

LAY NOTE BEFORE THE HON'BLE MEMBERS
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

O.A. No. 42/2023/EZ

Om Sri Sri Sarbajanina Durga Puja Committee Brundamal, Jharsuguda, Odisha
Vs.
State of Odisha & Ors.

Date: 25.02.2025

The allegation of the Applicant in the present Original Application (OA 42/2023/EZ) is that the Respondent No.9, Vedanta Limited, the Project Proponent, is operating 1.8 MTPA (Million Tonne Per Annum) Aluminium Smelting capacity and associated 3615 MW Thermal Power generation facility. It is stated that in the Village-Brundamal, there are four ponds which are used by the villagers for generations for various purposes like - bathing and other domestic purposes. Local cattle and stray animals also drink water from these ponds and the ponds are also used for cultivation. It is stated that in 2021 due to low rainfall the ponds dried up and the villagers faced serious problems. It is alleged that Pond No. 2 was dug out with the help of machine and Hyva and then filled with fly-ash. The case has been disposed of vide order dt. 09.04.2024 with the following observations:

"33. We accordingly disposed of the present Original Application with a direction to the Respondent No.5, Ministry of Environment, Forests and Climate Change, New Delhi, to take a decision in the matter in the light of the observations made hereinabove and its show cause notice dated 14.11.2023, after giving the Respondent No.9 Unit an opportunity of submitting its response to the said show cause notice, in accordance with law preferably within a period of two months. Question of liability of the Respondent No.9 Unit for payment of Environmental Compensation for damage caused to the environment will be subject to final order passed by the Ministry of Environment, Forests and Climate Change.

35. We, therefore, direct the District Administration i.e., Collector, Jharsuguda, to take immediate measures to restore the Pond No. 2 to its original form as a body of water within three months and file affidavit of compliance by 31.07.2024."

In this regard, it is submitted that the Collector, Jharsuguda has not filed affidavit of compliance to above mentioned directions as on date.

A) Therefore, if approved, M.A. may be registered in the instant case for the purpose of compliance of order of the Hon'ble Tribunal as the O.A. has already been disposed of.

Placed for appropriate order/direction.

Hindi Translator

Section Officer

Ld. Deputy Registrar

Ld. Registrar

Hon'ble Expert Member

Hon'ble Judicial Member