

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. ~~135~~ OF 2026**

IN THE MATTER OF

Rajanikanta Jena

...Applicant

Versus

State of Odisha & Others

...Respondents

INDEX

SI NO	PARTICULARS	PAGE NO
1	Original Application	1-29
2	Copy of the letter dated 31/12/2025 as ANNEXURE-1.	30-31
3	Copy of the representation dated 11/10/2025 as ANNEXURE-2.	32-41
4	Copy of the photographs dated 24/02/2026 as ANNEXURE-3.	42-47
5	Copy of the RTI response dated 19/03/2026 received from SEIAA Odisha as ANNEXURE-4.	48-50
6	Copy of the Notification issued by Forest and Environment Department dated 06/12/2005 as ANNEXURE-5	51-52
7	Copy of the google earth image suggesting 500 meter radius as ANNEXURE-6.	53-54
8	Copy of MoEFCC Notification dated 22/02/2022 as ANNEXURE-7.	55-56
9	Copy of the MoEFCC Office Memorandum dated 24/06/2013 as ANNEXURE-8	57-59

10	Copies of Revenue & Disaster and Management Department, Govt. of Odisha letter dtd. 25/06/2013 as ANNEXURE-9.	60
11	Copy of CPCB letter dated 27/06/2017 as ANNEXURE-10.	61-62
12	Copy of Gazette Notification dated 11th June 2014 as ANNEXURE-11	63
13	Vakalatnama	64

PLACE: Bhubaneswar

S.Pani

A.Padhy

DATE: 27/03/2026

SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE'S

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

SYNOPSIS

Application is being filed challenging the illegal operation of Brick Kiln and Brick Clay Earth Mining in **Ambakuduchi Village under Basta Tahasil of Balasore district, Odisha**. That the said brick kilns are operated without the statutory clearances like environmental clearance from SEIAA, CTE and CTO from the SPCB. Further the said brick kiln is causing serious environmental degradation and pollution in the locality and the local villagers are suffering a lot because of the illegal operation of the brick kiln. That the Respondent No.-8 has illegally established and operating the brick kiln over khata No.- 192, Plot No.- 688, Mouza- Ambakuduchi.

LIST OF DATES

25/10/1987	Government Odisha Siting Criteria for Brick Kilns with a minimum distance of 500 meters from Human Habitation
18/7/2002	Under Section 19 of Air Act 1981, Entire State of Orissa declared as air pollution control area vide gazette notification by Forest and Environment Department

- 06/12/2005 Sitting Criteria for Brick Kilns notified by Forest and Environment Department
- 25/06/2013 Revenue & Disaster and Management Department, Govt. of Odisha issued letter for criminal prosecution of illegal brick kiln owners and fixing of accountability of Tahasildar and Revenue Inspector
- 25/07/ 2013 Ministry of Environment, Forest & Climate Change (MoEF & CC), the brick earth mining less than 5 hectares declared as B2 category requiring prior environment clearance from competent authority.
- 11/06/2014 State Govt constituted Committee for formulating an action plan for **banning Kiln Burnt Brick manufacturing** in phased manner to promote the use of fly ash bricks
- 06/05/2015 Hon'ble NGT issued notice in OA 31 of 2015 in respect of illegal operation of Brick Kiln in Ganjam District. Honble Tribunal has sought a status report I respect of all the brick kilns operating illegally in the district and asked SPCB to file action taken report

- 15/01/2016 EIA Notification 2006 amended by MoEFCC requiring the minor mineral sources to be in the District Survey Report prior to grant of EC
- 11/10/2025 Applicant along with the villagers wrote a letter to the Tahasildar Basta and Chairman SPCB regarding the illegal operation of Brick kiln.
- 31/12/2025 Applicant along with the villagers approached the District Magistrate cum Collector Balasore regarding the illegal establishment and operation of brick kiln.
- 24/02/2026 Photographs taken by the Applicant
- 19/03/2026 RTI response received from the SEIAA Odisha

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

(Under Section 14,15, 17 read with Section 18 of the National Green Tribunal Act, 2010)

Original Application No----- OF 2026/EZ

IN THE MATTER OF:

Rajanikanta Jena, S/o- Punit Charan Jena, aged about- 71 years, AT- Ambakuruchi, Po- Gopinathpur, Dist- Balasore, Pin- 756030....**APPLICANT**

VERSUS

- 1. STATE OF ODISHA** Represented by Chief Secretary, Government of Odisha, Lokaseba Bhawan, Bhubaneswar, Odisha 751001. cs.ori@nic.in
- 2. District Collector, Balasore** , At/Po- Office of the Collector and District Magistrate, Collectorate, Balasore,At/Po-Balasore,PIN- 756001,Dist.Balasore, Email- dm-balasore@od.gov.in
- 3. Tehsildar, Basta**, At/Po- M3G8+FH8, NH 60, Upartapanda, Odisha 756029, Email- tah.bast-od@nic.in
- 4. Member Secretary**, Odisha State Pollution Control Board, A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, paribesh1@ospcboard.org

5. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha 751022, Email: seiaaorissa@gmail.com
6. **Mining Officer Balasore**, At/Po- Kuruda, Dist- Balasore, Odisha, 756056, Email- miningofficerbalasore@gmail.com
7. **Sunil Nandi**, S/o-Sudhir Kumar Nandi, At- Sitadiha, PO- Simulia, P.S- Singla, Dist-Balasore, Pin-756045
8. **Sambhunath Senapati**, S/o- Atul Senapati, At-Ambakuduchi, Po- Gopinathpur, P.S-Singla, Dist-Balasore, pin- 756030

RESPONDENTS

MOST RESPECTFULLY SHOWETH:

- I. The address of the Applicant's is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. That the present Application is being filed challenging the illegal operation of **Brick Kiln and Brick Clay Earth Mining in Ambakuduchi village under Basta Tahasil of Balasore district, without Environment Clearance, Consent from SPCB** and in close proximity of the human habitation and in violation of siting criteria.

FACTS OF THE CASE

1. That the petitioner is a resident of Ambakuduchi village under Basta Tahasil of Balasore district, where the private respondents are illegally mining clay earth and illegally manufacturing bricks. Further the Applicant is concerned about the ecology of the area and the impact of illegal, Unscientific and Unsustainable Brick Clay Mining and Brick Kiln, endangering the safety of local villagers, causing serious air pollution and damage to the adjoining agricultural field.
2. That the private Respondents are illegally extracting earths/clays from the nearby agricultural lands without having any statutory clearances like environmental clearance, consent to establish and consent to operate. Further, Sunil Nandi is manufacturing **40lakh Bricks per annum while Mr Senapati is Manufacturing around 20Lakh Bricks per annum.**
3. That the Manufacturing of bricks consists of the following 4 operations or steps such as Preparation of brick clay or brick earth, Moulding of bricks, Air drying of bricks and Burning of bricks. The manufacturing process of bricks essentially involves the mining of minor minerals like soil and sand. Soil mining leads to the depletion of fertile upper stratum of the earth crust along with a wide spectrum of micro flora and fauna. Soil mining on a large scale may change the land use pattern and adversely affects the agricultural activities. **A large amount of coal is consumed in the firing of bricks that results in the emission of various harmful**

gases in the atmosphere such as particulate matters (PM), carbon monoxide (CO) and sulfur dioxide SO₂.

4. It is humbly submitted that the Brick Kiln Units operated by Private Respondents are mining and procuring the Brick Clay and sand from **Subarnarekha River Bank and different other sources including private and government lands without environment clearance** and then after burning the same in coal fired Kiln which do not have consent from the state pollution control board is illegal inviting prosecution under Environment protection Act 1986 and Air Act 1981 along with the state laws for mining of minor minerals.
5. It is further submitted that again on dated 31/12/2025 the Applicant along with the villagers approached the Collector Balasore regarding the illegal establishment and operation of Brick kiln by the Private Respondents, however as on date the concerned authority has not taken any action against the Private Respondents. Copy of the letter dated 31/12/2025 is annexed here unto as **ANNEXURE-1**.
6. It is pertinent to mention here that the Applicant along with the villagers of **Ambakuruchi, Gambharia, Gilajodi** on dated 11/10/2025 wrote a letter to the Tahasildar Basta and Chairman SPCB regarding the illegal operation of Brick kiln. However as on date no action has been taken by the concerned authorities so as to demolish the illegally established brick

kiln by the Private Respondents. Copy of the representation dated 11/10/2025 is annexed here unto as **ANNEXURE-2**.

7. It is not out of place to mention here that the Private Respondents are illegally operating the Brick Kiln in middle of the agricultural lands in close proximity to human habitation, Primary School, Temples. Anganwadi and Subarnarekha River for more than 15 years. The ash and smoke coming out from the brick kiln is affecting the agricultural products for which the local farmers are suffering a lot.
8. That the Respondent No.-8 has illegally established and operating the brick kiln over khata No.- 192, Plot No.- 688, Mouza- Ambakuduchi.
9. That the photographs dated 24/02/2026 clearly suggests the Respondent have illegally established and operating the brick kiln in the agricultural lands. Copy of the photographs dated 24/02/2026 is annexed here unto as **ANNEXURE-3**.
10. It is pertinent to mention here that prior to establishment of a brick kiln the Private Respondents are required to obtain necessary permissions like- siting clearance certificate from District Collector Balasore, Environmental Clearance for Soil Mining from SEIAA, Consent to Establish and Consent to Operate order from the State Pollution Control Board. However in the present case no such permissions have been obtained by the Private Respondents prior to establishment and operation of the Brick kiln.

11. That on dated 21/02/2026 applicant through his counsel filed one RTI application before the SEIAA Odisha asking for the copy of environmental clearances granted under Basta Tahasil of Balasore district for soil mining and operation of brick kiln and in response to the above mentioned query the SEIAA authority on dated 19/03/2026 responded saying **NO environmental clearance has been granted**. Copy of the RTI response dated 19/03/2026 received from SEIAA Odisha is annexed here unto as **ANNEXURE-4**.

12. The Govt. of Orissa, F. & E. Deptt. Under Section 19 of Air Act 1981, have declared the entire State of Orissa as **air pollution control area** vide notification dated **18.7.2002**. That any project proponent intending to establish a brick kiln unit must seek **prior consent to establish under the Air (Prevention and Control of Pollution) Act, 1981** before taking any step for establishing the industry. Likewise, after establishing the brick kiln, the project proponent must seek prior consent to operate before commissioning the plant. The State Board has delegated powers to Regional Officers of the Board to grant or refuse applications for consent to establish and consent to operate submitted under the provisions of Air (Prevention & Control of Pollution) Act, 1981 for the brick kilns.

13. The process involved in the brick kilns is such that it will pollute air besides impact on land, soil, flora and fauna; **hence it has been categorized as 'ORANGE' category industry by CPCB in it's re-**

categorised list finalized on 29th Feb 2016 with remark as significantly air polluting. It is, therefore, mandatory that brick kiln units must adopt appropriate measures to prevent/control emission of pollutants in the air and must also have adequate arrangement to control the particulate matter in the premises of the unit itself.

VIOLATION OF SITING CRITERIA

14. That subsequently the Forest and Environment Department, Government of Odisha in exercise of the powers under **section 5 of the Environment (Protection) Act, 1986 and the Rules framed there under; in its order dated 6.12.2005** required the persons carrying on the operation of brick kilns in the State to comply with the directions indicated therein. The relevant part of the said directions are quoted hereunder :

“... .. 2. No brick kiln unit shall be allowed on forest land or **on prime agricultural land.**

3. **No brick kiln unit shall be established within 500 meters from Railway lines, National and State Highways, High tide line, places of worship, Educational institutions, hospitals and health care centers;**

4. No brick kiln unit shall be established within 250 meters of flood embankments. Wherever flood embankments do not exist, **no brick kiln unit shall** be established within **500 meters from the nearest river bank.**

5. No new brick kiln unit shall be located within a distance of 5 kms from the periphery of a town with a population of more than one lakh and 2 Kms. from the periphery of a town with a population between 50,000 to 1,00,000.” Copy of the Notification issued by Forest and Environment Department dated **6/12/2005** is annexed here unto as **ANNEXURE-5**

15. It is not out of place to mention here that from the google earth image it is evident that within 500 meter radius from the brick kiln in question residential houses exist and the local residents are suffering due to the nuisance created by the owners of Brick kilns. Copy of the google earth image suggesting 500 meter radius is annexed here unto as **ANNEXURE-6.**

16. That MOEFCC Notification dated **22/02/2022** prescribes the **minimum distance of 800metres from human Habitation** and fruit orchards and state pollution control boards **may make the siting criteria stringent** considering proximity to habitation, population density, water bodies and sensitive receptors. It further says there should be a minimum of **1KM**

distance from existing brick kiln to avoid the cluster situation. It further says the Zigzag technology or vertical shaft is to be adopted. Copy of MoEFCC Notification dated 22/02/2022 is annexed here unto as ANNEXURE-7.

17. That the OSPC Board has started online consent management system since November 2014. The applicant has verified the online consent management and monitoring system of Odisha State Pollution Control Board(<https://odocmms.nic.in/OCMMS/userMaster/grantApplicationSearch>) for the period of January 2023 till 27th March 2026 but could not find consent to Establish or Consent To Operate granted for establishment and operation of Brick kiln in **Ambakuduchi Village under Basta Tahasil** of Balasore district, suggesting No CTE and CTO has been granted to the Brick Kiln Units

BRICK CLAY MINING WITHOUT ENVIRONMENT

CLEARANCE

18. It is humbly submitted that minor minerals including **soil and sand required for the Brick Clay can only be lifted from the sources where Environment Clearance has been granted.** Copy of the MoEFCC Office Memorandum dated **24/06/2013** is annexed here unto as **ANNEXURE-8.**

19. The private Respondent use to collect the Soil from different sources randomly that do not have any environment clearance as required under EIA Notification. Further those sources are also not identified and placed

in District Survey Report as required under EIA Notification 15th Jan 2016.

20. It is further submitted that for grant of Environment Clearance of Brick Clay following requisites are necessary such as Form 1 M , Pre-Feasibility Report (PFR), Mining Plan duly stamped by RQP, Environment Management Plan, Affidavit, Location Map, Google Map (500 m Radius), Survey Maps, Land Documents (Agreements and Khatauni) , Site Photograph and after appraisal at SEAC, EC is being issued. Here the units do not comply to any of the norms

21. The unit is supposed to obtain the **Permanent Registration Certificate** from concerned District Industries Centre and shall submit the same to the Board along with the application for consent to operate. The applicant could not able to verify if the same certificate has been obtained.

22. That to the knowledge of the applicant there has been no production certificate issued by the District Collector and so also there is rampant violation of labor laws and engagement of child labor in the brick kiln and no action has been taken on the part of district administration.

INACTION OF AUTHORITIES ON PUBLIC COMPLAINT

23. That though there is a clear direction given to all Collectors / Sub - Collectors and Tahasildars by the Revenue & Disaster and Management Department, Govt. of Odisha vide Letter **dtd. 25/06/2013** as regards the

guide lines prescribed by the Forest and Environment Department for carrying on the operation of brick kilns, the said direction has not been carried out in its true sense by the respondent units. The said letter has mentioned that though Tahasildars in some cases are realizing penalty and rent from encroachers as a deterrent measure to prevent the recurrence, the owner of brick kiln unit continues with their business in gross violations of prevailing laws.

The said letter further says that any unauthorized functioning of brick kilns and theft of minor minerals, **personal accountability shall be fixed against the local Tahasildar and Revenue Inspector.**

The said letter further says that that the **District Collector should review the Scenario in the district and take steps for initiation of Criminal Prosecution against the Offenders** under Environment Protection Act 1986. Copies of Revenue & Disaster and Management Department, Govt. of Odisha Letter dtd. 25/06/2013 as **ANNEXURE-9**

24. It is humbly submitted that in the present instance, the **District Collector, Balasore and the Tahasildar Basta have failed to discharge the statutory duties** and carry out the Government Order despite of various complaints about ongoing violation by the brick kiln units brought to their notice and thereby willfully violated the Government Order for more than 13 years. Similarly the SPCB who is duty bound to inspect the site in case

of complaints or otherwise as a statutory duty have also grossly failed to discharge the duty in this case amounting to dereliction of duty.

COAL AS FUEL IN BRICK KILN

25. That for every 1 lakh bricks, 25 tons of coal is required as fuel and accordingly for 20 lakh bricks 500 tons of coal are burnt annually and this coal is used by the private respondent for which no license has been given and the unit is procuring from black market. It is submitted that burning of 500 tons coal in a close proximity to densely populated habitation and irrigated agricultural land has a huge consequence on the health, environment and productivity.

PROSECUTION UNDER PENAL PROVISION FOR THEFT OF SOIL AND SEIZURE OF BRICKS

26. It is humbly submitted that the Unit is operating illegally and procuring the sand and soil from Subarnarekha River and River Bank illegally and then abstracting the ground water illegally and process it in a unit which do not have any kind of approvals and statutory clearance and finally sell the products whose annual market value is around 3 Crores of Rupees. This entire money is ill gotten and outcome of materials procured by theft, hence all the finished products is liable to be confiscated immediately and the brick kiln unit is liable to be prosecuted under section 303, 318 of **of the** Bharatiya Nyaya Sanhita (BNS), 2023, read with section 4 and 12 of

The Orissa Minerals (Prevention of Theft, Smuggling and other Unlawful Activities) Act, 1988

Section-4, Restriction on possession, storage, etc. of minerals states that “No person shall-

(i) possess, store, sell, trade in or otherwise deal with any mineral except under and in accordance with terms and conditions of a licence: or

(ii) transport or remove any mineral from any place except under and in accordance with the terms and conditions of a permit.”

And Further Section 12 of the Act Prescribes the Penalty such as - (1) Whoever fails to comply with or contravenes any of the provisions of this Act or the rules shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend wad to ten thousand rupees or with both.

CPCB ASKING CLOSURE OF ILLEGAL BRICK KILNS

27. That while expressing serious concern over the growing number of illegal brick kilns, the Central Pollution Control Board Chairman through his letter dated 27th June 2017 has asked the Chairman of all State PCBs to ensure **closure of all such Brick Kilns running without meeting siting criteria and adhering to the prescribed norms.** Copy of CPCB letter dated 27/06/2017 is annexed here unto as **ANNEXURE-10.**

28. That the Government of Odisha was pleased to constitute a Committee for formulating an action plan **for banning KB (Kiln Burnt) Brick manufacturing** in phased manner to promote the use of fly ash bricks in the State as follows: 1. Secretary, Works Department. Chairman 2. Representative of ACS, Revenue & D. M. Deptt. Member 3. Representative of Member Secretary, State Pollution Control Board. Terms of Reference of the Committee will be to formulate an action plan for banning **Kiln Burnt Brick manufacturing** in phased manner taking into account availability of fly ash bricks. Copy of Gazette Notification dated 11th June 2014 is annexed here unto as **ANNEXURE-11**.

29. That there has been no action plan in regard to phasing out of Kiln Bricks even though a committee is constituted **since 2014 indicates the government is not at all serious about the Pollutions due to Brick Kiln**

30. If the industry consumes water for different activities including domestic more than 10 KLD, it shall file water cess returns in the prescribed format as per provisions of **Water Cess Act 1977** and cess amount to be payable shall be calculated as per the rates prescribed in the Notification dated 6/5/2003 issued by Ministry of Environment & Forest, Government of India and no such water cess is levied in the present case.

LOSS TO STATE EXCHEQUER

31. That the above-mentioned private respondent and proprietor of Brick kiln are habitually engaged in manufacturing and sale of Clay Bricks in open

market. Presently the unit use to manufacture 40 lakh bricks per annum and every brick costs 8 rupees and there by around Rs **3.2 Cr government revenue is siphoned by the Brick Kiln owner and PAYING SOME BRIBE to the Tahasildar for protecting his illegal operation of brick kiln.** As such the entire money generated from the Brick Kiln is ill got money sourced from the Soil and Sand from Government land and Subarnarekha River, using free water without paying any cess and ground water charge. On top of this polluting the immediate environment and agricultural land whose cost cannot be compensated. It is needless to state that since the unit operates illegally, hence the Tahasildar should have seized the Bricks at the Unit and auction the bricks and deposit the money in the government treasury. However, the Tahasildar is allowing the loot of government property and becoming an unwritten partner in the profit of the business. This is not the only unit, there are more than one such illegal brick kiln units operating the in the Tahasil in the knowledge of the Tahasildar. Hence the Hon'ble Tribunal may **recommend the inquiry by the Enforcement Directorate to unveil the nexus of Brick Kiln mafias and the Tahasildar Basta.**

32.By operating such kilns without following the provisions as laid down under section 17(1) (g) and 21 of the Air (Prevention and Control of Pollution) Act, 1981 day by day the environment is getting polluted and

this will have an adverse impact on the surrounding so far the health of the people residing in the surrounding area is concerned.

33. Such brick kiln owners are earning huge profit margin and in turn the Government is losing its revenue which adversely affects the State exchequer. The offenders are freely doing their business by violating the statutory norms and notifications prescribed for the same.

34. The continuous discharge of untreated process water is in contravention to the Environment Clearance condition and Supreme Court judgment in Paryavaran Surakshya Samiti Case. It is further submitted that the Hon'ble Tribunal has directed the State Pollution Control Board to take appropriate action against the respondent unit for such violation. However the board did not take any tangible action against the erring unit.

35. Open ash dumping by the units and creating fugitive pollution and damages to agricultural lands. Untreated waste water discharge to agricultural lands continues on day to day basis.

36. That the Hon'ble NGT in OA 328 of 2013/PB and order dated 14th Jan 2015 has put a ban nationwide against the brick earth mining without obtaining EC from the competent authority based on the order of Hon'ble Supreme court in Deepak Kumar case. Further Hon'ble Tribunal in OA No 1016/2019, **Utkarsh Panwar VS CPCB**, order dated 15/10/2020, has called for an impact study of different types of brick kilns, their respective

source emissions based on fuel usage, their impact on degradation of top soil, carrying capacity assessment, including the number of brick kilns, evaluate their performance against background pollutant concentration and carrying capacity of the area, and assess the impact of their operation on ambient air quality.

37. That the Brick Kiln in question is operating in an agricultural land by Fixed Chimney **Bulls' Trench Kiln**. There has been open stacking of Coal and Brick ash in the locality causing significant air pollution. Considering close proximity that is within 500 metres of densely populated village, Religious Places such as Temple and Mutts, Upper Primary School, Anganwadi, PWD Road, Ponds, Water Bodies, the illegal operation of the brick Kiln is having huge impact of life and livelihood of villagers.

**ILLEGAL OPERATION OF BRICK KILN, AN OFFENCE UNDER
PREVENTION OF MONEY LAUNDERING ACT 2002**

38. Section 3 of the Prevention of Money-Laundering Act, 2002, reads as under:- “3. Offence of money-laundering- Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected [proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming] it is untainted property shall be guilty of offence of money-laundering.”

39. Section 4 of the Act which prescribes the punishment for money laundering, reads as under:- “4. Punishment for money-laundering- Whoever commits the offence of money-laundering shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine. Provided that where the proceeds of crime involved in money-laundering relates to any offence specified under paragraph 2 of Part A of the Schedule, the provisions of this section shall have effect as if for the words “**which may extend to seven years**”, the words “which may extend to ten years” had been substituted.”

40. That para 13 of order dated 6/01/2022 in Original Application No. 92/2021/EZ (DakshinaBanga Mastyajibi Forum vs Union of India) A conjoint reading of Sections 3, 4 and Sections 43 and 44 of the **Prevention of Money-Laundering Act, 2002** and paragraphs 25, 26 and 27 of the Schedule thereto would show that **if air, water, ground and environment pollution is caused in an area, not only the person causing environmental pollution but any person indirectly or knowingly aiding or assisting such act would also be liable for causing illegal financial gain to such violator**

41. That the Hon'ble **Supremecourt in WP C No 114 /2014, Common Cause Vs Union of India** and Others Judgement dated 2nd August 2017 has hold that and para 128 of the judgement is reproduced as follows

“That apart, as mentioned above, the holder of a mining lease is required to adhere to the terms of the mining scheme, the mining plan and the mining lease as well as the statutes such as the EPA, the FCA, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. **If any mining operation is conducted in violation of any of these requirements, then that mining operation is illegal or unlawful.** Any extraction of a mineral through an illegal or unlawful mining operation would become illegally or unlawfully extracted mineral”.

42. In the same Judgement in Para 153, Honble Apex Court has observed that “In our opinion, there can be no compromise on the quantum of compensation that should be recovered from any defaulting lessee – it should be 100%. If there has been illegal mining, the defaulting lessee must bear the consequences of **the illegality and not be benefited by pocketing 70% of the illegally mined ore.** It simply does not stand to reason why the State should be compelled to forego what is its due from the exploitation of a natural resource and on the

contrary be a party **in filling the coffers of defaulting lessees in an ill gotten manner**

ENVIRONMENT COMPENSATION

43. A report was prepared by the in-house committee of Central Pollution Control Board (CPCB) on Methodology for assessing Environmental compensation and action plan to utilize the fund. In compliance to the orders of Hon'ble NGT, Principal Bench in the matter of OA No. 593/2017 (WP (Civil) No. 375/2012, Parayavaran Suraksha Samiti & Anr. vs. Union of India & Ors. The following environmental Compensation has been assessed taking the following formula. Formula: **EC=PIxNxRxSxLF** Where, EC is Environmental Compensation in Rupees

PI= Pollution Index of industrial sector wherein, PI may be taken as 80, 50 and 30 for red, orange and green category of industries, respectively, and N = Number of days of violation took place

R= A factor in Rupees for EC. R may be taken as 250.

S = Factor of scale of operation, LF= Local factor

GROUNDNS

A. That the Private Respondent is operating the unit without obtaining Environment Clearance for Brick Earth Mining in Basta Tahasil of Balasore District.

- B. That the units are causing severe air pollution in violation of emission norms and Section 17(1) (g) and 21 of the Air (Prevention and Control of Pollution) Act, 1981.
- C. That the Petitioners and other residents of locality have a right to Clean Air and Water which is guaranteed by expanding the scope of Article 21 of Constitution of India and same has been violated.
- D. That the ongoing illegal brick earth mining and brick kilns are destroying the local ecology and same is against the spirit of Article 48A and 51A(g) of Constitution of India that mandates for protection of environment
- E. That the present illegal Brick Kiln is against the principle of Sustainable Development, Precautionary Principle and attracts the Polluters Pay Principle.
- F. That the brick kilns in question is in violation of Government of Odisha Notification dated 6/12/2005 issued under Section 5 of Environment Protection Act 1986 mandating sitting criteria of for Brick Kilns

LIMITATION

That there is a subsisting cause of action because of the ongoing operation of brick kiln in absence of environment clearance and continuous pollution caused by the Brick Kiln operation and further

inaction of the respondents pursuant to the complaint petition dated 31st December 2025, hence the application is not barred by limitation.

INTERIM PRAYER

Hon'ble Tribunal may please to constitute a high level committee to examine the compliance of siting criteria and to stop operation of the Brick Kiln in Ambakuduchi village under Basta Tahasil in Balasore district, till disposal of the Original Application

PRAYER

In view of the aforementioned facts and grounds, the Applicant prays the Hon'ble Tribunal for following directions

- I. Direct the District collector Balasore to **demolish the Brick Kiln Units and seize the Baked Bricks at the site** in question for violation of Siting Criteria.
- II. Direct the Private Respondent to **Restore the Brick Field** to its original condition.
- III. Fix the **responsibility and criminal liability** of the Tahasildar Basta, District Collector Balasore and State Pollution Control Board for their inaction and identify the officer concerned who have not acted upon the public complaint.

- IV.** Impose **Environment Compensation** on the private respondent based on CPCB formula devised in Parayavaran Surakshya Samiti Case for illegal brick soil mining and illegal operation of Brick Kiln
- V.** Pass such other orders/directions as may be deemed fit and proper (including appropriately molding the reliefs) in the bonafide interests of justice.

And for this act of kindness, the petitioner as in duty bound shall ever pray.

Applicant Through

S. P. Sani

A. P. Sani

ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.- OF 2026

IN THE MATTER OF:

RAJANIKANTA JENA

... APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS....

RESPONDENTS

AFFIDAVIT 27 MAR 2026

I, **Rajanikanta Jena**, S/o- Punit Charan Jena , aged about- 71 years, AT- Ambakuruchi, Po- Gopinathpur, Dist- Balasore, Pin- 756030, do hereby solemnly affirm, and declare as under:

1. That I am the Applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit..
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

[Handwritten Signature]
DEPONENT

VERIFICATION

Verified on this 27 MAR 2026 day of2026 at *[Handwritten Location]* that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
[Handwritten Signature]
Advocate

[Handwritten Signature]
DEPONENT



The above named deponent(s) being duly identified by Sri. *[Handwritten Signature]* Advocate, Bhubaneswar appears before me on 27 MAR 2026 at *[Handwritten Location]* A.M./P.M. *[Handwritten Time]* on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief.

Deponent(s) *[Handwritten Signature]* Notary, *[Handwritten Signature]*

JANMEJAYA RASTRAY
NOTARY, GOVT OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-798581217

To

The collector Balasore³⁰

ANNEXURE-1

Sub Removal of Brick Kiln affecting the residents of Ambakuduchi situated in Tahasil Basta in the District of Balasore

Sir

With due respect, and humble submission we are the villagers of Ambakuduchi beg to state as follows:-

1) We are writing to bring to your attention, pressing issue affecting the residence of Ambakuduchi, situated in Tahasil-Basta in the district of Balasore. Two illegal persons namely 1) Sunil Nandi, S/o. Sudhir Kumar Nandi At- Sitadiha, P O- Simulia, P.S- Singla, Dist-Balasore, and 2) Sambunath Senapati, S/o. Atul Senapati, At Ambakuduchi, P. Gopinathpur, P.S-Singla, Dist-Balasore, Brick Kiln have been operating by the near our village, causing significant environmental pollution, health hazards and disturbance to the peaceful living conditions of the villagers.

2) These brick kiln, located in the middle of our village, has been functioning without any necessary permissions or licenses form the competent authority. This Brick kiln emits large quantities of toxic fumes, dust, and particulate matter, which are detrimental to the health of villagers, especially children, elderly, and those with pre-existing medical conditions.

Furthermore, the Brick kiln's operations have led to :-

Air and water pollution

Noise pollution

Damage to agricultural land and crops

Increased risk of respiratory diseases.

Despite repeated complaints to the local authorities, no action has been taken to address this issue. As a result, we request your immediate intervention to:

1. Shut down/remove the illegal brick kiln.
2. Take legal action against the Brick kiln owners/operators
3. Ensure compliance with environmental regulations and laws

We would appreciate it if you could look into this matter urgently and take necessary steps to mitigate the problems faced by our villagers.

Thank you for your attention to this matter. We look forward to your prompt response and action.

Yours faithfully,

AT:- Ambakuduchi
PO:- Gopinathpur
VIA :- Aman da road
PS :- Singla
DIST:- Balasore
PIN:- 756030
NO :- 8018020080

ଗାଁବାସୀଙ୍କ ଦ୍ଵାରା ଦାଖଲ
Prakash Jena
Manoj ku Jena
Pabitra ku Jena
Jagannath Barik
Bikash Behera
ଅଧ୍ୟକ୍ଷ
Prima Jena
ଠିକଣା

Balasore Court S.O 756001
 EG776155823IN, IVR No1: 69
 21-12-2025 14:48:39, Counter No: 55823
 To: COLLECTOR
 BALASORE, BALESHWAR, 756001
 From: SANDHYARANI JENA
 GOPINATHPUR, BALESHWA, 756030
 Base Amt: 19.00, CGST:2.00, SGST:2.00
 To: COLLECTOR
 P.Mode: Cash
 POD:No, www.indiapost.gov.in

भारतीय डाक



भारतीय डाक
 INDIA POST

To

The Chairman, State Pollution Control Board,
Bhubaneswar, Odisha.

Sub: Removal of Brick Kiln affecting the residents of
Ambakuduchi situated in Tahasil Basta in the District
of Balasore.

Sir,

With due respect, and humble submission we are the
villagers of Ambakuduchi beg to state as follows :-

- 1) We are writing to bring to your attention, pressing issue affecting the residence of Ambakuduchi, situated in Tahasil- Basta in the district of Balasore. Two illegal persons namely 1) Sunil Nandi, S/o. Sudhir Kumar Nandi, At- Sitadiha, P.O- Simulia, P.S- Singla, Dist- Balasore, and 2) Sambunath Senapati, S/o. Atul Senapati, At- Ambakuduchi, PO- Gopinathpur, P.S- Singla, Dist- Balasore, Brick Kiln have been operating by the near our village, causing significant environmental pollution, health hazards and disturbance to the peaceful living conditions of the villagers.
- 2) These brick kiln, located in the middle of our village, has been functioning without any necessary permissions or licenses form the competent authority. This Brick kiln emits large quantities of toxic fumes, dust, and particulate matter, which are detrimental to the health of villagers, especially children, elderly, and those with pre-existing medical conditions.

Furthermore, the Brick kiln's operations have led to :-

- Air and water pollution
- Noise pollution
- Damage to agricultural land and crops
- Increased risk of respiratory diseases.

Despite repeated complaints to the local authorities, i.e. The Tahasildar, Basta and Collector, Balasore no action has been taken to address this issue. As a result, we request your immediate intervention to :

1. Shut down/remove the illegal brick kiln.
2. Take legal action against the Brick kiln owners/operators.
3. Ensure compliance with environmental regulations and laws

We would appreciate it if you could look into this matter urgently and take necessary steps to mitigate the problems faced by our villagers.

Thank you for your attention to this matter. We look forward to your prompt response and action.

At - Ambakuduchi

P. S. - Gopinathpur
 P. I. - Singla
 Dist. - Balasore,
 Pin - 756030

Yours faithfully,

ମନୋଜ କୁ ଜେନା
 Manoj Kumar Jena
 ମନୋଜ କୁ ଜେନା
 Manoj Kumar Jena

ଜଗନ୍ନାଥ ବେରିକ
 Jagannath Berik
 ବିକାଶ ବେରିକ
 Bikash Berik
 ପ୍ରମୋଦ ଜେନା
 Pramoj Jena

To

The ~~Jahangir~~ *Jahangir* ~~Basta~~, *Basta, Balasore*

Sub: Removal of Brick Kiln affecting the residents of Ambakuduchi situated in Tahasil Basta in the District of Balasore.

Sir,

With due respect, and humble submission we are the villagers of Ambakuduchi beg to state as follows :-

- 1) We are writing to bring to your attention, pressing issue affecting the residence of Ambakuduchi, situated in Tahasil- Basta in the district of Balasore. Two illegal persons namely 1) Sunil Nandi, S/o. Sudhir Kumar Nandi, At- Sitadina, P.O- Simulia, P.S- Singla, Dist- Balasore, and 2) Sambunath Senapati, S/o. Atul Senapati, At- Ambakuduchi, PO- Gopinathpur, P.S- Singla, Dist- Balasore, Brick Kiln have been operating by the near our village, causing significant environmental pollution, health hazards and disturbance to the peaceful living conditions of the villagers.
- 2) These brick kiln, located in the middle of our village, has been functioning without any necessary permissions or licenses form the competent authority. This Brick kiln emits large quantities of toxic fumes, dust, and particulate matter, which are detrimental to the health of villagers, especially children, elderly, and those with pre-existing medical conditions.

Furthermore, the Brick kiln's operations have led to :-

- Air and water pollution
- Noise pollution
- Damage to agricultural land and crops
- Increased risk of respiratory diseases.

Despite repeated complaints to the local authorities, i.e. The Tahasildar, Basta and Collector, Balasore no action has been taken to address this issue. As a result, we request your immediate intervention to:

1. Shut down/remove the illegal brick kiln.
2. Take legal action against the Brick kiln owners/operators.
3. Ensure compliance with environmental regulations and laws

We would appreciate it if you could look into this matter urgently and take necessary steps to mitigate the problems faced by our villagers.

Thank you for your attention to this matter. We look forward to your prompt response and action.

Yours faithfully,

Ambakuduchi

Dr. P. S. Singh
P. S. Singh
Pin - 756030

ମନୋଜ୍ୟୋତୀ ଜେନା

Manojyoti Jena

Manas K. Jena

Pabitra K. Jena

Jaganmohan Barik

Bikash Jena

Pratima Jena

Pratima Jena

Pratima Jena

Jamsuli S.O. (756081) Counter No.1

SP-D-EO803253748JN-IVR:2666011911102568737

11-10-2025 11:29:00, 15(ACTUAL) gms,

To: TAHASILDAR BASTA, BASTA

Basta S.O, ODISHA - 756029

From: SANDHYARANI JENA-756030

(Base:47.00)

Track@ www.indiapost.gov.in Dial-18002666868

Track@ www.indiapost.gov.in

Booking Ref-ID: 2666011911102568737

GSTIN:21AAAC0623B129, Article Count: 2

Total Base Tariff: 94

Total CGST: 8 Total SGST: 8

Net Amount: 110, 11-10-2025 11:29:00

Track @ www.indiapost.gov.in

Jamsuli S.O. (756081) Counter No.1

SP-D-EO803253734JN-IVR:2666011911102568737

11-10-2025 11:35:10, 15(ACTUAL) gms,

To: CHAIRMAN POLLUTION CONTROL BOARD, PARIBESH BH

Nayapalli S.O, ODISHA - 751012

From: SANDHYARANI JENA-756030

(Base:47.00)

Track@ www.indiapost.gov.in Dial-18002666868

RETYPED COPY OF ANNEXURE-2 (PAGE No.-32)

To,

Date- 11/10/2025

The Chairman, State Pollution Control Board, Bhubaneswar, Odisha.

Sub: Removal of Brick Kiln affecting the residents of Ambakuduchi situated in Tahasil Basta in the District of Balasore.

Sir.

With due respect, and humble submission we are the villagers of Ambakuduchi beg to state as follows:-

1) We are writing to bring to your attention, pressing issue affecting the residence of Ambakuduchi, situated in Tahasil-Basta in the district of Balasore. Two illegal persons namely 1) Sunil Nandi, S/o. Sudhir Kumar Nandi, At-Sitadiha, P.O- Simulia, P.S- Singla, Dist-Balasore, and 2) Sambunath Senapati, S/o. Atul Senapati, At- Ambakuduchi, PO- Gopinathpur, P.S-Singla, Dist-Balasore, Brick Kiln have been operating by the near our village, causing significant environmental pollution, health hazards and disturbance to the peaceful living conditions of the villagers.

2) These brick kiln, located in the middle of our village, has been functioning without any necessary permissions or licenses form the competent authority. This Brick kiln emits large quantities of toxic fumes, dust, and particulate matter, which are detrimental to the health of villagers, especially children, elderly, and those with pre-existing medical conditions.

Furthermore, the Brick kiln's operations have led to :

- Air and water pollution
- Noise pollution
- Damage to agricultural land and crops
- Increased risk of respiratory diseases.

Despite repeated complaints to the local authorities

i.e. The Tahasildar, Basta and Collector, Balasore no action has been taken to address this issue. As a result, we request your immediate intervention to:

1. Shut down/remove the illegal brick kiln.

2. Take legal action against the Brick kiln owners/operators.
3. Ensure compliance with environmental regulations and laws

We would appreciate it if you could look into this matter urgently and take necessary steps to mitigate the problems faced by our villagers.

Thank you for your attention to this matter. We look forward to your prompt response and action.

At- Ambakuduchi

Yours faithfully

Po- Gopinathpur

P.S- Singla

Dist- Balasore

Via- Amardaroad

Pin- 756030

RETYPE COPY OF ANNEXURE-2 (PAGE No.-34)

To,

Date- 11/10/2025

The Tahasidar, Basta, Balasore

Sub: Removal of Brick Kiln affecting the residents of Ambakuduchi situated in Tahasil Basta in the District of Balasore.

Sir.

With due respect, and humble submission we are the villagers of Ambakuduchi beg to state as follows:-

1) We are writing to bring to your attention, pressing issue affecting the residence of Ambakuduchi, situated in Tahasil-Basta in the district of Balasore. Two illegal persons namely 1) Sunil Nandi, S/o. Sudhir Kumar Nandi, At-Sitadiha, P.O- Simulia, P.S- Singla, Dist-Balasore, and 2) Sambunath Senapati, S/o. Atul Senapati, At- Ambakuduchi, PO- Gopinathpur, P.S-Singla, Dist-Balasore, Brick Kiln have been operating by the near our village, causing significant environmental pollution, health hazards and disturbance to the peaceful living conditions of the villagers.

2) These brick kiln, located in the middle of our village, has been functioning without any necessary permissions or licenses form the competent authority. This Brick kiln emits large quantities of toxic fumes, dust, and particulate matter, which are detrimental to the health of villagers, especially children, elderly, and those with pre-existing medical conditions.

Furthermore, the Brick kiln's operations have led to :

- Air and water pollution
- Noise pollution
- Damage to agricultural land and crops
- Increased risk of respiratory diseases.

Despite repeated complaints to the local authorities

i.e. The Tahasildar, Basta and Collector, Balasore no action has been taken to address this issue. As a result, we request your immediate intervention to:

1. Shut down/remove the illegal brick kiln.

(RETYPE COPY OF ANNEXURE-2 PAGE No.-35)

2. Take legal action against the Brick kiln owners/operators.
3. Ensure compliance with environmental regulations and laws

We would appreciate it if you could look into this matter urgently and take necessary steps to mitigate the problems faced by our villagers.

Thank you for your attention to this matter. We look forward to your prompt response and action.

At- Ambakuduchi

Yours faithfully

Po- Gopinathpur

P.S- Singla

Dist- Balasore

Via- Amardaroad

Pin- 756030

Jamusuli S.O. (756081) Counter No. 1

SP-D- EO803253748IN IVR: 2666011911102568737

11-10-2025 11:29:00, 159 (Actual) gms,

To: TAHASILDAR BASTA, BASTA

Basta S.O, ODISHA, 756029

From: SANDHYARANI JENA- 756030

(BASE: 47.00)

Booking Ref. ID: 2666011911102568737

GST IN: 21AAACP0623B1Z8, Article count:2

Total base tariff: 94

Total CGST: 8 Total SGST:8

Net amount: 110, 11-10-2025, 11:29:00

Jamusuli S.O. (756081) Counter No. 1

SP-D- EO803253734IN IVR: 2666011911102568737

11-10-2025 11:29:00, 159 (Actual) gms,

To: CHAIRMAN POLLUTION CONTROL BOARD, PARIBESH BH

Nayapalli S.O., Odisha, 751012

From: SANDHYARANI JENA- 756030

(BASE: 47.00)

BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS IN MIDDLE OF THE AGRICULTURAL LANDS



BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS IN MIDDLE OF THE AGRICULTURAL LANDS



BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS IN MIDDLE OF THE AGRICULTURAL LANDS



BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS AND POLLUTING THE ENVIRONMENT BY EMITTING TOXIC SMIKE INTO THE AIR



BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS



BELOW ATTACHED PHOTOGRAPH DATED 24/02/2026 SUGGESTS THE PRIVATE RESPONDENTS HAVE ILLEGALLY ESTABLISHED BRICK KILNS





STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3510075, Email: seiaaodisha@gmail.com

(A statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)

File No. SEIAA-30 / 12-2022

Letter No. 7201/SEIAA

Dated 19.03.2026.

To

Sri Ashutosh Padhy
S/o- Santosh Kumar Padhy,
Plot No. 2132/4814(B), Nageswar Tangi,
Bhubaneswar – 751002
E-mail- sagarasutosh369@gmail.com

Sub: RTI application of Sri Ashutosh Padhy, received by SEIAA on dated 21.02.2026 under RTI Act, 2005.

Sir,

In inviting a reference to the above subject, I am directed to say that a copy of Right to Application (RTI) of Sri Ashutosh Padhy has been received by this Office on dated 21.02.2026. This is to inform you that the specific information sought against Serial No.5(c) in regard to environmental clearance granted for soil mining under Basta Tahasil of Balasore district is enclosed as Annexure-I.

Yours faithfully,

[Signature]
19/03/2026
ES & PIO

Copy forwarded to

1. The Registrar, State Information Commission, Odisha, Block No. B-1, Toshali Bhawan, Satyanagar, Bhubaneswar for information.

[Signature]
19/03/2026
ES & PIO

Annexure-1

1. Please provide the copies of Environmental Clearance granted for soil mining under Basta Tahasil of Balasore district.

Ans: No EC has been granted for soil mining under Basta Tahasil of Balasore District.

2. Weather any environmental clearance granted for construction of Red Earth Brick/ Brick Kiln industry under Basta Tahsil of Balasore district.

Ans: No EC has been granted for construction of Red Earth Brick/ Brick Kiln industry under Basta Tahsil of Balasore district. But three proposals have been received by SEIAA and the SEIAA have also rejected the proposals. The details of the projects is attached in Annexure-2.

3. Please provide the copies of Environmental Clearance granted for brick kiln under Basta Tahasil of Balasore district.

Ans: No EC has been granted for brick kiln under Basta Tahasil of Balasore district. But three proposals have been received by SEIAA and the SEIAA have also rejected the proposals. The details of the projects is attached in Annexure-2.

Annexure-2

Category	File No.	Name of the Proponent	Name of the project	Date of application	Dist	Tahasil	Present Status
Brick Earth	SIA/OR/MIN/488637/2024	Trilochan Das	Thenguria Brick Earth Quarry over an area of 1.11 Acre or 0.449 Ha under Basta Tahasil of Balasore District Odisha.	18-07-2024	Balasore	Basta	Delisted
Brick Earth	SIA/OR/MIN/506056/2024	Dhananjay Das	Gangadharpur Brick Earth Quarry over an area of 0.850 Acers or 0.343 Ha having Khata No. 260/46 & 43 Plot No. 441/778, 442, 443, 444 in the village Gangadharpur, Tahasil Basta in district Baleswar, State Odisha.	16.11.2024	Balasore	Basta	Rejected
Brick Earth	SIA/OR/MIN/505709/2024	Anoj Kumar Pal	Asti Brick Earth Quarry over an area of 0.623 Acers or 0.252 Ha having Khata No. 406/346, 406/300 & 406/282 Plot No. 1901 & 1880/ 2639, 1895, 1880/2639, 1901/2640 in the village Asti, Tahasil Basta in district Baleswar, State Odisha.	13.11.2024	Balasore	Basta	Rejected

पूरी रकम वसूल पायी
RECEIVED the full amount

पानेवाले के हस्ताक्षर PAYEE'S SIGNATURE

भारतीय डाकघर नियमावली के नियमों एवं शर्तों के अनुसार जारी
ISSUED SUBJECT TO THE RULES AND CONDITIONS IN THE IPO RULES.

वैधता- जारी करने के पंद्रहवें के अंतिम दिन से 24 महीने और द्वितीय वसुल के पुनर्गणन जारी करने के पंद्रहवें के अंतिम दिन से 36 महीने।
Validity- 24 months from the last day of the month of issue and 36 months from the last date of the month of issue on payment of second commission.

प्र.मु.ई./S.P.P.HYD

GOVERNMENT OF ORISSA
FOREST AND ENVIRONMENT DEPARTMENT

No. 20949 F & E.

ORDER

Dated: the 06-12-2005

ENV-1-59/2005 Vol. III F & E. in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with the notification of the Government of India in the Ministry of Environment and Forest (Department of Environment, Forest and Wildlife) No.S.O.-152(E) dated the 10th February, 1988 and rule 4 of the Environment (Protection) Rules, 1986, the State Government, do hereby issue the following directions to the persons carrying on the operation of brick kilns in the State, namely:-

Directions

1. All brick kiln units are to conform to the pollution control measures and emission standards notified by the Ministry of Environment and Forest under the Environment Protection Rules, 1986 as in Annexure.
2. No brick kiln unit shall be allowed on forest land or on prime agricultural land.
3. No brick kiln unit shall be established within 500 meters from Railway lines, National and State Highways, High tide line, places of worship, Educational institutions, hospitals and health care centres.
4. No brick kiln unit shall be established within 250 meters of flood embankments. Wherever flood embankments do not exist, no brick kiln unit shall be established within 500 meters from the nearest riverbank.
5. No new brick kiln unit shall be located within a distance of, 5 kms. from the periphery of a town with a population of more than one lakh and, 2 Kms. from the periphery of a town with a population between 50,000 to 1,00,000.

By order of the Governor

Sd/-

(K. Jude Sekar)

Director Environment-cum-
Special Secretary to Government.

No. 20950 F & E.

Dated:- 06-12-2005

Copy forwarded to the Director, Printing, Stationery and Publication, Cuttack, for information and with a request to publish this Notification in the Gazette, and supply fifty(50) copies to this Department.

[Signature]
7/12/05
Director, Environment-cum-
Special Secretary to Govt.

No. 20951 F & E.

Dated:- 06-12-2005

Copy forwarded to the Chairman, Orissa Pollution Control Board, Unit-VIII Bhubaneswar for information and necessary action.

[Signature]
7/12/05
Director, Environment-cum-
Special Secretary to Govt.

No. 20952 F & E.

Dated:- 06-12-2005

Copy forwarded to the Principal Secretary to Government, Industries Department/ Principal Secretary to Government, Revenue Department/ Commissioner-cum-Secretary, Labour and Employment Department for favour of information.

[Signature]
7/12/05
Director, Environment-cum-
Special Secretary to Govt.

TRUE COPY

Advocate

RETYPED COPY OF ANNEXURE-5

GOVERNMENT OF ORISSA

FOREST AND ENVIRONMENT DEPARTMENT

ORDER

No. 20949/F&E

Dated the 06-12-2005

ENV-I-59/2005(VOL.-II) F&E. In exercise of the powers conferred by section 5 of the Environmental Protection Act, 1986 (29 of 1986), read with the notification of the Government of India in the Ministry of Environment and Forest (Department of environment, Forest and wildlife) No S.O-152(E) dated the 10th February, 1988 and rule 4 of the Environmental Protection Rules, 1986, the State Government do hereby issue the, following directions to the persons carrying on the operation of brick kilns in the State. Namely:-

Directions

1. All brick bin units ore to conform to the pollution control measures and emission standards notified by the Ministry of Environment and Forest under the Environment Protection Rules, 1986 as in Annexure
2. No brick kiln unit shall be allowed on forest land or on prime agricultural land
3. No brick kiln unit shall be established within 500 meters from Railway lines. National and State Highways High tide the places of worship. Educational institutions, hospitals and health care centers.
4. No brick kiln unit shall be established within 250 meters of flood embankments. Wherever flood embankments do not exist, no brick kiln unit shall be established within 500 meters from the nearest river bank
5. No new brick kiln unit shall be located within a distance of 5 K.Ms from the periphery of a town with a population of more than one lakh and 2 Kms from the periphery of a town with a population between 50.000 to 3.00.000.

By order of the Governor

Sd/-

(K. Jude Sekar)

Director Environment-cum-
Special Secretary to Government

Dated: 06-12-2005

No. 20950/F & E.

Copy forwarded to the Director, Printing, Stationery and Publication, Cuttack, for information and with a request to publish this Notification in the Gazette, and supply fifty (50) copies to this Department

Director Environment-cum-
Special Secretary to Government

Dated: 06-12-2005

No. 20951/F & E.

Copy forwarded to the Chairman. Orissa Pollution Control Board, Unit -viii Bhubaneswar for information and necessary action.

Director Environment-cum-
Special Secretary to Government

Dated: 06-12-2005

No. 20952/F & E.

Copy forwarded to the Principal Secretary to Government industries Department/ Principal Secretary to Government, Revenue Department/ Commissioner cum-Secretary Labour and Employment Department for favour of information.

Director Environment-cum-
Special Secretary to Government

BELOW ATTACHED GOOGLE EARTH IMAGE SUGGEST 500 METER RADIUS FROM THE ILLEGALLY ESTABLISHED BRICK KILN IN AMBAKUDUCHI VILLAGE UNDER BASTA TAHASIL OF BALASORE DISTRICT.



BELOW ATTACHED GOOGLE EARTH IMAGE SUGGEST 500 METER RADIUS FROM THE ILLEGALLY ESTABLISHED BRICK KILN IN AMBAKUDUCHI VILLAGE UNDER BASTA TAHASIL OF BALASORE DISTRICT



टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (i) में तारीख 19 नवंबर, 1986 के का.आ. 844 (अ) द्वारा प्रकाशित किए गए थे और 04 अक्टूबर, 2021 की अधिसूचना सा.का.नि. 724 (अ) द्वारा अंतिम बार संशोधित किए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd February, 2022

G.S.R. 143(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. Short Title and commencement: -

- (1) These rules may be called the Environment (Protection) Amendment Rules, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in the SCHEDULE-I, for entry at Sl. No. 74, the following entry shall be substituted, namely: -

"74	Brick Kilns	Particulate matter in stack emission	250 mg/Nm ³
		Minimum stack height (Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	14 m (at least 7.5m from loading platform)
		- Kiln capacity equal or more than 30,000 bricks per day	16 m (at least 8.5m from loading platform)
		Minimum stack height (Other than Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	24 m
		- Kiln capacity equal or more than 30,000 bricks per day	27 m

Notes :

1. All new brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of Piped Natural Gas as fuel in brick making and shall comply to these standards as stipulated in this notification.
2. The existing brick kilns which are not following zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making shall be converted to zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making within a period of (a) one year in case of kilns located within ten kilometre radius of non-attainment cities as defined by Central Pollution Control Board (b) two years for other areas. Further, in cases where Central Pollution Control Board/State Pollution Control Boards/Pollution Control Committees has separately laid down timelines for conversion, such orders shall prevail.
3. All brick kilns shall use only approved fuel such as Piped Natural Gas, coal, fire wood and/or agricultural residues. Use of pet coke, tyres, plastic, hazardous waste shall not be allowed in brick kilns.
4. Brick kilns shall construct permanent facility (port hole and platform) as per the norms or design laid down by the Central Pollution Control Board for monitoring of emissions.
5. Particulate Matter (PM) results shall be normalized at 4% CO₂ as below:

PM (normalized) = (PM (measured) x 4%) / (% of CO₂ measured in stack), no normalization in case CO₂ measured ≥ 4%. Stack height (in metre) shall also be calculated by formula $H=14Q^{0.3}$ (where Q is SO₂ emission rate in kg/hr), and the maximum of two shall apply.

TRUE COPY
Advocate

6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and fruit orchards. State Pollution Control Boards/Pollution Control Committees may make siting criteria stringent considering proximity to habitation, population density, water bodies, sensitive receptors, etc.
7. Brick kilns should be established at a minimum distance of one kilometre from an existing brick kiln to avoid clustering of kilns in an area.
8. Brick kilns shall follow process emission/fugitive dust emission control guidelines as prescribed by concerned State Pollution Control Boards/Pollution Control Committees.
9. The ash generated in the brick kilns shall be fully utilized in-house in brick making.
10. All necessary approvals from the concerned authorities including mining department of the concerned State or Union Territory shall be obtained for extracting the soil to be used for brick making in the brick kiln.
11. The brick kiln owners shall ensure that the road utilized for transporting raw materials or bricks are paved roads.
12. Vehicles shall be covered during transportation of raw material/bricks”.

[F. No. Q-15017/35/2007-CPW]

NARESH PAL GANGAWAR, Addl. Secy.

Note : The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number S.O. 844(E), dated the 19th November, 1986 and lastly amended *vide* number G.S.R. 724(E), dated the 04th October, 2021.

UT

57
78

ANNEXURE -8

No. L-11011/47/2011-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi-110003.

Dated: 24th June, 2013

OFFICE MEMORANDUM

Subject: Guidelines for consideration of proposals for grant of environmental clearance under EIA Notification, 2006 for mining of 'brick earth' and 'ordinary earth' having lease area less than 5 ha - regarding categorization as Category 'B2'

The Hon'ble Supreme Court, vide its order dated 27.02.2012 in I.A.No.12-13 of 2011 in SLP (C) No.19628-19629 of 2009 titled Deepak Kumar etc. Vs. State of Haryana & Ors. has inter alia ordered that leases of minor mineral including their renewal for an area less than 5 ha be granted by the State / Union Territory only after getting environment clearance (EC) from the Ministry of Environment & Forests (MoEF). In order to ensure compliance of the aforesaid order of the Hon'ble Supreme Court, MoEF issued an OM No.L-11011/47/2011-IA.II(M) dated 18.05.2012 stating inter alia that all mining projects of minor minerals including their renewal, irrespective of the size of the lease would henceforth require prior EC and that the projects of minor minerals with lease area less than 5 ha would be treated as Category "B" as defined in EIA Notification, 2006 and will be considered by the respective State Environment Impact Assessment Authorities (SEIAAs) notified by MoEF and following the procedure prescribed under the EIA Notification, 2006.

2. MoEF has received a number of representations conveying problems being faced by the brick kiln manufacturers in obtaining EC for 'brick earth' mined by them for making bricks and by the developers of road projects in respect of mining of 'ordinary earth' used for road construction. The brick kiln manufacturers have requested that as the digging of 'brick earth' for making bricks is a small scale activity requiring digging only upto a certain depth, the activity may be kept outside the purview of EC. The project proponents developing roads have represented that the 'ordinary earth' required for road construction is generally taken from the farmers / individuals along the road alignment from their borrows. It would be impractical to ask the farmers / individuals to obtain EC for such digging. In a nutshell, the arguments being put forth are that while digging of 'brick earth' for brick making and 'ordinary earth' for road making do not have serious environmental implications, the provisioning for EC for such operations is impeding these development activities because of practical problems in obtaining EC.

TRUE COPY
Advocate

3. MoEF vide OM No.F.No.J-11013/12/2013-IA-II(I) dated 30.01.13 has constituted an Expert Committee, under the Chairmanship of Director, NEERI, Nagpur, to categorize Category "B" projects / activities into Category "B1" and "B2" under EIA Notification, 2006 and review classification of projects / activities into "A" and "B" and General conditions as contained in the aforesaid Notification. The issues raised by brick kiln manufacturers regarding 'brick earth' and road developers in respect of 'ordinary earth' were referred by MoEF to this Expert Committee to give their recommendations. The Committee deliberated upon these issues and has since given its recommendations in the matter.

4. The recommendations of the Committee have been examined by MoEF and the following has been decided:

(a) The activities of borrowing / excavation of 'brick earth' and 'ordinary earth', upto an area less than 5 ha, may be categorized under 'B2' Category subject to the following guidelines in terms of the provisions under '7.I Stage(1)-Screening' of EIA Notification, 2006:

- (i) The activity associated with borrowing/excavation of 'brick earth' and 'ordinary earth' for purpose of brick manufacturing, construction of roads, embankments etc. shall not involve blasting.
- (ii) The borrowing/excavation activity shall be restricted to a maximum depth of 2 m below general ground level at the site.
- (iii) The borrowing/excavation activity shall be restricted to 2 m above the ground water table at the site.
- (iv) The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
- (v) The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
- (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- (vii) Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
- (viii) Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- (ix) Workers / labourers shall be provided with facilities for drinking water and sanitation.
- (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.

(xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.

(xii) The concerned SEIAA while considering granting environmental clearance for such activity for brick earth / ordinary earth will prescribe the guidelines as stated at (i) to (xi) above and specify that the clearance so granted shall be liable to be cancelled in case of any violation of above guidelines.

(b) Notwithstanding what has been stated at (a) above, the following will apply:-

- (i) No borrowing of earth / excavation of 'brick earth' or 'ordinary earth' shall be permitted in case the area of borrowing/ excavation is within 1 km of boundary of national parks and wild life sanctuaries.
- (ii) In case the area of borrowing / excavation is likely to result into a cluster situation i.e. if the periphery of one borrow area is less than 500 m from the periphery of another borrow area and the total borrow area equals or exceeds 5 ha, the activity shall become Category 'B1' Project under the EIA Notification, 2006. In such a case, mining operations in any of the borrow areas in the cluster will be allowed only if the environmental clearance has been obtained in respect of the cluster.

This issues with the approval of the Competent Authority.


(Dr. Saroj)
Director

Telefax : 24364067

To

1. All the Officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all the SPCBs/UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary(E&F)
3. PPS to ADG(F)
4. PPS to ADG(WL)
5. PPS to JS(AT)
6. PPS to IG(FC)
7. Website, MoEF
6. Guard File

99

ANNEXURE - 9

By fax/e-mail

Government of Odisha
Revenue and Disaster and Management Department

Letter no

date 25.06.13

RDM - LRGE - EXIST - 0001 - 2013

24310

From

Dr Taradatt
Principal Secretary to Government

To

All Collectors/ All Sub-Collectors/All Tehsildars

Sub- Prevention of brick kiln units by the river side- violation of provision of Environment (Protection) Act, 1986 and theft of minor minerals

Madam/Sir,

It has come to notice of government that unscrupulous persons are setting up unauthorized brick kiln units along the rivers which lead to erosion of embankments causing floods and other environmental threats risking life, safety and properties of the surrounding people. Further it is noted that though Tahsildars in some cases are realizing penalty and rent from the encroachers as a deterrent measure to prevent the recurrence, the owners of brick kiln units continue with their business in gross violation of prevailing laws.

It need be reiterated that Government in Forest and Environment Department in their order no 20949 date 06-12-2005(copy enclosed) had issued specific directions to ensure that no brick kiln unit is established within 250 meters of flood embankment. The said order further stated that where ever flood embankments do not exist, no brick kiln unit shall be established within 500 meters from the nearest river banks.

Due to lack of adequate actions on the part of the field functionaries of this department against the offenders under Environment(Protection) Act, 1986, in spite of provisions of imprisonment of five years and fine of rupees one lakh for violation of Section 5 of the said Act, it is reiterated that the Collector of the District should review the scenario in the district and take steps for initiation of criminal prosecution against the offenders. It may please be noted that any unauthorized functioning of brick kiln units and theft of minor minerals, personal accountability shall be fixed against the local Tahsildar and the Revenue Inspector/Supervisor.

These instructions must be followed scrupulously by all concerned to ensure prevention of illegal setting up of brick kilns and theft of minor minerals.

Yours faithfully,

Nanadatt 25.6.13

Principal Secretary to Government

Copy of Application... 1.1.15
Ready on... 1.1.15
Delivery on... 1.1.15

CERTIFIED TO BE TRUE COPY

HEAD CLERK
AUTHORISED U/S-76 OF THE
INDIAN EVIDENCE ACT

Head Clerk

[Signature]

[Signature]

TRUE COPY
Advocate



61

100

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

ANNEXURE-10

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIAFax/ Speed Post

IPC-V(SS1)/Brick Kiln/2017

June 27, 2017

4877-4911

To:

All State Pollution Control Boards/ PCCs
(As Per List)**Sub: Directions under Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 for prevention and control of air pollution in different type of Brick Kilns operated. Regarding**

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the Pollution Control Boards/Committees is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the concerned State/UT and to secure the execution thereof;

WHEREAS, high pollution levels have been generated from the various type of Brick Kilns and exceeding levels of PM 2.5 several times the National Ambient Air Quality Standards notified under the Air (Prevention and Control of Pollution) Act, 1981;

WHEREAS, Chairman Central Pollution Control Board randomly inspected different types of Brick Kilns on 15th June, 2017. During the inspection Chairman Central Pollution Control Board observed that the Brick Kiln workers working in a highly air polluted pathetic condition due to air born fine dust prevail all the time in the brick kiln working area, because of movement of the trucksters and trucks (Conveyance Systems) on the unpaved area having 4-6 inches fine dust layer all around the Brick Kiln;

WHEREAS, no provision were found to control fine dust fugitive emissions, due to this highly air pollution and pathetic condition prevailing all the time;

WHEREAS, the problem of pollution is further aggravated due to meteorological conditions caused by the onset of winter leading to minimal dispersion of pollutants and high ground level concentration;

WHEREAS, it also observed that there are significant number of Brick Kilns operated without valid consent and even most of Brick Kiln never applied to obtain consent to operate from the respective State Boards;

WHEREAS, CPCB receiving large number of complaints from various part of country mainly related to the siting of the Brick Kilns as well as pollution caused by them;

WHEREAS, no significant progress observed for compliance of conversion of Natural Draft Brick Kiln to Induced Draft Brick Kiln (zig-zag brick setting with rectangular shape of kiln);

TRUE COPY
Page 1 of 2
Advocate'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS, concerned State Pollution Control Boards are required to enforce and ensure compliance of emission standards/ guidelines by the brick kilns and take action against the brick kilns failed to comply under the Air (Prevention and Control of Pollution) Act, 1981;

NOW THEREFORE, in view of the above and in order to improve the air quality in the region where brick kilns are established, the Chairman, CPCB in exercise of the powers vested under the Air (Prevention and Control of Pollution) Act, 1981 issues the following directions to SPCBs for compliance:

1. All the Brick Kilns operating without permission and valid consent from SPCBs, not meeting prescribed norms and siting guidelines be closed down with immediate effect.
2. Provide status on conversion of natural draft to induced draft Brick Kilns (with rectangular kiln shape and zig-zag brick setting).
3. Enforce strictly the siting criteria guideline for Brick Kilns.
4. All the moving area around the main Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kiln operations. This condition should be incorporate in the Consent condition while granting the consent by the respective State Boards.
5. Ensure that fine dust not to accumulate all around the Brick Kiln.

The State Pollution Control Boards shall acknowledge the receipt of these directions within a week and submit detailed Action Taken Reports within two weeks thereafter.




(S.P. Singh Parihar)
Chairman, CPCB
28/09/2017


Copy to:

1. Advisor-CP

Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jorbagh Road, Aliganj
New Delhi-110003

2. All the concerned Regional Directorates of CPCB

3. I/c IT Division, CPCB


(A. B. Akolkar)
Member Secretary

29⁶³102

Annexure-11
ANNEXURE-11

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1018 CUTTACK, TUESDAY, JUNE 24, 2014/ASADHA 3, 1936

FOREST & ENVIRONMENT DEPARTMENT

NOTIFICATION

The 11th June 2014

Subject:—Constitution of Committee for formulating action plan for banning of KB Bricks in the State.

No. 10600—Env-I-19-2014-F&E—In pursuance of the decisions taken in the meeting of the High Level Committee for utilization of fly ash, blast furnace slag and coal washery rejects held on the 26th April 2014 and keeping in view the Notification No. S.O.763(E) dated the 14th September 1999 of Ministry of Environment & Forests, Government of India on utilization of fly ash, State Government has been pleased to constitute a Committee for formulating an action plan for banning KB Brick manufacturing in phased manner to promote the use of fly ash bricks in the State as follows:

- | | | |
|--|----|------------------|
| 1. Secretary, Works Department | .. | Chairman |
| 2. Representative of ACS, Revenue & D. M. Deptt. | .. | Member |
| 3. Representative of MS, State Pollution Control Board | .. | Member-Secretary |

Terms of Reference of the Committee will be to formulate an action plan for banning KB Brick manufacturing in phased manner taking into account availability of fly ash bricks.

By order of the Governor

R. K. SHARMA

Principal Secretary to Government

1


VAKALATNAMA
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

Original Application No.- of 2026

In re:

Rajanikanta Jena

APPLICANT

Versus

RESPONDENTS

State Of Odisha & Ors

KNOW ALL to whom these present shall come I, Rajanikanta Jena, S/o- Punit Charan Jena, aged about- 71 years, AT- Ambakuruchi, Po- Gopinathpur, Dist- Balasore, Pin- 756030. Applicant in the above mentioned matter, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email- sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.


And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 27th day of March 2026.

Accepted subject to the terms of fees.


Advocate


Client