

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
M.A. NO.14 /2026 /EZ
IN
ORIGINAL APPLICATION NO.153 OF 2025 / EZ**

Satya Prakash Nayak

...Applicant

VERSUS

State of Odisha & Ors.

...Respondents

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By the Respondent No.3

Through

Kolkata
Date:

Sri Dipanjan Ghosh,
Advocates for the Respondent No.3
(State Pollution Control Board, Odisha)
e-mail: dpnjnghsh0@gmail.com
Phone No.:990308097

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

M.A. NO.14 /2026 /EZ

IN

ORIGINAL APPLICATION NO.153 OF 2025 / EZ

Satya Prakash Nayak

...Applicant

VERSUS

State of Odisha & Ors.

...Respondents

**AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
R.NO.3**

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.3 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.

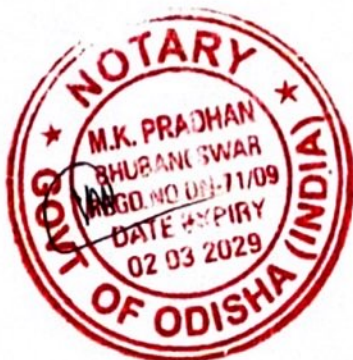
29 JUN 2026



2. That this Hon'ble Tribunal while disposing the OA No.153/2025/EZ - Satya Prakash Nayak v. State of Odisha & Others vide their order dtd.29.08.2025 has issued some directions to the R-3 Board. The relevant para of the said order containing paragraph - 7 & 8 are given below:

7. On due consideration of the submissions made by learned Counsel for the applicant and perusal of material enclosed with the application, we are of the considered view that grievances of the applicant are required to be looked into and appropriate action needs to be taken by OSPCB on show cause notice dated 26.09.2024 in accordance with law by making requisite factual verification on the spot and after giving opportunity of being heard to the applicant and Respondent No.6 and other concerned Project Proponents as the case may be.

8. Accordingly, the present original application is disposed of with direction to OSPCB to treat the present original application filed before this Tribunal as appropriate representation / complaint made to it and to look into the grievances of the



applicant and to take appropriate action on show cause notice dated 26.09.2024, if not already taken, in accordance with law by making requisite factual verification on the spot and after giving opportunity of being heard to the applicant and Respondent No.6 and other concerned Project Proponents as the case may be.

3. That the applicant vide his letter dtd.16.10.2025 has requested the R-3 Board to take steps for compliance of the direction of the Hon'ble Tribunal dtd.29.08.2025 and also requested to formally included and permitted to remain present during inspection of the site. In response to the said letter, the R-3 Board through its Addl. Chief Environmental Scientist vide his letter No.22965 dtd.30.12.2025 has requested the applicant to provide a copy of show cause notice issued on dt.26.09.2024 which has been referred to in the order dtd.29.08.2025 at para-7 of the Hon'ble Tribunal for necessary compliance of the order. In the said letter, it is stated that on verification of records, it is found that no show cause notice dtd.26.09.2024 has been issued pertaining to the above issue at the Head Office level, Bhubaneswar. A



copy of letter dtd.16.10.2025 of the applicant and letter No.22965 dtd.30.12.2025 of the R-3 Board referred above are annexed to this affidavit and marked as ANNEXURE - R3/1 and ANNEXURE - R3/2 respectively.

4. That the applicant vide his e-mail dtd.02.01.2026 has responded to the letter of the R-3 Board at Annexure-R3/2 without furnishing a copy of show cause notice dtd.26.09.2024 as called for has urged upon to initiate contempt proceedings and communication of a reasoned action taken report. Copy of the e-mail dtd.02.01.2026 is annexed to this affidavit and marked as ANNEXURE - R3/3.

5. That it is further humbly submitted that in between the applicant has approached the Hon'ble Tribunal in MA No.14/2026/EZ for non-compliance of the direction dtd.29.08.2025 of the Hon'ble Tribunal. The R-3 Board after receipt of notice in the MA verified the records and found that in fact a communication vide No.1401 dtd.26.09.2024 has been issued by the Regional Officer, Jharsuguda of the R-3 Board to the R-6 unit. The said



letter dtd.26.09.2024 is not a show cause notice and in the said letter the R-6 unit has been instructed to take steps for filling of the low lying areas in accordance with guidelines laid down by the CPCB and the SPCB as per Fly Ash Notification dtd.31.12.2021. A copy of the letter No.1401 dtd.26.09.2024 is annexed to this affidavit and marked as **ANNEXURE - R3/4.**

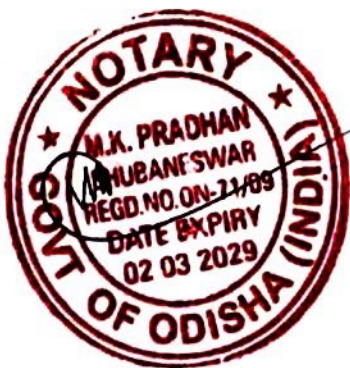
6. That in order to associate the Applicant and the Project Proponent i.e. R-6 for compliance of the direction of the Hon'ble Tribunal dtd.29.08.2025, the Regional Officer, Jharsuguda of the R-3 Board vide his letter No.1169 dtd.19.06.2026 has fixed the date of inspection on 22.06.2026 at 10:00 AM and requested to remain present at the alleged site to carry out inspection and communicated the same vide letter No.1169 dtd.19.06.2026. A copy of the letter No.1169 dtd.19.06.2026 is annexed to this affidavit and marked as **ANNEXURE - R3/5.**



That in response to the letter at Annexure-R3/5, the R-6 vide his letter dtd.19.06.2026 has intimated the Board

that it will not allow participation, movement or access of the applicant or any other private third party within our premises under the guise of proposed joint inspection for operational safety, security and confidentiality consideration and requested the Board that any inspection if at all undertaken be conducted independently by the officials of the Board in exercise of their statutory powers. A copy of letter dtd.19.06.2026 of the R-6 is annexed to this affidavit and marked as **ANNEXURE - R3/6.**

8. That Smt. A. Ekka, Env. Scientist and Er.S.K.Munda, Asst. Env. Engineer of the Regional Office, Jharsuguda of the R-3 Board has carried out inspection of the site independently on dtd. 22.06.2026 and it is indicated in the inspection report that although Sri Rabindra Kumar Pradhan (authorised persons by the applicant) is present, but the R-6 has not permitted the representative of the applicant for inspection. In the Inspection Report, the Inspecting Officers have verified the compliance with regard to the observation made in the letter



dtd.26.09.2024 and submitted their report. Copy of the Inspection Report along with its annexures are annexed to this affidavit and marked as ANNEXURE - R3/7 Colly.

9. That the R-3 Board will take steps for providing opportunity of hearing to the applicant and the R-6 by fixing a short date and the outcome of the personal hearing will be placed before this Hon'ble Tribunal for kind perusal as a meticulous compliance to the direction dtd.29.08.2025 of the Hon'ble Tribunal.
10. That it is further humbly clarified that all averments, contentions and/or statement as contained in the IA 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, but should be treated as expressly denied and the Applicant should be put to strict proof in respect thereof. I also crave leave of this Hon'ble Tribunal to file further affidavit or affidavits if the situation so warrants.



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

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.

M.K.P.

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 29th day of June, 2026.



SWORN BEFORE ME

M.K.P.

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

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

29/6/26

To

Date: 16/10/2025

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

Subject: Request for Inclusion During Inspection – In Compliance with Hon'ble NGT Order dated 29.08.2025 in O.A. No. 153/2025/EZ

Respected Madam,

I am the applicant in Original Application No. 153/2025/EZ – Satya Prakash Nayak vs State of Odisha & Ors., decided by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, on 29.08.2025.

The Hon'ble Tribunal has clearly directed OSPCB to treat the matter as a representation/complaint and to take appropriate action only after factual verification on the spot and after giving an opportunity of being heard to the applicant and the project proponent.

Accordingly, I request that I be formally included and permitted to remain present during the inspection of the Siriapali (Jharsuguda T.U. No. 4) site.

Any inspection conducted without providing such opportunity would amount to non-compliance of the Hon'ble NGT's order.

You are therefore requested to intimate me in advance regarding the proposed date and time of the inspection to ensure compliance with the Tribunal's directions.

Thanking you,

Warm regards,

Satya Prakash Nayak

Satyaprakash Nayak

Applicant – O.A. No. 153/2025/EZ

Email: satyaprakashnayak601@gmail.com

Mobile: ±919439637672/ ±917008151438

Address: Babara, Mahakalpada, Kendrapara-754245





EPABX : 2561909/2562847

E-mail : cto17category@ospcboard.orgWebsite : www.ospcboard.odisha.gov.in**STATE POLLUTION CONTROL BOARD, ODISHA**

(Department of Forest, Environment & Climate Change Department, Govt. of Odisha)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII
Bhubaneswar - 751012No. 22965 IND-I-CON-Misc-1248Date 30.12.2025 /

By Registered Post/E-Mail.

satyaprakashnayak601@gmail.com

To,

**Sri Satya Prakash Nayak
At: Babara, Mahakalpada
Dist-Kendrapada, Odisha, 754245.**

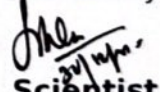
Sub: Request for inclusion during inspection in compliance to Order dated 29.08.2025 of the Hon'ble NGT in the matter of O.A. No153/2025, EZB, Kolkata-reg.

Ref. : Your letter dated 16.10.2025.

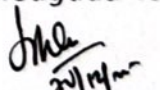
Sir,

The Hon'ble NGT, EZB, Kolkata while disposing the O.A.No153/2025 vide Order dated 29.08.2025 has directed SPCB, Odisha to take appropriate action against the SCN issued on dated 26.09.2024, if not already taken, in accordance with law by making requisite factual verification on the spot and after giving opportunity being heard to the applicant and along with respondent no.6 (M/s Vedanta Limited) and other concerned Project proponent as the case may be. During the verification of records at this Office, it is found that no Show Cause Notice has been issued pertaining to the above issue at the Head Office level, Bhubaneswar. Hence, you are requested to provide a copy of SCN issued on dated 26.09.2024 to the undersigned for necessary compliance to the Order of the Hon'ble NGT and for further action at this end.

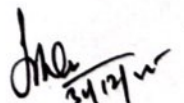
Yours faithfully,


Addl. Chief Env. Scientist.
Memo No. 22966 Dt. 30.12.2025 / By E-mail.

Copy forwarded to the Regional Officer, SPC Board, Jharsuguda for information and necessary action.


Addl. Chief Env. Scientist.
Memo No. 22967 Dt. 30.12.2025 / By Hand.

Copy forwarded to the Senior Law Officer (Level-II), SPC Board, Jharsuguda for information and necessary action


Addl. Chief Env. Scientist.


6/29/26, 2:18 PM

pollutionb Mail - Fwd: Demand for Fixation of Responsibility and Disciplinary Action for Gross Negligence in Non-Issuance / No...



State Pollution Control Board, Odisha
ଓଡ଼ିଶା ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ, ଓଡ଼ିଶା

SANTOSH_KUMAR Kuanr <skkuanr@ospcbboard.org>

Fwd: Demand for Fixation of Responsibility and Disciplinary Action for Gross Negligence in Non-Issuance / Non-Tracing of Show Cause Notice (SCN) dated 26.09.2024 – Resulting in Non-Compliance with Hon'ble NGT Order dated 29.08.2025 in O.A. No. 153/2025/EZ

3 messages

Chairman OSPCB <chairman@ospcbboard.org>

Fri, Jan 2, 2026 at 12:20 PM

To: skkuanr@ospcbboard.org, rospcb.jharsuguda@ospcbboard.org, complaint@ospcbboard.org

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

From: **Satyaprakash Nayak** <satyaprakashnayak601@gmail.com>

Date: Fri, Jan 2, 2026 at 9:09 AM

Subject: Demand for Fixation of Responsibility and Disciplinary Action for Gross Negligence in Non-Issuance / Non-Tracing of Show Cause Notice (SCN) dated 26.09.2024 – Resulting in Non-Compliance with Hon'ble NGT Order dated 29.08.2025 in O.A. No. 153/2025/EZ

To: <chairman@ospcbboard.org>, <membersecretary@ospcbboard.org>, <rospcbjharsuguda@gmail.com>, <rospcb.jharsuguda@ospcbboard.org>, cto17category@ospcbboard.org <cto17category@ospcbboard.org>, <paribesh1@ospcbboard.org>

To

The Chairman

Odisha State Pollution Control Board

Paribesh Bhawan, A/118, Nilakantha Nagar

Unit-VIII, Bhubaneswar – 751012

And

The Member Secretary

Odisha State Pollution Control Board

Paribesh Bhawan, A/118, Nilakantha Nagar

Unit-VIII, Bhubaneswar – 751012

Subject:

Demand for Fixation of Responsibility, Inquiry and Disciplinary Action for Gross Negligence in Non-Issuance / Non-Tracing of Show Cause Notice (SCN) dated 26.09.2024 and Resultant Non-Compliance with Hon'ble NGT Order dated 29.08.2025 in O.A. No. 153/2025/EZ

Respected Madam,

I am the Applicant in Original Application No. 153/2025/EZ (Satya Prakash Nayak vs. State of Odisha & Ors.), disposed of by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, vide order dated 29.08.2025. This representation is being submitted in continuation of the said order and in reference to the official communication issued by the Odisha State Pollution Control Board vide letter dated 30.12.2025, signed by the Additional Chief Environmental Scientist.

1. Categorical Admission of Serious Lapse by OSPCB

In the aforesaid letter dated 30.12.2025, OSPCB has formally admitted on record that no Show Cause Notice (SCN) pertaining to the matter, including the SCN dated 26.09.2024 referred to by the Hon'ble NGT, is available at the Head Office, Bhubaneswar.

This admission establishes a grave and undeniable administrative failure within the statutory regulator.

2. Direct Non-Compliance with Hon'ble NGT Order

The Hon'ble NGT, vide order dated 29.08.2025, expressly directed OSPCB to take appropriate action against the SCN dated 26.09.2024, after:

factual verification on the spot, and

providing opportunity of hearing to the Applicant and the Project Proponent.

The non-availability / non-issuance / non-tracing of the SCN makes compliance with the Hon'ble Tribunal's order impossible, thereby placing OSPCB in a position of procedural non-compliance and exposing senior officials to judicial

scrutiny.

3. Gross Negligence and Dereliction of Statutory Duty

Issuance, custody, monitoring, and enforcement of a Show Cause Notice are exclusive statutory functions of the Pollution Control Board under environmental laws.

The present situation clearly indicates one or more of the following:

failure to issue the SCN despite statutory obligation;
issuance followed by gross negligence in record maintenance;
suppression or deliberate non-placement of the SCN on record;
systemic failure and lack of supervisory control.

Each of the above constitutes gross negligence, dereliction of duty, and administrative misconduct.

The burden of this failure cannot be shifted to a citizen/applicant, nor can the Board proceed further while ignoring this foundational lapse.

4. Demand for Immediate and Time-Bound Action

In view of the seriousness of the matter, I hereby formally demand that the competent authority:

Fix responsibility on the officer(s) concerned for non-issuance / non-tracing / non-action of the SCN dated 26.09.2024;

Order an internal inquiry into the lapse and place its findings on official record;

Initiate disciplinary proceedings against erring officials for gross negligence and dereliction of statutory duty;

Disclose the exact status of the SCN, including whether it was issued, dispatched, acted upon, or suppressed;

Ensure that no inspection, consent, renewal, or grant of CTO is undertaken in the matter without strict and complete compliance with the Hon'ble NGT's order dated 29.08.2025.

5. Reservation of Rights

This representation is submitted without prejudice to my right to approach the Hon'ble National Green Tribunal for: execution of its order,

initiation of contempt proceedings, and

fixation of personal accountability of officers concerned,

in the event of continued non-compliance or failure to take corrective and disciplinary action.

I request that a reasoned action-taken report be communicated to me within a reasonable time.

Yours faithfully,

Satya Prakash Nayak

Applicant – O.A. No. 153/2025/EZ

Email: satyaprakashnayak601@gmail.com

Mobile: +91-9439637672 / +91-7008151438

Enclosures:

Hon'ble NGT Order dated 29.08.2025

OSPCB letter dated 30.12.2025

Covering letter dated 16.10.2025

Email dated 27.10.2025



REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA

(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ODISHA)
Plot No. 370/5971, At -Babubagicha (Cox Colony), St. Marry Hospital Road,
Post - Industrial Estate, Jharsuguda- 768 203

Tel No 06645 - 273284/273294
E-mail: rospcb.jharsuguda@ospboard.org
rospcbjharsuguda@gmail.com

"By Email"

No. 1401 /IND-VII-Misc-51

Date: 26/09/2024

From

Er. H.K. Nayak,
Regional Officer

To,

The Chief Executive Officer,
M/s Vedanta Ltd,
At-Burkhamunda,
Dist-Jharsuguda.

Sub: Violation with regards to the guideline for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and Abandoned Quarries, 2017-Reg.

Sir,

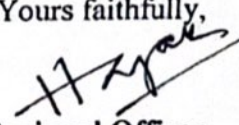
With reference to the above cited subject, it is to intimate that a public complaint was received telephonically from the Hon'ble MLA of Jharsuguda on dated:-21.09.2024, concerning the dumping of ash at Siriapali (Jharsuguda T.U. No.4) in the district of Jharsuguda with respect to the grievance petition given by Sri Surati Oram, a resident of Orampada, ward no-15 of Kurebaga village. In this regard, a field visit was conducted by the official of Regional Office, Jharsuguda, SPCB, Odisha to the alleged site on dated:-22.09.2024. During the enquiry, she stated that significant fugitive emissions are generated from the low-lying area of Siriapali due to wind action, particularly in adverse weather conditions. In the meantime another complaint has been received by Sri Rabindra Pradhan a member of Vedvyas Seva Sangathan with regards to illegal dumping of ash at Siriapali (copy of complaint enclosed).

From the visit it was observed that, ash dumping activity was under progress and from the records it was found that Consent to Operate obtained for filling of low-lying at Jharsuguda T.U No.4 in the area Ac 9.00 dec, Ac 6.87 dec & Ac 5.48 dec was valid upto 31.03.2023. It was further observed that ash has been dumped at height of about 15 m, in contrast to the adjacent high-level land which is in violation to the guideline for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and Abandoned Quarries, 2017 of SPCB, Odisha.

Therefore, you are hereby directed to immediately stop illegal dumping of ash in the above mentioned alleged site and submit a compliance report to the Board with photographs otherwise fine shall be imposed for illegal dumping of fly ash as per the guidelines of Fly Ash for reclamation of Low Lying Areas.

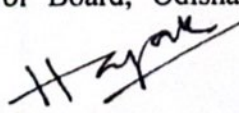
As per the Fly Ash Notification, 2021 vide S.O.5481(E), dtd:-31.12.2021 filling of low-lying areas with ash shall be carried out with prior permission of the State Pollution Control Board for filling of the low-lying areas and in accordance with guidelines laid down by the Central Pollution Control Board (CPCB) and State Pollution Control Board (SPCB). Please note that violation of the notification will lead to payment of environmental compensation as laid down in the notification as well as punitive action against your unit.

Yours faithfully,


Regional Officer

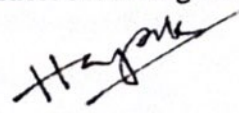
Memo No. 1402 /Dt. 26/09/2024

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


Regional Officer

Memo No. 1403 /Dt. 26/09/2024

Copy forwarded to the Chief Environmental Engineer(C), State Pollution Control Board, Odisha Bhubaneswar for kind information and necessary action. M/s Vedanta Ltd may be directed not to dump ash illegally here and there causing environment nuisance in the district of Jharsuguda.


Regional Officer



E-mail: rospcb.jharsuguda@gmail.com
rospcb.jharsuguda@ospcbboard.org

REGIONAL OFFICE
STATE POLLUTION CONTROL BOARD, ODISHA
(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)
Plot No. 370/5971, At - Babubagicha (Cox Colony), St. Mary's Hospital Road,
Post - Industrial Estate, Jharsuguda- 768 203

By e-MAIL

No 1169 / Tncd-VIII-NGT-40

Date 19/06/2026

From,

Er H.K. Nayak
 Regional Officer

To,

Sri Satya Prakash Nayak,
 At-Babara, Mahakalpada,
 Dist- Kendrapada, Odisha.

The CEO,
 M/s Vedanta Aluminium Metal Ltd (Formerly M/s Vedanta Ltd),
 At-Burkhamunda, PO-Kalimandir, Dist-Jharsuguda.

Sub: Joint Site inspection in the matter of Hon'ble NGT order dated 15.04.2026 in OA No.153/2025/EZ- Satya Prakash Nayak Vs. State of Odisha & Ors-Reg.

Ref: H.O. Letter no-9112, dtd:-11.06.2026.

Sir,

With reference to the subject cited above and the letter under reference, it is to inform you that the Head Office, Bhubaneswar, has directed this office to conduct a joint inspection in the presence of both the applicant and the project proponent and to furnish a detailed factual report indicating the action taken on the aforesaid letter, along with the present status of compliance.

Therefore, in view of the above, you are requested to be remain present on dated:-22.06.2026, at 10.00 am at the alleged site to carry out inspection. This is for your kind information and necessary action.

Yours faithfully,

[Signature]
 Regional Officer

Memo no: 1170, dtd:- 19/06/2026

Copy forwarded to the Adl. Chief Environmental Scientist, SPCB, Odisha, Bhubaneswar for kind information.

[Signature]
 Regional Officer

Memo no: 1171, dtd:- 19/06/2026

Copy forwarded to the Sri B.P.Pattajoshi, Sr. Legal Consultant, SPCB, Odisha, Bhubaneswar for kind information.

[Signature]
 Regional Officer

Memo no: 1172, dtd:- 19/06/2026

Copy forwarded to the Sr.Law Officer, SPCB, Odisha, Bhubaneswar for kind information.

[Signature]
 Regional Officer



Letter No: VAML/AU/26-27/33

Date: 19.06.2026

To,
The Additional Chief Environmental Scientist,
Odisha State Pollution Control Board,
Paribesh Bhawan, A/118, Nilakantha Nagar,
Unit-VIII, Bhubaneswar - 751012

Sub: Reply to letter regarding submission of factual compliance report in OA No. 153/2025/EZ (Satya Prakash Nayak v. State of Odisha & Ors.).

Ref.: 1. Letter No. 9112 dated 11.06.2026 issued by your good office.
2. Order dated 29.08.2025 in OA No. 153/2025/EZ, Satya Prakash Nayak v. State of Odisha & Ors.
3. Order dated 16.02.2026 in MA No. 14/2026/EZ in OA No. 153/2025/EZ.
4. Order dated 15.04.2026 in MA No. 14/2026/EZ in OA No. 153/2025/EZ.

Respected Sir,

We, M/s Vedanta Aluminium Metal Limited (VAML), are in receipt of your above-referenced letter No. 9112 dated 11.06.2026, whereby your office has proposed a joint inspection in connection with OA No. 153/2025/EZ (Satya Prakash Nayak vs. State of Odisha & Ors.) and has requested inspection participation of both the applicant, Sri Satya Prakash Nayak, and the project proponent.

We respectfully submit that the order dated 29.08.2025 passed in Original Application No. 153/2025/EZ directed the Board to look into the grievances of the applicant and to take appropriate action in accordance with law by making requisite factual verification on the spot and after giving opportunity of being heard to the applicant and Respondent No. 6 and other concerned project proponents, as the case may be. The said order, while requiring factual verification and opportunity of hearing, neither direct that the applicant be permitted to participate in joint inspection nor does it confer upon the applicant any statutory status equivalent to that of the inspecting authority.

In this regard, it is submitted that the right to enter, inspect, verify, examine, monitor, collect samples, and assess compliance under the applicable environmental regime vests in the competent regulatory authority and its duly authorised officers under the relevant provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986 and the rules framed thereunder. A private complainant or applicant, howsoever interested in the proceedings, does thereby acquire neither any independent statutory right of inspection, nor any co-extensive role in inspection or fact-finding with that of the Board or its authorised personnel.

Vedanta Aluminium Metal Limited

Vill.: Bhurkamunda, P.O.: Kalimandir, Dist.: Jharsuguda, Odisha, India, 768202

T: +91-664 566 6000 | F: +91-664 566 6267 | Website: www.vedantaaluminium.com

REGISTERED OFFICE: Vedanta Aluminium Metal Limited, C-103, Atul Projects, Corporate Avenue New Link, Chakala MIDC, Mumbai, Maharashtra, India, 400093

CIN: U24202MH2023PLC411663 | Email: vaml.sect@vedanta.co.in



We also note that the Board has now recorded during scrutiny of records that no show-cause notice dated 26.09.2024 was issued by the Board, and that instead Letter No. 1401 dated 26.09.2024 was issued from the Regional Office directing cessation of alleged illegal dumping and seeking compliance. This significantly demonstrates that the present exercise is one of factual status verification by the regulator for purposes of reporting before the Hon'ble Tribunal. It ought not to be converted into an unrestricted private evidentiary exercise or a roving access arrangement in favour of the applicant.

Further, we also note that the order dated 15.04.2026 passed in the MA No. 14/2026/EZ merely grants time to the Odisha State Pollution Control Board and other respondents to file their responses/compliance reports within four weeks. Similarly, the earlier order dated 16.02.2026 in MA No. 14/2026/EZ only records issuance of notice to the respondents for filing their responses/compliance reports. We respectfully submit that the directions to conduct a joint inspection with the applicant, are not borne out from any of the orders passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

Without prejudice, we respectfully place on record our formal objection to any unrestricted participation, movement, or access of the applicant or any other private third party within our premises under the guise of the proposed "joint inspection" for operational, safety, security, and confidentiality considerations.

We therefore request that the aforesaid direction in Letter No. 9112, to the extent it contemplates a "joint inspection" with the applicant, be modified appropriately, and that any inspection, if at all undertaken, be conducted independently by the officials of the Board in exercise of their statutory powers.

All rights, remedies, defences, objections, and jurisdictional / content-based contentions available to the Company in OA No. 153/2025/EZ, MA No. 14/2026/EZ, and any connected regulatory or judicial proceedings are expressly reserved.

We remain available to coordinate inspection logistics with your office in a lawful and orderly manner.

Yours faithfully,

For Vedanta Aluminium Metal Limited, Jharsuguda


Ashutosh Dwivedi

Deputy CEO

CC: 1. The Member Secretary, SPCB, Odisha, Bhubaneswar
2. The Regional Officer, SPCB, Odisha, Jharsuguda

Vedanta Aluminium Metal Limited

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**FACTUAL REPORT ON THE SITE VISIT CARRIED OUT AT THE LOW-LYING AREA OF
M/S VEDANTA LTD, AT- JHARSUGUDA T.U NO-4, SIRIAPALI, DIST-JHARSUGUDA IN
THE MATTER OF O.A No-153/2025/EZ**

The alleged site at Jharsuguda T.U No-4, Siriapali, Dist-Jharsuguda was inspected on dated:- 22.06.2026 in compliance to the letter issued by Head Office, Bhubaneswar vide letter no- 9112/IND-I-CON-MISC-1731, dtd:-11.06.2026. The following persons/representatives were present at the site for the verification:-

1. Sri Rabindra Kumar Pradhan (Authorized person by Sri Satya Parakash Nayak). Copy of Authorization mail is attached as Annexure-I.
2. Sri Bharat Saxena (AGM, Environment of M/s Vedanta Ltd)
3. Sri Avra Sen (Head Ash Operations of M/s Vedanta Ltd).
4. Sri Sujit Kumar Dash (Head Ash Utilisation of M/s Vedanta Ltd)
5. Sri V Jayakumar (O&M Ash Dykes of M/s Vedanta Ltd)
6. Sri Shubham Jee (Lead Security of M/s Vedanta Ltd)

The applicant was not permitted by the industry to participate in the verification process on the grounds that the order of the Hon'ble NGT dated 29.08.2025 did not contain any specific direction regarding the conduct of a joint inspection. However, the undersigned visited the alleged site independently and the following observations were made with reference to Letter No. 1401/IND-VII-MISC-51, dated 26.09.2024:-

Background:-

The industry had obtained valid Consent to Establish and Valid Consent to Operate from the Board for reclamation of low lying area At- Jharsuguda T.U No.4, with ash. The status of the following are as follows:-

Sl no	Details of Low-lying area	Quantity	Status of CTE	Status of CTO
1.	Ac 6.87 dec under Mouza- Jharsuguda T.U No.4, Tahasil- Jharsuguda in the district of Jharsuguda	8,00,000 Metric Tonne	Granted vide this office letter no- 530/IND- NOC/279/2021, dtd:-25.03.2021.	Granted for a period upto 31.03.2023, vide this office letter no- 798/Ind-V-Con- 390/2021, dtd:- 16.06.2021. *CTO has been expired.

2.	Ac 9.00 dec. under Mouza- Jharsuguda T.U No.4, Tahasil- Jharsuguda in the district of Jharsuguda	8,00,000 Metric Tonne	Granted vide this office letter no- 526/IND- NOC/285/2021, dtd:-25.03.2021.	Granted for a period upto 31.03.2023, vide this office letter no- 795/Ind-V-Con- 391/2021, dtd:- 16.06.2021. *CTO has been expired.
4.	Ac 5.48 dec, under Mouza- Jharsuguda T.U No.4, Tahasil- Jharsuguda in the district of Jharsuguda	8,00,000 Metric Tonne	Granted, vide this office letter no-528/IND- NOC/283/2021, dtd:-25.03.2021.	Granted for a period upto 31.03.2023, vide this office letter no- 801/Ind-V-Con- 388/2021, dtd:- 16.06.2021. *CTO has been expired.

Public complaint had been received telephonically from the Hon'ble MLA of Jharsuguda on dated:-21.09.2024, concerning the dumping of ash at Siriapali (Jharsuguda T.U. No.4) in the district of Jharsuguda with respect to the grievance petition given by Sri Surati Oram, a resident of Orampada, ward no-15 of Kurebaga village. However, during the enquiry on dated:-22.09.2024, she stated that significant fugitive emissions are generated from the low-lying area of Siriapali due to wind action, particularly in adverse weather conditions. In the meantime another complaint has been received by Sri Rabindra Pradhan a member of Vedvyas Seva Sangathan with regards to illegal dumping of ash at Siriapali. In this regard, a violation letter was issued to the industry with regards to the guideline for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and Abandoned Quarries, 2017 vide letter no-1401/IND-VII-MISC-51, dtd:-26.09.2024.

Observation made on the day of inspection with respect to letter no-1401/IND-VII-MISC-51, dtd:-26.09.2024:-

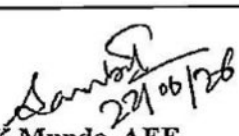
Points	Observations
It was observed that, ash dumping activity was under progress and from the records it was found that Consent to Operate obtained	During the inspection, no ash dumping activity was observed within the alleged low-lying area. The eastern peripheral slope of

for filling of low-lying at Jharsuguda T.U No.4 in the area Ac 9.00 dec, Ac 6.87 dec & Ac 5.48 dec was valid upto 31.03.2023. It was further observed that ash has been dumped at height of about 15 m, in contrast to the adjacent high-level land which is in violation to the guideline for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and Abandoned Quarries, 2017 of SPCB, Odisha.

the ash dumped area was found to be located in close proximity to the bank of Kharkhari Nallah. The height of the ash dumped including soil capping at the low-lying area was observed to be approximately 15–20 m high from the adjoining contiguous land.

During the inspection, the following measures were found to be under implementation in the low-lying area towards Kharkhari Nallah:-

- Soil capping/covering work was observed over most portions of the low-lying area, except for a few isolated patches. As reported by the industry representative, a soil cover of approximately 500–600 mm thickness has been provided, and plantation activities was under progress over the covered surface. (Photographs enclosed).
- Stone pitching of approximately 400 m length and 2.5 m width has been provided along the slope of the low-lying area. (Photographs enclosed).
- Gabion box of approximately 300 m length has been constructed at the toe/base of the slope. (Photographs enclosed).
- Surface runoff drainage channels/slope drains has been constructed at the slope. (Photographs enclosed).
- Vetiver grass plantation is under progress along the slope of the low-lying area for slope stabilization. (Photographs enclosed).


Er S.K.Munda, AEE


Smt. A. Ekka, ES

Photographs taken on the day of inspection dated:-22.06.2026







Date: 18.06.2026

To: The Regional Officer
State Pollution Control Board, Odisha
Regional Office, Jharsuguda

Subject: Request for Intimation of Joint Verification and Authorization of Representative in
OA No. 153/2025/EZ

Respected Sir,

I respectfully invite your kind attention to Letter No. 9112/IND-I-CON-MISC-1791 dated 11.06.2026 issued by the Addl. Chief Environmental Scientist, State Pollution Control Board, Odisha, in connection with OA No. 153/2025/EZ (Satya Prakash Nayak vs. State of Odisha & Others) and Miscellaneous Application No. 14/2026/EZ, wherein your office was directed to conduct a joint inspection involving the applicant and the project proponent and to furnish a factual compliance report within seven days.

I have waited for the stipulated period mentioned in the aforesaid letter; however, I have not received any communication from the Regional Office, SPCB, Jharsuguda regarding the proposed date, time, and venue of the Joint Verification/Inspection.

Due to an unavoidable medical emergency, I am presently required to travel to Hyderabad for medical purposes. Therefore, in the event that the Joint Verification is scheduled during my absence, I hereby authorize Sri Rabindra Kumar Pradhan to attend and participate in the Joint Verification proceedings on my behalf and to remain present during the inspection process.

Authorized Representative Details:

Name: Sri Rabindra Kumar Pradhan
Email: ravindrpradhan25@gmail.com
Mobile: +91 70081 51438

I therefore request your good office to kindly communicate all future correspondence, notices, inspection schedules, and intimation relating to the Joint Verification to the above-mentioned email address and mobile number so that my authorized representative can remain present and assist the inspection team.

Considering that the matter is presently pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, I request that the date and schedule of the Joint Verification may kindly be intimated at the earliest.

Thanking you.

Yours faithfully,

Satya Prakash Nayak
Applicant, OA No. 153/2025/EZ
At: Babara, Mahakalapada, Kendrapada, Odisha – 754245
Email: satyaprakashnayak601@gmail.com

Authorized Representative:

Rabindra Kumar Pradhan
Email: ravindrpradhan25@gmail.com
Mobile: +91 70081 51438

Encl.: Copy of SPCB Odisha Letter No. 9112 dated 11.06.2026.

Cc:

Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar
Addl. Chief Environmental Scientist, SPCB Odisha
CTE / CTO Cell