

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE,**KOLKATA****IN****O.A. No. 61 of 2025**

In the matter of:

Satam Patnaik

... Applicant

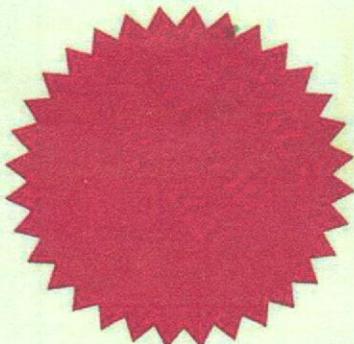
Versus

State of Odisha & Ors.

... Respondents

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COUNTER AFFIDAVIT FILED BY THE JINDAL STEEL LIMITED

RESPONDENT NO. 2

I, Rajan Anand, aged about 54 years, son of Shri B.K. Anand, working as AVP with the Respondent No. 2, having its office at Jindal Steel Limited, Chhendipada Road, SH-63, P.O. Jindal Nagar, District – Angul, Odisha – 759111, do hereby solemnly affirm and state as follows:-

1. I state that I am the authorized representative of the Respondent No. 2 in the present case and being fully conversant with the records, facts and circumstances of the case and I am competent to swear this Affidavit for and on behalf of the Respondent No.2 abovenamed.
2. The Respondent No.2 is filing the present the Counter Affidavit to the original application being OA No. 61 of 2025 filed by Satam Patnaik, Applicant. The present application has been filed against JSP, the name of which has now changed to Jindal Steel Limited ('Jindal Steel'). Therefore, the present the reply is being filed by Jindal Steel.

Jindal Steel denies all averments, submissions, contentions or allegations contained in the present application, save and except



those that are expressly and specifically admitted hereinafter. Nothing stated in the present application shall be deemed to have been admitted by Jindal Steel for the lack of specific denial. Jindal Steel reserves the right to file a further counter affidavit in case required at a later stage.

PRELIMINARY OBJECTIONS:

4. At the outset, it is respectfully submitted that the present Application is misconceived, motivated, and an abuse of the process of this Hon'ble Tribunal. The Applicant has previously initiated multiple proceedings against Respondent No. 2 on similar grounds, all lacking merit and aimed at obstructing legitimate industrial operations rather than addressing genuine environmental concerns.
5. Records, including proceedings before the Odisha Human Rights Commission in Case No. 1639 of 2025, show that the Applicant has been involved in repeated disputes and disruptions, often acting in concert with local groups to oppose Respondent No. 2's operations without substantiated cause.
6. In a Civil Suit No. 60 of 2022, the Learned Civil Judge, Angul, was pleased to grant a permanent injunction restraining the Applicant from interfering with the lawful activities of Respondent No. 2. Despite such orders, similar actions have continued, including through third parties and repeated complaints on the same issues.
7. Local police have also registered FIR Nos. 0111/2024 and 0370/2024 against the Applicant in connection with incidents



affecting law and order near the project site, further evidencing the disruptive impact of the Applicant's activities.

8. It is therefore submitted that the present Application is devoid of bona fide environmental issues and has been filed with the sole intent to cause unwarranted obstruction. It is prayed that the Application be dismissed in limine with appropriate costs, to discourage repetitive and unsubstantiated litigation. This Reply is filed without prejudice to all other rights and contentions of Respondent No. 2.
9. In view of the above, it is evident that the present application is not driven by genuine environmental concerns but is a continuation of the Applicant's pattern of disruptive and unsubstantiated actions against Respondent No.2. The proceedings are devoid of any merit and serve only to burden this Hon'ble Tribunal and obstruct lawful operations of Respondent No.2.
10. Respondent No.2 has at all times operated in accordance with statutory requirements and environmental clearances issued by the Government. It is submitted that the allegations raised in the present application are factually incorrect, legally unsustainable and stand contradicted by site inspections reports and statutory approvals granted by competent authorities.
11. The Applicant has raised multiple allegations against Jindal Steel in the present Application, all of which are unfounded and misleading. The primary contentions of the Applicant with respect to the alleged FC violations are as follows:

- (i) Jindal Steel had widened the approved service road to more than 10 meters instead of approved width of 2.5 meters.



Jindal Steel has constructed service road within the Reserved Forests like a "National Highway" where vehicles movement with high max lights & high speed with noise is causing damage to the forest ecosystem.

- (ii) Additional trees (other than approved 1429 nos. of trees) have been cut down by Jindal Steel for widening of the approved service road to more than 10 meters instead of approved width of 2.5 meters. Such cutting down of trees without any approval from the appropriate authority violates "Forest Conservation Acts & Rules".
- (iii) The Schedule Tribe community of Kaliakata and Malibrabmani village is dependent on Kaliakata RF & Durgapur RF for their livelihood by collecting "Tula & Mahula", therefore the construction of alleged 10 mtr. road will hamper their livelihood.
- (iv) Such alleged transportation activity within the Reserved Forest areas disrupts free movement of wildlife and poses a risk to their survival.
- (v) Jindal Steel has illegally transported coal via road through the diverted forest land which is in violation of the transit permit dated 08.04.2024.

12. At the very outset it is submitted that the present application is misconceived, barred by limitation and constitutes an abuse of the process of this Hon'ble Tribunal. The Application is devoid of any merit and is premised on unfounded allegations regarding activities that have been undertaken strictly in accordance with statutory permissions, including EC and other approvals from



competent authorities. The issues raised pertained to lawful, regulated and environmentally compliant work which has neither caused environmental harm nor infringed upon the rights or livelihood of scheduled tribe communities. Therefore, the present proceedings are liable to be dismissed.

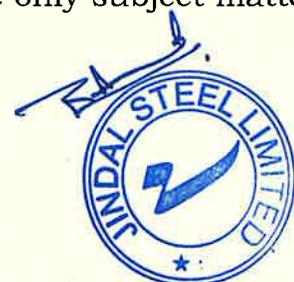
13. Further, the allegations levelled by the Applicant do not involve any substantial question relating to environment as defined under section 14 of the NGT Act, 2010. The Applicant has not placed any evidence on record to support its allegations. The Respondent No.2 is committed to ensuring that all activities are planned and executed in line with principles of environmental sustainability and measures such as elevated pipe conveyor minimizes dust and emissions.

BRIEF FACTS:

14. Before dealing with the contentions of the present application, it is pertinent to provide a correct factual background for proper adjudication of case:
- a) Previously, Utkal B1 and B2 were allotted to 2 different prior-allottees. However, in the recent auction process MOC has combined the Utkal B1 and Utkal B2 coal mines.
 - b) Jindal Steel & Power Limited ('JSP'), now known as Jindal Steel Limited ('Jindal Steel') was declared as the successful bidder on 17.08.2022 and subsequently, the Ministry of Coal issued a vesting order vide order No. NA-104/1/2022-NA dated 10.10.2022 for Utkal B1 and Utkal B2 Coal Mine situated at Talcher coal field, Chhendipada, District Angul, Odisha.



- c) It is submitted that the Environmental Clearance (EC) granted to the Respondent No.2 provides for installation of a covered conveyor pipeline to transport coal from the Utkal B1 mine.
- d) Therefore, in this regard Forest Rights Committee ('FRC'), Kaliakata Village and Malibrahmani Village on 15.07.2014 approved the forest diversion of 4.46 acres (3.666 hectares) and 9.06 acres (1.804 hectares) of forest land of Kaliakata Reserved Forest ('RF') and Durgapur RF respectively for non-forest use i.e., integrated elevated pipe conveyor totaling to 13.52 acres (5.47 hectares). The Respondent No.2 herein craves leave to refer to Annexure-1 of the Original Application, in this regard, at the time of hearing.
- e) Pursuant to the FRC approval dated 15.07.2014, the Ministry of Environment, Forest & Climate Change ('MoEF') issued Stage - I approval to Jindal Steel on 13.07.2015 for diversion of 6.682 hectares of forest land for non-forest use. The Respondent No.2 herein craves leave to refer to Annexure-2 of the Original Application, in this regard, at the time of hearing.
- f) Subsequently, on 28.02.2017 the MoEF issued Stage - II approval in favour of Jindal Steel for diversion of 6.682 hectares of forest land for non-forest use. The Respondent No.2 herein craves leave to refer to Annexure-3 of the Original Application, in this regard, at the time of hearing.
- g) It is submitted that a total of 6.682 hectares of forest land has been diverted by MoEF in the following manner, i.e., 5.47 hectares has been specifically diverted for the installation of an elevated pipe conveyor, for coal transportation from the Utkal B1 coal block, which constitutes the only subject matter



under consideration in the present proceedings. The remaining 1.212 hectares has been diverted for the laying of a railway line intended for coal transportation from the Utkal C coal mine.

- h) It may be noted that the coal produced from Utkal B1 coal mine was proposed to be transported through integrated pipe conveyor mode for which diversion of 5.47 Ha of forest land for coal conveyor, 33 KV transmission line, service road and underground pipelines was approved by the MoEF in Stage – II approval dated 28.02.2017.
- i) Thereafter, MoEF notified Gazette order bearing No. S.O 1561 (E) on 21.05.2020. Section 3 of the said notification directs the transportation of coal by covered railway wagons or covered conveyor in order to reduce environment damage and pollution.

A copy of the Gazette order bearing No. S.O 1561 (E) dated 21.05.2020 notified by MoEF is annexed herewith and marked as **Annexure – “A”**.

- j) The Respondent No.6, Divisional Forest Officer, Angul (‘DFO’) issued a letter dated 31.08.2020 to Odisha Forest Development Corporation Limited (‘OFDCL’) wherein OFDCL was allowed to fell 1429 nos standing trees over 5.47 hectares of diverted forest area in Kaliakata RF and Durgapur RF for laying of integrated pipe conveyor for transportation of coal into Jindal Steel’s plant.

A copy of the DFO’s letter dated 31.08.2020 allowing OFDCL to fell 1429 nos. standing trees is annexed herewith and marked as **Annexure – “B”**.



- k) It is pertinent to note that during this period, Utkal B1 and B2 were auctioned as a single composite block by the Ministry of Coal. Jindal Steel was declared the successful bidder on 21.07.2022. Subsequently, the Ministry of Coal issued the vesting order for the Utkal B1 and B2 coal mine—located in the villages of Rajjharan, Golagadia, Kaunsidhipa, and Chhotabereni under Chhendipada Tahsil in Angul District—vide Order No. NA-104/1/2022-NA dated 10.10.2022.
- l) In view thereof, Jindal Steel after all approvals, started the process of construction of coal conveyor and the associated infrastructures such as the power transmission lines, road and leveling of the conveyer route for transportation of movement of construction machineries such as heavy cranes, concrete mixer truck, concrete pumps, and trucks carrying the heavy mechanical equipment.
- m) On 30.03.2022, the Respondent No.6, Divisional Forest Officer, Angul ('DFO') issued a show cause notice to Jindal Steel citing certain alleged violations of the Stage – I and Stage – II approval granted by MoEF. The Respondent No.2 herein craves leave to refer to Annexure-4 of the Original Application, in this regard, at the time of hearing.
- n) Consequently, Jindal Steel submitted a detailed response to the aforesaid notice on 20.04.2022 to DFO. The Respondent No.2 herein craves leave to refer to Annexure-5 of the Original Application, in this regard, at the time of hearing.
- o) Subsequently, in order to efficiently utilize the diverted forest area and to safeguard the wildlife movement, Jindal Steel submitted an application dated 13.03.2023 to DFO for change



in land use pattern of 6.682 hectares of forest land originally diverted for the purpose of laying railway line in 1.121 hectare and 5.47 hectares for infrastructural facilities like pipe conveyor, 33 KV transmission line, underground water pipelines and service road.

- p) In view thereof, Jindal Steel proposed to supply 33 KV power through underground cables in place of overhead transmission towers, which would have otherwise required a 4-meter-wide corridor for the construction of tower foundations. Therefore, the remaining area was proposed to be utilized for the extension of the service road for the transportation of coal from Jindal Steel's coal mines during breakdown/maintenance of conveyor system and for excess coal over and above the Pipe conveyor rated capacity, ensuring more efficient use of the available corridor space.

A comparative chart depicting the present land use and proposed land use of the diverted forest land is provided as follows:

Present land use of diverted forest land.

Sl. No.	Category	Description	Width (in mtr.)	Area (In ha.)
A	Rail line	Laying of Rail line (Approx. width 10mtr.)		1.212
B	Infrastructure Facilities	Piped conveyor with trestles and soil excavation	07	2.552
		Transmission Tower foundation	04	1.459
		Service road with water pipelines below it	04	1.459
TOTAL			15	6.682

Proposed land use of diverted forest land.

Sl. No.	Category	Description	Width (In mtr.)	Area (In ha.)
A	Rail line	Laying of Rail line (Approx. width 10mtr.)		1.212
B	Infrastructure Facilities	Piped conveyor with trestles and soil excavation	07	2.552
		33 KV Underground power cable	1.2	0.438
		Extended Service Road with UG Water Pipelines	6.8	2.480
TOTAL			15	6.682

- q) In the meanwhile, after undertaking the tree felling process, OFDCL issued a letter dated 21.11.2023 providing details of



the payment to be made to VSS committees of Kaliakata, Kakerie and Malibrahmani as detailed below:

Name of the VSS Committee	No of trees marked	No of trees felled	Quantity obtained			Sales Value Realised	Deduction of 25% marketing commission	50% VSS Share to be paid
			Timber in Cum	Firewood in Stack	Poles in Nos			
Kaliakata VSS	245	245	5.3186	6	119	98,722.00	24,681.00	37,021.00
Malibrahmani VSS	505	505	10.0713	34	525	3,09,014.00	77,254.00	1,15,880.00
Kankarei Bahalsahi VSS	434	434	3.7260	26	483	2,49,497.00	62,374.00	93,562.00
Forest Dept.	245	245	4.3236	4	101			
	1429	1429	23.4395	70	1228	6,57,233.00	1,64,309.00	2,46,463.00

- r) Therefore, it is apparent that a) tree felling exercise was undertaken solely by OFDCL, Angul b) only 1429 trees were cut down by OFDCL as approved by the DFO, and c) the sale proceeds generated from tree felling were proportionally distributed to the respective village committees. A copy of the letter dated 21.11.2023 issued by OFDCL providing details of the payment made to village committees is annexed herewith and marked as **Annexure - "C"**.
- s) Subsequently, the Respondent No.1, i.e., Government of Odisha published Form - E (application for change in land use) on the online portal i.e., PARIVESH around year end of 2023. Accordingly, Jindal Steel submitted a fresh online application for change in land use on 09.06.2024 in compliance with the latest rules and regulations.
- t) Respondent No. 4, i.e., the Principal Chief Conservator of Forests (PCCF), vide letter dated 08.06.2023 called for a report on the complaints made by the Applicant to various forest



authorities. A detailed site inspection was conducted by the DFO on 05.07.2023. Based on the said inspection, a comprehensive report was submitted by the DFO on 28.11.2024 to Respondent No. 12, i.e., the Regional Chief Conservator of Forests (RCCF), Angul Circle.

Relevant portion of the site inspection report is reproduced below for ready reference:

“A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.

B. No heavy vehicles were found to be moving on the road.

C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency in last one year.

*D. On 29.10.2024, the Assistant Conservator of Forests, Angul Division, along with the Range Officers of Angul and Chhendipada, proceeded to the area. **It was found that several RCC foundation structures for the conveyor belt had already been constructed, and some were still under construction along the Forest Road. It was also observed that trucks carrying construction materials were moving to and from the construction site.**”*

A copy of the detailed report submitted by DFO to RCCF on the site inspection conducted on 05.07.2023 dated 28.11.2024 is annexed herewith and marked as **Annexure – “D”**.

- u) Subsequently, in terms of the directions given by the PCCF, DFO Angul conducted another site inspection and submitted a detailed report on 29.03.2025 to the RCCF.

Relevant portion of the site inspection report dated 29.03.2025 is reproduced below for ready reference:

“...Currently, the road is being used for the transportation of construction materials for the pipe conveyor and for the movement of heavy cranes and excavators needed for the



construction of the pipe conveyor structures. Out of the total stretch length of 3.65 km in both Durgapur and Kaliakata Reserved Forests, construction activities for the pipe conveyor over a length of 2.65 km have either been completed or are currently under construction on the specified side of the 15-meter-wide corridor...

xxx

As per the Reviewed observations during Site inspection on 12.03.2025, it is observed that, there is noticeable progress in construction of Elevated Pipe conveyor along the diverted route ...

xxx

A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.

B. **No heavy vehicles carrying coal were found to be moving on the road except the equipment and machineries deployed for construction of elevated Pipe conveyor structures.**

C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency since 15.11.2022.

D. As per site inspection on 12.03.2025, **Pipe conveyor structure over a length of 2.65 kms is either completed or under construction which are visible and remaining 1 km length will be completed soon.**

A copy of the detailed report submitted by DFO to RCCF on the site inspection report dated 29.03.2025 is annexed herewith and marked as **Annexure - "E"**.

- v) Therefore, a bare perusal of report dated 28.11.2024 and 29.03.2025 submitted by the DFO makes it abundantly clear that there has been no coal transportation in the diverted forest land of Kaliakata RF and Durgapur RF, as alleged or at all. On the contrary, it has been observed by the government officials that the construction of the pipe conveyor is nearing completion and the trucks deployed are only transporting equipment and machinery for construction of elevated pipe conveyor.



w) Further, the Project Scrutiny Committee ('PSC') on 09.04.2025 accepted the proposal submitted by Jindal Steel for change in land use and directed Jindal Steel to submit the proposal before DFO, Angul for taking necessary action in the matter. PSC also directed DFO to upload the site inspection report. A copy of the relevant portion of the minutes of 67th PSC meeting is annexed herewith and marked as **Annexure - "F"**.

15. The submissions of the Respondent No.2 are set out hereinbelow:

I. THE APPLICATION FILED BY THE APPLICANT IS BEYOND THE EXPIRY OF LIMITATION PERIOD:

16. It is submitted that the present application filed by the Applicant is barred by limitation as the cause of action, if any, arose on 13.02.2024 when the applicant first allegedly issued a letter regarding the construction of the road. The said construction was one time, completed activity undertaken in accordance with all requisite permissions and approvals. There is no ongoing or recurring activity constituting a fresh violation after the completion of the road. Repeated alleged objections by the applicant does not extend the limitation period or create a fresh cause of action. The plea of continuing cause of action is misconceived and unsustainable and the present application deserves to be dismissed being beyond the prescribed period of limitation.

II. NO VIOLATION OF APPROVED FOREST DIVERSION OR ROAD WIDTH:

17. It is the case of the Applicant that Jindal Steel had widened the approved service road to more than 10 meters instead of approved



width of 2.5 meters and that Jindal Steel has constructed service road like a “National Highway” where vehicles movement with high max lights & high speed with noise is causing damage to the forest ecosystem.

18. In this regard, it is important to note that the approved diverted forest land has a width of 15 meters and a length of 3646 meters. The approved land use details of the diverted forest area include a) Foundation structures for reinforced cement concrete trestles to support an elevated pipe conveyor, with a ground width of 7 meters; b) An overhead 33KV tower-mounted transmission line, requiring a ground width of 4 meters; and c) A service road with a remaining width of 4 meters, which also accommodates two underground pipelines. Therefore, the width of the service road is 4 meters as approved in plan layout instead of 2.5 meters as alleged by the Applicant on wrong appreciation of facts and documents. This is also evident from the site inspection report dated 28.11.2024 and 29.03.2025.
19. Further, as per both inspection reports dated 28.11.2024 and 29.03.2025 submitted by the DFO, the road in question currently used for transportation of machinery and equipment was found to be a kachha road built with stones and slag (waste material) and as noted in the report, no coal is being transported as alleged or at all.
20. The allegation that a National Highway type road has been constructed is factually incorrect and misleading. The road in



question is a kacha road as mentioned in the site inspection report constructed only for movement of material for conveyor pipeline.

21. The deployment of such equipment is considered essential for the execution of civil and mechanical works associated with the elevated pipe conveyor system. Therefore, the allegations and contentions raised by the Applicant are unfounded, baseless and devoid of merit.
22. Accordingly, it is clear that there has been no damage to the ecosystem caused by Jindal Steel as alleged or at all.

III. NO UNAUTHORISED TREE FELLING BEYOND 1429 TREES AS APPROVED BY DFO:

23. It is important to mention here that the DFO by its letter dated 31.08.2020 issued necessary approvals for felling of 1,429 standing trees (as per the approved enumeration list) wherein OFDCL was authorised to undertake the said activity.
24. During the tree felling process, the Vana Surakshya Samiti ('VSS') of Kaliakata, Malibrahmani, and Kankarai villages were duly consulted by OFDCL. Post-felling, the financial share of proceeds were also disbursed to the respective VSS committees by OFDCL as recorded in its letter dated 21.11.2023.
25. Therefore, as the tree felling across the 15-meter-wide diverted forest area has already been completed by OFDCL, no additional tree felling was required by Jindal Steel for project implementation. Further, the site inspection report dated 29.03.2025 does not mention any additional tree felling done by Jindal Steel or OFDCL



in the approved diverted forest area. Accordingly, the allegations raised by the Applicant are without any merit and made solely on false presumptions.

IV. NO ADVERSE IMPACT ON SCHEDULED TRIBE LIVELIHOOD:

26. Further, it has also been alleged by the Applicant that the construction of service road has hampered the livelihood of the scheduled tribe community in the area. In this regard, it is submitted construction of service road and forest diversion have not in any manner hampered the livelihood or activities of local scheduled tribe community, as alleged by the Applicant. No material has been placed on record by the Applicant to establish its contention.

27. Therefore, the allegation of the Applicant that the diversion has adversely affected their access to forest resources is factually incorrect and legally unsustainable.

V. WILDLIFE CORRIDORS AND ECOLOGICAL SAFEGUARDS IMPLEMENTED BY Jindal Steel:

28. It has also been alleged by the Applicant that the transportation disrupts free movement of wildlife and is a risk to their life and existence. In this regard, it is submitted that the design for elevated pipe conveyor has been specifically adopted to facilitate the uninterrupted movement of wildlife, including both small and large animals including elephants.

29. Further, measures are being proactively undertaken by Jindal Steel in furtherance of its obligation to ensure ecological continuity, including the free movement of wildlife and the



unhindered flow of surface water across the project alignment. Jindal Steel has chosen this design as a part of its commitment to sustainable operations which clearly demonstrates that the project has been planned with environment protection as an integral consideration.

VI. PROJECT INFRASTRUCTURE HAS BEEN CONSTRUCTED BY Jindal Steel IN ACCORDANCE WITH THE STAGE - I AND II CONDITIONS AND IT IS AT AN ADVANCE STAGE:

30. It is pertinent to mention here that out of the total stretch length of 3.65 km in both Durgapur and Kaliakata RFs, construction activities for the pipe conveyor over a length of 2.65 km have already been completed by Jindal Steel and the remaining 1 km is under construction which will be completed soon. This fact can also be seen from the site inspection report dated 29.03.2025 submitted by DFO.
31. It is submitted that the construction of elevated pipe conveyor is being undertaken in accordance with statutory requirements and specific conditions mentioned in the Stage - II approval. The conveyor system which has been specifically provided in the Stage - II approval as an environmentally preferred mode aimed at lowering emissions and minimizing road dust and noise and ensuring uninterrupted movement of wildlife through its elevated and enclosed design. This initiative is therefore, not only in full compliance with the law but also demonstrably in larger interest of environmental protection and sustainable development.



VII. Jindal Steel HAS NOT TRANSPORTED COAL FROM THE UTKAL B1 COAL MINES THROUGH THE DIVERTED FOREST AREA:

32. It has been alleged by the Applicant that Jindal Steel has illegally transported coal via road through the diverted forest land which is in violation of the transit permit dated 08.04.2024. The Respondent No.2 herein craves leave to refer to the Transit Permit annexed at Page- 73 of the Original Application, in this regard, at the time of hearing.
33. Firstly, it may be noted that the Transit Permit annexed by the Applicant in the present application does not pertain to the Utkal B1 coal mine, which is the subject matter of the current proceedings. Rather, the said permit relates to the Utkal C coal mine which is a distinct and separate mining operation undertaken by Jindal Steel.
34. Secondly, the coal production from the Utkal B1 coal mine has not yet commenced. Therefore, it is factually and legally untenable to allege that coal is being transported from Utkal B1, either through the diverted forest area or by any other means. Moreover, the site inspection report dated 29.03.2025 also records that *“No heavy vehicles carrying coal were found to be moving on the road except the equipment and machineries deployed for construction of the elevated pipe conveyor”*. Accordingly, the allegation made by the Applicant in this regard is based on a fundamental misappreciation of facts.

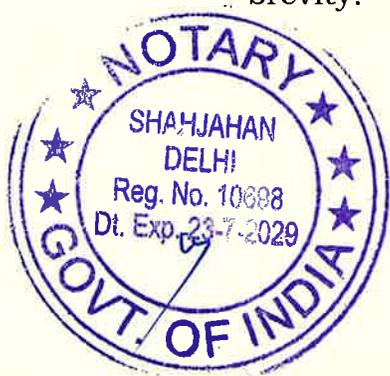
35. In view of the above, it is clear that the reliance placed on the said Transit Permit by the Applicant is misplaced and misleading. The



manner in which these allegations have been framed suggests a preconceived and malicious intent to tarnish the image and reputation of Jindal Steel, without any substantive or factual basis. Therefore submitted that the Applicant's contentions are devoid of merit and deserve to be disregarded in their entirety.

PARAGRAPH WISE REPLY:

36. That the contents of Paragraphs I to II of the present application are denied due to want of knowledge.
37. That the contents of Paragraph III of the present application are denied in totality being false and devoid of any merit. It is submitted that Jindal Steel has adhered to all statutory approvals, complied with Forest Conservation Act, 1980, and implemented safeguards to protect ecology and community interests. Further the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to this paragraphs and are not being repeated herein for the sake of brevity.
38. That the contents of Paragraphs 1 to 3 of the present application are a matter of record and hence needs no reply from Jindal Steel.
39. That the contents of Paragraph 4 of the present application are denied in totality being false and devoid of any merit. In this regard, the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to this paragraphs and are not being repeated herein for the sake of brevity.



40. That the contents of Paragraph 5 of the present application are a matter of record and gospel truth, therefore needs no reply from Jindal Steel.
41. That the contents of Paragraphs 6 and 7 of the present application are denied being false and devoid of any merit save and except receipt of the letters dated 02.12.2022 and 09.12.2022. In this regard, the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to this paragraphs and are not being repeated herein for the sake of brevity.
42. That the contents of Paragraph 8 of the present application are denied in totality being false and devoid of any merit. In this regard, the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to this paragraphs and are not being repeated herein for the sake of brevity.
43. That the contents of Paragraph 9 of the present application are denied being false and devoid of any merit save and except receipt of the letter dated 20.06.2024. In this regard, the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to this para and are not being repeated herein for the sake of brevity.
44. That the contents of Paragraph 10 to 15 of the present application are denied being baseless and devoid of any merit. In this regard, the contents of paragraphs 16 to 34 of the present counter affidavit



shall be read as part and parcel of the reply to this paragraphs and are not being repeated herein for the sake of brevity.

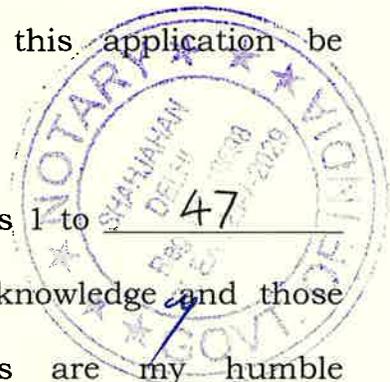
45. That the contents of Grounds (Paragraphs i to iii) of the present application are denied in totality being false and devoid of any merit. It is submitted that Jindal Steel has adhered to all statutory approvals, complied with Forest Conservation Act, 1980, and implemented safeguards to protect ecology and community interests. Further the contents of paragraphs 16 to 34 of the present counter affidavit shall be read as part and parcel of the reply to these paragraphs and are not being repeated herein for the sake of brevity.

46. That the contents of the Limitation paragraph are denied in totality being false and devoid of any merit. In this regard, it is submitted that the present application filed by the Applicant is barred by limitation as the cause of action, if any, arose on 13.02.2024 when the applicant first allegedly issued a letter regarding the construction of the road. The said construction was one time, completed activity undertaken in accordance with all requisite permissions and approvals. There is no ongoing or recurring activity constituting a fresh violation after the completion of the road. Repeated alleged objections by the applicant does not extend the limitation period or create a fresh cause of action. The plea of continuing cause of action is misconceived and unsustainable and the present deserves to be dismissed being beyond the prescribed period of limitation.



47. That the contents of the Prayer are denied in its entirety being unwarranted and prejudicial. It is submitted that Jindal Steel has adhered to all statutory approvals, complied with Forest Conservation Act, 1980, and implemented safeguards to protect ecology and community interests. The allegations of unauthorized road widening, illegal tree felling, wildlife obstruction and coal transportation stand conclusively disproven by official inspection reports and documentary evidence on record. In view of the foregoing, it is submitted that the present application is devoid of merit, based on conjectures and constitutes an abuse of process of law. Therefore, Jindal Steel prays that this application be dismissed in *liminie*.

48. That the statements contained in paragraphs 1 to 47 of the foregoing affidavit are true to my knowledge and those contained in the remaining paragraphs are my humble submissions before this Hon'ble Tribunal.



Prepared in my office

Deponent

Advocate

Identified by me

Register Entry No.....47.....

13 AUG 2025

I identify the Deponent who has signed in my Presence

ATTESTED
NOTARY DELHI



ADVOCATE
I have identified that the deponent identified by me has signed in my presence and has solemnly affirmed before me at Delhi that the contents of the affidavit which have been read & explained to me are true and correct to this & my knowledge

47

Notary Public





भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-21052020-219495
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EXTRAORDINARY
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नई दिल्ली, बृहस्पतिवार, मई 21, 2020/वैशाख 31, 1942
NEW DELHI, THURSDAY, MAY 21, 2020/VAISAKHA 31, 1942

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 21 मई, 2020

का.आ. 1561(अ).—जबकि केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, ऐश सामग्री (ऐश कंटेंट) को 34% तक की सीमा सहित कोयले का उपयोग करने के लिए ताप विद्युत संयंत्रों की कतिपय श्रेणियों को अधिदेशित करते हुए भारत के राजपत्र, असाधारण में सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 3 के उपनियम 8 का संशोधन प्रकाशित किया।

और जबकि सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा उक्त अधिसूचना द्वारा निम्नलिखित समय-सीमा तक कच्चे अथवा मिश्रित अथवा लाभकारी कोयले (बेनिफिसिएटिड कोल), जिसमें ऐश सामग्री चौंतीस प्रतिशत (34%) से अधिक ना हो, का उपयोग करने के लिए त्रैमासिक आधार पर कोयला आधारित ताप विद्युत संयंत्रों को अधिदेशित किया गया है :

क्रम सं.	विद्युत संयंत्र की श्रेणी	गर्तमुख(पिट-हैड)/कोयला खान से ताप विद्युत संयंत्र के अवस्थान की दूरी	समय-सीमा
(क)	एकल ताप विद्युत संयंत्र (किसी भी क्षमता के) और कैपिटल ताप विद्युत संयंत्र (100 मेगावाट और अधिक क्षमता सहित)	गर्तमुख विद्युत संयंत्रों को छोड़कर गर्तमुख से दूरी पर ध्यान दिए बिना शहरी क्षेत्रों, या परिस्थितिकीय रूप से संवेदनशील क्षेत्रों या अत्यधिक प्रदूषित क्षेत्रों में अवस्थित	2 जून, 2014 से प्रभावी।
(ख)		1000 किमी से अधिक दूर	2 जून, 2014 से प्रभावी।
(ग)		750-1000 किमी के बीच	1 जनवरी, 2015 से प्रभावी।
(घ)		500-749 किमी के बीच	5 जून, 2016 से प्रभावी।

और जबकि, केंद्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 के अधीन अपनी शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण में स.का.आ. 3305 (अ), तारीख 7 दिसंबर, 2015 और सा.का.नि.593 (अ), तारीख 28 जून, 2018 द्वारा विद्युत उत्पादन की क्षमता और विद्युत संयंत्र की संस्थापना की तारीख और समय-बद्ध रीति से प्राप्त किए जाने के आधार पर ताप विद्युत संयंत्रों की विभिन्न श्रेणियों के लिए उत्सर्जन मानकों और विनिर्दिष्ट जल उपभोग को प्रकाशित किया था।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने विद्युत मंत्रालय द्वारा दिनांक 13 अक्टूबर, 2017 को प्रस्तुत की गई यथा संशोधित योजना के अनुसार विभिन्न ताप विद्युत संयंत्रों को वर्ष 2022 तक प्रदूषण नियंत्रण उपकरण संस्थापित करने के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत निर्देश जारी करने के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड को दिनांक 7 दिसंबर, 2017 के फा.सं. क्यू-15017/40/2007-सीपीडब्ल्यू द्वारा निदेश दिए।

और जबकि, विद्युत मंत्रालय ने अन्य बातों के साथ-साथ यह अभ्यावेदन किया है कि प्रदूषण नियंत्रण प्रौद्योगिकियों के उन्नत होने के साथ ही ताप विद्युत संयंत्र दहन प्रक्रिया से उत्पन्न फ्लार्ड-ऐश का पता लगाने में बेहतर उपकरणों से सुसज्जित हुए हैं और बिना धुला कोयला अधिक कुशलता और मितव्ययता से प्रयोग किया जा सकता है; ताप विद्युत संयंत्रों को राख अवयवों की विभिन्न किस्मों के साथ कोयले के लिए डिजाइन किया गया है और इनमें सूखी राख (ड्राई ऐश) निकालने, उसका रखरखाव करने और राख के उपयोग के लिए आपूर्ति प्रणालियों को उपलब्ध कराया गया है; धुले कोयले के उपयोग से बिजली उत्पादन महंगा हो जाता है; ताप विद्युत संयंत्रों में उत्पन्न फ्लार्ड-ऐश सीमेंट निर्माण, ईंटें बनाने, सड़क बिछाने, खनन के उपरांत रिक्त हुए स्थलों और निचले क्षेत्रों को भरने के लिए बैक-फिल सामग्री जैसे कई लाभकारी उपयोगों के लिए प्रयोग की जा रही है; औसतन ऐश की मात्रा 34% तक बनाए रखने की आवश्यकता उद्योगों को कोयले का आयात करने के लिए प्रेरित करती है जिससे विदेशी मुद्रा इत्यादि का बहिर्वाह (आऊटफ्लो) होता है।

और जबकि, कोयला मंत्रालय ने अन्य बातों के साथ-साथ अभ्यावेदन किया है कि कोयला खानों से वर्षों से कच्चे कोयले की गुणवत्ता, आकार और बाहरी सामग्री में सुधार के लिए निरंतर कड़े प्रयास कर रही हैं जिससे सभी संबंधित उपकरणों की टूट-फूट में उल्लेखनीय कमी आई है, कोयला धुलाई प्रक्रिया में कई प्रकार का रखरखाव होता है और कोयला खानों से धुलाई-स्थलों (वाशरीज) तक कोयले की बड़ी मात्रा को सड़क द्वारा ले जाने और फिर आगे

विद्युत संयंत्रों तक ले जाने के लिए रेल साइडिंग तक ले जाने से बचना; धुलाई की प्रक्रिया केवल कोयले को धुले हुए कोयले और वाशरी अवशिष्ट में बाँटती है जबकि खनित कोयले की राख की मात्रा वही रहती है; निम्न श्रेणी कोयला वाशरी अवशिष्ट कई छोटे उपयोगकर्ता उद्योगों में, अधिक प्रदूषण आदि सृजित करते हैं।

और जबकि, कोयला मंत्रालय और विद्युत मंत्रालय ने इसलिए अनुरोध किया है कि दिनांक 2 जनवरी, 2014 की अधिसूचना पर पुनः विचार द्वारा, विद्युत संयंत्रों को धुले हुए कोयले के प्रयोग के लिए अधिदेशित करने पर गौर किया जाना अपेक्षित है जिससे पर्यावरण पर प्रतिकूल प्रभाव डाले बिना कोयले की लंबी दूरी की धुलाई के लिए बिजली के उत्पादन में आसानी होगी।

और जबकि, नीति आयोग ने अपनी रिपोर्ट में वाशरीज़, कोयला खनन, परिवहन और विद्युत संयंत्रों में कोयले की खपत की दृष्टि से इस विषय का विश्लेषण करने के बाद अन्य बातों के साथ-साथ संक्षिप्त में यह अभ्यावेदन किया है कि समीपवर्ती उद्योगों में वाशरी अवशिष्ट का इस्तेमाल अधिक प्रदूषण पैदा करता है; चूंकि वाशरी अवशिष्ट अनेक छोटे उद्योगों में वितरित होते हैं, इसलिए विद्युत संयंत्र पर उत्पन्न प्रदूषण की तुलना में अनेक स्थलों पर उत्पन्न प्रदूषण को नियंत्रित करना अधिक कठिन होता है; धुलाई प्रक्रिया में उत्पन्न राख (ऐश) कोयला कणों के साथ-साथ पानी को भी प्रदूषित करती है और इसका लाभकारी उपयोग नहीं किया जा सकता, कोयला धुलाई प्रक्रिया में पानी का अधिक प्रयोग होता है, अपशिष्ट सृजन होता है; वाशरी अवशिष्ट के निपटान का पर्यावरण पर प्रतिकूल प्रभाव होता है क्योंकि इसमें बड़ी मात्रा में निम्न श्रेणी कोयला अवशिष्ट, तरल अपशिष्ट प्रवाह, कोयला भण्डारण, कोयला मिट्टी का रखरखाव, अपवाह और उड़ने वाली धूल का रखरखाव और निपटान करना होता है, कोयला धुलाई का स्थलाकृति, जल निकास स्वरूप और गुणवत्ता, जल निकायों, बड़े पैमाने पर प्रतिवेशी वायु गुणवत्ता पर भी प्रतिकूल प्रभाव पड़ता है; धुलाई प्रक्रिया से विद्युत उत्पादन की लागत में भी वृद्धि होती है जिसका कोई पर्यावरणीय लाभ इत्यादि भी नहीं होता।

और जबकि, नीति आयोग ने इसलिए सिफारिश की है कि पर्यावरणीय और प्रदूषण मानकों का निर्धारण करना और उन्हें लागू करना विवेकपूर्ण होगा, जिन्हें कोयले में ऐश की मात्रा प्रतिबंधित किए जाने के बजाए, परिवहन दूरी के आधार पर विद्युत उत्पादकों के साथ जोड़ा जाना चाहिए।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऊर्जा मंत्रालय, कोयला मंत्रालय के अभ्यावेदनों, नीति आयोग और कई हितधारकों की रिपोर्ट पर विवेचन करने तथा सावधानीपूर्वक विचार करने के बाद एवं जनहित में निम्नलिखित निष्कर्ष पर पहुंचा है—

- i) खनित कोयले में ऐश सामग्री की मात्रा समान रहती है। वाशरी से ऐश सामग्री दो स्थानों (वाशरी और विद्युत संयंत्र) में विभाजित हो जाती है जबकि बिना धुला कोयला विद्युत संयंत्र में प्रयोग किया जाता है, ऐश सामग्री का निपटान केवल एक स्थान अर्थात् विद्युत संयंत्र में किया जाता है;
- ii) ताप विद्युत संयंत्र प्रदूषण नियंत्रण, ऐश प्रबंधन के लिए तकनीकी रूप से सुसज्जित होते हैं क्योंकि उनमें फ्लाइ-ऐश का निराकरण करने के लिए उच्च क्षमता वाले उपकरण होते हैं, ड्राई ऐश निष्क्रमण और हैंडलिंग सिस्टम, ऐश उपयोग के लिए सप्लाइ सिस्टम और फ्लू गैसों को तितर-बितर करने के लिए बड़े टाल (स्टैक) होते हैं;
- iii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने उत्सर्जन मानक अधिसूचित किए हैं जिनमें क्रमशः ताप विद्युत संयंत्रों को समयबद्ध रीति से इन मानकों का पालन करने के लिए अधिदेशित किया गया है;

और जबकि, फ्लाई ऐश प्रबंधन और विभिन्न स्तरों पर बिना धुले कोयले के संसाधन के दौरान उत्पन्न अन्य संबंधित पर्यावरणीय पहलुओं सहित बिना धुले कोयले की हैंडलिंग के लिए यथासंभव उत्कृष्ट कार्यवाही को अपनाना समयोचित है।

और जबकि, कोयला मंत्रालय ने अभ्यावेदन किया है कि मौजूदा अप्रत्याशित कोविड-19 महामारी और इसके फलस्वरूप देश में ऊर्जा उत्पादन के लिए कोयला क्षेत्र की मांग को प्रोत्साहित कर घरेलू कोयले के उपयोग की तत्काल आवश्यकता को देखते हुए यह वांछनीय है कि तत्काल अधिसूचना जारी की जाए।

अब, इसलिए, केंद्रीय सरकार पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, उक्त नियमावली के नियम 5 के उपनियम (3) के भाग (अ) के तहत सूचना देने की अनिवार्यता को हटा देने के उपरांत जनहित में पर्यावरण (संरक्षण) नियमावली, 1986 को आगे संशोधित करते हुए एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:

1. (1) इन नियमों को पर्यावरण (संरक्षण) संशोधन नियमावली, 2020 कहा जाएगा।
(2) ये सरकारी गज़ट में प्रकाशित होने की तारीख से लागू होंगे।
2. पर्यावरण (संरक्षण) नियमावली, 1986 में, नियम 3 में, उपनियम (8) के लिए निम्नलिखित उपनियम प्रतिस्थापित होगा, अर्थात् :-

“(8) ताप विद्युत संयंत्रों को, ऐश सामग्री अथवा दूरी संबंधी अनुबंधों के बिना, निम्नलिखित शर्तों के अध्याधीन कोयले के प्रयोग की अनुमति होगी:

(1) उत्सर्जन मानदण्डों के लिए प्रौद्योगिकीय समाधान निर्धारित करना:

- i. वर्तमान अधिसूचनाओं और केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर जारी अनुदेशों के अनुसार विविक्त सामग्री के लिए विनिर्दिष्ट मानदंडों का अनुपालन करना।
- ii. वाशरी के मामले में मिडलिंग और अवशिष्टों का एफबीसी(तरलीकृत तल दहन) प्रौद्योगिकी आधारित विद्युत संयंत्रों में उपयोग किया जाए। एफबीसी संयंत्रों में मिडलिंग और अवशिष्टों के लिए वाशरी में संयोजन (लिकेज) होना चाहिए।

2. ऐश पॉन्ड का प्रबंधन:

- i. ताप विद्युत संयंत्र धुले हुए कोयले से बिना धुले हुए कोयले पर स्विच करने के कारण फ्लाई-ऐश पॉन्ड(मौजूदा विद्युत उत्पादन क्षमता) की अतिरिक्त क्षमता की पात्रता प्राप्त किए बिना, समय-समय पर जारी की गई अधिसूचनाओं में यथा-अधिसूचित शर्तों का पालन करें।
- ii. ऐश प्रबंधन के लिए जल की खपत को अनुकूल करने हेतु समुचित प्रौद्योगिकी समाधान लागू हों;
- iii. यदि आवश्यक हो तो फ्लाई-ऐश का अधिकतम उपयोग सुनिश्चित करने के लिए स्थल विशिष्ट स्थितियों के आधार पर ऐश का पृथक्करण इलैक्ट्रो-स्टैटिक अवक्षेपक (प्रेसीपिटेटर) स्तर पर किया जाए।
- iv. ताप विद्युत संयंत्र उपर्युक्त 2(i) के अध्याधीन, छोड़ी हुई अथवा चालू खानों (वर्किंग माइन्स) में (खान मालिकों द्वारा सुविधाजनक बनाया जाए) पर्यावरणीय सुरक्षा उपायों के साथ फ्लाई-ऐश का निपटान करें।

3. परिवहन:

- i. ढके हुए रेलवे वैगन (तिरपाल अथवा किसी अन्य माध्यम से ढके हुए रेलवे वैगन) और/अथवा खान-क्षेत्र से परे ढके हुए वाहक (कन्वेयर) द्वारा ही कोयले का परिवहन किया जाए। तथापि, जब तक रेल परिवहन/वाहक इन्फ्रास्ट्रक्चर उपलब्ध नहीं हो जाता, सड़क परिवहन ट्रकों द्वारा किया जाए जो तिरपाल अथवा किसी अन्य माध्यम से ढके हुए हों।
 - ii. ताप विद्युत संयंत्र द्वारा सुनिश्चित किया जाए कि
 - (क) रेल अथवा कन्वेयर द्वारा परिवहन के लिए विद्युत संयंत्र में अथवा इसके समीप रेल साइडिंग सुविधा अथवा कन्वेयर सुविधा स्थापित हो; और
 - (ख) यदि रेल अथवा कन्वेयर सुविधा की अनुपलब्धता के कारण परिवहन न हो पाए, तो यह सुनिश्चित किया जाए कि संबंधित खान के डिलीवरी स्थान से कोयले का परिवहन ढके हुए ट्रकों (तिरपाल अथवा किसी अन्य माध्यम द्वारा), अथवा किसी अन्य यंत्रीकृत बंद ट्रक से सड़क द्वारा हो।
- (4) इसे वित्तीय वर्ष 2020-21 और उसके बाद के लिए संबंधित परियोजनाओं हेतु संगत पर्यावरणीय स्वीकृति की अतिरिक्त शर्तें भी समझा जाएगा। मौजूदा पर्यावरणीय स्वीकृतियों को संशोधित किया जाएगा ताकि संगत क्षेत्रों के लिए उपरोक्त शर्तों को प्रवर्तनशील बनाया जा सके। तदनुसार संबंधित राज्य प्रदूषण नियंत्रण बोर्ड द्वारा प्रचालन की अनुमति जारी की जाएगी।

[फा.सं. 13014/01/2020—आईए-1(टी)]

गीता मेनन, संयुक्त सचिव

टिप्पण—मूल नियम भारत के राजपत्र में सं.का.आ. 844(अ), तारीख 19 नवंबर 1986 द्वारा प्रकाशित किए गए थे और पश्चातवर्ती संशोधन सं.का.आ. 82(अ), तारीख 16 फरवरी, 1987; का.आ. 64(अ), तारीख 18 जनवरी, 1988; सा.का.नि. 931(अ), तारीख 27 अक्टूबर, 1989; का.आ. 23(अ), तारीख 16 जनवरी, 1991; सा.का.नि. 95(अ), तारीख 12 फरवरी, 1992; सा.का.नि. 329(अ), तारीख 13 मार्च, 1992; सा.का.नि. 562(अ), तारीख 27 मई, 1992; सा.का.नि. 884(अ), तारीख 20 नवंबर, 1992; सा.का.नि. 386 (अ), तारीख 22 अप्रैल, 1993; सा.का.नि. 422 (अ), तारीख 19 मई, 1993; सा.का.नि. 801 (अ), तारीख 31 दिसंबर, 1993; सा.का.नि. 320 (अ), तारीख 16 मार्च, 1994; सा.का.नि. 560 (अ), तारीख 19 सितंबर, 1997; सा.का.नि. 378 (अ), तारीख 30 जून, 1998; सा.का.नि. 07 (अ), तारीख 22 दिसंबर, 1998; सा.का.नि. 407 (अ), तारीख 31 मई, 2001; सा.का.नि. 826 (अ), तारीख 16 नवंबर, 2009; सा.का.नि. 513 (अ), तारीख 28 जून, 2012; सा.का.नि. 02 (अ), तारीख 02 जनवरी, 2014; का.आ. 3305 (अ), तारीख 07 दिसंबर, 2015; सा.का.नि. 593 (अ), तारीख 28 जून, 2018; और का.आ. 236 (अ), तारीख 16 जनवरी, 2020 द्वारा किए गए।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**NOTIFICATION**

New Delhi, the 21st May, 2020

S.O. 1561(E).—Whereas the Central Government had, in exercise of its powers under Section 3, Section 6 and Section 25 of Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of Environment (Protection) Rules, 1986, published draft rules further to amend sub-rule (8) of rule 3 of Environment (Protection) Rules, 1986, in the Gazette of India, Extraordinary, *vide* number G.S.R. 02(E), dated the

2nd January, 2014 mandating certain categories of thermal power plants to use coal with ash content restricted to 34%.

And whereas, the said Notification *vide* number G.S.R. 02(E) dated the 2nd January, 2014, mandated coal based thermal power plants to use raw or blended or beneficiated coal with ash content not exceeding thirty-four percent (34%), on quarterly basis, by the time lines given below:

Sl. No.	Category of Power Plant	Distance of location of Thermal Power Plant from pit-head/coal mine	Time lines
(a)	Stand-alone Thermal Power Plants (any capacity), and Captive Thermal Power Plants (with capacity of 100 MW and above)	Located in urban areas, or ecologically sensitive areas or critically polluted areas, irrespective of distance from pit-head, except pit-head power plants.	With effect from 2 nd June, 2014.
(b)		beyond 1000 km	With effect from 2 nd June, 2014.
(c)		between 750-1000 km	With effect from 1 st January, 2015.
(d)		between 500-749 km	With effect from 5 th June, 2016.

And whereas, the Central Government had, in exercise of its powers under sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, in the Gazette of India, Extraordinary, *vide* number S.O. 3305 (E), dated the 7th December, 2015 and G.S.R. 593 (E), dated the 28th June, 2018 published the emission standards and specific water consumption for various category of thermal power plants, based on capacity of power generation and date of installation of power plant and to be achieved in time bound manner.

And whereas, the Ministry of Environment, Forest and Climate Change directed the Central Pollution Control Board *vide* F.No.Q-15017/40/2007-CPW dated the 7th December, 2017 to issue Directions under Section 5 of Environment (Protection) Act, 1986, to various Thermal Power Plants to install pollution control equipment as per the revised plan submitted by the Ministry of Power dated the 13th October, 2017 by 2022.

And whereas, the Ministry of Power has, *inter alia*, represented that with advancement in pollution control technologies, thermal power plants are better equipped to capture fly-ash generated in combustion process and unwashed coal can be used more efficiently and economically; thermal power plants are designed for coal with wide variety of ash content and are equipped with dry ash evacuation, handling and supply systems for ash utilisation; using washed coal makes power generation costlier; fly ash generated in thermal power plants is being used in several beneficial uses like cement manufacturing, brick making, road laying, back-fill material for reclamation of mine voids and low lying areas; requirement of maintaining average ash content to 34% prompts industries to undertake import of coal, resulting in outflow of foreign exchange etc.

And Whereas, the Ministry of Coal has, *inter alia*, represented that the coal mines are constantly striving to improve raw coal in terms of quality, size and extraneous material over the years which has considerably reduced wear and tear of all related equipment, coal washing process involves multiple handling and avoidable road transportation of huge quantities of coal from coal mines to washeries and then to rail sidings for onward transport to power plants; the washing process only divides the coal into washed coal and washery rejects while the ash content of mined coal remains the same; use of low grade coal washery rejects, in the multiple small user industries, generates more pollution etc.

And Whereas, the Ministry of Coal and Ministry of Power have, therefore, represented that the mandating power plants to use washed coal requires to be revisited by reconsidering the notification dated the 2nd January, 2014 which will help ease power generation for long distance haulage of coal without adverse impact on the environment.

And Whereas, the NITI Aayog, in its report after analysing the issue from the perspective of washeries, Coal mining, transportation and consumption of coal at power plants has, *inter alia*, summed up that use of washery rejects in nearby industries generates more pollution; since washery rejects are distributed in number of smaller industries, the pollution control at numerous points is more difficult than controlling the

pollution at power plant end; Ash generated in the washing process pollutes water along with coal particles and cannot be gainfully utilised; Coal washing process involves increased water use, effluent generation; Disposal of washery rejects has negative environmental impact as it has to handle and dispose huge quantity of low grade coal washery rejects, liquid effluent streams, coal storage, handling coal dust, runoff and fugitive dust; Coal washing also adversely impacts topography, water drainage pattern and quality, water bodies, surrounding air quality at large scale; Washing process increases the cost of power generation with no commensurate environmental advantages etc.

And Whereas, NITI Aayog has, therefore, recommended that it may be prudent to determine and enforce the environmental and pollution norms, to be complied with by the power generators, rather than restricting the ash content in coal, based on distance of transportation.

And Whereas, the Ministry of Environment, Forest and Climate Change, after deliberating the representations from Ministry of Power, Ministry of Coal, report of NITI Aayog and various stakeholders and after careful considerations & in larger public interest, arrived at the following:

- (i) The extent of ash content in mined coal remains the same. With washeries, the ash content gets divided at two places (washeries and the power plant), whereas if unwashed coal is used in power plant, the ash content is handled at only one place viz. the power plant;
- (ii) Thermal power plants are technologically equipped to address pollution control, ash management as they have high efficiency equipment to capture fly ash, dry ash evacuation and handling systems, ash supply systems for ash utilisation and tall stacks for wider dispersal of flue gases;
- (iii) The Ministry of Environment, Forest and Climate Change has notified emission norms, mandating respective thermal power plants to adhere to such norms in a time bound manner;

And Whereas, it is expedient to adopt best possible framework towards handling of unwashed coal including management of fly ash and other associated environmental aspects arising out of processing of unwashed coal at different stages.

And Whereas, the Ministry of Coal has represented that in view of the existing unprecedented COVID-19 pandemic and the resultant immediate requirement of utilization of domestic coal by stimulating coal sector demand for power generation in the country, it is desirable to issue the notification at the earliest.

Now, therefore, in exercise of the powers conferred by Section 3, Section 6 and Section 25 of the Environment Protection Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following rules to further amend the Environment (Protection) Rules, 1986, namely :-

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2020
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in rule 3, for sub-rule (8), the following sub-rule shall be substituted, namely :-

“(8) Use of coal by Thermal Power Plants, without stipulations as regards ash content or distance, shall be permitted subject to following conditions:

- (1) **Setting Up Technology Solution for emission norms:**
 - (i) Compliance of specified emission norms for Particulate Matter, as per extant notifications and instructions of Central Pollution Control Board, issued from time to time.
 - (ii) In case of washeries, Middling and rejects to be utilized in FBC (Fluidised Bed Combustion) technology based thermal power plants. Washery to have linkage for middling and rejects in Fluidised Bed Combustion plants.
- (2) **Management of Ash Ponds:**
 - (i) The thermal powers plants shall comply with conditions, as notified in the Fly Ash notification issued from time to time, without being entitled to additional capacity of fly ash pond (for existing power generation capacity) on ground of switching from washed coal to unwashed coal.
 - (ii) Appropriate Technology solutions shall be applied to optimise water consumption for Ash management;

- (iii) The segregation of ash may be done at the Electro-Static Precipitator stage, if required, based on site specific conditions, to ensure maximum utilization of fly ash;
- (iv) Subject to 2(i) above, the thermal power plants to dispose flyash in abandoned or working mines (to be facilitated by mine owner) with environmental safeguards.

(3) **Transportation:**

- (i) Coal transportation may be undertaken by covered Railway wagon (railway wagons covered by tarpaulin or other means) and/or covered conveyer beyond the mine area. However, till such time enabling Rail transport/conveyer infrastructure is not available, road transportation may be undertaken in trucks, covered by tarpaulin or other means.
 - (ii) It shall be ensured by the thermal power plant that
 - a. Rail siding facility or conveyor facility is set up at or near the power plant, for transportation by rail or conveyor; and
 - b. If transportation by rail or conveyor facility is not available, ensure that the coal is transported out from the Delivery Point of the respective mine in covered trucks (by tarpaulin or other means), or any mechanized closed trucks by road.
- (4) This shall also be deemed to be additional conditions of the relevant Environmental Clearances for respective projects for financial year 2020-21 and onwards. The existing Environmental Clearances shall stand modified so as to make the above conditions operative for relevant sectors. The Consent to Operate shall be issued by respective State Pollution Control Boards accordingly.”

[F.No.13014/01/2020-IA.I(T)]

GEETA MENON, Jt. Secy.

Note:-The principal rules were published in the Gazette of India *vide* number S.O. 844(E), dated the 19th November, 1986 and subsequently amended *vide* numbers S.O. 82(E), dated 16th February, 1987; S.O. 64(E), dated 18th January, 1988; G.S.R. 931(E), dated 27th October, 1989; S.O. 23(E), dated 16th January, 1991; G.S.R. 95(E), dated 12th February, 1992; G.S.R.329(E), dated 13th March, 1992; G.S.R. 562(E), dated 27th May, 1992; G.S.R. 884(E), dated 20th November, 1992; G.S.R. 386(E), dated 22nd April, 1993; G.S.R. 422(E), dated 19th May, 1993; G.S.R. 801(E), dated 31st December, 1993; G.S.R. 320(E), dated 16th March, 1994; G.S.R. 560(E), dated 19th September, 1997; G.S.R. 378(E), dated 30th June, 1998; G.S.R. 7(E), dated 22nd December, 1998; G.S.R. 407(E), dated 31st May, 2001; G.S.R. 826(E), dated 16th November, 2009; G.S.R. 513(E), dated 28th June, 2012; G.S.R. 02(E) dated 2nd January, 2014; S.O. 3305 (E), dated 7th December, 2015; G.S.R. 593(E), dated 28th June, 2018 and S.O. 236 (E), dated 16th January, 2020.

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ANNEXURE - "B"

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OFFICE OF THE DIVISIONAL FOREST OFFICER: ANGUL DIVISION: ANGUL
Letter No. 5639 /47/2019/DRP/ Dated. 31-8-2020

To
The Divisional Manager,
(Angul (C-KL) Division. OFFICE.)

Sub: -
Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

Permission for felling of 1429 nos trees over an area of 5.47 ha of Kaliakata RF and Durgapur RF of the above project.

Ref: 1. letter No.5-ORC248/2015-BHU dt. 28.02.2017 of GOI,MOEF
2. This office memo no. 5437 dt. 20.8.2020
3. Your letter No.1788 dt. 28.8.2020

Sir,

With reference to the above cited correspondence on the subject, it is to inform that as requested vide your letter No. 1788 dt. 28.8.2020 that the the Vice President (Mining), Jindal Steel & Power Ltd, Angul has deposited the estimated working cost for felling of 1429 nos standing trees over over 5.47 ha diverted forest area in Kaliakata R.F and Durgapur RF of Angul Range for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district.

In view of the above , you are allowed to fell 1429 nos standing trees over 5.47 ha diverted forest area in Kaliakata R.F and Durgapur RF of Angul Range for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district as per requirement of the user agency in connection to the condition No(xi) a,b,c,d,e,f,g imposed by the Govt.of India,F&E department vide their letter under reference as per the enumeration list sent earlier vide this office letter No.5437 dt. 20.8.2020.

Further, it is requested to fellow the VSS resolution as per Joint Forest Management Resolution 2011 No.1F-Affn.17/2011-16524/F&E dt.9.9.2011 ,if it is a registered VSS by office of the undersigned.

Encl: As above.

Yours faithfully

[Signature]
Divisional Forest Officer
Angul Division.

Memo No. 5640 /Dt. 31-8-2020

Copy forwarded to the Vice President (Mining), Jindal Steel & Power Ltd, Angul for information and necessary action with reference to his letter No. 09 dt. 31.07.2020 .

[Signature]
Divisional Forest Officer
Angul Division PTO

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ANNEXURE - "C"

Odisha Forest Development Corporation Limited



(Formerly Orissa Forest Development Corporation Limited)
(A Government of Odisha Undertaking)
CIN-U02005OR1962SGC000446

OFFICE OF THE DIVISIONAL MANAGER, ANGUL (C-KL) DIVISION, At/Po-Angul, Odisha, PIN-759122,

Tele/Fax-06764-236362

[Website: www.odishafdc.com E-mail ID: dmangul@ymail.com]

To, No. Dated the, November'2023.

The Managing Director,
Odisha Forest Dev. Corpn. Ltd,
Corporate office, Bhubaneswar

Sub: - Payment of V.S.S Share to the villagers of Kaliakata, Kankerei and Malibrahmani VSS Committee.

Ref: - This office letter No.1451 dt.27.06.2022 and Head office letter No.13431 dt.03.08.2022.

Dear Sir,

With reference to the letter & subject cited above, we enclose herewith the proceedings of co-ordination meeting held in the office chamber of the Divisional Forest Officer, Angul (T) Forest Division on dt.04.11.2023 regarding payment of 50% VSS share to the village committee of Kaliakata, Kankerei and Malibrahmani as detailed below. The Xerox copy of 1st page of Bank pass Book of concerned VSS committee is enclosed herewith for favour of kind information and necessary payment of VSS share to the committee.

Calculation Sheet for payment of 50% VSS Share.

Name of the VSS Committee	No of trees marked	No of trees felled	Quantity obtained			Sale Value Realised	Deduction of 25% marketing commission	50% VSS Share to be paid .
			Timber in Cum.	Firewood in Stack	Poles in Nos.			
Kaliakata VSS	245	245	5.3186	6	119	98,722.00	24,681.00	37,021.00
Malibrahmani VSS	505	505	10.0713	34	525	3,09,014.00	77,254.00	1,15,880.00
Kankerei Bahalsahi VSS	434	434	3.7260	26	483	2,49,497.00	62,374.00	93,562.00
Forest Deptt	245	245	4.3236	4	101			
	1429	1429	23.4395	70	1228	6,57,233.00	1,64,309.00	2,46,463.00

Yours faithfully


Divisional Manager
Angul(C-KL) Division

Memo No. 2600 Date. 21-11-2023

Copy submitted to the Divisional Forest Officer, Angul (T) Forest Division for favour

of information.


Divisional Manager
Angul(C-KL) Division

Regd. Off:-A/84, Kharavel Nagar, Unit-III, Bhubaneswar-751001

Phone: 0674-2534086, Fax-0674-2535934

[website: www.odishafdc.com E-mail ID: general@odishafdc.com]

OFFICE THE DIVISIONAL FOREST OFFICER ANGUL DIVISION: ANGUL 22-11-23

Letter No. 7733 Dated. 22.11.23

To

The Divisional Manager,
OFDC, Ltd., Angul.

Sub: - Submission of Xerox copy of VSS resolution & joint passbook
of Kankarei Bahalasahi VSS & Paranga Sabuja Bharat VSS.
: - Share of the harvested cost of trees to the VSS account.

Ref: - Memo No. 934 dt. 21.11.2023 of Range Officer, Angul.

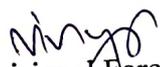
With reference to the above cited memo No. on the captioned subject, it is to inform that the Xerox copy of VSS resolution & joint passbook of Kankarei Bahalasahi VSS & Paranga Sabuja Bharat VSS is enclosed herewith for information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

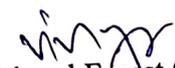
Memo No. 7734 Dated. 22.11.23

Copy forwarded to the President of Kankarei Bahalasahi VSS & President of Paranga Sabuja Bharat VSS for information and necessary action.


Divisional Forest Officer
Angul Division

Memo No. 7735 Dated. 22.11.23

Copy forwarded to the Range Officer, Angul Range for information and necessary action with reference to his memo No. under reference.


Divisional Forest Officer
Angul Division

OFFICE THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL 7-11-23

To Memo No. 7149 Dated. 7-11-23

- 1) The Divisional Manager, OFDC, Ltd., Angul.
- 2) The Range Officer, Angul Range, Angul.
- 3) The President of Kankareibahalasahi, VSS.
- 4) The President of Malibrahamani, VSS.
- 5) The President of Kaliakata, VSS.

Sub: - Share of the harvested cost of trees to the VSS account.

Ref: - This office letter No.6963 dt. 01.11.2023.

With reference to the above cited letter No. on the captioned subject, it is to inform that the minutes of the meeting for share of the sale price of the forest produce after deduction of proportionate harvesting cost to the VSS Kankareibahalasahi, VSS Malibrahamani and VSS Kaliakata held on 04.11.2023 (Saturday) at. 03.30 PM in the office chamber of the Divisional Forest Officer, Angul Division is enclosed herewith in a separate sheet.

This is for information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

Minutes of the meeting for share of the sale of the forest produce after deduction of proportionate harvesting cost to the VSS Kankareibahalasahi, VSS Malibrahmani and VSS Kaliakata held on 04.11.2023 (Saturday) at 03.30 PM in the office chamber of the Divisional Forest Officer, Angul Division.

The list of members attended the meeting is enclosed as Annexure-I. At the outset the Divisional Forest Officer, Angul, Division welcomed all the members present in the meeting. 03 Nos. VSS president i.e VSS Kankareibahalasahi, VSS Malibrahmani and VSS Kaliakata have demanded their harvested cost of the tree under the VSS area as per guideline/ resolution No. 1F-Affn. 17/2011-16524/ F & E dt. 9th September, 2011 of Joint Forest Management Resolution, 2011 and Amendment Notification No. FE-Plant-0009-2015/ 22896/FE & CC dated. 02.11.2023 of Government of Odisha, Forest & Environment, Department (copy enclosed). The point wise discussions are given below.

M/s Jindal Steel & Power Limited.

During discussion on the meeting for VSS share of harvesting cost under the VSS area, the D.M, OFDC, Ltd. has submitted the calculation sheet of harvesting cost to be paid to VSS wise vide his letter No. 1451 dt. 27.06.2022 (copy enclosed), the details is given below.

Name of the VSS	No. of tree marked	No of trees felled	Quantity obtained			Sale Value Realized	Deduction of 25% marketing commission	50% VSS share to be paid
			Timber in Cum	Firewood in Stack	Poles in Nos.			
Kaliakatabahalasahi	245	245	5.3186	6	119	98722	24681	37021
Malibrahmani	505	505	10.0713	34	525	309014	77254	115880
Kankarei	434	434	3.7260	26	483	249497	62374	93562
Total		1184	19.1159	66	1127	657233	164309	246463

In view of the above, the Divisional Manager, OFDC, Ltd., Angul has been requested for payment of the harvesting cost of trees to the VSS account number as per guideline.

M/s M. C. L., Hingula.

During discussion on the meeting for VSS share the Divisional Manager, OFDC, Limited, Angul has been requested to intimate the amount to be paid to the VSS share within 7 days. The concerned VSS is requested to submit the account details with resolution through the Range Officer to Divisional Forest, Officer, Angul for further action at this end.

Gail, India, Pvt. Ltd.

The Divisional Forest Officer, Angul has requested the Divisional Manager, OFDC, Limited, Angul to depute the SDM, Angul to contact with the Range Officer, Chhendipada, Range and Sri Padamacharan Sahu, Forester, Chhendipad-I Section for finalization of VSS wise harvesting cost of the trees.

Further, the Divisional Manager, OFDC, Limited, Angul has been requested to submit the calculation sheet of the VSS share to the undersigned immediately for taking further action.

The meeting ended with vote of thanks to all the participants.


Divisional Forest Officer
Angul Division

ANNEXURE - "D"

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL 28-11-24

Memo No. 9506 /47/2023/DRP/Dated. 28-11-2024

To

The Regional Chief Conservator of Forests,
Angul Circle, Angul.

Sub: -

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyer (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

Ref:

1. No. 5003 /F& E.09.03.2017 of S.S to Govt. F& E Deptt. BBSR.
2. Letter No.5-ORC248/2015-BHU dt. 13.07.2015 of GOI, MoEF (Stage-I)
3. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI, MoEF. (Stage-II)
4. Letter No.5007 dtd. 09.03.2017 of Special Secy. to Govt. FE&CC.
5. Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI, MoEF.
6. Letter No. 5-ORC248/2015-BHU dt. 02.06.2023 of GOI, MoEF.
7. Memo No.10979 dt. 08.06.2023 of PCCF, Nodal.
8. This office memo No.2131 dtd. 30.03.2022.
9. This office Memo No. 2857 dt. 05.05.2022 & 8785 dt. 02.12.2022.
10. Letter No.7 dtd.20.04.2022 of AVP (Env.) JSPL.
11. Your memo No. 3999 dt. 18.10.2024.

With reference to the above cited correspondence on the subject, it is to inform that as per memo No. 10978 dt. 08.06.2023 of Principal Chief Conservator of Forests, (Nodal) O/o the PCCF, Odisha, in which the undersigned has been directed to furnish a detailed report on the violation by the User Agency along with the action taken report through RCCF, Angul Circle.

In this regard, a site inspection was conducted by the undersigned on 5th July 2023 in presence of Mr. S.K. Sharma, Vice President, JSPL, Mr. Alok Sahu, AVP (Env.), JSPL and Range Officer, Angul Range and field staff.

Back ground of the case

The User Agency (JSPL) has received Stage-II clearance of the diversion 6.682 Ha. of forest land vide letter under reference (3). During the earlier inspection by the Divisional

Forest Officer, Angul on dt. 30.03.2023, violations of a number of stage-II conditions were noticed. Accordingly, the user agency (JSPL) was issued show cause notice vide this office letter No.2131 dtd. 30.03.2023. The User Agency has submitted its reply vide letter under reference-10 which was found to be untenable. Accordingly, violation was reported to the Regional Chief Conservator of Forests, Angul Circle vide letter under reference-9 for necessary action.

Approved Layout of the Project

Land use of Integrated pipe conveyor.		
1	Excavation width for Pipe conveyor foundation	7 meters
2	Transmission line foundation width	4 meters
3	Service road width including water pipeline	4 meters
TOTAL WIDTH		15 MTRS

Details of the violation found during site inspection on 15.11.2022.

4. *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Stage-II Clearance was given for construction for elevated pipe conveyor, electricity line structure and 4 meter wide service road. However, a road with width more than 10 meter has been constructed for the transportation of non-coal materials while no work has been started for conveyor belt which amounts to use of forest land for any purpose other than specified in the proposal and is in violation of condition No. XVII of Stage-II Approval for the Project (Photograph-1)

5. *As per condition No. XVI of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

The User Agency has filled the area with slag and stones thus increasing the height of and dimensions of the road without approval of the lay out for competent authority (Photograph-2) which is violation of condition No. XVIII of Stage-II approval for the Project.

6. *As per condition No. XVI of the Stage-I approval order, designing of culverts/ bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.*

A number of streams have been blocked due to road construction, in violation of Condition No. XVI of the Stage-I approval (see Photograph 3).

Therefore, it is reported that the User Agency (JSPL) has violated the *condition No. XVI of the Stage-I approval* and *condition No. XVII and XIII of Stage-II approval order*.

Detailed conditions are mentioned below:

6. As per condition No. XVI of the Stage-I approval order, designing of culverts/ bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
7. As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.
8. As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.
9. As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.
10. As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.

Details of the Site Visit:-

- A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.
- B. No heavy vehicles were found to be moving on the road.
- C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency in last one year.
- D. On 29.10.2024, the Assistant Conservator of Forests, Angul Division, along with the Range Officers of Angul and Chhendipada, proceeded to the area. It was found that several RCC foundation structures for the conveyor belt had already been constructed, and some were still under construction along the Forest Road. It was also observed that trucks carrying construction materials were moving to and from the construction site. A copy of the enquiry report is enclosed for your reference.

Action taken: -

User Agency has been directed to stop all works that are being violation without permission from competent authority with immediate effect vide Memo No. 2141 dtd. 30.03.2022 violation of Stage-II condition were noticed.

This is for favour of your kind information and necessary action.

Encl: - 1. State – I and Stage-II approval Order.

2. Approved Layout of the Project.

3. Show cause Notice to JSPL.

4. Reply to the Show Cause by the JSPL.

5. Show cause notice intimation to RCCF, Angul vide Memo No. 2857 dt. 05.05.2022 and resubmit vide Memo No. 8785 dtd. 02.12.2022.

6. Photo graph of site inspection on dtd. 29.03.2022 (5 (five) numbers).

7. Photo graph of site inspection on dtd. 05th July ,2023(4(four) numbers).


Divisional Forest Officer
Angul Division.

Memo No. 9507 / Dated. 28-11-2024

Copy submitted to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, F.C. Act, O/o the Principal Chief Conservator of Forests, Odisha for favour of information and necessary action with reference to your memo No. 15416 dt. 01.08.2024.


Divisional Forest Officer
Angul Division

Memo No. 9508 / Dated. 28-11-2024

Copy forwarded to the Range Officer Angul for information and to take necessary action. He is instructed to check further violation and deviations, if any, be intimated to the undersigned.


Divisional Forest Officer
Angul Division

ANNEXURE - "E"

2-41-25
12.17 PM

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL

Memo No. 2934 /47/2025/DRP/Dated. 29.03.2025

The Regional Chief Conservator of Forests,
Angul Circle, Angul.

Sub: - Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

: - Submission of a detailed and comprehensive report with specific views/comments on the violation committed by the user agency for the aforementioned project, as instructed by the PCCF, Nodal O/o the PCCF & HoFF, Odisha, Bhubaneswar.

Ref:

1. Your memo No.1165 dt.06.03.2025.
2. Letter No.241 dt.01.03.2025 of JSPL on EDS reply of 64th PSC meeting observations.

With reference to the above-cited correspondence on the subject, this is to inform you that, as per Memo No. 2944 dated 06.02.2025 of the Addl. Principal Chief Conservator of Forests (Nodal), O/o the PCCF & HoFF, Odisha, Bhubaneswar the undersigned has been directed to furnish a comprehensive report with specific views/comments on the violation by the User Agency, along with the KML file of the forest land.

In this regard, a site inspection was conducted by the undersigned on **12th March 2025**, as requested vide your memo No. 1165 dated 06.03.2025, in the presence of Mr. S.K. Sharma, Vice President, JSPL, Angul; Mr. Neeraj Kalla, Vice President - Mines, JSPL, Angul; Mr. Pradeep Nanda, GM, JSPL, Angul; the Range Officer, Angul Range; and the concerned Forester and Forest Guard of the Range.

Back ground of the case:-

The User Agency i.e., Jindal Steel and Power Limited, Angul, has received Stage-II forest clearance vide letter No. 5-ORC248/215-BHU dated 28.02.2017 of the MoEF & CC, Govt. of India, for the aforementioned diversion proposal of 6.682 ha of forest land. During earlier inspections by the Divisional Forest Officer, Angul, on 30.03.2022, violations of several Stage-II conditions were noticed. Accordingly, the User Agency, i.e., Jindal Steel and Power Limited, Angul, was issued a show-cause notice vide this office letter No. 2131 dated 30.03.2022. The User Agency submitted its reply vide Letter No. 7 dated 20.04.2022, which was reported to the Regional Chief Conservator of Forests, Angul Circle, with observations and views vide this office Memo No. 2857 dated 05.05.2022 and No. 8785 dated 02.12.2022.

Approved Layout of the Project

Land use of Integrated pipe conveyor.		
1	Excavation width for Pipe conveyor foundation	7 meters
2	Transmission line foundation width	4 meters
3	Service road width including water pipeline	4 meters
TOTAL WIDTH		15 MTRS

Details of the violation reviewed during site inspection on 12.03.2025.

1. *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Observation during Site inspection on 15.11.2022: Stage-II Clearance was given for construction for elevated pipe conveyor, electricity line structure and 4-meter-wide service road. However, a road with width more than 10 meter has been constructed for the transportation of non-coal materials while no work has been started for conveyor belt which amounts to use of forest land for any purpose other than specified in the proposal and is in violation of condition No. XVII of Stage-II Approval for the Project.

Reviewed observations during Site inspection on 12.03.2025: The road formation consists of a Kachha road of 12-15 meter width. Currently, the road is being used for the transportation of construction materials for the pipe conveyor and for the movement of heavy cranes and excavators needed for the construction of the pipe conveyor structures. Out of the total stretch length of 3.65 km in both Durgapur and Kaliakata Reserved Forests, construction activities for the pipe conveyor over a length of 2.65 km have either been completed or are currently under construction on the specified side of the 15-meter-wide corridor. Drone survey map is enclosed as **(Annexure-I)**

According to the representatives of the User Agency (U/A), the construction activity over the remaining portion of 1 km will be completed as soon as possible. RCC structures, with an average height of 6.5 to 7.5 meters from the ground/Kachha road, have been erected. Steel galleries are placed in series on these RCC structures, inside which the closed pipe conveyor will run. A clear height of 6.5 to 7.5 meters has been maintained for the passage of wild animals, including elephants, below the elevated pipe conveyor structure. The average distance between adjacent pillars was 24 meters.

Hence, it is observed that the construction of the elevated pipe conveyor is ongoing and is expected to be complete soon as per the U/A. No work for the construction of

the transmission line has started, as observed on-site. The U/A has applied for a change of land use from the overhead 33kV transmission line to an underground 33kV transmission cable line, which will reduce the Right of Way (RoW) width from 4 meters for the overhead transmission line to 1.2 meters. The underground cabling of the 33kV transmission line will eliminate the chances of electrocution compared to the overhead transmission lines.

2. *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Observation during Site inspection on 15.11.2022: The User Agency has filled the area with slag and stones thus increasing the height of and dimensions of the road without approval of the lay out by the competent authority which is violation of condition No. XVIII of Stage-II approval for the Project.

Reviewed observations during Site inspection on 12.03.2025: The same violation has been noticed but it is also observed that the original ground level is undulating for which the U/A has clarified that, they have laid the slag and stones to prepare a leveled road for safe movement of heavy machineries and equipment, bringing it from their own source without sourcing them from adjacent forest land as per the condition No. xi of Stage II approval, viz., *“Earth or any material shall not be brought from or the debris resulting during construction shall not be disposed of in the adjoining forest area by the U/A”*.

3. *As per condition No. XVI of the Stage-I approval order, designing of culverts/ bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.*

Observation during Site inspection on 15.11.2022: A number of streams have been blocked due to road construction, in violation of Condition No. XVI of the Stage-I approval.

Reviewed Observations during Site Inspection on 12.03.2025: It was observed that only three culverts on the nalas crossing the road stretch have been recently constructed by the user agency. The locations and photographs of these culverts are submitted herewith. Further, according to the Bhuvan drainage channel data and the drone survey conducted on 12.03.2025, we found that six channel crossings for the natural flow of water. Out of these, three culverts have already been constructed by the user agency recently. During the site inspection, the user agency was requested to immediately construct the remaining three culverts and inform the undersigned to take further action on this matter. The elevation map created by the drone survey is enclosed herewith as **(Annexure-II)**.

There is a deep meander of the stream flowing adjacent to the road stretch constructed by the user agency. The U/A has constructed a long retaining wall to arrest the inundation of debris and soil flow into the nala on the diverted route side. Location and photographs of the retaining wall along the road are submitted herewith.

It was earlier reported that the User Agency (JSPL) has violated the *condition No. XVI of the Stage-I approval and condition No. XVII and XIII of Stage-II approval order during the Site inspection on 15.11.2022.*

As per the Reviewed observations during Site inspection on **12.03.2025**, it is observed that, there is noticeable progress in construction of Elevated Pipe conveyor along the diverted route but other activities like Transmission line etc. have not been started yet.

Detailed stage-II conditions are mentioned below: -

1. As per condition No. XVI of the Stage-I approval order, it was previously observed that the designing of culverts/ bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
2. As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.
3. As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.
4. As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.
5. As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.

Details of the Site Visit: -

- A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.

- B. No heavy vehicles carrying coal were found to be moving on the road except the equipment and machineries deployed for construction of elevated Pipe conveyor structures.
- C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency since 15.11.2022.
- D. As per site inspection on 12.03.2025, Pipe conveyor structure over a length of 2.65 kms is either completed or under construction which are visible and remaining 1 km length will be completed soon.

Action taken: - The User Agency has been directed to carry out the construction of the pipe conveyor structure for coal transportation from their allotted Utkal mines, as per the approved land use. Further, during the site inspection, they were requested to carry out the 33 kV underground power cable line and service road with water pipelines below, after obtaining permission from the MoEF & CC. Additionally, they were requested to submit the diversion proposal along with all connected documents for a change in land use for the aforementioned proposal immediately, to facilitate further action.

This is for favor of your kind information and necessary action.

- Encl:** - 1. Stage – I and Stage-II approval Order.
2. Approved Layout of the Project.
3. Show cause Notice to JSPL.
4. Reply to the Show Cause by the JSPL.
5. Show cause notice intimation to RCCF, Angul vide Memo No. 2857 dt. 05.05.2022 and resubmit vide Memo No. 8785 dtd. 02.12.2022.
6. Photo graph of site inspection on dtd. 29.03.2022 (5 (four) numbers.
7. Photo graph of site inspection on dtd. 05th July ,2023(4(four) numbers.
8. Photo graph of site inspection on dtd. 12th March, 2025 (4(four) numbers.


Divisional Forest Officer
Angul Division.

ANNEXURE - "F"



**STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HOFF
PLOT NO.GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR - 751023**

[E-mail: nodal.pccfodisha@gmail.com]

Memo No. **7745** /9F(PSC)-105/2022
Dated, Bhubaneswar, the **04th** April, 2025

To

The Divisional Forest Officers

Bonai/ Sambalpur/ Nabarangpur/ Dhenkanal/ Malkangiri/ Jharsuguda/
Sundargarh/ Cuttack/ Angul/ Keonjhar/ Kalahandi South Forest Division

Sub: **67th meeting of Project Screening Committee (PSC) of the proposals filed in PARIVESH 2.0 to be held on 09.04.2025 (Wednesday) at 04.00 PM through Video Conferencing.**

I am directed to inform you that the **67th meeting of the Project Steering Committee (PSC)** is scheduled to be held on **09.04.2025 (Wednesday) at 04.00 PM through Video Conferencing** under the chairmanship of Addl. PCCF, Forest Diversion & Nodal Officer, FC Act for processing the following proposal as per Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023.

Sl. No.	Name of the Project & Project Proponent	Forest Division
1	Proposal for diversion of 19.256 ha forest land for mining in Narayanposhi Iron & Manganese Mine under Bonai Forest Division by M/s JSW Steel Ltd.	Bonai
2	Proposal for diversion of 12.33 ha of forest land for construction of Lapanga-Brajaraj Nagar 132 KV D/C Line from Lapanga GSS to Loc No.51 and 220 KV D/C Budhipadar under Sambalpur and Jharsuguda Forest Division by OPTCL.	Sambalpur/ Jharsuguda
3	Proposal for diversion of 7.007 ha forest land for heightening of 400 KV D/C Line from Loc. No.22 to Loc. No.30 under passing of 132 KV D/C Lapanga-Brajaranjanga Line under Sambalpur Forest Division by OPTCL.	Sambalpur
4	Proposal for diversion of 8.943 ha of forest land for construction of Bypass Rpad pm NH-26 for Nabarangpur Town under Nabarangpur Forest Division by Executive Engineer, R&B Division.	Nabarangpur
5	Proposal for diversion of 60.203 ha of forest land setting up Integrated Advanced Specialty Steel and Auto Components Complex under Dhenkanal Forest Division by M/s Kalyani Steels Limited.	Dhenkanal
6	Proposal for diversion of 6.72 ha of forest land for construction of Approach Road to Analjodi H.L. Bridge under Malkangiri Forest Division by Executive Engineer, R&B Division.	Malkangiri
7	Proposal for diversion of 227.62 ha of forest land for coal mining in Basundhara (West) Extension OCP under Sundargarh Forest Division by M/s MCL.	Sundargarh
8	Proposal for diversion of 32.71 ha forest land for construction of New BG Railway Line between Duburi Station & Tata Steel Plant at Kalinga Nagar under Cuttack Forest Division by East Coast Railway.	Cuttack
9	Proposal for change in land use pattern for 6.682 ha of forest land diverted for laying of railway line with 1.212 ha forest land and 5.47 ha forest land for infrastructural facilities like pipe conveyor, 33 KV Transmission Line Water Pipeline (underground) and Service Road under Angul Forest Division by M/s JSPL.	Angul

CR Store will be submitted Today

DRP Section kindly look into it

Sl. No.	Name of the Project & Project Proponent	Forest Division
10	Proposal for diversion of 9.1542 ha forest land for expansion of Integrated Steel Plant under Keonjhar Forest Division by M/s Sree Metaliks Ltd.	Keonjhar
11	Proposal for diversion of 11.947 ha of forest land for construction of Sardega-Barpali Railway Line (Phase-II) by East Coast Railway.	Sundargarh
12	Proposal for diversion of 107.596 ha of forest land for Upper Indravati Pumped Storage Project under Kalahandi South Forest Division by OHPC Ltd.	Kalahandi South

Therefore, you are requested to examine the proposal properly and let this office know the deficiencies, if any, so that the same shall be discussed in the PSC meeting. The VC link will be provided before the meeting.

[Signature]
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

Memo No. 7746

/Dt. 04.04.2025

Copy forwarded to the Collector & District Magistrate, Sundargarh/ Sambalpur/ Jharsuguda/ Nabarangpur/ Dhenkanal/ Malkangiri/ Cuttack/ Angul/ Keonjhar/ Kalahandi for information and necessary action. They are requested to depute their representatives to attend the PSC meeting through VC on the scheduled date and time. The VC link will be circulated before the meeting.

[Signature]
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

Memo No. 7747

/Dt. 04.04.2025

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela/ Sambalpur/ Koraput/ Angul/ Bhawanipatna for information and necessary action. They are requested to attend the PSC meeting through VC on the scheduled date and time. The VC link will be circulated before the meeting.

[Signature]
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

In view of the observation, the PSC raised EDS and returned back the proposal to user agency with direction to comply the deficiencies noted above and submit the correct revise proposal for scrutiny. The DFO, Cuttack Forest Division has requested to identify suitable ACA land for plantation of balance no. of seedlings.

09 CHANGE IN LAND USE PATTERN FOR 6.682 HA OF FOREST LAND DIVERTED FOR LAYING OF RAILWAY LINE WITH 1.212 HA FOREST LAND AND 5.47 HA FOREST LAND FOR INFRASTRUCTURAL FACILITIES LIKE PIPE CONVEYOR, 33KV TRANSMISSION LINE, WATER PIPELINES(UNDERGROUND) AND SERVICE ROAD BY JINDAL STEEL AND POWER LTD. (JSPL).
PROJECT CATEGORY: RE-DIVERSION
FOREST AREA- 6.682 HA
FOREST DIVISION- ANGUL FOREST DIVISION
PROPOSAL NO- FP/OE/REDIV/479437/2024

The diverted 6.682 ha of forest land for Jindal Steel & Power Ltd includes 1.212 ha forest land for Railway link line RoW and 5.47 ha forest land for infrastructure facilities for Coal Pipe Conveyor RoW which is spread over a length of 3647 Mtr and width of 15 Mtr, Pipe conveyor width of 7 Mtr, 33 KV overhead transmission line width of 4 Mtr and service road with underground water pipeline below it having width of 4 Mtr. These are the facilities in the approved land use.

The proposal was previously discussed in the 64th PSC meeting held on dated 18.02.2025 and raised EDS to User Agency to comply the deficiencies noted on KML wise project area, required NOC from competent authority for pipeline / Rail link passing through NH-63 and report of the DFO, Angul Forest Division on violation committed.

On further scrutiny of the online proposal on Parivesh Portal, it is found that the report of the DFO, Angul Forest Division related to violation committed by the User Agency which has been raised by the Deputy Inspector General, MoEF&CC, Regional Office, Bhubaneswar vide their Letter No.5-ORC248/2015-BIU dated 13.01.2025 has not been uploaded.

In view of the observation, the PSC accepted the proposal and directed the user agency to submit the proposal at the level of DFO, Angul Forest Division for taking necessary action in the matter. The DFO, Angul Forest Division has requested to upload the report of violation committed by the user agency alongwith Part-II and Site Inspection report.

10 PROPOSAL FOR DIVERSION OF 9.1542 HA FOREST LAND OUT OF TOTAL ALLOTTED AREA 133.6833 HA AS PER PROVISION UNDER SECTION 2 (1) (II) OF THE VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 TO BE UTILIZED FOR FUTURE EXPANSION (INTEGRATED STEEL PLANT) BY M/S SREE METALIKS LIMITED AT VILLAGE ANRA, TEHSIL BANSPAL, DIST KEONJHAR, ODISHA
PROJECT CATEGORY: INDUSTRY
FOREST AREA- 9.1542 HA (VILLAGE FOREST)
PROPOSAL NO- FP/OR IND/497356/2024
FOREST DIVISION- KEONJHAR FOREST DIVISION

The M/s Sree Metaliks Ltd. is a private limited company, established Iron Ore Beneficiation Plant and Palletization Plant at village Anra and Amuni under Banspal Tahasil of Keonjhar District.


Re: O.A. No. 61 of 2025 || Service of Counter Affidavit on behalf of Respondent No. 2

1 message

Sandip Agarwal <mailsandipagarwal@gmail.com>

Thu, Aug 14, 2025 at 2:34 PM

To: csori@nic.in, fsec.or@nic.in, dm-angul@nic.in, dfoangul@gmail.com, msobb@rediffmail.com, roez.bsr-mef@nic.in, dirmines_odisha@rediffmail.com, dir.geology@orissaminerals.gov.in, ddm.talcher@orissaminerals.gov.in, rccfangul@gmail.com, Satam Patnaik <satam.patnaik@gmail.com>, pccf.hoff@odisha.gov.in

SERVICE THROUGH EMAIL

To,

1. Satam Patnaik,
C/O: Shri Bala Krushna Pattanaik Trust
6th Lane, Amalapada, Angul-759122
Email- satam.patnaik@gmail.com
2. State of Odisha, through Chief Secretary of Odisha,
LokaSeva Bhavan, Bhubaneswar – 751001.
Email – csori@nic.in
3. Additional Chief Secretary,
Forest, Environment & Climate Change Department
Kharbela Bhawan, Bhubaneswar, Government of Odisha – 751001
Email – fsec.or@nic.in
4. The Principal Chief Conservator of Forests and HOFF, Odisha
Aranya Bhavan, Chandrasekharapur, Bhubaneswar
Email- pccf.hoff@odisha.gov.in
5. District Collector, Angul
At/Po/Dist- Angul, Odisha- 752001
Email- dm-angul@nic.in
6. Divisional Forest Officer, Angul
At/Po/Ps- Angul
Email- dfoangul@gmail.com
7. Chairman, Odisha Biodiversity Board,
Regional Plant Resource Centre
Ekamrakanan, Nayapalli, Bhubaneswar- 751015
Email- msobb@rediffmail.com
8. Deputy Director General of Forests (C),
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office, A/3,
Chandersekharapur, Bhubaneswar- 751023
Email- roez.bsr-mef@nic.in
9. Director of Mines of Odisha
Director of Mines, Head of Department Building Unit-V,
Bhubaneswar -751001
Email- dirmines_odisha@rediffmail.com
10. Director of Geology of Odisha
Bhu-Bigyan Bhawan, Bhubaneswar, Odisha 751001.
Email- dir.geology@orissaminerals.gov.in
11. Deputy Director of Mines, Talcher Circle, Talcher
Dy. Director Mines, Hatatota, Talcher 759100
Email- ddm.talcher@orissaminerals.gov.in
12. Regional Chief Conservator of Forests, Angul Circle
At/P.O.- Hakimpada, Dist.-Angul 759143
Email- rccfangul@gmail.com

**Re: Before the National Green Tribunal,
Eastern Zone Bench, Kolkata
O.A. No. 61 of 2025
In the matter of:
Satam Patnaik ...Applicant
versus
State of Odisha and Ors. ...Respondents**

Our Client: Jindal Steel and Power Ltd.

Sir(s),

Please find attached herewith the scanned copy of the Counter Affidavit along with all its annexures, to be filed in the above-captioned matter.

Further please note that this shall be treated as an effective ¹⁵⁶156 date of service upon you.

This is for your kind information and record.

Thanking you

For SANDIP AGARWAL & CO.

Advocate

--

SANDIP AGARWAL & COMPANY, ADVOCATES

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10, Old Post Office Street,

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 **Counter Affidavit by R2.pdf**

13873K

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

O.A. No. 61 of 2025

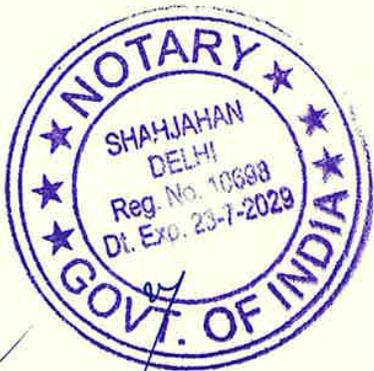
Satam Patnaik

... Applicant

Versus

State of Odisha & Ors.

... Respondents



**COUNTER AFFIDAVIT FILED BY THE
ED & PLANT HEAD, JINDAL STEEL
AND POWER LIMITED RESPONDENT
NO. 2**

13 AUG 2025



**SANDIP AGARWAL & CO.
Advocates,
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Kolkata-700 001.
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