY
JALWAR

(ix) Petitioner is not to tamper with the Engine Number, Chassis Number, Registration number and colour of the said vehicle.

(x) Petitioner is not to dispose of the vehicle and also to produce the same as and when directed by the Court and I.O. and also not engage the same in any illegal purpose and to keep the same in running condition and shall always keep the vehicle insured.

Court official namely Shri Gourav Kumar Majhi is delegated to monitor the taking of digital photograph or recording of video, as the case to furnish a certificate, that, under his supervision the photograph and video were taken.

Send an extract of order to I.O. for compliance of the above directions and submit it by dtd.16.5.22.

Sd/- (illegible)

J.M.F.C., Jaleswar.

16.05.2022

The record is put up today for compliance of conditions vide order dtd.13.05.22. But no such compliance has been done by the petitioner. Hence put up on 18.05.22 for compliance the same.

Sd/- (illegible)

J.M.F.C., Jaleswar.

18.05.2022

In view of the order dtd.13.05.2022 of this court, photographs and a video clip has been taken from different angles. The said photographs and video clip have been stored in a pen drive. The pen drive has been tagged with this case record in a sealed envelope. Both the digital photograph and the video clip have been encrypted with hash tag with date and time stamp with the hash value and the same has been tagged with this case record vide separate sheet. The certificate at clause (7) has been made and the same has been tagged with this case record vide separate sheet. The detail order of this case been mentioned as stated under Appendix-I prescribed as per SOP and the same has also been tagged with the case record vide separate sheet.





Accordingly, the petitioner is directed to file indemnity and surety bond as per order of this court of Rs. 2,80,000/- (Rupees two lakhs eighty thousand only). Put up when required bonds and connected documents are duly filed.

Sd/- (illegible)

J.M.F.C., Jaleswar.

later

In view of the order dtd.13.05.2022 of this court, owner-petitioner namely Abani Kumar Sahoo, S/o-Lt Surendra Sahoo At-Jamalpur, PS-Jaleswar Dist-Balasore (Odisha) files indemnity bonds a sum of Rs 2,80,000/- (Rupees two lakhs eighty thousand only) for the said vehicle along with required terms and conditions which is checked, verified and accepted.

One surety namely Rabindra Kumar Sahu, S/o-Lt Padmanava Sahu At-Chaughani, PS-Jaleswar Balasore stands as surety for the petitioner Abani Kumar Sahoo. He files a surety bond worth of Rs.2,80,000/- (Rupees two lakhs eighty thousand only) For the said vehicle along with required terms and conditions and also Xerox copy of documents, which is checked, verified and accepted.

Hence, the I.I.C., Jaleswar PS is directed to release one Vehicle (Tractor) bearing Regd. No.OD01S6794, Chasis no.WYCL51918127178, Engine No.475003SWL12777 in favour of the above named petitioner on execution of zimmanama in presence of the witness after due verification of the identity of the petitioner and the ownership of the aforesaid vehicle and to transmit the said zimmanama for future reference.

Sd/- (illegible)

J.M.F.C., Jaleswar.

later

The Misc. case is tagged with CT 147/22 for future reference.

Sd/- (illegible)

J.M.F.C., Jaleswar.

Typed by:- *[Signature]*

Compared by:- *[Signature]*

GUARANTEED TO BE A TRUE COPY
 G. K. Sahoo
 Jaleswar
 13/05/2022

RECEIVED AT THE COURT OF J.M.F.C., JALESWAR, BALASORE, ODISHA
 DATE: 13/05/2022

CD 230/9023
COST OF COPY

Application Fees.....	Rs.	055
Searching Fees.....	Rs.	6.50
Extra Fees For Urgency.....	Rs.	
Others Item If any	Rs.	31.28
		<u>38.33</u>

Total 38.33

Buyer eight and 56% to be
paid only

15

N.C.R.B (एन.सी.आर.बी)
I.I.F.-I (एकीकृत जाँच फार्म -I)**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): BALASORE

P.S. (थाना): JALESWAR

Year (वर्ष): 2022

FIR No. (प्र.सू.रि. सं.): 0129

Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 03/04/2022 20:28 hrs

2. S.No. (क्र. सं.) Acts (अधिनियम)

Sections (धारा(एँ))

1	IPC 1860	379
2	IPC 1860	411
3	IPC 1860	34
4	ORISSA MINOR MINERALS CONCESSION RULES, 2004	51(1)(i)

3. (a) Occurrence of offence (अपराध की घटना):

1. Day (दिन): Sunday

Date From (दिनांक से): 03/04/2022 Date To (दिनांक तक): 03/04/2022

Time Period (समय अवधि): Pahar 7 Time From (समय से): 19:00 hrs Time To (समय तक): 19:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 03/04/2022 Time (समय): 20:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 004 Date & Time: 03/04/2022 20:28 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): EAST, 6 Km(s)

Beat No. :

(b) Address (पता): Rayanramchandrapur

(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): Gopal Prasad Hembram

(b) Father's Name (पिता का नाम):

Bhagbat Hembram

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1993

(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

ASI of Jaleswar PS, JALESWAR, BALASORE, ODISHA, INDIA

2 Permanent Address Rangada,BAISINGA,MAYURBHANJ,ODISHA,INDIA

(i) Occupation (व्यवसाय): SERVICE

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-7008709070

7. Details of known/suspected/unknown accused with full particulars (जात / संदिग्ध / अजात 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	Kartik Behera		Father's Name : Narendra Behera	1. Rayanramchandrapur , JALESWAR,BALASORE, ODISHA,INDIA
2	Abani Sahoo			1. Chaughani,JALESWAR, BALASORE,ODISHA,INDIA

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):

The Complt. along with OAPF/48 R.K. Hansda, OAPF/27 G. Hembram with vehicle No OR 05 AJ 7166 were commanded for evening patrolling duty and to guard against transporting of illegal sand in P.S. areas. At about 07 PM while they were performing duty at village R.R. Pur, at that time one tractor having Regd. number OD 01S 6794 loaded with sand detained him which was transporting sand illegally from Govt. quarry for disposal in some places for his personal gain. On being asked to the driver, they disclosed his name and address as Kartik Behera (36) S/o Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore but on demand he could not produce any documents regarding excavation and transportation of sand which comes under the purview of minor mineral and further stated that as per the direction of his owner namely Abani Sahoo of Vill-Chaughani, PS-Jaleswar, Dist- Balasore he is transporting the sand illegally. As Govt. Prohibits illegal excavation and transportation of sand, he brought him along with tractor bearing Regd. number OD 01S 6794 loaded with sand to P.S and submitted this report for taking necessary legal action against the above noted accd. driver and owner of said tractor which was illegally engaged for the above purpose.

The IIC, Jaleswar P.S.

Sub:- Lodging of FIR.

Sir,

I Sri Gopal Prasad Hembram (29) S/o- Bhagabat Hembram of Vill- Rangada, PS- Baisinga, Dist- Mayurbhanj, At/Pr-ASI of police Jaleswar PS beg to report that today i.e. on 03.04.22 at 05.30 PM as per your direction, I along with OAPF/48 R.K. Hansda, OAPF/27 G. Hembram with vehicle No OR 05 AJ 7166 were commanded for evening patrolling duty and to guard against transporting of illegal sand in P.S. areas. At about 07 PM while we were performing duty at village R.R. Pur, at that time one tractor having Regd. number OD 01S 6794 loaded with sand detained by me which was transporting sand illegally from Govt. quarry for disposal in some places for his personal gain. On being asked to the driver, he disclosed his name and address as Kartik Behera (36) S/o- Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore but on demand he could not produce any documents regarding excavation and transportation of sand which comes under the purview of minor mineral and further stated that as per the direction of his owner namely Abani Sahoo of Vill- Chaughani, PS- Jaleswar, Dist- Balasore he is transporting the sand illegally. As Govt. Prohibits illegal excavation and transportation of sand, I brought him along with tractor bearing Regd. number OD 01S 6794 loaded with sand to P.S and submitted this report for taking necessary legal action against the above noted accd. driver and owner of said tractor which was illegally engaged for the above purpose.

Yours faithfully,


Dt. 3/4/22

A.S.I Jaleswar PS

8.00 PM
34.22

Received the report at P.S. As it reveals a cog. case U/S 379/111/34 I.P.E./51(a)(i) OMME Rules 2004, registered P.S. case no. 129/22 and directed ASI A.K. Sethi to take up the investigation of the case. I furnished a copy of FIR to the complt. free of cost.


3.4.22
110, Jaleswar P.S.

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: or (या)

(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): ANIL KUMAR Rank (पद): Asst. SI (Assistant Sub-
No.(सं.): Mobile No.(मोबाइल सं.): 9439753339 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):
or (के कारण इंकार किया या)

(4) Transferred to P.S.(थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित) .

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी।)

R.O.A.C.(आर. ओ. ए. सी.)

14. Signature/Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

15. Date and time of dispatch to the court
(अदालत में प्रेषण की दिनांक और समय):



03.04.22

Signature of Officer in charge, Police Station
(थाना प्रभारी के हस्ताक्षर)

Name (नाम): Rojalin Behera

Rank(पद): I (Inspector)

No.(सं.): 111001433145

Mobile No.(मोबाइल सं.): 9861291566

FINAL FORM/ REPORT
(अंतिम फार्म/रिपोर्ट)**(Under Section 173 Cr.P.C.)**
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)**IN THE COURT OF : JMFC Jaleswar (के न्यायालय में)**1. District (जिला): BALASORE P.S. (थाना): JALESWAR Year (वर्ष): 2022
FIR No.(प्र.सू.रि.सं.): 0129 Date(दिनांक): 03/04/2022

2. Final Report / Charge Sheet No.(अंतिम रिपोर्ट/आरोप पत्र संख्या.): 01 113/22

3. Date (दिनांक): 28/05/2022

4. S.No.(क्र.)	Acts(अधिनियम)	Sections(धाराएँ)
1	IPC 1860	379
2	IPC 1860	411
3	IPC 1860	34
4	ORISSA MINOR MINERALS	51(1)(2)

5. Type of Final Form/Report(अंतिम फार्म/रिपोर्ट का प्रकार): CHARGE SHEET

6. If FR Unoccurred(यदि अंतिम रिपोर्ट अघटित):

7. If Charge sheet(यदि आरोप पत्र दाखिल किया): Original

8. Name of I.O. at the time of charge sheet(आरोप पत्र दाखिल करते समय जाँच अधिकारी का नाम): ANIL KUMAR
Rank (पद): Asst. SI (Assistant Sub-Inspector) No. (सं.):9. (a) Name of complainant / informant (शिकायतकर्ता/इतिला देने वाले का नाम):
Gopal Prasad Hembram

(b) Father's Name (पिता का नाम): Bhagbat Hembram

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon:
(जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हें आधार बनाया गया है):

S.No	Property Description	Estimated Value (in Rs.)	Police Station Property Register No.	From whom/ where revered or seized	Disposal
(क्र. सं.)	(सम्पत्ति का विवरण)	(अनुमानित मूल्य (रु.में))	(थाना सम्पत्ति रजिस्टर सं.)	(कहाँ/किससे जब्त अथवा बरामद की गई)	(निराकरण)
1	DOCUMENTS AND VALUABLE SECURITIES			Kartik Behera /At Jaleswar PS	
2	DOCUMENTS AND VALUABLE SECURITIES			Kartik Behera /At Jaleswar PS	

3	DOCUMENTS AND VALUABLE SECURITIES	Abani Kumar Sahoo /At Jaleswar PS
4	DOCUMENTS AND VALUABLE SECURITIES	Abani Kumar Sahoo /At Jaleswar PS
5	AUTOMOBILES AND OTHERS	/At village R R Pur

11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):

S. No.(क्र.सं.): 1

(i) Name(नाम): Kartik Behera

Whether verified(क्या सत्यापित है?): Yes

(ii) Father's Name(पिता का नाम): Narendra Behera

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1986

(iv) Sex(लिंग): Male

(v) Nationality(राष्ट्रियता): INDIA

(vi) Passport No.(पासपोर्ट संख्या):

Date of Issue(जारी करने की तिथि):

Place of Issue(जारी करने का स्थान):

(vii) Religion (धर्म) :

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.)	Address Type (पता का प्रकार)	Address(पता)
1	Present Address	Rayanramchandrapur , JALESWAR, BALASORE, ODISHA, INDIA
2	Permanent Address	Rayanramchandrapur , JALESWAR, BALASORE, ODISHA, INDIA

Whether verified (क्या सत्यापित है?): Yes

Regular Criminal No. (if known) नियमित अपराधी संख्या (यदि जात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S.No.(क्र.)	Acts(अधिनियम)	Sections(धाराएँ)
1	IPC 1860	379
2	IPC 1860	411
3	IPC 1860	34
4	ORISSA MINOR MINERALS CONCESSION RULES, 2004	68

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

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

Occupation (व्यवसाय):

Address (पता):

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

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यू.आई.डी सं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No.(क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(प्र.सू.रि.)	(राज्य)	(ज़िला)	(थाना)	(मामले का विवरण)	(सज़ा / आरोपमुक्त का विवरण)

(xviii) Status of the accused (अभियुक्त की स्थिति): NOT ARRESTED

S. No.(क्र.सं.): 2

(i) Name(नाम): Abani Sahoo

Whether verified(क्या सत्यापित है?): Yes

(ii) Father's Name(पिता का नाम): Surendra Sahoo

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1986

(iv) Sex(लिंग): Male

(v) Nationality(राष्ट्रियता): INDIA

(vi) Passport No.(पासपोर्ट संख्या):

Date of Issue(जारी करने की तिथि):

Place of Issue(जारी करने का स्थान):

(vii) Religion (धर्म) :

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.)	Address Type (पता का प्रकार)	Address(पता)
1	Present Address	Chaughani, JALESWAR, BALASORE, ODISHA, INDIA
2	Permanent Address	Chaughani, JALESWAR, BALASORE, ODISHA, INDIA

Whether verified (क्या सत्यापित हैं?): Yes

Regular Criminal No. (if known)नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail(जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court(न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections(अधिनियम एवं धाराएँ):

S.No.(क्र.)	Acts(अधिनियम)	Sections(धाराएँ)
1	IPC 1860	379
2	IPC 1860	411
3	IPC 1860	34
4	ORISSA MINOR MINERALS CONCESSION RULES, 2004	68

(xvi) Details of bailers / sureties(जमानतियों का ब्यौरा):

Name (नाम):

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

Occupation (व्यवसाय):

Address (पता):

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

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यूआईडी सं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No.(क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(प्र.सू.रि.)	(राज्य)	(ज़िला)	(थाना)	(मामले का विवरण)	(सज़ा / आरोपमुक्त का विवरण)

(xviii) Status of the accused (अभियुक्त की स्थिति): NOT ARRESTED

12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए (सदिग्ध) अभियुक्तों)

13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले)

S.No.	Name	Father's/Husband's name	Date/Year of birth	Occupation	Address	Type of evidence to be tendered
(क्र.सं.)	(नाम)	(पिता/पति का नाम)	(जन्मतिथि/वर्ष)	(व्यवसाय)	(पता)	(प्रस्तुत किए जाने वाले साक्ष्य का प्रकार)
1	Gopal Prasad Hembra m	Father: Bhagbat Hembram	1993	SERVIC E	Present Address: ASI of Jaleswar PS, JALESWAR, BALASORE, ODISHA, INDIA Permanent Address: Rangada, BAISINGA, MAYURBHANJ, ODISHA, INDIA	Complainant
2	Gajendra Maharana	Father: Lt. Nakafudi Maharana	1957		Present Address: R R Pur, JALESWAR, BALASORE, ODISHA, INDIA Permanent Address: R R Pur, JALESWAR, BALASORE, ODISHA, INDIA	Investigation Witness
3	Arjun Mandal	Father: Laxmikanta	1990		Present Address: R R Pur ,	Investigation Witness

		Mandal		JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: R R Pur ,JALESWAR, BALASORE, ODISHA,INDIA	
4	Gangadhar Hembram	Father: Lt. Bhima Hembram	1991	Present Address: OAPF 27 of Jaleswar PS , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Goudamundali, BADASAH, MAYURBHANJ, ODISHA,INDIA	Investigation Witness
5	Rabindra Kumar Hansda	Father: Lt. Rama Hansda	1993	Present Address: OAPF 48 of Jaleswar PS , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Sunaposi, CHANDUA, MAYURBHANJ, ODISHA,INDIA	Investigation Witness
6	Rabindra Kumar Hansda			Present Address: OAPF 48 of Jaleswar PS , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Sunaposi, CHANDUA, MAYURBHANJ, ODISHA,INDIA	Search & Seize Witness
7	Gangadhar Hembram			Present Address: OAPF 27 of Jaleswar PS , JALESWAR,	Search & Seize Witness

I.I.F.-V (एकीकृत जाँच फार्म -V)

				BALASORE, ODISHA,INDIA Permanent Address: Goudamundali, BADASAHI, MAYURBHANJ, ODISHA,INDIA	
8	Gangadhar Hembra m			Present Address: OAPF 27 of Jaleswar PS , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Goudamundali, BADASAHI, MAYURBHANJ, ODISHA,INDIA	Search & Seize Witness
9	Rabindra Kumar Hansda			Present Address: OAPF 48 of Jaleswar PS , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Sunaposi, CHANDUA, MAYURBHANJ, ODISHA,INDIA	Search & Seize Witness
10	Kali Charan Das	Father: Lt. Benudhar Das	1996	Present Address: Sanaroutpada , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Sanaroutpada , JALESWAR, BALASORE, ODISHA,INDIA	Search & Seize Witness
11	Manoj Kumar Pradhan	Father: Sanjay Pradhan	1996	Present Address: Sanaroutapada, JALESWAR, BALASORE, ODISHA,INDIA	Search & Seize Witness

I.I.F.-V (एकीकृत जाँच फार्म -V)

			Permanent Address: Sanaroutapada, JALESWAR, BALASORE, ODISHA,INDIA
12	ANIL KUMAR SETHI	01/06/1976	Present Address: AT- BRAHMAN PUTUKA, RASGOVINDPU R, MAYURBHANJ, ODISHA,INDIA Permanent Address:

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C :

(यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):

On 03.04.22 at 08.00 PM complt. Gopal Prasad Hembram (?9) S/o- Bhagabat Hembram of Vill- Rangada, PS- Baisinga, Dist- Mayurbhanj, A/Pr-ASI of police Jaleswar PS appeared at Jaleswar P. S. and presented a written report alleging therein that on 03.04.22 at 05.30 PM as per my direction, the complt. ASI G.P. Hembram along with OAPF/48 R.K. Hansda, OAPF/27 G. Hembram with vehicle No OR 05 AJ 7166 were commanded for evening patrolling duty and to guard against transporting of illegal sand in P.S. areas. At about 07 PM while they were performing duty at village R.R. Pur, at that time one tractor having Regd. number OD 01S 6794 loaded with sand detained by him which was transporting sand illegally from Govt. quarry for disposal in some places for his personal gain. On being asked to the driver, he disclosed his name and address as Kartik Behera (36) S/o- Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore but on demand he could not produce any documents regarding excavation and transportation of sand which comes under the purview of minor mineral and further stated that as per the direction of his owner namely Abani Sahoo of Vill- Chaughani, PS- Jaleswar, Dist- Balasore he is transporting the sand illegally. As Govt. Prohibits illegal excavation and transportation of sand, the complt. brought him along with tractor bearing Regd. number OD 01S 6794 loaded with sand to P.S and submitted this report for taking necessary legal action against the above noted accd. driver and owner of said tractor which was illegally engaged for the above purpose. On this report the instant case was registered and I have been entrusted for its investigation.

During course of investigation I examined the complt., visited the spot, examined the witnesses. On 03.04.22 the complt. seized the involved tractor having Regd. number OD 01S 6794 loaded with sand. I served notice U/S 41 (A) Cr.P.C. to the accd. persons namely Kartik Behera S/o- Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore and accd. owner Abani Kumar Sahoo S/o- Surendra Nath Sahu of Vill- Chaughani, PS- Jaleswar, Dist- Balasore as the punishment of the offence is within 7 years. This case was supervised by Insp. R. Behera, IIC, Jaleswar P.S. who opined it is a true case U/S 379/411/34 IPC/51 (I) (i) OMMC Rules against the accd. persons namely

I.I.F.-V (एकीकृत जाँच फार्म -V)

Kartik Behera S/o- Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore and accd. owner Abani Kumar Sahoo S/o- Surendra Nath Sahu of Vill- Chaughani, PS- Jaleswar, Dist- Balasore. Hence I submitted FCR to SDPO, Jaleswar for orders to submit C.S. Accordingly order was received.

As prima facie evidence U/s 379/411/34 IPC/51 (I) (i) OMMC Rules well made out against the accd. persons namely Kartik Behera S/o- Narendra Behera of Vill- R.R. Pur, PS- Jaleswar, Dist- Balasore and accd. owner Abani Kumar Sahoo S/o- Surendra Nath Sahu of Vill- Chaughani, PS- Jaleswar, Dist- Balasore, I submitted C.S. vide Jaleswar PS CS No. 113 dt. 2805.22 U/S 379/411/34 IPC/51 (I) (i) OMMC Rules against them to stand their trail in the court of law.

17. Refer Notice served (जारी किए नोटिस): No

Date(दिनांक):

(Acknowledgement to be placed)(पावती नत्थी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नको की संख्या):

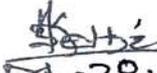
20. List of enclosures : As annexed (संलग्नको की सूची):


98-05-22
Forwarded by Officer in charge
(प्रभारी अधिकारी द्वारा अर्पित)

Name (नाम): Rojalin Behera

Rank (पद): I (Inspector)

No.(सं.): 111001433145


28-05-22
Signature of Investigating Officer submitting
final report/charge sheet

Name (नाम): ANIL KUMAR SETHI

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No.(सं.):

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): BALASORE P.S. (थाना): JALESWAR Year (वर्ष): 2023
 FIR No. (प्र.सू.रि. सं.): 0390 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 28/08/2023 10:45 hrs

2. S.No. (क्र.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	379
2	IPC 1860	294
3	IPC 1860	506
4	IPC 1860	34

3. (a) Occurrence of offence (अपराध की घटना):

1. Day (दिन): Date From (दिनांक से): Date To (दिनांक तक):
 Time Period (समय अवधि): Time From (समय से): Time To (समय तक):

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 28/08/2023 Time (समय): 10:45 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 011 Date & Time: 28/08/2023 10:45 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): EAST, 6 Km(s) Beat No. :

(b) Address (पता): Rayaramchandrapur sand Sairat, Source

(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): Asit Kumar Parida

(b) Father's Name (पिता का नाम):

Lt. Umakanta Parida

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1983

(d) Nationality (राष्ट्रीयता): 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

Sanaroutpada, JALESWAR, BALASORE, ODISHA, INDIA

2 Permanent Address

Sanaroutpada, JALESWAR, BALASORE, ODISHA, INDIA

(i) Occupation (व्यवसाय):

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-9668830566

7. Details of known/suspected/unknown accused with full particulars (जात / संदिग्ध / अजात 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	Kali Charan Das		Father's Name : Lt. Benudhara Das	1. Sanaroutpada, JALESWAR, BALASORE, ODISHA, INDIA
2	Uttam Kumar Das		Father's Name : Shiba Shankar Das	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
3	Abani Kumar Sahu		Father's Name : Lt. Surendra Nath Sahu	1. Chaughuni, JALESWAR, BALASORE, ODISHA, INDIA
4	Harekrushna Pal		Father's Name : Kanhu Charan Pal	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
5	Balaram Rout		Father's Name : Bishnupada Rout	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
6	Chandan Rout		Father's Name : Bishnupada Rout	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
7	Ananta Rout		Father's Name : Lt. Murali Rout	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
8	Nitai Rout		Father's Name : Lt. Murali Rout	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
9	Manoj Behera		Father's Name : Maheswar Behera	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
10	Narottam Das		Father's Name : Surendra Das	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
11	Rajeeb Kumar Das		Father's Name : Lt. Ramesh Das	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
12	Saroj Mohanty		Father's Name : Lt. Hrudananda Mohanty	1. Rayaramchandrapur, JALESWAR, BALASORE, ODISHA, INDIA
13	Jayakrushna Pal		Father's Name : Kanhu Charan Pal	1. Jaleswar, JALESWAR, BALASORE, ODISHA, INDIA

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))
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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):

The complt. reported that, the persons namely 1. Kali Charan Das, S/O- Lt. Benudhara Das is of Vill- Sanaroutpada, 2. Uttam Kumar Das, S/O- Shiba Shankar Das is of Vill- R. R. Pur, 3. Abani Kumar Sahu, Lt. Surendra Nath Sahu is of Vill-Chaughuni, 4. Harekrushna Pal, S/O- Kanhu Charan, 5. Balaram Rout, S/O- Bishnupada Rout, 6. Chandan Rout, S/o-Bishnupada Rout, 7. Ananta Rout, S/O- Lt. Murali Rout, 8. Nitai Murali, S/O- Lt. Murali Rout, 9. Manoj Behra, S/O- Maheswar Behera, 10. Narottam Das, S/O- Surendra Das, 11. Rajeeb Kumar Das, S/O- Lt. Ramesh Das, 12. Saroj Mohanty, S/O- Lt. Hrudananda Mohanty all are of R. R. Pur, 13. Jayakrushna Pal S/o-Kanhu Charan Pal all are of PS- Jaleswar, Dist.- Balasore stolen sand from R. R. Pur sand Sairat Source illegally from Subarnarekha riverbed in night hour for their personnel gain, on opposing them, they abused him in obscene languages and threatened with dire consequence.

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।) or (या)

(1) Registered the case and took up the investigation:
(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): NIGAMANANDA Rank (पद): Asst. SI (Assistant Sub-
No. (सं.): 72145 Mobile No. (मोबाइल सं.): 9438286424 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):
or (के कारण इंकार किया या)

(4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित) .

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी।)

R.O.A.C. (आर. ओ. ए. सी.)

14. Signature/Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

*Ajit Kumar Puri***15. Date and time of dispatch to the court**

(अदालत में प्रेषण की दिनांक और समय):


*28.08.2023***Signature of Officer in charge, Police Station**
(थाना प्रभारी के हस्ताक्षर)**Name (नाम): SANATAN BISWAL****Rank(पद): SI (Sub-Inspector)****No.(सं.): 61568****Mobile No.(मोबाइल सं.): 9861303051**

Date of
Order

ORDER WITH SIGNATURE

Office note as to action (if any),
taken on Order

02. 15.05.2017

The grievance of the petitioner is that the opposite party no.5 had obtained two earlier contracts on the basis of the solvency certificates issued for the same property. On the basis of the said property, solvency certificate has again been issued and the said opposite party has ^{submitted his bid} ~~bids~~ in the auction concerned held in pursuance of the tender call notice dated 08.11.2016.

2. Learned counsel for the petitioner states that with regard to such grievance, the petitioner has already filed a representation before the opposite party-authority, which has not yet been considered.

3. Learned Addl. Govt. Advocate states that the Collector, Balasore-opposite party no.2. may be directed to decide the grievance of the petitioner.

4. In view of the nature of the order we propose to pass, this writ petition is being disposed of without issuing notice to opposite party no.5.

5. Having heard learned counsel for the petitioner and the learned Addl. Govt. Advocate for the State-opposite parties and in the facts and circumstance of the case, we dispose of the writ petition with the direction that in case, with regard to the grievance made in this petition, the petitioner files a fresh comprehensive representation before the Collector, Balasore along with certified copy of this order, the same shall be considered and decided by the Collector himself or any other officer duly authorized by him in accordance with law by a reasoned and speaking order as expeditiously as possible,

Date of Order

ORDER WITH SIGNATURE

Office note as to action (if any), taken on Order

preferably within a period of three weeks from the date of filing of such representation after giving opportunity of hearing to the petitioner and opposite party no.5.

With the aforesaid observation/direction, the writ petition stands disposed of.

Sd/- V. Soren. e-J.

Sd/- K.R. Mohapatra. :-



1

[O. P. C.-98]

W.P.(C) No. 20414 of 2017

Sr No. of Order	Date of Order	ORDER WITH SIGNATURE	Other notes as to action (if any) taken on Order
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W.P.(C) No. 20414 of 2017
And
Misc Case No. 17523 of 2017

03. 23.10.2017

Learned Addl. Govt. Advocate states that he has received instructions and will file counter affidavit within one week. The petitioner shall have a week thereafter to file rejoinder affidavit.

List on 07.11.2017 as a fresh admission case.

Steps to serve opposite party no.6 by speed post be taken within three days. Office shall send notice to the said opposite party fixing 07.11.2017.

Till that date, any action taken by the opposite party, shall be subject to further orders to be passed in this case.

SA. V. Saran, C.J

Adl. Dir. B.R. Sarangi, J



[Signature]
 24.10.17

[O II C-98]

Sl. No
of Order

Date of
Order

ORDER WITH SIGNATURE

Office note as to action (if any
taken on Order

07. 20.11.2018

W.P.(C) No.20414 of 2017
&
Misc. Case No.17523 of 2017

Heard.

Admit.

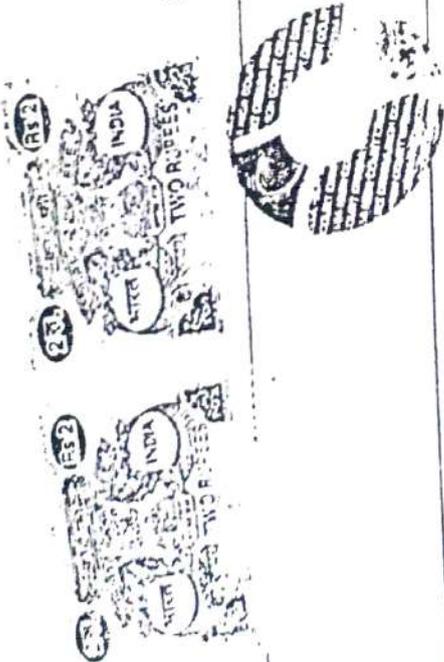
List this matter on 15.1.2019 for final hearing.

Status quo granted by this Court shall continue
till the next date.

Sd. K S Thaveri, C.J

Sd. K R Mohapatra,

MP



Comp by M. n
20.11.18

Date of Application: 22 }
 Date of Notification:- 22 }
 Date of Supply:- 22 }
 Date of Ready:- 22 }
 Date of Delivery:- 22 } 11/18

Case No- 65608/18

MEMO OF COSTS

	Rs.	P.
Application Fee.....	5	50
Searching Fee.....		
Extra Fee for [unclear].....	3	00
Folios 3 [unclear].....	7	50
Hologram.....	3	00
Other items.....	1	95
	20	95

(Rupees Twenty, 3 Paise Ninety Five only)

[Signature]
11/18

EXAMINER OF COPIES
 CUM
 SUPERINTENDENT
 COPYING DEPARTMENT

[Signature]
22/11/18

CERTIFIED TO BE A TRUE COPY
 Assistant Registrar (Estt.)
 ORISSA HIGH COURT
 Authorised Under Section-76 Act-I of 1872

Sl. No.
of OrderDate of
Order

ORDER WITH SIGNATURE

Office note as a reaction (if any).
taken on Order

15. 23.07.2019

Heard learned counsel for the parties

By way of this writ petition, petitioner has challenged the order dated 4.8.2017 passed by the O.P. No.3- ADM, Balasore and the selection of the O.P. No.6 for grant of lease of the Sand Sairat Source of Rayanramachandrapur, under Jaleswar Tahasil pursuant to tender notice dated 8.11.2006.

Learned counsel for the petitioner contended that the petitioner has applied for aforesaid sand sairat along with others. The bids were opened in presence of the bidders and the O.P. No.6 was declared as the highest bidder, since he quoted Rs. 57.00 per cubic meter. Then when the petitioner came to know that the O.P. No.6 has obtained two solvency certificates at different time by showing same property, he submitted a representation before the Tahasildar, Jaleswar so also the Collector, Balasore. Be that as it may, when the said representations were not considered, petitioner filed W.P.(C) No. 3871 of 2017 wherein this Court while disposing of the matter, directed the Collector, Balasore to consider the fresh



Sl. No.
of OrderDate
Order

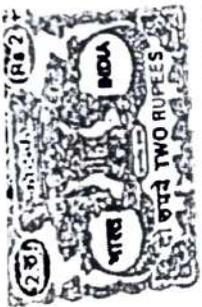
ORDER WITH SIGNATURE

Office notes and action (if any),
taken on Order

Representation of the petitioner. On the basis of that, the ADM, Balasore fixed the matter to 27.6.2017 for hearing and the O.P. No.6 filed the objection thereto. However, on 4.8.2017 the said representation of the petitioner was rejected by the ADM, Balasore, hence this writ petition.

Learned counsel for the petitioner contended that the solvency certificate is a mandatory requirement under Rule 27(4)(iv) of the Orissa Minor Minerals Concession Rules, 2016. It is submitted that the O.P. No.6 obtained two solvency certificates showing the same property, one in Misc. Case No. 135/2015 amounting to Rs. 35.00 lakhs on 21.08.2015 and another vide Misc. Case No. 59 of 2016 amounting to Rs. 40.00 lakhs on 13.05.2016. It is contended that the same property got two valuations and the same was accepted by the authority.

Learned counsel for the petitioner invited our attention to the order sheet annexed to the writ petition under Annexure-7 series, wherein at Sl. No.3 the solvency certificate submitted by the O.P. No.6 has been reflected and finally the Tahasildar, Jaleswar has passed the order declaring O.P. No.6 is successful bidder in respect of



8

Date: _____
 Order: _____

ORDER BY THE SIGNATURE

Official Seal / Stamp

Abarghata sand source adjacent to D. K. ...
 He has drawn our attention to ...
 the O.P. No. 6 has submitted the ...
 relation to different sand sairat source i.e. River Block ...
 sand sairat source and also found successful therein

It is submitted that the ADM, Balasore while considering the matter has overlooked the order of this Court passed in W.P.(C) No. 8571 of 2017 and passed the impugned order, the relevant portion of which reads as under:

"Perused the above noted points and decisions are taken as follows:

- 1) Solvency certificate is a supporting document with respect to the paying capacity of a bidder in case of failure on his part to abide by the terms and conditions of the bidding process. As such, accepting a solvency certificate vis-à-vis the bidding amount is discretionary decision exercise by the bidding Authority. The Tahasildar, Jaleswar in his written reply vide letter No. 2892 dt. 13.06.2017 has explained as below:-

"the petitioner has also filed the petitioner objecting the solvency certificate submitted by Shri Rajesh Kumar Khatua, S/O Tarakanta Khatua of Snatia (Nayabazar), Jaleswar after provisional selection of the highest bidder. He has also submitted one grievance petition before the sub Collector, Balasore in this regard. On receipt of the same, the detail verification being made and it is found that the



solvency certificate submitted in the bidding process by the highest bidder Sir Rajesh Kumar Khatua, S/O. Tarakanta Khatua, of Santia (Nayabazar), has submitted the fresh solvency certificate issued by the Sub-Collector, Balasore vide Misc. Case No 59/2016 dt. 13.05.2016 amounting to Rs. 40,00,000/- along with the application in respect of the said Sairat Source which has not been used in other sources settled in favour of him. In this regard, detailed report has been submitted to the Sub-Collector, Balasore vide his office letter No. 2357 dt. 03.05.2017. Accordingly, the solvency certificate submitted by the highest bidder is adequate one in the eye of law. As such, it was accepted and he has been selected as the successful bidder in respect of this sand sairat source. Thereafter such selection has also been approved by the Sub-Collector, Balasore vide order dt. 03.12.2016".

2). During the bidding process in the present case the rate of royalty offered by Sir Rajesh Kumar Khatua was @ Rs. 57/- per CuM and the petitioner has offered the second highest rate @ Rs. 51.25 per CuM. The claim of the petitioner about an informal negotiation with the Tahasildar, Jaleswar raising the bidding amount to Rs. 58/- per CuM later on, has no documentary support.

As per provision of OMMC (amendment) Rules, 2015 both of them had submitted the required solvency certificate. As such, the selection of the highest bidder in favour of the O.P. is a right one with deposit of adequate amount of security money as a pre requisite.

3). The whole process involved the following sequence.

- (i) Selection of the highest bidder.
- (ii) Preparation of mining Plan.



Sl. No.
of Order

Date of
Order

ORDER WITH SIGNATURE

Objections as to order (if any)
taken on Order

(iii) Grant of EC by the Competent Authority
i.e. Member Secretary MIAA

(iv) Issuance of operation order as per the
approved mining plan i.e. quantity to be
extracted year wise in lieu of the total bidding
amount.

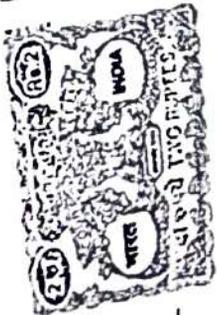
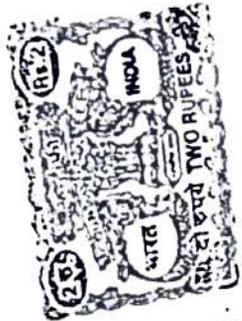
4) Given the above sequence of the activities there
is little scope on the part of the bidder to escape
the provisions of law and become insolvent, when
the solvency certificate has been issued by the
competent authority.

Under the above circumstances, it will be highly
unjustifiable in the eyes of law if a lawfully selected
highest bidder is debarred by cancellation of the
bidding process as prayed by the petitioner and
awarding the same in his favour at a huge loss to
the public exchequer. Hence, the prayer of the
petitioner in Misc. Case No. 01/2017 arising out of
W.P.(C) No. 8871 /2017 is not taken into
consideration being devoid of merit."

We have gone through the materials available on
record and the impugned order of the ADM, Balasore.

Prima facie it is clear that, the order passed by this
Court and contentions raised by the learned counsel for the
petitioner are not considered by the ADM, Balasore in its
true sense.

However, in the counter, it is contended that the
amount of solvency certificate which was required in the
first case was Rs. 68.25 lakhs and in the second case it was
only Rs.24.00 lakhs, however, the amount of solvency



Handwritten mark or signature at the bottom right.

10 II C 193

Sr No of Order

Date of Order

Order WITH SIGNATURE

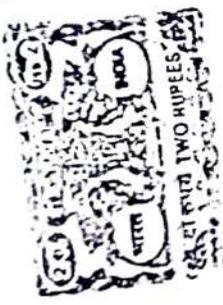
Order or action (if any) taken in Order

certificate submitted by the ... Rs 1.00 more. Therefore, the same ... both the contracts by the same authority.

In our opinion, it should not have been the same certificate in both the cases. The solvency certificate is issued to secure the Government property in case of default by the contractor in a contract. Both the property might be matching with the requirement independently, but such reasoning is not adopted by the ADM, Balasore while passing the order. In that view of the matter, the impugned order of the ADM, Balasore is quashed and set aside. The matter is remitted to the ADM, Balasore for fresh adjudication by a reasoned order.

The writ petition is allowed to the aforesaid extent

S/- K. S. Shaverai, C.J.
S/- K. R. Mahapatra, J.



Cop by
[Signature]
2/12/19

Date of Application :
 Date of Verification :
 Date of Supply :-
 Date of Ready :-
 Date of Delivery :-

21.8.19

A.A. No- 71085/19

MEMO OF COSTS

	Rs.	P.
Application Fee.....	5	57
Searching Fee.....	6	00
Extra Fee for	20	00
Folios Paper	8	00
Telegram Fee.....	5	20
Other Items	44	70
(Rupees & Paise)	78	47

EXAMINER OF COSTS
 GUM
 SUPERINTENDENT
 COPYING DEPARTMENT

21.8.19



CERTIFIED TO BE A TRUE COPY
 21.8.19
 Assistant Registrar (GAIL)
 JALPAIGURI HIGH COURT
 Authorized Under Section 76, Act I of 1872

W.P.(C) No.16117 of 2020 & I.A. No. 7539 of 2020

02.17.08.2020

Heard Mr. A. Patnaik, learned counsel for the petitioner and Mr. S. Palit, learned Addl. Government Advocate for the State-opposite party nos. 1 to 5 by Video Conferencing mode.

Issue notice.

Since learned Addl. Government Advocate accepts notice on behalf of opposite party nos.1 to 5, learned counsel for the petitioner shall serve five extra copies of the writ petition along with annexures on him within three days.

Let notice to opposite party no.6 be issued by Registered Post with A.D. making the same returnable by 01.09.2020, requisites for which shall be filed within three days. Accept one set of process fee.

Also, it would be open for the learned counsel for the petitioner to serve an extra copy of the writ petition along with annexures on Mr. P.K. Mohanty, learned counsel who was earlier appearing for opposite party no.6 within three days.

List this matter on 01.09.2020.

Status quo as on date with regard to the sand sairat in question shall be maintained by the parties till then.

As Lock-down period is continuing for COVID-19, learned counsel may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copies in the manner prescribed, vide Court's Notice No.4587, dated 25.03.2020.

(Mohammad Rafiq)
Chief Justice

(Dr. B.R. Sarangi)
Judge

W.P.(C) No.16117 of 2020

03. 01.09.2020

Heard Mr. A. Patnaik, learned counsel for the petitioner and Mr. S. Palit, learned Additional Government Advocate for the State-opposite party nos.1 to 5 and Mr. P. Mohanty, learned counsel for opposite party no.6 by Video Conferencing mode.

Mr. P. Mohanty, learned counsel for opposite party no.6 submits that he has filed counter affidavit and I.A. for vacation of stay, but the same have not come with the record.

Mr. S. Palit, learned Additional Government Advocate for the State-opposite party nos.1 to 5 submits that by the next date he shall ensure that counter affidavit on behalf of opposite party nos.1 to 5 is filed.

Office to verify and place the I.A. for vacation of stay along with counter affidavit filed on record.

List this matter on 16.09.2020.

Interim order dated 17.08.2020 passed in this case shall continue till then.

(Mohammad Rafiq)
Chief Justice

(K.R. Mohapatra)
Judge

W.P.(C) No. 16117 OF 20204
16.09.2020

The matter is taken up through video conferencing.
Mr. S. Palit, learned Additional Government Advocate
prays for and is granted four weeks time to file counter
affidavit.

The matter to come up on 15.10.2020.

Interim order passed earlier shall continue till then.

**Mohammad Rafiq,
Chief Justice**

**Dr. B.R. Sarangi,
Judge**

W.P.(C) No.16117 of 2020

05. 15.10.2020

Mr. A. Patnaik,
Advocate

: For the Petitioner

Mr. S. Palit
Addl. Govt. Advocate: For Opposite Party Nos. 1 to 5
(State of Odisha)**ORDER**

The Court is convened through Video Conferencing.

Mr. A. Patnaik, learned counsel for the petitioner submits that he has received the counter affidavit filed by the opposite parties yesterday i.e. on 14.10.2020 and prays for time to file rejoinder.

Accordingly, list this matter on 19.11.2020.

Interim order passed earlier shall continue till then.

As Lock-down period is continuing for COVID-19, learned counsel may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copies in the manner prescribed, vide Court's Notice No.4587, dated 25.03.2020.

(Dr. B.R. Sarangi)
Judge

(Mohammad Rafiq)
Chief Justice

W.P.(C) No.16117 of 2020

06. 19.11.2020

Ms. S. Patnaik, : For the Petitioner
Advocate

Mr. S. Palit : For Opposite Party Nos. 1 to 5
Addl. Govt. Advocate (State of Odisha)

ORDER

The Court is convened through Video Conferencing.

Ms. S. Patnaik, learned counsel for the petitioner prays for time to file rejoinder.

As a last chance, list this matter on 08.12.2020.

Interim order passed earlier shall continue till then.

As restrictions are continuing for COVID-19, learned counsel may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copies in the manner prescribed, vide Court's Notice No.4587, dated 25.03.2020.

(Dr. B.R. Sarangi)
Judge

(Mohammad Rafiq)
Chief Justice

W.P.(C) No.16117 of 2020

HON'BLE THE CHIEF JUSTICE MR. MOHAMMAD RAFIQ
HON'BLE MR. JUSTICE BISWANATH RATH

07. 08.12.2020

Mr. S.Pattnaik, Ld. Adv. : for Petitioner

Mr. S. Palit, Ld.AGA : for State-O.Ps.1 to 5

Mr. P.K. Mohanty, Ld. Sr. Adv. : for O.P.6

I.A. No.9911 OF 2020

ORDER

Heard learned counsel for the parties through Video Conferencing mode.

Having heard to the learned Additional Government Advocate, learned counsel for the petitioner as well as learned counsel for the O.P.6, we are inclined to modify the interim order of status quo dated 17.08.2020 passed by this Court in I.A. No.7539 of 2020 and direct that the award of the work in favour of the opposite party no.6 shall remain subject to the outcome of the writ petition.

I.A. stands disposed of accordingly.

As restrictions are continuing for COVID-19, learned counsel may utilize the soft copy of this order available in the High Court's website or print out hereof at par with certified copies in the manner prescribed, vide Court's Notice No.4587, dated 25.03.2020.

(Biswanath Rath)
Judge

(Mohammad Rafiq)
Chief Justice

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

.....
APPEAL No. 03/2021/EZ

IN THE MATTER OF:

**Kalicharan Das,
S/o Late Benudhar Das,
At-Sanrout Pada, P.O.-Jamalpur,
P.S.-Jaleswar, District-Balasore,
Odisha,**

....Appellant(s)

Versus

- 1. Ministry of Environment, Forests and Climate Change,
Union of India, through its Secretary,
New Delhi,**
- 2. Forest and Environment Department,
State of Odisha, Bhubaneswar, Odisha,
Through Secretary,**
- 3. Revenue and Disaster Management Department,
State of Odisha, Bhubaneswar, Odisha,
Through its Secretary,**
- 4. Collector & District Magistrate, Balasore,
At/P.O./P.S./Dist.-Balasore, Odisha**
- 5. Additional District Magistrate, Balasore,
At/P.O./P.S./Dist.-Balasore, Odisha,**
- 6. Tahasildar, Jaleswar,
At/P.O./P.S.-Jaleswar,
Ditric-Balasore, Odisha,**

7. **State Level Environment Impact Assessment Authority,
Odisha,
Through Member Secretary,
5RF-2/1, Acharya Vihar, Unit-IX, Bhubaneswar, Odisha,**
8. **Orissa State Pollution Control Board,
Through its Member Secretary,
Nilakantha Nagar, Unit-VIII, Bhubaneswar, Odisha,**
9. **Asit Kumar Parida,
S/o Late Umakanta Parida,
At-Sanrout Pada, P.O.-Jamalpur,
P.S.-Jaleswar, District-Balasore, Odisha,**

....Respondent(s)

COUNSEL FOR APPELLANT:

Mr. Dayanidhi Mishra, Advocate

COUNSEL FOR RESPONDENTS :

**Mr. Debasish Ghosh, Advocate for R-1,
Mr. Prasenjeet Mohapatra, ASC for R-2 to 6
Mr. Gora Chand Roy Choudhury, Advocate for R-7,
Ms. Papiya Banerjee Bihani, Advocate for R-8,
Mr. Prabhu Prasanna Behera, Advocate for R-9**

JUDGMENT

PRESENT:

**HON'BLE MR. JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)
HON'BLE MR. SAIBAL DASGUPTA (EXPERT MEMBER)**

**Reserved On:- July 25th, 2022
Pronounce On:- July 28th, 2022**

-
1. Whether the Judgment is allowed to be published on the net? **Yes**
2. Whether the Judgment is allowed to be published in the NGT Reporter? **Yes**
-

JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)

Heard the learned Counsel for the parties and perused the documents on record.

2. The allegation in this Appeal is that for purposes of mining of sand in the Rayan Ramchandrapur Sand Bed situated in Rayan Ramchandrapur Village, Tehsil Jaleswar, District-Balasore, Odisha, Environmental Clearance was granted by the Respondent No.7, State Environment Impact Assessment Authority (SEIAA), Odisha, on 13.07.2017 in favour of one Mr. Rajesh Kumar Khatua being the auction holder and thereafter the Environmental Clearance was transferred in favour of the Respondent No.9, Asit Kumar Parida, on 09.03.2021 (order impugned herein) on the same terms and conditions. The copy of the Environmental Clearance has been filed as Annexure-2 (at page no. 21 of the Appeal), which shows that the said transfer has been done on the request for transfer made by the Tehsildar-Jaleswar, District-Balasore.

3. The contention of the Appellant is that in terms of the directions of the National Green Tribunal, Principal Bench, dated 13.09.2018 passed in Original Application No. 186/2016 (*Satendra Pandey Vs. Ministry of Environment, Forest and Climate Change*), the Ministry of Environment, Forest and Climate Change issued notification vide its letter dated 12.12.2018 providing that for mining of minor and major minerals over an area exceeding 5 hectares, 'Public Consultation' was mandatory, but the Environmental Clearance was transferred to Respondent No.9 in a

routine manner foregoing the mandatory requirement of Public Consultation.

4. Notices were issued to the Respondents and in response they have filed their affidavits.

5. The contention of the Appellant is that the Respondent No.7, State Level Environment Impact Assessment Authority Odisha ('SEIAA' for short) has illegally granted Environmental Clearance in favour of Respondent No.9, Asit Kumar Parida, for sand mining in the Rayan Ramachandrapur Sand Bed over an area of 20.38 acres situated in Village-Rayan Ramachandrapur, Tehsil-Jaleswar, District-Balasore, Odisha. It is stated that originally the sand bed auction was held in favour of Mr. Rajesh Kumar Khatua and Environmental Clearance was also granted in his favour by the SEIAA, Odisha, on 13.07.2017 but subsequently another Environmental Clearance was granted in favour of Respondent No.9, Asit Kumar Parida, for the same sand bed, for the same area, vide the impugned Environmental Clearance dated 09.03.2021.

6. The further contention of the Appellant is that the National Green Tribunal, Principal Bench, in Original Application No. 173 of 2018 (*Sudarsan Das Vs. State of West Bengal & Ors.*) and in Original Application No. 186 of 2016 (*Satendra Pandey Vs. Ministry of Environment, Forests and Climate Change & Anr.*), had clearly directed that for all areas, from 5 to 25 hectares, falling under the Category B-2, Environment Impact Assessment and Environment Management Plan followed by Public Consultation, shall be carried

out at par with Category B-1 by State Expert Appraisal Committee (SEAC)/State Environment Impact Assessment Authority (SEIAA), as well as for cluster situation wherever it is not provided and if cluster or an individual lease size exceeds 5 hectares, the EIA/EMP shall be made applicable in the process of grant of prior Environmental Clearance.

7. Mr. Dayanidhi Mishra, learned Counsel for the Appellant has referred to Annexure-1 of the Original Application, which is a letter issued by the Ministry of Environment, Forests and Climate Change dated 12.12.2018 issuing directions in terms of the judgment of the National Green Tribunal, Principal Bench in *Satendra Pandey* (Supra). The letter dated 12.12.2018 is extracted herein below:-

“Dated: 12th December 2018

Office Memorandum

Sub:- Order dated 4th September, 2018 & 13th September, 2018 passed by the Hon’ble National Green Tribunal, New Delhi in O.A. No. 173 of 2018 & O.A. No. 186 of 2016 in the matters titled “Sudarsan Das Vs. State of West Bengal & Ors” & “Satendra Pandey Vs. Ministry of Environment Forests & Climate Change & Anr.” Respectively-regarding

This is with reference to the recent order of the Hon’ble NGT dated 04th September, 2018 in the matter titled Sudarsan Das Vs. State of West Bengal & Ors. and order dated 13th September, 2018 in the matter Satendra Pandey Vs. Ministry of Environment Forest & Climate Change & Anr. Copy of the orders are enclosed herewith for ready reference.

2. The Hon’ble NGT vide order dated 13th September, 2018 in O.A. No. 186 of 2016 (Satendra Pandey Vs.

Ministry of Environment Forest & Climate Change & Anr.)
has inter-alia directed as follows:-

“(i) Providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/SEIAA as well as for cluster situation wherever it is not provided;

(ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant of EC by SEIAA instead of DEAC/DEIAA;

(iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance;

(iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5(supra) of the Guidelines for the purpose of recommendations 6,7 and 8 thereof;

(v) revise the procedure to also to incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area;

(vi) the MoEF&CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining.”

3. In view of the above, the undersigned is directed to forward the copy of the aforementioned orders for necessary compliance and inform the Ministry about the action taken. A copy of the same has been sent to the Chief Secretaries of all the States/UTs.

4. This issues with the approval of the Competent Authority.

Encl: As above

Yours Faithfully

(Dr. R. B. Lal)
Scientist 'E'

8. Learned Counsel, therefore, submitted that when the Environmental Clearance dated 09.03.2021 was granted in favour of Respondent No.9, Asit Kumar Parida, no Public Consultation was held even though the sand mine area was 20.38 acres (8.247 hectares) i.e., more than 5 hectares and, therefore, the Environmental Clearance was liable to be quashed.

9. The Respondent No.8, Odisha State Pollution Control Board, in its affidavit dated 02.12.2021 has stated that the Respondent No.9 had applied for Consent to Operate along with Lease Deed executed by the Tehsildar-Jaleswar for the period from 01.04.2021 to 31.03.2026 and Consent to Operate was accordingly granted by the Regional Officer, Balasore, vide his letter dated 31.03.2021 valid upto 31.03.2022.

10. It is also stated that during the inspection carried out on 18.09.2021 and 16.11.2021 of the sand bed in question by the officials of the Board, it was found that the said sand bed was not in operation.

11. The Respondent No.6, Tehsildar-Jaleswar, in his affidavit dated 06.12.2021 has stated that the Sand Source in question in the bed of River Subarnarekha was auctioned vide Notification No. 6689 on 22.12.2015 for an area of 20.38 acres i.e., 8.247 hectares. The auction was confirmed in favour of one Mr. Rajesh Kumar

Khatua through tender process and Mining Plan and Environmental Clearance were also received from the Mining Officer, Baripada and the SEIAA, Odisha respectively, but in the meantime, the Respondent No.9, Asit Kumar Parida, challenged the auction process through Writ Petition in the High Court of Odisha and in pursuance of the order of the Hon'ble High Court passed in Writ Petition (C) No. 20414 of 2017 dated 23.07.2019, the Additional District Magistrate-Balasore, initiated fresh proceedings and passed fresh order on 11.09.2019 settling the said mining lease in favour of Respondent No.9, Asit Kumar Parida and cancelled the earlier lease granted in favour of Mr. Rajesh Kumar Khatua. It is stated that the Respondent No.9 obtained Consent to Establish and also Consent to Operate from the State Pollution Control Board, Odisha and thereafter the Tehsildar-Jaleswar executed the Lease Deed in his favour on 13.04.2021.

12. The Appellant has also filed a rejoinder affidavit dated 30.05.2022 bringing on record the approval of Mining Plan dated 07.03.2020 granted in favour of Respondent No.9, Asit Kumar Parida, and submitted that this Mining Plan was in respect of a fresh Mining Lease for a period of 5 years, though for the same sand bed of Rayan Ramchandrapur Sand Bed situated in Village-Rayan Ramchandrapur, Tehsil-Jaleswar, District-Balasore, and further submitted that since this was a fresh Mining Lease granted in favour of Respondent No.9 in the year 2020, the Respondent No.9 was required to obtain Environmental Clearance from SEIAA, Odisha, through the process of Public Consultation, in view of the

Ministry of Environment, Forests and Climate Change letter dated 12.12.2018 as well as the directions contained in the judgment of *Satendra Pandey* (Supra) passed by the National Green Tribunal, Principal Bench.

13. The case of the Respondent No.9, on the other hand, is that no new Mining Lease was granted in his favour and, in fact, it was the same lease for the same area of 20.38 acres (8.247 hectares) granted earlier in favour of Mr. Rajesh Kumar Khatua in whose favour Environmental Clearance had also been granted, and the SEIAA, Odisha, had only transferred the Environmental Clearance in favour of Respondent No.9 since Mr. Rajesh Kumar Khatua (previous Project Proponent) could not continue with the mining lease and since the previous Environmental Clearance was granted on 13.07.2017, therefore, the Environmental Clearance granted in favour of Respondent No.9, Asit Kumar Parida, on 09.03.2021 was not a new Environmental Clearance but rather was a transfer of the old Environmental Clearance in favour of Respondent No.9 and because in 2017 there was no requirement of holding any public consultation, therefore, public consultation was not held at the time of transferring the Environmental Clearance in favour of Respondent No.9.

14. The Respondent No.9 further stated that after the Hon'ble High Court had disposed of the earlier Writ Petition directing the Additional District Magistrate, Balasore, to pass fresh orders, the Additional District Magistrate, Balasore, passed fresh orders

settling the sand bed lease in question, in favour of Respondent No.9, Asit Kumar Parida, which was challenged by Mr. Rajesh Kumar Khatua before the Hon'ble High Court in another Writ Application No. 24852 of 2019. Mr. Rajesh Kumar Khatua also filed Writ Application No. 16117 of 2020 along with I.A. No. 9911 of 2020 against the order of the Additional District Magistrate, Balasore in which the Hon'ble High Court passed the order on 08.12.2020 to the following effect as quoted in para 7 (iv) of the affidavit which reads as under:-

“We are inclined to modify the interim order of status quo dated 17.08.2020 passed by this Court in I.A. No. 7539 of 2020 and direct that the award of the work in favour of Sri Asit Kumar Parida shall remain subject to the outcome of the writ petition.”

Copy of the order of the Hon'ble High Court is also filed at page no. 195 of the paper book.

15. Learned Counsel for the parties also submitted that the matter in the present Appeal concerns grant of Environmental Clearance to the Respondent No.9 and does not question the validity of the auction of sand bed granted in favour of the Respondent No.9 and, therefore, the interim order granted by the Hon'ble High Court would not constitute an impediment to the decision of the present Appeal.

16. At this stage, we may examine the stand of SEIAA, Odisha, taken in their affidavit dated 09.12.2021 wherein it is stated that

initially the Project Proponent (Rajesh Kumar Khatua), had applied offline project proposal on 04.05.2017, at SEIAA, Odisha, for grant of Environmental Clearance at Rayan Ramchandrapur River Sand Bed as a 'B-2 Category Project' as per Ministry of Environment, Forest and Climate Change, Govt. of India, Office Memorandum dated 24.12.2013. The proposal was examined in the meeting of the SEIAA, Odisha and forwarded to the State Expert Appraisal Committee ('SEAC' for short), for appraisal. The SEAC recommended the proposal for grant of Environmental Clearance in favour of Mr. Rajesh Kumar Khatua on 24.05.2017 and accordingly the Environmental Clearance was issued by the SEIAA, Odisha, vide its letter dated 13.07.2017 for a period of five years in favour of the initial Project Proponent, Mr. Rajesh Kumar Khatua.

17. In the affidavit, it is also stated by the SEIAA, Odisha, that initially there were two bidders in the auction of Rayan Rachandrapur River Sand Bed, namely, Mr. Rajesh Kumar Khatua and Mr. Asit Kumar Parida. Mr. Rajesh Kumar Khatua was the highest bidder but the second highest bidder i.e., Mr. Asit Kumar Parida, Respondent No.9 herein, objected that Mr. Rajesh kumar Khatua had obtained a Solvency Certificate issued by the Sub-Collector, Balasore, vide Miscellaneous Case No. 135 of 2015 by which he has already participated and obtained two Sairat Sources from Jaleswar Tehsil. Mr. Asit Kumar Parida, Respondent No.9 herein, filed a Writ Petition No. 8871 of 2017 in the High Court of Odisha which was disposed by the Hon'ble High Court with a direction to the Additional District Magistrate, Balasore, to decide

the matter afresh. The Collector-Balasore, decided the matter again in favour of Mr. Rajesh Kumar Khatua. Aggrieved the Respondent No.9 thereupon filed another Writ Petition No. 20414 of 2017 which was again disposed of by the Hon'ble High Court and this time the Additional District Magistrate & Collector, Balasore, decided the matter in favour of Respondent No.9. Aggrieved Rajesh Kumar Khatua challenged the said order in the High Court in Writ Petition No. 24852 of 2019. He also filed another Writ Petition No. 16117 of 2020 against the order of the Additional District Magistrate, Balasore, and also filed I.A. No. 9911 of 2020 in which the Hon'ble High Court passed interim order on 08.12.2020 which is already quoted herein above.

18. Based on the order of the Hon'ble High Court, the Tehsildar-Jaleswar vide his letter No. 450 dated 05.02.2021 and the Collector-Balasore vide his letter No. 11740 dated 24.12.2020 requested SEIAA, Odisha, for transfer of Environmental Clearance from Mr. Rajesh Kumar Khatua (earlier lessee) to Mr. Asit Kumar Parida (present lessee) and in pursuance thereof the Environmental Clearance has been transferred in favour of Respondent No.9 on 09.03.2021 by the SEIAA, Odisha.

19. The Respondent No.1, Ministry of Environment, Forests and Climate Change, in its affidavit dated 11.07.2022 has stated that prior to the judgment of the National Green Tribunal, Principal Bench, in *Satendra Pandey* (Supra), there was no requirement of 'Public Consultation' in the matter of grant of Environment

Clearance for sand lease for area between 5 hectares and 25 hectares, which would be characterized as 'B-2 Category' Project and for B-2 Category Projects, Public Consultation was not required. The requirement of public consultation came into operation for the first time after the judgment of the National Green Tribunal, Principal Bench, in *Satendra Pandey* (Supra) and the directions of the Tribunal were incorporated by the MoEF&CC in its letter dated 12.12.2018, therefore, prior to 12.12.2018 there was no requirement of 'Public Consultation' in the matter of grant of Environmental Clearance to sand bed mining leases between 5 to 25 hectares; the lease area in question being 20.38 acres i.e., 8.247 hectares.

20. From a perusal of the Mining Lease dated 07.03.2020 granted in favour of Mr. Rajesh Kumar Khatua, we find that though the same has been approved for five years which is in respect of the same sand bed of Rayan Ramachandrapur Sand Bed over an area of 20.38 acres or 8.247 hectares situated in Village-Rayana Ramachandrapur under Jaleswar Tehsil, Balasore District of Odisha. This Mining Plan nowhere speaks of 'fresh' Mining Plan. The Environmental Clearance granted in favour of Respondent No.9 clearly mentions that it is the transfer of previous lease dated 13.07.2017 from Mr. Rajesh Kumar Khatua (previous lessee) to Mr. Asit Kumar Parida, Respondent No.9 herein, for the same area of 20.38 acres of Rayan Ramachandrapur Sand Bed situated in Village-Rayana Ramchandrapur, Tehsil-Jaleswar, District-Balasore, Odisha.

21. The stand of the Respondents clearly is that though the previous Mining Lease was granted in favour of Mr. Rajesh Kumar Khatua but because of litigation pending before the Hon'ble High Court and changing fortunes from Mr. Rajesh Kumar Khatua to Mr. Asit Kumar Parida, Respondent No.9, in view of the order passed by the Additional District Magistrate, Balasore and subsequent interim order granted in favour of Respondent No.9 the lease was never operated by Mr. Rajesh Kumar Khatua, the previous lease holder, Project Proponent), though Environmental Clearance had been granted in his favour on 13.07.2017 and it is for this reason that the Collector, Balasore as well as Tehsildar, Jaleswar had requested that since the interim order was operating in favour of Respondent No.9, and the Respondent No.9 having been selected as lease holder by the Additional District Magistrate, Balasore, the Environmental Clearance may be transferred in his favour and, therefore, the impugned Environmental Clearance was transferred in favour of Respondent No.9, Mr. Asit Kumar Parida.

22. From a close scrutiny of the record of this case and the pleadings and the stand of the Respondents, we find that the impugned Environmental Clearance dated 09.03.2021 actually was a transfer of the original Environmental Clearance dated 13.07.2017 granted in favour of Mr. Rajesh Kumar Khatua but subsequently the said Environmental Clearance was transferred in favour of Mr. Asit Kumar Parida, Respondent No.9 herein on 09.03.2021, due to spate of litigation in the High Court and the

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final order passed by the Additional District Magistrate, Balasore in favour of Respondent No.9 which also became the subject matter of the interim order of the Hon'ble High Court dated 08.12.2020 wherein the High Court directed that the award in favour of Mr. Asit Kumar Parida shall remain, subject to the outcome of the writ petition and it cannot be said that a new Environmental Clearance had been granted in favour of Respondent No.9. This was not a case of grant of fresh Environmental Clearance or new Environmental Clearance in favour of Respondent No.9 but was a transfer of the old Environmental Clearance dated 13.07.2017 granted to Mr. Rajesh Kumar Khatua i.e., erstwhile lease holder, subsequently transferred in favour of Respondent No.9, Asit Kumar Parida on 09.03.2021.

23. It is also noteworthy that in 2017, B-2 Category Project of sand mining leases less than 5 to 25 hectares did not require holding of public consultation before grant of Environmental Clearance. The requirement of grant of Environmental Clearance came into operation only after the judgment of the National Green Tribunal, Principal Bench, in the case of *Satendra Pandey* (supra) and the Ministry of Environment, Forests and Climate Change letter dated 12.12.2018.

24. Since no fresh lease has been granted in favour of Respondent No.9 and the previous lease continues and only the Mining Plan has been granted in favour of Respondent No.9 but the sand bed in question remains the same, namely, Rayan Ramachandrapur Sand

Bed and the area also remains the same i.e., 20.38 acres i.e., 8.247 hectares situated in Village-Rayan Ramchandrapur, Tehsil-Jaleswar, District-Balasore, therefore, in our opinion, there is absolutely no illegality or infirmity in the impugned Environmental Clearance being transferred in favour of Respondent No.9, Mr. Asit Kumar Prida by way of transfer on 09.03.2021 by the SEIAA, Odisha.

25. In view of above, the Appeal No. 03/2021/EZ lacks merit and is accordingly dismissed.

26. There shall be no order as to costs.

.....
B. AMIT STHALEKAR, JM

.....
SAIBAL DASGUPTA, EM

**Kolkata,
July 28th, 2022,
Appeal No.03/2021/EZ
AK**

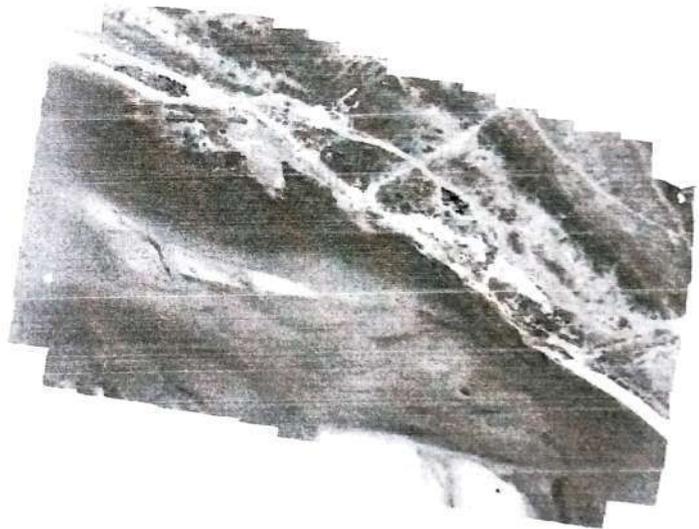
NGT



REPLENISHMENT STUDY

RAYAN RAMCHANDRAPUR SAND BED ON SUBARNAREKHA RIVER

OVER AN AREA OF 20.38 ACRES OR 8.247 HECTARES IN VILLAGE RAYAN
RAMCHANDRAPUR OF JALESWAR TAHASIL IN BALASORE DISTRICT, ODISHA



Successful Bidder

SRI ASIT KUMAR PARIDA
At/Po - Sanroutpada/Jamalpur,
PS - Jaleswar, Dist - Balasore, Odsha

Prepared by

GEOIMAGE SYSTEMS (P) LTD
Plot no - L/3-139, Acharya Vihar
Bhubaneswar - 751013



ACKNOWLEDGEMENT

*M/s Geo Image Systems Private Limited, Bhubaneswar express its deep appreciation to Sri Asit Kumar Parida for entrusting the assignment of conducting the Replenishments study for **Rayan Ramchandrapur Sand Bed** on Subarnarekha River at Rayanchandrapur village under Jaleswar Tahsil in Balasore district, Odisha; also for the active interest & help extended by the staffs.*

Our sincere thanks to M/s Geoid Resource Private Limited, Bhubaneswar without which, the study could not have been possible. The co-operation extended by the officials of GRPL and constant involvement during the entire field study is also gratefully acknowledged.



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CHAPTER - 1
INTRODUCTION



1.1 Preamble

River sand is one of primary raw material in all type of construction and infrastructure project. The need of sand in all fields are very essential as it is a compulsory for all types of construction and industries fields. An Environmental Clearance has been issued to Sri Asit Kumar Parida, the Successful Bidder for Removal of Sand (Minor Mineral) from Rayan Ramchandrapur River Sand Bed over an area of 20.38 ac or 8.247 ha in revenue villages of Rayan Ramchandrapur under Jaleswar Tahsil in district Balasore, Odisha for a period of 5 years. During the appraisal of State Environmental Impact Assessment Authority, Odisha (SEIAA) in its meeting on 25.02.2021 recommended for EC with a specific condition " to carry out Replenishment Study" and submission of report by 14 10 2021.

Replenishment Rate is the rate at which sand is transported into the river channel, which is subjected to sand extraction. This volume is often considered as sustainable yield of that river. The replenishment period may vary on nature of the channel and season of deposition arising due to variation in the flow. Such period and season may vary on the geographical and precipitation characteristic of the region.

In view of the above condition, Sri Asit Kumar Parida has engaged M/s Geo-Image Systems Private Limited (GISPL), Bhubaneswar to carry out the Replenishment Study and to submit the report with recommendation.

Since accuracy of UAV data for volume measurement compared to conventional techniques such as a Total Station has been evaluated and proven better than the conventional method, so GISPL studied the requirement and understood that only volumetric method using Drone survey can only derive the accurate estimation of replenishment, which is also comply the methodology as detailed in **Enforcement & Monitoring Guidelines for Sand Mining, 2020**. So, GISPL initiate the job in association with M/s Geoid Resources Private Limited, Bhubaneswar (GRPL) an ORSAC empanelled vendor for Drone and DGPS survey, who have carried out the Drone/DGPS survey for this purpose.

1.2 Purpose of the Study

The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excess sand extraction. Mining within or near river bed has a direct impact on the stream's physical characteristics, such as



channel geometry, bed elevation, substratum composition and stability, in-roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of these attributes may cause an impact on the ecological equilibrium of the river regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on in-stream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.

1.3 Scope of the Study

An Unmanned Aerial Vehicle (UAV), commonly known as drone, was used to carry out survey of the area. Drone is an aircraft without a human pilot on board. The main objective of this survey in the present project was to obtain the Digital Elevation Models (DEM) of the area by getting the elevations at all points of the study area and access elevation of points/grids wherever required. DEM is the digital representation of topographic and manmade features located on the surface of the earth. Drone consist mainly a vehicle itself, a ground-based controller, and a system of communications between the two. The report aims to quantify the amount of replenishment of sand on the basis of survey done with UAV/Drone during Pre-monsoon & Post monsoon '2022. The scopes of the study are;

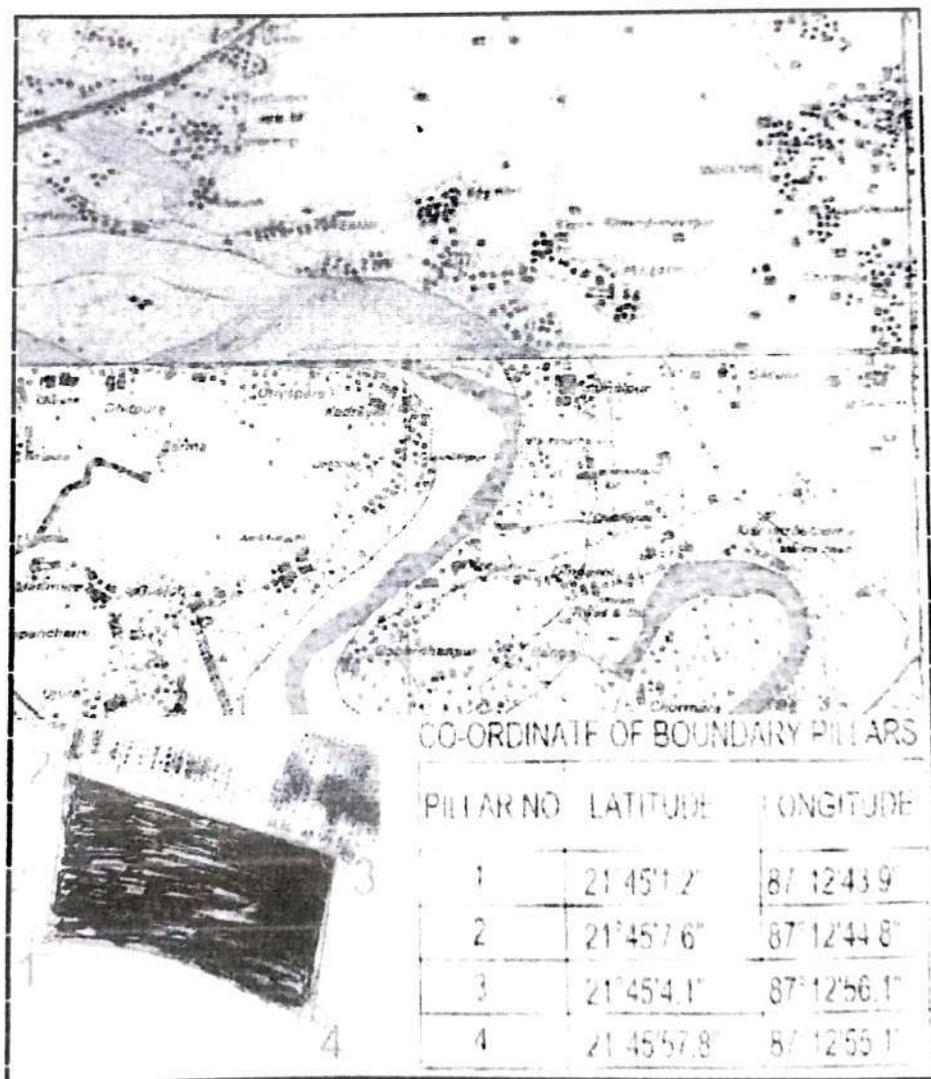
- Identification of lease boundary from the approved mining plan.
- Study of pre-monsoon and post-monsoon status of lease area on the topographical survey.
- Prepare Digital Elevation Model (DEM) and Digital Terrain Model (DTM) of the area.
- Estimation of the replenishment by comparing both pre monsoon and post monsoon survey data.
- Actual workable deposit as on date & Recommendations.



CHAPTER - 2 LOCATION AND PROJECT DESCRIPTION

2.1 Location of the Survey Site:

The lease area of Rayan Ramchandrapur Sand Bed lies on Sunei River over an area of 20.38 acres (8.247 ha.) is located in Village- Rayan Ramchandrapur, Tahasil - Jaleswar, in district Balasore of Odisha. The lease forms a part of Survey of India Toposheet No. 73 O/1 and the area bounded between the latitudes of $21^{\circ}45'1.2''$ N to $21^{\circ}45'57.8''$ N and longitudes of $86^{\circ}36'48.0''$ E to $86^{\circ}37'15.8''$ E. The quarry area is accessible from Jaleswar covering 5 kms. The location of the lease has been shown in the following image with red color lease boundary.



(Figure - 1: Key Map showing lease area)



2.2 Approved Mining Plan:

The Mining plan along with PMCP of the project prepared on behalf of Taluk Jaleswar and has been approved by The Mining Officer, Baripada Circle, Balasore on dated 6.3.2020. (Copy attached as Annexure - 1). Highlights of approved Mining Plan are given as below;

- The method of mining will be adopted as open cast manual means with mechanical carriages.
- The height of the proposed quarry face will be maintained at 0.5m. At the end of the year, the quarry floor level will be at 17.5m from the Mean Sea Level (MSL).
- Considering surface area 82470 m² and thickness of deposit 0.5m the proved Geological reserve has been calculated 41235 m³.
- The minable workable area is calculated 73462 m² due to various statutory mining restrictions and considering thickness of deposit 0.5m the proved minable reserve has been calculated 36731 m³.
- Considering annual replenishment 1000%, the production of 22500 m³ for 1st year, 25000m³ for 2nd & 3rd year, 27500m³ for 4th year and 30000 m³ for 5th year has been targeted.
- In variably the volume of sand extracted in each year will be re-deposited in subsequent year during rainy season. So, no reclamation measure is proposed for mine closure.

2.3 Environmental Clearance:

Initially, the environmental clearance for the Rayan Ramchandrapur River Sand Bed had been obtained in favor of Sri Rajesh Kumar Khatua by Tahsildar, Jaleswar vide letter no - 3278/SEIAA on dated 13.07.2017. In the mean time, the lease was transferred and allotted to Sri Asit Kumar Parida, Successful bidder. Accordingly the lessee applied for transfer of EC.

The transfer of Environmental clearance in favor of the Sri Asit Kumar Parida has been obtained vide file no - SIA/OR/MIN/191629/2021 on dated 09.03.2021 mentioning 'to submit the study report of rate of annual replenishment of sand within one year and is liable to be revoked after 14.10.2021.' (Copy attached as Annexure - 2).

CHAPTER
REPLENISHMENT SURVEY



3.1 Methodology

For the said project replenishment study has been done by UAV/Drone (volumetric survey) method.

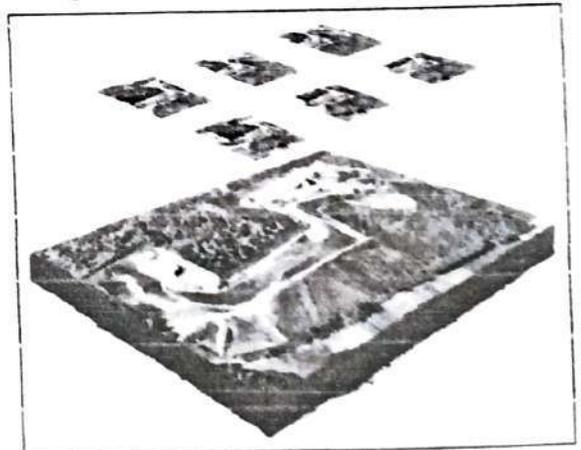
In this case, replenishment study requires three surveys. The first survey has been carried out in 16th June' 2022 before closing of mines for monsoon season. This survey provided the quantity of the material excavated before the offset of monsoon. The second survey is carried out in 3rd. Dec' 2022 after the monsoon to know the quantum of material deposited/replenished in the mining lease. The third survey will be carried out at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, same practice will be continued.

Presently, for the purpose of replenishment study, two surveys were carried out for data acquisition, the first one for pre-monsoon data and the second one for post monsoon data by using UAV/ Drone.

3.2 Drone Survey

A drone survey refers to the use of a drone, or unmanned aerial vehicle (UAV), to capture aerial data with downward-facing sensors, such as RGB or multispectral cameras, and LIDAR payloads. With a drone, it is possible to carry out topographic surveys of the same quality as the highly accurate measurements collected by traditional methods, but in a fraction of the time. This substantially reduces the cost of a site survey and the workload of specialists in the field. This technology has promising potential in the survey of sand mining zones due to its fast and reliable output deliveries.

During a drone survey with an RGB camera, the ground is photographed several times from different angles, and each image is tagged with coordinates. From this data, photogrammetry software can create geo-referenced orthomosaics, elevation models or 3D models of the project area. These maps can also be used to extract information such as highly-accurate distances or volumetric measurements. Unlike manned aircraft or satellite





imagery, drones can fly at a much lower altitude, making the generation of high resolution, high-accuracy data, much faster, less expensive and independent of atmospheric conditions such as cloud cover.

3.3 Survey Procedure

Both the surveys were carried out for data acquisition, the first one for pre-monsoon data and the second one for post monsoon data.

Prior to the drone survey, the mine site was visited to ascertain the weather condition, the extent of the area to be surveyed, suitable areas to establish ground control points, and suitable place to take-off and land the drone and then camera calibration has been carried out.

Ground Control Points collection - Ground Control Points (GCPs) provide a means of orienting images to the ground. In establishing GCPs, it is required that the GCPs are: easily defined and identifiable; locatable with high precision and high contrast to the background. Five nos. of GCPs were observed by using DGPS for ground control points by fixing for minimum 30 minutes for acquiring satellite data. The GCPs established were then surveyed to acquire the positions (x and y) and elevations (z) of each point DGPS. This helps to reduce the accumulation of errors and hence increase the accuracy of the data collected.

Flight Planning - There are many options for photo overlap, and we have tested them all. There is a time and place for each overlap setting, but our recommended overlap is 80% front-lap and 70% side-lap for this site, with a single set of back-and-forth flight lines (boustrophedonic lawnmower pattern), and the camera pointing straight down (nadir) on all photos.

Interior orientation: - For interior orientation of the stereo pair rational polynomial coefficients (RPC) used, which are bundled with the scenes. RPCs are coefficient, which is used by photogrammetric software to represent the ground to-image viewing geometry.

Exterior orientation: For exterior orientation, ground control points have been used; those are collected from the DGPS survey.

Aero Triangulation: - A critical phase in photogrammetric mapping is to rectify the satellite imagery at an appropriate tract on the surface of the earth. This is accomplished by collecting horizontal and vertical data [GCP's] to ascertain the spatial location of a number of features that are visible and measurable on the aerial images - this process is often called control bridging, which refers to passing



horizontal and vertical information from one aerial image to the next.

Ortho Generation: - After running the above steps; the software automatically generated an ortho rectified imagery.

DTM extraction: For extraction of DTM, Generated point cloud data classified manually to extract bare earth.

Accuracy Assessment of Aerial Data:

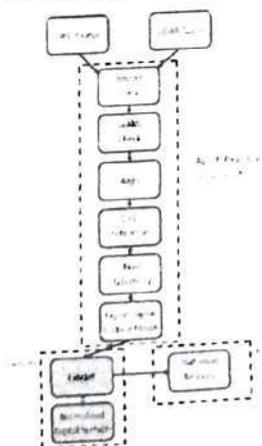
To check the accuracy of DTM generated by Aerial data, few points were selected and compared with on-site by using DGPS instrument for the ground-truthing purpose. The readings from the DGPS instrument are then compared with the Drone data for accuracy assessment purpose. The comparative analysis for both the projects has been detailed and shows that the accuracy of the surveys is well within the limit.

Details of instruments/software used:

Instruments	Drone	Camera	DGPS	Laptop
Model/Type	Phantom 4 pro V2	RGB	Leica (GS16)/Stonex	HP
Software	Agisoft Metashape Professional/Map Pilot	Global Mapper /Virtual Surveyor	Infinity/Cubic	
Requirement	Mission & Processing	Volume & Analysis	Data Processing	

IMAGE PROCESSING

image processing work-flow with different image processing software's



	Context Capture	PhotoScan	Pix4Dmapper
Aerial triangulation	Aero triangulation	Airgn photo	Initial Processing
Point cloud generation	3D point cloud	Building dense point cloud	Point Densification
3D model generation	3D mesh	Building mesh Building model texture	3D Textured Mesh



3.4 Data Processing

The data acquired from the drone survey has been processed using the technique called Digital Photogrammetric. Entire drone data is stitched together to produce quality outputs of the site. For example, visual representation, elevation values throughout the site, or analysis for any particular application of the data set. Processing of images with Metashape included the following main steps:

- loading images into Metashape;
- inspecting loaded images, removing unnecessary images;
- aligning cameras;
- building dense point cloud;
- building mesh (3D polygonal model);
- generating texture;
- building tiled model;
- building digital elevation model (DEM);
- building orthomosaic;

Typical tasks for a photogrammetry processing project in Metashape are to build a 3D surface and an orthomosaic. Imagery data processing procedure with Agisoft Metashape consists of three main steps.

The results of these procedures are visualized in the form of a tie point cloud and a set of camera positions. The tie point cloud represents the results of image alignment and will not be directly used in further processing (except for the tie point cloud-based surface reconstruction method, which is suitable only for quick estimates, e.g., of completeness of a data set). But the tie point cloud is necessary for the determination of depth maps (based on the common tie points camera pairs for the depth maps calculation are selected). However it can be exported for further usage in external programs. For instance, a tie point cloud model can be used in a 3D editor as a reference. On the contrary, the set of camera positions is required for further 3D surface reconstruction by Metashape.

The second step is generation of a surface in 3D (mesh) and/or 2D (DEM). Polygonal model (mesh) can be textured for photorealistic digital representation of the object/scene and exported in numerous formats compatible with post-processing software, both for CAD and 3D-modeling workflows.

For city-scale projects to provide for fast model visualization response and allow for smooth navigation across the whole scene, Metashape enables to generate tiled models. Such hierarchical representation preserves original resolution of the images applied to the model as a texture and is compatible with stand-alone and web-



based viewers.

Dense point cloud can be built by Metashape based on the estimated camera positions and images themselves (dense stereo matching). photogrammetric point cloud can be merged with LIDAR data or automatically divided into several semantic classes following the project tasks.

If the digital elevation model (DEM) is generated based on the dense point cloud data, it can include either both terrain and all the objects above the ground, like trees, buildings and other man-made structures (digital surface model, DSM), or only show the landscape of the territory (digital terrain model, DTM).

The third step is creating of Orthomosaic, which can be geo-referenced and used as a base layer for various types of maps and further post processing analysis and vectorization. Orthomosaic is generated by projecting the images according to their EO/IO data on a surface of the user's choice: DEM or mesh.

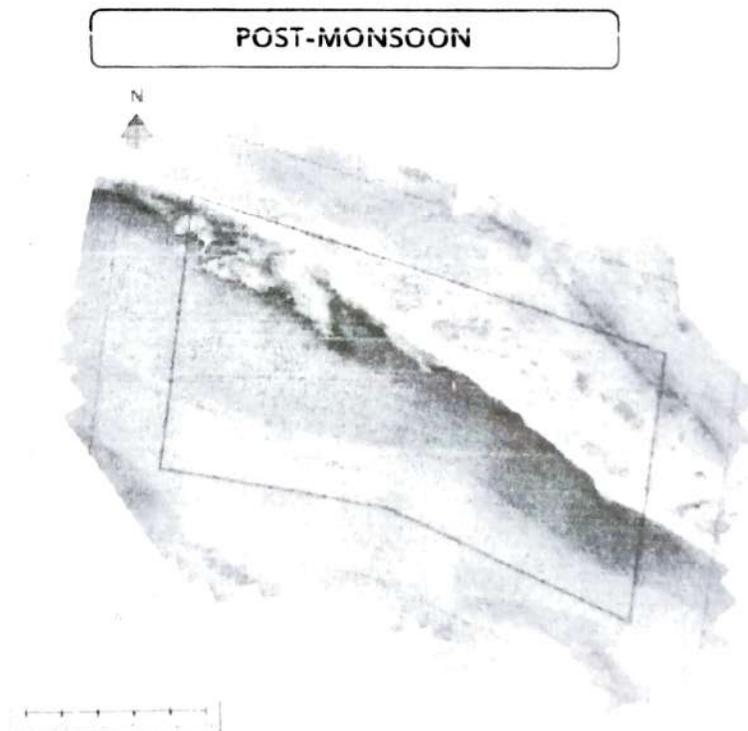
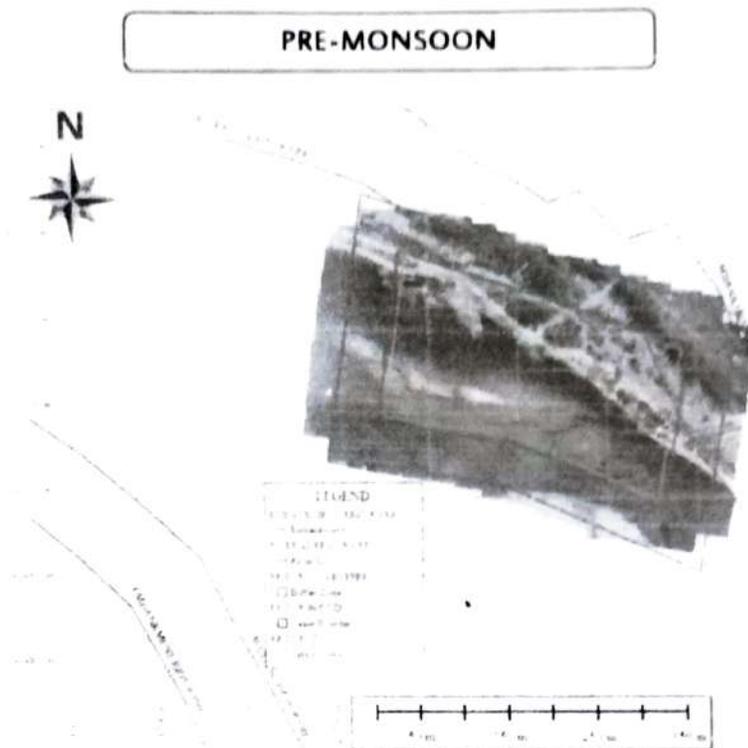
Drone and 3D modeling software has been used to provide highly accurate volumetric measurements of the mining area. The safety barriers were demarcated as restricted in consensus with norms. A clear identification was made between mineable and non-mineable area. The data were then simulated with the help of Agisoft Metashape Professional software to derive at the replenishment.

3.5 Survey output (Pre-monsoon)

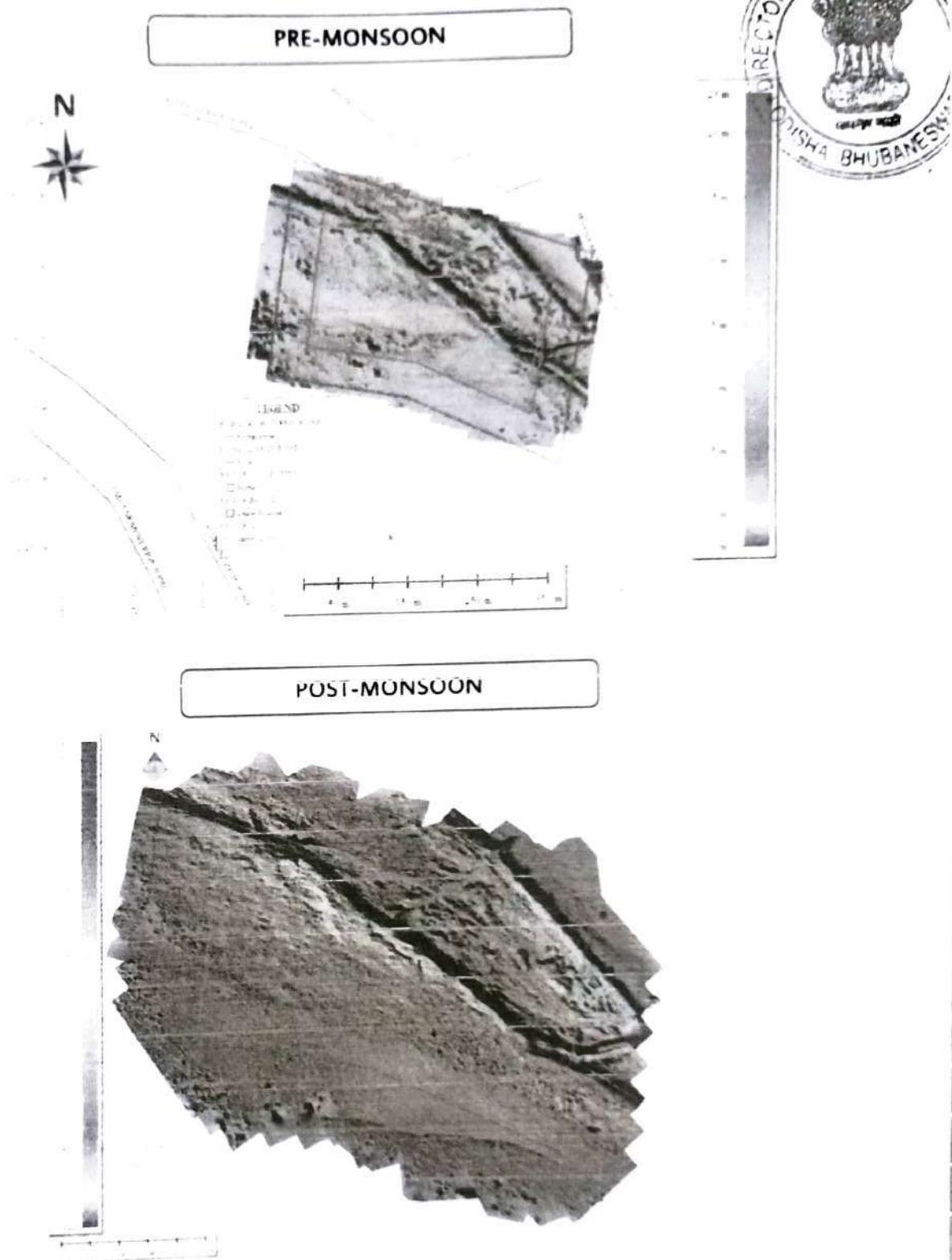
Pre-monsoon Survey was carried out on 16.06.2022 after closing of mining operation before offset of monsoon. For the data acquisition, the Drone was used to fly covering the river stretch in the lease area. A data acquisition plan is made specific to the site that needs to be surveyed. It depends on the type of terrain / object to be reconstructed. Flight polygons are designed and data acquired is as per this plan. The flying altitude is designed to capture resolution which best fits the project. Details of flights are given in **Appendix-1**.

3.6 Survey output (Post-monsoon)

Post- monsoon Survey was carried out on 03.12.2022 after the monsoon before starting of mining operation. For the data acquisition, the Drone was again used to fly covering the river stretch in the lease area. Details of flights are given in **Appendix-2**. The major outputs from photogrammetric processing include Orthomosaic, Digital Surface Model and Digital Terrain Model. All Photogrammetric outputs have been compared with pre-monsoon output as follows;



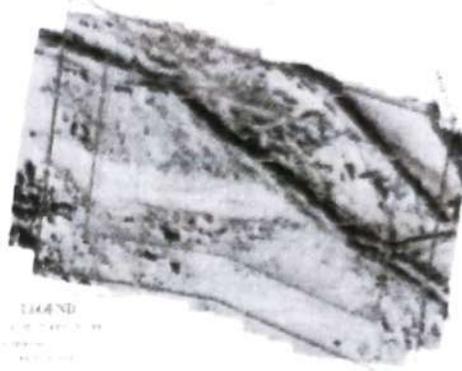
(Figure - 2. Ortho-mosaic Images of the lease area)



(Figure - 3: Digital Elevation Model of the lease area)



PRE-MONSOON



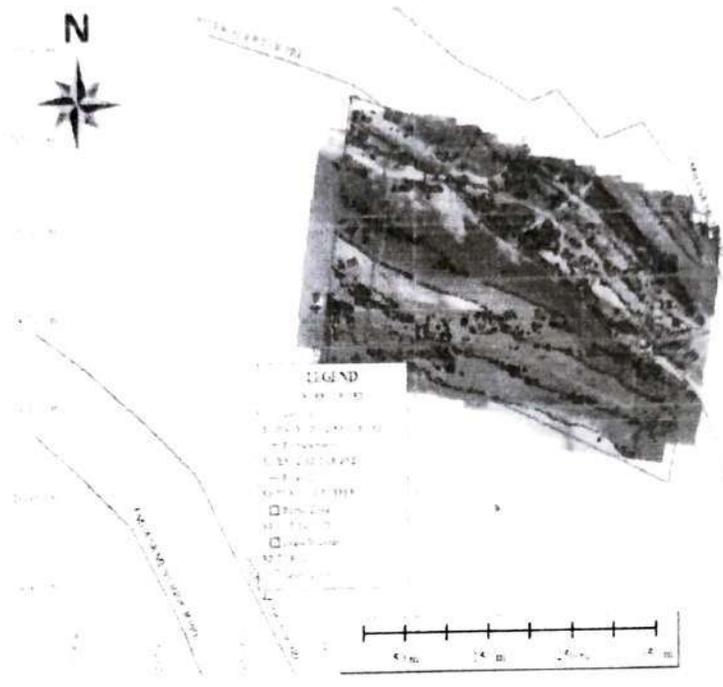
POST-MONSOON



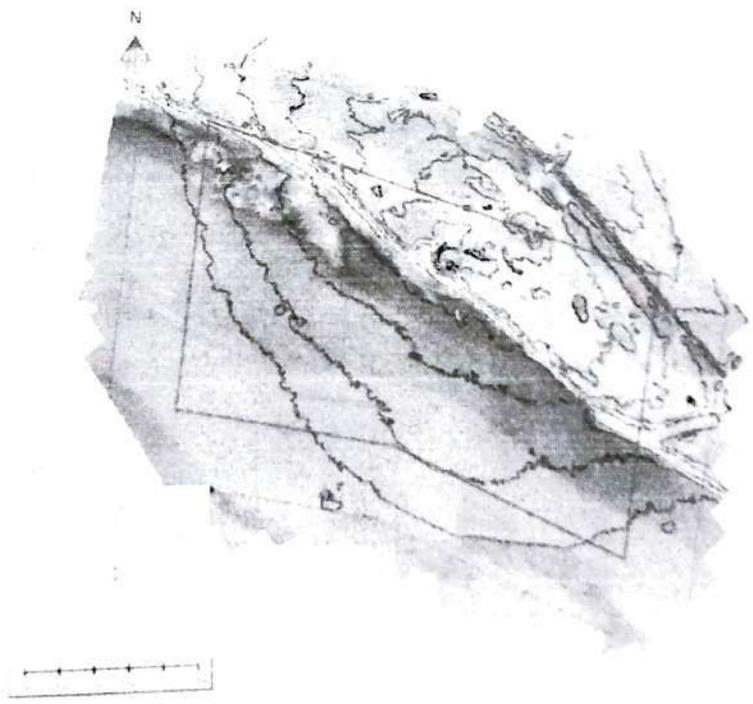
(Figure - 4: Digital Terrain Model of the lease area)



PRE-MONSOON



POST-MONSOON



(Figure - 5: Contour - Ortho mosaic Images of the lease area)

CHAPTER - 4
VOLUME ESTIMATION



4.1 Estimation of Reserve / Replenishment

In order to estimate the replenished volumes of sand, both the surveyed data merged / superimposed, the data obtained in pre-monsoon & post monsoon. The digital method using DEM to DEM comparison has been used for estimating the amount of sand deposition or erosion. The difference in elevation within safe workable area shows the amount of river erosion (if negative) and deposition (if positive). The area calculation was done using virtual surveyor software. The volume reports for Pre-monsoon & post -monsoon survey is given in **Appendix - 3 & Appendix - 4.**

4.2 Safe workable Area

The safe workable area due to various statutory mining restrictions as per the Sand Mining Guideline, 2020 has been considered for calculations of reserve estimation using software as below;

- River bed sand mining shall be restricted within the central 3/4th width of the river/rivulet or 7.5 meters (inward) from river banks but up to 10% of the width of the river, which needs to be protected. In this lease area, the bank of river is aligned with the lease boundary and the effective width of the river in the lease area varies from 600 to 700m. The river width variation is in sync with the variation of SBZ.

Considering the above restriction, it is found that, sand available within Safe workable area was **7253.403 m²** during pre-monsoon survey whereas sand available within Safe workable area was **4592.038 m²** during post-monsoon survey.

Common Safe workable Area

Since, some portion of the lease area was water logged during post monsoon survey as compare to pre-monsoon survey, Drone survey could not be processed in water logged area. Hence, only that safe workable area in post monsoon survey which is common with pre-monsoon safe workable area has been taken into account for estimation of replenishment study. So, it is estimated that total **4587.0 m²** of area is considered as common with pre-monsoon safe workable area.

Replenishment Study Report for Rayan Ramchandrapur River Sand Bed, on Subarnarekha River over 20.38 ac or 8.247 ha under Jaleswar Tahsil in Balasore district, Odisha



4.3 Calculation of Replenished Volume

a) Replenished volume by cross-sectional method in the entire lease area

The classical method of cross-sections has been used for estimating the amount of sand erosion / depositions are given in Table no - 1. The difference in elevation along a cross-section shows the amount of river erosion (if negative) and deposition (if positive). The area calculation was done using virtual surveyor software.

A typical sample cross-sections showing the erosion (Pink area) and deposition (Blue area) at all the section has been shown in **Appendix - 6**.

Table no - 1: Details of Section drawn at 25m x 25 m interval of Pre & post monsoon survey;

CS Ref	X	Y	Z (Pre)	Z (Post)	Elevation difference
CS #1	521975	2405085	3.804892	-2.15765	-5.96255
CS #1	521975	2405110	3.870856	-1.76908	-5.63994
CS #1	521975	2405135	3.551061	-1.77553	-5.3266
CS #1	521975	2405160	2.779714	-1.09364	-3.87335
CS #1	521975	2405185	2.313893	-0.79721	-3.1111
CS #1	521975	2405210	1.85536	-0.47887	-2.33423
CS #1	521975	2405235	1.770075	-0.08071	-1.85079
CS #1	521975	2405260	1.433649	0.026109	-1.40754
CS #1	521975	2405285	3.584859	1.145193	-2.43967
CS #2	522000	2405081	3.85997	-1.6023	-5.46227
CS #2	522000	2405106	3.487542	-1.24784	-4.73538
CS #2	522000	2405131	3.423462	-1.10262	-4.52609
CS #2	522000	2405156	2.549258	-0.38319	-2.93245
CS #2	522000	2405181	2.035178	-0.28314	-2.31832
CS #2	522000	2405206	1.71779	0.226783	-1.49101
CS #2	522000	2405231	1.828767	0.624013	-1.20475
CS #2	522000	2405256	1.08797	0.385075	-0.7029
CS #2	522000	2405277	2.729951	1.963802	-0.76615
CS #3	522025	2405076	3.806783	-1.31806	-5.12484
CS #3	522025	2405101	2.977534	-0.90396	-3.8815
CS #3	522025	2405126	3.177223	-0.36747	-3.54469
CS #3	522025	2405151	2.269745	0.144578	-2.12517
CS #3	522025	2405176	2.007004	0.418043	-1.58896

CS #3	522025	2405201	1.633072	0.748243	-0.88483
CS #3	522025	2405226	1.580262	1.165989	-0.41427
CS #3	522025	2405251	1.389449	1.375722	-0.01373
CS #3	522025	2405268	5.069129	4.631391	-0.43774
CS #4	522050	2405072	3.783157	-0.77526	-4.55842
CS #4	522050	2405097	3.482034	-0.37507	-3.8571
CS #4	522050	2405122	3.207258	-0.00459	-3.21185
CS #4	522050	2405147	2.22164	0.379711	-1.84193
CS #4	522050	2405172	1.849982	0.89538	-0.9546
CS #4	522050	2405197	1.753761	1.463332	-0.29043
CS #4	522050	2405222	1.60542	1.991135	0.385715
CS #4	522050	2405247	3.000128	2.84566	-0.15447
CS #4	522050	2405260	4.696805	5.259612	0.562807
CS #5	522075	2405068	3.541663	-0.3348	-3.87646
CS #5	522075	2405093	3.415646	-0.02843	-3.44408
CS #5	522075	2405118	2.930379	0.383082	-2.5473
CS #5	522075	2405143	2.16494	0.710811	-1.45413
CS #5	522075	2405168	1.644694	1.335417	-0.30928
CS #5	522075	2405193	1.376802	1.704815	0.328013
CS #5	522075	2405218	1.905557	2.509698	0.604141
CS #5	522075	2405243	5.980543	6.477737	0.497194
CS #5	522075	2405251	5.053703	5.899074	0.845371
CS #6	522100	2405063	3.451753	-0.0461	-3.49786
CS #6	522100	2405088	2.874455	0.226016	-2.64844
CS #6	522100	2405113	2.679118	0.572504	-2.10661
CS #6	522100	2405138	1.924385	1.035488	-0.8889
CS #6	522100	2405163	1.445062	1.597333	0.152271
CS #6	522100	2405188	1.577938	2.219365	0.641427
CS #6	522100	2405213	7.089867	7.521835	0.431968
CS #6	522100	2405238	5.422391	6.707249	1.284858
CS #6	522100	2405243	5.147831	6.434789	1.286958
CS #7	522125	2405051	3.542307	0.040039	-3.50227
CS #7	522125	2405076	2.792136	0.389003	-2.40313
CS #7	522125	2405101	2.614796	0.6152	-1.9996
CS #7	522125	2405126	1.95173	1.188613	-0.76312
CS #7	522125	2405151	1.336193	1.713795	0.377602



Replenishment Study Report for Rayan Ramchandrapur River Sand Bed, on Subarnarekha River over 20.38 ac or 8.247 ha under Jaleswar Tahsil in Balasore district, Odisha.

CS #7	522125	2405176	1.602986	2.553168	0.950182
CS #7	522125	2405201	5.218402	6.085765	0.867363
CS #7	522125	2405226	6.274183	7.622719	1.348536
CS #7	522125	2405234	5.600936	6.982319	1.381383
CS #8	522150	2405040	3.427527	0.047467	-3.38006
CS #8	522150	2405065	2.857142	0.40218	-2.45496
CS #8	522150	2405090	2.679071	0.712666	-1.96641
CS #8	522150	2405115	1.932958	1.117758	-0.8152
CS #8	522150	2405140	1.244926	1.700232	0.455306
CS #8	522150	2405165	2.845987	3.175043	0.329056
CS #8	522150	2405190	6.878242	7.701814	0.823572
CS #8	522150	2405215	5.555856	6.99139	1.435534
CS #8	522150	2405226	5.46736	7.335525	1.868165
CS #9	522175	2405028	3.628423	-0.15848	-3.7869
CS #9	522175	2405053	3.160964	0.248274	-2.91269
CS #9	522175	2405078	2.431953	0.450675	-1.98128
CS #9	522175	2405103	1.963871	1.139903	-0.82397
CS #9	522175	2405128	1.66565	1.905633	0.239983
CS #9	522175	2405153	5.763055	5.389177	-0.37388
CS #9	522175	2405178	5.80063	6.793327	0.992697
CS #9	522175	2405203	5.45378	7.098528	1.644748
CS #9	522175	2405217	5.347868	7.336333	1.988465
CS #10	522200	2405016	3.620259	-0.39108	-4.01134
CS #10	522200	2405041	3.03207	-0.11393	-3.146
CS #10	522200	2405066	2.307878	0.472332	-1.83555
CS #10	522200	2405091	1.548303	1.081862	-0.46644
CS #10	522200	2405116	1.513892	1.723089	0.209197
CS #10	522200	2405141	6.202959	6.338469	0.13551
CS #10	522200	2405166	6.345201	6.902025	0.556824
CS #10	522200	2405191	5.770079	7.49387	1.723791
CS #10	522200	2405209	3.276827	5.743748	2.466921
CS #11	522225	2405005	3.689156	-0.76556	-4.45472
CS #11	522225	2405030	3.037605	-0.36146	-3.39906
CS #11	522225	2405055	2.127995	0.275589	-1.85241
CS #11	522225	2405080	1.652066	0.497479	-1.15459
CS #11	522225	2405105	6.256151	3.223407	-3.03274



Replenishment Study Report for Rayan Ramchandrapur River Sand Bed, on Subarnarekha River over 20.38 ac or 8.247 ha under Jaleswar Tahsil in Balasore district, Odisha.

CS #11	522225	2405130	6.16041	6.325704	0.165294
CS #11	522225	2405155	5.680907	6.59084	0.909933
CS #11	522225	2405180	4.812156	6.557546	1.74539
CS #11	522225	2405200	3.725926	6.15323	2.427304
CS #12	522250	2404993	3.626286	-1.18702	-4.8133
CS #12	522250	2405018	3.320166	-0.68734	-4.0075
CS #12	522250	2405043	2.098841	-0.13093	-2.22977
CS #12	522250	2405068	2.48568	0.542327	-1.94335
CS #12	522250	2405093	6.294306	4.611411	-1.6829
CS #12	522250	2405118	6.042807	6.139954	0.097147
CS #12	522250	2405143	4.500791	5.887789	1.386998
CS #12	522250	2405168	4.269037	6.030682	1.761645
CS #12	522250	2405192	2.227934	5.180394	2.95246
CS #13	522275	2405067	3.943054	2.467734	-1.47532
CS #13	522275	2405092	5.76772	4.835851	-0.93187
CS #13	522275	2405117	5.647032	5.683525	0.036493
CS #13	522275	2405142	4.574246	5.622207	1.047961
CS #13	522275	2405167	2.211417	4.46107	2.249653
CS #13	522275	2405183	4.408948	5.808907	1.399959



b) Replenished volume in common safe workable area

The field survey and the data generation thereof for the pre and post monsoon season was undertaken and the data were compiled and analyzed with the help of standard engineering and mining software. The common workable area or minable area (4587.0 m²) has been classified into several patches. The volume metric calculations have been done from photogrammetric software is attached as **Appendix - 5** and results are as follow;

Table no - 2: (Cut/Fill details in Common workable area)

Patch	2D Area	Volume	Cut	Fill
SWZ PRE-POST	4587.0	4283.4	140.1	4423.5
Total	4587.0	4283.4	140.1	4423.5

Sand eroded from common workable area = 140.1 m³

Sand deposited in common workable area = 4423.5 m³

Replenished Volume = 4423.5 - 140.1 = **4283.4 m³**

Average thickness of replenishment in the Common workable area

$$= 4283.4 / 4587.0 = 0.933 \text{ m.}$$

**Replenishment Study Report for Rayan Ramchandrapur River Sand Bed, on Sub-division of
River over 20.38 ac or 8.247 ha under Jaleswar Tahsil in Balasore district.**



c) Volume of Sand available during survey in safe workable area

Considering the above restriction, it is found that, sand available within workable area was **7253.403 m²** during pre-monsoon survey whereas sand available within Safe workable area was **4592.038 m²** during post-monsoon survey.

Table no - 3: (Sand volume in safe workable area)

	Safe workable Area in m ²	Volume (m ³)	Average height m
Pre-monsoon Volume (m³)	7253.403	1723.992	0.237
Post-Monsoon Volume(m³)	4592.038	8539.717	1.85

It is estimated that;

During Pre-monsoon the extractable sand available = 1723.992 m³.

During Post-monsoon the extractable sand available = 8539.717 m³.



CHAPTER - 5
CONCLUSION & RECOMMENDATION

5.1 Conclusion

The field survey and the data generation thereof for the pre and post monsoon season was undertaken and the data were compiled and analyzed with the help of standard engineering and mining software.

The calculation of deposits was made based on the survey data arising out of pre and post monsoon survey and standard calculation method (Cross-section area method and Digital elevation Model DEM)). The average replenishment thickness is computed within common safe workable area is around 0.993. The estimated deposition, considering a common safe workable area of 4587.0m² is 4283.4 m³. It is observed that, the volume of sand available during post monsoon is around 8539.717m³, which can be treated as safe extractable within the framework of the study. However with advancement of summer, the water level will fall which may resulting in increase in safe workable area and accordingly, the quantum of extractable sand will also enhance to some extent.

Similar study will be conducted in March end, before monsoon and after monsoon. After two consecutive financial year studies, it can be understood the pattern of replenishment of the River and also the quantity of sand extracted in that financial year.

5.2 Recommendations

In our considered opinion, there is need to consider the concept of resource accounting of sand and take the volume of replenishment as a measure for resource augmentation. The permissible level of sand in each patches need to be identified and each year, the resource augmentation based on the replenishment of the river need to be added into it for updating the sand available. Based on this estimation, quantum of further permits may be decided by Hon'ble SEIAA, Odisha.


Asit Kumar Parida
Successful Bidder

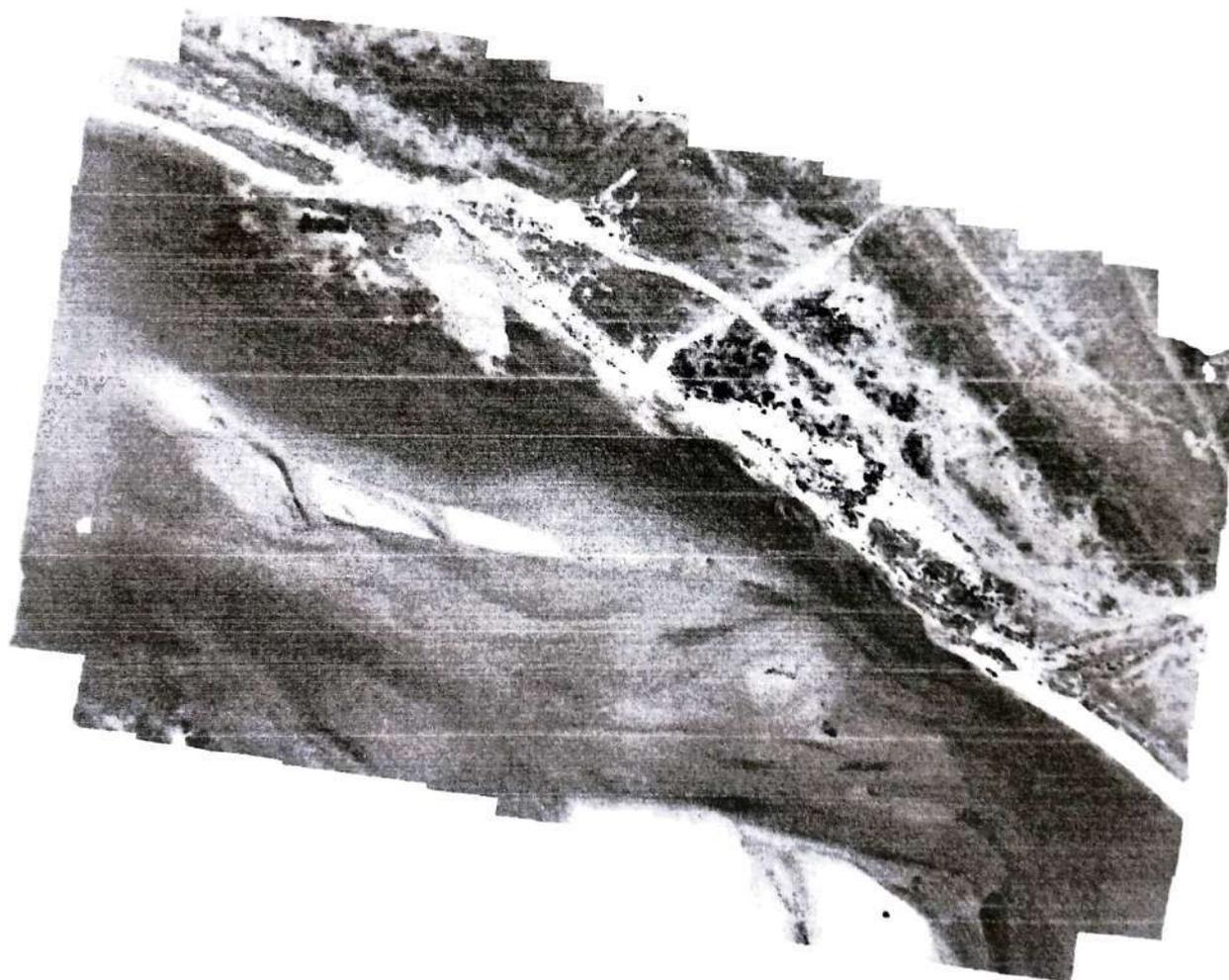

Amaresh Samantaray
Geoid Resource (P) Ltd.


Authorized Signatory
Geo-Image Systems (P) Ltd.

REPORTS OF RR PUR RRE

Drone Data Processing Report

21 December 2022



Survey Data

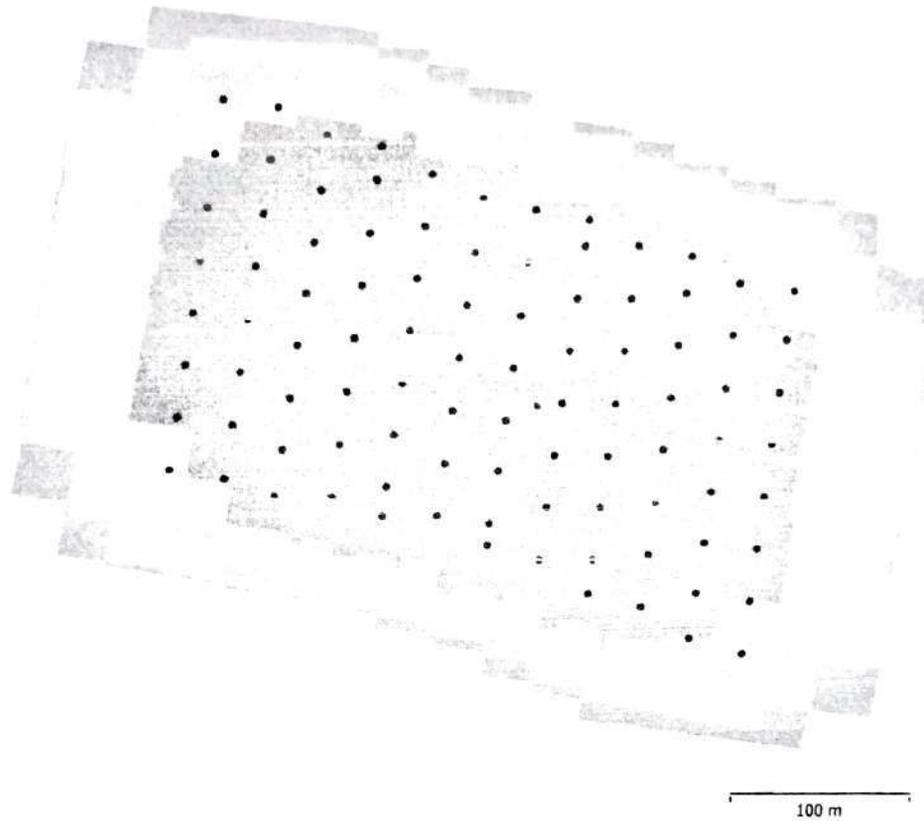


Fig. 1. Camera locations and image overlap.

Number of images:	95	Camera stations:	95
Flying altitude:	129 m	Tie points:	562,941
Ground resolution:	2.82 cm/pix	Projections:	2,239,599
Coverage area:	0.146 km ²	Reprojection error:	1.01 pix

Camera Model	Resolution	Focal Length	Pixel Size	Precalibrated
FC6310S (8.8mm)	5472 x 3648	8.8 mm	2.41 x 2.41 μ m	No

Table 1. Cameras.

Camera Calibration

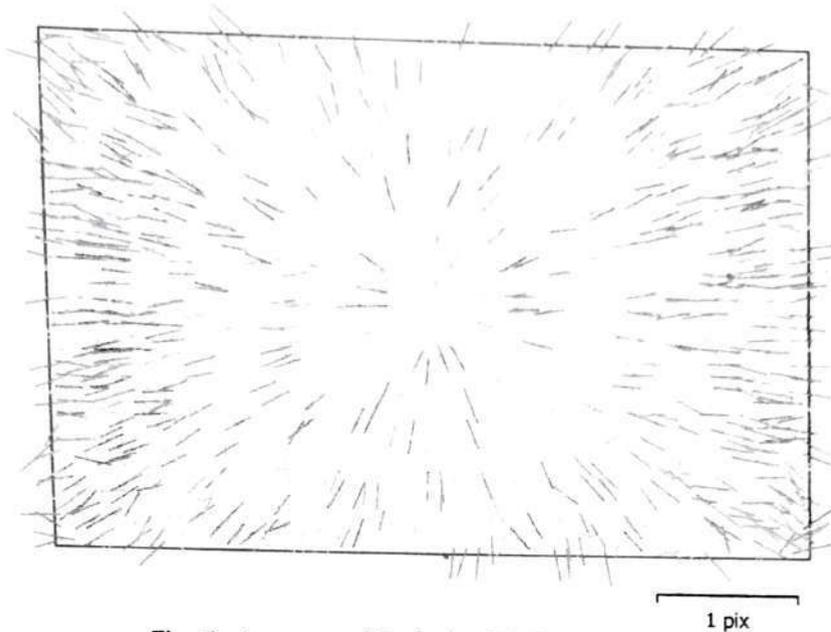


Fig. 2. Image residuals for FC6310S (8.8mm).

FC6310S (8.8mm)

95 images, additional corrections

Type	Resolution	Focal Length	Pixel Size
Frame	5472 x 3648	8.8 mm	2.41 x 2.41 μ m

	Value	Error	F	Cx	Cy	B1	B2	K1	K2	K3	K4	P1	P2
F	4391.81	3.2	1.00	0.57	0.34	-0.14	-0.23	-0.14	0.16	-0.16	0.16	0.04	-0.13
Cx	35.7707	0.2		1.00	0.18	-0.04	-0.17	0.00	0.01	-0.01	0.02	0.81	-0.08
Cy	-7.95713	0.15			1.00	-0.02	-0.06	-0.02	0.03	-0.03	0.03	-0.01	0.85
B1	-1.85085	0.07				1.00	0.07	0.08	-0.08	0.07	-0.07	0.06	0.05
B2	-2.87972	0.064					1.00	-0.01	0.00	-0.01	0.00	-0.07	0.07
K1	-0.0385823	0.00076						1.00	-0.99	0.97	-0.95	0.04	-0.00
K2	0.0823021	0.0032							1.00	-0.99	0.98	-0.03	-0.00
K3	-0.0964279	0.0059								1.00	-0.99	0.03	0.00
K4	0.0528019	0.004									1.00	-0.02	-0.00
P1	0.000653535	2e-05										1.00	-0.02
P2	-0.00285361	1.7e-05											1.00

Table 2. Calibration coefficients and correlation matrix.

Camera Locations

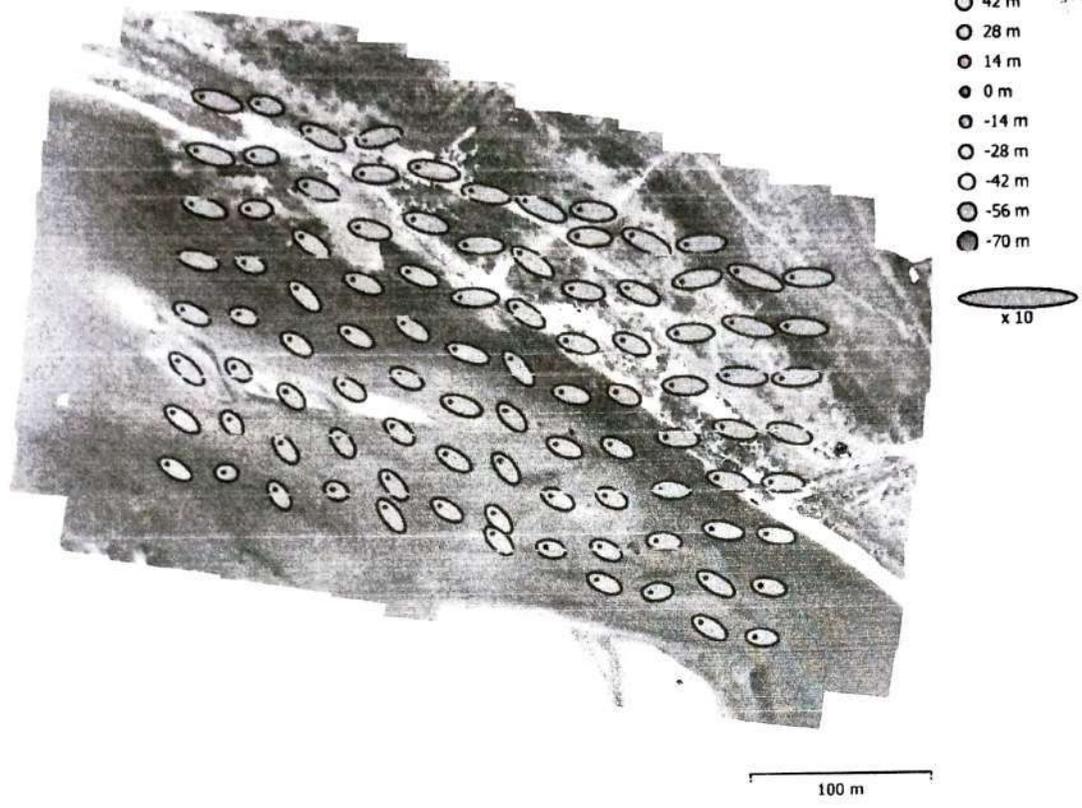


Fig. 3. Camera locations and error estimates.
 Z error is represented by ellipse color. X,Y errors are represented by ellipse shape.
 Estimated camera locations are marked with a black dot.

X error (m)	Y error (m)	Z error (m)	XY error (m)	Total error (m)
1.1686	0.493412	60.8982	1.26849	60.9114

Table 3. Average camera location error.
 X - Easting, Y - Northing, Z - Altitude.

Ground Control Points

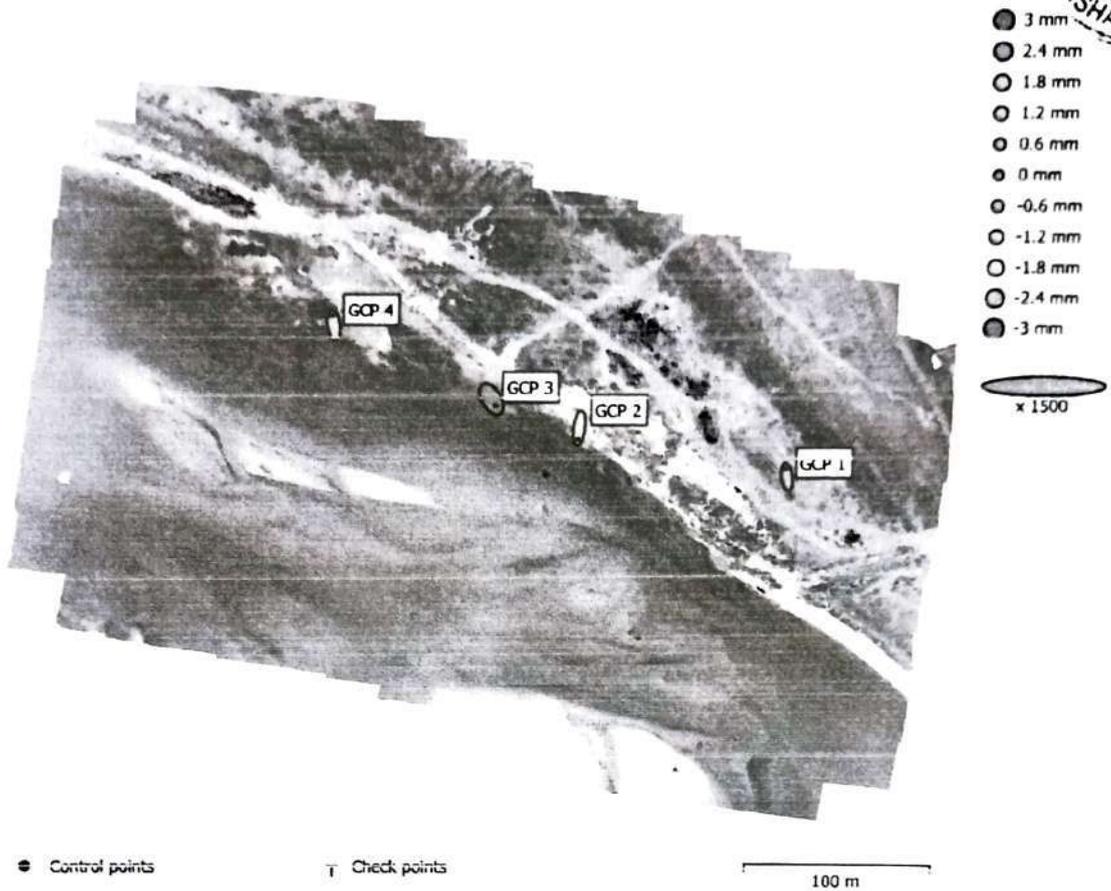


Fig. 4. GCP locations and error estimates.

Z error is represented by ellipse color. X,Y errors are represented by ellipse shape.
 Estimated GCP locations are marked with a dot or crossing.

Count	X error (mm)	Y error (mm)	Z error (mm)	XY error (mm)	Total (mm)
4	1.61125	6.60241	1.46902	6.79617	6.95313

Table 4. Control points RMSE.
 X - Easting, Y - Northing, Z - Altitude.



Label	X error (mm)	Y error (mm)	Z error (mm)	Total (mm)	Image (pix)
GCP 1	-0.860318	6.17296	-0.266602	6.23832	0.730 (3)
GCP 2	-0.907335	-8.26399	-0.475708	8.32725	0.689 (4)
GCP 3	2.79585	-4.69515	2.81742	6.1481	0.746 (6)
GCP 4	-1.00213	6.77673	-0.629898	6.87932	0.752 (6)
Total	1.61125	6.60241	1.46902	6.95313	0.734

Table 5. Control points.

X - Easting, Y - Northing, Z - Altitude.

Digital Elevation Model

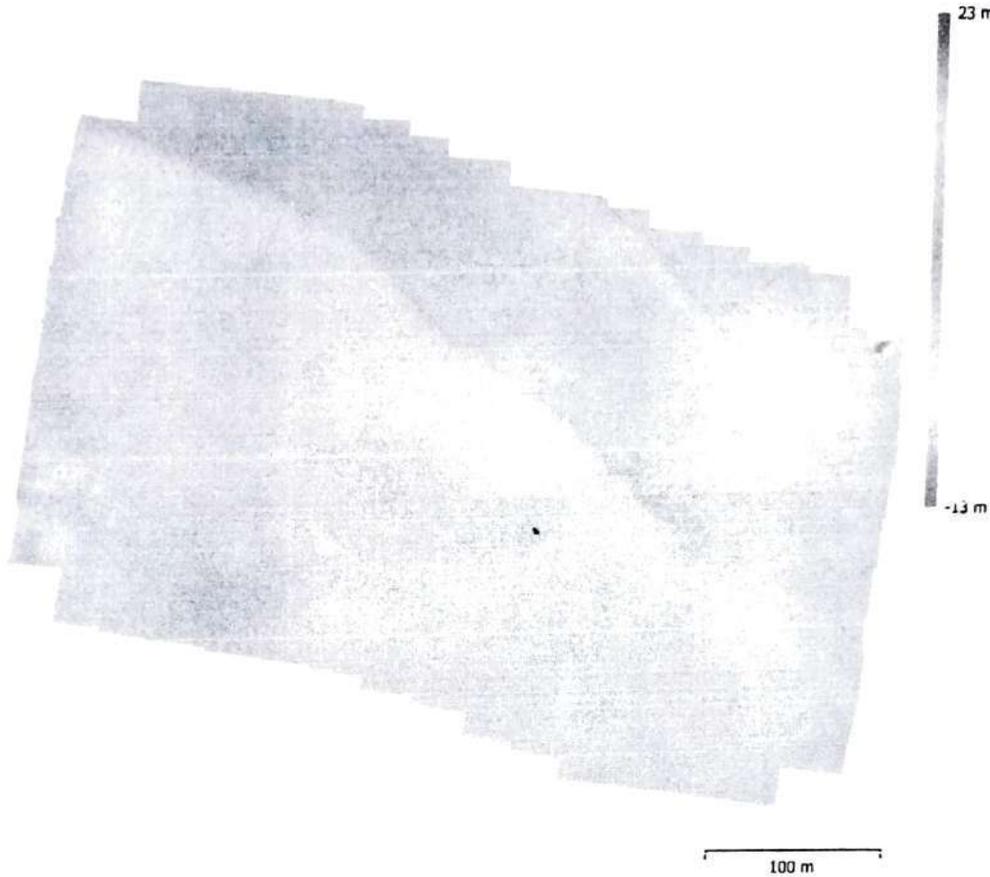


Fig. 5. Reconstructed digital elevation model.

Resolution: 11.3 cm/pix
Point density: 78.5 points/m²



Processing Parameters

General	
Cameras	95
Aligned cameras	95
Markers	4
Coordinate system	WGS 84 / UTM zone: 45N (EPSG::32645)
Rotation angles	Yaw, Pitch, Roll
Point Cloud	
Points	562,941 of 685,154
RMS reprojection error	0.200683 (1.01257 pix)
Max reprojection error	1.37166 (44.8679 pix)
Mean key point size	4.56452 pix
Point colors	3 bands, uint8
Key points	872.29 MB
Average tie point multiplicity	4.01354
Alignment parameters	
Accuracy	High
Generic preselection	Yes
Reference preselection	Source
Key point limit	4,000
Key point limit per Mpx	80,000
Tie point limit	40,000
Exclude stationary tie points	Yes
Guided image matching	Yes
Adaptive camera model fitting	No
Matching time	4 minutes 10 seconds
Matching memory usage	1.89 GB
Alignment time	3 minutes 33 seconds
Alignment memory usage	4.54 GB
Optimization parameters	
Parameters	f, b1, b2, cx, cy, k1-k4, p1, p2
Fit additional corrections	Yes
Adaptive camera model fitting	No
Optimization time	34 seconds
Date created	2022:12:06 04:00:28
Software version	1.8.4.14671
File size	67.31 MB
Depth Maps	
Count	95
Depth maps generation parameters	
Quality	Medium
Filtering mode	Mild
Max neighbors	16
Processing time	1 minutes 19 seconds
Memory usage	1.84 GB
Date created	2022:12:21 06:53:04
Software version	1.8.4.14671
File size	146.05 MB
Dense Point Cloud	
Points	11,250,374
Point colors	3 bands, uint8
Depth maps generation parameters	
Quality	Medium
Filtering mode	Mild
Max neighbors	16



Processing time	1 minutes 19 seconds
Memory usage	1.84 GB
Dense cloud generation parameters	
Processing time	1 minutes 42 seconds
Memory usage	5.89 GB
Date created	2022:12:21 06:54:47
Software version	1.8.4.14671
File size	162.85 MB
DEM	
Size	8,341 x 7,549
Coordinate system	WGS 84 / UTM zone 45N (EPSG::32645)
Reconstruction parameters	
Source data	Dense cloud
Interpolation	Enabled
Processing time	1 minutes 28 seconds
Memory usage	243.79 MB
Date created	2022:12:21 06:59:15
Software version	1.8.4.14671
File size	57.37 MB
Orthomosaic	
Size	18,031 x 14,323
Coordinate system	WGS 84 / UTM zone 45N (EPSG::32645)
Colors	3 bands, uint8
Reconstruction parameters	
Blending mode	Mosaic
Surface	DEM
Enable hole filling	Yes
Enable ghosting filter	No
Processing time	3 minutes 21 seconds
Memory usage	1.20 GB
Date created	2022:12:21 07:02:21
Software version	1.8.4.14671
File size	1.47 GB
System	
Software name	Agisoft Metashape Professional
Software version	1.8.4 build 14671
OS	Windows 64 bit
RAM	255.90 GB
CPU	AMD Ryzen Threadripper 3970X 32-Core Processor
GPU(s)	NVIDIA RTX A4000 NVIDIA RTX A4000



REPORT RR PUR_03122022_POST

Drone Data Processing Report

03 December 2022



Survey Data

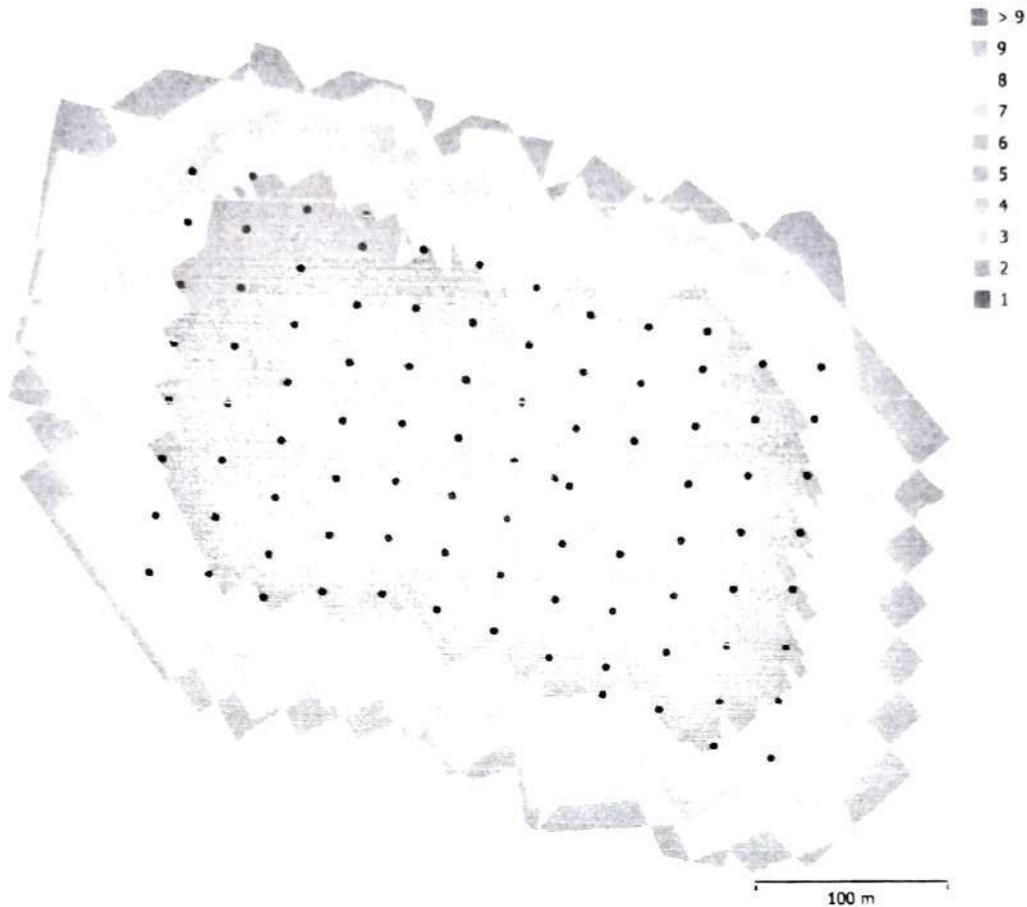


Fig. 1. Camera locations and image overlap.

Number of images:	91	Camera stations:	91
Flying altitude:	100 m	Tie points:	68,595
Ground resolution:	2.61 cm/pix	Projections:	298,533
Coverage area:	0.142 km ²	Reprojection error:	1.2 pix

Camera Model	Resolution	Focal Length	Pixel Size	Precalibrated
FC6310 (8.8mm)	5472 x 3648	8.8 mm	2.41 x 2.41 μ m	No

Table 1. Cameras.

Camera Calibration

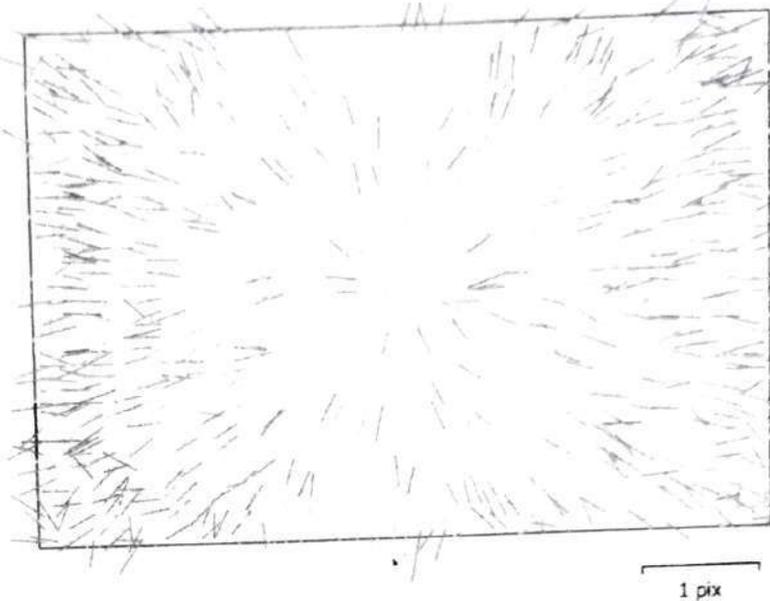


Fig. 2. Image residuals for FC6310 (8.8mm).

FC6310 (8.8mm)

91 images, additional corrections

Type	Resolution	Focal Length	Pixel Size
Frame	5472 x 3648	8.8 mm	2.41 x 2.41 μm

	Value	Error	Cx	Cy	B1	B2	K1	K2	K3	K4	P1	P2
F	3648											
Cx	-5.19833	0.18	1.00	0.04	-0.05	-0.00	0.02	-0.02	0.02	-0.02	0.86	0.04
Cy	22.3935	0.17		1.00	-0.00	-0.05	0.02	-0.02	0.02	-0.02	0.03	0.86
B1	0.142308	0.025			1.00	-0.03	0.32	-0.31	0.28	-0.24	-0.08	-0.04
B2	-1.28041	0.017				1.00	-0.00	0.00	-0.00	0.00	0.05	-0.07
K1	-0.0522849	0.0012					1.00	-0.99	0.97	-0.92	-0.05	-0.01
K2	0.163756	0.0034						1.00	-0.99	0.96	0.05	0.01
K3	-0.201474	0.0043							1.00	-0.99	-0.05	-0.01
K4	0.0916689	0.0021								1.00	0.04	0.01
P1	-0.000968645	2.5e-05									1.00	0.04
P2	-0.000143264	2.4e-05										1.00

Table 2. Calibration coefficients and correlation matrix.



Camera Locations

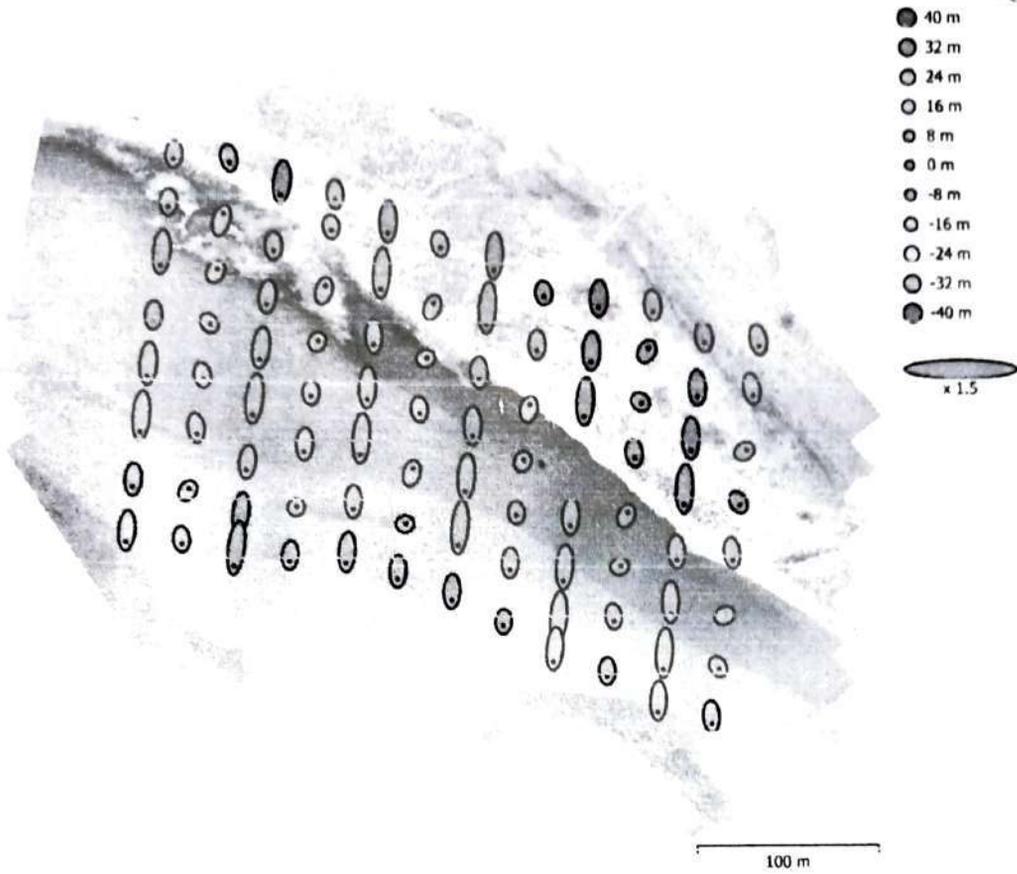


Fig. 3. Camera locations and error estimates.

Z error is represented by ellipse color. X,Y errors are represented by ellipse shape.
Estimated camera locations are marked with a black dot.

X error (m)	Y error (m)	Z error (m)	XY error (m)	Total error (m)
0.819743	6.49938	31.2155	6.55087	31.8955

Table 3. Average camera location error.

X - Easting, Y - Northing, Z - Altitude.

Ground Control Points

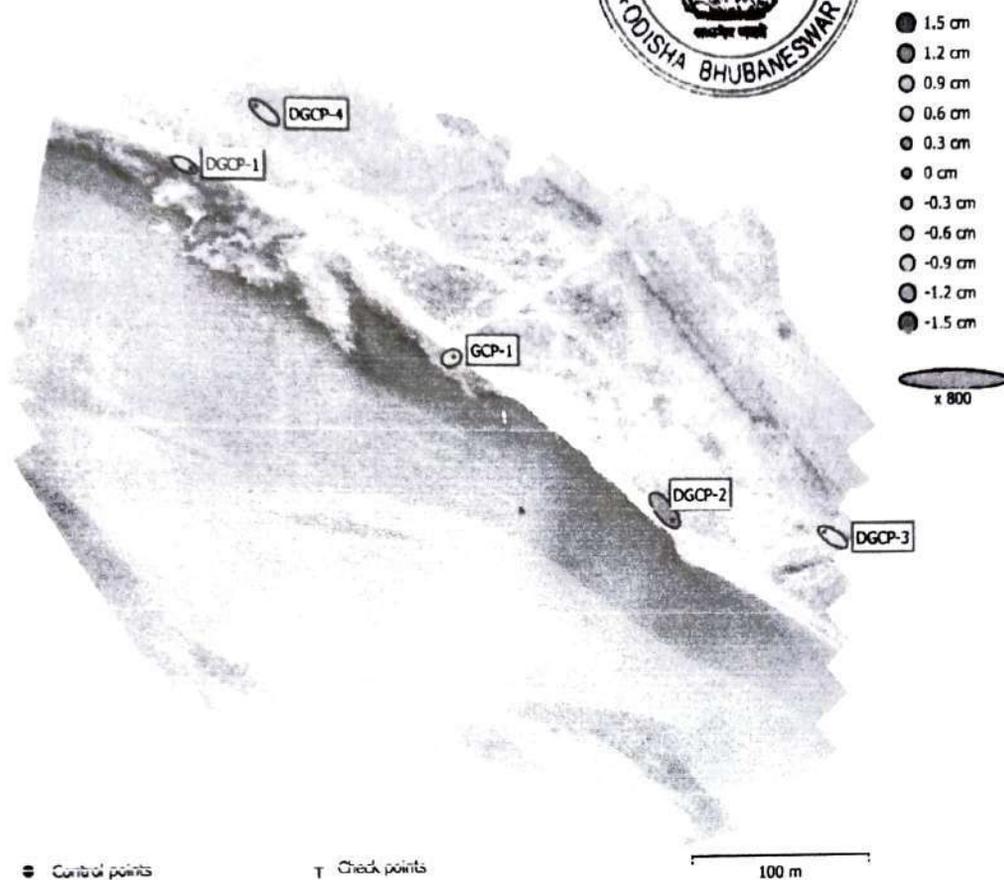


Fig. 4. GCP locations and error estimates.

Z error is represented by ellipse color. X,Y errors are represented by ellipse shape.
Estimated GCP locations are marked with a dot or crossing.

Count	X error (cm)	Y error (cm)	Z error (cm)	XY error (cm)	Total (cm)
5	0.996862	0.792919	0.865198	1.27376	1.53981

Table 4. Control points RMSE.
X - Easting, Y - Northing, Z - Altitude.



Label	X error (cm)	Y error (cm)	Z error (cm)	Total (cm)	Image (cm)
GCP-1	0.331691	0.146015	-0.984648	1.04922	0.492 (15)
DGCP-1	0.949493	-0.422976	-0.373816	1.10462	0.694 (5)
DGCP-2	1.08062	-1.29583	1.3076	2.13465	0.949 (13)
DGCP-3	-1.19846	0.721203	-0.689587	1.55948	1.955 (2)
DGCP-4	-1.16321	0.862584	0.669497	1.59541	1.002 (5)
Total	0.996862	0.792919	0.865198	1.53981	0.872

Table 5. Control points.

X - Easting, Y - Northing, Z - Altitude.

Digital Elevation Model

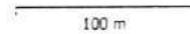


Fig. 5. Reconstructed digital elevation model.

Resolution: 5.23 cm/pix
Point density: 366 points/m²

Processing Parameters



General	
Cameras	91
Aligned cameras	91
Markers	5
Coordinate system	WGS 84 / UTM zone 45N (EPSG: 32645)
Rotation angles	Yaw, Pitch, Roll
Point Cloud	
Points	68,595 of 74,596
RMS reprojection error	0.185402 (1.19555 pix)
Max reprojection error	0.76342 (49.3007 pix)
Mean key point size	5.15869 pix
Point colors	3 bands, uint8
Key points	299.24 MB
Average tie point multiplicity	4.4121
Alignment parameters	
Accuracy	High
Generic preselection	Yes
Reference preselection	Source
Key point limit	40,000
Key point limit per Mpx	40,000
Tie point limit	4,000
Exclude stationary tie points	No
Guided image matching	No
Adaptive camera model fitting	Yes
Matching time	32 seconds
Matching memory usage	669.79 MB
Alignment time	12 seconds
Alignment memory usage	86.99 MB
Optimization parameters	
Parameters	b1, b2, cx, cy, k1-k4, p1, p2
Fit additional corrections	Yes
Adaptive camera model fitting	No
Optimization time	3 seconds
Date created	2023:01:01 18:43:23
Software version	1.8.4.14671
File size	8.07 MB
Depth Maps	
Count	91
Depth maps generation parameters	
Quality	High
Filtering mode	Mild
Max neighbors	16
Processing time	3 minutes 43 seconds
Memory usage	4.82 GB
Date created	2023:01:02 04:07:44
Software version	1.8.4.14671
File size	435.69 MB
Dense Point Cloud	
Points	46,257,134
Point colors	3 bands, uint8
Depth maps generation parameters	
Quality	High
Filtering mode	Mild
Max neighbors	16



Processing time	3 minutes 43 seconds
Memory usage	4.82 GB
Dense cloud generation parameters	
Processing time	4 minutes 11 seconds
Memory usage	10.22 GB
Date created	2023:01:02 04:11:56
Software version	1.8.4.14671
File size	673.08 MB
DEM	
Size	17,102 x 15,551
Coordinate system	WGS 84 / UTM zone 45N (EPSG: 32645)
Reconstruction parameters	
Source data	Dense cloud
Interpolation	Enabled
Processing time	1 minutes 58 seconds
Memory usage	390.96 MB
Date created	2023:01:02 04:22:52
Software version	1.8.4.14671
File size	256.25 MB
Orthomosaic	
Size	18,592 x 16,270
Coordinate system	WGS.84 / UTM zone 45N (EPSG::32645)
Colors	3 bands, uint8
Reconstruction parameters	
Blending mode	Mosaic
Surface	DEM
Enable hole filling	Yes
Enable ghosting filter	No
Processing time	1 minutes 56 seconds
Memory usage	1.26 GB
Date created	2023:01:02 04:37:28
Software version	1.8.4.14671
File size	1.47 GB
System	
Software name	Agisoft Metashape Professional
Software version	1.8.4 build 14671
OS	Windows 64 bit
RAM	255.90 GB
CPU	AMD Ryzen Threadripper 3970X 32-Core Processor
GPU(s)	NVIDIA RTX A4000 NVIDIA RTX A4000

Volume Report

RR PUR VSA

RR PUR_16062022_PRE



Author: Amaresh Samantaray

Email: geoidresources@gmail.com

Site Overview



Material Table

Material	Volume (m ³)
 SAND PRE	1724



Pile Table

Name	Material	Volume (m ³)
PRE_PATCH-1 #1	 SAND PRE	1724

110

Pile Details



PRE_PATCH-1 #1

Reference	2.50 m
Material	SAND PRE
Volume	1723.99 m ³
2D Area	7253.40 m ²
Height	4.41 m



GEOD
RESOURCES

Volume Report

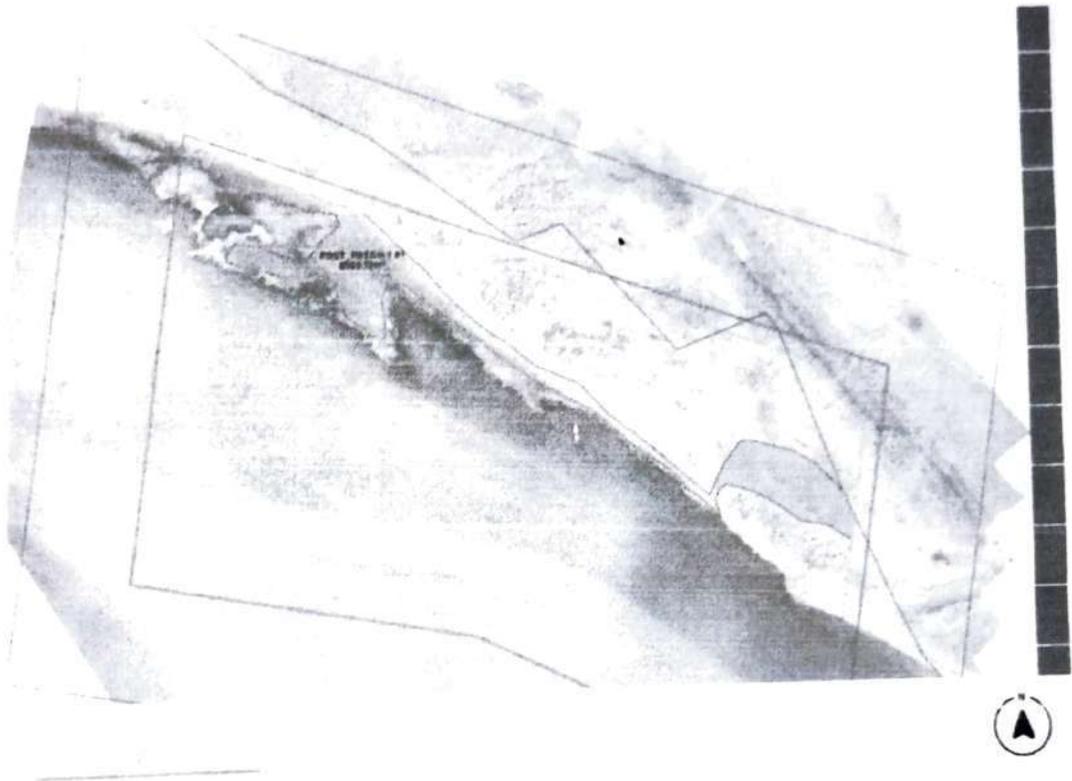
RR PUR VSA

RR PUR_03122022_POST

Author: Amaresh Samantaray

Email: geoidresources@gmail.com

Site Overview



Material Table

Material	Volume (m ³)
 SAND POST	8540

112



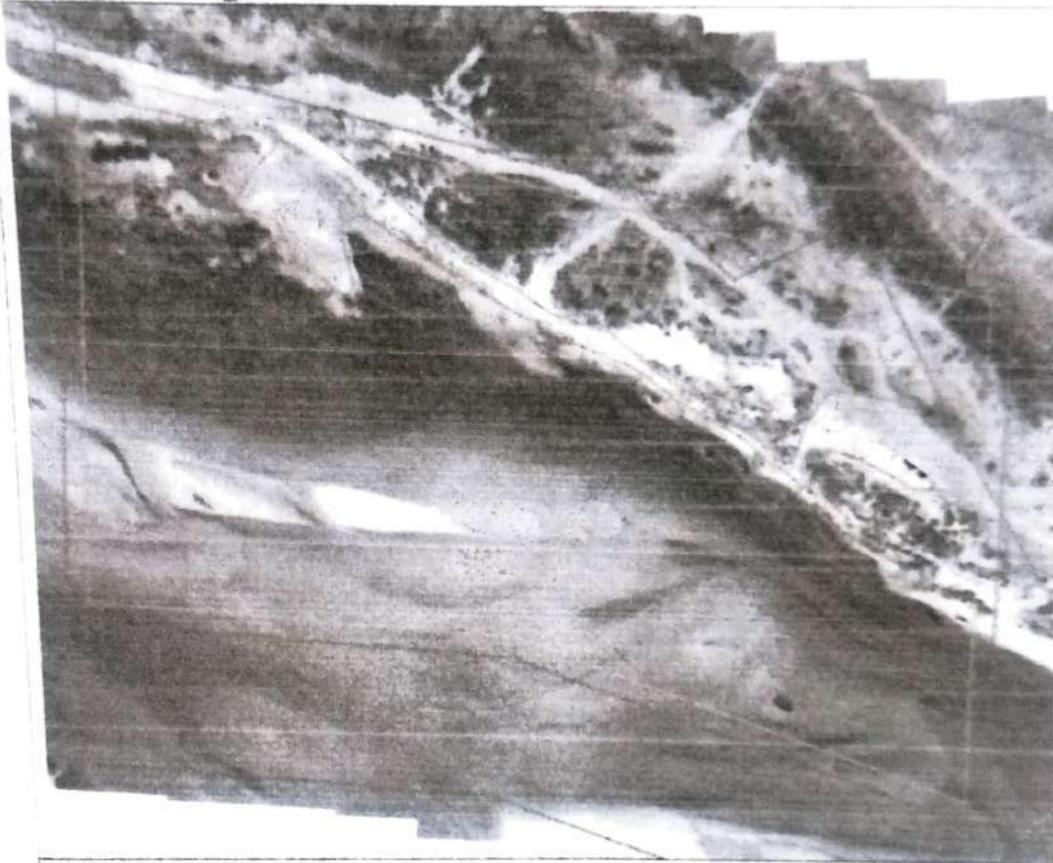
Pile Table

Name	Material	Volume (m ³)
POST_PATCH-1 #1	 SAND POST	8540

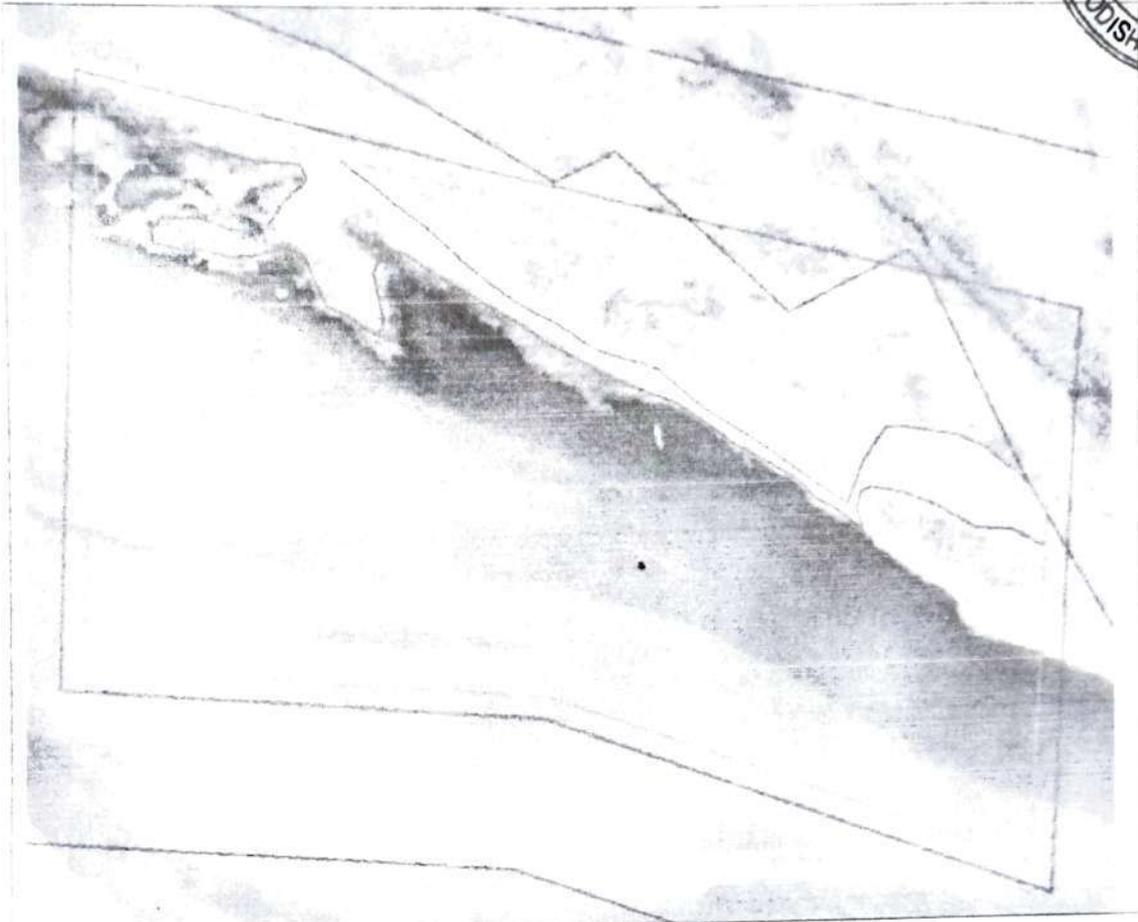


Name	Units	2D Area	2D Perim	Volume	Cut	Fill	Reference
swz PRE-POST	m/m ² /m ³	4587.0	896.7	4283.4	140.1	4423.5	RR PUR_03122022_POST

RR PUR_16062022_PRE



RR PUR_03122022_POST



Comparison



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P	X	Y	Z	D
1	521975	2405085	3.804892	CS #1
2	521975	2405285	3.584859	CS #1
1	522000	2405081	3.85997	CS #2
2	522000	2405277	2.729951	CS #2
1	522025	2405076	3.806783	CS #3
2	522025	2405268	5.069129	CS #3
1	522050	2405072	3.783157	CS #4
2	522050	2405260	4.696805	CS #4
1	522075	2405068	3.541663	CS #5
2	522075	2405251	5.053703	CS #5
1	522100	2405063	3.451753	CS #6
2	522100	2405243	5.147831	CS #6
1	522125	2405051	3.542307	CS #7



2	522125	2405234	5.600936	CS #7
1	522150	2405040	3.427527	CS #8
District - :				
2	522150	2405226	5.46736	CS #8
1	522175	2405028	3.628423	CS #9
District - :				
2	522175	2405217	5.347868	CS #9
1	522200	2405016	3.620259	CS #10
District - :				
2	522200	2405209	3.276827	CS #10
1	522225	2405005	3.689156	CS #11
District - :				
2	522225	2405200	3.725926	CS #11
1	522250	2404993	3.626286	CS #12
District - :				
2	522250	2405192	2.227934	CS #12
1	522275	2405067	3.943054	CS #13
District - :				
2	522275	2405183	4.408948	CS #13

REPLENISHMENT STUDY

RAYANRAMCHANDRAPUR SAND BED ON SUBERNAREKHA RIVER

OVER AN AREA OF 20.38 ACRES OR 8.247 HECTARES IN VILLAGE
RAYANRAMCHANDRAPUR OF JALESWAR TAHASIL IN BALASORE DISTRICT, ODISHA

LESSEE: SRI ASIT KUMAR PARIDA

At/po - Sanroutpada / Jamalpur, PS - Jaleswar, Dist - Balasore, Odsha

Environmental Consultant

SRUSHTI SEVA PRIVATE LIMITED

"**Bilvadal**" 8 Janta Layout, Deendayal Nagar,
Nagpur (Maharashtra) - 440022
Landline : 0712 2971968

Email: srspl15@gmail.com, srushtisewa@yahoo.com

NABET Accredited EIA Consultant Organization Certificate No.
NABET/EIA/1821/SA 0107 Valid till 05/12/2021

December 2021

ACKNOWLEDGEMENT

*M/s Srushti Seva Private Limited, Nagpur is very much thankful to Sri Asit Kumar Parida for the confidence and trust placed on the organization for carrying out **Replenishment study For Rayanramchandrapur Sand Bed on Subernarakha River over an area of 8.247 Ha** in village Rayanramchandrapur under Jaleswar Tahsil, Dist: Balasore, Odisha.*

*We also gratefully acknowledge the cooperation and assistance provided by **Tahsildar, Jaleswar, Balasore** for collection of primary / secondary information for the preparation of the Report on Replenishment Study.*

Our sincere thanks to the local people of nearby villages for their whole hearted cooperation and constant involvement during the entire field study without which the study could not have been possible.

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2.0	Location of the lease area	2
3.0	Proposed Mining details	3
	Land details	3
	Method of Mining	3
	Geology of the lease area	3
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1.0 Introduction

The need for replenishment study for river bed sand is required in order to nullify the adverse impacts arising due to excessing sand extraction. Mining within or near riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, in-stream roughness of the bed, flow velocity, discharge capacity, sediment transport capacity, turbidity, temperature etc. Alteration or modification of the above attributes may cause an impact on the ecological equilibrium of the river line regime, disturbance in channel configuration and flow-paths. This may also cause an adverse impact on in-stream biota and riparian habitats. It is assumed that the riparian habitat disturbance is minimum if the replenishment is equal to excavation for a given stretch. Therefore, to minimize the adverse impact arising out of sand mining in a given river stretch, it is imperative to have a study of replenishment of material during the defined period.

This project is meant for exploitation of sand from Rayanramchandrapur Sand Bed on Subernarekha River, extends over an area of 20.38 acres or 8.247 ha. The lease area is located in Village- Rayanramchandrapur, Tahasil - Jaleswar, in district Balasore of Odisha. The lease was allotted to Sri Ast Kumar Parida by Tahsildar, Jaleswar.

The Mining plan along with PMCP of the project prepared on behalf of successful bidder and has been approved by The Mining Officer, Baripada Circle, Baripada on dated 06.03.2020. Since the quarry has already obtained EC by the previous lessee, the present lessee took necessary step for transfer environmental clearance and accordingly EC was transferred vide no - 801/SEIAA on dated 09.03.2021 with a additional condition to carry out a study of the annual replenishment rate of sand by engaging appropriate consultant.

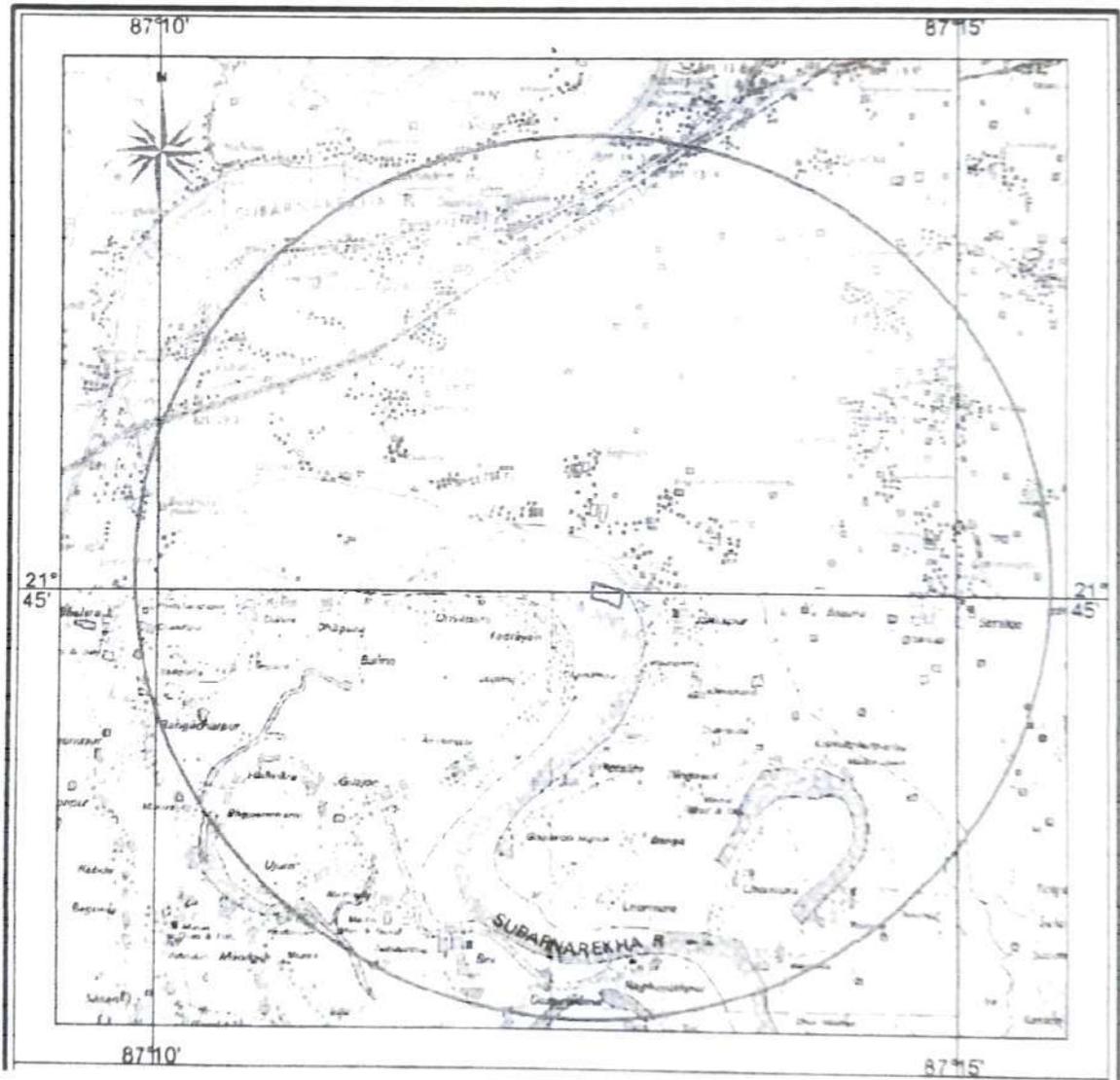
Sri Asit Kumar Parida, successful bidder has engaged M/s Srusthu Seva Private Limited; a NABET accredited EIA Consultant to carry out the Replenishment Study using methodology as detailed in **Enforcement & Monitoring Guidelines for Sand Mining, 2020**. This study has been carried out for comply the condition laid down in the environmental clearance.

*Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subarnarekha River*

2.0 Location of the Lease area

Rayanramchandrapur Sand Bed area forms a part of Survey of India Topo sheet No. 73 O/1 and the area bounded between the latitudes of $21^{\circ} 45' 1.2''\text{N}$ to $21^{\circ} 45' 57.8''\text{N}$ and longitudes of $87^{\circ} 12' 43.9''\text{E}$ to $87^{\circ} 12' 56.1''\text{E}$. The quarry area is approachable from Jaleswar which is located at a distance of 5 Km.. The said quarry area is earmarked in the following maps.

Figure - 1 (Topo map showing Lease area)



**Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subarnarekha River**

3.0 Propose Mining details

Land details

The area is applied for quarry lease over an area of 8.247 hectares or 20.38 Acres for mining of river sand. Land schedule of the area is as follows:

Name of The village	Khata No.	Plot No.	Kisam	Area in Acres
RayanRamachandrapur	1070	2824	Nadi	20.38
Total: 20.38 Acres or 8.247 hectares				

Method of mining

Sand in the lease area is proposed to be mined out by conventional method of opencast mining which will be manual. Because of presence of soft and incompetent sand mass, drilling and blasting are not required.

Bench Geometry: Benching pattern is not feasible in case of sand mining. The maximum depth of mining will be of 0.5m.

Production Planning: The maximum production of sand from this quarry is 1, 30, 000 cum in 5 years.

Extent of Mechanization: In the Rayan Ramachandrapur sand bed, the operation is manual and there is no requirement of any machines.

Transportation: The sands excavated from the quarry are transported through Tractor, Dumper and Hywa. During transportation overfilling of trucks and consequent spillage of materials on the roads will be avoided by covering tarpaulin in the loaded dumpers and tractors.

Geology of the area:

Rayan Ramachandrapur Sand Bed is the granted Lease area over Subarnarekha River of Tahasildar, Jaleswar showing an undulating topographical features having ground elevation difference of 0.5 to 1m above MSL respectively.

Basis and Parameters of Reserve Estimation:

- The sands within the river bed have been demarcated on Geological Plan, then the reserve has been calculated by surface area method.
- The recovery of used material has been considered as 100% from the total volume of sands.
- The proved reserve has been taken from the lower level of exposure of sand bed

**Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River**

which has been considered 3m below the surface of river bed.

Categorization of reserve:

Taking into consideration of the geological features of the area & sand bed the reserves has been taken as proved category. The proved reserve for sand has been taken from the depth of the deposit or from the lower level of the deposit. The proved geological reserve is estimated to 41235 m³ and mineable reserve is estimated leaving reserve blocked under safety zone barrier is 36731m³.

Method of Reserve Estimation:

The reserve has been estimated by surface area method. Surface area has been calculated from the surface then multiplied with the depth of the deposit to get the volumetric reserve in cubic meter. This volumetric reserve has been multiplied with the recovery factor of materials, to get the recoverable reserves. The recovery factor has been considered as 100% of the total excavation to get the reserves which can be extracted from the quarry and used in construction of building or road construction. The mineable reserve has been calculated by excluding the reserve blocked under the safety zone of 7.5 m all along the lease boundary. The details of reserve estimation are as follows:

Category wise geological reserve of sand bed

Geological reserve calculation of Rayanramchandrapur sand bed			
Surface area of sand (m ²)	Thickness of sand (m)	Vol.of sand(m ³)	Category
A	B	C=A X B	D
82470	0.5	41235	PROVED
TOTAL		41235	

Category wise mineable reserve of sand bed

Mineable reserve calculation of Rayanramchandrapur sand bed			
Surface area of sand (m ²)	Thickness of sand (m)	Vol.of sand(m ³)	Category
A	B	C=A X B	D
73462	0.5	36731	PROVED
TOTAL		36731	

Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River

Year-wise production of sand bed during plan period

YEAR	MINEABLE RESERVE (m ³)	PROPOSED EXCAVATION (m ³)	LEFT OUT MINEABLE	CONSIDERED REPLENISHMENT
	A=C + Replenishment of last year	B	C=A-B	D=B
1 st Year	36,731	22,500	14,231	22,500
2 nd Year	36,731	25,000	11,731	25,000
3 rd Year	36,731	25,000	11,731	25,000
4 th Year	36,731	27,500	9231	27,500
5 th Year	36,731	30,000	6731	30,000
Total				1,30,000

Reclamation Plan

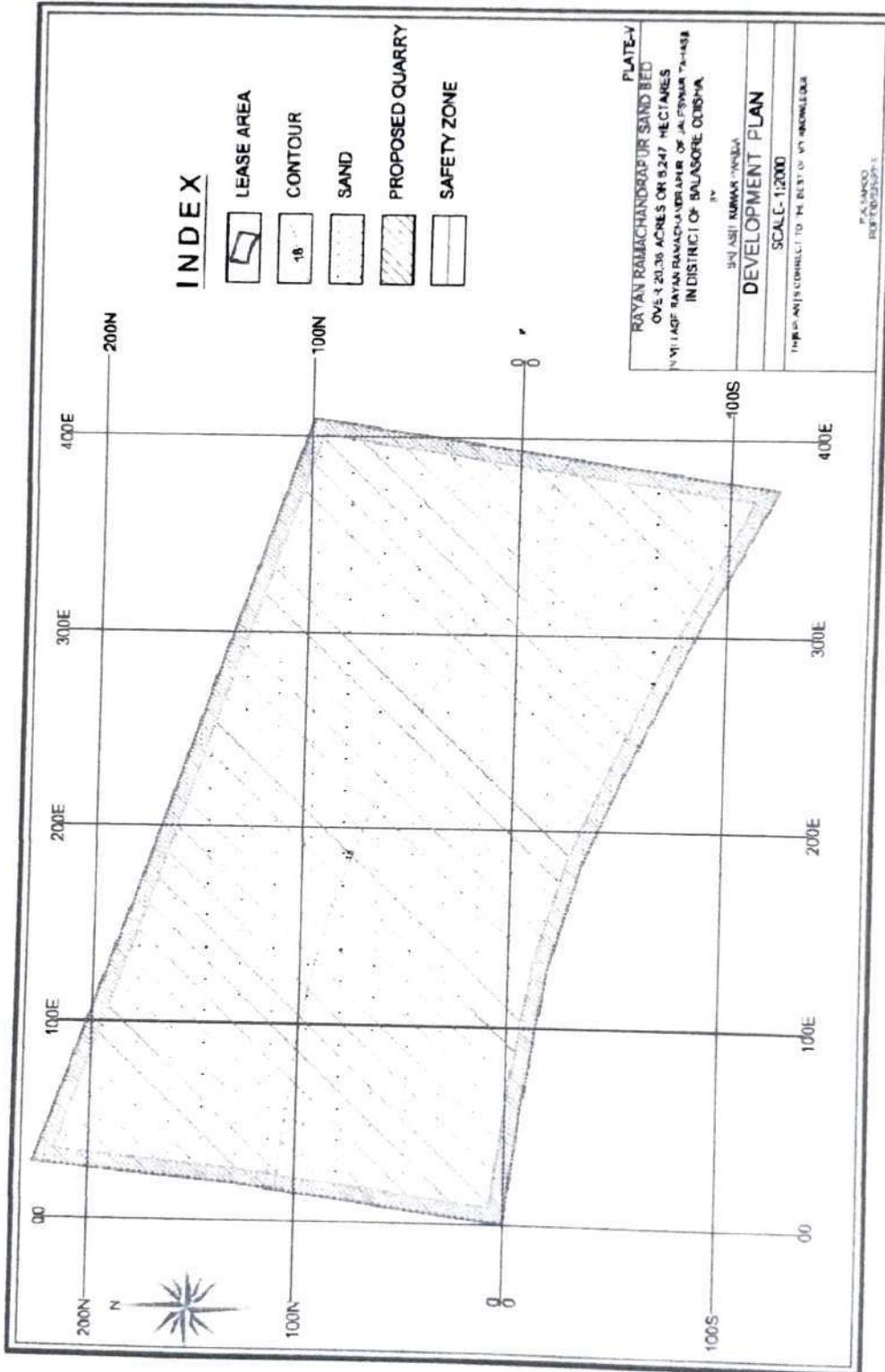
Whole mining Lease area is 8.247 ha and mining will be done in the entire area excluding Ramp area and its periphery.

Maximum depth of mining is 0.5 m.

The area will reclaimed naturally every year during rainy season. The river will carry sand and sediments which will be eventually filled in the pits. No further reclamation proposal is required.

Report on Replenishment Study Rayanramchandrapur Sand Bed on Subernarekha River

Figure - 2 (Development Plan)



**Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River**

4.0 Replenishment of Sand

The replenishment period may vary on nature of the channel and season of deposition arising due to variation in the flow. Such period and season may vary on the geographical and precipitation characteristic of the region. So, the River Replenishment is only depending up on the following natural parameters;

4.1 Hydrology & Meteorology

4.1.1 Subernarekha River Basin

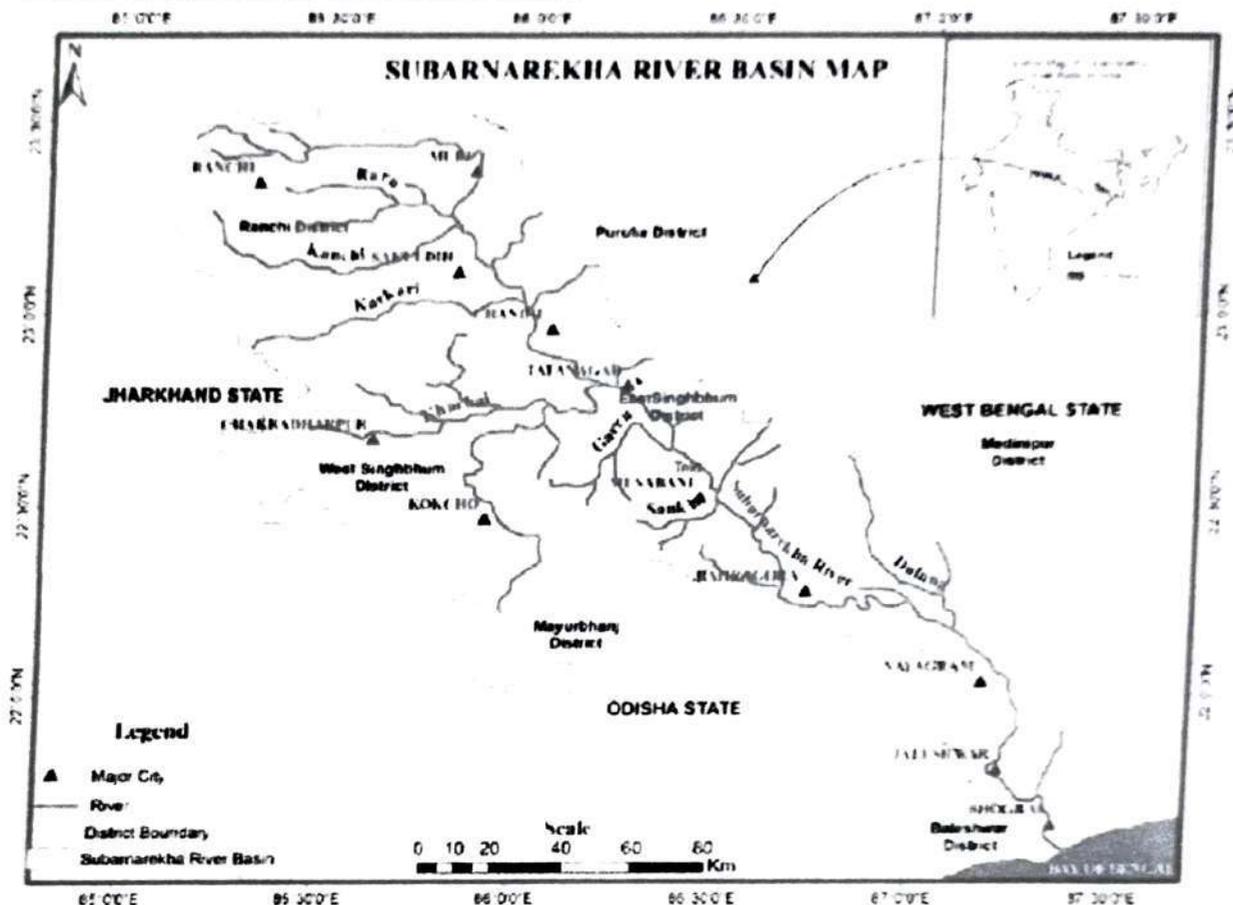
The study area falls in Subernarekha River basin. The Subarnarekha River flows through the Indian states of Jharkhand, West Bengal and Odisha. After originating near piska/nagri, near Ranchi, the capital of Jharkhand, the Subarnarekha traverses a long distance through Ranchi, Seraikela Kharsawan and East Singhbhum districts in Jharkhand. Thereafter, it flows for shorter distances through Paschim Medinipur district in West Bengal for 83 kilometres and Balasore district of Odisha. There, it flows for 79 kilometres and joins the Bay of Bengal near Talsari. The total length of the river is 395 kilometres.

The basin of the Subarnarekha is smaller than most multi-state river basins in India. The rain-fed river covers a drainage area of 18,951 square kilometers.

The prominent tributaries of the Subarnarekha are Kharkai, Roro, Kanchi, Harmu Nadi, Damra, Karru, Chinguru, Karakari, Gurma, Garra, Singaduba, Kodia, Dulunga and Khaijori.

Several areas in the lower reaches of the Subarnarekha, particularly the coastal areas of Odisha and West Bengal, are within the flood hazard zone. The Subarnarekha in Odisha had crossed its previous Highest Flood Level (HFL) of 12.2 metres (40 ft) in 2007, surpassing the earlier record of 1997. In 2009, the Subarnarekha witnessed flash floods following heavy rainfall in the upper catchment areas of the river. During the flood, large areas of Jaleswar, Bhograi and Baliapal blocks and a small pocket of Basta block in Balasore district of Odisha were affected.

Figure - 3 (Subarnarekha Basin Map)



4.1.2 Geology & Lithography

Regional Geology:

Geologically, the lease area belongs to Quaternary deposit from Holocene period which located in the Subarnarekha River Bed is the granted Lease area showing undulating topographical features having ground elevation difference of 1 to 2m above 18m MSL respectively.. Thin younger alluvial deposits of recent age are found in the flood plains and by the side of the river. They also consist of sand, silt, clay and gravel.

Local Geology:

The sand deposit in Subarnarekha River near Rayan Ramchandrapur belongs to recent deposits of Holocene age. Beach sand, younger and older alluvium also belongs to the same age. The lease area is occupied by a gently sloping to almost

flat deposits of sand. The sequence of litho-units encountered in the quarry lease area is as follows:

Sand

Alluvium

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

Sand: Yellowish/Reddish white sand deposits are mainly covered with average 0.5 m thickness throughout the quarry lease area. The sand is fine to medium grained and contains mainly silica particles. Other minerals make up negligible percentage of the composition. The composition of the sand has been such due to the granite catchment areas up north in the Sand by definition is a loose, incoherent mass of mineral materials and is a product of natural processes.

Alluvium: Alluvial deposits sometimes underlain by the sand bed with some clayey matter which have been encountered in the East part of the lease area.

4.1.3 Climate of the region

There is no IMD meteorological station near the study area, the nearest stations being at Balasore, which are about 30 km from center of the study area. However, the climatic conditions are not much different than recorded at Balasore.

Based on Koppen classification of climatic pattern, the study area may be classified as tropical climate. In Balasore, the average annual temperature is 26.4 °C | 79.4 °F. The rainfall here is around 1565 mm | 61.6 inch per year

The least amount of rainfall occurs in January. The average in this month is 12 mm | 0.5 inch. Most of the precipitation here falls in August, averaging 339 mm | 13.3 inch. The temperatures are highest on average in May, at around 31.3 °C | 88.3 °F. January is the coldest month, with temperatures averaging 19.8 °C | 67.6 °F. The variation in the precipitation between the driest and wettest months is 327 mm | 13 inch. Throughout the year, temperatures vary by 11.5 °C | 20.7 °F. The month with the highest relative humidity is September (85.50 %). The month with the lowest relative humidity is March (63.23 %). The month with the highest number of rainy days is August (26.23 days). The month with the lowest number of rainy days is

**Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River**

December (1.33 days).

Month-wise average Meteorological data of Balasore district

	January	February	March	April	May	June	July	August	September	October	November	December
Avg. Temperature °C (°F)	19.8 °C (67.6) °F	23.2 °C (73.8) °F	27.5 °C (81.5) °F	30.5 °C (86.8) °F	31.3 °C (88.3) °F	30 °C (86.1) °F	28.3 °C (82.9) °F	27.9 °C (82.3) °F	27.7 °C (81.8) °F	26.4 °C (79.5) °F	23.4 °C (74.1) °F	20.4 °C (68.7) °F
Min. Temperature °C (°F)	14.4 °C (58) °F	17.9 °C (64.2) °F	22.6 °C (72.7) °F	26.1 °C (79) °F	27.6 °C (81.8) °F	27.4 °C (81.3) °F	26.3 °C (79.4) °F	26 °C (78.8) °F	25.6 °C (78.1) °F	23.3 °C (73.9) °F	18.9 °C (66.1) °F	15.4 °C (59.6) °F
Max. Temperature °C (°F)	25.3 °C (77.6) °F	28.7 °C (83.7) °F	32.8 °C (91) °F	35.6 °C (96) °F	35.6 °C (96.2) °F	33.3 °C (91.9) °F	30.9 °C (87.5) °F	30.6 °C (87) °F	30.4 °C (86.7) °F	29.8 °C (85.7) °F	28 °C (82.5) °F	25.7 °C (78.2) °F
Precipitation / Rainfall mm (in)	12 (0.5)	18 (0.7)	23 (0.9)	20 (0.8)	84 (3.3)	249 (9.8)	307 (12.1)	339 (13.3)	272 (10.7)	185 (7.3)	42 (1.7)	14 (0.6)
Humidity(%)	67%	66%	63%	64%	70%	77%	84%	85%	85%	81%	72%	66%
Rainy days (d)	1	2	2	2	5	13	19	20	17	9	2	1
avg. Sun hours (hours)	9.2	9.5	10.2	10.4	10.3	10.1	9.5	8.8	8.7	9.1	9.3	9.2

Source - Google / Internet

4.2 Sediments Transportation

4.2.1 Erosion & Weathering

Since the temperature variation during various seasons in a year is quite considerable high degree of weathering is likely to result. The rainfall being moderate, the potential of transportation of weathering material into the river is also moderate. Catchment area being an alluvium deposit it stands a good chance of getting weathered and eroded sand.

4.2.2 Sedimentation & Transportation

In the context of stream sediment is inorganic and organic material that is transported by, suspended in, or deposited by streams. Sediment load, which is the quantity of sediment transported by a stream, is a function of stream discharge, soil and land-cover features, weather conditions, land-use activities, and many other factors. Sediment load carried by streams and rivers can be composed either of fine

**Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River**

materials, mostly silts and clays, or larger materials such as sand. When a river erodes the eroded material becomes the river's load and the river will then transport this load through its course until it deposits the load. There are a few different ways that a river will transport load depending on how much energy the river has and how big the load is.

4.2.3 Engineering Structure

Man - made structures like stop dam / check dam / barrage / and hydle dams also affects the sand flow and act as check over the sand deposition in downstream area.

4.2.4 Activity near River Bank

Any man made activity such as rock mining / trenching/channeling/canal etc. produce large quantity of fines of existing rocks with transports in river bed may deposited nearby the area in river course.

Consequence of replenishment

Based on the above grounds it is envisaged that the quantity extracted during pre-monsoon shall be replenished during monsoon. i.e, July to September every year provided strict compliance of the rules and periodic release of water from the reservoirs located upstream are likely to carry the load and deposit it at the trap-sites.

In nut shell, it is mentioned that the volume of sand removed during excavation shall be replenished during monsoon.

5.0 Methodology adopted for Replenishment Study

For the said project replenishment study has been done by field survey (volumetric survey) method.

Initially replenishment study requires four surveys. The first survey was carried out in the month of March'2021 after obtaining environmental clearance for recording the level of mining lease before the mining. The second survey was carried out in the Month of May'2021 for closing of mines for monsoon season. This survey provided the quantity of the material excavated before the offset of monsoon. The third survey has been carried out after the monsoon on December'2021 to know the quantum of material deposited/replenished in the mining lease. The fourth survey will be carried out at the end of March' 2022 to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys.

The conventional survey has been carried out by using GPS to define the topography, contours and offsets of the lease area and measuring scale / tape. The contour and the elevation benchmarks will provide the baseline data for assessing the pre and post-study period scenario.

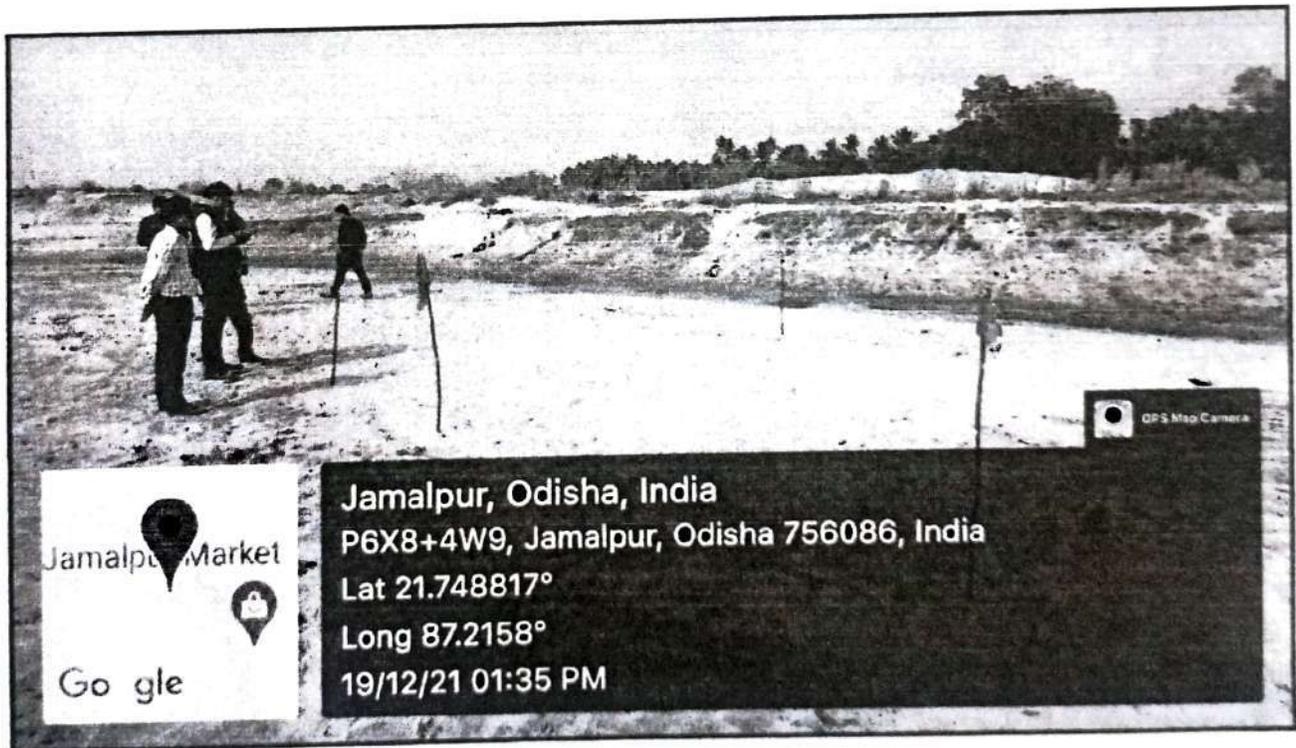
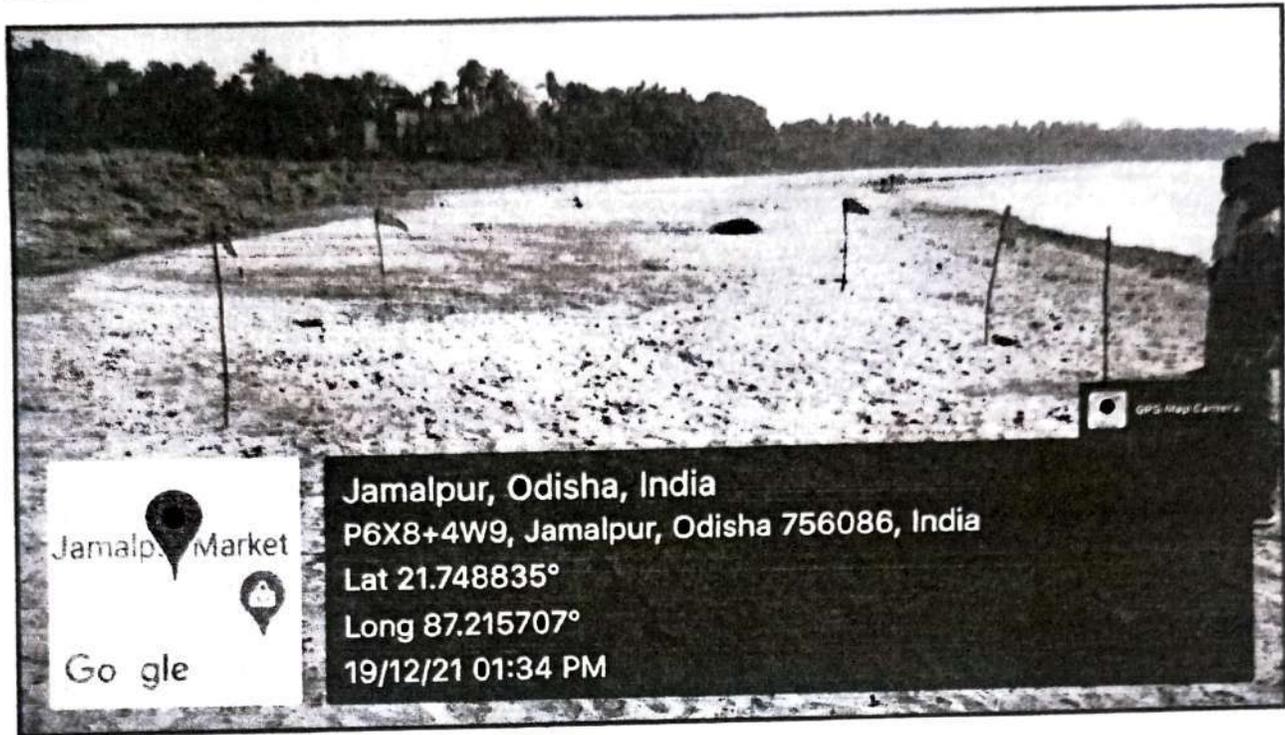
Baseline data on elevation status for a grid of 10 m x 10 m of three grids have been taken to have accuracy in the assessment. The levels (RL) and coordinates of the corner point of each grid were taken and demarcated. But during post monsoon study in Dec' 2021, it is noticed that approximately 80 % of lease area is under water. And only one, out of three demarcated grid could be assessed.

The changes observed in the elevation in pre and post scenario at each node is depicted in graphical forms in Figure 5.

It shows, in Section AB, the RL was 18m before commencement of mining, in May'2021 it was 17.5mRL before offset of monsoon. And after monsoon, It was again 17.95 mRL. It means 0.45 m thickness of sand has been replenished.

Another two grids lies on Section CD and Section XY, which are water logged. However, pre-mining and pre-monsoon data has been recorded.

Figure - 4 Photographs of Volumetric Survey



Report on Replenishment Study
Rayanramchandrapur Sand Bed on Subernarekha River

6.0 Result and Conclusion

Both the sections (pre-monsoon and post-monsoon) are superimposed and volume has been calculated & given in below table.

Replenishment Volume Calculation

Grid	Area in m ²	mRL (pre mining)	mRL (pre-monsoon)	RL (Post-monsoon)	Thickness of replenishment in m	Volume of replenishment in cum	Replenishment Rate
1	100	18	17.5	17.95	0.45	45	90 %
2	100	18	17.5	Water Logged			
3	100	18	17.5				

Considering, average replenishment rate of 90 %, the volume of replenishment of total lease area is calculated as below;

Surface area in m ²	Thickness in m	Annual (extractable) Production in cum	Annual (max) planned production in cum	Rate of Replenishment	Annual Replenishment in cum
73462	0.45	36731	30000	0.9	33057.9

Replenishment Status VS planned production

Since 80 % of lease area is under water, therefore a further study during April' 2022 is required for accuracy in the replenishment assessment. However considering the present status, it is estimated that total 33057.9 cum of sand will be deposited & as per approved mining plan proposed production is 30000cum (max). **So, expected Replenishment is more than planned annual production** during the year 2021 - 22. Hence, the excavation will, therefore, be limited to maximum production as per mining plan. However Replenishment depends upon the above mentioned natural parameters, which may vary time to time.





STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

RI-2 E, Unit-IX, Bhubaneswar-751022, Tel: 0674 3310075, Email: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

File No. SIA/OR/MIN/297576/2023

Dated 23rd April 2023
Bhubaneswar

To

Sri Asit Kumar Parida
S/o- late Umakanta Parida
At-Sanrutpada, Po-Jamalpur,
Ps-Jaleswar, Dist-Balasore

Subj: Proposal for Amendment of Environmental Clearance of Rayan Ramachndrapur River sand Bed over an area 20.38 acres or 8.247 Ha, at village-Rayan Ramachndrapur, Tahasil-Jaleswar, Dist-Balasore of Sri Asit Kumar Parida-reg.

Ref: (i) EC letter no./EC identification no. 3278/SEIAA dated 13.07.2017 and 801/SEIAA dated 09.03.2021
(iii) Online Application no. SIA/OR/MIN/297576/2023 dtd.21.02.2023

Sir,

This has reference to your online application no. SIA/OR/MIN/297576/2023 dated 21.02.2023, wherein you have requested for amendment (i.e. amendment of annual production of sand as per replenishment study report) of Environmental Clearance (EC) granted by SEIAA, Odisha vide letter no./EC identification No. 3278/SEIAA dated 13.07.2017 and 801/SEIAA dated 09.03.2021 issued earlier in favour of Sri Asit Kumar Parida.

2. The application was examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 114th meeting held on 21.04.2023 in accordance with the EIA Notification, 2006 as amended from time to time and the following points are noted,

- (i) As submitted by the project proponent, it is noted that EC was obtained vide letter no. 801/SEIAA dated 09.03.2021 for Rayan Ramachndrapur River sand Bed over an area 20.38 acres or 8.247 Ha, at village-Rayan Ramachndrapur, Tahasil-Jaleswar, Dist-Balasore.
- (ii) During EC application the PP has submitted required documents along with mining plan where it is mentioned that mineable reserve of the proposed sand was 22038 cum with depth of sand deposition was 1.0 meter and proposed for annual extraction-5500 cum.
- (iii) There is an EC conditions point no. 01 in page no. 02 that "Pending carrying-out of the study & submission of the report, this clearance is being granted in an adhoc manner and is liable to be revoked after one year i.e. after 31.12.2022 if satisfactory replenishment study report is not submitted"
- (iv) Now, the PP has requested for amendment of EC for 2nd year production 4283.4cum/annum.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

SRI-2/1, Unit-IX, Bhubaneswar-751022. Tel: 0674-3510075. E-mail: seiaaodisha@gmail.com
(A statutory body constituted by Ministry of Environment, Forest & Climate Change under
Environment (Protection) Act, 1986)

- (i) The replenishment study was done by the ORSAC empanel agency Sri Amaresh Samantary with mentioned that pre-monsoon volume is 1723.992 cum and post-monsoon reserve 8539.717 cum and there is net loss of sand from the sand bed. The sand available after post-monsoon is 4283.4 cum.

Documents submitted for amendment of EC:

- a. Form No. 4 for amendment of Environmental Clearance.
- b. Tahasildar forwarding letter
- c. Replenishment study report

3. The proposal was placed in the SEAC meeting held on 27.03.2023 and the SEAC SEAC recommended the proposal that the PP may be permitted to extract volume of sand equal to replenishment volume i.e. 4283.5 cum/year subject to outcome of further replenishment studies.

4. Amendment of Environmental Clearance (EC) of Rayan Ramachndrapur River sand Bed issued vides SEIAA, Odisha EC letter/EC identification no. 3278/SEIAA dt 13.07.2017 and 801/SEIAA dated 09.03.2021 issued in favour of Sri Asit Kumar Parida is allowed with a production capacity of 4283.5 cum/annum for remaining period of the lease. The other stipulated terms and conditions of the original EC initially granted remains same subject to satisfactory compliance to all the stipulated terms and conditions of EC along with following additional stipulation:

- (i) The PP shall continue the Annual Replenishment Rate Study Report (ARRS) with pre and post-monsoon survey collection data in the same manner for the next 2 years through ORSAC empanel agency and submit the ARRS report of each year to SEIAA, Odisha.
- (ii) The Tahasildar, Jaleswar shall ensure that the Mining Plan is modified to this extent as per section 4.3 of Enforcement & Monitoring Guidelines for Sand Mining 2020 before start of further mining operation and submit the revised approved mining plan by email (info.seiaaodisha@gmail.com) to SEIAA, Odisha.

In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

Yours faithfully,


 Member Secretary

Encl: Copy of the Original EC

Copy to

1. Joint Secretary (Environment), Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. Principal Secretary, Forests & Environment Dept., Government of Odisha for information.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA**

SRI-2 I, Unit-IX, Bhubaneswar-751022, Tel. 0674-3510075, Email: seiaaodisha@gmail.com
*(Statutory body constituted by Ministry of Environment, Forest & Climate Change under
 Environment (Protection) Act, 1986)*

3. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for information.
7. Copy to the Collector/Sub Collector, Balasore and Tahasildar Jaleswar for information and necessary action.
8. Chairman/Member / Member Secretary, SEIAA for information.
9. Chairman, SEAC/Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
10. Guard file for record.


Member Secretary



140

E-mail: rospcb.balasore@ospcbboard.org

Website: www.ospcbboard.org

REGIONAL OFFICE, BALASORE
STATE POLLUTION CONTROL BOARD, ODISHA
[FOREST , ENVIRONMENT & CLIMATE CHANGE DEPARTMENT
, GOVERNMENT OF ODISHA]
 Plot No.1602, Ganeswarpur, Balasore -756019, Odisha

CONSENT ORDER

No. 1646 /CTO-3318/2020-21

By Regd.Post

Date 05-06-2023CONSENT ORDER NO. 21 /2023-24

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

Ref: Your online consent to operate application No: 4900555 & Consent to Operate issued vide letter No. 458, dtd. 14.02.2023 .

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

Name & address of the Sand Bed: -M/s Rayan Ramachandrapur Sand Bed at Mouza Rayan Ramachandrapur of Sri Asit Kumar Parida, Lessee, over Plot No. 2824 of Khata No. 1070 of Minor Mineral Mine lease area of 20.38 Acres or 8.247 Hectare, At- Rayan Ramachandrapur under Tahasil- Jaleswar, Dist. Balasore.

Name of the Occupier & Designation: - Sri Asit Ku Parida, Lessee

This consent order is valid for the period up to 31.03.2026.

This consent to operate is granted based on the transfer environment clearance issued by SEIAA vide letter no. 801, dt. 09.03.2021 , Amendment EC issued vide File no. SIA/OR/MIN/297576/2023 dtd. 28.04.2023 & subjected to validity of lease period .

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

A. Details of Products Manufactured

Sl.No.	Product	Quantity
1	Sand	4283.5 cu. meters /annum

B. Discharge permitted through the following outlet subject to the standard 6.

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

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

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

D. Disposal of solid waste permitted in the following manner

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

E. GENERAL CONDITIONS FOR ALL UNITS

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
2. The mine/industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.

CONSENT ORDER

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6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose
 - c) Process
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must



- adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
 22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
 23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
 24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
 25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions without the previous written permission of the Board.
 26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
 27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
 28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
 29. There shall not be any fugitive or episodal discharge from the premises.
 30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
 31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
 32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
 33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
 34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as no to cause fugitive emission, dust problems through leaching etc., of any kind.
 35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
 - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
 36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and

CONSENT ORDER

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buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.

37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/ stipulate additional conditions as deemed appropriate.

F. SPECIAL CONDITIONS

A. GENERAL:

1. This consent to operate granted under Section 25 of Water (Prevention & control of Pollution) Act, 1974 and Section -21 of Air (Prevention and control of Pollution) Act 1981 subject to the mining plan approved by the Mining Officer, Baripada, Mayurbhanj under Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, storage, Trading and transportation) Rules, 2007 and Environmental Clearance obtained from SEIAA/DEIAA.
2. The mine shall maintain the ambient noise standards as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000.
3. The mine shall obtain NOC from the Central Ground Water Authority for with drawl of ground water for project requirement if any and shall submit the same to the Board.
4. The annual production shall not exceed the consented quantity. Copy of the annual return (Annual return submitted to the competent authority) shall be submitted every year to the Board. Environmental statement report shall also be submitted every year to the Board in prescribed format.
5. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
6. Greenbelt shall be developed along the boundary of the mining lease area as per approved Mining Plan.



7. The unit shall pay differential fees if any as per the Odisha Gazette Notification dated 16.07.2012 of Forest and Environment Department, Government of Odisha
8. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.
9. The following measures are to be implemented to reduce noise pollution.
 - i. Power and regular maintenance of vehicles and other equipment.
 - ii. Limiting time of exposure of workers to excessive noise.
 - iii. The workers employed shall be provided with protection equipment and earmuffs etc.
 - iv. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25KMPH to prevent undue noise.

B. WATER POLLUTION:

1. Domestic waste water, if any shall be discharged to soak pit via septic tank constructed as per BIS specification.

C. AIR POLLUTION:

1. The unit shall maintain ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard prescribed in the Environment (Protection) Rules, 1986.
2. Water sprinkling arrangements shall be provided at all haul roads, transportation roads, mining areas, stack yard and other dust generating points to control fugitive dust emission.
3. The vehicles hired for transportation shall be in good condition and shall have PUC certificate and shall conform to air and noise emission standards and shall be operated during non-peak hours.
4. The following measures are to be further implemented to reduce air pollution during transportation of mineral.
 - a) Road shall be graded to mitigate the dust emission.
 - b) Overloading of tippers and consequent spillage on the road shall be avoided.
The trucks shall be covered with tarpaulin.

D. SOLID & HAZARDOUS WASTE:

1. Solid waste, if any shall be disposed of in an environment friendly manner without causing environment and public nuisance.

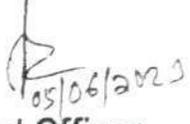
CONSENT ORDER

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

To,

Sri Asit Kumar Parida, Lessee,
M/s. Rayan Ramachandrapur Sand Bed
At- Sanroutpada, PO- Jamalpur ,PS: Jaleswar,
Dist: Balasore- 756086-Odisha


05/06/2023
Regional Officer

Memo No. 1647(6) / Dt. 05-06-2023

Copy forwarded to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Balasore
3. The D.F.O, Balasore
4. The D.D.M, Baripada, Mayurbhanj
5. The Tahasildar, Jaleswar, Balasore
6. Copy to Guard file


05/06/2023
Regional Officer



EFFLUENT QUALITY STANDARDS

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

CONSENT ORDER

17.	Cadmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Se) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Nil) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride (as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C ₆ H ₅ OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curie/ml. b. Beta emitter micro curie/ml.	10 ⁷ 10 ⁶	10 ⁷ 10 ⁶	10 ⁸ 10 ⁷	10 ⁷ 10 ⁶
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l

NATIONAL AMBIENT AIR QUALITY STANDARDS

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

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

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



CONSENT ORDER

NATIONAL AMBIENT AIR QUALITY STANDARDS

ANNEXURE - II

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

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

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

High Court of Orissa

High Court of Orissa
Case Details

Case Type	: WP(C)		
Filing Number	: 16117/2020	Filing Date:	03-07-2020
Registration Number	: 16117/2020	Registration Date:	17-07-2020
CNR Number	: ODHC01-036919-2020		

Case Status

First Hearing Date	:
Next Hearing Date	: Next Date is not given
Stage of Case	: FOR ADMISSION
Coram	: 2988MR. JUSTICE BISWANATH RATH , MR. JUSTICE MOHAMMAD RAFIQ(CJ)
Bench	: Division Bench
State	: ORISSA
District	: Baleshwar
Judicial	: Civil Section
Causelist Name	: Supplementary(Daily)
Short Order	: ADJOURNED

Petitioner and Advocate

1) RAJESH KUMAR KHATUA

Advocate- BIPLAB MOHANTY, T.K.PATNAIK, A.PATNAIK, R.K.PATI, S.PATTNAIK, S.S.PRADHAN

Respondent and Advocate

1) STATE OF ODISHA

Advocate - M/S PRONOY MOHANTY, P.K.NAYAK, P.K.PASAYAT, J.MOHANTY, S.N.DASH, MR.P.K.MOHANTY (SR. ADV.)

2) COLLECTOR AND DISTRICT MAGISTRATE, BALASORE

3) ADDITIONAL DISTRICT MAGISTRATE, BALASORE

4) SUB COLLECTOR, BALASORE

5) TAHASILDAR, JALESWAR

6) ASIT KUMAR PARIDA

Acts

Under Act(s)	Under Section(s)
CONSTITUTION OF INDIA, 1950	226,227

IA Details

IA Number	Party	Date of Filing	Next Date	IA Status
IA/7539/2020	RAJESH KUMAR KHATUA STATE OF ODISHA	03-07-2020	--	Pending
IA/9911/2020	RAJESH KUMAR KHATUA STATE OF ODISHA	31-08-2020	--	Pending

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Weekly Daily	DR. JUSTICE B.R.SARANGI , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		17-08-2020	FRESH ADMISSION
Weekly Daily	DR. JUSTICE B.R.SARANGI , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		01-09-2020	FRESH ADMISSION
Weekly Daily	MR. JUSTICE K.R.MOHAPATRA , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		16-09-2020	FOR ADMISSION
Weekly Daily	DR. JUSTICE B.R.SARANGI , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		15-10-2020	FOR ADMISSION

Weekly Daily	DR. JUSTICE B.R.SARANGI , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		19-11-2020	FOR ADMISSION
Weekly Daily	DR. JUSTICE B.R.SARANGI , MR. JUSTICE MOHAMMAD RAFIQ(CJ)		08-12-2020	FOR ADMISSION
Weekly Daily	MR. JUSTICE BISWANATH RATH , MR. JUSTICE MOHAMMAD RAFIQ(CJ)			FOR ADMISSION

Orders

Order Number	Judge	Order Date	Order Details
1	DR. JUSTICE B.R.SARANGI,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	17-08-2020	
2	MR. JUSTICE K.R.MOHAPATRA,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	01-09-2020	
3	DR. JUSTICE B.R.SARANGI,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	16-09-2020	
4	DR. JUSTICE B.R.SARANGI,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	15-10-2020	
5	DR. JUSTICE B.R.SARANGI,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	19-11-2020	
6	MR. JUSTICE BISWANATH RATH,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	08-12-2020	
7	MR. JUSTICE BISWANATH RATH,MR. JUSTICE MOHAMMAD RAFIQ(CJ)	08-12-2020	

Category Details

Category	ORDINARY CIVIL MATTER (28)
Sub Category	SETTLEMENT OF RIGHTS (20)
Sub Sub Category	03-SAND QUARRY (3)

OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	17-07-2020	All Objections are Complied	17-07-2020	--

Compliance report of Rayanramchandrapur Sand Bed Village / Mouza -
Rayanramchandrapur, Over an area of 20.38 acres or 8.247 hectares under
Jaleswar

Compliance Report
Of Rayanramchandrapur Sand
Bed Tahasil - Jaleswar,

District - Balasore, State- Odisha, Lease Area

- 20.38 acres or 8.247 hectares of

Asit Kumar Parida.

SEIAA, Odisha, Letter No.- 801/SEIAA, Dated- 09.03.2021.

Sl.No.	Stipulated Conditions	Compliance
01	This environmental clearance shall be Valid for the lease period as recommended by the lease granting Authority.	Yes, it is being granted by the Competent authority. Tahasildar Jaleswar.
02	The project proponent shall take Statutory clearance/approval/ permission from the concerned authorities in respect of his project as and when required.	Yes, the project proponent has taken statutory clearance from the concerned authorities in respect of this project before and during operation of the quarry.
03	Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.	No change
04	The applicant will submit half-yearly compliance report on post environmental monitoring in respect of the stipulated terms and conditions in the Environmental clearance to the State Environmental Assessment Authority (SEIAA), Odisha, SPCB & Regional Office of the Ministry of Environment & Forest, Odisha on 1st June and 1st December of each Calendar Year.	Half yearly compliance has been submitted during amendment of EC application and I ensured to submit half yearly compliance report of EC conditions on regular basis.

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05	Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.	No changes in the calendar plan including excavation, quantum of mineral and waste. Only 10071 10071 of cum of sand has been extracted from date of lease execution (i.e., 15283.5 cum) to till date.
06	Mining activity shall be carried out as per approved mining plan prepared for this project.	Yes, the mining activity was carried out strictly as per the approved mining plan and as per the EC and CTO conditions.
07	It shall be ensured that said mining does not in any way disturb the flow pattern of the river water.	The mining activity was being carried out without disturbing the flow pattern of the river water.
08	Sand quarrying shall not be carried out in streams within 1/5 of the width of the stream bed from the bank.	No mining activity was done within 1/5 of the width of the stream bed.
09	Sand quarrying shall not be carried out in streams within 1/5 of the width of the stream bed from the bank, Sand mining shall not be carried out within 200 m of any existing structure such as bridges, dams, weirs, intake structure (s) either for irrigation or drinking water purposes, or any other cross drainage structure,	water purposes, or any other cross drainage structure, other cross drainage structures in present within 200 mtr.
10	Sand mining operations shall not affect the existing sources for irrigation or drinking water or industrial purpose.	Yes, sand mining operation was not affected the existing source of irrigation or drinking water or industrial purpose.
11	Vehicles hired for transportation of sand from the site should be in good condition and should have a pollution check certificate and should confirm to applicable air and noise emission standards and should be operated only during non-peak hours.	Agreed, all the vehicles have PUC

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12	The depth of the sand mining shall not exceed 3 in. or water level whichever is less.	No mining activity has taken place beyond 0.50 meter depth as per mining plan and EC conditions and water level is beyond 3.0 meter. In this case we followed the guideline and not touched the water during mining of sand.
13	Permission from the Competent Authority shall be obtained for drawl of ground water, if any, required for the project.	Not required
14.	The Vehicles shall not be overloaded and shall be covered with Tarpaulin.	Agreed, overloading was not done & tarpaulin was used while transportation.
15	Conservation measures shall be taken for protection of flora and fauna	Agreed and followed the guideline not to disturbed any flora and fauna during our mining activities.
16	Person working in the project shall be provided with requisite safety devices such as masks, gloves etc.	Agreed, required PPE was provided.
17	The Proponent shall take necessary measures to ensure no adverse impacts due to mining operations on the Human Habitation existing	Agreed, as human habitation is located far away from our mining lease the adverse impact is not envisaged. In spite of that we followed the guideline and restrict the mining activities within our lease area only and also manual mining adopted by the help of local labor.
18	The water spray should be operated on the village road to control dust emission while transportation of sand.	Agreed, water spraying was done timely to avoid dust pollution also limited vehicle speed during transportation.
19	The natural sand dune should not be disturbed.	No natural sand dunes have been found within the lease area.

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20	All necessary statutory clearances shall be obtained before start of mining operations.	All necessary statutory clearances like CTE & CTO has been obtained in due time.
21	No mining shall be carried out in the vicinity of natural /manmade archaeological sites.	The site is free from natural/ manmade archaeological sites and mining was being carried out in the site-specific area only.
22	The area from which the sand has been extracted be levelled and free of any foreign debris or materials.	Agreed and done
23	The surface of stockpile and sand processing areas outside the river bed to be scarified to a depth of 50 cm, graded evenly and the top soil previously stored, returned to its original depth over the area.	Agreed, top soil will be stored to its original depth after mining operation.
24	A river bed rehabilitation plan should be submitted.	Agreed, river bed rehabilitation plan is mentioned in the mining plan. We will follow the protection of river bed before operation of quarry after monsoon through putting bamboo stump and palm leave also more plantations near the lease area.
25	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/ Municipal Corporation, Urban Local Body and the Local NGO.	Agreed and being submitted to local Sarpanch.
26	The conditions stipulated in the Environmental Clearance must be totally complied with before the lease granting authority.	Agreed and complied. We restrict our extraction as per EC conditions and timely submitted replenishment study report.

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27	The project proponent has to carry out by engaging appropriate consultant, a study of the annual replenishment rate of sand by collecting pre monsoon & post monsoon data from the field to know the quantum of volume of sand deposited/replenished & extracted in the mining lease area.	Agreed, replenishment study report is attached herewith. Accordingly, the SEIAA, Odisha has allowed 4283.5 cum sand further extraction whereas mining plan and EC approved 5500 cum initially.
28	The Project Proponent should carry out River bed sand mining manually by engaging local laborers in force for sustainable sand mining	Agreed and manual mining was adopted by engaging local laborers in force for sustainable sand mining.
29	The lease area and the actual working area shall be demarcated on the ground by erecting durable masonry /concrete pillars by the project proponent.	Agreed and demarcation of lease area was done photographs boundary demarcation is attached.
30	The SEIAA, Odisha may revoke or suspend the order, if implementation of any of the above. conditions is not satisfactory. The SEIAA, Odisha reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.	All the conditions were being followed by Lessee earlier.
31	Concealing the factual information or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.	Agreed.
32	That the grant of this Environment Clearance is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the lease granting authority/project proponent.	Agreed. The lessee has followed all required statutory obligations required for this mine.

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33	Any appeal against this environmental clearance shall lie with the National Green Tribunal, it preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.	Yes, appeal against this environmental clearance within a period of 30 days at the Hon'ble National Green Tribunal, (EZ), Kolkata bearing Appeal No- 03 of 2021 (Kalicharan Das vs The MoEF & CC and Others). The Hon'ble Tribunal was dismissed the Appeal No- 03/2021/Ez on Judgement dated- 28.07.2022, The Same Judgement copy is attached herewith.
34	The Project Proponents shall obtain consent to establish and operate from SPCB, Regional Office, Balasore, U/s 25/26 of Water (PCP) Act, 1974 and U/s 21 of Air (PCP) Act, 1981.	Agreed. CTO copy is attached herewith.
35	The Tahasildars shall submit full scape village sheet showing the location of the Project and other mines within 500 Mtrs. (In case of cluster Proposals).	Agreed. Full scape village sheet is attached.
36	The Tahasildar shall submit full scape topo sheet showing area within 10 Kms. Radius from the lease area including sanctuary / national park if any.	Agreed. Topo sheet is attached.
37	The PP shall plant and nurse to full establishment a minimum of 100 number of saplings of native tree species along the approach roads, river banks and in community areas in consultation with the Gram Panchayat.	Agreed we have already plantation --- 150 nos. of species at Ektali under Rayanramchandrapur G.P. and the photo copies of Plantation is attached herewith.

I herewith inform you that there is another sand i.e., **Kadrayan Sand Bed under Basta Tahasil** which is located opposite of our lease area and the quarry was operated illegally very closed to our lease area by using machinery equipment's and the same Complaint Copy is attached here with for your information.

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Latitude: 21.755194
Longitude: 87.20158
Elevation: 4.81±21 m
Accuracy: 16.9 m
Time: 07-10-2023 14:37
Note: sand rayanramachandrapur



Latitude: 21.755086
Longitude: 87.201619
Elevation: 5.08±12 m
Accuracy: 96.0 m
Time: 07-10-2023 14:48
Note: sand ektali(gp-r.r pur)

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240







164

243



165

244



