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BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE
BENCH, KOLKATA,

ORIGINAL APPLICATION NO. 114 OF 2025/EZ

(Under Section 18 read with Sections 14, 15 of National Green
Tribunal Act 2010)



IN THE MATTER OF:

Girija Prasad Patra

Applicant...

VERSUS

State of Odisha, And Ors

Respondents.....

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Paushali Banerjee

Paushali Banerjee

Advocate

7A Kiron Shankar Roy Road

Kolkata-700001

X

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VERSUS

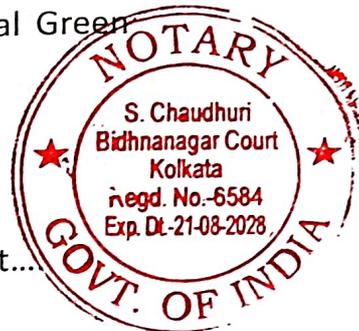
State of Odisha, And Ors

Respondents...

SUPPLIMENTARY AFFIDAVIT ON BEHALF OF THE APPLICANT:

I, Girija Prasad Patra, Son of Gokulchandra Patra, aged about 49 years, by occupation- Business; residing at Brahmanbati, P.O. Badamulai, P.S. :Gobindpur, Town/District : Cuttack, Odisha -754018 do solemnly affirm and say as follows:

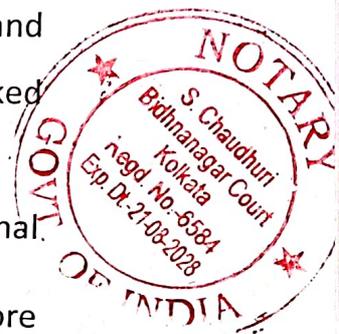
1. I am the Applicant herein and am conversant with the facts and circumstances of the instant case. I am competent to affirm this affidavit.
2. I say that the Applicant seek liberty to place on record certain documents that are crucial for a holistic adjudication of the present matter.
3. I say that the contention of the Applicant in the Original Application is that sand is illegally transported through the



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narrow embankment road of the village. The villagers approached various state authorities ventilating their grievances about the illegal plying of vehicle and pollution caused thereof, but till date there is no relief, no action is taken by the respondent authorities. The RTI Reply dated 15/05/25 received by the Applicant from the mining officer Cuttack, show that the Road to Balado Nainlo river bank is towards North East whereas the illegal sand miners are using the narrow road of river embankment of the village that is towards south east, the south east road is used illegally by the sand miners. Copy of the RTI Reply dated 15/05/25 and pictures of the village road is annexed herewith and marked as annexure P/1.

4. I say that the contention of the Applicant in the Original Application is that the villagers in their representation before also submitted that the private respondent is mining illegally in excess of 22009 cum sand per year as specified in the EC and outside the designated plot through out the day by using heavy machines. The RTI reply of the Mining Officer Cuttack dated 15/05/25 encloses information from 1/11/24 to 17/01/25 which show that mining is taking place at 12.27.28 am in the morning at Balada Nainlo Devi river and for two months the dispatch quantity of sand is 348 cum, that is absolutely wrong. Even if the number of trucks transporting



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sand is 15 per day considering the number of trucks evident in the Annexure 13 of the original Application then taking into account the reply dated 15/05/25 of the Mining officer Cuttack if the truck carries 16 cum sand then per day then it amounts to 240 cum sand per day and 7,200 cum sand per month and 86,400 cum sand per year that is way beyond the extraction limit of 22009 cum per year as provided in the Environmental Clearance. Copy of the RTI reply dated 15/05/25 and pictures of illegal sand mining with heavy machines are annexed herewith and marked as annexure P/2.

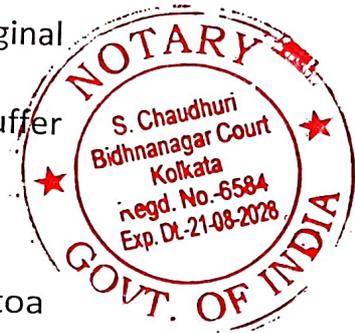


5. I say that the RTI reply dated 15/05/25 show that only 20 trucks are transporting sand for two months which is completely wrong as Annexure 13 with the Original Application show that more than 15 trucks are plying at that particular time illegally using the south east village road.
6. I say that the simple mathematics show that the number of trucks = Total sand volume divided by volume per truck. So --
-- =38078 cum divided by 16 cum= 2379.87 thatisapprox2380 number of trucksare plying per month and illegally using the

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south east village road. Therefore per day more that 79 number of trucks are plying illegally using the south east village road. The contention of the Original Applicant is that 38078 cum sand is extracted per month illegally from Balada NainloDevi river.

7. I repeat that the Respondent authorities have deliberately abused their respective delegated powers by indiscriminate river sand mining directly, influences the shape of the riverbed. This often results in many indirect and cumulative effects on the physical characteristics and the dynamic equilibrium of erosion and sedimentation of a river, and will cause an adverse impact over the ecological balance
8. I say that if the prayer of the Applicant in the Original Application is not allowed the Applicant will suffer irreparable loss and injury.
9. IsayandsubmitthatthisHon'bleTribunalwillbepleasedtoa
HowtheinstantOA
10. Girija Prasad Patra, Son of Gokulchandra Patra, aged about 49 years, by occupation- Business; residing at Brahmanbati, P.O. Badamulai, P.S. :Gobindpur, Town/District : Cuttack, Odisha -754018





VERIFICATION

I, Girija Prasad Patra, Son of Gokulchandra Patra, aged about 49 years, by occupation- Business; residing at Brahmanbati, P.O. Badamulai, P.S. :Gobindpur, Town/District : Cuttack, Odisha -754018 , do hereby verify that the contents of paras 1 to 6 are true to my personal knowledge and rest of the paragraphs are my humble submissions and that I have not suppressed any material fact;

1/8/25 Aug
Date: th day of May, 2025,

01 AUG 2025

Place: Kolkata

Girija Prasad Patra

Sankar Thaker
(Advocate)

Signature of the applicant

S. Chaudhuri
S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs

01 AUG 2025



ଝାଣି ଉପନିର୍ଦ୍ଦେଶକ କାର୍ଯ୍ୟାଳୟ, କଟକ ମଣ୍ଡଳ, କଟକ
ପତ୍ର ସଂଖ୍ୟା... / ଝାଣି, ତା: ୦୫.୦୩.୨୦୨୫

ପ୍ରେରକ,

ଝାଣି ଅଧିକାରୀ-ତଥା-ଜନସୂଚନା ଅଧିକାରୀ,
କଟକ ମଣ୍ଡଳ, କଟକ ।

ପ୍ରାପ୍ତସ୍ତୁ,

ଶ୍ରୀ ବାବନାନନ୍ଦ ପାତ୍ର,
ପିତା :- ଭନେଶ ଚନ୍ଦ୍ର ପାତ୍ର,
ଗ୍ରା : ବ୍ରହ୍ମାଣବାଡ଼ି , ପୋ : ବଡ଼ମୁଲେଇ,
ଥାନା:- ଗୋବିନ୍ଦପୁର , ଜି-କଟକ,
ଓଡ଼ିଶା, ପିନ୍ -୭୫୪୦୧୮,

ବିଷୟ :- ଶ୍ରୀ ବାବନାନନ୍ଦ ପାତ୍ରଙ୍କର ଆର.ଟି.ଆର. (R.T.I.) ଆଦ୍ୱ ୨୦୦୫ ଅଧିନରେ ଚା-୧୮.୦୧.୨୦୨୫ ରିଖରେ
ମରା ଯାଇଥିବା ଆବଶ୍ୟକୀୟ ସୂଚନାର ଯୋଗାଣ, ଯାହା ଏହି କାର୍ଯ୍ୟାଳୟରେ ତା : ୨୨ .୦୧.୨୦୨୫ ରିଖରେ ପ୍ରାପ୍ତ
ହୋଇଅଛି ।

ମହାଶୟ,

ଉପର ସୂଚିତ ଚିଠି ପ୍ରସଙ୍ଗରେ ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଇଅଛି ଯେ, ଏହି ଚିଠି ସହିତ ଉପଲବ୍ଧ ଥିବା
ଆବଶ୍ୟକୀୟ ସୂଚନା ଯାହା ଝାଣି ଅଧିକାରୀ କଟକଙ୍କ ଦ୍ୱାରା ସଂଲଗ୍ନ କରାଗଲା ।

ଏହା ଆପଣଙ୍କ ଗୋଚରାର୍ଥେ ପ୍ରେରଣ କରାଗଲା।

ସଂଲଗ୍ନ : ପରିଶିଷ୍ଟ 'କ' ଠାରୁ 'ଗ'

ଆପଣଙ୍କର ବିଷ୍ଣୁ,
[Handwritten Signature]
05.03.2025

ଝାଣି ଅଧିକାରୀ - ତଥା - ଜନସୂଚନା ଅଧିକାରୀ,
କଟକ ମଣ୍ଡଳ, କଟକ

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ସୂଚନା

- ୧. ୦୩.୦୮.୨୦୨୨ ରିଖରେ ଶ୍ରୀ ବାବନାନନ୍ଦ ପାତ୍ରଙ୍କୁ Y-ଫର୍ମ (Form)ଗ୍ରହଣ କରିବା ପାଇଁ ହୋଇଥିବା ସ୍ୱାକ୍ଷର (Agreement) ପରିଶିଷ୍ଟ 'କ' ରେ ସଂଲଗ୍ନ କରାଗଲା ଏବଂ ପରବର୍ତ୍ତୀ ମୁଦୂର୍ତ୍ତରେ ଲିଜଧାରୀ ଉକ୍ତ ସ୍ୱାକ୍ଷର (Agreement)କୁ ଖାରଜ କରିବା ପାଇଁ ଚହସିଲଦାର କଣ୍ଠାପତ୍ରା କୁ ଜଣାଇଛନ୍ତି ତାହାର ନକଲ ପରିଶିଷ୍ଟ 'ଖ' ରେ ସଂଲଗ୍ନ କରାଗଲା ।
- ୨. ବକଦା ନଇଁଲୋ ଘାଟର ରାସ୍ତା ଉତ୍ତର ପୂର୍ବ ଦିଗକୁ ଅଛି ।

[Handwritten signature]
୦୩.୦୮.୨୦୨୨

ଖଣି ଅଧିକାରୀ - ତଥା - ଜନସୂଚନା ଅଧିକାରୀ,
କଟକ ମଞ୍ଜୁର, କଟକ

Translated copy



Annexure - P-1

**OFFICE OF THE DEPUTY DIRECTOR OF MINES,
CUTTACK DIVISION, CUTTACK**

(9)

Letter No. 878/ Mines, dated 05.03.2025

Sender

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

Receiver

Sri Jibanananda Patra,
S/o- Ramesh Chandra Patra,
At-Brahmnabati, PO- Badamulei,
PS-Govindpur, Dist- Cuttack,
Odisha, Pin-754018.

Sub-Information sought by Sri Jibanananda Patra under (RTI) Act 2005 application dated 18.01.2025, which was received in this office on 22.01.2025.

Sir

In the context of the above-mentioned letter, you are hereby informed that the necessary information is available with this letter which is enclosed by the mining officer, Cuttack.

This is for your kind information

Yours faithfully

Annexure attached from A to C

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

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INFORMATION

1. An Agreement signed by Jibanananda Patra on 03.08.2022 to accept Y-Form is attached herewith as Annexure-A and the copy of the letter sent by lease holder regarding cancellation of lease agreement which was sent to Tahasildar Kantapada which is attached herewith as Annexure-B.
2. Road to Balada Nainlo river bank is towards the North-East.

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

CERTIFICATE

Certify that all endeavor have been taken to translate the document from Odia to English by me and typed in front of me.

Cuttack

Date: 15/05/2025


DEBASHIS SAMANTARAY
Advocate
E.No-O-42/2024
Ph-7978314485

X





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ଓଡ଼ିଶା ଉପନିର୍ଦ୍ଦେଶକ କାର୍ଯ୍ୟାଳୟ, କଟକ ମଣ୍ଡଳ, କଟକ

ପତ୍ର ସଂଖ୍ୟା...୧୪୨୨.../ ଓଡ଼ିଶା, ତା: ..୧୨:୦୪:୨୦୨୧

ପ୍ରେରକ,

ଓଡ଼ିଶା ଅଧିକାରୀ-ତଥା-ଜନସୂଚନା ଅଧିକାରୀ,
କଟକ ମଣ୍ଡଳ, କଟକ ।

ପ୍ରାପ୍ତେଷୁ,

ଶ୍ରୀ ସୁରେନ୍ଦ୍ର କୁମାର ପାତ୍ର,
ପିତା :- ପ୍ରଭାକର ପାତ୍ର,
ଗ୍ରା : ବ୍ରହ୍ମାଣ୍ଡବାଟି , ପୋ : ବଡ଼ମୁହେଇ ,
ଥାନା:- ରୋବିନ୍ଦପୁର , ଡି-କଟକ,
ଓଡ଼ିଶା, ପିନ୍ -୭୫୪୦୧୮,

ବିଷୟ :- ଶ୍ରୀ ସୁରେନ୍ଦ୍ର କୁମାର ପାତ୍ରଙ୍କର ଆର.ଟି.ଆର. (R.T.I.) ଆକ୍ ୨୦୦୫ ଅଧିନରେ ଡା-୧୮.୦୧.୨୦୨୫ ରିଖରେ
ମରା ଯାଇଥିବା ଆବଶ୍ୟକୀୟ ସୂଚନାର ଯୋଗାଣ, ଯାହା ଏହି କାର୍ଯ୍ୟାଳୟରେ ତା : ୨୨ .୦୧.୨୦୨୫ ରିଖରେ ପ୍ରାପ୍ତ
ହୋଇଅଛି ।

ମହାଶୟ,

ଉପର ସୂଚିତ ଟିପି ପ୍ରସଙ୍ଗରେ ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଉଅଛି ଯେ, ଏହି ଟିପି ସହିତ ଉପରୋକ୍ତ ଥିବା
ଆବଶ୍ୟକୀୟ ସୂଚନା ଯାହା ଓଡ଼ିଶା ଅଧିକାରୀ କଟକଙ୍କ ଦ୍ଵାରା ସଂଲଗ୍ନ କରାଗଲା ।

ଏହା ଆପଣଙ୍କ ଗୋଚରାରେ ପ୍ରେରଣ କରାଗଲା।

ଆପଣଙ୍କର ବିଶ୍ଵସ୍ତ,

ସଂଲଗ୍ନ : ପରିଶିଷ୍ଟ 'କ' ଠାରୁ 'ଗ'

ମି. ରମେଶ୍ଵର କୁମାର ଦେବୁଡ଼ା ୧୬.୪.୨୧
ଓଡ଼ିଶା ଅଧିକାରୀ - ତଥା - ଜନସୂଚନା ଅଧିକାରୀ, (A.P.I.O)
କଟକ ମଣ୍ଡଳ, କଟକ
୧୬/୪/୨୧

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ସୂଚନା

୧. ୦୧.୧୧.୨୦୨୪ ଠାରୁ ୧୭.୦୧.୨୦୨୫ ପର୍ଯ୍ୟନ୍ତ ର ସୂଚନା ପରିଶିଷ୍ଟ 'କ' ରେ ସଂଲଗ୍ନ କରାଗଲା ।

୨. ସି. ଟି. ଓ. (CTO) ର ନକଲ ପରିଶିଷ୍ଟ 'ଖ' ରେ ସଂଲଗ୍ନ କରାଗଲା ।

୩. ପଠା ଧାରୀ (Lease Deed) ର ନକଲ ପରିଶିଷ୍ଟ 'ଗ' ରେ ସଂଲଗ୍ନ କରାଗଲା ।

୪. ମେସିନ ସାହାଜ୍ୟରେ ବାଲି ଉତ୍ତୋଳନା କରିବା ପାଇଁ ସରକାରଙ୍କର ଡରପରୁ କୌଣସି ଅନୁମତି ପ୍ରଦାନ କରାଯାଇନାହିଁ ।

ମି. ସୁବ୍ରତ କୁମାର ଦେବୁଆ ^{A.P.O}
 ଖଣି ଅଧିକାରୀ - ତଥା - ଜନସୂଚନା ଅଧିକାରୀ, ୧୬.୪.୨୪
 କଟକ ମଣ୍ଡଳ, କଟକ
 ଓଡ଼ିଶା

Mining Officer-Cum-PIO
O/o. the Deputy Director of Mines
Cuttack Circle, Cuttack

Translated copy (19)

Annexure - P-2

H/

**OFFICE OF THE DEPUTY DIRECTOR OF MINES,
CUTTACK DIVISION, CUTTACK**

Letter No. 1465/ Mines, dated 16.04.2025

Sender

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

Receiver

Sri Surendra Kumar Patra,
S/o- Pravakar Patra,
At-Brahmnabati, PO- Badamulei,
PS-Govindpur, Dist- Cuttack,
Odisha, Pin-754018.

Sub-Information sought by Sri Surendra Kumar Patra under (RTI) Act 2005 application dated 18.01.2025, which was received in this office on 22.01.2025

Sir

In the context of the above-mentioned letter, you are hereby informed that the necessary information is available with this letter which is enclosed by the mining officer, Cuttack.

This is for your kind information

Yours faithfully

Annexure attached from A to C

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

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INFORMATION

1. Information from 01.11.2024 to 17.01.2025 is attached herewith as Annexure-A.
2. Xerox copy of CTO is attached herewith as Annexure-B.
3. Xerox copy of Lease Deed of lease holder is attached as Annexure-C.
4. No permission has been given by the Government for sand mining with the help of machine.

Mining Officer cum Public Information Officer
Cuttack, Division, Cuttack

CERTIFICATE

Certify that all endeavor have been taken to translate the document from Odia to English by me and typed in front of me.

Cuttack

Date: 15/05/2025


DEBASHIS SAMANTARAY
Advocate
E.No-O-42/2024
Ph-7978814485

Directorate of Minor Minerals
Government of Odisha

Sl#	Lessee	Source	Transit Pass No.	Generated on	Mineral Name	Dispatch Qty(Cum)	Vehicle No.	Consignee/ Buyer Name	Destination
1	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411260094/2/4	17-Jan-2025 11:53:53 PM	SAND	16.00	OD02AE2347	Aswini Kumar Mangaraj	Khordha
2	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501170065/1/1	17-Jan-2025 11:07:12 PM	SAND	22.00	OD02CV7334	Sunil Jena	Puri
3	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501160075/1/1	17-Jan-2025 08:25:30 PM	SAND	16.00	OD02CY9187	SUNIL JENA	PURI
4	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501160075/3/3	17-Jan-2025 08:15:42 PM	SAND	22.00	OD13Q1759	SUNIL JENA	PURI
5	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501150074/2/1	17-Jan-2025 07:57:02 PM	SAND	16.00	OD02CT8371	SUNIL JENA	KHURDA
6	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090166/1/2	17-Jan-2025 03:55:41 AM	SAND	18.00	OD02CV7334	ASWINI KUMAR MANGARAJ	PURI
7	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501160075/3/1	16-Jan-2025 10:50:02 PM	SAND	22.00	OD13Q1759	SUNIL JENA	PURI
8	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090166/1/1	16-Jan-2025 12:27:28 AM	SAND	18.00	OD02CV7334	ASWINI KUMAR MANGARAJ	PURI
9	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501150074/1/1	15-Jan-2025 09:47:02 PM	SAND	18.00	OD02CT8371	SUNIL JENA	KHURDA
10	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411260094/2/3	13-Jan-2025 10:58:34 PM	SAND	16.00	OD02CT8371	Aswini Kumar Mangaraj	Khordha
11	SURYAVANSHI EARTH MOOVERS	BALADA-NAINLO DEVI RIVER SAND-	A2411260094/2/2	12-Jan-2025 07:47:55 PM	SAND	16.00	OD21N9977	Aswini Kumar Mangaraj	Khordha

Mining Officer-Cum-PiO

(A.P.I.O)
16.4.25

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Directorate of Minor Minerals
Government of Odisha

Sl#.	Lessee	Source	Transit Pass No.	Generated on	Mineral Name	Dispatch Qty(Cum)	Vehicle No.	Consignee/ Buyer Name	Destination
12	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090166/2/3	12-Jan-2025 12:02:43 AM	SAND	16.00	OD02CV7334	ASWINI KUMAR MANGARAJ	PURI
13	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090166/2/2	11-Jan-2025 06:42:07 PM	SAND	16.00	OD05BW7102	ASWINI KUMAR MANGARAJ	PURI
14	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090166/2/1	10-Jan-2025 07:03:25 PM	SAND	16.00	OD05BW1702	ASWINI KUMAR MANGARAJ	PURI
15	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501090167/1/1	09-Jan-2025 11:44:36 PM	SAND	22.00	OD13W7539	SUNIL JENA	PURI
16	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411160024/1/1	09-Jan-2025 11:24:06 PM	SAND	16.00	OD05BW7102	Chikan Mohapatra	Puri
17	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411260094/1/1	09-Jan-2025 08:21:23 PM	SAND	16.00	OD05BX6242	Sunil Jena	Astaranga
18	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2501080133/2/1	09-Jan-2025 12:26:10 AM	SAND	14.00	OD02BX7334	SUNIL JENA	PURI
19	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411260094/2/1	26-Nov-2024 11:42:01 PM	SAND	16.00	OD02BB1516	Aswini Kumar Mangaraj	Khordha
20	SURYAVANSHI EARTH MOOVERS	(22/2020-21) BALADA-NAINLO DEVI RIVER SAND- (22/2020-21)	A2411260092/1/1	26-Nov-2024 10:11:59 PM	SAND	16.00	OD01AH1110	Aswini Kumar Mangaraj	Khordha
						Total	348.00		


 Mining Officer-Cum-FIO
 Deputy Director of Mines
 (A.P.O)
 16/1/2025

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