

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

Original Application No.163/2023/EZ

Santanu Kumar Bhukta

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 22.11.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

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

For Respondent(s) : Mr. Ashok Prasad, Advocate for R-13,
Mr. Dipanjan Ghosh, Advocate for R-7 & 8,
Mr. Subir Kumar Palit, Sr. Advocate a/w
Mr. Ashok Prasad, Advocate for R-13,
Ms. Ananya Pradhan, Advocate for R-14 (in Virtual Mode)

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present on behalf of the Applicant.
2. Mr. Dipanjan Ghosh, learned Counsel files Vakalatnama on behalf of the Respondent Nos.7 and 8, Odisha State Pollution Control Board; the same is taken on record. When the case is next listed, the name of Mr. Dipanjan Ghosh shall be printed in the cause list as Counsel for Respondent Nos.7 and 8.
3. Affidavit dated 18.11.2023 has been filed on behalf of the Respondent No.7, Odisha State Pollution Control Board; the same is taken on record.
4. Response affidavit dated 20.11.2023 has been filed on behalf of the Applicant; the same is taken on record.

5. Mr. Subir Kumar Palit, learned Senior Counsel assisted by Ms. Ananya Pradhan, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.14, Private Respondent, prays for and is granted three weeks time for filing his response.
6. In the Committee Report appended to the affidavit of the Odisha State Pollution Control Board dated 18.11.2023, it has been mentioned that a separate Committee to be constituted comprising of Deputy Director of Geology, District Mining Officer and Tahasildar, Gondia to assess the extraction/quantity of minerals from the site.
7. In our opinion, the District Mining Officer and The Collector & District Magistrate, Dhenkanal are members of the Committee, constituted by the Tribunal initially. The District Magistrate, Dhenkanal is competent to assess the extraction/quantity of minerals from the site taking the assistance of the State Mining Department and for that reason, it is not necessary to constitute another Committee.
8. **List on 04.01.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

November 22, 2023,
Original Application No.163/2023/EZ
SKB