



BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO- 133 of 2026/EZ

IN THE MATTER OF

TUNA DAS AND ANOTHER

APPLICANTS

Versus

STATE OF ODISHA &Ors

...

RESPONDENTS

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PLACE: Bhubaneswar

SANKAR PRASAD PANI

ASHUTOSH PADHY




DATE: 21/07/2026

ADVOCATE

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



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

Original Application No- 133 OF 2026/EZ

Tuna Das and another

APPLICANTS

VERSUS

State of Odisha and Others

..RESPONDENTS

SUPPLEMENTARY AFFIDAVIT ONBEHALF OF APPLICANT.

MOST RESPECTFULLY SHOWETH

I, Rajani Kanta Padhy, C/o- Hadu Padhy, aged about 58 years, At - Sikiri, Po- Hinjilicut, Dist- Ganjam, Pin- 761102, do hereby solemnly affirm, and declare as 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.

1. That the original application has been filed by the Applicants challenging the illegal operation of sand mine by the private respondent **Smt. Janaki Devi Mishra**, the lessee of **Bhimpur Sand Bed over an area of 10.425 Acres Or 4.219 Hectares bearing Khata No.-640 and Plot No.-1320 situated in Village Bhimpur, Tahasil Purushottampur, District Ganjam, State Odisha** and the said sand mining operation is in violation of Environment Clearance Conditions, Consent To Operate (CTO) Conditions, Sustainable Sand Mining Guideline 2016 and Enforcement and Monitoring of Sand Mining Guidelines 2020, Odisha Sand Policy 2021, Sand Mining Framework 2018(Ministry of Mines Govt of India) EIA Notification 2006 and Amendment 2016, Odisha Minor Minerals Concession Rules 2016 and Supreme Court Order in Deepak Kumar



Case and Order of Hon'ble NGT in Sudarsan Das Case(OA 173 of 2018/PB).

2. That on dated 26/05/2026 Hon'ble Tribunal has been pleased to issue notice to all the respondents and also constituted an committee for inspection of the site in question. Further directed the respondents to file their respective counter affidavits within a period of one month, however as on date no response has been filed by the Respondents.
3. That in the environmental clearance letter dated 07/05/2022 in condition No. 7.8 it is categorically mentioned that *“Mining is not permissible within the water channel or stream flow area. No stream shall be diverted for the purpose of mining and no natural water course shall be obstructed. The mining or any ancillary activity shall not in any way disturb the flow pattern of the river water during the non monsoon period. There shall be no sand mining in the river during the rainy season or when there is flow of water in the river”*, however in the present case the lessee is carrying out the mining activities in violation of the environmental conditions.
4. That the Applicant on dated 29/06/2026 approached all the concerned authorities stating that the lessee is extracting sands during the monsoon period, however the concerned authorities have not considered the grievance of the Applicant. Copy of the representation dated 29/06/2026 is annexed here unto as **ANNEXURE-1**
5. It is not out of place to mention here that the monsoon season in Odisha is continues from 5th June to 15th October and as per the environmental clearance condition during this period all the sand mining activities should be stopped. However in the present case the lessee is carrying out the mining activities during monsoon period. Copy of the letter showing



the normal dates of monsoon in Odisha is annexed here unto as **ANNEXURE-2.**

6. It is further submitted that from the photographs dated 29/06/2026 and 23/06/2026 it is evident that the Private Respondent is carrying out mining activities during monsoon period in complete violation of the environmental clearance conditions. Copy of the photographs dated 29/06/2026 and 23/06/2026 is annexed here unto as **ANNEXURE-3.**
7. It is further submitted that the mining is supposed to be carried out within the mining lease area i.e. from 10.425 Acres Or 4.219 Hectares bearing Khata No.-640 and Plot No.-1320 situated in Village Bhimpur, Tahasil Purushottampur, District Ganjam, Odisha. However in the present case the lessee is extracting sands beyond the lease area from Jamuni and Digapoda with the support of Tahasildar Hinjili and to that effect the Applicant No.2 on dated 11/07/2026 approached all the concerned authorities, and however no action has been taken by the concerned authorities as on date.
8. It is further submitted that the Private Respondent is also carrying out the mining activity during night time also. Photographs dated 11/07/2026 suggesting mining during night time is annexed here unto as **ANNEXURE-4.**
9. That in view of the above mentioned paragraphs it is most humbly prayed before this Hon'ble Tribunal to direct the State Respondents to ensure no mining takes place during monsoon period from lease area and beyond lease area.

BHUBANESWAR

21/07/2026

Applicant Through

Advocate

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO133.....of 2026/EZ

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STATE OF ODISHA & Ors ...

RESPONDENTS

AFFIDAVIT

21 JUL 2026

Rajani Kanta Padhy, C/o- Hadu Padhy, aged about 58 years, At - Sikiri, Po- Hinjilicut, Dist- Ganjam, Pin- 761102, hereby solemnly affirm, and declare as under:

1. That I am the Applicant in the above mentioned Original Application. 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.

Rajani Kanta Padhy
DEPONENT

VERIFICATION

Verified on 21 JUL 2026 at BDSR

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.

As per
 Identified By 0-18/23

Rajani Kanta Padhy
DEPONENT



(The above named deponent(s) being duly Identified by Sri..... Advocate, Bhubaneswar
 Appears before me on 21 JUL 2026 at BDSR
 et..... A.M./P.M.
 on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief
 Deponent(s) Notary, Bhubaneswar

Janmejaya Kaultra
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Phn No-79-858121



Fwd: Illegal Operation of Bhimpur Sand Source in Rushikulya River, Ganjam during Monsoon Season

1 message

Maasaraswatisumandir Group of schools of India <rajnipadhy@gmail.com>
To: Sankar Pani <sankarprasadpani@gmail.com>

Mon, Jun 29, 2026 at 6:19 PM

----- Forwarded message -----

From: **Maasaraswatisumandir Group of schools of India** <rajnipadhy@gmail.com>

Date: Mon, 29 Jun, 2026, 18:15

Subject: Illegal Operation of Bhimpur Sand Source in Rushikulya River, Ganjam during Monsoon Season

To: <dm-ganjam@nic.in>, <csori@nic.in>, <spgjm.orpol@odishapolice.gov.in>, <mo.berhmapur@orissaminerals.gov.in>, <tah_purushottampur@yahoo.in>, <paribesh1@ospcboard.org>, <seiaaorissa@gmail.com>

Date-29th June2026

1. Chief Secretary, Government of Odisha, Lokaseva Bhawan, Bhubaneswar
csori@nic.in

2. District Collector, Ganjam, At/Po- Office of the Collector and District
Magistrate, Ganjam, At/Po- Chatrapur, District- Ganjam, PIN - 761020, Odisha:
dm-ganjam@nic.in

3. Superintendent of Police, Ganjam spgjm.orpol@odishapolice.gov.in

4. Deputy Director of Mines (Ganjam Circle) Berhampur, At/Po- near
Baidyanathpur Police Station/Post Office, Berhampur, District Ganjam, Odisha, 760004, Email-
mo.berhmapur@orissaminerals.gov.in

5. Tahasildar Purushottampur, At/Po- GV9R+J4J, Main Rd, Purusottampur, Odisha 761018, E-mail:
tah_purushottampur@yahoo.in

6. Member Secretary, Odisha State Pollution Control Board/A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-
751012, Odisha

Email:paribesh1@ospcboard.org, 7. Member Secretary, State Environment Impact Assessment Authority
(SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX, Bhubaneswar, Odisha
751022, email: seiaaorissa@gmail.com

Sub- Illegal Operation of Bhimpur Sand Source in Rushikulya River, Ganjam during
Monsoon Season

Dear Sir, The Bhimpur Sand Source has been leased in favor of Janaki Mishra but operated by
K Ravi Kumar(Brother of K anil Kumar, MLA of Berhampur). In this regard there
has been a complaint before Honble NGT in OA 133 of 2026 and Honble NGT had
formed a committee to investigate into the matter. On 23

rd June 2026 the inspection

team visited the site. As applicant of the case, I had already furnished both the
photographic evidence and Google Earth Image suggesting large scale illegal mining
of more than 80Cr Rupees, a loss to the state exchequer. There are photos from the Sand Mining source today at
Bhimpur suggesting loading

using JCB and pay loaders and transportation of sand through Hyva. It is pertinent to
mention the sand Mining during Monsoon is banned as per the Sustainable Sand
Mining Guideline 2016 and same is also the condition in the Environment Clearance
letter, Consent to Operate and Lease deed. The Monsoon period for Odisha is 5th June till 15
th October. The photographs dated

29thJune2026 clearly suggested the ongoing mining operation in blatant violation of
the guideline. Further a rumor has been spread by the Mafias operating the sand source that the
applicant before the Honble NGT has withdrawn the application and no case is
pending. Needless to say I am the applicant No 2 and have already written a letter
dated 12/06/2026 to DM Ganjam to take strict action including inquiry by the
Enforcement Directorate under Prevention of Money Laundering Act. Despite of a large scale illegal mining for last 4
years including the satellite image of

2023 confirming the mining took place in 48 Acres in place of lease area of only
10Acre and no action has been taken as on date by the Deputy Director of Mines
Berhampur. This also suggest the authorities are hand in glove with the mafias in
allowing the loot to take place in Broad day light. In view of the aforesaid paragraphs, I would request you to take
cognisance of the

illegal mining taking place during monsoon season, the banned period and do the
needful to prevent any kind of mining takes place in Bhimpur Sand Source. Sincerely

7/22/26, 2:55 PM

Gmail - Fwd: Illegal Operation of Bhimpur Sand Source in Rushikulya River, Ganjam during Monsoon Season

Rajani Kanta Padhy

7

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29TH jUNE2026rev.pdf

546K

Date-29th June2026

1. Chief Secretary, Government of Odisha, Lokaseva Bhawan, Bhubaneswar
csori@nic.in
2. **District Collector, Ganjam**, At/Po- Office of the Collector and District Magistrate,Ganjam, At/Po- Chatrapur, District- Ganjam, PIN - 761020, Odisha:
dm-ganjam@nic.in
3. Superintendent of Police, Ganjam spgjm.orpol@odishapolice.gov.in
4. **Deputy Director of Mines (Ganjam Circle)** Berhampur, At/Po- near Baidyanathpur Police Station/Post Office, Berhampur, District Ganjam, Odisha, 760004, Email- mo.berhmapur@orissaminerals.gov.in
5. Tahasildar Purushottampur, At/Po- GV9R+J4J, Main Rd, Purusottampur, Odisha 761018, E-mail: tah_purushottampur@yahoo.in
6. **Member Secretary**, Odisha State Pollution Control BoardA/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha Email:paribesh1@ospcboard.org.
7. **Member Secretary**, State Environment Impact Assessment Authority (SEIAA), Odisha, 5RF-2/1, Acharya Vihar, Unit – IX,Bhubaneswar, Odisha 751022, email: seiaaorissa@gmail.com

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There are photos from the Sand Mining source today at Bhimpur suggesting loading using JCB and pay loaders and transportation of sand through Hyva. It is pertinent to mention the sand Mining during Monsoon is banned as per the Sustainable Sand Mining Guideline 2016 and same is also the condition in the Environment Clearance letter, Consent to Operate and Lease deed.

The Monsoon period for Odisha is 5th June till 15th October. The photographs dated 29th June 2026 clearly suggested the ongoing mining operation in blatant violation of the guideline.

Further a rumor has been spread by the Mafias operating the sand source that the applicant before the Honble NGT has withdrawn the application and no case is pending. Needless to say I am the applicant No 2 and have already written a letter dated 12/06/2026 to DM Ganjam to take strict action including inquiry by the Enforcement Directorate under Prevention of Money Laundering Act.

Despite of a large scale illegal mining for last 4 years including the satellite image of 2023 confirming the mining took place in 48 Acres in place of lease area of only 10Acre and no action has been taken as on date by the Deputy Director of Mines Berhampur. This also suggest the authorities are hand in glove with the mafias in allowing the loot to take place in Broad day light.

In view of the aforesaid paragraphs, I would request you to take cognisance of the illegal mining taking place during monsoon season, the banned period and do the needful to prevent any kind of mining takes place in Bhimpur Sand Source.

Sincerely

Rajani Kanta Padhy

APPENDIX: TABLE -9

**NORMAL DATES OF ONSET AND WITHDRAWAL OF
SOUTH-WEST MONSOON**

The India Meteorological Department, Nagpur, vide letter No. NAGPUR RMC /CS-312, dated 18th January, 2016 has provided the period of Rainy Season viz. Normal dates of Onset and Withdrawal of Southwest Monsoon over India as state-wise and union territory- wise which are as below:-

States	Normal date of Onset of SW-Monsoon	Normal date of Withdrawal of SW-Monsoon
Andhra Pradesh	1st June	15th October
Arunachal Pradesh	5th June	15th October
Assam	5th June	15th October
Bihar	10th June	15th October
Chhattisgarh	10th June	15th October
Goa	5th June	15th October
Gujarat	15th June	15th September
Haryana	1st July	15th September
Himachal Pradesh	1st July	15th September
Jammu & Kashmir	1st July	15th September
Jharkhand	10th June	15th October
Karnataka	5th June	15th October
Kerala	1st June	15th October
Madhya Pradesh	15th June	1st October
Maharashtra	10th June	1st October
Manipur	1st June	15th October
Meghalaya	1st June	15th October
Mizoram	1st June	15th October
Nagaland	5th June	15th October
Odisha (Orissa)	5th June	15th October
Punjab	1st July	15th September
Rajasthan	1st July	1st September
Sikkim	5th June	15th October

PHOTOGRAPHS SUGGESTING MINING DURING MONSOON PERIOD





Image 1 PITS AFTER SAND EXCAVATION

PHOTOGRAPHS SUGGESTING MINING DURING NIGHT TIME.



