

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

O.A.NO. 62/2025/EZ

In the matter of:

Satish Kumar Biswal

...Applicant

-Versus

State of Odisha and Ors.

...Opp. Parties

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Cuttack

By the Opp. Party No.4 through

Date 30.04.2026

Advocate

MR. SUBHANKAR ROUT
Advocate
E.NO-0750-09
Orissa High Court, CTC-2
Mob-9776255550

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

O.A.NO. 62/2025/EZ

In the matter of:

Satish Kumar Biswal

...Applicant

-Versus

State of Odisha and Ors.

...Opp. Parties

COUNTER AFFIDAVIT FILED ON BEHALF OF

OPP. PARTY No.4


I, Swarupananda Panda, aged about 60 years, S/o Govinda Chandra Panda, At: Kumari, P.O. Jaraka, P.S. Dharmasala, Dist. Jajpur, working as Principal in Dharmasala Mahavidyalaya, At./P.O. Dharmasala, Dist. Jajpur-755008, do hereby, solemnly affirm and state as follows:

1. That I am the Opp. Party No.4 arraigned in the Original Application and is competent to swear the affidavit.
2. That I have gone through the contents of the Original Application and, having understood the same, filed the present affidavit.
3. That it is respectfully submitted that this Opp. Party No.4 denies each and every averment/assertion/contention/allegation made by the Petitioner unless any of the same is admitted specifically hereinafter.

Swarupananda Panda
Advocate
NOTARY, CUTTACK



4. That Opp. Party No.4 further submits that no averment/assertion/contention/allegation made and raised by the applicant under any circumstance be deemed to have been admitted on the ground of non-traverse.
5. That the captioned Original Application filed with the aforesaid prayer/relief is not maintainable and is liable to be dismissed. It is humbly submitted that the averments made in the petition are a distortion of facts and are based on unfounded materials on record, which cannot be gone into and placed reliance upon to adjudicate the subject matter of the dispute.
6. That at the outset, the Original Application is not maintainable both in fact and law. The Original Application is liable to be dismissed on the grounds of lack of competent jurisdiction.
7. That it is important to narrate a brief history that would enable this Hon'ble Tribunal to adjudicate the dispute involved herein effectively.
8. That the Dharmashala Mahavidyalaya is a renowned Government college established in the year 1978-1979 in the State. The college imparts +2 Science and +3 Science Courses, which have been recognized by the Regional Director of Education, Bhubaneswar. The College has been affiliated with the concerned authorities. There are 2500 students studying in the College. The property where the


Surenara Prasad Dha
Advocate
NOTARY, CUTTACK

4209


college is being established is being gifted by the Government of Odisha. The property measures approximately Ac. 9.480 dec., which is evident from the ROR.

Copy of the ROR is hereby annexed herewith as ANNEXURE-A/4.

9. That previously, the lands adjacent to the plot of the Opp. Party No.4 were used for extraction of *morrum* and laterite and mining purposes which left large mined-out crater on the college premises. This deep crater becomes waterlogged during the monsoon season. Its presence poses significant safety risks to students, staff, and other personnel. Additionally, the crater prevents construction of a boundary on one side of the premises, occasionally resulting in stray animals falling in. Therefore, the college authorities have decided to fill the crater with suitable materials so the area can be safely utilized by the college. To address the issue, the Opp. Party No. 4 issued a letter vide Letter No. 399/23 dated 09/09/2023 requesting the Opp. Party No.1 to fill up the abandoned laterite quarry.

Copy of the photographs of the abandoned laterite quarry and the letter no. 399/23 dated 09/09/2023 are annexed herewith as ANNEXURE-B/4.

10. That the said land reclamation over the mined out crater of abandoned laterite quarry was



Sunendra Prasad Dha
Advocate
NOTARY, CUTTACK

completed conforming to the norms of Environment Protection Act. Opp. Party No.1 was granted authorisation by State Pollution Control Board, Odisha under Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 wherein it was specifically mandated that industry shall take suitable measures to ensure that the Leachable concentration limits or Soluble Threshold Limit Concentration (STLC) of chromium or chromium compound and hexa valent chromium is less than 5.0 mg/l respectively in the ETP Sludges (Slimes & Tailings) from the chrome ore beneficiation plant.

Acting in conformity with the conditions, applicant had treated the slimes and tailings and dumped it in the premises of Opp. Party No.4 keeping the content of hexavalent chromium at 3.191 and total chromium in 2.279 i.e. within the permissible limit of 5mg/l which was proved in the analysis report of composite solid waste sample vide Letter No.734 dated 18/01/2024.


11. That in reply to the averments made by the Applicant in Paragraphs 1 to 5 of the Original Application, needs no reply.

12. That in reply to the averments made by the Applicant in Paragraph-6 are disputed and denied categorically by the Deponent. The Dharmasala Mahavidyalaya is a Government College and has a large, mined-out crater on the College's property, created by the mining of morrum & laterite in the past.


Surenbra Prasad Dha
Advocate
NOTARY, CUTTACK

This huge crater is 40 feet deep and gets waterlogged during the monsoon. Furthermore, the presence of this large crater poses significant safety risks to students, staff, and other personnel working at the college. In addition, it is not possible to construct a boundary due to this huge crater on one side of the college premises, and as a result, stray animals sometimes fall into it. It was therefore decided by the college authorities to fill the crater with suitable materials so that the filled area can be utilized by the college. M/s. K L Resources (P) Ltd operates a beneficiation plant in proximity, and they also generate tailings and slimes. The college authorities approached M/s. KL Resources (P) Ltd with a request to fill this crater within the college premises with tailings and slimes, vide our letter no. 399/23 dated 09/09/2023. The entire procedure for filling the huge crater, i.e., the Laterite quarry Khadan, could not be carried out because the applicant hindered the process by approaching several government authorities to stop work and protesting outside the campus of the College, which hampered the studies of the students as well as the reputation of the college.

Finding no other way, the College approached the Collector and District Magistrate, Jajpur, the Local MLA, and the local Sarpanch to intervene in the issue. However, after the intervention by the local authorities, the protest ceased, and the College thereafter issued another letter to the Opp. Party No.1


Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

on 06/12/2024 to resume work. The entire work was carried out within the parameters as prescribed in the Consent to Operate dated 22/08/2023. Further, in the Counter Affidavit filed by the OSPCB have affirmed that the analysis results are within the standard of 5. Mg/l as prescribed under the Environmental Protection Act, 1986.

Copy of the letter dated 06/10/2024, 15/10/2024, 06/12/2024, and 06/12/2024 to the Opp. Party No.1 is hereby annexed herewith as **ANNEXURE-C/4 Series.**

13. That in reply to the averments made by the Applicant in Paragraph-7 are disputed and denied categorically by the Deponent. The Applicant approached Dharmasala Mahavidyalaya and requested that the crater not be filled, even though it is located within the College premises, citing environmental risks. However, after going through the reports and permission of the State Pollution Control Board produced by M/ KL Resources (P) Ltd, it was established that the tailings and slimes produced by their COBP is of non-hazardous category and hence the College authorities got satisfied and allowed filling up of the crater created by mining not only reclaim land within the college premises for its gainful use by the students, it will also prevent any further illegal laterite mining within the premises.

Copy of the grant of authorization by the State Pollution Control Board, Odisha, dated 28/08/2023, is hereby annexed herewith as **ANNEXURE-D/4**


Surendra Prasad Dha
Advocate
NOTARY, CUTTACK

14. That in reply to the averments made by the Applicant in Paragraphs 8 to 13 of the Original Application, needs no reply.
15. That in reply to the averments made by the Applicant in Paragraph-14 are disputed and denied categorically by the Deponent. The authorities of Dharmasala Mahavidyalaya are duty-bound to improve the college's curricular and non-curricular facilities to foster an atmosphere conducive to study and learning for its students. The crater created by the mining of laterite was detrimental to the very objective, as the land, which belongs to the college, was unusable and hence unavailable for gainful use by the students. Moreover, this crater was creating an unsafe condition because it was very deep, extending several meters. As such, mine craters on a college campus do not serve the college or its students. In this background, the College authorities requested M/S KL Resources (P) Ltd to fill this crater, as it operates in proximity and generates a large volume of tailings and slimes, which are non-hazardous under the Environmental Protection Act-1986 and are therefore permitted by the SPCB to be handled as non-hazardous waste. The applicant is trying to hoodwink this Hon'ble Court by invoking the doctrine of authoritative jurisdiction. Furthermore, regarding waste disposal, the OSPCB has clarified that the

Surenara Prasad Das
Advocate
NOTARY, CUTTACK

issue is not disposal but utilization, which has been carried out by the Opp. Party No.1 in a timely manner.

16. That in reply to the averments made by the Applicant in Paragraph-15 are disputed and denied categorically by the Deponent. The applicant has not made any request, either directly or through RTI, to the college authorities. As such, the college's activities do not fall within the provisions of the Water (PCP) Act 1974 and the Air (PCP) Act 1981. Therefore, the college does not need a Consent or NOC from the State Pollution Control Board.

17. That in reply to the averments made by the Applicant in Paragraphs 16 to 22 of the Original Application, needs no reply.

18. That in reply to the averments made by the Applicant in Paragraph-23 are disputed and denied categorically by the Deponent. The College authority has nothing to comment on the averments made in this paragraph regarding the location of Dharmasala. However, the applicant's assumption that filling up the crater with the tailings will cause large-scale pollution for a very long time is mere speculation. The analysis reports of CSIR IMMT, SPCB, and NABL-accredited laboratory find the toxicity level of the tailings well within the stipulated norms as prescribed under the Hazardous and Other Waste Management Handling and Transboundary Movement Rules promulgated under the Environment (Protection) Act 1986, and


Surenbra Prasad Dha
Advocate
NOTARY, CUTTACK

CMO-g

based on which SPCB of Odisha has permitted M/S KL Resources (P) Ltd to handle it as non-hazardous material in an environmentally friendly manner.

19. That in reply to the averments made by the Applicant in Paragraphs 24 to 26 of the Original Application, needs no reply.
20. That Opp. Party No.4 reserves the right to submit further at the time of the hearing.
21. That the Opp. Party No.4 reserved the right to file a further affidavit if necessary for the effective adjudication of the case.

st

SP-9
Surendra Prasad Dha
Advocate
NOTARY, CUTTACKA

VERIFICATION

I, Swarupananda Panda, aged about 60 years, S/o Govinda Chandra Panda, At: Kumari, P.O. Jaraka, P.S. Dharmasala, Dist. Jajpur, working as Principal in Dharmasala Mahavidyalaya, At./P.O. Dharmasala, Dist. Jajpur-755008, do hereby solemnly verify that I am Opp. Party No.4 in the original application and the facts stated are true to the best of my knowledge and belief, and I sign this verification in the presence of my advocate.

Swarupananda Panda
VERIFICANT

AFFIDAVIT

I, Swarupananda Panda, aged about 60 years, S/o Govinda Chandra Panda, At: Kumari, P.O. Jaraka, P.S. Dharmasala, Dist. Jajpur, working as Principal in Dharmasala Mahavidyalaya, At./P.O. Dharmasala, Dist. Jajpur-755008, do hereby solemnly affirm and state as follows;

1. That being Opp. Party No.4, I am competent to swear this affidavit.
2. That, the facts stated above are true to the best of my knowledge and belief.

Swarupananda Panda
Deponent

Identified By
[Signature]
Advocate

Cuttack

Date: *30/04/2026*



[Signature]
MR. SUBHANKAR ROUT
Advocate
E. NO-0750-09
Orissa High Court, CTC-2
Mob-9776255550

The above named Deponent
Solemnly affirm on... *30.4.2026*
Being Identified
by... *S. Prasad*

[Signature]
Surenendra Prasad Dhal
Advocate
NOTARY, CUTTACK

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ANNEXURE -A/4

ପରିଶିଷ୍ଟ - କ

ଫର୍ମ ନଂ - 99

ପରିଚ୍ଛେଦ - 402

ମୌଜା : ଜାମୁବଣିଆ

ଥାନା : ଧର୍ମଶାଳା

ଥାନା ନମ୍ବର : 773

ତହସିଲ : ଧର୍ମଶାଳା

ତହସିଲ ନମ୍ବର : .

ଜିଲ୍ଲା : ଯାଜପୁର

୧) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର	୨) ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତର ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର					୩) ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ
77	ଓଡ଼ିଶା ସରକାର ଖେତର ନମ୍ବର :-					ଧର୍ମଶାଳା ମହାବିଦ୍ୟାଳୟ ମାର୍ଚ୍ଚିତ - ସଂପାଦକ
୪) ସ୍ୱତ୍ୱ	୫) ଦେୟ					୬) କ୍ରମବର୍ତ୍ତନଶୀଳ ଖଜଣାର ବିବରଣୀ
ଛୁଟିବାର	ଜଳକର	ଖଜଣା	ସେସ୍	ନିଷ୍ଠାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	
		190.85	143.14	0.00	333.99	
୭) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ	ଦା. ଖା. କେଶ ନଂ 236/2017 ହୁ. ପୁ. ପୁଟ ନଂ 33/219 ଏସ.43 ପ୍ଲ ଏ0.52 ଦୁ. ଖା. 91/166 ରେ ।					
BLANK SPACE FOR STAMPING						
ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ :21/01/1987						
ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ :01/04/1987						

PRINCIPAL
DHARMASALA MAHAVIDYALAYA

ଖତିୟାନର କ୍ରମିକ ନଂ : 77			ମୌଜା : ଜାମୁବଣିଆ				ଜିଲ୍ଲା : ପାଟଣାପୁର	
ଚକର ନମ୍ବର	ଚକ ଭୁକ୍ତ ହୋଇ ଥିବା ପ୍ଲଟ	ଚକ ଭୁକ୍ତ ହୋଇ ନଥିବା ପ୍ଲଟ	କିସମର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଚୌହଦି	ରକବା			ଚକ ଭୁକ୍ତ ହୋଇ ନଥିବା ଜମିର କିସମ	ମତ୍ତବ୍ୟ
				ଏକର	ଡି.	ହେକ୍ଟର		
8	9	10	11	12		13	14	15
		31		4	0200	1.6269	ଘରବାରି	
		32		0	5500	0.2226	ରାସ୍ତା	
		33/219		4	9100	1.9870	ଘରବାରି	
		3 plots		9	4800	3.8365		

ରାଷ୍ଟ୍ରୀୟ ସୂଚନା ବିଜ୍ଞାନ କେନ୍ଦ୍ର 24/04/2026 11:35:53 IP :117.199.232.43

No problem.

Appendix - A

District: Jamubuniyani

Tehsil: Dharamshala

Form No. - 99

Police Station: Dharamshala

Tehsil Number: .

Paragraph - 402

Police Station Number: 773

District: Jajpur

1) Order of receipts Number	2) Name of the landowner and serial number of the Khewat or Khatian 3) Name of the person, father's name, caste and residence			
77	Odisha Government Khewat Number:- Dharamshala College - Editor			
4) Permission	5) Payment 6) Details of the progressive rent			
Stable	Waterworks	Toll cess	Passover and Other cesses If there is anything	Total
		190.85143.14	0.00	333.99
7) Special features If there is anything	Da. Kha. Kesh No. 236/2017 Hu. Mu. Muplpl No. 33/219 A5.43 Sm A0.52 Nu. Kha. 91/166 Re.			
BLANK SPACE FOR STAMPING				
Last published date : 21/01/1987				
Due date for payment : 01/04/1987				

14

Invoice serial number: 77			District: Jamubuniyani				District: Jajpur	
Wheel number	By chance The plot	By chance Non-existent plot	Wide variety Details and Forty-four	Rukba			Wheat of fortune Not done Land type	Comment
				Acre	D.	Hectare		
8	9	10	11	12	13	14	15	
		31		4	0200	1.6269 Household		
		32		0	5500	0.2226 road		
		33/219		4	9100	1.9870 Household		
		3 plots		9	4800	3.8365		

National Centre for Informatics Science 24/04/2026 05:59:39 IP :115.246.160.29

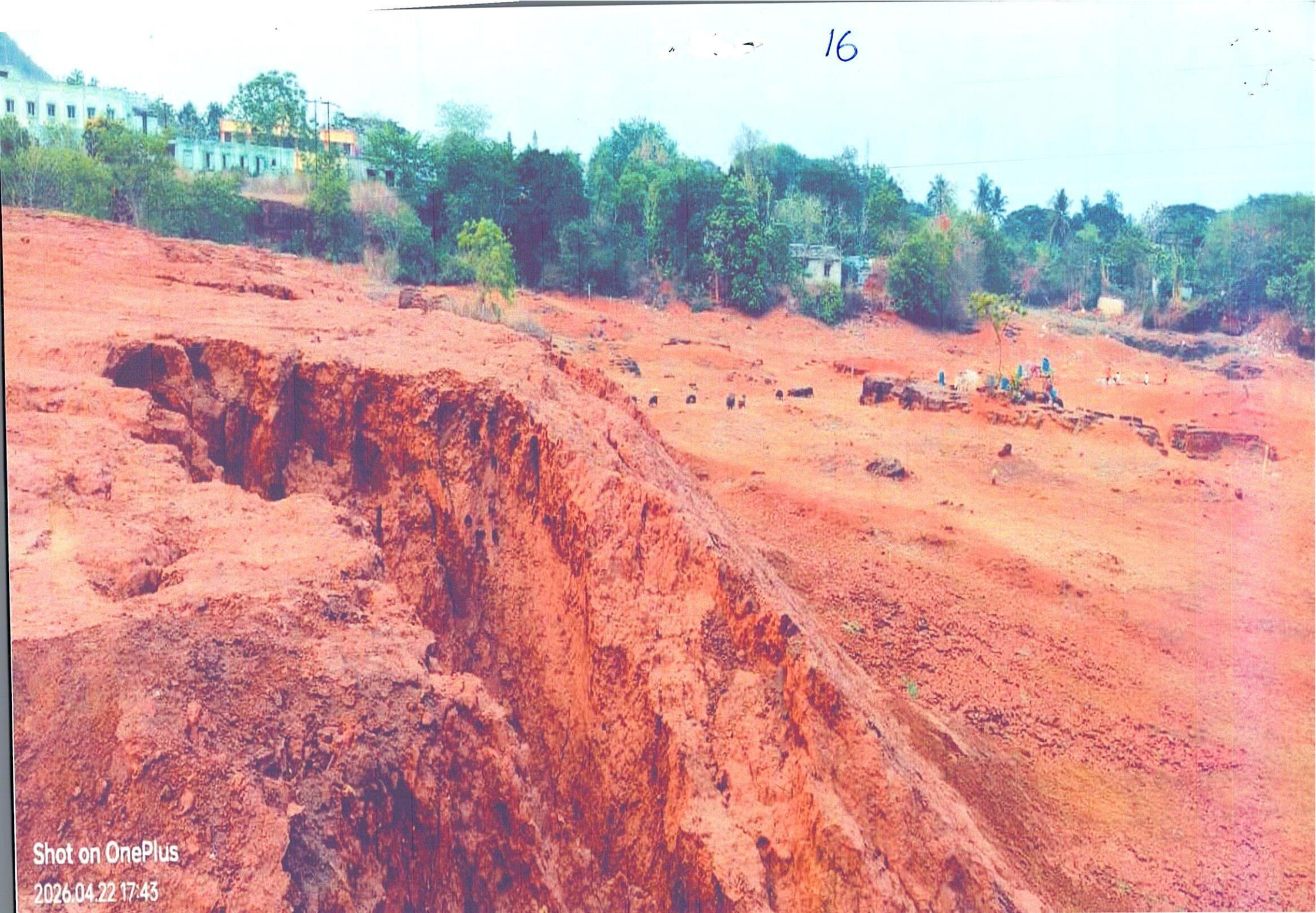
Handwritten signature and scribbles

- 15 -

ANNEXURE - B/4



Shot on OnePlus
2026.04.22 17:42





18

ANNEXURE - B/1

- 10 - 19

DHARMASALA MAHAVIDYALAYA

W.P.O. - DHARMASALA, DIST - JAJPUR, (ODISHA)

NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

Website : dharmasalamahavidyalaya.ac.in

E-mail : dharmasalamahavidyalaya@yahoo.com

Letter No. 399/23

Date 09.09.2023

To,

The Director,
KL Resources Pvt Ltd
Plot No.134/675, Kolathia, Aiginia,
Khandagiri, Bhubaneswar - 751019
Odisha.

Kind Attn: Mr. Sibabrata Khadanga

Sub: Filling of abandoned laterite quarry within our premises with solid waste generated in your chrome Ore Beneficiation Plant at Neulpur.

Dear Sir,

It is to state that there is an abandoned laterite quarry within the premises of our college, which is lying vacant and unused because of its uneven surface condition and high depth. The details of this land are as below.

Mouza: Jamubania
Plot No.31,32,33/219
Khata No.77
Klsam: Gharabari

This quarry requires huge filling to make it usable for various purpose of college. We came to know that your plant generates huge quantities of solid waste which you may like to dispose. Therefore, we suggest and authorize you to fill the above abandon quarry with the solid waste being generated in your plant on continuous basis so that it can be filled over a period of time. Further, you are requested to level the land after filling and required plantation may be done so that future erosion of filled land can be avoided so that filled land can be used by the institution.

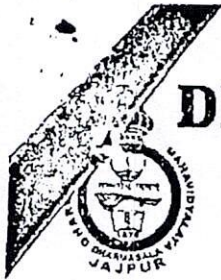
If this proposal is acceptable, you may start filling the above quarry within our premises at your cost with immediate effect.

Thanking You,

Yours truly,

Tapan Kumar Mishra
Principal
09.09.23
DHARMASALA MAHAVIDYALAYA

TRUE COPY ATTESTED
ADVOCATE



DHARMASALA MAHAVIDYALAYA

AT/P.O-DHARMASALA, DIST - JAJPUR, (ODISHA)
NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

Website : dharmasalamahavidyalaya.ac.in
E-mail : dharmasalamahavidyalaya@yahoo.com

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ANNEXURE - C/4

Ref. No. 371/24

Date 06.10.2024

To,
The Hon'ble M.L.A, Dharmasala,
Jajpur.
Sub: Filling of Laterite Quarry.

Sir,

With due honour I draw your kind notice that ours is a premier institution in Higher Education with a student strength of around 2500 in the district of Jajpur, under the jurisdiction of Dharmasala Tehsil. I would like to request you that there is an abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya in plot No. 31,32,33/219, khata No.77, (kizam-Gharabari). The reclamation of the above land is essentially required as this abandoned uneven and high depth land cannot be used for any purpose by Dharmasala Mahavidyalaya. Time and again so many students' have got fatal injury by falling into the deep uneven patch of land inside the campus.

Therefore, I would like to request you to take immediate action by filling the deep pit inside our scheduled land for the betterment of the institution.

This is for your kind information & necessary action.

With regards.

Yours faithfully,

Swarnananda Panda
Principal 06.10.24
DHARMASALA MAHAVIDYALAYA
PRINCIPAL



DHARMASALA MAHAVIDYALAYA

AT/P.O-DHARMASALA, DIST - JAJPUR, (ODISHA)

NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

Website : dharmasalamahavidyalaya.ac.in

E-mail : dharmasalamahavidyalaya@yahoo.com

Ref. No. 376/24

Date. 15.10.2024

To,
The Collector and District Magistrate,
Jajpur.
Sub: Filling of Laterite Quarry.

Sir,

With due honour I draw your kind notice that ours' is a premier institution in Higher Education with a student strength of around 2500 in the district of Jajpur, under the jurisdiction of Dharmasala Tehsil. I would like to request you that there is an abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya in plot No. 31,32,33/219, khata No.77, (kisam-Gharabari). The reclamation of the above land is essentially required as this abandoned uneven and high depth land cannot be used for any purpose by Dharmasala Mahavidyalaya. Time and again so many students' have got fatal injury by falling into the deep uneven patch of land inside the campus.

Therefore, I would like to request you to take immediate action by filling the deep pit inside our scheduled land for the betterment of the institution.

This is for your kind information & necessary action.

With regards.

Yours faithfully,

Sumananda Panda
Principal
DHARMASALA MAHAVIDYALAYA



DHARMASALA MAHAVIDYALAYA

AT/P.O-DHARMASALA, DIST - JAJPUR, (ODISHA)
NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

Website : dharmasalamahavidyalaya.ac.in
E-mail : dharmasalamahavidyalaya@yahoo.com

Ref. No. 440/24

Date 06.12.2024

To,

M/S K.L Resources Pvt.Ltd.
134/675, Kolathia, Aiginia, Khandagiri,
Bhubaneswar.

Sub: Seeking consent regarding filling up of abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya.

Dear Sir,

I would like to inform you that there is an abandoned laterite quarry in the premises of Dharmasala Mahavidyalaya (Plot No.31,32,33/219) khata No.77, Kisam- Gharabari). The reclamation of above land is essentially required as this abandoned, uneven and high depth land cannot be used for any purpose by our college for which filling up the laterite quarry is badly necessary. Further to inform you that you have already reclaimed a part of above land during 2023 by filling solid waste (tailings and slimes) generated in your COBP. This reclaimed land has been developed and being used with environmental friendly manner and required plantation have also been done. We essentially need reclamation of balance abandoned area which will be a great help to the institution.

We have approached the District Magistrate, Jajpur as well as the M.L.A, Dharmasala to help in this regard earlier and they have given their consent to do the same.

Therefore, with the above facts we would like to seek your consent to proceed with the above filling/reclamation work for the development of the institution.

Ref Letters:-

1. 371/24 m.L.A Dharmasala Dt. 06.10.24
2. 376/24 Collector, Jajpur Dt. 15.10.24
3. 439/24 Sarapanch, Kunnari Dt. 06.12.24

Thanking You,

Sd/-
Principal

06.12.24
Dharmasala Mahavidyalaya

23



DHARMASALA MAHAVIDYALAYA

AT/P.O-DHARMASALA, DIST - JAJPUR, (ODISHA)
NAAC ACCREDITED SECOND CYCLE, 'B' GRADE

Website : dharmasalamahavidyalaya.ac.in
E-mail : dharmasalamahavidyalaya@yahoo.com

Ref. No. 439/24

Date 06.12.2024

To,

Smt. Kshirodprava Samal,
Sarapancha, Kumari G.P

Sub: Seeking of No Objection Certificate regarding filling up the laterite quarry in Dharmasala Mahavidyalaya.

Madam,

With due respect, I am to inform you that our college is situated within your Panchayat occupying an area of more than 10 Acres. But it is a matter of great concern that about 5 Acres of this land within plot No.31,32,33/219, khataNo.77 is of laterite quarry khadan which is not fit for any use. We have requested to M/S K.L Resources Pvt.Ltd, 134/675, Kolathia, Aiginia, Khandagiri, Bhubaneswar which has a washing plant at Sinduria for filling up the same quarry. The same was accepted by them. Further I inform you that the filling up of the quarry through earthen material byproduct of the plant is not harmful for environment as already tested and certified by Pollution Control Board.

Therefore, I request you to provide a No Objection Certificate (NOC) for this work which is mandatory for filling up the quarry khadan.

Thanking You,
Yours sincerely

Swarnjananda Panda
PRINCIPAL 06.12.24
DHARMASALA MAHAVIDYALAYA
Dharmasala Mahavidyalaya

TRUE COPY ATTESTED
ADVOCATE

True Copy Attested
Adv

-24

ANNEXURE-D/4

Tel : 06726-221153
E-mail: rospcb.kalinganagar@ospcbboard.org
Website: www.ospcbboard.org



REGIONAL OFFICE, KALINGANAGAR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
At Dhabalagiri, PO: F.C. Project, Jajpur Road
Dist- Jajpur-755020, Odisha

No. 2869 /HWM- 51

Dt. 28.08.2023 /
By Regd. Post

FORM 2
[See rule 6(2)]

**GRANT OF AUTHORISATION BY STATE POLLUTION CONTROL BOARD, ODISHA
TO THE OCCUPIER UNDER HAZARDOUS AND OTHER WASTES (MANAGEMENT
AND TRANSBOUNDARY MOVEMENT) RULES, 2016**

1. Number of authorization: **IND-IV-HW-51 / 05** and date of issue: _____
2. Your Online application No. 5019807 & This Office Hazardous waste authorization no IND-IV-HW-51 Dtd 08.09.2022
3. **M/s KL RESOURCES PVT LTD (COB PLANT)** is hereby granted an authorization based on the enclosed signed inspection report for generation, storage, transport, reuse, disposal or any other use of hazardous or other wastes or both in the premises situated **AT: SUNDARIA, PO: NEULAPUR, Dist: JAJPUR. ODISHA**

Details of Authorization

Sl. No.	Category of Hazardous Waste as per the Schedules I, II and III of these Rules	Waste Description	Quantity/ Annum	Mode of Disposal
1.	Schedules - I Stream - 5.1	Used Oil	0.05 KL	Storage in containers over impervious floor under well ventilated covered shed followed by disposal through actual users having valid authorisation from SPCB, Odisha
2.	Schedules - I Stream - 5.2	Waste Containing Oil	0.046 T	Storage in impervious pits / containers over impervious floor under well ventilated covered shed followed by disposal in the Authorized HW incinerator / Common Hazardous Waste Treatment Storage Disposal Facility (CHWTSDF), Jajpur / Co-processing in authorized Cement Kiln

- (1) The authorization shall be valid up to **31.03.2028**.
- (2) The authorization is subject to the following general and specific conditions.

A. General Conditions of authorisation:

1. The authorized person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the State Pollution Control Board.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorisation.
4. Any unauthorized change in personnel, equipment or working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorisation.
5. The person authorized shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire, etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time.
6. The person authorized shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty". Any accident in this respect shall be intimated to the Board immediately.
7. It is the duty of the authorized person to take prior permission of the State Pollution Control Board to close down the facility.
8. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilization of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation.
9. An application for the renewal of an authorisation shall be made as laid down under these Rules.
10. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.
11. Annual return shall be filed by 30th day of June of every year for the preceding period from April to March.

B. Specific Conditions :

1. Authorization granted herewith does not relieve you in complying with other provision laid down under Water (PCP) Act, 1974, Air (PCP) Act, 1981 and Environment (Protection) Act, 1986, and the Rules made there under.
2. This authorization is subject to statutory and other clearances from Govt. of Odisha and / or Govt. of India as and when applicable.
3. In case the quantity of generation of hazardous Waste exceeds the Authorized quantity, the industry / mine shall apply for amendment of Authorization order.
4. The industry / mine shall strictly comply to the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and amendments made thereafter.

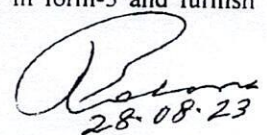
-26-

5. Annual returns in Form - 4 (See Rules- 6 (5), 13 (8), 16 (6) & 20 (2)) shall be submitted to the Board for the financial year by 30th June of every year. It shall contain the detail quantities of generation, storage and disposal of different type of hazardous wastes such as recyclable, incinerable, land disposable.
6. Steps shall be taken for reduction and prevention of the hazardous waste generated or for recycling or reuse.
7. Environmental Information with respect to Air, Water, Hazardous Waste and Hazardous Chemicals shall be displayed at the main gate for public view.
8. The transport of the hazardous and other waste shall be in accordance with the provisions of the Rule, 2016 and the rules made by the Central Government under the Motor Vehicles Act, 1988 and the guidelines issued by the Central Pollution Control Board from time to time in this regard.
9. The occupier shall provide the transporter with the relevant information in **Form 9**, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per **Form 8**.
10. In case of transportation of hazardous waste and other wastes for recycling or utilization including co-processing to outside the state, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.
11. Manifest system (Movement document) shall be strictly followed as per Rule-19 and to be submitted to this office as per the Rule. The industry / mine shall check the authenticity of the way bill of the transport vehicle to ensure supply of hazardous waste to the authorized destination.
12. The hazardous waste shall be sold if required only to Actual User having valid authorization from the State Pollution Control Board, Odisha and concerned SPC Board. Details of such wastes shall be entered in the passbook issued by respective SPCB.
13. All the hazardous waste shall be stored in impervious pits / containers / floors under cover shed with adequate capacity having spill containment facility. The spilled hazardous waste shall be re-collected and stored in impervious pits / containers / floors under cover shed prior to sale / disposal.
14. The schedule of hazardous waste and the quantity as specified shall only be disposed off as per the stipulation prescribed in this authorisation.
15. This authorization does not permit you to either receive and process or generate hazardous waste in case validity of Consent to Operate of your industry / mine ceases. However you can carry out handling, storage, treatment, transport and disposal of hazardous waste and other wastes generated previously during such period to avoid accumulation of hazardous waste.
16. The industry / mine shall store the accumulated hazardous waste for a period not exceeding 90 days and shall dispose as per the stipulation prescribed in this authorisation order. In case of any violation, authorization granted shall be suspended / cancelled.
17. The industry / mine shall apply for renewal of authorization in Form - 1, 120 days before expiry of this authorization order enclosing Annual Return in Form - 4, Manifest copies in Form - 10 and compliance to the conditions stipulated in this order along with adequate processing fees.
18. In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.

19. Hazardous Wastes having calorific value of more than 2500 Kcal/Kg shall not be landfilled. It can only be disposed through authorized actual users or incinerated in authorized Hazardous Waste incinerator or co-processing in authorized cement kiln.

ADDITIONAL CONDITIONS

1. The industry shall take suitable measures to ensure that the Leachable concentration limits (TCLP) or soluble threshold limit concentration (STLC) of chromium or chromium compound and hexa valent chromium is less than 5.0 mg/l respectively in the ETP Sludges (Slimes & Tailings) from the chrome ore beneficiation plant. Further the unit shall submit the analysis report of Leachable concentration limits (Toxicity Characteristic Leaching Procedure(TCLP)) or soluble threshold limit concentration (STLC) of chromium or chromium compound and hexa valent chromium by an NABL accredited laboratory to this office in every three months.
2. The industry shall construct garland drain surrounding the tailing storage area followed by holding tank to contain the surface run off.
3. The solid wastes, ETP sludges (slimes/Tailings) generated from the plant shall be collected & suitably disposed off in an environmental friendly manner.
4. The industry shall maintain record of HW generation and disposal in form-3 and furnish Annual return in Form-4.


28.08.23

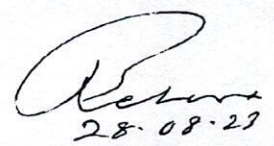
REGIONAL OFFICER
Regional Officer
State Pollution Control Board Odisha
Bhadranga Nagar, Jajpur

To
Sri Ashok Kumar Panda, Director
M/s KL Resources Pvt Ltd(Chrome Ore Beneficiation Plant)
At/PO-Sundaria, Neulapur, Via-Chandikhole,
Dist-Jajpur, Odisha

Memo No. 2870 Dt. 28.08.2023

Copy to:

1. The Member Secretary, S.P.C. Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Jajpur.
3. The Deputy Director of Mines, Jajpur Road
4. Copy to Guard file/ HWM register


28.08.23

REGIONAL OFFICER
Regional Officer
State Pollution Control Board, Odisha
Bhadranga Nagar, Jajpur

TRUE COPY ATTESTED

ADVOCATE



Rupa Jena <ruparekha872@gmail.com>

COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO.5

1 message

RUPAREKHA <ruparekha872@gmail.com>

1 May 2026 at 12:02

To: Dipanjan Ghosh <dpnjnghsh0@gmail.com>, Debadutta Kanungo <debadutta.kanungo@gmail.com>, "mailmesatishbiswal@gmail.com" <mailmesatishbiswal@gmail.com>, "info@klresources.com" <info@klresources.com>, "rospcb.kalinganagar@ospcboard.org" <rospcb.kalinganagar@ospcboard.org>, ccb.cpcb@nic.in, "membersecretary@ospcboard.org" <membersecretary@ospcboard.org>, secy-moef@nic.in, csori@nic.in, dm-jajpur@nic.in, cdo.jajpur@odisha.gov.in, ori-dharmasala@nic.in

Dear Sir

PFA the copy of the counter affidavit filed on behalf of Opp. Party/ Respondent No.4.

--
Best Regards**Ruparekha Jena**

Advocate

 **Counter Affidavit on behalf of Respondent No.4 ..pdf**
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