

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

IN THE MATTER OF:

ORIGINAL APPLICATION NO. 210/2025/EZ

SHRI NAYAN KUMAR PATRA

...APPLICANT

-VERSUS-

JHARKHAND POLLUTION CONTROL BOARD & ORS.

...RESPONDENTS

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AISHWARYA RAJYASHREE

Advocate

Bar Association Room No. 5,

High Court, Calcutta

Chamber: 8/1, K.S. Roy Road,

Kolkata: 700001.

(M)9874995669

Email: advaish.hc@gmail.com



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

IN THE MATTER OF:

ORIGINAL APPLICATION NO. 210/2025/EZ

SHRI NAYAN KUMAR PATRA

...APPLICANT

-VERSUS-

*Sl. No. 4861
23-4-2026*

JHARKHAND POLLUTION CONTROL BOARD & ORS.

...RESPONDENTS

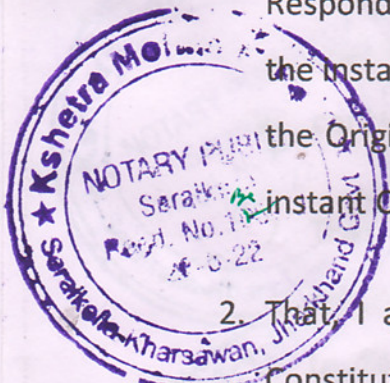
COUNTER AFFIDAVIT FILED BY OF DEPUTY COMMISSIONER, SERAIKELA
KHARSAWAN, JHARKHAND (i.e. RESPONDENT NO. 6 HEREIN).

I, NITISH KUMAR SINGH, son of PRATAP SINGH, aged about 35 years, by Religion - HINDU, by Occupation - Service under Government of Jharkhand in the office of Deputy Commissioner, Seraikela Kharsawan Jharkhand, having its office at SERAIKELA, Jharkhand,

do hereby solemnly affirm and state as follows:

1. That, I am the Deputy Commissioner, Seraikela Kharsawan, Jharkhand, (i.e. Respondent No. 6 herein) and that I am aware of the facts and records in the instant case and have gone through the allegations and contentions in the Original Application as such I am competent to make and affirm the instant Counter Affidavit.

2. That, I am a law-abiding Citizen of India and very much respect the Constitution and Judicial System of India.



*Just
23-4-26*
Kshetra Mohan Malal
NOTARY PUBLIC
Seraikela-Kharsawan

deposited by me and signed
but LTI in my Presence
Wishu
Advocate
23-4-2026

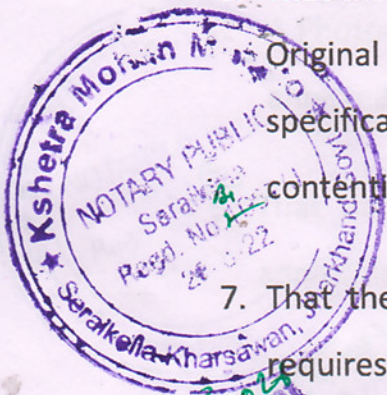
X

3. That on 22.12.2025 this Hon'ble Tribunal while hearing the instant Original Application directed the Respondents to file their replied to the averments made in the Original Application by the applicant.
4. That in pursuance and in compliance to the order dated 22.12.2025 and 25.02.2026 passed by the Hon'ble Tribunal in the instant Original Application this Counter Affidavit is being filed by Respondent no. 6 of the Original Application.
5. That the answering respondent would like to state and submit that the Deputy Commissioner, Seraikela-Kharsawan vide order/Memo No.-564/Gen dated 23.4.2025 directed the Regional Officer, Pollution Control Board, Adityapur to ensure the compliance of the order passed by the Jharkhand State Pollution Control Board, Ranchi concerning the closure of the expanded/violative unit till further order.

A Photocopy of Memo No. 564/Gen dated 23.4.2025 is annexed herewith and marked as Annexure A.

6. That the answering respondent now deals with the Parawise Reply to the Original Application and state and submit that save and except those specifically admitted herein, the answering respondent denies all the contentions of the Applicant.

7. That the statement made in paragraph nos. 1 to 4 of the application requires no comment. Moreover, the statement made in paragraph nos. 1 to 14 in the original application being matters of record, and hence requires no comment.



23-4-2026
Kshetra Mohan Narayan
NOTARY PUBLIC
Seraikela-Kharsawan

deposited by me and signed
put LTI in my presence

Advocate
13.4.2026

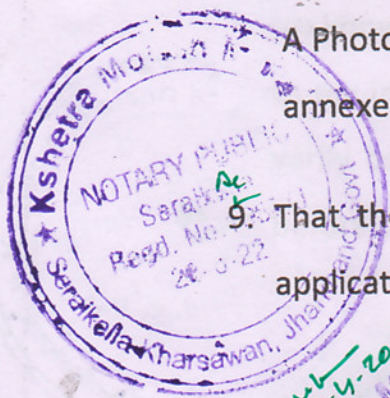
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8. That the statement made in paragraph nos. 15 to 27 of the original application being incorrect and misconceived fact is hereby denied and disputed by the answering respondent.

It is further stated and submitted that adequate and stringent steps have been taken by the concerned authority in compliance of the order/orders of the Hon'ble NGT and the order of Deputy Commissioner, Seraikella-Kharsawan, and the report of which has been submitted vide Memo No-246 dated 14.02.2026 by the Regional Officer, Pollution Control Board, Adityapur, Jharkhand. The said report reveals that during inspection on 13.02.2026 it was found that seal of door of Electrical Control Pannel Room of 2 x 600 TPD DRI kiln is intact (Photograph attached as annex. I in the said report). Other violation part 3 x 10 T, 4 x 15 T, induction furnace, CCM of 2,20,000 TPA capacity and 37 MW WHRB based power plant was found closed as well (Photograph of induction furnace, CCM & Stack attached with WHRB is annexed as annex. II in the said report) The electric department has also cut off power supply to the unit (Copy Annexed as annex. III in the said report).

A Photocopy of the said Memo No. 246/Jamshedpur dated 14.02.2026 is annexed herewith and marked as Annexure B.

9. That the statement made in paragraph nos. 28 to 31 of the original application requires no comment.



Janak
23-4-2026
Kshetra Monan Mahata
NOTARY PUBLIC
Seraikella-Kharsawan

certified by me and Signee
put LTI in my Presence
Doel
Advocate
23-4-2026

X

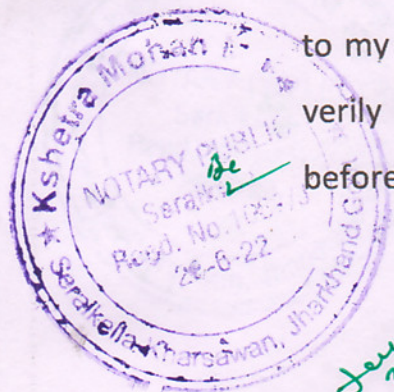
10. That save and except what are matters of record, the allegations and the grounds made in the Original Application are denied as being incorrect, misconceived and hence not maintainable.

11. In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to dismiss the present Original Application and/or pass such other order(s) as may be deemed fit and proper in the facts and circumstances of the case.

12. That this Counter Affidavit is filed bonafide and in the interest of justice. It is therefore prayed that Your Lordships, may kindly be pleased to accept the instant Counter Affidavit.

13. That the answering respondent seeks leave to file any further affidavits, if required, as per direction of the Hon'ble Tribunal.

14. I state that the statements contained in paragraphs Nos. 1 to 3 are true to my knowledge, the statements contained in paragraph Nos. 4 to 9 are true to my information derived from the official records of the case, which I verily believe to be true and the rest is/are my respectful submissions before this Hon'ble Tribunal.



Javit
23-4-2026
Kshetra Mohan Mahal
NOTARY PUBLIC
Serakella-Kharsawan

certified by me and Signed
PUT LTI in my Presence

Advocate
23-4-2026

✕

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENTLEY ROAD

VERIFICATION

I, NITISH KUMAR SINGH, son of PRAPAG SINGH, aged about 25 years, by Religion - HINDU, by Occupation - Service under Government of Jharkhand in the office of Deputy Commissioner, Seraikela Kharsawan Jharkhand, having its office at SERAIKELA - KHARSAWAN, Jharkhand is filing this instant Counter Affidavit on this the 23 day of April, 2026.

Date: 23.4.26

Place: SERAIKELA

Nitish

Deponent

Identified by me:

R. Mahato
Advocate 23/04/2026

by Douglas
23.4.2026



Deponent Nitish Kumar Singh
is identified by R.D. Mahato and Deborah Joseph
Advocate Solemnly Affirmed and declared before me
SPSK

Jewell
23-4-2026

KSHETRA MOHAN MAHATO
NOTARY PUBLIC
Seraikela, Jharkhand

उपायुक्त का कार्यालय, सरायकेला-खरसावाँ।
(सामान्य शाखा)

: आदेश :

सदस्य सचिव, झारखण्ड प्रदूषण नियंत्रण बोर्ड, राँची के पत्रांक-43, दिनांक-10.01.2025 के अधीन दृष्टव्य है कि M/s Nilanchal Iron & Power Ltd, At-Ratnapur, Kandra को जल (प्रदूषण की रोकथाम एवं नियंत्रण अधिनियम) 1974 की धारा 27(2) एवं वायु (प्रदूषण की रोकथाम एवं नियंत्रण अधिनियम) 1981 की धारा 21(4), 31(A) के तहत सम्पूर्ण इकाई (विस्तारित उल्लंघन वाले भाग सहित) को तत्काल प्रभाव से अगले आदेश तक बंद करने तथा संबंधित पत्र के जारी होने की तिथि के 15 दिनों के भीतर 70,87,500.00 (सत्तर लाख सतासी हजार पाँच सौ) रुपये की पर्यावरण क्षतिपूर्ति राशि जमा करने हेतु निदेशित था। सदस्य सचिव, झारखण्ड प्रदूषण नियंत्रण बोर्ड, राँची के पत्रांक-841, दिनांक-24.03.2025 के माध्यम से निर्गत बंदी आदेश सहित अन्य निर्देशों के अनुपालन हेतु इस कार्यालय के ज्ञापांक-546/सा0, दिनांक-19.04.2025 के माध्यम से विधि-व्यवस्था संधारण के निमित्त दण्डाधिकारी एवं पुलिस पदाधिकारी की प्रतिनियुक्ति करते हुए दिनांक-23.04.2025 की तिथि निर्धारित की गई थी। इस संदर्भ में उल्लेखनीय है कि पुलिस अधीक्षक, सरायकेला-खरसावाँ के पत्रांक-1657/गो0, दिनांक-21.04.2025 द्वारा अगली तिथि निर्धारण हेतु अनुरोध किया गया है, साथ ही सदस्य सचिव, झारखण्ड प्रदूषण नियंत्रण बोर्ड, राँची के ज्ञापांक-1095, दिनांक-17.04.2025 के माध्यम से विषयांकित मामले में निम्नवत रूप से नवीन निर्देश निर्गत किये गये हैं :-

1. Revoke the closure direction issued vide Ref. No. 43 dated 10.01.2025 (only for the non-expanded part).
2. Reinstate the Consent to Operate (CTO) issued vide Ref. No. JSPCB/HO/RNC/CTO-18110094/2024/1484, dated 13.09.2024, valid till 30.06.2026 for the production of :
 - o Sponge Iron-2x100 TPD and 1x350 TPD
 - o WHRB Power Plant-12 MW (non-expanded part)
3. Keep the expanded/violation part of the unit closed until further orders.
4. To submit the Environmental Compensation of Rs. 70,87,500/- for the violations (expanded part) within 15 days of issuance of the letter.

उक्त के आलोक में इस कार्यालय के ज्ञापांक-546/सा0, दिनांक-19.04.2025 के माध्यम से निर्गत आदेश को निरस्त किया जाता है एवं उपरोक्त क्रमांक 3 में यथावर्णित इकाई के विस्तारित/उल्लंघनकारी भाग को अगले आदेश तक बंद रखने संबंधी निदेश का अनुपालन हेतु श्री राम प्रवेश कुमार, क्षेत्रीय पदाधिकारी, प्रदूषण नियंत्रण बोर्ड, आदित्यपुर को प्रतिनियुक्त किया जाता है एवं निदेश दिया जाता है कि M/s Nilanchal Iron & Power Ltd, At-Ratnapur, Kandra को दिनांक-26.04.2025 को 11:00 बजे पूर्वाह्न उक्त पत्र के आलोक में नियमानुसार अनुपालन कराना सुनिश्चित करेंगे। उक्त तिथि, समय व स्थान में विधि-व्यवस्था के संधारण हेतु वरीय पदाधिकारी के रूप में अनुमण्डल पदाधिकारी, सरायकेला एवं अनुमण्डल पुलिस पदाधिकारी, सरायकेला को प्रतिनियुक्त किया जाता है। इस कार्य हेतु निम्नलिखित पदाधिकारियों को प्रतिनियुक्त किया जाता है :-

4. अंचल अधिकारी, सरायकेला - M/s Nilanchal Iron & Power Ltd, At-Ratnapur, Kandra के प्रवेश द्वार पर।
5. अंचल अधिकारी, चाण्डल - M/s Nilanchal Iron & Power Ltd, At-Ratnapur, Kandra के निकास द्वार पर।
6. श्री कमलेश कुमार दास, कार्यपालक दण्डाधिकारी, सरायकेला-खरसावाँ ।

उपरोक्त तथ्यों के आलोक में सभी प्रतिनियुक्त दण्डाधिकारी एवं पुलिस पदाधिकारी को निदेशित किया जाता है कि निर्धारित तिथि, स्थान व समय में उपस्थित होकर विधि व्यवस्था के संधारण में अपेक्षित सहयोग करना सुनिश्चित करेंगे।

अनु0-यथोक्त।

23.04.25
प्रभारी पदाधिकारी,
सामान्य शाखा,
सरायकेला-खरसावाँ।

अपर-उपायुक्त,
सरायकेला-खरसावाँ।

उपायुक्त,
सरायकेला-खरसावाँ।

हापांक-564..../सा0, दिनांक-22/04/2025

- प्रतिलिपि :- थाना प्रभारी, चाण्डिल को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
 प्रतिलिपि :- अंचल अधिकारी, चाण्डिल/सरायकेला को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
 प्रतिलिपि :- श्री कमलेश कुमार दास, कार्यपालक दण्डाधिकारी, सरायकेला-खरसावाँ को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
 प्रतिलिपि :- श्री राम प्रवेश कुमार, क्षेत्रीय पदाधिकारी, प्रदूषण नियंत्रण बोर्ड, आदित्यपुर को सूचनार्थ एवं अनुपालनार्थ प्रेषित।
 प्रतिलिपि :- अनुमण्डल पदाधिकारी, सरायकेला को सूचनार्थ एवं अनुपालनार्थ प्रेषित।
 प्रतिलिपि :- अनुमण्डल पुलिस पदाधिकारी, सरायकेला को सूचनार्थ एवं अनुपालनार्थ प्रेषित।
 प्रतिलिपि :- पुलिस अधीक्षक, सरायकेला-खरसावाँ को सूचनार्थ एवं अनुरोध है कि अंचल निरीक्षक स्तर के पदाधिकारी के साथ पर्याप्त मात्रा में पुलिस बल सुरक्षा किट सहित उपलब्ध कराना सुनिश्चित किया जाय।

23.4.25
 प्रभारी पदाधिकारी,
 सामान्य शाखा,
 सरायकेला-खरसावाँ।

22/04/25
 अपर उपस्थित,
 सरायकेला-खरसावाँ।

22/04/25
 उपायुक्त,
 सरायकेला-खरसावाँ।



Annexure - B 526

JHARKHAND STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE-CUM-LABORATORY, MB/15 NEW HOUSING COL
ADITYAPUR, JAMSHEDPUR.

Web Site- jspcb.org/ E-Mail ID- jspcb.jsr@gmail.com / Phone- 0657-238324.

8

Inspection cum verification report of M/s Nilachal Iron & Power Limited/OCL Iron & Steel Limited, At- Ratanpur, Kandra Chandil Road, Dist- Saraikela Kharsawan in light of OA. No.- 2010/2025/EZ: Sri Nayan Kumar Patra Vs. Jharkhand State Pollution Control Board.

Inspection of M/s OCL Iron and Steel Ltd. (Formerly Known as: M/s Nilachal Iron & Power Ltd.) At- Ratanpur, Kandra Chandil Road, Dist- Saraikela Kharsawan has been carried out on 13.02.2026 by Regional Officer, and A.S.O. The unit representative Sri Subhash Chandra, COO and Sri Balwant Kumar, G.M was present during the inspection.


The unit is engaged in production of Sponge Iron through 2x100 TPD kiln and 1x350 TPD kiln It has also installed WHRB based power plant of capacity 12 mw. During inspection all above section found in operation and have valid CTO upto 30.06.2026 vide ref. no. JSPCB/HO/RNC/CTO-18110094/2024/1484 dated- 13.09.2024. Pollution control device was also found in operation.

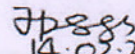
The unit has installed 2x600 TPD of DRI Kiln, 3x10 Tone and 4x15 Tone of induction furnace, CCM of capacity 2,20,000 TPA and 37 MW WHRB based Power Plant without E.C, CTE & CTO. Hon'ble NGT has passed an order dated -26.04.2024 which operative part is produced as below: "29, The original application no. 156/2023/EZ is accordingly disposed of with a direction that the respondent No. 6 shall not operate the expanded part of its unit without valid Environmental Clearance" Accordingly, on 26.04.2025 door of Electrical Control Pannel Room has been sealed. Other violation part was found also closed.

During inspection on 13.02.2026 it was found that seal of door of Electrical Control Pannel Room of 2x600 TPD DRI kiln is intact. Photograph attached on annex. I. Other violation part 3x10 T, 4x15 T, induction furnace, CCM of 2,20,000 TPA capacity and 37 MW WHRB based power plant was found closed as well. Photograph of induction furnace, CCM & Stack attached with WHRB is annexed on annex. II. The electric department has also cut off power supply to the unit Copy annex at annex. III.

This is for information and necessary action at H.Q. Level.

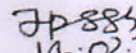
Encl:- As above.


14/02/2026
(S.A. Khan)
A.S.O.


14-02-2026
(J.P. Singh)
R.O. Jamshedpur.

Memo No- 246 /Jamshedpur, dated- 14-02-2026

Copy to Deputy Commissioner, Saraikela Kharsawan for information & necessary action.


14-02-2026
(J.P. Singh)
R.O. Jamshedpur.

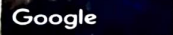
Annexure -I
Electrical Pannel Sealing



Raipur, Jharkhand, India 
V3g6+2rm, Nh 43, Raipur, Jharkhand
832108, India
Lat 22.87414° Long 86.063011°
Friday, 13/02/2026 12:38 PM GMT +05:30

GPS Map Camera

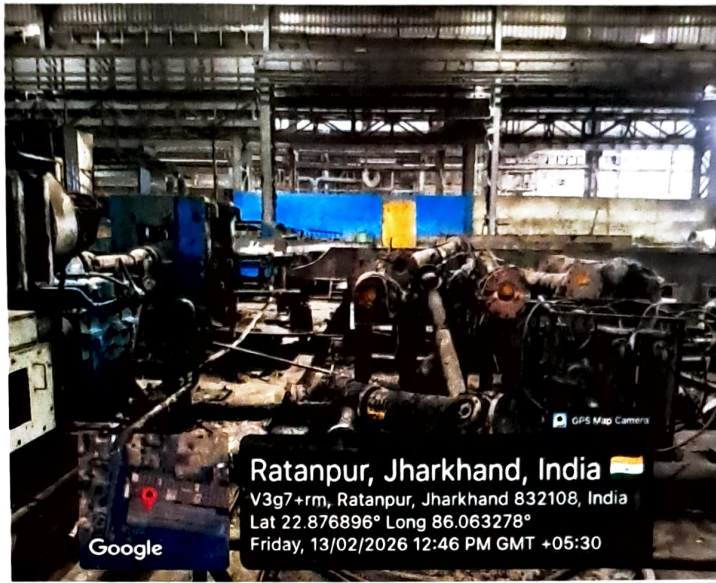
Annexure-II
Induction Furnace



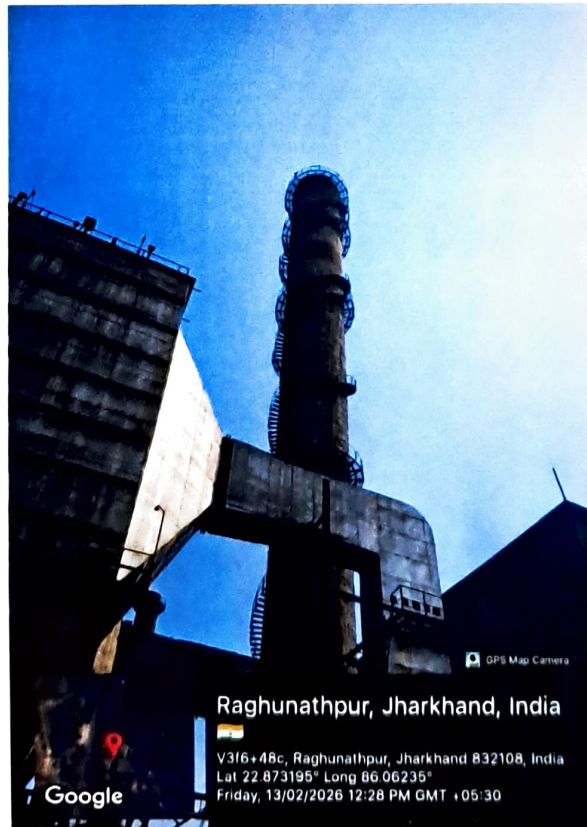
Kandra, Jharkhand, India 
Chandil, Chowka - Kandra Rd, Ratanpur, Kandra,
Jharkhand 832108, India
Lat 22.876663° Long 86.062818°
Friday, 13/02/2026 12:42 PM GMT +05:30

GPS Map Camera

Annexure-II
CCM



Annexure-II
WHRB



Annexure-II



Jharkhand Bijli Vitran Nigam Ltd.

(CIN: U40108JH2013SGC001702)

Office of the Deputy General Manager
Electric Supply Circle, Chaibasa- 833201.

E-mail :- esecbsa2@gmail.com

L. No. 210DGM/CBSA

To,

Dated: 06/02/2025

M/s Nilachal Iron & Power Limited
Ratanpur, Kandra, Chandil Road
Seraikela-Kharsawan-832402

Sub: - Regarding disconnection of service line for CPP connection.

Ref: - 1. letter no.- 43, Dated 10.01.2025 of Jharkhand State pollution Control Board.
2. This office letter no.-60, dated 14.01.2025

Sir,

With reference to the above, it is to inform that service line for CPP connection of M/s Nilachal Iron & Power Limited was disconnected on 31.01.2024. Disconnection report had been jointly prepared and signed by EEE/ MRT Division, Chaibasa, EEE/ ESD Seraikela, Manager/ESSD Seraikela and Manager(T)/TSD Manikul. The representative of your Company was present at GSS Manikul but refuse to sign the report.

Therefore, copy of the disconnection report is being enclosed for information.

Encl:-As above

Yours faithfully

Dy. General Manager (Tech)
Electric Supply Circle, Chaibasa

530



Aishwarya Rajyashree <advaish.hc@gmail.com>

Re: O.A No. 210/2025/EZ (Shri Nayan Kumar Patra -Vs- JSPCB & Ors.)

1 message

Aishwarya Rajyashree <advaish.hc@gmail.com>

23 April 2026 at 19:39

To: surendra kumar <surendra_kr15@rediffmail.com>, Ghanshyam Pandey <ghanshyamlegal@gmail.com>, "nipipower@gmail.com" <nipipower@gmail.com>, "GMITJBVN@gmail.com" <GMITJBVN@gmail.com>

Sir,

Please find attached herewith the copy of the Counter Affidavit filed by the Deputy Commissioner, Seraikela Kharsawan, Jharkhand (i.e. Respondent No. 6 herein) filed in the abovecaptioned matter, for your reference.

Thanking you.

Regards,
Aishwarya Rajyashree
Advocate.

**Counter Affidavit of DC Seraikela Kharsawan.pdf**

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