

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH,  
AT KOLKATA  
O.A. No. 25/2025/EZ**

**IN THE MATTER OF :**

Hazari Dehury & Anr.

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

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Through :

*Ashok Prasad*  
(Ashok Prasad)  
Advocate,

Counsel for U.O.I.

9883069404  
ashokaduh@gmail.com

Place : KOLKATA

Dated : 20/07/25

X

BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH,  
AT KOLKATA  
O.A. No. 25/2025/EZ

147

8484  
Notary Registrar Entry  
Date 29 JUL 2025  
Applicant(s)

Hazari Dehury & Anr.

Versus

State of Odisha & Ors.

Respondent(s)

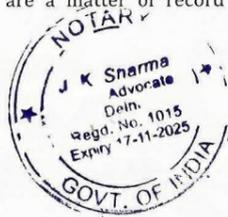
**COUNTER AFFIDAVIT / REPLY FOR AND ON BEHALF OF THE  
RESPONDENT NO.11**

**MOST RESPECTFULLY SHEWETH:**

I, RAGHAVEBNDRA RAO aged about 50 Years, Director to the Central Council for Research in Yoga & Naturopathy (CCRYN), Government of India, under Ministry of AYUSH, 61-65, Institutional Area, Janakpuri, New Delhi-110058, do hereby solemnly affirm and declare as under: -

1. That I am well conversant with the facts and circumstances of the case, and as such, I am duly authorized and competent to swear this affidavit on behalf of CCRNY, in the above matter.
2. That I have read and understood the original appeal and have been advised to traverse by way of this Counter Affidavit as reply thereto.
3. That have and except those which are matter of record and those which are specifically admitted hereto the contents of the OA that have not been specifically admitted hereunder or are a matter of record be deemed denied.

(1)



4. That the deponent craves liberty to raise additional submission or file supplementary affidavits in case need arises during the course of arguments.

**PRELIMINARY SUBMISSIONS:**

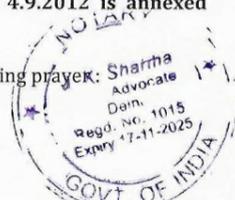
5. That I am the Director, Central Council for Research in Yoga & Naturopathy (CCRYN) and I fully aware of the facts of the case and competent authority to file the reply of the behalf of the Respondent no. 11.
6. That the Ministry of Ayush, Government of India, has authorized to establish Central Research Institute of Yoga & Naturopathy (CRIYN) with 100-bedded Yoga & Naturopathy Hospitals in various States, including in the State of Odisha. Further, the Council has already established 200 bedded Hospitals in the State of Karnataka and Haryana and 7 more proposals are in the pipeline in the States of Kerala, Andhra Pradesh, Chhatisgarh, Rajsthan, Goa and Bhubneshwar.
7. That the aims and objective of the project is to project drugless non-pharmacological systems of health care services across the country like yoga and naturopathy including in the State of Odisha which will benefit large population of the State particularly local tribal people.
8. That apart from providing the Yoga & Naturopathy health services it also creates infrastructure and employment generation in the area which will benefit the unemployed youth in the area.

That the Applicants have already filed on WP(PIL) No.18877/ 2014 before the Hon'ble High Court of Odisha at Cuttack which is pending for adjudication and now they have filed the present OA before this Hon'ble National Green Tribunal by concealing the facts. **A copy of Order of Odisha High Court is annexed herewith and Marked as Annexure-R-1.**

9. That the demarcated scheduled Land in question has already been de-reserved vide Order No.2074 dated 4.9.2012. Hence, it is evidently established that the allegations made by the Applicant are baseless and fabricated one. **A copy of Order No.2074 dated 4.9.2012 is annexed herewith and Marked as Annexure-R-2.**

10. That the Applicant have filed the OA with the following prayer:

(2)



1. Direct the state authorities to relocate the project to any other alternative sites.
- II. Hold and Declare that the conversion of physical forest to Patit kisam without following the provisions of Forest (Conservation) Act, 1980 or the provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam (Forest (Conservation and Augmentation) Act) in 2023. is contrary to law and there by illegal
- III. Hold and declare that the land having physical forest growth to be treated as deemed forest.
- IV. Any other directions as the Hon'ble Tribunal Deem Fit in the interest of environment.

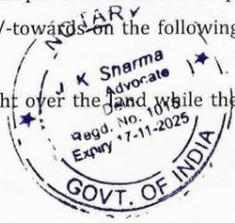
**PARA WISE REPLY:**

11. That the averment made under Para 1 is the matter of record and hence, do not warrant any reply from this answering respondent. in the present OA. Hence, need no comments from this answering Respondent No.11

12. That the the averment made under Para 2 of the original application, it is humbly submitted that Government after careful consideration have been pleased to sanction lease of Ac.20.000 Government land in Mouza Binjhagiri under Jatni Tahasil of Khordha District vide letter No.GE(KHD)-36/2013 4414. IRDM., dated 11:214, in favour of Director, Central Council for Research in Yoga and Naturopathy (CCRYN) an autonomous Organization under the Department of AYUSH, Ministry of H. & F.W., Government of India for establishment; Central Research Institute of Yoga and Naturopathy with 100 bedded Hospital on free of premium but subject to payment of annual Ground Rent Rs.2,00,000/-@1% 75% of Ground rent per annum and of the premium and Cess of Rs.1,50,000/- @ Rs.83,44,000/-towards on the following cost of standing trees terms and conditions:-

- (a) The lessee shall have only surface right over the land while the land is under their possession.

(3)



- X**
- (b) The land shall be utilized for the purpose for which it is sanctioned and transferred/sub-leased/mortgaged/disposed/ without prior approval conveyed to anybody of Government in Revenue and D.M. Department.
- (c) The lessee shall utilize the land economically for establishment of the institute with efficient land use plan.
- (d) The land 'shall revert to Revenue and D.M. Department free from all encumbrances, if it is not utilized for the purpose for which it is sanctioned or utilized otherwise payment of any cost or compensation for the land and construction made thereon.
- (e) The lessee shall execute a lease deed and register the same at his own cost incorporating therein the terms and conditions of the sanction order.

#### LAND SCHEDULE

Name of the Tahasil	Name of the Mouza	Khata No.	Plot No.	Area (in Ac.)	Kissam
(1)	(2)	(3)	(4)	(5)	(6)
Jatni	Binjhagiri	329	133/1460	20.000	Patita

A copy of letter No. GE(KHD)-36/2013 4414. IRDM., dated 11:214 is enclosed as Annexure-R-3.

13. That the averment made under Para 3 is the matter of record and hence, do not warrant any reply from this answering respondent.
14. That the contents of para No. 4 of the OA are matter of record. Further, it is pertinent to mention here that it is the relevant Governments to initiate any developmental activities and similarly the Governments will arrange the necessary amenities such as land, water, electricity etc. and the Applicant are not the Competent to suggest for arranging an alternate land for establishment of 100 bedded Yoga & Naturopathy Hospital.
15. That the contents of para No.5 are not denied as the allegations are matter of record. Further, it is respectfully submitted that the averments made in

(4)

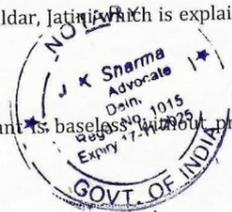
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this para are baseless and fabricated as the Applicant failed to produce any documentary that any Government agencies have assigned any responsibility to local public to undertake any sort of work in the scheduled property or any GOs issued by any Government authorities in the matter.

16. That the averments made under Paras 6 to 17 are the matter of record and hence, do not warrant any reply from this answering respondent. in the present OA. Hence, need no comments from this answering Respondent No.11
17. That the contents of para No. 18 and 19 are not denied and the same is matter of record. However, the matter regarding the arranging the alternate Land for proposed establishment of 100 bedded Yoga & Naturopathy Hospital by Central Council for Research in Yoga & Naturopathy (CCRYN) under the Ministry of Ayush, Government of India has are explained in earlier paras.
18. That the averments made under Paras 20 to 22 are the matter of record and hence, do not warrant any reply from this answering respondent.
19. That the averments made under Paras 23 to 36 are the matter of record and hence, do not warrant any reply from this answering respondent. in the present OA. Hence, need no comments from this answering Respondent No.11

#### GROUND S

- a) That the contention of the Applicant is denied and rejected as he did not produced any documentary evidence.
- b) That the contention of the Applicant is denied and rejected as this matter has already been clarified by the Tahsildar, Jatin which is explained para (2) above.
- c) That the contention of the Applicant is baseless and without producing any Official document or order.



(5)

d) That the contention of the Applicant is baseless without producing any Official document or order that land in question has been declared as forest.

e) That this is based on presumption and assumption hence no validity in their contention.

f) and g): this has already been explained in foregoing paras.

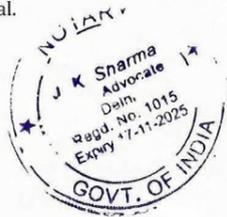
**PRAYER FOR INTERIM RELIEF**

The Applicant is not entitled for any interim relief as his intention is against the policies of the Government and preventing the development activities being taken by the Government.

**PRAYER**

The Hon'ble National Green Tribunal is prayer to dismiss the Application with cost in the larger interest of the justice and public. The project will use the land only with a ground coverage of 10-25% so that the majority of the green cover in 20 acres is preserved and will also plant more trees near the vicinity of the hospital in lieu of any tree felling.

In view of the above facts indicated in earlier paras, it is respectfully prayed that this Respondent shall abide by any order or direction, passed by the Hon'ble Tribunal.



  
**Dr. Raghavendra Rao M.**  
B.N.Y.S., Ph.D. (Yoga)  
**Director**  
Central Council for Research  
in Yoga & Naturopathy  
(Ministry of AYUSH, Govt. of India)  
Janakpuri, New Delhi-58

**VERIFICATION:**

Verified at Delhi, on this the    day of July, 2025 that the contents of the above Affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.

**DEPONENT**

**Dr. Raghavendra Rao M.**  
B.N.Y.S., Ph.D. (Yoga)  
**Director**  
Central Council for Research  
in Yoga & Naturopathy  
(Ministry of AYUSH, Govt. of India)  
Janakpuri, New Delhi-58

Identified by me

Advocate  
**ATTESTED BY**   
Notary Public Govt. of India  
29 JUL 2025  
Notary Register Entry   
Date 29 JUL 2025  
**NOTARY**  
J K Sharma  
Advocate  
Delhi  
Regd. No. 1015  
Expiry 17-11-2025  
**GOVT. OF INDIA**

~~X~~  
**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No. 18877 of 2014**

*Prasann Mohanty & Others* ..... *Petitioners*  
*M/s.N.C. Rout, Advocate & associates*

Vs.

*State of Odisha & Others* ..... *Opposite Parties*  
*Mr. Debakanta Mohanty, AGA*

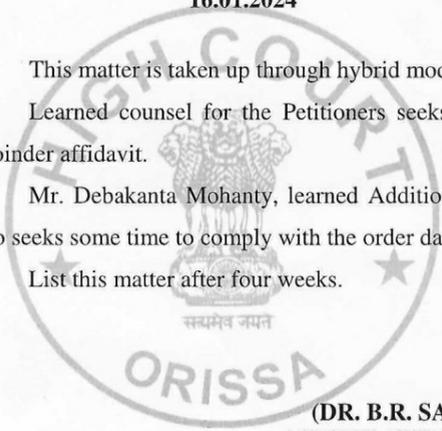
**CORAM:**  
**ACTING CHIEF JUSTICE DR. B.R.SARANGI**  
**MR.JUSTICE MURAHARI SRI RAMAN**

**ORDER**  
**16.01.2024**

**Order No.**  
05.

This matter is taken up through hybrid mode.

2. Learned counsel for the Petitioners seeks some time to file rejoinder affidavit.
3. Mr. Debakanta Mohanty, learned Additional Govt. Advocate also seeks some time to comply with the order dated 13.12.2023.
4. List this matter after four weeks.



**(DR. B.R. SARANGI)**  
**ACTING CHIEF JUSTICE**

*Dr. Raghavendra Rao M.*  
B.N.Y.S., Ph.D. (Yoga)  
**Director**  
Central Council for Research  
in Yoga & Naturopathy  
(Ministry of AYUSH, Govt. of India)  
Janakpuri, New Delhi-58

**(M.S. RAMAN)**  
**JUDGE**

**Signature Not Verified**  
Digitally Signed  
Signed by: ASWINI KUMAR SETHY  
Designation: PA(SECRETARY-IN-CHARGE)  
Reason: Authentication  
Location: ORISSA HIGH COURT, CUTTACK  
Date: 16-Jan-2024 16:22:31

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**High Court of Orissa  
Case Details**

Case Type	: WP(C)		
Filing Number	: 18877/2014	Filing Date:	25-09-2014
Registration Number	: 18877/2014	Registration Date:	25-09-2014
CNR Number	: ODHC01-005418-2014		

**Case Status**

First Hearing Date	: 27th January 2015
Next Hearing Date	: Next Date is not given
Stage of Case	: FOR ADMISSION
Coram	: 3144DR. JUSTICE B.R.SARANGI (ACJ) , MR. JUSTICE MURAHARI SRI RAMAN
Bench	: Division Bench
Judicial	: Civil Section
Causelist Name	: Weekly Daily
Short Order	: ADJOURNED
Not Before Me	:

**Petitioner and Advocate**

1) PRASANN MOHANTY Advocate- M/S.N.C.ROUT,M/S.ALOK KU.MOHAPATRA B.PANDA S.NATH S.K.BARIK S.MOHAPATRA A.K.BARIK T.DASH A.MOHAPATRA,M/S.ALOK KU.MOHAPATRA B.PANDA S.NATH S.K.BARIK S.MOHAPATRA A.K.BARIK T.DASH A.MOHAPATRA S.K.MISHRA,S.K.PADHI,M/S.ALOK KU.MOHAPATRA B.PANDA S.NATH S.K.BARIK S.MOHAPATRA A.K.BARIK T.DASH A.MOHAPATRA
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**Respondent and Advocate**

1) STATE
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**IA Details**

IA Number	Party	Date of Filing	Next Date	IA Status
IA/12481/2015 (12481/2015 ) Classification :	PRASANN MOHANTY STATE	14-07-2015	--	Pending

**History of Case Hearing**

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
	MR. JUSTICE AMITAVA ROY (CJ) , DR. JUSTICE A.K.RATH		27-01-2015	FRESH ADMISSION
	DR. JUSTICE B.R.SARANGI (ACJ) , MR. JUSTICE MURAHARI SRI RAMAN	13-12-2023		FOR ADMISSION
	DR. JUSTICE B.R.SARANGI (ACJ) , MR. JUSTICE MURAHARI SRI RAMAN	16-01-2024		FOR ADMISSION

**Orders**

Order Number	Order on	Judge	Order Date	Order Details
1	WP(C)18877/2014	DR. JUSTICE B.R.SARANGI (ACJ),MR. JUSTICE MURAHARI SRI RAMAN	13-12-2023	<a href="#">View</a>
2	WP(C)18877/2014	DR. JUSTICE B.R.SARANGI (ACJ),MR. JUSTICE MURAHARI SRI RAMAN	16-01-2024	<a href="#">View</a>

**Category Details**

Category	LETTER PETITION & PIL MATTER ( 21 )
Sub Category	( 99 )

**Document Details**

Sr. No.	Document No.	Date of Receiving	Filed by	Name of Advocate	Document Filed
1	13416	14-07-2015	M/S.N.C.ROUT		

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**Dr. Raghavendra K.C.**  
 B.N.Y.S., Ph.D. (Yoga)  
 Director  
 Central Council of Research  
 in Yoga & Naturopathy  
 (Ministry of AYUSH, Govt. of India)  
 Janakpuri, New Delhi-56

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ANNEXURE R-2

1390  
05.09.12

DISTRICT OFFICE ;KHORDHA

(Revenue Section)

Order No. 2074 Dt. 4.9.2012

Whereas, the Gochar land described in the schedule below is found to be suitable for the purpose and in excess of the reasonable requirement for the purpose for which it is reserved and to keep the Gochar land in the village as per rule,

Now, there fore, in exercise of the power conferred on me under clause (c) of Sub Section (2) of section 3-A of the Odisha Government Land Settlement Act, 1962 read with Clause (ii) of Sub Rule (1) of Rule 4 of the Odisha Government Land Settlement Rules, 1983 I, Smt Roopa Mishra, IAS, Collector and District Magistrate, Khordha do hereby de-reserve the following extent of land as scheduled below with immediate effect for it's eventual alienation in favour of Central Council for Research in Yoga and Naturopathy (CCRYN), Department of Ayush, Ministry of Health and Family Welfare, Govt. of India, New Delhi for the purpose of setting up of Central Research Institute with 100 bedded hospital of Yoga and Naturopathy.

Schedule of Lands

Mouza	Khata	Plot No	Area	Kisam
Mz. Binjhagiri, PS: Chandaka No.10	331	133	Ac.20.000	Gochar

(Trace map attached)

Collector, Khordha

Memo No. 2075 Dt. 4.9.12  
Dt. 9.2012

Copy along with 3 copies of order and DR case record bearing No.04/12 forwarded to the Tahsilidar, Jatni for information and necessary action. He is instructed to publish the order as per Rule 5(3) of the OGLS Rules, 1983 and correct the RORs and furnish a true copy of the corrected record to this office for further necessary action at this end. He should submit the alienation proposal to this at the earliest by observing all formalities.

Collector, Khordha

Memo No. 2076 Dt. 4.9.12  
Dt. 9.2012

Copy to the Sub Collector, Bhubaneswar for information and necessary action.

Collector, Khordha

Dr. Raghavendra Rao M.  
B.N.Y.S., Ph.D. (Yogoh)  
Director  
Central Council for Research  
in Yoga  
Ministry of Health and Family Welfare  
Janakpuri

ସମସ୍ତଙ୍କ ଗୌରବ ସଂରକ୍ଷଣ ପାଇଁ ଧନ୍ୟବାଦ

ବିଭାଗୀୟ କର୍ମଚାରୀଙ୍କ ସହଯୋଗ ଥିବାରୁ କୃତଜ୍ଞତା ଜଣାଉଛି

ସମସ୍ତଙ୍କ ଗୌରବ ସଂରକ୍ଷଣ ପାଇଁ ଧନ୍ୟବାଦ

କର୍ମଚାରୀଙ୍କ ସହଯୋଗ ଥିବାରୁ କୃତଜ୍ଞତା ଜଣାଉଛି

ANNEXURE-R-3

Government of Odisha,  
Revenue & Disaster Management Department.

No. GE(KHD)-36/2013-4414 /RDM., dt. 11.2.14

Sri S. Sukla,  
Joint Secretary to Government.

The Secretary, Board of Revenue, Odisha, Cuttack.

Lease of Govt. land measuring Ac.20.000 in Mouza-Binjhagiri under Jatni Tahasil in favour of Director, Central Council for Research in Yoga and Naturopathy (CCRYN), Department of AYUSH, Ministry of H. & F.W., Government of India on free of premium for establishment of Central Research Institute with 100 bedded Hospital of Yoga and Naturopathy.

In inviting a reference to the subject cited above, I am directed to say that Government after careful consideration have been pleased to sanction lease of Ac.20.000 Government land as per land schedule given below in Mouza-Binjhagiri under Jatni Tahasil of Khordha District in favour of Director, Central Council for Research in Yoga and Naturopathy (CCRYN) an autonomous Organization under the Department of AYUSH, Ministry of H. & F.W., Government of India for establishment of Central Research Institute with 100 bedded Hospital of Yoga and Naturopathy on free of premium but subject to payment of annual Ground Rent Rs.2,00,000/- @ 1% of the premium and Cess of Rs.1,50,000/- @ 75% of Ground rent per annum and Rs.83,44,000/- towards cost of standing trees on the following terms and conditions.

Terms and conditions.

1. The lessee shall have only surface right over the land while the land is under their possession.
2. The land shall be utilized for the purpose for which it is sanctioned and shall not be transferred/sub-leased/mortgaged/disposed/ conveyed to anybody without prior approval of Government in Revenue and D.M. Department.
3. The lessee shall utilize the land economically for establishment of the Institute with efficient land use plan.
4. The land shall revert to Revenue and D.M. Department free from all encumbrances, if it is not utilized for the purpose for which it is sanctioned or utilized otherwise without payment of any cost or compensation for the land and construction made thereon.
5. The lessee shall execute a lease deed and register the same at his own cost incorporating therein the terms and conditions of the sanction order within six months from the date of sanction of lease failing which the sanction order will stand automatically cancelled.

P.T.O.

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**Dr. Raghavendra Rao M.**  
B.N.Y.S., Ph.D. (Yoga)  
**Director**  
Central Council for Research  
in Yoga & Naturopathy  
(Ministry of AYUSH, Govt. of India)  
Janakpuri, New Delhi-58

11/2/11

**LAND SCHEDULE**

Name of the Tahasil (1)	Name of the Mouza (2)	Khata No. (3)	Plot No. (4)	Area (In Ac.) (5)	Kissam (6)
Jatni	Binjhagin	329	133/1460	20.000	Patita.

The lease case record bearing No. 21/12 of Jatni Tahasil is returned herewith receipt of which may please be acknowledged.

Yours faithfully,

Joint Secretary to Government.

Memo No. 4415 /RDM., dt. 11.2.14  
 Copy forwarded to the R.D.C.(CD) Cuttack/Collector, Khordha/ Sub-Collector, Bhubaneswar/ Tahasildar, Jatni for information and necessary action.  
 They are requested to ensure that the lease deed is executed in time and the land is utilized for the purpose for which it is leased.

Joint Secretary to Government.

Memo No. 4416 /RDM., dt. 11.2.14  
 Copy forwarded to the Director, Central Council for Research in Yoga and Naturopathy, Department of AYUSH, Ministry of H. & F.W., Government of India, New Delhi for information and necessary action.

Joint Secretary to Government.

Memo No. 4417 /RDM., dt. 11.2.14  
 Copy forwarded to H. & F.W. Department/ Director, AYUSH, Heads of Department Building, 3<sup>rd</sup> Floor, Unit-5 for information.

Joint Secretary to Government.

Memo No. 4418 /RDM., dt. 11.2.14  
 Copy forwarded to P.A. Department for information with reference to their memo No. 544 dt. 5.2.2014.

Joint Secretary to Government.

Memo No. 4419 /RDM., dt. 11.2.14  
 Copy to Guard File Two Extra copies.

Joint Secretary to Government.

**Dr. Raghavendra Rao M.**  
 B.N.Y.S., Ph.D. (Yoga)  
 Director  
 Central Council of Research  
 in Yoga & Naturopathy  
 Ministry of AYUSH, Govt. of India  
 Jangpuri, New Delhi-58

11/2/14/11

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VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA/EZ

O.A. No. 25/2025/EZ

IN THE MATTER OF:

Hazari Dehuri & Anr.

..... Applicant(s)

Versus

State of Odisha & Ors.

.....Respondent(s)

On behalf of Central Council for Research in Yoga & Naturopathy (R-11)

Know all men by these presents that by Vakalatnama I/We appoint the Advocates noted below or any of them my/our lawful Advocate or Advocates for filing the Memorandum of appeal or petition in the for entering Appearance

above matter for appearing in conducting and arguing the same, for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers petitions etc. on my/our behalf for filing taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits etc. For signing and filing petitions of compromise in connections with said matter and for taking copies of paper form the Record and I/We further say that any act, done by my/one said Advocate or Advocates or by any of them after accepting this Vakalatnama, shall be considered as my/our true and lawful act.

And I/we further hereby agree and undertake to pay the said Advocates his or their fees are settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct property. Failing which the said Advocates after notice to me/us will be liberty to withdraw from the further conduct to the case.

IN WITNESS WHERE OF I/We sign and execute this Vakalatnama on this the 16th day of July, 2025.

NAME OF ADVOCATE  
ASHOK PRASAD, ADVOCATE

Vakalatnama Received  
and accepted  
Ashok Prasad  
Adv.  
9882089404

  
डॉ. राघुवेंद्र राव एम / Dr. Raghuvendra Rao M.  
निदेशक / Director  
के.सी.प्र.सि.ज.ए. / CCRYN  
आयुष्य मंत्रालय, भारत सरकार  
Ministry of AYUSH, Govt. of India  
जनकपुरी, नई दिल्ली-58 / Janakpuri, New Delhi-58