

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH: KOLKATA**

**O.A. No.106 of 2022/EZ.**

Dasarathi Swain. ... Applicant.  
-Versus-  
State of Orissa & others. ... Respondents.

**: I N D E X :**

Sl. No.	Description of Documents	Pages.
1.	Additional Affidavit filed by Respondent No.4.	1 - 3
2.	<b>Annexure-C/4 Series.</b> Copies of Revenue Map, Hal/Sabik Land Schedule along with photographs.	4 - 14

Nayagarh

Date:29.04.2024.

  
Addl. Government Advocate.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTREN ZONAL BENCH, KOLKATA

IN

O.A. No. 106/2022/EZ

IN THE MATTER OF:  
DASARATHI SWAIN

..... APPLICANT

VERSUS

STATE OF ODISHA & OTHERS

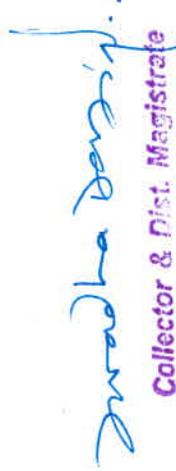
..... RESPONDENT(S)

FURTHER ADDITIONAL COUNTER AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NO. 4 i.e. COLLECTOR & DISTRICT MAGISTRATE,  
NAYAGARH

Smt. Swadha Dev Singh, I.A.S aged 37 years, W/o -  
Shri Samarth Verma presently working as Collector & District Magistrate,  
Nayagarh, Odisha do hereby solemnly affirm and declare as under;

1. That, I am submitting herewith additional counter affidavit to supplement the facts already submitted on 03.09.2022 through counter affidavit before the Hon'ble NGT, Eastern Zone Kolkata in this case.
2. That in para-7 of the Counter Affidavit it was submitted that the width of the Kutcha road passing through the Gramya Jungle plot No. 773 is 6 feet which was inadvertently mentioned and hence a typographical error. The width of the said Kutcha Road is 6 meter. The Kutcha road in the Gramya Jungle plots is being used as Footpath for the local tribal people of 17 villages to enter into their agriculture land for cultivation, collection of Forest produce and for other purposes. The width of the Kutcha road is not even throughout due to growth of seasonal bushes,



  
Collector & Dist. Magistrate  
NAYAGARH

small shrub and meandering rain cut gullies. The existence of valuable trees on the road is totally denied.

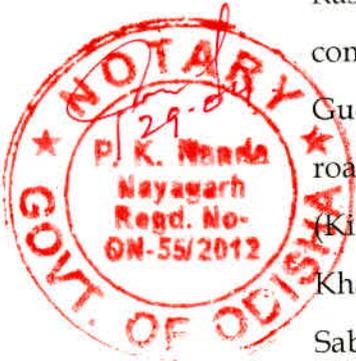
3. It is not a fact that the JCB was used for uprooting of the valuable trees grown on Gramya Jungle road, rather it was used for levelling the road on Plot No. 774, 777, 1889/2522 & 1889 recorded in the RoR as Rasta, to remove the bushes & shrubs. It is pertinent to mention that there were also no valuable trees grown on the Kutcha road that passes through the Gramya Jungle plots which has also been submitted in the original affidavit.
4. The restoration of road by gully plugging and mending the rain cuts was done without any widening and black topping on the land which is recorded as Rasta (Road) in the revenue record of rights. As the restoration of road work was done over Plot No. 1889/2522 (Kisam - Ratsa), Plot No. 1889 (Kisam - Ratsa) corresponding to part of Sabik Plot No. 1015 (Kisam - Godanda) and Hal Plto No. 777 & 774 (Kisam - Ratsa) correspondonding to Sabik Plot No. 381 (Kisam - Danda) coming under Govt. Sarbasadharan Khata No. 509 of Village Gudupangi no forest diversion proposal was required. The restoration road work has not touched the Gramya Jungle Plot. i.e., Plot no. 773 (Kisam - Gramya Jungle) & Plot no. 9 (Kisam - Gramya Jungle) under Khata No. 510 (Rakhita), Village- Gudpangi, which corresponds to Sabik Plot No. 345 (Kisam - Jungle) and Sabik Plot no. 76 (Kisam - Sarad Doyam Ek Fasal).
5. The revenue map indicating plots over which restoration work was carried out along with photographs and sabik/hal land schedule duly attested are attached herewith for kind reference. *OC ANNEXURE-C/4, Series*

Thus the proceeding having no merits needs to be dismissed.

Nayagarh

By the respondent No. 4

*Jaswala Palnauk*



VERIFICATION

I, Smt. Swadha Dev Singh, I.A.S presently working as Collector & District Magistrate, Nayagarh do hereby verify that the contents of the above Counter Affidavit are true and correct to my knowledge based on official records, no part of it is false and no material has been concealed there from.

*Swadha Dev Singh*  
By the respondent No. 4  
Collector & Dist. Magistrate  
NAYAGARH



*Before me*  
*29.04.2024*  
[Red Stamp: Notary Seal]

*Swadha Dev Singh*

**LAND SCHEDULE (HAL)**

Mouza-Gudupangi, P.S-Nayagarh, No-06

Khata No-509 (Sarbasadharan)

Plot No-1889/2522, Kissam-Rasta, Area-Ac 0.76

Plot No-1889, Kissam-Rasta, Area-Ac 0.85

Plot No-777, Kissam-Rasta, Area-Ac 0.09

Plot No-774, Kissam-Rasta, Area-Ac 1.54

**SABIK PLOT DETAILS**

<u>Hal Plot</u>	<u>Corresponding Sabik Plot</u>
1. 1889/2522	1015 (Partly)
2. 1889	381/1476
3. 777	381(Partly)
4. 774	381(Partly)

**Land Schedule of the above corresponding Sabik Plots**

Mouza-Gudupangi, No-441, P.S-Sadar

Sabik Khata No-183(Sarbasadharan)

Plot No-1015, Kissam-Godanda, Area-Ac 0.71

Plot No-381/1476, Kissam-Danda, Area-Ac 0.85

Plot No-381, Kissam-Danda, Area-Ac 1.13

  
Collector & Dist. Magistrate  
NAYAGARH

*True Copy in English  
Attached in  
25/1/14*

  
TAHASILDAR  
NUAGAON

N. Morza - Grudhapangi  
 P. Nayagarh  
 Tehsil = Nuagaon

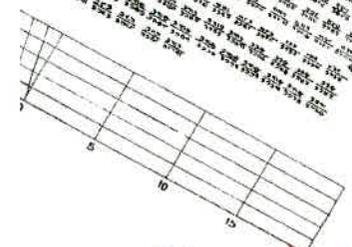
Plot No. 9

ପ୍ରାଥମିକ, ଦେଶୀୟ...	...	...
ଉଚ୍ଚତମ, ପାଠ୍ୟ...	...	...

Plot No. 773

Certified that this map has been finally framed and  
 has been finally published in accordance with rule 29 r  
 O.S. & S. Rules, 1962 on 12th FEB 1985.

Settlement Officer.



Map Sheet No-01

Village Road  
 Map Sheet No-03



Plot No. 1002

True copy Attached  
 26/1/14

**TAHASILDAR NUAGAON**  
 Collector & Dist. Magistrate  
 NAYAGARH





Plot No-1889

-7-



Plot No-1889

-8-

ବିଲ୍ଡିଂ ଗ୍ରାମ୍ୟ ଭୂସ୍ୱତ୍ୱ ସ୍ୱତ୍ୱା ଉପାଧି  
ପ୍ରାପ୍ତି ପ୍ରମାଣି-ପ୍ରମାଣା  
କାମ୍ୟାଳ ଯାମ-ବଳରାଜ୍ୟର ଠାରୁ ପ୍ରାପ୍ତ ବ୍ୟାପ୍ତ ଦିର୍ଦ୍ଧାଣ  
ଅଟକଳ ମୂଲ୍ୟ-ଟ. ୧୦,୦୦,୦୦୦/- (ଦଶ ଲକ୍ଷଟଙ୍କା)  
ଅନୁଦାନ-I.A.P  
ଆର୍ଥିକ ବର୍ଷ-୨୦୨୨-୨୩

-9- plot No-1889



Latitude: 20.190022  
Longitude: 85.060933  
Altitude: -4.1±248 m  
Accuracy: 91.4 m  
Time: 04-19-2024 16:53  
Note: Gudu pangi Road

-10-

Plot No. 9  
Kilsam + Guadalupe Jungle



-11-

Plot No- 773

K'sam: Siranya jungle



-12- Plot No-777





Road map

-14-

