

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
APPEAL NO. 06 OF 2026 / EZ**

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Bibekananda Pattnaik

...Applicant

VERSUS

State of Odisha & Others.

... Respondents

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By the Respondent No.6

Through

Kolkata  
Date:

**Sri Dipanjan Ghosh,**  
Advocates for the Respondent No.6  
(State Pollution Control Board, Odisha)  
e-mail: dpnjnghsh0@gmail.com  
Phone No.:990308097

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
 EASTERN ZONE BENCH, KOLKATA  
 APPEAL NO. 06 OF 2026 / EZ

07 MAY 2026

Bibekananda Pattnaik ...Applicant

VERSUS

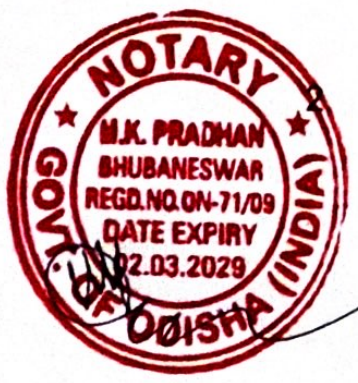
State of Odisha & Others. ...Respondents

AFFIDAVIT ON BEHALF OF THE STATE  
 POLLUTION CONTROL BOARD, ODISHA,  
 R.NO.6.

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:

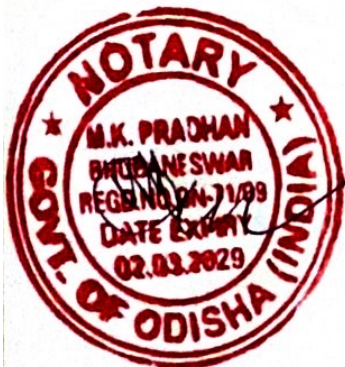
1. That I am the Member Secretary of the Respondent No.6 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.

That this Appeal has been filed challenging the order dtd.23.02.2026 issued by R-5 in favour of R-7 for transfer



of environmental clearance for Budhabalanga Sand Bed, Belpal over an area of 12.35 acres or 5 hactres in village Belpal under Badasahi Tahasil in the district of Mayurbhanj, Odisha. It is further alleged that the R-5 has transferred the environmental clearance without considering the order dtd.26.08.2022 passed by this Hon'ble Tribunal in OA No.46/2022/EZ filed by the same applicant.

3. That in the Appeal Memo the appellant has relied upon the earlier order dtd.26.08.2022 passed in OA No.46/2022/EZ - Bibekananda Pattnaik v. State of Odisha & Ors. and order dtd.10.01.2025 passed in OA No.125/2024 - Bibekananda Pattnaik v. State of Odisha & Ors., copies of which have been annexed to this appeal memo as Annexure-5 and Annexure-6 respectively.
4. That the R-6 Board after receipt of copy of the orders at Annexure-5 & Annexure-6 of the Appeal memo referred above has forwarded the copies of the same to the Regional Officer, Balasore of the R-6 Board vide letter No.16617 dtd.12.09.2022 and No.2079 dtd.03.02.2025 for reference while disposing the application for grant /



refusal of consent in the above matter. Copy of the letter dtd.12.09.2022 and 03.02.2025 are annexed to this affidavit and marked as ANNEXURE - R6/1 and ANNEXURE - R6/2 respectively.

5. That it is humbly submitted that in the appeal memo no specific allegation have been made against the R-6 Board for which the Board does not offer any comment. However, it is submitted that the R-6 Board consider the application for consent to establish and consent to operate on receipt of the same with necessary documents such as lease deed, approved mining plan and environmental clearance and grant / refuse the same. It is humbly submitted that the R-7 has not submitted any application for consent to establish / operate before the Regional Officer, Balasore of the R-6 Board.

6. That all the allegations, averments contentions and / or statement as contained in the Appeal which may not have been specifically denied or traversed herein but are in essence, contrary to the substance of this affidavit should not be deemed to be admitted by reason of mere non-traverse, but should be treated as expressly denied



MANJULA KUMAR PRADHAN  
NOTARY PUBLIC  
BHUBANESWAR  
REGD. NO. ON-71/2009  
PH-9437627119 (M)

*[Handwritten signature]*  
02/05/26

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and the applicant should be put to strict proof in respect thereof.

7. That the Respondent No.6 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.
8. That the Annexures annexed to the present affidavit are true and correct copies of their originals.
9. 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.

*[Handwritten signature]*

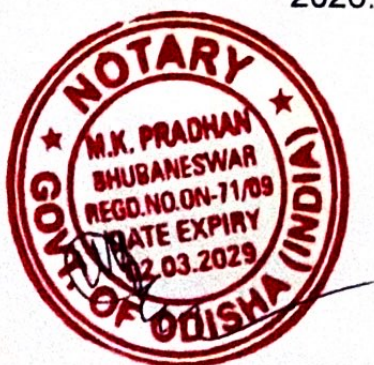
**DEPONENT**  
Member Secretary  
State Pollution Control Board  
Odisha, Bhubaneswar

**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 7<sup>th</sup> day of May, 2026.

**SWORN BEFORE ME**



MANJULA KUMAR PRADHAN  
NOTARY PUBLIC  
BHUBANESWAR  
REGD. NO. ON-71/2009  
PH-9437627119 (M)

*[Handwritten signature]*

**DEPONENT**  
Member Secretary  
State Pollution Control Board  
Odisha, Bhubaneswar

*[Handwritten signature]*  
02/05/26



EPABX: 2561909/2562847  
Tel: 2562822, 2560955  
Email: [Paribesh1@ospcboard.org](mailto:Paribesh1@ospcboard.org)  
Website: [www.ospcboard.org](http://www.ospcboard.org)

**STATE POLLUTION CONTROL BOARD, ODISHA**  
[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakanthanagar, Unit – VIII,  
Bhubaneswar – 751 012, INDIA

No. 16617

Date: 12.09.2022

VII – L – Misc – 941

NGR Matter /Top Priority  
E-mail / Speed Post

To

The Regional Officer  
SPC Board, Balasore.

Sub: OA No.46/2022/EZ – Bibekanand Pattanayak v. State of Odisha & Others.

Ref: This Board letter No.13234 dtd.29.7.2022.

Sir,

With reference to the above, this is to inform you that in the meantime, the Hon'ble Tribunal has been pleased to dispose of the aforesaid OA on 26.08.2022 with direction to the SEIAA, Odisha to examine the interim DSR (Draft Survey Report) for sand mining in Balasore district in terms of direction dtd.08.02.2022 passed in OA No.63/2020/EZ – Haripada Manna v. District Collector, Balsore & Others and also directed the Collector & DM, Mayurbhanj to abide by the undertaking given in his affidavit dtd.24.05.2022 stating therein that the Tahasildar, Badasahi has been directed not to proceed with the auction sale process of the four sand beds in question in pursuance of the advertisement dtd.15.03.2022. A copy of the order is enclosed for your reference while disposing the application for grant / refusal of consent in this above matter.

Encl: As above.

Yours faithfully,

  
Member Secretary



EPABX: 2561909/2562847  
Tel: 2562822, 2560955  
Email: [Paribesh1@ospboard.org](mailto:Paribesh1@ospboard.org)  
Website: [www.ospboard.org](http://www.ospboard.org)

## STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakanthanagar, Unit – VIII,  
Bhubaneswar – 751 012, INDIA

No. 2079  
VII – L – Misc – 1119

Date: 3-2-2025

E-mail / Speed Post

To

The Regional Officer  
SPC Board, Balasore.

Sub: OA No.125/2024/EZ – Bibekananda Pattanaik v. State of Odisha & Others.

Sir,

In the aforesaid OA, the applicant has challenged the tender notice issued by the Mining Officer, Baripada for grant of quarry lease in respect of Budhabalanga Sand Bed-1. The matter was taken up for hearing on 10.01.2025 and the Hon'ble Tribunal has been pleased to dispose of the OA with a direction to the respondents to ensure that no sand mining shall be carried out in the district of Mayurbhanj in absence of a District Survey Report (DSR) for district Mayurbhanj unless the same has been duly considered by the State Level Expert Appraisal Committee (SEAC) and duly approved by the State Environment Impact Assessment Authority (SEIAA), Odisha. A copy of the counter affidavit dtd.21.09.2024 filed by the Board in this case along with copy of order dtd.10.01.2025 of the Hon'ble Tribunal for your guidance.

Encl: As above.

Yours faithfully,

Member Secretary

Memo No. 2080 / Date 3-2-25

Copy along with copy of enclosure forwarded to Er.B.K.Behera, Chief Env. Engineer & Nodal Officer, SEAC for information and guidance.

Encl: As above.

Member Secretary