

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION No. 24 OF 2026 / EZ**

Raj Kishore Sahoo ...Appellant

VERSUS

Mahanadi Coalfields Limited and Ors. ... Respondents

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By the Respondent No. 3

Kolkata
Date:

Through

Papiya Banerjee Bihani

Smt Papiya Banerjee Bihani,
Advocates for the Respondent No. 3
(State Pollution Control Board, Odisha)
e-mail: pbanerjeebihani@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION No. 24 OF 2026 / EZ

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...Appellant

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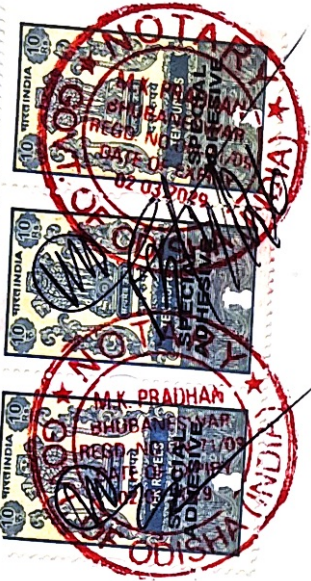
AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
R.NO.3.

I, Dr. Manoj V. Nair, IFS, son of N. Vasudevan Nair aged around 52 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of the Respondent No.3 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.



13 APR 2026



2. That I have gone through the averments made in the OA and understood the contents thereof.
3. That this application has been filed alleging inaction of the State Authority and the State Pollution Control Board in allowing the R-1 Mahanadi Coalfield causing air pollution due to loading, unloading, transportation of coal without being covered and operating the railway sidings without compliance to the conditions of the guidelines dtd.16.04.2010 for Environmental Management in Mineral Stackyards and Railway Siding formulated by the R-3 Board etc. It is also further alleged that the R-1 is operating the 9 nos. of open cast coal mine projects in Talcher area and all the Railway Sidings related to the coal mines of the R-1 do not have Consent to Establish and Consent to Operate from the R-3 Board.

The parawise reply to the averments made in the OA are given below:

4. That as regards the averments made in paras-1 & 2 of the OA under the heading Brief Facts of the case, it is humbly submitted that transportation of coal through Railway



Siding is one of the allied activities of the mining operation inside a mining lease which is regulated under consent to operate granted in favour of the mines. Also, specific conditions are stipulated in the consent to operate order for control of possible pollution potential due to operation of the Railway Siding inside the Mine Lease Area. Further the R-3 Board has issued a letter to all the coal mines of MCL to use Tarpaulin cover during transportation through Railway Wagons. A copy of the letter No.3926 dtd.12.11.2025 issued by the Regional Officer, Angul of the R-3 Board to all the coal mines and industries numbering 11 is annexed to this affidavit and marked as **ANNEXURE - R3/1**. Further the copy of Notification enclosed in the letter dtd.12.11.2025 has also been annexed by the applicant vide Annexure-10 to this OA.

5. That as regards the averments made in para-3 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.

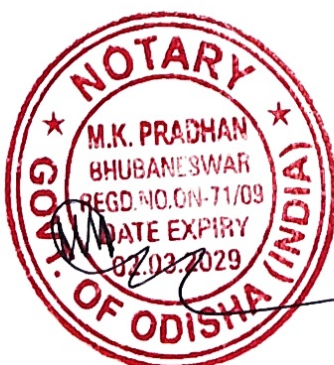


6. That as regards the averments made in para-4 of the OA, it is humbly submitted that this aspect has already been dealt in para-4 of the present affidavit.
7. That as regards the averments made in para-5 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.
8. That as regards the averments made in para-6 & 7 of the OA, it is humbly submitted that
 - i. The Board has installed and operating two (02) Continuous Ambient Air Quality Monitoring Stations (CAAQMS) at Angul (Regional Office, SPC Board, Angul) and Dera Chowk, Talcher to monitor various air parameters such as PM10, PM2.5, Ozone, CO, SO2, NOx, NH3, Benzene and Toluene. The measuring data is being constantly transmitting to the server of the SPCB, Odisha and CPCB, New Delhi. Thus, CPCB, display the 24 hours average AQI data in CPCB portal in public domain.
 - ii. From the above CAAQMS, Air Quality status for the last six (06) months from the period of September,2025 to February,2026 shows that



Particulate matter both RSPM (PM10), and (PM2.5) are the major constituents for downgrading the Ambient Air Quality in the district of Angul. Air Quality Index (AQI) of the Angul city during those periods ranges from 49 to 346 which was in the range of Good to very poor.

- iii. National Clean Air Programme (NCAP) has been launched in non-attainment cities of Angul & Talcher area in order to improve the air quality with respect to particulate matter. The NCAP is under progress stage and engaged IIT, Bhubaneswar and NIT Rourkela as repute of institute to carry out city micro action plan.
- iv. District level Environmental Monitoring Committee (DLEMC) has been constituted for the Angul district involving various stakeholder's department to discuss and resolve the various environmental related issues.
- v. The Board is conducting periodical inspection and monitoring in order to check the efficacy of adopted pollution control measures of mines and industries. Timely, Directions are being issued to the industries



and mines while observing non-compliances to the consent conditions.

9. That as regards the averments made in paras-8 to 12 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.
10. That as regards the averments made in para-13 of the OA, it is humbly submitted that this aspect has already been dealt in para-3 of the present affidavit.
11. That as regards the averments made in para-14 to 18 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.
12. That as regards the averments made in para-19 of the OA, it is humbly submitted that this aspect has already been dealt in para-3 of the present affidavit.
13. That as regards the averments made in para-20 of the OA, it is humbly submitted that the Board has implemented the following measures for effective monitoring and minimising pollution levels:



- i. To control fugitive dust emission fixed type/rain gun type (180o) water sprinklers have been installed at the siding areas, along with this, the mines have deployed mechanical road sweeping machine to collect dust from the internal and connecting roads to siding.
 - ii. The mine has also installed static fog canons and has deployed vehicle mounted mobile fog canons in the siding areas to control fugitive dust emission.
 - iii. The mines have installed wheel & body washing system at the main gate to wash wheel & body of the vehicles getting entry and exit from the mines in order to minimize dust nuisance to the outside of the factory premises during plying of vehicles on public roads.
14. That as regards the averments made in para-21 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.
15. That as regards the averments made in para-22 of the OA, it is humbly submitted that the mines have installed internal drains followed by settling pits for primary treatment of



surface run-offs generated from railway siding area and the treated water is used for various purposes in the ML area. That apart, the status of consent to operate in respect of coal mines (Talcher & Angul) of R-1 is given below for proper appreciation of this case.

Sl. No.	Name of the Mines	Consented Quantity	Consent Validity	CTO issued No. & Date
1.	Ananta OCP, MCL, Talcher	Coal-24 MTPA	31.03.2027	2413, 21.02.2026
2.	Balaram OCP, MCL, Talcher	Coal-15 MTPA	31.03.2027	3368, 16.03.2026
3.	Bharatpur OCP, MCL, Talcher	Coal-15 MTPA	31.03.2027	3372, 16.03.2026
4.	Bhubaneswari OCP, MCL, Talcher	Coal-30 MTPA	31.03.2027	3058, 10.03.2026
5.	Hingula OCP, MCL, Talcher	Coal-15 MTPA	31.03.2027	3248, 13.03.2026
6.	Jagannath OCP, MCL, Talcher	Coal-7.5 MTPA	31.03.2027	3520, 18.03.2026
7.	Kaniha OCP, MCL, Talcher	Coal-14 MTPA	31.03.2027	3915, 24.03.2026
8.	Lingaraj OCP, MCL, Talcher	Coal-20 MTPA	31.03.2027	3385, 16.03.2026
9.	Nandira Colliery OCP, MCL, Talcher	Coal-0.175 MTPA	31.03.2027	2411, 21.02.2026

16. That as regards the averments made in para-23 of the OA, it is humbly submitted that the R-3 Board has no comments to offer.



~~MANJULA KUMAR PRADHAN~~
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 943762719 (M)

Manjula

- 17. That the Respondent No.3 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.
- 18. That the annexures annexed to the present affidavit are true and correct copies of their originals.
- 19. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.

Manjula

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 13th April, 2026.

SWORN BEFORE ME

Manjula

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar



~~MANJULA KUMAR PRADHAN~~
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 943762719 (M)

Manjula



Email : rospcb.angul@ospcbboard.org
Website : www.ospcbboard.org

REGIONAL OFFICE, ANGUL
STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Plot No.-S 3/3 Industrial Estate, Hakimpada, Angul, Odisha, Pin-759143

No. 3926 / Esst./ROSPCB/AGL/32/2013-14 Date 12.11.2025

To

All the Coal Mines & Industries (List Enclosed)

Sub: Provide Tarpaulin Sheet for Covering the Coal Carrying Wagons-reg.

Sir,

Please find attached herewith the serious public complaint received from Sri Raj Kishor Sahoo, Angul which is self-explanatory. It is alleged that, the coals carrying wagons are not being provided with tarpaulin cover and thereby local inhabitants are suffering a lot. In this connection, a letter has been issued from the Divisional Commercial Manager, East Coast Railways, Khurda vide his letter No. SDCM/KU/PG/Email/11/05/2025 dated.21.05.2025 (Copy enclosed) and directed to use tarpaulin cover on wagons. Furthermore, as per Gazette Notification of the Ministry of Environment, Forest and Climate Change (MoEF & CC), Dated. 21.05.2020, Coal transportation may be undertaken by covered Railway Wagons. (Copy Enclosed).

In view of the above, you are directed to take immediate steps at your level to make sure that all coal transportation through wagons at your respective premises shall be fulfilled the above guidelines without fail. This is for your kind information and necessary action.

Yours faithfully,

Encl: As above.


Regional Officer

Memo No. 3927 Dt. 12.11.2025
Copy forwarded to the Collector & District Magistrate, Angul for kind information.


Regional Officer

Memo No. 3928 Dt. 12.11.2025
Copy forwarded to the Chief Env. Engineer(M), SPC Board. Bhubaneswar for kind information.


Regional Officer

Memo No. 3929 Dt. 12.11.2025
Copy forwarded to the Sri Raj Kishor Sahoo, Angul (Complainant) for kind information.


Regional Officer



List of Coal Mines and Industries:

1. The Project Officer, Ananta OCP, MCL, Talcher.
2. The Project Officer, Balaram OCP, MCL, Talcher
3. The Project Officer, Bharatpur OCP, MCL, Talcher
4. The Project Officer, Bhubaneswari OCP, MCL, Talcher
5. The Project Officer, Hingula OCP, MCL, Talcher,
6. The Project Officer, Jagannath OCP, MCL, Talcher
7. The Project Officer, Kaniha OCP, MCL, Talcher
8. The Project Officer, Lingaraj OCP, MCL, Talcher
9. The Project Officer, Nandira Colliery OCP, MCL, Talcher
10. The Additional Director, M/s. ACB (India) Talcher washery Pvt. Ltd., Danara,
Angul
11. The Director, M/s. Global Coal Washery Pvt. Ltd., I.E, Balanda, Talcher, Angul