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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 68 OF 2025

I.A NO.- 112 OF 2025

IN THE MATTER OF:

DUSMANT KUMAR BAL

APPLICANT

VERSUS

STATE OF ODISHA AND ORS

RESPONDENTS

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PLACE: Bhubaneswar

DATE: 03/12/2025

SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE

Plot 2132/4814, Nageswartangi, Bhubaneswar 751002 Cell-9437279278,

Email: [sankarprasadpani@gmail.com](mailto:sankarprasadpani@gmail.com)



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**ORIGINAL APPLICATION NO. 68 OF 2025**

Under Section 19(4) (i), (j), (k) read with 18(1) of National Green Tribunal Act,  
2010

**I.A No.- \_\_\_\_\_ OF 2025**

**IN THE MATTER OF:**

Dusmant Kumar Bal S/o Golakh Chandra Bal, Aged about 45 years  
At/Po/-Aruha Ps-Dharmasala Dist-Jajpur, Odisha, 755024,

**APPLICANT**

**VERSUS**

1. State of Odisha represented by Chief Secretary, Government of Odisha, Lokaseva Bhawan, 751001 Bhubaneswar [csori@nic.in](mailto:csori@nic.in)
2. Additional Chief Secretary, Revenue and Disaster Management Department, Government of Odisha, Lokaseva Bhawan, Bhubaneswar, 751001, [revsec.od@nic.in](mailto:revsec.od@nic.in)
3. Additional Chief Secretary, Forest and Environment Dept, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751001, Email: [fesec.or@nic.in](mailto:fesec.or@nic.in)



4. Collector & Dist. Magistrate Jajpur, At/PO/Dist- Office of the Collector and District Magistrate, Jajpur-755001, Email- [dm-jajpur@nic.in](mailto:dm-jajpur@nic.in)
5. Superintendent of Police, Jajpur, AT/PO-Panikioili, Jajpur, 755043, Pin-  
Email- [spjpp.odpol@nic.in](mailto:spjpp.odpol@nic.in)
6. **Member Secretary, Odisha State Pollution Control Board**  
A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012,  
Odisha Email: [paribesh1@ospcboard.org](mailto:paribesh1@ospcboard.org),
7. **Regional Officer, Odisha State Pollution Control Board, Kalinga**  
nagar, At- Dhabalagiri, Po – F.C Project, Jajpur Road, Dist – Jajpur –  
755020. Email: [rospcb.kalinganagar@ospcboard.org](mailto:rospcb.kalinganagar@ospcboard.org) **(deleted vide order dated 15/04/2025)**
8. **Member Secretary, State Environment Impact Assessment Authority**  
(SEIAA), Odisha, Bhubaneswar, 5RF-2/1, Acharya Vihar, Unit – IX,  
751022 Email: [member.secy@ospcboard.org](mailto:member.secy@ospcboard.org)
9. Director of Mines, directorate of Mines, Government of Orissa,  
Bhubigyan Bhawan , Bhubaneswar, Khordha, PIN-751001  
[dirmines\\_odisha@rediffmail.com](mailto:dirmines_odisha@rediffmail.com)
10. Tahasildar Dharmasala, At/Po/PS- Office of Tahsildar, Dharmasala, Pin-  
755008, Email- [tdrdharmasala@gmail.com](mailto:tdrdharmasala@gmail.com)



11. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office (EZ), A/3, Chandrasekharapur, Bhubaneswar – 751023, Email: [roez.bsr-mef@nic.in](mailto:roez.bsr-mef@nic.in)

12. **Regional Director, Central Ground Water Board**, South Eastern Region, Bhubaneswar Bhujal Bhawan, Khandagiri, Bhubaneswar, Pin- 751030, Email: [rdser-cgwb@nic.in](mailto:rdser-cgwb@nic.in)

13. Deputy Director of Mines, At/Po Jajpur Road, Dist-japur Email: [ddm.jajpurroad@orissaminerals.gov.in](mailto:ddm.jajpurroad@orissaminerals.gov.in) Pin- 758001

14. Director General of Mine Safety, Government of India, HEAD OFFICE, DHANBAD (Jharkhand), PIN: 826001, Email- [usaha@dgms.gov.in](mailto:usaha@dgms.gov.in)

15. SARAT KUMAR JENA, aged about-62 years, S/o- Hrudananda Jena, At/Po- Aruha, Tehsil-Dharmasala, Jajpur -755024

16. MANOJ KUMAR SAMAL, aged about-32 years, S/o- Mahendra Samal, At/Po- Aruha, Tehsil-Dharmasala, Jajpur -755024.....RESPONDENTS

**IN THE MATTER OF : Interlocutory Application for stay of Mining  
Operation in respect of Aruha Stone  
Quarry operated by Respondent No 15**

**IT IS MOST RESPECTFULLY SHOWETH**

I, Dusmant Kumar Bal S/o Golakh Chandra Bal, Aged about 45 years At/Po/-Aruha Ps-Dharmasala Dist-Jajpur, Odisha, 755024, do hereby solemnly affirm and declare that I am the Applicant in the above

X

mentioned Application and I am fully conversant with the facts and circumstances of the case

1. That the present interlocutory application filed challenging the operation of Aruha Black Stone Quarry 2/5, by Respondent No.16, re-arrayed as Respondent No.15 pursuant to the order dated 15/04/2025 of this Hon'ble Tribunal.
2. That the present original application has been filed by the Applicant praying for the following reliefs,

The Hon'ble Tribunal may please to consider to pass the following directions.

- I. Direct the SEIAA and SPCB to withdraw the environment clearance and CTO for violation of EC conditions and non-filing of quarterly environment compliance report
- II. Direct the Committee to ascertain if the quarry is in compliance of CPCB guideline dated 12/05/2020
- III. Show cause the SEIAA authority and SPCB for inaction despite of complaint dated 07/12/2024 and fix the responsibility of the erring officer
- IV. Director of Mines and Geology, Government of Odisha to assess the extent/quantum of Minor Minerals/Stone from the Aruha BSQ Cluster No.2/3 and Aruha BSQ excavated illegally and its market value, **cost of restitution and environmental compensation and recover the same from the private respondent**
- V. Fix the accountability/responsibilities of the concerned Govt. authorities and Tahasildar Dharmasala for their inaction and wilful



dereliction of duties causing loss to the state exchequer and damage to the environment

- VI. Pass such other orders/directions as may be deemed fit and proper in the bonafide interests of justice.
3. That the Hon'ble Tribunal has pleased to issue notice to all the respondents except respondent No. 7 on dated **15/04/2025** and also constituted a **joint committee to submit the inspection report within four weeks**. Pursuant to the order of this Hon'ble Tribunal the joint committee **visited the site in question on dated 08/05/2025** and filed the report before Hon'ble Tribunal.
4. That in the joint committee report under the heading of ***“Allegation on excavation beyond 6 metres depth.”*** It is categorically mentioned that *“For verification of the same, M/S TKS Consultancy Services, Bhubaneswar was requested to conduct survey and submit its report. **The report submitted by the agency on dated 19.04.2025 revealed, excavation has been done beyond six metres in some places of the above two quarries. Taking into account the sensitiveness of the matter & to avoid any future litigation, the ORSAC, Bhubaneswar has been requested vide this office Letter No.2787 dated 07.05.2025 to check the authenticity of the report submitted by MIS TKS Consultancy Services. After confirmation from the ORSAC, the report will be submitted before the Hon'ble Tribunal.***” It is pertinent to mention here that the report

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reveals the quarry has already gone down beyond the permissible limit of 6 meter. (page 249 of the paper book)

5. It is further submitted that in the joint committee report under the heading of *“Extraction beyond the permissible quantity”* it is specifically mentioned that *“M/s. TKS Consultancy Services, Bhubaneswar has been requested vide this office Letter No. 924 dated 18.02.2025 & Letter No.2692 dated 02.05.2025 to assess the volume of black stone extracted which is awaited at its end.”* It is pertinent to mention here that as on date even after **passage of more than 9Months no such report has been filed** by Deputy Director of Minerals Jajpur which clearly suggests the state respondent is deliberately delaying the proceedings of Hon’ble Tribunal and trying to withheld the information from the Hon’ble Tribunal, Needless to say that the quantum of excavation are supposed to be monitored quarterly and the said report along with Compliance of Environmental Clearance conditions are to be submitted to SEIAA; Hence the DDM has failed to discharge its responsibility to benefit the private respondents for the reason known to the authority. (page 249 of paper book)
6. It is pertinent to mention here that M/S TKS Consultancy Services, Bhubaneswar was requested to conduct survey and submit its report. The **report submitted by the agency dated 19.04.2025 revealed that**



**excavation has been done beyond six metres in some places of the above two quarries.**

7. It is further submitted that the Respondent No.15 is carrying the mining operation in violation of citing criteria, mining beyond lease area, mining as evident from the ortho image. Copy of the ortho image is annexed here unto as **ANNEXURE-1**.
8. It is needless to say that the TKS an agency empanelled by the ORSAC has submitted Report on 19/04/2025 long with the Ortho Images of drone survey report dated 28/02/2025 clearly suggesting **there has been mining beyond the lease area and safety zone of 7.5metre has not been maintained**, The ortho image dated 28/02/2025 has also confirmed the excavation beyond 6 metre.
9. In view of this there is a clear breach of EC conditions as the excavation has been done illegally within Safety Zone and beyond mining lease area along with depth of more than 6metre warranting the revocation of Environment Clearance.
10. Rightly the SEIAA on **6/05/2025 had suspended the Environment Clearance letter dated 11/05/2022**, pursuant to **show cause notice dated 30/01/2025** and reminder dated **28/02/2025**. The SEIAA letter dated 6/05/2025 has also noted the fact that the **damage and environment compensation in view of excess mining is still to be levied**. Since the excess mining is already an admitted fact and the Environmental Compensation is the consequential one which could have been assessed using the CPCB guideline of 2018.



- 11.**In view of the Excess mining beyond **annual permissible limit of 42,000Cm** and no further assessment report placed after **2024 till date**, the SEIAA authority may ask for a detail report of **total extraction including excavation within Mining Lease Area, Beyond Lease area from May 2022 till date**, As evident the approved quantity has already excavated, hence the Environmental Clearance may be revoked and Environment Compensation may be imposed for illegal excavation beyond lease area, within Safety zone and Green Belt and mining beyond permitted quantity as per the EC letter along with the closure of the quarry and reclamation of the Mined out Void areas
- 12.**Keeping aside the quantum of black stone excavated, the violation of Environmental Clearance condition is already established in terms of mining in safety zone and beyond lease area, non-filing of quarterly compliance report, citing criteria and as a consequence the Environmental Clearance need to be revoked as per the condition imposed in Environmental Clearance letter dated 11/05/2022.
- 13.**It is pertinent to mention here that the Applicant came to know that the lessee has made application on **8/09/2025 to reinstate the Environment Clearance letter** and revoke the suspension letter and allow the operation of quarry. The said letter also relies on a **High court Order dated 3/09/2025 which was disposed without getting into merit of the case and thereby granting the SEIAA authority to dispose of the representation filed by lessee in accordance with law.** Hence there is no such blanket order to reinstate the Environment Clearance. And as per the merit of the case the violation of Environmental Clearance conditions are apparent and confirmed. Copy of the order passed by Hon'ble High Court order is annexed here unto as **ANNEXURE-2.**
- 14.** It is not out of place to mention here that the SEIAA authority on dated **12/11/2025 withdrawn the abeyance order dated 06/05/2025** without

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considering the grave violations of EC conditions. Copy of the order dated 06/05/2025 AND 12/11/2025 passed by SEIAA Odisha is annexed here unto as ANNEXURE-3.

15. That pursuant to this the Respondent No 15 have started operation of the quarry as the abeyance letter has been revoked. Needless to say there has been no change in the situation from the Suspension of the Environment Clearance letter dated 6/05/2025 and reinstating the Environmental Clearance letter dated 12/11/2025, suggesting the allowing operation of the quarry is a clear case of Non-Application of Mind during the pendency of the proceedings and more particularly violations are of grave n nature which otherwise would result in withdrawal of Environmental Clearance and Cancellation of the Lease Agreement.

**PRAYER**

In view of the above mentioned paragraphs the Hon'ble Tribunal may please to consider to direct the **stop the mining operation of Aruha Black Stone Quarry 2/5 (BSQ) operated by Manoj Kumar Samal Respondent No.15** and stay the Order dated 12/11/2025 passed by State Environment Impact Assessment Authority Odisha.

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

**Bhubaneswar**

**03/12/2024**

**By the Applicant  
Through**

*Spami* *AParty*

**ADVOCATE**



**BEFORE THE NATIONAL GREEN TRIBUNAL AT KOLKATA**

Original Application No.- 68 of 2025

I.A. No.- \_\_\_\_\_ of 2025

**DUSMANT KUMAR BAL**

**APPLICANT**

**VERSUS**

**STATE OF ODISHA &ORS ...**

**RESPONDENTS**

**AFFIDAVIT 9202 077 8 0**

I, Dusmant Kumar Bal S/o Golakh Chandra Bal, Aged about 45 years At/Po/-  
Aruha Ps-Dharmasala Dist-Jajpur, Odisha, 755024, do hereby solemnly affirm  
and declare as under:

1. That I am the Applicant in the above mentioned Application and I am fully conversant with the facts and circumstances of the case
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.



IDENTIFIED BY  
*Advocate* 01/18/23  
ADVOCATE

*Dusmant Kumar Bal*  
DEPONENT

**VERIFICATION**

Verified on this 03 DEC 2025 day of .....2025 at BALU 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.

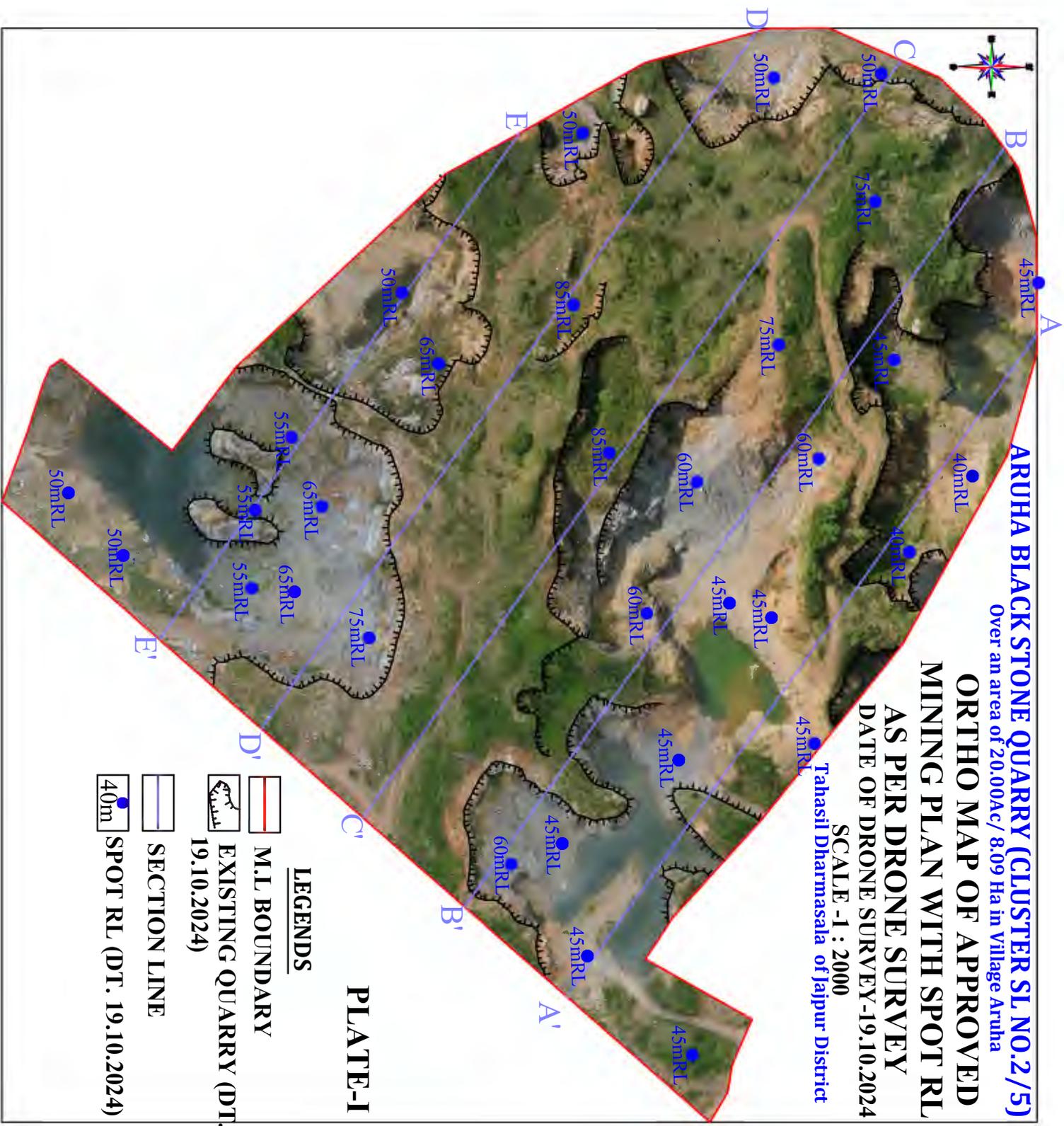
*Dusmant Kumar Bal*

**VERIFICANT**

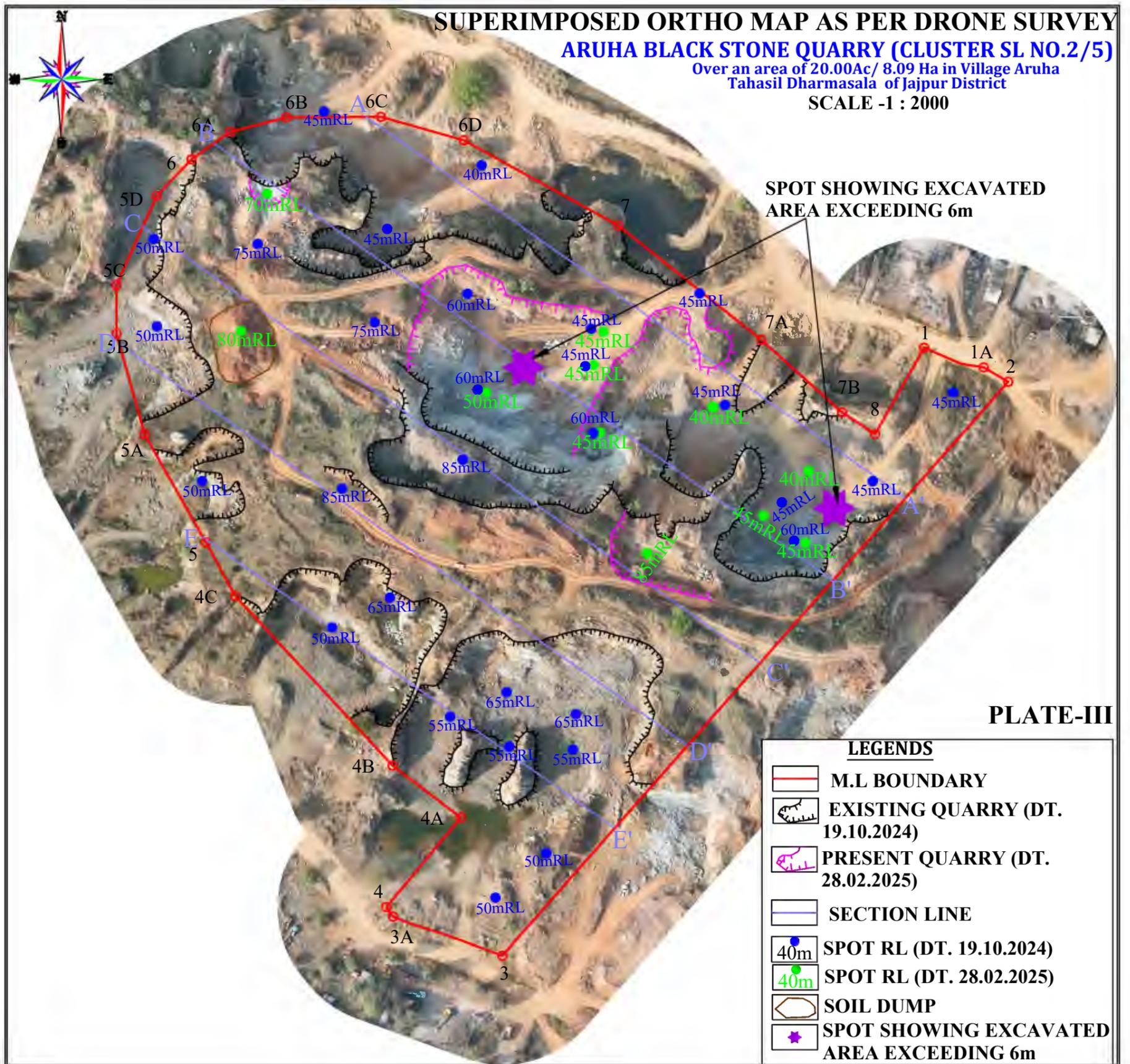


The above named Dependent  
duly identified by *EP. fgm*  
Advocate *03 DEC 2025*  
Appears before me on *03 DEC 2025*  
at *BALU* A.M./P.M. *10/11/23*  
on oath the contents of the affidavit  
are true to the best of my  
knowledge and belief

*Janmejaya Rautray*  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR  
REGD. NO. ON-86/2012  
Mob No-7978581217







IN THE HIGH COURT OF ORISSA AT CUTTACK  
W.P.(C) No.23964 of 2025

*Manoj Kumar Samal* ..... *Petitioner*  
*Mr. Prabhu Prasad Mohanty,*  
*Advocate*

..... -versus-  
*Union of India & Anr.* ..... *Opposite Parties*  
*Mr. Rajesh Kumar Mahapatra,*  
*Sr. Panel Counsel*

**CORAM:**

**THE HON'BLE DR. JUSTICE SANJEEB K. PANIGRAHI**

Order  
No.

ORDER  
03.09.2025

01. 1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this Writ Petition, has made a prayer to quash the letter dated 06.05.2025 of State Level Environment Impact Assessment Authority, Odisha/Opposite Party No.2 under Annexure-9.
3. During course of hearing, learned counsel for the Petitioner submits that before approaching this Court, the Petitioner has already ventilated his grievance before the State Level Environment Impact Assessment Authority, Odisha/Opposite Party No.2 by way of representations dated 11.07.2025 and 28.07.2025 vide Annexures-14 & 15.

Signature Not Verified

Digitally Signed  
Signed by: GITANJALI NAYAK  
Reason: Authentication  
Location: OHC  
Date: 04-Sep-2025 16:33:12





He further submits that the said grievance of the Petitioner is still pending.

4. He, accordingly, prays that a direction may be issued to the State Level Environment Impact Assessment Authority, Odisha/Opposite Party No.2 for considering the said grievance of the Petitioner.

5. Considering the submission of the Petitioner and on going through the averments made in this Writ Petition, this Court without going into the merits of the case, directs the State Level Environment Impact Assessment Authority, Odisha/Opposite Party No.2 to act upon the representation filed by the present Petitioner. The same exercise shall be completed within a period of two weeks from the date of presentation of a certified copy of this order.

6. This Writ Petition is, accordingly, disposed of.

*(Dr. Sanjeeb K. Panigrahi)*  
*Judge*

Signature Not Verified

Digitally Signed  
Signed by: GITANJALI NAYAK  
Reason: Authentication  
Location: OHC  
Date: 04-Sep-2025 16:33:12



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:

seiaaodisha@gmail.com

*(A statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)*Letter no. **6433/** SEIAAA-161/01-2025

Dated: 06.05.2025

To

Sri Manoj Kumar Samal  
S/o- Mahendra Kumar Samal  
At/Po-Aruha, Ps-Dharmasala,  
Dist-Jajpur, Odisha, Pin-755024

**Sub: Intimation on the decision on "Keeping in Abeyance" of the Environment Clearance (EC) Identification No.-EC22B001OR164789 dated 11.05.2022 granted to Sri Manoj Kumar Samal, the successful bidder for mining of stone from Aruha Black Stone Quarry No.05 over an Area 20.00 Ac or 8.09 Ha bearing Khata no.779, Plot No. 2694 (P), 2807 (P) & 2808 (P) in Village-Aruha, Tahasil- Dharmasala, Dist-Jajpur, Odisha -Reg.**

- Ref: 1. EC Identification No.-EC22B001OR164789 dated 11.05.2022**  
**2. Our Show Cause notice to Sri Manoj Kumar Samal vide letter no.6237/SEIAA dated 30.01.2025 & reminder letter no.6310/SEIAA dated 28.02.2025.**  
**3. The Collector & District Magistrate, Jajpur letter no. 4858 dated 29.03.2025**  
**4. Show Cause reply from Sri Manoj Kumar Samal on dated 26.03.2025**

Sir/Madam,

With reference to the above cited subject, it is to inform you that the Environmental Clearance (EC) has been granted by SEIAA, Odisha to the above-mentioned stone quarry of Aruha Black Stone Quarry No.05 as per the application submitted and based on information by the Tahasildar, Dharmasal of Jajpur District and the Project Proponent Sri. Manoj Kumar Samal. The approval for EC was granted vide EC Identification No.-EC22B001OR164789 dated 11.05.2022 to Sri Manoj Kumar Samal, the successful bidder for an extraction quantity of stone material of 42000 cum/annum and total extraction of 210000 cum in 5 years lease period as per the approved Mining Plan dated 29.01.2022 with stipulated conditions and accordingly, the quarry was being operated by the successful bidder/lessee Sri Manoj Kumar Samal.

In the meantime, a public complaint petition dated 06.12.2024 was received from Smt. Banaprava Bal, Sarapanch, Aruha G.P. and villagers of Aruha, Tahasil-Dharmasala, Dist-Jajpur with allegation on over production from Aruha Black Stone Quarry No. 05 over an Area 20.00 Ac or 8.09 Ha. Accordingly, a Show Cause Notice was issued by SEIAA vide letter dated 30.01.2025 with subsequent reminder letter no. 6310/SEIAA dated 28.02.2025 to Sri. Manoj Kumar Samal for excess mining and violation of EC conditions. A copy of the said letter was also marked to the Collector, Jajpur and DDM, Jajpur for

information and to submit enquiry report on the same. Sri. Manoj Kumar Samal has submitted his reply against the Show Cause Notice on dated 26.03.2025 wherein he has accepted that an excess mining of 80,112 cum of stone has been extracted from the source.

The Collector, Jajpur has also intimated vide letter dated 29.03.2025 that due to excess mining of **80,112 cum stone** material from source, a hearing was conducted on the matter by Collector & District Magistrate, Jajpur arising out of W.P. (C) No. 36628/23 for excess mining and a fine amounting of **Rs. 4,20, 47,585/-** was imposed on the lessee Sri. Manoj Kumar Samal, which he has already deposited in 08 (eight) instalments and the OPDR case against him was closed on 26.03.2025.

Further, a case has been filed before the Hon'ble NGT, Eastern Zone Bench, Kolkata vide OA no. 68/2025/EZ in the matter of Dusmant Kumar Bal Vrs Sate of Odisha and Ors. on Aruha Black Stone Quarry over an Area 20.00 Ac or 8.09 Ha of Sri. Manoj Kumar Samal and Aruha BSQ. 03 of Sri. Sarat Jena. After hearing the case, the Hon'ble Tribunal has passed an order on 15.04.2025 with the following directions as follows:

- i. **Para-17 of the order**-All the Respondents shall file their counter-affidavits within four weeks.
- ii. **Para-18 of the order**-Considering the allegations made in the Original Application, we deem it appropriate to constitute a Joint Committee comprising of the following members: -
  - a. Collector & District Magistrate, District- Jajpur or his representative not below the rank of Additional District Magistrate (ADM);
  - b. Senior Scientist, Odisha State Pollution Control Board
  - c. Director of Mines, Directorate of Mines, Government of Orissa, Khordha, Bhubaneswar or his representative.
- iii. **Para-19 of the order**-The Committee shall visit the site in question and thereafter submit an Inspection Report on Affidavit within four weeks with regard to the allegations made in the Original Application.
- iv. **Para-20 of the order**-The Collector and District Magistrate, Dhenkanal shall be the Nodal Office for all logistic purposes and for file the Inspection Report on affidavit.

The matter was placed in the 197<sup>th</sup> meeting of SEIAA, Odisha held on 29.04.2025 and the Authority observed that the project proponent Sri. Manoj Kumar Samal has accepted that there was excess mining of **80,112 cum stone** material from the source of Aruha Black Stone Quarry No. 05 (20.00 acres) for which a fine amounting to **Rs.4,20,47,585/-** was imposed by Tahasildar, Dharmasal which was deposited by him in 08 (eight) instalments and the same was also confirmed by the Collector & District Magistrate, Jajpur vide their letter dated 29.03.2025. However, the fact of mining being done beyond 6 meters depth has not been complied to conclusively and has been referred to ORSAC for scrutiny. Also, the environmental damage caused due to over production has still not been quantified and levied.

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Considering the facts and information submitted and discussion on the matter, the Authority decided that Environmental Clearance (EC) granted to Sri. Manoj Kumar Samal for operation of Aruha Black Stone Quarry No. 05 (20.00 acres) vide EC Identification No. EC22B001OR164789 dated 11.05.2022 shall be kept in abeyance till the final decision on the enquiry report to be submitted by the District Administration as directed vide order dated 15.04.2025 by Hon'ble NGT (EZ) in OA No. 68/2025.

As per the decision taken by SEIAA, the Environmental Clearance (EC) granted to Sri. Manoj Kumar Samal vide EC Identification No.-EC22B001OR164789 dated 11.05.2022 is hereby kept in abeyance for mining of stone from Aruha Black Stone Quarry No.05 over an Area 20.00 Ac or 8.09 Ha bearing Khata no.779, Plot No. 2694 (P), 2807 (P) & 2808 (P) in Village-Aruha, Tahasil-Dharmasala, Dist-Jajpur, Odisha with immediate effect under the Provision of Section 5 of the Environment Protection Act, 1986 and EIA Notification, 2006 and amendments thereof. This is for your kind information and necessary action.

This is issued with approval of Competent Authority

By order of Authority of SEIAA, Odisha

*D Nayak*  
Environment Engineer, SEIAA, Odisha

Memo no. *6434* / SEIAA-161/01-2025

Dated: 06.05.2025

Copy forwarded to

1. The Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. The Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. The Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information and necessary action with respect to the query on issue of CTO to the Project Proponent.
4. The Deputy D.G. Forest (C), Integrated Regional Office (IRO), Ministry of Environment & Forests, A/3, Chandrasekharpur, Bhubaneswar for information.
5. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. The Collector & DM, Jajpur, Sub-Collector, DDM, Jaajpur, Jajpur, DFO, Cuttack, Tahasildar, Dharmasala /Mining Officer, Jajpur for Information and necessary action.
7. Guard file for record/Website/ Parivesh Portal.

*D Nayak*  
Environment Engineer, SEIAA, Odisha



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**  
 5RF-2/L, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:  
 seiaaodisha@gmail.com  
*(A statutory body constituted by Ministry of Environment, Forest & Climate Change under  
 Environment (Protection) Act, 1986)*

File No. SEIAA-257538/545-MINB1/02-2022

Letter no. 6848/SEIAA

Dated 12-11-2025

### OFFICE ORDER

To

Sri Manoj Kumar Samal  
 S/o- Mahendra Kumar Samal  
 At/Po-Aruha, Ps-Dharmasala,  
 Dist-Jajpur, Odisha, Pin-755024

Email-mksamal10@gmail.com

**Sub:** Withdrawn in abeyance of Environment Clearance (EC) Identification No.-EC22B001OR164789 dated 11.05.2022 granted to Sri Manoj Kumar Samal, the successful bidder for mining of stone from Aruha Black Stone Quarry No.05 over an Area 20.00 Ac or 8.09 Ha bearing Khata no.779, Plot No. 2694 (P), 2807 (P) & 2808 (P) in Village-Aruha, Tahasil-Dharmasala, Dist-Jajpur, Odisha -Reg-regarding withdrawn of abeyance of order dated 06.05.2025 of Authority.

**Ref:** 1. Order passed by Hon'ble NGT, EZ, Kolkata on dated 15.04.2025 in O.A. No.68/2025/EZ in the matter of Dusman Kumar Bal Vrs. State of Odisha & Ors.  
 2. EC Identification No.-EC22B001OR164789 dated 11.05.2022  
 3. Our Show Cause notice to Sri Manoj Kumar Samal vide letter no.6237/SEIAA dated 30.01.2025 & reminder letter no.6310/SEIAA dated 28.02.2025.  
 4. The Collector & District Magistrate, Jajpur letter no. 4858 dated 29.03.2025  
 5. Show Cause reply from Sri Manoj Kumar Samal on dated 26.03.2025  
 6. Order passed by Hon'ble High Court of Orissa, Cuttack dated 03.09.2025 in W.P. (C) No. 23964 of 2025.  
 7. SEIAA, Odisha letter no. 6751 dated 19.09.2025 to the Mining Officer, Jajpur regarding quantity of material extraction, depth of mining and penalty imposed for excess mining.  
 8. The Mining Officer, Jajpur reply letter no. 6269 dated 06.10.2025  
 9. Tahasildar letter no. 75158 dated 26.09.2025 addressing to the Mining Officer, Jajpur.  
 10. SEIAA, Odisha letter no. 6791/SEIAA dated 08.10.2025 to The Tahasildar, Dharmasala regarding Methodology, adopted for calculation of Environmental compensation for the said matter.  
 11. Tahasildar, Dharmasala reply letter no. 8071 dated 28.10.2025 to SEIAA, Odisha

Sir/Madam,

The Show Cause Notice was issued by the Authority, SEIAA, Odisha to Sri Manoj Kumar Samal lessee of Aruha Black Stone Quarry No.05 vide letter no. 6237/SEIAA dated 30.01.2025



& reminder letter no.6310/SEIAA dated 28.02.2025 on the basis of Public Complaint petition dated 06.12.2024 of Smt. Banaprava Bal, Sarapanch, Aruha G.P. and villagers of Aruha, Tahasil-Dharmasala, Dist-Jajpur, Odisha and subsequently a case has been file before Hon'ble NGT, EZ, Kolkata in OA. No. 68/2025/EZ regarding excess production and violation of EC conditions. The copy of Show Cause Notice dated 30.01.2025 & 28.02.2025 was also sent to the Collector, Jajpur and DDM, Jajpur to submit an enquiry report on the same

The Collector, Jajpur vide his letter dated 29.03.2025 have intimated that excess mining of 80,112 cum stone material from source Aruha Black Stone Quarry No.05 has been excavated and subsequent hearing on the matter was carried out by the Collector & District Magistrate, Jajpur, arising out of W.P. (C) No. 36628/23 for the excess mining and a fine amounting to Rs. 4,20,47,585/- was imposed on the lessee Sri, Manoj Kumar Samal which was collected from him in 08 (eight) instalments. The lessee has cleared all his outstanding dues at present and that OPDR case has been closed on 26.03.2025.

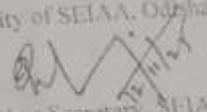
The matter was placed in 197<sup>th</sup> SEIAA, Odisha meeting held on 29.04.2025 and the Authority observed that project proponent, Sri Manoj Kumar Samal has accepted that there was excess mining of 80,112 cum stone material from source of Aruha Black Stone Quarry No. 05 (20.00 acres) for which fine amounting of Rs.4,20,47,585/- was imposed by Tahasildar, Dharmasal which was deposited by him in 08 (eight) instalments and the same was also confirmed by the Collector & District Magistrate, Jajpur vide their letter dated 29.03.2025. However, the fact of mining being done beyond 6-meter depth has not been complied to conclusively and has been referred to ORSAC for scrutiny. Also, the environmental damage caused due to over production has still not been quantified and levied. Considering the facts and information submitted and discussion held on the matter, the Authority decided that Environmental Clearance (EC) granted to Sri Manoj Kumar Samal for operation of Aruha Black Stone Quarry No. 05 (20.00 acres) vide EC Identification No. EC2219001OR164789 dated 11.05.2022 shall be kept in abeyance till the final decision on the enquiry report to be submitted by the District Administration as directed vide order dated 15.04.2025 of Hon'ble NGT (EZ) in OA No. 68/2025. As per the decision of Authority, SEIAA, Odisha, the EC abeyance letter vide letter no. 6433/SEIAA dated 06.05.2025 was issued to Sri Manoj Kumar Samal till the final decision on the enquiry report to be submitted by the District Administration is directed vide order dated 15.04.2025 by Hon'ble NGT (EZ) in OA No. 68/2025. Accordingly, the Cosumer Affidavit was submitted by SEIAA before the Hon'ble NGT and the matter is sub-judice for next hearing on 04.12.2025.

The Project Proponent Sri Manoj Kumar Samal aggrieved by the order dated 06.05.2025 of SEIAA, Odisha, filed a case before the Hon'ble High Court of Orissa vide W.P. (C) No. 23964 of 2025 and after hearing the matter, the Hon'ble High Court vide order dated 03.09.2025 has disposed of the matter with a direction to SEIAA, Odisha/respondent no. 02 to act upon the respondent filed by the present Petitioner. The same exercise shall be completed within a period of two weeks from the date of presentation of certified copy of this order. Further, the petitioner has submitted the petition copy along with certified copy of High Court dated 03.09.2025 by speed post dated 10.02.2025 for consideration of their case. In order to comply the Hon'ble High of Orissa order dated 03.09.2025, the SEIAA, Odisha has issued a letter vide letter no. 6751 dated 19.09.2025 to the Mining Officer, Jajpur regarding the excess quantity of material that has been extracted from the source, depth of mining and penalty imposed for excess mining. The Mining Officer vide their letter no. 6269 dated 06.10.2025 has mentioned that the extraction has not gone beyond six meters from the lowest undisturbed contour line of the lease area as per the authenticity of the report submitted by ORSAC on dated 16.06.2025. Also, mentioned that the lessee Sri Manoj Kumar Samal has deposited the imposed penalty amounting to **Rs.4,20,47,585/-** for over-extraction of **80112 Cum** of black stone which includes royalty, penalty and environmental compensation. The Tahasildar vide letter no. 75158 dated 26.09.2025 addressing to the Mining Officer, Jajpur has also clarified that the amount mentioned vide demand notice has been calculated in compliance to the order passed by the Collector & DM, Jajpur in Misc case no. 109/2023 arising out of W.P.(C) No. 36628/2023. Upon careful examination of the above demand notice along with other Demand passed in various Misc Case in respect of other BSQs, it revealed that same methodology has been adopted for arriving at the final demand amount. However, the demand notice under question i.e. 2244 dated 25.04.2024 along with its relevant case records has been maintained by a different officer. Hence, there are chances that while maintaining the order sheet the then incumbent officer might have failed to reflect the environmental compensation part in the said order sheet. Further, it is noticed that all the demand notice has adopted the same methodology with minor difference in the order sheet. It is further clarified that the environmental compensation has been duly assessed and imposed as part of penalty amount in the demand under question. With reference to Mining Officer letter dated 26.09.2025, the SEIAA, Odisha has issued a letter no. 6791/SEIAA dated 08.10.2025 to the Tahasildar, Dharmasala regarding submission of Methodology adopted for calculation of Environmental compensation for the said matter. The Tahasildar, Dharmasala vide letter no. 8071 dated 28.10.2025 has also clarified that the methodology adopted for calculating the environmental compensation towards environmental damage due to excess mining have been assessed by the competent Authority as per the Approached-2 methodology as prescribed in the

order dated 07.03.2022 of the Hon'ble NGT in OA no. 150/2017/EZ. An amount of Rs.4,20,47,587/- has been realised towards environmental damage and excess extraction of stone material from Aruha Black Stone Quarry of lease area of 20.00 acres.

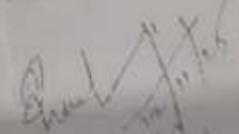
In this regard, the matter has been examined in 250<sup>th</sup> SEIAA, Odisha meeting held on 11.11.2025 and after careful perusal of all the case records, communications with different concerned authorities, and as per the direction of the Hon'ble High Court, Odisha Order dated 03.09.2025 in W.P.(C) No. 23964 of 2025, the Authority decided that the abeyance order of EA letter no. 6433/SEIAA dated 06.05.2025 in respect of Aruha Black Stone Quarry (20.00 acres) in favour of Sri Manoj Kumar Samal is hereby withdrawn subject to outcome of the final order of Hon'ble NGT, EZ, Kolkata in OA No. 68/2025.

By the order of Authority of SEIAA, Odisha

  
Member Secretary, SEIAA

Copy to

1. Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Deputy D.G.Forest, Integrated Regional Office (IRO), Ministry of Environment & Forests, A/31, Chandrasekharpur, Bhubaneswar for information.
5. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. Collector & DM, Jajpur, Sub-Collector, Jajpur, DFO, Cuttack, Tahasildar, Dharmasala Mining Office, Jajpur for Information and necessary action.
7. Sri Manoj Kumar Samal, S/o. Mahendra Kumar Samal, At/Po-Aruha, Ps-Dharmasala, Dist- Jajpur, Odisha, Pin-753024 for information.
8. Grant file for record Website Parivesh Portal.

  
Member Secretary, SEIAA



Sankar Pani &lt;sankarprasadpani@gmail.com&gt;

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**IA FILED BY APPLICANT IN OA 68 OF 2025, NGT-EZ.**

1 message

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**Sankar Pani** <sankarprasadpani@gmail.com>

Wed, Dec 3, 2025 at 4:01 PM

To: "office@padmeshmishra.com" <office@padmeshmishra.com>, Papiya Banerjee Bihani <pbanerjeebihani@gmail.com>, apurba ghosh <apu7law@gmail.com>, Ashok Prasad <Ashokadvhc@gmail.com>, "prabhupadamohanty@gmail.com" <prabhupadamohanty@gmail.com>, Amrita Pandey <amritalegal@gmail.com>, rdser-cgwb@nic.in

Dear Sir/Madam, please find a copy of the IA filed by Applicant in OA 68 of 2025, NGT-EZ.

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