

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO 140 OF 2024

IN THE MATTER OF

Fakir Mohan Patel

APPLICANT

Versus

STATE OF ODISHA AND OTHERS

RESPONDENTS

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PLACE: Bhubaneswar

SANKAR PRASAD PANI

ASHUTOSH PADHY

S.Pani A.Padhy

DATE: 23/08/2024

ADVOCATE

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
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Additional affidavit on behalf of the applicant

I, Fakir Mohan Patel, S/o Jay Karan Patel aged about 64years At-Prakashpur, Po- Bhukta Ps- Ambabhona, Dist-Bargarh, PIN 768045 do hereby solemnly affirm and declare as under,

1. That I am the Applicant in the above mentioned Application. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this Additional Affidavit.
2. That the Hon'ble NGT vide order dated 16/07/2024 constituted a fact finding committee to inspect the site as per the allegations made in the OA. Pursuant to the order of NGT, the committee visited only one alleged site and ignored all the other sites where the private respondent is also dumping/stacking the illegally extracted sands.
3. That as per the information of the petitioner, committee only visited to the Chikhili site, while the private respondent is storing/dumping the sands at four other sites such as Mahulpali, Prakashpur, Salepali and Antaradi.
4. It is pertinent to mention here that even after notice issued by this Hon'ble NGT the private respondent is not stepping back from illegally dumping of sands in various places and continues to

extract and trade the sand suggesting no action from the Mining Department even after the Notice issued by Honble NGT.

5. That the photographs of various dates shows that even after notice of the Hon'ble NGT still the private respondent is continuing with illegal mining activities and dumping of sand in various places. Copy of photographs is annexed hereunto as **ANNEXURE-1**.
6. Since the site in question is in the boarder of the Chattisgarh hence some places are reflected from the adjoining sites and showing the name of Chattisgarh, however all the photographs are of different places in Bargarh District and one at Jharsuguda District.
7. In view of the above mentioned paras it is humbly prayed before the Hon'ble tribunal to immediately stop the illegal mining, stacking and trading of sand by the private respondent and prosecution of the private respondent to desist from further illegal mining

APPICANT THROUGH

 

DATE: 23/08/2024

ADVOCATE

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

ORIGINAL APPLICATION NO -140 OF 2024/EZ

IN THE MATTER OF:

Fakir Mohan Patel

APPLICANT

VERSUS

STATE OF ODISHA AND Others ...

RESPONDENTS

AFFIDAVIT

23 AUG 2024

I, Fakir Mohan Patel, S/o Jay Karan Patel aged about 64years At-Prakashpur, Po- Bhukta Ps- Ambabhona, Dist-Bargarh, PIN 768045 do hereby solemnly affirm, and declare as under:

- 1. That I am the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
- 2. That I have read over the contents of the accompanying additional affidavit and the same is true and correct and is drafted on my instruction.

[Signature]
DEPONENT

VERIFICATION

Verified on this 23rd day of August 2024 at B.B.S.R. that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
[Signature]
Advocate

[Signature]
DEPONENT



The above named deponent(s) being duly identified by Sir...
Advocate... Bhubaneswar
Appears before me...
on oath...
are true to...
I acknowledge...
Deponent(s) Notary, Bhubaneswar

[Signature]
23 AUG 2024
JAI MEENAKSHI RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. CN-86/2012
Mob. No. - 9337121273

PHOTOGRAPH DATED 22/06/2024 SHOWS THAT THE PRIVATE RESPONDENT IS DUMPING THE ILLEGALLY EXTRACTED SANDS IN THE MAHULPALI VILLAGE OF JHARSUGUDA DISTRICT, WHICH IS SITUATED IN THE OPPOSITE SIDE OF THE RIVER MAHANADI.



PHOTOGRAPH DATED 29/06/2024 SHOWS THAT THE PRIVATE RESPONDENT IS DUMPING THE ILLEGALLY EXTRACTED SANDS IN THE PRAKASHPUR VILLAGE OF BARGARH DISTRICT.



PHOTOGRAPH DATED 18/08/2024 SHOWS THAT THE PRIVATE RESPONDENT IS DUMPING THE ILLEGALLY EXTRACTED SANDS IN THE SALEPALI VILLAGE OF BARAGARH DISTRICT,



As the bargarh district of Odisha is boarder to the State chattisgarh, hence some photographs shows the nearest geolocation as Chattisgarh.

THAT THE PHOTOGRAPH DATED 16/08/2024 SHOWS THAT EVEN AFTER NOTICE OF THE HON'BLE NGT PRIVATE RESPONDENT IS STILL CONTITUING THE MINING AND DUMPING ACTIVITIES.



PHOTOGRAPH DATED 17/08/2024





 GPS Map Camera



Rampur, Chhattisgarh, India
Rampur, Chhattisgarh, India
Lat 21.62037°
Long 83.487421°
18/08/24 11:24 AM GMT +05:30



Sankar Pani <sankarprasadpani@gmail.com>

Additional affidavit on behalf of the applicant in OA140 of 2024.

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Wed, Aug 28, 2024 at 9:01 AM

To: Soubhagya Nayak Adv <saubhagya_1965@rediffmail.com>, Dipanjan Ghosh <dpnjnghsh0@gmail.com>, ADVOCATE GENERAL ODISHA <advgenodisha@gmail.com>

Dear Sir/Madam, please find the attachment.

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**OA 140 ADDITIONAL AFFIDAVIT.pdf**

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