

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 05/2019 (EZ)

Jharana Pradhan

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 19.02.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. D. Tripathy, Advocate

For Respondent (s): -

ORDER

1. The complaint in this application is that the Industrial Development Corporation (IDCO) arrayed as Respondent No. 7, while creating Land Bank for establishment of industries and allied purposes had applied to the State Government through the Collector, Keonjhar District, Odisha for providing 306.670 decimals of land, most of which are forest land being recorded as Kizam Gramya Jungle. After the allotment in its favour, the IDCO has leased it out to the Respondent No. 8, M/s. Essar Steal India Ltd., for its use for non-forest activities. It has been stated that while doing so, no clearance has been obtained under the Forest (Conservation) Act, 1980.

2. Considering the facts and circumstances set out in the application, we are satisfied that substantial question relating to environment arises in the case. However, before we issue notice upon the Respondents, we deem it essential to constitute a Committee comprising of:

- i. District Collector, Keonjhar District, Odisha
- ii. Divisional Forest Officer, Keonjhar District, Odisha
- iii. Member Secretary, State Pollution Control Board, Odisha
- iv. A senior representative from the Regional Office of the MoEF&CC, Bhubneshwar.

3. We accordingly direct so.
4. The nodal agency shall be the Department of Forest, Government of Odisha, which shall coordinate with rest of the Members. The logistic support shall be provided by the Department of Forests, Government of Odisha.
5. The Committee shall examine the factual allegations contained in the O.A. In order to do so, the team shall visit and inspect the area in question and, verify on the factual aspects with reference to the revenue records and the physical position obtaining at the spot.
6. The entire exercise shall be completed within a period of one month and report may be transmitted to the Tribunal through e-mail at ngt.filing@gmail.com.
7. In order to expedite the process, the Applicant is directed to furnish copies of the application and this order to the above authorities within one week from hence.
8. List this matter on 28.05.2019 for further orders.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 19, 2019
O.A. No. 05/2019 (EZ)
HB