

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

M.A. No.04/2023/EZ
In
Original Application No.11/2019/EZ

In the matter of:

Tribunal On Its Own Motion

1. Sudhansu Sekhar Kuanr,

S/o Late Murali Dhar Kuanr,
Aged about 58 years,
R/o At/PO-Madanpur, P.S.-Ramchandrapur,
District-Keonjhar,
Pin – 758043

2. Sambit Ranjan Kuanr,

S/o Late Golak Bihari Kuanr,
Aged about 45 years,
R/o At/PO-Madanpur, P.S.-Ramchandrapur,
District-Keonjhar,
Pin – 758043

....Applicant(s)

Versus

1. State of Odisha,

Through Forest and Environment Secretary,
Govt. of India,
Secretariat Building,
Bhubaneswar – 751001

2. Secretary,

Revenue and Disaster Management Department, Govt. of Odisha,
Secretariat Building,
Bhubaneswar,
Pin – 751001

3. District Collector, Keonjhar,

At/PO/Dist.-Keonjhar, Odisha,
Pin – 758001

4. Divisional Forest Officer, Anandpur,

At/PO/Salapada, Anandpur, District-Keonjhar,
Pin – 758001

5. Tahasildar, Ghasipura,

At/Po/Ps-Ghasipura, Keonjhar,
Pin – 758019

6. Member Secretary,

Odisha State Pollution Control Board,

A/118, Unit-VIII, Nilakantha Nagar, Bhubaneswar,
Pin – 751012

7. Superintendent of Police, Keonjhar,
At/Po/Dist.-Keonjhar,
Pin – 758001

8. Sudhansu Sekhar Mallik,
At-Dantia, PO-Bhaluka,
District-Keonjhar,
Pin – 758019

9. M/s Gayatri Projects Limited,
Through Sr. Manager,
B1, TSR Tower, Raj Bhawan Road,
Samajiguda, Hyderabad,
Pin – 500082,

....Respondent(s)

Date of hearing: 27.01.2023

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

For Applicant(s) : *Suo Motu*
Mr. Sankar Prasad Pani, Advocate (in O.A.)

For Respondent(s) : Ms. Samapika Mishra, ASC for R-1 to 5 (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Advocate for R-6 (in Virtual Mode),
Mr. Surendra Kumar, Advocate for CPCB

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present (in Virtual Mode) on behalf of the Original Applicant.
2. Affidavit dated 16.12.2022 has been filed on behalf of the Respondent No.6, State Pollution Control Board, Odisha; the same is taken on record. Along with this affidavit, Annexure-R6/3 has been filed as Interim Proceedings of the meeting held on 30.11.2022.
3. It is stated that in terms of the direction of the Tribunal vide its judgment order dated 02.09.2022 in the Original Application No. 11/2019/EZ *Sudhansu Sekhar Kuanr & Anr. Vs. State of Odisha & Ors.*, Respondent No.9, M/s Gayatri Projects Limited was directed to attend the meeting on 30.11.2022 before the Committee with

supporting documents to substantiate his claim of work of 910 days for purposes of assessment of Environmental Compensation but Respondent No.9 did not attend the proceedings.

4. Ms. Samapika Mishra, learned Additional Standing Counsel on behalf of State Respondents states that the next date of hearing of the case before the Committee is fixed on 04.02.2023.
5. Since nothing further remains to be adjudicated in the present Miscellaneous Application, we accordingly dispose of this Miscellaneous Application No. **04/2023/EZ**. State Respondents shall take action strictly in accordance with law for recovery of Environmental Compensation giving the Respondent No.9 opportunity of stating his case and being heard.
6. There shall be no order as to costs.

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B. Amit Sthalekar, JM

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Prof. A. Senthil Vel, EM

January 27, 2023
M.A. No.04/2023/EZ
In
Original Application No.11/2019/EZ
SKB

NGT