

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 1394/2024**

**IN THE MATTER OF:**

**News Item titled "The Environmental Crisis  
in Odisha" appearing in Around Odisha  
dated 24.12.2024**

**...Appellant**

**Versus**

**Ministry of Environment, Forest and Climate  
Change & Ors.**

**...Respondent(s)**

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...Respondent(s)

NARENDRA KUMAR SAHOO  
NOTARY BHUBANESWAR  
GOVT. OF ODISHA  
Regd. No. ON/040/2003

27 OCT 2025

*M. Rajeshwar Prasad*

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1 [THE  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE]

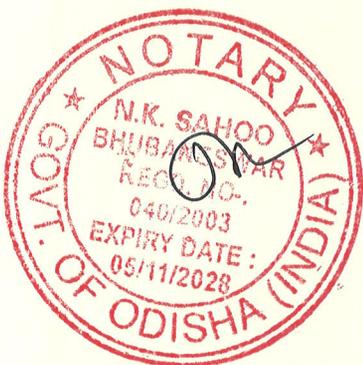
I, Shri M. Rajeshwar Prasad, S/o Shri M. Bhaskar Rao, aged about 58 years, presently working as Scientist 'C' at the Regional Office of the Ministry of Environment, Forest & Climate Change (hereinafter referred to as "MoEF&CC"), Regional Office, Bhubaneswar-751023, do hereby, in my official capacity, solemnly affirm and state on oath as under:

- 1. That, I am acquainted with the facts and circumstances of the instant Original Application and duly competent to swear the present reply affidavit on behalf of the Ministry of Environment, Forest Climate Change based on the official records maintained therein.



2. It is humbly submitted at the very outset that the contents of the Original Application unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter.
3. It is humbly submitted that this Hon'ble Tribunal took suo motu cognizance and registered the present Original Application on the basis of a news item titled "The Environmental Crisis in Odisha." Further, vide order dated 13.01.2025, this Hon'ble Tribunal constituted a Joint Committee comprising of Director, NEERI, Nagpur as Chairperson; Joint Secretary, MoEF&CC; Representative of Member Secretary, CPCB; Regional Officer, MoEF&CC, Bhubaneswar; Member Secretary, Odisha Pollution Control Board (OPCB); and Principal Chief Conservator of Forests (PCCF), Odisha. The Joint Committee was tasked with ascertaining the truthfulness of the facts reported in the said news item, identifying the mines operating in violation of environmental norms and clearance conditions, and assessing the impact of such violations on water bodies, forests, other natural resources, and human health.
4. It is humbly submitted that this Hon'ble Tribunal included the Regional Office of the Ministry as a member of the aforesaid Joint Committee and further directed the Ministry to nominate a Joint Secretary rank officer to be a member of the said Committee. In compliance with the said direction, the Ministry, vide letter dated 19.02.2025, informed the Odisha State Pollution Control Board regarding the nomination of Shri S. Kerkettaa, Scientist 'G' (Joint Secretary level), MoEF&CC, as a member of the Committee. Subsequently, the joint committee report was filed before this Hon'ble tribunal. A copy of the letter dated 19.02.2025 has been annexed herewith as **Annexure-R1/1**.

*M. Rajeshwar Prasad.*



5. It is humbly submitted that the joint committee report has been reviewed within the Ministry and it was observed that as per the joint committee report the environmental issues were highlighted in three areas names (i) Talcher coal mine of Angul District; (ii) Sukinda Chromite Area of Jajpur District; and (iii) Iron Ore Mine Area of Sundargarh and Keonjhar Districts. The committee visited these areas to examine (i) status of EC to mining projects, (ii) monitoring programs of SPCB, and (iii) environmental quality of air and water.
6. It is further submitted that while the committee has observed the environmental compliance level of individual mines as satisfactory some non-compliance have been reported in the joint committee report. These are as under:

- (i) **Talcher Coal Mine Area of Angul District** – Here the committee made observations in three areas covering Ambient Air Quality Status, Coal Transport, and Water Quality. The areas of shortcomings highlighted in the report are as under:

- **Ambient Air Quality Status in Talcher Area** – The committee observed that Odisha State Pollution Control Board (hereinafter referred to as “SPCB”) operates two Continuous Ambient Air Quality Monitoring Stations (hereinafter referred to as “CAAQMS”) at Angul and Talcher. As per the data obtained from CAAQMS for the period from January 2024-May 2025 PM<sub>10</sub> levels in both the areas remained within the prescribed air quality standard of 250 µg/m<sup>3</sup> for coal mining area, however, the ambient air quality standards for PM<sub>10</sub> far exceeded the National Ambient Air Quality Standard for residential area which is 60



*M. Rajeshwar Prasad*

$\mu\text{g}/\text{m}^3$  annual average and  $100 \mu\text{g}/\text{m}^3$  daily average. The committee further observed that the poor air quality is mainly due to coal mining, industries, power plants, vehicular movement, and road/construction dust.

- **Water Quality** – Surface water (streams and Brahmani River) largely conforms to Class–C norms, however, at some locations concentration of fluoride was observed to be higher than the Standard of 1.5 mg/l. Over 90% of coal excavation is done by surface-miner fitted with water sprinkling system which reduces dust generation. However, even in the absence of active mining, PM10 and PM2.5 levels remain high, pointing to broader pollution sources and emphasizing the need for stronger dust control at the origin.

(ii) **Sukinda Chromite Mining area** – Here the committee made observations in two areas covering Water and Air Quality Status in Sukinda valley. The areas of shortcomings highlighted in the report are as under:

- **Air Quality Status** – The air quality in Sukinda valley is monitored by the SPCB at regular intervals. SPCB has conducted 35 monitoring exercises between January 2024 and July 2025. Of these, only 26 occasions showed compliance with NAAQS.
- **Water Quality Status** – The committee observed that although wastewater treatment systems are in place and maintained by the mines, but their actual effectiveness in preserving river water quality requires more rigorous monitoring.



*M. Rajeshwar Prasad*

(iii) **Iron Ore Mine area of Sundargarh and Keonjhar Districts** – Here the committee made observations in two areas covering Water and Air Quality Status. The areas of shortcomings highlighted in the report are as under:

- **Air Quality Status** – The monitoring result from the CAAQMS installed by the board at major locations indicated that PM<sub>10</sub> and PM<sub>2.5</sub> levels along transport routes often exceed standards, whereas within leasehold areas the levels are comparatively lower.

7. It is humbly submitted that while the Joint Committee observed that the mines inspected were, by and large, in compliance with the Environmental Clearance conditions and other environmental norms, it also recommended corrective measures wherever shortcomings were noticed.
8. It is humbly submitted that in view of the observations made in the joint committee report the Answering Respondent vide letter no. IA-L-11011/7/2025-IA-I dated 27.10.2025 requested the Odisha State Pollution control board to take cognizance of the findings of the Joint Committee report, initiate all necessary action to address the reported violations/non-compliances, and submit an Action Taken Report (ATR) to the Ministry at the earliest. A copy of the letter dated 27.10.2025 has been annexed herewith as **Annexure-R1/2**.
9. In light of the above-stated facts and circumstances, it is most humbly prayed that the Hon'ble Tribunal may kindly be pleased to take the present Reply Affidavit on record and may pass appropriate Order(s). direction(s) as deemed fit and proper under the facts and circumstances of the present case.

*M. Rajeshwar Prasad*



10. It is most humbly submitted that the Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.

*M. Rajeshwar Prasad.*  
DEPONENT

M. RAJESHWAR PRASAD  
SCIENTIST 'C'  
Govt. of India  
Ministry of Environment, Forest & CC  
Regional Office, Bhubaneswar

**VERIFICATION**

I Shri M. Rajeshwar Prasad, the above-named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the Answering Respondent. No part of it is false and nothing material has been concealed therefrom.

Verified at Bhubaneswar on 27<sup>th</sup> day of ~~August~~ <sup>October</sup> 2025.  
**IDENTIFIED BY ME** *on*

**ADVOCATE, BBSR**

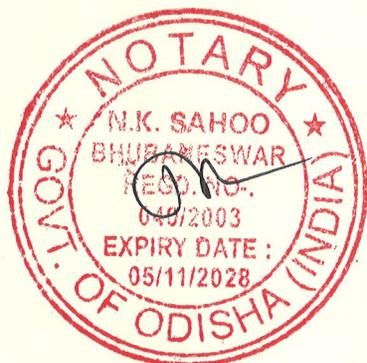


*M. Rajeshwar Prasad.*  
DEPONENT

M. RAJESHWAR PRASAD  
SCIENTIST 'C'  
Govt. of India  
Ministry of Environment, Forest & CC  
Regional Office, Bhubaneswar

The above named deponent/deponents is/are being  
duly identified by Sri/sr<sup>ms</sup>..... *Sri S. S. Sahoo*  
Advocate, Bhubaneswar on dated... *27/10/2025* at  
about... *3.00* P.M. appears before me and states  
on oath that the contents of his affidavit/Declaration  
are true to the best of his/his/their knowledge.

**NARENDRA KUMAR SAHOO**  
NOTARY PUBLIC, BHUBANESWAR  
GOVT. OF ODISHA  
Regd. No. *04-040/2003*



**SPEEDPOST/EMAIL**  
**COURT MATTER**

File No. IA-L-11011/7/2025-IA-I  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

\*\*\*\*\*

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi-110 003

**Dated: 19<sup>th</sup> February, 2025**

To

**The Member Secretary,**  
State Pollution Control Board Odisha,  
Paribesh Bhawan, A/118, Nilakantha Nagar,  
Unit – VIII, Bhubaneswar, Odisha– 751012

**Sub.: Constitution of a Committee in compliance of the order of the Hon'ble NGT in the matter of OA No. 1394/2024 titled "The Environmental Crisis in Odisha," published in Around Odisha on 24.12.2024" - reg.**

Sir,

This is in reference to the O.A. No. 1394/2024 pending before Hon'ble NGT titled "The Environmental Crisis in Odisha," published in Around Odisha on 24.12.2024". Hon'ble NGT vide order dated 03.01.2025 has constituted a Joint Committee to examine truthfulness of the facts revealed in the news item. As per the order, Joint Secretary to be nominated by Secretary, MoEF&CC as a member of the Committee.

2. In this regard, Shri S. Kerketta Sc. G, (a Joint Secretary level officer in MoEFCC) is hereby nominated as a member of the proposed committee.

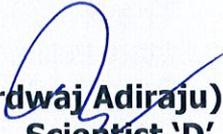
This is issued with the approval of the competent authority.

Yours faithfully

(Dr. Bhardwaj Adiraju)  
Scientist 'D'

**Copy to:**

1. Shri. S. Kerketta, Scientist, G, Prithvi Wing 6th Floor, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110 003.
2. The Director, CSIR-National Environmental Engineering Research Institute, Nehru Marg, Nagpur 440 020
3. Deputy Director General of Forests (Central), Regional Office, A/3, Chandersekharpur, Bhubaneswar – 751023.
4. The Director, Legal Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110 003.

  
(Dr. Bhardwaj Adiraju)  
Scientist 'D'



**F. No.IA-L-11011/7/2025-IA-I**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA-Compliance & Monitoring Division)

\*\*\*\*\*

URGENT - Court Matter

Indira Paryavaran Bhavan  
Jor Bagh Road, Aliganj  
New Delhi-110 003  
Email: bhardwaj.adiraju@gov.in  
**Dated: 27<sup>th</sup> October, 2025**

**To,**  
**The Member Secretary,**  
Odisha State Pollution Control Board (OSPCB)  
Paribesh Bhawan, A/118,  
Nilakantha Nagar, Unit - VIII,  
Bhubaneswar - 751012, Odisha

**Sub: OA No. 1394/2024 in the matter of News Item titled "The Environmental Crisis in Odisha" appearing in Around Odisha dated 24.12.2024 before NGT (PB) New Delhi. - reg.**  
**Ref:**

- (i) NGT order dated 13.01.2025
- (ii) Joint Committee Report

Sir,

This is in reference to the above referred court matter, which had been suo moto registered by Hon'ble NGT on the basis of a news article titled "The Environmental Crisis in Odisha" and wherein OSPCB has been one of the respondent.

2. As you are aware, Hon'ble NGT vide its order dated 13.01.2025 constituted a Joint Committee in the matter, with OSPCB as one of the member of the Joint Committee. The Joint Committee has submitted its report to the Hon'ble NGT. The copy of the report which has been received in the Ministry has been examined and it has been noted that while the environmental compliance levels of individual mines were generally found to be satisfactory, certain instances of non-compliance were also reported.

3. In view of foregoing, the OSPCB is requested to take cognizance of the findings of the Joint Committee report, initiate all necessary action to address the reported violations/non-compliances, and submit an Action Taken Report (ATR) to the Ministry at the earliest.

This issues with the approval of the Competent Authority.

Encl: As above

(Dr. Bhardwaj Adiraju)  
Scientist 'D'

**Copy to:**

1. The Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

(Dr. Bhardwaj Adiraju)  
Scientist 'D'