

BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE, KOLKATA****IN****ORIGINAL APPLICATION NO. 15 OF 2025 (EZ)****IN THE MATTER OF:****HARIHAR SAMAL & ANR.****..... APPLICANT(S)****VERSUS****STATE OF ODISHA & ORS.****..... RESPONDENT(S)****INDEX**

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA

IN

ORIGINAL APPLICATION NO. 15 OF 2025 (EZ)

IN THE MATTER OF:

HARIHAR SAMAL & ANR.

..... APPLICANT(S)

VERSUS

STATE OF ODISHA & ORS.

..... RESPONDENT(S)

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT No. 9 and 10, THE
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE; -

MOST RESPECTFULLY SHOWETH:

I, Dr. Timir Haran Mahato, S/o Shri P.C. Mahato, aged about 50 years, currently working as Scientist 'E' at Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar do hereby solemnly swear and affirm as follows:

1. That in my official capacity as stated above, I am aware of the facts and circumstances of the present case and am competent to swear to the contents of the present affidavit. I state that my knowledge in this regard is based on the official records available with the Ministry of Environment, Forests & Climate Change (hereby referred as Respondent No. 9 and 10).
2. That the present Original Application has been filed alleging that M/s Rimjhim Ispat Limited is causing continuous air pollution and discharging untreated/partly treated wastewater into Kisindah Nallah in violation of the conditions of Consent to Operate and the guidelines issued by the Central Pollution Control Board. It has further been alleged that the unit has failed to operationalize the online continuous emission/effluent monitoring systems and has not connected the same to the centralized servers of the Central Pollution Control Board and the Odisha State Pollution Control Board.



Timir Haran Mahato

3. That the answering Respondent is engaged in, inter alia, policy formulation for abatement, prevention and control of pollution by prescribing environmental standards which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs). Besides, the State Pollution Control Boards/Pollution Control Committees concerned are mandated and empowered to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of environment as well as prevention, control and abatement of environmental pollution.
4. That it is respectfully submitted that Environmental Clearance (EC) was granted for expansion of an Integrated Steel Plant from 0.15 MTPA to 0.45 MTPA, along with expansion of the Captive Power Plant from 8 MW to 72 MW, at Villages Kurunti, Mangalpur & Itapa, P.O. Mountanga, District Dhenkanal, Odisha, in favour of M/s BRG Iron & Steel Co. Pvt. Ltd., vide letter No. J-11011/283/2007-IA II (I) dated 08.09.2008 issued by the Ministry.
5. That subsequently, M/s BRG Iron & Steel Co. Pvt. Ltd. acquired M/s Bhuvee Profiles & Stainless Pvt. Ltd. and M/s Rabirun Vinimay Pvt. Ltd., which had separate Environmental Clearances. The aforesaid entities were amalgamated with M/s BRG pursuant to an order dated 26.07.2011 passed by the Hon'ble High Court at Calcutta in C.P. No. 293 of 2011 read with Company Application No. 356 of 2011. It is further submitted that a consolidated Consent to Operate (CTO) was issued to M/s BRG by the Odisha State Pollution Control Board vide letter dated 22.05.2012. However, no Environmental Clearance transfer/amalgamation was obtained from the Ministry at that stage.
6. That it is further submitted that vide order dated 28.02.2022, the Hon'ble National Company Law Tribunal approved the acquisition of M/s BRG Iron & Steel Co. Pvt. Ltd. by M/s Rimjhim Ispat Limited, which was completed on 01.12.2023. Subsequently, the Odisha State Pollution Control Board amended the consolidated Consent to Operate in favour of M/s Rimjhim Ispat Limited vide letter dated 07.05.2024.



Uttar Hasan Mahab

7. That it is humbly submitted that M/s Rimjhim Ispat Limited submitted an application before the Ministry seeking transfer of the Environmental Clearance from M/s BRG Iron & Steel Co. Pvt. Ltd. However, upon examination it was noted that three entities were involved in the process and separate Environmental Clearances had been issued to them. Accordingly, the Project Proponent was advised to submit an amalgamation-cum-transfer proposal for further examination of the matter, as the case does not fall within the ambit of a routine EC transfer.
8. That it is respectfully submitted that as on date, the original proposal submitted remains pending with the Project Proponent and no fresh amalgamation-cum-transfer proposal has been submitted on the PARIVESH portal.
9. In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Tribunal may kindly take the present affidavit on record and pass such further orders as may be deemed fit and proper in the facts and circumstances of the present case.



The above named deponent being identified by Advocate Bhubaneswar appears before me at Am/Pm, states the contents in this are true to the best of his/her knowledge

Timir Haran Mahato
DEPONENT

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(डा० तिमिर हरण महतो)
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 Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय / Regional Office
 भुवनेश्वर / Bhubaneswar

Verified at Bhubaneswar on this 10th day of March 2026 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.



Timir Haran Mahato
DEPONENT

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