

APPELLATE AUTHORITY

CONSTITUTED UNDER WATER (P.C.P.) ACT, 1974, AIR (P.C.P.) ACT, 1981 & BIO-MEDICAL WASTE (M&H) RULES, 1998

(FOREST & ENVIRONMENT DEPARTMENT, GOVERNMENT OF ODISHA)

B-6, BJB NAGAR, BHUBANESWAR -751014, TELEFAX: 0674-2433163-

Mail- doappellateauthority@gmail.com

Website-www.orienvappellateauthority.nic.in

No. 01 AA(6), Dated- 04/01/2025

FORM- VIII

Notice

[See sub-rule 1) of Rule 41]

BEFORE THE APPELLATE AUTHORITY UNDER THE AIR (PCP) ACT, 1981
Appellate Authority as constituted under Section 31 (1) of the Air (Prevention & Control of Pollution) Act, 1981 (14 of 1981)

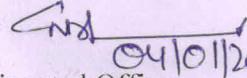
In the matter of I.A. No. 5/2024 against out of Appeal No 3A of 2024 filed under Section 31 of the Air (Prevention & Control of Pollution) Act, 1981 (14 of 1981), M/s Nandi Ghosh Stone Crusher Unit, Represented through its Proprietor, Shri Srinibas Mohapatra, S/o Golak Narayan Mohapatra, At- Champu, PO- Angula, PS- Soro, Dist- Balasore,.....Appellant.

Whereas Shri Srinibas Mohapatra, , S/o Golak Narayan Mohapatra, At- Champu, PO- Angula, PS- Soro, Dist- Balasore, has filed before this Authority a of I.A. No. 5/2024 arising out of Appeal No 3A of 2024, against the Order No.514 & dated-21.06.20219 passed by the Member Secretary, SPC Board, Odisha, under Section 31 of the Act, along with I.A. No.5/2024 for Condonation of delay of 88 days in filing of Appeal.

And whereas under sub-Section (1) of section 31 of the Act, this Authority is required of give to the parties and opportunity of being heard;

Now, therefore, please take notice that this appeal has been placed before the Authority in their sitting dt.04.01.2025 and the Authority has fixed for hearing of the aforesaid I.A. No.5A/2024 on 29.03.2025 The hearing shall take place in the office of the Authority. You are hereby called upon to appear before this Authority at the time and place, either in person or through a duly authorized agent, and explain your case. Please take notice that failure on your part to appear on the day of hearing either in person or through a duly authorized agent, without showing sufficient cause to the satisfaction of the Authority, will make your appeal liable to be dismissed or decided ex-parte. Certified copy of the Order No.01, dt.04.01.2025 of the Authority is enclosed for necessary action.

Given under the hand and seal of the Appellate Authority at Bhubaneswar, this 04.01.2025 of January, 2025.


Designated Officer

By Speed Post

Memo No. 02 Dt. 04/01/2025

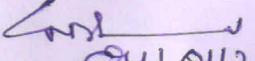
- 1) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the Collector & District Magistrate, Balasore-(RSP-1), for information & necessary action.
- 2) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the Tahasildar, Balasore,-(RSP-2)/ for information & necessary action.
- 3) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the Regional Officer, SPC Board, Balasore - (RSP-3) for information & necessary action.
- 4) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the Smt. Pankajini Jena, (Co-Proprietor of Mahalaxmi Stone Crusher Unit) R/o-Champu, PO-Angula, PS-Soro, Dist- Balasore- (RSP-4) for information & necessary action.



PTO.

2 -

- 5) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the Shri Narendra Mohanty, R/o-Champu, PO-Angula, PS-Soro, Dist-Balasure-(RSP-5) for information & necessary action.
- 6) Copy along with copies of the I.A. No.5/2024 and order No.01, dt.04.01.2025 of the Authority forwarded to the M/s Nandi Ghosh Stone Crusher Unit, Represented through its Proprietor, Shri Srinibas Mohapatra, S/o Golak Narayan Mohapatra, At- Champu, PO-Angula,PS- Soro, Dist- Balasure, Dist- Balasure-(Appellant) for information & necessary action.


04/01/2025
Designated Officer

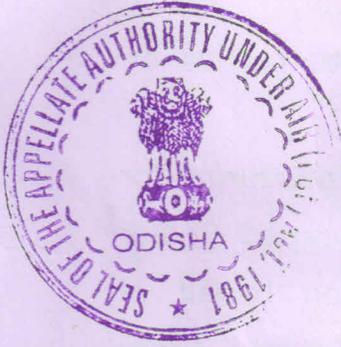
**APPELLATE AUTHORITY
UNDER THE AIR (PCP) ACT, 1981,
ODISHA, BHUBANESWAR.**

APPEAL NO. 3A OF 2024

Srinibas Mohapatra

Appellant

**Shri Soumay Mishra
& Associates
Advocates**



1. Collector & District
Magistrate, Balasore

2. The Tahsildar,
Balasore

3. The Regional Officer,
State Pollution Control
Board, Orissa, Balasore,

4. Smt. Pankajini Jena
(Co-Proprietor of M/s
Mahalaxmi Stone
Crusher, Unit), Balasore

5. Narendra Mohanty,
Balasore.

Respondents

**Mr. B. P. Pattjoshi, Legal
Consultant, SPCB,**

**Mr. S. K. Kuanar, Sr. Law
Officer, Level-II, -(R-3)**

CORAM:

JUSTICE S. K. SAHOO, CHAIRMAN

DR. B.K. SAHU, MEMBER

DR. P.K. MOHANTY, MEMBER

ORDER
04.01.2025
I.A. No.5 of 2024

Order No.
01.

Mr. Pattajoshi, learned Legal Consultant appearing for the SPCB and Mr. Santosh Kumar Kuanar, learned Senior Law Officer, Level-II, SPCB are present on behalf of the Respondent/Opp. Party No.3.

This is an application for condonation of delay.

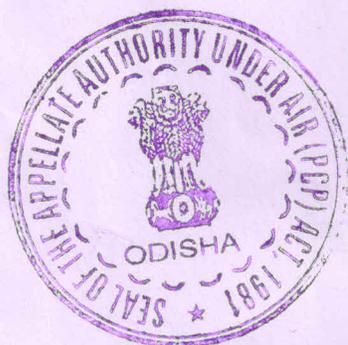
The Stamp Reporter has pointed out that there is a delay of eighty eight days in preferring the appeal.

Issue notice to the respondents/opposite parties on the question of limitation.

Mr. Pattajoshi, learned Legal Consultant appearing for the SPCB and Mr. Santosh Kumar Kuanar, learned Senior Law Officer, Level-II, SPCB accept notice on behalf of respondent/opp. party no.3 i.e. Regional Officer, State Pollution Control Board, Orissa, Balasore.

Requisites for issuance of notice to the respondent/opposite party nos.1, 2, 4 and 5 by speed post with proof of delivery shall be filed within a week.

List this matter on 29.03.2025 for consideration of the application for condonation of delay.



Sd/-
(Justice S. K. Sahoo)
Chairman

Sd/-
(Dr. B.K. Sahu)
Member

Sd/-
(Dr. P.K. Mohanty)
Member

