

COMPLIANCE REPORT

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA

MA. No. 30/2024/EZ
(ORIGINAL APPLICATION NO 114/2022/EZ OF 2022)

IN THE MATTER OF:

Sirin Tammana and Others ... Applicant
-Versus-
The State of Odisha & Others ... Respondents

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Cuttack
Dt. 14.7.25

Debashis Tripathy
For op-1.

Sri Debashis Tripathy
Addl. Government Advocate



**COMPLIANCE REPORT
BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA**

MISCELLANEOUS APPLICATION NO. 30/2024/EZ

IN

ORIGINAL APPLICATION NO 114/2022/EZ OF 2022

IN THE MATTER OF:

Sirin Tammana and Others Applicant

-Versus-

The State of Odisha & Others ... Respondents

Compliance report with respect to the directions

passed in the Hon'ble National Green Tribunal, **Eastern**

Zone Bench: Kolkata. As passed the order on

22.03.2023 in the Original Application (OA) No.

114/2022/EZ OF 2022, in the matter of Sirin

Tammana and Others Vs. State of Odisha & Others. The

application is regarding the petition questioning the

legality of the status of some of the plots of the Baula

Bandha water body and its embankment relating to the

Plot No.100 (Ac. 1.341 Decimal), 100/132 (Ac. 0.020



Dibyansu Jyoti Parida

P.C. PATNAIK
NOTARY
BERHAMPUR (GM)
No. A-3163
Time... 5:30... AM/PM
Date... 13.7.2024

DEPT OF AFFIDAVIT
13-7-2024
NOTARY

Decimal), 101 (Ac. 3.426 Decimal), 101/166 (Ac. 0.180 Decimal), 102 (Ac. 0.842 Decimal) which are recorded as Jalasaya-ii and its embankment measuring area AC. 3.001 Decimal out of total area measuring Ac. 5.809 Decimal of Khata No.27 at Kalapuri Mouza (Panda Colony, near Engineering School) under Berhampur Tahasil of Ganjam District of Odisha, which has been illegally encroached by various persons and constructions have been made thereon, thereby destroying a considerable part of the waterbody.

In the order dated 22.03.2023, Hon'ble National Green Tribunal, **Eastern Zone Bench, Kolkata** in paragraph no. 26 has directed and the order is reproduced as;

"Dispose of the Original Application No.114/2022/EZ with the directions to the Respondent No.5, Collector-cum-District Magistrate, Ganjam as under

- ✓ i) Steps shall be taken by the Respondent to protect the remaining area of Baula Bandha with proper railing/fencing or wall or guard wall of appropriate height to ensure that there are no further encroachments into the water body.

✓ Dilya
Siyoti Parida



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- ✓ ii) The embankment of the Baula Bandha shall be protected by planting grass and other shrubs and creating an eco-friendly park all around which can be used by the general public for recreation.
- ✓ iii) The eco-friendly embankment shall be planted with local shrubs and bushes or even ornamental plants specifically designed to protect the embankment from degradation and erosion.
- iv) The original area of Baula Bandha is stated to be 5.809 decimal out of which an area of 2.421 acres is stated to have lost its character as such with the passage of time and therefore encroached upon. This means that half the total area of the original Baula Bandha has been completely destroyed.
- v) The Respondent No.5 shall therefore identify a site as far as possible close to Baula Bandha and if that is not possible, in some other area nearby having an area of Ac.2.421 which shall be developed as a waterbody in accordance with the directions already given hereinabove in respect of Baula Bandha.
- ✓ vi) The Respondent No.5 shall ensure that the solid and liquid waste as well as dry waste and drains from the encroached constructions do not pour into the Baula Bandha and steps in this regard shall be undertaken with utmost seriousness by the Respondent by providing appropriate drainage system away from the Baula Bandha including the new site to be developed as a waterbody having an area of Ac.2.421.
- vii) The Odisha State Pollution Control Board shall take water samples from the existing Baula Bandha

Dibya Jyoti Panida



PART OF AFFIDAVIT

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13-3-2024
NOTARY

every six months including the new waterbody to be created as directed hereinabove and if the water parameters are not in conformity with the parameters prescribed by the Pollution Control Board or Ministry of Environment, Forests and Climate Change (MoEF&CC), appropriate and stringent directions in this regard shall be given by State Pollution Control Board to the concerned authority and ensure compliance of the directions.

viii) The directions given here in above, shall be complied with by the State Respondents by 31.12.2023 and affidavit of compliance shall be filed by the District Magistrate, Ganjam, before the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 14.01.2024.

In compliance to the Hon'ble National Green Tribunal order dated 22.03.2023, to the point No. i, ii, iii & vi the respondent No. 5 i.e. the Collector, Ganjam has taken up the following steps:-

In order to preserve the water body and to remove the encroachers from the further encroachment of rest area of the Baula Bandha, the Berhampur Municipal Corporation has been communicated to comply the direction of the Hon'ble Green Tribunal, vide letter No. 1925/Rev dated 23.08.2024 by the respondent No. 5 i.e.



Jyoti Parida
Dibya

the Collector, Ganjam. The BeMC, Berhapur has started cleaning of the Baula Bandha water body and has taken steps to prevent dumping/throwing of garbage into the water body. The BeMC, Berhampur authority has assured vide its letter no. 7694 dated 04.09.2024 to put railing/fencing or wall or guard wall of appropriate height to ensure that there are no further encroachments into the water body and its embankment also to plant grass and Plants and will create an eco-friendly park all around for better enjoyment of pond water by the general public. Further it is to mention that to protect the water body from degradation/erosion and in the interest of preservation and protection of the water body, proper embankment has been made. Further, the Municipal Corporation has constructed public utility services like Bathing Ghat surrounding the water body. The BeMC, Berhampur is taking necessary measures to remove the solid materials including plastic bottles, Algae and other foreign particles from the surface of the water body on

Dhanya Jyoti Panicker



regular interval basis and made provisions for removal of excess water during rainy season from the Baula Bandha also steps have been taken for public awareness through mike announcement and Hoardings to prevent disposal of garbage/solid wastes/ worshipping wastes into the water body time to time.

Photos of the present water body are annexed herewith and marked as **Annexure- A**

Copy of letter No. 1925/Rev dated 23.08.2024 of the Collector, Ganjam is annexed herewith and marked as **Annexure- B.**

Copy of letter no. 7694 dated 04.09.2024 the BeMC, Berhampur is annexed herewith and marked as **Annexure- C.**

In compliance to the Hon'ble National Green Tribunal is order dated 22.03.2023, to the point No. (IV) & (V), the Tahasildar, Berhampur enquired about the availability of site as far as possible close to Baula Bandha and if that is not possible, in some other area nearby having an area of Ac. 2.421 for development of water body. As per the enquiry reports furnished by all the Revenue Inspectors of the tahasil Berhampur, there is no Govt. land having an area of Ac. 2.421 is available

Jyoti Parida
Dibya

NOTARY
12/2/2025

for the purpose mentioned, except the land schedule submitted to the BeMC Authority to recreate and renovate an abandoned patch of Govt. land named as Bedha Bandha located in the mouza Gopabandhunagar of Tahasil, Berhampur. However, it is to mention that, in another similar case bearing O.A. No. 106/2021 and as per the direction of the Hon'ble Green Tribunal made in the said case, the Collector, Ganjam had directed the Tahasildar Berhampur vide Letter No. 4818 dated 10.08.2022 for verification and report to assess the availability of land of area AC. 11.512 to be developed and re-create a water body. The Tahasildar Berhampur vide letter no. 4498 dated 10.08.2022 had earlier furnished the same aforesaid land schedule of area Ac.35.409, which was covered with water plant, bushes, filled with earth mane and silt wherein the required area (Ac. 11.512) of Water body as per the order of the Hon'ble National Green Tribunal, Eastern Zone can be re-created by digging and renovating. In response to the instruction of the Collector, Ganjam the BeMC, Berhampur authority has undertaken renovation and re-creation of aforesaid Govt. land under the ATAL Mission for Rejuvenation and Urban Transformation scheme (AMRUT scheme) for the whole area of Ac.35.409.

Dibyansu Jyoti Panda

PART OF AFFIDAVIT

13.7.2024
NOTARY

Geo tagging Photos of before and present land status with regard to renovation and re-creation of water body are annexed as **Annexure-D & E** and copy of L.No. 4818 dated 10.08.2022 of the Collector Ganjam and Letter No. 4498 dated 10.08.2022 of Tahasildar Berhampur are annexed & marked as **Annexure-F & G.**

In compliance to the Hon'ble National Green Tribunal order dated 22.03.2023, to the point No. (vii) & (Viii), the authority in the Regional office of the State Pollution Control Board, Berhampur, Odisha has been taking water samples from Baula Bandha on regular basis and the analysis reports have been submitted to the BeMC, Berhampur, authority for taking necessary action. Further the Regional office of the State Pollution Control Board, Berhampur, Odisha has mentioned the re-creation of Beda Bandha water body is under progress and after completion the water sample from the Beda Bandha will be taken for its quality monitoring.

Copies of the communication by Regional office of State Pollution Control Board, Odisha and work progress for New Water Body by the BeMC, Berhampur are annexed herewith and marked as **Annexure-H.**

Identified By

n-201/13-7-2022

Advocate

The Declarant having been identified by Sri. *S.H.* Adv. *S.H.* Solently affirmed before me on this the *13/11* Day of *Nov* 201*8* *03:21* AM/PM Declarant having been to adover & explained the declarant who seemed to have prictly understood the contents of the there of moving the affi

Dibyujyoti Panida

Deponent

PART OF AFFIDAVIT

n-201/13-7-2022
NOTARY

n-201/13-7-2022
NOTARY

Berhampur (Gm.) Odisha

VERIFICATION

I, Sri Dibya Jyoti Parida, aged about 36 years, Son of Sri Prasanna Kumar Parida, at present working as Collector & District Magistrate, Ganjam, At/Po. Chatrapur, Dist. Ganjam, Odisha, do hereby verify and state that the facts stated above in the affidavit are all based on official records and I signed on this verification being present in the office of my Advocate at Cuttack on this the _____ day of July 2025.



 **VERIFICANT** Parida

PART OF AFFIDAVIT
N-2 N/137-2024
NOTARY



True copy attest
Hands
Tahankar Berhampur



GPS Map Camera

Berhampur, Odisha, India

Ankuli Over Bridge, Panda Colony, Berhampur,
Odisha 760010, India

Lat 19.307224, Long 84.822897

07/11/2025 16:15 GMT+05:30

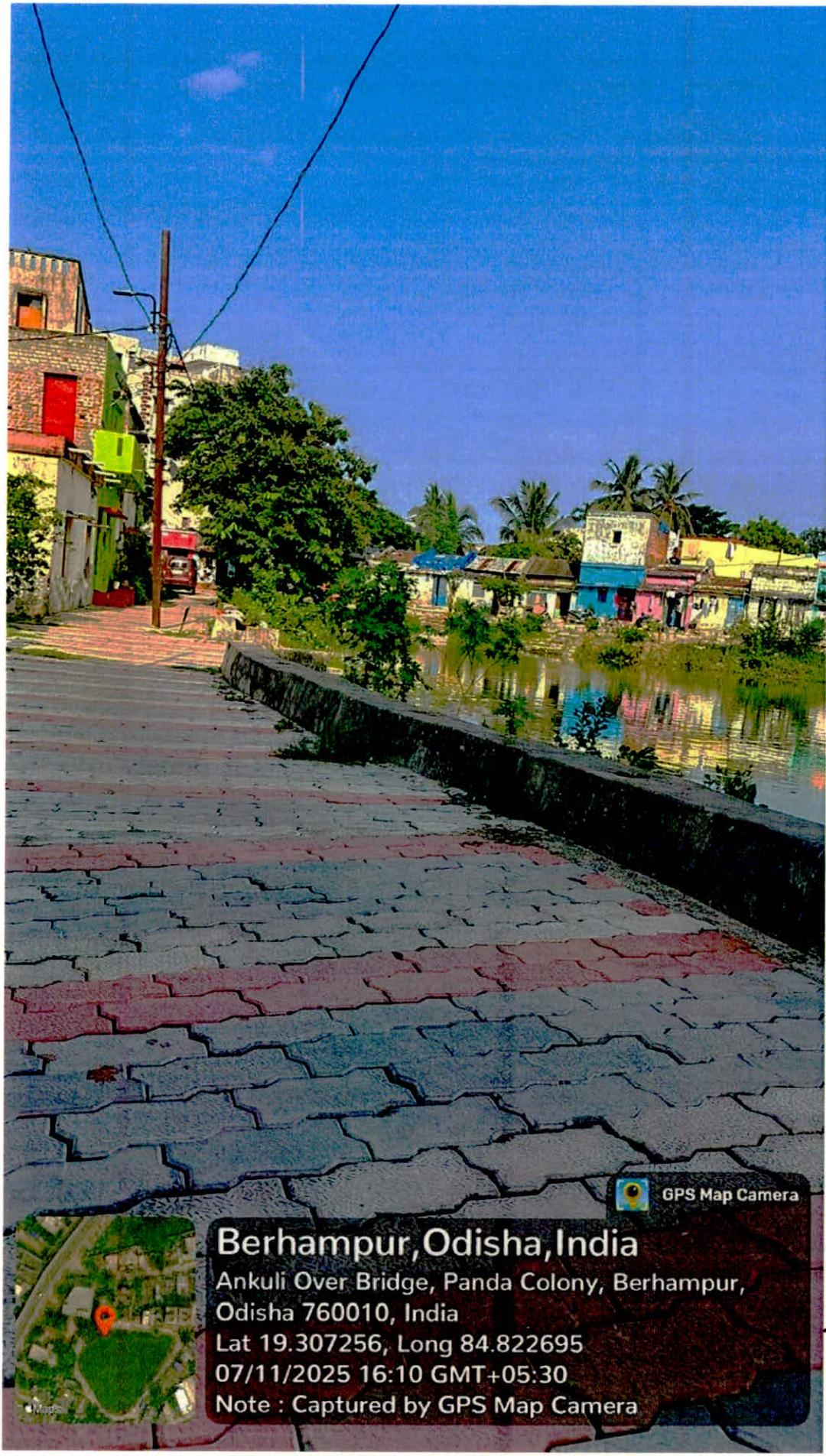
Note : Captured by GPS Map Camera



True copy attested

[Handwritten Signature]

Tanasi Das
Berhampur



GPS Map Camera



Berhampur, Odisha, India
Ankuli Over Bridge, Panda Colony, Berhampur,
Odisha 760010, India
Lat 19.307256, Long 84.822695
07/11/2025 16:10 GMT+05:30
Note : Captured by GPS Map Camera

Truecopy attested
[Signature]
Tahasildar
Berhampur



True copy attached

[Handwritten signature]

Tanashidara
Berhampur

-14-

Annexure-13-
Revenue Section

Email ID: dist_ganjam@yahoo.in
dm-ganjam@nic.in

**OFFICE OF THE
COLLECTOR & DISTRICT MAGISTRATE
GANJAM, CHATRAPUR**



No. **1925** Rev

Date. **23/08/2024**

To,

**The Commissioner,
BeMC, Berhampur.**

Sub: O.A. No.114/2022/EZ filed by Sirin Tamana and others Vrs State of Odisha and others

Ref: Letter No. 7945 dated 14.08.2024 of Tahasildar, Berhampur.
Order dated 22.03.2024 of Hon'ble NGT, Kolkata.

Sir,

With reference to the subject cited above, I am to enclose herewith the copy of the order dated 22.03.2024 of Hon'ble NGT, Kolkata in O.A. No.114/2022/EZ filed by Sirin Tamana and others Vrs State of Odisha and others.

In the above context, it is to intimate here that, the Govt. land to an extent of Ac.2.421 has been identified by the Tahasildar, Berhampur which will be developed as waterbody in accordance with the directions given by the Hon'ble NGT (copy enclosed).

However, the other directions at point No. 26 of the order of Hon'ble NGT are required to be executed at your level. The work so executed by you be reported to this office immediately for filing of compliance affidavit before the Hon'ble NGT by 16.09.2024.

In view of the above, I am to request you to take immediate steps to carry out the order of Hon'ble NGT and do needful at your end as per the order and submit the compliance report immediately.

This may be treated as **most urgent** and dealt with **top priority**.

True copy attested

Yours faithfully,

**COLLECTOR,
GANJAM, CHATRAPUR.**

Collector, Ganjam

Memo No. **1926** /

Date: **23/08/2024**

Copy to the Tahasildar, Berhampur for information and necessary action with reference to his letter No. 7945 dated 14.08.2024. He is requested to ensure the compliances as per order of Hon'ble NGT in the said case and submit compliance affidavit before the Hon'ble NGT on behalf of respondents within due time.

Collector, Ganjam

Annexure - C
ANNEXURE - C



BERHAMPUR MUNICIPAL CORPORATION

Letter No. 7694 /

Dt. 04-09-2024

To

The Collector & District Magistrate,
Ganjam.

Sub: Submission of compliance report.

Ref : Your office letter No-1925/Rev/dt 23.08.2024

Sir,

With reference to the above letter it is to submit that, the rejuvenation of Beda Bandha is being carried out under the AMRUT scheme as per approved DPR (HUD-REFM-SCH-0102-2023/21108) Dated. 27.10.2023.

In connection to the directions of the Hon'ble NGT in O.A. No. 114/2022, it is to submit that, after receipt of the above cited reference detailed estimate for development of Baula Bandha through railing / fencing/ wall/ guard wall of appropriate height / the embankment protected by planting grass/ other shrubs / creating eco friendly park / ornamental plant and bushes is being prepared which will be placed before the next Corporation meeting of the Berhampur Municipal Corporation for necessary approval and allocation of fund for execution of the aforesaid work.

This is for favor of kind information.

Yours faithfully

Commissioner

04.09.2024

Berhampur Municipal Corporation

Date. 04-09-2024.

Memo No. 7695

Copy to the Tahasildar, Berhampur, Ganjam for information and necessary action.

Commissioner

04.09.2024

Berhampur Municipal Corporation

True Copy attached

**COLLECTOR,
GANJAM DISTRICT.**



 **Note cam lite**

Address : Housing Board Colony, Brahmapur, Odisha, India

Latitude : 19.3001665°

Longitude : 84.78365535°

Altitude : -40.943695 meter

Date : 10/01/2022 11:39 am

Accuracy : 3.7900925 meter

Time zone : GMT+05:30

Note : BEDHA BANDHA, Be.M.C.AREA, BERHAMPUR

True copy attached


Tahasildar
Berhampur



Powered

51
756
17 m
12.01
JHA

Emergency alerted

Handa
Tansinder
Bernaundur

OFFICE OF THE
COLLECTOR & DISTRICT MAGISTRATE,
GANJAM, CHATRAPUR



Revenue Section, Collectorate, Ganjam
Email ID: dist_ganjam@yahoo.in

Letter No. 4818

Date 10 .08.2022

To

The Tahasildar,
Berhampur.

Sub:- Submission of report about availability of land of Ac 11.512 close to
AgulaBandha water body or in some other area nearby BeMC.

Ref:- Judgment on NGT Case No.- 106/2021/EZ dated 03.08.2022.

Sir,

In inviting a reference to the judgment on the subject cited above, I am to say that for compliance of the order dated 03.08.2022 in OA Case No.- 106/2021/EZ, an area of AC. 11.512 is required close to Agula Bandha water body or in some other area of BeMC to re-create a water body of the same size of depth as Agula Bandha.

You are, therefore, directed to verify thoroughly the availability of vacant land of Ac. 11.512 close to the Agula Bandha at Gosaninuagaon or in some other area nearby BeMC.

Yours faithfully,

Collector, Ganjam.

Memo No.- 4819 dated 10.08.2022

Copy forwarded to the Sub-Collector, Berhampur for favour of information and necessary action.

Three copy attached

COLLECTOR,
GANJAM, CHATRAPUR.

Collector, Ganjam.

OFFICE OF THE TAHASILDAR,
BERHAMPUR, DIST. GANJAM



ଓଡ଼ିଶା ସରକାରଙ୍କ କାର୍ଯ୍ୟାଳୟ,
ବ୍ରହ୍ମପୁର, ଜିଲ୍ଲା: ଗଞ୍ଜାମ

☎ : 0680-2283824

Email ID: tah_berhampur@yahoo.in
tah.berh-od@nic.in

୫୫୭୮

Letter No: _____

Date 10.08.2022

To,

The Collector,
Ganjam

Sub:- Submission of report about availability of land of Ac 11.500 to re-create a water body of the same size and depth as Agula Bandha at Gopabandhu Nagar as per Hon'ble court order dated 03.08.2022 in NGT Case No.- 106/2021/EZ.

Ref:- Your Good Office Letter No.- 4818 dated 10.08.2022.

Sir,

In inviting a kind reference to the letter on above cited subject, I am to intimate that as per the kind direction, all the Revenue Inspectors of this office has verified the records & field of all the mouzas of their respective circles and submitted report that there is no vacant Govt. land of area Ac. 11.500 is available in single patch close to the Agula Bandha, nor in other mouza of this Tahasil jurisdiction. However, it is noticed in the report of the Revenue Inspector, Gosaninuagaon that one abandoned Bandha namely Beda Bandha is located in the same mouza where the Agula Bandha is exists, wherein major part of the Bedha Bandha is covered with water plant, bushes, filled with earth mane and silt. To comply the order of the Hon'ble NGT, EZ a Water body of size Ac11.5 and depth as Agula Bandha, can be re-created by digging and renovating in the said area.

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

Encl: RI Reports

Yours faithfully,

R. K. Mishra

10/8/2022

Tahasildar, Berhampur

୫୫୭୯

Memo No _____

Dated. 10.08.2022

Copy submitted to the Sub-Collector, Berhampur for favour of kind information and necessary action with reference to Memo No. 4819 dated 10.08.2022 of Collector, Ganjam.

R. K. Mishra

10/8/2022

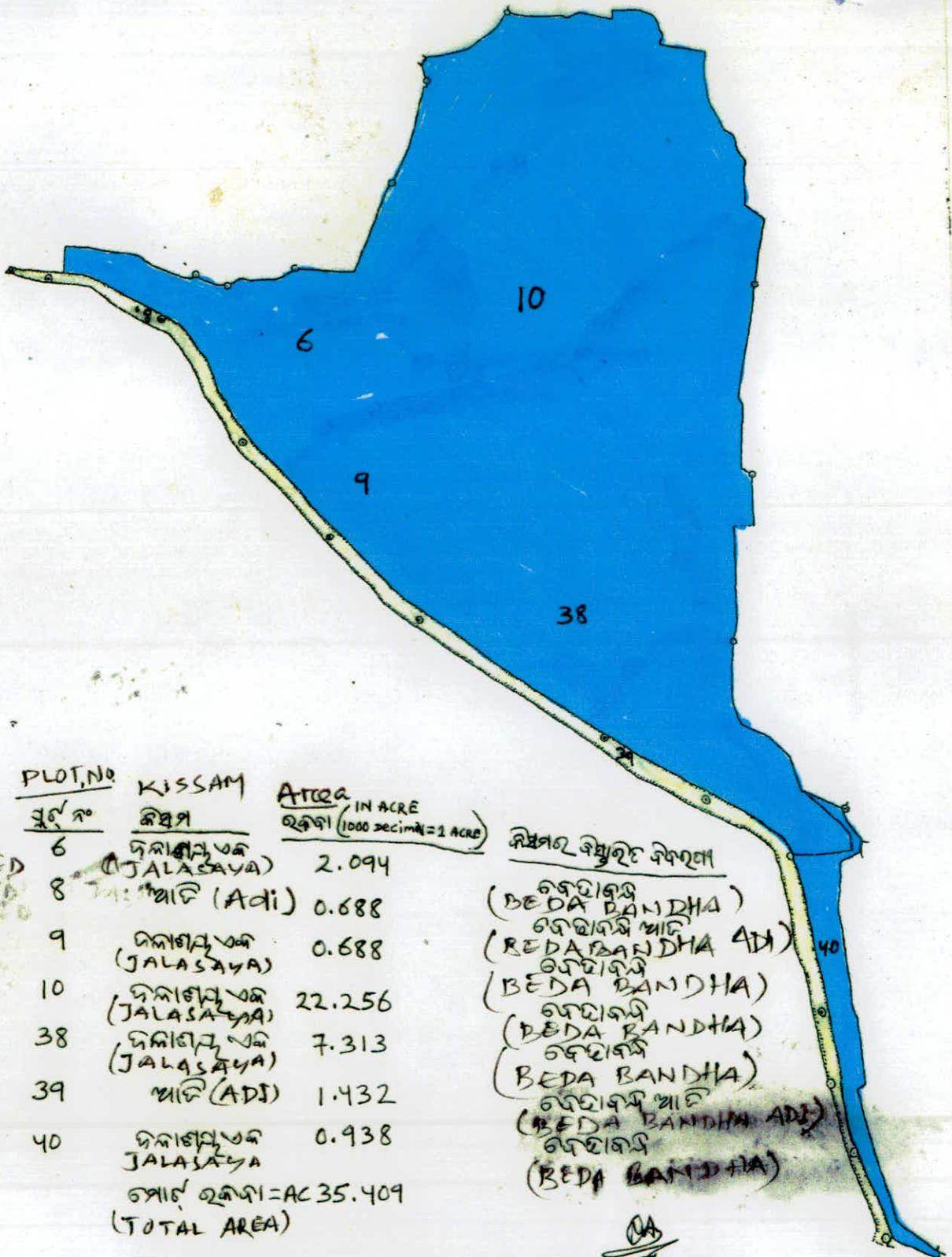
Tahasildar, Berhampur

True copy attached

COLLECTOR,
GANJAM CHATRAPUR



ମୋଜା - ଗୋପବନ୍ଧୁନଗର → MOUZA - GOPABANDHUNAGAR
 ଚମ୍ପୂର - ବ୍ରହ୍ମପୁର → TAHASIL → BERHAMPUR
 ଜିଲ୍ଲା - ଗଞ୍ଜାମ → DIST → GANJAM



ଖଣ୍ଡ ନଂ	PLOT, NO	KISSAM	Area
	ଖଣ୍ଡ ନଂ	କିସମ	IN ACRE ରକ୍ଷା (1000 decimil = 1 ACRE)
1375 (ରକ୍ଷିତ)	6	ଜଳାଶୟ (JALASAYA)	2.094
RESERVED	8	ଆଡି (ADI)	0.688
RESERVED	9	ଜଳାଶୟ (JALASAYA)	0.688
RESERVED	10	ଜଳାଶୟ (JALASAYA)	22.256
"	38	ଜଳାଶୟ (JALASAYA)	7.313
"	39	ଆଡି (ADI)	1.432
"	40	ଜଳାଶୟ (JALASAYA)	0.938
ମୋଟ ରକ୍ଷା = AC 35.409			(TOTAL AREA)

କିସମର ବିସ୍ତୃତ ବିବରଣ

(BEDA BANDHA)
 ବେଡାବନ୍ଧି ଆଡି
 (BEDA BANDHA ADI)
 ବେଡାବନ୍ଧି
 (BEDA BANDHA)
 ବେଡାବନ୍ଧି
 (BEDA BANDHA)
 ବେଡାବନ୍ଧି
 (BEDA BANDHA)
 ବେଡାବନ୍ଧି ଆଡି
 (BEDA BANDHA ADI)
 ବେଡାବନ୍ଧି
 (BEDA BANDHA)

Revenue Inspector
 Gosaninuageon

ଜଳାଶୟ - ●
 (JALASAYA)
 ବେଡାବନ୍ଧି - ●
 (BANDA ADI)

True copy attested

Hande
 Tahasildar
 Berhampur

GSTIN No: 21BEKPP926711174

Regd. No.: 113 OF 2021-22

☎ 84379 84957

☎ 63724 80631

SOIL & CONCRETE TESTING LABORATORY

At: Plot No 545/2010, Main Road, Ambapua, Berhampur, Dist: Ganjam, ODISHA, Pin: 760011

Gmail Id : sctlbam@gmail.com No-86 dated 16.12.2022

To, The Commissioner, Berhampur Municipal Corporation, Berhampur

Sub: Submission of bill for Quality control Testing charges for the work (1) Total Station Survey/ DGPS Survey of total area (2) Water Testing & (3) Soil Testing Report of Beda Bandha.

Ref: Vide Work Order No-12344 / XXXXI-E.13-35/21

Sir,
In inviting a kind reference to the above cited subject, I am submitting herewith the bill for Quality control Testing charges for the work (1) Total Station Survey/ DGPS Survey of total area (2) Water Testing & (3) Soil Testing Report of Beda Bandha. Vide Work Order No-12344 / XXXXI-E.13-35/21, for favour of kind information and necessary payment.

Enclosure:

- 1 Tank bed contour survey of total area of Beda Bandha : 2 Sets
- 2 L.S of tank embankment of Beda Bandha : 2 Sets
- 3 C.S of tank bed of Beda Bandha : 2 Sets
- 4 Soil Testing Reports for 4 Nos of Bore Holes : 2 Sets
- 5 Water Testing Reports : 2 Sets
- 6 Copy of Work Order 1 No.

RECEIVED

Receive Asst.
Berhampur Municipal Corporation

[Signature]
17/12/2022

Yours Faithfully

Soil & Concrete Testing Laboratory
Berhampur, Govt. Regd No: 113 of 2021-22

[Signature]
Proprietor

True copy attested

[Signature]

Tehasildar, Berhampur