

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

Original Application No.62/2025/EZ

In the matter of:

Satish Kumar Biswal

..... Applicant

VERSUS

M/s KL Resources Pvt. Ltd.

Through its Managing Director & Ors.

..... Respondents

INDEX

Sl. No.	Description of documents	Page No.
1	Counter Affidavit filed on behalf of the Respondent No.8.	1-5
2	<u>Annexure-A/8 Series</u> Copy of the Enquiry Report dated 05.07.2025 of the Tahasildar, Dharmasala along with relevant documents.	6-15.

By the Respondent No.8 through



**(TAPAN KUMAR DASH)
ADDL. GOVT. ADVOCATE**

**CUTTACK
DATE: 07.07.2025**



**BEFORE THE NATIONAL GREEN TRIBUNAL,
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..... Applicant

VERSUS

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Through its Managing Director & Ors.

..... Respondents

**COUNTER AFFIDAVIT FILED ON BEHALF OF
THE RESPONDENT NO.8.**

I, Sri Bhabesh Majhi, aged about 33 years, S/o- Late Laxman Majhi, at present working as Tahasildar-in-Charge, Dharmasala Tahasil, At/Po- Dharmasala, Dist.- Jajpur, Odisha, do hereby solemnly affirm and state as follows: -

1. That, I am working as above. I have been duly authorized to swear this affidavit on behalf of the Respondent No.8.

2. That, I have gone through the contents of the Original Application as well as the Annexures appended thereto and understood the contents thereof. I am otherwise well acquainted with the facts of the case to swear this Affidavit in my official capacity.

Bhabesh Majhi
Tahasildar
Dharmasala

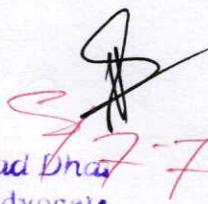

 Surendra Prasad Dha
 Advocate
 NOTARY, CUTTACK

3. That, the Applicant has filed the aforementioned Original Application before this Hon'ble Tribunal alleging that on the request of the Respondent No.4 i.e. Dharmasala Mahavidyalaya, Dharmasala, Jajpur, the Respondent No.1 i.e. M/s K. L Resources Pvt. Ltd. Has dumped solid waste generated from its chrome-concentrated plant within the premises of the Respondent No.4.

4. That, the contents of the Paragraph Nos.1 to 5 of the Original Application are matters of record and the same needs no reply.

5. That, the averment made in Paragraph No.6 of the Original Application with regard to the abandoned laterite quarry, the following facts are respectfully submitted for the kind consideration of this Hon'ble Tribunal:-

- a) The abandoned laterite quarry on which dumping was carried out is situated on Plot No. 31 under Khata No.779, classified as *Gharabari*, having a total area of Ac. 4.02, located in Mouza – Jamubania, within the premises of Dharmasala Mahavidyalaya, under Dharmasala Tahasil in Jajpur district.
- b) As per the direction of the Collector & District Magistrate, Jajpur to file counter affidavit in the present case at hand, a field-level inquiry was conducted by this Deponent regarding the aforesaid abandoned quarry in question and the findings of the inquiry are as follows:-
 - i. There exists a resolution passed by the concerned local governing body for allowing the dumping of material in the said abandoned quarry.


Surendra Prasad Dha
Advocate
NOTARY, CUTTACK

Bhabesh Majhi
Tahasildar
Dharmasala

- ii. During the inquiry, the Principal of Dharmasala Mahavidyalaya deposed that the former Principal had communicated with the Panchayat Samiti, Dharmasala, Zilla Parishad, and other People Representatives of the Institution (PRI) members for reclamation of the said abandoned quarry. The purpose was to level the land for future plantation, beautification, and development by the institution, as the college building lies adjacent to this deep and uneven quarry.
- iii. The Principal of Dharmasala Mahavidyalaya subsequently issued a letter to the Panchayat Samiti, Dharmasala, seeking consent for back-filling the said quarry, vide Letter No. 16512/23 dated 06.12.2023.
- iv. However, such consent is not in accordance with the prescribed norms and guidelines. The No Objection Certificate (NOC) issued by Zilla Parishad Zone No.13 lacks statutory validity and accountability.
- v. **Furthermore, the supplier (KL Resources) i.e. Respondent No.1 before filling up of the said quarry should obtain prior approval from the competent authority, i.e., the Director of Mines, Government of Odisha, and obtain Environmental Clearance from the State Environment Impact Assessment Authority (SEIAA), Odisha, as per law.**
- vi. Additionally, it has come to the knowledge of the Office of the Tahasildar, Dharmasala that the Director, KL Resources Pvt. Ltd. (Respondent No.1), has submitted a

Bhobesh Majhi

Tahasildar
Dharmasala

27
Surendra Prasad Dhanu
Advocate
NOTARY, CUTTACK



request letter to the Regional Officer, State Pollution Control Board (SPCB), Odisha, seeking permission for the filling of the said abandoned quarry.

Copy of the Enquiry Report dated 05.07.2025 of the Tahasildar, Dharmasala along with relevant documents are annexed herewith as Annexure-A/8 Series.

6. That, the averments made in Paragraph Nos.7 to 26 of the writ petition do not pertain to this deponent's jurisdiction or office, hence, this Deponent has no comments to offer.

7. That, in view of the aforesaid facts and circumstances, the prayers made in the Original Applications are devoid of merit and the same is liable to be disposed of as per law.

8. That, the Deponent further craves leave of this Hon'ble Tribunal to make further submissions and to file further Affidavit / Counter, if the same is deemed necessary for an effective adjudication.

9. That, the facts stated above are based on the official documents / records which are true to the best of my knowledge & belief.

Identified by:

[Signature]

Advocate

Bhabesh Majhi
7/7/2025
Deponent



The above named Deponent
solemnly affirm on 7.7.2025
by B. Majhi Being Identified
by A.K. Prasad (Adv)

7/7/2025
Surendra Prasad Dhai
Advocate
NOTARY, CUTTACK

VERIFICATION

I, Sri Bhabesh Majhi, aged about 33 years, S/o- Late Laxman Majhi, at present working as Tahasildar-in-Charge, Dharmasala Tahasil, At/Po- Dharmasala, Dist.- Jajpur, Odisha, do hereby solemnly affirm and verify the contents of Paragraph nos.01 to 06 of the present affidavit are true to my knowledge and Paragraph Nos.07 to 09 are my humble submissions before this Hon'ble Tribunal and that I have not suppressed any material facts.

I sign this Verification at Cuttack on 07th day of July, 2025.

Place: CUTTACK

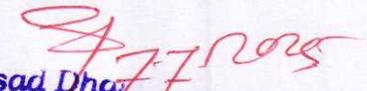
Date: 07.07.2025

Bhabesh Majhi
7/7/25

VERIFICANT

**Tahasildar
Dharmasala**




Surendra Prasad Dha
Advocate
NOTARY, CUTTACK

OFFICE OF THE TAHASILDAR, DHARMASALA

Tel:-06725-273036 Web:- tdrdharmaasala.in Email:-tdrdharmaasala@gmail.com

Letter No. 5084, Date. 05.07.2025

To,

The Collector & DM, Jajpur

Sub:- Submission of inquiry report pertaining to O.A No.62/2025/EZ filed by Satish Kumar Biswal-Vrs-KL Resources through its Managing Director & Ors.

Ref:- Your Good Office authorization letter No.6156 dtd.25.04.2025

Ma'am,

In inviting a kind reference to letter on the subject cited above, In obedience to your authorization vide above referred letter and prior to filing this counter affidavit, I conducted a field-level inquiry regarding the quarry in question on dtd.04.07.2025 and the findings are follows:-

The abandoned laterite quarry on which dumping was carried out is situated on Plot No. 31 under Khata No. 779, classified as *Gharabari*, having a total area of Ac. 4.02, located in Mouza – Jamubania, within the premises of Dharmasala Mahavidyalaya, under Dharmasala Tahasil .

- There exists a resolution passed by the concerned governing body of Dharmasala, Mahavidyalaya for allowing the dumping of material in the said abandoned quarry. The said resolution is enclosed and marked as *Annexure-I*.
- During the inquiry, the Principal of Dharmasala Mahavidyalaya deposed that the former Principal had communicated with the Panchayat Samiti, Dharmasala, Zilla Parishad, and other PRI members for reclamation of the said abandoned quarry. The purpose was to level the land for future plantation, beautification, and development by the institution, as the college building lies adjacent to this deep and uneven quarry.
- The Principal of Dharmasala Mahavidyalaya subsequently issued a letter to the Panchayat Samiti, Dharmasala, seeking consent for backfilling the quarry, vide Letter No. 16512/23 dated 06.12.2023, which is annexed as *Annexure-II*.

True copy attested

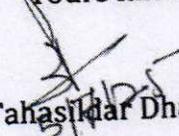
Tahasildar
Dharmasala

OFFICE OF THE TAHASILDAR, DHARMASALA
Tel:-06725-273036 Web:- tdrdharmasala.in Email:-tdrdharmasala@gmail.com

- However, such consent is not in accordance with the prescribed norms and guidelines. The No Objection Certificate (NOC) issued by Zilla Parishad Zone No.13 lacks statutory validity and accountability.(Annexed as annexure-III) .
- Furthermore, the supplier(KL Resources) intending to fill the quarry must seek prior approval from the competent authority, i.e., the Director of Mines, Government of Odisha, and obtain Environmental Clearance from the State Environment Impact Assessment Authority (SEIAA), Odisha, as per law.
- Additionally, it has come to the knowledge of this office that the Director, KL Resources Pvt. Ltd., has submitted a request letter to the Regional Officer, State Pollution Control Board (SPCB), Odisha, seeking permission for the filling of the said abandoned quarry which is annexed as Annexure-IV.

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

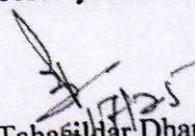
Yours faithfully


Tahasildar Dharmasala

**Tahasildar
Dharmasala**

Memo No. 5085 /Date. 05.07.2025

Copy submitted to ADM(Rev) for favour of kind information and necessary action.


Tahasildar Dharmasala

**Tahasildar
Dharmasala**

true copy attested


**Tahasildar
Dharmasala**

Signature of Members

Dr. Priyanath Mahapatra

Tijendra Kumar Sahu

Monalisa Das

Santosh Kumar Tera

Sujata Sahu

Sudipra Swain

Surrava Jena

Yashodanta Sahu

Madhusudan Das

Arati Salpathy

Tapan Kumar Mishra

A meeting of the Governing Body of Dharamasala Mahavidyalaya was held in the presence of the above signatories under the chairmanship of President, G.B. Dr Priyanath Mahapatra in the Staff Common room of the College on Dt. 24.05.2023 at 10 Am.

The following decisions were unanimously taken after thorough and careful discussion.

1. The previous G.B. resolution was read out by the Principal- cum - Secretary, it was discussed and approved.
2. Principal informed the joining of SSB candidates as per the list given below

Sl No	Name & Designation	Govt. order No. & Date	College order No. & Date	Date of Joining
1.	Sonali Mahanta, Lect. in English	OSWAS NO-HE-NCETI-Misc 0108-2022/36206HE, Dt. 29.08.22	349/22.Dt 02-09-22	02.09.22
2	Rakharani Khuntia, Lect in History	HE-NEGT-I-MISC-0214-22/ 47965/HE, Dt-17.11.22		21.11.22
3	Agish Kr. Das, Lect in Odia	HE-NEGT-I-MISC-0214-22/ 47965/HE, Dt-17.11.22		22.11.22
4	Dulak Kr. Satpathy, Lect. in Odia	OWAS no. HE-NEGT-I-MISC 0058-2023/7170HE, Dt. 19.02.23	95/23 Dt. 22.02.23	22.02.23
5	Lilima Samal,	OWSAS. NO. HE-NEGT-I-		

Three copy attached

3. Discussions were made with Prof. to the college from a gate from a private South side. All expressed regarding T.D. matter as a ladies hostel is functioning nearby and there is every possibility of intruders into the college campus. The Principal informed the committee that in sitting no-109 dt 13.01.2019 of G.B. if had been decided to close the gate. Again it was decided to close the gate as soon as possible for the safety & security of the college. Also it was decided to close all openings from the private plots to the college campus.

4. Discussions were made regarding the ditch (Chhai)

on the east side of the college. The members of G.B. proposed to cover the ditch (Chhai) ^{with soil} which is under the ownership of the college by benched wire fence.

5. Some members want to know about different matters of the ladies hostel-II. Regarding sanitation & maintenance of the hostel it was decided to select a third party through tender for the smooth maintenance of the hostel. ^{Dr. Prayanshu Mishra}
PRESIDENT GOVERNING BODY
The Hostel
can be named DHARMASALA MAHAVIDYALAYA
PRINCIPAL
TARY

ଖତିୟାନ

ପରିଶିଷ୍ଟ - କ

ମୌଜା : ଜାମୁବଣିଆ

ତହସିଲ : ଧର୍ମଶାଳା

ଫର୍ମ ନଂ - 99

ଥାନା : ଧର୍ମଶାଳା

ତହସିଲ ନମ୍ବର : .

ପରିଚ୍ଛେଦ - 402

ଥାନା ନମ୍ବର : 773

ଜିଲ୍ଲା : ଯାଜପୁର

୧) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର	୨) କର୍ମଦାରଙ୍କ ନାମ ଓ ଖେତାଟ ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର				୩) ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ	
77	ଓଡ଼ିଶା ସରକାର ଖେତାଟ ନମ୍ବର :-				ଧର୍ମଶାଳା ମହାବିଦ୍ୟାଳୟ ମାର୍ଚ୍ଚିତ - ସଂପାଦକ	
୪) ସ୍ୱତ୍ୱ	୫) ଦେୟ				୬) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ	
ସ୍ଥିତିବାନ	ଜଳକର	ଖଜଣା	ସେସ୍	ନିସ୍ତାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	
		190.85	143.14	0.00	333.99	
୭) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ	ବା. ଖା. କେଶ ନଂ 236/2017 ହୁ. ମୁ. ପୁତ ନଂ 33/219 ଏସ.43 ସ୍ଳ ଏ0.52 ନୁ. ଖା. 91/166 ରେ ।					
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ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ : 01/04/1987						

True copy attested



Tahasildar
Pharmasala

ଖତିୟାନର କ୍ରମିକ ନଂ : 77			ମୌଜା : ଜାମୁବଣିଆ				ଜିଲ୍ଲା : ଯାଜପୁର	
ଚକର ନମ୍ବର	ଚକ ଭୁକ୍ତ ହୋଇ ଥିବା ପ୍ଲଟ	ଚକ ଭୁକ୍ତ ହୋଇ ନଥିବା ପ୍ଲଟ	କିସମର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଚୌହଦି	ରକବା			ଚକ ଭୁକ୍ତ ହୋଇ ନଥିବା ଜମିର କିସମ	ମତ୍ତବ୍ୟ
				ଏକର	ଡି.	ହେକ୍ଟର		
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		31		4	0200	1.6269	ଘରବାରୀ	
		33/219		4	9100	1.9870	ଘରବାରୀ	
		32		0	5500	0.2226	ରାସ୍ତା	
		3 plots		9	4800	3.8365		

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True copy attached

Tahasildar
Pharmasala

DHARMASALA MAHAVIDYALAYA

NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

E-mail dharmasalamahavidyalaya@yahoo.com

16.5/19/23

Date: 16-12-2023

To,
The Panchayat Samiti
Dharmasala, Jajpur,
Odisha

Sub: Consent regarding filling back of abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya.

Dear Sir,

I would like to inform that there is an abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya (Plot No.31,32,33/219; Khata No:77; Kisam: Gharabadi). The reclamation of above land is essentially required as this abandoned uneven and high depth land can't be used for any purpose by Dharmasala Mahavidyalaya without back filling.

We have approached M/s KL Resources pvt.ltd. to fill this land with the solid waste being generated in their COBP at Sundaria for suitable plantation, beautification and its development for utilisation by the institution.

M/s KL resources pvt.ltd. has agreed to do the above filling work at their cost and complying to the norms of such filling with the solid waste (tailing and slimes) being generated by Chrome Ore Beneficiation Plant (COBP) of KLR at Sunduria as prescribed/stipulated by State Pollution Control Board (SPCB) of Odisha from time to time.

With the above facts, I would like to keep you informed and would like seek your consent to proceed with the above filling/reclamation work for the above proposed development of institution.

Thanking You,

Jayanta Kumar Sahoo
Principal
DHARMASALA MAHAVIDYALAYA
06/12/23

Copy to: M/s KL Resources Pvt.Ltd., 134/675, Kolathis, Aiginia, Khandagiri, Bhubaneswar.

Three copy attached
Tahasildar
Dharmasala

11-13-

Annexure-III

SMRUTI REKHA BEHERA

Mob : 7655023396

ZILLA PARISHAD MEMBER, JAJPUR
ZONE NO-13

Letter No

9

Date

08/02/2024

NO OBJECTION CERTIFICATE

As discussed with and desired by the Principal, Dharmasala Mahavidyalaya and the Director, M/s KL Resources Pvt Ltd regarding filling back of abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya (Plot No: 31, 32, 33/219; Khata No: 77; Kisam: Gharabari) to reclaim this land for the purpose of plantation, beautification and its development for utilisation by the institution, I, as the representative of people of the above locality, hereby consent the same without any objection for the proposed development subject to its execution complying to the norms of such filling with the solid waste (tailings and slimes) being generated by Chrome Ore Beneficiation Plant (COBP) of KLR at Sundaria as prescribed/stipulated by State Pollution Control Board (SPCB) of Odisha from time to time.

Smruti Rekha Behera
Zilla Parishad

Zone No. 13

(Smruti Rekha Behera)

Member of Zilla Parishad Jajipur, Zone- 13,
Jajpur, Odisha

True copy attached

49
Tahasildar
Dharmasala

-14-

0011/2012

KL RESOURCES PRIVATE LIMITED

Annexure-IV

Ref: KLR/SPCB/RO/23-24/11

Date: 27th March 2024

To

The Regional Officer,
Regional Office, Kalinganagar,
State Pollution Control Board, Odisha
At: Dhabalagiri, PO: F.C. Project, Jajpur Road,
Dist: Jajpur, PIN-755020, Odisha.

E-mail: info@klresources.com
CIN : U24111OR2008PTC008817

Handwritten notes:
SPCB (MMS)
P1 discuss
13.04.24

Sub: Filling of abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya with Slimes and Tailings generated from our Chrome Ore Beneficiation Plant(COBP) situated at Sundaria, Neulpur, Dharmasala, Dist: Jajpur, Odisha.

Ref: Your Letter No.1113/IND-61 Dtd.20.03.2024.

Dear Sir,

With reference to your letter under reference on above subject matter, we would like to submit following facts and clarifications for your kind information and compliances.

As per the installed capacity of the COBP; permissions obtained from SPCB to process lowgrade chrome ore; and present level of operations, it is generating 5,000 MT to 6,000 MT of tailings and slimes per month which are stored in the slime ponds and tailings yard located within the plant premises. All necessary measures are taken for protection of the environment and pollution control, as being verified by the State Pollution Control Board from time to time.

For rightful disposal of these solid wastes, these tailings and slimes were analyzed in the CSIR Laboratory of Institute of Minerals and Material Technology (IMMT), Bhubaneswar and State Pollution Control Board. The reports show that the concentrations of toxic and hazardous constituents in the tailings and slimes are way below the permissible limits prescribed under the Environment Protection Act 1986. Copies of the reports, permissions and related notifications are enclosed in this report for kind reference for suitable disposal of these solid wastes in an environmentally friendly manner.

Meanwhile, the Authorities of Dharmasala Mahavidyalaya approached M/s KL Resources Pvt Ltd to support them for filling back of abandoned laterite quarry within the premises of Dharmasala Mahavidyalaya to reclaim this land for the purpose of suitable plantation, beautification and its development for utilisation by the institution at the cost of M/s KL Resources Pvt Ltd for improvement of the environmental quality of the college premises as this deep and uneven surfaces can't be used for any purposes.

Ashok Kumar Panda

REGD. OFFICE : Plot No. 134/675, Kolathia, Mouza - Aignia

Ps. Khandagiri, BHUBANESWAR - 751 019, ORISSA, INDIA

Tel. : +91 674 2470616/17, Fax : +91 674 2470615

Works : At-Sundaria, P.O. : Neulapur, Near Chandikhol, Dist.- Jajpur, Orissa

Page 1 of 2

+True Copy attested

45

**Tahasildar
Dharmasala**

K L RESOURCES PRIVATE LIMITED

E-mail : u.f@klresources.com
CIN : U24111OR2006PTC008817

Therefore, it was examined and decided to take up the said backfilling of the above land in the premises of Dharmasala Mahavidyalaya by filling with the solid wastes (Tallings and Slimes) being generated by the COBP of M/s KL Resources Pvt Ltd at Sundaria, Dharmasala, Jajpur complying to the permissions of SPCB no: 2869/HWM-51 Dated 28-08-2023. No further quantities have been filled thereafter and such filling will not be resumed without your specific approval as directed.

M/s KL Resources Pvt Ltd being an environmentally and socially responsible Company, intend to support the College in the improvement of environment quality by developing plantation within their premises. On their request, it decided to take up the project of back filling of above abandoned laterite quarry with necessary precautionary measures for environment protection. M/s KL Resources Pvt Ltd also assure to take up plantation drive at its cost on the reclaimed land during the reclamation without creating hindrance for continuous filling, as requested by the College Authorities.

Following documents/permissions are attached related to filling of this abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya.

- 01: Letter from the Principal, Dharmasala Mahavidyalaya.
- 02: Intimation from Principal to Panchayat Samiti, Dharmasala regarding this filling work.
- 03: No Objection Certificate from concerned Member of Zilla Parishad of Jajpur district.

With the above facts and documentations, we would like to submit the same in response to your letter under reference for your kind considerations and compliances with a further request to allow us to continue the said filling work with slimes and tailings available with us and further to be generated complying to the norms of such filling and in an environmentally friendly manner.

Thanking you,
Yours truly,
For KL Resources Pvt Ltd

Ashok Kumar Panda
(Ashok Kumar Panda)
Director

REGD. OFFICE : Plot No. 134/675, Kolathia, Mouza - Aiginia
P.s. Khandagiri, BHUBANESWAR - 751 019, ORISSA, INDIA
Tel : +91 674 2470616/17, Fax : +91 674 2470615
Works : At-Sundaria, P.O. : Neulapur, Near Chandikhol, Dist. : Jajpur, Orissa

T. K. Das
Tahasildar
Dharmasala

Satish Kumar Das 46