

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

Appeal No.117/2025/EZ

Santanu Kerketta & Anr	Applicants
-Versus-		
State of Odisha and Ors	Respondents

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Cuttack

Date: 26/08/2025

h.
ADVOCATE

SHAKTI PRASAD PANDA

BCE NO - 07/1993

MOB - 9432007281

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

Appeal No.117/2025/EZ

Santanu Kerketta & Anr

.... Applicants

-Versus-

State of Odisha and Ors

.... Respondents

AFFIDAVIT FILED BY THE RESPONDENT NO.06

I, Shri Suresh Pant aged about 59 years, S/o-Sri Gokulananda Pant, at present working as Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, do hereby solemnly affirm & state as follow: -

1. I, am working as Chairperson, Odisha Biodiversity Board, Bhubaneswar and duly authorised by the respondent No.06 to swear this affidavit for and on her behalf.
2. That I have perused the original application and have understood the contents thereof.
3. That the Original Application, as laid, is not maintainable on both fact and law.
4. That the Government of India first enacted the Biological Diversity Act, 2002 (Amended 2023) and the Rules, 2004 & amended 2024. National Biodiversity Authority (NBA) was formed in 2003 to implement this law. Based on this Act, the Government of Odisha constituted the Odisha Biodiversity Board in

Surendra Prasad Dhai
Surendra Prasad Dhai
Advocate
NOTARY CUTTACK

S. Chand
PCCF-Cum-Chairman
Odisha Biodiversity Board



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2009 and enacted the Odisha Biological Diversity Rules in 2012. The main function of the Odisha Biodiversity of the Board is to

- Advise the State Government, subject to any guidelines issued by the Central Government, on matters relating to the Conservation of Biodiversity, Sustainable Use of Its Components, and Equitable Sharing of The Benefits Arising from Utilizing Biological Resources.
- Regulate by granting approvals or otherwise requests **for commercial utilization or bio-survey and bio-utilization** of any biological resources by Indians.
- Perform such other functions as may be necessary **to carry out the provisions of this Act** or as may be prescribed by the State Government.

5. That in respect of Para 1 to 35, the Respondent No. 6 No has no comments to offer.

6. That, In every item the applicant mentioned about violation of the forest conservation Act, 1980 and violation of The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. Nowhere it is mentioned about violation of The Biological Diversity Act, 2002 or The Biological Diversity Act, 2023 (amended).

7. That, the Odisha Biodiversity Board was not involved in the process of proving the Environmental Clearance granted in favour of the Respondent No.7, Odisha Mining Corporation Ltd.

8. That, since this matter primarily relates to the Forest, Environment and Climate Change Department, Govt. of Odisha and Govt. of India does not relate to the office of the Respondent No.06, the Odisha Biodiversity Board may be spared (excluded) as a respondent.

9. That the averments which have not been specifically replied shall be deemed to have been denied and the Deponent craves leave of the Hon'ble Tribunal

Shahid
PCCF-Cum-Chairman
Odisha Biodiversity Board

3/10/23
Sudendra Prasad Mishra
Secretary, Odisha Biodiversity Board

to make further submissions and file further affidavit(s) in support of their contentions in the interest of justice and for effective adjudication by the Hon'ble Tribunal.

10. That the statements made above in Paragraphs- 1&8 are true to the best of my knowledge and belief and those derived from the records and information. I believe the information to be true as per available Official records

VERIFICATION

I, Suresh Pant, aged about 59 years, W/o- Sri Gokulananda Pant, at present working as the Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge as derived from official records and nothing material has been concealed therefrom. Verified at Cuttack on this the 26th Day of August, 2024.

Identified by:

U. K. Rout
Advocate

Suresh Pant

Verificant
**PCCF-Cum-Chairman
Odisha Biodiversity Board**

The above named Deponent
solemnly affirm on *20.8.2025*
..... Being Identified
by *S. K. Rout (Adv)*

Suresh Pant

**Surendra Prasad Dhara
Advocate
NOTARY CUTTACK**

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AFFIDAVIT

I, Shri Suresh Pant, aged about 59 years, S/o- Gokulananda Pant, at present working as the Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, do hereby solemnly affirm & state as follows: -

1. That I am the Respondent No.06 in the aforesaid Original Application. I am well acquainted with the facts of the case and as such competent to swear this affidavit on my official capacity.
2. That the facts stated above are true to the best of my knowledge and based on official records.

Identified by:

CK Rout

Advocate

✓

[Signature]
Deponent

PCCF-Cum-Chairman
Odisha Biodiversity Board

✓

CERTIFICATE

Certified that due non-availability of cartridge papers, plain legal papers are used.

Cuttack

Date: 26/08/2025

[Signature]
ADVOCATE

SHAKTI PRASAD PANDA
BCE NO - 07/1993
9437007281

26/08/2025
Surenendra Prasad Dha'
Advocate
NOTARY, CUTTACK