

APPELLATE AUTHORITY

CONSTITUTED UNDER WATER (P.C.P.) ACT, 1974 & AIR (P.C.P.) ACT, 1981
(FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA)
TOSHALI BHAVAN, A/2 BLOCK, 2ND FLOOR, SATYA NAGAR, BHUBANESWAR-751007
Mail- doappellateauthority@gmail.com
Website-www.orienvappellateauthority.nic.in



No. 35AA(5), Dated- 18/01/2025

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. 6/2024 arising out of Appeal No 4A of 2024 filed under Section 31 of the Air (Prevention & Control of Pollution) Act, 1981 (14 of 1981), by Shri Upendra Kumar Nayak, S/o Late Bhikari Nayak, At-Bhagatpur, PO-Khantapada, Dist-Balasore.....Appellant

Whereas Shri Upendra Kumar Nayak, S/o Late Bhikari Nayak, At-Bhagatpur, PO-Khantapada, Dist-Balasore has filed before this Authority an I.A. No. 6/2024 arising out of Appeal No 4A of 2024, against the Order No.977/CTE-3316 & dated-31.03.2023 passed by the Member Secretary, SPC Board, Odisha, under Section 31 of the Act, along with I.A. No.6/2024 for Condonation of delay of 97 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.18.01.2025 and the Authority has fixed for hearing of the aforesaid I.A. No.6/2024 on 19.04.2025, At-11AM. 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.18.01.2025 of the Authority is enclosed for necessary action.

Given under the hand and seal of the Appellate Authority at Bhubaneswar, this 18th day of January, 2025.


18/01/2025
Designated Officer
Designated Officer
Appellate Authority
(FE & CC Deptt., Govt. of Odisha) BBSR-7
By Speed Post/Mail

Memo No. 36 Dt. 18/01/2025

1) Copy along with copies of the I.A. No.6/2024 arising out of Appeal No. 4A of 2024 and order No.01, dt.18.01.2025 of the Authority forwarded to the Member Secretary, State Pollution Control Board, Bhubaneswar-(RSP-1) for information & necessary action, for information & necessary action.

2) Copy along with copies of the I.A. No.6/2024 arising out of Appeal No. 4A of 2024 and order No.01, dt.18.01.2025 of the Authority forwarded to the Member Secretary, State Environment Impact Assessment Authority(SEIAA),Qr. No-SRF 2/1, Unit-IX, Bhubaneswar-(RSP-2) for information & necessary action.

3) Copy along with copies of the I.A. No.6/2024 arising out of Appeal No. 4A of 2024 and order No.01, dt.18.01.2025 of the Authority forwarded to the Regional Officer, SPC Board, Bhubaneswar - (RSP-3) for information & necessary action.

4) Copy along with copies of the I.A. No.6/2024 arising out of Appeal No. 4A of 2024 and order No.01, dt.18.01.2025 of the Authority forwarded to the MS NATNOV Bio Science Pvt. Ltd, Represented through Dr. Sidhart Pati, At- Bhagatpur, Bahanaga, Dist- Balasore, (RSP-4) for information & necessary action.

5) Copy along with copies of the I.A. No.6/2024 arising out of Appeal No. 4A of 2024 and order No.01, dt.18.01.2025 of the Authority forwarded to the Shri Upendra Kumar Nayak, S/o Late Bhikari Nayak, At-Bhagatpur, PO-Khantapada, Dist-Balasore.....Appellant for information & necessary action.

Cnd
18/01/2025
Designated Officer
Designated Officer
Appellate Authority
(FE & CC Deptt., Govt. of Odisha) BBSR-7

APPELLATE AUTHORITY
UNDER THE WATER (PCP) ACT, 1974 & AIR (PCP) ACT, 1981,
ODISHA, BHUBANESWAR.

APPEAL NO. 2W OF 2024 & 4A OF 2024

Upendra Kumar Nayak

Appellant

Shri Chittaranjan Pattanaik
& Associates- Advocates

- Versus-

**1. The Member Secretary,
State Pollution Control
Board, Odisha,
Bhubaneswar**

**2. The Member Secretary,
SEIA, Odisha,
Bhubaneswar**

**3. The Regional Officer,
State Pollution Control
Board, Odisha,
Bhubaneswar,**

**4. MS NATNOV Bio Science
Pvt. Ltd. Represented
through Dr. Sidhart Pati,
At. Bhagatpur, Odisha,
Balasore**

Respondents

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

Mr. S. K. Kuanar, Sr. Law
Officer, Level-II, -(R-1& 3)

CORAM:

JUSTICE S. K. SAHOO, CHAIRMAN

DR. B.K. SAHU, MEMBER

ORDER

18.01.2025



I.A. No.6 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 Nos.1 & 3.

This is an application for condonation of delay.

The Stamp Reporter has pointed out that there is a delay of Ninety Seven 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 nos. 1 i.e. the Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar and 3 i.e. Regional Officer, State Pollution Control Board, Orissa, Bhubaneswar.

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

Objection if any, to the interim application be filed in the meantime.

List this matter on 19.04.2025 for consideration of the application for condonation of delay.




(Justice S. K. Sahoo)
Chairman


(Dr. B.K. Sahu)
Member

