

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE, KOLKATA
INTER LOCUTORY APPLICATION NO. 68/2025/EZ
ORIGINAL APPLICATION NO. 187 OF 2024 (EZ)**

IN THE MATTER OF:

Dilip Kumar Pradhan & Anr. ...

Applicant(s)

Versus

State of Odisha & Ors. ...

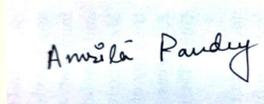
Respondent(s)

**INTERLOCUTORY APPLICATION ON BEHALF THE RESPONDENT
NO. 2, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE.**

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Filed by



**Amrita Pandey
Advocate WB/1741/2009**

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

ORIGINAL APPLICATION No. 187 OF 2024(EZ)

IA. No. /2025

IN THE MATTER OF:

Dilip Kumar Pradhan & Anr. ...

Applicant(s)

Versus

State of Odisha & Ors. ...

Respondent(s)

The humble application on behalf of Respondent No. 2, Ministry of Environment Forest and Climate Change for recalling/modification of the solemn order dated 20.05.2025 passed by the Hon'ble National Green Tribunal Eastern Zonal Bench at Kolkata

MOST RESPECTFULLY SHEWETH: -

1. That the present Original Application No. 187/2024/EZ has been filed seeking directions on alleged violations of forest-related regulations. The application challenges the illegal transfer of 54.20 acres (21.9360 hectares) of forest land in Kosala village, Angul district, Odisha, by IDCO to NALCO for the purpose of constructing a Rehabilitation & Resettlement (R&R) allegedly without due compliance with the provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (Erstwhile Forest Conservation Act).

Linix Hiran Mahab


B.K. NAYAK
NOTARY
CUTTACK TOWN
Regd. No. ON-29/07

2. That the Hon'ble Tribunal vide its order dated 20.05.2025 took note of the absence of a response on behalf of Respondent No. 2 and accordingly directed the deposit of a cost of Rs. 10,000/- (Rupees Ten Thousand only), in view of the delay. Copy of the impugned order dated 20.05.2025 is attached herewith as annexure A/1.
3. That the delay in filing the response was not deliberate or intentional but occurred due to circumstances beyond the control of the Answering Respondent. Specifically in order to respond meaningfully and on the basis of verified facts, the answering respondent issued official communications to the State Government seeking relevant and updated information.
4. That in this regard, letters were issued by the Ministry to the State Government on 03.10.2024, 16.05.2025 and 23.05.2025, requesting specific factual information pertaining to the status of the land in question and other issues raised in the petition. However, despite two attempts by the respondent number 2, no information was received from the State Government (Respondent No 1). In the absence of verified inputs from the concerned authority, the answering respondent was unable to finalize and file its affidavit. Copy of the official communications dated 03.10.2024, 16.05.2025 and 23.05.2025 are attached herewith as Annexure A/2.
5. That the answering respondent sincerely regrets the delay and tenders an apology before this Hon'ble Tribunal. It is submitted that there was no intention to disregard the directions of this Hon'ble Tribunal or to delay the proceedings in any manner.
6. That the Answering Respondent humbly prays that, in light of the genuine efforts made and the factual circumstances narrated above, the


B.K. NAYAK
NOTARY
CUTTACK TOWN
Regd. No.ON-29/03

Tinir Hutan rachat

order dated 20.05.2025 may kindly be recalled or suitably modified. Further, the answering respondent assures this Hon'ble Tribunal that the reply to the Original Application is being filed simultaneously with the present application and the same may be taken on record.

7. That this application is made bonafide and for the ends of justice.

PRAYER

In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- A. Recall and/or suitably modify the order dated 20.05.2025 passed in Original Application No. 187/2024/EZ, to the extent of waiving the cost of Rs. 10,000/- imposed upon Respondent No. 2;
- B. Take on record the apology of the Ministry for the delay, along with the assurance that the reply to the Original Application is being filed simultaneously;
- C. Pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE RESPONDENT AS IN DUTY BOUND SHALL EVER PRAY.

Place: Bhubaneswar

Date: 13.06.2025

Timir Haran Mahato

Deponent


B.K. NAYAK
NOTARY
CUTTACK TOWN
Regd. No.ON-29/03

(डॉ. तिमिर हारन महातो)
(DR. TIMIR HARAN MAHATO)
वैज्ञानिक 'ई' /SCIENTIST 'E'
भारत सरकार/Govt. of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Env. Forest & CC
भुवनेश्वर, Odisha, India



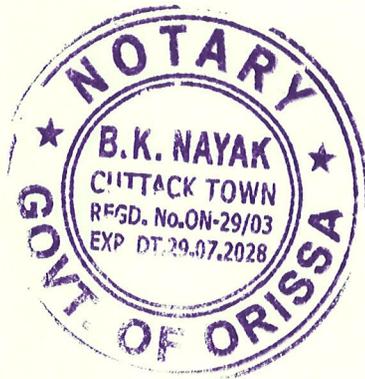
VERIFICATION

I, Dr Timir Haran Mahato, S/o Shri P.C Mahato, aged about 50 years, working as Scientist 'E' at Regional Office, Bhubaneswar of the Ministry of Environment, Forest and Climate Change ('MoEF&CC', for short) at A/3, Chandrashekharapur, Bhubaneswar - 751023 do hereby solemnly affirm and state as under:

1. That I am the applicant and I have also affirmed the affidavit on behalf of the MoEF&CC, being the respondent no.2 in the above-mentioned matter and as such I am well conversant with the facts and circumstances of the case and also competent to depose to the same.
2. That I state that the contents of my above affidavit from para 1 to 7 are true and correct to my knowledge and belief which I verily believe to be true. No part of the same is false and nothing has been concealed there from.

Place: Bhubaneswar

Dated: 13.06.2025



Timir Haran Mahato
Deponent

(Dr. Timir Haran Mahato)
Scientist 'E' / SCIENTIST 'E'
भारत सरकार / Govt. of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Env. Forest & CC
क्षेत्रीय कार्यालय, भुवनेश्वर / Regional Office, Bhubaneswar

The deponent being identified by Self Adv/Clerk
swears on oath & solemnly affirms
before me on dt: 13/06/2025
that the facts stated above are true
to his/her knowledge.

Munam
Notary for Cuttack Town 13/06/2025
Govt. of Orissa
Regn. No. ON-29/03

Item No.7

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

(Through Physical Hearing with Hybrid Mode)

Original Application No. 187/2024/EZ

Dilip Kumar Pradhan & Anr.

Applicant

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 20.05.2025

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

Applicant(s): Mr. Sankar Prasad Pani, Adv. a/w Mr. Ashutosh Padhy,
Advocate for Applicant (in Virtual Mode)

Respondent(s): Ms. Samapika Mishra, Advocate for R-1,3,4 and 6
Ms. Amrita Pandey, Advocate for R-2 (in Virtual Mode)
Mr. Pronoy Mohanty, Advocate a/w Mr. Prasanjit Pani for
R-5 (in Virtual Mode)
Mr. Bidesh Ranjan Behera, Advocate for R-7 (in Virtual
Mode)

ORDER

1. Despite repeated opportunities granted, no response has been filed on behalf of respondent 2 i.e., Ministry of Environment, Forest and Climate Change. This is very unfortunate particularly when first opportunity was granted on 11.09.2024 and more than 8 months have passed but no response has been filed. We find no reason as to why the response could not have been filed by respondent 2 for such a long period.

2. Learned Counsel appearing for respondent 2 prays for and is allowed one month and no more time to file response subject to payment of cost of Rs.10,000/- which shall be deposited with Registrar, Eastern Zonal Bench at Kolkata before next date.

3. List on 29.07.2025.

Sudhir Agarwal, JM

Dr. Arun Kumar Verma, EM

May 20, 2025
Original Application No. 187/2024/EZ
R

COURT CASE-MOST URGENT



भारत सरकार / Government of India
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय, भुवनेश्वर / Regional Office, Bhubaneswar
 ए ३, चंद्रसेखरपुर / A/3, Chandrasekharpur
 भुवनेश्वर - ७५१ ०२३ / Bhubaneswar - 751 023



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 8(33)392/2024-FCE

Date 03.10.2024

To

The Additional Chief Secretary,
 Forest & Environment Department,
 Government of Odisha.
 Bhubaneswar -751001

Sub: Original Application No. 187/2024/EZ, filed by Dilip Kumar Pradhan & Another against the State of Odisha and Others.-REG

Sir,

With reference to the subject cited above I am directed to state that the Ministry is to file an affidavit in the Original Application No. 187/2024/EZ, filed by Dilip Kumar Pradhan & Another against the State of Odisha and Others before the Hon'ble National Green Tribunal, Kolkata, EZ. In this regard the factual information pertaining to the status of the land & other related issues referred to in the writ petition may please be provided to this office. The copy of the petition is enclosed herewith for your kind reference.

It is therefore requested to kindly provide information pertaining to the averments made by the applicant in the petition for preparation of the counter affidavit, by this office at the earliest.

Yours faithfully,

Padma Mahanti

Encl: As above

(Padma Mahanti)
 Deputy Inspector General of Forests(C)

COURT CASE-MOST URGENT



भारत सरकार / Government of India
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय, भुवनेश्वर / Regional Office, Bhubaneswar
 ए ३, चंद्रसेखरपुर / A/3, Chandrasekharpur
 भुवनेश्वर - ७५१ ०२३ / Bhubaneswar - 751 023



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 8(33)392/2024-FCE

Date 03.10.2024

To

The Principal Chief Conservator of Forests & HOFF,
 Forest Department,
 Government of Odisha.
 Aranya Bhawan, Chandrasekharpur, Bhubaneswar
 Email: pccfodisha@gmail.com & nodal.pccfodisha@gmail.com

Sub: Original Application No. 187/2024/EZ, filed by Dilip Kumar Pradhan & Another against the State of Odisha and Others.-REG

Sir,

With reference to the subject cited above I am directed to state that the Ministry is to file an affidavit in the Original Application No. 187/2024/EZ, filed by Dilip Kumar Pradhan & Another against the State of Odisha and Others before the Hon'ble National Green Tribunal, Kolkata, EZ. In this regard the factual information pertaining to the status of the land & other related issues referred to in the writ petition may please be provided to this office. The copy of the petition is enclosed herewith for your kind reference.

It is therefore requested to kindly provide information pertaining to the averments made by the applicant in the petition for preparation of the counter affidavit, by this office at the earliest.

Yours faithfully,

Padma Mahanti

Encl: As above

(Padma Mahanti)
 Deputy Inspector General of Forests(C)

Copy to:

1. **Divisional Forest Officer**, Angul, at/Po- Amalapada, Angul, Odisha 759122, Email- dfo.angul@odisha.gov.in, with a request to provide information pertaining to the averments made by the applicant in the petition for preparation of the counter affidavit



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur
भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 8(33)392/2024-FCE

Date 16.05.2025

To

The Additional Chief Secretary,
Department of Forests, Environment and Climate Change Government of
Odisha,
Bhubaneswar - 751001

Sub: Reminder in OA No. 187/2024 (EZ) – Dilip Kumar Pradhan & Another vs State of Odisha & Others before the Hon'ble NGT, Kolkata, Eastern Zone.

Ref: This Office earlier letter no. 8(33)392/2024-FCE dated 03.10.2024.

Sir / Madam,

With reference to the subject cited above I am directed to state that the Ministry has to file an affidavit in the OA No. 187/2024/EZ Dilip Kumar Pradhan & Another vs State of Odisha & Others before the Hon'ble NGT, Kolkata, Eastern Zone before 20th May, 2025. The factual information pertaining to the status of the land & other related issues has been sought vide letter dated 03.10.2024, which is awaited. The copy of the letter is enclosed herewith for your kind reference.

Considering the urgency in the matter it is requested to provide the information at the earliest so that affidavit can be filed before 20.05.2025.

Encl: As above.

Yours faithfully,


(G.C. Tiria)

Section Officer.



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, भुवनेश्वर / Regional Office, Bhubaneswar
ए/३, चंद्रसेखरपुर / A/3, Chandrasekharpur
भुवनेश्वर - ७५१ ०२३ / Bhubaneswar - 751 023



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 8(33)392/2024-FCE

Date 16.05.2025

To

The Principal Chief Conservator of Forests & HOFF,
Forest Department,
Government of Odisha.
Aranya Bhawan, Chandrasekharpur, Bhubaneswar
Email: pccfodisha@gmail.com & nodal.pccfodisha@gmail.com

Sub: Reminder in OA No. 187/2024 (EZ) – Dilip Kumar Pradhan & Another vs State of Odisha & Others before the Hon'ble NGT, Kolkata, Eastern Zone.

Ref: This Office earlier letter no. 8(33)392/2024-FCE dated 03.10.2024.

Sir/Madam,

With reference to the subject cited above I am directed to state that the Ministry has to file an affidavit in the OA No. 187/2024/EZ Dilip Kumar Pradhan & Another vs State of Odisha & Others before the Hon'ble NGT, Kolkata, Eastern Zone before 20th May, 2025. The factual information pertaining to the status of the land & other related issues has been sought vide letter dated 03.10.2024, which is awaited. The copy of the letter is enclosed herewith for your kind reference.

Considering the urgency in the matter it is requested to provide the information at the earliest so that affidavit can be filed before 20.05.2025.

Yours faithfully,


(G.C. Tiria)

Section Officer.

Encl: As above.

Copy to:

1. **The Divisional Forest Officer**, Angul, At/Po- Amalapada, Angul, Odisha 759122, Email- dfo.angul@odisha.gov.in, with a request to provide information pertaining to the averments made by the applicant in the petition for preparation of the counter affidavit.



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

F. No. 8(33)392/2024-FCE

23rd May, 2025

To

The PCCF & HoFF,
State Forest Department,
Government of Odisha, Aranya Bhawan,
Chandrasekharpur, Bhubaneswar- 751 023

Sub: OA No. 187/2024 (EZ) - Dilip Kumar Pradhan & Another vs State of Odisha & Others
before the Hon'ble NGT, Kolkata, Eastern Zone - reg.

Ref: This Office letter No. 8(33)392/2024-FCE dated 03.10.2024 and 16.05.2025.

Sir,

With subject and reference cited above, I am directed to inform that the Ministry has to file an affidavit in the OA No. 187/2024/EZ in the matter of Dilip Kumar Pradhan & Another vs State of Odisha & Others before the Hon'ble NGT, Kolkata, Eastern Zone before 20.05.2025. However, the affidavit could not be filed due to non-receipt of the desired information from the State Govt. even after repeated reminders.

In the meantime, the Hon'ble NGT has passed an Order dated 20.05.2025 in the OA No. 187/2024/EZ (copy enclosed) stating that "*despite repeated opportunities granted, no response has been filed on behalf of respondent 2 i.e., Ministry of Environment, Forest and Climate Change. This is very unfortunate particularly when first opportunity was granted on 11.09.2024 and more than 8 months have passed but no response has been filed. We find no reason as to why the response could not have been filed by respondent 2 (MoEF&CC) for such a long period*". Further, respondent 2, i.e. MoEF&CC is allowed one month and no more time to file response subject to payment of cost of Rs.10,000/- which shall be deposited with Registrar, Eastern Zonal Bench at Kolkata before next date i.e. 29.07.2025.

It is therefore, requested to furnish the factual information pertaining to the status of the land & other related issues, so that affidavit can be filed before the next date.

This may be treated as **Most Urgent**.

Encl: As above.

Yours faithfully,

Padma Mahanti

(Dr. Padma Mahanti)

Dy. Inspector General of Forests (Central)

Copy to: The DFO, Angul, At/PO: Amalapada, Dist-Angul, Odisha - 759122 with a request to provide information pertaining to the averments made by the applicant in the petition for preparation of the counter affidavit.

Padma Mahanti

Dy. Inspector General of Forests (Central)



Amrita Pandey <amritalegal@gmail.com>

Re: Advance Copy of IA No. of 2025/EZ in connection with O.A 187-2024 Dilip Kumar Pradhan & Another Vs State of Odisha & Others

Amrita Pandey <amritalegal@gmail.com>

Tue, Jun 17, 2025 at 7:08 PM

To: Sankar Pani <sankarprasadpani@gmail.com>, Bidesh Behera <bidesh.behera@gmail.com>, Samapika Mishra <adv.samapika@gmail.com>, Pronoy Mohanty <pronoymohanty@gmail.com>

Respected All

Re: IA No of 2025

OA No. 187 of 2024

Dilip Kr Pradhan Vs State of Odhisa & Ors.

This is in reference to the above mentioned matter. Please find attached herewith the advance e-copy of the IA filed on behalf MOEF&CC for necessary orders. The date as when the matter shall be appearing and the case number shall be intimated/communicated once the same is made available by the department.

This is for your information and record.

Please accept and acknowledge the same.

Warm Regards

Amrita Pandey

Advocate

M: 9830609262

 **IA (1).pdf**
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