

COLLECTORATE:NABARANGPUR
(JUDICIAL SECTION)

No 184 /XVIII-80/2020.Jud.

Date.. 13 ..02..2020

From: Dr. Ajit Kumar Mishra,OAS(SAG)
District Magistrate & Collector,
Nabarangpur

To
The Consultant (Judicial),
National Green Tribunal,
New Delhi.
(judicial-nqt@gov.in)

Sub: Compliance to the Original Application No. 700/2019 filed by the residents of village Dangatotaguda.

Ref: Your mail dated 09.19.2019.

Sir,

In inviting a reference to your mail dated 09.19.2019, I am to submit herewith compliance to the original application No. 700/2019 as per kind orders of Hon'ble National Green Tribunal dated 16.09.2019 with a request to place the same before Hon'ble Tribunal for kind consideration.

Yours faithfully,


Collector & District Magistrate,
Nabarangpur.

13/2/2020

**COMPLIANCE TO THE ORIGINAL APPLICATION NO. 700/2019 FILED BY THE
VILLAGERS OF DENGATOTAGUDA.**

The Stone quarry situated at Sindhiguda Mouza covered under Plot No. 401 of Khata No. 414 measuring to an extent of Ac. 9.77 has been leased out to Sri Bhagaban Nayak aged about 44 years S/o Late Loknath Nayak of village Dengatotaguda on long term lease basis for four years i.e. from 2016-17 to 2019-2020 after obtaining consent of State Pollution Control Board, Odisha (OM No. 4346 dated 19.11.16- Annexure-A) and in due observance of all other formalities. Copy of lease deed executed between the Tahasildar, Nandahandi and the project proponent Sri Bhagaban Nayak and registered in the office of the District Sub Registrar, Nabarangpur vide Deed No. 11331600945 dated 01.09.2016 is enclosed herewith for kind perusal. (Annexure-B).

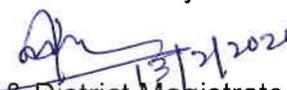
The project proponent Sri Bhagaban Nayak has also been issued license to possess explosives for use for agricultural purpose or in small quarry vide license No. 01/2018 from the District Magistrate, Nabarangpur (Annexure-C) which was issued basing on the recommendations of the Superintendent of Police, Nabarangpur; the Tahasildar, Nandahandi and the Fire Officer, Southern Range, Berhampur.

The Tahasildar, Nandahandi in his report (Annexure-D) has reported that there is neither school, hospital nor any habitation/village within the radius of one KM from the quarry and the nearby villagers have no objection on the blasting operation in the quarry.

In view of the facts stated above, the complaint made in the petition filed by the villages of Dengatotaguda that Sri Bhagaban Nayak is operating the quarry illegally since last three years and there is a school near the quarry is false.

On the other hand villagers of Dengatotaguda as well as Sarapanch concerned are demanding renewal of the license to start the quarrying operation which has been stopped since 31.03.2019 on the grounds that non operation of the quarry has adversely affected the livelihood of the villagers. Copies of the petition submitted by the villagers as well as the Sarapanch is enclosed herewith (Annexure E & F) for your kind perusal.

In this connection it is pertinent to mention here that the project proponent has submitted application for renewal of Explosive license No. 01/2018 for continuation of the quarrying operations but the same is pending due to security concerns.


Collector & District Magistrate,
Nabarangpur.


13/7/2020

ANNEXURE - A

E-mail: rospcb.rayagada@ospcbboard.org

Website: www.ospcbboard.org

REGIONAL OFFICE

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

1st Lane, Kasturinagar, Rayagada

Dist- Rayagada - 765001, Odisha, India

No. 4346 /XI/MM/RA/RO/RGDA/06/16 Date 19.11.16

OFFICE MEMORANDUM

In consideration of the application bearing ID No 884704 for obtaining Consent to Establish for Sindhiguda Stone Quarry of Sri Bhagaban Nayak the State Pollution Control Board has been pleased to convey its Consent to Establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air for (Prevention & Control of Pollution) Act, 1981 for manufacture/production of Granite Boulders of total production capacity as per the mining plan at Sindhiguda Stone Quarry at Plot No 401 and Khata No. 414 of Minor Mineral Mine Lease Area of Ac.9.77 (3.953Ha.), At: Sindhiguda Tahasil: Nandahandi in the district of Nabarangpur with the following conditions:

GENERAL CONDITIONS:

1. Adequate effluent treatment facilities are to be provided such that the quality of sewage and mine drainage water satisfies the standards as prescribed under Environment Protection Rule, 1986 or as prescribed by the Central Pollution Control Board and/or State Pollution Control Board or otherwise stipulated in the special conditions.
2. All emissions from the stone quarry as well as the ambient air quality and noise are to conform to the standards as laid down under Environment (Protection) Act, 1986 or as prescribed by Central Pollution Board or otherwise stipulated in the special conditions.
3. Adequate method of disposal of solid waste is to be adopted to avoid environmental pollution.
4. If the proponent of the stone quarry fails intends to expand the production capacity, change in product mix, manufacturing process and raw material and add any other device which may cause air pollution, the project proponent has to apply for consent to establish afresh before taking consent to establish.
5. The stone quarry is to comply to the provisions of Environmental Protection Act, 1986 and the rules made there under with their amendments from time to time such as the Hazardous Waste (Management & Handling) Rules, 1989, Hazardous Chemical Rules, / Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 etc and amendments there under. The quarry is also to comply to the provisions of Public Liability Insurance Act, 1991, if applicable.
6. The proponent of the stone quarry is to take up the plantation of indigenous species around the facility inside the premises.

7. The quarry is to apply for grant of consent to operate under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 at least 03 (three) months before operation of the stone quarry and obtain consent to operate from this Board.
8. This Consent to establish is granted subject to other statutory clearances from Government of Odisha and / or Government of India as and when applicable.

SPECIAL CONDITIONS:

1. This Consent to establish is granted subject to execution of Sindhiguda Stone Quarry lease in favour of Sri Bhagaban Nayak in the district of Nabarangpur.
2. This consent to establish 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 Geologist & Approving Authority of Joint Director Geology Zonal Survey, Koraput 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.
3. The stone mining shall not be carried out within 500 mts of any existing structures such as bridges, dams, weirs, ground water extraction point, water supply head works or any other cross drainage structure.
4. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
5. No mining shall take place 6mts below ground level.
6. The mining shall not affect the existing sources of irrigation or drinking water for industrial purposes.
7. Water sprinkling arrangements shall be provided at all haul roads, transportation roads, quarry areas, stack yard and other dust generating points to control fugitive dust emission.
8. The unit shall maintain Ambient air quality in order to meet the prescribed standard as per National Ambient Air Quality Standard.
9. Wet drilling is to be adopted to control dust emission. Drilling and blasting shall be done only by licensed explosive agent by the proponent after obtaining required approvals from competent authorities and the unit shall use the delay detonators.
10. Loading and unloading activities including all transfer points should have efficient dust control system arrangements.
11. The speed of the vehicle shall be controlled in order to reduce the dust emission and the dusty materials shall be carried out by covered vehicle. The vehicle must have obtained pollution under control certificate.
12. The unit shall provide adequate retaining wall, garland drain with check dams and settling tank for control of surface runoff.
13. The OB shall be properly stacked in the earmarked area as per the approved mining plan and it should not cause any environmental problems.
14. No stone crusher shall be installed inside the lease hold area without obtaining clearance from appropriate authority.
15. After the completion of the mining operations or on expiry of lease period, the mine authority shall fill and level the quarry area in order to make safe for the inhabitants.

16. The proponent shall take necessary measures to ensure no adverse impact caused due to mining activities on the human habitations existing nearby.
17. The unit shall plant the trees as per the mining plan in every year.
18. Rejected stones shall be disposed off on low lying areas inside the mine lease hold area in proper manner without causing any environmental pollution.
19. The unit shall abide by the provisions under E.P Act, 1986 and other rules framed there under
20. The Board may impose further conditions or modify the conditions as stipulated in this order during installation and / or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and / or information are found to have been suppressed / wrongly furnished in the application form.

[Signature]
REGIONAL OFFICER

To,

Sri Bhagaban Nayak
Sindhiguda Stone Quarry
At. Sindhiguda PO - Nandahandi
Dist.Nabarangpur

Memo No-----Dt-----

Copy forwarded to:

1. Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar
2. Collector & District Magistrate, Nabarangpur
3. D.F.O, Nabarangpur
4. Geologist, Joint Director Geology, Zonal Survey, Koraput
5. Tehsildar, Nandahandi
6. Copy to Guard file

[Signature]
REGIONAL OFFICER

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7, 9, 50/16

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DISTRICT SUB-REGISTRAR
NABARANGPUR
01/09/16

STANDARD AGREEMENT DEED FOR LONG TERM LEASE OF SAIRAT (SINDHIGUDA STONE QUARRY) FOR THE PERIOD FROM 2016-17 TO 2019-20

THIS INDENTURE made this 31st August-2016, Between the **Tahasildar Nandahandi Smt HEMALATA MAJHI**, aged about 54 years, W/o Sri ARJUN BHAGAT, Resident of Revenue Colony Majhiguda chowk / Po-Majhigda, Dist. Nabarangpur, (Odisha) Presently working as Tahasildar, Nandahandi, Ps-Nabarangpur, in the district of Nabarangpur (Odisha), on behalf of GOVERNOR OF ODISHA (hereinafter called the "Lessor")

And

Sri BHAGABAN NAYAK, aged about 44 years, S/o Late LOKNATH NAYAK, Prof-Cultivation, resident of Vill-Dengatotaguda, Po-Sindhiguda, Ps-Nabarangpur, Tahasil-Nandahandi/ Dist. Nabarangpur, Odisha (hereinafter called the "Lessee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators assignees) of the other part.

WHEREAS the lessee has applied to the competent authority concerned for a quarry mining long term lease for the financial year 2016-17 to 2019-20 (Minor Mineral) in accordance with the provisions of the Orissa Minor Mineral Concession (Amendment) Rules-2014 and subsequent amendment of 2015-16 in respect of the lands described in Part-I of the schedule and has deposited as sum of total of Rs. **10,000 (Rupees Ten thousand)** only towards security deposited (Ernest Money Deposit) vide Bank Draft No. 083256, dtd 16-10-2015, SBI, Nabarangpur. As per mining plan prepared by RQP and duly approved by the DD Mines, Koraput and SEIAA, Odisha, Bhubaneswar vide OMMC no 18/2015-16 in Letter No. 633/2016 dtd. 19-08-2016 vide PR No. 825/2016, dtd 19-08-2016. The lessee has to deposit royalty charges of Rs. 14,29,110/- (Rupees fourteen lakhs twenty nine thousand one hundred ten) per cum @ Rs. 201/- upto 7110 cum only for four years i.e. 2016-17 to 2019-20 towards Royalty charges.

Lessor
TAHASILDAR NANDAHANDI

Lessee

'e' Registration ID No. 13316009.55
'e' Registration Deed No. 1133160094.5
Book No. 1 Vol. No. 19
For the year 2016 Date 01/09/2016

District Sub-Registrar
Nabarangpur
01/09/16

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

NOW THIS INDENTURE witnesseth as follows-

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

The said demises pieces of land and quarry thereon shall be held by the lessee for a term of the financial year 2016-17 to 2019-20 upto 4 years from the date on which this executed deed is registered under Indian Registration Act and Orissa Registration Manual subject to the terms covenants, conditions hereinafter provided.

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

PART-I

(Location and area of the lease)

Village -SINDHIGUDA

Plot no. 401

Khata No. 414

Approved for Ac. 9.77 cents. (Nine acres seventy seven cents)

R.I. circle-SINDHIGUDA

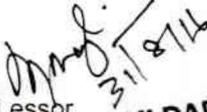
Tahasil-NANDAHANDI

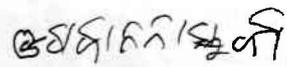
District-NABARANGPUR

Patharbani Kissam (STONE QUARRY)

As per the approved Mining Plan and approved by the SEIAA, BBSR.

The term of lease deed for 4 (four) years commences from the date of agreement.


Lessor
**TAHASILDAR
NANDAHANDI**


Lessee



Endorsement of the certificate of admissibility

Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment act 1 of 2008) Act 1899, Schedule 1-A No. 35© Fees Paid : A5(b)-28783 ,, User Charges-220 ,Total 29003

Date: 01/09/2016

Signature of Registering officer

Endorsement under section 52

Presented for registration in the office of the **District Sub-Registrar NABARANGPUR** between the hours of 10:30 AM and 2:30 PM on the **01/09/2016** by **TAHSILDAR NANDAHANDI SMT. HEMALATA MAJHI** , son/wife of **AT-TAHSIL OFFICE, NANDAHANDI** , by caste , profession and finger prints affixed.

H Majhi

Signature of Presenter / Date: 01/09/2016

Signature of Registering officer

Endorsement under section 58

Execution is admitted by :

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
TAHSILDAR NANDAHANDI SMT. HEMALATA MAJHI		 311409935	<i>H Majhi</i>	01-Sep-2016
BHAGABAN NAYAK		 240689981	<i>Bhagaban Nayak</i>	01-Sep-2016
Identified by SUDHIR NAYAK Son/Wife of SOMNATH NAYAK of AT-DENGATOTAGUDA, NABARANGPUR by profession Cultivation				
Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
SUDHIR NAYAK		 40252330	<i>Sudhir Nayak</i>	01-Sep-2016

LICENCE FORM LE-3

(See Article 3 (a) to (d) of Part 1 of Schedule IV of the Explosive Rules, 2008)

License to possess for use, for agricultural purpose or in small quarry, explosives not exceeding 25 kilograms of Class 1, 2, or 3; 1500 numbers of detonators; and 1500 meters of Detonating Fuse or Safety Fuse at any one time in a magazine

License No. **01 / 2018**
Annual Fees Rs. **1000/-**

01. License is hereby granted to:

Sri Bhagaban Nayak,
S/o Liknath Nayak
At: **Dengatotaguda,**
City: **Nabarangpur,** Dist: **Nabarangpur,**
State: **Odisha,** Pin Code: --
Police Station: **Nabarangpur,**
Railway Station/ Steamer Ghat: **Jeypore**
Phone: **9337248114**



02. Status of the licensee: **Individual**

03. License is valid for the following purpose: **License to possess explosive for use in Sindhiguda Stone Quarry.**

04. License is valid for the following kinds and quantity of explosives:

Sl No	Name and Description	Class & Division	Sub Division, if any	Quantity at any one time
01	Nitrate Mixture	2	0	25 Kilograms
02	Safety Fuse	UN 1,1	0	1500 Meters
03	Detonating Fuse	UN 1,1	0	1500 Meters
04	Detonator EP/ OD	UN 1,1	0	1500 Nos.

05. The licensed premises shall conform to the following drawing(s):
Drawing No..... dated.....
Drawing No..... dated.....
Drawing No..... dated.....

06. The licensed premises are situated at following address:
Khata No. **414**, Plot No. **401** , Ext. **Ac.9.77** Village: **Sindhiguda,**
Tahasil: **Nandahandi**, Police Station: **Nabarangpur**
District: **Nabarangpur**, State: **Odisha,**
Railway Station/ Steamer Ghat: **Jeypore**, Phone: **9337248114.**

07. The licensed premises consist of the following facilities:

Reviewed original license

CP Bhagaban Nayak

08. The license is granted subject to the provision of the Explosives Act, 1884 as amended from time to time and the Explosives Rules, 2008 framed there under and the conditions, additional conditions and the following annexure:
- Drawings (showing site, constructional and other details) as stated in serial No. 05 above.
 - Conditions and additional conditions of this license signed by the licensing authority.
 - Distance Form.
 - Annexure
 - The licensee is allowed to use the explosives but he cannot store the explosives.
09. This license shall remain valid till **31st day of March, 2018.**

This license is liable to be suspended or revoked for any violation of the Act or rules framed there under or the conditions of this license as set forth under SET- VII to SET- IX wherever applicable, referred to in Part 4 of Schedule V or if the licensed premises are not found conforming to the description shown in the plans and annexure attached hereto.

The 16th Jan. of 2018


Collector & District Magistrate,
Nabarangpur

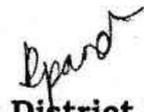

District Magistrate & Collector,
Nabarangpur

Statutory Warning: Mishandling and misuse of explosives shall constitute serious criminal offence under the law.

Memo No 47 /2018

Dated 16/1/2018

Copy to **Sri Bhagaban Nayak, S/o Loknath Nayak, At: Dangatotaguda, Police Station: Nabarangpur, Dist: Nabarangpur, Odisha** for information and necessary action.


Collector & District Magistrate,
Nabarangpur


District Magistrate & Collector,
Nabarangpur

Memo No 48 /2018

Copy forwarded to the **Superintendent of Police, Nabarangpur/ Assistant Fire Officer, Nabarangpur/ Tahasildar, Nandahandi** for information and necessary action.


Collector & District Magistrate,
Nabarangpur


District Magistrate & Collector,
Nabarangpur

ANNEXURE - D.
URGENT

6

11/16/17

OFFICE OF THE TAHASILDAR, NANDAHANDI
DISTRICT: NABARANGPUR, (ODISHA)



E-mail : nndtahasil@gmail.com, ph.: 06858-229755

No:.....145)..... / XV-13 /2017

Date:..1.2...16..12017

To

The Additional District Magistrate,
Nabarangpur.

Sub:- Submission of enquiry report on grant of Explosive license as desired in point o1 to 04 of the Sairat sources under Nandahandi Tahasil , as per OMMC- Rule-2014 .

Ref:- 1) Your Letter No 399/2017 dated 1/5/2017 .
2) Your Letter No 401 /2017 dated 1/5/2017 .
3) Your Letter No 403 /2017 dated 1/5/2017 .

Sir,

In inviting to the letters cited above on the captioned subject, I am to furnish here with the detail enquiry report on grant of Explosive license as desired in Point No o1 to 04 in the afore said letters . The enquiry made by the Revenue Supervisor of this Tahasil in the following Stone quarries along with the Revenue Inspector of the concerned R.I.circle, which are felt good by the under-signed and fulfill the enquiry made related on the matter as per application Form- AE- 03 .

So, enquiry reports are enclosed here with for your ready reference separately for taking further steps at your level.

- 1) Belgoan Stone quarry at Belgoan
- 2) Sindhiguda Stone quarry at Sindhiguda
- 3) Nuagoan- 3 Stone quarry at Nuagoan-

This is for favour of kind information.

Yours faithfully,

Tahasildar, Nandahandi

Enclosed:- As above.

03/6/17

Abhaya Babu
12/16/17

KAC

**DETAIL ENQUIRY REPORT ON GRANT OF EXPLOSIVE LICENSE
TO THE STONE QUARRY HOLDERS.**

- 2) Sindhiguda Stone quarry at Sindhiguda - Sri Bhagaban Nayak,
Village- Dengatotaguda , Project Proponent for 05 year Long term Lease.

SI No	Point related	Enquiry report furnished
1)	Revenue matter such as involvement of any SC/ST. land Govt. Land and Forest Land etc	There are no SC/ST. cultivable Land , no forest Land & surrounding with Govt. Land of the Sindhiguda stone quarry .
2)	Any local environment issue which is likely to generate adverse public opinion on issuance of this license.	The stone quarry of Sindhiguda situated Plot No 414, Plot No 401 Area- 9.72 Ac, Kissam- Patharbani. The stone quarry is situated 1.00 Km from the village-Dengatotaguda & about 2.00 Kms from Jhethuguda . There is no treat over the environment . Both villages have no objection for explosion .
3)	Distance of the site from the Educational institution, Hospital, public offices etc.	There is no primary school, Hospital nor any habitation / village/ Hamlet within the radius of 1.00 Km to the stone quarry at Sindhiguda . The people have no objection for extracting of minor Minerals & blasting in that stone quarry.
4)	Any objection from the local public regarding blasting of explosives in the said quarry.	As per long term lease permission given to stone quarry , the villagers of Dengatotaguda and Jhethuguda have no objection for extracting of Minor Minerals and blasting in that stone quarry.

12/10/17

Tahasildar, Nandahandi.

ANNEXURE - E

प्रादेशीय शैक्षणिक सचिवालय की संज्ञावाले कक्षाएँ
के लिए शैक्षणिक

विषय: प्रादेशीय शैक्षणिक सचिवालय द्वारा शिक्षण
सहायकों के कर्तव्यों पर एक पुस्तिका का
प्रकाशन का प्रास्ताविक शर्तों पर निर्धारण

संज्ञावाले,

आज मैं आपको एक श्रेष्ठ शिक्षण सहायक के रूप में
संज्ञावाले के रूप में कार्य करने के लिए, प्रादेशीय शैक्षणिक
सचिवालय द्वारा एक पुस्तिका का प्रकाशन के लिए
काम करने के लिए आगे बढ़ना चाहता हूँ। प्रादेशीय शैक्षणिक
सचिवालय के द्वारा प्रकाशित पुस्तिकाओं का प्रादेशीय
सचिवालय के द्वारा प्रकाशन के लिए काम करने के लिए
आगे बढ़ना चाहता हूँ। प्रादेशीय शैक्षणिक सचिवालय
द्वारा प्रकाशित पुस्तिकाओं का प्रादेशीय सचिवालय
द्वारा प्रकाशन के लिए काम करने के लिए आगे बढ़ना
चाहता हूँ। प्रादेशीय शैक्षणिक सचिवालय द्वारा
प्रकाशित पुस्तिकाओं का प्रादेशीय सचिवालय द्वारा
प्रकाशन के लिए काम करने के लिए आगे बढ़ना चाहता हूँ।
प्रादेशीय शैक्षणिक सचिवालय द्वारा प्रकाशित पुस्तिकाओं
का प्रादेशीय सचिवालय द्वारा प्रकाशन के लिए काम करने
के लिए आगे बढ़ना चाहता हूँ। प्रादेशीय शैक्षणिक
सचिवालय द्वारा प्रकाशित पुस्तिकाओं का प्रादेशीय सचिवालय
द्वारा प्रकाशन के लिए काम करने के लिए आगे बढ़ना चाहता हूँ।

आज्ञाकारी
शाखा

दिनांक: १.१.२०२०
उपस्थित

(९) Babula Jung
(७) RMA Sahu

29 prahala & nayak
 1 Kamulya Jani
 29 prahala & nayak
 ହାମାୟକ ବିଶ୍ୱାସୀ

30/ keneb kumar Nayak
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 43- TP
 44- TP

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 ୩୩- TP
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 ୩୫- TP
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୩୧- Poston juri
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