

**BEFORE THE NATIONAL GREEN TRIBUNAL,
SITTING AT KOLKATTA
ORIGINAL APPLICATION NO. 04/2026/EZ**

(Under Section 14 of the National Green Tribunal Act, 2010)

INTHE MATTER OF:

PARMOD KUMAR SWAIN

.....**APPLICANT**

VERSUS

THE STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA), ODISHA & OTHERS

.....**RESPONDENTS**

INDEX

Sl.No.	PARTICULARS	ANNEXURES	PAGES
01	Affidavit		1-3
02	Copy of the P.S case	Annexure-O	4-8

DRAWN AND FILED BY



PRAVA RANJAN MISHRA
PLOT NO. 652, EKAMRAVILLA
NAYAPALLY, BBSR-21
ODISHA
earth_environment2008@yahoo.com

DT. 11.05.2026
BHUBANESWAR

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ORIGINAL APPLICATION NO. 04/2026/EZ**

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.....RESPONDENTS

REPLY TO THE COUNTER BY RESPONDENT NO. 6 11 MAY 2026

MOST RESPECTFULLY STATE AS FOLLOWS:-

1. That in reference to para no. 1 to 4, this Applicant has no comment.
2. That in reference to para no. 5, from the date of amended E.C i.e 21.11.2024, the 9,900 Cm. **ad-hoc** basis was allowed up to 31.03.2025, but the supplementary lease deed has been executed after expiry of the ad-hoc period and without submission of replacement study report. Which caused a violation of E.C. wherein the deed has been executed without any Cubic meter in order to help the proponent. Further the Mining officer has argued about the mechanization inspite of denied by the proponent. Accordingly Cuttack Sadar P.S. case Number 283 Dt. 16.04.2026 is registered. the copy of the said P.S. case is annexed herewith as **Annexure- O**.

3. That due to collusion with Respondent no. 6, the physical report is avoided and a wrong report has been filed to help the proponent.
4. That the alleged inspection Dt. 20.03.2026 is not conducted and the Applicant has been assured by the authority that, due to March 26th workload, the inspection will be made in the 2nd week of April.
5. That in reference to para no. 6-17, it is submitted that, cutting of the trees required by the Superintendent Engineer. for development of embankment cannot be treated as approach road without NOC from Gram Panchayat/ward and the Hon'ble High court prayer cannot be related to tree cutting. The paragraphs are creating confusion and irrelevant and not related to the E.C. condition.

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DT. 11.05.2026
BHUBANESWAR

PRAVA RANJAN MISHRA
PLOT NO. 652, EKAMRAVILLA
NAYAPALLY, BBSR-21
ODISHA

earth_environment2008@yahoo.com

X

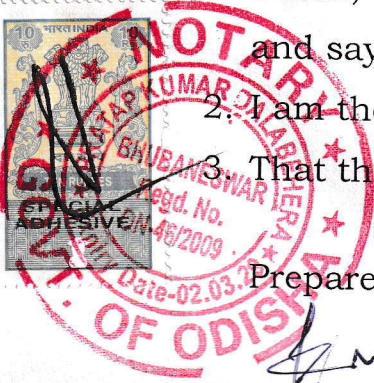
REJOINDER AFFIDAVIT ON BEHALF THE APPELLANT

1. I, Sri Pramod Kumar Swain, aged about 67 Years, S/o Late Pranakrushna Swain At- Pratap Nagari, Po- Bhanapur, PS-Cuttack Sadar, Dist- Cuttack, Odisha-753011, do hereby solemnly affirm and say as follows:-

2. I am the applicant of the above noted O.A

3. That the above statements are true to my knowledge.

Prepared in my office



Advocate

Pramod Kumar Swain
Deponent

VERIFICATION

I, Sri Pramod Kumar Swain, aged about 67 Years, S/o Late Pranakrushna Swain At- Pratap Nagari, Po- Bhanapur, PS-Cuttack Sadar, Dist- Cuttack, Odisha-753011, do hereby humbly verified that, the statement made in paragraphs 1 to 5 are true and correct to the best of my knowledge, information and belief.

I sign this verification on this the 11th day of May 2026.

IDENTIFIED BY

ADVOCATE

ME ABOVE NAMED DEPONENT BEING IDENTIFIED BY P. K. DALABEHRA ADV. BBSR APPEARS BEFORE ME AND STATE AN OATH ON 11/5/26 AM/PM THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE TO THE BEST OF HIS KNOWLEDGE

Before me

Pramod Kumar Swain

VERIFICANT

P. K. DALABEHRA
Notary, Bhubaneswar
Regd. No. ON-46/09

FIRST INFORMATION REPORT

(Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट
(धारा 173 बी एन एस एस के तहत)

1. District (जिला) UPD, CUTTACK P.S. SADAR Year 2026
FIR No. (प्र.सू.रि. 0263 Date and Time of FIR (प्र.सू.रि. की दिनांक 16/04/2026 22:18 hrs

S.No. (क्र.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	THE BHARATIYA NYAYA SANHITA (BNS), 2023	303(2)
2	ODISHA MINOR MINERAL CONCESSION RULES, 2016	51
3	MINES AND MINERALS (DEVELOPMENT AND REGULATION) ACT, 1957	21

3. (a) Occurrence of offence (अपराध की घटना):

1. Day (दिन): Sunday Date From (दिनांक से): 04/01/2026 Date To (दिनांक तक): 04/01/2026
Time Period (समय अवधि): Pahar 1 Time From (समय से): 01:30 hrs Time To (समय तक): 01:30 hrs
(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई): Date (दिनांक): 16/04/2026 Time (समय): 22:18 hrs
(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 018 Date & Time: 16/04/2026 22:18 hrs

4. Type of Information (सूचना का प्रकार): Written**5. Place of Occurrence (घटनास्थल):**

1. (a) Direction and distance from P.S.(थाना से दूरी और दिशा): SOUTH-WEST, 03 Km(s) Beat No. :
(b) Address (पता): PRATAPNAGARI KUAKHAI RIVER BED
(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो):
Name of P.S.(थाना का नाम): District(State) (ज़िला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name (नाम): PRAMOD KUMAR SWAIN
(b) Father's Name (पिता का नाम): LT. PRANAKRUSHNA SWAIN
(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1959 (d) Nationality (राष्ट्रीयता): INDIA
(e) UID No. (यूआईडी सं.):
(f) Passport No.(पासपोर्ट सं.): Date of Issue (जारी करने की तिथि):
Place of Issue (जारी करने का स्थान):
(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

S.No.(क्र.सं.)	Id Type (पहचान पत्र का प्रकार)	Id Number (पहचान संख्या)
1		

(h) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	PRATAPNAGARI, BHANAPUR, SADAR, UPD, CUTTACK,

(h) Address (पता):

1	Present Address	ODISHA,INDIA
2	Permanent Address	PRATAPNAGARI, BHANAPUR,SADAR,UPD, CUTTACK, ODISHA,INDIA

(i) Occupation (व्यवसाय):

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-9111111111

7. Details of known/suspected/unknown accused with full particulars (जात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	PRAKASH CHANDRA ROUTRAY			1. NOT NOTED,SADAR,UPD, CUTTACK,ODISHA,INDIA

8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S.No. (क्र.सं.)	Property Category (संपत्ति श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))
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10.Total value of property (In Rs/-)-सम्पत्ति का कुल मूल्य(रु में):

11.Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S.No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)
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12.First Information contents (प्रथम सूचना तथ्य):

ONE PRAMOD KUMAR SWAIN (67), S/O-LATE PRANAKRUSHNA SWAIN OF PRATAPNAGARI, PS-SADAR, DIST-CUTTACK APPEARED AT PS AND SUBMITTED A WRITTEN REPORT. HE ALLEGED THAT HE IS PRESENTLY WORKING AS PRESIDENT OF MAA DHAKULEI GRAMYA UNNAYANA COMMITTEE, RPATAPNAGARI, THE KUAKHAI RIVER SAND BED, PRATAP NAGARI OVER AN AREA OF 5.26 HA/13.00 ACRES WAS LEASED OUT IN RESPECT OF PRAKASH CHANDRA ROUTRAY ON 23.08.2022 FOR ONE YEAR WITH MGQ 157800 CUM. WITH A TOTAL DEMAND OF RS. 1,33,13,271 EXCLUDING THE 7 % REGISTRATION EXPENSES. THE SAND BED COULD NOT COME TO OPERATION DUE TO NON COMPLINACE OF THE CONDITION AT 7.21 OF ENVIRONMENTAL CLEARANCE AS THE APPROACH ROAD PLAN COULD NOT BE APPROVED BY THE CMC AFTER RECOMMENDATION OF THE COOPERATOR. THE AMMENDED EC HAS BEEN ISSUED ON 21.11.2024 WHEREIN CONDITION NO 5 DEMANDS THE REVISED APPROVED MINING PLAN TO MAKE IT COMPATIBLE WITH THE W.C. VOLUME I.E. 16500 MGQ. AND OTHER CONDITIONS REMAIN SAME WHEREIN ROAD PLAN IS MANDATE. THE SAID ROAD NEED TO BE SHOWN IN THE MODIFIED APPROVED MINING PLAN. NON COMPLIANCE OF HTE SAID CONDITIONS, THE AMENDED E.C. ISSUED CANNOT COME TO OPERATION. ON SEVERAL TALS MR SAMIT SAHU MINING OFFICER, CUTTACK SADAR HAS DISCLOSED THAT THE ABOVE CONDITIONS ARE NOT COMPLIED AND HE HAS EXECUTED A UNDER VALUATION SUPPLEMENTARY LEASE DEED OF 9500 CUM. IN CONTRARY TO THE MGQ SPECIFIED UNDER RULE 27 OF OMMCR 2016 REVEALED IN AUCTION NOTICE. SUCH EXECUTION OF DEED REVEALS THE LOSS OF REVENUE OF 57 % I.E.WHICH IS ABOUT RS. 50 LAKH DISCOUNT PROVIDED TOT HE LESSEE WITHOUT AUTHORITY AND

X

X

To,
The IIC, Cuttack Sadar P.S
Dist- Cuttack

Sub:- FIR

Dear Sir,

I, Shri Pramod Kumar Swain, aged about 67 years, S/o Late Pranakrushna Swain At- Pratap Nagari, Po- Bhanapur, PS-Cuttack Sadar, Dist- Cuttack, Odisha-753011 presently working as President of Maa Dhakulei Gramya Unnayana Committee, Pratap Nagari, Cuttack-11, would like to inform you the following facts for immediate action at your end.

The Kuakhai River sand bed, Pratap Nagari over an area 5.26 ha./ 13.00 acres was leased out in respect of Prakash Chandra Routray on 23.08.2022 for one year with MGQ 157800 Cum. With a total demand of Rs. 1,33,13,271/- excluding the 7% registration expenses.

The sand bed could not come to operation due to non compliance of the conditions at 7.21 of Environmental Clearance as the approach road plan could not be approved by the Cuttack Municipality Corporation after recommendation of the Cooperator.

The amended E.C. has been issued on 21.11.2024 wherein condition no. 5 demands, the revised approved mining plan to make it compatible with the W.C. volume i.e. 16500MGQ. And other conditions remain same wherein road plan is a mandate. The said road plan need to be shown in the modified approved mining plan. Non compliance of the said conditions, the amended E.C. issued cannot come to operation.

On several talks Mr. Sambit Sahu, Mining officer, Cuttack Sadar (Mob. No. has disclosed that, the above conditions are not complied and he has executed a under valuation supplementary lease deed of 9500 Cum. In contrary to the MGQ specified under rule 27 of OMMCR 2016 reveled in auction notice.

Such execution of deed reveals the loss of revenue of 57% i.e. which is about Rs. 50 Lakh discount provided to the lessee without authority and jurisdiction wherein the collusion of Mining Officer is proved.

Today at 1.30 A.M, deployment of Tractors without transit permit were reported to the said Mining Officer, where he has said that, such hidden transportation by Mr. Prakash Routray complain cannot be made by the

Handwritten notes on the left margin:
At-10-18 PM Recd of this letter (1) message of P.S. of OMMCR need to be made to opening the case. The case is pending in the court.
At-16/11/2024 No-263/2024 and 10/11/2024

Handwritten signature on the right margin:
Pramod Kumar Swain

villagers. It is only the jurisdiction of the Mining officer, who can complain. Further also said, the illegal dispatch is common in every sand bed where we have allowed the lessee.

It is important to note that, the collusion of illegal dispatch of the Mining Officer be enquired and a P.S. case may please be registered U/s, 163/223 of BNSS 2023 and U/s 21 (5) of MMDR Act, U/r 51(iv) of OMMCR 2016.

Your early action after investigation is highly solicited

With regards

Pranab Kumar Swain
Yours faithfully 04/01/2026

12. First Information contents (प्रथम सूचना तथ्य):

JURISDICTION WHEREIN THE COLLUSION OF MINING OFFICER IS PROVED. TODAY AT 1.30 AM DEPLOYMENT OF TRACTORS WITHOUT TRANSIT PERMIT WERE REPORTED TO THE SAID MINING OFFICER, WHERE HE HAS SAID THAT SUCH HIDDEN TRANSPORTATION BY MR PRAKASH ROUTHAY COMPLAIN CANNOT BE MADE BY THE VILLAGERS. IT IS ONLY THE JURISDICTION OF THE MINING OFFICER, WHO CAN COMPLAIN. FURTHER ALSO SAID, THE ILLEGAL DISPATCH IS COMMON IN EVERY SAND BED WHERE THEY HAVE ALLOWED THE LESSEE. AS IT REVEALS A COGNIZABLE OFFENCE U/S-303(2) BNS/R.W.SEC 21 OMMDR 51 OMMCR, IIC REGISTERED SADAR PS CASE NO 263/2026 AND DIRECTED SI P.NAIK TO TAKE UP ITS INVESTIGATION. SERVED A COPY OF FIR TO THE COMPLT. ON FREE OF COST.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है ||)

(1) Registered the case and took up the investigation:

or (या)

(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): PUSPA RANI NAIK Rank (पद): SI (Sub-Inspector)

No.(सं.): Mobile No.(मोबाइल सं.): 6372931393 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए):

or (के कारण इंकार किया या)

(4) Transferred to P.S.(थाना):

District (ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित) .

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी ||)

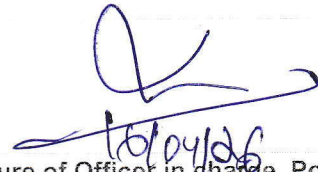
R.O.A.C.(आर. ओ. ए. सी.)

14. Signature/Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

15. Date and time of dispatch to the court

(अदालत में प्रेषण की दिनांक और समय):



Signature of Officer in charge, Police Station
(थाना प्रभारी के हस्ताक्षर)

Name (नाम): TUSHAR KANTA SETHI

Rank(पद): I (Inspector)

No.(सं.): CCQPS0638Q

Mobile No.(मोबाइल सं.): 8763271167