

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION No. 151 OF 2025 / EZ)**

Sri Dambarudhar Ramsingh

...Appellant

VERSUS

State of Odisha & Others

...Respondents

INDEX

Sl. No.	Description of the documents	Page Nos.
1.	Affidavit.	1-7
2.	Photocopy of the letter No.14208 dtd.04.09.2024 (ANNEXURE – R5/1)	8-9
3.	Photocopy of the letter No. 8834 dtd.06.09.2024 (ANNEXURE – R5/2)	10
4.	Photocopy of the letter No. 18442 dtd.12.11.2024 (ANNEXURE – R5/3)	11
5.	Photocopy of the Money Receipts of M/s. Limika Stone Quarry. (ANNEXURE – R5/4 Colly)	12-13
6.	Photocopy of the Online Mines Registration Receipt (ANNEXURE – R5/5)	14-15

By the Respondent No.5

Kolkata
Date:

Through



Smt. Papiya Banerjee Bihani,
Advocates for the Respondent No.5
(State Pollution Control Board, Odisha)
e-mail:pbanerjeebihani@gmail.com

24 JUN 2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTER ZONE BENCH, KOLKATA
ORIGINAL APPLICATION No. 151 OF 2025 / EZ)

Sri Dambarudhar Ramsingh ...Appellant

VERSUS

State of Odisha & Others ...Respondents

AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
R.NO.5.

I, Dr. Manoj V. Nair, IFS, son of N. Vasudevan Nair aged around 52 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

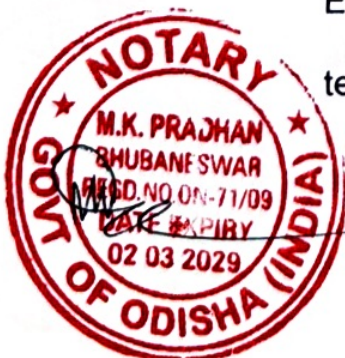
1. That I am the Member Secretary of the Respondent No.5 Board and, as such, am well-acquainted with the facts and



circumstances with the case and competent to swear this affidavit.

2. That this OA has been filed mainly with a prayer to set aside / withdraw or quash the Demand Notice No.2099 dtd.12.11.2024 issued by the Mining Officer, Koraput requesting the applicant to deposit environmental compensation of Rs.41,91,754.00 (Rupees forty one lakhs ninety one thousand seven hundred fifty four only) as assessed by the joint team for operation of Galganda and Duruba Sand Bed under Nandapur Tahasil of Koraput district for the period from 27.03.2019 to 26.03.2024 for operating the sand bed without Environmental Clearance, Consent to Establish and Operate from the competent authority. A copy of the said Demand Notice dtd.12.11.2024 has been annexed and marked as Annexure-6 of the OA.

3. That out the outset, it is humbly submitted that the Environmental Compensation was assessed / computed in terms of direction dtd.09.08.2024 of the Hon'ble Tribunal at



para-29 in OA No.66/2024/EZ - Pooja Philo & Others vs. Principal Secretary, Directorate of Geology, Govt. of Odisha & Others.. A copy of the order dtd.09.08.2024 has been already annexed as Annexure-7 of the OA.

4. That the R-5 Board was also impleaded in OA No.66/2024/EZ as R-5 and after receipt of the copy of order dtd.09.08.2024 has forwarded the copy of order to the Director of Mines & Geology, Govt. of Odisha vide Board's letter No.14208 dtd.04.09.2024 for compliance of the direction of the Hon'ble Tribunal and submit the action taken report for further action by the R-5 Board. After receipt of the letter dtd.04.09.2025, the Director of Mines & Geology has forwarded the same vide letter No.8834 dtd.06.09.2024 to the Director of Minor Minerals, Odisha, Bhubaneswar stating therein that the subject of minor mineral relates to your directorate with copy to the R-5 Board. After receipt of the communication dtd.06.09.2024 the R-5 Board vide letter No.18442 dtd.12.11.2024 has also requested the Director of Minor Minerals to look into the matter and forward the action taken report for filing



compliance affidavit by the R-5 Board before the Hon'ble Tribunal. A copy of letter No.14208 dtd.04.09.2024, letter No.8834 dtd.06.09.2024 and letter No.18442 dtd.12.11.2024 are annexed to this affidavit and marked as **ANNEXURE-R5/1, ANNEXURE-R5/2 and ANNEXURE-R5/3** respectively.

5. That the R-5 Board has also filed the affidavit dtd.25.11.2024 before the Hon'ble Tribunal showing compliance of the order dtd.09.08.2024 in OA No.66/2024/EZ, which was also taken note of by the Hon'ble Tribunal in their order dtd.12.12.2024 passed in MA No.45/2024/EZ arising out of the aforesaid OA and finally the said MA was disposed of by the Hon'ble Tribunal vide their order dtd.03.03.2025 observing that in view of the affidavit along with action taken report filed by the OSPC Board (R-5) and the inspection report filed by Andhra Pradesh Pollution Control Board (R-7) nothing further remains for adjudication in the present MA.



6. That in the present OA there is a specific allegation against the R-5 Board that the applicant has submitted an online application with prescribed fees dtd.28.4.2023 before the R-5 Board for granting / issuing consent to establish / operate in connection with Galaganda and Duruba sand bed mining, which is still pending for consideration before the concerned authority. In support of his claim the applicant has relied upon the money receipt vide Annexure-5 of the OA. As regards to the said allegation, it is humbly submitted that upon verification of the aforesaid money receipts in the online application processing portal of SPC Board, Odisha, it was ascertained that the said application numbers pertains to M/s. Limika Stone Quarry, Koraput and not to M/s. Galaganda Sand bed. Further it was observed that M/s. Limika Stone Quarry had applied for consent to establish and consent to operate before the R-5 Board vide said application nos. i.e. 4690640 (CTE) and 4698516 (CTO) on dtd.03.02.2023. No hard file or records related to CTE/CTO application in the name of Galaganda Sand Bed



is available with the R-5 Board. The money receipts of Limika Stone Quarry which indicates that the CTE and CTO applications are same as the money receipts relied upon by the applicants vide Annexure-5. Copy of the money receipts of M/s. Limika Stone Quarry are annexed to this affidavit and marked as **ANNEXURE - R5/4 Colly**.

7. That it is further submitted that the applicant has only registered the mine i.e. Galaganda Sand Bed for the use of Online Consent Management & Monitoring System of the R-5 Board but has not submitted any application for CTE and CTO. A copy of the Online Mines Registration Receipt is annexed to this affidavit and marked as **ANNEXURE - R5/5**.

8. That it is further humbly clarified that all averments, contentions and/or statement as contained in the OA filed by the Applicant which may not have been specifically denied or traversed by me herein but are in essence, contrary to the substance of this affidavit, should not be deemed to be admitted by reason of mere non-traverse,



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

but should be treated as expressly denied and the Applicant should be put to strict proof in respect thereof.

9. That the Respondent No.5 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.
10. That the annexures annexed to the present affidavit are true and correct copies of their originals.
11. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.

[Signature]

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 24th June, 2026.



SWORN BEFORE ME

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

[Signature]

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar



X

ANNEXURE-PS/1
605

EPABX: 2561909/2562847

Tel: 2562822, 2560955

Email: Paribesh1@ospcboard.org

Website: www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakanthanagar, Unit – VIII,

Bhubaneswar – 751 012, INDIA

No. 14208
VII – L – Misc – 1080

Date: 4-9-24

To

The Director of Mines & Geology
Govt. of Odisha
Bhubaneswar.

Sub: OA No.66/2024/EZ (earlier OA No.20.2024/PB) in the matter of Pooja Phillo & Ors. vs. Principal Secretary, Directorate of Geology, Govt. of Odisha & Others.

Sir,

You are aware that the Hon'ble NGT while disposing the aforesaid case vide their order dtd.09.08.2024 at para-28 has directed the Chief Secretary, State of Odisha to forthwith take steps for constitution of a committee as provided in the Enforcement and Monitoring Guidelines for Sand Mining 2020 and ensure strict and due compliance of the aforesaid guidelines to prevent illegal sand mining mechanical or otherwise. The composition of guidelines has been dealt in para-27(C) of this order. Further, in para-29 of the order the Hon'ble Tribunal has directed the State Respondents to take steps forthwith for taking appropriate legal action against illegal miners as well as for computation of environmental compensation.

In the order the Hon'ble Tribunal while taking note of the joint committee report wherein your representative i.e. Joint Director, Geology, Koraput has also participated, has observed that any mining of minor minerals in Odisha is governed by Odisha Minor Mineral Concession Rules, 2016. In the meantime, the State Govt. in the Steel & Mines Deptt. vide their Resolution No.12793 dtd.21.12.2023 has been pleased to transfer the administration of minor minerals including river sand mining to Steel & Mines Deptt. from the Revenue & Disaster Management Department.

The Rule-51 of the Odisha Minor Mineral Concession Rules, 2016 deals with extracting or transporting any minor mineral or on whose behalf such extraction or transportation is being made otherwise than in accordance with the Rules, shall be presumed to be a party to the illegal extraction or removal of such minor minerals and every such person shall be punishable with simple imprisonment for a term which may extend to 2 years with fine which may extend to Rs.5 lakh or with both and in case of continuing contravention, with an additional fine, which may extend to Rs.5 thousand for every day during which such contravention continue after conviction for the first such contravention.

(2)

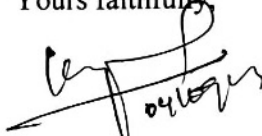
Therefore, the illegal /excess mining amounts to violation of the Odisha Minor Mineral Concession Rules and the Board is not the competent authority to take cognizance of any offence under the said Rules, 2016.

In view of the above, it is requested to please take steps for compliance of the direction of Hon'ble Tribunal as contained in para-28 for constitution of the committee with the orders of the Chief Secretary, Odisha and also to initiate appropriate legal action against illegal miners as well as for computation of environmental compensation in terms of para-29 of the order. The Regional Officer, Koraput of this Board has been requested to provide necessary assistance to the representative of the Directorate for computation of environmental compensation.

Action taken in the matter may please be communicated to the Board so that step will be taken for filing compliance affidavit by the Member Secretary within the stipulated time fixed by the Hon'ble Tribunal i.e. 30.11.2024. Copy of the order dtd.09.08.2024 of the Hon'ble Tribunal referred above is enclosed for your ready reference.

Encl: As above.

Yours faithfully,

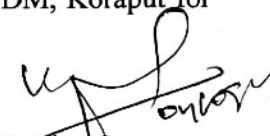

Member Secretary

Memo No. 14269 /Date: 4-9-24

E-mail / Speed Post

Copy along with copy of enclosure forwarded to the Collector & DM, Koraput for information and necessary action with reference to order at para-24.

Encl: As above.


Member Secretary

Memo No. 14210 /Date: 4-9-24

E-mail / Speed Post

Copy along with copy of enclosure forwarded to the Regional Officer, SPC Board, Koraput for information and necessary action.

Encl: As above.


Member Secretary

By E-mail
NGT CASE/URGENT

**DIRECTORATE OF MINES & GEOLOGY
STEEL AND MINES DEPARTMENT, GOVT. OF ODISHA,
BHUBANESWAR**

Heads of Department Building, Unit-V, Pin-751001
Tel No.: 0674-2391537, Fax No.: 0674-2391684
Email ID: dirmines_odisha@rediffmail.com

No. DoMG-WM-MISC-0071-2024/8834/DoMG, Dt. 06-09-2024

From

The Director of Mines & Geology,
Odisha, Bhubaneswar.

To

**The Director of Minor Minerals,
Odisha, Bhubaneswar**

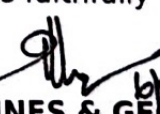
Sub: Forwarding the letter No- 14208 dt.04.09.2024 of State
Pollution Control Board, Odisha in the matter of OA No-
66/2024/EZ (earlier OA No- 20/2024/PB) filed by Pooja Phillo &
others.

Sir,

With reference to the subject cited above, I am forwarding
herewith the letter No- 14208 dt.04.09.2024 alongwith its enclosure
received from the State Pollution Control Board, Odisha in the aforesaid
matter for information and follow up action at your end. As the said
subject of Minor Minerals relates your Directorate, necessary action may
be taken at your level.

Encl.- as above

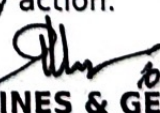
Yours faithfully


DIRECTOR OF MINES & GEOLOGY (O)

Memo No- 8835/DoMG,

dt. 06-09-2024

Copy forwarded to the Member Secretary, State Pollution
Control Board, Odisha for information and necessary action.


DIRECTOR OF MINES & GEOLOGY (O)

P.T.O.

X

ANNEXURE-R5/3

608



EPABX: 2561909/2562847

Tel: 2562822, 2560955

Email: Paribesh1@ospcboard.org

Website: www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakanthanagar, Unit – VIII,
Bhubaneswar – 751 012, INDIA

No. 18442
VII – L – Misc – 1080

Date: 12-11-24

Through e-mail

To

The Director of Minor Minerals
Odisha, Bhubaneswar
E-mail: directoratemines@orissaminerals.gov.in

Sub: OA No.66/2024/EZ (Earlier OA No.20/2024/PB) in the matter of Pooja Philo & Ors v. Principal Secretary, Directorate of Geology, Govt. of Odisha & Others.

Ref: Letter No.8834 dtd.06.09.2024 of the Director of Mines & Geology forwarding the copy of letter No.14208 dtd.04.09.2024 of this Board.

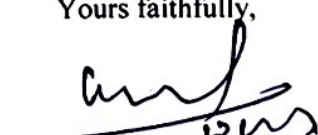
Sir,

In the aforesaid case, the Hon'ble NGT, EZB, Kolkata vide their order dtd.09.08.2024 has issued some direction and directed the Board through its Member Secretary to file compliance affidavit by 30.11.2024. Accordingly, in the letter No.14208 dtd.04.09.2024, the Board has forwarded the copy of the order to the Director of Mines & Geology, Odisha, Bhubaneswar with a request to take appropriate action and communicate the same to the Board for filing compliance affidavit within the stipulated time fixed by the Hon'ble Tribunal. The said letter has been forwarded to you by the Director of Mines & Geology vide their letter No.8834 dtd.06.09.2024 since the subject of minor minerals relates to your directorate. Copy of the letter No.14208 dtd.04.09.2024 alongwith its enclosure and copy of letter No.8834 dtd.06.09.2024 of the Director of Mines & Geology and enclosed for your reference. But so far no information has been received from your end regarding compliance of the direction dtd.09.08.2024 of the Hon'ble Tribunal although the filing of compliance affidavit by the Board is fixed to 30.11.2024.

Hence, it is requested to please look into the matter and forward the action taken report immediately for filing compliance affidavit by the Board within the stipulated time fixed by the Hon'ble Tribunal.

Encl: As above.

Yours faithfully,


Member Secretary

Memo No. 18443 / Date: 12-11-24

E-mail

Copy forwarded to the Regional Officer, SPC Board, Koraput for information and necessary action with reference to the telephonic discussion held by the Legal Consultant of this Board on 1.11.2024.


Member Secretary

State Pollution Control Board, Odisha
Bhubaneshwar

Receipt No.	611862528
Depositor Name	Nisanta Kumar Patra
Money Recelpt Number	35164
Bank Name.	HDFC Net Banking
Bank Id.	410
Application No.	4690640
Name and Address of Industry	Limika Stone Quarry, Limika Stone Quarry, Khata No. 02, Plot No. 799, Koraput, Koraput
Name of Regional Office	HO
Applied For	CTE - BOTHMINE - NEW
Payment Type	NORMAL
Payment Date	03-02-2023
Consent Fee	From : 03-02-2023 To : 03-02-2023
Payment Details	
CTE (Rs.)	6000.0
Total Amount Paid (Rs.)	6000
In Words.	Six Thousand
Transaction Status	Successfully Completed

Print

State Pollution Control Board, Odisha
Bhubaneswar

Receipt No.	532742779
Depositor Name	Nisanta Kumar Patra
Money Receipt Number	35168
Bank Name.	HDFC Net Banking
Bank Id.	410
Application No.	4698516
Name and Address of Industry	Limika Stone Quarry, Limika Stone Quarry, Khata No. 02, Plot No. 799, Koraput, Koraput
Name of Regional Office	HO
Applied For	CTO - AIR+WATER+ADDSHEET - NEW
Payment Type	NORMAL
Payment Date	03-02-2023
Consent Fee	From : 01-04-2022 To : 31-03-2027
Payment Details	
Financial Year	2022 - 2023
CTO (Rs.)	4500.0
Financial Year	2023 - 2024
CTO (Rs.)	4500.0
Financial Year	2024 - 2025
CTO (Rs.)	4500.0
Financial Year	2025 - 2026
CTO (Rs.)	4500.0
Financial Year	2026 - 2027
CTO (Rs.)	4500.0
Total Amount Paid (Rs.)	22500
In Words.	Twenty Two Thousand Five Hundred
Transaction Status	Successfully Completed

Print



STATE POLLUTION CONTROL BOARD, ODISHA

Online Mines Registration Receipt

Registration Date: 27/4/2023

OCMMS Login ID: M19844308

Temporary Password: 40190

Your mine has been successfully registered for the use of 'Online Consent Management & Monitoring System' under the Following Details

Mining Details	
Name of the Mine :	Galganda Sand Bed
Name of the Lesse :	Damburudhara Ramsingh
Category :	RED B
Lease Area:	Upto 5 Ha
Name of the mineral to be mined :	River Sand Bed
Year Of Commissioning :	2023
Capital Investment of Plant & Machinery (in Lakhs):	0 Lakhs
Address of Establishment :	Khata No. 65 & 78, Plot No. - 480, 481 & 321, 322 Galaganda And Durubha Nandapur Koraput
Pin :	
Contact Details :	-8249853911
Fax Number :	-
E-Mail Address:	
Occupier Details	
Occupier Name :	Damburudhara Ramsingh
Applicant Name :	Damburudhara Ramsingh
Designation :	Lessee
Address :	Pujaripat (Banjalaput) Padwa Nandapur Koraput
Pin :	
Phone Number :	+91-8249853911
Fax Number :	+91-
Mobile No :	8249853911
E-Mail :	mineslabindia@gmail.com
Password Recovery Details	
Hint Question :	What is your Nickname?
Answer :	Damburudhara

*For future use of an application please use above mentioned login-ID. Please be communicated that password given is temporary and valid for 15 days only. Please change the password in first login due to security reasons.

INSTRUCTIONS



612

1. Enter OCMMS login-ID to use the system every time.
2. Change the password when first time you log into the system. Please follow the instructions to protect your password from any cyber theft.

****This is computer generated receipt****