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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO .41 OF 2024

IN THE MATTER OF:

NANDA JHODIA &amp; ANOTHER

APPLICANTS

VERSUS

Utkal Alumina International Ltd and ORS

RESPONDENTS

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*Spani* → *APadhy*

PLACE: BHUBANESWAR

SANKAR PRASAD PANI

ASHUTOSH PADHY

DATE:10/02/2026

ADVOCATE

Bubaneswar, 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. 41 OF 2024**

**IN THE MATTER OF:**

Nanda Jhodia and Another

**APPLICANTS**

**Versus**

M/s Utkal Alumina International Ltd and Others

**RESPONDENTS**

**RESPONSE TO AFFIDAVIT DATED 29/01/2026 FILED BY**

**RESPONDENT NO.1**

**IT IS MOST RESPECTFULLY SHOWETH**

I, Nanda Jhodia, S/o Lokanath Jhodia, Aged about 55years At:- Lachhuguda, Po- Kucheipadar, PS- Doraguda, Dist- Rayagada Odisha, hereby solemnly affirm, and declare that I am the one of the Applicant in the abovementioned Original Application. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.

1. That the present application has been filed by the Applicants challenging the issue of Noise and Air pollution because Conveyor Belt and Medium Junction House and transportation of heavy vehicles of the private respondent Unit and inaction of the state pollution control board in taking

stringent action against the defaulting unit for violation of conditions of Consent To Operate.

2. That the Noise pollution caused in Residential Area by the Respondent Unit is not part of any declared Industrial Area or with in the Campus of the Industry. The main Industry Utkal Alumina International Ltd is at around 4 Km distance from the Village where the Intermediate Junction House (IJH) of the Conveyor line exists. Hence the IJH is not located within a Notified Industrial Area and rather as Residential Area of Lachhuguda Village. So the noise standard to be applied is of Residential Area and not of Industrial area as claimed by the Respondent No 1.
3. It is submitted that that the Rayagada District is a Schedule V area where the consent of Gramsabha is mandatory prior to setting up of any industrial unit. In the present case even though the Main Industry, the Alumina Refinery Plant is around 4 Km away the Redmud Pond is only 600mtre away and the Conveyor Line passes along the village road and hardly 30metres from the residential houses of Lachhuguda Village. In the garb of the main plant is located in a different village the consent of gramsabha of the present village has not been taken. However the construction of the Conveyor line and IJH started with police force despite of strong objection from villagers. Now after the commencement of operation of conveyor line adjoining the houses, the villagers suffering due to dust, noise and air pollution has been many fold and the air quality has been declined in the village which was absolutely



clean prior to the belt line. On top of this the vehicles transporting to the industry are adding to the woes of the people.

4. It is not out of place to mention here that, when the villagers in a tribal dominated district are not finding any relief and they prefer to be displaced than that of living in a hell condition. The state and private party are shading their responsibility and pushing the people the fend for themselves all through out their life in a heavily polluted area. Since the site chosen for the IJH in a close proximity to school. anganwadi and residential houses will have obvious impact of the life despite of the tall claims by the state and company. Hence the IJH need to be relocated if the villagers are not relocated.
5. The photographs of 8<sup>th</sup>May 2024 ( page 16 of Rejoinder) suggesting the waste water from the IJH are drained into nearby nalla and the response of private respondent saying it is the run off water from the hill is misleading the Hon'ble tribunal. The day of which photograph taken was hot summer and not a rainy day, not there was any rain on that day. Hence the private respondent is not just causing air pollution but worsening the life of villagers by polluting the natural nallahs the lifeline of villagers.
6. It is further stated that there has been no change in the situation not the fate of the people even after two years of the proceeding before this Hon'ble NGT. The company in collusion with state authorities and pollution control board continues to abate the air and water pollution in broad day light. The



IJH with huge motors creating noise and during transfer of material, the dust pollution generated is huge and never ever can be controlled till the same is not relocated. As such every day there is a layer of red dust from the redmud pond and the conveyor belt keeps on mounting on the roof, houses, water bodies and the clothes put under sun and people has to live with this hazard and social stigma all through these years without any effective resolution. The crops and trees are also getting discolored with red dust layers on it. That Gaimundatunda is the revenue village of Lacchuguda and the GPS image capture that location. Photographs of dated 10/02/2026 is annexed here with as **ANNEXURE-1**.

7. That prior to setting of the IJH and the conveyor line, there has been no impact assessment of these structures on the adjoining human habitation, hence the same is liable to be relocated.
8. Further impact on adjoining environment is also visible from the historical image of the surrounding prior and after the IJH is setup near the village. Copy of the google earth image suggests pre and post effect of the pollution caused by the Private Respondent. Copy of the Google earth image is annexed here unto as **ANNEXURE-2**.
9. **It is further submitted that despite of the findings of violations of the environmental norms, environmental compensation has not been computed for the past violations as well as the continuing pollution caused by the Respondent Unit. As such the state pollution control**

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**board are mechanically renewing the consent to operate despite of their own findings, suggesting the noise and air pollution.**

10. That in addition to the pollution caused from conveyor belt and red mud pond, the plying of heavy vehicles transporting through the village road is also causing huge pollution.
11. That in view of the above mentioned paragraphs it is most humbly prayed before this Hon'ble Tribunal to, Direct the private respondent to shift the conveyor belt away from the human habitation or displace the habitation from the existing conveyor belt with appropriate rehabilitation measures and direct the private respondent to restore the land and water bodies which has been polluted by the private respondent to its original condition.

BY THE APPLICANTS

S. Pami      A. P. P. P.

THROUGH ADVOCATES

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

ORIGINAL APPLICATION NO .....<sup>41</sup> OF 2024/EZ

IN THE MATTER OF:

NANDA JHODIA AND ANOTHER

APPLICANTS

VERSUS

M/S UTKAL ALUMINA INTERNATIONAL LTD AND OTHERS

RESPONDENTS

Affidavit

10 FEB 2026

I, Nanda Jhodia, S/o Lokanath Jhodia, Aged about 56years At:- Lachhuguda,  
Po- Kucheipadar, PS- Doraguda, Dist- Rayagada Odisha, hereby solemnly  
affirm, and declare as under:

1. That I am the one of the Applicant in the above mentioned Original Application.
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

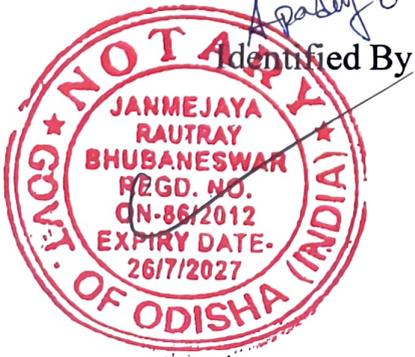
ନିମ୍ନଲିଖିତ ଅନୁଯାୟୀ

DEPONENT

VERIFICATION

Verified on this the ..... day of 10 FEB 2026 at Bhubaneswar 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.

ନିମ୍ନଲିଖିତ ଅନୁଯାୟୀ



Identified By Apadhyay 0-10/2/23

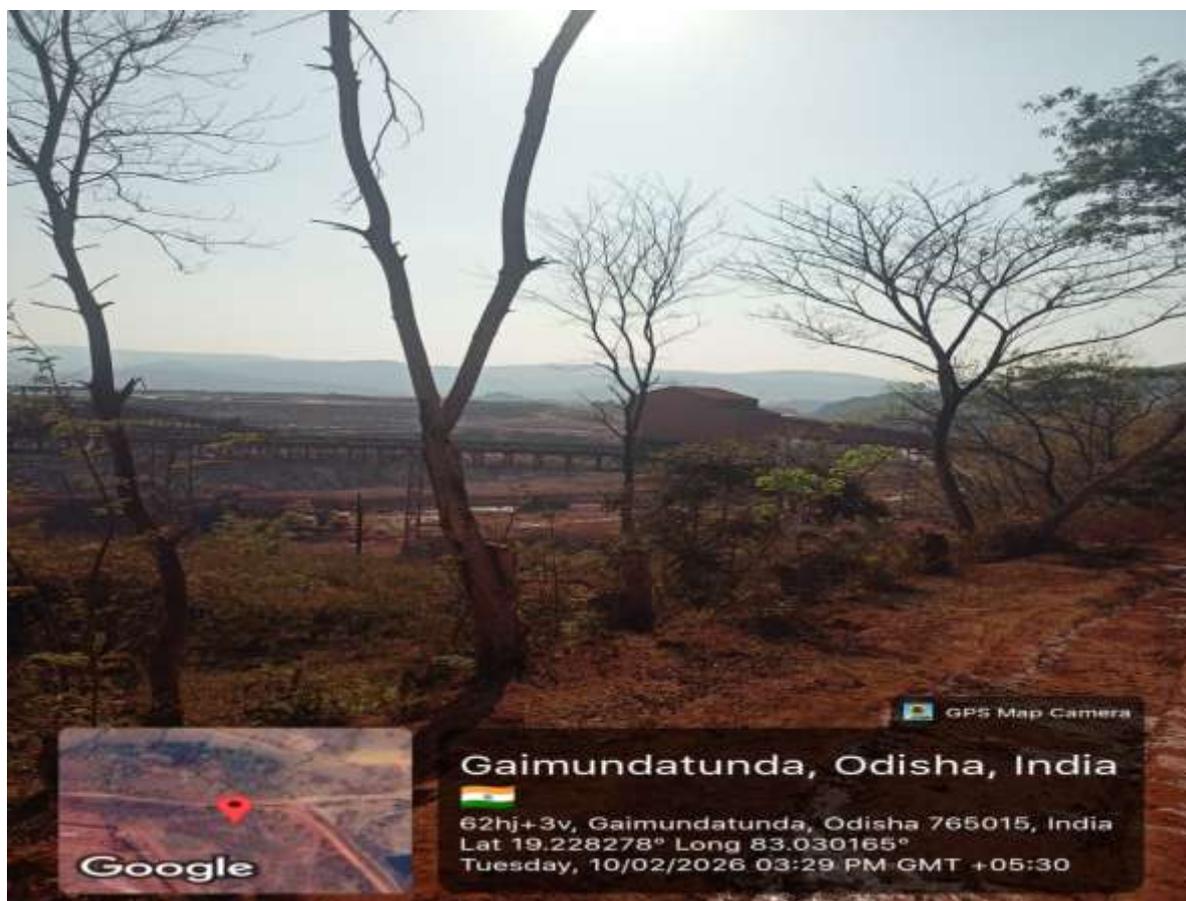
The above named deponent(s) being duly identified by Sn. [Signature] Advocate, Bhubaneswar. Appears before me on d. 10 FEB 2026 at [Signature] A.M. [Signature] State on oath the contents of this affidavit are true to the best of his/her / their knowledge and belief.

DEPONENT

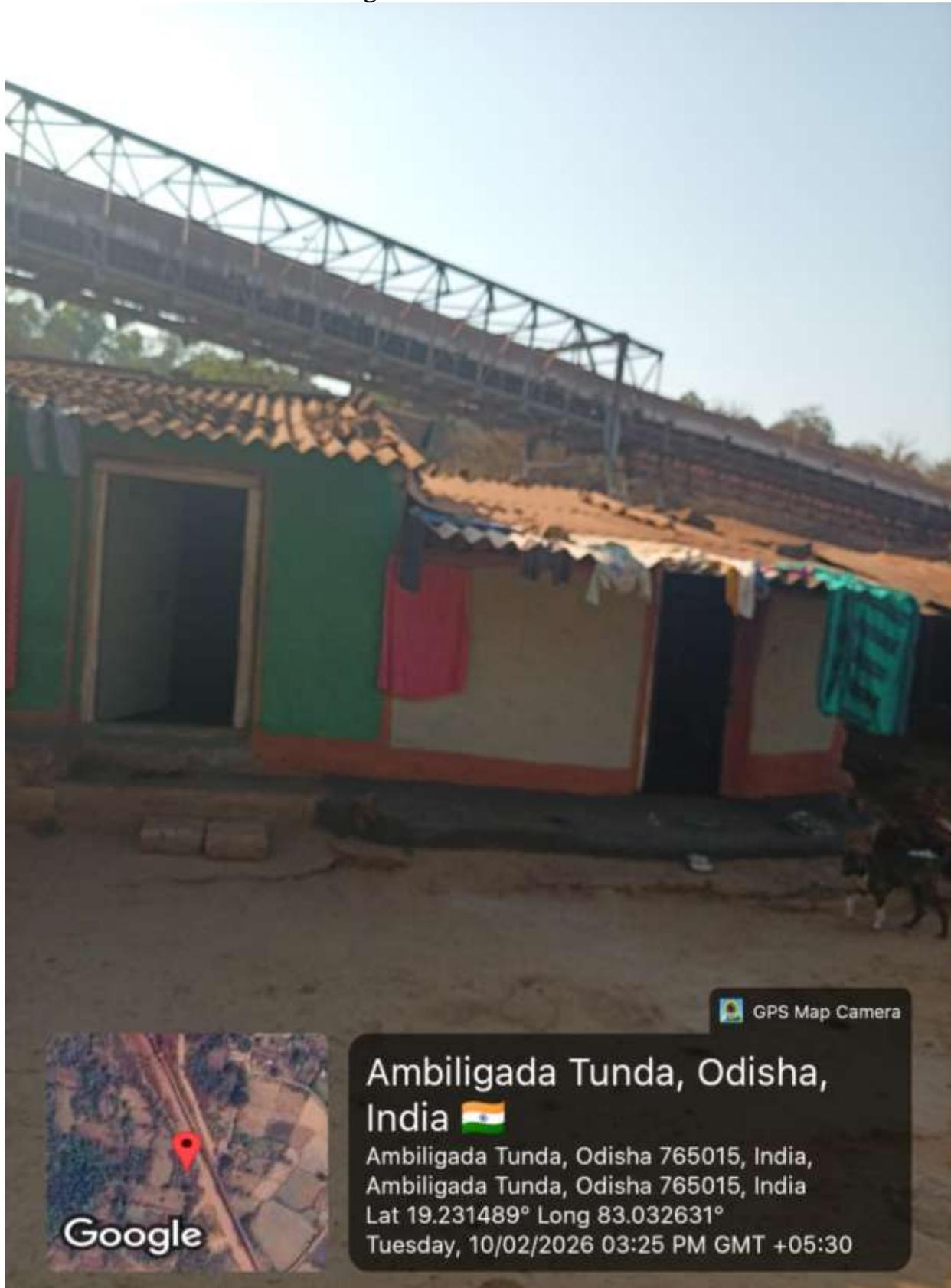
JANMEJAYA RAUTRAY  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR  
REGD. NO. ON-86/2012  
Mob No-7978581217

10 FEB 2026

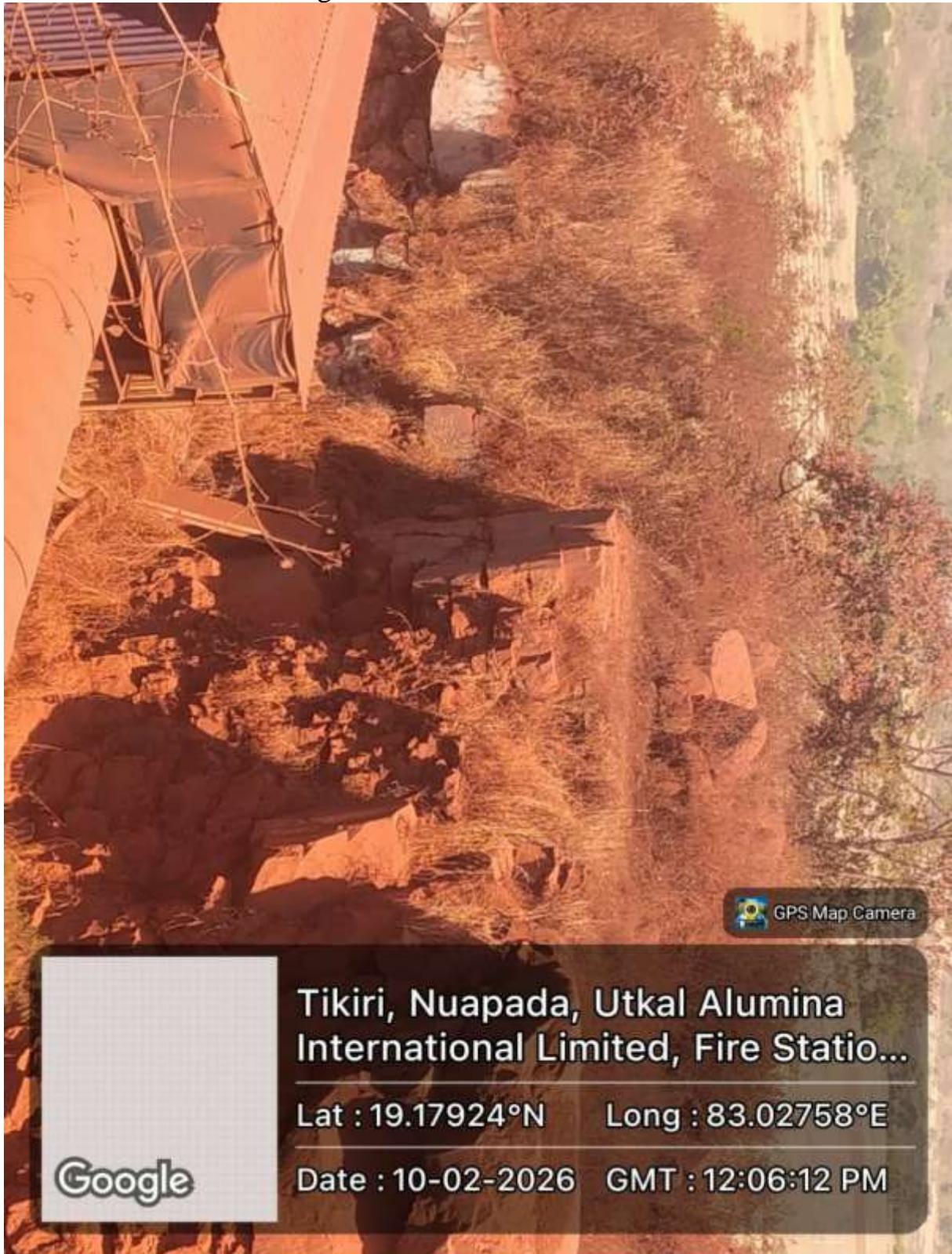
Below attached photograph dated 10/02/2026 suggests a thick layer of dust is settled all around the village.



Below attached photograph dated 10/02/2026 suggests a thick layer of dust is settled over the houses of villagers.



Below attached photograph dated 10/02/2026 suggests a thick layer of dust is settled all around the village.



Below attached photograph dated 10/02/2026 suggests a thick layer of dust is settled over the shool/anganawadi and houses.



BELOW ATTACHED PHOTOGRAPH DATED 10/02/2026 SUGGESTS A THICK LAYER OF DUST IS SETTLED OVER THE ANGANWADI BUILDING OF LACHHUGUDA



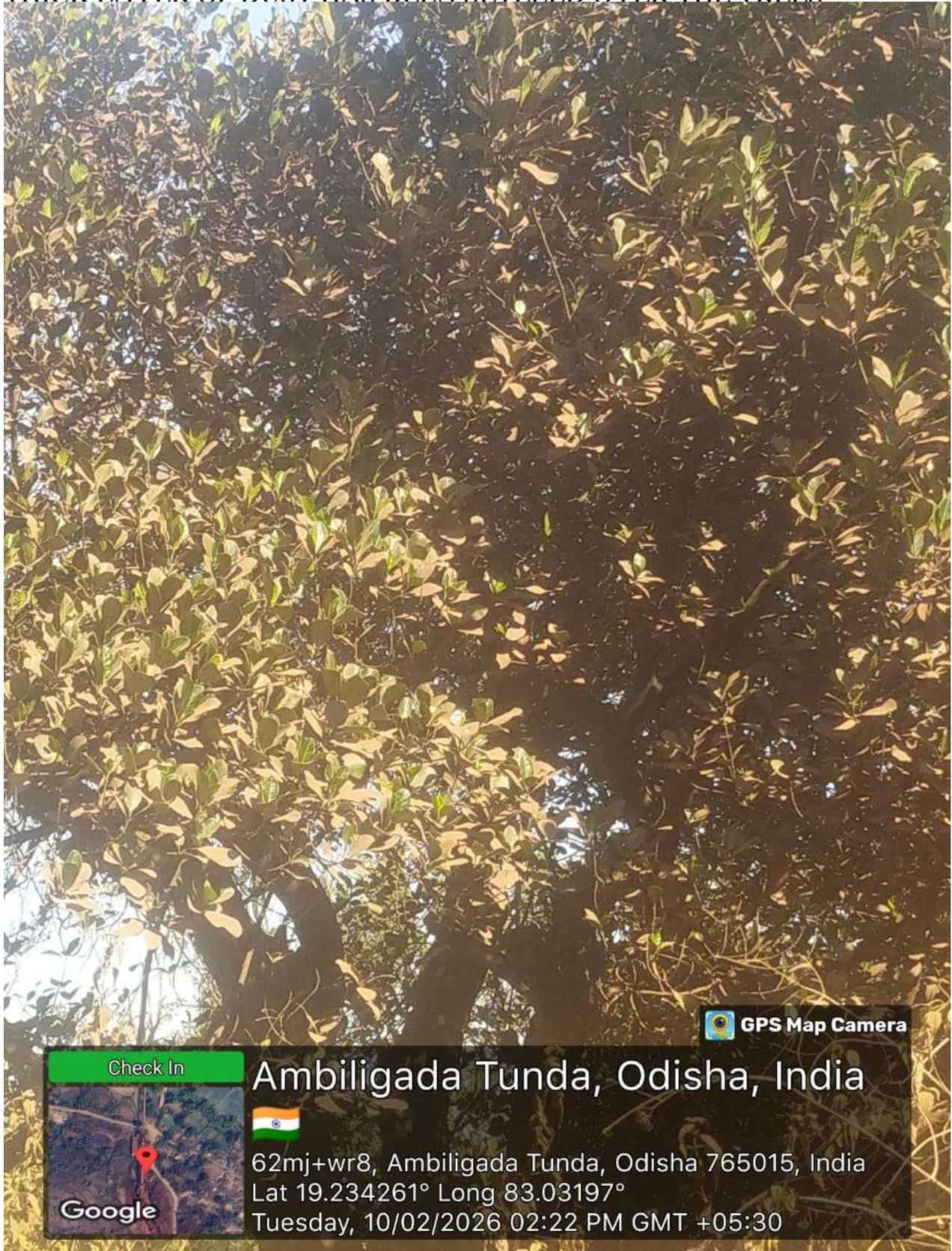
BELOW ATTACHED PHOTOGRAPH DATED 10/02/2026 SUGGESTS A THICK LAYER OF DUST HAS BEEN SETTLED ALL OVER THE HOUSES AND TREES OF THE VILLAGE.



BELOW ATTACHED PHOTOGRAPH DATED 10/02/2026 SUGGESTS THE RESPONDENT UNIT IS DISCHARGING RED COLOR POLLUTED WATER IN TO THE NATURAL NALLAHS OF THE VILLAGE.



BELOW ATTACHED PHOTOGRAPH DATED 10/02/2026 SUGGESTS A THICK LAYER OF DUST HAS BEEN SETTLED OVER THE TREES



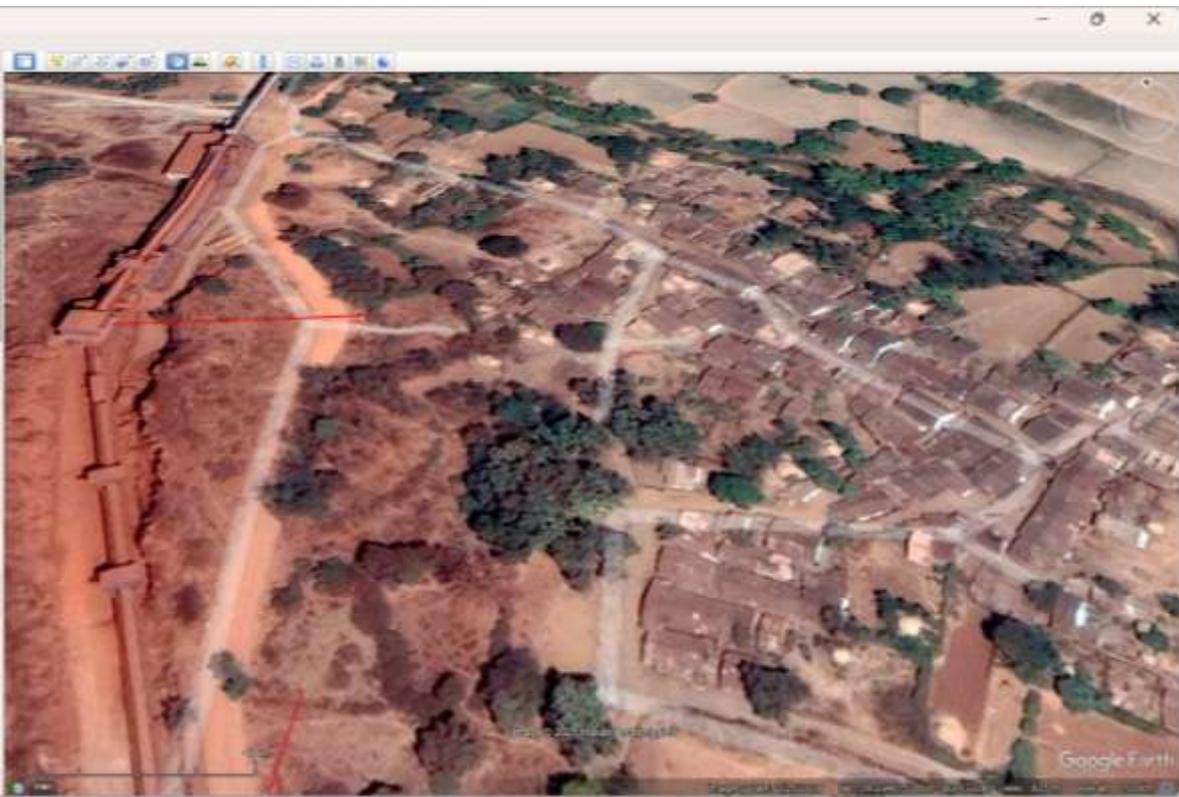
BELOW ATTACHED PHOTOGRAPH DATED 10/02/2026 SUGGESTS THE RESPONDENT UNIT IS DISCHARGING RED COLOR POLLUTED WATER IN TO THE NATURAL NALLAHS OF THE VILLAGE



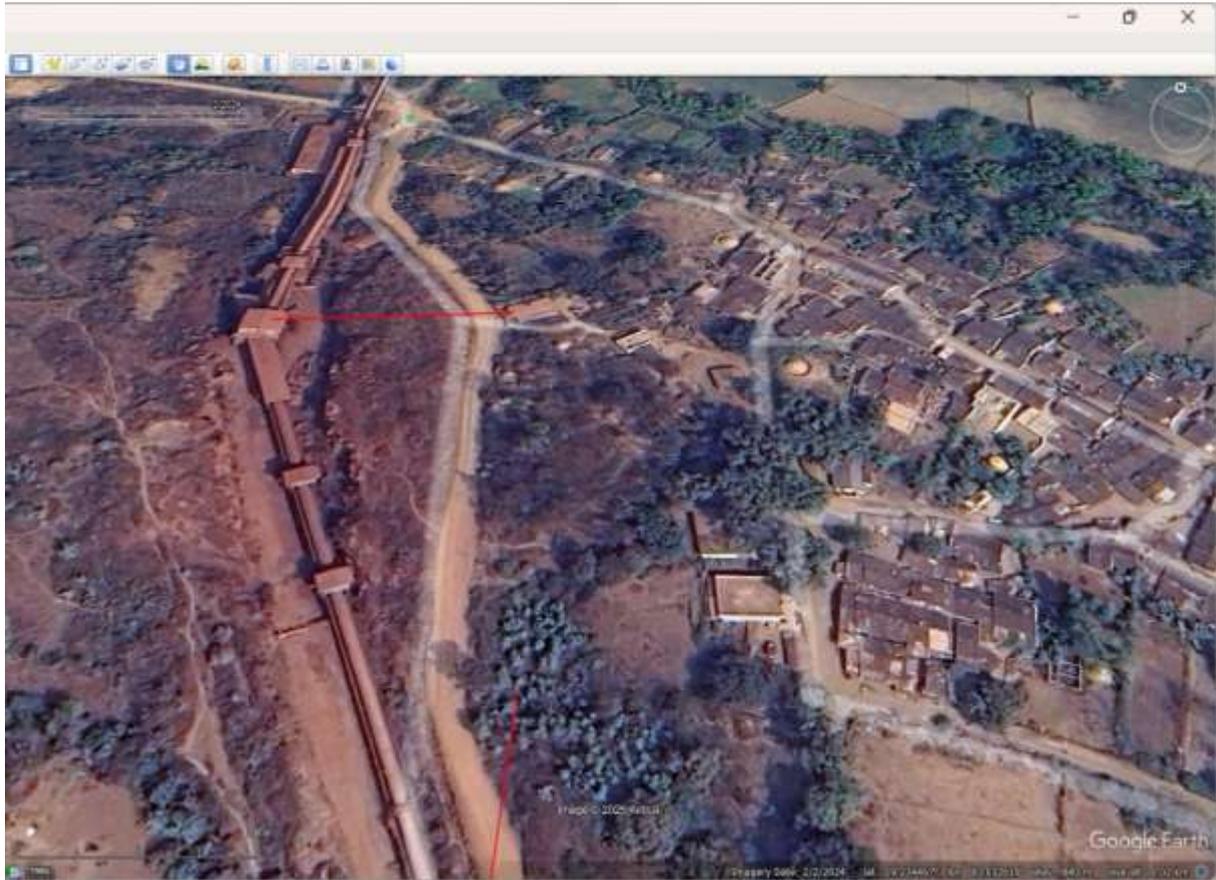
GOOGLE EARTH IMAGE DATED 10/05/2013 PRIOR TO ESTABLISHMENT AND OPERATION OF IJH SUGGESTS ZERO DUST POLLUTION



GOOGLE EARTH IMAGE DATED 25/02/2018 AFTER ESTABLISHMENT AND OPERATION OF IJH SUGGESTS HUGE DUST POLLUTION



GOOGLE EARTH IMAGE DATED 02/02/2024 AFTER ESTABLISHMENT AND OPERATION OF IJH SUGGESTS HUGE DUST POLLUTION





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

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**RESPONSE AFFIDAVIT FILED ONBEHALF OF APPLICANT TO THE AFFIDAVIT  
DATED 29/01/2026 FILED BY RESPONDENT NO.1**

1 message

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

Wed, Feb 11, 2026 at 11:11 AM

To: ashisprasad@acralaw.com, Jateswar Nayak &lt;adv.jateswar@gmail.com&gt;, Papiya Banerjee Bihani &lt;pbanerjeebihani@gmail.com&gt;, surendra kumar &lt;surendra\_kr15@rediffmail.com&gt;, apurba ghosh &lt;apu7law@gmail.com&gt;

Dear Sir/Madam, please find the attachment.

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**RESPONSE AFFIDAVIT.pdf**

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