

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

O.A. NO.26 OF 2024/EZ

JITENDRA KUMAR PRADHAN ... APPLICANT

-VERSUS-

STATE OF ODISHA & OTHERS ... RESPONDENTS

I N D E X

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Cuttack

Date : 13.12.2024

By the Respondent Nos.2 & 6 through,


ADDL. GOVERNMENT ADVOCATE

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

O.A. NO.26 OF 2024/EZ

JITENDRA KUMAR PRADHAN ... APPLICANT

-VERSUS-

STATE OF ODISHA & OTHERS ... RESPONDENTS

**ADDITIONAL AFFIDAVIT
ON BEHALF OF RESPONDENT NOS.2 & 6 :**

I, Sri Sanjib Kumar Sarangi, aged about 52 years, Son of late Muralidhar Sarangi, at present working as Addl. Tahasildar, Office of the Tahasildar, Jharsuguda, At/P.O./Dist.: Jharsuguda, do hereby solemnly affirm and state as follows :

1. That, I am working as above and have been duly authorized by the Opp. Party Nos.2 & 6 to swear this Affidavit on their behalf.
2. That, in the accompanying Original Application, Counter Affidavit has already been filed by the Opp. Party No.6 on behalf of self and Opp. Party No.2 since 14.03.2024. Since some developments have been made in the mean time, the present Affidavit is being filed giving the said facts.
3. That, it is humbly submitted that as per kind Orders dtd. 05.02.2024 of this Hon'ble Tribunal a Joint Committee was

[Handwritten signature]

[Handwritten signature]

**PRADIPTA KUMAR MOHANTI
Notary, Cuttack Town
Regd.No-ON-04/1995**



[Handwritten signature: Sanjib Kumar Sarangi]

constituted to inspect the site in question and to submit a report with the regard to the allegations made.

Copy of the proceedings of the Joint Committee dtd. 02.03.2024 is annexed herewith and marked as Annexure – C/6.

4. That, thereafter, the Respondent No.11 was requested vide letter No.11165, dtd. 30.08.2024 followed with reminder No.14851, dtd. 19.11.2024 to carry out the recommendation made by the Joint Committee to develop plantation on the alleged site to restore the damaged environment but till date, no response has been done by the Respondent No.11.

Copies of letters No.11165, dtd. 30.08.2024 and No.14851, dtd. 19.11.2024 are annexed herewith and marked as Annexure – D/6.

5. That, the facts stated above are true to the best of my knowledge and based on official records.

Sanjib Kumar Sarangi
DEPONENT
Additional Tahasildar
Jharsuguda

VERIFICATION

I, Sri Sanjib Kumar Sarangi, aged about 52 years, Son of late Muralidhar Sarangi, at present working as Addl. Tahasildar, Office of the Tahasildar, Jharsuguda, At/P.O./Dist.: Jharsuguda, do hereby verify and states that the contents of the above affidavit are true and correct to the best

[Handwritten signature]

[Handwritten signature]
PRADIPTA KUMAR MOHANTY
Notary, Cuttack Town
Regd.No-ON-04/1995

Sanjib Kumar Sarangi

of my knowledge as derived from official records and that nothing material has been concealed there from.

Verified at Cuttack on this the 13th day of December, 2024.

Identified by

Sanjib Kumar Sarangi

VERIFICANT
Additional Tahasildar
Jharsuguda

[Signature]
ADDL. GOVT. ADVOCATE

AFFIDAVIT

I, Sri Sanjib Kumar Sarangi, aged about 52 years, Son of late Muralidhar Sarangi, at present working as Addl. Tahasildar, Office of the Tahasildar, Jharsuguda, At/P.O./Dist.: Jharsuguda, do hereby solemnly affirm and state as follows :

1. That, I have been duly authorized by the Respondent Nos.2 & 6 to swear this Affidavit on their behalf.
2. That, the facts stated above are true to the best of my knowledge and based on official records.

Identified by

Sanjib Kumar Sarangi

VERIFICANT / DEPONENT
Additional Tahasildar
Jharsuguda

[Signature]
ADDL. GOVT. ADVOCATE
(*Sambaswar Behera*)



Solemnly sworn before *S.K. Sarangi*
 me by.....
 being Identified by..... *S. Behera Advok*
 at Cuttack Town Dated..... *13/12/2024*
13/12/2024
 P.K. MOHANTY, Notary, Cuttack Town
 Regd. No-ON-04/1995

Joint Committee enquiry report with regards to the direction of Hon'ble NGT order dated:-05.02.2024 in OA No.26/2024/EZ-Jitendra Kumar Pradhan Vs State of Odisha &Ors

As per the direction of the Hon'ble NGT order dated 05.02.2024 in OA No. 26/2024/EZ-Jitendra Kumar Pradhan Vs. State of Odisha &Ors, a committee has been constituted comprising of District Collector, Jharsuguda or his representative of not below the rank of Addl. District Magistrate, Senior Scientist, SPCB, Odisha, Director of Mines and Geology, Bhubaneswar, Khurda, or his senior representative and Divisional Forest Officer, Jharsuguda or his senior representative. They were directed to inspect the site in question and submit its report with regards to allegations made.

In this regard, a field enquiry was conducted on 01.03.2024 in and around the alleged site. The following members of Joint Committee were present during the field visit:-

1. Sri Brajabandhu Bhoi, O.A.S (SAG), Additional District Magistrate (Gen). Jharsuguda.
2. Smt. A.Ekka, Deputy Environment Scientist, SPCB, Odisha, Jharsuguda.
3. Sri. Baljit Dungdung Assistant Conservator of Forests (ACF), Jharsuguda

In addition to the above committee members, the following representatives and villagers were also present during the site visit:-

1. Sri Kaushik Meher, Addl. Tahasildar, Jharsuguda.
2. Smt. Rishna Jamdaika, Forest Ranger (Brajrajnagar Range)
3. Sri. Prasanta Bag Forester Rajpur
4. Smt. Harapriya Bhoi Forester Ib valley
5. Smt. Reema Patel, Forest Guard
6. Sri Khageswar Patel, R.I. Brajrajnagar
7. Sri Prakash Kumar Naik, Amin

Observations:-

- The alleged sites as mentioned in the petition was visited by the Committee. No mining activity/excavation work was in progress at allegation site during the joint visit. However, excavation morrum had been done at only one plot. The status of the sites are as follows:-

| Mouza | Khata No | Plot No | Area | Kisam | Status |
|--------------------------------|--------------|--------------------------|-------|-------------|-------------------------------|
| Brajrajnagar Town Unit No.1 | 616 (Rakhit) | 85 | 0.257 | Gochar | No excavation activity found |
| | | 126 | 1.287 | Gochar | No excavation activity found |
| | | 2018/5229 (2018/5228) | 0.828 | Bada Jungle | No excavation activity found. |

Touceary affix

**Additional Tahasildar
Jharsuguda**

| | | | | | |
|--|---------------|-----------------|-------|-------|---|
| | | does not exist) | | | (However, a road is found passing through the plot) |
| | 618 (Anabadi) | 2017 | 0.630 | Patit | Excavation activity observed |
| | | 81 | 0.472 | Nala | No excavation activity found |

- The lands of plot no. 85 and 126 were found to be vacant and barren whereas plot no. 2018/5228 is not found in Khata No. 616 (Rakhit) but in plot no.2018/5229 (Bada Jungle) of khata no. 616 (Rakhit) some Chakunda trees growth were found which was adjacent to plot no. 2017(patit kisam) of khata no. 618 (Anabadi). There was very narrow flow of water at plot no-81.
- However, excavation of morrum was found at Plot no-2017 of Khata no-618 (Anabadi) over an area of 0.91 ha. about 4 mtr depth and 56100 cum of morrum has been extracted. The RI report and drone survey report is attached for necessary reference
- For excavation of Morrum, the project proponent has not obtained Environment Clearance from SEIAA, Bhubaneswar and valid Consent to Establish and Consent to Operate from SPCB, Odisha.

Recommendation:-

- M/s Aditya Constructions may be directed to develop plantation on the above plots for damaging the natural vegetation without the permission of the competent authority.
- It may be directed to obtain required permissions from the concerned authority for excavation of soil and morrum.

[Handwritten Signature]
02-03-2024

Dy. Env. Scientist, RO, SPCB
Jharsuguda

[Handwritten Signature]
02/03/2024

Asst. Conservator of Forest (ACF),
Jharsuguda

[Handwritten Signature]

Additional District Magistrate (Gen),
Jharsuguda

[Handwritten Signature]
True copy attached

Additional Tahasildar
Jharsuguda

- 6 -

Annexure-D/6 services

(6)

DISTRICT OFFICE: JHARSUGUDA
(Gen. & Misc. Section)
No. XX-108/24-11165 /G&M Dt. 30.08.2024

To

Sri Arun Kumar Barma
M/s Aditya Construction
Korba (Chhattisgarh)
Ha. Ni. Hariom Bihar, Brajarajnagar

Sub: Original application No. 26/2024/EZ filed by Jitendra Kumar Pradhan Vrs. State of Odisha & Others.

Ref:- Order of Hon'ble National Green Tribunal on 10.07.2024.

Sir,

Inviting a reference to the subject cited above, I am directed to say that as per the direction of the Hon'ble NGT, Eastern Zone, Kolkata in original application No. 26/2024/EZ filed by Jitendra Kumar Pradhan Vrs. State of Odisha & Others, you are to carry out the recommendation made by the Joint Committee in his report dated 02.03.2024 to develop plantation on the alleged site to restore the damaged environment.

Action taken report in this regard may be submitted to this office within a week.

This may be treated as Most Urgent.

Encl: As above.

Yours faithfully,

h
Addl. District Magistrate,
Jharsuguda

Memo No. 11166 /G&M Dt. 30.08.2024

Copy to the Tahasildar, Jharsuguda for information and necessary action.

h
Addl. District Magistrate,
Jharsuguda

True Copy attested

Additional Tahasildar
Jharsuguda

- 7 -

(7)

DISTRICT OFFICE: JHARSUGUDA
(Gen. & Misc. Section)
No. XX-108/24- 1485 /G&M Dt. 19.11.2024

To

Sri Arun Kumar Barma
M/s Aditya Construction
Korba (Chhattisgarh)
Ha. Ni. Hariom Bihar, Brajarajnagar

Sub: Original application No. 26/2024/EZ filed by Jitendra Kumar Pradhan Vrs.
State of Odisha & Others.

Ref:- Order of Hon'ble National Green Tribunal on 10.07.2024 & this office letter
No. 11165/G&M DT. 30.08.2024.

Sir,

Inviting a reference to the subject cited above, I am directed to say that as per the direction of the Hon'ble NGT, Eastern Zone, Kolkata in original application No. 26/2024/EZ filed by Jitendra Kumar Pradhan Vrs. State of Odisha & Others, you were requested to carry out the recommendation made by the Joint Committee in his report dated 02.03.2024 to develop plantation on the alleged site to restore the damaged environment. But till no compliance report has been received at this end.

Therefore, you are once again reminded to submit the action taken report to this office within a week.

This may be treated as Most Urgent.

Encl: As above.

Yours faithfully,

[Signature]
Addl. District Magistrate,
Jharsuguda

Memo No. 14852 /G&M Dt. 19.11.2024

Copy to the Tahasildar, Jharsuguda for information and necessary action.

[Signature]
Addl. District Magistrate,
Jharsuguda

True Copy attested

Additional Tahasildar
Jharsuguda

ED648792910 IN IVR:6979648792910

SP CHANDINCHOWK H.O <753002>
Counter No:2,13/12/2024,16:01

To:PRINCIPAL SEC.REVENUE DISTASTER
PIN:751001, Bhubaneswar G.P.O.
From:SARBESWAR BEHERA,OHC
Wt:50gms

Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648792923 IN IVR:6979648792923

SP CHANDINCHOWK H.O <753002>
Counter No:2,13/12/2024,16:01

To:DIVISIONAL FO,JHARSUGUDA
PIN:768202, K.M. Road Jharsuguda S.O
From:SARBESWAR BEHERA,OHC
Wt:40gms

Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648792906 IN IVR:6979648792906

SP CHANDINCHOWK H.O <753002>
Counter No:2,13/12/2024,16:01

To:MEMBER SECRET,STATE ENVIRONMENT
PIN:751022, Bhojnagar S.O
From:SARBESWAR BEHERA,OHC
Wt:40gms

Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648793022 IN IVR:6979648793022

SP CHANDINCHOWK H.O <753002>
Counter No:2,13/12/2024,16:01

To:JITENDRA KR P,BHAWANAGAR
PIN:768201, Jharsuguda H.O
From:SARBESWAR BEHERA,OHC
Wt:50gms

Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648793040 IN IVR:6979648793040

SP CHANDINCHOWK H.O <753002>

Counter No:2,13/12/2024,16:01

To:ADITYA CONSTA,HARIDIM BIHAR
PIN:768201, Jharsuguda H.O
From:SARBESWAR BEHERA,OHC
Wt:50gms

Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648793036 IN IVR:6979648793036

SP CHANDINCHOWK H.O <753002>

Counter No:2,13/12/2024,16:01

To:MEMBER SECRET,ODISHA STATE POL
PIN:751012, Nayapalli S.O

From:SARBESWAR BEHERA,OHC
Wt:50gms

Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>



ED648792804 IN IVR:6979648792804

SP CHANDINCHOWK H.O <753002>

Counter No:2,13/12/2024,16:01

To:DIRECTOR OF M,BHUBI6YAN BHAWAN

PIN:751001, Bhubaneswar G.P.O.

From:SARBESWAR BEHERA,OHC
Wt:50gms

Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)

<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe>

