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## BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO- 208 of 2024

IN THE MATTER OF

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST ...Applicant

Versus

STATE OF ODISHA &amp; Ors

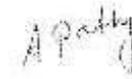
...Respondents

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PLACE: Bhubaneswar

DATE: 11/12/2025

SANKAR PRASAD PANI ASHUTOSH PADHY  
ADVOCATE'S

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,Email-  
[sankarprasadpani@gmail.com](mailto:sankarprasadpani@gmail.com)

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**Original Application No-208 OF 2024/EZ**

**IN THE MATTER OF:**

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST,

.....APPLICANT

VERSUS

State of Odisha and Others

...RESPONDENTS

**REJOINDER AFFIDAVIT ON BEHALF OF APPLICANT**

**MOST RESPECTFULLY SHOWETH:**

I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, do hereby solemnly affirm, and declare as under:

1. That I am the President of the Applicant Trust, Youth United For Sustainable Environmental Trust in the above mentioned application and authorized to sign this affidavit.
2. That the Hon'ble Tribunal vide order dated 17/10/2024 issued notice to all the Respondents and pleaded to constitute a committee comprising of representatives of Regional Officer, MoEF & CC at Bhubaneswar, Principal Chief Conservator of Forests, Government of



Odisha, Director of Mines and Geology, Bhubigyan Bhawan, Bhubaneswar, Khordha, Odisha Pollution Control Board and District Magistrates, Dhenkanal and Jajpur to ascertain factual position of the case. Accordingly the committee **visited the site on dated 26/11/2024** and the Respondent No.7 i.e. State Pollution Control Board has filed the joint committee inspection report on dated **13/12/2024**.

3. That in the inspection report it is categorically mentioned under the heading of observation that *“It was observed that the Nishinta Hill is located at the common boundary of Dhenkanal and Jajpur district, Odisha. It was observed that extraction of stone has been done in patches at multiple portions of the Nishinta Hill. (Copy of the google image attached as Annexure-IV) Demarcation of district and forest boundary is required to ascertain the portion that fall under Jajpur & Dhenkanal district.”* Though there is a clear finding of illegal mining over the site in question however the **State government has failed to identify AND take action against the persons involved in illegal mining along with officers responsible for such lapses.** This attitude of the State Respondents clearly suggests that they are in nexus with the persons involved in illegal mining.
4. It is further submitted that the same report also confirms that extraction of stone in Nischinta hill has been done illegally without obtaining Environmental Clearance (EC), Consent to Operate (CTO),



Blasting License, Forest Clearance etc. & clearance from the concerned Department, **however as on date no action has been taken against the persons involved in illegal mining.**

5. It is further submitted that in the joint inspection report under the heading of recommendations in point No.1 it is specifically mentioned that “*A joint visit may again be conducted comprising of Revenue Authorities of Jajpur & Dhenkanal Districts, Forest Officials of Jajpur & Dhenkanal Districts, Director of Mines & Geology along with the present members of the joint committee for demarcation of forest & revenue boundary.*” **Though more than one year has passed no demarcation has been made as on date by the concerned authorities.**
6. That in the joint inspection report under the heading of recommendations in point No.3 it is specifically mentioned that “*The forest département shall assess the quantum of deforestation caused due to the said stone quarries.*” However as on date **neither any assessment has been made by the Forest department nor any report filed before the Hon’ble Tribunal.**
7. It is further submitted that in the joint inspection report under the heading of recommendation in point number 5 it is categorically mentioned that “*District Administration of Dhenkanal and Jajpur shall demarcate the district boundary by posting pillar so that the*



*quantum of mineral excavated in their respective revenue districts can be assessed and environmental compensation can be computed thereafter.”* **However as on date no such pillar posting has been done by the concerned district administration and the same suggests the lackadaisical attitude towards the protection of environment and safeguarding the minor minerals from theft.**

- 8.** It is not out of place to mention here that based on the observations of the inspection the State Pollution board has issued one **show cause notice to the M/s PRMM Stone Crusher on dated 28/11/2024,** however as on date the **pollution control board has not filed any action taken report** so as to show what action they have taken pursuant to show cause notice.
- 9.** That pursuant to the committee report on dated 16/10/2025, Respondent No.3 and 10 has filed one volume assessment report prepared by Odisha Space Application Centre (ORSAC), **wherein in page No.228 and 260 it is clearly mentioned that 53910.76 cum of stone has been illegally excavated from the site in question** however as on date no action has been taken against the persons involved in illegal mining and officers responsible for latches.
- 10.** It is submitted that the ortho images are given of different mines which are lease quarries and not the illegal quarries in and around Nischinta Hill and also no color photographs have been given.



**Further considering the huge pits around the Nischinta, the quantum of illegal mining reported is abysmal low and apparently all pits have not been measured. As such the ortho images of the pits have not been annexed with the report.**

- 11.** It is most humbly submitted that on dated **12/08/2024** the **DFO Dhenkanal** has intimated the Collector & District Magistrate Dhenkanal (page 37 of the paperbook) regarding **illegal functioning of crushers in village Raigada under Dhenkanal district.** however as on date no action has been taken against the Crushers established illegally over forest land. Surprisingly no steps been taken to evict the stone crushers from Forest and demarcate the land with pillars and fencing the same from further encroachment.
- 12.** It is further submitted that the stone crushers have illegally constructed **one road over forest land for transportation of raw materials and final products** from their respective stone crusher without taking any permission from the competent authorities. All the State Respondents are well aware about the illegally constructed road however they have failed to take any action against the persons who have illegally constructed the road over forest land.
- 13.** That the crusher operators have illegally constructed a road which is exists over Plot No. - 6792/7715, 6796, 7715 of Khata No.-1515,



**Kisam- Gramya Jungle, Mouza-Nihalprasad.** Copy of the KYFL land records suggesting the Plot No. - 6792/7715 of Khata No.- 1515 is recorded under **Gramya Jungle** is annexed here unto as **ANNEXURE-1.**

- 14.** It is further submitted that the Sub- Collector, Dhenkanal on dated 28/06/2024 and 02/07/2024 visited the crushers and during inspection of crusher of the respondent No.- 13 found that the crusher unit is exists over Khata No.- 1433/695, Plot No.- 6793, 6792/9427 and no linkage is produced as the proprietor is the lessee of 3 road metal quarries such as (1) Nihalprasad Road Metal Quarry, (2) Tolarpasi Road Metal Quarry and (3) Nahada Road Metal Quarry-3. **It is pertinent to mention here that the proprietor of M/s Aruni Stone crusher is no more a lessee of Tolarpasi Road Metal Quarry as the environmental clearance granted in favor of the lessee has been withdrawn by the environmental clearance granting authority i.e. SEIAA, and further there exist a gramya jungle kissam land bearing khata No.- 1515, Plot No.- 6796 and 7715 adjoining to the crusher of the Respondent No.13 over which the Respondent No.13 has illegally constructed a road and transporting materials.** Copy of the google earth image and revenue map suggesting the plot No. 6796 and 7715 is adjacent to the crusher is annexed here unto as **ANNEXURE-2.**



15. It is further submitted that during inspection of Crusher of the Respondent No.13, proprietor of the said crusher unit was requested to produce E-Pass in Form-Y w.e.f 01.04.2024 to 01.07.2024. He produced E-Pass in respect of procured raw materials of **1,11,423 Cum (from 01 Jan to 30th June, 2024), the data is given only for six months considering the annual quarry permit and the materials crushed for one year will be much more than the permission granted for annual production of stone.**

16.It is further submitted that the crusher of Respondent No. 11 is exists over **Plot No.- 6799 and 6800 of Khata No. 1433/1546 and the same is contiguous to plot No. 6796 of Khata No. 1515 Mouza- Nihalprasad which is a Gramya Jungle Kissam land and the same land is being used as approach road by the Respondent No.11.** Copy of the google earth image and revenue map suggesting the Plot No. 6796 is contiguous to the crusher land of Respondent No.11 is annexed here unto as **ANNEXURE-3.**

17. That the crusher of Respondent No. 12 is exists over Plot No.- 6797/9417 of Khata No.- 1433/685, Mouza- Nihalprasad and the same land is Copy of the revenue map suggesting the Plot No. 6796 is contiguous to the crusher land of **adjacent to Plot No.- 6796 of Khata No. 1515 Mouza- Nihalprasad which is a Gramya Jungle Kissam land and the same land is being used as approach road by the**

✂

**Respondent No.12.** Copy of the revenue map suggesting Plot No.- 6796 is adjacent to the crusher land of Respondent No.12 is annexed here unto as **ANNEXURE-4.**

**18.**It is not out of place to mention here that the State Respondents have also not responded to the suggestions made by the Applicant vide additional affidavit dated 19/05/2025 and no action plan is formulated to preserve the illegal mining site and curb the illegal mining.

**19.**No inquiry has been made by the forest department in respect of encroachment of forest land by the stone crusher operators and no action has been taken against them as on date.

**Bhubaneswar**

**11/12/2025**

**By the Applicant Through**

**ADVOCATE'S**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO - 208 OF 2024/EZ

IN THE MATTER OF:

YOUTH UNITED FOR SUSTAINABLE ENVIRONMENT TRUST  
APPLICANT

VERSUS

STATE OF ODISHA AND Others ... RESPONDENTS

AFFIDAVIT 11 DEC 2025

I, Santanu Kumar Bhukta S/o Golak Bhukta, Aged about 32 years At/Po-Santhapada, PS-Talcher Dist-Angul, Odisha, 759104, do hereby solemnly affirm, and declare as under:

1. That I am the President of the Applicant Trust, Youth United For Sustainable Environmental Trust in the abovementioned application and authorized to sign this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.



Santanu Kumar Bhukta  
DEPONENT

VERIFICATION

Verified on this 11 DEC 2025 day of .....2025 at B.P. 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 - 0-1018/23

Santanu Kumar Bhukta  
DEPONENT



The above named deponent(s) being duly identified by Sri S.P. Paoli Advocate, Bhubaneswar appears before me on 11 DEC 2025 at 10:25 A.M./P.M. States on oath the contents of this affidavit are true to the best of his/her knowledge and belief

JANMEJAYA RAUTRAY  
NOTARY, GOVT OF ODISHA  
BHUBANESWAR  
REGD. NO. ON-86/2012  
Mob No-7978581217

Deponent(s)

Notary, Bhubaneswar

Handwritten signature and date 11/12/25

THAT THE BELOW ATTACHED KYFL LAND RECORD SUGGESTS THE PLOT NO.6792/771 OF KHATA NO.1515, MOUZA- NIHAL PRASAD IS RECORDED UNDER GRAMYA JUNGLE KISSAM LAND

7:30 53%

☰ **Know Your Land Informa...**

**Location Details**

**Latitude (Deg)**

20

**Latitude (Min)**

48

**Latitude (Sec)**

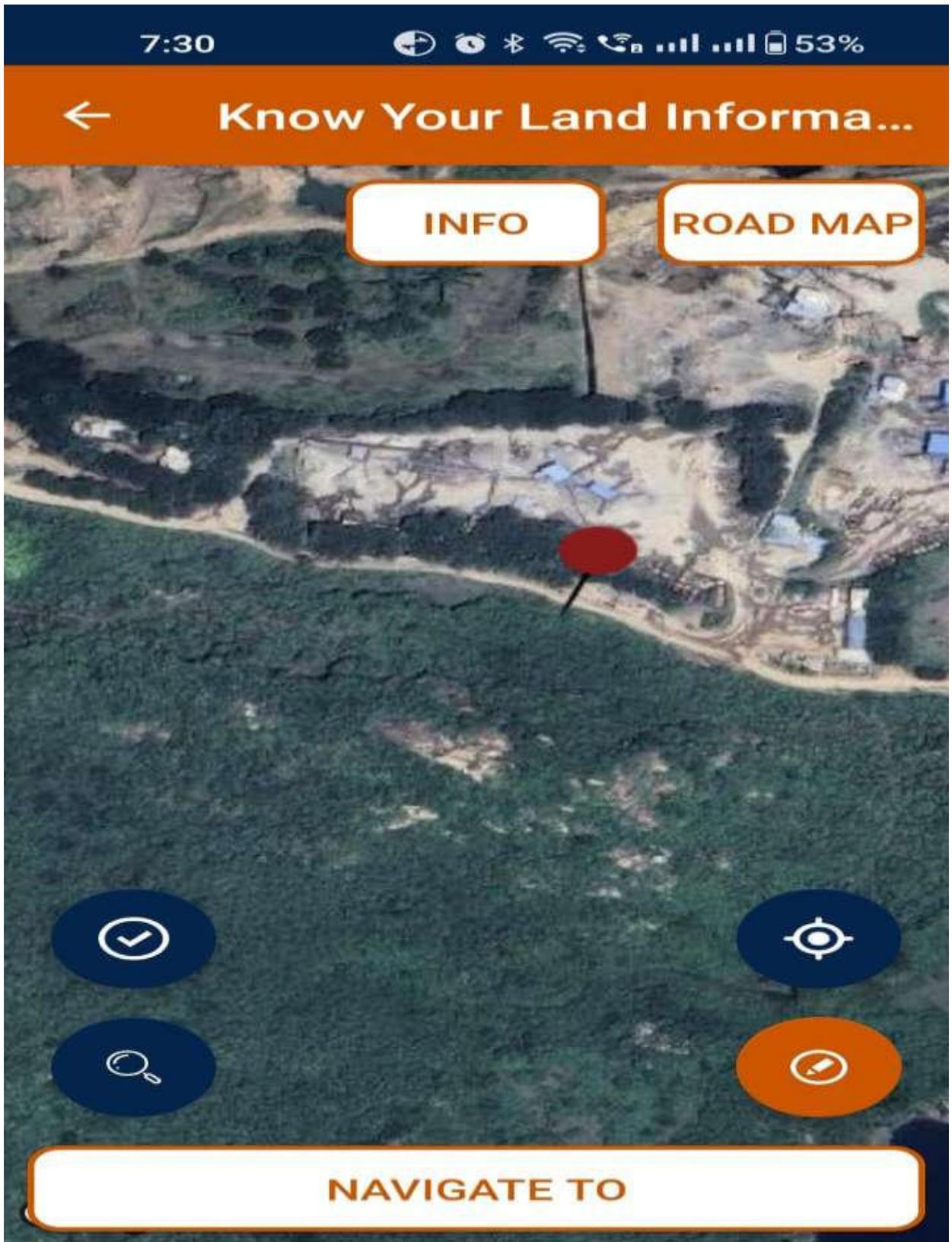
23

**Longitude (Deg)**

86

**Longitude (Min)**

0



7:30

53%



## Know Your Land Informa...

## Revenue Details

District: Dhenkanal

CD Block: Gondia

Gram Panchayat: Nihalprasad

Village: Nihalprasad-168-

Tehsil: Gondia

Khata No: 1515

Plot No: 6792/7715

## ROR Details

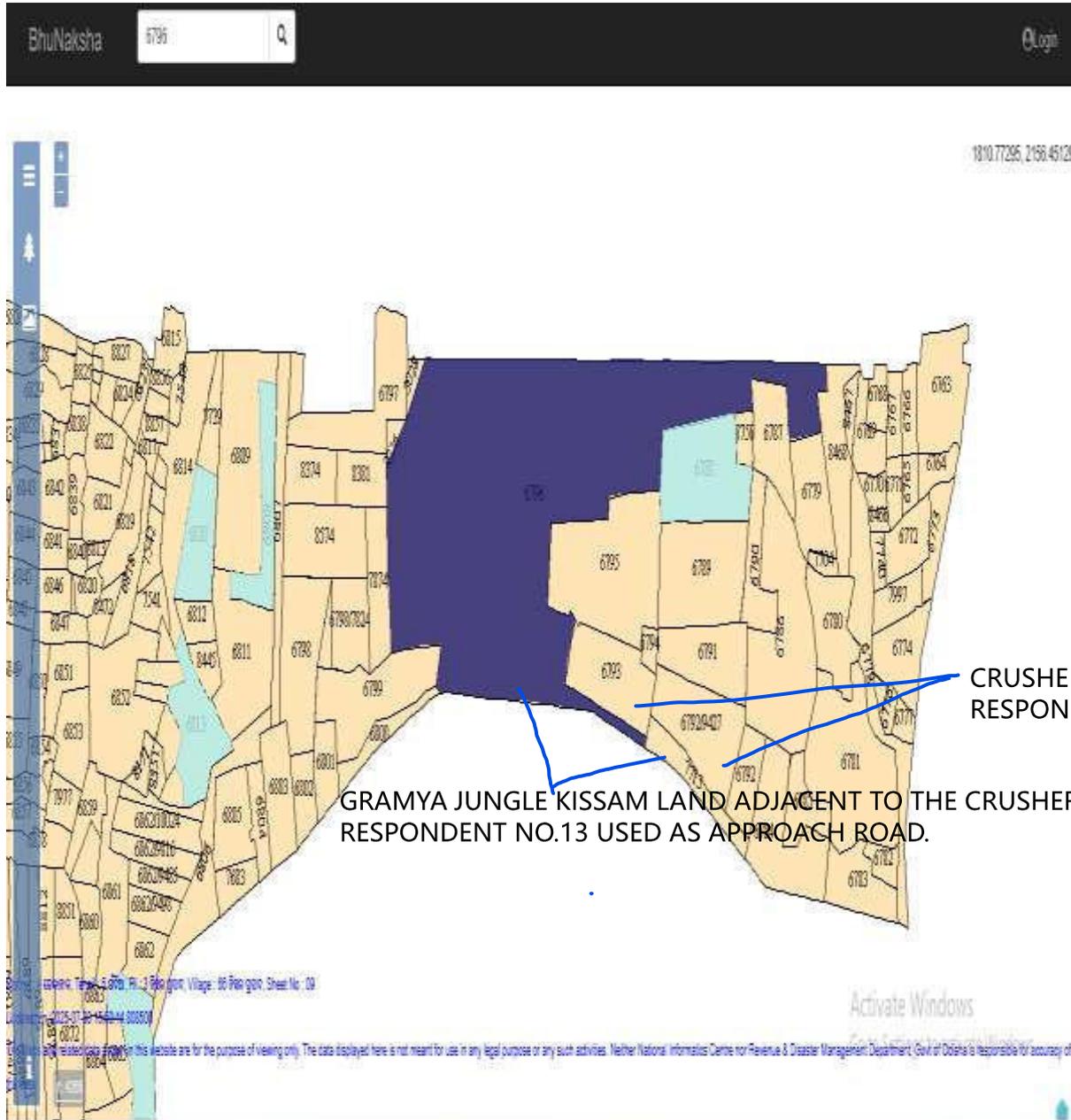
Owner: ରକ୍ଷିତ (RAKHITA)

Land Type: ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ GRAMYA JUNGLE

Area(Ha): 0.279

Area(Acre): 0.690

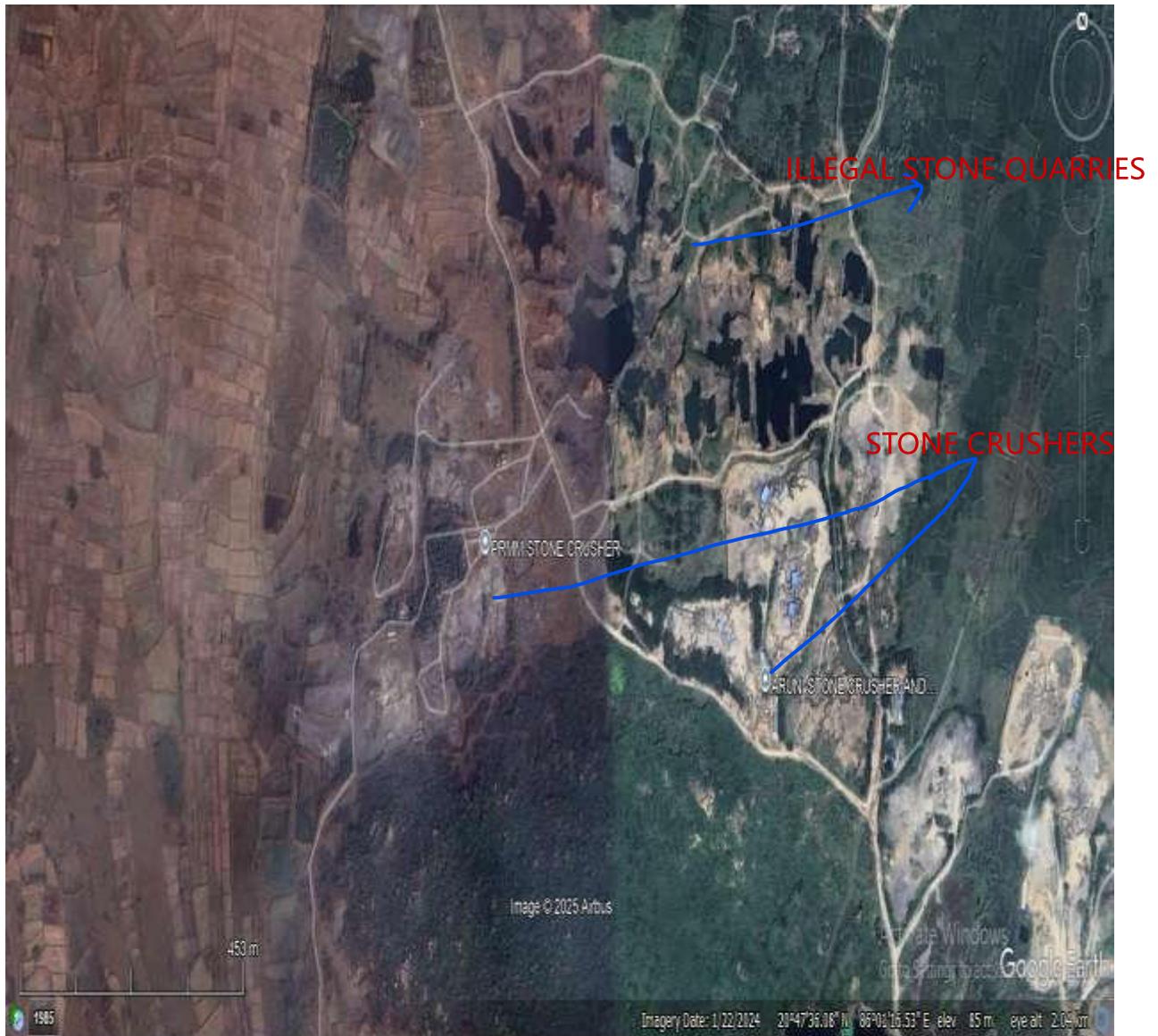
THAT THE BELOW ATTACHED REVENUE MAP SUGGESTS THE PLOT No. 6796 and 7715 IS GRAMYA JUNGLE KISSAM LAND AND ADJACENT TO THE CRUSHER LAND OF RESPONDENT NO.13.



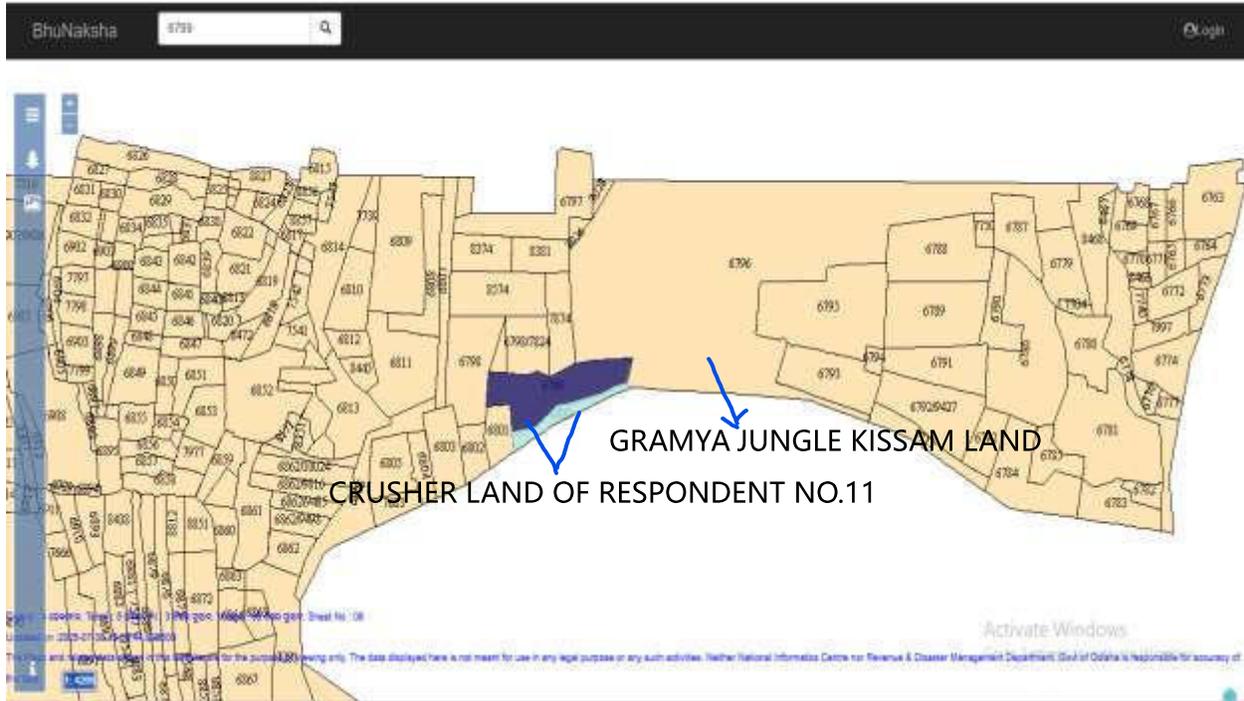
THAT THE BELOW ATTACHED GOOGLE EARTH IMAGE SUGGEST THE RESPONDENT NO.13 HAS ILLEGALLY CONSTRUCTED APPROACH ROAD OVER THE FOREST KISSAM LAND AND TRANSPORTING MATERIALS OVER THE ILLEGALLY CONSTRUCTED ROAD.



THAT THE BELOW ATTACHED GOOGLE EARTH IMAGE SUGGESTS THE ILLEGAL STONE QUARRIES ARE IN CLOSE PROXIMITY TO THE CRUSHERS.



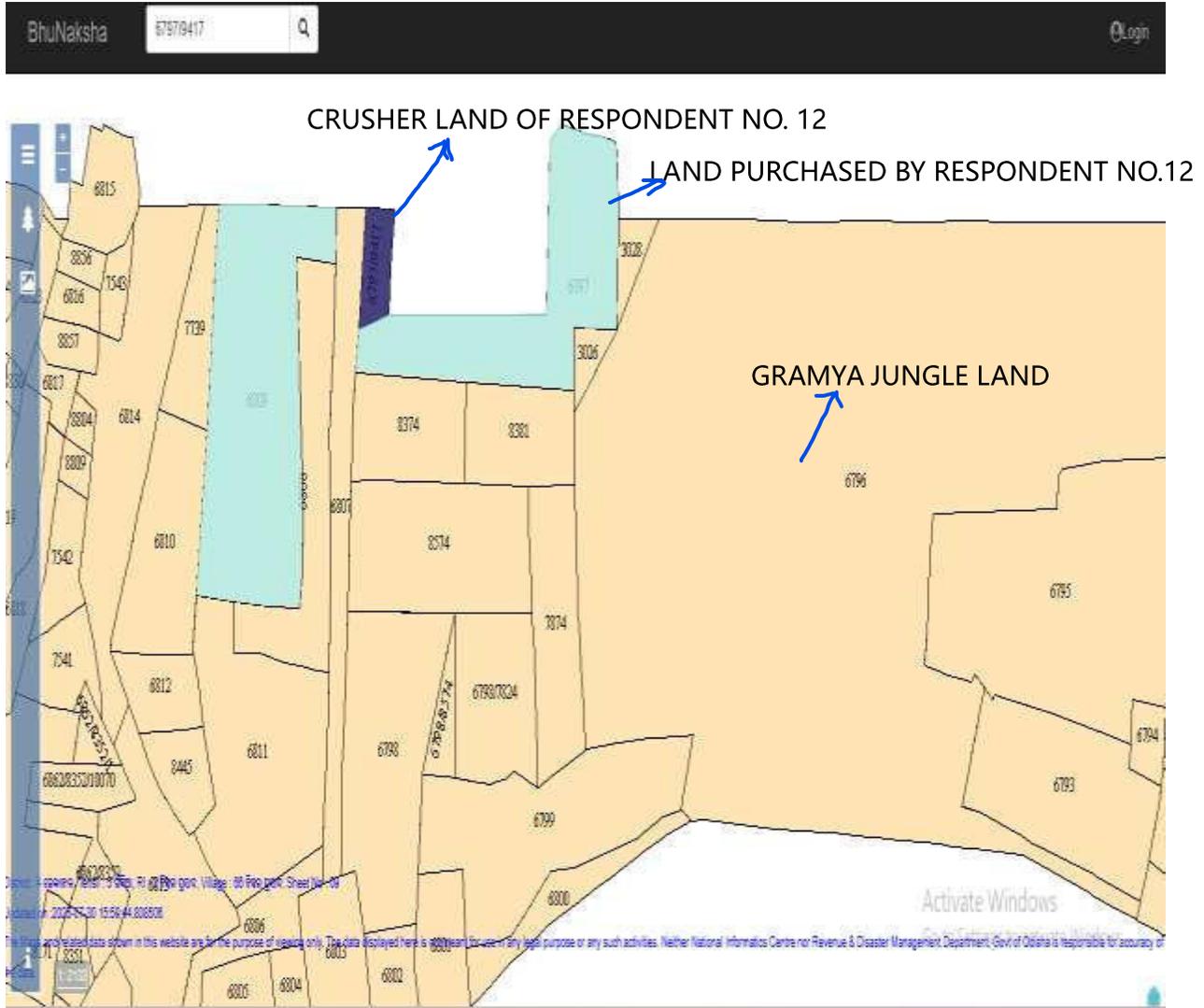
THAT THE BELOW ATTACHED REVENUE MAP SUGGESTS THE PLOT No. 6796 IS GRAMYA JUNGLE KISSAM LAND AND ADJACENT TO THE CRUSHER LAND OF RESPONDENT NO.11



THAT THE BELOW ATTACHED GOOGLE EARTH IMAGE SUGGESTS THE RESPONDENT NO.11 HAS ILLEGALLY CONSTRUCTED ROAD OVER GRAMYA JUNGLE KISSAM LAND FOR TRANSPORATION OF MATERIALS.



THAT THE BELOW ATTACHED REVENUE MAP SUGGESTS THE PLOT No. 6796 IS GRAMYA JUNGLE KISSAM LAND AND ADJACENT TO THE CRUSHER LAND OF RESPONDENT NO.12





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

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**REJOINER AFFIDAVIT FILED ONBEHALF OF APPLICANT IN THE MATTER OF  
OA 208/2024, NGT-EZ**

1 message

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

Thu, Dec 11, 2025 at 1:37 PM

To: ADVOCATE GENERAL ODISHA <advgen@nic.in>, Dipanjan Ghosh <dpnjnghsh0@gmail.com>, Rashmi Bothra <rashmibothra24@gmail.com>, "Akhand." <akhand111@gmail.com>, "adv.soumya92@gmail.com" <adv.soumya92@gmail.com>, jagamohan\_pattanaik@yahoo.com

Dear Sir/Madam, please find the attachment.

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Sankar Prasad Pani, Environment Lawyer  
National Green Tribunal Kolkata & Orissa Highcourt  
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**REJOINER 208.pdf**

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