

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

Original Application No. 180/2025/EZ

IN THE MATTER OF: -

Urbashi Jena-----Appellant(s)

Versus

State of Odisha and Ors.-----Respondent(s)

AFFIDAVIT ON BEHALF OF THE OPPOSITE
PARTY/RESPONDENT NO. 12 STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA), ODISHA

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Place: Bhubaneswar
Date: 16/03/2026

Shri Apurba Ghosh
Advocate for Respondent No.12
(SEIAA), Odisha
C/o Partha Sarathi Shamajder
25/D Baderaipur Road
P:O Jadavpur, Kolkata -700032
Email-apu7law@gmail.com
Phone No.9476239442

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ASSESSMENT AUTHORITY (SEIAA), ODISHA

1. Dr. Pradeept Kumar Nayak, son of Bhimasen Nayak aged about 43 years, at present working as Environmental Scientist, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.

2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.12 before this Hon'ble National Green Tribunal.

3. That, I have gone through the original appeal petition and Hon'ble Court order dated 16.01.2026, the earlier counter affidavit dated 17.11.2025 of SEIAA, Odisha and understood the contents thereof. I am well acquainted with the facts of the



Pradeept Kumar Nayak
Environmental Scientist
SEIAA, Odisha

case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.

4. That, in continuation to SEIAA, Odisha earlier Counter Affidavit dated 17.11.2025, the deponent humbly submits that the SEIAA, Odisha has issued a Show Cause Notice vide letter no. 7002/SEIAA dated 15.01.2026 to Sri Sarat Chandra Behera (respondent no. 16) with directed to reply in writing to the Member Secretary, SEIAA, Odisha office within **15 days** from the date of receipt of Show Cause Notice as to why the EC Identification No.- EC22B001OR171481 dated 03/06/2022 for Bajabati Black Stone quarry No-02 shall not be revoked/abeyance due to violation of EC conditions in respect of non-compliance of EC conditions, for excess mining and mining in safety zone area, etc. Further, a reminder letter was issued vide letter no.7051/SEIAA dated 05.02.2026 for submission of their reply on show cause letter dated 15.01.2026 in writing to the Member Secretary, SEIAA, Odisha office **within 07 days** from the date of receipt of this reminder letter.

5. That, the Sri Sarat Chandra Behera, the successful bidder/respondent no.16 as per NGT case OA No.180/2025, EZ has submitted their reply dated 09.02.2026 to SEIAA, Odisha on Show Cause Notice dated 15.01.2026 with submitting that there is no excess mining has been done and the conditions of EC has not violated.

6. That, the matter was placed in 273rd SEIAA, Odisha meeting held on 18.02.2026 and Authority observed that Sri Sarat Chandra Behera, the



Pradeep Kumar Nayak

Environmental Scientist
SEIAA, Odisha

successful bidder/respondent no. 16 as per NGT case OA No.180/2025, EZ has extracted **6,884.109 cum** of stone from Bajabati BSQ No.2 quarry as **over-extraction** and mining in safety zone of lease area as reported by the Mining Officer, Jajpur letter no. 248 dated 12.01.2026. After perusal of the all connected record including the report dated 12.01.2026 of the Mining Officer, Jajpur and the submission of the representation of Sri Sarat Chandra Behera (Respondent No.16 of NGT OA No. 180/2025). The Authority decided that the environmental clearance (EC) dated 03.06.2022 granted in favour of Sarat Chandra Behera is hereby kept in abeyance till further order. Accordingly, the Environmental Clearance (EC) Kept in Abeyance letter vide letter no.7135/SEIAA dated 27.02.2026 was issued to Sri Sarat Chandra Behera and the same was communicated to the Sri Sarat Chandra Behera, the Deputy Director of Mines, Jajpur, The Mining Officer, Jajpur, the Collector and District Magistrate, Jajpur and the Regional Officer, State Pollution Control Board, Kalinga Nagar, Jajpur and other on 06.03.2026.

The copy of Environmental Clearance (EC) Kept in Abeyance letter vide letter no.7135/SEIAA dated 27.02.2026 to Sri Sarat Chandra Behera is attached in **Annexure-I**.

7. That the deponent reserves the right to file further affidavit as and when necessary.

Pradip Kumar Nayak

Environmental Scientist
SEIAA, Odisha



~~A~~

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NOTARISED

8. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.

IDENTIFIED BY ME

Advocate

[Signature]
16-03-2026

Pradeept Kumar Nayak

**Deponent
Environmental Scientist
SEIAA, Odisha**

VERIFICATION

Verified at Bhubaneswar on this day of **16 MAR 2026** that the contents of the above affidavits are true and correct on the basis of the records maintained by the respondent in the daily course of its business, no part of it is false and nothing has been concealed therefore.

Place: Bhubaneswar

Date: *16-03-2026*

Pradeept Kumar Nayak

**Deponent
Environmental Scientist
SEIAA, Odisha**

[Signature]
SWORN BEFORE ME



[Signature]
16-03-2026

**DUSASAN SAMANTARAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR, ODISHA
REGD. NO. 88/2012
MOB-9439143015**



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
ODISHA

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:
seiaaodisha@gmail.com

(A statutory body constituted by Ministry of Environment, Forest & Climate Change
under Environment (Protection) Act, 1986)

Letter No. 7135/SEIAA

Dated 27.02.2026.

To

Sri Sarat Chandra Behera
Lessee of Bajabati Black Stone Quarry No. 02
S/o-Sridhar Behera
At-Khuntha, Ps-Dharmasala, Dist-Jajpur
State-Odisha, Pin-755024
Email- bajabatibsq2@gmail.com

Sub: Intimation on the decision on “**Keeping in Abeyance**” of the Environment Clearance (EC) Identification No.-EC22B001OR171481 dated 03/06/2022 granted to Sri Sarat Chandra Behera, the successful bidder for mining of stone from Bajabati Black Stone quarry No-02 (Cluster Serial No3B/2), (Khata No-215, Plot No-1050 (P)) over an area of 5.00 acres or 2.023 hectares in village Bajabati under Dharmasala Tahasil of Jajpur District, Odisha-reg.

Ref: 1. EC Identification No.- EC22B001OR171481 dated 03/06/2022
2. A case filed before Hon'ble NGT on OA No. 180 of 2025/EZ in the matter titled 'Urbashi Jena Vrs State of Odisha and Ors' is pending before the NGT (EZ).
3. Letter received from the Mining Office, Jajpur vide letter no. 248 dated 12.01.2026 on excess mining and mining in safety zone of the said lease area.
4. Our Show Cause notice to Sri Sarat Chandra Behera vide letter no. 7002/SEIAA dated 15.01.2026 and reminder letter no. 7051/SEIAA dated 05.02.2026.
5. Show Cause reply received from Sri Sarat Chandra Behera vide letter dated 09.02.2026.

Sir/Madam,

With reference to the above cited subject, it is to inform you that the Environmental Clearances (EC) has been granted by SEIAA, Odisha to Bajabati Black Stone quarry No-02 (Cluster Serial No3B/2), (Khata No-215, Plot No-1050 (P)) over an area of 5.00 acres or 2.023 hectares in village Bajabati under Dharmasala Tahasil

of Jajpur District, Odisha in favour of Sri Sarat Chandra Behera, the successful bidder of the lease (respondent no. 16 as per NGT case OA No.180/2025,EZ). The approval for EC was granted vide EC Identification No.- EC22B001OR171481 dated 03/06/2022 of Bajabati Black Stone quarry No-02 for extraction quantity of stone material 14,590 cum/annum (Maximum) & 72,872 cum in five (05) years lease period as per approved mining plan subject to compliance of condition of EC.

In the meantime, a case has been filled before Hon'ble NGT, Eastern Zone Bench, Kolkata in OA no. 180 of 2025/EZ in the matter titled '*Urbashi Jena Vrs State of Odisha and Ors*' on Bajabati Black Stone quarry No-02 with allegation that illegal operation of stone quarries in violation of conditions of the Environmental Clearance, CTO and the Mining Plan. As per direction of Hon'ble NGT in order dated 08.10.2025 of Original Application No. 180/2025/EZ, a joint committee has been constituted and visited the alleged site and submitted their preliminary and subsequent final report supposed to be filed by the Collector, Jajpur as a Nodal Agency for this case.

The Mining Office, Jajpur vide his letter no. 248 dated 12.01.2026 has intimated to the Member Secretary, SEIAA, Odisha that Sri Sarat Chandra Behera, the lessee/respondent no.16 of Bajabati Black Stone Quarry-02 has extracted **6,884.109 cum** of stone from the source as an excess mining and stone extraction taken place in safety zone of the lease area.

As per the MoEF & CC, Govt. of India Office Memorandum (OM) dated 14.06.2024 and in accordance with EIA Notification 2006 and as amended, all the Project Proponents (PP)/lease holder are required to submit their Half Yearly compliances report in PARIVESH 2.0 Portal on the environmental conditions stipulated in the Environmental Clearance (EC) letter in a timely manner on or before 1st June and 1st December of each calendar year. However, after verification in Parivesh Portal 2.0 and from SEIAA, Odisha email as on dated 15.01.2026 it is found that the respondent no. 15 has neither uploaded any half-yearly compliance of EC conditions in Parivesh Portal nor send any soft copy through email or had copy to SEIAA, Odisha.



A Show Cause Notice was issued vide letter no. 7002/SEIAA dated 15.01.2026 to Sri Sarat Chandra Behera (respondent no. 16) with directed to reply in writing to the Member Secretary, SEIAA, Odisha office within **15 days** from the date of receipt of Show Cause Notice as to why the EC Identification No.- EC22B001OR171481 dated 03/06/2022 for Bajabati Black Stone quarry No-02 shall not be revoked/abeyance due to violation of EC conditions in respect of non-compliance of EC conditions, for excess mining and mining in safety zone area, etc. Further, a remind letter was issued vide letter no.7051/SEIAA dated 05.02.2026 for submission of their reply on show cause letter dated 15.01.2026 in writing to the Member Secretary, SEIAA, Odisha office **within 07 days** from the date of receipt of this reminder letter.

The Sri Sarat Chandra Behera, the successful bidder/respondent no.16 as per NGT case OA No.180/2025, EZ has submitted their reply dated 09.02.2026 to SEIAA, Odisha on Show Cause Notice dated 15.01.2026 with submitting that there is no excess mining has been done and the conditions of EC has not violated.

The matter was placed in 273rd SEIAA, Odisha meeting held on 18.02.2026 and Authority observed that Sri Sarat Chandra Behera, the successful bidder/respondent no. 16 as per NGT case OA No.180/2025, EZ has extracted **6,884.109 cum** of stone from Bajabati BSQ No.2 quarry as **over-extraction** and mining in safety zone of lease area as reported by the Mining Officer, Jajpur letter no. 248 dated 12.01.2026. After perusal of the all connected record including the report dated 12.01.2026 of the Mining Officer, Jajpur and the submission of the representation of Sri Sarat Chandra Behera (Respondent No.16 of NGT OA No. 180/2025). The Authority decided that the EC dated 03.06.2022 granted in favour of Sarat Chandra Behera is hereby kept in abeyance till further order.

As per the decision of Authority, the SEIAA, Odisha **hereby kept in abeyance the Environmental Clearance (EC)** Identification No.-EC22B001OR171481 dated 03/06/2022 granted to Sri Sarat Chandra Behera/Respondent no. 16 for mining of stone from Bajabati Black Stone quarry No-02 (Cluster Serial No3B/2), (Khata No-215, Plot No-1050 (P)) over an area of 5.00 acres or 2.023 hectares in village Bajabati

under Dharmasala Tahasil of Jajpur District, Odisha with immediate effect under the Provision of EIA Notification, 2006 and Environment Protection Act, 1986.

This is issued with approval of Competent Authority

By order and Authority of SEIAA, Odisha



Member Secretary, SEIAA, Odisha

Memo no. 7136/SEIAA.....

Dated: 27.02.2026.

Copy forwarded to

1. The Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.
2. The Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
3. The Member Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information and necessary action with respect to the query on issue of CTO to the Project Proponent.
4. The Deputy D.G. Forest., Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar for information.
5. The Director of Mines, Steel & Mines Dept, Govt. of Odisha Bhubaneswar for information.
6. The Collector & DM, Jajpur, Sub-Collector, DDM, Jaajpur, Jajpur, DFO, Cuttack, Tahasildar, Dharmasala /Mining Officer, Jajpur for Information and necessary action.
7. Guard file for record/Website/ Parivesh Portal.



Member Secretary, SEIAA, Odisha