

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO .- 15 OF 2025

IN THE MATTER OF:

HARIHAR SAMAL AND ANOTHER

APPLICANTS

VERSUS

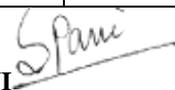
STATE OF ODISHA&ORS

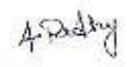
RESPONDENTS

INDEX

Sl NO	PARTICULARS	PAGE NO
1	Supplementary Affidavit on behalf of Applicant	1-5
2	Photographs of various dated suggesting the Respondent Unit is polluting the Air and Water as ANNEXURE-1.	6-27

PLACE: BHUBANESWAR

SANKAR PRASAD PANI 

ASHUTOSH PADHY 

ADVOCATE

DATE:21/01/2026

Bubaneswar, 751002, Cell-9437279278,

Email: sankarprasadpani@gmail.com

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

ORIGINAL APPLICATION NO.- 15 OF 2025

IN THE MATTER OF:

Harihar Samal and Another

.....APPLICANTS

Versus

State Of Odisha and Others

.....RESPONDENTS

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF APPLICANT

IT IS MOST RESPECTFULLY SHOWETH

I HARIHAR SAMAL, S/O MATHURI SAMAL, AGED ABOUT 65 YEARS, AT- KURUNTI, PO- KUSUPANGA, PS- MOTANGA, DIST DHENKANAL, 759121 do hereby solemnly affirm, and declare that I am one of the Applicant in the above mentioned application and I am fully conversant with the facts and circumstances of the case and authorized by the co- applicant, therefore competent to swear this affidavit.

1. That the Private Respondent on dated 11/09/2025 has filed one additional affidavit wherein in page no. 407 of the paper book one CGWA NOC has been attached and the same is valid up to 07/01/2026, presently the private respondent does not have any valid CGWA NOC and now engaged in illegal extraction of ground water.

2. That the state Pollution Control Board has renewed the Consent to Operate on 31/03/2025 with validity till 31/03/2027 during pendency of the proceedings and further with knowledge of continuing violation of conditions of CTO and EC in addition to this the land involved in the factory is forest land for which no approval from central government has been obtained under Forest Conservation Act.
3. That the State Pollution Control Board thereby has renewed this CTO mechanically without any application of mind, that in the Response affidavit filed by the present Applicant dated 29/07/2025 has annexed the photographs relating to violation of provisions of Air and Water Act which has not been responded by the SPCB as on date and on day to day basis the Private Respondent Unit is polluting both air as well as water with full impunity and protection from the SPCB. It is surprise to note that no fresh inspection or affidavit has been filed even though the Applicant has brought on record the violations since July 2025.
4. That in this supplementary affidavit the photographs annexed clearly suggests acidic fumes and thick black smoke are being emitted from the private Unit on day to day basis. Further the photographs also suggests the discharge of untreated sewage from the staff quarters of the Private Respondent into the nearby Kisinda nallah which joins Bramhani River the life line of 12 districts.

5. It is further submitted that the dust from the road connecting to the Unit is generated because of plying of the vehicles of the Unit suggesting the roads are not maintained properly and there has been no sprinkling of road on the road, thereby the air pollution is further multiplied in addition to the smokes from the chimney. Photograph of various dated suggesting the Respondent Unit is polluting the Air and Water is annexed here unto as **ANNEXURE-1**.
6. In view of the continuing violations the Hon'ble Tribunal may direct the State Pollution Control Board to take appropriate punitive and remedial action against the Private Respondent and further direct the District Collector Dhenkanal for eviction of illegal structure existing over the forest land in a stipulated time manner and to file the Action taken report.

DATE-21/01/2026



APPLICANTS THROUGH
ADVOCATE

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

ORIGINAL APPLICATION NO. 45.. OF 2025

IN THE MATTER OF:

HARIHAR SAMAL & OTHERS

APPLICANTS

VERSUS

STATE OF ODISHA AND ORS

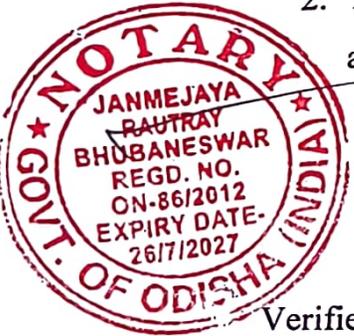
RESPONDENTS

AFFIDAVIT 21 JAN 2026

I HARIHAR SAMAL, S/O MATHURI SAMAL, AGED ABOUT 65 YEARS, AT- KURUNTI, PO- KUSUPANGA, PS- MOTANGA, DIST- DHENKANAL, 759121 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 and authorized by the other applicants therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Harihar Samal
DEPONENT



VERIFICATION

Verified on this the _____ day of 21 JAN 2026 2026 at B.D.S.A.

that the contents of the above rejoinder are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
[Signature]
Advocate

The above named deponent(s) being duly identified by Sri. [Signature] Advocate, Bhubaneswar
Appears before me on 21 JAN 2026 at [Signature] A.M./P.M. [Signature] States on oath the contents of the affidavit are true to the best of his / her / their knowledge and belief

Harihar Samal
VERIFICANT

Notary, Bhubaneswar

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

PHOTOGRAPH DATED 05/08/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 05/08/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 05/08/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 04/09/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 04/09/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 06/09/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



PHOTOGRAPH DATED 06/09/2025 SUGGESTS THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY NALLAH



PHOTOGRAPH DATED 06/09/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 07/09/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC FUME INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 01/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 04/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 07/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC FUME INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 07/11/2025 SUGGESTS THE RESPONDENT UNIT IS DISCHARGING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 07/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 13/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 13/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 13/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



PHOTOGRAPH DATED 14/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 14/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR AND THE DUST POLLUTION DUE TO BAD ROAD CONDITION AND VEHICULAR POLLUTION



BELOW ATTACHED PHOTOGRAPH DATED 18/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 14/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 19/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 20/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 20/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 21/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 27/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 27/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 28/11/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED ACIDIC SMOKE INTO THE AIR



PHOTOGRAPH DATED 28/11/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 23/12/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED SMOKE INTO THE AIR



PHOTOGRAPH DATED 23/12/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 25/12/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 25/12/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 31/12/2025 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



PHOTOGRAPH DATED 05/08/2025 SUGGESTS THE STAFF COLONY OF THE RESPONDENT UNIT IS DISCHARGING UNTREATED WATER INTO THE NEARBY KISINDA NALLAH AND THE SEWAGE TREATMENT PLANT IS NOT IN OPERATION



BELOW ATTACHED PHOTOGRAPH DATED 01/01/2026 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 02/01/2026 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 03/01/2026 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 06/01/2026 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 17/01/2026 SUGGESTS THE RESPONDENT UNIT IS EMITTING POLLUTED BLACK SMOKE INTO THE AIR





Sankar Pani <sankarprasadpani@gmail.com>

SUPPLEMENTARY AFFIDAVIT FILED ONBEHALF OF APPLICANT IN OA 15/2025-NGT-EZ.

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Wed, Jan 21, 2026 at 12:25 PM

To: Varun Mishra <varun@vmchambers.com>, Papiya Banerjee Bihani <pbanerjeebihani@gmail.com>, Amrita Pandey <amritalegal@gmail.com>, "Rajib Ray, Advocate" <rajib.ray.official23@gmail.com>, mishra.surjya63@gmail.com, gigicgeorge.adv42@yahoo.in

Dear Sir/Madam, please find the attachment.

--

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

**SUPPLEMENTARY RIMJHIM-merged.pdf**

9184K