

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)**

Original Application No. 83/2020/EZ

Sukanti Pradhan & Ors.

Applicant(s)

Versus

District Collector, Dhenkanal & Ors.

Respondent(s)

Date of hearing: 13.09.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate

For Respondent(s): Mr. S.K. Nayak, AGA for R-1, 4, 6, 7, 11 & 12,  
Mr. Dipanjan Ghosh, Advocate for R-2,  
Mr. Gora Chand Roy Choudhury, Advocate for R-3,  
Mr. Lalit Maharana, Advocate for R-9,  
Mr. Ashutosh Mohanta, Advocate for R-10,  
Mr. Debasish Ghosh, Advocate for MoEF&CC,

**ORDER**

1. Mr. Sankar Prasad Pani, learned Counsel is present for the Applicant.
2. Mr. S.K. Nayak, Additional Govt. Advocate is present for Respondent Nos. 1, 4, 6, 7, 11 & 12, State Respondents, Govt. of Odisha, Mr. Dipanjan Ghosh, learned Counsel is present for Respondent No.2, Odisha State Pollution Control Board, Mr. Gora Chand Roy Choudhury, learned Counsel is present for Respondent No.3, State Environment Impact Assessment Authority (SEIAA), Odisha, Mr. Lalit Maharana, learned Counsel is present for Respondent No.9, Private Respondent, Mr. Ashutosh Mohanta, learned Counsel is present for Respondent No.10, Kunal Structure (I) Pvt. Ltd., and Mr. Debasish Ghosh, learned Counsel is present for Ministry of Environment, Forest and Climate Change, which was the Member of the Committee.
3. An affidavit dated 31.08.2021 along with the Joint Committee's Report has been filed on behalf of the Respondent No.2, Odisha State Pollution Control Board. The same is taken on record.

4. We find from the Joint Committee's report that there are several lapses which point *prima-facie* to the connivance of Sri Sanjay Rout, Tehsildar Kankadahad, Dhenkanal in the irregularities. We also note that the Collector & District Magistrate, Dhenkanal, who was appointed as a Member of the Committee has abdicated his role and nominated the Tehsildar, Kankadahad, Dhenkanal, as his representative.
5. We, therefore, direct the Collector & District Magistrate, Dhenkanal, Odisha, to be present before us through Virtual Court Proceedings on the next date of listing with his explanation on affidavit.
6. We also find that the Joint Committee's report does not state as to what amount has been determined as Environmental Compensation towards cost of restoration of the environment; penalty for excess mining as well as the loss of revenue to the State exchequer caused due to excess mining. We also find that the compensation for the sal trees which have been illegally felled has also not been determined.
7. Let an affidavit with all the facts and figures be filed before the next date of listing after serving e-copy/soft copy of the same upon the learned Counsel for the Applicant as well as the learned Counsel for the other Respondents at least one week before the next date fixed.
8. Mr. Ashutosh Mohanta, learned Counsel states that he has not received the copy of the affidavit dated 31.08.2021 filed by the Respondent No.2, Odisha State Pollution Control Board.
9. Let an e-copy/soft copy of the affidavit dated 31.08.2021 along with Joint Committee's Report be served by Mr. Dipanjan Ghosh, learned Counsel upon Mr. Ashutosh Mohantra, learned Counsel within 24 hours.
10. **List on 08.10.2021.**

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**B. Amit Sthalekar, JM**

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**Saibal Dasgupta, EM**

September 13, 2021  
Original Application No. 83/2020/EZ  
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