

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.23/2023/EZ

Pradeep Kumar Dhal & Ors.

Applicant(s)

Versus

State Level Environmental Impact
Assessment Authority, Odisha & Ors.

Respondent(s)

Date of hearing: 13.03.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Mr. Ajit Kumar Sahoo, Advocate

ORDER

1. Heard Mr. Ajit Kumar Sahoo, learned Counsel appearing (in Virtual Mode) for the Applicants on admission.
2. The allegation in the Original Application is that the Respondent No.6 is carrying on sand mining in violation of the conditions laid down in the Environmental Clearance dated 30.03.2021 by engaging heavy trucks and transporting sand over the village road in the course of excavation of sand from Baitarani River, Sand Quarry at-Salaba.
3. The Applicants in their Original Application have prayed for revocation of the Environmental Clearance granted to the Respondent No.6, Project Proponent.
4. In our opinion, matter requires consideration.
5. Issue notices to the Respondents, returnable within four weeks.
6. Mr. Tarun Patnaik, learned Additional Standing Counsel appearing in Virtual Mode, accepts notice on behalf of the State Respondents, Respondent Nos.2,3,4 & 5.

7. Ms. Papiya Banerjee Bihani, learned Counsel appearing in Virtual Mode, accepts notice on behalf of the Respondent No.7, State Pollution Control Board, Odisha.
8. Issue notice to the Respondent No.1, State Level Environment Impact Assessment Authority, Odisha & Respondent No.6, Private Respondent.
9. All the Respondents shall file their counter-affidavits within four weeks.
10. Considering the allegations made, we deem it appropriate to constitute a Committee comprising of the following Members:-
 - (i) Senior Scientist from the Odisha State Pollution Control Board;
 - (ii) Representative of Collector and District Magistrate, Jajpur, not below the rank of Additional District Magistrate,
11. Learned Counsel for the Applicants shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Tarun Patnaik and Ms. Papiya Banerjee Bihani, learned Counsel for the Respondents within 24 hours.
12. **List on 18.04.2023.**

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B. Amit Sthalekar, JM

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Prof. A. Senthil Vel, EM

March 13, 2023
Original Application No.23/2023/EZ
BD