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## STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakanthanagar, Unit – VIII,  
Bhubaneswar – 751 012, INDIA

No. 11465

Date: 25.10.19

VII – L – Misc – 543

By E-mail

To

The Registrar  
National Green Tribunal  
Principal Bench, New Delhi  
E-mail: [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)

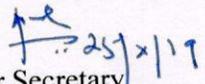
Sub: E.A. No.33/2019 in OA No.572/2016/PB – Kalpana Mallick vs. State of Odisha & Ors.

Sir,

In compliance to order dtd.26.09.2019 of the Hon'ble NGT passed in the above case, I am forwarding herewith the Joint Inspection Report of District Administration, Bhadrak and State PCB, Odisha for kind perusal of the Hon'ble Tribunal.

Encl: As above.

Yours faithfully,

  
Member Secretary

**JOINT INSPECTION REPORT OF CONSTRUCTION ALLEGED IN**  
**O.A. NO. 572/2016 BEFORE HON'BLE NGT(PB), N. DELHI**

Hon'ble Principal Bench of National Green Tribunal, New Delhi ordered the District Magistrate, Bhadrak and Odisha State P.C.B. on 26.09.2019 in O.A. No. 572/2016 to furnish a factual and action taken report to the alleged matter within one month.

Sub Collector, Bhadrak and Regional Officer, Balasore of State Pollution Control Board, Odisha vide letter no. 7508 dated 17.10.2019 of Addl. Dist. Magistrate, Bhadrak and letter no. 10994 dated 19.10.2019 of the Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar inspected the alleged premises of court building under construction on the bank of Kapali river at Bhadrak on 18.10.2019. Construction work of the building is at the stage of completion.

**Observations:**

1. The Court Building, Bhadrak is being constructed over Plot no. 1405/2552. Khata No.641/02 area to an extent of Ac.3.00dec., Kissam-Patita pertaining to Village-Nalanga in the District of Bhadrak recorded in the name of Law Deptt, Govt of Odisha as intimated by Tahasildar, Bhadrak vide their letter No.4836/Lease/ dt.24.10.2019(Copy enclosed).
2. Executive Engineer, Drainage Division, Bhadrak and Regional Officer, Balasore of State Pollution Control Board, Odisha inspected the alleged premises of court building under construction on the bank of Kapali river at Bhadrak on 01.02.2018 and submitted the report (photocopy enclosed).
3. Kapali river is a non-perennial rivulet flowing along south side of Bhadrak township is a tributary of Rebo river and is not a source of sand mining.
4. It came to the knowledge from the Executive Engineer (R&B), Bhadrak that occasional flood plain area on the river bank of Kapali rivulet is not notified buffer or green zone where the building plan of Bhadrak District Court Building has been designed and being constructed.
5. Total built up area of the designed building came to the knowledge from the Executive Engineer (R&B), Bhadrak to be 10,477.90 sq. meters and does not require environmental clearance vide E.I.A. Notification, 2006 under Environment (Protection) Rules, 1986.
6. The building plan does not disturb Kapali river body or the river bed; though it is being constructed on the river bank, boundary or retaining wall has been constructed along the river bank of the building premises and Kapali river water body is so retained as such.

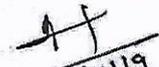
7. Domestic waste water and sewage of the building premises is designed to be discharged to two sets of soak pits via septic tanks inside the premises at 30 and 90 meters approx. from the boundary or retaining wall.
8. It came to the knowledge from the Executive Engineer (R&B), Bhadrak that garbage of the building will be collected and disposed through Bhadrak Municipality.

**Concluding Remarks:**

1. Observations reveal that Kapali rivulet is inalienable and retained as such without any sort of disturbance on the water body or river bed.
2. The building with total built up area of 10,477.90 sq. meters does not require environmental clearance vide E.I.A. Notification, 2006 under Environment (Protection) Rules, 1986.
3. Premises of the building in occasional flood plain of Kapali river bank is not under notified buffer or green zone and the Bhadrak District Court building has been designed and being constructed by Executive Engineer (R&B), Bhadrak there.
4. Adequate treatment system of waste water to be generated has been designed and being constructed and disposal of garbage has been planned.

  
Regional Officer, Balasore,

State Pollution Control Board, Odisha

  
Sub Collector, Bhadrak



**OFFICE OF THE TAHASILDAR, BHADRAK**

At. : Tahasil Road, Bhadrak, Pin No. : 756100

☎ 06784-240545, E-mail : tah.bhad-od@nic.in

*No. 4836 / Lease Dt. 24.10.19*

To

**The Sub-Collector, Bhadrak**

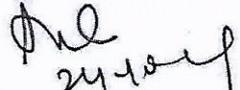
**Sub:** Report on land schedule over which the newly constructed Judicial Court complex exists.

Sir,

As per your verbal instruction, I hereby submit that the land pertaining to plot no. 1405/2552 under Khata No. 641/2 area to the extent of Ac. 3.00 of mouza Nalanga stands recorded in the name of Law Deptt., Govt. of Odisha. and to say that the present court building under construction exists over the said plot. The copy of ROR is enclosed for kind reference.

This is for favour of your kind information.

Yours faithfully,

  
Tahasildar, Bhadrak  
Tahasildar, Bhadrak

ଖତିୟାନ

ମୌଜା : ନଳାଙ୍ଗ

ତହସିଲ : ଭଦ୍ରକ

ଥାନା : ଭଦ୍ରକ

ତହସିଲ ନମ୍ବର : 268

ଥାନା ନମ୍ବର : 66

ଜିଲ୍ଲା : ଭଦ୍ରକ

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତ୍ରାଟ ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର	ଓଡ଼ିଶା ସରକାର ଖେତ୍ରାଟ ନମ୍ବର 1					
୧) ଖତିୟାନର କ୍ରମିକ ନଂ	641/2					
୨) ପ୍ରକାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ	ଆଇନ ବିଭାଗ					
୩) ସ୍ୱତ୍ୱ	ସରକାରୀ ମାହାଲ					
୪) ବେୟ	ଜଳକର	ଖଜଣା	ସେସ	ନିଷ୍କାର ସେସ ଓ ଅନ୍ୟାନ୍ୟ ସେସ ଯଦି କିଛି ଥାଏ	ମୋଟ	୫) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖାତା ବିବରଣୀ
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୬) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ						

BLANK SPACE FOR STAMPING

ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ :

ଖଜଣା ଆୟତ୍ତ ତାରିଖ :

ରାଷ୍ଟ୍ରୀୟ ସୂଚନା ବିଭାଗ କେନ୍ଦ୍ର, ଓଡ଼ିଶା

*Handwritten signatures and stamps:*  
 [Signature]  
 [Signature]  
 [Signature]  
 21-10-19  
 Tahasildar, Bhadark

ଖତିୟାନର କ୍ରମିକ ନଂ : 641/2		ମୌଜା : ନଳାଙ୍ଗ		
ପୁର ନମ୍ବର ଓ ଚକର ନାମ	ଜିସମ ଓ ପୁରର ଖଜଣା	ଜିସମର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଚୌହଦି	ରକବା	
			ଏକର	ଡ଼ି
୭	୮	୯	୧୦	୧୧
✓ 1405/2552	ପଡିତ		3000	1.2
1920	ପଡିତ		0750	0.3
1924	ଉନ୍ନତ ଯୋଜନା ଯୋଗ୍ୟ		0820	0.3
1405/2676	ପଡିତ		2000	0.8
4 ପୂର୍			6570	2.6

କ୍ରମ	ମନ୍ତବ୍ୟ
୧	୧୨
୨	De Reservation Case 19/12 ହୁମ ଖାଖା 638 ରୁ Alination Case No 18/12 ହୁମ ଖାଖା 635 ରୁ ।
୩	Alienation case 63/14 ହୁମ ଖାଖା 635 ରୁ
୪	Allienation case 64/14 ହୁମ ଖାଖା 638 ରୁ
୫	De-Reservation Case 3/17 ହୁମ ଏ 2,000 ଖାଖା 638 ରୁ । ବାଖା ମୋନଂ 17/17 ହୁମ ଖାଖା 635 ରୁ . ଉକ୍ତ ପୂର୍ " ବିଚାରାଳୟ ରୁହ ଓ ଅଧିକାର କର୍ମଚାରି କ ବାସଗୃହ " ନିମନ୍ତେ ଉଦ୍ଦିଷ୍ଟ ଅଟେ ।

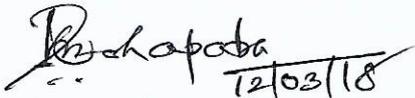
**JOINT INSPECTION REPORT OF**  
**ALLEGED CONSTRUCTION IN O.A. NO. 572/2016/PB (NGT).**

Hon'ble NGT (PB), New Delhi ordered the State Dept. and Odisha S.P.C.B on 23.10.2017 in O.A. No. 572/2016 to conduct a joint inspection of the premises in question and if there is any structure within the buffer/ green area, they will pass appropriate orders.

Executive Engineer, Drainage Division, Bhadrak vide letter no.5565 dated 14.12.2017 of office of the Chief Engineer, Drainage, Cuttack and Regional Officer, State Pollution Control Board, Odisha, Balasore vide letter no.15042 dated 16.11.2017 of the Member Secretary inspected the alleged premises of court building under construction on the bank of Kapali nallah at Bhadrak on dated 01.02.2018.

The court building for the district of Bhadrak in the state of Odisha was found being constructed at the alleged premises on the bank of Kapali nallah by PWD (R&B) Dept. from whom the building plan was obtained. A boundary wall has been constructed along the bank of Kapali nallah at about 6.0m. (av.) away. No construction debris was found disposed off into the river. Construction of two nos. of septic tank and four nos of soak pits are proposed to be done.as per the site plan of district court building, Bhadrak, supplied by the Executive Engineer, R&B Bhadrak. One septic tank along with 2 nos of soak pits are to be constructed at a distance of 30m. away from the retaining wall on the bank of Kapali nallah and the second set of septic tank & soak pit are at a distance of 90m. away from the same retaining wall along the bank of Kapali. The sewerage and waste water to be generated from this building will be discharged through said septic tanks and soak pits. Garbage of the building will be disposed off by the Bhadrak municipality as told by the Executive Engineer (R & B), Bhadrak.

Kapali nallah is a non-perennial rivulet flowing along the South side of Bhadrak town and is a tributary to Rebo nallah. No buffer / green area along the nallah was found notified. Since, domestic sewage and waste water of the alleged building will be discharged to soak pit via septic tank at a distance about 30m. from the Kapali nallah and generated garbage of the building will be disposed off by the Bhadrak Municipality, no significant cause of pollution is found in the Kapali nallah and no order thereof is found necessary for the time.

  
Regional Officer, Balasore,  
State Pollution Control Board, Odisha

  
Executive Engineer,  
Drainage Division, Bhadrak