

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.58/2025/EZ

Kali Charan Chand-----Applicant(s)

Versus

State of Odisha & Ors.-----Respondent(s)

**AFFIDAVIT ON BEHALF OF THE OPPOSITE
PARTY/RESPONDENT NO. 09 STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA), ODISHA IN COMPLIANCE TO
ORDER DATED 03.04.2025 OF THIS HON'BLE TRIBUNAL**

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Place: Bhubaneswar
Date: 24/07/2025

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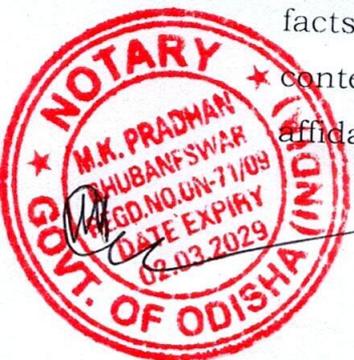
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1. Dr. Pradeept Kumar Nayak, son of Shri Bhimasen Nayak aged 42 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority (herein after called SEIAA in short) Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.09 before this Hon'ble National Green Tribunal.
3. That, I have gone through the order passed on dated 03.04.2025 of Hon'ble Tribunal in OA No.58/2025/EZ and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.

Pradeept Kumar Nayak
Environmental Scientist
SEIAA, Odisha

23 JUL 2025



4. That, in reply to the order dated 03.04.2025 passed by Hon'ble Tribunal in the OA No.58/2025/EZ, and in reply to the averments made in Paragraphs-01 of the original petition (OA), the deponent humbly submits the following as follows:

i. This is a matter on illegal sand mining at Mahammad Nagar Patna and Sekhasrai Ka sand source area in Sekhasrai Mouza under Jaleswar Tahasil of Balasore District.

ii. Initially, the Environmental Clearance (EC) for Mahammad Nagar Patna, Ka, Kha, Ga & Gha Sand sources were issued on dated 17.08.2015 and the EC expired on 17.12.2020, 01.01.2021, 17.12.2020 & 25.11.2020 respectively. Then, no EC has been granted for the said sand sources till date. In the meantime, a case bearing OA. No. 99/2020/EZ was filed before Hon'ble NGT against the Mahammad Nagar Patna, Ka, Kha, Ga & Gha Sand sources and finally the case was disposed of on 10.05.2022 with direction to the project proponent/lessee to deposit the amounting of Rs.81,10,458.45/- for causing damage to the environment as per joint committee report which has been challenged before Hon'ble Supreme Court of India vide Civil Appeal Dairy No. 41106 of 2023 file by Pabeer Kumar Pradhan Vrs State of Odisha & Others is sub judice.

iii. Similarly, the lease granted for Sekhsarai (Ka) and Sekhsarai (Kha) for year 2015-16 to 2020-21 has been expired, then no EC was issued for the said sand bed after 2020.



Pradyeep Kumar Nayak

Environmental Scientist
SEIAA, Odisha

iv. The project proponent (PP)/successful bidder, Sri Soumyadip Chakrabarty had submitted a Terms of Reference (ToR) application vide online application no. SIA/OR/MIN/65761/2021 dated 17.07.2021 to SEIAA, Odisha for mining of sand from Sekhsarai (Ka) Sand Bed and accordingly ToR was issued on 04.10.2021 for Environment Impact Assessment (EIA) studies, Environmental Management Plan (EMP) and Public Hearing as a B1-category project and the ToR is valid upto 03.10.2026 as per the EIA Notification and amended thereof. Till dated no EC application has been submitted to SEIAA, Odisha by the project proponent for Sekhsarai (Ka) Sand Bed.

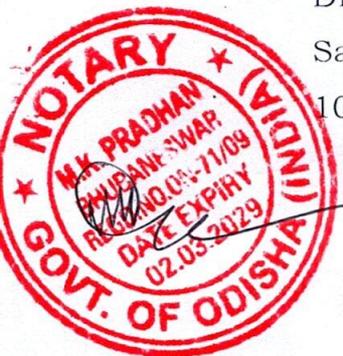
v. Presently, neither any EC application is received nor any EC is issued to Mahammad Nagar Patna, Ka, Kha, Ga & Gha Sand sources, Sekhsarai (Ka) Sand Bed and Sekhsarai (Kha) Sand Bed.

5. That in reply to the averments made in Paragraphs-02 to Paragraph-04 of the original petition (OA), the deponent humbly submits that the averments are matters on record and this deponent has no comments to offer in this regard.

6. That in reply to the averments made in Paragraphs-05 of the original petition (OA), the deponent humbly submits that the District Survey Report (DSR) of Balasore District for Sand Sairat Sources as per Hon'ble Supreme Court order dated 10.11.2021 in Civil Appeal No. 36613662 of 2020 (State of

Pradhept Keman Nayak

**Environmental Scientist
SEIAA, Odisha**

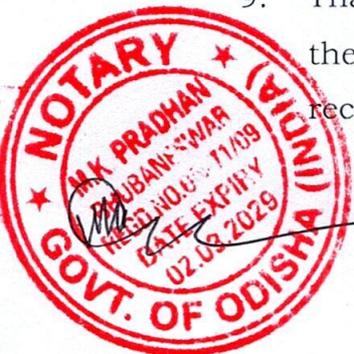


Bihar Vrs. Pawan Kumar and Others) has been approved by SEIAA as per the recommendation of State Level Expert Appraisal Committee and was issued vide letter no. EC25C0107OR5447584N dated 25.03.2025. In the approved DSR, the Sekhsarai (Ka) Sand Bed and Sekhsarai (Kha) Sand Bed are included but the Mahammad Nagar Patna, Ka, Kha, Ga & Gha Sand sources are not included.

7. That in reply to the averments made in Paragraphs-06 to Paragraphs-10 of the original petition (OA), the deponent humbly submits that as per the direction of the Hon'ble NGT in order dated 03.04.2025, a Joint Committee was formed comprising the members of District Collector, District-Balasore or his representative; Senior Scientist, Odisha State Pollution Control Board; and State Environment Impact Assessment Authority (SEIAA) and accordingly the committee have visited the alleged site on 17.05.2025 and was observed that some un-authorized extraction of sand was in Sekhsarai (Kha) Sand Bed area and also in Mahammad Nagar Patna area and the details of un-authorized quantity of sand will be reflect in the Joint Committee report yet to be finalized.
8. That in reply to the averments made in Paragraphs-11 to Paragraph-17 of the original petition (OA), the deponent humbly submits that the averments are matters on record and this deponent has no comments to offer in this regard.
9. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.

Pradjept Kumar Nayak

Environmental Scientist,
SEIAA, Odisha



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

10. That the deponent reserves the right to file further affidavit as and when necessary.

Identified by
Advocate

Pradeept Kumar Nayak

Deponent
Environmental Scientist
SEIAA, Odisha

VERIFICATION

23 JUL 2025

Verified at Bhubaneswar on this day of -----
that the contents of the above affidavits are true and correct on the basis of the records maintained by the respondent in the daily course of its business, no part of it is false and nothing has been concealed therefore.

Place: Bhubaneswar

Date: 23/07/2025

Pradeept Kumar Nayak

Deponent
Environmental Scientist
SEIAA, Odisha

SWORN BEFORE ME



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

23/07/25