

## BEFORE THE NATIONAL GREEN TRIBUNAL , EASTERN

## ZONE , KOLKATA

APPEAL NO. 19 / 2023/EZ

Ashish Kumar Ghosh and Another

...Appellants

-Versus-

State of Odisha and others

...Respondents

SUPPLEMENTARY AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT NO. 18

## INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit.		7
2.	A copy of writ petition along with its annexure whereof is annexed and marked hereto with the letter R-1	'R-1'	8-68
3.	Copy of the solemn Order dated	'R-2'	69-73



11 MAR 2024

	December 20, 2023 passed by the Hon'ble High Court, Odisha		
4.	Copy of the order dated February 23, 2024 passed by the Director, Minor Minerals in compliance of the solemn Order passed by the Hon'ble High Court, Odisha	'R-3'	74-76

Filed by:

*Pooja Sah*

POOJA SAH

Advocate

For The Respondent No. 8.

Email: [sahpooja293@gmail.com](mailto:sahpooja293@gmail.com)

Mob: 9674012194



40/24  
M. No. ....

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

**APPEAL NO. 19 / 2023/EZ**

Ashish Kumar Ghosh and another

...Appellants

-Versus-

State of Odisha and others

...Respondents

**SUPPLEMENTARY AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT NO. 18**

I, Laxmipriya Prusty, wife of Ratikant Rout, aged about 38 years, by occupation- Business, residing at – Balaram Prasad, PO. – Patla, PS.- Motanga, District- Dhenkanal, Odisha, do hereby solemnly affirm and state as follows: -

1. That I am the Respondent No. 18 in the instant case and as such I am well acquainted with the facts and circumstances of the case. I am competent to swear and affirm this instant affidavit.
2. I say that the instant affidavit is being filed to bring on records certain information or facts which form part of the case records but were inadvertently not included in the caption petition and/or the said events took place after filing of the counter affidavit by the respondent No. 18 which was filed on 14.10.2023 before this Learned Tribunal.
3. I say that respondent No. 18 filed one writ petition being No. W.P.(C) NO.41390 OF 2023 ( Laxmipriya Prusty VS State of Odisha and Ors.)



11 MAR 2024

before the Hon'ble High Court, Orissa (*hereinafter referred to as the said writ petition*) praying for issuance of 'Y' form (e-pass) to the petitioner in respect of the same amount so has to make them operational and further prays for consideration for representation in accordance with the law dated 01.10.2023. It is pertinent to mention that about the pendency of the NGT matter was mentioned in the said writ petition. A copy of writ petition along with its annexure whereof is annexed and marked hereto with the letter R-1 .

4. I say that in the said Writ petition vide its order dated December 20, 2023, after hearing the parties was pleased to direct the opposite party No. 2 being (Director, Minor Minerals, Steel and Mines Department, Govt. of Odisha) to consider the representation of the petitioner within a stipulated time and pass appropriate order in accordance within a period of 6 weeks from the date of production of certified copy of this order. A copy of the order dated December 20<sup>th</sup>, 2023, is annexed hereto and marked with letter R-2 .
5. I say that Respondent no. 18 herein wrote a letter dated November 1, 2023 addressing his grievances to Director, Minor Minerals, Steel and Mines Department, Govt. of Odisha) which was duly received by Directorate of Minor Minerals, Odisha on November 4, 2023. For better appreciation of the facts, representation dated 01.11.2023 of the respondent no 18 was forwarded to DDM, Bhadrak with a request to cause an immediate inquiry into the matter personally and to take



immediate necessary action in the matter as per rules and also to furnish action taken report in the matter to Directorate of Minor Minerals, Odisha for kind appraisal of Director, Minor Minerals, Odisha.

6. I say that pursuant to the inquiry of the Directorate of Minor Minerals, Odisha DDM, Bhadrak revealed that since the matter was sub-judice before the Hon'ble National Green Tribunal (NGT) challenging the issuance of Environmental Clearance, The Rajnagar River Sand Quarry has not been taken over by the Mining officer, Balasore. It is pertinent to mention herein that the matter was further referred to Steel and Mines Department for necessary clarification/instruction in the matter. Pursuant to the inquiry the Steel and Mines Department vide its letter being No. 1258 dated 08.02.2024 has intimated that even though the matter is sub-judice under NGT, Eastern Zone Bench, Kolkata challenging the issuance of Environmental Clearance, as yet there is no order to stay operation and has requested Director, Minor Minerals, Odisha to dispose of the representation of the respondent No.18 without delay by instructing M.O Balasore/DDM Bhadrak to issue e-transit permit to the lessee to avoid any legal complicity.
7. I say that thereafter MO Balasore was requested to take immediate necessary steps for issuance of e-transits pass to the lessee in respect of Rajnagar Sand Quarry over an area of 13.55 acres or 5.48 Ha bearing





khata no: 377 , plot no. 1259/1300 in village - Rajnagar , Tahasil Jaleswar, District - Balasore provided the lessee fulfilled all the requisite conditions, obtained all statutory clearances, deposited required dues including outstanding and there is no other legal impediments against the source. The petitioner's representation dated 01.11.2023 is disposed of accordingly. A copy of the order dated 23.02.2024 is annexed hereto and marked with letter R-3 .

8. I say that no new case has been made out by the way of the instant affidavit which is been preferred for the purpose of bringing on record certain important documents and information.
9. It is humbly prayed that the instant affidavit and annexure hereto be taken record and treated as part of the captioned petition, being Appeal No. 19 of 2023 filed before the Learned Tribunal.
10. That the statement made in paragraph No. 1 to 7 are true to my knowledge which is believed to be true the rest are my humble submission before this Learned tribunal.

Laxmipriya Prusty  
Deponent

Prepared In my Office

Pooja Gul  
Advocate

F1586/2024

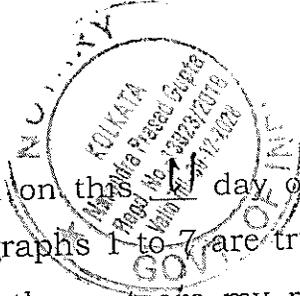
L.T.I.(s) Signatures(s) of the  
Executants attested by me on Identification  
NARENDRA PRASAD GUPTA, NOTARY  
Advocate, HIGH COURT, KOLKATA  
Regd No.-13823/2018, Govt. of India

NARENDRA PRASAD GUPTA  
NOTARY  
GOVERNMENT OF INDIA  
REGN. NO.-13823/2018  
&  
ADVOCATE, HIGH COURT CALCUTTA  
8, Old Post Office Street (Ground Floor)  
Opp. F-Gate (High Court)  
Mob.-8910576674  
9883135090

11 MAR 2024

**VERIFICATION**

Verified at Kolkata by the deponent above named on this 11 day of March, 2024 and state that the statements made in paragraphs 1 to 7 are true to my knowledge, which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Tribunal.



Identified by me

*Pooja Saha*

Advocate

For The Respondent nos. 18

*Laxmipriya Prusty*  
Deponent



11 MAR 2024

IN THE HIGH COURT OF ORISSA : CUTTACK

(ORIGINAL JURISDICTION CASE)

W.P.(C) NO. 41390 / 2023

Code No. \_\_\_\_\_

Laxmipriya Prusty

... Petitioner

Versus

State of Odisha and others

... Opp. Parties

INDEX

Sl. No.	Description of the documents	Pg. No.
A.	SYNOPSIS	
B.	DATE CHART	
1.	Writ Application	1 - 8
2.	<u>ANNEXURE - 1</u> Copy of the lease agreement Dt. 13.07.2023	9-32
3.	<u>ANNEXURE - 2</u> Copy of Consent to Establishment (CTE) Issued by State Pollution Control Board	33-35
4.	<u>ANNEXURE - 3</u> Copy of Consent to Operate (CTO) Issued by State Pollution Control Board	36-44
5.	<u>ANNEXURE - 4</u> Copy of Environment Clearance (EC)	45-53
6.	<u>ANNEXURE - 5</u> Copy of representation dtd. 01.11.2023	<del>54-55</del>
7.	V A K A L A T N A M A	54-55

Cuttack

By the Petitioner through

Date : 18.12.2023 Siddhant Kumar Jena

, **ADVOCATE**

En. No. 0-375/2017

Mob : 7978267173

IN THE HIGH COURT OF ORISSA : CUTTACK

W.P.(C) NO. \_\_\_\_\_ / 2023

Laxmipriya Prusty ... Petitioner  
Versus  
State of Odisha and others ... Opp. Parties

SYNOPSIS

The petitioner is filing this writ application seeking a direction to the O.P. No. 2, 5 and 6 to issue Y Form (e-Pass) to the petitioner in respect of the said sand quarry so as to make the same operational and further consider the representation of the petitioner (annexure-5) in accordance with law at the earliest.

By the Petitioner through

Cuttack

Date : 18.12.2023

  
Advocate

## IN THE HIGH COURT OF ORISSA : CUTTACK

W.P.(C) NO. \_\_\_\_\_ / 2023

Laxmipriya Prusty ... Petitioner

Versus

State of Odisha and others ... Opp. Parties

DATE CHART

13.07.2023 : Lease Deed was executed in favour of the petitioner.

21.07.2023 : CTE was issued by SPCB

24.07.2023 : CTO was issued by SPCB

23.06.2023 : EC granted to the petitioner.

01.11.2023 : Representation filed by the petitioner.

By the Petitioner through

Cuttack

Date : 18.12.2023

  
Advocate

563

IN THE HIGH COURT OF ORISSA : CUTTACK

(ORIGINAL JURISDICTION CASE)

W.P.(C) NO. \_\_\_\_\_ / 2023

Code No. \_\_\_\_\_

In the matter of :

An application under Articles 226  
and 227 of the Constitution of  
India;

A N D

In the matter of :

Laxmipriya Prusty, aged about 40 years,  
W/o. Ratikant Rout, Lessee in respect of  
Rajnagar River Sand Quarry, Vill.-  
Rajnagar, Tahasil- Jaleswar, Dist.-  
Balasore.

... Petitioner

Versus

1. State of Odisha, represented by Addl.  
Chief Secretary to Govt., Steel & Mines  
Dept., Lokseva Bhawan, Bhubaneswar,  
Dist.- Khurda.
2. Director (Minor Minerals), Steel & Mines  
Dept., Lokseva Bhawan, Bhubaneswar,  
Dist.- Khurda.

*Gene  
Adv*

3. Collector, Balasore, At/PO./Dist.- Balasore.
4. Tahasildar, Jaleswar, Dist.- Balasore.
5. Deputy Director of Mines, Bhadrak Mining Circle, Dist.- Bhadrak.
6. Mining Officer, Balasore, Dist.- Balasore.

... Opp. Parties

The matter out of which this writ application arises was never before this Hon'ble Court in any manner whatsoever as per instruction of the client.

To

The Hon'ble Acting Chief Justice of the High Court of Orissa and His Lordship's other Companion Justices of the said Hon'ble Court.

The humble petition of the above named petitioner ;

**MOST RESPECTFULLY SHEWETH:**

1. That the petitioner is a citizen of India and resides within the territorial jurisdiction of this Hon'ble Court and the cause of action for filing of

*Jena Adv*

this writ application has also arisen within the jurisdiction of this Hon'ble Court.

2. That the petitioner being the highest bidder was lawfully selected for grant of long term lease in respect of Rajnagar River Sand Quarry, Jaleswar, Dist. Balasore (Hereinafter called as the said Sand quarry) and lease agreement was executed by the Tahasildar, Jaleswar on dt. 13.07.2023. A copy of the lease agreement is annexed hereto as **ANNEXURE - 1**.

3. That thereafter the petitioner applied for Consent to Establish (CTE) and Consent to Operate (CTO) to State Pollution Control Board (SPCB) which was issued in favour of the petitioner on 21.07.2023 and 24.07.2023 respectively in respect of the said sand quarry. Copy of the CTE and CTO issued by SPCB are annexed hereto as **ANNEXURE - 2 and 3** respectively.

4. That after compliance of all legal requirements, the said sairat source became eligible for operation and the petitioner applied to the Tahasildar, Jaleswar to issue Y Form so that she can start operation of the said sand quarry. But the Tahasildar, Jaleswar expressed inability of issuing the Y Form on the ground that in the meanwhile the minor mineral sources of Balasore

*Fazal Ali*

district are transferred to the administrative control of Mining Dept., Govt. of Odisha.

5. That thereafter the petitioner approached the Mining Officer, Balasore Circle who is in charge of the said sand quarry to issue Y Form (e-Pass) in order to make the said sand quarry operative. But it was informed to the petitioner that there is a NGT case pending in respect of the said sand quarry and therefore the Y Form (e-Pass) cannot be issued to the petitioner for make the said sand quarry operational.

6. That now the Mining Dept. is stating that although it has taken over the charge of the said sand quarry but due to the NGT case the Y Form (e-Pass) is not being issued to the petitioner. The petitioner humbly and respectfully submits that admittedly although NGT case is pending against SEIAA (State Environment Impact Assessment Authority) challenging the Environment Clearance (EC) yet in the NGT case there is no interim order restricting the concerned Dept. to issue Y Form (e-Pass) to the petitioner nor there is any legal prohibition imposed by NGT to make the said sand quarry operational.

7. That the petitioner humbly submits that the SEIAA after due verification has already granted EC on 23.06.2023 in respect of the said

*For Ade*

sand quarry, a copy of which is annexed hereto as **ANNEXURE-4** and pursuant to it CTE and CTO have been granted by SPCB to the said sand quarry by SPCB.

8. That in the NGT case unless the EC is found to be defective or NGT revoked the EC for any reason, till then the EC is legally enforceable and operative. There is no interim order in NGT case to make the EC operative and allow operation said sand quarry by a bonafide lessee in accordance with the terms and conditions of the lease deed (Annexure-1).

9. That the petitioner humbly submits that the lease deed has been executed since 13.07.2023 and the lease period shall be counted from that date. Now in the meanwhile 5 months already expired. The petitioner before execution of the lease deed has deposited a sum of Rs.42,60,000/- towards security deposit and further at the time of lease deed and thereafter phasewise the petitioner has already deposited a sum of Rs. 47,51,020/- towards advance royalty and other dues. Thus as on date the petitioner has already deposited Rs. 90,11,020/- with the State authorities but although 5 months passed the petitioner is not allowed to operate the said sand quarry till date on the ground of NGT case although there is no restriction or interim

*Govind Adw*

prohibitory order passed by NGT restricting the petitioner to commence the mining operation.

10. That the petitioner is in a financial distress condition and has invested huge amount but till date she is not able to enjoy the leasehold right for no valid reason. In this view of the matter the petitioner finding no other way approached the Director (Minor minerals)/ O.P. No. 2 with a representation dt. 01.11.2023 which was received on 04.11.2023 with a prayer to grant permission to operate the said sand quarry and issue Y Form (e-Pass) for the said purpose. A copy of the said representation is annexed hereto as **ANNEXURE-5** in which the petitioner also enclosed all relevant records relating to the said sand quarry.

11. That to the knowledge of the petitioner the Director (Minor minerals)/ O.P. No. 2 directed the DDM, Bhadrak Mining Circle to submit action taken report in the matter involved in the said representation (Annexure - 5) but till date no decision has been communicated to the petitioner which amounts to inaction on the part of the Opp. Parties. The petitioner is thus victimized due to inaction of the Opp. Parties and despite huge investment she is not permitted to make the said sand quarry operational for which the petitioner is put to serious prejudice.

*File*

12. That the petitioner having no other speedy and efficacious remedy available to her other than approaching this Hon'ble Court for appropriate relief(s).

PRAYER

The petitioner therefore prays that your Lordships would graciously be pleased to admit this writ petition, call for the records from the Opp. Parties and after hearing the parties, be pleased to direct the O.P. No. 2, 5 and 6 to issue Y Form (e-Pass) to the petitioner in respect of the said sand quarry so as to make the same operational and further consider the representation of the petitioner (annexure-5) in accordance with law at the earliest ;

And pass any other or further direction as this Hon'ble Court may deem fit and proper ;

And for which act of kindness, the petitioner as in duty bound shall ever pray.

By the Petitioner through

Cuttack

Date : 8.12.2023

  
Advocate

AFFIDAVIT

I, Laxmipriya Prusty, aged about 40 years, W/o. Ratikant Rout, Lessee in respect of Rajnagar River Sand Quarry, Vill.- Rajnagar, Tahasil- Jaleswar, Dist.- Balasore, do hereby solemnly affirm and state as follows:

1. That I am the petitioner in this case.
2. That the facts stated above are true to the best of my knowledge and belief.

Identified by

  
Advocate

*Radhant Kumar Jena*

*D-275/2017*

*Laxmipriya Prusty*  
DEPONENT

CERTIFICATE

Certified that due to non-availability of cartridge papers this has been typed on thick white papers.

  
Advocate

92201610

INDIA NON JUDICIAL

Government of Odisha

1780

Certificate No.	IN-0007200094717V
Certificate issued Date	10/07/2018
Account Reference	NRADG (M) 005017503/ JALESWAR OD-BLS
Unique Doc. Reference	SUBM-GDCEB1760309423434128816V
Purchased by	MINI RANJAN BEHERA
Description of Document	Article 143E Lease Deed
Property Description	RANIGARH
Consideration Price (Rs.)	46,50,000 (Four Six Lakh Thirty Thousand Three Hundred And Fifty Seven only)
First Party	MINI RANJAN BEHERA
Second Party	LALIT KUMAR PRUSTY
Stamp Duty Paid By	LALIT KUMAR PRUSTY
Stamp Duty Amount (Rs.)	95,000 (Ninety Five Thousand And Fifty only)

*Signature*

Book No. 1640  
 Page No. 15-198  
 18/07/2018

A(S) = 92201610 - 00  
 yc = 435 - 00  
 93223

MINI RANJAN BEHERA  
 11/13/07/20

TAHASILDAR  
JALESWAR

0006512860

7/13/23, 3:36 PM

First Endorsement

*Laxmipada Bandy*  
SIGNATURE OF PURCHASER



**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(b). Fees Paid : AS(c)-92808 ,, User Charges-200 ,Total 93008

Date: 13/07/2023

*[Signature]*  
Signature of Registering officer

**Endorsement under section 52**

Presented for registration in the office of the Sub-Registrar Sub-Registrar JALESWAR between the hours of 10:00 AM and 1:30 PM on the 13/07/2023 by GOVERNOR OF ODISHA ON BEHALF OF TAHASILDAR JALESWAR(GOVT) , son/daughter/wife of , of JALESWAR, BALASORE , by caste , profession and finger prints affixed.

Signature of Presenter / Date: 13/07/2023

*[Signature]*  
Signature of Registering officer.

**Endorsement under section 58**

Execution is admitted by :

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
GOVERNOR OF ODISHA ON BEHALF OF TAHASILDAR JALESWAR(GOVT)	Execution By GOVERNOR OF ODISHA ON BEHALF OF TAHASILDAR JALESWAR(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution by GOVERNOR OF ODISHA ON BEHALF OF TAHASILDAR JALESWAR(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By GOVERNOR OF ODISHA ON BEHALF OF TAHASILDAR JALESWAR(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer	---

FORM-N

Form of Quarry Lease

[See Rule 27(13)]

THIS INDENTURE made this 13<sup>th</sup> day of July 2023 between the Governor of Odisha and on whose behalf Tahasildar, Jaleswar & Competent Authority, OMMC Rules, 2016 (here in after called the "Lesser") of the one part and ( Name of person) Smt Laxmipriya Prusty, W/o: Ratikanta Rout, At/ Po- Balaramprasad ,Ps. Motunga, Dist-Dhenkanal State: Odisha aged about 38 years, Profession- Business (hereinafter called "Lessee" which expression shall where the contest so admits be deemed to include his heirs, executors, administrators assignees) of the other part.

*Mehar Koyan Banaria*  
*dt. 13/07/23*

TAHASILDAR  
 JALESWAR

WHEREAS the lessees has applied to the Competent Authority concerned for a Sand lease for the Sand (minor mineral) in accordance with Provisions of the Odisha Minor Minerals Concession Rules, 2016 in respect of the lands described in Part-I of the Schedule and has deposited a sum Royalty and Surface rent Rs. 4630357/- (Rupees Forty Six Lakh Thirty Thousand Three Hundred Fifty Seven Rupees Only). for one year 13.07 .2023 to 12.07. 2024 towards Royalty since the agreement period is 5 year i.e. 13.07 .2023 to 12.07. 2028.

*Laxmipriya Prusty*

AND WHEREAS the Competent Authority has communicated his approval to the grant of lease on the terms, covenant and conditions hereinafter contained.

NOW THIS INDENTURE witness as follows:-

*Wanted K... ..*  
*12/07/2023 - 0.859183*  
*... ..*  
*17/07. Prusty B. Jaleswar*  
*Dist. Balasore 13/07/23*

7/13/23, 2:36 PM

Prva Endorsement

LAXMIPRIYA PRUSTY				13-Jul-2023
-------------------	--	--	--	-------------

Identified by PRASANTA KUMAR PRADHAN, ADVOCATE Son/Wife of TRILOCHAN PRADHAN of RAJPUR, JALESWAR, BILASPUR by profession Advocate

Name	Photo	Thumb Impression	Signature	Date of Admission of Execution
PRASANTA KUMAR PRADHAN, ADVOCATE				13-Jul-2023

Date: 13/07/2023

Signature of Registering officer

**Endorsement of certificate of registration under section 60**

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

Book Number : 1 ( Volume Number : 37

Document Number : 10092301790

For the year : 2023

Seal :

Date: 13/07/2023

Signature of Registering officer

The lesser hereby demises to the lessee the land described in Part-I of the Schedule hereunder written and delineated in the map here unto annexed.

The said demised pieces of land shall be held by lessee for a term of 5 year i.e. from 13.07.2023 to 12.07.2028 on which the executed deed is registered under Indian Registration Act and Odisha Registration Manual, subject to the terms, convents & conditions hereinafter provided.

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

The Schedule above referred to

**PART-1**

**Location and Area of the Lease**

Village Plot Nos. 1295/1300, Khata No. 377, Kissam - Nadi

Village - Rajnagar,

Tahasil - Jaleswar

Area (in Ac) Ac 13.55 ✓

Hereinafter called as "said lands"

As per plan annexed and bounded

On the North by River  
On the South by River  
On the East by River  
And on the West by River

Meter Rajayacharya  
13/7/23

TAHASILDAR  
JALESWAR

Laxmipriya Prusty

Sanjay Kumar Gouda  
13/7/23



by him in the course of mining operation and shall indemnify the government against all claims which may be made by third parties in respect of such damage, injury of disturbances.

04. The lessee shall commence quarrying operations within three months from the date of execution of the lease deed which shall be carried on in a proper, skilful and workman-like manner and the lessee shall send to the Director and Deputy Director or Mining Officer concerned, under whose jurisdiction the area is located and to the Director of Mines Safety, Bhubaneswar and intimation in from H of the opening or reopening of the quarry so as to reach them within a period of fifteen days from the date of such commencement.

05. If the lessee does not work upon the quarry for a continuous period of six months, the lease shall be liable to be cancelled, unless prior permission has been granted by the competent Authority for such stoppage on reasonable grounds.

Provided that the competent Authority may, on an application made by the lessee before it is cancelled and on

M. K. Ray  
TAMASLOAR  
Bhubaneswar  
dt. 13/07/25

Laxmiditya Prusty

13/07/25  
S. K. S.

16 -

being satisfied that it will not be possible for the lessee to undertake mining operations or to continue such operations for reasons beyond his control, make an order within a period of one month from the date of receiving such application and subject to such conditions as may be specified to the effect that such lease shall not be cancelled

06. The lessee shall allow reasonable facilities of access to other concessionaires of major and minor minerals, as may be directed by the Competent Authority.

07. If any minor minerals not specified in the lease deed is discovered in the leased area, the lessee shall report it forthwith to the Competent Authority and the Director and the lessee shall not win or dispose of any such minor mineral unless such minor minerals is included in the lease deed or a separate prospecting license-cum-mining lease or mining lease or quarry lease, as the case may be, to extract the newly discovered minor mineral within three months from the date of discovery or if he declares his intention not to work upon the discovered minor mineral, the State Government or the competent Authority, as the case may be, may grant prospecting

Mexic Zamora Avenas.  
11.04/23

TAKASILDAR  
JALSHWAR

Laxmipura Purnya

Zamora Avenas Purnya  
13.02.23

~~17~~ 17

license-cum-mining lease or mining lease or quarry lease in respect of that minor mineral to any other person after observing the procedure specified under these rules for the purpose:

Provided that, if the mineral discovered is not a minor mineral, the lease shall not be entitled to any preference for the purpose of obtaining a lease for the new mineral, by reason only of the lands being included in his earlier lease for extraction of minor mineral.

08. The lessee shall not carry on or allow to be carried on, any quarrying operation at any point within a distance of:-

a. One hundred meters from any railway line (except under and in accordance with the written permission of the railway Administration concerned) and in case of National Highway, State Highway, monuments, heritage sites, or any reservoir; except in accordance with the previous permission of the Collector.

b. Fifty meters from any tank, canal, road (other than a National or State Highway or other public works or buildings or inhabited sites), except under in accordance with the previous permission of the collector

*M. L. Roy*  
17/12/25

TAKASILDAR  
JALSHWAR

*Laxmipriya*

*17/12/25*

~~18~~ 18

09. The Railway Administration or the Collector, as the case may be, may grant such permission as required under clause (a) or (b) of Sub-Rule (8) on such conditions as may be specified.

10. The State or Central Government shall have right to construct any road, railway or canal or reservoir or to lay electric or telephone lines in or over the lands held under the lease.

Provided that the lease shall be given at least sixty days prior notice before the right is exercised and the area thus utilized shall be excluded from the area held under lease.

11. The lessee, with prior written permission of the competent authority, can erect at his own cost, temporary structure including buildings required for the purpose of quarrying operation within the leased area, without violating any law or obstructing any natural flow, community access or without causing damage to any embankment or public property, which shall be dismantled by the lessee at his own cost or completion of the lease term or on determination of the lease. The competent Authority can pass orders to

*M. L. R. Singh*  
Dy. Secy. 10/7/25

TAKASHILDAAR  
JALSHWAR

*Laxmipriya Prasad*

*Sub. Secy. Jalshwar*  
13/11/25

19

dismantle such structures if found erected illegally or causing damage to public.

12. The lessee shall, at his own expense, erect and at all times maintain and keep in good condition boundary marks and pillars necessary to delineate the leased area.

13. The lessee shall obtain permission of the competent authorities of the Forest Department, Odisha to carry on any operation in forest area.

14. The lessee shall abide by the provisions of all laws for the time being in force, relating to the working of quarries and matters affecting the safety, health and convenience of the persons employed for quarrying and of the public and he shall also obey all existing laws of way, water and other easements.

15. The lessee shall keep correct accounts of minor minerals other than specified minor minerals quarried and dispatched and shall furnish a quarterly return in Form-P and annual return in Form-K to the Competent Authority and the Director

16. The lessee shall afford reasonable facilities for inspection of the quarries, accounts and records pertaining to quarrying

Muzi Rayan  
20.08/23

TAHSILDAR  
JALESNAR

Laxmipriya Prusty

Prusty  
20.08/23

-20-

operation, to the Competent Authority and Director or any other officer authorized by any of them and such officer may issue directions to prevent wasteful extraction of minerals and to ensure observance of the provisions of rules and specify the time limit not exceeding sixty days within which the directions shall be complied with

17. If the lessee does not allow the inspecting officer reasonable facilities for inspection or fails to comply with the directions within the specified time limit, the Competent Authority may forfeit the whole or part of the security deposit paid by the lessee or impose penalty not exceeding rupees fifty thousand and may cancel the lease and forfeit the security deposit.

18. The lessee shall report about all accidents involving injury or loss of life or loss or damage to property forthwith to the concerned Competent Authority and Collector of the District.

19. If any Government dues payable under the lease deed remain unpaid for one month beyond the date fixed in the lease deed for such payment, the Competent Authority or any officer authorized by him may enter into the leased area

M. K. Singh  
TANASILDAR  
JALSHWAR

Laxmipada Das

For the lessee  
L. K. Singh

- 21 -

and seize all or any of the minor minerals or other movable properties and may dispose of such seized minor minerals or properties towards sufficient satisfaction of the Government dues and all costs and expenses occasioned by the nonpayment thereof and if any such government dues remain unpaid over two months beyond the date fixed in the lease agreement for such payment, the Competent Authority may determine the lease, and take possession of the leased area or re-entry without prejudice to such payment, the Competent Authority may determine the lease, and take possession of the leased area on re-entry without prejudice to such action as may be taken under the provisions of the Odisha Public Demands Recovery Act, 1962 for recovery of such dues.

20. The Controlling Authority shall have the right to pre-emption at current market rates over all minor minerals extracted or collected by the lessee and shall be indemnified by the lessee against the claims of any third party in respect of such minerals.

21. The lessee shall remove all minor minerals extracted before the end of the lease period or of its determination, if it is

*M. K. Roy*  
*13/1/23*

TAHASELDAR  
 JALESWAR

*Laxmiditya Prasad*

*Pranab Kumar*  
*13/1/23*

- 22 -

determined earlier, and all other materials and structures within such reasonable period not exceeding two months or as the Competent Authority may allow.

22. All minor minerals, materials, machineries, buildings and other structures, left in the leased area after the date line fixed or time allowed by the Competent Authority shall be deemed to be the property of the Government and the competent Authority may dispose of such property by public auction and the sale-proceeds shall be credited to Government account with the approval of controlling Authority.

23. If any mineral other than minor minerals is found in the area in course of quarrying of minor minerals, the lessee shall intimate in writing the fact to the Competent Authority and the Director forthwith and the lease shall be determined without payment of any compensation to the lessee.

24. The lessee shall ensure proper maintenance of hill slopes so as to prevent major erosion and observe all such safeguards as provided in the Mines Act, 1952 and the rules and regulations framed there under from time to time.

M. K. Jayar  
TANASIBDAR  
JALSHWAR

L. K. M. P. Singh

M. K. Jayar  
12/12/23

- 23 -

25. The lessee shall carry out quarrying operation with appropriate environment safeguards and shall take such steps for reclamation and rising of plantations in the lease area in line with the prescriptions under rules 29 to 37 of the Granite Conservation and Development Rules, 1999.

26. The lessee shall keep the Government Indemnified from any liability, compensation damage etc., arising out of his acts omissions as a lessee during the subsistence of the lease.

27. No rejected / off grade major mineral shall be removed on payment of royalty as minor mineral, under this rule.

28. The Competent Authority may include such other conditions in the lease deed with the approval of the Controlling Authority.

29. The lessee shall abide by the provisions of the Mines Act, 1952 and rules and regulations framed there under, the Explosives Act, 1884 and rules made, there under for development of the source of minor minerals in workman like manner and for avoidance of any danger arising out of such winning of mining mineral.

30. The lessee shall be liable to pay royalty or dead rent, surface rent, additional charge, amount of contribution payable to the District Mineral Foundation, amount of Contribution

*M. D. Jayaram*  
dt. 14/07/03

TANASILDAR  
JALSHWAR

*Laxmipriya Prusty*

*Sanjay Kumar Prusty*  
14/7/03



- 25 -

**PART-IV**

**Restrictions and conditions as to the exercise of liberties,  
power and privileges in Part-II**

- 01. No land shall be used for surface operations if objection is raised by the competent Authority or the Collector of the district to the effect that use of the land will be detrimental to public interest.
- 02. The lessee shall not cut or injure any tree in the leases area falling within Reserved/protected forest without prior permission of the Divisional Forest Officer or the officer authorized by him in this behalf and upon payment of royalty and fees for compensatory afforestation as may be specified.
- 03. The lessee shall undertake mining operation only in accordance with approved mining plan or scheme of mining, as the case may be.
- 04. The lessee shall not transport or store or cause to be transported or stored any specified minor mineral for the purpose of selling or trading otherwise than in accordance with these Rules and as may be specified under Odisha Minerals (Prevention of Theft, Smuggling and illegal mining and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007

*M. K. Das*  
A. 12/10/23

TAKSILDAR  
JALESWAR

*Laxmipada Das*

*3/12/23*

26-

**PART-V**

**Liberties, powers and privileges reserved to the State Government**

The State Government or any officer, or persons authorized by it in that behalf has the liberty and power to enter into and upon the leased area to carry on any operation in connection with survey, sampling, testing, quarrying, processing, tracking and transportation of mineral as may be deemed necessary.

**PART -VI**

**Provision regarding Rents and Royalties**

- 01. The lessee shall, during the subsistence of this lease pay to Government royalty in respect of the minor mineral removed by him from the leased area at the rates prescribed in Schedule II and surface rent at the rate prescribed in Schedule-I.
- 02. All payments relating to rents, royalties, fees, etc., as provided under these rules shall be paid to the State Government free from all deductions, at the District Treasury / Sub-Treasury and in such manner as the Competent Authority may prescribe.
- 03. For the purpose of computing the royalty, the lessee shall keep correct account of the mineral produced, stacked and removed from the lease area and submit a return to the Competent Authority and Director in Form K & Form P

*M. K. D. ... 12/10/23*  
TAHASELDAR  
JALESMAR

*Laxmipriya Puri*

*Signature*  
*...*

27

04. The lessee shall pay royalty in advance and the differential amount, if any, on computation shall be paid by the end of the first fortnight of each half yearly period during the subsistence of the lease.

05. The lessee shall pay surface rent in advance and not later than 15<sup>th</sup> January and 15<sup>th</sup> July of each year.

Signed by Mihir Ranjan Behera 12/07/23  
(Tahasildar, Jaleswar & Competent Authority) **TAHASILDAR  
JALESWAR**

For on behalf of Governor of Odisha, in the presence of

1. Niranjan Singh R. Baradha
- 2.

Signed by Laxmipriya Prusty

(Smt Laxmipriya Prusty, W/o: Ratikanta Rout, At/ Po-Balaramprasad, Ps. Motunga, Dist-Dhenkanal State: Odisha) Lessee in the presence of

1. Chandrakanta Giris
2. Prasanta Kumar Baran  
13/7/23

07

[Signature] [Signature]

Prasanta Kumar Baran  
13/7/23

28

 <p><b>TO:</b>          LOANPRIMA TRUST          170 BROADWAY 17TH          FLOOR          NEW YORK, NY 10038          (212) 654-6405</p> <p><b>FROM:</b>          LOANPRIMA TRUST          170 BROADWAY 17TH          FLOOR          NEW YORK, NY 10038          (212) 654-6405</p> <p><b>YOUR REFERENCE NO. / Your Reference No.</b>          2907 6544 6405</p> <p><b>FOR YOUR INFO, SEE BELOW</b></p>	 <p><b>INFORMATION</b></p> <ul style="list-style-type: none"> <li>• Another is a proof of identity, not of citizenship.</li> <li>• To establish identity, authenticate orders.</li> <li>• This is electronically generated letter.</li> </ul> <p><b>FOR YOUR INFO, SEE BELOW</b></p> <ul style="list-style-type: none"> <li>• This is a valid document throughout the country.</li> <li>• All States will be helpful in providing Government and Non-Governmental services in future.</li> </ul>
<p><b>FOR YOUR INFO, SEE BELOW</b></p> <p><b>2907 6544 6405</b></p> <p><b>FOR YOUR INFO, SEE BELOW</b></p>	<p><b>FOR YOUR INFO, SEE BELOW</b></p> <p><b>2907 6544 6405</b></p>

Loanprima Trust

29

7/13/23, 1:45 PM

about:blank

Schedule I Form No.39-A

**ଖତିୟାନ**

ମୌଜା : ରାଜନଗର  
 ଥାନା : ଭାରବଣିଆ  
 ଥାନା ନମ୍ବର : 83

ତହସିଲ : ଜଳେଷ୍ଠର  
 ତହସିଲ ନମ୍ବର : 83  
 ଜିଲ୍ଲା : ବାଲେଶ୍ଵର

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତ୍ରାଟ ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		ଓଡ଼ିଶା ସରକାର ଖେତ୍ରାଟ ନଂ				
1) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		377				
2) ପ୍ରକାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ		ଆବାଦ ଅଯୋଗ୍ୟ ଅନାଦାଦି				
3) ସ୍ଵତ୍ଵ						
4) ଦେୟ :	ଜଳକର	ଖଜଣା	ସେୟ	ନିଶ୍ଚାର ସେସ ଓ ଅନ୍ୟାନ୍ୟ ସେସ ଯଦି କିଛି ଥାଏ	ମୋଟ	5) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣି
6) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ		ନା ମୋ ନଂ 435/00 ହୁ ମୁ ମତକ୍ୟ ନୋଟ ଆରଜ କରାଗଲା ।				
<b>BLANK SPACE FOR STAMPING</b>						
ଅତିରିକ୍ତ ପ୍ରକାଶନ ତାରିଖ -						
ଖଜଣା ଆୟ୍ୟ ତାରିଖ -						

30

7/13/22, 1:45 PM

about blank

COUNCIL DISTRICT NO. 137		CITY OF DENVER			2022	
CITY DISTRICT	CITY OF DENVER	CITY OF DENVER	2022			TOTAL
			1	2	3	
7	8	9	10	11	12	
1121	001	000000	0	0400		
	001	000000	0	0400		
1126	001	000000	0	0900		
1225	001	000000	0	0700		
1224	001	000000	0	0700		
1234	001	000000	0	2300		
1235	001	000000	0	0500		
1236	001	000000	0	2600		
1237	001	000000	0	2000		
1238	001	000000	0	0400		
1239	001	000000	51	2000		
1240	001	000000	0	0900		
<b>12 plots</b>			<b>52</b>	<b>4200</b>		

- 31 -

 **JALESWAR BAR ASSOCIATION**



Name : Presenta Kumar Pradhan  
A/Po-Rajpur, Po-Jaleswar  
Dist-Balasore, Pin-756032  
Enrollment No : O-858/93  
Date of Birth : 20/01/1958  
Blood Group : O+ve  
Mob : 9437438670

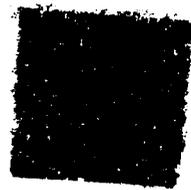
  
Sig. of the Secretary

  
Sig. of the President



Enrollment No. 10221770001910

To:  
S/O. S/O. S/O.  
M/s. Rajan Sharma  
S/O. Dhanraj Sharma  
BIMANIPUR  
BIMANIPUR  
Barpeta, Assam  
Barpeta Town Municipality  
Cachar 781001  
9437487114  
9437487114



ଆପଣଙ୍କ ଆଧାର ନମ୍ବର / Your Aadhaar No.

**2780 0877 4960**

ଆଧାର - ସାଧାରଣ ଲୋକଙ୍କ ଅଧିକାର



To:  
S/O. S/O. S/O.  
M/s. Rajan Sharma  
S/O. Dhanraj Sharma  
BIMANIPUR  
BIMANIPUR  
Barpeta, Assam  
Barpeta Town Municipality  
Cachar 781001  
9437487114  
9437487114



**2780 0877 4960**

ଆଧାର - ସାଧାରଣ ଲୋକଙ୍କ ଅଧିକାର



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

Tel : 06782-244110

E-mail: rospcb.balasore@ospcboard.org

Website: [www.ospcboard.org](http://www.ospcboard.org)No. 2137 /CTE-3347Date 21/07/2023 /  
By REGD.POST**OFFICE MEMORANDUM**

In consideration of the online application no: **4994388** for obtaining Consent to Establish of M/s **Rajnagar River Sand Quarry**, the State Pollution Control Board is pleased to convey its Consent to Establish under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 for Excavation/Quarrying of minor mineral as follows :

Excavation / Quarrying of River Sand of quantity 11,612 M<sup>3</sup> in 1<sup>st</sup> year and 2900 M<sup>3</sup> in 2<sup>nd</sup> year (As per Quantity stated in the EC).

At. Rajnagar (Mouza : Rajnagar) under Jaleswar Tahasil over Plot No. 1295/1300 of Khata No.377 measuring an area of Ac.13.55 / 5.48 Hectares (Mentioned as per mine lease agreement deed) in the district of Balasore with following conditions

**GENERAL CONDITIONS:**

1. This consent to establish is valid for product, method of mining and capacity mentioned in the application form. This order is valid for five years, which means the proponent shall commence mining activities for the proposal within a period of five years from the date of issue of this consent to establish order. If the proponent fails to commence mining activities for the proposal within five years then a renewal of this consent to establish shall be sought by the proponent.
2. The mine shall apply for grant of consent to operate under section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 at least 3 (three) months before the commencement of production and obtain Consent to Operate from this Board.
3. This consent to establish is subject to statutory and other clearances from Govt. of Odisha and /or Govt. of India, as and when applicable.

**SPECIAL CONDITIONS:****A. GENERAL:**

1. The mine shall abide by the stipulated conditions of environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Bhubaneswar vide File No. 54634/771-MINB1/08-2022 dtd.23.06.2023.
2. This consent to establish granted under Section 25/26 of Water (Prevention & control of Pollution) Act, 1974 and Section 21 of Air (Prevention and control of Pollution) Act 1981 subject to the Extension/Modification of mining plan approved by the Deputy Director, Geology, (Authorised Officer), Directorate of Mines and Geology, Bhubaneswar under Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and

- 34.
- Regulation of Possession, storage, Trading and transportation) Rules, 2007 and Environmental Clearance obtained from SEIAA.
3. Mining shall be done over the valid lease hold land as per the approved mining plan.
  4. The mine shall maintain the ambient noise standards as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000.
  5. The mine shall obtain necessary permission from the central Ground Water Authority for consumption of ground water for industrial use.
  6. No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
  7. The mine shall adopt adequate safety measures inside the mine / quarry premises including fire safety and obtain necessary permission from the competent authorities.
  8. No mining activity shall be carried out in the vicinity of natural/manmade archaeological sites.
  9. The annual production shall not exceed the consented quantity. Copy of the annual return (Annual return submitted to DGM/IBM) shall be submitted every year to the Board. Environmental statement report shall also be submitted every year to the Board in prescribed format.
  10. No mining shall take place below 1.0 meter depth.
  11. Mining operation is subject to availability of all other statutory clearances required under relevant Acts/Rules and fulfillment of required procedural formalities.
  12. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
  13. Any change in the calendar plan including excavation, quantum of mineral and waste shall not be made.
  14. Greenbelt shall be developed along the boundary of the mining lease area as per approved Mining Plan.
  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 pay differential fees if any as per the Odisha Gazette Notification dtd. 16.07.2012 of Forest and Environment Department, Government of Odisha
  18. 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.
  19. If any public complaint is found and would be verified and if it has adverse impact on nearby villagers then consent to operate would be revoked and legal action would be undertaken.
  20. The following measures are to be implemented to reduce noise pollution.
    - i. Proper 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 limit to moderate speed to prevent undue noise from empty trucks
  21. It shall be ensured that quarrying shall not be carried out below ground water table under circumstances. If ground water table occurs/intervenes within the permitted depth, then also quarrying shall be stopped.

- 35 -

**B. WATER POLLUTION:**

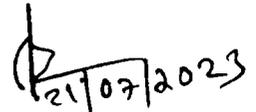
1. The mining shall not be carried out in the river stream and under the water to prevent deterioration of water quality of river.
2. Domestic waste water shall be discharged to soak pit via septic tank constructed as per BIS specification.

**C. AIR POLLUTION:**

1. The mine 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 shall be done on internal transport roads and working area to suppress fugitive dusts generated.
3. Loading and unloading activities including all transfer points should have efficient dust control system arrangements. These should be properly maintained and operated.
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. Mineral rejects shall be disposed off as per approved mining plan in proper manner without causing any environmental pollution.
2. Waste Oil, Used Oil generated from the EM machines, mining operations, if any shall be disposed as per the Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.



REGIONAL OFFICER

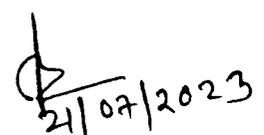
To,

Smt. Laxmipriya Prusty, Lessee  
 M/S Rajnagar River Sand Quarry  
 At: Balaramprasad, Motanga  
 Dist.: Dhenkanal-759121, Odisha

Memo No. 2138 / Date 21/07/2023

Copy forwarded to:

1. The Member Secretary SPC Board, Odisha, Bhubaneswar
2. The Collector & District Magistrate, Balasore
3. The D.F.O, Balasore
4. The Dy. Director of Mines, Baripada, Mayurbhanj.
5. The Tahasildar, Jaleswar, Balasore
6. Copy to Guard File.



REGIONAL OFFICER



598

Annex 48

Tel : 06782-244110

E-mail: rospcb.balasore@ospcbboard.org

Website: [www.ospcbboard.org](http://www.ospcbboard.org)

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

**CONSENT ORDER**No. 2162 / CTO/ 3519

By Regd. Post

Date 24/07/2023 /CONSENT ORDER NO. 53 /2023-24(APC& WPC)

Sub: Consent to operate U/S 25/26 of Water (PCP) Act, 1974 and U/S 21 of Air (PCP) Act, 1981 and the Rules framed thereunder for existing / new operation of the Mine.

Ref: Your online consent to operate application No: 4994448.

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 there under to

Name & address of the Sand quarry : M/s Rajnagar River Sand Quarry at village : Rajnagar of Smt. Laxmipriya Prusty, Lessee, over Plot No. 1295/1300 of Khata No.377 as per the lease deed of Minor Mineral Mine lease area of Ac.13.55/ 5.48 Ha. under Tahasil : Jaleswar, Dist.: Balasore

Name of the Occupier & Designation : Smt. Laxmipriya Prusty, Lessee

This consent order is valid for the period up to 31.03.2024.

This consent to operate is granted based on the environment clearance issued infavour of the lessee- Smt. Laxmipriya Prusty by SEIAA, Bhubaneswar vide vide File No. 54634/771-MINB1/08-2022 dtd.23.06.2023 & Extension / Modified Mining plan approved by the Deputy Director, Geology, Authorised Officer, Directorate of Mines & Geology, Bhubaneswar on 29.05.2023 & 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 <sup>st</sup> Year)
1	River Sand	11,612 m <sup>3</sup> (As per EC)



A-3

**CONSENT ORDER**

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

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 <sup>3</sup>			
				PM	SO <sub>2</sub>	NO <sub>x</sub>	H <sub>2</sub> 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**

- 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.
- 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.
- 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.
- 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.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- 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.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.


 38  
 A?  
 CONSENT ORDER

Page-3

8. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
9. 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.
10. 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.



39  
A-3

49

**CONSENT ORDER**

Page-4

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 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 Deputy Director, Geology, Office of the Joint Director, Geology, Central Zone, Keonjhar 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.
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 withdrawal 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 as per the approved Mining Plan.
7. The unit shall pay differential fees if any as per the Odisha Gazette Notification dtd. 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. Proper 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.



603 41 -



A-3

51

**CONSENT ORDER**

Page-6

**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 on transportation vehicles and consequent spillage on the road shall be avoided.
  - c) The transportation vehicles shall be covered with tarpaulin.

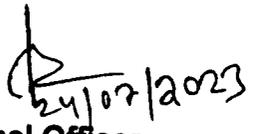
**D. SOLID & HAZARDOUS WASTE:**

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

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

To,

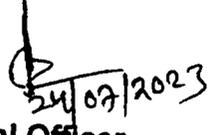
Smt. Laxmipriya Prusty, Lessee  
M/S Rajnagar River Sand Quarry  
AT : Balaramprasad, Motanga  
Dist.: Dhenkanal-759121, Odisha

  
Regional Officer

Memo No. 2163 (6) / Dt. 24/07/2023

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

  
Regional Officer



## CONSENT ORDER

## EFFLUENT QUALITY STANDARDS

## ANNEXURE - I

Sl.No	Parameters	Standards			
		Inland surface water	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 micron IS sieve	---	---	
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 <sub>3</sub> ) mg/l max.	100	---	---	100
11.	Free ammonia (as NH <sub>3</sub> ) mg/l max.	5.0	---	---	5.0
12.	Biochemical Oxygen Demand (5 days at 20°C) mg/l max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/l max.	250	---	---	250
14.	Arsenic (as As) mg/l max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg) mg/l max.	0.01	0.01	---	0.001
16.	Lead (as Pb) mg/l 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 Sc) 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 <sub>6</sub> H <sub>5</sub> OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials				
	a. Alpha emitter micro curie/ml.	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>8</sup>	10 <sup>7</sup>
	b. Beta emitter micro curie/ml.	10 <sup>6</sup>	10 <sup>6</sup>	10 <sup>7</sup>	10 <sup>6</sup>
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



## CONSENT ORDER

## ANNEXURE - II

## NATIONAL AMBIENT AIR QUALITY STANDARDS

Sl. No.	Pollutants	Time Weighted 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 <sub>2</sub> ), µg/m <sup>3</sup>	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	Annual * 24 Hours **	40 80	30 80	- Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM <sub>10</sub> µg/m <sup>3</sup>	Annual * 24 Hours **	60 100	60 100	-Gravimetric - TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5µm) or PM <sub>2.5</sub> µg/m <sup>3</sup>	Annual * 24 Hours **	40 60	40 60	-Gravimetric - TOEM - Beta Attenuation
5.	Ozone (O <sub>3</sub> ) µg/m <sup>3</sup>	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m <sup>3</sup>	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 <sup>3</sup>	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>	Annual* 24 Hours**	100 400	100 400	-Chemiluminescence - Indophenol Blue Method
9.	Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>	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 <sup>3</sup>	Annual*	01	01	-Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m <sup>3</sup>	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni), ng/m <sup>3</sup>	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.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
SRF-2/1, 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

### ENVIRONMENTAL CLEARANCE FOR SAND MINING

**Subject: Application of Smt. Laxmipriya Prusty for mining of Sand from Rajnagar River Sand Quarry Over an area 13.55 acres or 5.48 Ha bearing Khata No.- 377, Plot No - 1295/1300 in Village - Rajnagar, Tahasil - Jaleswar, District – Balasore, Odisha.**

The Project proponent Smt. Laxmipriya Prusty. (lessee/successful bidder) has submitted an application for EC to SEIAA, Odisha through the Parivesh portal of MOEF&CC, GOI vide online application no. SIA/OR/MIN/54634/2020 dated 05.08.2022 for mining of Sand from Rajnagar River Sand Quarry Over an area of 13.55 acres or 5.48 Ha bearing Khata No.- 377, Plot No - 1295/1300 in Village - Rajnagar, Tahasil - Jaleswar, District – Balasore, Odisha.

#### 2. Proposal in brief:

Proposal No.	SIA/OR/MIN/54634/2020
File No.	54634/771-MINB1/08-2022
Project Type	New proposal for EC
Category	B1
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for grant of EC for mining of Sand from Rajnagar River Sand Quarry Over an area of 13.55 acres or 5.48 Ha bearing Khata No.- 377, Plot No - 1295/1300 in Village - Rajnagar, Tahasil - Jaleswar, District – Balasore, Odisha.
Name of the company/Organization	Smt. Laxmipriya Prusty W/o-Sri Ratikanta Rout At-Balaramprasad, Patla. Ps-Matang, Dist-Dhenkanal
Location of Project	Village - Rajnagar, Tahasil - Jaleswar, District – Balasore, Odisha.
ToR Date	14.10.2020
Name of the Consultant	M/s. Green Circle, Inc.

*Handwritten mark*



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 5RF-2/1, 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. **Project details:** The highlights of the project, as ascertained from the application and as revealed from the proceedings/discussions held during the meetings of SEAC/SEIAA, are given as under:
- (i) This is a proposal for mining of river sand from Rajnagar River Sand Quarry Over an area 13.55 acres or 5.48 Ha bearing Khata No.- 377, Plot No - 1295/1300 in Village - Rajnagar, Tahasil - Jaleswar, District - Balasore, Odisha.
  - (ii) The mining area is a part of Survey of India Toposheet No. 73O/1(F45P1, bounded by Latitude: 21°48'30.9" N to 21°48'20.9"N & Longitude: E87°12'52.2" to 87°12'43.2"E.
  - (iii) The proposed quarry is not coming within wildlife sanctuary/National Park and any eco-sensitive zone.
  - (iv) The mining lease is an identified sairat source in the DSR. The Rajnagar River Sand Quarry sairat source will be leased out under the OMMC Ru2894711es, 2016 by Tahasildar, Jaleswar to the successful bidder (lessee) on the basis of public auction for a lease period of 5 years.
  - (v) The mining plan of the mining project has been approved by - Directorate of Geology & Mining, Bhubaneswar vide letter No.1061 dated 18.04.2018 for a period of 5 years.
  - (vi) As per the approved mining plan submitted, it is observed that the mineable reserve in the lease area is 139563 cum of sand, total production in 5 years period-200010 cum and annual extraction of sand-40,002 cum/annum with 1.0 meter depth of mining from River- Subarnarekha.
  - (vii) No study of the annual rate of replenishment of sand has been done for the sairat source which is a pre requisite as per the guidelines of sustainable sand mining management issued by the MoEF & CC, Govt. of India, and as per orders dated 13.09.2018 of the Hon'ble NGT.
  - (viii) The project proponent has also not furnished the width of the river, nor the alignment of the extraction path for sand transportation. As reported by the tahasildar, a river bridge is 1.80 km, village-0.22 km away from the mining lease area.
  - (ix) The cluster certificate has been furnished by the Tahasildar certifying that there is no other mines located within 500 meters from the periphery of the proposed mine lease area. As reported by the Tahasildar, this sairat source is not a part of any cluster.

*[Handwritten signature]*



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 SRF-2/1, 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

- (x) ToR was issued for this project vide letter no. 9237/SEIAA dated 14.10.2020 for EIA studies.
- (xi) The PP has submitted replenishment study report done by RQP Sri Apurba Ranjan Ray with help of Areal Construction & Geo-India Services (ORSAC empanel agency). The RQP has mentioned that Pre-monsoon reserve is 15950 cum and post-monsoon reserve 19353 cum and quantity of sand replenished 3403 cum.
- (xii) Public hearing was conducted on date 11.05.2022 at 10:00AM. in the locality of the sand quarry, near Shikharpur Gram Panchayat Office. under Jaleswar Block under Balasore district.
- (xiii) Issues raised during public hearing for this project – Operation of the sand quarry as per the Environmental Rules and Regulation, Dust suppression, safety and protection of road during transportation, mode of transportation, cost of Sand, timing of mining and restriction of transportation of sand during night time.
- (xiv) Budget provision for Environmental management Plan (EMP) is Rs 145000 and Recurring cost - Rs 75000/annum.
- (xv) The CER budget allotted – Rs. 20,000/- per annum.
4. This proposal conforms to the item no. 1(a) in the schedule of EIA Notification, 2006 as amended time to time, and the minor mineral extraction project falls under Category B1 as the mining lease area is more than 5 ha.
5. The proposal was considered by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 12.04 2023. The SEAC have duly recommended for grant of EC to with following view:
- a) Environmental Clearance may be granted for the proposal valid upto lease period for extraction of 11,612cum/ annum of sand as per the replenishment study report with stipulated conditions and following specific conditions as below:
- (i) Amended EIA Notification dated 25th July, 2018, Guidelines for sustainable sand mining, 2016 and Enforcement and Monitoring Guidelines for Sand Mining, January 2020 of MoEF&CC, Govt. of India shall be adhered to in execution of Mining.
- (ii) Extraction should be limited to annual replenished quantity in workable area only subject to exclusion of safety zone as per Guidelines for sustainable sand mining, 2016 and Enforcement and Monitoring Guidelines for Sand Mining, January 2020 of MoEF&CC, Govt. of India.
- (iii) Regular replenishment study to be conducted and report to be submitted.
- (iv) Provision of Bio-toilet shall be made at the site.

*h*

48

A-9



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 SRF-2/1, 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

- (v) Avenue plantation and plantation on both sides of the haulage road in consultation with/ on the advice of concerned Forest Department, Government of Odisha & W.R. Department Government of Odisha as well.
- (vi) Stone patching with plantation in between along the stretch of the bank associated with sand mining and necessary ramp construction shall be made.
6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 122<sup>nd</sup> meeting held on 08.06.2023, 09.06.2023 & 12.06.2023 in accordance with the EIA Notification, 2006 and further amendments thereto as well as the Judgement dated 2<sup>nd</sup> February, 2022 of Hon'ble National Green Tribunal in OA No.33/2020/EZ (Laxmidhar Palai Vrs. District Collector, Balasore).
7. Environmental Clearance (EC) is granted under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14<sup>th</sup> September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for mining of Sand from Rajnagar River Sand Quarry Over an area of 13.55 acres or 5.48 Ha bearing Khata No.- 377, Plot No - 1295/1300 in Village-Rajnagar, Tahasil - Jaleswar, District-Balasore, Odisha with the following stipulations, environmental conditions and safeguards.

**A: Stipulations:**

Sl.	Descriptions	Stipulation
(i)	Lease Area:	13.55 Acres or 5.48 Hectares
(ii)	No Mining Zone:	1/4 <sup>th</sup> of river width for protection of river bank and 7.5 meter safety zone from all side of lease boundary.
(iii)	Maximum Depth of Mining:	1.0 meter as per the approved mining plan
(iv)	Permitted Quantity:	1 <sup>st</sup> year: 11612 cum/per year 2 <sup>nd</sup> year: 2900 cum/per year
(v)	Validity Period of EC:	Two years from date of issue

**B: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE TAHASILDAR BEFORE LEASE AGREEMENT:**

- 7.1 **Boundary Demarcation:** - The boundary of the lease area shall be demarcated on ground at the project cost, by erecting 1.20 meter (4 feet approx.) high reinforced concrete pillars above ground, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates by any empanelled agency of ORSAC.



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

SRF-2/1, 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

- 49 -      A-4
- 7.2 **Digital Map:** -A digital map (in KML format as well as PDF version) showing GPS coordinates of all boundary pillars duly countersigned by the Tahasildar shall be submitted to SEIAA, Odisha through email at [seiaaodisha@gmail.com](mailto:seiaaodisha@gmail.com).
- 7.3 **Intimation of EC:** - The copies of the EC shall be sent to the Sarpanch (s) of the concerned Gram Panchayat (s), Urban Local Bodies and relevant other Offices of the Government with a request to display the same for 30 days from the date of receipt.
- 7.4 **Tree Plantation:** - Compensatory Tree Planting (CTP) shall be carried out with minimum @100 trees per Ha. of lease area as per the approved cost norm for avenue plantations of the State Forest Department. The Project Proponent (lease holder) shall deposit Rs.3,00,000/- with the respective District Environment Society for raising 600 plants of native species within 2 years in a suitable location adjoining to quarry.
- 7.5 **State EMF Fund:** - An amount equal to five percent (5%) of the royalty payable shall be collected from the lessee by the Tahasildar and deposited to the State Environment Management Fund, which will be utilized as per provisions of Rule 49(3) of the OMMC Rule, 2016 preferably, in and around the areas where mining activities are undertaken.
- 7.6 **Condition by Collector:** - Any other condition(s) the Collector & Chairman, District Environment Impact Assessment Authority (DEIAA), may impose in the interest of protection and safeguarding the local environment.
- 7.7 **Compliance report for Transfer of EC:** - Any transfer of EC to a PP/Lessee shall be considered by SEIAA, Odisha only after receipt of the full compliance report through Tahasildar concerned of the above environmental conditions and safeguards.
- C: ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED ON FIELD AFTER THE LEASE AGREEMENT**
- 7.8 **Maximum permissible depth:** This Environmental Clearance is given with the condition that maximum depth of digging of sand shall be 1.0 m as per mining plan. Any flouting of this restriction shall make this EC liable to cancellation.
- 7.9 **Maximum permissible quantity:** Maximum quantity of material is permitted to remove from the quarry area in 1<sup>st</sup> year is 11,612 cum and in 2<sup>nd</sup> year is 2900 cum. Any flouting of this quantitative restriction shall make this EC liable to cancellation.
- 7.10 **Annual Replenishment Rate Study of Sand:** -The Project Proponent shall carry out by engaging appropriate consultant, annual replenishment rate study of sand as per prescribed drone method 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. The detailed comparison of both pre-monsoon and post-monsoon elevation data shall be included in the study report. The detailed methodology for finding the rate of replenishment study of sand is laid down in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by the MoEF & CC, Govt. of India. The finding of the study shall be submitted to SEIAA to assess the actual rate of replenishment of mined out sand in the lease area.

✍



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 SRF-2/1, 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

- 7.11 **District Survey Report:** The District Survey Report (DSR) has been prepared by the competent District Authority as per the MoEF & CC, Govt. of India Notification S.O.3611(E) dated 25.07.2018, Sustainable Sand Mining Guidelines-2016, Enforcement & Monitoring Guidelines for Sand Mining-2020 and also as per the Hon'ble Supreme Court order vide its order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 (State of Bihar Vrs. Pawan Kumar and Others) submitted to competent authority for approval. The SEIAA, Odisha approved the DSR on 26.04.2023 with condition that the district administration shall include the replenishment data in the DSR within 1 year from grant of EC.
- 7.12 **EC Extension:** - Any further extension of EC beyond two years shall be considered only with submission of duly approved District Survey Report and Annual Replenishment Rate Study report of sand.
- 7.13 **Any change in mining plan requires fresh EC:** - Any change in the calendar plan, change in production quantity or method of mining shall not be made without prior approval of the SEIAA. Mining activity shall adhere to the working parameters of approved mining plan prepared for this project. The detailed production of sand from the lease area of each year shall be submitted in tabular form during submission of compliance report.
- 7.14 **Environmental Management Plan:** EMP shall be implemented by PP to ensure compliance with the environmental conditions specified above. The year wise funds earmarked for environmental protection measures shall be kept in separate account and shall be spent according to the plan proposed in EMP. The PP will implement the EMP with a budgetary allocation of Rs 145000 and Recurring cost - Rs 75000/annum. The CER budget allotted - Rs. 20,000/- per annum. Year wise progress of implementation of EMP shall be reported to the SEIAA, Odisha and OSPCB along with the compliance report. The Tahasildar shall ensure the compliance of this condition along with all lease holders of his jurisdiction.
- 7.15 **No Working Zone:** - The lessee shall ensure that no sand mining is carried out in the areas as specified below: -
- During the rainy season;
  - Within the water channel or stream flow area throughout the year;
  - Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply/irrigation scheme, 100 meter from the edge of National Highway and railway line, 50 meter from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meter from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.

*[Signature]*

-51-

A-4



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 5RF-2/1, 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)

- d) The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non-monsoon period.
- e) No stream shall be diverted for the purpose of sand mining and no natural water course shall be obstructed.
- f) Sand mining operations shall not affect the existing sources for irrigation / drinking water / industrial purpose.
- g) The natural sand dunes, if any, near or surrounding the lease area shall not be disturbed.

7.16

**Transport Safeguards:**

- a) No transportation of the minerals shall be allowed on any road passing through villages/habitations without prior explicit permission.
- b) Transportation of minerals through existing rural roads can be allowed only by the concerned Govt. Department/ Gram Panchayat/BDO after required strengthening such that the carrying capacity of road is increased to handle the mineral carrying truck traffic. The project proponent shall bear the cost towards the widening and strengthening of existing public roads in case the same is proposed to be used for the project.
- c) Project proponent shall ensure that the transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and traffic density.
- d) Vehicles hired for transportation of minor mineral from the site should be in good condition and should have pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours. Speed of vehicle be regulated and in no case >30 Kms / hr be allowed.
- e) The vehicles shall not be overloaded and shall be covered with Tarpaulin. The Tahasildar may collect an appropriate additional road maintenance levy from the lessee as part of the lease conditions on the basis of quantum of mineral transported, and utilize the proceeds of the levy for proper maintenance of the extraction paths and roads to prevent their degradation on account of plying of mineral carrying trucks.
- f) Water spraying should be made on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry. Garland drain shall be constructed on the hill slope to arrest downward flow of particulate matter with rainwater.

7.17

**Other Environmental Conditions:** -The Project Proponent shall follow all the provisions of Sand Policy of Govt. Of Odisha dated 02.09.2021 for this sand mining project.

- a) The Tahasildar shall take adequate measures to prevent unauthorized mining;
- b) The project proponent should carry out river bed sand mining manually by engaging local laborers to check over exploitation of sand at the source;
- c) The lessee shall ensure safety of human life and livestock from accidents in case village / any habitation is very nearby the mining lease area.

✍

52

A-9



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 SRF-2/1, 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*

- d) At the end of mine closure, the proponent shall immediately remove all the sheds put up in the quarry and all the equipment in the area before closure of the quarry.
- 7.18 **Common Forum for EMP:-** All the individual quarry lessee holders coming under the Tahasil may create a common forum in coordination with the Tahasildar and contribute funds to it for grading, compaction and maintenance of haulage road, provision of water spray on the village road to control particulate matter (dust particles) pollution in surrounding air during transportation from the quarry, and provision of thick, multilayer and a continuous green belt around the lease area excluding the entry and exit gate for prevention of environmental pollution and noise during mining activity.
- 7.19 **Half-yearly Compliance Report:** - It shall be mandatory for the project management to submit half yearly compliance reports on the status of implementation of the above stipulated environmental safeguards to the SEIAA, Odisha / Regional Office of the MoEF& CC, Bhubaneswar in soft copies on 1<sup>st</sup> day of June and December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions, failing which EC is liable to be revoked.
- 7.20 **Concomitant Monitoring:** - The conditions stipulated in the environmental clearance will be closely monitored on the ground by the lease granting authority, i.e. the Tahasildar, who shall ensure compliance of the stipulated conditions and take corrective measures promptly in case of any non-compliance and also ensure that the project proponent submits quarterly compliance reports.
- 7.21 **Independent Monitoring:** - The concerned Regional Office of the MoEF & CC/SPCB, Odisha shall periodically monitor compliance of the stipulated conditions as applicable for this project. The project authorities should extend full cooperation to the MoEF & CC officer(s)/SPCB officer(s) by furnishing the requisite data / information / monitoring reports.
- 7.22 **Revocation of EC:** - The SEIAA, Odisha may revoke or suspend the EC, 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.
- 7.23 **Change in Ownership of Lease:** - This EC shall not be transferred without the permission of SEIAA, Odisha. The Tahasildar shall inform the SEIAA of any change in ownership of the mining lease. No mining is allowed without transfer of EC as per provisions of the para 11 of EIA Notification, 2006, as amended from time to time.
- 8. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 SRF-2/1, 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

- any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.
9. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court and Hon'ble NGT as may be applicable.
  10. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours Faithfully,

  
 Member Secretary

Copy to

1. Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Cuttack / DFO, Balasore / Sub Collector, Balasore and Tahasildar. Jaleswar for Information and necessary action with specific reference to para in respect of year wise permitted quantity.
7. Guard file for record/Website/Parivesh Portal.

  
 Member Secretary

Signature Not Verified

Digitally signed by Dr. K. Murugesan, IFS, Member Secretary

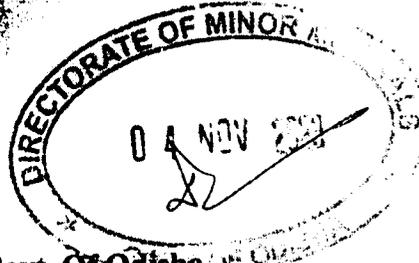
Date: 6/23/2023 12:44:02 PM

EC - 23/06/2023 Page 10 of 10

# RAJNAGAR SAND QUARRY

Annex 645

Smt. Laxmipriya Prusty, Lessee  
Village- Rajnagar, Tahasil- Jaleswar, District- Balesore, Odisha



Date: 01.11.2023

To

The Director, Minor Minerals,,  
Steel And Mines Department, Govt. Of Odisha  
Bhubaneswar, 751001

Sub: Permission regarding Operation & Issue of Y form (e-Pass) of M/s Rajnagar River Sand Quarry Village: Rajnagar, Tahasil: Jaleswar, Dist: Balasore.

Ref: Telephonic & Physical discussion with Tahasildar Jaleswar & Mining officer, Balesore.

Sir,

With due respect, I Smt. Laxmipriya Prusty, Lessee Rajnagar River Sand Quarry, Jaleswar, Balasore beg to state that, I have been lawfully selected as the lessee for the above mentioned Sand Quarry. Accordingly, I made the lease agreement with Tahasildar Jaleswar on dated 13.07.2023. I received the CTE vide letter no. 2137/CTE-3347 dated 21.07.2023 & CTO vide letter no. 2162/CTO/3519 on dated 24.07.2023. But unfortunately, Y form has not been issued against Rajnagar River Sand Quarry by the Competent Authority till now. As a result I am unable to start the quarrying operation.

After the lease deed was signed I have contacted with Tahasildar Jaleswar both physically & over phone a number of times to issue Y Form to me so that I can extract & transport sand from Rajnagar River Sand Source. However, Tahasildar Jaleswar informed me that I am no longer the Competent Authority to issue Y Form for that source as the administration of Minor Minerals has now been transferred to Steel & Mines Department. He further, suggested that I have transferred the concerned source to Mining Officer, Balasore ONLINE & you can approach the Mining Officer and ask her to take over the source ONLINE & issue Y Form (Transit Pass) thereafter. As for the Tahasildar's direction, I met with the Mining Officer, Balasore and requested her to take over the Rajnagar River Sand Source from the Tahasildar Jaleswar and issue Y-Form (e-pass) to me. But, M.O Balasore informed that a case has been filed before the Hon'ble NGT (National Green Tribunal) and we have been directed by Govt NOT to take over the sources which are involved in Court Cases. She further showed me the copy of the Minutes of the meeting held

D.M.M. - M.M. - C.M. - 0056 - 2023

at Govt Level on dated. 06.05.2023 regarding e-auction & e-pass. In that minutes at point no - 1 it is mentioned that the Minor Mineral Sources free of any litigation shall be taken over by M.O's following the guidelines issued by Steel & Mines department( dtd 02/05/2023) & Revenue & Disaster Management Dept ( dated 29/04/2023). The M.O insisted that as a case has been filed in respect of the Rajnagar River Sand Quarry , the source will only be taken over after the case is finalized by the Hon'ble NGT.

I am to submit that, on the basis of just a notice of the NGT, the M.O- cum-Competent Authority should not be unwilling to take over the source from the Tahasildar, Jaleswar & issue Y Form( e-Transit pass) . There is no such direction as such from the Hon'ble NGT, that prohibits the operation of the said sand quarry. Further, It is to be mentioned that, the case has been filed against SEIAA (State Environment Impact Assessment Authority) challenging the authenticity of the EC .The case is not against the Lessee. Therefore, it is not right to deny my right to extract sand from the said source should be denied by the Competent Authority in the pretext of a case in the NGT.

I am to further submit that, almost 04 months have been elapsed since the lease deed was executed. Because of the above mentioned reasons no e-pass (Y Form) is being issued to me. I have invested my hard earned money in the auction and I have deposited the 1sy year Royalty amount along with other Govt. dues in time. Non-issue of e-pass( Y Form) is quite harassing and quite sad when there is no justified reason that prohibits the competent Authority to issue e-pass.

Under the above mentioned facts , I earnestly request your good self to intervene in the matter and direct M.O-cum -Competent Authority, Balaswar to take over the Rajnagar River Sand Quarry online from the Tahasildar, Jaleswar & issue e-pass (Y-Form) without further delay as I am facing financial hardship because of not extracting & selling sand from the said source .

Requesting for a prompt action from your good self.

Thanking You  
Yours Faithfully  
Laxmipriya Prusty

Smt. Laxmipriya Prusty

Lessee, Rajnagar River Sand Quarry

IN THE HIGH COURT OF ORISSA : CUTTACK

I.A. NO. \_\_\_\_\_ / 2023

(Arising out of WP(C) No. \_\_\_\_\_ / 2023)

In the matter of :

An application for an appropriate order under Chapter - VI, Rule - 27(a) of the Orissa High Court Rules, 1948;

A N D

In the matter of :

Laxmipriya Prusty ... Petitioner

Versus

State of Odisha and others ... Opp. Parties

To

The Hon'ble Acting Chief Justice of Orissa High Court and His Lordship's other Companion Justices of the said Hon'ble Court.

The humble petition of the Petitioner above named ;

MOST RESPECTFULLY SHEWETH:

1. That the petitioner has filed the above writ petition with the following prayer : -

"The petitioner therefore prays that your Lordships would graciously be pleased to

admit this writ petition, call for the records from the Opp. Parties and after hearing the parties, be pleased to direct the O.P. No. 2, 5 and 6 to issue Y Form (e-Pass) to the petitioner in respect of the said sand quarry so as to make the same operational and further consider the representation of the petitioner (annexure-5) in accordance with law at the earliest".

2. That, the petitioner has a strong prima facie case and the balance of convenience lies in her favour. So there is every chance of success in this writ petition. The averments made in the writ petition may be read and treated as part of this I.A. for clarity and brevity.

3. That unless the Y Form (e-Pass) is issued in favour of the petitioner to make the said sand quarry operational, the petitioner will suffer irreparable loss and injury.

PRAYER

The petitioner therefore prays that your Lordships would graciously be pleased to direct the O.P. No. 2, 5 and 6 to issue Y Form (e-Pass) in favour of the petitioner to make the said sand quarry operational ;

And for this act of kindness, the petitioner as in duty bound shall ever pray.

By the Petitioner through

Cuttack  
Date : 18.12.2022

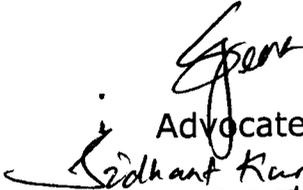
  
Advocate

AFFIDAVIT

I, Laxmipriya Prusty, aged about 40 years, W/o. Ratikant Rout, Lessee in respect of Rajnagar River Sand Quarry, Vill.- Rajnagar, Tahasil- Jaleswar, Dist.- Balasore, do hereby solemnly affirm and state as follows:

1. That I am the petitioner in this I.A.
2. That the facts stated above are true to the best of my knowledge and belief.

Identified by

  
 Advocate  
 Sidhant Kumar Jena  
 0.275/2017

  
 DEPONENT

CERTIFICATE

Certified that due to non-availability of cartridge papers this has been typed on thick white papers.

  
 Advocate

Rs.

INDIA

FIVE RUPEES

HIGH COURT OF ORISSA CUTTACK

(ORIGINAL JURISDICTION CASE)

W.P.(C) NO. 91390/2023

Code No. \_\_\_\_\_

In the matter of :

Presented in Court:

S.O.

18/12/2023

AND

In the matter of :

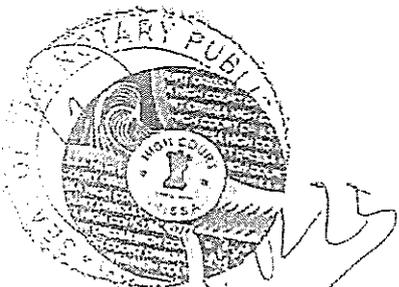
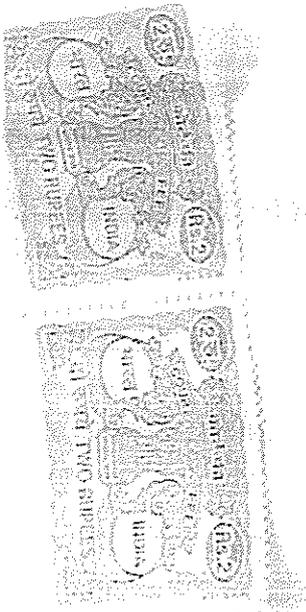
An application under Articles 226  
and 227 of the Constitution of  
India;

Laxmipriya Prusty, aged about 40 years,  
W/o. Ratikant Rout, Lessee in respect of  
Rajnagar River Sand Quarry, Vill.-  
Rajnagar, Tahasil- Jaleswar, Dist.-  
Balasore.

... Petitioner

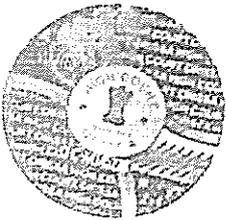
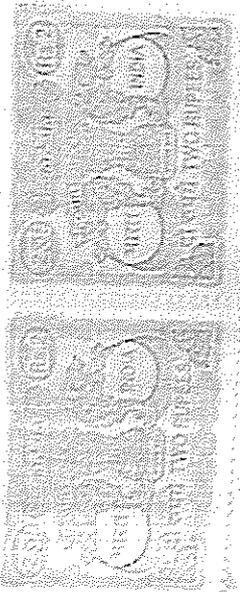
Versus

1. State of Odisha, represented by Addl.  
Chief Secretary to Govt., Steel & Mines  
Dept., Lokseva Bhawan, Bhubaneswar,  
Dist.- Khurda.
2. Director (Minor Minerals), Steel & Mines  
Dept., Lokseva Bhawan, Bhubaneswar,  
Dist.- Khurda.



3. Collector, Balasore, AI/PO./Dist. Balasore.
4. Tahasildar, Jaleswar, Dist.- Balasore.
5. Deputy Director of Mines, Bhadrak Mining Circle, Dist.- Bhadrak.
6. Mining Officer, Balasore, Dist.- Balasore.

... Opp. Parties



## IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41390 of 2023*Laxmipriya Prusty**Petitioner**Mr. S.K. Dalai, Advocate on behalf  
of Mr. S.K. Jena, Advocate**State of Odisha & Others**Vs.**Opposite Parties**Mr. P.P. Mohanty, AGA*

CORAM:

ACTING CHIEF JUSTICE DR. B.R. SARANGI  
MR. JUSTICE MURAHARI SRI RAMANORDER

20.12.2023

Order No.

01.

This matter is taken up through hybrid mode.

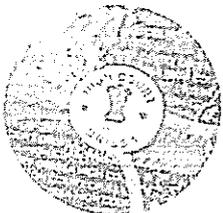
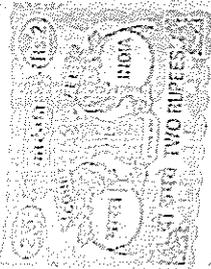
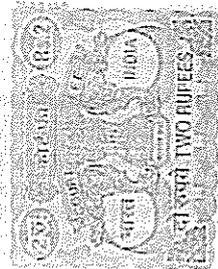
2. Heard:

3. The present Writ Petition has been filed with the following prayer:-

*"The Petitioner therefore prays that your Lordships would graciously be pleased to admit this writ petition, call for the records from the Opp. Parties and after hearing the parties, be pleased to direct the O.P. No.2, 5 & 6 to issue V Form (e-pass) to the Petitioner in respect of the said sand quarry so as to make the same operational and further consider the representation of the petitioner (Annexure-5) in accordance with law at the earliest;*

*And pass any other or further direction as this Hon'ble Court may deem fit and proper;"*

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievance, the Petitioner has made representation to Opposite Party No.2 vide Annexure-5 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

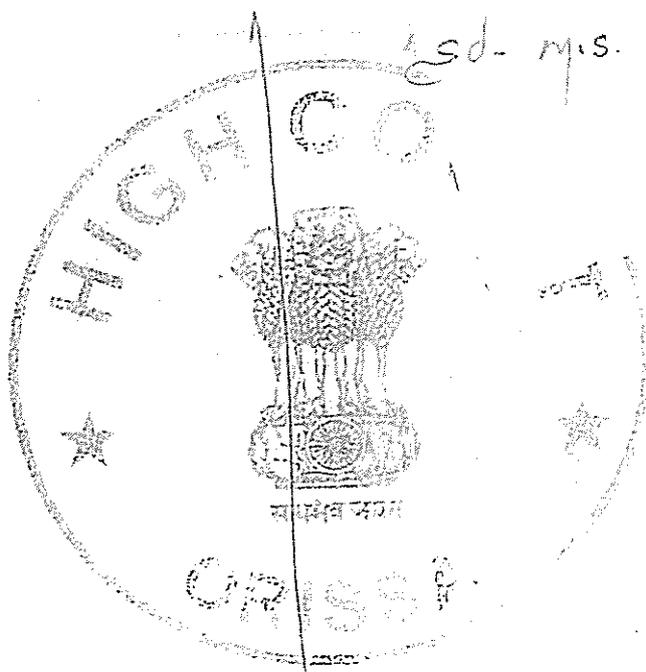
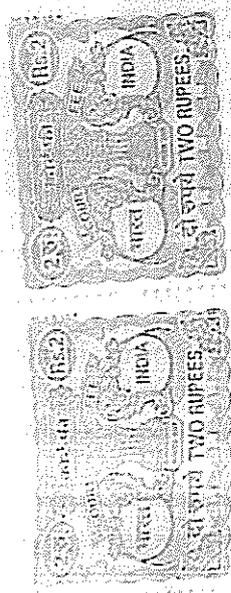


5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioner vide Annexure-5, and pass appropriate order in accordance with law within a period of six weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

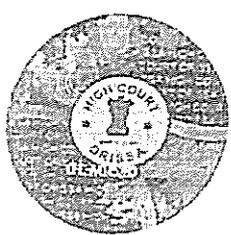
*Sd. Dr. B.R. Sarangi, A.M.*  
*Sd. M.S. Raman, J.*

Laxmikant



*comp*

*h*  
*21/12/23*



Date of Application : 21  
 Date of Notification : 20  
 Date of Supply : 21 12.23  
 Date of Ready : 21  
 Date of Delivery :

C.A. No- 129885 / 2023

**MEMO OF COSTS**

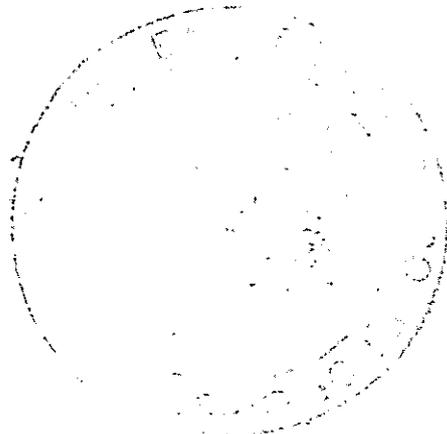
	Rs.	P
Application Fee.....	10	00
Folios / No. Pages.....4 x 2	8	00
Hologram Fees 4 x 1	4	00
Photo Copier Fee 4 x 1	4	00
<b>Total</b>	<b>26</b>	<b>00</b>

(Rupees Twenty Six only)

*ASO*  
21.12.2023  
ASO

*ASO*  
21/12/23  
EXAMINER OF COPIES  
CUM  
SUPERINTENDENT  
COPYING SECTION

**CERTIFIED TO BE A TRUE COPY**  
*ASO*  
21/12/23  
Assistant Registrar (Estt.)  
 ORISSA HIGH COURT  
 Authorised Under Section-76, Act-I of 1973



GOVERNMENT OF ODISHA  
STEEL & MINES DEPARTMENT  
DIRECTORATE OF MINOR MINERALS

Block No.06, Ground floor, Lokseva Bhawan, Bhubaneswar-751001

(e-mail: dirmms-rev@gov.in)

File No. DOMM-DMM-CASE-0001-2024 177

Date: 27/12/2024

**ORDER**

WHEREAS the Hon'ble High Court, vide order dated 20.12.2023 in W.P.(C) No.41390 of 2023 filed by Laxmipriya Prusty Vrs. State of Odisha & others have been pleased to direct as below:

*" 5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioner vide Annexure-5, and pass appropriate order in accordance with law within a period of six weeks from the date of production of certified copy of this order."*

AND WHEREAS as Laxmipriya Prusty, the petitioner has filed an application dated 01.11.2023 addressing to O.P. No.2 (Director, Minor Minerals, Steel & Mines Department, Govt. of Odisha) was received in Directorate of Minor Minerals, Odisha on 04.11.2023. For better appreciation of the facts, representation dated 01.11.2023 of the petitioner was forwarded to DDM, Bhadrak with a request to cause an immediate inquiry into the matter personally and to take immediate necessary action in the matter as per rules and also to furnish action taken report in the matter to Directorate of Minor Minerals, Odisha for kind appraisal of Director, Minor Minerals, Odisha.

AND WHEREAS the petitioner's prayer is to direct M.O.-cum-Competent Authority, Balesore to take over the Rajnagar River Sand Quarry online from the Tahasildar, Jaleswar & issue e-pass(Y-Form).

AND WHEREAS the factual report received from DDM, Bhadrak revealed that since the matter was sub-judice before the Hon'ble National Green Tribunal(NGT) challenging the issuance of Environmental Clearance, the Rajnagar River Sand Quarry has not been taken over by the Mining officer, Balesore.

AND WHEREAS the matter was referred to Steel & Mines Department to necessary clarification/instruction in the matter. Steel & Mines Department vide their Letter No.1258 dtd.08.02.2024 has intimated that even though the matter is subjudice under NGT, EZ bench, Kolkata challenging the issuance of environmental clearance, as yet there is no order to stay operation and has requested Director Minor Minerals, Odisha to dispose of the representation of the petitioner without delay by instructing M.O. Balesore/DDM Bhadrak to issue e-Transit Permit to the lessee to avoid any legal complicity.

THEREFORE, in the ultimate analysis of the facts, M. O. Balesore is hereby requested to take immediate necessary steps for issuance of e-Transit Pass to the lessee in respect of Rajnagar Sand Quarry over an area of 13.55 acres or 5.48 Ha bearing no.



No.-377, Plot No.1259/1300 in village-Panagar, Tahasil-Jaleswar, Dist-Balasore provided the lessee fulfil all the requisite conditions, obtained all statutory clearances, deposited required dues including outstanding and there is no other legal impediments against the source. The petitioner's representation dated 01.11.2023 is disposed of accordingly

Director, Minor Minerals

Memo No. 178

Date 23/02/2024

Copy forwarded to DDM, Bhadrak/Mining Officer, Balasore for information and necessary action with reference to W.P.(C) No 41390 of 2023

Director, Minor Minerals

Memo No. 179

Date 23/02/2024

Copy forwarded to Tahasildar, Jaleswar for information and necessary action with reference to W.P.(C) No.41390 of 2023.

Director, Minor Minerals

Memo No. 180

Date 23/02/2024

Copy forwarded to Collector, Balasore / ADM, Balasore for information and necessary action with reference to W.P.(C) No.41390 of 2023.

Director, Minor Minerals

Memo No. 181

Date 23/02/2024

Copy forwarded to Advocate General, Odisha, Cuttack for kind information with reference to W.P.(C) No.41390 of 2023.

Director, Minor Minerals

Memo No. 182

Date 23/02/2024

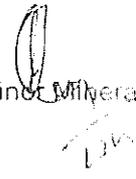
Copy forwarded to Senior P.S. to Addl. Chief Secretary to Government, Steel & Mines Department for kind information of Addl. Chief secretary to Government, Steel & Mines Department with reference to W.P.(C) No.41390 of 2023.

  
Director, Minor Minerals

Memo No. 183

Date 23/02/2024

Copy forwarded to Addl. Secretary to Government, Legal Cell, Steel & Mines Department for kind information with reference to W.P.(C) No.41390 of 2023.

  
Director, Minor Minerals

BEFORE THE HON'BLE  
NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

Appeal No. 22/2023/EZ

In The Matter of:

Ashish Kumar Ghosh and & Ors.

... Applicants

Versus

State of Odisha & Ors.

... Respondents

**SUPPLEMENTARY AFFIDAVIT** ON  
BEHALF OF THE RESPONDENT No.  
18.



POOJA SAH

Advocate

For The Respondent No. 18

Email:- [sahpooja293@gmail.com](mailto:sahpooja293@gmail.com)

Mob:9674012194.