

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

IN

OA. No. 208/2025/EZ



IN THE MATTER OF

**Chittaranjan Sahu**

.... APPLICANT

VERSUS

**Mr. Ashok Kumar & Ors.**

.... RESPONDENTS

INDEX

Sl. No.	Particulars	Annexures	Page No.
1.	Reply on behalf of Respondent No. 8, i.e. Central Pollution Control Board.		1-6



04.01.2026

Dated: \_\_\_\_, 2026

Place: Kolkata

*Mrinal Kanti Biswas*  
**Mrinal Kanti Biswas**

Regional Director & Scientist E,  
CPCB, Kolkata

Filed through

*Sibojyoti Chakrabarti*

Counsel

for CPCB

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

IN

OA. No. 208/2025/EZ

IN THE MATTER OF

Chittaranjan Sahu

.... APPLICANT

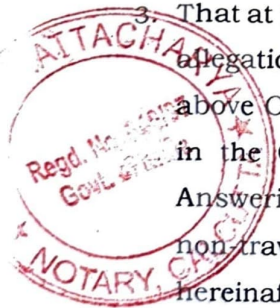
VERSUS

Mr. Ashok Kumar & Ors.

.... RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT NO. 8 i.e. CENTRAL POLLUTION CONTROL BOARD**

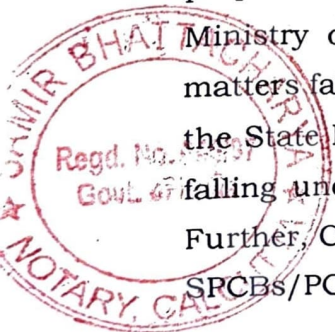
1. That the Hon'ble National Green Tribunal Eastern Zone Bench (hereinafter referred to as "Hon'ble NGT (EZ)") vide order dated 02.02.2026 in Original Application (hereinafter referred to as "OA") No. 208 of 2025 (EZ), has directed Central Pollution Control Board (hereinafter referred to as "CPCB") to file response in the instant matter. Thereby, the reply is made in this instant OA in succeeding paragraphs.
2. That, the instant case is related to the air and water pollution being allegedly caused due to the alleged violation of CTE (Consent to Establish) conditions by Respondent No.1, Jindal Steel & Power Limited (JSPL) in Utkal C-Block coal mines, Dist: Angul, Odisha, adjacent to the villages of Rajjharan, Similisahi, Golagadia, Nandichor alias Gopiballavpur in the Tehsil of Chhendipada, Dist: Angul.
3. That at the outset, the Answering Respondent deny all claims, contentions, allegations and averments against Answering Respondent, CPCB in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial or on the ground of non-traverse, save any averments which has been expressly admitted hereinafter.
4. That, it is humbly submitted that CPCB is constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act, 1974"). It performs functions under the Water Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "Air Act, 1981"), and the Environment (Protection) Act, 1986 (hereinafter referred to as "E (P) Act, 1986").



- 174
- X
5. That, the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) in every State/Union Territory have been constituted under the Water Act, 1974 and the Air Act, 1981 and are responsible for implementation of the provisions of both the Acts and to grant CTE/CTO in their respective State/Union Territory.

**Para-wise reply:**

6. That no comments are offered over the averments made in paragraphs 1-5 of the OA, being introductory in nature.
7. That the averments made in Paragraphs no. 6 to 10 of the OA are regarding obtaining of Environmental Clearance (hereinafter referred to as EC) issued by MoEF&CC, Consent to Establish (hereinafter referred to as CTE) and Consent to operate (hereinafter referred to as CTO) issued by Odisha SPCB, and Six-monthly compliance report of the Utkal-C Coal Mines, JSPL. It is respectfully submitted that the same are not pertaining to this answering respondent and may suitably be replied by appropriate respondents.
8. That the averment made in Para no. 11 to 16 of the OA are related to the alleged non-compliance of terms and conditions of EC and conditions specified in CTE, and CTO by the project proponent. In this regard, it is humbly submitted that, as per the EIA Notification, 2006, prior Environmental Clearance (EC) before any construction work, or preparation of land by the project management is required from the Ministry of Environment, Forest and Climate Change (MoEF&CC) for matters falling under Category 'A' in the Schedule and at State level from the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' as listed in Schedule 'B' of EIA Notification. Further, CTE and CTO are issued to the industrial unit by the concerned SPCBs/PCCs, as per the Water Act, 1974, and the Air Act, 1981.
9. That the averment made in Para no. 17 to 20 of the OA is related to the public complaint lodged by the applicant to the Regional Officer Angul, OSPCB, Member Secretary of OSPCB and other respondents, including CPCB, mentioning the violation of CTE conditions. In this regard, it is humbly submitted that the submission made in para 8 above of this para wise reply is re-iterated and is not repeated herein for the sake of brevity.
10. That the averment made in Para no. 21 to 27 of the OA is related to the site inspection carried out by the Regional Officer, Angul, OSPCB (herein respondent no. 7), and allegedly delayed action in preparation of the report



and bringing out violations by the JSPL. It is respectfully submitted that the same are not pertaining to this answering respondent and may suitably be replied by appropriate respondents.

11. That the averments made in Para no. 28 to 32 of the OA relate to the alleged violation observed even after site inspection by the Regional Officer, Angul, OSPCB. It is humbly submitted that SPCBs are empowered under Section 33A of the Water Act and Air Act to take appropriate action against the violators.
12. That, the averment made in Para no. 33 of the OA is related to the alleged inaction of various authorities, as mentioned in the averment, including CPCB, against the public complaint lodged by the applicant. In this regard, it is humbly submitted that the submission made in para 8 & 11 above of this para wise reply is re-iterated and is not repeated herein for the sake of brevity. Further, it is also respectfully submitted that the response of concerned state respondents may also be considered in this regard.
13. That with regard to the averment made in Para no. 34 to 39 of the OA which are related to the alleged continuous illegal operation of the coal mine and resulting ecological damage and with regard to averments made under Grounds (a-d) of the OA, it is humbly submitted that submissions made in the preceding paragraphs are reiterated and are not repeated herein for the sake of brevity.
14. That, the Answering Respondent herein shall abide by all orders / directions passed by the Hon'ble Tribunal in this matter in the interest of justice.

*Identified by me  
Sibojyoti Chakrabarti  
Advocate  
for CPCB  
01.04.2026*

*Mrinal Kanti Biswas*  
**Mrinal Kanti Biswas**

Regional Director & Scientist 'E'  
CPCB, Kolkata



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

176



IN  
OA. No. 208/2025/EZ

IN THE MATTER OF

Chittaranjan Sahu



... APPLICANT

VERSUS

... RESPONDENTS

Mr. Ashok Kumar & Ors.

**AFFIDAVIT**

I, Mrinal Kanti Biswas, S/o Saroj Kumar Biswas aged about 43 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave' Block No.502, 5th& 6th Floor,1582, Rajdanga Main Road, Kolkata-700107, do hereby solemnly affirm and sincerely state as follows: -

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

*Samir Bhattacharya*  
Notary Govt. of India  
Regd. No.- 940 / 97  
CITY CIVIL COURT, CALCUTTA

Identified by me

DEPONENT

*Sibojyoti Chakrabarti*  
Advocate 01.04.2026  
for CPCB

Solemnly Affirmed and  
Declared before me W/S 133  
CPC/U/8297 (C) CRPC

01 APR 2026

01.4.26



**VERIFICATION**

Verified at Kolkata on this day of 1st April, 2026 that the contents above are correct and true on the basis of the record of the cases as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

*1st*

Verified at Kolkata on this the... Day of April, 2026.

*1st*

**Identified by me**

*Sibajyoti Chakrabarti*

*[Signature]*

**DEPONENT**

**Advocate**

*for CPCB 01.04.2026.*

