

**BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE  
BENCH: AT KOLKATA.**

(Though Physical Hearing with Hybrid Mode)

**ORIGINAL APPLICATION NO. 14 OF 2023**

Krushna Chandra Khatua & Others..... APPLICANTS

**VRS.**

State Level Environment Impact & Others....RESPONDENTS

**FURTHER AFFIDAVIT OF THE APPLICANTS TO THE  
COUNTER AFFIDAVIT FILED BY THE RESPONDENT NO 4.**

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Cuttack  
Date-15.05.2023

By the Applicants through  
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*Dhruva Ch. Sahoo*  
NOTARY, CUTTACK

BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH AT KOLKATA

(UNDER SECTION 18 (1) READ WITH SECTION 14 OF  
THE NATIONAL GREEN TRIBUNAL ACT 2010)

**ORIGINAL APPLICATION NO. 14 OF 2023/EZ**

**In the matter of :**

Krushna Chandra Khatua & others ..... APPLICANTS

VRS.

State Level Environment Impact  
Assessment Authority, Odisha Bhubaneswar Represented by its  
Chairman & others .....RESPONDENTS



**FURTHER AFFIDAVIT OF THE APPLICANT TO THE COUNTER  
AFFIDAVIT FILED BY THE RESPONDENT NO 4.**

I, Sri Krushna Chandra Khatua aged about 40 years S/o.Late Naran Khatua of At-Gobindapur of Mulapal Panchayat, Po- Rudhia, Ps-Panikoili, Dist-Jajpur, do hereby solemnly affirm and declare as under.

1. That I am Applicants No.1 of the above mentioned Application and I am fully conversant with the fact and circumstances of the Case and authorized by other applicants to swear the Further Affidavit.
2. That the Applicants filed the application before the Hon'ble National Green Tribunal with the following prayers which is base on mainly on five (5) points;-
  - (i) The Project Proponent on the basis of transfer of Environment clearance.18.12.2021 issued by the Respondent No. 1 in favour of the

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Respondent No. 6, the Respondent No. 6 is lifting the sand from Baitarani River Dhanitri Sand Sairat by engaging Heavy Trucks and transporting the sand over village Road.

- (ii) The Project Proponent (Respondent no 6) is forcibly carrying the sand from the sand Sairat, in the river Baitarani near Dhanitri village engaging heavy trucks over the passage which are reserved area for Grama Jungle and Smashan.
- (iii) That the Respondent no 6 has uprooted more than 120 local varieties of Trees planted by the villagers and nearby School Students destroying the atmosphere of the area. Even though villagers have complained before the Collector and Local Police and other revenue authorities and those officials have visited the spot and assured the villagers to take action against the miscreants but due to involvement of local politician, no action has been taken by the local police officers.

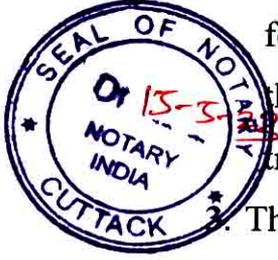


- (iv) That by virtue of the approval order dated 04.09.2021 issued by SEIAA and subsequent transfer of Environment Clearance order dt 18.12.2021, the Project Proponent is using the village road and for that reason the village road is being fully congested and due to slippage of sand on the way, some times it causes slipping of two wheeler causing small and heavy serious accidents. Due to carriage of sand without coverage with tarpaulin villagers are unable to move in that road in the day and especially in the night hour due to dropping of the sands from the trucks. The school going children's who are going to their schools which is situated very near to the public Road are facing difficulties in moving in By-cycle or school children's who are

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gathering in the play ground are suffering a lot due to such transportation over the play ground.

(v) That the Project proponent violating the term and conditions of the Environment Clearance is lifting the sand with Heave Trucks by using JCB Machines without engaging the local workers. Besides the total allotted area has not been demarcated till date even after expiry of one and Half Years. On the above grounds, it was prayed that the Environment Clearance under Annexure-1 series be revoked and to fix accountability on illegal uprooting of the trees planted by villagers and for destroying Eco-diversity of the area and to fix accountability on the public authorities for their inaction allowing the respondent no 6 to transport sand violating the term and guidelines.



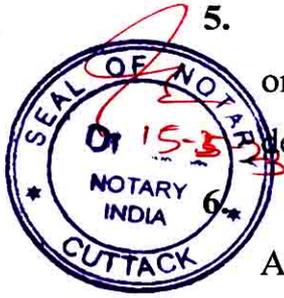
That the Respondent No 4 i.e Collector Jajpur has submitted his reply on the following grounds.

- (i) In compliance to the direction of the Hon'ble Tribunal a committee comprising of Tahasildar Vyasnanagar, Regional Officer SPCB and Addl. District Magistrate Kalinga Nagar was constituted who carried out inspection on 03.04.2023 and verified as follows;-
- (ii) The Lessee is strictly adhering to the proposed Road in the mining plan i.e plot no 2378 (Kisam Nayan Jodi) and plot no 2379 (Kisam Patita) and Plot no 1886,1887 of khata no 437 and plot no 1891 of khata no 436 under Mouza- Govindpur is not part of the road used for Transportation of sand by Lessee.
- (ii) During visit no sign of uprooting of trees were found and no violation to the direction given in the Environment Clearance has been made.

  
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- (iii) On 12.04.2023 the Respondent No. 6 allegedly used the JCB Machine which requires some more time to verify.
- (iv) No heavy truck have been engaged for transportation of Sand and no transportation of sand being made through Gram Jungle or Smashan.
- (v) The Respondent No. 6 is using tarpaulins to cover the sand while transporting. Regarding uprooting the trees it is a disputed fact.
- (vi) The lease area has been demarcated by fixing concrete pillars.
4. That the above Counter filed by the Respondent No. 4 is totally false and only to save the project proponent and Counter has been filed without application of mind and without verification of the facts of the case.

5. That the averments of paragraph 1 to 4 are matters on record and order passed by the Hon'ble Tribunal and prayer of petitioner and denial aspect in general and as such need no comment.



That in reply to averments of Paragraph 5 & 6 of the Counter Affidavit it is submitted that the Tahasildar Vyanagar had informed the Petitioner to be present at the spot on but on that date movement of buses were stopped in Odisha due to strike notice given by the Drivers of Private Buses and strike was going on at different places. Apprehending untoward incidence to happen, the petitioners intimated the Tahasildar to adjourn the date to some other date and on that ground the inspection was not taken up on 15.03.2023. Since no inspection was done, the State Counsel on 24.03.2023 took time for filing the Counter. As regards the inspection done on 03.04.2023 there was no intimation to petitioners through any mode of communication. The inspection was done at the back of Petitioners.

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7. That in reply to averments of Paragraph 7(a) of the Counter Affidavit it is submitted that the averments are totally false. Even though the Collector Jajpur (Respondent No. 4) clearly directed the Tahasildar Vyasnanagar not to allow any transportation of the sand over the reserved areas and specifically passed order in Misc case no 54/2022 directing the Respondent No. 5 (the Tahasildar Jajpur) and the Project Proponent (Respondent No. 6 ) namely Bikash Swain (Lease Holder) not to transport the sand over Plot No. 1886,1887,1891 which are reserved lands of Govindpur Village specifically meant for Gramya Jungle, Smashan and Pani Nala and directed that the project Proponent to transport the sand through the Plot No. 2398 (kizam Nadi) under khata No. 477 and plot no 2379 (Kisam Patita) under Khata No. 476 and Plot No. 2378 (Kisam Nayanjori) and Plot No. 2377 (Kisam Bandha) under khata No. 480 belonging to Irrigation Department of Mouza Dhanitri but the Project Proponent violating the above order of Learned Collector is using the said road specifically meant for Gramya Jungle, Smashan and Pani Nala for transportation of sand from River Baitarani from Dhanitri Sand Sairat by using muscle Power and local revenue Authorities. Since Project Proponent forcibly used the above passage even though, it was not as per the mining plan, petitioners, the villagers of the area, approached the Hon'ble High Court in WP©12335/2022 alleging violation being caused by the Project Proponent and the collector also admitted the above fact in its order and as per direction of Hon'ble High Court, the Collector Jajpur (Respondent No. 4) passed order in Misc Case No. 54/2022 under Annexure-6 placed at page 63 that the project Proponent is using the passage which is not as per the mining plan and



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he is to transport the sand through the Plot No 2398 (kisam Nadi) under khata No. 477 and Plot No. 2379 (Kisam Patita) under Khata No. 476 and Plot No. 2378 (Kisam Nayanjori) and Plot No. 2377 (Kisam Bandha) under khata No. 480 belonging to Irrigation Department of Mouza Dhanitri. So when it was Learned Collector admitted the fact that the project Proponent is violating the order and petitioners approached the Hon'ble Tribunal for appropriate Direction ,the Learned Collector ( Respondent No. 4) has changed the voice and submitted the Counter that there is no violation which is totally illegal.The photographs taken over the passage belonging to Grama Jungle reveals the truth and it clearly reveal that the Project Proponent is using the passage of Gramya Jungle and Smashan violating the mining plan.



Copy of the Photographs are filled herewith as **Annexure-10 series.**

8. That in reply to averments of Paragraph 7 (b) and 7©of the Counter Affidavit, it is submitted that the project proponent uprooted 120 local varieties trees for preparation of passage for transportation of sand road and for that purpose the project proponent uprooted those plants over the plot No. 996,1011 and 1015 of village Barapada which are under protection of Saraswati Sisu Mandir. The school children's and village committee members had planted those plants during 2019-2020 which were well grown up and fruit bearing trees.The secretary of the Lingeswar Development Committee namely Sri Pradeep Kumar Dhal filed the F.I.R before the Panikoilli Police station and also before the Superintendent of police Jajpur on 08.12.2022. After F.I.R was filed the S.D.P.O Jajpur Road was investigating the

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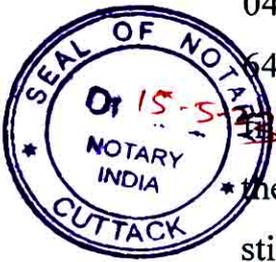
matter. The IIC and Tahasildar Vyasagar also visited the spot. The F.I.R filed before the Superintendent of police on 08.12.2022 has been submitted in the Original Application placed at Page 68/c and photograph at page 69/c and paper publication at page 71 and 75 but no action has been taken in the matter till date due to political interference. In spite of the above facts and records available before the Hon'ble Tribunal, the blatant denial in the counter Affidavit filed by the Respondent No. 4 i.e the Collector and District Magistrate of the district Jajpur that no trees have been uprooted is totally illegal and concocted. This counter Affidavit has been filed only to support the Project Proponent (Respondent No. 6) who even though has been impleaded as necessary party but has not entered appearance and playing his game under the protection of the Respondent No. 4 and Respondent No. 5. Even though the stipulation vide clause 9.14 of the Environment clearance letter no 2607 dated 04.09.2021 under Annexure 1 to the Original Application placed at page 31 clearly indicate that the Proponent is to plant 100 saplings of Local varieties along with approach road, river Bank and in community area but the above stipulations have not been followed by the Project Proponent rather 120 trees of local varieties have been uprooted by the Proponent for preparation of road which is totally illegal. The Counter Affidavit filed by the Respondent no 4 to that extent is totally silent and as such illegal. The F.I.R filed by the villagers since was not registered, villagers approached the Hon'ble High Court in CRLMP 149/2023 and the Hon'ble High Court directed for registration vide its order dated 02.02.2023.



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Copy of the F.I.R filed before the IIC, Panikoili, on 8.12.2022 & 8.02.2023 are filed herewith as Annexure -11 series

9. That in reply to the averments of Paragraph 7 (d) of the Counter Affidavit it is further submitted that at every point there are violation caused by the Project Proponent to the stipulations given by the Respondent No. 1.
10. That in reply to the averments of Paragraph 8 of the Counter Affidavit, it is submitted that the project proponent is transporting the sand by engaging the JCB Machine in violation to the stipulations given vide Clause 9.3 of the Environment clearance letter dated 04.09.2021 under Annexure -1 (Page 29/c) The photographs given at 64, 65 and 66 clearly reveals the fact. The Original Application was filed on 24.01.2023 with the above photographs which indicates that the violation was being made by the project Proponent to the stipulations of EC since the clearance letter dated 04.09.2021 was issued and Project proponent started work of lifting the sand. But in the counter Affidavit it has been indicated that the project proponent has engaged the JCB Machine which came to knowledge of the Respondent No. 4 only on 12.04.2023 and the matter is under investigation and deponent requires some more time to submit the actual state of affairs which is totally illegal. The project Proponent is causing violation to the EC since work of lifting the sand started.
11. That in reply to the averments of Paragraph-9 of the Counter Affidavit, it is submitted that there are violation to the EC in every respect. The Project Proponent is carrying the sand by engaging the heavy trucks. The petitioners filed the photographs of Heavy trucks



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engaged in transportation of sand which is placed at 69/c which shows that at a time 8(Eight) big trucks were transporting the sand for which there was strike among the villagers and Trucks were not allowed to pass through. The photograph clearly indicate the grave situation there. Presently also the project proponent transporting the sand by engaging heavy Trucks. It is further submitted that the project proponent is transporting the sand through the Gram Jungle without covering Trucks with Tarpulins and 120 trees have been uprooted by the Project Proponent for construction of Passage for transportation of sand.

Copy of the Recent Photographs taken regarding transportation of sand by engaging heavy trucks are filed herewith as **Annexure 12 Series.**

12. That in reply to the averments of Paragraph 10 of the Counter Affidavit, it is submitted that in pursuance to direction of the Hon'ble High Court passed in WP© 22725/2020 and WP© 22727/2020 the Collector Jajpur directed the Executive Engineer Irrigation Division Jajpur and Geologist collectorate Jajpur and Tahasildar Vyasanagar to visit the place and submit the report and on the basis of the said report the Respondent No. 4 disposed the case with the observation that the report of the committee consisting of the Executive Engineer Irrigation Division Jajpur and Geologist collectorate Jajpur and Tahasildar Vyasanagar shall form part of the record. The Committee report suggest that only the light vehicles are allowed to transport the sand from the sand Sairat. But the Project Proponent is lifting the sand by engaging Heavy Trucks which is clear violation to the order of the Respondent No. 4 dt 08.10.2020 placed at Annexure -3 at page 39/c



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The report of the committee which forms part of the order of the Respondent No 4 is filed herewith as **Annexure 13 series**

13. That in reply to the averments made in sub para to Para 10 of the counter Affidavit it is submitted that the Project Proponent is transporting the sand over plot no 1886,1887,1891 mentioned as Grama Jungle or Smashan. There is gross violation to the said order passed in Misc case no 54/22.
14. That in reply to the averments made in para 11 of the Counter Affidavit , it is submitted that the inspection report has been prepared at the Back of the Petitioners and as such the said report cannot be accepted. The lease area has not been demarcated and no pillar posting has been made over the area so far.
15. That in reply to the averments made in para 11 of the Counter Affidavit , it is submitted that 120 plants of local varieties planted by the little children's and Committee members have been uprooted by the Project Proponent which is clear from the F.I.R filed by the secretary of the Lingeswar Development Committee namely Sri Pradeep Kumar Dhal filed before the Panikoilli Police station and also before the Superintendent of police Jajpur on 08.12.2022. After F.I.R was filed the S.D.P.O Jajpur Road was investigating the matter. The IIC Chinmayee Behera and Tahasildar Vyasaganar also visited the spot. The F.I.R filed before the Superintendent of police on 08.12.2022 has been submitted in the Original Application placed at Page 68/c and photograph placed at page 69/c and paper publication placed at page 71 and 75
16. That in reply to the averments made in para 13 of the Counter Affidavit, it is submitted that the project Proponent is carrying sand



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with Heavy vehicles in village road in violation of the stipulations vide clause 9.11 of the Clearance Order dated 04.09.2021 page 30/c and Photograph of the passage through village Road are placed at 69/c and 76/c. Due to carriage of heavy vehicles in the village road which is the only road for the villagers and School and College going students, villagers are facing lots of difficulties because roads are being damaged severely and heavy congestion is caused on the road due to passage of large number of heavy vehicles at a time. The Counter Affidavit of the Respondent No.4 is totally silent over it which is illegal.

17. That in view of the facts stated above, the Counter Affidavit filed by the Respondent No. 4 may kindly be ignored and rejected and responsibility may be fixed on the erring officials for the lapses being caused to the stipulations under **Annexure-1**.
18. That the facts stated above are true to the best of my knowledge and belief.

Ajit Kumar Sahoo  
Identified by Advocate

Krushna Ch. Sahoo

**D E P O N E N T**

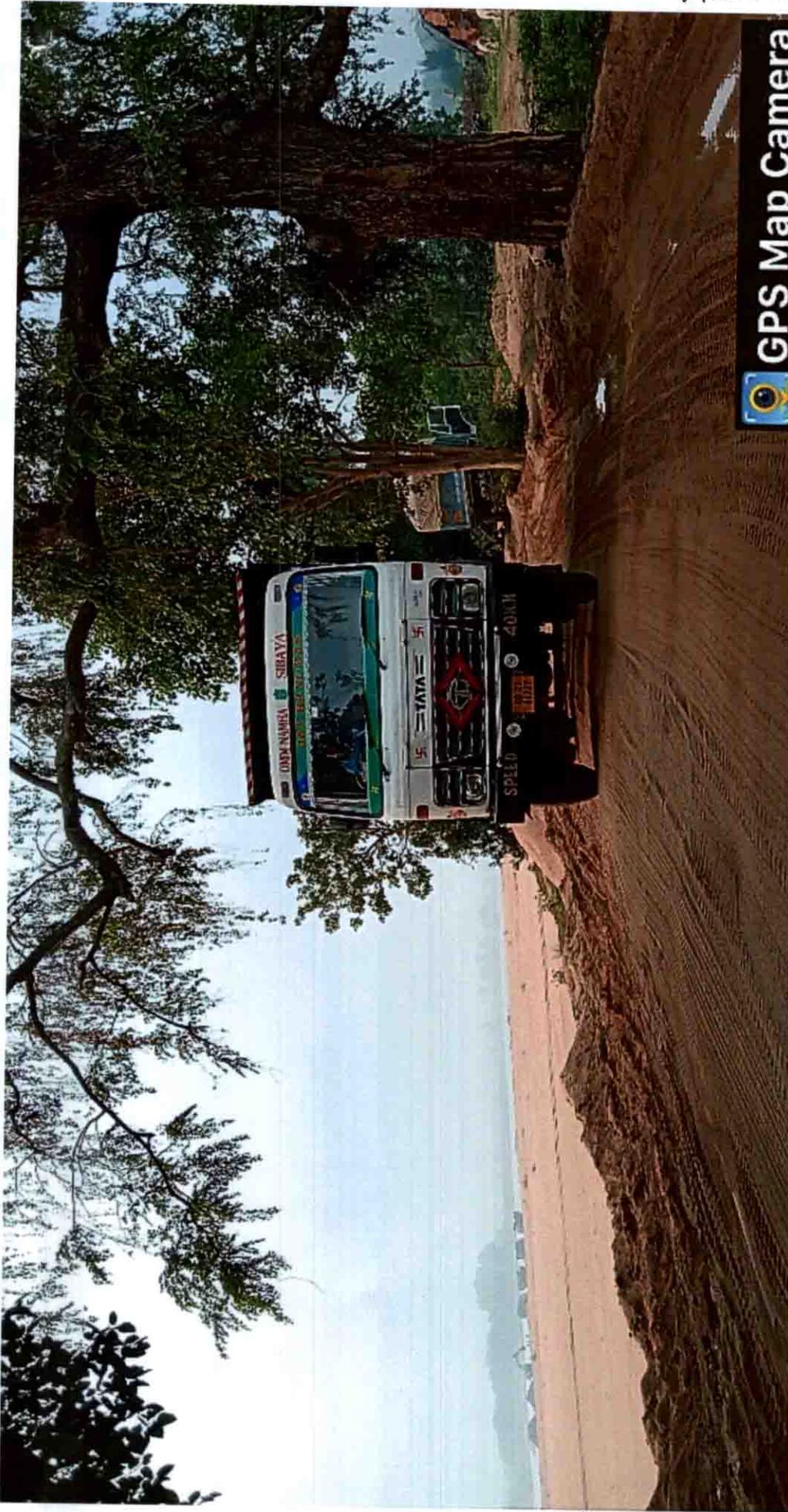
**CERTIFICATE**

The above named Deponent is being identified by Ajit Kumar Sahoo Advocate Solemnly affirms that the contents of the Affidavit are true to his knowledge and further certified that due to non availability of cartridge paper this Affidavit has been typed on thick papers.

Cuttack  
Date.12.05.2023

For the Appellants  
A.K. Sahoo  
Advocate

Dhruba Ch. Sahoo  
NOTARY, CUTTACK



 GPS Map Camera

**Gobindpur, Odisha, India**  
**X79M+684, Gobindpur, Dhanatri, Odisha 755043, India**  
**Lat 20.983981°**  
**Long 86.286616°**  
**10/05/23 07:51 AM GMT +05:30**



Photo copy offered by  
A. K. Sahay

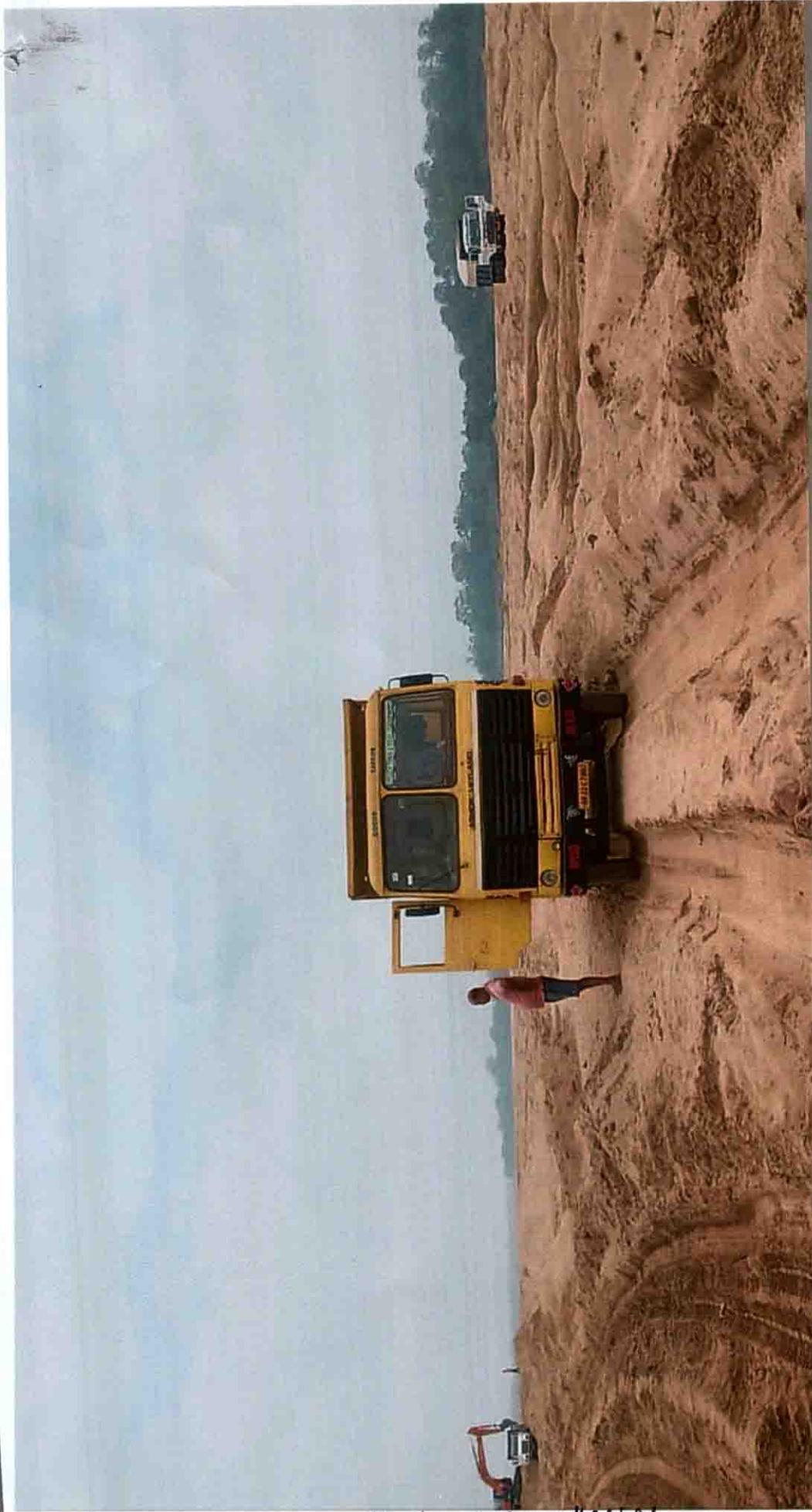


photo copy affixed  
A.K. Sahoo



X76P+82R, Mulapal - Barunde Rd, Gobindapur, Odisha 755025, India

Gobindapur

Odisha

India



34°C

93°F

2023-04-22(Sat) 08:26(AM)

ମାନନୀୟ,

I.I.C.ପାଣିକୋଇଲି ଥାନା,ଯାଜପୁର ।

ବିଷୟ- କମିଟି ଦ୍ୱାରା ବରପଦା ମୌଜାରେ ଲଗାଯାଇଥିବା ଶତାଧିକ ଫଳଟି ଗଛକୁ ନଷ୍ଟ କରିବା ସମ୍ବନ୍ଧେ ।

ମହାଶୟ,

ନିବେଦନର ଅଭିପ୍ରାୟ ଏହି କି ଯେ, ମୁଁ ପ୍ରଦୀପ କୁମାର ଧଳ ,(ସମ୍ପାଦକ),ଲିଙ୍ଗେଶ୍ୱର ଉତ୍ତମନ କମିଟି ମୁକାପାଳ, ଆପଣଙ୍କ ଗୋଟରାଥେ ଜଣାଇଅଛୁ କି, କମିଟି ସରକାରଙ୍କ ଅନୁମତି ନେଇ ଗତ ତିନି ବର୍ଷ ଚଳେ ବରପଦା ମୌଜାର ପୁଟ ନମ୍ବର-୯୯୭,୧୦୧୧,୧୦୧୫ ଯାହା ସମ୍ପାଦକ , ସରସ୍ୱତୀ ଶିଶୁ ମନ୍ଦିର ମାଲିକାନାରେ ଅଛି ଏବଂ ତାର ପାର୍ଶ୍ୱବର୍ତ୍ତୀ ଜମିରେ -ବୃକ୍ଷରୋପଣ କରିଥିଲା । ଯାହା ଏବେ ଫଳଟି ଅବସ୍ଥାରେ ଥିଲା । ଗତକାଲି ତା-୭-୧୨-୨୨ ରିଖ ବୁଧବାର ବିଳମ୍ବିତ ରାତିରେ ୧-ଜୟନ୍ତ କୁମାର ନାୟକ ,ପିତା-ସୁରେନ୍ଦ୍ର ନାୟକ,ଗ୍ରା-ସରସ୍ୱତୀ ,ଆ-ପାଣିକୋଇଲି,ଜି-ଯାଜପୁର,୨- ଅନିରୁଦ୍ଧ ପାଣିଗ୍ରାହୀ,ପି-ଏସୁର୍ଷ ଚନ୍ଦ୍ର ପାଣିଗ୍ରାହୀ ,ଗ୍ରା-ବରପଦା, ଆ-ପାଣିକୋଇଲି,ଜି-ଯାଜପୁର,୩- ଅନନ୍ତ ନାୟକ (ପେଟୁ),ପି-ଦାମୋଦର ନାୟକ ,ଗ୍ରା-ରଣପାଳଆ-ପାଣିକୋଇଲି,ଜି-ଯାଜପୁର ଏବଂ ଅନ୍ୟ କିଛି ବ୍ୟକ୍ତି ଉପସ୍ଥିତ ରହି ବ୍ୟକ୍ତିଗତ ସ୍ୱାର୍ଥ ସାଧନ ପାଇଁ (ଧନତ୍ୱି ବାଲିଖାଦାନ ଚାହା ନିମନ୍ତେ ) ବଡ଼ ପ୍ରୋକଲିନ ମେସିନ ସାହାଯ୍ୟରେ ନଦୀ ବନ୍ଧକୁ ପୁରସ୍କା ଯୋଗାଇଥିବା ଗଛ ,ଗଛ ଘୋଡ଼ିଆ ଏବଂ ତାର ବାଡକୁ ଭାଙ୍ଗି ତତ୍ତ୍ୱ ଫଳାଇ ପୋତି ଦେଇଛନ୍ତି । ବିଳମ୍ବିତ ରାତିରେ ଚୋରକ ପରି ଫଳଟି ଗଛକୁ ଭାଙ୍ଗିବା ଅମାନୁଷିକ କାର୍ଯ୍ୟକୁ ପୂର୍ବରୁ ଥରେ ଚେଷ୍ଟା କରିଥିଲେ । ଆସ୍ତେ ଏଥିପାଇଁ ଆପଣଙ୍କୁ ଏବଂ ସମ୍ପୃକ୍ତ ବିଭାଗୀୟକୁ ଜଣାଇଅଛୁ ।

ଏଣୁ ବିନୀତ ଅନୁରୋଧ କରେକି ଆପଣ ଏଭଳି ଅମାନୁଷିକ ଓ କଦର୍ଯ୍ୟ କାର୍ଯ୍ୟକୁ ଚନ୍ଦ୍ର କରି ବୋଷା ବିରୋଧରେ ବୃକ୍ଷ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କଲେ ଆସ୍ତେ ଚୀରୋପ୍ରକୃତ ହେବୁ ।

(ବି:କ୍ର- ଉକ୍ତ କାର୍ଯ୍ୟରେ ବ୍ୟବହୃତ ମେସିନ ସେହି ସ୍ଥାନରେ ଉପସ୍ଥିତ ଅଛି)

୧୧-୦୮/୧୨/୨୦୨୨  
ସାନ- ମୁକାପାଳ

(ରଚି)

ଆପଣଙ୍କ ବିଶ୍ୱସ୍ତ

Pradeep by Shal.

True copy affixed.  
A. K. Sahoo

Translated Copy

To

The IIC, Panikoili Police Station, Jajpur

Sub-Regarding destruction of Fruit bearing Trees planted by Barapada Committee.

Sir

I, Sri Pradeep Kumar Dhal Secretary of Lingeswar Development committee Mulapal, draw your attention to the following effect.

The committee on the approval of the Government planted trees over plot No.996, 1011 and 1015 of Mouza Barapada. The said plot trees under the occupation of Saraswati Sishu Mandhir yesterday on 7.12.2022 Wednesday at the let night Jayanta Kumar Nayak S/o.Surendra Nayak Of AT-Sarasada, Ps-Panikoili, Dist-Jajpur (2) Anirudha Panigrahi S/o.Purna Chandra Panigrahi, of At-Barapada, Ps-Panikoili, Dist-Jajpur (3) Ananta Nayak (Petu) S/o. Damodar Nayak of At-Ranapal, Ps-Panikoili, Dist-Jajpur, and some other person in order to fulfill their individual interest destroyed the said fruit bearing trees and also destroyed the fence to the help of Proclin Machine. They also attempted earlier to destroyed the trees which was intimated the Department.

I therefore request to enquire the matter and take appropriate step against the person concern.

Date-8.12.2022

Mulapal

S/d.Pradeep Kumar Dhal

E.N. The Proclin Machine which was engaged is available at the spot.

The cops affsdr.  
A.K. Jaha

ଶ୍ରୀଯୁକ୍ତ ଭାରପ୍ରାପ୍ତ ଥାନା ଅଧିକାରୀ,ପାଣିକୋଇଲି,ଯାଜପୁର ।

Ref order dt-2.2.23 passed in CRLMP NO.149/2023

ବିଷୟ- ତଦନ୍ତ କରି ଦୋଷୀ ମାନକୁ ଦଣ୍ଡ ବିଧାନ ନିମନ୍ତେ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ।

ମହାଶୟ,

ନିବେଦନର କାରଣ ଏହି କି ଯେ, ମୁଁ ଶ୍ରୀ ପ୍ରଦୀପ କୁମାର ଧଳ, ସମ୍ପାଦକ ଲିଜେଣ୍ଟର ଉନ୍ନୟନ କମିଟି, ମୂଳାପାଳ । ଆପଣଙ୍କ ଗୋଚରାର୍ଥେ ଜଣାଉଅଛି କି, ଆମେ ବରପଦା ମୌଜା ସରସ୍ୱତୀ ଶିଶୁ ମନ୍ଦିର ପ୍ରାଙ୍ଗଣ ଏବଂ ନିକଟବର୍ତ୍ତୀ ଜାଗାରେ ହାଇଦ୍ରାଡ ଆମ୍ବ ଗଛ ୧୦୦ ରୁ ୨୦୦ ରୋପଣ କରାଯାଇଥିଲା । ଏହାର ତଦ୍‌ବଧାନ ଓ ରକ୍ଷାବେକ୍ଷଣ ସରସ୍ୱତୀ ଶିଶୁ ମନ୍ଦିର ହାତରେ ନ୍ୟସ୍ତ କରାଯାଇଥିଲା । ଗତ ତା ୭-୧୨-୨୦୨୨ ରିଖ ରୁଧିବାର-

୧- ଜୟନ୍ତ କୁମାର ନାୟକ, ପି-ସୁରେନ୍ଦ୍ର ନାୟକ, ଗ୍ରା-ସରସ୍ୱତୀ, ଥା-ପାଣିକୋଇଲି, ଜି-ଯାଜପୁର ।

୨- ଅନିରୁଦ୍ଧ ପାଣିଗ୍ରାହୀ, ପି-ପୂର୍ଣ୍ଣଚନ୍ଦ୍ର ପାଣିଗ୍ରାହୀ, ଗ୍ରା-ବରପଦା, ଥା-ପାଣିକୋଇଲି, ଜି-ଯାଜପୁର ।

୩- ଅନନ୍ତ ନାୟକ (ପେଟୁ), ପି- ଦାମୋଦର ନାୟକ, ଗ୍ରା-ରଣପାଳ, ଥା-ପାଣିକୋଇଲି, ଜି-ଯାଜପୁର ।

ଧନତ୍ରୀ ବାଲିଖାଦାନର ମାଲିକ ବିକାଶ ସ୍ୱାଇଁଙ୍କ ପ୍ରରୋଚନାରେ ଏବଂ ତାର ଅନ୍ୟାନ୍ୟ ଗୁଣ୍ଡା ଶ୍ରେଣୀୟ ଲୋକଙ୍କ ସହିତ ବଡ଼ ପ୍ରୋକଲିନ ମେସିନ ଲଗାଇ ସମସ୍ତ ଫଳକ୍ରି ଆମ୍ବ ଗଛକୁ ତାଡ଼ି ନଷ୍ଟ ଭ୍ରଷ୍ଟ କରିବା ସମୟରେ ଗ୍ରାମର କିଛି ଉଦୀୟମାନ ଯୁବକ ଏହାକୁ ବିରୋଧ କରିବାରୁ ପ୍ରୋକଲିନ ତଡ଼ାଇ ମାରିଦେବାକୁ ପ୍ରୟାସ କରିଥିଲେ । ବାଲିଖାଦାନରେ ବୁଝାବୁଝା କରୁଥିବା ସୌମ୍ୟରଞ୍ଜନ ଧଳ, ପି-ଶ୍ରୀନିବାସ ଧଳ, ବ୍ରଜନଗର ତାଙ୍କୁ ଆଦେଶ ଦେବା କ୍ଷଣି ସେନାମେ ଯଥା ସରପଞ୍ଚ ଜୟନ୍ତ କୁମାର ନାୟକ ଜୀବନରୁ ମାରିଦେବାକୁ କହି ଏକ ମାରଣା ଅସ୍ତ୍ର (ଭୁଜାଲି) ସାହାଯ୍ୟରେ ଆକ୍ରମଣ କରିଥିଲେ । ହୋ ହାଲୁା ଶୁଣି ଗାଁର ଅନ୍ୟାନ୍ୟ ଲୋକ ଆସିବାରୁ ପ୍ରୋକଲିନ ମେସିନ ଛାଡ଼ି ପଳାଇଗଲେ ଏବଂ ଗଲାବେଳେ ଧମକ ଦେଇ କହିଲେ ଆମ ବିରୁଦ୍ଧରେ ଲାଗିଲେ ଏହି ଫଳକ୍ରି ଗଛର ଅବସ୍ଥା ତମେମାନେ ଭୋଗିବ ଏବଂ ବୋମା ପକାଇ ସମସ୍ତଙ୍କୁ ଉଡ଼ାଇ ଦେବୁ ବୋଲି ଧମକ ଦେଇଛନ୍ତି । ବେଆଇନ ଭାବେ ବାଲି ଉଠାଇବାକୁ ଯାଇ ସମସ୍ତ ଗଛ ନଷ୍ଟ କରି ରାସ୍ତା କରାଇ ଲୋକଙ୍କୁ ଭୟ ଭୀତ କରୁଛନ୍ତି । ତେଣୁ ଆପଣଙ୍କ ଗୋଚରାର୍ଥେ ଜଣାଇଲି ଏହାର ତଦନ୍ତ କରି ଦୋଷୀ ମାନଙ୍କୁ ଦଣ୍ଡ ବିଧାନ କରି ଜନସାଧାରଣକୁ ନ୍ୟାୟ ଦେବାକୁ ଅନୁରୋଧ ।

ତା-8.02.2023

ସ୍ଥା-ମୂଳାପାଳ

True Copy  
A. K. Sahoo

(ଇତି)

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତସ୍ୱ

Pradeep Kumar Bhal

ସମ୍ପାଦକ, ଲିଜେଣ୍ଟର ଉନ୍ନୟନ କମିଟି, ମୂଳାପାଳ

Translated Copy

**To**

The IIC, Panikoili Police Station, Jajpur.  
Ref Order Dated 2.02.203 passed in CRLMP No.149/2023

**Sub-**to enquired the matter for taking action against the guilty person.

**Sir**

I, Sri Pradeep Kumar Dhal beg to draw your kind attention that our committee planted hybrid mango trees of 100 to 200 in number on Barapada Saraswati Sishu Mandhir premises. Saraswati Sishu Mandhir is custodian of the said trees on 7.12.2022 Wednesday (1) Jayanta Nayak, S/o.Surendra Nayak Of AT-Sarasada, Ps-Panikoili, Dist-Jajpur (2) Anirudha Panigrahi S/o.Purna Chandra Panigrahi, of At-Barapada, Ps-Panikoili, Dist-Jajpur (3) Ananta Nayak (Petu) S/o. Damodar Nayak of At-Ranapal, Ps-Panikoili, Dist-Jajpur. And on the instigation of Bikash Swain the owner of Dhanatri Sairat along with his consocial element destroyed the fruit bearing mango trees with the help of a proclin mechine. The said unsocial act was protested by the local people. The said Soumya Ranjan Dhal instigate the GUNDAs to attack the Sarapanch Jayanta Kumar Nayak with died consequence hearing hulla the local people gathered at the spot for which the Gundas fread away from the spot and living the Procilin Machine at that time they threatened the local people to kill. It is mention that the owner of the Sairat created all short of distravance for the purpose of lifting sand from the Sairat illegally. This for your kind information and necessary action.

Date-8.02.2023

Mulapal

S/d.Pradeep Kumar Dhal

True copy attached  
A K - Sahay

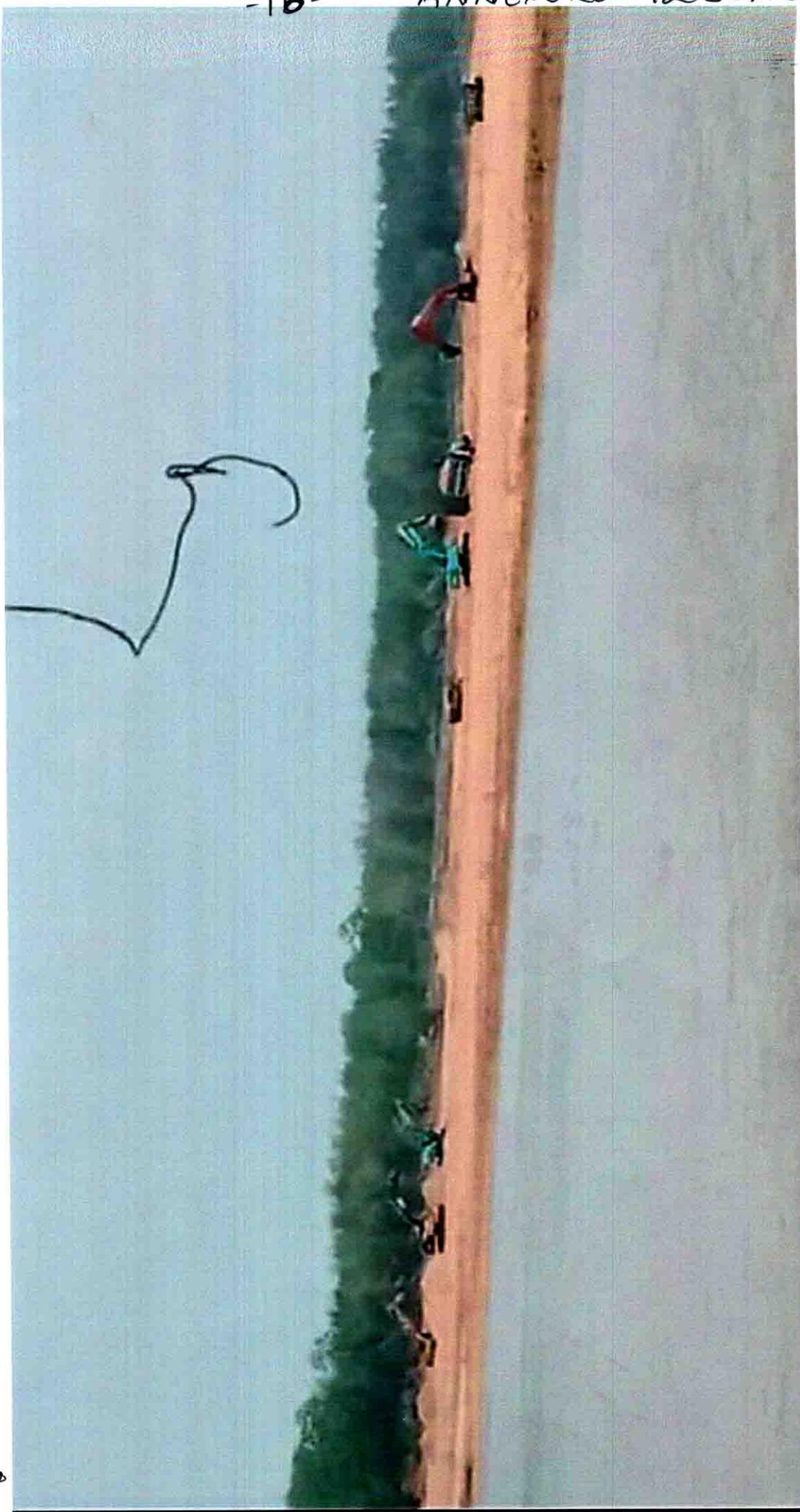
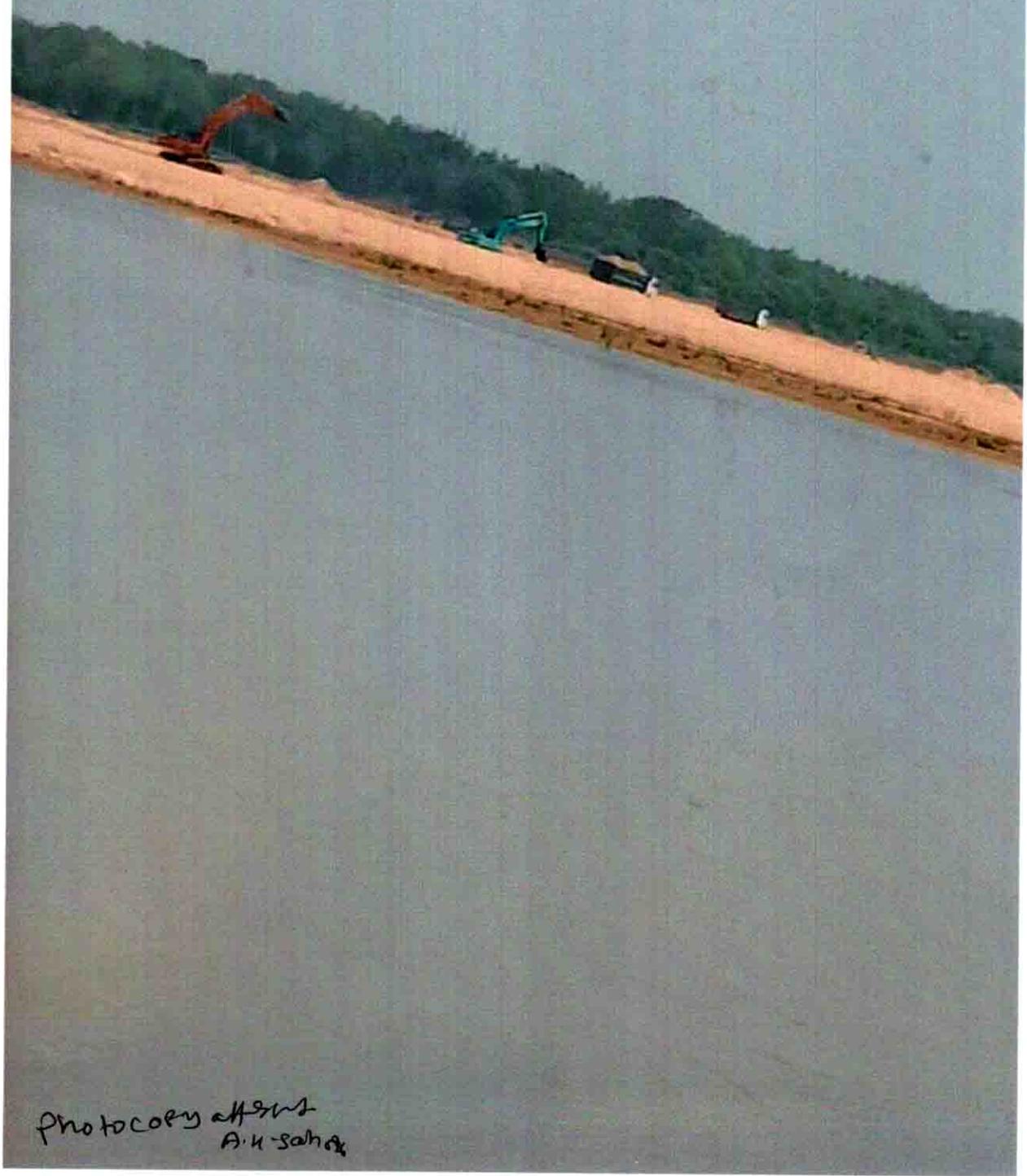


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A.K. Sahas

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photocopy agent  
A.K. Saha



Photo copy attached  
A. K. Sahay

**OFFICE OF THE TAHASILDAR, VYASANAGAR, JAJPUR ROAD**

Pin-755019, Ph:06726-220205, E-mail:tdrvyasanagar@gmail.com

Letter No. 5724 /Date. 26.09.2020

To

The Collector & District Magistrate, Jajpur.

Sub: Submission of joint inspection report on mining lease area of Baitarani river sand bed in connection to W.P(C) No.22725/2020 & 22727/2020.

Ref: Collectorate, Jajpur letter No.13386/Rev/dt.23.09.2020.

Sir,

In inviting a kind reference to the above noted subject, I am to submit herewith the joint inspection report dt.26.09.2020 on mining lease area of Baitarani river sand bed conducted by the Executive Engineer, Irrigation Division, Jajpur, the Geologist, Collectorate, Jajpur and the Tahasildar, Vyasaganar in connection to W.P(C) No.22725/2020 & 22727/2020 for your kind information and necessary action.

Enclosure: As above (07 Pages)

Yours faithfully,

26.09.2020  
Tahasildar, Vyasaganar

Memo No. 5725 /Date. 26.09.2020

Copy to the Executive Engineer, Irrigation Division, Jajpur / Geologist, Collectorate, Jajpur for information.

**True Copy**  
A.K. Sahga  
**Attested**

26.09.2020  
Tahasildar, Vyasaganar

True Copy attested

mpo

Collector, Jajpur

**OBSERVATIONS MADE DURING JOINT INSPECTION CONDUCTED ON 26.09.2020 REGARDING THE MINING LEASE AREA OF BAITARANI RIVER BED IN PURSUANT TO THE LETTER NO.13386/REV/DATE.23.09.2020 OF THE COLLECTOR & DISTRICT MAGISTRATE, JAJPUR IN CONNECTION TO W.P(C) NO.22725/2020 & 22727/2020.**

As per the Order of the Hon'ble High Court of Odisha, Cuttack in connection to W.P(C) No.22725/2020 & 22727/2020, the Collector & District Magistrate, Jajpur vide letter No.13386/Rev/dt.23.09.2020 has constituted a committee comprising of (i) the Executive Engineer, Irrigation Division, Jajpur (ii) the Geologist, Collectorate, Jajpur & (iii) the Tahasildar, Vyasnanagar and instructed the committee to conduct a joint inspection on the mining lease area of Baitarani river sand bed and submit the factual report by 27.09.2020 for passing an order. In pursuant to the above order, a joint inspection was conducted on 26.09.2020. The following members were present during joint inspection.

1. The Executive Engineer, Irrigation Division, Jajpur.
2. The Geologist, Collectorate, Jajpur.
3. The Tahasildar, Vyasnanagar.

The following observations were found during the joint inspection with respect to sairat wise mining lease area of Baitarani river sand bed.

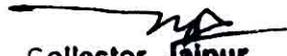
(i) **Sanla-II Baitarani River Sand Quarry**

- 1) The sairat source namely Sanla-II Baitarani River Sand Quarry has been created newly over the land schedule as mentioned below after observing all formalities as per Odisha Minor Mineral Rules, 2016.

Mouza	Khata No.	Land Schedule		Area (in Ac)
		Plot No.	Kisam	
Sanla	301 (A.A.J.A)	02 (P)	Nadi	12.00 o/o 108.97
<b>TOTAL</b>				<b>12.00</b>

- 2) The sand sairat source is coming under the safety zone taking into account the structural parameters, locational aspects, flow rate etc. for carrying out mining in proximity to any bridge or embankment which was worked out with the Assistant Engineer, Rudhla Irrigation Section, Rudhia.
- 3) The Collector & District Magistrate, Jajpur has approved the proposal of creation of Sanla-II Baitarani River Sand Quarry and instructed to auction the source in 05 years long term lease basis.

**True Copy**  
A.K. Saha  
Attested

True Copy attested  
  
Collector, Jajpur

(Pg. 01/07)

- 4) The mining plan of the source is approved by the Deputy Director of Geology, Directorate of Geology, Bhubaneswar.
- 5) There is plenty of sand with annual minimum guaranteed quantity (MGQ) 28,430 cum which fetches good Govt. revenue and the auction can prohibit the theft of minor mineral.
- 6) The lease area is 100 meters distance from the river embankment.
- 7) There is no agriculture land in between the sairat area and river embankment.
- 8) The river embankment is sustainable for transportation of sand by light vehicle from the sairat as a number of vehicles carrying illegal sand and soil brick every day in the same embankment.
- 9) No breach of embankment due to flood near the source in past years or threat of same in current year.
- 10) There is no habitation, monuments etc. nearby the sources.
- 11) The river bed is filled with sand which helps the overflow of water in time of flood. It requires to be excavated through auction of sand.
- 12) The auction of sairat lease area does not affect the communal right of the general public.
- 13) The easement right of the people will not hamper as per OMMC Rules, 2016.
- 14) In view of above aspects, the Notice bearing No.5220/dt.24.08.2020 was issued to auction Sanla-II Baltarani River Sand Quarry in long term basis for 05 years and the bidder for the auction has been finalised on dt.16.09.2020. Subsequently, the successful bidder has been intimated in 'Form-F'.

(ii) **Makundapur-II Baltarani River Sand Quarry**

1) The sairat source namely Makundapur-II Baltarani River Sand Quarry has been created newly over the land schedule as mentioned below after observing all formalities as per Odisha Minor Mineral Rules, 2016.

Land Schedule				
Mouza	Khata No.	Plot No.	Kisam	Area (In Ac)
Makundapur	1029 (A.A.J.A)	3078 (P)	Nadi	12.00 o/o 90.35
TOTAL				12.00

**True Copy**  
A.K. Sahay  
**Attested**

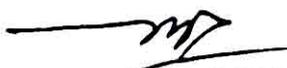
*[Signature]*  
Collector, Jaipur

- 2) The sand sairat source is coming under the safety zone taking into account the structural parameters, locational aspects, flow rate etc. for carrying out mining in proximity to any bridge or embankment which was worked out with the Assistant Engineer, Rudhia Irrigation Section, Rudhia.
- 3) The Collector & District Magistrate, Jajpur has approved the proposal of creation of Makundapur-II Baitarani River Sand Quarry and instructed to auction the source in 05 years long term lease basis.
- 4) The mining plan of the source is approved by the Deputy Director of Geology, Directorate of Geology, Bhubaneswar.
- 5) There is plenty of sand with annual minimum guaranteed quantity (MGQ) 10,040 cum which fetches good Govt. revenue and the auction can prohibit the theft of minor mineral.
- 6) The lease area is 200 meters distance from the river embankment.
- 7) There is no agriculture land in between the sairat area and river embankment.
- 8) The river embankment is sustainable for transportation of sand by light vehicle from the sairat as a number of vehicles carrying illegal sand and soil brick every day in the same embankment.
- 9) No breach of embankment due to flood near the source in past years or threat of same in current year.
- 10) There is no habitation, monuments etc. nearby the sources.
- 11) The river bed is filled with sand which helps the overflow of water in time of flood. It requires to be excavated through auction of sand.
- 12) The auction of sairat lease area does not affect the communal right of the general public.
- 13) The easement right of the people will not hamper as per OMMC Rules, 2016.
- 14) In view of above aspects, the Notice bearing No.5220/dt.24.08.2020 was issued to auction Makundapur-II Baitarani River Sand Quarry in long term basis for 05 years and the bidder for the auction has been finalised on dt.16.09.2020. Subsequently, the successful bidder has been intimated in 'Form-F'

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A.K. Sahng  
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Collector, Jajpur

(Pg-03/07)

**(iii) Salaba Baitarani River Sand Quarry**

1) The sairat source namely Salaba Baitarani River Sand Quarry has been created newly over the land schedule as mentioned below after observing all formalities as per Odisha Minor Mineral Rules, 2016.

**Land Schedule**

Mouza	Khata No.	Plot No.	Kisam	Area (In Ac)
Salaba	221 (A.AJ.A)	1055 (P)	Nadi	12.00 o/o 38.45
<b>TOTAL</b>				<b>12.00</b>

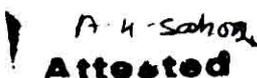
- 2) The sand sairat source is coming under the safety zone taking into account the structural parameters, locational aspects, flow rate etc. for carrying out mining in proximity to any bridge or embankment which was worked out with the Assistant Engineer, Rudhia Irrigation Section, Rudhia.
- 3) The Collector & District Magistrate, Jajpur has approved the proposal of creation of Salaba Baitarani River Sand Quarry and Instructed to auction the source in 05 years long term lease basis.
- 4) The mining plan of the source is approved by the Deputy Director of Geology, Directorate of Geology, Bhubaneswar.
- 5) There is plenty of sand with annual minimum guaranteed quantity (MGQ) 16,730 cum which fetches good Govt. revenue and the auction can prohibit the theft of minor mineral.
- 6) The lease area is 02 km. distance from the river embankment.
- 7) There is no agriculture land in between the sairat area and river embankment.
- 8) The river embankment is sustainable for transportation of sand by light vehicle from the sairat as a number of vehicles carrying illegal sand and soil brick every day in the same embankment.
- 9) No breach of embankment due to flood near the source in past years or threat of same in current year.
- 10) There is no habitation, monuments etc. nearby the sources.
- 11) The river bed is filled with sand which helps the overflow of water in time of flood. It requires to be excavated through auction of sand.
- 12) The auction of sairat lease area does not affect the communal right of the general public.

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(Pg-04/07)

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- 13) The easement right of the people will not hamper as per OMMC Rules, 2016.
- 14) In view of above aspects, the Notice bearing No.5220/dt.24.08.2020 was issued to auction Salaba Baitarani River Sand Quarry in long term basis for 05 years and the bidder for the auction has been finalised on dt.16.09.2020. Subsequently, the successful bidder has been intimated in 'Form-F'.

**(iv) Ranapal Baitarani River Sand Quarry**

- 1) The sairat source namely Ranapal Baitarani River Sand Quarry has been created newly over the land schedule as mentioned below after observing all formalities as per Odisha Minor Mineral Rules, 2016.

**Land Schedule**

Mouza	Khata No.	Plot No.	Kisam	Area (in Ac)
Ranapal	382 (A.AJ.A)	1471 (P)	Nadi	12.00 o/o 66.83
<b>TOTAL</b>				<b>12.00</b>

- 2) The sand sairat source is coming under the safety zone taking into account the structural parameters, locational aspects, flow rate etc. for carrying out mining in proximity to any bridge or embankment which was worked out with the Assistant Engineer, Rudhia Irrigation Section, Rudhia.
- 3) The Collector & District Magistrate, Jajpur has approved the proposal of creation of Ranapal Baitarani River Sand Quarry and instructed to auction the source in 05 years long term lease basis.
- 4) The mining plan of the source is approved by the Deputy Director of Geology, Directorate of Geology, Bhubaneswar.
- 5) There is plenty of sand with annual minimum guaranteed quantity (MGQ) 5,520 cum which fetches good Govt. revenue and the auction can prohibit the theft of minor mineral.
- 6) The lease area is 300 meters distance from the river embankment.
- 7) There is no agriculture land in between the sairat area and river embankment.
- 8) The river embankment is sustainable for transportation of sand by light vehicle from the sairat as a number of vehicles carrying illegal sand and soil brick every day in the same embankment.

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Collector, Jajpur

(Pg-05/07)

- 9) No breach of embankment due to flood near the source in past years or threat of same in current year.
- 10) There is no habitation, monuments etc. nearby the sources.
- 11) The river bed is filled with sand which helps the overflow of water in time of flood. It requires to be excavated through auction of sand.
- 12) The auction of sairat lease area does not affect the communal right of the general public.
- 13) The easement right of the people will not hamper as per OMMC Rules, 2016.
- 14) In view of above aspects, the Notice bearing No.5220/dt.24.08.2020 was issued to auction Ranapal Baitarani River Sand Quarry in long term basis for 05 years and the bidder for the auction has been finalised on dt.16.09.2020. Subsequently, the successful bidder has been intimated in 'Form-F'.

(v) **Dhanatri Baitarani River Sand Quarry**

- 1) The sairat source namely Dhanatri Baitarani River Sand Quarry has been created newly over the land schedule as mentioned below after observing all formalities as per Odisha Minor Mineral Rules, 2016.

**Land Schedule**

Mouza	Khata No.	Plot No.	Kisam	Area (In Ac)
Dhanatri	477 (A.AJ.A)	2398 (P)	Nadi	12.00 o/o 44.18
<b>TOTAL</b>				<b>12.00</b>

- 2) The sand sairat source is coming under the safety zone taking into account the structural parameters, locational aspects, flow rate etc. for carrying out mining in proximity to any bridge or embankment which was worked out with the Assistant Engineer, Rudhia Irrigation Section, Rudhia.
- 3) The Collector & District Magistrate, Jajpur has approved the proposal of creation of Dhanatri Baitarani River Sand Quarry and instructed to auction the source in 05 years long term lease basis.
- 4) The mining plan of the source is approved by the Deputy Director of Geology, Directorate of Geology, Bhubaneswar.
- 5) There is plenty of sand with annual minimum guaranteed quantity (MGQ) 9,680 cum which fetches good Govt. revenue and the auction can prohibit the theft of minor mineral.

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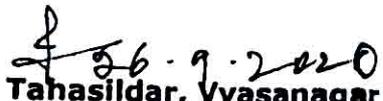
! P.K. Sahoo  
**Attested**

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Collector, Jajpur (Pg-06/07)

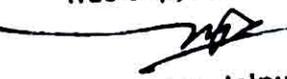
- 6) The lease area is 200 meters distance from the river embankment.
- 7) There is no agriculture land in between the sairat area and river embankment.
- 8) The river embankment is sustainable for transportation of sand by light vehicle from the sairat as a number of vehicles carrying illegal sand and soil brick every day in the same embankment.
- 9) No breach of embankment due to flood near the source in past years or threat of same in current year.
- 10) There is no habitation, monuments etc. nearby the sources.
- 11) The river bed is filled with sand which helps the overflow of water in time of flood. It requires to be excavated through auction of sand.
- 12) The auction of sairat lease area does not affect the communal right of the general public.
- 13) The easement right of the people will not hamper as per OMMC Rules, 2016.
- 14) In view of above aspects, the Notice bearing No.5220/dt.24.08.2020 was issued to auction Dhanatri Baltarani River Sand Quarry in long term basis for 05 years and the bidder for the auction has been finalised on dt.16.09.2020. Subsequently, the successful bidder has been intimated in 'Form-F'.

  
26.9.20  
**Geologist**  
**Collectorate, Jajpur**

**Executive Engineer**  
**Irrigation Division**  
**Jajpur**

  
26.9.2020  
**Tahasildar, Vyasaganar**  
**Tahasildar, Vyasaganar**  
**Jajpur Road**

**True Copy**  
A.K. Sahoo  
**Attested**

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**Collector, Jajpur**