



**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

Application under Section 18(1) read with Section 14, 15(1) of the National  
Green Tribunal Act, 2010

**ORIGINAL APPLICATION NO. of 2025/EZ**

In the Matter of :

RABINDRA KUMAR PRADHAN

.....Applicant

Versus

THE STATE OF ODISHA & ORS.

.....Respondents

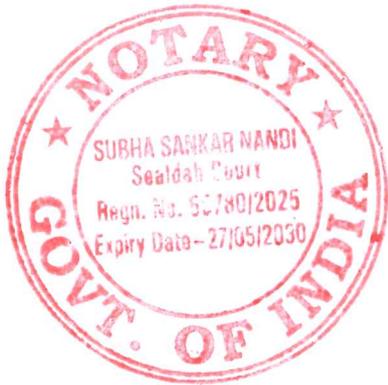


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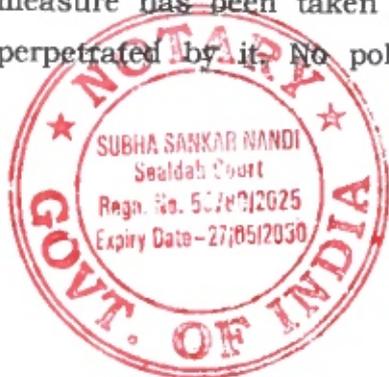
Sl. No.	Particulars	Annexures	Pages
6.	Photocopy of letter dated 11.11.2025 sent by the petitioner through email to the Regional Officer of State Pollution Control Board, The Chief Environmental Engineer / Nodal Officer, Fly Ash Management Cell of State Pollution Control Board, Odisha, Member Secretary, SPCB Odisha, Chairman (SPCB Odisha), Chairman (CPCB), Member Secretary (CPCB), Chief Environmental Engineer (CEE), Fly Ash Management Cell (SPCB, Odisha), Director (Odisha Vigilance Directorate, Cuttack).	Annexure - 'B' - 2	34 - 36
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**SYNOPSIS**

- A. The applicant is a member of Eco Warrior Team which is specifically formed for the protection of the environment and to prevent the uncontrolled operations of any Industry affecting the environment having its registered office at Ainthapali, Sambalpur, District Sambalpur, Orisha, Pin-768004.
- B. There are lot of industries developed in the Area of Sambalpur including Mouza Nua Rampella for the production of different goods and materials in last decade. The Government of Orisha has issued specific notification for the operations of such type of Industries towards controlling the pollution of the environment. All Industries are bound to follow such norms of the State Government for controlling air, water and soil pollution.
- C. But suddenly the applicant found that Respondent Industries being a aluminum Industries are not at all concerned about their uncontrolled activities and impact on the environment for the same. The Respondent Industries do not have the adequate pollution control devices installed with their industrial areas and the fly ash filling site operated at Nua Rampella over an area of Ac2.67 Dec, Plot No. 2456, Under KhataNo.357/395, Area Ac 1.730 Dec, Plot No.2457, Khata No.357/305, AreaAc 0.940Dec, Kisam Patia. The fly ash dumping has been carried out unscientific manner and heaps of larger size of dumping of fly ash in the said area, posing potential environmental and health risk of villagers residing nearer to the disposal site.
- D. The said industrial units has continued unscientifically which create environmental pollution and health risk of human being and no sufficient measure has been taken to control the menace of the pollution being perpetrated by it. No pollution control devices has been installed for



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running the said unit in a proper manner and some devices which is installed are not functioning in a proper way.

- E. All these illegal activities by the respondent Industry is being carried out in broad daylight without any iota of apprehension or remorse from which it can be observed that the said Respondent has no fear of being fined or punished by the appropriate authority for such gross violations of all the pollution control norms.
- F. Finding no other option the applicant issued a letter of complaint dated 11.11.2025 addressing the Regional Officer, State Pollution Control Board, Sambalpur, Plot No - 1070, Hospital Road, Modipara, Sambalpur - 768004, Odisha along with other concerned authorities.
- G. But it is very much unfortunate that despite of such complaint filed by the applicant neither there has been any initiation of proceeding against the Respondent Industries nor the illegal work of the said Industry without complying the pollution norms have been stopped.

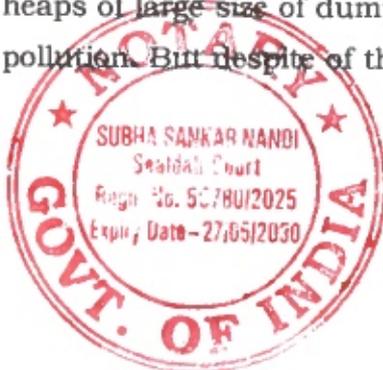


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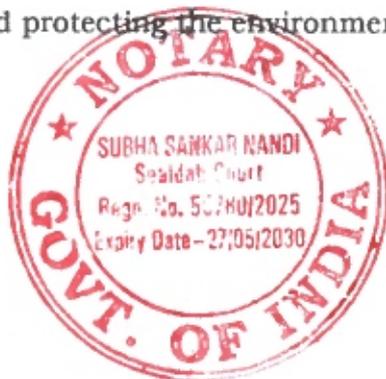
### POINTS OF LAW

- I. The Respondents ought to have known that Section 2(c) of the Environmental Protection Act says environment pollutant means the presence in the environment of any environment pollutant and as per Section 10(1) of the Act their power of entry and inspection and they have not acted in accordance of law.
- II. The pollution control authorities have not protected the right of the general people and has committed dereliction of duties as enjoyed by Articles 48A and 51A of the Constitution of India.
- III. The Respondents / competent authorities have made gross violation of the Environment Protection Act, 1986 by allowing the Respondent / Industry to run their industries who are flouting the established Pollution Control norms as per provision enshrined in the water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act, 1986.
- IV. The Petitioner herein being a Eco conscious citizen who is aware of environmental impact and actively chooses to live and act inway that protect the planet, approached before the Respondent / Industry to maintain the Pollution Control norms but to no effect and finding no other alternative, the Petitioner issued complaints to the Respondent / authorities with the prayers for a direction upon the Respondent / Industries to maintain the Pollution Control norms.
- V. That the Respondent No. 3 did not take any steps till the date or did not made an inquiry at the said area wherein that \*\* industry is being situated in regard to the notice filed by the applicant, and the applicant has made the aforesaid observations from which it is crystal clear that the Respondent / Industry have made gross violation of the Environment Protection Act, 1986 and hence should be directed the Respondent / Industry to restrain their haphazard work like fly ash dumping in unscientific manner, which made a heaps of large size of dumping of fly ash leading to all kind of environmental pollution. But despite of the representation made by the applicant before the



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- concerned authority no action has been taken by the Respondent / Industries towards controlling the Pollution except issuance a mere notice.
- VI. Despite of the initial inquiry by the authorities, the Respondent / Industry have been running their business freely and without any stoppage from any corner and no action has been taken by the Respondent / Industry towards pollution control.
- VII. As aforesaid failure and negligence of the Respondent authorities in protecting and maintaining of environment of the locality, the local people will be deprived of their right to life guaranteed under the provisions of Article 21 of Constitution of India.
- VIII. The Respondents have failed to appreciate in strict violation of the statutory provisions by the aforesaid industry to continue its proceedings.
- IX. The Respondent / authorities have neglected to interfere in regard to the illegal releases and emissions of several pollutants such as fly ash which can be classified as hazardous due to presence of high levels of heavy metals and other toxic substance and other chemical wastage in the air at the adjacent local area. Depending on the specific regulations and compositions different type of fly ash may require specific treatment like stabilization, solidification of heavy metals and removal of soluble salts before it can be disposed of or recycled. But unfortunately respondent industry is reluctant in this regard and concern authorities have failed to take appropriate steps against this type of activities.
- X. The Respondent / authorities have failed to invoke and to prevent the pollution of all kinds and the Respondent / authorities have been authorized to issue certain conditional order and prohibition or regulate any public nuisance or any trade or occupation, injurious to health, or physical comfort of the community as well as damaging of the air quality, water resources, soil, agricultural land and pond.
- XI. Inaction and failure on the part of the Respondent authorities in maintaining and protecting the environment is otherwise bad in law.



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**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

Application under Section 18(1) read with Section 14, 15(1) of the National Green  
Tribunal Act, 2010

**ORIGINAL APPLICATION NO.                      of 2025/EZ**

In the matter of :

**Rabindra Kumar Pradhan,**

Son of Raghunath Pradhan, residing at Pandey  
Colony, Near TCI Chowk, Jhartarang, Rourkela,  
Sundargarh, Odisha – 769004.

Email Id - ravindrpradhan25@gmail.com.

Mobile Number : 7008151438..

.....Applicants

- VERSUS -

1. State Of Odisha

Represented by Chief Secretary Government of  
Odisha, Secretariat Building, Bhubaneswar,  
Odisha, Pin - 751001. Email ID : csori@nic.in

2. The Member secretary

State Pollution Control Board, Odisha,  
Paribeshbhawan, A/118, Nilakantha Nagar, Unit  
- VIII, Bhubaneswar, Odisha, Pin -751012.

Email ID : secy@ospcb.org

3. The Regional Officer

State Pollution Control Board, Sambalpur, Plot  
No-1070, Hospital Road, Modipara, Sambalpur -  
768002, Odisha,

Email ID: rospcb.sambalpur@ospcb.org



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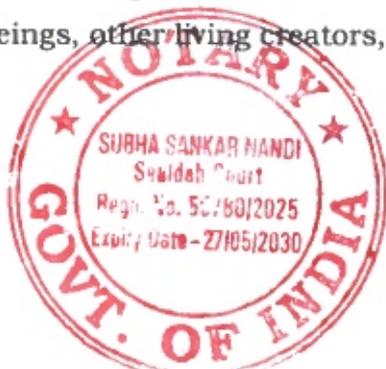
4. The Chief Environmental Engineer (Fly Ash Management Cell ),  
State Pollution Control Board, Paribesh Bhawan,A/118,Nilakantha Nagar,Bhubaneswar, Odisha, Pin - 751001.Email ID :bkbehera@ospcboard.org
5. The District Collector Cum Magistrate, of sambalpur, Odisha, Pin - 768002.  
Email ID:  
dm-sambalpur@nic.in
6. The Director  
M/S VEDANTA LIMITED, having its Registered Office at Bhurkamunda,PO. Kalimandir,District : Jharsuguda , Pin - 768202  
Email:comp.sect@vedanta.co.in

.....Respondents

**MOST RESPECTFULLY SHEWETH :**

A. That the applicant is a peaceful citizen of India and is the permanent resident of the address as mentioned in the cause title of the instant application. That the applicant herein is a general person and environmentalist. He is very much concern for the protection of the environment and always stands against the hazardous and uncontrolled operation of any industry affecting the environment. Previously he filed several complaints in respect of environmental pollution before local administrative authorities and this Honble Court against different heavy industries and toxic sectors or resource -intensive sectors.

According to Section 2(c) of the National Green Tribunal Act' 2010, the terms of Environment means and includes "water, air and land and inter relationship which exists among and between water, air, land and human beings, other living creatures, planets, micro organisms and property."



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**JURISDICTION :**

The present application is placing before this Hon'ble Tribunal, under Section 14 read with Section (2) of the National Green Tribunal Act, 2010, in respect of air water and soil pollution and Environmental ( protection ) Act of 1986 which serves as an umbrella legislation for protecting the environment including soil and Environment Clearance Regulations,2006 which require environmental impact assessment for various planned activities, helping to prevent potential soil contamination before projects are implemented at Nua Rampella over an area of 2.67 Decemile, Plot No.2456, underKhata No.357/305,area of Ac.1.730 decimal Plot No.2457, Khata No. 357/ 305, Area of Ac.0.940 decimal, Kisampatia.

The present application raises a substantial question relating to environment and the acts and omissions complained of are in direct violation of the statutory environmental norms and having a direct impact on the community living in and around the locality and local environment.

**BRIEF FACTS OF THE CASE :**

B. Brief facts necessary for the present complaint are:

- a. That the applicant is a general person who is not directly affected but he is an environmentalist and concerns about the environmental pollution and being a Eco- conscious citizen always tried to prevent the hazardous and uncontrolled operation of any industry affecting the environment. He is residing at Pandey Colony, Near TCI Chowk, Jhartang, Rourkela, Sundargarh, Odisha - 768004.
- b. That there have been a lot of industries developed in above said disputed area for production of different goods, materials in last decade and hence the Government of Odisha has issued specific notifications for the operation of such industries towards controlling the pollution to the environment. Accordingly, the industries are bound to follow such norms of the State Government for controlling air, soil and water pollution.



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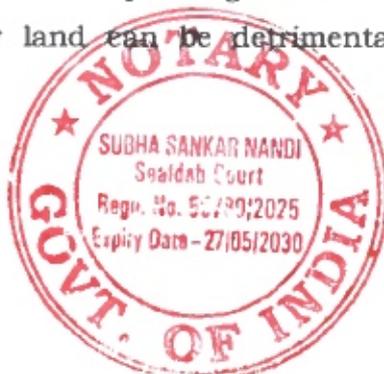
- c. That all of a sudden, the applicant found that the Respondent No. 6 being Aluminum Industry is not at all concerned about their uncontrolled activities and impact on the environment for the same. Furthermore, the Respondent No. 6 does not have the requisite pollution control devices installed with their industrial area and also fly ash dumping has been carried out unscientifically and heaps of large size of dumping of fly ash in said area, posing potential environmental and health risks of the villagers residing nearby the disposal site.
- d. Moreover, the Industrial Unit has installed which are deducting the systems and no sufficient measure has been taken to control the menace of the pollution being perpetrated by it. Furthermore, no pollution control device has been installed for running the said establishment in a proper manner and some devices which is installed are not functioning in a proper way.
- e. It is pertinent to mention here in this connection that the management of the said Respondent No. 7 remain defiant or obstinate and is not at all bothered and concerned about this alarming situation adversely impacting the lives of people at large. Due to continuous operation of this industry and continuous production of fly ash that is being released in the air and thereby polluting air, water, soil, cultivable land and reserve forest. This industry is located in surrounding villages of Nua rampella, Kisam Patia (Low land).
- f. That all these illegal activities by the Respondent No. 6 is being carried out in broad daylight without any iota of apprehension or remorse from which it can be clearly observed that the said Respondent No. 6 has no fear of being fined or punished by the Respondents / Authorities for such flagrant and gross violation of all the pollution control norms being committed by the Respondent No. 6. Though State Pollution Control



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Board, Odisha after receiving several complaints from villagers of that area has already issued a notice describing the fact addressing to Chief Operating Officer of M/S Vedanta Limited but no effective lawful step has been taken against the said industry by the authority. Taking the advantage of reluctance of concern authority that industry is running business without taking any effective scientific measures which are strictly laid down by the concerned authorities. Furthermore fly ash is considered as hazardous waste owing to the high associated concentrations of heavy metals and soluble salts. Hence cost effective methods are urgently needed to properly dispose HFA. According to the scientific study geopolymers were prepared by alkali activation technology to stabilize and solidify heavy metals in HFA. In addition the effects of three different aluminosilicates on the heavy metal immobilization efficiency were investigated. Because the soluble salt content of HFA is too high for their direct placement in flexible landfill sites and water washing can lead to heavy metal leaching, water washing experiments were conducted after alkali activation treatment to remove soluble salts. But the Respondant Industry is not aware of this at all.

- g. That the Respondent No. 6 have clearly made gross violation of pollution control norms by not possessing and following the proper processes of pollution control measures which are require for the purpose of running their Aluminum and power Industry. It is very much relevant to mention here that Respondent No 6 running above said industry in densely populated area of Nua Rampella, Kisam patia (low land as described in the notice of State Pollution Control Board).Beside that dumping site there are many local agricultural land, pond, low land etc. In rainy season large quantity of fly ash has been deposited on or has contaminated agricultural land as a result of improper disposal of industrial spill. High concentrations of fly ash on agricultural land and low land can be detrimental. It may contain toxic heavy metal like



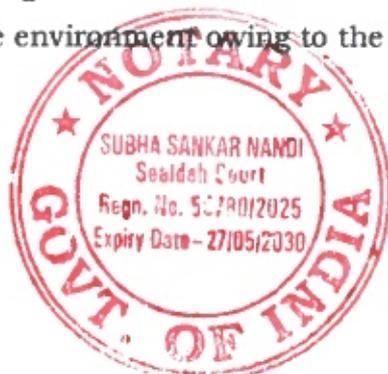
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arsenic, lead, mercury, chromium which can leach into the soil and groundwater entering the food chain. It is also relevant to mention here that improper dumping of fly ash can alter the soils properties, such as significantly increasing its PH, which negatively impacts microbial activities and nutrient availability for most plants and it consumes large land areas making them non-productive.

- h. Moreover, the perilous and deleterious condition of dumping site and Aluminum industries as there are no preventive measures or equipments and those residing in the vicinity, vividly illustrate the imminent jeopardy to the lives of the people. General people of those areas are also getting sick due to the uncountable increase of air, water & soil pollution. Exposure to fly ash is linked to various severe health conditions, primarily affecting the respiratory, cardiovascular and nervous systems due to the inhalation of fine particles and the presence of toxic heavy metals. The fine particles in fly ash can penetrate deep into the lungs, leading to a range of respiratory problems like Asthama, Chronic Obstructive Pulmonary Disease, Bronchitis and Pneumonia, Silicosis etc. Most of the people are suffering from lung diseases, respiratory problem, coughing, wheezing etc or even premature death rate also increased day by day but unfortunately all concern authorities are become silent and no precautionary measures has been taken on their part till the date.

Photographs of the present condition of that site and Industry substantiating the realities and level of pollution are annexed herewith this application and collectively marked as **Annexure - A**.

- i. Finding no other alternative, the applicant officially sent or despatched a digital message (Email) to the concern authorities on addressing the Regional Officer, State Pollution Control Board, Sambalpur, Odisha alongwith other concerned authorities stating the grave situation affecting the environment owing to the activities of the Respondent No. 6 and prays



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operation adversely impacting the environment as well as the lives of people.

Photocopy of the notice dated 29.09.2025, Email dated 11.11.2025, letter dated 19.11.2025 issued by applicant addressing the Regional Officer, State Pollution Control Board, Sambalpur, Odisha along with the concerned authorities are annexed herewith this application and photo copy of the letter issued by the Deputy Speaker, Odisha legislative assembly are annexed and marked as **Annexure – B**.

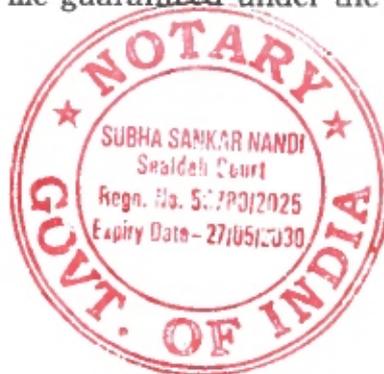
- j. That the applicant states that concerning about the negative impact on the environment and health of the people at large, the applicant being an Eco Conscious Citizen on behalf of villagers of that area is suo-moto taking actions against the Respondent No. 6 to save the environment from such bad impact.
- k. But despite of such complaint filed by the applicant by way of a Email dated 11.11.2015, neither there has been any initiation of proceeding against the Respondent No. 6 nor the illegal and uncontrolled work of the Respondent No. 6 without complying the pollution norms have been stopped.
- l. That it is humbly submitted that the Respondents / competent authorities have made gross violation of the Environment Protection Act, 1986 by allowing the Respondent No. 6 to run their operation without complying any terms, which has caused severe damage to the environment of the said areas wherein the industry's fly ash dumping sites are situated.



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### G R O U N D S

- I. For that the Respondents ought to have known that Section 2(c) of the Environmental Protection Act says environment pollutant means the presence in the environment of any environment pollutant and an environmental pollutant is defined in section 2(b) as any solid, liquid or gaseous substance that is, or tends to be injurious to the environment due to its concentration and as per Section 10(1) of the Act their power of entry and inspection and they have not acted in accordance of law.
- II. For that the pollution control authorities have not protected the right of the applicant, villagers of nearby areas and has committed dereliction of duties as enjoyed by Articles 48A and 51A of the Constitution of India.
- III. For that the Respondents / competent authorities have made gross violation of the Environment Protection Act, 1986 by allowing the Respondent No. 6 to run their operation without complying any terms, which has caused severe damage to the environment of the said areas wherein the industry's Fly ash dumping sites are situated.
- IV. For that the Respondents / Competent Authorities should have taken stern actions against the Respondent/ Industry with immediate effect owing to continuation of such illegal and uncontrolled way of industrial operations affecting the environment and people at large.
- V. For that by reasons as aforesaid failure and negligence of the Respondent / Concerned Authorities in protecting and maintaining the environment in the locality and the applicant along with the people at large are getting deprived of their right to life guaranteed under the provisions of Article 21 of Constitution of India.



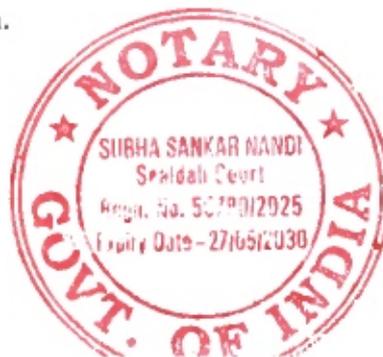
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- VI. For that by reasons as aforementioned failure and negligence of the Respondent/ Authorities as they are supporting the gross violations of specific conditions, stated and defined under sections 2(e),25.26,32,33,42 &44 of Water( Prevention and Control of Pollution ) Act 1974, section 2(a),2(b),17,21,22,22A,31A,&37 of Air ( Prevention and Control of Pollution) Act,1981; para A, para B, para E and penalty provision of Fly Ash Notification (2021).
- VII. For that the Respondents have failed to appreciate in strict violation of the statutory provisions by the aforesaid industry to continue their proceedings.
- VIII. For that the Respondents / authorities have neglected to interfere into the matter except issuing one notice against Respondent Industry.
- IX. For that the Respondent / authorities have failed to invoke and to prevent the pollution of all kinds and the Respondent / authorities have been authorized to issue certain conditional order and prohibition or regulate any public nuisance or any trade or occupation, injurious to health, or physical comfort of the community as well as damaging of the environment including agricultural land and low land.
- X. For that inaction and failure on the part of the Respondent authorities in maintaining and protecting the environment is otherwise bad in law.

That this Hon'ble Tribunal has the jurisdiction to entertain the present application as the affected areas are situated within the territorial jurisdiction.

**LIMITATION :**

The cause of action continues day to day and hence the present application is not barred by limitation.



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**PRAYER :**

It is therefore humbly prayed by the applicant before this Hon'ble Tribunal :-

- (i) For a direction upon the Respondent No. 6 for operating the industrial work without affecting the environment.
- (ii) For a direction upon the Respondent authorities to assess and impose environmental compensation upon respondent industry (Respondent number 6) for the violation of environmental rules and norms.
- (iii) For a direction upon the State PCB in respect of verification of industrial work of those units.
- (iv) For a direction to stop the industrial operations and fly ash dumping of the Respondent at such uncontrolled way without complying the pollution norms.
- (v) Any other direction that the Hon'ble Tribunal deems fit in the present case in the interests of justice to address the environmental concerns.



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Place - Kolkata

Date -

Applicant Through

Nittu Bhattacharya

Advocate.

**VERIFICATION**

I, Rabindra Kumar Pradhan, Son of Son of Raghunath Pradhan, Residing at Pandey Colony, Near TCI Chowk, Jhartang Rourkela, Sundargarh, Odisha - 769004, the petitioner in the above mentioned case, do hereby solemnly declare and affirm that the statements made above are true to the best of my knowledge and belief and I sign this verification on      day of December, 2025.

Rabindra Kumar Pradhan

**DEPONENT**

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SL. NO. 25 Dt. 23-12-25

I, Rabindra Kumar Pradhan, Son of Son of Raghunath Pradhan, aged about 36 years, by occupation - businessman Residing at Pandey Colony, Near TCI Chowk, Jhartang Rourkela, Sundargarh, Odisha - 769004, hereby solemnly affirm and declare as follows :-

1. That I am the Applicant in the instant application and deponent in the present Affidavit and hence I am well acquainted with the facts and circumstances of this case and as such I am competent to swear and sign this affidavit for self.
2. That the statements made in the foregoing paragraphs are the information derived from the record which I verily believed to be true and the rests are my humble submissions before this Learned Court.

*Rabindra Kumar Pradhan*

**DEPONENT**

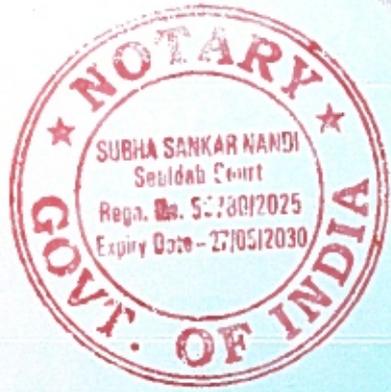
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*Mithu Bhattacharya*  
Advocate

Identified by me  
*Mithu Bhattacharya*  
Advocate

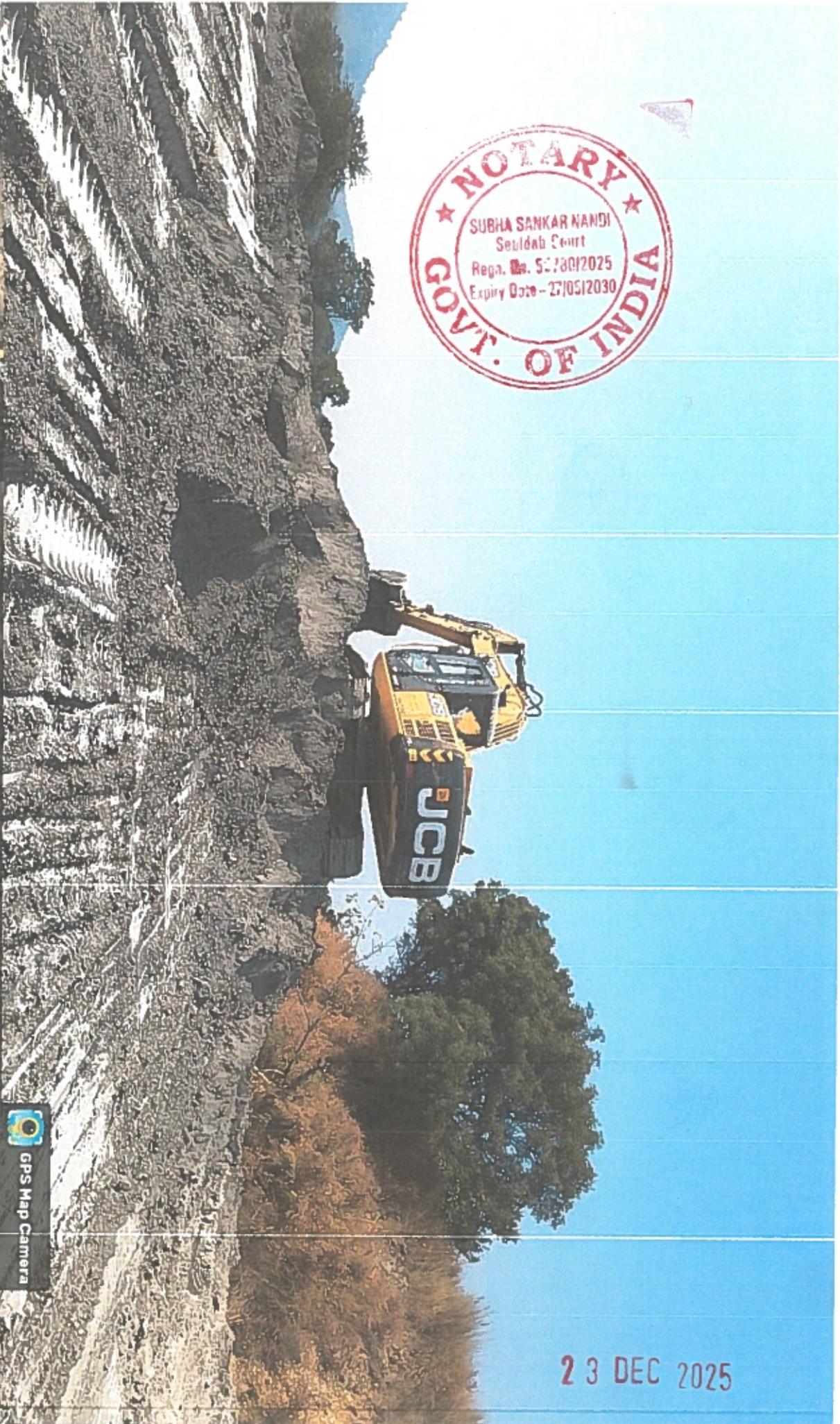


Solemnly affirmed and declared  
before me on identification  
*Subha Sankar Nandi*  
**SUBHA SANKAR NANDI**  
Notary Public  
Reg. No. 55780/2023  
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Sealdah Court  
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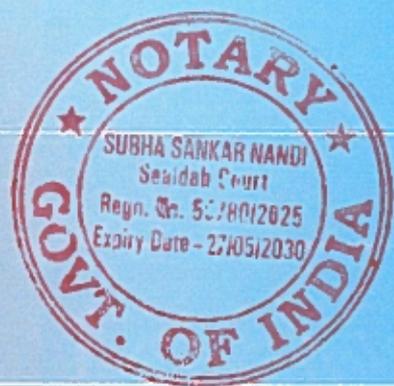
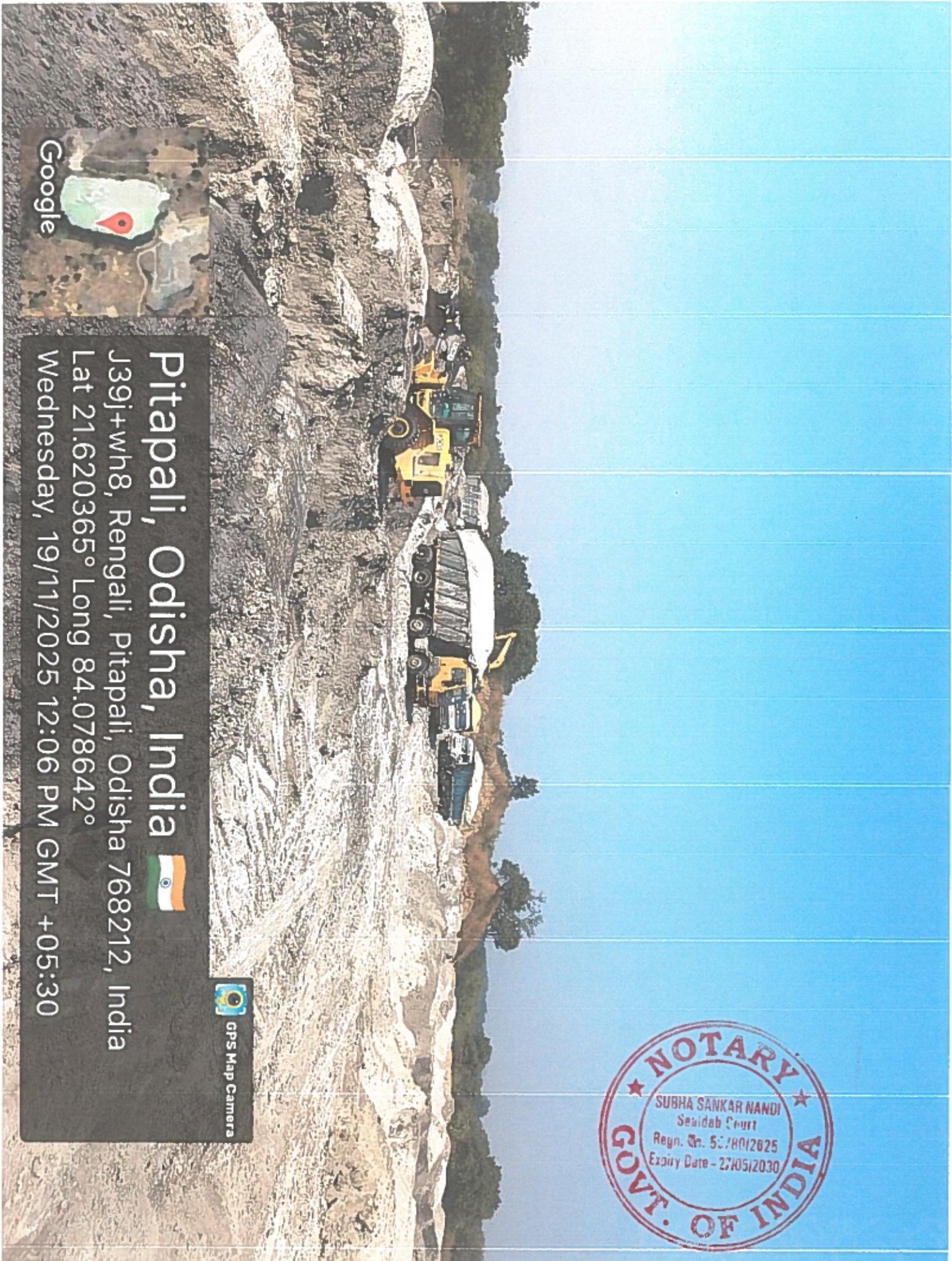


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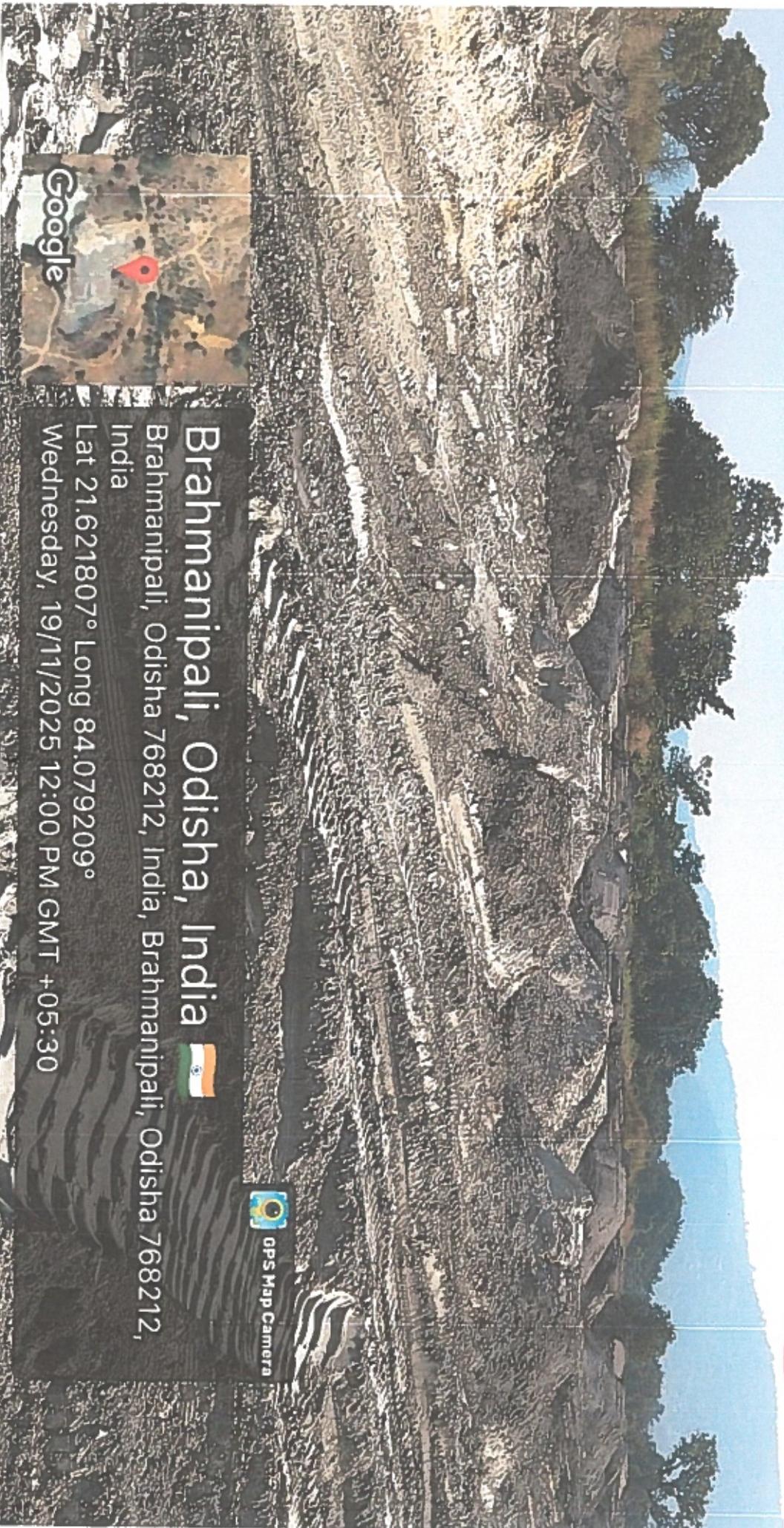
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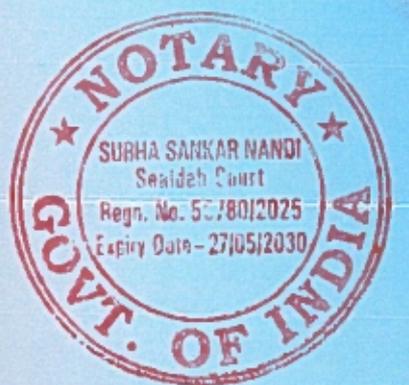


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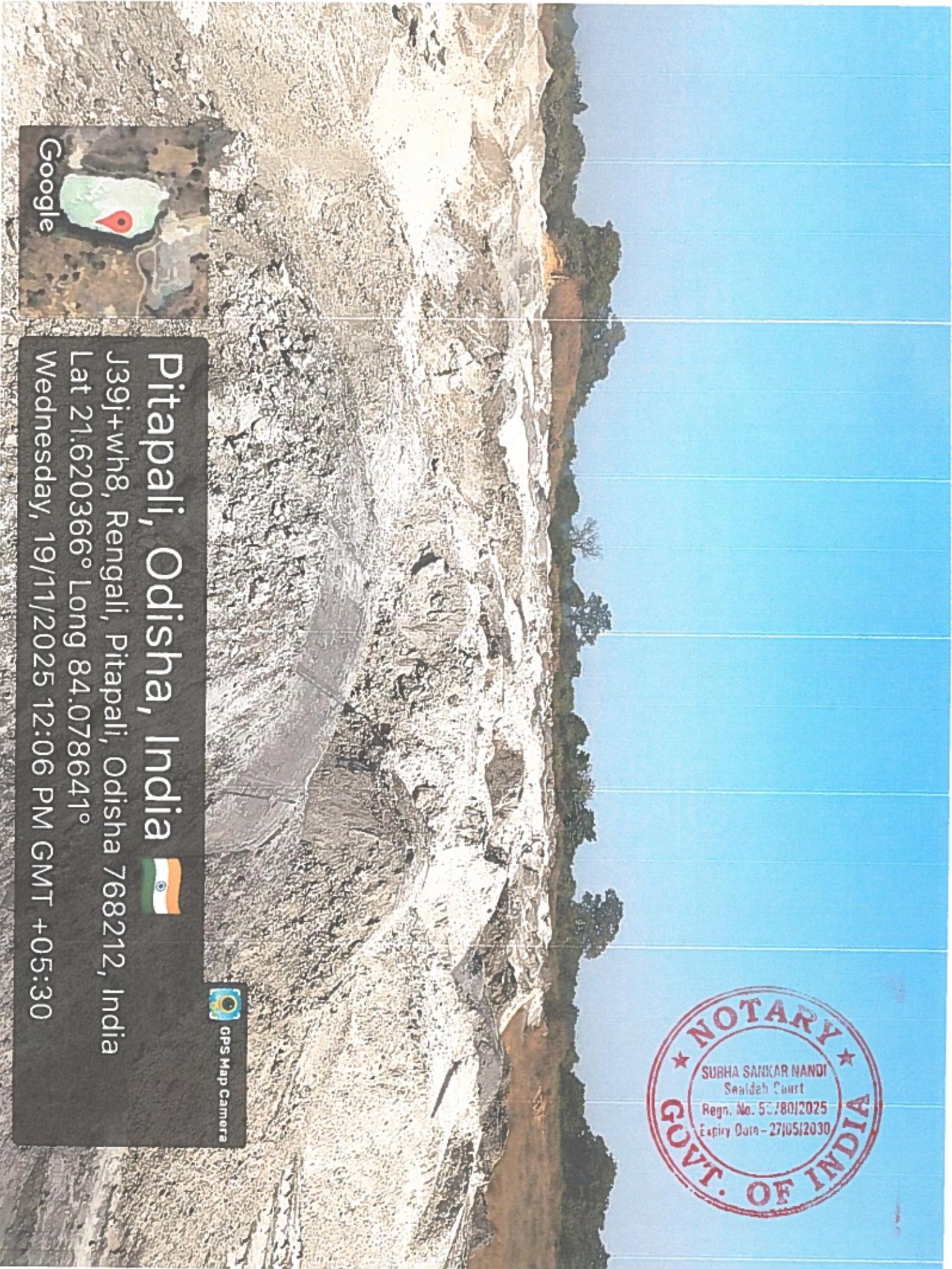


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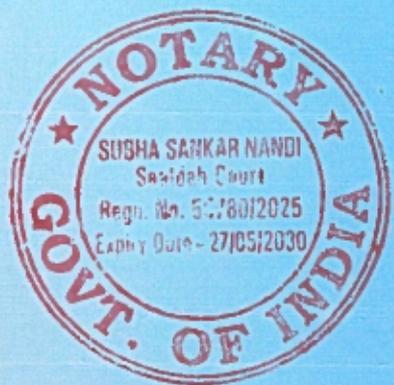
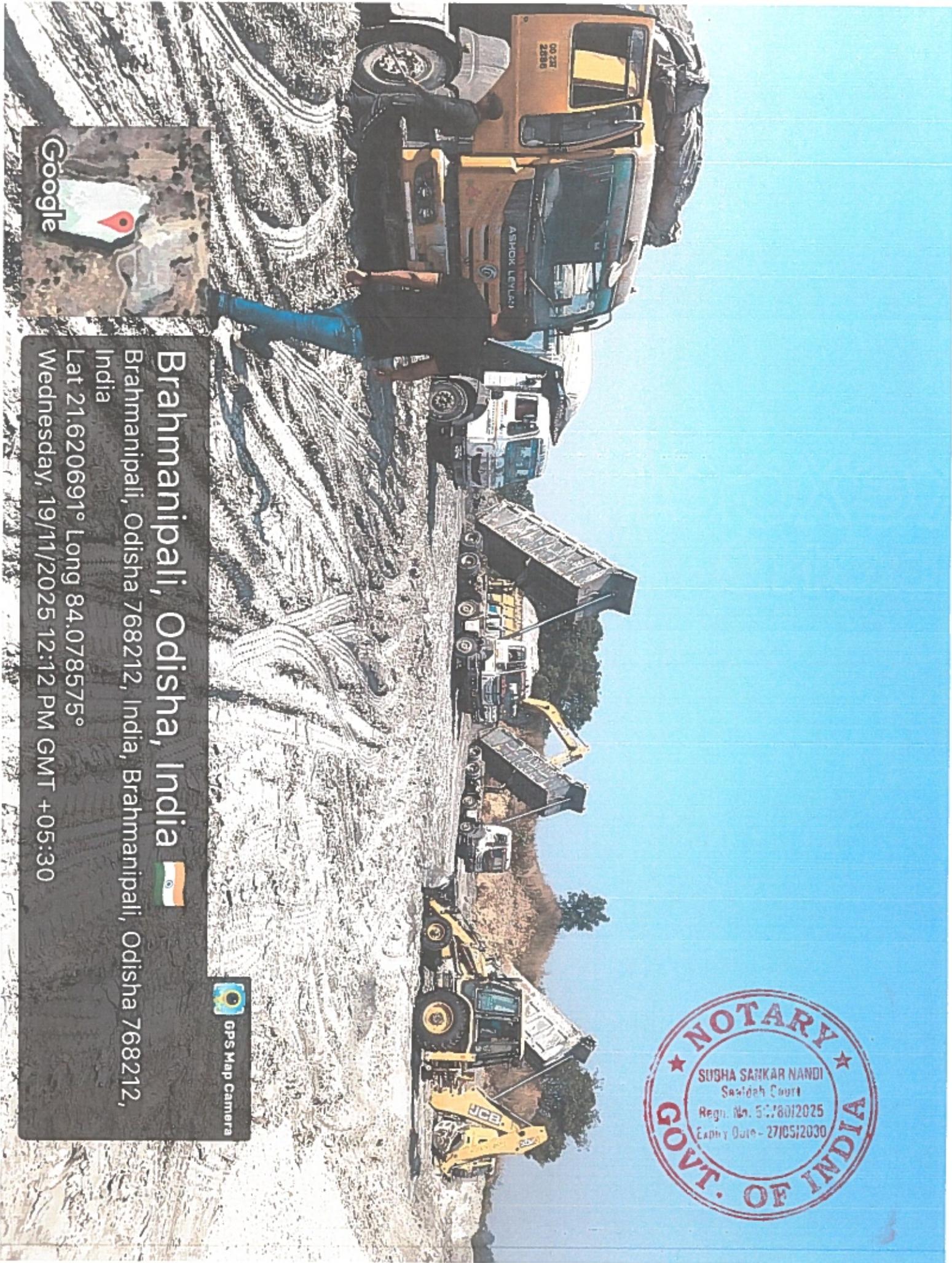




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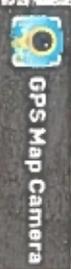


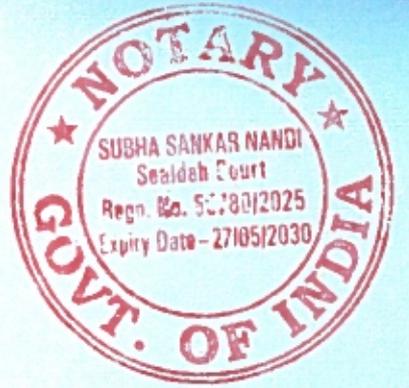
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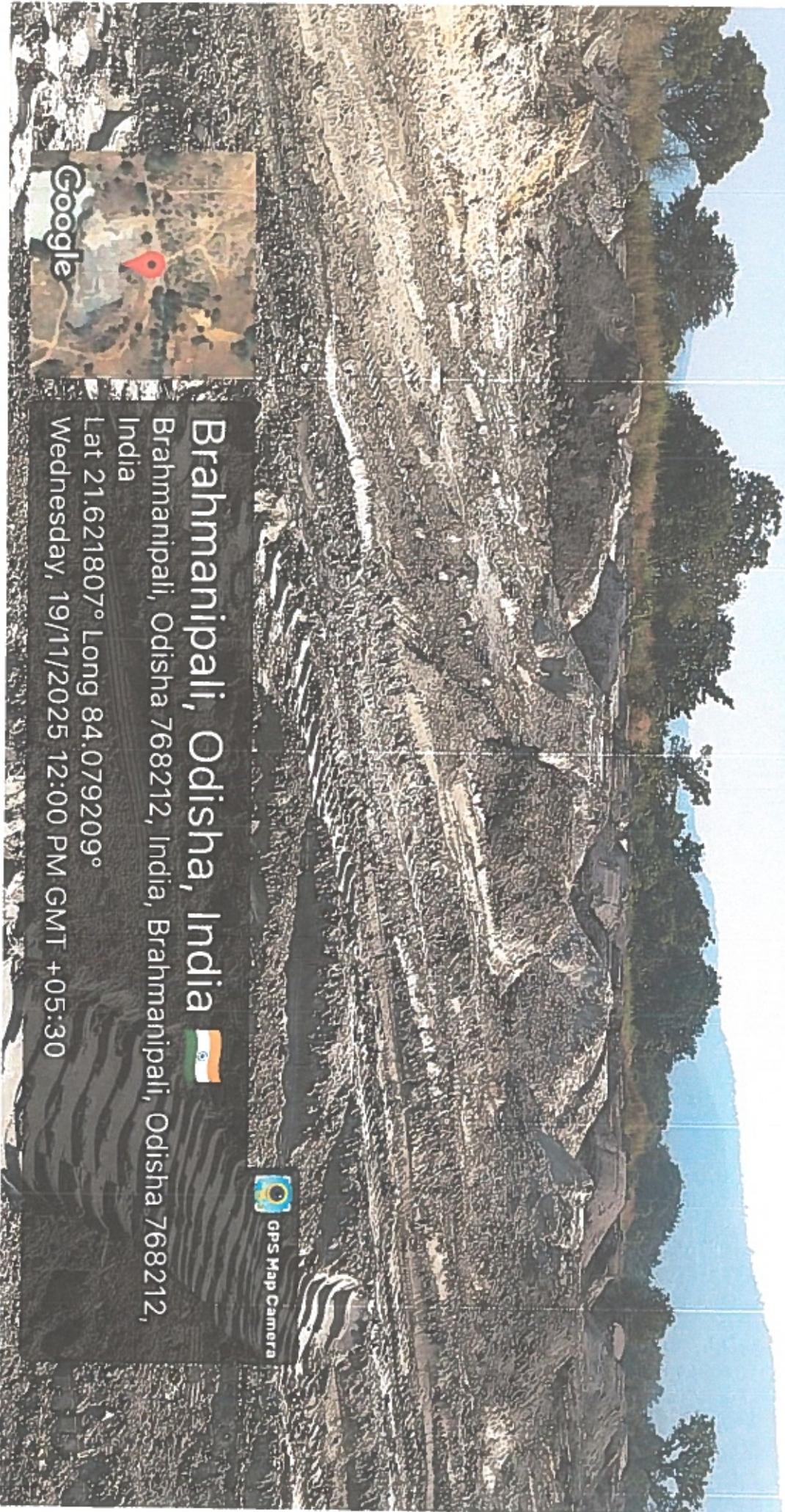




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Brahmanipali, Odisha 768212, India, Brahmanipali, Odisha 768212, India  
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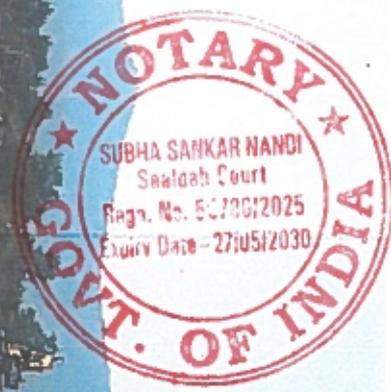
23 DEC 2025



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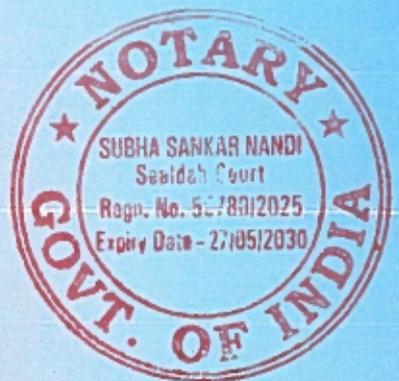
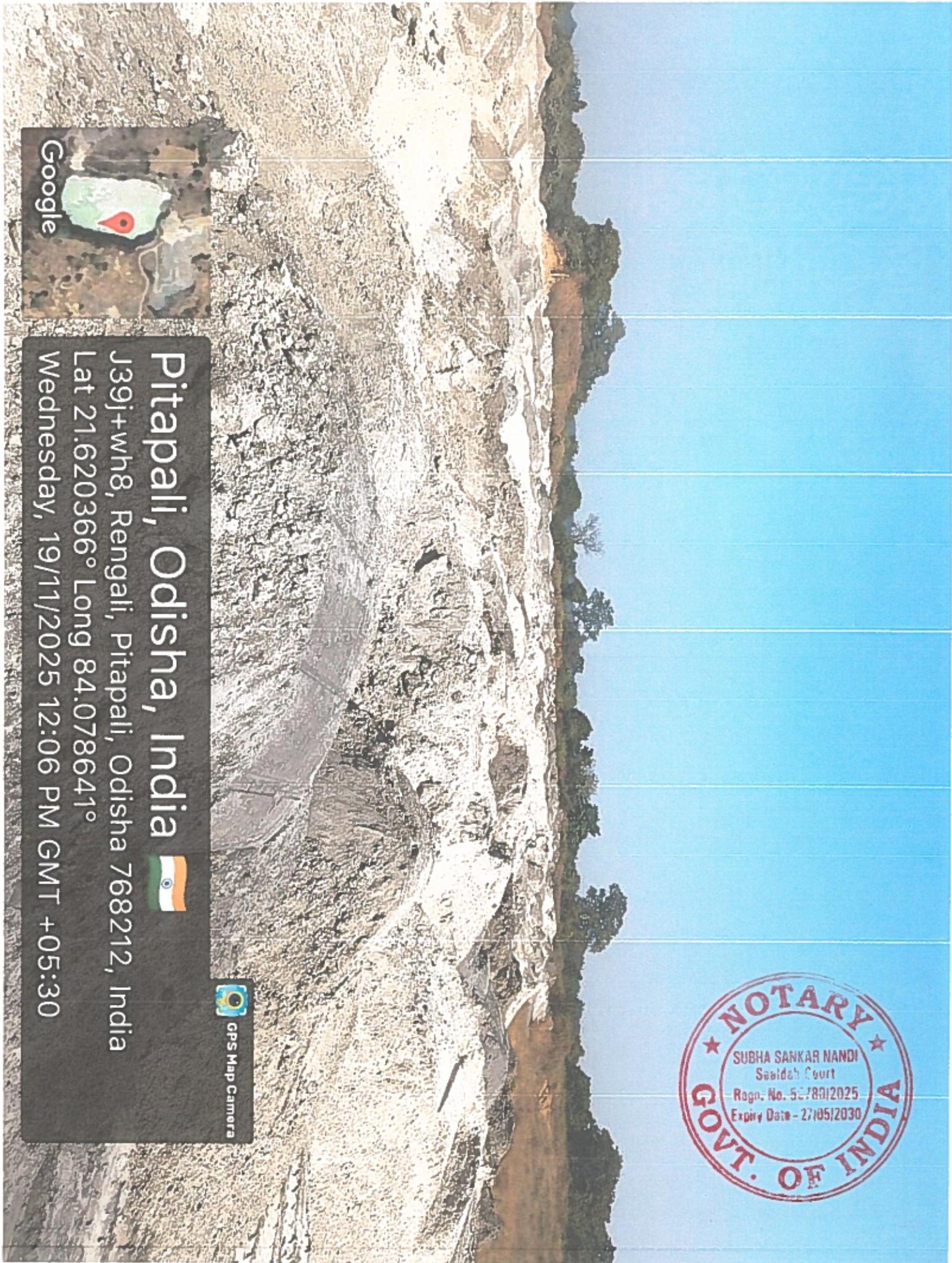


23 DEC 2025

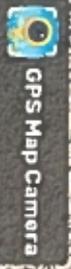


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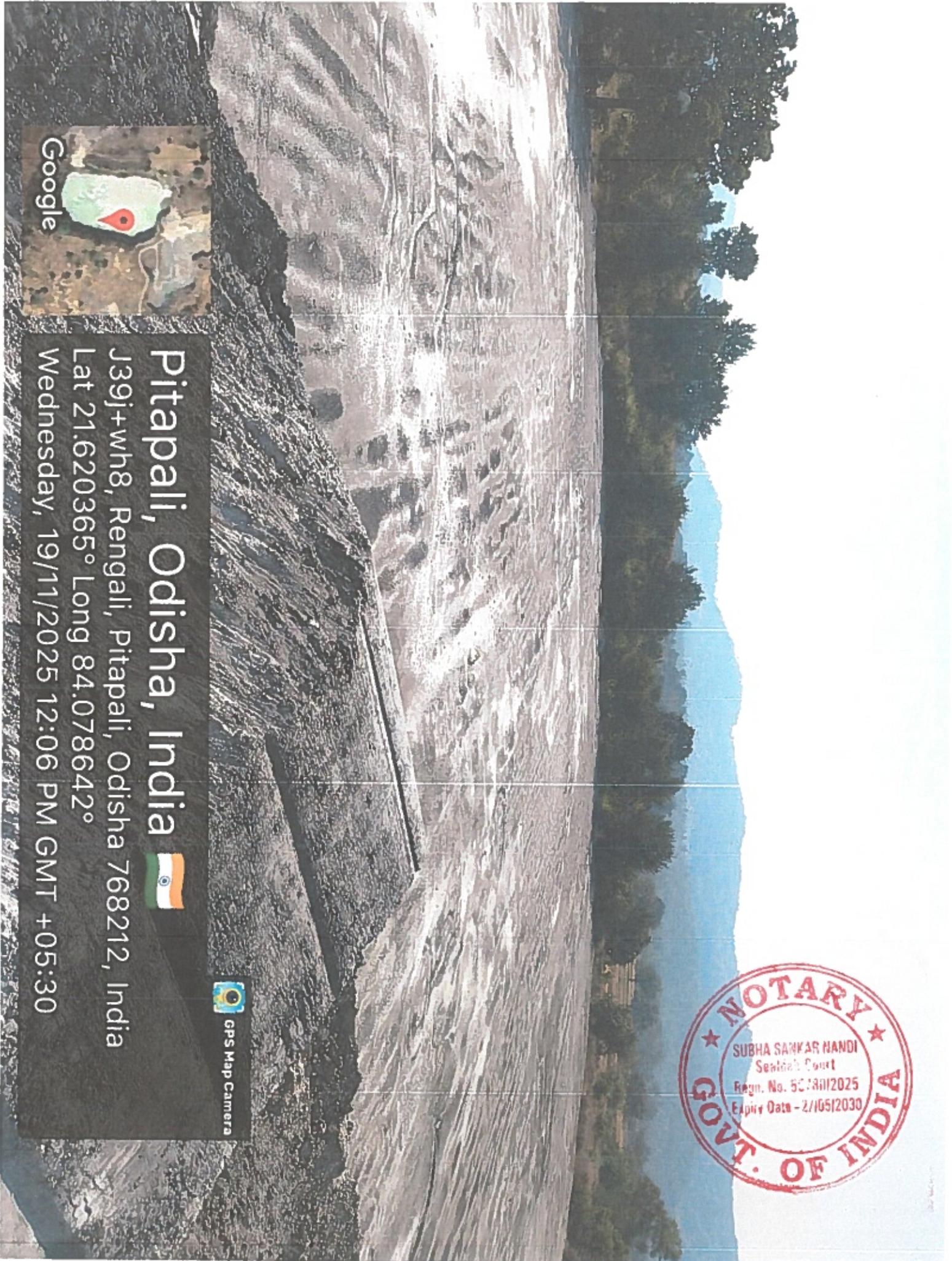
23 DEC 2025



**Pitapali, Odisha, India**   
J39j+wh8, Rengali, Pitapali, Odisha 768212, India  
Lat 21.620366° Long 84.078641°  
Wednesday, 19/11/2025 12:06 PM GMT +05:30



23 DEC 2025



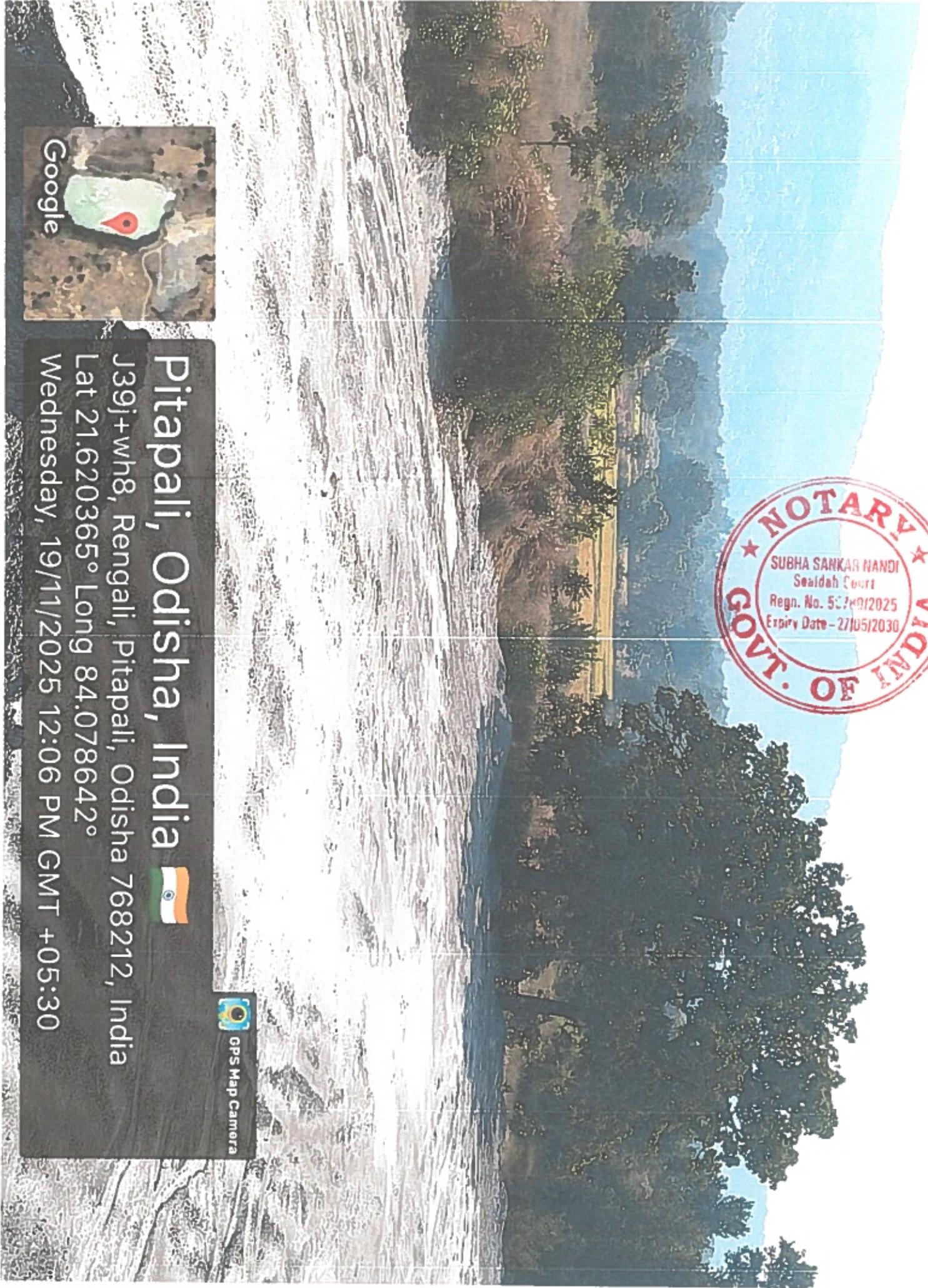
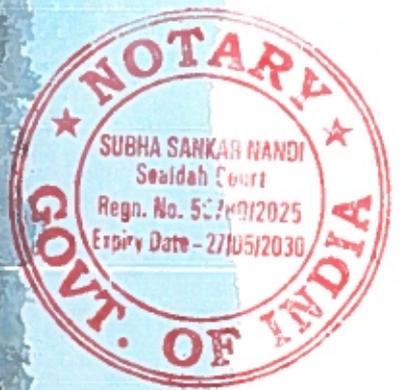
**NOTARY**  
★ SUBHA SANKAR NANDI ★  
Sessions Court  
Regn. No. 50781/2025  
Expiry Date - 2/10/2030  
**GOVT. OF INDIA**

**23 DEC 2025**



**Pitapali, Odisha, India**   
J39j+wh8, Rengali, Pitapali, Odisha 768212, India  
Lat 21.620365° Long 84.078642°  
Wednesday, 19/11/2025 12:06 PM GMT +05:30





**Pitapali, Odisha, India** 

J39j+wh8, Rengali, Pitapali, Odisha 768212, India  
 Lat 21.620365° Long 84.078642°  
 Wednesday, 19/11/2025 12:06 PM GMT +05:30



23 DEC 2025



Tel: 0663-2950151  
 Email: rospcb.sambalpur@ospcboard.org  
 Website: www.ospcboard.org

OFFICE OF THE REGIONAL OFFICE, SAMBALPUR  
**STATE POLLUTION CONTROL BOARD, ODISHA**  
 [DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]  
 1070, Hospital Road, Modipara, Sambalpur-768002

No. 5364...../ IV MISC-II/2014-15  
 From

Date 29.09.2025

Er. S.N.Nanda  
 Regional Officer

To

The Chief Operating Officer  
 M/s Vedanta Limited  
 At: Bhurkamunda, PO: Kalimandir, Dist: Jharsuguda

**Sub: Immediate Closure of Fly Ash Filling Site at Mouza; Nua rampella over an area of Ac 2.67 Dec, Plot No.2456, under Khata No. 357/305, Area Ac 1.730 Dec, Plot No.2457, khata No.357/305, Area Ac 0.940 Dec, Kisam Patia,**

**Ref: CTO granted upto 31.03.2026 vide this office letter no 4339 dtd 16.12.2022**

Sir,

In inviting a reference to the subject cited above it is to inform that this office has been received complaints from villagers regarding the fly ash filling site operated at Nua rampella over an area of Ac 2.67 Dec, Plot No.2456, under Khata No. 357/305, Area Ac 1.730 Dec, Plot No.2457, khata No.357/305, Area Ac 0.940 Dec, Kisam Patia. The fly ash dumping has been carried out unscientific manner and heaps of larger size of dumping of fly ash in the above area, posing potential environmental and health risks of the villagers residing nearer to the disposal site.

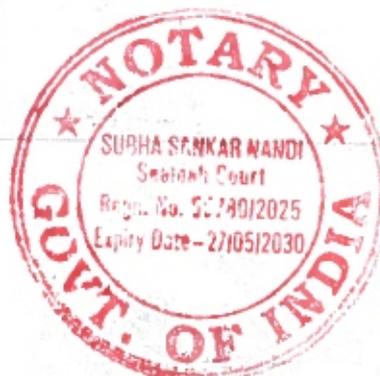
In light of the complaints and potential risks, this office has instructed you to immediately close down the filling of fly ash in the above site immediately. You are required to take necessary measures to mitigate any potential hazards and ensure compliance with environmental regulations.

Please confirm in writing that the site has been closed and inform to the undersigned immediately for further course of action at your end.

Yours faithfully,

  
 Regional Officer

1 | Page



23 DEC 2025

Memo No. 5365 /Dt. 29.09.2025 / Speed Post/Email

Copy forwarded to the Member Secretary/Addl Chief Env Engineer, State Pollution Control Board, A/118, Nilakantha Nagar, Unit-VIII, Paribesh Bhawan, Bhubaneswar-12 /Sr. Law Officer L-1, SPC Board, Odisha, Bhubaneswar for kind information.

  
Regional Officer

Memo No. 5366 /Dt. 29.09.2025 / Speed Post/Email

Copy forwarded to the Collector & District Magistrate, Sambalpur/Jharsuguda for kind information and necessary action.

  
Regional Officer

Memo No. 5367 /Dt. 29.09.2025 / Speed Post/Email

Copy forwarded to the Regional Officer, State Pollution Control Board, Jharsuguda for information.

  
Regional Officer

O/C



23 DEC 2025



## Non-Compliance by RO Sambalpur & Fly Ash Management Cell Under Fly Ash Notification 2021 – Demand for Personal Explanation and 7-Day ATR

2 messages

RAVINDRA PRADHAN <ravindrpradhan25@gmail.com>

Tue, 11 Nov 2025 at 3:58 pm

To: rospcb.sambalpur@ospcbboard.org <rospcb.sambalpur@ospcbboard.org>, bkbehera@ospcb.org, paribesh1@ospcbboard.org, membersecretary@ospcbboard.org, chairman@ospcbboard.org, ccb.cpcb@nic.in, mscb.cpcb@nic.in, dirvig@nic.in, registrarngt-kolkata@gov.in

To

The Regional Officer  
State Pollution Control Board, Odisha  
Regional Office, Sambalpur, Odisha

And

The Chief Environmental Engineer / Nodal Officer  
Fly Ash Management Cell  
State Pollution Control Board, Odisha  
Bhubaneswar.

Subject: Statutory Notice for Non-Compliance with Fly Ash Utilisation Notification, 2021 – Mandatory Personal Explanation, Disclosure of All Communications, and Joint ATR Within 7 Days – Enforcement and Penal Action Under EPA 1986

Respected Sir,

This statutory notice is issued regarding the continuing illegal and unauthorised fly-ash dumping at Nua Rampella by M/s Vedanta Ltd., and the failure of both the Regional Officer, SPCB Sambalpur and the Chief Environmental Engineer, Fly Ash Management Cell to take mandatory enforcement actions as required under the Fly Ash Utilisation Notification, 2021 (S.O. 5488(E)), read with Sections 3 and 6 of the Environment (Protection) Act, 1986.

Your continued inaction constitutes statutory violation, administrative negligence, and dereliction of duty, attracting liability under Section 15 and Section 17 of the EPA 1986.

### 1. Violations of Fly Ash Utilisation Notification, 2021

#### 1.1. Clause 6(1) & 6(2): 100% Utilisation Mandate

Illegal dumping indicates non-enforcement of the utilisation obligations.  
Failure to ensure compliance violates Clause 15(a) and Clause 16(1).

#### 1.2. Clause 7(1) & 7(3): Prohibition of Unauthorised Disposal

Dumping at Nua Rampella constitutes unlawful disposal requiring immediate stoppage and prosecution.  
No such action was taken by either office.

#### 1.3. Clause 15(b), 15(d), 15(e): Mandatory Duties of SPCB

Both offices failed to:  
Monitor disposal and utilisation  
Prevent illegal dumping  
Initiate enforcement and prosecution  
Report violations to higher authorities

This is a direct statutory breach.

#### 1.4. Clause 18(1)(a), 18(1)(b) & 18(2): Inspection, Sampling, and Reporting

Mandatory requirements were not fulfilled:

No inspection  
No soil/water sampling  
No environmental damage assessment  
No violation report submitted to SPCB HQ or CPCB

#### 1.5. Clause 20(1) & 20(2): Environmental Compensation

EC must be assessed for illegal dumping.  
No assessment or demand was issued.



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## 1.6. Clause 21(1) &amp; 21(3): Action on Unsafe or Illegal Disposal

No orders were issued for:

- Stoppage
- Prosecution
- Remediation
- Restoration

## 2. Statutory Violations Under EPA 1986, Water Act, Air Act Environment (Protection) Act, 1986

Section 5: Failure to exercise enforcement powers

Section 15: Punishable offence for non-enforcement

Section 17: Officer liability for negligence or collusion

## Water Act 1974

Sections 24 & 25: Illegal discharge into water bodies

## Air Act 1981

Sections 17, 21, 22: Air pollution and CTO violations not acted upon

## 3. Mandatory 7-Day Statutory Directions

You are hereby directed to comply with the following within 7 (seven) days:

## A. Individual Written Explanations (Mandatory)

Both RO Sambalpur and CEE Fly Ash Cell shall submit separate signed explanations detailing:

1. Why enforcement actions under Clauses 6, 7, 15, 16, 18, 20, 21 were not initiated.
2. Why illegal dumping continued after Closure Direction No. 5364.
3. Why no prosecution, EC assessment, inspection, sampling, or reporting occurred.
4. Why the matter was not escalated to SPCB HQ or CPCB as required.

## B. Mandatory Disclosure of All "Action Taken Communications"

Both officers shall furnish complete copies of all communications (issued/received), including:

1. Letters, emails, internal memos, WhatsApp communications, inspection notes.

2. All communication with:

SPCB Headquarters

CPCB

District administration

M/s Vedanta Ltd.

3. All utilisation monitoring reports, violation reports, and meeting proceedings.

This is required under Clause 15(d), Clause 18(2), and Clause 21(3).

## C. Joint Action Taken Report (ATR) (Mandatory)

A joint ATR signed by both officers must be submitted containing:

1. Prosecution initiated under EPA 1986, Water Act, Air Act.
2. EC assessment and recovery process under Clause 20.
3. Detailed site inspection report with geo-tagged photographs.
4. Soil and water sample test results.
5. Compliance & Violation Report under Clause 18(2).
6. Remediation and restoration plan.
7. Steps taken to enforce 100% utilisation and prevent further dumping.

## Consequences of Non-Compliance

Failure to comply will result in escalation to:

Member Secretary, SPCB Odisha

Chairman, SPCB Odisha

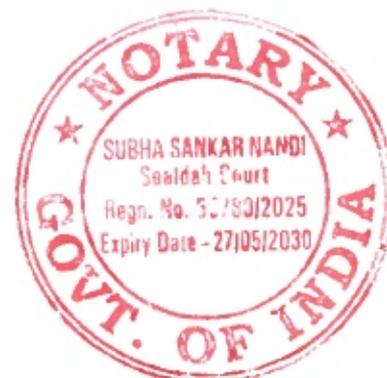
Chairman, CPCB

Member Secretary, CPCB

Odisha Vigilance Directorate

National Green Tribunal (NGT) Eastern Zone Bench, Kolkata

for:



23 DEC 2025

Penal action under EPA 1986 (Sections 15 & 17)  
Departmental disciplinary proceedings  
Vigilance inquiry for misconduct, negligence, or collusion  
Personal liability proceedings

## Enclosures

1. Previous complaint letter
2. Closure Direction No. 5364
3. Video evidence of continued illegal dumping

Yours faithfully,

Rabindra Kumar Pradhan

Email: ravindrpradhan25@gmail.com

Mobile: 7008151438

## CC To:

1. Member Secretary, SPCB Odisha
2. Chairman, SPCB Odisha
3. Chairman, CPCB
4. Member Secretary, CPCB
5. Chief Environmental Engineer (CEE), Fly Ash Management Cell, SPCB Odisha
6. Director, Odisha Vigilance Directorate, Cuttack

## 5 attachments

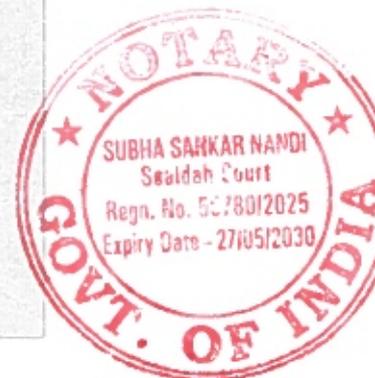
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-  1001202931.mp4  
3.1 MB

Mail Delivery Subsystem <mailer-daemon@googlemail.com>  
To: ravindrpradhan25@gmail.com

Tue, 11 Nov 2025 at 3:58 pm

**Address not found**

Your message wasn't delivered to **bkbehera@ospcb.org** because the domain **ospcb.org** couldn't be found. Check for typos or unnecessary spaces and try again.

[LEARN MORE](#)

The response was:

DNS Error: DNS type 'mx' lookup of **ospcb.org** responded with code NXDOMAIN Domain name not found: **ospcb.org** For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

23 DEC 2025

To  
 The Regional Officer  
 State Pollution Control Board, Odisha  
 Regional Office, Sambalpur, Odisha

And  
 The Chief Environmental Engineer / Nodal Officer  
 Fly Ash Management Cell  
 State Pollution Control Board, Odisha  
 Bhubaneswar

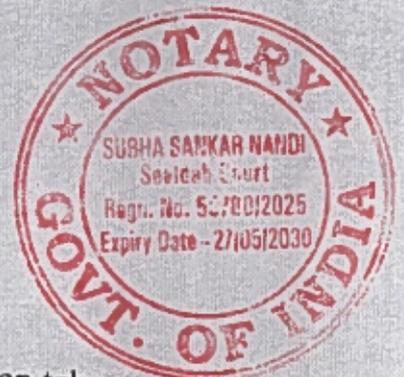
**Subject: Final Statutory Notice – Non-Compliance with Fly Ash Utilisation & Management Rules, 2021; Illegal Disposal, Untreated Water Discharge; Mandatory Personal Explanation, Disclosure of All Communications, and Joint ATR Within 7 Days – Failing Which Petition Will Be Filed Before Lokayukta for Vigilance Inquiry**

Respected Sir,

This is my final statutory communication regarding the ongoing illegal fly ash dumping and untreated fly-ash-contaminated water discharge by M/s Vedanta Ltd. at Nua Rampella, and the continued failure of both:

Regional Office, SPCB Sambalpur, and Chief Environmental Engineer (CEE), Fly Ash Management Cell to take mandatory legal action under:

Fly Ash Utilisation Notification, 2021 (S.O. 5488(E))  
 Fly Ash Management Rules, 2021  
 Environment (Protection) Act, 1986  
 Water Act, 1974  
 Air Act, 1981



Despite multiple complaints, no official communication, no action taken report, and no enforcement measures have been informed to me till date.



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I have visited the site personally and I am attaching latest GPS Map Camera photographs with latitude–longitude along with video evidence, which clearly show fly ash runoff, discoloured water, deposition of ash particles, and visible ecological degradation of the natural waterbody.

This matter involves public health, environmental safety, and public interest, and therefore demands urgent statutory compliance.

### **1. Violations Under Fly Ash Utilisation & Management Rules, 2021**

1.1 Clause 6(1) & 6(2) – 100% Utilisation Obligation Failure to prevent illegal dumping = non-enforcement of utilisation mandate.

1.2 Clause 7(1), 7(3) – Absolute Prohibition on Unauthorised Disposal Dumping in Nua Rampella is a direct violation. No prosecution or enforcement has been taken by your offices.

1.3 Clause 15(a), 15(b), 15(d), 15(e) – SPCB Duties Both offices failed in:

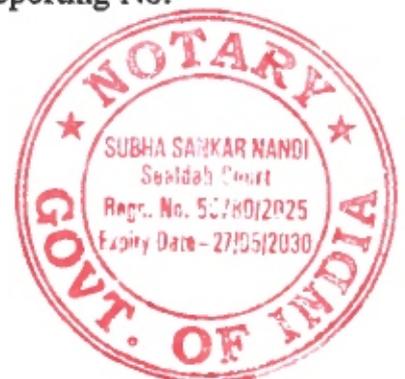
Monitoring  
Enforcement  
Reporting violations  
Stopping illegal dumping

1.4 Clause 18(1)(a), 18(1)(b), 18(2) – Mandatory Inspection & Reporting No:

Field inspection  
Soil/water sampling  
Damage assessment  
Violation report was conducted.

1.5 Clause 20 – Environmental Compensation

Illegal dumping requires assessment and recovery of EC. This has not been done.



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1.6 Clause 21 – Action on Unsafe/Illegal Disposal No action taken for stoppage, prosecution, remediation, or restoration.

## **2. Illegal Untreated Fly-Ash–Contaminated Water Discharge**

The Fly Ash Management Rules, 2021 mandate 100% treatment of any water in contact with fly ash.

However, the on-site inspection shows direct runoff into the natural waterbody, without:

Sedimentation  
Coagulation–flocculation  
Filtration  
Heavy metal removal  
pH correction  
ETP polishing

### **ZLD system**

You are directed to verify whether Vedanta Ltd. has installed and is operating:

1. Lined ash water collection system
2. Slurry settling tanks
3. Slurry decanter / thickener
4. Coagulation–flocculation system
5. Heavy metal removal unit
6. ETP polishing unit
7. ZLD or reuse system

Absence of any of the above is a direct environmental offence.



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### 3. Statutory Violations Under EPA / Water Act / Air Act

Environment (Protection) Act, 1986

Sec 5 – Failure to enforce directions

Sec 15 – Penal provisions

Sec 17 – Personal liability of officers

Water Act, 1974

Sec 24 – Prohibition on polluting water bodies

Sec 25 – Requirement of prior consent

Air Act, 1981

Sec 17 – SPCB duties

Sec 21/22 – CTO violations not acted upon

### 4. Mandatory Directions – 07 Days Final Deadline

A. Separate Personal Written Explanations Both RO Sambalpur and CEE Fly Ash Cell must explain:

1. Why no enforcement actions under Clauses 6, 7, 15, 16, 18, 20, 21 were taken.
2. Why illegal dumping continued despite Closure Direction No. 5364.
3. Why no prosecution/EC/sampling/inspection/reporting was done.
4. Why no communication or ATR was sent to the complainant.

B. Disclosure of All “Action Taken Communications”

Provide certified copies of:

Letters

Emails

Memos

WhatsApp/online communications

Notes, inspection reports

All communication with HQ, CPCB, District Administration, Vedanta



23 DEC 2025

### C. Joint Action Taken Report (ATR)

Must include:

1. Prosecution under EPA, Water Act, Air Act
2. EC assessment and recovery process
3. Joint inspection report with geo-tagged photos
4. Soil/water sample test results
5. Violation Report under Clause 18(2)
6. Remediation & restoration plan
7. Enforcement of 100% utilisation

### 5. Public Health & Public Interest

This matter impacts:

Groundwater

Agricultural soil

Community health

Local ecology

Your inaction is therefore a serious public interest lapse.

### 6. Final Warning Before Lokayukta Petition

As this is my final request, failure to respond within 7 days will lead to filing a petition before:

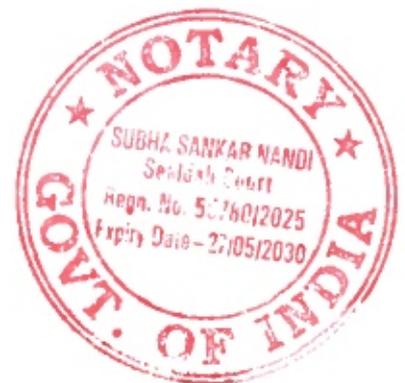
Lokayukta, Odisha  
seeking:

Vigilance inquiry

Departmental action

Examination of misconduct, negligence or collusion

Penalty under EPA Sections 15 & 17



23 DEC 2025

NGT (Eastern Zone Bench, Kolkata) will also be approached for environmental relief.

**Enclosures:**

- 1. Previous complaint letters**
- 2. Closure Direction No. 5364**
- 3. Latest GPS Map Camera photos (with lat-long)**
- 4. Video evidence of illegal dumping and pollution**

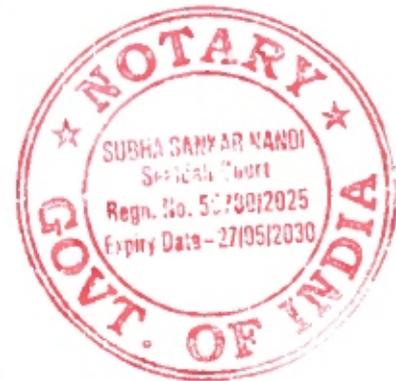
Yours faithfully,

**Rabindra Kumar Pradhan**  
**Email: ravindrpradhan25@gmail.com**  
**Mobile: 7008151438**

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**CC To:**

- 1. Member Secretary, SPCB Odisha**
- 2. Chairman, SPCB Odisha**
- 3. Chairman, CPCB**
- 4. Member Secretary, CPCB**
- 5. Chief Environmental Engineer, Fly Ash Cell, SPCB Odisha**
- 6. Director, Odisha Vigilance Directorate, Cuttack**
- 7. Future submission copy for Lokayukta, Odisha**



**23 DEC 2025**

**SHRI BHABANI SHANKAR BHOI**  
DEPUTY SPEAKER  
ODISHA LEGISLATIVE ASSEMBLY



Phone { Office : (0674) 2536992  
House Chamber : (0674) 2393294  
Mobile No. : 8018921993  
E-mail : bs.bhoi.ola@gov.in  
bs.bhoi.ola@od.gov.in

No. RES/DSL/A/283

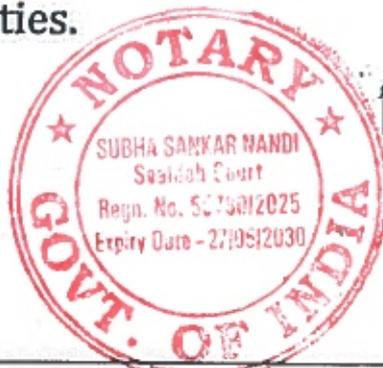
Date 22/11/2025.....

**HON'BLE CHIEF MINISTER,  
ODISHA, BHUBANESWAR.**

I am writing to bring your immediate attention to the illegal fly ash dumping occurring along the State Highway from Karamdihi to Luakera and in several parts of the Talsara region in Sundargarh District.

Local residents have been repeatedly complaining, as these activities are taking place at night by vehicles accompanied by armed individuals, who are even threatening the local people. This situation is causing serious environmental degradation and poses a direct threat to the health and safety of the people.

Hence, I urge for strict and immediate action against the transporters and the companies involved, and urge the enforcement of strong monitoring to prevent further violations. Your immediate attention to this will greatly help in safeguarding the environment and restoring confidence among the local communities.



*Bhabani Shankar Bhoi*

**DEPUTY SPEAKER**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

Application under Section 18(1) read with Section 14, 15(1) of the National  
Green Tribunal Act, 2010

**ORIGINAL APPLICATION NO.            of 2025/EZ**

In the Matter of :

RABINDRA KUMAR PRADHAN.

.....Applicant

Versus

THE STATE OF ODISHA & ORS.

.....Respondents

Advocate on Record

Mithu Bhattacharya

Advocate

High Court, Calcutta

Bar Association, Room No. 5

**VAKALATNAMA**  
**High Court at Calcutta**

Robindra Kumar Pradhan

SIGNATURE

District: Kolkata

In the Court of the National Green Tribunal at Eastern Zone Bench, Kolkata

Original Application No.

of 2025/EZ

Robindra Kumar Pradhan

(Appellant(s)/Petitioner(s))

- Versus -

The State of Odisha & ally

(Respondent(s)/Opposite Party)

Vakalatnama on behalf of I Sri Robindra Pradhan of Poudy Laj, Pankela, Po Rankhera  
Dist. Sonepur, Odisha - 769009

KNOW ALL MEN by these presents that by Vakalatnama I/We hereby constitute and appoint the under mentioned Advocate, Pleaders, Vakils jointly and each of them severally to be pleader of ME/US and on MY/OUR behalf to appear for ME/US in the above for filing the memorandum or appeal or petition/of entering appearance matter for appearing introducing and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and putting in papers petitions etc. on my behalf for filing or taking back any document for withdrawing suits or appeals or petitions with permission to institute fresh suits etc. for signing and filing petitions for compromise in connection with the said matter and for taking copies of paper from the Record and I/WE further say that any act done by MY/OUR said Advocate or Advocates or by any one of them after signing this Vakalatnama, shall be considered as MY/OUR own lawful act.

And I/WE further hereby agree and undertake to pay the said Advocates his or their fees as settled and all other sums that may be necessary to carry out the requisition if the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to ME/US will be at liberty to withdraw from the further conduct of the case.

IN WITNESS WHEREOF I/WE sign and execute this Vakalatnama on this the 22<sup>nd</sup> day of December 2025

NAME OF ADVOCATE/ADVOCATES

Mittun Bhattachay  
Advocate

High Court, Calcutta

Be Anantpur Var No-5

Mob - 7980360795

Received duly signed *okolobrama* from  
the club

Mithun Bhattacharya

Advocate

High Court, Calcutta

Bar Room No-5

Mob - 7980960795