

241

**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
MEMORANDUM OF APPLICATION**

(Under section 18(1) read with section 14 and 15 of the National Green Tribunal Act, 2010)

Original Application No. of 2025/EZ



IN THE MATTER OF:

Prafulla Kumar Pradhan & Ors

.....

Applicant.

-Versus-

State of Odisha & Ors.

.....**Respondent.**

INDEX

SL. No.	PARTICULARS	ANNEXURE	PAGE
1.	Synopsis		1
2.	List of Dates		2
3.	Original Application		3-13
4.	Photocopy of the Map of Magarabandha Dhadi Forest of Chorokhola and Barapalli Mauza of Tahsil Odogaon, District: Nayagarh, Odisha is annexed herewith	"A"	16-18
5.	Photocopies of the representation to the Hon'ble Chief Minister of the State of the Odisha including the translated copy of the representation, and the acknowledgement Letter dated 19" December, 2024, along with the acknowledgement Letter of the copies sent to the Respondent No. 2 and 3 are collectively annexed Herewith	"B"	19-25

23 APR 2025

6.	Photocopies of the letters dated 17.12.2024 issued by the Forest Range Officer, Odagaon to the Respondent No. 5 and the Letter dated 15.01.2025 issued by the O.P. No. 4 to the Regional Chief Conservator of Forest, Bhubaneswar Circle are collectively annexed herewith	"C"	26-27
7.	Photographs showing the situation of the road being created are collectively annexed herewith and marked	"D"	28-30
8.	Verification		14
9.	Affidavit		15
10.	Vakalatnama		31-32

Place: Kolkata

Date : 23.04.2025

By the applicant through

Sibojyoti Chakrabarti

Advocate for the Applicant

High Court, Calcutta



3

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

Original Application No. of 2025/EZ

(Under section 18(1) read with section 14 and 15 of the National Green
Tribunal Act, 2010)

IN THE MATTER OF:

An Application under section 14
and 15, read with section 18(1),
of the National Green Tribunal
Act, 2010;

AND

IN THE MATTER OF:

1. Prafulla Kumar Pradhan, aged
about 59 years, S/o Late Harihar
Pradhan;
2. Hemanta Kumar Pradha, aged
about 46 years, S/o Subash
Chandra Pradhan;
3. Muralidhar Pradhan, aged about
62 years, S/o Late Dasharath
Pradhan;
4. Jagannath Nayak, aged about 62
years, S/o Late Aarakhita Nayak



4

All the above are of village
Magarabandha, P.O-Binayakpur,
P.S-Saranakul, District:
Nayagarh, Odisha, Pin: 752104.

Email: subho.advocate@gmail.com

... Applicants

VERSUS

1. The State of Odisha represented
through its Chief Secretary
Odisha, having office at Odisha
Secretariat Bhubaneswar
District: Khurda, Pin: 751001,
Odisha.

Email: csori@nic.in

2. The Additional Chief Secretary
Forest, Environment and
Climate Change Department,
Government of Odisha having
office at Kharavel
Bhawan, Bhubaneswar, District:
Khordha, Pin: 751001, Odisha.

Email: fesec.or@nic.in

3. The District Magistrate &
Collector, District: Nayagarh,
having office at P.O- Nayagarh,
Odisha, Pin: 752069.

Email: dm-nayagarh@nic.in



35

4. The Divisional Forest Officer,
Nayagarh Division having office
at Post & District: Nayagarh,
Pin: 752069, Odisha.

Email:

dfo.nayagarh@odisha.gov.in

5. The Tahsildar, Odagaon,
District: Nayagarh, having office
at Odagaon, Odisha, Pin:
752081.

Email:

tahasildar.odagaon@gmail.com

6. Sri Ajati Rout, aged about 60
years,

7. Sri Sachin Rout, aged about 27
years. S/o Ajati Rout

8. Smt Kajal Rout, aged about 25
years, D/o Ajati Rout



All the Respondents No. 6, 7 and
8 are residents of OSCAR CITY,
Plot. No. 25/8206, P.O: Laxmi
Sagar, P.S. - Laxmi Sagar,
District: Khordha, Odisha. Pin:
751006.

Email: Not Known.

... Respondents

6



To

The Hon'ble Chairperson and His Companion Members of the Hon'ble
Tribunal

The humble application
on behalf of the
applicant above named

MOST RESPECTFULLY SHEWETH;

1. The address of the applicants are given above for the service of notices of this application.
2. The addresses of the Respondents are given above for the service of notices of this application.
3. That your Applicants are law abiding and peace loving citizen of India and residing at the address given in the cause title herein above and are persons aggrieved and the present application is being filed under section 14 of the National Green Tribunal Act, 2010.
4. The present application is being filed under section 14 and 15 read with section 18 of the National Green Tribunal Act, 2010 the Applicant being affected by the non action and in action of the statutory authorities/departments particularly the Respondents No. 1 to 4 regarding destruction of the forest land, of Chorokhola and Barapalli Mauza (where there is no human habitation), Tahsil - Odagaon, of District: Nayagarh.

3



5. The Applicants are the members of the 'Magarabandha Dhadi Jangal Surakshya Mancha' created by the villagers for the protection of the Forest and Environment, for the last 50 years. But very astonishingly for the last two years, the private respondents have tried to grab the Forest Land and has executed a few Sale Deeds vide Khata No. 176/230 and 2/38, Mauza Chorkhol, of the Lease Lands given to the landless persons to have their livelihood in the name of his son and daughter who are impleaded in this Application as Respondents No. 6, 7 and 8. It is also learnt that, 14 acres, 70 decimals of lease land inside the forest area which was allotted to the poor villagers, have been executed through Sale Deeds in favour of the Respondents 7 and 8 by the conspiracy of the Respondent No. 6. For proper appreciation, the photocopy of the map of the Magarabandha Dhadi Forest of Chorokhola and Barapalli Mauza of Tahsil Odogaon, District: Nayagarh, Odisha is annexed.

Photocopy of the Map of Magarabandha Dhadi Forest of Chorokhola and Barapalli Mauza of Tahsil Odogaon, District: Nayagarh, Odisha is annexed herewith and marked with the letter 'A'.

6. It is pertinent to state that in furtherance of the attempt made by the Respondent No. 6 to change the status of the forest and destroy the flora and fauna by constructing a Vaishno Devi Temple inside the forest area and for that the nearby hill was destroyed through dynamite to collect stones for the construction of the said temple and Alati Mandap. In order to

facilitate the construction of the temple, a road has been constructed upto 2 kms by cutting down the valuable trees by using JCB without any forest clearance from the Competent Authority, in complete violation of section 2 of the Forest Conservation Act, 1980.

7. In order to efface evidence of the deforestation, the tree trunks have been burnt. This fact has also been reported in the local dailies by name 'Sambada', 'Pragatibadi' and 'Nitidin' on dated 16.05.2024.

The applicants crave leave to produce the same at the time of hearing.

8. That the Applicants on behalf of the 'Magarabandha Dhadi Jangal Surakshya Mancha' have made complaints about the destruction of the forest land and the indifference of the local forest officials who are assisting the Jungle Mafia to grab the property of the forest without any fear of punishment. That the respondent numbers 6 to 8 are given protection by the state authorities. That in this regard written representations have been given since 19" Dec, 2024, no effective steps have been taken to stop the construction of the temple.

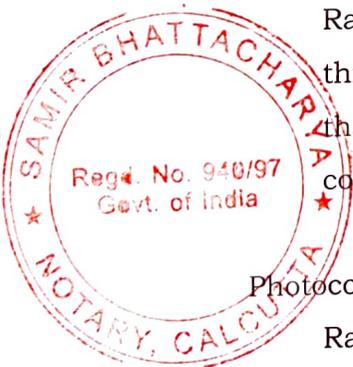
Photocopies of the representation to the Hon'ble Chief Minister of the State of the Odisha including the translated copy of the representation, and the acknowledgement Letter dated 19" December, 2024, along with the acknowledgement Letter of the



9

copies sent to the Respondent No. 2 and 3 are collectively annexed herewith and marked with the letter 'B'.

9. That the respondent number 4 made an enquiry along with Forest Range Officer, Odagaon and Revenue Officer and it was ascertained that the Road passing through the Forest area is 240 meter and it is an existing road used by local villagers for long time as communication. No extra work has been done inside the forest area as communicated by the Forest Range officer, Odogaon Range for which forest case cannot be booked for violation of the Forest Conservation Act, 1980. Further, it was reported in the letter that, for the construction of the Vaishno Devi Temple consented by villagers of 11 villages and the same has been constructed over Abada Ajogya Anabadi, Kissam, Parbat — 2 which has been intimated to the tahsildar, Odogaon vide Letter No. 1196 dated 17.12.2024. Moreover, the letter speaks that till now there is no wildlife offence case booked in that area as mentioned in the Petition.
10. That it is pertinent to mention at this juncture that the Forest Range Officer, Odagaon, has intimated to the Respondent No. 5 through the letter dated 17.12.2024 issued vide memo No. 1196 that necessary steps may be taken to stop the illegal construction work in Government land.
- Photocopies of the letters dated 17.12.2024 issued by the Forest Range Officer, Odagaon to the Respondent No. 5 and the Letter dated 15.01.2025 issued by the Respondent⁴ to the Regional Chief



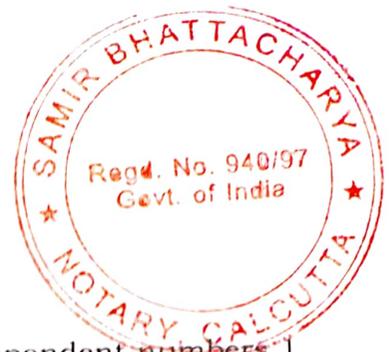
Conservator of Forest, Bhubaneswar Circle are collectively annexed herewith and marked with the letter 'C'.

11. That moreover the applicants have obtained some photographs of the road constructed by the private respondents numbers 6 to 8, which also shows that the road is created one inside the forest and is a kuchha road.

Photographs showing the situation of the road being created are collectively annexed herewith and marked with the letter 'D'.

12. That the above letter of the Respondent No. 4 shows that, there is a larger conspiracy going on to hide the fact that, the temple has been constructed on the forest land and the road inside the Forest has been built by the Respondent No. 6, 7, and 8 in connivance with the Forest Officials by hand-in-glove with some forest mafia who are out to grab the forest land for their vested interest.
13. That the most alarming fact remains that the above-mentioned forest area are also habituated by many wild animals like elephants who used to come near the temple area for drinking water in the nearby pond created by the Forest Department. But, the private respondents being respondent numbers 6 to 8, who are working to grab the Forest Land, have also changed the status of the pond by encircling it through stone fencing which has prevented the animals to quench their thirst.





14. That it is very unfortunate that the state respondent numbers 1 to 5, have allowed the private respondents to destroy the forest and thereby cause ecological imbalance in the flora and fauna habitat in the forest area, without obtaining proper statutory permissions and thereby violating environmental norms and laws.
15. That being highly aggrieved by and dissatisfied with the aforesaid inaction and / or non-action of the state respondents despite having statutory duty to preserve the environment, your applicant begs to move this application before this Hon'ble National Green Tribunal on the following amongst other :-

GROUNDS

That the instant application is being filed on the following grounds amongst other which the applicant may take up through at the time of hearing.

- A. For That the instant application is being filed under section 14 of the National Green Tribunal Act 2010 raising substantial questions relating to the environment where the respondent numbers 6 to 8 are trying to grab the forest land and construct a temple in the middle of the forest and making road inside the forest by cutting trees without any forest clearance from the Competent Authority, in complete violation of section 2 of the Forest Conservation Act, 1980.
- B. For That the environmental consequences related to protecting the forest in which the State Respondents ought to have taken

10



steps for restraining the private respondents from causing destruction to the forest area

- C. For That the state respondents are statutorily bound as per the provision of Article 48A, of the Indian Constitution to take endeavor to protect and improve the environment and to safeguard the forest and wildlife of the country.
- D. For That the applicant has the 'Right to Life and Privacy' as enshrined under Article 21 of the Indian Constitution which also envisages Right to Dignified life in an pollution free environment.
- E. For That the applicant had informed the State authorities about the illegal action by the private respondents but the State authorities are sitting tight over the matter.
- F. For That the records of the present case are lying within jurisdiction of this Hon'ble Tribunal.
- G. For That your Applicant states that he has no other alternative efficacious remedy and remedy sought for herein is speedy and efficacious if granted by this Hon'ble Tribunal.

15. That this application is made bonafide and for the interest of justice.

LIMITATION

That the present application is being filed within the period of limitation as given under section 14 of the National Green Tribunal Act, 2010 and the cause of action is continuing till date.

13



PRAYER

In the light of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass following orders:

INTERIM PRAYER

Pending disposal of the instant matter the Hon'ble Tribunal may direct the Respondent No. 1 to 5 to stop construction of the Vainsho Devi temple inside the forest area of the Magarabandha Dhadi Forest of Chorokhola and Barapalli Mauza of Tahsil Odogaon, Dist —Nayagarh, Odisha.

PRAYER

- (a) That it is most humbly prayed that the Hon'ble Tribunal may be pleased to direct the Respondent No. 1 to 5 to protect the forest land as morefully detailed in paragraphs 4 & 5 of this original application i.e Chorokhola and Barapalli Mauza (where there is no human habitation), Tahsil - Odagaon, of District: Nayagarh and also direct restoration of the forest land to its original place and direct the private respondents to demolish the construction of the Vaishno Devi temple and direct the Respondent No. 6, 7 and 8 to pay the environmental compensation due to damage done to the forest land, for restitution of the environment, as per law.
- (b) And pass any other order as the Hon'ble Tribunal deems fit in the interest of justice for which the applicant shall ever pray.

Date: 23.04.2025

By the Applicant through
21bojyoti Chakrabarti
Advocate

1A



VERIFICATION

I, Prafulla Kumar Pradhan, S/o Late Harihar Pradhan; aged about 59 years, the within named deponent do hereby verify on this 23rd Day of April, 2025, that the facts stated herein above are true and correct to my information and no part of its are false and nothing material has been concealed therefrom.

Verified at Kolkata on the 23rd Day of April, 2025.

Identified by me

Sibajyoti Chatterjee
Advocate 23.04.2025

Prafulla Kumar Pradhan
Deponent



15



AFFIDAVIT

I, Prafulla Kumar Pradhan, S/o Late Harihar Pradhan; aged about 59 years, by faith-Hindu, by occupation- self employed and presently residing at village Magarabandha, P.O-Binayakpur, P.S-Saranakul, District: Nayagarh, Odisha, Pin: 752104, do hereby solemnly affirm and state as follows :-

1. That I am the applicant in the Original Application and well conversant with the fact and circumstances of the case and I am competent to sign and swear this affidavit and I have been authorized by the other applicants to swear and affirm this affidavit on their behalf.

2. That I have read and understood the contents of the accompanying application and say that the facts stated above are true and correct as per my personal knowledge and legal advice received by me are true to the best of my knowledge and belief.

3. That the annexures annexed with the Application are true copies of their respective originals.

Prepared in my office

Sibojyoti Chakrabarti
Advocate

Prafulla Kumar Pradhan
DEPONENT

Identified by me

Sibojyoti Chakrabarti
Advocate

Solemnly Affirmed and
Declared before me U/S 139
CPC/U/S297 (C) CRPC

Notary

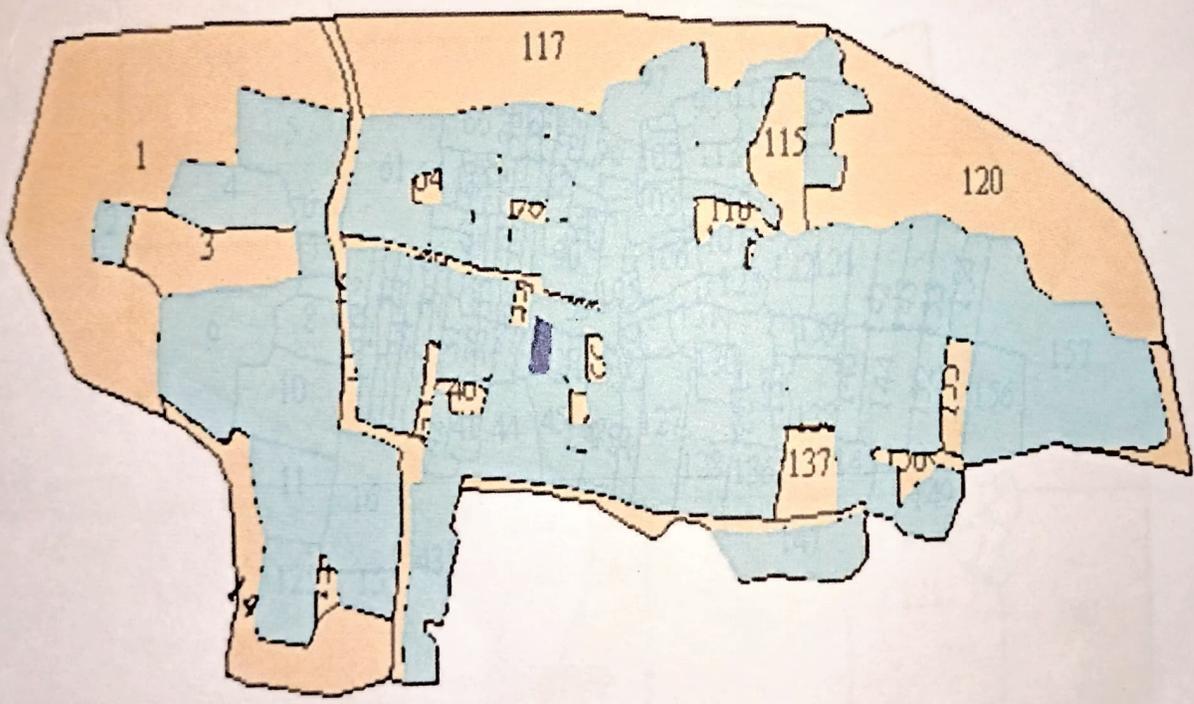
23.4.25
Samir Bhattacharya
Notary Govt. of India
Regd. No. 940/97
City Civil Court, Calcutta

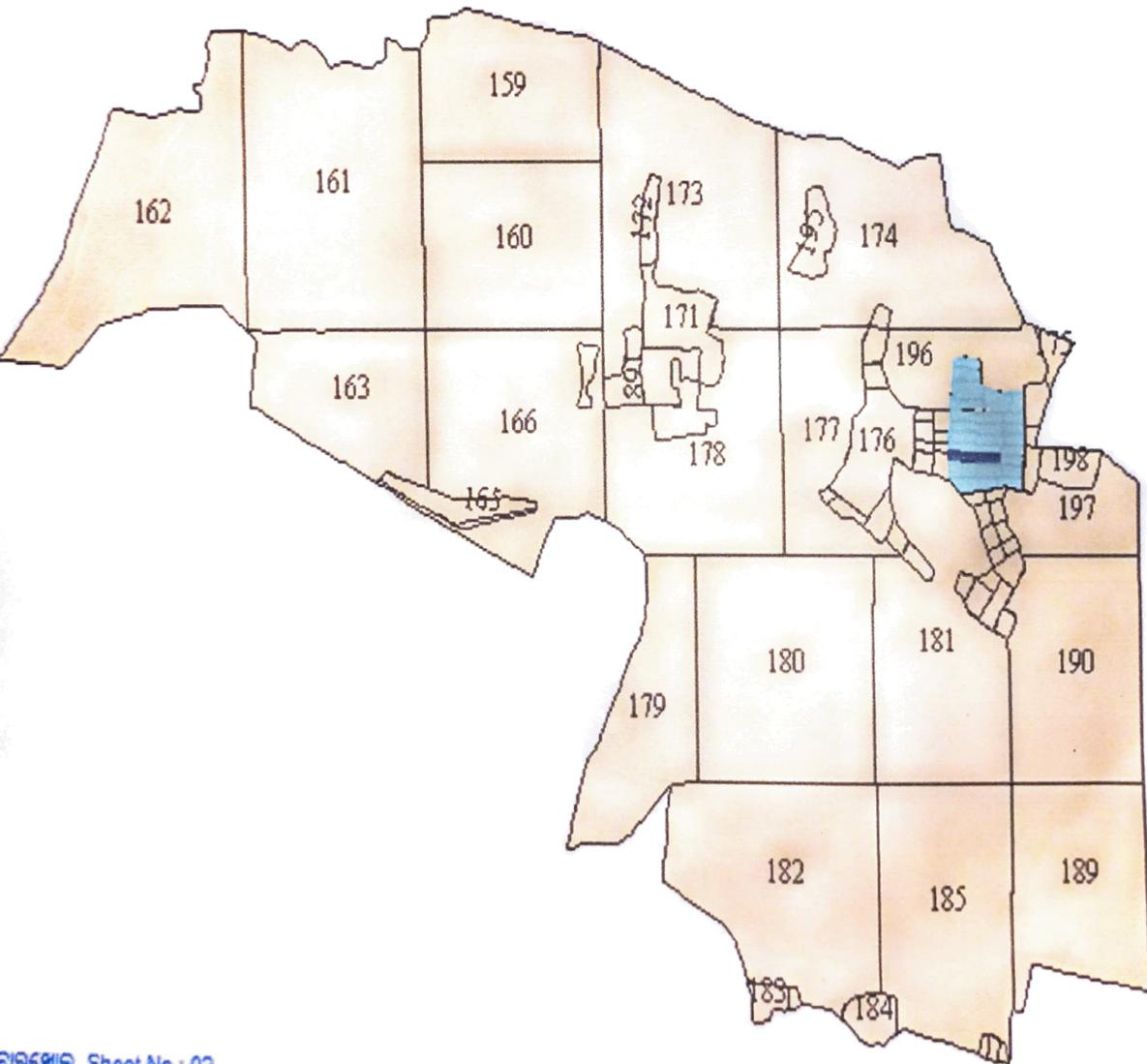
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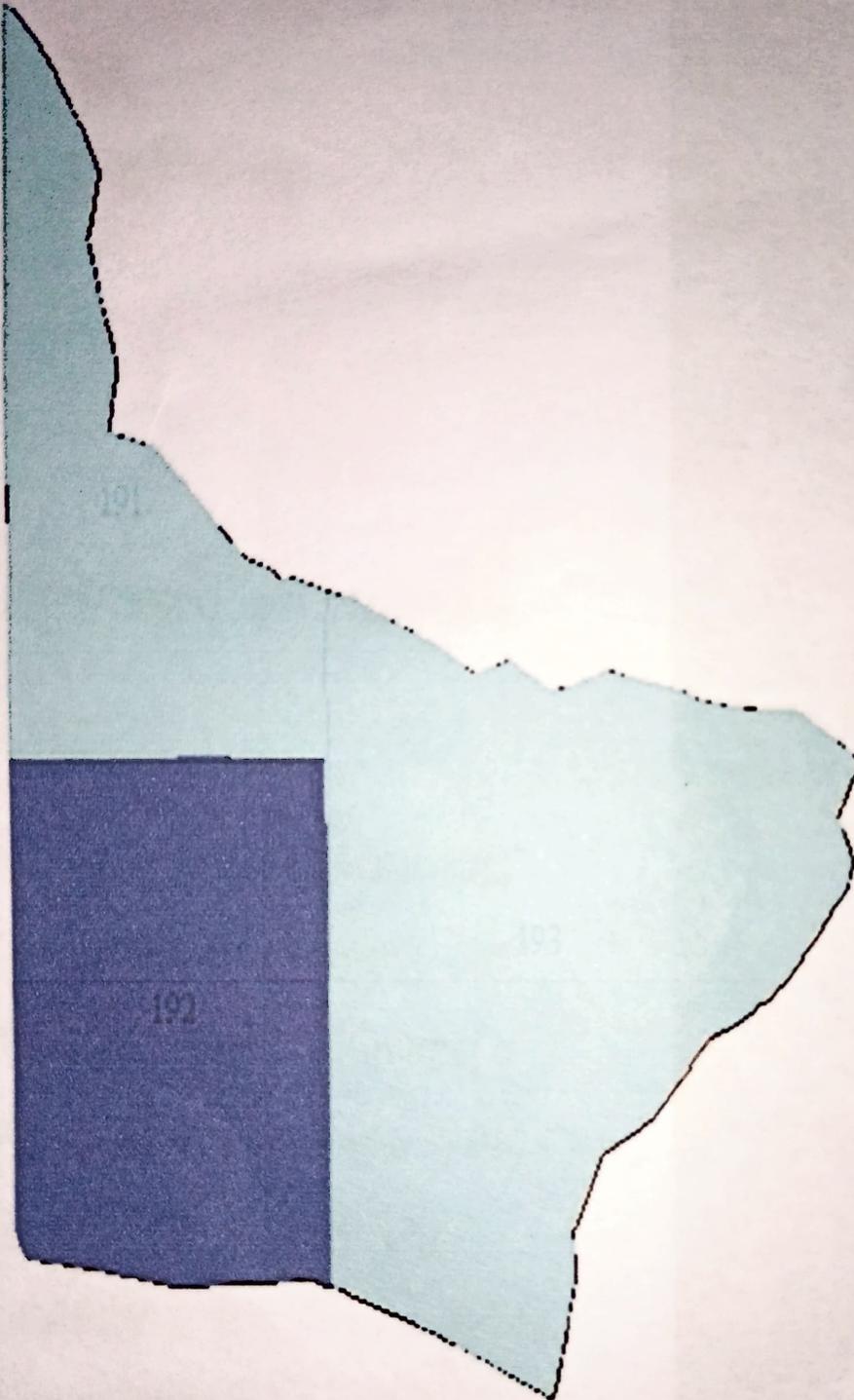
1616.36482, 1592.720





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6733.54046, 241.30081



ମଗରବନ୍ଧ ଧାଡ଼ି ଜଙ୍ଗଲ ସୁରକ୍ଷା ମଞ୍ଚ

ସା-ମଗରବନ୍ଧ, ପୋ.ଅ.- ବିନାୟକପୁର, ଥାନା-ଶରଣକୁଳ, ଜିଲ୍ଲା-ନୟାଗଡ଼

ପ୍ରାପ୍ତେଷୁ :

ମାନ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀ, ଓଡ଼ିଶା, ଶ୍ରୀଯୁକ୍ତ ମୋହନ ଚରଣ ମାଝି

ବିଷୟ - ଧାଡ଼ି ଜଙ୍ଗଲ (ଚୋରଖୋଲ (ବେରସ୍ତ ପ୍ରଗଣା) ଅଧିନରେ ଥିବା ଜଙ୍ଗଲ ଜମି ଅଧିଗ୍ରହଣକୁ ବିରୋଧ କରି ଦେଖାଦେଇଥିବା ଜନ ଅସନ୍ତୋଷ ।

ମହାଶୟ,

ଆମେ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀ, ମଗରବନ୍ଧ, ପୋ.ଅ.-ବିନାୟକପୁର, ଥାନା-ଶରଣକୁଳ, ଜିଲ୍ଲା-ନୟାଗଡ଼ର ସମୂହ ସ୍ଵାୟତ୍ତ ଅଧିବାସୀ ଅଟୁ । ଆମ ଗ୍ରାମରେ ଆମେ ଏକ ଧାଡ଼ି ଜଙ୍ଗଲ ସୁରକ୍ଷା ମଞ୍ଚ ଗଠନ କରି ଆଜକୁ ପ୍ରାୟ ୫୦ ବର୍ଷ ହେଲା ଦୈନିକ ଠେଙ୍ଗା ପହରା କରି ପ୍ରାୟ ଦୁଇ ଶହ ଜଙ୍ଗଲ ଜମିକୁ ସୁରକ୍ଷା ପ୍ରଦାନ କରି ଆସୁଅଛୁ । ଏହା ରାଜ୍ୟ ସରକାରଙ୍କ ଏକ ଖେସେଡ଼ା ଜଙ୍ଗଲ ଭାବେ ମାନ୍ୟତା ପାଇଛି ଏବଂ ଆମେ ସମୂହ ଗ୍ରାମବାସୀ ନିତ୍ୟ ବ୍ୟବହାର୍ଯ୍ୟ ପାଇଁ ଆବଶ୍ୟକ ବାଉଁଶ ଓ ଜାଳକାଠ ସଂଗ୍ରହ କରିଥାଉ ଏବଂ ଏହା କ୍ରମେ ଘଷ ଜଙ୍ଗଲରେ ପରିଣତ ହେବା ପରେ ବନ୍ୟଜନ୍ତୁଙ୍କର ଏକ ନିରାପଦ ଆଶ୍ରୟସ୍ଥଳ ଭାବେ ପରିଗଣିତ ହେଉଅଛି । ଏତଦ୍ ବ୍ୟତୀତ ପାଖ ପଡ଼ୋଶୀ ଗ୍ରାମର ଗାଈଗୋରୁଙ୍କ ପାଇଁ ଗୋଚାରଣ ଜାଗା ଭାବେ ଉପଯୋଗ ହୋଇ ଆସୁଅଛି । ଆମ ମୌଜା-ମଗରବନ୍ଧ ବ୍ୟତୀତ ଅନ୍ୟ ଦୁଇ ପଡ଼ୋଶୀ ଗ୍ରାମ ଯଥା ବିଟଳଗାଡ଼ିଆ ଓ ଫାସିପଲ୍ଲୀ ନୂଆଗାଁର ଭାଇମାନେ ଅନୁରୂପ ଭାବେ ସୁରକ୍ଷା ପ୍ରଦାନ କରି ଆସୁଥିବାରୁ ପ୍ରାୟ ୫୦୦ ଏକର ରୁ ଉର୍ଦ୍ଧ୍ଵ ଜାଗାରେ ଏକ ସବୁଜିମା ବଳୟ ସୃଷ୍ଟି ହୋଇପାରିଅଛି । କିନ୍ତୁ ଆଜକୁ ପ୍ରାୟ ୨/୩ ବର୍ଷ ହେବ ଜନୈକ ଅଜିତ୍ ରାଉତ, ହଂସପାଳ, ଭୁବନେଶ୍ଵରର ବ୍ୟକ୍ତି ଉକ୍ତ ଧାଡ଼ି ଜଙ୍ଗଲରୁ ପଡ଼ିଆ ପଟା ସୁତ୍ରେ ପନ୍ଦର ଏକର ଜାଗା ପାଇଥିବା ବ୍ୟକ୍ତି ବିଶେଷଙ୍କୁ ଏକାଠି କରି ସେମାନଙ୍କର ପଡ଼ିଆ ପଟା ଜାଗାକୁ ମୋଟା ଅଙ୍କର ପ୍ରଲୋଭନ ଦେଖାଇ କ୍ରୟ କରି ନିଜ ନାମରେ ରେକର୍ଡ଼ ସାବ୍ୟସ୍ତ କରି, ଜଙ୍ଗଲ ଜମି ଉପରେ ବେଆଇନ୍ ଭାବେ ଏକ ବୈଷ୍ଣବ ଦେବୀ ମନ୍ଦିର ଓ ଏକ ପୋଖରୀ ଓ ଏକ କୋଠା ନିର୍ମାଣ କରିଅଛି । ଯାହାକି ପଡ଼ିଆ ପଟା ସୁତ୍ରେ ପାଇଥିବା ଜାଗା ଠାରୁ ଅଲଗା ଅଟେ । ଏଥି ସହିତ ବୈଷ୍ଣବ ଦେବୀ ମନ୍ଦିର ନିର୍ମାଣ ବାହାନାରେ ୧୦୦ ଏକରରୁ ଉର୍ଦ୍ଧ୍ଵ ଜଙ୍ଗଲ ଜମି ଅଧିଗ୍ରହଣ କରି ନିଜର ମାଲିକାନା ଜାହିର କରିବା ପାଇଁ ହାନି ଉଦ୍ୟମ ଚଳାଇ ଆସୁଅଛି । ବାରମ୍ବାର ପ୍ରତିବାଦ କଲେ ସୁଦ୍ଧା କେତେକ ନ୍ୟସ୍ତ ସ୍ଵାର୍ଥବାଦୀ କ୍ଷୁଦ୍ଧିକ ପ୍ରରୋଚନାରେ ପଡ଼ି ଉକ୍ତ ବେଆଇନ୍ ଜମି ଅଧିଗ୍ରହଣ ଓ ମନ୍ଦିର ନିର୍ମାଣ କାର୍ଯ୍ୟ କରି ଆସୁଅଛି ।

ଏ ସଂକ୍ରାନ୍ତରେ ଗତ ତା ୨୫.୦୪.୨୦୨୪ ରିଖରେ ମାନ୍ୟବର ଜିଲ୍ଲାପାଳ ମହୋଦୟ, ନୟାଗଡ଼ ଓ ତା ୨୫.୦୬.୨୦୨୪ ରିଖରେ ଶ୍ରୀଯୁକ୍ତ ତହସିଲଦାର ମହୋଦୟ, ଓଡ଼ିଶାକୁ ଅବଗତ କରାଯାଇଥିଲେ ସୁଦ୍ଧା ଏ ଦିଗରେ କୌଣସି ସୁଫଳ ମିଳୁନାହିଁ ।

ପ୍ରକାଶ ଆଉକି, ତା ୧୪.୦୫.୨୦୨୪ ରିଖ ଦୈନିକ ସମ୍ବାଦପତ୍ରରେ ଓ ପ୍ରଗତିବାଦୀ ସମ୍ବାଦପତ୍ରରେ ମଗରବନ୍ଧ ଗ୍ରାମବାସୀଙ୍କର ତୀବ୍ର ବିରୋଧ ସମ୍ପର୍କରେ ପ୍ରକାଶ ପାଇଛି । ଉଦ୍ଦିଷ୍ଟତରେ ଉକ୍ତ ଜମି ଅଧିଗ୍ରହଣକୁ ନେଇ ଯଦି ଜିଲ୍ଲା କିମ୍ବା ରାଜ୍ୟ ପ୍ରଶାସନ କୌଣସି ପଦକ୍ଷେପ ନ ନିଅନ୍ତି, ତେବେ ଆମ୍ଭ ଜନସାଧାରଣଙ୍କର ଜୀବନ ଜୀବିକା ଉପରେ କୁପ୍ରଭାବ ପଡୁଥିବାରୁ ବାଧ୍ୟ ହୋଇ ଆଇନକୁ ହାତ ମୁଠାକୁ ନେଇ ରାଜରାଷ୍ଟ୍ରକୁ ଓହ୍ଲାଇବାକୁ ବାଧ୍ୟ ହେବୁ ।

ତେଣୁ ପ୍ରାର୍ଥନା ପୂର୍ବକ ଜଣାଉଅଛୁ କି, ଜଙ୍ଗଲ ଜମି ଓ ଏହା ଉପରେ ବେଆଇନ୍ ଭାବେ ମନ୍ଦିର ନିର୍ମାଣକୁ ସମ୍ପୂର୍ଣ୍ଣ ଉଚ୍ଛେଦ କରି ଜଙ୍ଗଲର ପୂର୍ବ ସବୁଜିମାକୁ ଫେରି ପାଇବାକୁ ରାଜ୍ୟ ସରକାର ତୁରନ୍ତ ପଦକ୍ଷେପ ନେଲେ ଆମ୍ଭେ ସମସ୍ତେ ବିଶେଷ ଉପକୃତ ହେବୁ ।

॥ ଇତି ॥

ଆପଣଙ୍କ ବିଶ୍ୱସ୍ତ

ମଗରବନ୍ଧ ଗ୍ରାମବାସୀ

ସ୍ଥାନ - ମଗରବନ୍ଧ

ତା -

ଏହାର ଏକକିତା ନକଲ :

- ୧) ମାନ୍ୟବର ଜିଲ୍ଲାପାଳ, ନୟାଗଡ଼
- ୨) ମାନ୍ୟବର ଜିଲ୍ଲା ଜଙ୍ଗଲ ଅଧିକାରୀ, ନୟାଗଡ଼
- ୩) ମାନ୍ୟବର ବନ ବିଭାଗ ମନ୍ତ୍ରୀ, ଓଡ଼ିଶା, ଭୁବନେଶ୍ୱର
- ୪) ମାନନୀୟା ବିଧାୟିକା ତଥା ରାଜ୍ୟ ବାଚସ୍ପତିଙ୍କ

ଅବଗତି ଓ ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

21

MAGARABANDHA DHADI JANGLA SURAKSHYA

MANCHA

VILLAGE: MAGARABANDHA, PO- BINAYAKPUR, PS – SARANAKULA, DIST –

NAYAGARH

To,

The Hon'ble Chief Minister,

Odisha.

Subject: The illegal encroachment of forest land of Dhadi Jangal (Charkhol),
Nayagarh Forest Division, and discontentment of the people of the locality.

Sir,

We, the following signatories of Dhadi Jangala Surakshya Mancha, village: Magarabandha, PO- Binayakpur, PS– Saranakula, Dist – Nayagarh, are the permanent residents of the locality. We have formed an Organization by name Magarabandha Dhadi Jangal Surakshya Mancha since more than 50 years and are protecting the forest land of the locality. We had been using the forest land as Khesra Jungle and collecting woods for our day-to-day necessity and at present it has become a protected sanctuary of the wildlife. That apart, it is being used as grazing ground for the cows. Besides the villagers of the Magarabandha, the villagers of the adjacent village of Bitalagadia, and Phasipalli also protect the forest area of 500 acres of land. In the meanwhile, about 2-3 years, one Ajit Rout of Hanspal, Bhubaneswar has purchased some lease land allotted to the lessee as Forest Dwellers illegally and have constructed a Vaishno Devi Temple over the forest land. In the name of

constructing the Vaishno Devi temple, 100 acres of forest land have been grabbed through conspiracy. Despite the protest of the villagers, some vested interest groups have captured the forest land illegally and are constructing the temple.

In this connection, the villagers have represented to the District Collector, Nayagarh on 25.04.2024 and to the Tahsildar, Odagaon on 24.06.2024. But, no action has been taken by them.

It is also relevant to mention here that, the local daily paper 'Sambad' and 'Pragatibadi' have also published the news regarding the discontentment of the local villagers of the Magarabandha. It was also warned by the villagers that if the authority did not take any steps, then the people will come to the streets to vindicate their grievance.

Therefore, we request you to take appropriate action to protect the environment of the forest from the illegal encroachment of the forest land. For which we shall be obliged to you.

Place: Magarabandha

Yours truly,

Date: 19.12.2024

Villagers of Magarabandha

Copy to:

1. Dist Collector, Nayagarh
2. District Forest officer, Nayagarh
3. Forest Minister, Odisha, Bhubaneswar
4. M.L.A cum Speaker of the Legislative Assembly, Odisha



23

Office of the Chief Minister Grievance Cell,
Qrs No- DS-1, Type-VIII, Unit-V, Bhubaneswar, Odisha-751001
Phone No: 0674-2530700

Acknowledgement Letter

Dated: 19-Dec-2024

To
Murali Pradhan
Magarabandha
Village : Magarbandha
GP : Magarabandha
Block : Odagaon
District : Nayagarh
State : Odisha

Dear Sir/Madam,

We are in receipt of your representation. Kindly note that your representation has been registered with the number **CMO20241035526**, dated: **19-Dec-2024**, which should be quoted in all future correspondence. Information about action taken can be availed from the above office.

N.B.: It's a Computer Generated Copy, Doesn't require signature

Please visit this link <https://janasunani.odisha.gov.in/complaint-status> to check the status of your grievance



24

Forest, Environment and Climate Change Department
Government of Odisha, Kharvela Bhawan, Gopabandhu Marg, Keshari Nagar,
Bhubaneswar, Odisha, PIN-751001,
Telephone No.- 0674-2536822

Acknowledgement Letter

Dated: 19-Dec-2024

To
Murali Pradhan
Magarabandha
Village : Magarbandha
GP : Magarabandha
Block : Odagaon
District : Nayagarh
State : Odisha

Dear Sir/Madam,

We are in receipt of your representation. Kindly note that your representation has been registered with the number **DEPT20241035508**, dated: **19-Dec-2024**, which should be quoted in all future correspondence. Information about action taken can be availed from the above office.

N.B.: It's a Computer Generated Copy, Doesn't require signature

Please visit this link <https://janasunani.odisha.gov.in/complaint-status> to check the status of your grievance



25

Office of the Collector, Nayagarh
AT/PO - Nayagarh, PIN - 752069
Telephone No- 06753-252333

Acknowledgement Letter

Dated: 19-Dec-2024

To
Murali Pradhan
Magarabandha
Village : Magarbandha
GP : Magarabandha
Block : Odagaon
District : Nayagarh
State : Odisha

Dear Sir/Madam,

We are in receipt of your representation. Kindly note that your representation has been registered with the number **DM20241035536**, dated: **19-Dec-2024**, which should be quoted in all future correspondence. Information about action taken can be availed from the above office.

N.B.: It's a Computer Generated Copy, Doesn't require signature

Please visit this link <https://janasunani.odisha.gov.in/complaint-status> to check the status of your grievance



ବନାଞ୍ଚଳ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଓଡ଼ଗାଁ ବନାଞ୍ଚଳ, ଓଡ଼ିଶା
ଇ-ମେଲ ଆଇଡି :- roodagaon204@gmail.com ଫୁଲକୋଡ଼ :- ୭୫୩୧୦୧୧୨
Memo No. _____ / Date. _____

To

The Tahasildar,
Odagaon Tahsil.

Sub:- Information regarding joint verification of encroachment of Govt. land & protection of wildlife petition by Ghanasyama Pradhan and others of Magarabandha village.

Ref:- Memo no.9076 dt.14.11.2024 of D.F.O., Nayagarh.

Madam,

With reference to memo no. cited above, I would like to inform you that I along with R.L. Saradhapur, R.L. Gotisahi, Forester Odagaon section, FG Sakori beat proceeded to the spot on dt.18.11.2024 and verified the spot and found the fact is that, Maa Vaishnodevi temple, Alati Mandap, Prasad Mandap and road is under construction in Plot No.177/196 under Khata No.04 Abada Ajogya Anabadi Kissam Parbat-2 land. Jagyan Mandap, Mahaveer Kothari, Toilet, Shoe stand and Bhanubhath temple is under construction in Plot No.174 under Khata No.04 Abada Ajogya Anabadi Kissam Parbat-2 land. All the works has been done in Govt. Revenue land and construction work started from the year 2021-22. Another road from Nathiapalli to Cherkhola total length is 1400 mtr. The road was used by the villagers earlier as footpath road. The road leads in Gobara, Parbat-2 & parbat-3 land over 1160 mtr. in Govt. Revenue land and another 240 mtr. land is in Jungle-2 Kissam land.

Therefore, I request you may kindly be taken necessary steps to stop the illegal construction work in Govt. land.

Yours faithfully

[Signature]
Forest Range Officer
Odagaon Range

Memo No. 1197 Date 17.11.24

Copy forwarded to the Divisional Forest Officer, Nayagarh Division for information and necessary action.

[Signature]
Forest Range Officer
Odagaon Range



OFFICE OF THE DIVISIONAL FOREST OFFICER: NAYAGARH DIVISION.

Phone / Fax: 06753 -252226, Mob - 9437052226, E-Mail: dfo.nayagarh@odisha.gov.in

Memo No. 449 /Steno / Dnted, 15 Jan' 2025

To

The Regional Chief Conservator of Forests,
Bhubaneswar Circle.

Sub: -

Submission of report against online grievance petition filed by Sri Murali Pradhan, A/P.O.-
Magarabandha, P.S.-Odagaon, District- Nayagarh regarding encroachment of Govt. Land
inside Chorakhol Mauza in Odagaon Block.

Ref: -

Regd. No.DEPT20241035508, dt.19.12.2024 through Janasunani Portal.

Sir,

Referring to the Regd. No. cited above on the captioned subject, field verification has been made by Sri Nikhilesh Mallik, Forest Range Officer, Odagaon Range and followed by the villagers. During the joint survey along with the Revenue Officials on dt.24.11.2024 it was ascertained that the road passing through the forest area is 240mt. and it is an existing road which have been used by local villagers for a long time as communication. No extra work has been done inside forest area has communicated by the Forest Range Officer, Odagaon Range for which forest case cannot be booked for violation of FCA.

However, for the construction of Vaishmodevi temple villagers of 11 villages have given their consents and it has been constructed over Abada Ajogya Anabadi, Kissam- Parbat-2 which has been intimated to the Tahasildar, Odagaon Vide Letter No.1196, and dt.17.12.2024.

Till now there is no wild life offence case booked in that area or against the person as mentioned in petition. The Photographs of the meeting proceeding conducted with villagers of that Mouza is attached here with for your kind perusal.

Encl: -As above.

Yours faithfully

K. C. Mangal
Divisional Forest Officer
& Nayagarh Division.

Memo No. 450 / Dtd. 18.01.25

Copy forwarded to the Secretary, Forest, Environment & Climate Change Dept., Govt. of Odisha for favour of kind information and necessary action.

K. C. Mangal
Divisional Forest Officer
& Nayagarh Division.

Memo No. 451 , Dt. 15.01.25

Copy forwarded to the Principal C.C.F & HoFF, Odisha for favour of kind information and necessary action.

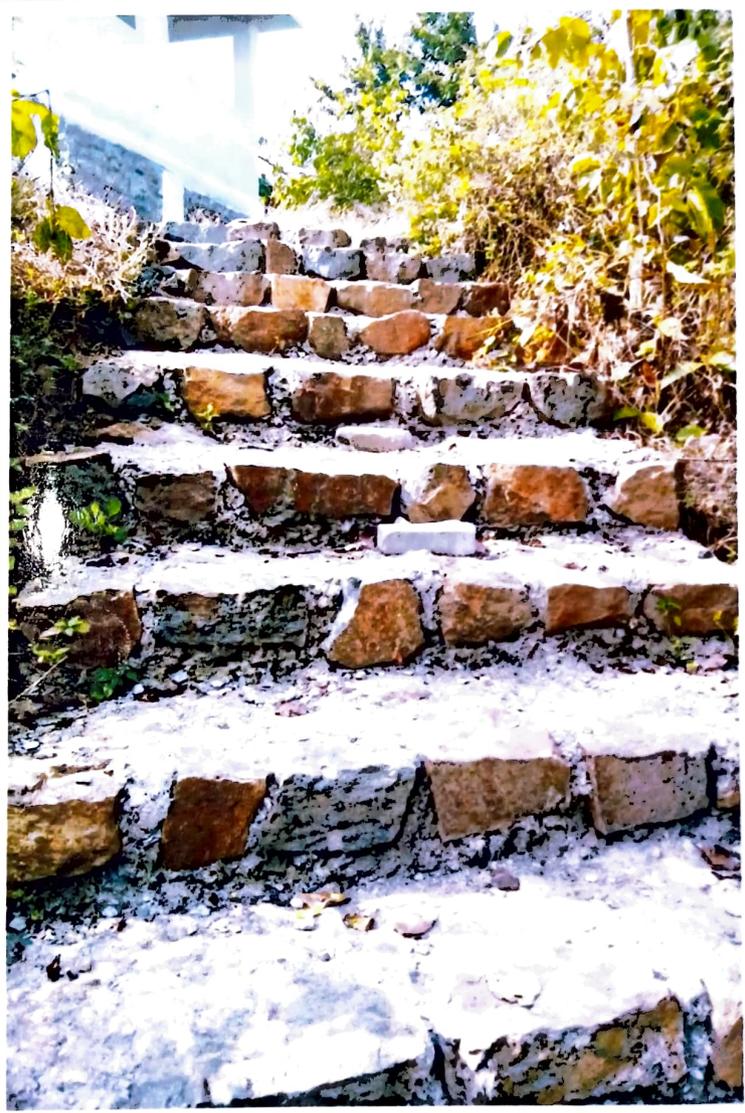
K. C. Mangal
Divisional Forest Officer
& Nayagarh Division.

Memo 452 , Dt. 15.01.25

Copy forwarded to Sri Murali Pradhan, A/P.O.-Magarabandha, P.S.-Odagaon, District-
Nayagarh Pin-752080, Mob. No.6370931104 for kind information.

K. C. Mangal
Divisional Forest Officer
& Nayagarh Division.

Ameru - 5







FORM OF VAKALATNAMA

IN THE COURT OF Before The Hon'ble National Green Tribunal
Eastern Zone Bench, Kolkata.
Suit Appeal
Revision O.A No. of 20 25/E2.

Prafulla Kumar Pradhan and Others. Appellant / Petitioner / Plaintiff

- VERSUS -

State of Odisha and others Respondents / Opp. Party / Defendant

Know all men by these presentS, that by this VAKALATNAMA

I/We Prafulla Kumar Pradhan, Hemanta Kumar Pradhan,
Muelichar Pradhan, Jagannath Nayak.

Appellant/Respondent / Petitioner / Opp Party in the aforesaid Revision / Appeal case do hereby appoint and retain

Siboyati Chakrabarti, Adv, High Court, Cal, WB/1730/2010
SUSANTA KUMAR MISHRA, En No. 481/86, Mob: 92385 78093

Advocate (s) to appear for me/us, in the above case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or receipt of any money that may be payable to me/us in the said case and also in applications for review in appeals under Orissa High Court order and in applications for leave to appeal to Supreme Court. I/We authorise my/our Advocate(s) to admit any compromise lawfully entered in the said case.

Dated, the 23rd April 2025

Received from the executant (s) satisfied and accepted as I hold no brief for the other side.

Siboyati Chakrabarti
Advocate

Prafulla Kumar Pradhan

Hemanta K Pradhan

Muelichar Pradhan

Jagannath Nayak

Accepted as above
Enrollment not WB/1730/2010
Email: SUBHO.advocate@gmail.com
Advocate

Accepted as above

(M): -9007035534

Advocate

Accepted as above

[Signature]
Advocate

Accepted as above

Signature of Executants

Received the Vakalatnama
from the Executant within
name & Satisfied & accepted
Sibajyoti Chakraborty
Advocate
23.04.2025

**BEFORE THE HONBLE NATIONAL
GREEN TRIBUNAL
EASTERN ZONE BENCH AT
KOLKATA
MEMORANDUM OF APPLICATION**

(Under section 18(1) read with
section 14 and 15 of the National
Green Tribunal Act, 2010)

Original Application No. of
2025/EZ

IN THE MATTER OF:

Prafulla Kumar Pradhan & Ors.

Applicant.

-Versus-

State of Odihsa & Ors.

.....Respondents

ORIGINAL APPLICATION

SIBOJYOTI CHAKRABARTI,
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High Court, Calcutta,
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(M): 9007035534