

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO -187 OF 2024

I.A No.-95 of 2025

IN THE MATTER OF:

DILLIP KUMAR PRADHAN AND ANOTHER...

APPLICANTS

VERSUS

STATE OF ODISHA AND OTHERS ...

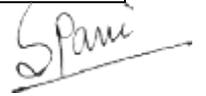
RESPONDENTS

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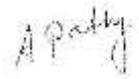
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PLACE: BHUBANESWAR

SANKAR PRASAD PANI



ASHUTOSH PADHY



DATE- 29/10/2025

ADVOCATE

PLOT NO 2132/4814, NAGESWAR TANGI,
BHUBANESWAR, 751002 CELL-9437279278

Email:sankarprasadpani@gmail.com,

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLAKATA

(Under Section 18(1) read with Section 14(1), 15 of the National Green Tribunal Act 2010)

I A NO----2025

Original Application No.- 187 of 2024

IN THE MATTER OF:

1. Dillip Kumar Pradhan S/o Khira Mohan Pradhan, aged about 64 years, At-Kadalikhola po-Kosala, Dist-Angul, pin-759130

2. Sidharth Sankar Sahoo, S/o Jiten Kumar Sahoo, aged about 41 years, At-Kosala, Dist- Angul, Pin- 759130

...APPLICANTS

VERSUS

1. State of Odisha represented by Additional Chief Secretary Forest Environment and Climate Change Dept. Govt. of Odisha, At: LokSeva Bhawan, Sachivalaya Marg, Bhubaneswar, Dist.: Khurda, Odisha, Pin: 751001. E-mail ID : fsec.or@nic.in
2. UNION OF INDIA Through the Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh, New Delhi - 110003; Email - mef@nic.in, secy-moef@nic.in
3. District Collector Angul, At/Po- Collectorate, Angul- 759122, email- dm-angul@nic.in
4. Tahasildar Chhendipada, At/po- Chhendipada, Odisha 759124, Email- tah.chhendi-od@nic.in
5. Orissa Industrial Infrastructure Development Corporation (IDCO), Represented by its Managing Director, At/p-IDCO Tower, Janpath, Bhubaneswar-751022, Email: idc.odisha@gov.in

6. Divisional Forest Officer Angul, at/Po- Amalapada, Angul, Odisha 759122, Email- dfo.angul@odisha.gov.in
7. National Aluminum Company Ltd. (NALCO), represented through it's Chairman cum Managing Director, At/Po- NALCO Bhawan, P/1, Nayapalli, Bhubaneswar – 751013, Odisha, Email- cmd@nalcoindia.co.in

...RESPONDENTS

IT IS MOST RESPECTFULLY SHOWETH:

I, Dillip Kumar Pradhan S/o Khira Mohan Pradhan, aged about 64 years, At-Kadalikhola po-Kosala Dist-Angul, pin-759130, do hereby solemnly affirm, and declare, that I am one of the applicants 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.

1. That the Original Application has been filed by the above named Applicants against the illegal transfer of forest land in favor of IDCO, a state government agency for industrial purposes/ non forestry activities without following the due process of Forest Conservation Act 1980.
2. That in the Original Application Applicants have prayed for the following reliefs,
 - a. Restrain the respondents and IDCO from accessing and using the forest land for non-forest activity until approval of central government is obtained under Forest Conservation Act of 1980.
 - b. Hold and Declare that the conversion of Sabik forest land to non-forest kism is contrary to law and there by illegal
 - c. Hold and declare that lease granted in favor of IDCO and subsequent transfer to the NALCO as illegal and void for want of forest clearance.

- d. Pass any other order(s)/direction(s) that Your Lordships may deem fit and proper in the interest of justice, equity and good conscience.
3. That while the matter is pending before the Hon'ble Tribunal for adjudication, the opposite parties are moving ahead for felling of the trees from the site in question. The authorities have marked the trees with number and as evident from the Photographs more than 1700 trees have been marked to be felled. The marked trees are largely Sal Species among other associate trees.
4. That the Respondent No.6 Divisional Forest Officer Angul on dated 15/10/2025 issued one letter to the Range officer Chhendipada range to stop the joint verification/tree enumeration work immediately. Copy of the letter dated 15/10/2025 issued by DFO Angul is annexed here unto as **ANNEXURE-1**.
5. That while the matter is pending before the Hon'ble Tribunal for adjudication, the Respondent No.6 Divisional Forest Officer Angul again on dated 25/10/2025 issued one letter to the Range officer Chhendipada range requesting to carry out a detailed tree enumeration in the specified area and submit a species-wise and girth-class-wise enumeration report. The enumeration exercise must be conducted jointly with the concerned Revenue Officials and a representative of the User Agency. Copy of the letter dated 25/10/2025 is annexed here unto as **ANNEXURE-2**.
6. It is pertinent to mention here that the enumeration (counting of trees) is the initial stage of felling the trees, if in this stage the DFO is not stopped then the site in question will lose its characteristics.
7. It is not out of place to mention here that the **site in question is a physical forest and contiguous to the Kosala Reserve Forest** also a path way of the wild elephants. If the existing trees are felled then the wild elephants will move towards the village and a human-elephant conflict situation will

arise. Photographs of the site in question also suggests the site is a physical forest and forest department has already started tree enumeration. Photographs of the site in question is annexed here unto as **ANNEXURE-3**.

8. It is pertinent to mention here that the kism of the land in question was **Chhota Jungle till the year 1984** and in the year 1984 in a mutation proceeding bearing case no. 612/84 kism of the land was changed to Puratan Patita, which is after the Forest Conservation Act 1980, hence the change of Kism is bad in law and requires prior approval of the central government.
9. It is submitted that Forest Conservation Act came into force from 25/10/1980 and the Hal record is prepared in the year 2002 without approval of central government, which is a violation of Section 2 of Forest Conservation Act 1980.
10. It is needless to say that Chhendipada is the lungs of the Angul District where in the Sal Forest is still surviving and if the tree felling is allowed at this site, then the district will be doomed to distress considering the existing coal mines in Talcher and large Scale thermal power plants and Alumina Smelter Plant already in the Angul District. Needless to say that Talcher-Angul is the first Critical Polluted Area declared since 1989 by Central Pollution Control Board.
11. It is pertinent to mention here that the Forest Department is moving ahead with chainsaws to fell the trees existing in the site in question and if the DFO is not restrained at this stage then the site in question will lose its characteristics and the local residents will suffer an irreversible damage.
12. That the site in question is emotionally connected to the villagers and Tribal people and any kind of damage will hurt the sentiments of local people who have been preserving the site for generations. Once

deforestation and damage takes place that will demotivate the people from conservation and will have serious consequence on the local ecology.

13. That if the stay is not granted then there will be irreparable damage to the standing trees and same cannot be restored. As such the applicant has a prima facie case in his favor, hence the Hon'ble Tribunal may consider to stay the construction and further felling of trees from the site in question as an interim measure.
14. That the matter is fixed for final hearing on dated 10/12/2025, considering the urgency, the IA may be listed for early hearing. Further, If the Respondents are not restrained then the relief sought by the Applicants will be infructuous hence the Applicant request for an urgent hearing of the matter.
15. Further the Honble Tribunal may call for explanation from the DFO, Angul who has carried out the marking of trees while the matter is pending for Final Hearing and this itself amounts to interference in the administration of Justice as the State Respondents trying to Change the nature and Character of the Forest land in question.

PRAYER

In view of the above-mentioned paragraphs it is most humbly prayed that the Hon'ble Tribunal may please to restrain the DFO Angul and other respondents from moving ahead with the tree felling process till final disposal of the Original Application.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

By the Applicant Through



Date: 29/10/2025

ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.- 187 OF 2024

IN THE MATTER OF:

DILLIP PRADHAN AND ANOTHER APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS RESPONDENTS

AFFIDAVIT 29 OCT 2025

I, Dillip Kumar Pradhan S/o Khira Mohan Pradhan, aged about 64 years, At-Kadalikhola po-Kosala Dist-Angul, pin-759130, do hereby solemnly affirm, and declare as under:

1. That I am one of 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.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Dillip Kumar Pradhan
DEPONENT

VERIFICATION

Verified on this 29 OCT 2025 day of 2025 at B.O.S.R. 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
Advocate
10/18/23

Dillip Kumar Pradhan
DEPONENT



The above named deponent(s) being duly identified by Sri. *[Signature]* Advocate, Bhubaneswar appears before me on 29 OCT 2025 at *[Signature]* A.M./P.M. States on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief
Notary, Bhubaneswar
JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-7978581217



OFFICE OF THE DIVISIONAL FOREST OFFICER:
ANGUL DIVISION

E.mail I.D- dfoangul@gmail.com

Memo No. 9064/3F-Lease/Dated. 15/10/2025



To

The Range Officers
Chhendipada Division, Angul.

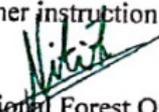
Sub: -

Permission for trees felling for 27.23 ha (67.27Ac) land of R & R Colony, Kosala of Utkal D & Utkal E Coal Block of NALCO situated in Chhendipada Tahasil, Angul Division. – **Joint Verification/Tree enumeration.**

Ref:-

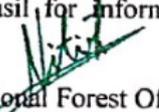
This office memo No.8647 dt.03.10.2025.

In continuation to this office Memo No cited above, it is to intimate that the joint verification/tree enumeration work is to be stopped immediately until further instruction from this office.


Divisional Forest Officer
Angul Division

Memo No. 9065 /Dated 15/10/2025

Copy forwarded to the Tahasildar, Chhendipada Tahasil for information and necessary action in continuation to this Memo No. 8648 dt.03.10.2025.


Divisional Forest Officer
Angul Division

Memo No. 9066 dt 15/10/2025

Copy forwarded to the D.M., OFDC, Ltd, Angul for information and necessary action in continuation to this Memo No. 8649 dt.03.10.2025.


Divisional Forest Officer
Angul Division

Memo No. 9067 /Dated 15/10/2025

Copy forwarded to the GGM (Coal Mines) EPO Coal Mines Division Nalco, Angul for information and necessary action in continuation to this Memo No. 8650 dt.03.10.2025.


Divisional Forest Officer
Angul Division

OFFICE OF THE DIVISIONAL FOREST OFFICER; ANGUL FOREST DIVISIONMemo No. 9372 /DRP/2025/Dated. 25/10/2025

To

The Range Officer,
Chhendipada Range.Sub: - Tree felling permission for 27.23 ha (62.27Ac) land of R&R Colony, Kosala of Utkal D & Utkal E Coal Block of NALCO situated in Chhendipada Tahasil, Angul District, Odisha. :- **Joint Verification/ Tree Enumeration.**Ref: - 1. Letter No. 999 dt. 24.09.2025 of GGM, Coal Mines, Nalco.
2. This office memo No. 8647 dt. 03.10.2025 and No. 9064 dt. 15.10.2025.

With reference to the above-cited letter regarding the captioned subject, this is to inform you that the Group General Manager (Coal Mines) – EPO, NALCO, has requested permission for tree felling over an area of 27.23 hectares of non-forest land for the R & R Colony, Kosala, of Utkal D and Utkal E Coal Blocks of NALCO, situated in Chhendipada Tahasil of Angul District, Odisha. A copy of the request letter is enclosed herewith for your reference.

In this regard, you are requested to carry out a detailed tree enumeration in the specified area and submit a species-wise and girth-class-wise enumeration report. The enumeration exercise must be conducted jointly with the concerned Revenue Officials and a representative of the User Agency.

Further, the tree felling order will be issued by the undersigned after verifying all the connected documents and ensuring that there are no pending issues, disputes, or claims at any level.

This is for information and necessary action.

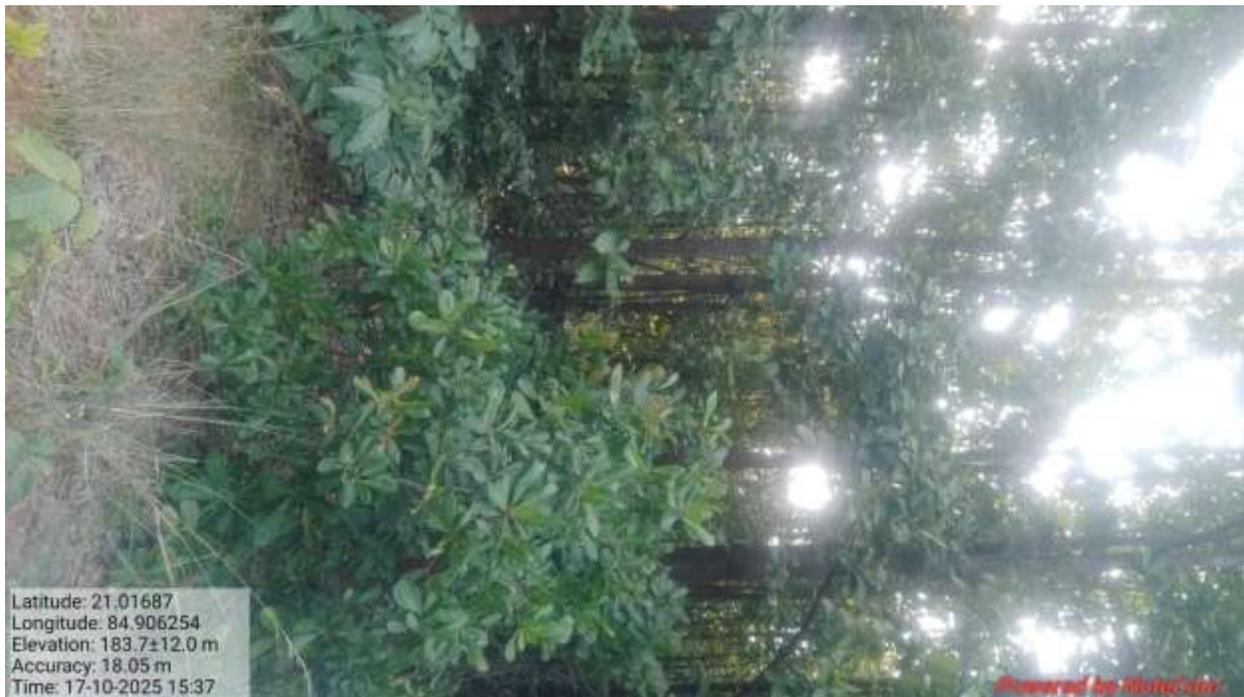

Divisional Forest Officer
Angul Division

Memo No. 9373 / Dated. 25.10.2025

Copy forwarded to the Tahasildar, Chhendipada for information and necessary action. He is requested to depute his concerned Revenue Officials to attend the above joint verification exercise as per date fixed by the Range Officer, Chhendipada Range. Further, you are requested to provide necessary **Status Certificate (Sabik/Hal) as per Govt. records as on 25.10.1980 with reference to the Letter No. 4822 dt. 12.02.2015 of the Chief Secretary, Odisha, Bhubaneswar** to this office for taking further action at this end.


Divisional Forest Officer
Angul Division

THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 17/10/2025 SUGGESTS THE SITE IN QUESTION IS A PHYSICAL FOREST AND QUALIFIES THE DICTIONARY MEANING OF FOREST.



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1737, WHICH IMPLIES THE FOREST DEPARTMENT IS GOING TO FELL MORE THAN 1700 TREES.



THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 17/10/2025 SUGGESTS THE SITE IN QUESTION IS A PHYSICAL FOREST AND QUALIFIES THE DICTIONARY MEANING OF FOREST AND THE FOREST DEPARTMENT AUTHORITIES HAVE ALREADY NUMBERED THE TREES TO FELL DOWN.



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1742, WHICH IMPLIES THE FOREST DEPARTMENT IS GOING TO FELL MORE THAN 1700 TREES



THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 17/10/2025 SUGGESTS THE SITE IN QUESTION IS A PHYSICAL FOREST AND QUALIFIES THE DICTIONARY MEANING OF FOREST



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1741, WHICH IMPLIES THE FOREST DEPARTMENT IS GOING TO FELL MORE THAN 1700 TREES



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1738, WHICH IMPLIES THE FOREST DEPARTMENT IS GOING TO FELL MORE THAN 1700 TREES



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1692,



THAT THE BELOW ATTACHED PHOTOGRAPH DATED 17/10/2025 SUGGESTS THE FOREST DEPARTMENT HAS ALREADY MARKED THE TREES TO BE FELLED AND NUMBERED A TREE AS 1740, WHICH IMPLIES THE FOREST DEPARTMENT IS GOING TO FELL MORE THAN 1700 TREES



THAT THE BELOW ATTACHED PHOTOGRAPHS SHOWS A SIGNBOARD PLACED IN THE SITE IN QUESTION WHERE IN IT IS MENTIONED THAT “ELEPHANT PASSING ZONE”





Sankar Pani <sankarprasadpani@gmail.com>

IA FILED IN OA 187 OF 2024.

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Wed, Oct 29, 2025 at 11:17 PM

To: Samapika Mishra <adv.samapika@gmail.com>, Amrita Pandey <amritalegal@gmail.com>, Bidesh Behera <bidesh.behera@gmail.com>, Pronoy Mohanty <pronoymohanty@gmail.com>

Dear Sir/Madam, please find a copy of the IA filed by the Applicants in OA 187 of 2024 NGT/EZ.

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Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
Res-Plot No 2132/4814(B), Nageswar Tangi,
Bhubaneswar, 751002
Cell- 9437279278
Skype- sankar.pani



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