

**BEFORE THE NATIONAL GREEN TRIBUNAL,**

**EASTERN ZONE BENCH: KOLKATA**

**M.A. NO.29 of 2023/EZ  
(ARISING OUT OF O.A. NO.51 OF 2023/EZ)**

Chinmaya Das. ... Applicant.

**-Versus-**

State of Odisha & others. ... Respondents.

**: I N D E X :**

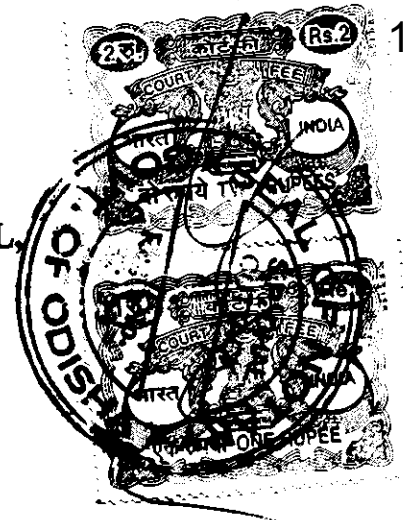
Sl. No.	Description of Documents	Pages.
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2.	<b>Annexure-A/10.</b> Copy of letter No.3774 dated 11.12.2024.	6-7
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Cuttack

Date:18.12.2024

  
PARTHA SARATHI NAYAK  
ADDL. GOVT. ADVOCATE.





**BEFORE THE NATIONAL GREEN TRIBUNAL,**

**EASTERN ZONE BENCH: KOLKATA**

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**TIME PETITION FILED BY THE  
RESPONDENT NO.10**

I, Sri Abhisek Dash, Aged about 32 years,  
S/O:-Anil Kumar Dash at present working as  
Tahasildar, Puri do hereby solemnly affirm and  
state as follows:-

1. That I am the respondent No.10 in this case. I have gone through the abovementioned Misc. application and have understood the contents thereof. In my official capacity I am well acquainted with the facts of the case and thus competent to swear this affidavit.
2. That this Hon'ble Tribunal vide order dated 27.09.2024 observed that, the elections have come to end on 04.06.2024 and, therefore, there should be no further impediments in the construction of the boundary wall around the dumping yard at Baliapanda.

*Abhisek Dash*

*Chinmaya*

*23/09/2024*

**Surendra Prasad Dhal  
Advocate  
NOTARY, CUTTACK.**

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The Hon'ble Tribunal has been further pleased to direct the Chief Secretary, Government of Odisha to seriously look into the matter before any accident/disaster occurs at the legacy waste site and people lose their lives, and to provide for rehabilitation of the persons living in the vicinity of the legacy waste site in question. The Tribunal further directed that, the Chief Secretary, Government of Odisha, shall file a fresh affidavit within four weeks showing what action has been taken in this regard.

3. That it is humbly submitted that, respondent No.4 vide letter No. 3774/Judl. dtd. 11.12.2024 has intimated that in obedience to the order dated 27.09.2024 passed by this Hon'ble Tribunal, the respondent No.4 had directed the respondent No.8 and the present deponent to furnish the required report in compliance to the orders of Hon'ble Green Tribunal.

Copy of letter No. 3774 dated 11.12.2024 is annexed herewith as Annexure-A/10.

4. That it is humbly submitted that the respondent No.8 in his report vide Letter No.9355 dated 13.11.2024. The report reveals that
- (i) The construction of boundary wall around the legacy waste site at Baliapanda has been started again since 04.11.2024 and the work will be completed within 6 months as per agreement

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Surendra Prasad Saha  
Advocate  
NOTARY, CUTTACK

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contract. After completion of the work the entire legacy waste site will be confined by boundary wall.

(ii) The encroachment line from the legacy waste site is about 50 ft. away in left side separated by concrete drain and road. Similarly right-side encroachment is also 50 ft. away separated by road and the backside encroachment is more than 300 ft. away.

(iii) It further reveals that after installation of CCTV and deployment of security guards, the entry of mischievous people in the legacy waste site has been stopped and since then there is no incident of fire reported.

Copy of letter No. 9355 dated 13.11.24 is annexed herewith as Annexure-B/10.

5. That it is humbly stated that, since the number of encroachers are high, it will take some more time to displace and settle them. Due process of law is required to be followed to displace the encroachers simultaneously and suitable govt. land is required to settle them.

However, it is further submitted that the present deponent alongwith the respondent No.8 has identified a patch of land for shifting of the Solid Waste Management (Dumping & Composting Unit) outside of the Puri Municipality Area. Consequently, the office of

*[Handwritten signature]*

*Shriek Dakh*

*[Handwritten signature]*  
**Surendra Prasad Dhal**  
 Advocate  
 NOTARY, CUTTACK

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Puri Municipality have filed a requisition dated 04.09.2024 in Form-1(A) of OGLS Act, 1962 for alienation of the identified land in their favour, which is presently in progress.

6. That the deponent further humbly submits that, unless two months more time is allowed, the following cannot be completed:-
- (a) approval of the site selection committee
  - (b) De-reservation of the identified plot, whose kissam is gochar after completion of mandatory proclamation period
  - (c) Finalization of the alienation case after completion of mandatory proclamation period
  - (d) Subsequent shifting of Solid Waste Management (Dumping & Composting Unit) outside of the Puri Municipality Area
  - (e) As the report submitted by Respondent No.4 under Annexure-A/10 is interim in nature and inter departmental exercise is required for submission of final report to the Govt.
7. That the deponent further humbly submits that, all documents are required to be verified for filing of affidavit by the Chief Secretary, Govt. of Odisha. The affidavit could not be prepared to be filed before this Hon'ble Tribunal due to want of scrutiny of all the documents involved in the

*Chimpu*

*Shivak Dash*

*Surendra Prasad Dhal*  
 Advocate  
 NOTARY, CUTTACK



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disputes. However, steps are being taken to file the affidavit as early as possible.

8. That under the premises stated above, it is expedient in the interest of justice to grant two months time and enabling the Chief Secretary, Govt. of Odisha to file necessary affidavit.
9. That the facts stated above are true to the best of my knowledge and belief based on official records.

Identified by:-

P.S. Nayak.  
Advocate  
18/12/2024


✓  
Ashish Dash  
18/12/2024  
Deponent.  
TAHASILDAR, PURI

Certificate


Certified that the cartridge papers are not readily available.

Cuttack

Date: 18.12.2024

  
PARTHA SARATHI NAYAK  
ADDL. GOVT. ADVOCATE.

The above named Deponent  
Solemnly affirms on 18/12/2024  
..... Being Identified  
by P.S. Nayak

  
Surendra Prasad Dhui  
Advocate  
NOTARY, CUTTACK



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ANNEXURE-A/10

**ବିଭାଗୀୟ ଏବଂ ଜିଲ୍ଲା ମାଗିଷ୍ଟ୍ରେଟର କାର୍ଯ୍ୟାଳୟ, ପୁରୀ**  
**OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI**

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939  
Website: www.puri.nio.in, E-Mail: dm-puri@nio.in  
Email Id- judicialpuri2023@gmail.com



Letter No. 3774 /Judl. dt. 11.12.24

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To,

**The Additional Secretary to Government,  
Revenue & D.M. Department, Odisha, Bhubaneswar.**

**Sub:** M.A. No. 29 of 2023 (Arising out of O.A. No. 51 of 2023) filed by  
Chinmaya Das –Vrs- State of Odisha & Others.

**Ref-:** This office Letter No.2522/Judl Date-17.09.2024.

Sir,

Apropos, the captioned subject and letter cited above, I am to say that, the Petitioner Sri Chinmaya Das has filed M.A. No. 29 of 2023 (Arising out of O.A. No. 51 of 2023) before the National Green Tribunal, Eastern Zone, Bench, Kolkata against the State of Odisha & Others.

The Hon'ble N.G.T. has been pleased to direct the Chief Secretary, Government of Odisha to look into the matter before any accident/disaster occurs at the site and people lose their lives, and to provide for rehabilitation of the persons living in the vicinity of the dumping yard in question and to file fresh affidavit showing what action has been taken in this regard.

It is pertinent to mention here that, the Executive Officer, Puri Municipality and the Tahasildar, Puri were requested to furnish the required report for compliance of the orders of Hon'ble Green Tribunal vide this office Letter No. 2938/Judl dt. 17.10.2024.

The Executive Officer, Puri Municipality, Puri has submitted his report vide Letter No. 9355 dt. 13.11.2024. The report reveals that,

1. The construction of boundary wall around the dumping yard at Balia panda has been started again since dt 04.11.2024 and the work will be completed within 6 month as per agreement contract. After completion of the work the entire dumping yard will be confined by the boundary wall.

True Copy Attested  
  
Tahasildar, Puri





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**କିରାପାଳ ଏବଂ କିରା ମାଜିଷ୍ଟ୍ରେଟ୍ କାର୍ଯ୍ୟାଳୟ , ପୁରୀ**  
**OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI**

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Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939  
Website: www.puri.nic.in, E-Mail: dm-puri@nic.in



2. The encroachment line from the dumping yard is about 50' Ft away in left side separated by concrete drain and road. Similarly, the right side encroachment is also about 50' Ft away separated by road and the back side encroachment is more than 300' Ft away. If there is a fire incident in the dumping yard , it will be confined to the dumping yard only and will not spread to the habitation area due to road, drain and distance factor.
3. It is further reveals that after installation of CC TV and deployment of Security Guards, the entry if mischievous people in the dumping yard has been restricted and since then there is no incident of fire reported till date.

The copy of the report of the Executive Officer, Puri Municipality, Puri is enclosed here with for kind reference.

Yours faithfully,

sl

Collector, Puri

Memo 3775 /JudLdt 11.12.24

Copy along with enclosure forwarded to Addl. Secretary to Government, H&UD Department, Odisha, Bhubaneswar for information and necessary action.

sl

Collector, Puri

Memo 3776 /JudLdt 11.12.24

Copy along with enclosure forwarded to A.G. Odisha, Cuttack for information and necessary action.

True Copy Attested sl

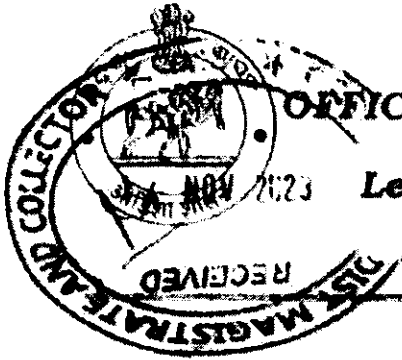
 Collector, Puri

TAHASILDAR, PURI



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21.11.24

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3269  
24.11.24

## OFFICE OF THE PURI MUNICIPALITY, PURI

Letter No. 9355

Dated. 13/11/24



Ph. No. 222005 (City), 227122 (L. O.)

e-mail: purim.hud@nic.in

Mail ID: purim.hud@nic.in

purim.hud@gmail.com

To,

The Collector-cum- District Magistrate, Puri.

Subj: Compliance to order Dt.27.09.2024 of Hon'ble NGT in MA No. 29/2023 arraising out of O.A. No.51/2023 filed by Sri Chinmaya Das Vrs State of Odisha & others.

Sir,

In inviting a kind reference to the subject cited above, I am to furnish below the compliance to the order Dt.27.09.2024 of Hon'ble NGT in MA No. 29/2023 arraising out of O.A. No.51/2023 filed by Sri Chinmaya Das Vrs State of Odisha & others.

1. The construction of boundry wall around the dumping yard at Baliapanda has been started on Dt.04.11.2024. The construction work will be completed with in 6 (six) months as per the agreement of contract.
2. The encroachment line from the dumping yard is about 50' Ft. in left side separated by concrete drain and road. Similarly, the right side encroachment is also about 50' Ft. separated by road and the back side encroachment is more than 300' Ft. In case there is a incident of fire in the dumping yard, it wil be confined to the dumping yard only and will not spread to the habitation area due to road, drain and the distance factor.
3. It is submitted that, after installation of CC TV and deployment of Security Guards, the entry of mischivious people in the dumping yard, who generalily set fire has been stopped and since then there is no incident of fire reported.

This is for favour of your kind information and necessary action.

Yours faithfully,

Executive Officer,  
Puri Municipality, Puri

Memo NO. 9356

Dt 13/11/24

Copy to Addl..District.Magistrate (Judl. Section), Puri, for kind information and necessary action.

True Copy Attested

Executive Officer,  
Puri Municipality, Puri

TAHASILDAR, PURI

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