

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

ORIGINAL APPLICATION NO. 61/2025

IN THE MATTER OF:

SATAM PATNAIK

...APPLICANT

Versus

STATE OF ODISHA & ORS.

...RESPONDENTS

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Through its Counsel





SUNIL J. MATHEWS /JYOTI CHIB/ ASHTAMI KHATRI

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PLACE: Cuttack

DATE-01.05.2026

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

ORIGINAL APPLICATION NO. 61/2025

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**REJOINDER FILED ON BEHALF OF THE APPLICANT IN RESPONSE
TO COUNTER AFFIDAVIT OF RESPONDENT NO. 2 (JSL)**

1. That Para 1-3 needs no response.
2. That in response to Para 4 it is specifically denied that the present Application is misconceived, motivated or an abuse of process of this Hon'ble Tribunal. The OA is founded on several merits namely the terms and conditions of the Stage-I and Stage-II approvals granted under the Forest (Conservation) Act, 1980 and official show cause notices of the forest authorities themselves recording violations by Respondent No. 2
3. That, in response to Paras 5 to 7 it is submitted that the applicant is a social and public activist and environmentalist, pursuing public interest matters in

Angul, Dist. of Odisha. The Respondent No.2 by way of these statements is trying to malign the image of the Applicant who is acting for a bona fide purpose. The approach of Respondent No. 2 is evasive and is an attempt to divert the attention of the Hon'ble Tribunal from the issue at hand.

4. That with respect to the contents of Paras 8 and 9 of the reply, the same is denied as false and baseless. The allegation that the present Application is devoid of bona fide environmental issues is wholly incorrect and is strongly denied. The Applicant has approached this Hon'ble Tribunal in good faith and in larger public interest. On the contrary, it is Respondent No. 2 who has compromised the larger public interest by its continued and persistent violations of applicable environmental laws and regulatory norms. That the present application has been filed in furtherance of environmental protection and therefore the allegation is liable to be rejected.

5. That the contents of Para 10 and 11 is denied and it is submitted that Respondent No.2 has violated many statutory requirements and environmental clearances issued by the government. Respondent No. 2 committed multiple violations by constructing a coal transportation road instead of the approved pipe conveyer and a road with width more than 10 meters has been constructed instead of the sanctioned 2.5 meters.

6. That the content of Para 12 and 16 are denied and it is submitted that the cause of action initially arose on 13.02.2024. It is further submitted that

Respondent No.2 has unlawfully constructed and widened the road within the Reserved Forest and continues to be used for transportation of coal in violation of the approved forest diversion conditions. The said illegal usage constitutes a continuing wrong, giving rise to a recurring and subsisting cause of action. Hence, the present Application is well within limitation as the cause of action is continuous in nature.

7. That in response to Para 13 is vehemently denied as being false and devoid of merit. It is specifically denied that the issues raised in the present application do not involve a substantial question relating to the environment. The Application clearly discloses instances of non-compliances with applicable environmental laws and regulatory requirements by Respondent No. 2. The contention that the Applicant has not placed any evidence on record is also denied as the application is supported by material facts and documents demonstrating the violations by Respondent No.2. The attempt of Respondent No. 2 to portray its activities as environmentally sustainable is misleading and denied. On the contrary, the continued non-compliance by Respondent No. 2 reflects a blatant disregard for environmental rules and safeguards.
8. That, in response to Para 14 it is submitted that the applicant relies on the facts as stated in the OA. To the extent that the version of the facts is inconsistent with those of the OA are denied.

9. That Para 17 needs no response.

10. That in response to Para 18 it is vehemently denied as being false and devoid of merit. It is submitted that the approved diverted forest land was given clearance for construction of elevated pipe conveyor, electricity structure and 2.5-meter-wide service road on 30.03.2022, in a show cause notice to Respondent No.2.

11. In response to Para 19 it is specifically denied. It is submitted that the IA No.08 of 2026 an RTI Application was filed dtd. 17.11.2025 reveals that the Show-Cause Notice states that any vehicle of Jindal found plying on the said forest road without valid permission will be seized without further notice. Furthermore, it clarifies that only “coal transportation vehicles specifically engaged in the construction of the conveyor belt, for which permission has already been granted,” may continue to operate strictly along the permitted route and timing. It is therefore submitted that Respondent No. 2 must specifically disclose the exact notice granting the permission for coal transportation vehicles in Forest Diversion and failing which the coal transportation is illegal via forest road.

12. That in response to Paras 20-22 it is submitted that the unlawfully constructed road continues to be used for transportation of coal despite directions to stop usage issued by the DFO through a letter dated. 20.06.2024. It shows that no heed was paid to the directions by Respondent

No.2 and the unlawful usage continued. It is further submitted that the service road has been constructed like a “National Highway,” with high-speed vehicular movement causing ecological damage.

13. That in response to Paras 23-25 it is submitted that additional trees, other than the approved 1,429 standing trees, were cut down by the user agency after widening the approved service road beyond the approved 2.5 meters to 10m, thereby violating the Forest Conservation Acts & Rules.

14. That in response to Paras 26-27 it is submitted that the Scheduled Tribe community of Kaliakata and Malibrahmani villages are dependent on Kaliakata RF and Durgapur RF for livelihood by collecting forest produce such as “Tula & Mahula etc.” and that the so-called service road will hamper their livelihood. It is also submitted that these communities are heavily dependent upon surrounding forests for their daily needs and sustenance. They collect Mahua flowers, sal seeds, Harida, Bahada, Amla seeds, Char, mushrooms, sal and bahunia vine leaf for plate making, and rope making. For house construction and repair they also collect timber. For backyard fencing they collect poles and bamboo. They also use firewood to cook meals and without forests their source of fuel would be lost. Forests hold enormous cultural and religious value and memories for the local tribes and they will lose their identity once such forests are cut down.

15. That in response to Para 28 it is submitted that Respondent No. 2's assertion that the elevated pipe conveyor facilitates uninterrupted movement of wildlife is a mere bald statement unsupported by any credible material on record. Furthermore, the Applicant has raised legitimate concerns regarding potential disruption to wildlife and risks to their life and existence which cannot be negated by mere assertions of Respondent No. 2 and needs substantiation.

16. In response to para 29 it is wholly denied. It is submitted that there has been clear violations by Respondent No.2 as recorded by Respondent No. 6 DFO Angul in a show cause notice dated 30.02.2022. The claims of Respondent No.2 regarding proactive measures are vague and unsubstantiated.

17. In response to Para 30 it is submitted that the construction for the pipe conveyor is still under construction but it got astride after filing of NGT, further Respondent No. 2 committed multiple violations regarding Stage-I and Stage-II conditions.

18. That contents of Para 31 is strongly denied and in response to it is submitted that there has been clear violations of Stage-II approval conditions by Respondent No. 2 as recorded by Respondent No. 6 DFO Angul in a show cause notice dated 30.02.2022. Furthermore, as recorded in Memo no. 15415 by Chief Conservator of Forests, MoEF&CC Integrated Regional Office, Bhubaneswar vide Letter No. 5ORC248/2025-BHU dated 02.06.2023

observed that in place of conveyor belt as per approved land use, a road has been constructed by Respondent No. 2 in gross violation of Forest Conservation Act,1980. Therefore, Respondent No.2's claim is false and misleading as the actual activity on ground contradicts their claim.

19. That in response to Para 32 it is submitted that Respondent No. 2 continues using the unlawfully constructed road for transportation of coal in blatant disregard of the transit permit and conditions stipulated in the Stage-I and Stage-II approvals issued by MoEFCC.

20. That in response to Paras 33-35 it is submitted that it is incomprehensible how a transit permit for coal could be obtained for transportation from Utkal B 1 which is not operational even as on date. Hence, this coal transit permit was illegally issued by the DDM, Talcher, Respondent no. 11 which was used by the Respondent no. 2 willfully to transport coal from a non operational coal mine.

21. That Para 36 needs no reply.

22. That in response to Para 37 it is submitted that Paragraph III of the Application, the Applicant has specifically challenged the unauthorized use and violation of forest diversion conditions in Kaliakata RF and Durgapur RF by Respondent No. 2. Further, in Paras 4, 8, 9, 12 and 14 of the

Application, specific violations of Stage-I and Stage-II approvals and non-adherence to Forest Conservation Acts & Rules have been pleaded.

23. That Para 38 needs no reply.

24. That in response to Para 39 it is submitted that in Para 4 of the Application, reliance has been placed on the show cause notice dated 30.03.2022 issued by the DFO, specifically recording violations of Stage-I and Stage-II conditions including widening of road beyond approved limits and unauthorized elevation. The violations pleaded are based on official records.

25. That Para 40 needs no reply.

26. That the contents of Paras 41-45 are denied in totality. The Respondent has evasively and generally denied each crucial ground raised by the Applicant. The same shows the callousness and evasiveness of the Respondent No. 2 by taking course to a general denial rather than providing a specific rebuttal to the allegations raised.

27. That the contents of Para 46 are vehemently denied and it is submitted that the material on record clearly demonstrates the continuous violations by Respondent No. 2 of MoEF&CC stipulated conditions as well as the Forest Conservation Act, 1980. The attempt of Respondent No. 2 to seek dismissal

of the present Application on technical grounds of limitation while disregarding the substantial environmental concerns raised by the Applicant is untenable.

28. That in response to Para 47 it is submitted that the material on record by the Applicant demonstrates gross deviations from approvals and blatant disregard for environmental rules and laws in place. It is respectfully submitted that the conduct of Respondent No. 2 reflects a pattern where commercial and profit driven considerations have been prioritised over adherence to environmental safeguards and obligations. It is therefore denied that the present Application is devoid of merit. On the contrary the Application has been filed in larger public interest to bring to the attention of the Hon'ble Tribunal of serious environmental violations that warrant appropriate intervention.

29. That, it has come to the knowledge of the Applicant that Respondent No. 2 has undertaken construction of an iron ore slurry pipeline within the Kaliakata Reserved Forest area, extending from the back gate of Shree Bhoomi Power Plant to the boundary of JSL, Angul, through the forest area, without obtaining prior permission from the competent forest authorities. The Applicant has submitted a detailed representation dated 28.04.2026 to the Divisional Forest Officer, Angul Division, bringing to light that the Stage-I Forest Diversion approval, if any, only permits an underground water pipeline and does not authorize construction of an iron ore slurry pipeline within the said forest area. The Applicant has also filed a separate

Interlocutory Application seeking a stay on this illegal construction and the representation mentioned is annexed thereof.

30. That, it has come to the knowledge recently that Jindal Steel Limited has undertaken construction of an iron ore slurry pipeline within the Kaliakata Reserved Forest area without obtaining prior approval from the competent forest authorities and in clear violation of the conditions stipulated under the Stage-I Forest Diversion Approval, which permitted only an underground water pipeline and not a slurry pipeline. The said activities, including construction of roads, alteration of layout, and use of forest land for purposes other than those approved, amount to a direct contravention of the provisions of the Forest (Conservation) Act, 1980 and the specific conditions governing diversion of forest land, thereby causing serious ecological harm and rendering the Respondent liable for appropriate legal action. The copy of the Representation dated 28.04.2026 regarding construction of an iron ore slurry pipeline within the Kaliakata Reserved Forest area without obtaining prior approval from the competent forest authorities is marked and annexed herewith as **Annexure 14**

31. It is submitted that coal-loading trucks are still plying through the Kaliakata Reserved Forest, evidencing continuing and unabated violation of the applicable forest and environmental laws. In order to substantiate the same, the Applicant is annexing the latest photographs taken on 30.04.2026 in the evening, which clearly depict the movement of such trucks within the forest area, along with embedded date, time and GPS location details. The said

photographs are being placed on record to demonstrate that the illegal activities are ongoing and have not ceased despite the pendency of the present proceedings. The copy of the Photographs of coal-loading trucks by Respondent No. 2 on 30.04.2026 is marked and annexed herewith as **Annexure 15**.

32. That, the contents of Para 48 warrants no response.

Through its Counsel



SUNIL J. MATHEWS / JYOTI CHIB / ASHTAMI KHATRI

Advocates for Applicant

Shanti Kunj, Link Road Cuttack- 753001

(M) 9311567212

Email: sjmathews@gmail.com

PLACE: Cuttack

DATE- 01.05.2026

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Affidavit No. 7379/2026 287
Dated 28/11/2026



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

(Under Section 18(1) read with Section 14(1) and 15 of the National Green Tribunal Act 2010)

ORIGINAL APPLICATION NO. ____ / 2026

IN THE MATTER OF:

SATAM PATNAIK

...APPLICANT

VERSUS

STATE OF ODISHA AND ORS.

...RESPONDENTS

28/11/26
NOTARY
ANGUL

I Satam Patnaik , S/o Purusottam Patnaik, aged about 45 years, r/o 6th Lane, Amalapada, Near Gramya Bank, At/PO, Angul PS – Angul Odisha. PIN- 759122 do hereby solemnly affirm and state as under:

1. That I am the Applicant in the present case and Deponent in the present Affidavit, hence, I am competent to swear this Affidavit.
2. That I have read over the contents of the accompanying Application and the same is true and correct and is drafted on my instruction.

Satam Patnaik

DEPONENT



VERIFICATION

Verified on this 28th April, 2026, that the contents of the above Affidavit are true and correct and nothing material has been concealed therefrom, nor any part of it is false.

Sudm Patra

DEPONENT

IDENTIFIED BY

25/11/28
**NOTARY
ANGUL**

7379/2028
dated this 28th day of April 2026
The above named deponent having been
identified by Sri. *A. Patra*
Advocate, Angul
personally appeared before me on this
28th day of April
2026 A.M./P.M. in
the court premises that the contents
of this affidavit are to the best of
my knowledge.

25/11/28
**ROHITA KUMAR BEHERA
NOTARY
ANGUL, ODISHA
Regd. No-ON 09-2002
Cell-9439737146**

Date: 28-04-2026

To
The Divisional Forest Officer(DFO)
Angul Forest Division
Angul, Odisha



Subject: Representation regarding construction of Iron Ore Slurry Pipeline by JSL within Kaliakata RF area without prior permission and in violation of Forest Diversion Approval conditions

Reference:

- As per condition No. XX/I of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.

Respected Sir,

I am writing to bring to your kind attention a matter of serious concern regarding “**construction of an Iron Ore Slurry Pipeline**” by Jindal Steel Limited (JSL), Angul within the Kaliakata Reserved Forest (RF) area under your jurisdiction.

Location of Slurry Pipe Line: From Back gate of Shree Bhoomi Power Plant (earlier known as Monnet Power Plant and now owned by JSL) to JSL, Angul Boundary through Kaliakata RF.

Stage-1 Approval Order of Forest Diversion: There is approval for underground water pipe line, not for underground iron ore slurry pipe line.

Violation of Forest Act & Rules:

It has come to notice that the said construction activity was done without obtaining prior permission from the competent forest authorities, which constitutes a violation of the provisions of the Forest (Conservation) Act, 1980 and other applicable regulations. Furthermore, the activity appears to be in contravention of the specific conditions stipulated under the Forest Diversion Approval granted, if any, for the project.

Such unauthorized interventions within a Reserved Forest area pose significant risks to the ecological integrity of the region, including damage to forest cover, wildlife habitat disruption, and long-term environmental degradation. These actions, if left unchecked, may set a concerning precedent for non-compliance with statutory forest protection norms.

In view of the above, I humbly request your good office to:

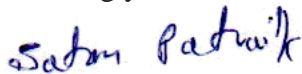
- 1- Request for a joint field visit of senior Forest Department Officials and petitioner's team.
- 2- Immediately investigate the matter and verify the legality of construction of slurry pipe line.
- 3- Take necessary action to halt the work if it is found to be unauthorized or in violation of approval conditions of Forest Diversion.

- 4- Initiate appropriate legal proceedings against the responsible agency for non-compliance with forest laws.
- 5- Ensure restoration measures are undertaken for any damage already caused to the forest area.

I would also request that the findings of the inquiry and the action taken may kindly be communicated to the undersigned and other concerned stakeholders.

This representation is being marked in copy to other relevant authorities for their information and necessary action.

Thanking you



Satam Patnaik
C/o: Shri Bala Krushna Pattanaik Trust
6th Lane, Amalapada,
Angul
Odisha
M: 8527070196
Email: satam.patnaik@gmail.com

Encl:

- 1- Copy of Stage-1 approval of Forest Diversion. (Annexure-1)
- 2- Copy of Show Cause notice served to JSPL with respect to violation of contains. (Annexure-2)
- 3- Copy of reply of show cause notice submitted by JSPL. (Annexure-3)

Copy To:

- 1- The RCCF, Angul Circle, Angul.
- 2- The PCCF (Forest Diversion & Nodal Officer, FA Act), Odisha, Bhubaneswar.
- 3- The Director, Environment-cum-Special Secretary, F, E & CC Dept., Govt. of Odisha.
- 4- The Additional Chief Secretary, Forest and Environment Department
Kharbela Bhawan, Bhubaneswar, Government of Odisha- 751001
E-mail- forestandenv1@gmail.com
- 5- The Deputy Inspector General of Forest(C)
MoEF&CC, Eastern Regional Office,
Bhubaneswar.
- 6- The Deputy Director General of Forest(C) MoEF&CC,
Eastern Regional Office, Bhubaneswar.

7- The Add. Director & Member Secretary (Industry-1)

MoEF&CC, Indira Paryavaran Bhawan, New Delhi

8- The Secretary, MoEF&CC, Govt of India, Indira Paryavaran Bhawan,
New Delhi.

Email: secy-moef@nic.in

9- The Chief Secretary, Govt of Odisha, Bhubaneswar.

10- The RDC(ND), Sambalpur, Odisha.

11- The DM & Collector, Angul, Odisha.

12- The SP, Angul, Odisha.



Government of India/ भारत सरकार
Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
V/3, Chandrasekharpur/ ए/३, चंद्रशेखरपुर
Bhubaneswar- 751 023/ भुवनेश्वर - ७५१ ०२३

उपरी & अधिकांश १
उपरी & अधिकांश ११

Telephone : 0674-2301213, 2301248, 2302453, 2302454, 0674-2302432. E-mail: roez.bsr-mef@nic.in

No.5-ORC248/2015-BHU



109 16 166
13th July, 2015
Annexure - 1
Chase I

Steel - I approval etc

To

The Principal Secretary,
Forest & Environment Department,
Govt. of Odisha,
Bhubaneswar.

Sub:-

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)14/2015-6870/F&E dated 27.04.2015 and No.7111/F&E dated 30.04.2015 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests & Climate Change under section 2 of Forest(Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 10.07.2015, the Ministry of Environment, Forests & Climate Change hereby conveys 'in-principle' approval for diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd., subject to the fulfillment of the following conditions.

- (i) Legal status of forest land proposed for diversion shall remain unchanged.
- (ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
- (iii) At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- (iv) Compensatory Afforestation shall be raised over 16.510 Acre (6.681 ha) of non-forest land identified by State Govt. in Plot No.4/1257 (P), Khata No.2/2 in Mouza Nukhuripada in Angul tehsil of Angul district at the cost of the user agency. The user agency shall transfer the cost of compensatory afforestation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to the Forest Department.

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- 1.98
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- (v) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
- (vi) All the funds received from the user agency under the project shall be transferred to concerned Saving Bank account of the Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road Branch, New Delhi-11003.
- (vii) State Govt. shall upload the compensatory levies demanded and received from the user agency in the Ministry website before Stage-II approval.
- (viii) The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc. The distance between any two pillars shall be kept at about 50 mtr and each pillar should be clearly visible from pillars on both sides.
- (ix) The State Forest Department/UA shall submit the surveyed sketch of 16.510 Acre (6.681 ha) of non-forest land identified in Plot No.4/1257 (P), Khata No.2/2 in Mouza Nukhuripada in Angul tehsil of Angul district as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them. The State Forest Department/User Agency shall submit the DGPS reading of each demarcated pillar giving the latitude and the longitude.
- (x) No mine void shall be filled back with fly ash, as proposed in the proposed, without specific clearance for this under Environment (Protection) Act.
- (xi) To minimize the felling of trees for construction of transmission line, the user agency shall comply with the following guidelines issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014.
- The width of right of way for transmission line on forest land shall be 15 mtr.
 - Below each conductor, width clearance of 3 meters would be permitted for taking the tension stringing equipment.
 - The trees on such strips would have to be felled but after stringing work is completed, the natural regeneration will be allowed to come up. Felling/pollarding/pruning of trees will be done with the permission of the local forest officer wherever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.
 - During construction of transmission line, pollarding/pruning of trees located outside the above width of the strips, whose branches/parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
 - Pruning of trees for taking construction/stringing equipments through existing approach/access routes in forest area shall also be permitted to the extent necessary, as may be decided by local forest officer. Construction of new approach/access route will however, require prior approval under the Act.
 - In the remaining width of right of way trees will be felled or lopped to the extent required, for preventing electrical hazards by maintaining minimum 2.8 meters clearance between

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107 1A 1165

- g) The maximum sag and swing of the conductor are to be kept in view while working out the minimum clearance mentioned as above.
- (xii) The user agency shall obtain the environmental clearance as per the provisions of Environment (Protection) Act, 1986, if required.
- (xiii) The user agency shall take adequate safety measure for accidental spillage of pipe conveyor, if any.
- (xiv) Earth or any material shall not be brought from or the debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.
- (xv) The rock/morum excavated from work site should be utilized by Railways/State Govt. for various construction purposes etc.
- (xvi) The designing of culverts/bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- (xvii) The State Govt. shall ensure controlled speed limit of the trains passing through the forest portion to enable the train drivers to react to the sudden appearance of the wild animal on the track.
- (xviii) Adequate signage shall be provided along the railway line passing through forest land.
- (xix) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- (xx) No labour camp shall be allowed in the forest area.
- (xxi) The user agency shall provide fuelwood, preferably alternate fuel, to labourers working at the site to avoid damage/tree felling.
- (xxii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xxiii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xxiv) The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without prior approval of Ministry of Environment, Forests & Climate Change.
- (xxv) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forests & Climate Change.
- (xxvi) The user agency will obtain clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before final approval of the project and will submit certificate towards settlement of all claims and rights over the proposed forest land as per the Guidelines of Ministry communicated vide letter No.11-9/1998-FC (Pt) dated 03.08.2009 read with guidelines dated 28.10.2014.

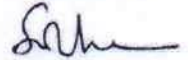
// 4 //

(xxvii) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

(xxviii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forests & Climate Change.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
3. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
5. The Divisional Forest Officer, Angul Forest Division, Angul, Odisha.
6. The Vice President (Mining), M/s Jindal Steel & Power Ltd., Angul, Odisha.
7. Guard file.

Conservator of Forests (Central)

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL

Letter No. 2131 /47/2019/DRP/Dated. 30.03.2022

To

The Vice President (Mining),
Jindal Steel & Power Ltd, Angul

Sub: -

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd. – **Show cause Notice**

Ref:

1. No. 5003 /F& E.09.03.2017 of S.S to Govt. F& E Deptt. BBSR.
2. Letter No.5-ORC248/2015-BHU dt. 13.07.2015 of GOI,MOEF.
3. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI,MOEF.
- 4 Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI,MOEF.

Sir,

With reference to the above cited correspondence on the subject, Show cause Notice is issued in the following violation of Condition of Stage – I and Stage II imposed by the Govt. of India, MOEF.

Para : 1 *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Violation Stage-II Clearance was given for construction for elevated pipe conveyor, electricity structure and 2.5 meter wide service road.

However, a road with width more than 10 Meter has been constructed which amounts to use of forest land for any purpose other than specified in the proposal and is in violation. **(Photograph-1)**

Para : 2 *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Violation Approved lay out plan is attached in **Annexure-I**. However, a road has been constructed in violation of above mentioned condition.

Further, User Agency has elevated the road constructed without approval of the lay out from competent Authority **(Photograph-2)** which is violation of above mentioned condition.

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Para : 3 *As per condition No. XVI of the Stage-I approval order, designing of culverts/ bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.*

Violation A number of Nallahs have not been blocked due to construction of road violating above mentioned condition. **(Photograph-3)**

Para:4 *As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.*

Violation As mentioned in violation in **Para-1.**

Para: 5 *As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.*

Violation As mentioned in Para : 2.

Observations

- a. Your report on the recommendation of the Monitoring Committee Headed by Sri R.K. Samal, IFS DIGF (CENTRAL) regarding return of diverted land to forest Department given the importance of forest area for elephant movement and no longer requirement of diverted forest area for pipe conveyer due to cancellation of Coal Block is still awaited. (Report of Sri Sri R.K. Samal, IFS DIGF (CENTRAL) as **Annexure-2**

Further, it is observed that 4 – 10 ft. high road has been constructed without any approval or permission. **(Photograph-3 and 4)**

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- b It is observed that slag and other debris are dumped inside the diverted forest land affecting the forest ecology (**Photograph-5**)

You are requested to explain above mentioned violations para wise so that matter can be reported to higher authorities accordingly.

Further, all works being undertaken without permission from competent authorities are to be stopped immediate effect until further direction from the Competent Authority.

Encl:- As above.

Yours faith fully

[Signature]
Divisional Forest Officer
Angul Division.

Memo No. 2132 / Dated. 30.03.2022

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for favour of kind information and necessary action.

[Signature]
Divisional Forest Officer
Angul Division

Memo No. 2133 / Dated. 30.03.2022

Copy submitted to the Principal Chief Conservator of Forests, Forest Division & Nodal Officer, F.C. Act, O/o the Principal Chief Conservator of Forests, Odisha for favour of information and necessary action.

[Signature]
Divisional Forest Officer
Angul Division

Memo No. 2134 / Dated. 30.03.2022

Copy forwarded to the Range Officer Angul for information and to take necessary action. He is instructed to check further violation and deviations, if any, be intimated to the undersigned.

[Signature]
Divisional Forest Officer
Angul Division

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JINDAL
STEEL & POWERDate: 20th April 2022

No. JSPL/ANGUL/EMD/22-23/7

To,
Divisional Forest Officer
Angul Division

Subject: Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by- products there from by M/s Jindal Steel & Power Ltd. — Reply to Show cause Notice

Ref. :

1. Letter No. 2131/47/2019/DRP dated 30.03.2022 from the office of DFO
2. Letter No. 5003/F& E.09.03.2017 of S.S to Govt. F & E Deptt.,BBSR
3. Letter No.5-ORC248/2015-BHU dt. 13 .07.2015 of GOI,MOEF
4. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI,MOEF
5. Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI,MOEF

Dear Sir,

This has reference to the Letter no. 2131/47/2019/DRP dated 30.03.2022 on the above mentioned subject. We would like to inform that Jindal Steel & Power Ltd (JSPL) was allocated the Utkal B1 Coal mine in the Talcher Coal mine area as captive source of coal for its Integrated Steel Plant at Angul. The Utkal B1 is located at about 5 km in the North of the steel plant and as per the Environment Clearance of Coal Washery of the Steel Plant, coal was to be conveyed through covered conveyer from the Utkal B1 coal mine. With this background JSPL had planned to install a covered conveyer system from the Utkal B1 mine to the JSPL Steel Plant and had applied for the diversion of the forest land on the conveyer route. However, subsequently the Utkal B1 was de-allocated as per the judgment of the Honorable Supreme Court. Subsequently, JSPL sourced the coal requirement for the steel plant from the Talcher coal mines of Mahanadi Coalfield Ltd. However, JSPL went ahead with its plan for the conveyer as coal conveyance through a covered conveyer is non-polluting and environmental friendly when compared to conveying in trucks through road. The Ministry of Environment Forest and Climate Change also has notified Gazette order no S.O 1561 (E) on 21.05.2020, where in section 3 it is directed to transport coal by covered Railway wagons or covered conveyer. (Copy of the Gazette notification enclosed).

With this background, JSPL planned construction of the covered coal conveyer and has taken the diversion of the forest land. Subsequently, the 15 m corridor through the forest area was cleared with the permission of the forest dept. and by engaging the OFDC. JSPL

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Registered Office O. P. Jindal Marg, Hisar, 125 005, Haryana



now has started process of construction of the Coal Conveyer and the associated infrastructures as the power transmission lines, road etc. with leveling of the conveyer route for transportation of movement of construction machineries such as heavy cranes, concrete mixer truck, concrete pumps, and trucks carrying the heavy mechanical equipment.

It will be also pertinent to mention that after the de-allocation of the Utkal B1 coal block, JSPL was in the process of bidding for various coal blocks in the Talcher Coal Mines region, and has won the biddings of Utkal B1 coal block again apart from two more coal blocks Utkal B2 and Utkal C in adjacent area. The total production capacity of these mines is about 11 MTPA. JSPL has started the construction of the coal conveyer along with other associated facilities such as the power transmission line, road etc. to keep the conveyer system ready before the start of operation of these mine. We herewith submit the compliance to the points raised vide the Letter no Letter no. 2131/47/2019/DRP dated 30.03.2022.

Para 1	<i>As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.</i>
Violation	<p>Stage-II Clearance was given for construction for elevated pipe conveyer, electricity structure and 2.5 meter wide service road.</p> <p>However, a road with width more than 10 Meter has been constructed which amounts to use of forest land for any purpose other than specified in the proposal and is in violation. (Photograph-1)</p>
Reply	<p>JSPL has started the construction of the of the pipe conveyer for which 10 m width has been cleared and has been leveled for movement of construction machineries such as heavy cranes, concrete mixer truck, concrete pumps, and trucks carrying the heavy mechanical equipment. The corridor after removal of trees was found to be undulating in nature and the soil base of the corridor was not fit for carrying the heavy loads of the construction equipment. Therefore it was necessary to fill the 10 m corridor with layer of slag generated from the plant. These slag being granular material can be removed if required latter on leaving the space for service road.</p> <p>It is therefore, confirmed and assured that the forest land has not</p>

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	been used for any purpose other than that specified in the proposal.
Para 2	<i>As per condition No. XVII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.</i>
Violation	Approved layout plan is attached in Annexure-I. However, a road has been constructed in violation of above mentioned condition. Further, User Agency has elevated the road constructed without approval of the layout from competent Authority (Photograph-2) which is violation of above mentioned condition
Reply	<p>The approved layout has provision of a road. The layout has the provision for the conveyer trestle including the foundation of the conveyer, A power transmission line, a road and underground water pipelines. As mentioned in the layout drawing of the facilities, there is a space of 4.5 m available from the edge of the transmission line. The road of 2.5 m width will pass through this space leaving space for shoulder or drain in the edge. There, is no violation this condition as road is a part of the purposes for which the forest land have been diverted. Though a width of about 10 m has been leveled for construction of the pipe conveyer, after construction of the conveyers and the power transmission line, the road will cover a width of 2.5m in the remaining space drains and road shoulders will be provided. The road elevation is mostly at the level of the surrounding area. However, there have been few depressions and nallah which were identified after the trees were removed. In these areas the corridor has been filled with granular slag material for movement of the construction equipment and conveyer machineries.</p> <p>It is therefore, confirmed and assured that the layout plan of the proposed forest land shall not be changed.</p>
Para 3	<i>As per condition No XVI the Stage-I approval order, designing of culverts/ bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.</i>

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AO 1182



Violation	A number of Nallahs have not been blocked due to construction of road violating above mentioned condition. (Photograph-3)
Reply	<p>No nallahs have been blocked and for smooth flow of water, RCC hume pipe culverts have been provided at 3 places for undisturbed flow of water. Care has been taken to provide large side RCC hume pipe below the formation layer so that water during monsoon can pass through without water logging on both the side. The level of the formation layer has been maintained mostly same as that of the surrounding area. However, there have been few nallahs crossing the stretch. For smooth movement of construction machineries in these depression areas we have leveled by filling loose materials as slag, and provided RCC hume pipe culverts for free flow of water. At few places there have been cutting of earth for 2 to 3 ft to maintain the level. So these small level differences will not cause any hindrance to the movement of the animal when passing the conveyer corridor.</p> <p>It is therefore, confirmed and assured that the designing of culverts/ bridges over the natural streams/rivers/canals is done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.</p>
Para 4	<i>As per condition No. XXII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.</i>
Violation	As mentioned in violation in Para-I.
Reply	<p>The forest land has not been used for any purpose other than that specified in the proposal. The corridor has been leveled to provide access for the construction of the pipe conveyer, power transmission line and water pipe line etc.</p> <p>It is therefore, confirmed and assured that the forest land has not been used for any purpose other than that specified in the proposal.</p>
Para 5	<i>As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.</i>

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Violation	As mentioned in Para: 2.
Reply	<p>JSPL has started the construction of the coal conveyer and other associated facilities such as the power transmission line, road and the underground water pipelines after making the formation layer of width of about 10 m.</p> <p>It is therefore, confirmed and assured that layout plan of the proposed Forest land is not changed.</p>

We also once again confirm and assure you that there is no change in the purpose of the diversion and there is no change in the layout of the project. We therefore request you to kindly close the observations and allow us to continue with the construction of the Coal Conveyer and other associated acuties.

Thanking you,
 Yours faithfully,

for Jindal Steel & Power Limited



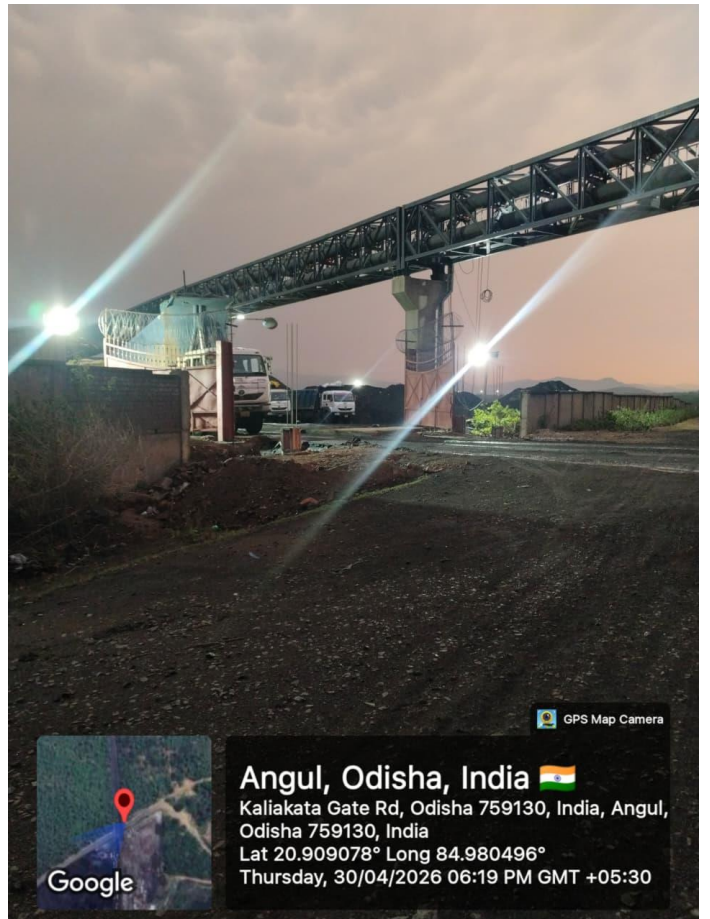
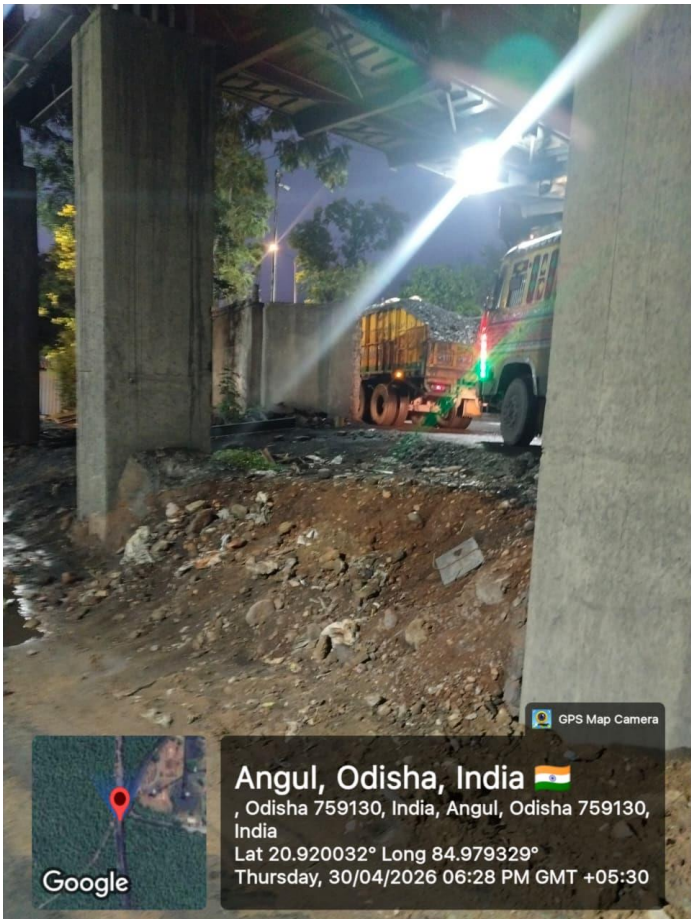
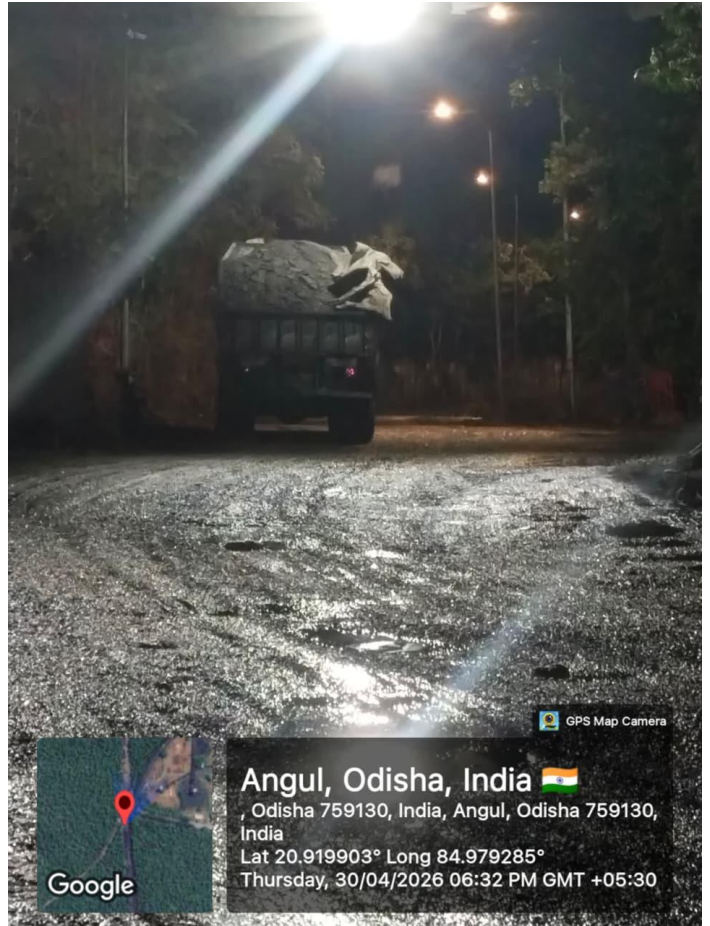
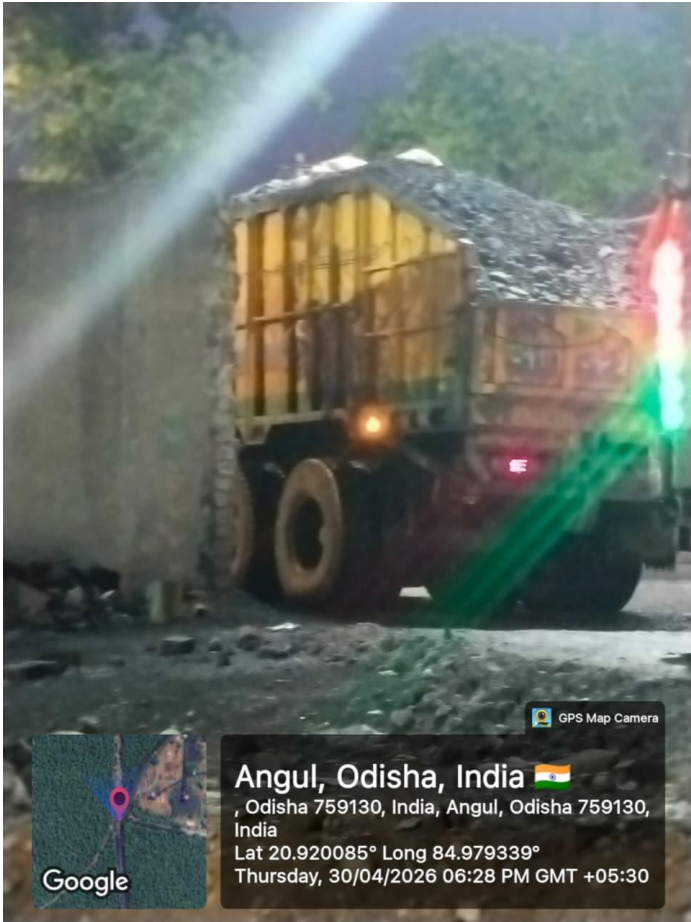
(Alok Kumar Sahu)

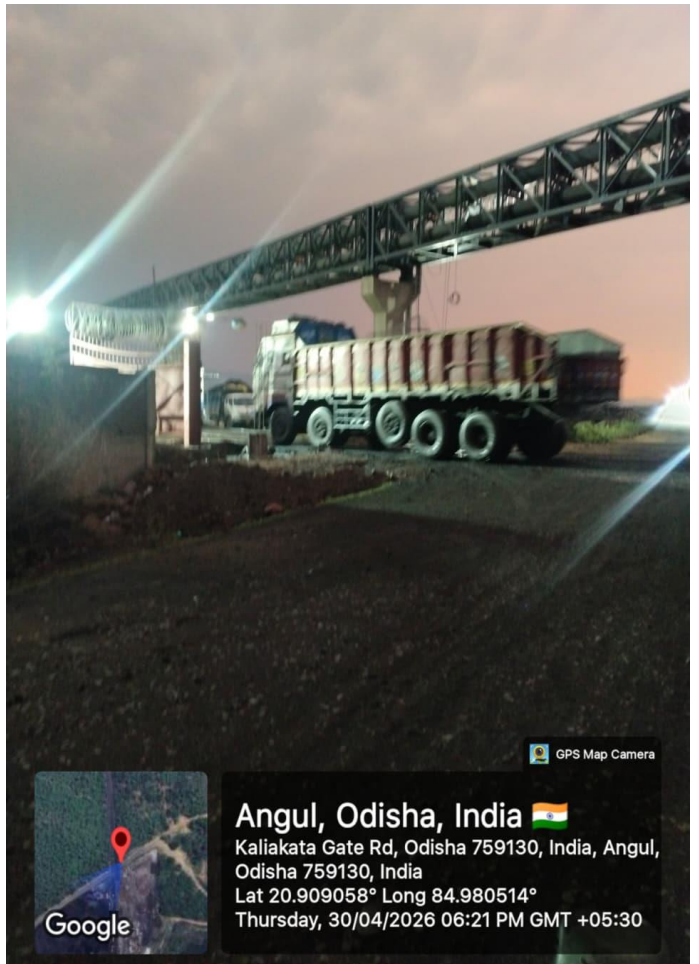
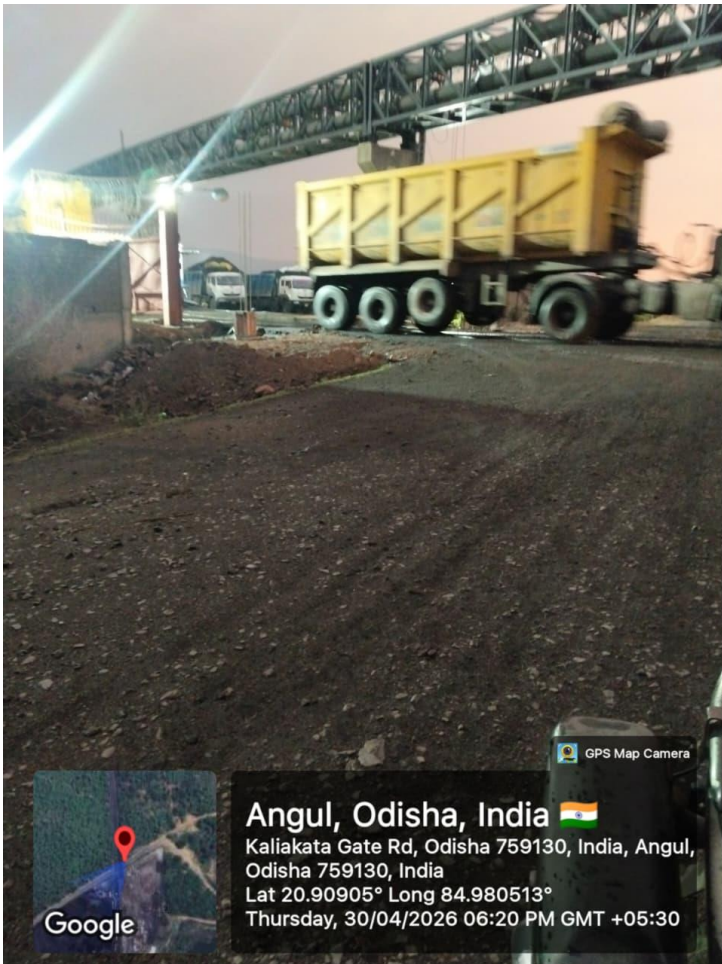
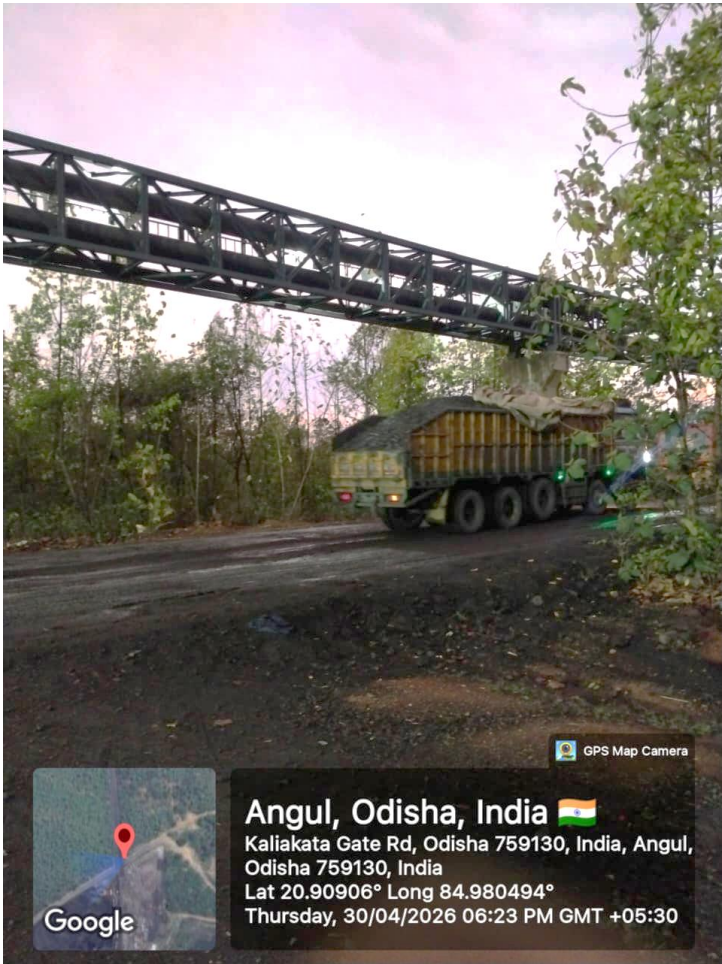
Associate Vice President- Environment Management Dept

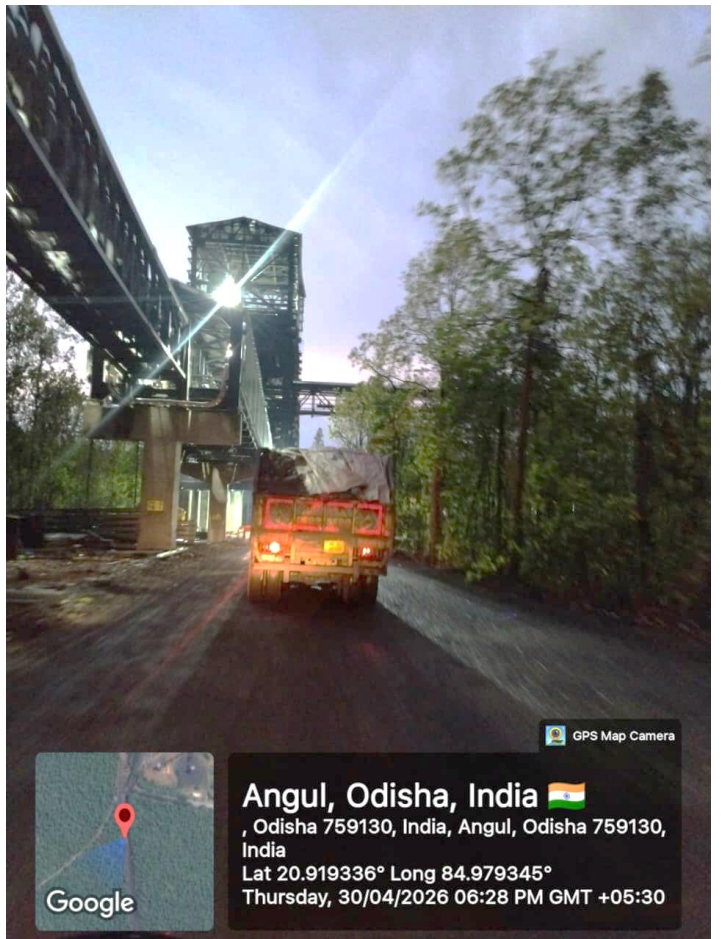
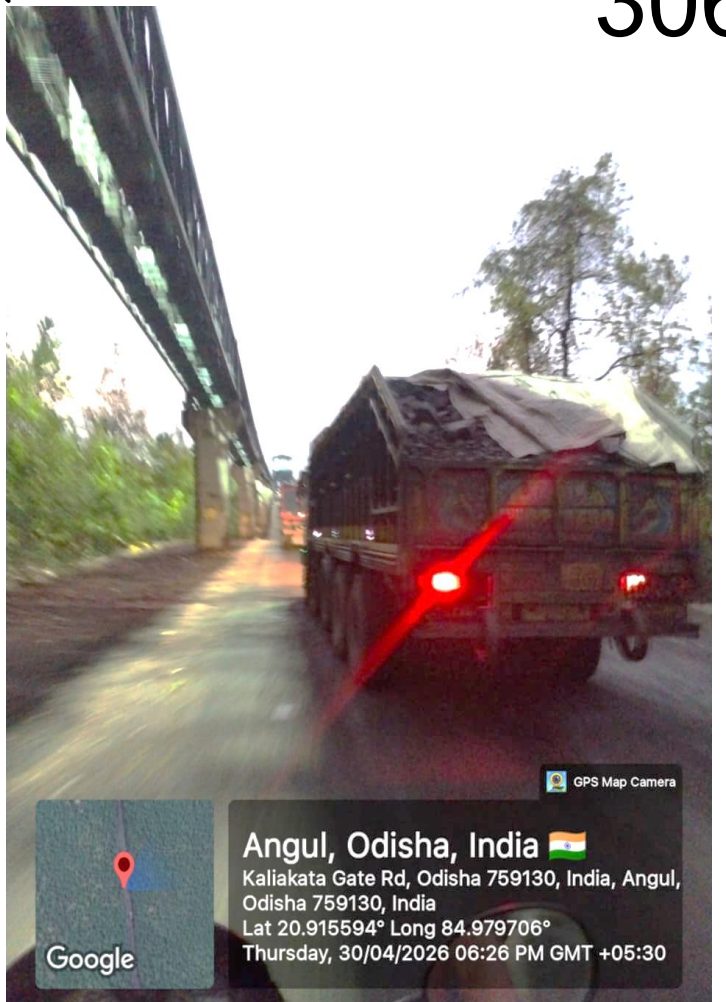
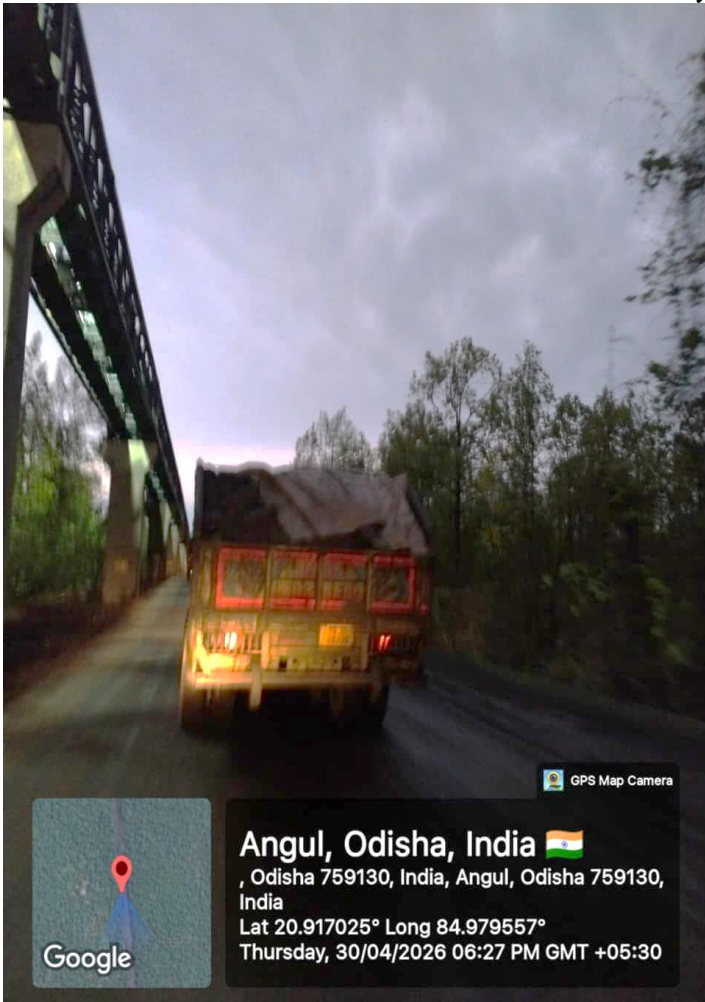
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PHOTOGRAPHS OF COAL LOADED TRUCKS OF JINDAL STEEL LIMITED PLYING ON KALIAKATA RF ROAD.









Ashtami Khatri <ashtamikhatri88@gmail.com>

Advance Service | OA 61/2025 | Satam Patnaik v. State of Odisha

1 message

Ashtami Khatri <ashtamikhatri88@gmail.com>

Fri, May 1, 2026 at 7:24 PM

To: csori@nic.in, Pankaj.malhan@jindalsteel.com, fesec.or@nic.in, pccf.hoff@odisha.gov.in, dm-angul@nic.in, dfoangul@gmail.com, msobb@rediffmail.com, roez.bsr-mef@nic.in, dirmines_odisha@rediffmail.com, dir.geology@orissaminerals.gov.in, ddm.talcher@orissaminerals.gov.in, rccfangul@gmail.com
Cc: sunil mathews <sjmathews@gmail.com>, Advocate Jyoti Rajput <advocatejyotirajput83@gmail.com>

Dear all,

Please find attached the copy of the **Rejoinders and Stay Application** filed in Original Application No. 61 of 2025 (EZ), **Satam Patnaik v. State of Odisha** by way of this advance service.

Next date of hearing is **05.05.2026**

Regards,






Adv. Ashtami Khatri

Supreme Court of India,

Tilak Marg, New Delhi - 110001

Phone no. - +91 9169943658

5 attachments

-  **Rejoinder State Respondents_OA 61_2025.pdf**
5542K
-  **Rejoinder_OA 61_2025 Respondent No. 7.pdf**
5399K
-  **IA for stay - Iron Slurry pipeline_Kaliakatta_compressed.pdf**
2603K
-  **Rejoinder_OA 61_2025 to Respondent No.2.pdf**
5525K
-  **Rejoinder_OA 61_2025 Respondent No. 8.pdf**
5460K