

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA.  
M.A. NO.23/2023/EZ WITH I.A. NO.67/2023/EZ  
(Arising out of Original Application No. 20 of 2021/EZ  
disposed of on 28.09.2022.)**

Sri Swarup Kumar Rath & others. .... Applicants.

Versus

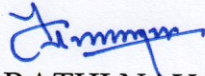
Union of India and Others. .... Respondents.

I N D E X

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Cuttack

Date:10.01.2025

  
PARTHA SARATHI NAYAK  
ADDL. GOVT. ADVOCATE



**BEFORE THE NATIONAL GREEN TRIBUNAL  
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(Arising out of Original Application No. 20 of 2021/EZ  
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Sri Swarup Kumar Rath & others. .... Applicants.

Versus

Union of India and Others. .... Respondents.

**COMPLIANCE AFFIDAVIT FILED ON BEHALF OF  
RESPONDENT NOS. 2,3,5,6 & 7.**

I, Sri Abinash Roul, aged about 58 years, S/o.late Sankarsan Roul, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.- Chauliaganj, Dist.- Cuttack, do hereby solemnly affirm and state as follows:-

1. That, I am working as Chief Engineer, Drainage, Gandarpur, Cuttack, hereinafter referred to as the answering respondent No.6 and as such I am competent and have been duly authorized by Respondents No.2,3 and 5 to swear this affidavit on their behalf.
2. That this affidavit is being filed pursuant to kind order dated 18.11.2024 passed by this Hon'ble Tribunal.
3. That it is respectfully submitted that compliance affidavit filed on 15.03.2024 by Respondent No.6 may kindly be read as part and parcel of this affidavit.

Abinash Roul ✓

*Chimpu*

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

4. That it is humbly submitted that, the intervener in the above noted case alleged that in the process of restoration of Suka Paika Canal, large numbers of trees are being caught.


In reply to the said allegation, the deponent at Paragraph 14 of objection affidavit dated 15.03.2024 clearly mentioned that only 189 numbers of small/medium trees are present within the proposed acquisition area.

The Hon'ble Tribunal vide order dated 18.11.2024 wants to ascertain whether trees have been removed and if they have to be removed whether permission has been taken by the competent authorities for removal of trees.

The deponent humbly submits that, the Superintending Engineer, Mahanadi South Division-I, Cuttack issued vide letter No. 9501 Dated 17.10.2023 to the Divisional Forest Officer, City Forest Division, Bhubaneswar to accord permission for removal of trees present within the acquisition area. Accordingly, on 18.01.2024 joint field verification was conducted on the proposed site. In the said joint verification, Forester, Cuttack Forest Section, Forest Range Officer, Cuttack Range, Revenue Inspector, Kandapur, Tahasildar, Cuttack Sadar, Asst. Executive Engineer, Kishore Nagar Irrigation Sub Division, Superintending Engineer, Mahanadi South Division-I, Asst. Engineer, Sukapaika Irrigation Section, representative of OFDC Ltd verified trees and came to a conclusion that, 14 numbers of trees of different species required to be removed from the proposed site. Accordingly, Divisional Forest Officer, City Forest Division,

Reol. ✓

Abinash ✓

  
**Surendra Prasad Dhal**  
 Advocate  
 NOTARY, CUTTACK

Bhubaneswar vide letter No. 694 Dated 03.02.2024 accorded permission for removal of the identified 14 numbers of trees and directed the Superintending Engineer, Mahanadi South Division-I, Cuttack to deposit cost of Rs.29,204/- (Rupees twenty nine thousand & two hundred four) only as per plantation cost in the year 2021 for avenue plantation( for three years) approved by PCCF & HoFF, Odisha to take up plantation. Accordingly, the Superintending Engineer, Mahanadi South Division-I, Cuttack deposited the cost and 14 numbers of trees were removed from the Suka Paika Project area.

Copies of permission letter alongwith joint verification report are filed herewith and marked as **Annexure-R6/AI Series.**

5. That it is humbly submitted that Construction of 04 nos. of Village Road Bridges over Sukapaika have already been completed. Rejuvenation/ re-sectioning of the drainage channel have already been completed for a length of 29 km out of 30.85km. Construction work is going on to complete the balance rejuvenation work within the schedule date of completion i.e. 21.06.2025.

6. That it is humbly submitted that Construction of one Cross Drainage work on Distributary No.1 of Taladanda Canal System at RD 29635 m. of Sukapaika Drainage Channel has been already completed. Structural/ Civil works Sluice on Mahanadi Right embankment near village Ayatpur has been completed. Fabrication, supply, transportation and erection of Mechanical gates in the sluice have been commenced from 01.01.2025 with

*Chandra*

*Abinash Rout*

*10/1*

Surendra Prasad Dhal  
Advocate  
NOTARY, CUTTACK

schedule date of completion 31.03.2025. Work is going on to complete the Sluice work in all respect within 31.03.2025.

Copy of the work order issued by the Superintending Engineer, Mechanical Division, Cuttack for Fabrication, supply, transportation and erection of Sluice gates is annexed herewith as **Annexure-R6/AJ**.

7. That it is humbly submitted that the matter raised in the I.A. has no valid ground and the rejuvenation work is nearing completion stage as per kind orders of this Hon'ble Court. Therefore the I.A. may kindly be dismissed.

### **VERIFICATION**

I, Sri Abinash Roul, aged about 58 years, S/o. Late Sankarsan Roul, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.-Chauliaganj, Dist.-Cuttack, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge as derived from official records and that nothing material has been concealed there from.

Verified at Cuttack on this the 10<sup>th</sup> day of January, 2025.

Cuttack.

Dt. 10.01.2025.

*Abinash Roul*  
10/01/2025

VERIFICANT.

**Chief Engineer  
Drainage, Cuttack-3**

*2/10-1*  
**Surenra Prasad Dhal  
Advocate  
NOTARY, CUTTACK**



**AFFIDAVIT.**

I, Sri Abinash Roul, aged about 58 years, S/o.Late Sankarsan Roul, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.- Chauliaganj, Dist.- Cuttack, do hereby solemnly affirm and state as follows:-

1. That, I am the respondent No.6 in this Original application and have been duly authorized by Respondents No.2, 3 and 5 to swear this affidavit on their behalf also.
2. That the facts stated above are true to the best of my knowledge and based on official records.

Identified by:-

*P. S. Nayak*  
Advocate  
*10/01/2025*

*Abinash Roul*  
*10/01/2025*

Deponent.  
*Chief Engineer*  
*Drainage, Cuttack-3*

**CERTIFICATE**

Certified that the cartridge papers are not readily available.

Cuttack

*Partha Sarathi Nayak*

PARTHA SARATHI NAYAK  
ADDL. GOVT. ADVOCATE

Date:10.01.2025

The above named Deponer

Solemnly affirm on *10/01/2025*

Being Identified

*P. S. Nayak (Adv)*

*10/01/2025*  
Surendra Prasad Dhal  
Advocate  
NOTARY, CUTTACK



OFFICE OF THE SUPERINTENDING ENGINEER,  
MAHANADI SOUTH DIVISION, NO.I, CUTTACK

Email ID:-eemsdcuttack@gmail.com

No. 9501 / Date 17.10.2023.

To

The Divisional Forest officer,  
City Forest Division  
Saheed Nagar, Bhubaneswar

Sub: Execution of the work "Construction of sluice on Mahanadi Right Embankment near village Ayatpur" vide Agreement No. 230 P<sub>1</sub> of 2023-2024

Sir,

With reference to the subject and letter cited above, it is to intimate that Assistant Executive Engineer, Kissannagar Irrigation Sub-division, kissannagar had visited the work site along with the Agency and reported that 22 nos of local non sal trees present on Mahanadi Right embankment in village Ayatpur create difficulties for smooth execution of the wok "Construction of sluice on Mahanadi Right in village Ayatpur". The said work is to be executed as part of direction of Hon'ble NGT with the stipulated commencement and completion of the work as dt. 20.10.2023 & 19.07.2024 respectively.

In view of the above facts, it is therefore requested to take necessary steps for removal of trees for early execution of the work.

Yours faithfully

*[Signature]*  
17/10/2023

O/C Superintending Engineer  
Mahanadi South Division No. I  
Cuttack

Memo No 9502. / Dated, 17.10.2023.

Copy Submitted to the Chief Engineer & Basin Manager, Mahanadi Kathajodi System, BBSR for favour of kind information.

*[Signature]*  
17/10/2023

O/C SUPERINTENDING ENGINEER

Memo No 9503. / Dated, 17.10.2023.

Copy submitted to the Additional Chief Engineer, Eastern Circle-I, Cuttack for favour of kind information.

*[Signature]*  
17/10/2023

O/C SUPERINTENDING ENGINEER

Memo No 9504 / Dated, 17.10.2023.

Copy to Assistant Executive Engineer, Kissannagar Irrigation Sub-Division, Kissannagar with his Letter No. 509 dt.16.10.2023 for information.

*[Signature]*  
17/10/2023

O/C SUPERINTENDING ENGINEER

17/10/23

True Copy  
Attested

*[Signature]*  
17/10/2023  
Chief Engineer  
Drainage, Cuttack-3

OFFICE OF THE DIVISIONAL FOREST OFFICER & WILD LIFE WARDEN  
CITY FOREST DIVISION, AT/PO- GREENPARK NURSERY SAHEEDNAGAR,  
BHUBANESWAR-751007. TEL/FAX-(0674)2548836. E.Mail:dfocity@gmail.com.

No 7953 /3F - Lease- /2023  
Dated, BBSR, the 01<sup>st</sup> October' 2023

To The Tahasildar,  
Sadar Cuttack

Sub: Execution of the work "Construction of sluice on Mahanadi right Embankment  
near village Avenue" vide Agreement No. 230P of 2023-24.


Sir,  
Enclosed, please find herewith the copy of letter No. 9501 dtd. 17.10.2023 of the  
the Superintending Engineer, Mahanadi South Division-I, Cuttack which is self explanatory.

You are requested to conduct a joint verification with the staff of the the  
Superintending Engineer, Mahanadi South Division-I, Cuttack, Odisha Forest Development Corporation  
Ltd., Bhubaneswar and the Range Officer, Cuttack. The joint verification report should cover the  
following aspects and same should be submitted duly signed by the concerned officials, applicant &  
counter signed by you.

- (i) Detail land schedule of the Plot where the trees existing mentioning Mouza, Khata  
No., Plot No., Area & Kissam of the land as per Sabik & Hal settlement record.  
Year of publication of Hal Settlement report & date of Correction of RoR.
- (ii) Ownership of the land.
- (iii) Whether the land is free from litigation ?
- (iv) Enumeration list of the tree(s) required to be cut & removed mentioning the species,  
Girth, approx. height & condition of the trees.

Encl-(As above).


Yours faithfully,

  
Divisional Forest Officer,  
City Forest Division, BBSR  
01.11.2023

Memo No 7954 / Dated 01/11/2023  
Copy alongwith copy of its enclosure the Range Officer, Cuttack Range for  
information and necessary action.

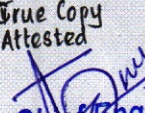
  
Divisional Forest Officer,  
City Forest Division, BBSR  
01.11.2023

Memo No 7955 / Dated. 01/11/2023  
Copy alongwith copy of its enclosure forwarded to the DM, OFDC Ltd  
Bhubaneswar (C) Division, Bhubaneswar for information and necessary action. He is requested to  
depute his staff for joint verification as to be scheduled by the Tahasildar, Sadar Cuttack.

  
Divisional Forest Officer,  
City Forest Division, BBSR  
01.11.2023

Memo No 7956 / Dated. 01/11/2023  
Copy forwarded to the Superintending Engineer, Mahanadi South Division-I,  
Cuttack for information and necessary action. He is requested to depute his staff for joint verification as  
to be scheduled by the Tahasildar, Sadar Cuttack. Further, he is requested to submit the land schedule  
& Sketch Map of the proposed site where trees are to be removed.

  
Divisional Forest Officer,  
City Forest Division, BBSR  
01.11.2023

True Copy  
Attested  
  
Chief Engineer  
Drainage, Cuttack-3  
10/10/2023

-B-

OFFICE OF THE FOREST RANGE OFFICER, CUTTACK RANGE  
AT- MAHANADIVIHAR, PO-NUABAZAR, CUTTACK- 753004  
E-mail: cuttackro@gmail.com

Memo No. 131 /Dt. 29.01.2024

To

The Divisional Forest Officer,  
City Forest Division, Bhubaneswar.

Sub:-

*Submission Joint Verification report of the construction of sluice on  
Mahanadi right Embankment .*

Ref:-

Your Office Memo No. 7954 dt.01.11.2023.

Sir,

With reference to the memo cited above the Joint Verification report of the construction of sluice on Mahanadi right Embankment in triplicate submitted herewith for favour of your information and necessary action.

Encl:- as above

True copy  
Attested  
*10ml*  
Chief Engineer  
Drainage, Cuttack-3  
29/01/2025

Yours faithfully

*R. Kumar*  
29.01.2024  
Forest Range Officer  
Cuttack Range

**Joint Verification of the Construction of sluice on Mahanadi right Embankment joint inspection for enumeration of trees vide Letter No. 7954 Dt. 01.11.2023 of the DFO City Forest Division, Bhubaneswar.**

Sl No	Mauza	Khata No.	Plot No.	Tree No.	Species	Girth at breast height in cm	Clear bole in cm (appx)	Remarks
1	Danduasipada	413	99	1	Patuli	90	120	
2				Nec...	135	240		
3				Sahada	90	210		
4				Giringa	240	600		
5				Tala	120	240		
6				Tala	120	240		
7				Tala	90	280		
8				Jandakhai	60	180		
9				Giringa	90	300		
10			837	10	Chakunda	240	600	
11			838	11	Kadamba	180	800	
12				12	Khajuri	60	180	
13				13	Khajuri	70	210	
14				14	Neem	60	180	

*[Signature]*  
**Inspector**  
 Cuttack East Section  
 Cuttack (E) Section

*[Signature]*  
**Forest Range Officer,**  
 Cuttack Range  
 Cuttack Range

*[Signature]*  
**Revenue Supervisor**  
 R. I. Kandarpur  
 Revenue Inspector

*[Signature]*  
**Tahasildar**  
 Cuttack Sadar  
 Tahasildar, Sadar,  
 Cuttack

*[Signature]*  
 18/11/24  
**Asistant Executive Engineer**  
 Kishanagar Irr. Sub-Div

*[Signature]*  
 9/11/24  
**Superintending Engineer**  
 Mahanadi North Division-I

*[Signature]*  
 10/11/24  
**Asistant Engineer**  
 Sukapaka Irr. Section

*[Signature]*  
**OFDC Ltd.**

True Copy  
 Attested

*[Signature]*  
 10/11/2025  
**Chief Engineer**  
 Drainage, Cuttack-3

OFFICE OF THE DIVISIONAL FOREST OFFICER & WILF WARDEN  
CITY FOREST DIVISION, AT/PO-GREENPARK NURSERY SAHEEDNAGAR,  
BHUBANESWAR-751 007 TEL/FAX-(0674)2548836.email:df\_ocity@gmail.com

Letter No. 694 /3F-Lease/ /2024  
Dated, Bhubaneswar, the 3<sup>rd</sup> February, 2024.

To  
The Superintending Engineer,  
Mahanadi South Division-I, Cuttack

Sub: Execution of the work "Construction of sluice on Mahanadi right Embankment near village Avenue" vide Agreement No. 230P of 2023-24.

Sir,

Basing on the joint verification report submitted by the Range Officer, Cuttack Range vide his Memo No. 131 dtd. 29.01.2024 duly signed by all concerned, permission is hereby accorded for conversion and disposal of 14 nos. of different trees (Joint enumeration list enclosed) in exigencies of works mentioned above, subject to condition that you may deposit Rs. 29204/- /- (Rupees twenty nine thousand two hundred four) only as per plantation cost Norm, 2021 for Avenue Plantation (for 3 years) approved by PCCF & HoFF, Odisha to take up plantation.

Cost for raising & maintenance of 14 x 2 = 28 nos. of plant @ 1009 /- per plants =Rs. 28252/-  
(Including cost of gabion of Rs. 285/- each

Add 10% escalation over cost of maintenance in next 2 years

Total:- =Rs. 952/-  
Rs. 29204/-

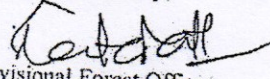
The bank details for deposit/ transfer of fund for plantation is mentioned below.

1. Name of Account: M/S Project activity Deposit Fund (DFO City Forest Division, BBSR)
2. Account Holder: DFO City Forest Division.
3. Account Number: 1160104000062754.
4. Name of the Bank: IDBI Bank.
5. Name of Branch: Chandra Sekharpur, BBSR
6. IFS Code: IBKL0001160

Further, the applicant has to deposit the cutting cost to DM, OFDC Ltd, Bhubaneswar (C) Division as to be demanded by the DM, OFDC Ltd. All the converted material shall be delivered to OFDC Ltd., Bhubaneswar(C) Division after observing the procedure.

Detail particulars regarding deposition/transfer of fund should be intimated to this office at the earliest

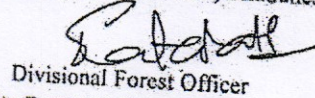
Yours faithfully,



Divisional Forest Officer  
City Forest Division, Bhubaneswar.

Memo No 695 / Dt 3<sup>rd</sup> February 2024

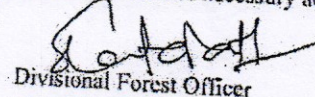
Copy along with its enclosure forwarded to Divisional Manager, OFDC Ltd., Bhubaneswar(C) Division for information and necessary action.



Divisional Forest Officer  
City Forest Division, Bhubaneswar.

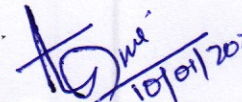
Memo No 696 / Dt 3<sup>rd</sup> February 2024

Copy forwarded to the Range Officer, Cuttack Range for information and necessary action.



Divisional Forest Officer  
City Forest Division, Bhubaneswar.

True copy  
Attested

  
10/01/2025  
Chief Engineer  
Drainage, Cuttack-3



OFFICE OF THE SUPERINTENDING ENGINEER MECHANICAL DIVISION, CUTTACK  
NIMPUR BARRAGE COLONY, JAGATPUR, CUTTACK-21

E-mail - [semechanicalcuttack@gmail.com](mailto:semechanicalcuttack@gmail.com)

Ltr. No. 1745/NE

Date 31.12.2024

To

M/s. Aditya Industrial Enterprisers,  
At/po - Fakirpada, pin-754100  
Dist.- Cuttack, State-Odisha  
Email ID - sukantasahoo13@gmail.com

Sub:- "Fabrication, supply, transportation and erection of sluice gate at RD 30850M Pertaining to Work" Rejuvenation of Sukapaika Drainage Channel under cuttack sadar" under Mahanadi South Division No.1, Cuttack for the year 2024 - 25."

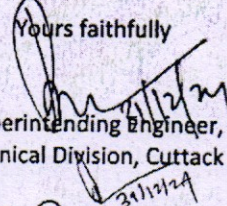
Ref:- This office Agreement No. 41 P1 of 2024-25.

Dear Sir,

An agreement has been entered into for the work in question on dtd. **31.12.2024** against this office Agreement No. 41 P1/2024-25. You are hereby requested to take-up and complete the work within the stipulated period. The date of commencement and completion of the work i.e. dtd. **01.01.2025** and dtd. **31.03.2025** respectively. A certified copy of the agreement is enclosed herewith for your needful action.

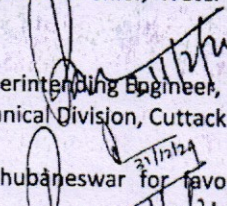
Encl:-1. Xerox copy- P 1 Agreement.

Yours faithfully

  
Superintending Engineer,  
Mechanical Division, Cuttack

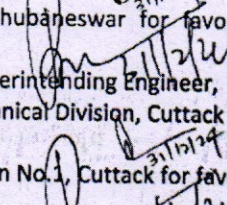
Memo No. 1746 /Date. 31.12.2024

Copy submitted to the Chief Engineer, Mechanical Office of the Engineer-In-Chief, Water Resources, Bhubaneswar, Odisha for favour of kind information and necessary action.

  
Superintending Engineer,  
Mechanical Division, Cuttack

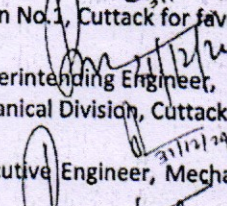
Memo No. 1747 /Date. 31.12.2024

Copy submitted to the Addl. Chief Engineer, Mechanical Circle, Bhubaneswar for favour of kind information and necessary action.

  
Superintending Engineer,  
Mechanical Division, Cuttack

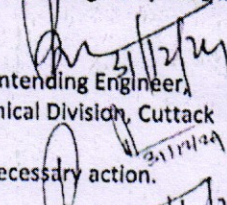
Memo No. 1748 /Date. 31.12.2024

Copy forwarded to the Superintending Engineer, Mahanadi South Division No.1, Cuttack for favour of kind information and necessary action.

  
Superintending Engineer,  
Mechanical Division, Cuttack

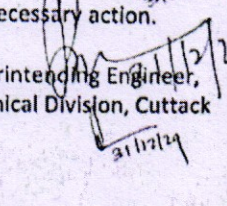
Memo No. 1749/NE /Date. 31.12.2024

Copy along with the Xerox copy of the agreement to the Asst. Executive Engineer, Mechanical Sub-Division Kendrapara, Cuttack for information and necessary action.

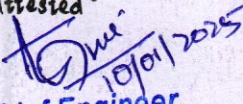
  
Superintending Engineer,  
Mechanical Division, Cuttack

Memo No. 1750/NE /Date. 31.12.2024

Copy forwarded to Cashier / Auditor of this division for information & necessary action.

  
Superintending Engineer,  
Mechanical Division, Cuttack

Encl:-1. Xerox copy- P 1 Agreement.

True Copy  
Attested  
  
10/01/2025  
Chief Engineer  
Drainage, Cuttack-3

D.T.C.N. NO. CEM/MDC/05/2024-25 of CE Mechanical, Office of EIC, Bhubaneswar

Estimate No. 95 /2024-25, dt. 06.09.2024 Rs. 33,60,100.00

Head of Account : \_\_\_\_\_



**GOVERNMENT OF ODISHA,  
DEPARTMENT OF WATER RESOURCES  
MECHANICAL DIVISION,  
CUTTACK-3**

AGREEMENT NO A-1 P1/2024 - 25

NAME OF WORK :

Fabrication, supply, transportation and erection of sluice<sup>gate</sup> at RD 30850M Pertaining to Work " Rejuvenation of Sukapaika Drainage Channel under cuttack sadar" under Mahanadi South Division No.1, Cuttack for the year 2024 - 25.

Name of Contactor :

M/s. Aditya Industrial Enterprisers

Agreement Value :

Rs. ₹ 23,96,710.00 (GST Extra)

Date of Commencement :

01.01.2025

Stipulated Date of Completion :

31.03.2025

Extension of time granted upto: \_\_\_\_\_

True Copy Attested.

*[Signature]*  
Chief Engineer  
Drainage, Cuttack-3

For M/s. Aditya Industrial Enterprisers

*[Signature]*

Proprietor

*[Signature]*  
Estimator  
Mechanical Division  
Cuttack-21

*[Signature]*  
Divisional Accountant  
Mechanical Division, Cuttack

*[Signature]*  
SuperIntending Engineer (M)  
Mechanical Division  
Cuttack-21