

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO.11 OF 2025 / EZ**

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Aruna Kumar Jena & Others

...Applicant

VERSUS

State of Odisha & Others

... Respondents

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By the Respondent No.6 & 7

Kolkata

Through

Date:

**Smt Papiya Banerjee Bihani,**  
Advocates for the Respondent No.6&7  
(State Pollution Control Board, Odisha)  
e-mail:pbanerjeebihani@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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ORIGINAL APPLICATION NO.11 OF 2025 / EZ**

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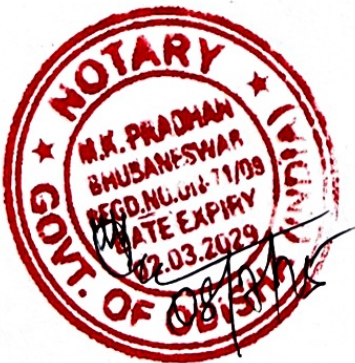
**REPLY AFFIDAVIT ON BEHALF OF  
STATE POLLUTION CONTROL  
BOARD, ODISHA, R.NO.6 & 7.**

I, Smt. Uma Nanduri, IFS, wife of Sri Prem Kumar Jha,

IFS aged around 58 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.

08 JUL 2025



2. That I have gone through averments made in the O.A. and understood the contents thereof.
3. That in this OA the applicants have challenged the illegal operation of road metal quarries in Bajabat (Cluster Sl.No.3A) located at Village – Bajabati, Tahail-Dharmasala, Dist – Jajpur by the R-14 i.e. Agrawal Infrabuild Pvt. Ltd. It is also further alleged that the R-14 is carrying on illegal operation of stone quarries in violation of condition of environmental clearance, consent to operate and the mining plan.
4. That the parawise reply to the averments made in the OA are given below.
5. That as regards the averments made in Paras-1 to 3 of the OA, it is humbly submitted that Bajabati Cluster consists of 6 nos. of quarries called as Bajabat Black Stone Quarry Cluster. Out of 6 stone quarries, 4 nos. of Black Stone Quarries are operational and 2 nos. of Black Stone Quarry are non-operational. Although Consent to Operate upto 31.03.2026 has been granted in favour of Bajabati Black Stone Quarry No. 1 (Serial



No. 6 of the list) but the same is not in operation. The detail name and address as well as operational status of the 6 units as on 08.07.2025 is annexed to this affidavit and marked as **ANNEXURE – R6/1**.

6. That as regards the averment made in Para-4 of the OA, it is humbly submitted that the Board has already submitted the written note of submission before the Lokayukta Odisha in L.Y.Case No.670/2021 on 20.12.2021 and thereafter no further communication to this effect has been received by the Board. The 5 quarries which are involved in the Lokayukta case are given below:

Sl. No.	Name of the quarry	Name of the Lessee
1.	Bajabati Black Stone Quarry No.1	Sri Biswa Ranjan Parida
2.	Bajabati Black Stone Quarry No.2	Sri Srinibas Jena
3.	Bajabati Black Stone Quarry No.3	Sri Srinibas Jena
4.	Bajabati Black Stone Quarry No.4	Sri Srinibas Jena
5.	Bajabati Black Stone Quarry No.5	Sri Sudhansu Jena



7. That as regards the averments made in Paras – 5 to 17 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
8. That as regards the averments made in Para-18 of the OA, it is humbly submitted that the R-6 Board while granting consent to operate impose a condition to the lessee that it shall obtain NOC from the Central Ground Water Authority for withdrawal of ground water required for the project, if any.
9. That as regards the averments made in Paras – 19 to 24 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
10. That as regards the averments made in Para – 25 of the OA, it is humbly submitted that as per Environmental Clearance conditions, the project proponent (Lease holder) shall deposit certain amount with respective District Environment Society for raising plants of native species within 2 years in a suitable location adjoining to the quarry.



11. That as regards the averments made in Para – 26 of the OA, it is humbly submitted that the Lessee i.e. R-14 has provided a mobile water tanker of capacity 20 KL for dust suppression at internal roads. Further grading of internal roads are practised by motor grader.
12. That as regards the averments made in Para – 27 of the OA, it is humbly submitted that this aspect has already been dealt in Para-10 of the present affidavit.
13. That as regards the averments made in Para – 28 of the OA, it is humbly submitted that there is no workshop inside the leased area and as such authorisation under the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016.
14. That as regards the averments made in Paras – 29 to 32 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
15. That as regards the averments made in Para – 33 of the OA, it is humbly submitted that the establishment,



operation of a stone crusher unit in the State of Odisha is mainly regulated through a siting criteria prescribed by the Forest & Environment Department, Govt. of Odisha in exercise of powers conferred by Section-5 of Environment (Protection) Act, 1986 vide order No.18226 dtd.06.08.2010 published in Orissa Gazette No.1297 dtd.16.08.2010. The consent to establish / operate in respect of a stone crusher unit is considered by the Board only after submission of siting criteria certificate from the concerned district revenue authority and as per our records, 13 nos. of stone crusher units are existing. A copy of the Gazette Notification dtd.16.08.2010 and a detail status report of stone crusher units at Bajabati Mouza as on 08.07.2025 are annexed to this affidavit and marked as ANNEXURE – R6/2 and ANNEXURE-R6/3 respectively.

16. That as regards the averments made in Para – 34 of the OA, it is humbly submitted that the Bajabati Stone Quarry No.1, 3 & 5 (SL.Nos. 6, 3 & 1 respectively of the list) are not in operation as verified during inspection on



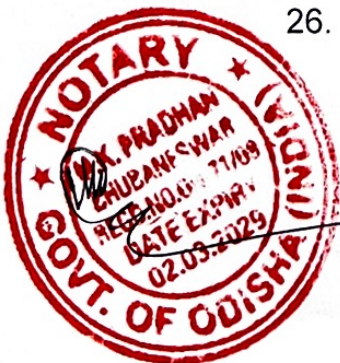
dtd.26.03.2025 by the officials of Regional Office of this Board at Kalinga Nagar.

17. That as regards the averments made in Paras – 35 & 36 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
18. That as regards the averments made in Para – 37 of the OA, it is humbly submitted that this aspect has already been dealt in Para-11 of the present affidavit.
19. That as regards the averments made in Para – 38 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
20. That as regards the averments made in Para – 39 of the OA, it is humbly submitted that this aspect has already been dealt in Para-11 of the present affidavit.
21. That as regards the averments made in Paras – 40 & 41 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
22. That as regards the averments made in Paras – 42 to 44 of the OA, it is humbly submitted that this aspect has



already been dealt in para-15 of the present affidavit. Further, the stone crushers have adopted the pollution control measures such as boundary wall, water sprinklers, plantation, mobile water tanker etc. and also provided display boards mentioning name of the proprietor, Plot No., Khata No. etc including validity period of consent to operate.

23. That as regards the averments made in Para – 45 of the OA, it is humbly submitted that the rain water of the stone quarry are stored inside the lease area and further reused for dust suppression.
24. That as regards the averments made in Paras – 46 & 54 of the OA, it is humbly submitted that the R-6 Board has no comments to offer.
25. That the R.No.6 Board craves leave of this Hon'ble Tribunal to file further affidavit, if required, for proper adjudication of this case.
26. That the annexures annexed to the present affidavit are true and correct copies of their originals.



9  
MANJULA KUMAR PRADHAR  
NOTARY PUBLIC  
BHUBANESWAR  
REGD. NO. ON-71/2009  
PH - 9437627119 (M)

27. 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.

**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 8<sup>th</sup> day of July, 2025.

**SWORN BEFORE ME**



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

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

## STATUS OF BAJABATI BLACK STONE QUARRY CLUSTER AS ON Dt.08.07.2025.

Sl.No.	Name of the unit	Name of the Lessee & Address	Plot no. & Khata No	Lease Hold area	Production Material	Quantity (Cum/M/A)	Validity of EC	Valid of CTO	Operational Status
1	Bajabati Black Stone Quarry No.5 (Cluster Serial No.3A)	Shashank Agrawal At-3rd Floor, Nayan Tower, Khandagiri Square,Bhubaneswar	823(P) of khata no 215	3.642 Ha	Road Metal	18495 m3/Annum	EC23C0108OR5 252203N Dtd.19.07.2024	31.03.2026	Operational.
2	Bajabati Black Stone Quarry No.4	Srinibash Jena Plot No.75,At-Bajabati,Po- Thanual,Jajpur	75(P) of khata no 215	1.214 Ha	Granite Stone	2670 Cum./Annum	DEIAA/1137 Dtd.19.04.2018	22.04.2023	Non Opeartional
3	Bajabati Black Stone Quarry No.3 (Cluster Serial No.3A)	Shashank Agrawal At-3rd Floor, Nayan Tower, Khandagiri Square,Bhubaneswar	823(P) of khata no 215	2.630 Ha	Road Metal	10060 m3/Annum	EC23C0108OR5 305917N Dtd.19.07.2024	31.03.2026	Opeartional
4	Bajabati Black Stone Quarry No.2 (Cluster Serial No.3B/2)	Sarat Chandra Behera At-Khunata,PS-Dharmasala Dist-Jajpur	1050(P) of khata no 215	2.023 Ha	Granite Stone	14568 m3/Annum	EC22B001OR17 1481 Dtd.03.06.2022	31.03.2026	Opeartional
5	Bajabati Black Stone Quarry No.6	Samarendra Nayak At-Kantamalia,Po-Thanual Dist-Jajpur	1050(P) of khata no 215	2.023 Ha	Granite Stone	20036 m3/Annum	EC22B001OR12 7359 Dtd.07.06.2022	31.03.2026	Operational
6	Bajabati Black Stone Quarry No.1 (Cluster Serial No.3A)	Sudhanshu Sekhar Subudhi At-West Morabadi Maidan Ranchi,Jharkhand,Pin-834008	823(P) of khata no 215	2.91 Ha	Granite Stone	50000 m3/Annum	EC24C0108OR5 506328N Dtd.03.05.2024	31.03.2026	Non Opeartional

M. M. Sahoo  
08/07/25

Ro. J.P.C.A.  
Kolkata

# The Orissa Gazette

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No. 1297 CUTTACK, MONDAY, AUGUST 16, 2010/SRAVANA 25, 1932

FOREST & ENVIRONMENT DEPARTMENT

ORDER

The 6th August 2010

No. 18226—ENV.-1-19/2010-F. & E.—In exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with Rule 4 of the Environment (Protection) Rule, 1986 and the notification of the Government of India in the Ministry of Environment and Forests (Department of Environment, Forest and Wildlife), No. SO-152(E), dated the 10th February 1988 and in supersession of order issued by the Government of Orissa in the Forest & Environment Department No. 1309—Env.-1-55/2003-F. & E., dated the 1st August 2006 and No. 9507—Env.-1-80/1997-F.&E., dated the 13th May 1998, the State Government do hereby issue the following directions to the persons carrying on the operation of Stone Crushers in the State, namely :—

1. All stone crusher units shall install adequate dust suppression and air pollution control systems so that the Suspended Particulate Matter measured between 6 to 10 Mtrs. from any process equipment shall not exceed  $600\mu\text{g}/\text{m}^3$  and shall implement all pollution control measures as notified under the said Act by the Ministry of Environment and Forests (MoEF), Government of India from time to time.
2. No stone crusher unit shall be allowed to operate within 500 Mtrs\* from the established authorised habitation, educational institution, hospitals, courts and public offices. The stone crusher will not be considered to be violating the siting criteria, if new habitation comes up within the restricted area of 500 Mtrs. after consent to establish is granted by the State Pollution Control Board.
3. No stone crusher shall be established/operated within 200 Mtrs. from the State Highway (SH) and National Highway (NH).
4. No stone crusher shall be allowed to operate within 1 Km. from the Municipality/ N.A.C. area as notified by the Government of Orissa.

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5. Permission for temporary stone crusher exclusively for construction of NH/SH may be allowed for the construction period.
6. A green belt of tall long foliage trees shall be created along the boundary of the crusher units.
7. The District Collector shall ensure that no stone crusher continue to operate in violation of these directions beyond 3 months of issue of this notification. They shall ensure physical closure/demolition of said stone crusher units which do not comply with the directions as above.

\*N.B.—The distances will be measured point to point, as the crow flies.

By order of the Governor

U. N. BEHERA

Principal Secretary to Government

Sr. No.	Industry	Parameter	Standards
1	2	3	4

\* Separate standards for VSS, HSS, PBSW & PBCW as given in column 4 stands abolished

<sup>1</sup>[(c) Standards for forage fluoride

- Twelve consecutive months average - 40 ppm
- Two consecutive months average - 60 ppm
- One month average - 80 ppm]

37.	<b>STONE CRUSHING UNIT</b>	Suspended Particulate Matter (SPM)	<p>The Standards consist of two paras :</p> <p>(i) <b>Implementation of the following Pollution Control measures:</b></p> <p>(a) Dust containment cum suppression system for the equipment.</p> <p>(b) Construction of wind breaking walls.</p> <p>(c) Construction of the metalled roads within the premises.</p> <p>(d) Regular cleaning and wetting of the ground within the premises.</p> <p>(e) Growing of a green belt along the periphery.</p>
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<sup>1</sup> Inserted by Rule 2(IV)(b) of the Environment (Protection) First Amendment Rules, 2006 notified by G.S.R.46(E), dated-3.2.2006.

Standards notified at Sl. No. 11 may also be referred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
			(ii) Quantitative standard for SPM :
			**[measured between three meters and ten metres from any processes equipment of a stone crushing unit shall not exceed 600 microgrammes per cubic metre] from a controlled isolated as well as from a unit located in a cluster should be less than 600 mg/Nm <sub>3</sub> <sup>1</sup> [xxx....]
38.	<b>PETROCHEMICALS EFFLUENTS (BASIC &amp; INTERMEDIATES)</b>	<b>EFFLUENTS</b>	
		Ph	6.5 - 8.5
		*BOD <sup>2</sup> [(3days at 27°C)]	50
		**Phenol	5
		Sulphide (as S)	2
		COD	
		Cynide (as CN)	250
		*** Fluoride (as F)	
		Total suspended Solids	<sup>3</sup> [100]
		Hexavalent Chromium <sup>3</sup> [(as Cr)]	0.1
		**** Total Chromium <sup>3</sup> [(as Cr)]	2.0

\*\* Corrections have been made as per CORRIGENDUM Notification No. S.O. 8(E) dated 31.12.1990.

<sup>1</sup> The sentence 'The measurements are to be conducted at least twice a month for all the 12 month in a year' deleted as per CORRIGENDUM Notification S.O 8(E) dated 31.12.90.

<sup>2</sup> Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

<sup>3</sup> Corrected as per CORRIGENDUM Notification S.O. 8(E) dated 31.12.1990.

List of Stone Crusher at Bajabati Mouza As on Dt.08.07.2025						
Sl No.	Industry Name	Address of the unit (with Plot, Mauza, Pin & mail ID Details) CTE	Plot No. ,Khata No.	Siting clearance letter no. & dtd	Proprietor name & Address (Pin & Ph. No/Mail ID)	Consent Valid Up To
1	Bajarangabali Stone Crusher	At. -Bajabati, Po-Thanual, PS- Dharmasala, Dist-Jajpur	Plot No.1204,1202,1196 Khata No.210/2013	2517 Dtd.01.09.2 014	Srinibas Jena,Proprietor At-Kanpur, Po-Thanual Ps-Dharmasala Dist-Jajpur	31.03.2027
2	Kalinga Stone Crusher,	At-Bajabati, PO-Thanual, Tahasil-Dharmasala Dist-Jajpur	Plot No.982,981,980 Khata No.170,210/40	6264 Dtd.05.05.2 021	Sushant Kumar Jena,Proprietor At-Kantamalia, Po-Thanual, PS-Dharmasala, Dist-Jajpur,Pin-755024	31.03.2027
3	Maa Biraja Stone Crusher	At-Bajabati, Po-Thanual, Dist-Jajpur	Plot No.1045 Khata No.197	7337 Dtd.09.06.2 021	Gobinda Chandra Mallick,Proprietor At-Bajabati, Po-Thanual, Dist-Jajpur	31.03.2026
4	Maa Stone Crusher	At-Bajabati, Po-Thanual, PS.-Dharmasala, Dist.-Jajpur.	Plot No.972,Plot No.982/1260 Khata No.210/9,210/10	648 Dtd.18.02.2 014	Ajamber Sahoo,Proprietor At-Jamubania Po-Jaraka Dist-Jajpur	31.03.2025

5	Maa Tarini Stone Crusher,	At-Bajabati, PO-Thanual, Dist-Jajpur	Plot No.850 of Khata No.206	7574 Dtd.17/06/2021	Ramesh Chandra Jena, Proprietor. At-Kanpur, PO-Thanual Tehsil-Dharmasala Dist- Jajpur, Odisha	31.03.2027
6	Maa Tarini Stone Crusher	At-Bajabati, Po-Thanual, Dist-Jajpur	Plot No.934,947,958 Khata No.42	10237 Dtd.20.07.2022	Prasanta Kumar Dora,Proprietor At-Bajabati, Po-Thanual, Dist-Jajpur	31.03.2025
7	Mishra Stone Crusher	At-Bajabati, Po-Thaunal, Dist-Jajpur.	Plot No.989,991,992,993,994,985/1256,984/1255 Khata No.213/3,210/33	6254 Dtd.05.05.2021	Swayam Bikash Mishra,Proprietor At-Palar Po-Jaraka Dist-Jajpur, Pin-755050	31.03.2024
8	Palash Budhi Stone Crusher,	At/ Mouza-Bajabati, PO-Thanual, Tahasil-Dharmasal Dist-Jajpur	Plot No. 760 of Khata No.73	5305 Dt.16/04/2021	Prabir Kumar Ray, Proprietor At-Bajabati, PO-Thanual Dist- Jajpur, Odisha	31.03.2026
9	Sai Baba Crusher	At-Bajabati, PS-Dharamasala, Dist-Jajpur.	Plot No.848/1269 Khata No.210/35	636 Dtd.08.03.2018	Pradip Kumar Nayak,Proprietor At-Bajabati PS-Dharamasala Dist-Jajpur	31.03.2026

*K.S.W.*

10	Siba Shakti Mineral	At-Bajabati, Po-Thanual, Dharmasala, Dist-Jajpur.	Plot No.157 Khata No.82	3483 Dtd.19.12.2017	Satyanarayan Pal, Proprietor At-Bajabati, Po-Thanual, Dharmasala, Dist-Jajpur	31.03.2027
11	Siba Shakti Stone Crusher	At-Bajabati, Po-Thanual, Dharmasala, Dist-Jajpur.	Plot No.1044 Khata No.01	3488 Dtd.19.12.2017	Biswa Ranjan Parida, Proprietor At-Bajabati Thanual, Dharmasala Dist-Jajpur	31.03.2027
12	Siva Sankar Stone Crusher	At-Bajabati, Thanual, Via-Haridaspur, Dist-Jajpur.	Plot No.1028 Khata No.210/30	2088 Dtd.19.06.2013	Biswa Ranjan Parida, Proprietor At-Bajabati Thanual, Dharmasala Dist-Jajpur	31.03.2027
13	Agrawal Infrabuild Pvt. Ltd.	At-Bajabati, Po-Talagarh, Tahasil-Dharmasala, Dist-Jajpur	Plot No.984,985 Khata No.210/36	12319 Dtd.07.10.2024	Shasank Agrawal, Director At-Bajabati, Po-Talagarh, Tahasil-Dharmasala, Dist-Jajpur	31.03.2026

M. M. Saha  
08/07/24  
D. S. Saha  
Kalyan Saha