

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO 71 OF 2024**

**IN THE MATTER OF:**

**WILDLIFE SOCIETY OF ORISSA**

**APPLICANT**

**VERSUS**

**STATE OF ODISHA AND OTHERS ...**

**RESPONDENTS**

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PLACE: BHUBANESWAR

SANKAR PRASAD PANI

DATE- 23/01/2025



ADVOCATE FOR APPLICANT

PLOT NO 2132/4814, NAGESWARTANGI, BHUBANESWAR, 751002,  
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO 71 OF 2024****IN THE MATTER OF:**

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RESPONDENTS

**REJOINDER TO THE ADDITIONAL AFFIDAVITS FILED BY STATE****RESPONDENTS DATED 18/07/2024**

I, Biswajit Mohanty S/o Biswanath Mohanty aged about 60 years, At/po-Santikunja, Link Road Cuttack, Dist-Cuttack, Odisha -753012 do hereby solemnly affirm, and declare as under:

1. That I am the Secretary of the Applicant Organisation, Wildlife Society of Orissa in the abovementioned application and authorized to sign this affidavit. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That in the affidavit dated 18/07/2024 filed by the state respondents it is stated that the Satkosia Sands Resort at Badmul in Nayagarh District was

- developed as per decision of the High level meeting on Eco tourism taken by Principal Secretary, F &E Deptt, Govt of Odisha on 29.6.2016, This claim is not true since the decision taken was to develop eco tourism at seven locations in Odisha including at Satkosia. The minutes also recorded that Eco tourism would be developed at three spots of Tikarpada, Badmul & Chutkei of Satkosia . Nowhere it was decided to develop a Sand Resort on the river bed adjoining Badmul.
3. That in the same para 4 of the affidavit it is further stated that Pitching of seasonal tents temporarily during winter for accommodation of visitors is being done in a small patch adjoining to the river bank. Semi-permanent eco-cottages and dining hall have been constructed with eco-friendly materials. Keeping in view of stability of such structures, use of cement and concrete have been minimized. In this para the state respondents have admitted that pitching of tents is being done on a patch adjoining the river bank. However, they have wilfully omitted mentioning that this patch is the river bed over which water flows during the monsoon floods. They have also failed to mention that these tents are put up for at least six months of the year.
  4. That in para 5 of the affidavit it is stated that “with regards to the double storeyed structure and other structures shown at page No.94 of the paper

book have been uploaded through oversight by the developer in the website [www.ecotourodisha.com](http://www.ecotourodisha.com) managed by the Odisha Forest Development Corporation Ltd. inadvertently". That with regard to this para of the affidavit it is submitted that, it is an admitted fact that permanent structures have been erected at this spot on the bank of river within the **zone of influence of the Satakosia Wetland**. Further such structures need to be demolished since it is encroachment of a Ramsar wetland.

5. That in para 6 of the affidavit the deponent have submitted footfall numbers of tourists and explained the carrying capacity of the site in question. That the "carrying capacity study for ecotourism areas" conducted by experts involves assessing the maximum number of tourists that can visit a specific ecotourism location without causing significant negative impacts on the environment, local community, and the quality of the visitor experience, taking into account factors like ecological sensitivity, infrastructure limitations, and social considerations, usually by analyzing data on the area's physical characteristics, wildlife populations, and potential tourist activities to determine a sustainable visitor limit. But no such independent expert study carried out

in this case. That such a carrying capacity study need to be done a like icfre and others to get an unbiased report

6. That the respondent avoided mentioning the fact that these seasonal structures / eco cottages and dining hall are all located inside the river and have been erected on the river bed. They have omitted to mention the use of concrete and bricks for flooring which is not ecofriendly at all. The issue is the very presence of the structures and disturbance caused by tourists who stay in this place and also play games like volleyball, etc. Humans tend to shout loudly while playing games. Music is also played at night in these tents by visitors over which the forest department has no control. All this disturbs local wildlife and affects their breeding and nesting activity.
7. It is submitted that the site in question used for at least 6 to 7 months during the peak tourism season from November onwards for which the wildlife gets drastically affected.
8. It is further submitted that such constructions whether temporary or seasonal violate the guidelines for usage of Ramsar wetlands and are hence illegal. They are highly disturbing for wildlife such as pratincoles (Birds) and Indian skimmers use such sand banks of the river bed for basking and nesting. The very presence of tourists on the river bed during

- day and night also disturbs basking and nesting crocodiles including Gharial (a highly endangered species seen in Satkosia). Such river beds need to be completely free from human intrusion since the area is highly eco sensitive being both a Tiger Reserve as well as a Ramsar site.
9. That the state respondents admit to activities like birding, jungle trekking, cycling, star gazing and folk dancing are being organised that apparently do not disturb the eco system. It is submitted that Birding from tree top through canopy walks has been pointed out by the applicant. This is highly disturbing to nesting and roosting birds. They have not mentioned this. So far the other activities like trekking, cycling are carried out in the main land beyond the river bank away from the river bed we do not have any objection.
  10. That the folk dancing to entertain tourists had been admitted to be organised on the river bed. It is a seriously disturbing activity since noise is generated at night time that affects local wildlife like birds, crocodiles, turtles.
  11. The footfall numbers of tourists and the carrying capacity referred to in Annexure R-3 of the additional affidavit has been apparently fixed in the Tiger Conservation Plan. These numbers are for the main forest area and involve vehicle entry and not related to the activity on river bed.

12. It is further submitted that there is no such capacity assessed in view of the Ramsar Wetland guidelines and no such **integrated management plan** has been made as per the mandate of the Wetland Rules 2017. We are concerned about the impact of the Sand Resort which consists of tents/ sheds put up on river bed of this Ramsar Wetland. They have not mentioned anything about impact of motorised boats being used for river cruise of tourists in the Satkosia Gorge which has been pointed out by us in our Application. Sound vibrations from the propeller of the engine carry far in water since it is a good conductor of sound. This affects the highly endangered Gharial crocodile (IUCN listed) as well as water birds like pratincoles, Indian skimmers, Brahminy ducks, etc and fresh water turtles that use Satkosia Gorge
13. It is further submitted that the respondents has failed to appreciate the need to conserve a Ramsar wetland and prevent all such activities that violate the guidelines and affect local wildlife.
14. That the applicant has no objection to eco tourism activity in Saktosia or Badmul or Chutkei so far it is carried out in non disturbing manner and plan in the main land area outside the river bed which needs to be left alone for wildlife use .

15. That the tree canopy bird walk and the motorised river cruise needs to be completely stopped in view of the huge impacts on local wildlife.
16. It is submitted that the issue involve in the present case pertaining to violation of Wetland Management Rule and the guideline for eco tourism in protected areas which has not been addressed by the state respondents.
17. That as per the news article published in The Times of India dated 28/02/2021 three tents gutted into fire due to electrical short circuit. This incident also suggests that many such accidents may happen in future if the pitching of tents are not stopped. Copy of the news article dated 28/02/2021 is annexed here unto as **ANNEXURE-1**.
18. That the brochure of the eco retreat also says that the tourism activity also includes activities such as volleyball, archery, rifle shooting, cultural performances, etc. these activities will also affect the wildlife. Copy brochure detailing the programme is annexed here with as **ANNEXURE-2**
19. It is humbly submitted that the para 14 of the MOEF affidavit does not say anything about impact of sand resort and pitching of tents on the Mahanadi river bed which is an Ramsar site as well as important area for nesting and basking of wildlife. As such the management principles

guided for wetlands are applicable to the present case which has not been adhered for promoting tourism activity.

20. That in view of the above mentioned paragraphs it is humbly prayed before this Hon'ble Tribunal to pass necessary orders to restrain state respondent from pitching tents on river bed at Badmul and further prays for demolish of the concrete structures made in violation of eco tourism guidelines and Forest Conservation Act and Wetland Rules.

And for this act of kindness the humble petitioner shall remain ever grateful

**APPLICANT THROUGH**

A handwritten signature in cursive script, appearing to read "Spami", written in black ink. The signature is positioned between the words "APPLICANT THROUGH" and "ADVOCATE".

**ADVOCATE**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**ORIGINAL APPLICATION NO -71 of 2024/EZ**

**IN THE MATTER OF:**

**WILDLIFE SOCIETY OF ORISSA...      APPLICANT**

**VERSUS**

**STATE OF ODISHA AND Others ...      RESPONDENTS**

**AFFIDAVIT**

**I, Biswajit Mohanty S/o Biswanath Mohanty aged about 61 years, At/PO-Santikunja, Link Road Cuttack, Dist-Cuttack, Odisha -753012 do hereby solemnly affirm, and declare as under.**

1. That I am the Secretary of the Applicant Organisation in the above mentioned Application and authorized to sign this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit
3. That I have read over the contents of the accompanying Rejoinder Affidavit and the same is true and correct and is drafted on my instruction.

For WILDLIFE SOCIETY OF ORISSA

*Biswajit Mohanty*  
SECRETARY  
DEPONENT

**VERIFICATION**

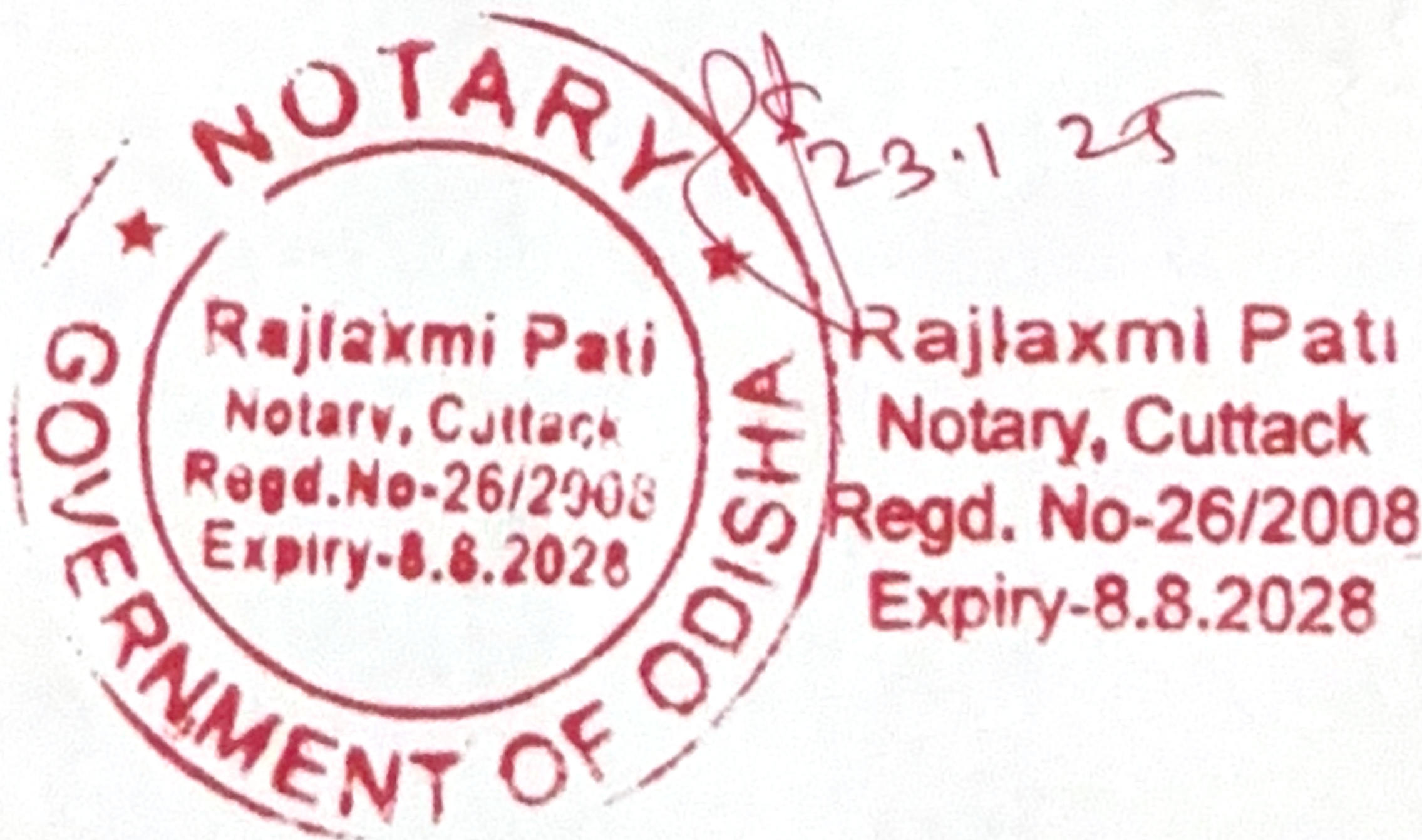
Verified on this 23<sup>rd</sup> day of January 2025 at Cuttack that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By  
Advocate

*Nandkishor Chavan Dash*  
EnrHO-1475/2013

For WILDLIFE SOCIETY OF ORISSA

*Biswajit Mohanty*  
SECRETARY  
DEPONENT



# Odisha: Three tents gutted in fire at Satkosia Eco Retreat festival in Cuttack

TNN | Feb 28, 2021, 09.38 AM IST



BHUBANESWAR: At least three tents were burnt in a fire on early Sunday morning at the ongoing Satkosia Eco Retreat festival at Baliput in Cuttack district.

No loss of life or major injury to any tourist was reported in the incident.

Though the exact cause of the fire is yet to be ascertained, it is suspected to have been triggered by an electric short circuit. "In a fire accident at Satkosia Eco Retreat at 5am today, three tents caught fire. The fire was quickly extinguished. Fortunately, there was no injury or loss of life. All guests are safe. Inquiry into

the matter is being conducted," tweeted state tourism department.

The department said safety of the tourists is paramount and all steps will be taken to ensure that no recurrence of such an incident happens in future.

An IPS couple Sanjeeb Panda and Santosh Bala were in a tent that caught fire in the incident. "By the grace of God, me and Santosh escaped without any injury as fire broke out in our tent at Satkosia Eco Retreat at about

5am due to electrical short circuit. Three tents were burnt and there was no injury to anyone,” senior IPS officer and state transport commissioner Sanjeeb Panda wrote on his Facebook.

Local MLA and senior BJD leader Debi Prasad Mishra visited the spot and took stock of the situation.

Eco Retreat, the glamping festival is being organized at five different locations -- Konark, Bhitarkanika, Hirakud, Satkosia and Daringbadi -- since December 9.

# Eco Retreat ODISHA

Konark | Satkosia | Bhitarkanika | Sonapur  
Putsil | Hiraakud | Daringbadi

For bookings :

[odishaecoretreats.com](http://odishaecoretreats.com)

Contact

+91 674 262 33 00

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# Eco Retreat ODISHA

India's most exciting glamping event is back in a bigger and better way. From enchanting beaches, picturesque hill stations to amazing wildlife areas - choose one or choose many from among 7 exotic locations this year.

Plan your luxury escapade to pristine beaches of Konark, the Pentha beach in Bhitarkanika National Park or at the golden beaches of Sonapur. You could also plan adventure getaway to Hirakud and Satkosia Gorge Sanctuary or a relaxing trip to quaint hillstations of Daringbadi or Putsil, Koraput.

This glamorous camping event offers luxury tented accommodations at par with 3-star category hotels and resorts apart from hosting a slew of water sports, adventure activities, trails to key tourist destinations and other engaging activities. Developed as a model for sustainable tourism, this event is for those who believe in responsible travel and tourism without compromising on self-indulgence.

Apart from being a zero-waste discharge tourism offering, the Eco Retreats in Odisha are conducted in strict compliance with guidelines and standard operating procedures prescribed by Ministry of Health and Family Welfare, Govt. of India. So shed those travel inhibitions and gear up for an ultimate glamorous escapade.

Visit Eco Retreat Odisha for an experience of a lifetime!



# SATKOSIA

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Satkosia spreads along the magnificent gorge over the mighty Mahanadi river. The name is an amalgamation of two Odia words – ‘Sat’ meaning seven and ‘Kos’ which is a unit distance measure for two miles. Beauty of this gorge is that this is the meeting point of two bio-geographic regions of India – the Deccan Peninsula and the Eastern Ghats.

This biodiversity rich hotspot houses the Satkosia Tiger Reserve and this glamping retreat rests camouflaged on the banks of the Mahanadi river next to the tiger sanctuary - a perfect destination for anyone who wants to experience luxury in the lap of nature.

Offering visitors the best of adventure and leisure, the retreat is also great for those who want to explore the natural wonders the region has to offer. One can go on a boat ride into the river Mahanadi, which in itself is an exciting river safari. Satkosia Gorge Sanctuary is famous for birding where one can witness hundreds of species of birds.

You can even witness muggers, gharials and turtles sunbathing on the riverbanks and other land animals like spotted deer, sambar, barking deer, langurs, porcupines and the Malabar giant squirrel among others.

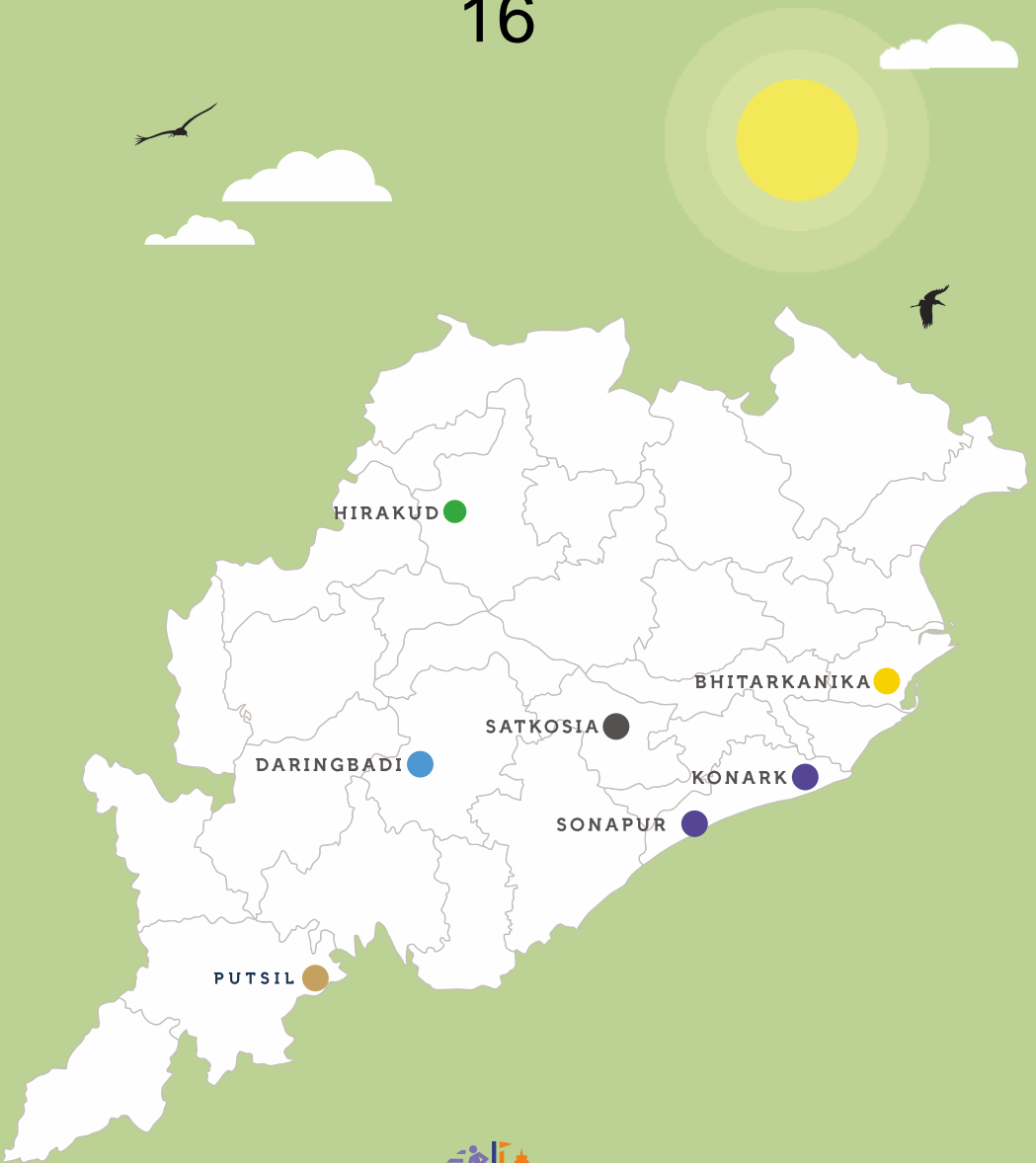
Other activities at the camp include volleyball, archery, rifle shooting, cultural performances, etc.

Glamping packages starting from Rs. 7,000 with staying options as:

- Deluxe Swiss Cottage
- Premium Swiss Cottage

Satkosia Helpline @ +91 9717749202





**ODISHA**  
INDIA'S BEST KEPT SECRET.

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Sankar Pani <sankarprasadpani@gmail.com>

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## REJOINER AFFIDAVIT ON BEHALF OF APPLICANT IN OA 71/2024EZ

1 message

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**Sankar Pani** <sankarprasadpani@gmail.com>

Fri, Jan 24, 2025 at 10:16 AM

To: shakti panda <sppanda13@gmail.com>, ADVOCATE GENERAL ODISHA <advgenodisha@gmail.com>, Dn Ray <raydnr@gmail.com>

DEAR SIR/ MADAM, PLEASE FIND THE ATTACHMENT.

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Sankar Prasad Pani, Environment Lawyer  
National Green Tribunal Kolkata & Orissa Highcourt  
Res-Plot No 2132/4814(B), Nageswar Tangi,  
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