

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

I.A No 103 OF 2025/EZ

(ARISING OUT OF ORIGINAL APPLICATION NO. 195 OF 2025/EZ)

(Under Section 14 r/w section 18 of the National Green Tribunal Act, 2010.)

IN THE MATTER OF:

Tapan Kumar LenkaApplicant

-Vrs-

State of Odisha and OrsRespondents

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CUTTACK

By the Applicant through Counsel



DATE: - 17.10.2025

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EASTERN ZONE BENCH, KOLKATA

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MOST RESPECTFULLY SHOWEATH:

1. That the Applicant is a social activist working for environmental protection and sustainable development in Odisha. The Applicant has been actively involved in monitoring mining activities and their environmental impact in the state.
2. That this Original Application is being filed under Section 14 of the National Green Tribunal Act, 2010 seeking relief against environmental violations, non-compliance with statutory environmental norms, and restoration of environmental damage by the Respondent No. 6.
3. That post-amalgamation, DCBL effectively holds mining leases exceeding 1000 hectares (802.25 Ha + 893.55 Ha =



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1695.80 Ha), which is in direct violation of Section 6(1)(b) of the MMDR Act, 1957 that restricts individual entities from holding excessive mining capacity.

4. That despite the mining lease being granted on 25.05.2023, DCBL has failed to commence production within the prescribed period i.e. two years which is clear violation of MMDR Act 4A (4). The operations couldn't be commenced due to non-availability of mandatory statutory clearances, particularly Stage-II Forest Clearance and Environment Clearance.
5. That the mining lease deed for Kottameta mine was executed on 26.05.2023, and as per Rule 12(c), DCBL was mandated to commence mining operations by 25.05.2025. DCBL has failed to commence mining operations within the stipulated time period due to non-obtainment of mandatory clearances, making the lease liable for termination under Rule 12(c) of MCR, 2016.
6. That in clear violation of Rule 10(4) of Mineral Action Rule, 2015, DCBL executed the Mine Development and Production Agreement (MDPA) on 24.05.2023 without obtaining mandatory clearances.
7. That by accepting illegal Mineral Development and Production Agreement execution without clearances, the



Tapan Kumar Lenka.

Government has actively facilitated violation of environmental laws. The sanctity of mandatory clearance procedures has been compromised.

PRAYER

That in view of the above-mentioned paragraph it is humbly prayed before the Tribunal to immediately stop all mining-related activities carried out by Respondent no-6 in Kottameta mine and Lanjiberna mine until proper compliance with all statutory requirements are obtained.

CUTTACK

By the Applicant through Counsel

Jati

DATE: - 17/10/2025

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IN THE MATTER OF:

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-Vrs-

State of Odisha and Ors Respondents

Affidavit

I, Tapan Kumar Lenka S/o Late K.C Lenka, aged about 50 years, At-Hitechplaza, Block A,5/10 Sundarpada, Bhubaneswar, Khorda, pin-751002 do hereby solemnly affirm, and declare as under:

3. That I am the applicant in the above-mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
4. That I have read over the contents from paragraph 1 to ..7... of the accompanying application and the same is true and correct and is drafted on my instruction.

Tapan Kumar Lenka
DEPONENT

Verification

Verified on this.....17th.....day of...Oct...2025 at ...Cuttack... that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

Prabati Tati
Advocate

above named deponent being identified by Mr./Ms... P. Tati ...Advocate appears before me on 17/10/25 AM/PM in this the... 17/10/25 solemnly affirms that the contents of the above affidavit are true and correct and is drafted on my instruction. *Tapan Kumar Lenka* DEPONENT

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NOTARY
CUTTACK TOWN
M. G. W.
17/10/25