

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH KOLKATA****Original Application No. -**

IN THE MATTER OF :

SUJATA BISWAL**PETITIONER****VERSUS****STATE OF ODISHA & ORS.****RESPONDENTS****INDEX**

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DATE 11/1/2026**SUJATA BISWAL***Sujata Biswal***PLACE PURI**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH KOLKATA

Original Application No. -

IN THE MATTER OF :

SUJATA BISWAL

PETITIONER

VERSUS

STATE OF ODISHA & ORS.

RESPONDENTS

SYNOPSIS

That the petitioner is approaching this Hon'ble National Green Tribunal against the environment pollution which is being caused by respondent no. 7. The respondent no. 7 undertake Fly Ash Bricks manufacturing unit and related activities, causing immense dust to affect the region, without boundary wall in surrounding area , mandatory sprinkling water to suppress the dust thereby resulted in extreme air pollution and severe noise pollution in the area of pipili, District Puri of Odisha. As the fly ash bricks manufacturing activities are operational in day as well as during night time, the daily life of the residents are adversely impacted, disallowing resident a noise-free and peaceful sleep whereby the prime fundamental right to life of villagers are being snatched by the respondents. Respondent no 7 violating the guideline issued by CPCB regarding fly ash industries.

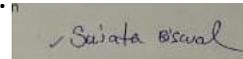
It has no boundary wall, no acoustic barrier, and fly ash is dumped in the open air, exposing residents to toxic airborne particulates. As per SPCB norms, fly ash brick industries must maintain adequate setback distance from residential areas, use enclosed handling systems, and avoid manual loading - none of which are followed here. Sound Pollution Beyond Permissible Limits: At midnight hours, particularly around 2 AM, 10-wheeled heavy trucks unload sand and bricks with noise levels crossing 120

decibels, equivalent to physical trauma. Children wake up screaming, walls shake from mechanical vibrations, and elderly patients with asthma and cardiac conditions suffer frequent attacks. 24x7 industrial noise due to continuous hammering of machinery and steel drums, making normal life impossible for residents

Enquiry conducted by state pollution control board also recorded non compliance of laws and causing pollution. Unit not obtained Noc From local authority, as per master plan entire area is reserved for residential area , commercial activity can not operated from this area.

The sites of respondent no. 7 are in close proximity to human settlements, Also, as per CPCB Guideline respondent units are obligated to take consent of CTE And CTO but that is not taken by respondent no 7, no plant trees to minimize the environment damage but the same has not been done by any of the respondents.

The stone crushing units of the respondent no.7 functioning in the area have not installed water sprinkling system and huge clouds of dust are spread everywhere in the region. No efforts on the part of management are made to minimize pollution and its adverse impacts on environment, human health, vegetation and livelihood. Therefore, the respondent no.7 have violated Environment (Protection)Act and Air Act. All of the above acts of respondent no. 7 resulted in creation of unhealthy and polluted environment. The petitioner along with other residents, is helpless to witness their clean homes to turn dusty, unclean and polluted. Therefore, the petitioner is praying to this Hon'ble Tribunal for stopping the extreme damage to the environment by the respondent no.7.



DATE 11/01/2026

SUJATA BISWAL

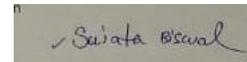
PLACE Puri

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH KOLKATA****Original Application No. -**

IN THE MATTER OF :

SUJATA BISWAL**PETITIONER****VERSUS****STATE OF ODISHA & ORS.****RESPONDENTS****CHRONOLOGY OF EVENT**

Date	Particulars
03/2025	Applicant made compliant before Tehsildar
05/04/2025	Applicant receive reply of Tehsildar
21/04/2025	Applicant Filed an RTI Application
22/07/2025	Enquiry conducted by state pollution control board


DATE 11/01/2026**SUJATA BISWAL****PLACE Puri**

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

Original Application No. -

IN THE MATTER OF :

SUJATA BISWAL

S/O SATYASUNDAR BISWAL

AGED ABOUT 22 YEARS, R/O AASTHA HIGHWAY APARTMENT UTTARA BLOCK ,
DISTRICT PURI ODISHA

E Mail Id sbiswal12356789@gmail.com

PETITIONER

VERSUS

1. State of Odisha

Through Chief Secretary

LokSevaBhawan, SachivalayaMarg, Bhubaneswar, Odisha 751001.

Email : Cmo@nic.in

2. Central Pollution Control Board

Through its Member Secretary

Parivesh Bhawan ,East Arjun Nagar ,Delhi 110032

E Mail ccb.cpcb@nic.in

3. Odisha State Pollution Control Board

Through Member Secretary

ParibeshBhawan, A/118, NilakanthaNagar,Unit – VIII, Bhubaneswar – 751012, Odisha

Email paribesh1@ospcb.org

4. District Magistrate Puri

Chakra Tirtha Road, Dolamandap, Puri, Odisha, 752001

Email DM-PURI@NIC.IN

5. Tahasildar,

Pipili Office of Tahasildar, Pipili, Puri District, Odisha - 752014

E Mail Id tah.pipili-od@nic.in

6. Odisha Government, Department of Environment and Forests

Through PCCF

Kharavel Bhavan ,Odisha Secreteriat
Bhubaneswar- 751001

Mail Id fesec.or@od.gov.in

7. Thakur Fly Ash Bricks

Through: BikramKeshariPradhan (Owner)

, Pipili, Puri District, Odisha Pin Code 752104

&

Plot no 464 uttarasasan PO Kausalyaganga PS

Dhauri, Bhubaneswar DistKhordha

E Mail Id Thkur67@gmail.com

8. SmtRajalaxmiPradhan

Plot no 464 uttarasasan PO Kausalyaganga PS

Dhauri, Bhubaneswar DistKhordha 752104

E Mail Id rajalaxmi56@gmail.com

RESPONDENTS

ORIGINAL APPLICATION UNDER SECTION 14,15 READ WITH SECTION 18 OF THE NATIONAL GREEN TRIBUNAL ACT 2010

It is humbly submitted by the petitioners as under:

FACTS OF THE CASE

- 1) That the humble petitioner is a resident of Pipili, district Puri, Odisha who is badly affected by the extreme air pollution and exhausting noise pollution done on largescale by stone mining and stone crusher units of respondent no. 7

- 2) That the respondent no 1 to 6 are government bodies who are responsible and Authorized for taking action against illegal Fly ash bricks unit and inspection of statutory and regulatory compliances in District Puri, Odisha.
- 3) That the respondent no. 7 are project proponents carrying out Fly ash bricks manufacturing activity in Pipili district puri and respondent no 8 is owner of fly ash industry . These units are operational and violating the mandatory terms of CPCB Guidelines damaging environment by frustrating air with huge clouds of dust without putting any dust suppression mechanism, no boundary wall, no concrete road developed, No Green Belt area developed , carrying uncovered and illegal transportation of crushed material also blasting/explosion in mines 24*7.
- 4) That respondent no. 7 have bluntly violated every mandatory There is discharge of fugitive emission from the fly ash Bricks unit which has caused to people respiratory infection such as Asthma diseases like respiratory, eye & skin irritation, diarrhea and lung ailments
- 5) The dust from the respondent no 7 units is more than the permissible limits causing air pollution but because PCB does not execute regular inspections of the Fly Ash Unit of respondent no.7, this has made the respondents no.7 confident to violate so many mandatory rules to minimize damage to environment and human health. Further, the respondents no.7 are operating in violation of CPCB guidelines to conserve environment.
- 6) That respondent no 7 Thakur Fly Ash Bricks unit, located within 10 meters of densely populated residential buildings including Aastha Highway Apartment and Gopinath Nagar Colony, is operating in flagrant violation of SPCB guidelines. , Photo Of Unit is annexed AS **ANNEXURE A3 page 24-26**
- 7) That It has no boundary wall, no acoustic barrier, and fly ash is dumped in the open air, exposing residents to toxic airborne

particulates. As per SPCB norms, fly ash brick industries must maintain adequate setback distance from residential areas, use enclosed handling systems, and avoid manual loading - none of which are followed here.

- 8) That Sound Pollution Beyond Permissible Limits: At midnight hours, particularly around 2 AM, 10-wheeled heavy trucks unload sand and bricks with noise levels crossing 120 decibels, equivalent to physical trauma.
- 9) That Children wake up screaming, walls shake from mechanical vibrations, and elderly patients with asthma and cardiac conditions suffer frequent attacks. 24x7 industrial noise due to continuous hammering of machinery and steel drums, making normal life impossible for residents. Use of laborers who shout and use slangs in the residential area, creating an atmosphere of Dangerous Proximity & Health Hazards:
- 10) That The plant's proximity, open dumping, and constant dust release have led to documented medical emergencies, including unconsciousness in an elderly asthma patient and risk of cardiac episodes in senior citizen. SPCB's own white industry norms are being trampled, and yet no action has been taken. Misuse of 'White Industry' Classification: The Tahasildar Pipili gave a clean chit in Letter No. 3049, declaring the unit non-polluting merely because it falls under the 'white category'-ignoring ground realities, letter is annexed as **ANNEXURE A2** page 21
- 11) That State Pollution issued letter to Respondent no 7 & 8 that no consent required that is against the Provision of CPCB Guidelines, Copy Of State Pollution Board is annexed as **ANNEXURE A3** page 22-23
- 12) That We question: Can an industry be declared non-polluting just because of its classification, even if it violates every practical and scientific condition on the ground? Does a 'white industry' have the right to pollute simply because of its administrative tag? Can 'white

industry' mean no regulation, no accountability, and no legal limit?.

Despite numerous complaints, No action taken.

- 13)** That Repeated Inaction Despite Multiple Complaints: DM20251104298 filed on 15 February 2025: Marked as disposed without action. DM20251168953 filed on 21 April 2025: Ignored without acknowledgement. CMO20251118640: Disposed by forwarding to the very office (Tahasil) accused of wrongdoing. RTIAPPEAL25052217884: First appeal filed after Pipili Tahasil failed to respond to any RTI no reply, no transparency, and no accountability. Violation of Fundamental Rights & Environmental Laws: This is not only a pollution issue but a human rights issue, where residents have been denied clean air, peaceful sleep, and physical safety. Article 21 of the Indian Constitution, guaranteeing Right to Life, is under threat, copy Of RTI Application annexed As **ANNEXURE A5 page page 27-32**
- 14)** That on dated 26/07/2022 CPCB issued Revised Guideline for Bricks industry , That guideline is not complied by Respondent no 7 , also State Pollution Control not taking any action against violators ,Copy Of CPCB Annexed as **ANNEXURE A6 page page 33-37**
- 15)** That being aggrieved by the extensive non-compliance of the environmental laws by the respondent no.7 and in order to protect the right relating to environment belonging to the Petitioner & villagers, the instant original petition is being filed on the ground mentioned below.
- 16)** That Petitioner also made complaint , enquiry was conducted on complaint it was found that the boundary wall is about 10 feet from the residence side and about 5 feet from the factory side , also found that no permission taken from CGWA and no NOC obtained from local authority to operate a fly ash brick manufacturing unit , Copy Of Enquiry Report annexed AS **ANNEXURE Apage 17-20**
- 17)** That As Per Uttarasaran Mouza master plot no 464 comes under residential use zone area , so commercial activity can not be done, its illegal , copy of master plan annexed as **ANNEXURE A7 page 38**

- 18) That satellite image of factory and residential houses showing that these unit is just adjacent to residential house , Copy is annexed as **ANNEXURE A8 page 39-40**
- 19) That the Odisha State Pollution Control Board inspection/record categorically notes that the said industrial unit is situated at a distance of approximately 3 metres / 10 feet from a residential house, which is in gross violation of environmental siting norms and safety safeguards
- 20) That the Comprehensive Development Plan (CDP) applicable to the said area unequivocally classifies Plot No. 464 as a Residential Zone, where industrial activity is not permitted, and it is respectfully submitted that the classification of the unit as a “White Category” industry does not and cannot override land-use and planning laws
- 21) That the Odisha State Pollution Control Board has further recorded in its official inspection/communication that the operation of the said unit has the potential to cause nuisance to the surrounding residential area due to dust emission, fly ash dispersion, and extremely close proximity to inhabited houses. Such admission by the statutory regulator itself establishes a continuing risk to public health and the environment.
- 22) That as per the siting guidelines issued by the Central Pollution Control Board (CPCB) for brick kilns and similar units, a minimum distance of 800 metres from residential habitation is mandatory. In the present case, the unit is admittedly located at a distance of only approximately 3 metres / 10 feet from an occupied residential house, which constitutes a blatant violation of the CPCB siting criteria and independently warrants immediate interim restraint.
- 23) That the continued operation of the said unit during the pendency of the Original Application would cause irreparable environmental and health-related harm, and the case squarely attracts the precautionary principle, wherein even a potential environmental risk warrants preventive and interim action.

24) That the balance of convenience lies entirely in favour of the Applicant and the affected residents. No prejudice will be caused to the Respondents by directing compliance with law, whereas grave and irreversible prejudice will be caused to public health and the environment if interim protection is denied.

GROUNDS

1. That the Fly ash Bricks industry operated by the respondent no 7 are contrary to the CPCB Guidelines liable for the cancellation of CTO and to be closed down under Air Act.
2. That the respondent no.7 have been operating in continuous non-compliance of CPCB guidelines and environmental law such that the conditions of CPCB are not adhered, That the respondent no.7 have been causing immense air pollution above the permissible limits and violated Air Act.
3. That because respondent no.7 have failed to take any measures for dust suppression, they have damaged the environment and leading to ill health more particularly respiratory problems to the villagers, therefore liable to be closed down under section 5 of the Environment (Protection) Act.
4. That because the Fly ash Bricks industry of the respondent 7 are adjacent to the house of petitioner as well as houses of other villagers which is not only creating a nuisance to the residence but also damaging the crop, which is source of income of villagers. Such act of the respondent 7 against the Fundamental rights of the villagers.
5. Because Villagers also complaints orally to different authority but no action has been taken, written Compliant also made but no action has been taking , authorities are not taking this issue seriously ,
6. That respondent 7 have caused dusty fields which has damaged food for the cattle. Further, there has been no tree plantation by the respondents, whereby making it clear that respondent has no concern

for causing irreversible damage to environment and will continue to pollute without taking any preventive measure.

7. That Respondent no 1,3,&4 failed to discharge their responsibility no action has been taken to stop functioning of Fly ash industry which violating the CPCB and State PCB Guidelines.
8. That activities of respondent no.7 are operationalised in day as well as during night time, the daily life of the villagers are adversely impacted, disallowing all villagers a noise-free and peaceful sleep. In *Farhd K. Wadia v. Union of India, 2009 AIR SCW 1294 : 2009 (2) SCC 422*, it was held that the interference by the Court of noise pollution is premised on the basis that a citizen has certain rights being “necessity of silence”, “necessity of sleep”, “process during sleep” and “rest”, which are biological necessities and essential for health. Silence is considered to be golden. It is considered to be one of the human rights as noise is injurious to human health which is required to be preserved at any cost.
9. That in case of F.K. Hussain vs Union Of India And Ors, 1990, recognising that right to health is a part of the right to live under Art. 21, the Hon’ble Kerala High Court has observed that the right to clean water and air are attributes of the right to life.
10. That in the matter of M.C. Mehta vs. Union of India, the Hon’ble Supreme Court had stated that the right to live includes living in a pollution-free environment and being free from diseases
11. That the respondent no.7 are polluting the air and thus responsible to be closed down, and are called ‘polluters’ such that the liability of polluting the air is naturally imposed on the respondent no.7. It was held that in MC Mehta v. Kamal Nath & Ors that “One who pollutes the environment must pay to reverse the damage caused by his acts”. The Polluter Pays principle has been held to be a sound principle by this Court in *Indian Council for Environ-Legal Action v. Union of India*.

12. That Due to Above said acts the entire ecology of district is badly affected, therefore interference of this Hon'ble Tribunal is necessary in the interest of Justice to safe the entire ecology system.

INTERIM PRAYER

1. That the the Hon'ble Tribunal may be pleased to direct The Respondent no 7 to stop its mining Activity/operation until till The Hon'ble Tribunal comes to a final decision regarding safeguarding the interest of the environment.
2. That the Hon'ble Tribunal may be pleased to Direct the Respondent no 2,3 ,4 to carry out a field inspection of the area in question and assess the damage..

LIMITATION

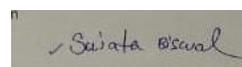
That respondent no.7 are operational and presently carrying industrial activities without complying to the conditions mandatory issued by CPCB and in violation to environmental laws The cause of Action is continuing in nature and therefore the present original application is filed within the period of limitation prescribed under the act. First time cause of action arises when Enquiry report received on dated 18 dec 2025 and found that respondent no 7 violating environmental norms.

PRAYER

In view of the above Fact and Submission, the Hon'ble Tribunal may be please to grant following relief as under:

1. Direct immediate suspension / closure of the fly ash brick manufacturing unit operating at Plot No. 464, Pipili Tahasil, District Puri, Odisha, pending final disposal of the Original Application

2. Restrain the Project Proponent from carrying out any industrial activity at the said site during the pendency of the Original Application
3. Direct the Respondents to act in accordance with the precautionary principle, in view of the admitted potential nuisance recorded by the Odisha State Pollution Control.
4. That this Hon'ble Tribunal may be pleased to Pass any other order, direction, or relief this Hon'ble Tribunal deems fit in the interest of justice, environment, and public safety



DATE 11/01/2026

SUJATA BISWAL

PLACE Puri

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH AT KOLKATA

ORIGINAL APPLICATION NO

IN THE MATTER OF:-

SUJATA BISWAL

PETITIONER

VERSUS

STATE OF ODISHA & ORS.

RESPONDENTS

Sujata Biswal
Jagyneshwar Acharya
Notary, Govt. of India
Odisha, BBSR, Dist.- Khurda
Regd. No.-7796/2009
8455889397

21 NOV 2025

AFFIDAVIT

I SUJATA BISWAL S/O SATYASUNDAR BISWAL AGED ABOUT 22 YEARS, R/O AASTHA HIGHWAY APARTMENT UTTARA BLOCK, DISTRICT PURI ODISHA do hereby solemnly affirm on oath as under

1. That ,I am the applicant in the instant case and fully conversant with the facts of the case and hence, competent to swear on this affidavit.
2. That ,I am filing the Present Original Application Along with Annexure before the Hon'ble Tribunal the Contents from Para 1 to last have been drafted on my instruction and the same have been explained to me by my counsel.
3. That ,I have been read and understood the contents and based on the documents filed along with the application

Sujata Biswal

DEPONENT

Jagyneshwar Acharya
Notary, Govt. of India
Odisha, BBSR, Dist.- Khurda
Regd. No.-7796/2009
8455889397

VERIFICATION

I, The above named deponent do hereby verify that the contents of the paras above are true and correct and no material fact has been concealed.

Signed and verified on this 21 Day of Nov, 2025 at

Sujata Biswal

DEPONENT

//SWORN BEFORE ME//

IDENTIFIED BY ME
Saleem
ADVOCATE BBSR

21/11/2025
Jagyneshwar Acharya
Notary, Govt. of India
Odisha, BBSR, Dist.- Khurda
Regd. No.-7796/2009
8455889397



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

ORIGINALAPPLICATION

THE MATTER OF:-

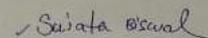
SUJATA BISWAL**PETITIONER****VERSUS****STATE OF ODISHA & ORS.****RESPONDENTS****LIST OF DOCUMENTS**

S.NO.	PARTICULAR'S	ANNEXURE	PAGE NO
1	Enquiry Report	A1	17-20
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DATE 11/01/2026

SUJATA BISWAL

PLACE PURI



ENQUIRY REPORT W.R.T PUBLIC COMPLAIN RECEIVED FROM Ms. SUJATA BISWAL THROUGH ONLINE ON DTD.18.12.2025 REGARDING VIOLATION OF CPCB GUIDELINE AND ENVIRONMENTAL DAMAGE BY FLY ASH BRICK FACTORY AT PIPILI, DIST-PURI

Background of the Inspection: -

Earlier enquiry has already been conducted on 11.07.2025 on the above said matter w.r.t Hon'ble OHRC Case No. 1491/2025 & Case No. 1803/2025 filed by Ms. Sujata Biswal At: - Uttara Sasan, Block; - Pipili, Dist: Puri against M/s. Thakur Fly Ash Bricks located adjacent to residential apartment by name Astha Highway Apartment vide OHRC Letter No. 10081/OHRC, dtd. 22.05.2025, OHRC Letter No. 12209/OHRC, dtd. 11.06.2025 and H.O Letter No. 10762/VII-L-Misc-1217, dtd. 06.06.2025, the alleged unit was inspected by the undersigned Board officials on dtd.11.07.2025.

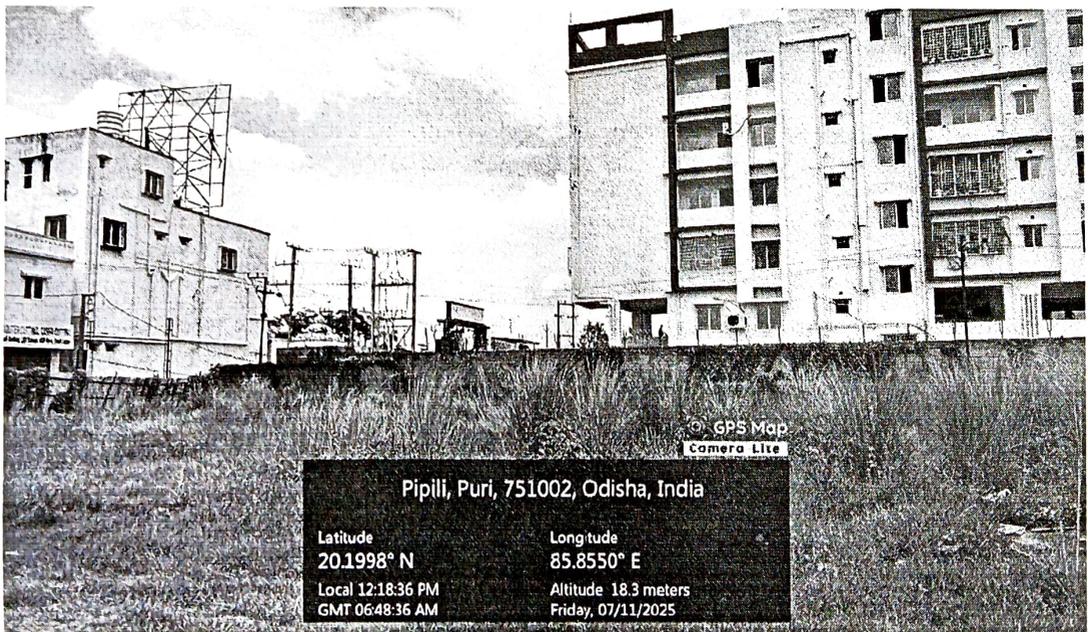
Observations made during the Inspection: -

- M/s. Thakur Fly Ash Bricks is a fly ash bricks/blocks manufacturing unit which falls under the "White Category Unit" as per Sl. No. 17 vide Office Order No. 8333/Ind-I-Con-1505, dtd. 11.07.2018. The unit has taken NOC from Regional Office, SPCB, Odisha vide letter no. 467/RO/MISC/07, dtd. 25.02.2025.
- The factory is operating on land taken on lease from a private person. The lease agreement was made between Sri Sri Lachman Balaji Thakur Bije Samantarapur Patna as first party and Smt. Rajalaxmi Pradhan as second party. The lease deed is valid for 5 years i.e. 01.08.2024 to 01.07.2029.
- The factory site and the residential apartment (Astha Highway Apartments) are adjacent to each other with a common boundary wall. The boundary wall is about 10 feet from the residence side and about 5 feet from the factory side.
- The factory is surrounded by Astha Highway Apartment from East side, Barren land from West side, Puri By-pass from North side and residential area from South side. Manufacturing of fly ash bricks falls under White Category and as such, there is no prescribed siting criterion.
- The factory is engaged in manufacturing of fly ash bricks using sand, cement and fly ash as raw materials. The manufacturing machineries includes 2 Nos. mixer and one brick manufacturing unit.
- The storage of raw materials and production process takes place under a common shed. The floor of the shed was not concreted. The raw materials like fly ash were not covered with tarpaulin on the day of inspection. There was no production on the day of inspection due to water logging inside the shed owing to incessant rain.
- The ground of the unit premises was not metalled/concreted. Manufacturing products i.e. fly ash bricks were piled up in an open area inside the unit premises.

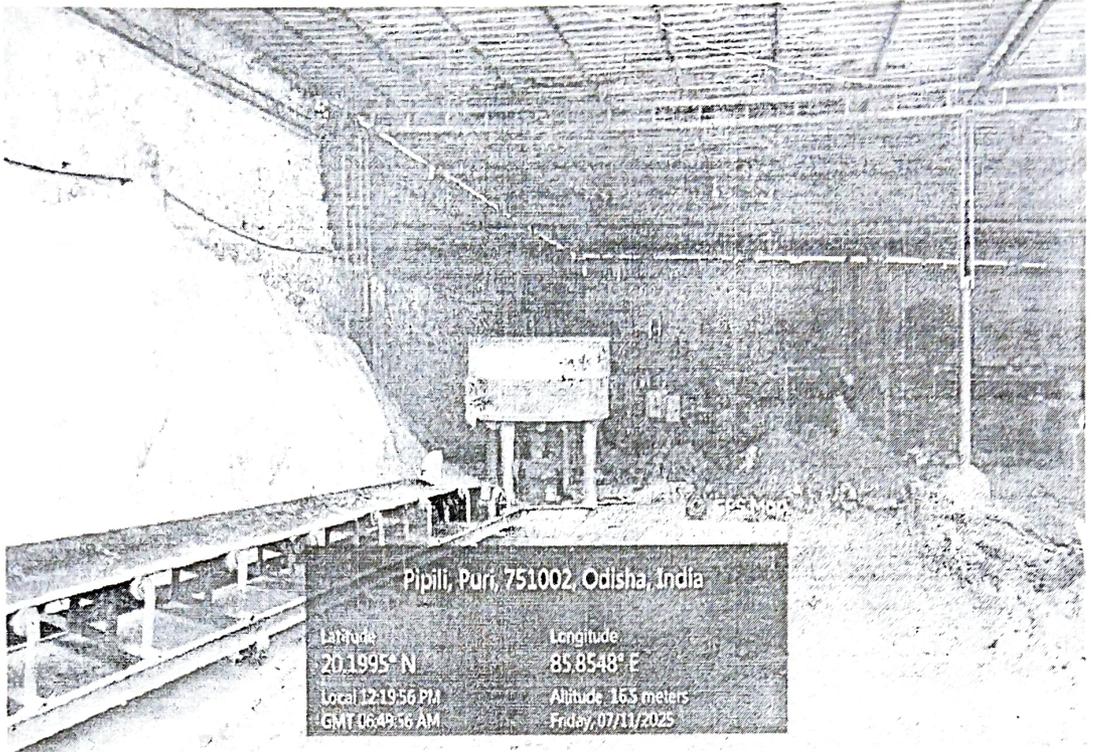
- No air pollution control measures were taken up by the unit as observed on the day of inspection like installation of water sprinklers to suppress the fugitive emission.
- There was an office building and workers room were observed inside the unit premises. Parking of truck was observed on the day of inspection.
- The unit could not furnish NOC from local authority and NOC from Central Ground Water Authority.
- The ambient air monitoring and noise monitoring could not be done on the day of inspection as there was no production due to water logging inside the production shed and absence of workers.

Remarks: -

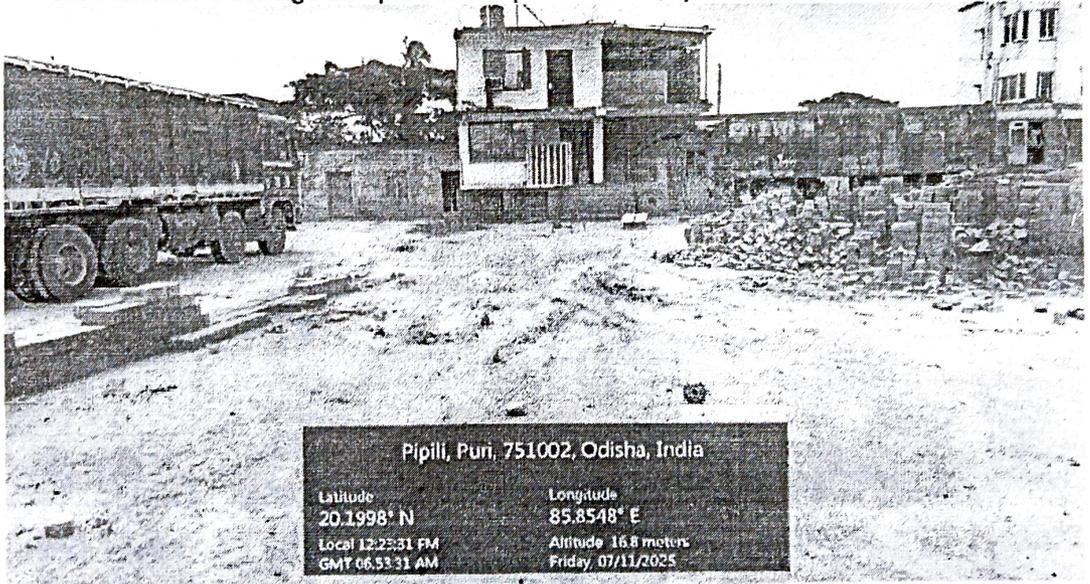
- The unit shall comply with all the guidelines for best environmental management practices mentioned in the NOC granted from SPC Board, Odisha in favour of unit vide Letter No. 467/RO/MISC/07, dtd. 25.02.2025.
- The unit shall obtained NOC from local authority to operate a fly ash brick manufacturing unit.
- Though there is no prescribed siting criterion for fly ash manufacturing unit (White Category of unit), co-existence of factory and Residential complex with a common boundary wall has a potential of nuisance in terms of air and noise pollution.



The factory and residential apartment separated by boundary wall



Raw materials storage and production process takes place under a common shed



Fly ash bricks stored in open area, the floor of the unit premises is not concreted

S. R. Mallick
25/07/25

Sri S. R. Mallick (AES)

S. R. Pradhan
25/07/25

Sri S. R. Pradhan (AES)



DEPT20251448945 Detail Information

Registration No.	: DEPT20251448945	Received By	: Secretary , Forest, Environment & CC
Name	: Sujata	Received Date	: 18-Dec-2025, 12:02 PM
Contact No	:	Email Address	: --
Address	: Astha Highway Apartment,Uttarasasan,Pubasasan,Pipili,Puri,ODISHA	Current Status	: Open
Gender	: Female	Disability Type	: None
Grievance Details	Application attached		

**OFFICE OF THE TAHASILDAR, PIPILI**

Letter No. 3049/Date 05/04/2025

To

The Deputy Collector P.G Cell Puri

Sub: Submission of compliance on grievance petition of Sujata.

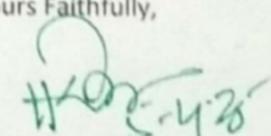
Ref: CM Grievance Cell Ticket No, CMO20251119542

Sir,

With reference to the subject cited above, I am to say that as per Grievance petition filed by Sujata Biswal, the matter has been enquired by RI, Pubasasan and both the parties are present before the undersigned on 17.03.2025. On perusal of grievance petition and document submitted by Bikram Keshari Pradhan, owner of the "Thakur flyash bricks and tiles" factory, Uttara, Puri, it is observed that as per State Pollution Control Board, Odisha vide letter no. 467/RO/MISC/07 dated-25.02.2025, the white category of industries (Non-polluting industries) shall be exempted from obtaining consent to Establish and operate from State Pollution Control Board, Odisha and may not be polluted environment. Hence, the grievance petition of Sujata Biswal is disposed off accordingly.

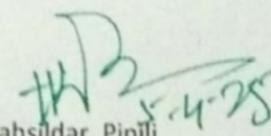
This is favour of your kind information and necessary action.

Yours Faithfully,


Tahsildar, Pipili

Memo No. 3050 Dtd. 05/04/2025

Copy to Sujata Biswal for information.


Tahsildar, Pipili

Tel: 0674-2973126
E-mail: rospcb.bhubaneswar@ospcbboard.org
Website: www.ospcbboard.org



OFFICE OF THE REGIONAL OFFICER, BHUBANESWAR
STATE POLLUTION CONTROL BOARD, ODISHA
[FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA]
Plot No. B-59/2 & B-59/3, Chandaka Industrial Estate, Patia, Po- KIIT, Bhubaneswar - 751024
Dist: Khordha, Odisha

Letter No. 467 /RO/MISC/07

Date 25.2.25

To,

Smt. Rajalaxmi Pradhan, Proprietress
M/s. Thakur Flyash Bricks,
At: Plot No. 464, Uttara Sasan, Po: Kausalyaganga,
PS: Dhauli, Bhubaneswar, Dist: Khordha

Sub: Application for grant of Consent to Establish/Operate for fly ash manufacturing unit – reg.

Ref: Your letter received on 18.02.2025.

Sir,

It is to inform you that as per the Order of the State Pollution Control Board, Odisha (vide No. 8333/Ind-I-Con-1505, Dt. 11.7.2018), "the White Category of Industries (Non-polluting industries) shall be exempted from obtaining Consent to Establish and Consent to Operate from State Pollution Control Board, Odisha".

Since you want to operate a fly ash bricks unit in the name of M/s. Thakur Flyash Bricks, at Uttara Sasan, Po: Kausalyaganga in Khordha district and the Fly ash bricks units have been categorized as "White Category Industry", so no Consent to Establish/Operate from the State Pollution Control Board, Odisha is further required

However, the unit shall follow the general guidelines for best environmental management practices mentioned below:

1. The unit shall discharge domestic waste water into septic tank followed by soak pit constructed as per BIS specification.
2. Under no circumstances wastewater if any, shall be discharged outside the factory premises.
3. The unit shall provide dust suppression measures/water sprinkling arrangements at the raw material handling areas.
4. Solid waste generated from the unit shall be collected properly and shall be used for land filling inside the factory premises without causing any environmental problem.

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Operate from State Pollution Control Board, Odisha .

Since you want to operate a fly ash bricks unit in the name of M/s. Thakur Flyash Bricks, at Uttara Sasan, Po: Kausalyaganga in Khordha district and the Fly ash bricks units have been categorized as "White Category Industry", **so no Consent to Establish/Operate from the State Pollution Control Board, Odisha is further required**.

However, the unit shall follow the general guidelines for best environmental management practices mentioned below:

1. The unit shall discharge domestic waste water into septic tank followed by soak pit constructed as per BIS specification.
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4. Solid waste generated from the unit shall be collected properly and shall be used for land filling inside the factory premises without causing any environmental problem.

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5. The unit shall provide a stack of adequate height to the DG set. Height of the stack attached to Diesel Generator set shall be: $H = h + 0.2 \sqrt{KVA}$, where h = height of the roof where DG set shall be installed and KVA = capacity of the DG set
6. The unit shall make provision of an acoustic enclosure or by treating the room acoustically for the Diesel Generator set in order to control noise.
7. The ambient air quality at the boundary of the factory premises shall conform to the National Ambient Air Quality Standard i.e. Particulate Matter (size less than $10\mu m$) or PM_{10} : $100 \mu g/m^3$; Particulate Matter (size less than $2.5\mu m$) or $PM_{2.5}$: $60 \mu g/m^3$.
8. A boundary wall of adequate height shall be provided around the plant premises with plantation along the boundary and vacant spaces within plant premises.

Yours faithfully,





Open Exposure to houses with no boundaries



Open exposure to Astha Highway Apartment
10 wheeled trucks close to residence creating massive noise
Sand and fly ash openly dumped

Print RTI Application

FORM - A

See Rule - 4 (1)

FORM - A		 82198125381
Application for Information under section 6 (1) of the Act		
To		
The Public Information Officer General Administration & Public Grievance Department, Odisha		
1	Full name of the applicant	Sujata Biswal
2	Name of the Father / Husband	Satya Sundar Biswal
3	Permanent Address	Astha Highway Apartment
4	Particulars in respect of Identity of the applicant	PAN Card No - (HMTPB4222D)
5	Particulars of Information solicited	
(a)	Subject matter of information	To Expose Criminal Negligence, Data Manipulation, and Dereliction of Duty by Tahasildar, Pipili in CMO Grievance ID CMO20251118640
(b)	The period to which the information relates	to
(c)	Specific details of information required	To The Public Information Officer (PIO) Office of the Tahasildar, Pipili, Puri, Odisha – 752104 Applicant: Name: Sujata Biswal Address: Aastha Highway Apartment, Uttara, Pipili, Puri, Odisha – 752104

Email: sbiswal12356789@gmail.com

Purpose of this RTI:

This RTI aims to officially put on record the criminal negligence and abuse of power by the Tahasildar Pipili, who will be held personally accountable in High Court for every document manipulated, every report ignored, and every life endangered. This is not just an RTI—this is the legal start of a reckoning.

Information Sought (Provide Detailed, Certified Responses):

1. Complete SPCB Condition-wise Compliance Report (As per Letter No. 467/RO/MISC/07):

For each of the below guidelines from State Pollution Control Board, answer the following:

- Is the condition fulfilled? (Yes/No)
 - Who inspected it?
 - Date of inspection and name/designation of officer
 - Attach the site visit report and photographic proof
 - If not fulfilled, what action was taken?
- SPCB Conditions to be verified:
- Septic tank and soak pit as per BIS
 - No wastewater discharged outside premises
 - Dust suppression and sprinklers for raw materials
 - Solid waste properly disposed inside factory
 - Acoustic enclosure for Diesel Generator
 - Full boundary wall & buffer zone
 - Plantation within factory premises
 - Noise levels under 55 dB day / 45 dB night
 - PM10 & PM2.5 under permissible limits
 - Paved roads and regular water sprinkling
 - Fly ash stored in enclosed sheds
 - Minimum safe distance from residential area

2. On What Basis Did Tahasildar Write "May Not Be Polluting" in Letter No. 3049?

- Under which scientific authority or environmental guideline does the phrase "may not be polluting" qualify as an acceptable basis to dispose of a public

grievance that includes health hazards, noise violations, and open dumping of fly ash?

- Provide names and designations of every officer consulted before making such a dangerously vague and misleading declaration.
- This phrase, used recklessly by the Tahasildar, effectively denied the suffering of an entire community. Justify how such a phrase entered an official letter instead of a clear, verified compliance report with measurable data.
- Attach the documentation, field notes, photos, test results, or video evidence based on which such a critical decision was made. If no evidence exists, state it clearly, as it will be placed on record for judicial review.

3. Why Was RI's Official Report (Letter No. 36) Mentioning Pollution Ignored?

- Name/designation of person who read but dismissed it
- Did the Tahasildar even respond to the RI's factual report?
- Was any counter-inspection or inquiry done?

4. What Actions Were Taken After Repeated Complaints of Midnight Sand Dumping (10-Wheelers at 2 AM, 120 dB)?

- List of complaints received
- Date and time of any night visit (if done)
- Sound level tests conducted (if any)
- Why was no action taken despite life-threatening noise levels?

5. Did Tahasildar Visit the Site Personally Before Clearance?

- If yes, submit date, time, visit report, team members
- If no, explain how a pollution complaint was cleared without seeing the site

6. On What Grounds Was CMO Grievance CMO20251118640 Disposed?

- Provide internal file noting, all documents, and justification
- Was the health of vulnerable residents (elderly, asthma patients, children) even considered?

Why This RTI Will Not Stop Here:

If the replies to this RTI are vague, delayed, or misleading, this application

		<p>will be submitted to:</p> <ul style="list-style-type: none"> • Odisha Human Rights Commission • Odisha Lokayukta • Odisha Vigilance Directorate • High Court of Odisha • National Green Tribunal (NGT) • National Human Rights Commission • News agencies, media houses, and public advocacy platforms <p>This is not just about pollution—this is about exposing a government officer who played with public lives. And the people of Pipili will not let this go unanswered.</p> <p>Mode of Response:</p> <ul style="list-style-type: none"> • Email only to: sbiswal12356789@gmail.com
(d)	Whether information is to be sent by post or received in person	Email (Sbiswal12356789@gmail.com)
(e)	Contact No.	7847888044
(f)	Incase by post (ordinary, registered or speed)	
6	Address to which Information will be sent & in which form	Astha Highway Apartment ,Grama Panchayat Office, Pubasasan,Pipili,Puri,Odisha
7	Has the information been provided earlier?	NO
8	Is this information not made available by the Public authority?	NO
9	Is this information not made available by the Public authority?	YES
10	Have you deposited application fee?	NO
11	Whether belongs to BPL category, have you furnished the proof of the same?	NO
12	Application Date	21/04/2025
Place : Astha Highway Apartment		Full Signature of the applicant

Date : 02/11/2025	Address
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NOTE:- In view of the orders of the Hon'ble High Court, Orissa and orders of the Odisha Information Commission the existing practice of submission of print out Hard Copy of the Online filed RTI Application & Appeal by the citizen to the concern Public Authorities PIOs & FAA is withdrawn with immediate effect from the RTI online application (www.rtiodisha.gov.in) and also from the appeal facility for the citizen.

Print RTI Appeal

FORM - D

See Rule - 4 (1)

	Application for Information under section 6 (1) of the Act	 RTIAPPEAL25852217884
To		
	The First Appellate Authority Tahasil Office, Pipili, Puri, Odisha	
1	Full name of the applicant	Sujata Biswal
2	Address	Astha Highway Apartment
3	Contact No.	7847888044
4	Date of receipt of the order appealed against	01-01-1970
5	Last date for filing the appeal	01-01-1970
6	The grounds for appeal	The applicant submitted RTI Application No. 0326090125005 under Section 6(1) of the RTI Act on [insert date]. Despite the lapse of the 30-day statutory period, no response has been received from the Public Information Officer, violating Section 7(1) of the Act. Demands: 1. Provide the complete information as requested in the original RTI application. 2. Initiate disciplinary action against the PIO for failure to respond within the mandated timeframe.
7	Date of Appeal	22-05-2025



Speed Post/Email

CP-31/2/2022-IPC-V-HO-CPCB-HO

July 26, 2022

To

The Member Secretary,
All State Pollution Control Boards/ PCCs
(As Per List)

Sub: Revised Environmental Notification of Brick Kilns dated 22.02.2022 -reg.

Sir,

Ministry of Environment, Forest and Climate Change (MoEF&CC) has revised the Environmental Standards for Brick Kilns vide Notification GSR No. 143 (E) dated 22.02.2022.

A copy of Revised Environmental Notification is attached for reference and its implementation.

Yours faithfully,

(S.K. Gupta)

Addl. Director & DH, IPC-V

Encl: as above

Copy to:

All Regional Directorates
Central Pollution Control Board
(As Per List)

: for follow up, please.

(S. K. Gupta)



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-22022022-233662
CG-DL-E-22022022-233662

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 140]
No. 140]

नई दिल्ली, मंगलवार, फरवरी 22, 2022/फाल्गुन 3, 1943
NEW DELHI, TUESDAY, FEBRUARY 22, 2022/PHALGUNA 3, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 फरवरी, 2022

सा.का.नि. 143(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) अधिनियम, 1986 का और संशोधन करते हुए निम्नलिखित नियम बनाती है: अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ :

- (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) संशोधन नियम, 2022 है।
- (2) वे राजपत्र में उनके अंतिम प्रकाशन की तारीख से लागू होंगे।

2. पर्यावरण (संरक्षण) नियम, 1986 में, अनुसूची-1 में, क्रम सं. 74 पर प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि को रखा जाएगा, अर्थात्: -

74"	ईट भट्टे	चिमनी से उत्सर्जन में विविक्त पदार्थ	250 मिलीग्राम/एनएम3
		चिमनी की न्यूनतम ऊंचाई (भट्टों की वर्टिकल साफ्ट)	14 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 7.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	16 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 8.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	

	चिमनी की न्यूनतम ऊंचाई (भट्टों की वर्टिकल शाफ्ट के अलावा)	
	- भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	24 मीटर
	- भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	27 मीटर

टिप्पणियां :

1. सभी नए ईट भट्टों को केवल ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट के साथ होने की या ईट बनाने में ईंधन के रूप में पाइपड प्राकृतिक गैस के उपयोग की अनुमति दी जाएगी और इस अधिसूचना में निर्धारित मानकों का पालन करना होगा।
2. विद्यमान ईट भट्टे जो ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट या ईट बनाने में ईंधन के रूप में पाइपड प्राकृतिक गैस (पीएनजी) के उपयोग का पालन नहीं कर रहे हैं, उन्हें (क) गैर-प्राप्ति शहरों के 10 किमी के दायरे में स्थित भट्टों के मामले में एक वर्ष (जैसा कि केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथापरिभाषित) (ख) अन्य क्षेत्रों के लिए दो वर्ष की अवधि के भीतर ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट में परिवर्तित किया जाएगा या पीएनजी का उपयोग ईट बनाने में ईंधन के रूप में किया जाएगा। इसके अतिरिक्त, ऐसे मामलों में जहां केन्द्रीय प्रदूषण नियंत्रण बोर्ड/राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां ने रूपांतरण के लिए अलग से समय-सीमाएं निर्धारित की हैं, वहां ऐसे आदेश प्रभावी होंगे।
3. सभी ईट भट्टे केवल अनुमोदित ईंधन जैसे कि पाइपड प्राकृतिक गैस, कोयला, ईंधन लकड़ी और/या कृषि अपशिष्टों का उपयोग करेंगे। पेट कोक, टायरों/प्लास्टिक/खतरनाक अपशिष्टों के उपयोग की अनुमति ईट भट्टों को नहीं दी जाएगी।
4. उत्सर्जन की निगरानी के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मापदंडों/रूपरेखा के अनुसार ईट-भट्टे स्थायी सुविधा (पोर्ट होल और प्लेटफार्म) का निर्माण करेंगे।
5. विविक्त सामग्रियों (पीएम) के निष्कर्ष 4% CO₂ पर प्रसामान्य किए जाएंगे जो निम्नलिखित हैं:
पीएम (सामान्य) = (पीएम(मापित) X 4%)/ (चिमनी में मापित CO₂ का %, मापित CO₂ के मामले में $\geq 4\%$ कोई प्रसामान्यीकरण नहीं। चिमनी की ऊंचाई (मीटर में) भी $H = 14 Q^{0.3}$ सूत्र (जहां Q kg/hr में SO₂ उत्सर्जन दर है) द्वारा परिकलित की जाएगी, और अधिकतम दो को काम में ले सकेंगे।
6. ईट भट्टों को आवासों और फलों के बागों से 0.8 कि.मी. की न्यूनतम दूरी पर स्थापित किया जाना चाहिए। राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां आवास, जनसंख्या घनत्व, जल निकायों, संवेदनशील रिसेप्टर्स इत्यादि की निकटता का ध्यान रखते हुए स्थापित मापदंडों को सख्त बना सकते हैं।
7. किसी क्षेत्र में भट्टों की अधिक संख्या से बचने के लिए मौजूदा ईट भट्टों से कम से कम एक किलोमीटर की दूरी पर ईट भट्टों को स्थापित किया जाना चाहिए।
8. ईट भट्टों को संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां द्वारा निर्धारित उत्सर्जन प्रक्रिया/पलायक धूल उत्सर्जन नियंत्रण दिशा-निर्देशों का पालन करना होगा।
9. ईट भट्टों से निकलने वाली राख को ईट बनाने में उसी परिसर के अंदर ही इस्तेमाल किया जाएगा।
10. ईट भट्टे में ईट बनाने के लिए उपयोग की जाने वाली मिट्टी को निकालने के लिए संबंधित राज्य/संघ राज्य क्षेत्र के खनन विभाग सहित संबंधित प्राधिकरणों से सभी आवश्यक अनुमोदन प्राप्त किए जाएंगे।
11. ईट भट्टा मालिक यह सुनिश्चित करेंगे कि कच्चे माल/ईटों के परिवहन के लिए उपयोग की जाने वाली सड़के पक्की सड़के हैं।
12. कच्चे माल/ईटों के परिवहन के दौरान वाहनों को ढका जाएगा।"

[फा. सं. क्यू-15017/35/2007-सीपीडब्ल्यू]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (i) में तारीख 19 नवंबर, 1986 के का.आ. 844 (अ) द्वारा प्रकाशित किए गए थे और 04 अक्टूबर, 2021 की अधिसूचना सा.का.नि. 724 (अ) द्वारा अंतिम बार संशोधित किए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd February, 2022

G.S.R. 143(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. Short Title and commencement: -

- (1) These rules may be called the Environment (Protection) Amendment Rules, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in the SCHEDULE-I, for entry at Sl. No. 74, the following entry shall be substituted, namely: -

"74	Brick Kilns	Particulate matter in stack emission	250 mg/Nm ³
		Minimum stack height (Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	14 m (at least 7.5m from loading platform)
		- Kiln capacity equal or more than 30,000 bricks per day	16 m (at least 8.5m from loading platform)
		Minimum stack height (Other than Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	24 m
		- Kiln capacity equal or more than 30,000 bricks per day	27 m

Notes :

1. All new brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of Piped Natural Gas as fuel in brick making and shall comply to these standards as stipulated in this notification.
2. The existing brick kilns which are not following zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making shall be converted to zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making within a period of (a) one year in case of kilns located within ten kilometre radius of non-attainment cities as defined by Central Pollution Control Board (b) two years for other areas. Further, in cases where Central Pollution Control Board/State Pollution Control Boards/Pollution Control Committees has separately laid down timelines for conversion, such orders shall prevail.
3. All brick kilns shall use only approved fuel such as Piped Natural Gas, coal, fire wood and/or agricultural residues. Use of pet coke, tyres, plastic, hazardous waste shall not be allowed in brick kilns.
4. Brick kilns shall construct permanent facility (port hole and platform) as per the norms or design laid down by the Central Pollution Control Board for monitoring of emissions.
5. Particulate Matter (PM) results shall be normalized at 4% CO₂ as below:

$$PM \text{ (normalized)} = (PM \text{ (measured)} \times 4\%) / (\% \text{ of } CO_2 \text{ measured in stack}), \text{ no normalization in case } CO_2 \text{ measured } \geq 4\%.$$
 Stack height (in metre) shall also be calculated by formula $H=14Q^{0.3}$ (where Q is SO₂ emission rate in kg/hr), and the maximum of two shall apply.

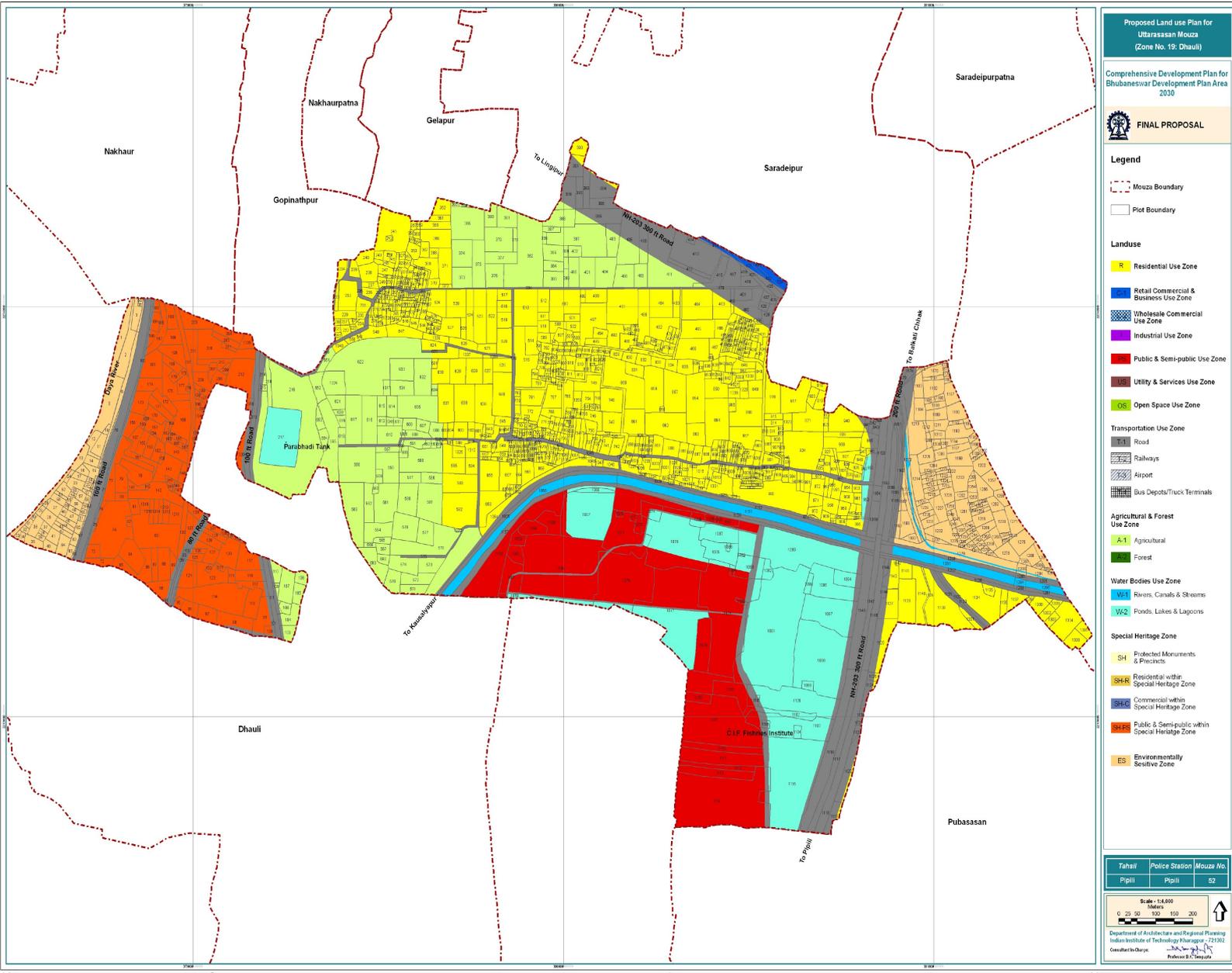
6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and fruit orchards. State Pollution Control Boards/Pollution Control Committees may make siting criteria stringent considering proximity to habitation, population density, water bodies, sensitive receptors, etc.
7. Brick kilns should be established at a minimum distance of one kilometre from an existing brick kiln to avoid clustering of kilns in an area.
8. Brick kilns shall follow process emission/fugitive dust emission control guidelines as prescribed by concerned State Pollution Control Boards/Pollution Control Committees.
9. The ash generated in the brick kilns shall be fully utilized in-house in brick making.
10. All necessary approvals from the concerned authorities including mining department of the concerned State or Union Territory shall be obtained for extracting the soil to be used for brick making in the brick kiln.
11. The brick kiln owners shall ensure that the road utilized for transporting raw materials or bricks are paved roads.
12. Vehicles shall be covered during transportation of raw material/bricks”.

[F. No. Q-15017/35/2007-CPW]

NARESH PAL GANGAWAR, Addl. Secy.

Note : The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number S.O. 844(E), dated the 19th November, 1986 and lastly amended *vide* number G.S.R. 724(E), dated the 04th October, 2021.

Annexure A7





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