

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
MISCELLANEOUS APPLICATION NO.....2025
ORIGINAL APPLICATION NO.116 of 2022/EZ**

IN THE MATTER OF

Ramakanta Rout and Others

Applicant

Versus

State of Odisha and Others

Respondent(s)

INDEX

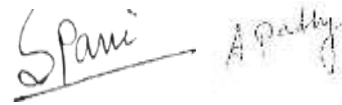
SI NO	PARTICULARS	PAGE NO
1	Miscellaneous Application	1-11
2	Copy of the order dated 23/03/2023 as ANNEXURE-1.	12-29
3	Copy of the letter dated 26/06/2024 and 20/12/2024 as ANNEXURE-2.	30-34
4	Copy of the photographs dated 13/12/2024 as ANNEXURE-3.	35-37
5	Vakalatnama and Authorisation	38-39

PLACE: Bhubaneswar

DATE: 10/01/2025

SANKAR PRASAD PANI,

ASHUTOSH PADHY



ADVOCATES

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

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

(Under Section 26 read with Section 18 of the National Green Tribunal Act, 2010)

MISCELLANEOUS APPLICATION2025

**ARISING OUT OF Original Application No 116 OF 2022/EZ DISPOSED ON
23/03/2023**

IN THE MATTER OF:

1. Ramakant Rout, S/o Late Touli Charan Rout, Aged about 62 year
2. Susanta Kumar Parida, S/o Satyanand Parida Aged about 41 year
3. Shiba Prasad Kumura, S/o Sudrashan Kumura Aged about 41 years
4. Rintu Mahapatra, S/o Kishore Chandra Mahatpatra Aged about 34 years
5. Prem Raj Sahu, S/o Banchanidhi Sahu Aged about 55 years
6. Mariyam Barla, D/o Patrick Barla Aged about 50 years

Applicant No.1-6 all are residents of _Ward No.15, At/Po/Ps-Baragarh-
768028

APPLICANT

VERSUS

1. State of Odisha, Through the Secretary, Housing and Urban Development
Department, Government of Odisha 3 rd Floor, Kharvel Bhavan, West Wing,
Room No.- 302, Bhubaneswar – 751001, Email: hudsec.or@nic.in
2. District Collector, BARAGARH At/Po/Dist- BARAGARH, Odisha, 768028,
dm-bargarh@nic.in

3. Executive Officer, BARGARH Municipality, At/po/Ps/Dist- BARGARH, Odisha, 768028 Email: bargarhmunicipality.eo@gmail.com
4. Member Secretary, Odisha State Pollution Control Board, A/118, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, Email: paribesh1@ospcboard.org
5. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 Email: mccb.cpcb@nic.in, ccb.cpcb@nic.in
6. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (EZ), A/3, Chandersekharpur, Bhubaneswar – 751023, Email: roez.bsr-mef@nic.in
7. Chief Secretary, Government of Odisha, Lokaseva Bhawan, Bhubaneswar, 751001 csori@nic.in

RESPONDENTS**MOST RESPECTFULLY SHOWETH:**

- I. The addresses of the Applicants are given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.

FACTS

1. That the Original Application was filed Challenging the unauthorized dumping of solid waste in BARAGARH Municipality in ward no 15 without treatment as prescribed under Solid Waste Management Rules 2016. That in the SWM Rule 2016, there is no provision for dumping of the garbage in Dump Sites. Rather the provision is to treat the solid waste and sanitary land fill of the waste which could not be treated or the inert materials after treatment. The old dumpsite exists prior to the 2016 are to be bio-mined. In the present case the Baragarh Municipality that is dumping the Municipal waste in an area of 1.5 Acres of land adjoining the residential areas without any treatment and same is an offence under Section 15 of EP Act 1986.
2. That the Original Application No 116 of 2022 was disposed of on 23rd March 2023 with the following direction's to the respondents

“Para 26. We, therefore, dispose of this Original Application with the following directions: -

- (i) The amount of Rs.1,84,42,800/- (Rupees One crore eightyfour lakh forty-two thousand eight hundred only) shall be deposited by the State Government in an ESCROW account to be utilized for the remediation measures for treatment of the legacy waste as well Bio-mining and all other remedial measures as may be required for Bargarh Municipality.

(ii) The Municipality has itself proposed setting up of five Sewage Treatment Plants (STPs) of 125 KLD at five different locations inside the municipality, we, therefore, direct the said STPs to be installed and made operational **by 31.12.2023.**

(iii) So far as treatment of legacy waste is concerned, we direct the Bargarh Municipality to ensure complete treatment of legacy waste through Bio-mining/Micro Composting Centers/Material Recovery Facilities **by 31.12.2023.**

(iv) The Inspection Report shows that waste is being transported at present to a common waste disposal facility located at Amasranga, Sundargarh. We direct that the said dumpsite shall comply with the directions required in the siting criteria for such dumpsite as per Schedule I of the Solid Waste Management Rules, 2016. **The dumpsite shall be provided with a surrounding boundary wall as per rules.**

“Para 27. We further direct that till complete remediation of the legacy waste at the present dumpsite of 51,476 MT is achieved the present dumpsite shall be secured by a boundary wall construction of which will be completed **within a period of two months.**”

“Para 28. Legacy waste dumpsites have resulted in huge damage to the environment and population in the vicinity of such dump sites who have suffered in safety, health and comfort. For compensating them for such damage, one third of land occupied by legacy dump sites (on reclamation)

needs to be reserved for dense forest and in the process of afforestation, Campa Funds can be utilized in accordance with the provisions of Compensatory Afforestation Fund Management and Planning Authority Act, 2016 (CAMPA Act).” Copy of the order dated 23/03/2023 is annexed here unto as **ANNEXURE-1**.

3. It is pertinent to mention here that the residents of Ward No.15 Bargarh twice wrote letter to the Baragarh Municipality on dated 26/06/2024 and on 20/12/2024 to remove the garbage from the plot No 8355,8357,8360 as per the direction of the Hon’ble Tribunal, but as on date the garbage’s from the aforementioned plot are not removed which is a violation of the direction of the Hon’ble Tribunal. Copy of the letter dated 26/06/2024 and 20/12/2024 is annexed here unto as **ANNEXURE-2**.
4. Even though the machine for bio mining (legacy waste) was set up six months back but the machine was worked for only two days and after that became defunct.
5. That the photographs dated 13/12/2024 also suggests that the garbage’s of the alleged site is as it was before and the boundary wall construction of the dumping site has also not been completed for which the Cows are entering into the dump yard and use to eat those garbage’s. Copy of the photographs dated 13/12/2024 is annexed here unto as **ANNEXURE-3**.

6. That Section 26 in The National Green Tribunal Act, 2010 prescribes for Penalty for failure to comply with orders of Tribunal and same is reproduced as follows

“(1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention: Provided that in case a company fails to comply with any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crores of rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code.

7. Similarly Section 28 in The National Green Tribunal Act, 2010 prescribes for Offences by Government Department. And same is reproduced as follows

“(1) Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly: Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly”.

8. That since the Respondents has not executed the order of the Honble Tribunal and deliberately violating the same, appropriate action deemed under section 26 and 28 of the National Green Tribunal Act 2010.

Grounds

That, the applicant is therefore approaching this Hon’ble Tribunal in view of the of the Non-Compliance of order of Hon’ble NGT dated 23rd March 2023

- a) That the non-implementation of the order invokes section 26 and 28 of the NGT Act 2010 where in stricter punishment such as 3years imprisonment or 10crores rupees penalty or both has been prescribed and knowing the same the respondents are willfully violating the order.

LIMITATION

That there is a subsisting cause of action because of the continuing violation of Hon'ble order of NGT dated 23/03/2023 and the respondents did nothing within the deadline in the order, hence this Miscellaneous application is not barred by limitation.

PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be please to

- a) Direct the Respondents to show cause why the criminal proceedings shall not be initiated for violation of the Order of the Hon'ble Tribunal dated 23rd March 2023 paragraph 26,27 and 28.
- b) Direct the Respondent to show cause what steps they have taken to implement the order of Hon'ble NGT dated 23rd March 2023 paragraph 26,27 and 28.
- c) Direct the respondents to file their compliance report.

- d) Failure to provide satisfactory explanation the Hon'ble Tribunal may direct for the appropriate proceedings as provided under Section 26 and 28 of NGT Act 2010.
- e) Pass such order/s as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case.

For this act of kindness the applicant shall remain grateful
for ever

APPLICANTS THROUGH

S. Pami A. P. Pathy

ADVOCATE

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

MISC APPLICATION NO2025

ORIGINAL APPLICATION NO 116 OF 2022

IN THE MATTER OF

RAMAKANT ROUT & OTHERS

APPLICANTS

Versus

State of Odisha and Others

Respondents

Ramakanta Rout



Serial No. 400
Date 10-1-25

AFFIDAVIT

I, Ramakant Rout, S/o Late Toul Charan Rout, Aged about 65 years, Ward No 15, At/Po/Ps- Baragarh, 768028, do hereby solemnly affirm and declare as under:

1. That I am one of the Applicants in the abovementioned application and I am fully conversant with the facts and circumstances of the case and authorized by other applicants to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Ramakanta Rout
DEPONENT

VERIFICATION

I, do hereby solemnly affirm verify that the contents of the above appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed there from. Verified at Bargarh on 10th Jan 2025

The deponent(s) solemnly affirmed
before me on 10th day of Jan 25
being identified by Sanjay Kumar

Ramakanta Rout

VERIFICANT

Identified by me

Advocate
En. No. 0-29/14

Belal Sen Saraf
NOTARY
Regd. No. ON-80/08
Exp. on Date: 26.09.2028
Bargarh (Odisha)

Item No.03

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.116/2022/EZ

In the matter of: -

- 1. Ramakant Rout,**
S/o Late Touli Charan Rout,
Aged about 62 year,
- 2. Susanta Kumar Parida,**
S/o Satyanand Parida
Aged about 41 year,
- 3. Shiba Prasad Kumura,**
S/o Sudrashan Kumura
Aged about 41 years,
- 4. Rintu Mahapatra,**
S/o Kishore Chandra Mahatpatra
Aged about 34 years,
- 5. Prem Raj Sahu,**
S/o Banchanidhi Sahu
Aged about 55 years,
- 6. Mariyam Barla,**
D/o Patrick Barla
Aged about 50 years,
- 7. Siba Shosh,**
S/o Sunil Ghosh,
Aged about 31 years

All are residents of Ward No.15,
At/Po/Ps-Baragarh-768028

.....Applicant(s)

Versus

- 1. State of Odisha,**
Through the Secretary,
Housing and Urban Development Department,
Government of Odisha, 3rd Floor,
Kharvel Bhavan, West Wing,
Room No.-302, Bhubaneswar-751001,
- 2. District Collector,**
Baragarh,
At/Po/Dist-Baragarh,
Odisha, 768028,

3. Executive Officer,

Bargarh Municipality,
At/Po/Dist-Bargarh,
Odisha-768028,

4. Member Secretary,

Odisha State Pollution Control Board,
A/118, Unit-VII, Nilakantha Nagar,
Bhubaneswar, Pin-751012,

5. The Member Secretary,

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110023,

6. Deputy Director General of Forests (C),

Ministry of Environment, Forest and Climate Change,
Regional Office, (EZ)
A/3, Chandrasekharpur,
Bhubaneswar-751023,

7. Chief Secretary, Government of Odisha,

Lokaseva Bhawan, Bhubaneswar, PIN-751001

.....Respondent(s)

Date of hearing: 23.03.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate (in Virtual Mode)

For Respondent(s): Mr. Tarun Patnaik, ASC for R-1, 2 & 7 (in Virtual Mode),
Mr. Venugopal Mahapatra, Adv. for R-3 (in Virtual Mode),
Mr. Dipanjan Ghosh, Adv. for R-4 (in Virtual Mode),
Mr. Rajib Ray, Adv. for R-5 (in Virtual Mode),
Ms. Rashmi Singhee, Adv. for R-6 (in Virtual Mode),

ORDER

1. This Original Application has been filed by the Applicants stating therein that in Bargarh Municipality Plot No.8355 and Plot No.8357, Khata No.26, Plot No.8360, Ac 1.56 Decimal in Ward No.15 is being used as a dumping ground but the same is located close to human habitation which is causing air, water and soil pollution in the area. It is stated that the Bargarh Municipality generates around 20 MT (Metric Tonnes) of Garbage every day while only 15 MT (Metric Tonnes) of Garbage is being collected. The

population of Baragarh Municipality as per the 2011 Census is stated to be 80,625 persons.

2. It is also alleged that Jeera River flowing through the City of Baragarh has become a sewage channel even though this river is catering to the drinking water needs of the town of Baragarh and now garbage and untreated municipal waste water is being released into this River.
3. The further allegation is that untreated and mixed municipal garbage including carcass of dead animals is being dumped at the site in question by the Baragarh Municipality and there is no segregation of Bio-medical waste; dumping of the night soil and waste from cesspool vehicle or municipal garbage.
4. Photographs have been filed from page nos.37 to 46 which show despicable conditions prevailing in the Baragarh Municipality due to the surrounding garbage dump. Photographs also show that garbage is being burnt at the dumpsite causing air pollution.
5. At the time of admission, the Tribunal constituted a Committee comprising of the following members: -
 - i. District Collector, Baragarh or his representative not below the rank of Additional District Magistrate (ADM);
 - ii. Scientist, Odisha State Pollution Control Board;
 - iii. Scientist, Central Pollution Control Board, Regional Office, Kolkata; and
 - iv. Executive Officer, Baragarh Municipality

The Odisha State Pollution Control Board was directed to be the Nodal Agency for all logistic purposes and compliance. The Tribunal had further directed that Inspection Report be filed in this regard.

6. The Committee was directed to inspect the dumpsite and submit its report with regard to the conditions prevailing there stating the amount of garbage generated in Baragarh Municipality and the amount of garbage being treated. The Committee was also directed to state the quantity of legacy waste and its treatment through process of Bio-mining etc., and also submit its report with regard to compliance of Solid Waste Management Rules, 2016 including Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016. The Committee was further directed to submit its report with regard to establishment of Sewage Treatment Plant or Faecal Sludge Treatment Plants for the immediate remediation of the waste.
7. The Committee was also directed to submit the Water Analysis Report of River Jeera, upstream and downstream, of Baragarh Municipality with regard to pH, BOD, DO, COD, TC, FC & other parameters.
8. The Committee was also required to suggest remedial measures and compute environmental compensation and if environmental violation is found, Baragarh Municipality would also be liable for payment of Rs.1,00,000/- (Rupees One lac only) penalty per month which will be with effect from 1st April, 2020 in pursuance of the directions of the National Green Tribunal, Principal Bench, dated 12.07.2019 passed in Original Application No.606/2018.
9. Affidavit dated 27.09.2022 has been filed on behalf of the Respondent No.4, State Pollution Control Board, Odisha. Along with the affidavit dated 27.09.2022, two Inspection Reports of inspection carried out on 13.09.2022 have also been filed. Annexure-R4/1 is the Inspection Report signed and endorsed by

the Collector and District Magistrate, Bargarh and Executive Officer, Bargarh Municipality. The Report reads as under: -

“Following observations were made by the joint committee during enquiry: -

1. *It is observed from the records and information submitted by the Bargarh Municipality (Population as per 2011 census is 80,625 and current population is about 101100, waste generation per capita is 350 gm per day) that the Municipal Solid Waste generation is about 35.50 MT per day (wet and dry waste), out of which wet waste of about 15 MT per day waste is being treated in 3 nos. of Micro Compositing Centre (MCC) each having 5 TPD capacity. Dry waste of quantity about 20 TPD is being treated in 3 nos. of Material Recovery Facilities (MRF) each having 10 TPD capacity. Rest of the solid waste of quantity about 0.5 TPD plastic waste is being collected and stored separately at MRF area.*
2. *It was observed and estimated during visit to the alleged site at ward no: 15 that the Municipality has dumped about 51,476 MT of waste over a span of more than 10-15 years which is spread over an area of Ac. 1.59 dec. The Municipal Authority has not yet completed remediation of the legacy waste at the alleged site. However, the Municipality Authority has submitted detail estimation of legacy waste. Also the Municipality has initiated the process of remediation which they assured would be completed by a tendered Agency in a time bound manner.*
3. *It is observed from the records available in the State Pollution Control Board, Sambalpur there are 3 nos. of Govt. Health Care Establishments and 10 nos. of Private Health care establishments are operating in the Bargarh Municipality area. Bio-medical waste generated from the Govt. health care facilities are being*

lifted and transported by M/s. Nischinta Multi Services Pvt. Limited, Bhubaneswar and treatment of the waste is done by M/s. Biotech Solutions at VIMSAR, Burla, Dist.- Sambalpur. Similarly, the Bio-medical waste generated from the private health care establishment are being handled and disposed of by the operator of common waste disposal facility (CBMWTF) M/s. Mediad Marketing Service. The waste is being transported to the common waste disposal facility (CBMWTF) located at Amasranga, Sundargarh. Overall management practice of Bio medical waste generated from the Health Care facilities operating in the Municipality area is observed to be as per the provisions of the rule.

4. The plastic waste generated in the municipality area is being segregated and stored in designated site at MRF area. It is informed by the Municipality authority that they have made an agreement with M/s. ACC Limited, Bargarh Cement works, Bargarh for lifting of plastic waste from the municipality area in order to co-process in the cement kiln. Also, the municipality authority is sending their plastic waste to M/s. Dalmia Cement, Rajgangpur through third party agency namely M/s. GG Wastech Pvt. Limited, B-:34/35, Sector-2, Debendra Nagar, Raipur. It is observed from the available records with the municipality that they have sent about 153.53 MT of plastic waste to the said cement plant on 13.07.2022.
5. During visit water sample was collected by the committee at Upstream of Jeera River of Bargarh Municipality near Bargarh Law College and Downstream of Jeera River of Bargarh Municipality near PHED Pada, with regard pH, BOD, DO. COD, TC, FC and other parameters. The water samples have been analysed at Central Laboratory, State Pollution

Control Board, Odisha, Bhubaneswar and the report thus obtained.

6. The Bargarh Municipality has constructed and started operating a Septage Treatment Plant from January 2022 of capacity 30 KLD, At- Tentela, Bardol G.P, Bargarh for treatment of faecal sludge.
7. The Bargarh Municipality has proposed to establish 5 nos. of sewerage treatment plant of capacity (STPs), 125 KLD each at five different locations inside the Municipality area. The detail proposal has been sent to the Department of Housing and Urban Development (CSAP), Govt. of Odisha.

Overall observations of the committee:

1. The Municipality has obtained authorization under the provision of Municipal Solid Waste (Management and Handling) Rules, 2000 for setting up and operation of waste processing/waste disposal facility at Khata No.453, Plot No. 1981, Village-Barahaguda, an area of Ac. 18.00 dec. which was valid upto 31.03.2020 vide Board's letter no. 13046 dt. 29.07.2015.
2. However, historically waste has been dumped at the alleged site over a period of 10-15 years without valid permission from the State Pollution Control Board, Odisha. However, the dump site has been provided with boundary wall all around the alleged site of height about 15 feet. It was observed during visit that the municipality authority has stopped dumping of waste at the alleged site and engaged one JCB machine for alteration of legacy waste in order to enhance the decomposition rate of the waste through bio-culture process. This will eventually help in remediation of the legacy waste. The Municipality has now been allotted funds and technical support for Bio mining which shall be completed by an Agency to be

selected through tender process. The entire exercise shall be completed in a time bound manner as assured by Executive Officer, Bargarh Municipality.

3. *The Executive Officer, Bargarh Municipality has submitted a representation addressed to the Hon'ble NGT through the joint committee constituted by the Hon'ble NGT and prayed for exemption the penalty imposed by Hon'ble NGT of Rs.1.00 lakh (One lakh) per month which will effect from 1st April 2020.*

Recommendation:

1. *The Bargarh Municipality shall submit detail action plan regarding bio-mining of legacy waste. After bio-mining of the legacy waste the authority shall develop Eco-Park at the alleged site for public interest.*
2. *No further dumping of the solid waste at the alleged site is recommended.*
3. *The Municipality authority shall conduct mass public awareness campaign in the municipality area for better management and implementation of Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016.*
4. *The Municipality authority shall expedite the construction of adequate capacities of Sewage Treatment Plants (STPs) for treatment of waste water generated in the municipality area.*
5. *It is observed during visit that the Bargarh Municipality has not yet completed remediation of legacy waste and failed to comply the time-line fixed by the Hon'ble NGT. Therefore, Bargarh Municipality is liable to pay environmental compensation of Rs.30,000,00 (Rupees Thirty lakhs) only @ Rs.1.0 Lakh per month with effect from 01.04.2020 to till date (30 months). However, it is to be noted that the*

Municipality has already established MRF, MCF and Septage treatment facilities which prevent further environmental damage to the area. Considering the fact that the quantity of legacy waste accumulated at the alleged site is huge and the Municipality did not possess the technical & financial resources to remediate it immediately, the Hon'ble NGT, EZ Bench Kolkata is requested to allow time to the Municipality to complete the process in a time bound manner.

6. *Now after allotment of resources, Municipality has initiated the process of remediation and Bio mining of the alleged site and has assured that the same shall be completed in a time bound manner. Therefore, the Hon'ble NGT, EZ Bench Kolkata is requested to kindly consider the request of the Municipality to grant them exemption from paying the compensation amount @ Rs.1.0 lakh per month with effect from 1st April 2020."*

10. The other Inspection Report filed as Annexure-R4/2 is a Report which is signed and endorsed by the State Pollution Control Board and the Central Pollution Control Board. Paragraph 'e' of the Overall Observations of the Committee and the Recommendations of this Committee read as under:

"e. Also, in light of the un-remediated/unprocessed legacy waste being 51,476 MT, environmental compensation is assessed @ Rs.300 per MT (at which approximate rate compensation has been awarded in the Hon'ble NGT order dated 15.09.2022 regarding O.A. No.606/2018/PB in respect of State of Rajasthan for the reasons given therein). This works out to Rs.1,54,42,800 (Rupees One Crore Fifty-Four Lakhs Forty-Two Thousand and Eight Hundred).

Recommendations:

Considering the observations w.r.t. the field visit and violations mentioned above, the following suggestive remedial

measures are recommended along with computation of Environmental Compensation (EC) –

- i) Bargarh Municipality shall be liable to pay the final amount of compensation of Rs.1,84,42,800/- (Rupees One Crore Eighty-Four Lakh Forty-Two Thousand & Eight Hundred) only.*
- ii) The Bargarh Municipality is required to submit detail action plan regarding bio-mining of legacy waste. After bio-mining of the legacy waste, the authority may develop Eco-Park at the alleged site for public interest.*
- iii) No further dumping of the solid waste at the alleged site may be allowed.*
- iv) The Municipality Authority may conduct mass public awareness campaign in the municipality area for better management and implementation of Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016.*
- v) The Municipality Authority shall expedite the construction of adequate capacities of Sewage Treatment Plants (STPs) for treatment of wastewater generated in the municipality area.”*

11. The Applicant in his rejoinder affidavit dated 29.09.2022 has reiterated the contents of the Original Application with a further request that timeline be fixed for setting up of five Sewage Treatment Plants as suggested by the Committee constituted by this Tribunal and to identify the points where waste water is being discharged into the Bheden Canal and Jeera River and compute Environmental Compensation.
12. The Central Pollution Control Board in its affidavit dated 05.11.2022 has stated that the ground water quality within 50

meters of the periphery of the landfill site be periodically monitored covering the different seasons of the year i.e., summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated and usage of groundwater in and around the landfill site for any purpose including drinking and irrigation be considered only after ensuring its quality.

13. The Ministry of Environment, Forests and Climate Change in its affidavit dated 05.12.2022 has referred to the Schedule I of the Solid Waste Management Rules, 2016, which provides that a landfill site shall be 100 meters away from a river; 200 meters from a pond; 200 meters from Highways, Habitations, Public Parks and water supply wells; and 20 kms away from Airport/Airbase. However, in a special case, landfill site may be set up within a distance of 10 and 20 km away from Airport/Airbase if a No Objection Certificate (NOC) to that effect has been issued by the Civil Aviation Authority/Air Force as the case may be. The landfill site shall not be permitted within the floodplains as recorded for the last 100 years, zone of coastal regulations, wetland, critical habitat areas, sensitive eco-fragile areas. The Solid Waste Management Rules, 2016 have been filed as Annexure-I to the affidavit.
14. The Tahasildar, Bargarh, has filed his counter-affidavit dated 03.12.2022, stating therein that in pursuance of the directions issued by the National Green Tribunal, Principal Bench, in Original Application No.606/2018, the Statement of Purpose (SOP) has been issued by the Housing and Urban Development Department ('HUD' for short) dated 18.12.2020 in pursuance of which Micro Composting Centers (MCC) and Material Recovery Facilities (MRF) have been established for processing wet and dry wastes

respectively which are collected from the household. Legacy waste site has been surrounded by boundary wall and steps have been initiated for taking up Bio-mining of Legacy Waste.

15. It is stated that the dumpsite in question became operational from 2017 onwards since there was no habitation in and around the area of the dumpsite. The waste collected from households is about 35 Metric Tonnes (MT) per day which is being processed in the Micro Composting Centers (MCC) and Material Recovery Facilities (MRF) with the help of Community Partners i.e. women members of the Mission Shakti Self Help Groups named as 'SWACHH Karmis'.
16. It is also stated that the Bargarh Municipality has passed a resolution for carrying out Bio-mining of the legacy waste which will be completed in a time bound manner. Drinking water for Bargarh town is sourced from Jeera River but after commissioning of the Water Treatment Plant of 15 MLD at Kantapalli, Bargarh, the water supply is being made from the aforesaid Plant through the Bargarh Main Canal (BMC) since February, 2019. It is further stated that Bargarh town also has on-site sanitation system (septic tanks and pits) in the households. Faecal Sludge and Septage Regulations, 2018, are being enforced by the Bargarh Municipality. Desludging of septic tanks is being carried out through cesspool emptier vehicles. A 30 KLD capacity Faecal Sludge Treatment Plant has been installed and is operational since June, 2022 which is being operated by the Mission Shakti Self-Help Group. It is also stated that after the dumpsite is cleared by Bio-mining, the vacant land will be used for public purpose. The legacy waste will be treated by the Municipality in a time bound manner by adopting

the procedure of Bio-mining. As of now, dumping of waste at the dumpsite is completely prohibited.

17. Details relating to enforcement of ban leading to seizure of plastic materials and collection of fines in the Bargarh Municipality have been given in a chart which reads as under: -

Period	Seized Quantity (in MT)	Fine Collected (Rs. In Lakh)
From June-2019 to March 2020	75	22600
From April-2020 to March 2021	157	26800
From April-2021 to March 2022	213	75700
From April-2022 to September 2022	330	108700
Total	0.60	233800

18. The Bargarh Municipality has filed a further affidavit dated 03.12.2022 reiterating the facts already stated in the affidavit of the Tahasildar, Bargarh.
19. The Collector, Bargarh, has also filed its affidavit dated 12.01.2023 reiterating the contents of the affidavit of the Tahasildar, Bargarh. Additionally, it is stated that in Bargarh Municipality two cesspool emptier vehicles with a capacity of 3000 liters each for desludging the septic tanks have been in operation with GPS monitoring systems.
20. Affidavit dated 15.01.2023 has been filed by Respondent No.3, Executive Officer, Bargarh Municipality, wherein it is denied that untreated waste water is being discharged into Jeera River or the Bheden Canal. It is stated that municipal sewage water is discharged into open drains which finally meets the Jeera River

only after proper treatment including being treated by a coagulation of bleaching powder and lime powder mixed in different chambers situated near Jeera River, Harijan pada, PHD pada, and Baitikra. It is also stated that three Micro Composting Centers (MCC) have already supplied 21 MT Bio Manure to different farmers for Agriculture, Horticulture and Forest Department of the State Government and another stock of near about 30 MT of such Bio Manure is ready for further sale.

21. We have heard the learned Counsel for the parties and perused the documents on record.
22. The Inspection Report of the Joint Committee discloses that Municipal Solid Waste generation in Bargarh Municipality is about 35.50 MT per day (wet and dry waste), out of which about 15 MT is being treated daily in three Micro Compositing Centers (MCC) having 5 TPD per day capacity. Dry waste of 20 TPD is being treated in three Material Recovery Facilities (MRF) each having 10 TPD capacity. Rest of 5 TPD of Solid Waste/Plastic Waste is being collected and stored separately at the Material Recovery Facilities. The Municipality has dumped about 51,476 MT of waste over a span more than 10-15 years which is spread over an area of Ac.1.59 dec. Remediation of legacy waste has not been completed till date though process of remediation has been initiated and completed within a time bound manner but no timeline has been given. The affidavit of the Bargarh Municipality or State Government also does not disclose any timeline.
23. Bio-medical waste generated from Government Healthcare facilities are being lifted and transported by M/s Nischinta Multi Services Pvt. Limited, Bhubaneswar, and treatment of the waste is being

done by M/s Biotech Solutions at Vimsar, Burla, District-Sambalpur. Similarly, the Bio-medical waste generated from the private healthcare establishments is being handed and disposed of by the operator of common waste disposal facility i.e. M/s Mediad Marketing Service. The waste is being transported to the common waste disposal facility located at Amasranga, Sundargarh. Plastic waste generated in the municipality area is being segregated and stored at designated sites at the Material Recovery Facilities (MRF) area and the municipality has entered into an agreement with M/s ACC Limited, Bargarh Cement Works, Bargarh, for lifting of plastic waste from the municipality area in order to co-process the same in the Cement Kiln. It is also stated that plastic waste has also been sent to M/s Dalmia Cement Plant, at Rajgangpur and about 153.53 MT of plastic waste has already been sent to the said Cement Plant on 13.07.2022.

24. Bargarh Municipality has constructed Septage Treatment Plant from January, 2022 having a capacity of 30 KLD at Tentela, Bardol G.P., Bargarh for treatment of faecal sludge which is in operation. It is proposed to establish five Sewage Treatment Plants (STPs) having a capacity of 125 KLD each at five different locations inside the municipality area and a detailed proposal in this regard has been sent to the Department of Housing and Urban Development, Government of Odisha. The Committee constituted by the Tribunal had estimated Environmental Compensation of Rs.1,84,42,800/- (Rupees One crore eighty-four lakh forty-two thousand eight hundred only) computed at Rs.300 per MT for 51,476 MT in terms of the order of the National Green Tribunal, Principal Bench in Original Application No.606/2018 vide order dated 15.09.2022

which works out to Rs.1,54,42,800/- (Rupees One crore fifty-four lakh forty-two thousand eight hundred only).

25. The Collector & District Magistrate, Bargarh, and the Executive Officer, Bargarh Municipality, in their separate Inspection Report dated 13.09.2022 have assessed Environmental Compensation of Rs.30 lakh at Rs.1,00,000 per month with effect from 01.04.2020 for a period of 30 months whereas the Deputy Environmental Scientist-cum-Nodal Officer, State Pollution Control Board and the Scientist-B, CPCB, Kolkata in their report have assessed Environmental Compensation at Rs.1,54,42,800/- (Rupees One crore fifty four lakh forty-two thousand eight hundred only) in terms of the directions given by the National Green Tribunal, Principal Bench in Original Application No.606/2018. There is obviously a conflict between the Committee members with regard to the Environmental Compensation to be paid by the Bargarh Municipality. Affidavits on record show that Bargarh is small municipality, its total population as per the Committee Report at being about present 1,01,100. The municipality also states that they do not have the financial resources to pay Rs.1,00,000/- per month i.e. Rs.30,00,000/- per annum by way of Environmental Compensation.

26. We, therefore, dispose of this Original Application with the following directions: -

- (i) The amount of Rs.1,84,42,800/- (Rupees One crore eighty-four lakh forty-two thousand eight hundred only) shall be deposited by the State Government in an ESCROW account to be utilized for the remediation measures for treatment of

the legacy waste as well Bio-mining and all other remedial measures as may be required for Bargarh Municipality.

(ii) The Municipality has itself proposed setting up of five Sewage Treatment Plants (STPs) of 125 KLD at five different locations inside the municipality, we, therefore, direct the said STPs to be installed and made operational by **31.12.2023**.

(iii) So far as treatment of legacy waste is concerned, we direct the Bargarh Municipality to ensure complete treatment of legacy waste through Bio-mining/Micro Composting Centers/Material Recovery Facilities by **31.12.2023**.

(iv) The Inspection Report shows that waste is being transported at present to a common waste disposal facility located at Amasranga, Sundargarh. We direct that the said dumpsite shall comply with the directions required in the siting criteria for such dumpsite as per Schedule I of the Solid Waste Management Rules, 2016. The dumpsite shall be provided with a surrounding boundary wall as per rules.

27. We further direct that till complete remediation of the legacy waste at the present dumpsite of 51,476 MT is achieved the present dumpsite shall be secured by a boundary wall construction of which will be completed within a period of two months.

28. Legacy waste dumpsites have resulted in huge damage to the environment and population in the vicinity of such dump sites who have suffered in safety, health and comfort. For compensating them for such damage, one third of land occupied by legacy dump sites (on reclamation) needs to be reserved for dense forest and in the process of afforestation, Campa Funds can be utilized in

accordance with the provisions of Compensatory Afforestation Fund Management and Planning Authority Act, 2016 (CAMPA Act).

29. With the aforesaid directions, the Original Application No.116/2022/EZ is disposed of.
30. Interlocutory Applications, if any, stand disposed of accordingly.
31. There shall be no order as to costs.

सत्यमेव जयते

.....
B. Amit Sthalekar, JM

.....
Prof. A. Senthil Vel, EM

March 23, 2023
Original Application No.116/2022/EZ
MN

NGT

Bargarh (W No-15)

26th Jun 2024H3
27/6/24
To,Executive Officer
Bargarh Municipality**Sub: Regarding lifting of garbage from closed dumping yard and illegal construction on Municipality Land.**

Respected Sir,

1. Please refer NGT, Eastern Zone Bench, Kolkata order No 116/2022/EZ Dt 23 Mar 2023.

2. We are writing to bring to your attention regarding lifting of garbage from closed dumping yard situated in Bargarh Municipality Plot No 8355, 8357 and 8360 at W No-15. As per directions of NGT vide their order mentioned above, Bargarh Municipality should have been completed the lifting process of legacy waste through Bio-Mining/ Material Recovery facilities by 31 Dec 2023 and the alleged site should develop as Eco-Park for Public interest. But the lifting process of dumped garbage has started in the month of Apr 2024 which seems like it will not be finalized on time. We the residents of this place request you to please let us know when this work will be completed and look into the matter how the work will be finished as soon as possible. If the work is not finished in a timely manner, we will be forced to take shelter of NGT again.

3. In the another matter we also bring to your attention that some uncivilized people are illegally encroachment the Municipality Land (Plot No 8364) and constructed their house in the that place. We already intimated to your office with copy to District Magistrate, Bargarh earlier regarding the issue on 31 Mar 2022 and your office assured us to make a boundary wall surrounding the Municipality Plot. But still there is no any boundary wall constructed and such types of people spreading their community and illegally constructed their house on Municipality Plot. Due to this the residents here are facing problems day by day. We are humbly requested to again as responsible citizen to stop the illegal encroachment and construction of house in Municipality Plot and action should be taken against them.

4. Our aim is to keep the environment clean and safety. Hence we request you to give this your prompt attention on this matter and resolve the issue as soon as possible.

Copy to :-District Magistrate, -
Bargarh

For your kind information please.

Your's faithfully

Ramesh Rout

Pran Raj Sahu

Sudanta Parida

Shiba Prasad Kumara.

Ritesh Manapatra

Mouvan Barla

27-6-24
RECEIVING CLERK,
COLLECTORATE, BARGARH.

1) Mukesh Pandit

अभिषेक तारा

2 - Prayash Kumar
- DEEPAK BEHERA

Hareesh Kumar Bagh.

3) Prakash Desh

4 Sudasankumara

Surasen Seth

Jayanti Bagh

Parshu ~~ram~~ ram Bagh

Tatadhari Lenka

Miliprabhu Lenka

Jyotirajay Lenka.

Rasani Seth

Panchanama Mishra

Halayudha Dash

Anil Kumar Ponnar

सुदीप तारा

सुदीप तारा

Jayanti Tripathy.

Babulal Acharya.

Binoyak Desh

Sobha chandra Mahapatra

Ghansyam Das

Rabindra Kumar Desh

Maheswar Mallik

सुदीप तारा

Abdesh Tripathy

Dr. Jushosana Behera

31 Hajji Budhia

Subashchandra Pradhan

Gopesh Mishra.

Babuna Swamy

Jaymalay Bag.

Moti Lal Sharma.

Jitendra Sharma.

Jossanta Das

The District Magistrate & Collector
Bargarh
At/Po/Dist – Bargarh
Odisha-768028

Subject : Regarding delayed for Bio-Mining Process of legacy waste Dumping Site of Bargarh Municipality (In Plot No 8355, 8357 & 8360 of W. No-15)

Respected Sir,

1. Please refer:-

(a) The Honorable NGT, Eastern Zone Bench, Kolkata original application order No 116/2022/EZ dt 23 Mar 2023.

(b) Our application dated 27 Jun 2024 addressed to Executive Office, Bargarh Municipality with copy to your office.

2. We are again writing to your attention regarding lifting of garbage from closed dumping yard situated in Bargarh Municipality Plot No 8355, 8357 & 8360 at Ward No-15. As per directions of NGT vide their order mentioned above, Bargarh Municipality should have been completed the lifting process of legacy waste through Bio-mining/ Material Recovery Facilities by 31 Dec 2023 and alleged site should develop as Eco-Park for public interest. But it is near about 2 years completed, lifting of legacy based garbage not yet finished till date. It seems like that the Bargarh Municipality and Dist Administration is ignoring our requests and as well as The Honorable NGT orders. We have requested the Bargarh Municipality and your office many times, but our requests has been ignoring from your side. No any prompt action could not be seen from your administration side. We residents of this place again request you to take immediate action for lifting of legacy waste from alleged dumping site in Plot No 8355, 8357 & 8360 of Ward No -15 and develop the site as Eco-friendly environment as directed in the Honorable NGT order.

3. It is also has been revealed that from other sources Bargarh Municipality is going to start a Micro Composting Centre (MCC) in Plot No 8364 nearby in the alleged dumping site as well as in between the populated area which is monopoly doing by Bargarh Municipality without any public hearing (Jansuchana) or discussion with local peoples in that place. This kind of hatred attitude taken by Bargarh Municipality for our area is shameful. Even So, we residents of this place have been tolerating the dirty environment due to existing dumping yard for a long time and also many old age persons (Senior citizen) and children are suffering from health related diseases. Our right to living in healthy and clean environment. So, we are fighting for this long time. Bargarh Municipality and Dist Administration has been ignoring our requests earlier, that's why we had taken shelter of NGT. Now considering all these circumstances, we again bound to take shelter of the Honorable NGT for our environment to keep clean.

4. In view of the above, you are requested to personally indulgence on this serious matter and take prompt action and give necessary directions to Bargarh Municipality to take speedy action for lifting of dumping garbage in Plot No 8355, 8357 & 8360 and develop that place as Eco-park for public interest and also immediately stop the ongoing construction of Micro Composting Centre (MCC) in Plot No 8364.

Your kind attention is requested please.

Yours Faithfully

Susanta Kumar Das
Asst. Commissioner
Collectorate, Bargarh



RECEIVING CLERK
COLLECTORATE, BARGARH

20/12/24

Pankaj Dash

Datsenend. Singh
Marjuna Barla

02/01/91 4/15/11
Bela Ray Saha

Balukiswar Das.

Punpabi Palit

Rabindra Ku. Majhi
Shiba Madal Kumara

Rasbi Kumar Tharu
Dushasana Behera

Ramesh Chandra Rout

Tiku Banerjee

Hari Shankar

Mukesh Pandit

Hareesh Bhai

Ritika Mahapatra

Balukiswar Das

Sunil Mishra

Panchanan Moharana

Binayak Das

Paoshu Das Bhai

Rubindra Ku. Das

Ghasiram Das

Subash Pradhan

02/01/91 4/15/11



Copy to:-

Executive Officer
Bargarh Municipality
At/Po/Dist – Bargarh
Odisha-768028

for your kind similar action please.

Secretary
Housing & Urban Development Dept
Govt of Odisha, 3rd Floor
KharvelBhavan, West Wing
Room No-302, Bhubaneswar -751001


Odisha State Pollution Control Board
A/118, Unit-VII, Nikakantha Nagar
Bhubaneswar-751012

Chief Secretary
Govt of Odisha
LoksevaBhawan, Bhubaneswar-751001

Office of the Chief Minister, Odisha
3rd Floor, State Secretariat
Sachivalaya Marg, Bhubaneswar-751001

- For your kind information and necessary directions please.

*Regional office
State Pollution Control Board.
Odisha. Plot No-1070
Hospital Road Modipura
Lambapur + 768002*


R0191577221IN IVR:8279191577221
RL BARGARH H.O <768028>
Counter No:1,21/12/2024,12:39
To:THE OFFICE THE CH ,ODISHA BBSR
PIN:751001, Bhubaneswar G.P.O.
From:RAHAKANTA R,WDNO-15 SWATCH V
Wt:20gms Ack Fee:3.00,REG=17.0
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)
<Track on www.indiapost.gov.in>

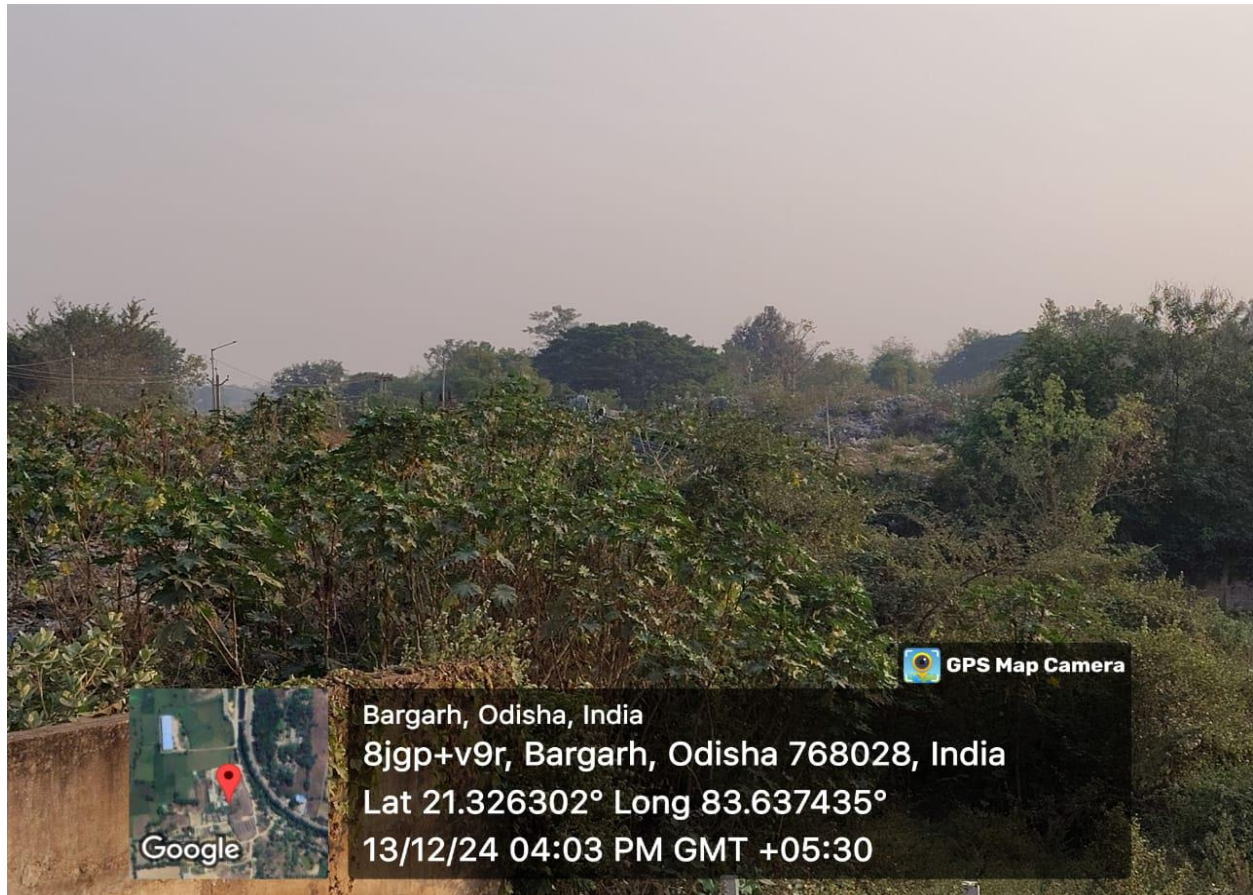
<Dial 1800266868> (Wear Masks Stay Safe)
R0191577218IN IVR:8279191577218
RL BARGARH H.O <768028>
Counter No:1,21/12/2024,12:39
To:THE ODISHA ST,CONTROL BOARD
PIN:751012, Nayapalli S.O
From:RAHAKANTA R,WDNO-15 SWATCH V
Wt:20gms Ack Fee:3.00,REG=17.0
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800266868> (Wear Masks Stay Safe)

<Dial 1800266868> (Wear Masks Stay Safe)
R0191577204IN IVR:8279191577204
RL BARGARH H.O <768028>
Counter No:1,21/12/2024,12:39
To:THE SEC HOUSING AND URBAN,GOO
PIN:751001, Bhubaneswar G.P.O.
From:RAHAKANTA R,WDNO-15 SWATCH V
Wt:20gms Ack Fee:3.00,REG=17.0
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800266868> (Wear Masks Stay Safe)

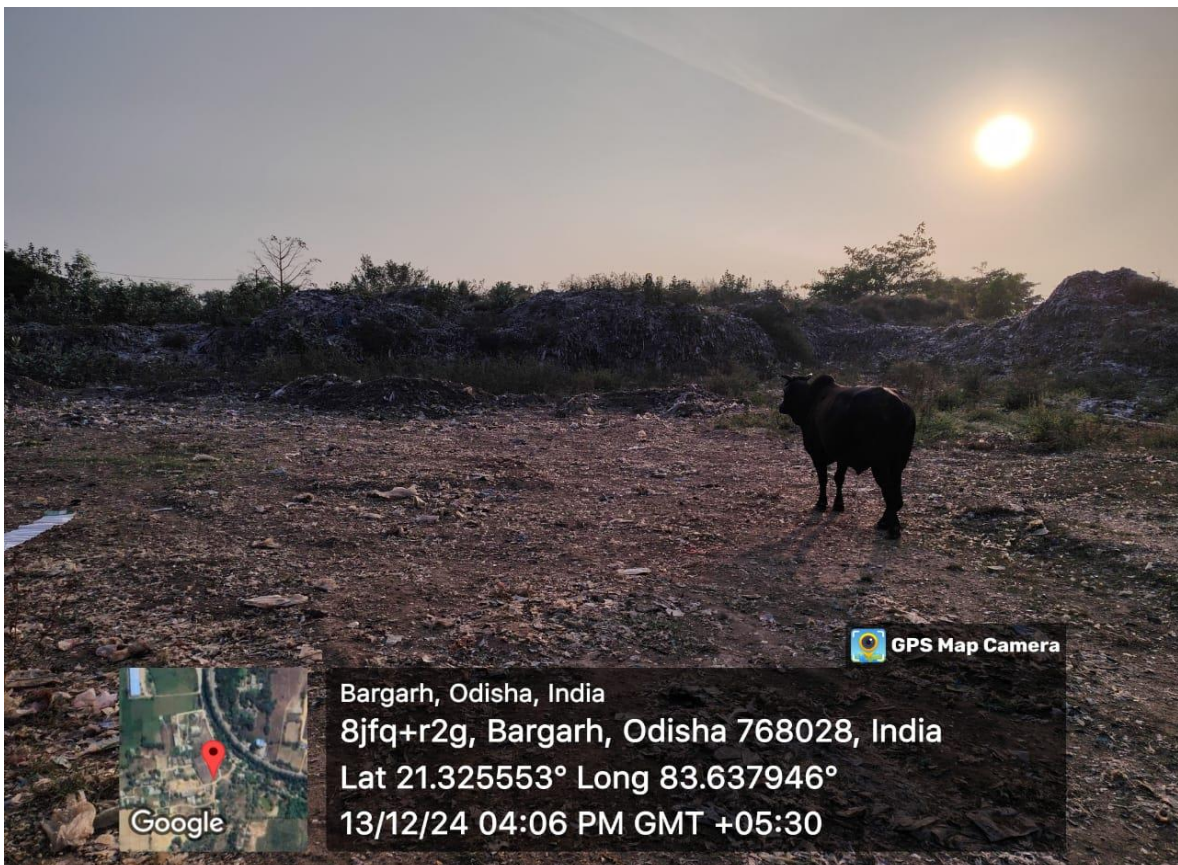
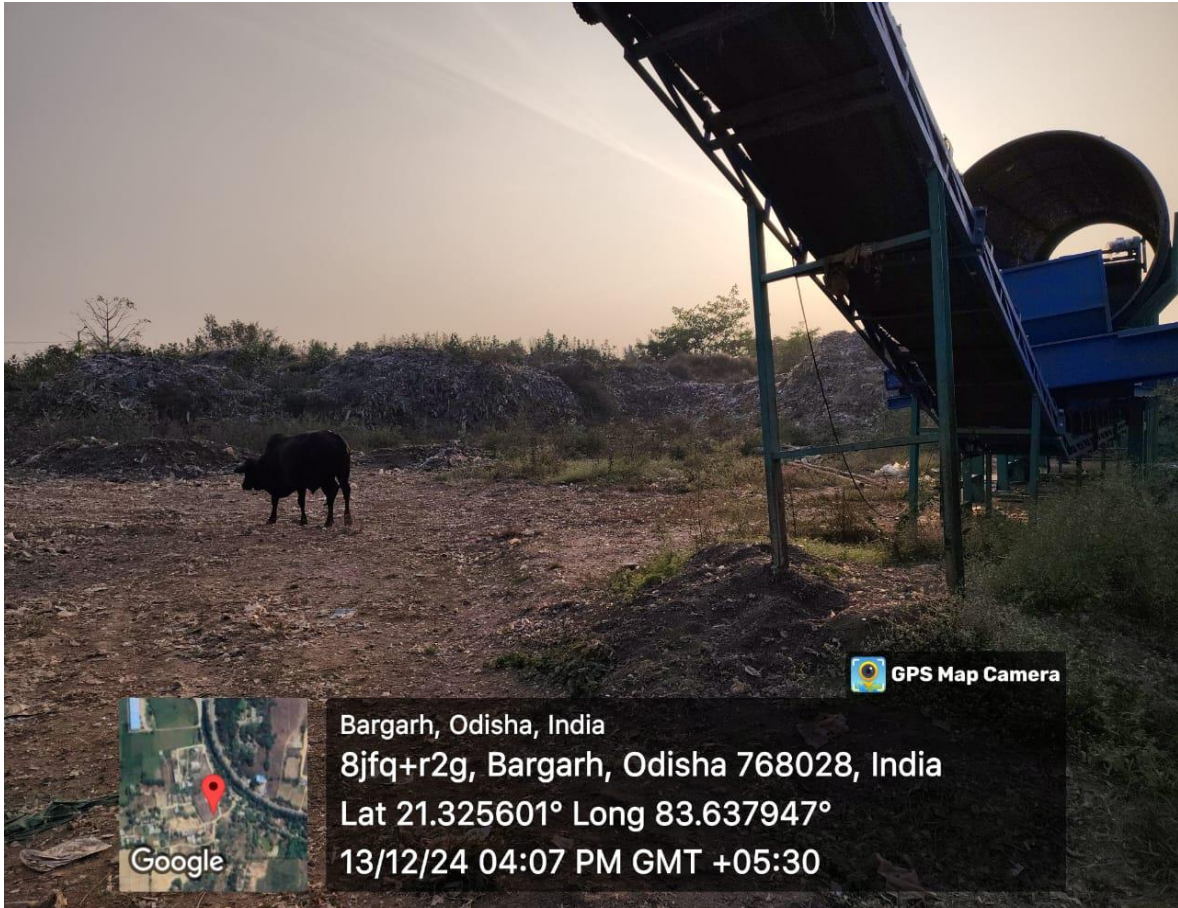
<Dial 1800266868> (Wear Masks Stay Safe)
R0191577195IN IVR:8279191577195
RL BARGARH H.O <768028>
Counter No:1,21/12/2024,12:39
To:THE CHIEF SEC,BBSR
PIN:751001, Bhubaneswar G.P.O.
From:RAHAKANTA R,WDNO-15 SWATCH V
Wt:20gms Ack Fee:3.00,REG=17.0
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800266868> (Wear Masks Stay Safe)

<Dial 1800266868> (Wear Masks Stay Safe)
R0191577181IN IVR:8279191577181
RL BARGARH H.O <768028>
Counter No:1,21/12/2024,12:39
To:THE REG OFFICE STATE,POLLUTION
PIN:768002, Hudipara S.O
From:RAHAKANTA R,WDNO-15 SWATCH V
Wt:20gms Ack Fee:3.00,REG=17.0
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800266868> (Wear Masks Stay Safe)

PHOTOGRAPHS DATED 13/12/2024 SHOWING THE WASTE MATERIALS HAS NOT BEEN REMOVED FROM THE ALLEGED SITE AND CONSTRUCTION OF BOUNDARY WALL IS ALSO NOT COMPLETED FOR WHICH ANIMALS ARE ENTERING INTO THE DUMPINGSITE.







BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

MISC APPLICATION.....2025 IN
Original Application No. 116 of 2022 DISPOSED OF ON 23/03/2023

RAMAKANTA ROUT & OTHERS

APPLICANTS

Versus

State of Odisha and Others

Respondents

KNOW ALL to whom these present shall come 1. Ramakant Rout, S/o Late Touli Charan Rout, Aged about 62 years, 2.Susanta Kumar Parida, S/o Satyanand Parida aged about 41years, 3.Shiba Prasad Kumura S/o Sudarshan Kumura aged about 41 Years,4.Rintu Mahapatra S/o Kishore Chandra Mahapatra aged about 34Years, 5. Prem Raj Sahu S/o Banchanidhi Sahu Aged about 55yaers, 6. Mariyam Barla D/o Patrick Barla aged about 50years, All are residents of Ward No 15, At/Po/Ps- Baragarh, 768028 the above named APPLICANTS do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani, Advocates, Plot—2132/4814, Nageswartangi, Bhubaneswar, 751002, Enrolment No O-785/07, Email: sankarprasadpani@gmail.com, Mob-9437279278, and Ashutosh Padhy, Enrolment No O-1018/23.**

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 10TH day of JAN 2025 .Accepted subject to the terms of fees.

Sankar Prasad Pani
Advocate

Client

Client

1) Ramakanta Rout

2) Mariyam Barla

3) Susanta Kumar Parida

4) Shiba Prasad Kumura

5) Prem Raj Sahu

6) Rintu Mahapatra

AUTHORISATION

We, Susanta Kumar Parida, S/o Satyanand Parida Aged about 41 year,
 Shiba Prasad Kumura, S/o Sudrashan Kumura Aged about 41 years,
 Rintu Mahapatra, S/o Kishore Chandra Mahapatra Aged about 34
 years, Prem Raj Sahu, S/o Banchanidhi Sahu Aged about 55 years,
 Mariyam Barla, D/o Patrick Barla Aged about 50 years all are resident
 of Ward No.15, At/Po/Ps-Baragarh-768028, authorize the applicant
 No 1, Ramakant Rout, S/o Late Touli Charan Rout, Aged about 62
 year, resident of Ward No.15, At/Po/Ps-Baragarh-768028 to swear the
 affidavit on behalf of us for filing the miscellaneous application.

Date- 10/01/2025

SIGNATURE

x Ramakanta Rout

x Mariyam Barla

x Prem Raj Sahu

Shiba Prasad Kumura.

- Rintu Mahapatra

a Susanta Kumar Parida